

**REGULAR CITY COUNCIL STUDY SESSION**  
**MONDAY, APRIL 7, 2014**  
**LOCATION: BAINBRIDGE ISLAND CITY HALL**  
**280 MADISON AVENUE NORTH, BAINBRIDGE ISLAND, WA 98110**

1. 6:00 PM EXECUTIVE SESSION  
Review the Qualifications of an Applicant for City Employment (RCW 42.30.110(1)(g),  
Collective Bargaining Negotiations, Issues or Proceedings (RCW 42.30.140)
2. 7:00 PM CALL TO ORDER / ROLL CALL
3. 7:05 PM ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST  
DISCLOSURE
4. 7:10 PM CITY MANAGER'S REPORT
5. 7:15 PM PRESENTATION
  - A. National Poetry Month Reading
  - B. Friends of the Farm 2013 Annual Report AB 14-059  
  
Documents: 040714 Agenda Bill FOF Annual Report.pdf, 040714  
Friends Of The Farms Annual Report 2013.Pdf, 040714 Public  
Farmland Year End 2013.Pdf, 040714 Copy Of Farmer Ratings Criteria  
FINAL 6 18 12.Pdf, 040714 Friends Of The Farms Day Road Lease  
Map- Current March 2014.Pdf, 040714 Johnson Farm Lease Map  
(2).Pdf
6. 8:00 PM STAFF INTENSIVE
  - A. Ordinance No. 2014-16 Relating to Regulations for Medical and Recreational Marijuana  
  
Documents: 040714 Agenda Bill MLC-2014-06-PDF, 040714 MLC

Documents: 040714 Agenda Bill MJ Ord 2014-06.Pdf, 040714 MJ Memo 4-7 1st Reading.pdf, 040714 Att A 4 3 Draft Ordinance 2014-06 MJ.pdf, 040714 Att A Ordinance EXHIBIT A.pdf, 040714 B MJ Official Zoning Map.pdf, 040714 Att C PC Minutes.pdf, 040714 Att D PC Majority And Minority Reports.pdf, 040714 8 Att E Public Comment.pdf, 040714 Att F Press Release.pdf, 040714 10 Att G R-0.4 Map.pdf

B. Waterfront Park/City Dock 30% Design AB 13-025

Documents: 040714 Waterfront Park 30 Percent Design Discuss\_AB.pdf, 040714 DRB\_Notes\_033114\_Jh.pdf, 040714 WWRP Authorizing Resolution.pdf

C. Waterfront Park/City Design Contract Amendment No. 1 AB 13-025

Documents: 040714 Waterfront Park-City Dock Design Contract Amendment\_AB 13-025.Pdf, 040714 Amendment No. 1 To Agreement For Services SCI (2).Pdf

D. Traffic Concurrency Management Services PSA

Documents: 040714 Traffic Concurrency Mgmt Design PSA AB 14-003.Docx, 040414 Transportation Study TSI 3\_24\_2014.Doc, 040714 Transportation Study Scope 3-24-14.Docx

E. Use of Technology for Transparency AB 14-058

Documents: 040714 Use Of Technology For Transparency AB.pdf, 040714 PRR Attach 1.Pdf, 040714 PRR Attach 2 Rev.pdf

7. 8:30 PM COUNCIL DISCUSSION
8. 9:05 PM COMMITTEE REPORTS
9. 9:15 PM FOR THE GOOD OF THE ORDER
10. 9:10 PM REVIEW OF UPCOMING COUNCIL MEETING AGENDAS
11. 9:20 PM ADJOURNMENT

**Times listed on this agenda are appropriate. Public Comment may be limited to allow time for Council to deliberate.**

Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations, please contact the City Clerk at 206-842-2545 ([cityclerk@bainbridgewa.gov](mailto:cityclerk@bainbridgewa.gov)) by Noon of the day preceding the meeting.

# CITY OF BAINBRIDGE ISLAND

## CITY COUNCIL AGENDA BILL



### PROCESS INFORMATION

|                                                   |                     |
|---------------------------------------------------|---------------------|
| Subject: Friends of the Farms' 2013 Annual Report | Date: April 7, 2014 |
| Agenda Item: Presentation                         | Bill No.: 14-059    |
| Proposed By: Executive                            | Referral(s):        |

### BUDGET INFORMATION

|                  |                                                                               |                                                                             |
|------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Department:      | Fund:                                                                         | Munis Contract #                                                            |
| Expenditure Req: | Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No |

### REFERRALS/REVIEW

|                                                                                                               |                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Study Session                                                                                                 | Recommendation:                                                                                                                                                                                                 |
| City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | Legal <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A |

### DESCRIPTION/SUMMARY

#### Action Item:

Presentation of Friends of the Farms' 2013 Annual Report.

#### History:

The City owns approximately 60 acres of farm land on 5 properties. In 2011, the City entered into a 30-year Master Lease and Management Agreement with Friends of the Farms for property management. Under Section 3.11 of the Master Lease Agreement, Friends of the Farms is required to present an annual report to the City. Attached is a copy of the report.

### RECOMMENDED ACTION

Information only.





## **FRIENDS OF THE FARMS**

### **2013 Annual Report**

#### **City of Bainbridge Island and Friends of the Farms Master Lease and Management Agreement Duration of the Lease- 2012-2042**

Friends of the Farms

221 Winslow Way West Suite 303

Bainbridge Island, WA 98110

206.842.5537

[Wendy.tyner@friendsofthefarms.org](mailto:Wendy.tyner@friendsofthefarms.org)

[www.friendsofthefarms.org](http://www.friendsofthefarms.org)

<https://www.facebook.com/pages/Friends-of-the-Farms/115983138456882>

<https://twitter.com/islandfarms>

#### **Staff and Board of Directors**

Wendy Tyner-Executive Director

Bobbie Morgan- President

Bart Berg- Past President-Bart Berg Landscape LLC

Virginia Brewer- Vice President

Pamela Ginter- Treasurer, Riddell Williams P.S.

Emily Magnotto- Secretary, Terra Bella Farm

Becca Hanson- Studio Hanson/Roberts

Karen Selvar- Bainbridge Island Farms

Brian MacWhorter- Butler Green Farms

Dave Shorett – Shorett Law

Emeritus

Ryan Vancil- Past President- Vancil Law Office

#### **1.0 Introduction**

Friends of the Farms is a 501 (c) 3 non-profit corporation in Bainbridge Island, Washington founded in 2001 with its mission to preserve and enhance local farming. By connecting with the community and farmers, Friends of the Farms manages and provides long term leases to commercial farmers on public farmland, offers affordable housing to new farmers, and protects critical farmland. By working in partnership on sustainability, agricultural education, and volunteer farmland stewardship, Friends of the Farms ensures farmland conservation while increasing locally grown food production.

**Background Information.** On December 9, 2011, Friends of the Farms signed an agreement with the City of Bainbridge Island (City) titled, “City of Bainbridge Island and Friends of the Farms Master Lease and Management Agreement” (Master Lease). The term of the Master Lease is 30 years, commencing on the first day of January, 2012, and terminating on the first day of January, 2042. The properties described in the Master Lease include 60.83 acres of City-owned agricultural land being leased by the City to Friends of the Farms in furtherance of the City’s public purposes. While this public holding of agricultural land is a valuable community asset, it was recognized shortly after its acquisition that farmers cannot invest in their farming operations without guarantees to long-term access to the land they are cultivating. To this end, the general Master Lease responsibility of Friends of the Farms was intended to provide various management services for the City’s 60.83 acres of public farmland and structures including negotiating and managing sub-lease agreements with farmers in order to provide long-term farm planning stability for those leasehold farmers.

### **Contents of the Annual Report**

Pursuant to Section 3.11 of the Master Lease, Friends of the Farms is required to provide the City with an annual written report. This report is to include at least the following information:

- Quantification of produce and products from designated leased properties.
- Identification of farmer subleases by parcel, acreage utilized and lease rates.
- Summary of financial management (calendar year basis) including but not limited to: expense by parcel and payee; income by parcel; operating revenues and expenses of the management organization; grants sought/awarded, etc.
- Schedule and status for farm related capital improvements, if any.
- Description of use and activities, including but not limited to: farm related activities, educational programs, community outreach, farm stewardship volunteer work parties, and public events.
- Description of farm and farm-related activities demonstrating compliance with the Goals, Policies and Practices and other requirements of the Master Lease and, where appropriate, reporting and an explanation of instances where the Goals, Policies and Practices and other requirements of the Master Lease may not have been met.

In addition to the above required information, this report provides a summary of Friends of the Farms’ process in recruiting and selecting land, monitoring leasehold farmers and negotiating new subleases with those farmers.

## **2.0 Property Overview**

The property described in the Master Lease includes 60.83 acres of City-owned agricultural land. The current sub-leases are comprised of six separate properties. The name, location, and size of these lands are summarized in Table 1. Additional information for each property is included in Exhibit B of the Master Lease, City Farmland Goals, Policies and Practices.

**Table 1. Summary of City-owned Agricultural Land**

| <b>Agricultural Property Name</b>  | <b>Location</b>                                                                                                                                                         | <b>Size (acres)</b> |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Suyematsu and Bentryn Family Farms | 9229 NE Day Road- Northeast Section                                                                                                                                     | 14.76               |
| Suyematsu and Bentryn Family Farms | 9229 NE Day Road- Northwest Section                                                                                                                                     | 11.21               |
| Morales Farm                       | 8862 NE Lovgreen Road- Northeast corner of Highway 305 and Lovgreen                                                                                                     | 4.74                |
| Crawford                           | Accessed either from Suyematsu and Bentryn Family Farms or Lovgreen Road, between Bentryn property (private) to the north and Lempriere property (private) to the south | 2.3                 |
| M&E                                | Accessed from Charles Road; between Crawford to the west and Bentryn property (private) to the north                                                                    | 13.34               |
| Johnson Farm                       | Johnsonville Lane off of Fletcher Bay Road, approximately ½ mile south of High School Road                                                                              | 14.51               |
| <b>TOTAL ACREAGE</b>               |                                                                                                                                                                         | <b>60.83</b>        |

### **3.0 Farmer Recruitment, Selection, and Sub-Lease Negotiation Process**

Friends of the Farms completed the first round of sub-lease process for eight subleases on Suyematsu and Bentryn Family Farms West and Morales. Commensurate with the first year (2012) of the Master Lease and Management Agreement, Friends of the Farms implemented a second round of commercial farmer recruitment, selection, and sub-lease negotiation process consistent with the requirements of the Master Lease requirements (Sections 3.2, 3.3, and 3.4) for Farmer Subleases for *Suyematsu and Bentryn Family Farms East and Johnson Farm*. Public farmland that was conducive for farming with minimum enhancements were only considered. Sections of Suyematsu and Bentryn Family Farms East, Crawford and M & E were not considered at this time.

All known commercial farmers (31) and the public were notified through the local newspaper and through email of the application process and deadlines. They received additional email notification, with subsequent emails updating the prospective applicants of resources and application deadline reminders. Interested applicants had 45 days to respond with a completed application and business plan (see Attachment 1, Farmer Application and evaluation criteria). Two competing applications were received for Johnson Farm and four applications were received for Suyematsu and Bentryn Family Farms East. All of the applications were received by the deadline, 5:00 pm on March 18, 2013. An ad hoc committee comprised of Friends of the Farms' Board members and staff evaluated the applications using an evaluation process that was used in 2012. The evaluation process included criteria from the Master Lease, farmer interviews and site visits. The ad hoc committee recommended and was approved by the Board to enter into sublease negotiations with five of the six applicants. All five applicants entered into sublease negotiations with Ryan Vancil, Vancil Law LLC, past president of Friends of the Farms and land use attorney providing pro bono legal services to Friends of the Farms. Each farmer sublease

negotiations used the same template. It was adjusted to reflect the specifics of each farmer's location, lease rate, and duration. In addition, as part of the sublease application process, each farmer was required to submit a farm business plan. Farmers were assisted in the development of business plans by Elaine Jones, Certified Business Advisor, with the WSU Small Business Development Center.

After the sublease agreements had been successfully negotiated, all five leases were approved by the Friends of the Farms' Board at a regular board meeting on May 2, 2013.

**Table 2. Summary of Farmer Sub-Leases**

Since 2012, public farmland has increased from almost 12 acres to 20.5 acres of farmland leases or approved for a lease. Lease terms range from 5-25 years. Lease rates range from \$172/acre/year to \$334/acre/year plus utilities, based on its value that was created by USDA formula. The name, location, acreage, lease rate, and duration of the nine farmer sub-leases are provided below:

| <b>Name</b>                                  | <b>Location<br/>Parcel Number</b>            | <b>Acreage</b> | <b>Lease Rate<br/>(acre/year)</b> | <b>Duration<br/>(years)</b> |
|----------------------------------------------|----------------------------------------------|----------------|-----------------------------------|-----------------------------|
| Laughing Crow Farm<br>Betsey Wittick         | Day Road – Bentryn West<br>102502-1-063-2005 | 0.5            | \$334                             | 25                          |
| Bainbridge Island Vineyard<br>Betsey Wittick | Day Road – Bentryn West<br>102502-1-063-2005 | 2.82           | \$334                             | 25                          |
| Bainbridge Island Farms<br>Karen Selvar      | Day Road – Bentryn West<br>102502-1-063-2005 | 4.0            | \$334                             | 25                          |
| Butler Green Farms<br>Brian MacWhorter       | Day Road – Bentryn West<br>102502-1-063-2005 | 2.0            | \$334                             | 25                          |
| Butler Green Farms<br>Brian MacWhorter       | Morales Farm<br>102502-1-062-2006            | 1.0            | \$290                             | 25                          |
| Perennial Vintners<br>Mike Lempriere         | Morales Farm<br>102502-1-062-2006            | .62            | \$290                             | 25                          |
| Perennial Vintners<br>Mike Lempriere         | Day Road – Bentryn West<br>102502-1-063-2005 | .23            | \$290                             | 25                          |
| John Chang's Garden<br>John Chang            | Morales Farm<br>102502-1-062-2006            | .64            | \$290                             | 12                          |
| Heyday Farm                                  | Johnson Farm<br>282502-2-064-2002            | 1.6            | \$170                             | 5                           |

#### **4.0 Farm Productivity**

Thirteen row crops, one perennial crop (raspberries), and five wine grape varieties were grown on Suyematsu and Bentryn West and Morales Farm in the 2013 growing season. Nearly 144,000 pounds of produce including eight tons of wine grapes were grown. A summary of 2013 farm productivity is provided in Table 3.

**Table 3. Summary of 2013 Farm Productivity**

All of the farmers practice organic farming techniques. Bainbridge Island Farms grows certified organic strawberries and pumpkins and all of Butler Green Farm products are certified organic. John Chang's Garden operates as a commercial operation. He donates 100% of the harvest to HelpLine House. In 2013, Gerard and Joanne Bentryn retired from Bainbridge Island Vineyard and Winery. They sold the business to Betsey Wittick. The business was renamed Bainbridge Vineyards. Her LLC includes previous farm interns and community investors. As part of the three phases to enhance Johnson Farm's soil, Heyday is in Phase 2 of cultivating the soil for future food production. The crop production and location vary each year. Farmers rotate their crops on public and private land.

| <b>Name</b>                                   | <b>Location</b>         | <b>Produce</b>                                                                                                                                                                                                     | <b>Quantity</b>                                                                                                                                                                  |
|-----------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Laughing Crow Farm<br>Betsey Wittick          | Day Road – Bentryn West | <ul style="list-style-type: none"> <li>• Onions</li> <li>• Cabbage and Broccoli</li> </ul>                                                                                                                         | <ul style="list-style-type: none"> <li>• 3000</li> <li>• 1000</li> </ul>                                                                                                         |
|                                               |                         | <b>Total quantity</b>                                                                                                                                                                                              | 4000 pounds                                                                                                                                                                      |
| Bainbridge Island Vineyards<br>Betsey Wittick | Day Road – Bentryn West | <ul style="list-style-type: none"> <li>• Siegerrebe</li> <li>• Madelaine Angeviene</li> <li>• Pinot Gris</li> <li>• Mueller Thurgau</li> </ul>                                                                     | <ul style="list-style-type: none"> <li>• 1500</li> <li>• 10500</li> <li>• 500</li> <li>• 2200</li> </ul>                                                                         |
|                                               |                         | <b>Total quantity</b>                                                                                                                                                                                              | 14,700 pounds                                                                                                                                                                    |
| Bainbridge Island Farms<br>Karen Selvar       | Day Road – Bentryn West | <ul style="list-style-type: none"> <li>• Sweet corn- 100 b</li> <li>• Raspberries</li> <li>• Pumpkins</li> <li>• Winter squash</li> </ul>                                                                          | <ul style="list-style-type: none"> <li>• 7000</li> <li>• 8 tons</li> <li>• 40 tons</li> <li>• 2 tons</li> </ul>                                                                  |
|                                               |                         | <b>Total quantity</b>                                                                                                                                                                                              | 107,000 pounds                                                                                                                                                                   |
| Butler Green Farms<br>Brian MacWhorter        | Day Road – Bentryn West | <ul style="list-style-type: none"> <li>• Sweet corn-50 b</li> <li>• Squash</li> <li>• Beans</li> <li>• Peas</li> <li>• Greens</li> <li>• Broccoli</li> <li>• Beets</li> <li>• Carrots</li> <li>• Garlic</li> </ul> | <ul style="list-style-type: none"> <li>• 3500</li> <li>• 1250</li> <li>• 850</li> <li>• 450</li> <li>• 750</li> <li>• 325</li> <li>• 625</li> <li>• 480</li> <li>• 80</li> </ul> |
|                                               |                         | <b>Total quantity</b>                                                                                                                                                                                              | <b>8310 pounds</b>                                                                                                                                                               |
| Butler Green Farms<br>Brian MacWhorter        | Morales Farm            | <ul style="list-style-type: none"> <li>• Tomatoes</li> <li>• Strawberries</li> <li>• Carrots</li> <li>• Greens</li> </ul>                                                                                          | <ul style="list-style-type: none"> <li>• 2200</li> <li>• 425</li> <li>• 225</li> <li>• 425</li> </ul>                                                                            |
|                                               |                         | <b>3275</b>                                                                                                                                                                                                        | <b>3275 pounds</b>                                                                                                                                                               |

|                                      |                         |                                                                                                                                                                    |                                                           |
|--------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Perennial Vintners<br>Mike Lempriere | Morales Farm            | • Melon de Bourgogne                                                                                                                                               | • 2000                                                    |
|                                      |                         | <b>Total quantity</b>                                                                                                                                              | <b>2000 pounds</b>                                        |
| Perennial Vintners<br>Mike Lempriere | Day Road – Bentryn West | • Mueller Thurgau<br>• Madeleine Angevine                                                                                                                          | • 2000<br>• 660                                           |
|                                      |                         | <b>Total quantity</b>                                                                                                                                              | <b>2660 pounds</b>                                        |
| John Chang's Garden<br>John Chang    | Morales Farm            | Corn- 180 ears<br>Mustard- 130 bushels<br>Kale- 322 bushels<br>Squash<br>Beets- 24 bunches<br>Carrots<br>Brussel Sprouts<br>Broccoli- 45 heads<br>Lettuce-95 heads | 200<br>160<br>385<br>305<br>24<br>100<br>230<br>50<br>270 |
|                                      |                         | <b>Total quantity</b>                                                                                                                                              | <b>1724</b>                                               |
| Heyday                               | Johnson Farm            | Green crop                                                                                                                                                         | n/a                                                       |
| <b>TOTAL QUANTITY</b>                |                         |                                                                                                                                                                    | <b>143,669</b>                                            |

Prior to the passing of Akio Suyematsu on July 31, 2012, the Suyematsu Property was purchased by the City of Bainbridge Island and was held in a Life Estate for Mr. Suyematsu. Upon his death, Friends of the Farms assumed the role of management, initiating the negotiation of eight sub-leases with four different farmers. Sub-leases were applied for and approved for negotiations for Suyematsu and Bentryn Family Farms East.

## 5.0 Projects Committee

Friends of the Farms monitors the farmer subleases and oversees farm-related capital improvements on all six public farmland properties. The committee gathers input from leasehold farmers, Kitsap Conservation District, neighbors, Board members and staff, and community members to develop a list of priority capital improvement and maintenance projects. The project list is developed annually by the Projects Committee and approved by the Friends of the Farms' Board of Directors. The project list and associated tasks may diverge from the approved list as available resources and/or site conditions affect the needs throughout the year.

Capital improvement and maintenance projects were completed by contracted professionals and volunteers at monthly Saturday work parties. Participation ranged from 10 to 20 volunteers per event. Friends of the Farms provided volunteers with a complimentary farm-fresh lunch of locally sourced and prepared food, provided and prepared by Carol Rolph of Paulsen Farms. Nearly 500 volunteers totaling 3,500 volunteer hours were logged on public farmlands in 2013. Additionally, Friends of the Farms coordinated with Kitsap Conservation District to have a Washington Conservation Corps crew complete

3 to 5 days of maintenance, repair, and infrastructure improvements on public farmland while Sustainable Bainbridge mobilized volunteers to remove Scotch Broom.

## **6.0 Site Committee**

As required in Article 3.10, Friends of the Farms established a Site Committee to monitor the properties and the farmer subleases. Friends of the Farms developed policy and a process to manage the farmland. (September 10, 2013) The first meeting took place on November 24, 2013. The checklist included Agricultural Best Practices, including:

- Monitor Goals, Policies and Practices from Lease Exhibit B
- Identify and document issues of concerns with recommended resolutions
- Identify and document capital improvements/maintenance measures to be addressed; participate in developing a Capital Improvement Plan

The recommendations generated were used to develop the 2014 Exhibit D.

## **7.0 Goals, Policies and Practices**

Friends of the Farms manages public farmlands consistent with the Goals, Policies and Practices and other requirements of the Master Lease. In 2013, The City of Bainbridge Island, Friends of the Farms and Ryan Vancil, Vancil Law, met to revise the existing Goals, Policies and Practices. Friends of the Farms' Board of Directors approved the revised Goals, Policies and Practices in December, 2013.

## **8.0 Master Farm Plan**

The Master Lease requires Friends of the Farms to develop an overall Farm Management Plan for managing the 60.84 acres of public farmland to be submitted to the City for its approval. The Farm Management Plan is to be informed by the Capital Projects and Management Task List (Exhibit D of the Master Lease). Friends of the Farms initiated the planning process in 2013. Chairs, Ginny Brewer, VP and Becca Hanson, Board member, interviewed seventeen key stakeholders from the community. They gathered information from individuals who shared their vision of the land, its heritage and its future potential for agricultural purposes. Preliminary results revealed that public farmland needs protection in perpetuity. Other recommendations included:

1. Cultivate all public farmland creating additional food production
2. Develop additional agricultural educational opportunities for all ages
3. Explore biodiverse farming techniques
4. Increase public awareness and tourism through an interpretive area
5. Restore the Suyematsu Heritage structures
6. Construct public trails
7. Protect the buffers and Manzanita Creek headwaters and wildlife
8. Increase farmer housing using flexible or small house structures
9. The planning process was built upon existing farm leases. The plan will incorporate the Goals, Policies and Practices and relevant elements of the conservation plan for each farmland property.

## 9.0 Completed 2013 Farm-Related Capital Improvements and Accomplishments

### Suyematsu Estate

- **Transfer of Suyematsu Property to the City of Bainbridge Island.** Friends of the Farms, the City of Bainbridge Island, the Suyematsu Estate and the Suyematsu and Bentryn Family Farms Estate worked together to transfer the estate to the City during probate. An Exit Scope with a timeline was agreed upon by the three parties on June 6, 2013. All personal property was identified and transferred to its owner. The Suyematsu Estate removed all rummage from the land while providing additional enhancement of invasive species removal. The above parties completed a site inspection of the property in December, 2013, approving the removal of personal property, including scrap metal, trash, obsolete farm implements and junk vehicles. At this time of the document, the underground fuel tanks and the compost inventory is still undergoing specific review.

### Suyematsu East and Bentryn West

- **Farm related improvements**
  - Rebuilt the water holding gate at the irrigation pond
  - Irrigation system enhancements (valve boxes, well/pump houses, etc.)
  - Regular monitoring of storm water
  - Gate repair and repainting
- **Trail Construction**
  - Construction of a trail linking the Vista Drive neighborhood, and nearby Wilkes Elementary School, to the farm area through a City right-of-way was completed. In conjunction with the trail work, partial maintenance was completed on the eastern property line ditch, which provides vital flood protection for the farm.
- **Land Stewardship**
  - Ongoing maintenance (invasive species removal and fence repair)
- **Structural Improvements**
  - Assessed roof conditions on all structures
  - Assessed the historic barn's future use and protection





## Johnson Farm

Johnson Farm underwent a major transformation that had been a priority of Friends of the Farms for many years. The improvements to the historic structures while enhancing the property were provided by revenue earned from sub-leases, grants written by Friends of the Farms, in-kind support and volunteer help. While Johnson Farm is intended to be used for commercial farming, the improvements have created a more accessible and welcoming farm for the public to access for light recreation.

- **Agricultural land improvements.** Prior to 2013, Johnson Farmland was not sought after by growers primarily due to its directional aspect (facing north) and water access. Heyday Farm submitted a proposal to farm 1.6 acres for 5 years with the goal to farm more land in the future. As the sub-lessee, Heyday divided their project into 3 phases. Currently in Phase 2, they enriched the soil, removed invasive species, added fencing and planted a cover crop. In Phase 3, they will grow fruit trees and vegetables.
- **Structural Improvements.** Through foundational grant awards funded by Kitsap Community Foundation, Rotary Club of Bainbridge Island and Bainbridge Park and Recreation Foundation, Friends of the Farms invested an additional \$7,225 to enhance Johnson Farm. The funds were used to:
  - 1) purchase and construct a new 8' x 10' storage shed for the community P-Patch members,
  - 2) reroof existing eastern and western barns and that is used for Persephone Farms' CSA membership pick-up and for Harvest Fair,
  - 3) construct wooden steps and railings for the barn and shed
  - 4) provide farmland stewardship
- The roofs no longer leak. The farmers and volunteers were delighted to have access to new storage sheds, with safer barns and a shed. The improvements created a drier and safer place for participants at the recent 26<sup>th</sup> Annual Harvest Fair, held on September 29, 2013.



The new shed for the p-patch members

- Additional funds from the Bainbridge Community Foundation from 2012 were used for the installation of an electric sub panel and two amp outlet circuits that supports the P-patchers program and Harvest Fair.
- Friends of the Farms removed and discarded of rotting barn sections from lower parking area improving site aesthetics and safety of the lower parking area.

- **Land Stewardship-** The Volunteer Stewardship Program mobilized volunteers to remove Himalayan Blackberries, grade the trails and add new chippings to the multi-use trail system. Bart Berg, Project Manager, also organized work parties for road repair and graveling, orchard pruning, fence repair and intensive land preparation for Harvest Fair. Through a partnership with the WA Conservation Corps and Sustainable Bainbridge, there were four additional events held to aggressively remove Scotch broom on the hillside and lower parking lot. The P-Patch members volunteered their time to manage the 14 p-patches and repaired the irrigation system that comes from the pond. The nearby Neighborhood Stewards provided over 150 hours of ongoing security and maintenance, including mowing, trimming, and additional access road and trail repair.



New steps and railings were constructed

#### Morales Farm

- **Land Stewardship-** In partnership with Kitsap Conservation District, and the Washington Conservation Corps, volunteers removed a heavy clearing of Himalayan Blackberry and Scotch Broom that was invasive to the stream, to the grapes and to the row crops.
- **P- Patch-** There was a request from the community to increase the number of p-patches on the Island. Through volunteer Board and Advisory Committee help, eight new community p-patches were created through initial clearing, tilling, fencing and irrigation installation.
- **Infrastructural Improvements-** Electrical plumbing improvements were added to the greenhouse by extending water and 110 v power to the 96' x 36' greenhouse. A water hydrant and spigots were added for the field and p-patch members.

#### M & E Farm

- **Land Preparation-** The property continues to be cleared of invasive species and old and overgrown trees in preparation of future agricultural use.
- **Trail Construction-** Friends of the Farms built an additional .33 miles of new trail linking M & E to Vista Drive public access trail via the existing 10 foot trail easement through Bentryn private property. This trail allows for public access from Wilkes Elementary School to Lovgreen Road totaling 1.5 miles of public trails on public farmland. An additional trail was also constructed which connects M & E Farm with Grace Episcopal Church.

## 10.0 Financial Summary

Per the Master Lease agreement, Friends of the Farms acts as the fiscal agent for all earned revenue from public farmland use. (See attached). In 2013, revenue was received from farmland leases, farmhouse tenant rent, event donations generated \$11,589. An additional \$7225 was raised through private foundations, and \$1,737.35 was raised from Friends of the Farms charitable giving. All improvements and enhancements made to the infrastructure, to the land, housing, or to the structures, including utilities were paid using this revenue. Similar to 2012, Friends of the Farms invested more resources than projected including additional administrative time, in-kind Project Management and Legal Services.

In addition to the added expenses of \$1,737.35, Friends of the Farms estimates an additional FTE 1.0 is required to properly manage public farmland. Additional expenses that Friends of the Farms covered for 2013 were:

|                                                                              |                    |
|------------------------------------------------------------------------------|--------------------|
| Friends of the Farms – Additional expenses paid by Friends of the Farms-     | <b>\$1,737.35</b>  |
| Essential Work- Project Management, Farmland Management Plan and Legal Fees- | <b>\$75,000.00</b> |

**Total \$76,737.35**

## 11.0 Public Farmland Use

Public Farmland is used extensively throughout the year. In addition to farmers using the land to harvest 143,669 pounds of food, the land is made available to the community in many ways:

### Friends of the Farms-

- **Farm housing-** There are seven individuals who received Friends of the Farms scholarships to live twelve months in the Morales or the Suyematsu Farmhouse. All applicants qualify by working with a commercial farmer as an intern or apprentice or have become a new farmer. They are responsible for working at least .75 on the farm and volunteer 4 hours a month to Friends of the Farms.
- **Harvest Fair-** Friends of the Farms produces Harvest Fair each year at Johnson Farm. In its 28<sup>th</sup> year, Johnson Farm will once again be transformed into a “day on the farm” with 3,000-5,000 people in attendance. The fair is a festive day that includes sheep shearing, apple cider pressing, a pie contest, live home-grown music, local food vendors who are required to serve locally sourced items, the famous “land slide”, pony rides, non-profit organization vendor exhibits, tractor pulls, carriage rides and farm demonstrations.
- **Annual Meeting-** The public is invited to the organization’s annual business meeting to elect new Board members and officers, learn about Friends of the Farms and participate in a grape cane bonfire, a maypole and very down-home local luck-of-the-pot dinner with local wine and music.
- **Farm Stewardship-** There are volunteer opportunities for all ages throughout the year. Work parties are held on the second Saturday of each month reaches the core of a person’s heart. The work parties are held at various public farmlands to help maintain the properties. The participants are treated to a locally sourced farm fresh meal as our way to give thanks. The community reaps the benefits through their work of invasive species removal, trail construction, general maintenance, and fence and irrigation repair.

- **Recreation-** As a designated riparian wildlife corridor with over 55 bird species, an apple orchard, and two ponds, Johnson Farm is open to the public year round for passive recreational use, and currently supports 14 community P-patch gardens.
- **Suyematsu Day-** The Suyematsu and Bentryn Family Farms Guild, the Suyematsu Family and EduCulture joined forces to celebrate the life of Akio Suyematsu in July, 2013. The public was invited to meet the family, and visit various historical artifacts that belonged to the family.
- **Cycle Cross-** The Gear Grinders High School Mountain Bike Club sponsored a 1 mile loop of trail competition at Johnson Farm for 200 participants. The event attracted all ages from Seattle and Kitsap County.
- **Private events-** In years passed, there was a wedding celebration held on public land. In 2013, there was one private business who invited friends and family to a picnic while birders asked to walk the land.
- **Bike for Pie-** One of the most attractive events is to witness the bike participants who stop at Suyematsu and Bentryn Family Farms to enjoy sweet and savory pies en route to their next destination.

**Commercial farmers-** Commercial farmers use the land for their business. They also offer seasonal events to the public that include farm stand sales, raspberry u-pick, and pumpkin patch festivities. Together, the farmers value and embrace agricultural education. Three of the farmers recruit and teach farm interns about farming practices.

**Education-** Suyematsu and Bentryn Family Farms and Morales are used extensively for educational purposes. The EduCulture Project, a program of Global Source Education, provides students live experiences on local farms that cultivate stewardship, citizenship and sustainability. Through a collaboration involving farms, schools, and the community, this initiative has been enhancing classroom curricula, nurturing school gardens, and enriching school lunches, while preserving local sustainable agriculture, and growing future generations of Bainbridge farmers. 2013 was the eighth year of the EduCulture Project, with dedicated farm-to-school partnerships with Wilkes Elementary, Ordway Elementary, and Island Co-op Preschool. Students visited public farmland, learned from commercial farmer leaseholders, and planted, tended, and harvested a variety of crops including potatoes, sweet and ornamental corn, and sugar pie pumpkins.

**12.0 Proposed 2014 Farm-Related Capital Improvements-** Friends of the Farms' Board of Directors approved a 2014 Exhibit D for capital projects on January 13, 2014. The total cost of all projects \$305,620. The projected income from subleases, rent and farmland use total \$17,361 for 2014. Below is a prioritized list of capital improvements planned for 2014.

Suyematsu and Bentryn Family Farms-

- |                                                                            |         |
|----------------------------------------------------------------------------|---------|
| • Installation of a new non-electric gate at the east end of the property. | \$500   |
| • Conservation Corps lunches and materials                                 | \$500   |
| • Suyematsu ditching and culvert replacement                               | \$1,940 |
| • Suyematsu house- repairs                                                 | \$8,500 |

Morales Farm

- |                      |         |
|----------------------|---------|
| • Morales pump house | \$1,500 |
|----------------------|---------|

Johnson Farm

- |                                        |       |
|----------------------------------------|-------|
| • Signage for noting non potable water | \$100 |
|----------------------------------------|-------|

Suyematsu and Bentryn Family Farms and Morales

- Grade and Gravel roads at Bentryn, Suyematsu and Morales – worst

|                                                                                  |                 |
|----------------------------------------------------------------------------------|-----------------|
| areas only and dust control.                                                     | \$10,000        |
| <b>TOTAL COSTS-</b> Adjust above priority expenditures based on actual estimates | <b>\$23,040</b> |

### **13.0 The Future of Farming**

Friends of the Farms held its annual Board of Directors' retreat in January, 2014. The priorities that resonated with the Board were to preserve and steward farmland while creating a sustainable model for farmers to develop viable farming businesses. The City, Friends of the Farms, the farmers, the tenants and those who access public farmland have a strong partnership with shared values. Friends of the Farms acknowledges the City of Bainbridge Island for adhering to the Comprehensive Plan to preserve farmland. We look forward to another successful and bountiful year.

#### **Submitted by**

**Wendy Tyner**  
**Executive Director**  
**April 2, 2014**

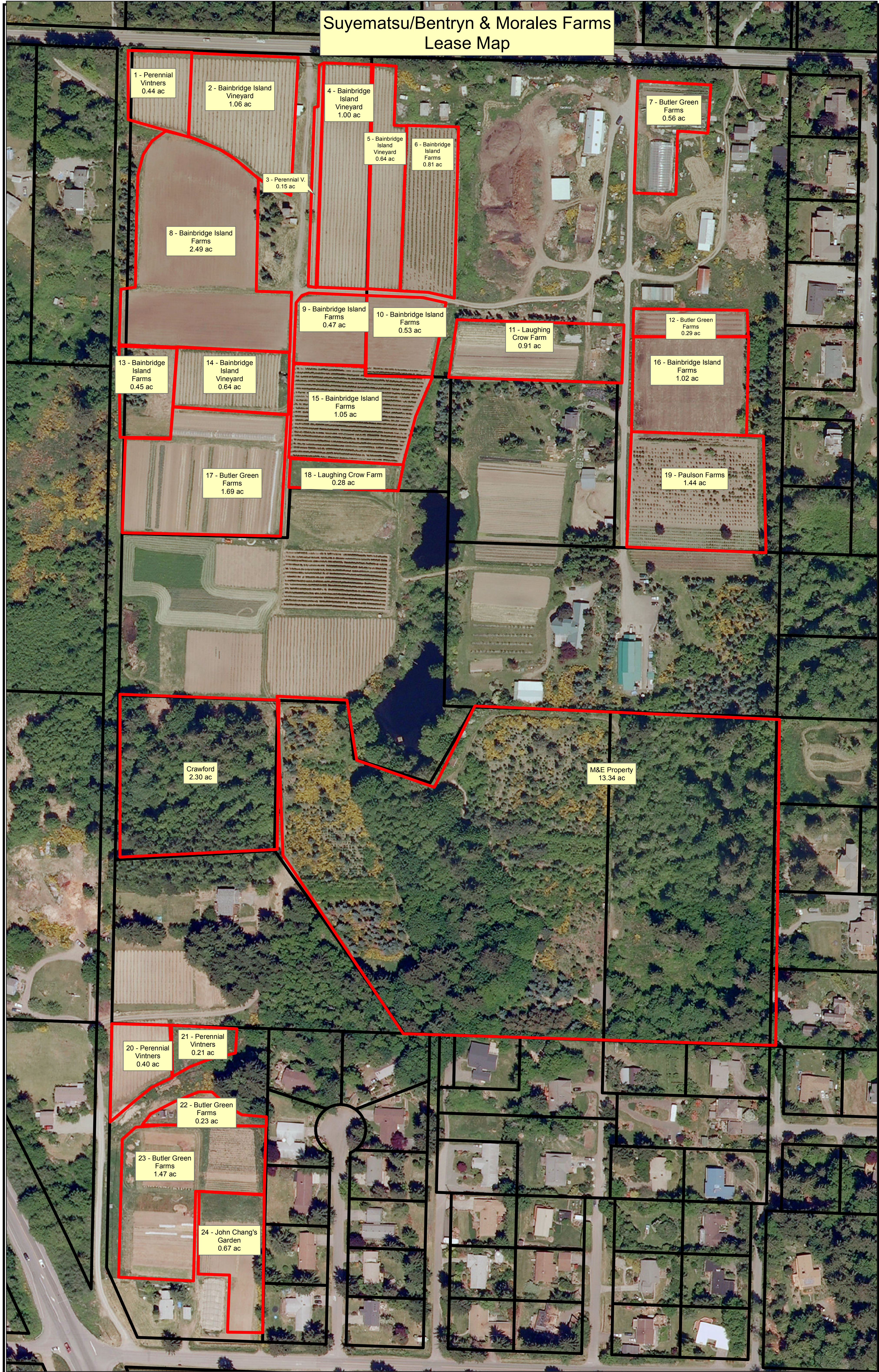
# Public Farmland Management January thru December 2013

|                                    | Notes                        | Work Parties | PUBLIC FARMLAND MANAGEMENT |          |          |           |
|------------------------------------|------------------------------|--------------|----------------------------|----------|----------|-----------|
|                                    |                              |              | Day Rd                     | Johnson  | Morales  |           |
|                                    |                              |              | Actual                     | Actual   | Actual   |           |
| <b>EARNED INCOME</b>               |                              |              |                            |          |          |           |
| Interest Income                    |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Lease / Rent                       |                              | 0.00         | 6,857.02                   | 647.00   | 3,883.30 |           |
| <b>Total EARNED INCOME</b>         |                              | 0.00         | 6,857.02                   | 647.00   | 3,883.30 | 11,387.32 |
| <b>CONTRIBUTED INCOME</b>          |                              |              |                            |          |          |           |
| In-Kind Donation                   |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Gross Receipts                     |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Major Donor (>500)                 |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Appeals (<499)                     |                              | 0.00         | 0.00                       | 202.00   | 0.00     |           |
| Corporate                          |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Foundations                        | \$7225 less 30% Admin Fee    | 0.00         | 0.00                       | 4,427.33 | 0.00     |           |
| Government                         |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| <b>Total CONTRIBUTED INCOME</b>    |                              | 0.00         | 0.00                       | 4,629.33 | 0.00     |           |
| <b>RETAINED INCOME</b>             | Negative carryover from 2012 |              |                            |          |          | -7559.31  |
| <b>TOTAL INCOME</b>                |                              | 0.00         | 6,857.02                   | 5,276.33 | 3,883.30 |           |
| <b>EXPENSE</b>                     |                              |              |                            |          |          |           |
| Re-Granting                        |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Bank Fees                          |                              | 0.00         | 0.00                       | 0.00     | 8.15     |           |
| Computer Tech Support              |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Dues & Subscriptions               |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Food & Beverage                    |                              | 460.00       | 63.49                      | 0.00     | 0.00     |           |
| Honoraria/Awards                   |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Insurance                          |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Licenses                           |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Marketing                          |                              | 0.00         | 0.00                       | 50.00    | 59.40    |           |
| Payroll Wages & Taxes              |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Permits & Fees                     |                              | 57.20        | 0.00                       | 189.50   | 0.00     |           |
| Postage                            |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Printing                           |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Professional Development           |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Professional Services              |                              |              |                            |          |          |           |
| Admin                              |                              | 0.00         | 1,371.40                   | 129.40   | 776.60   |           |
| Contract Services                  |                              | 0.00         | 1,280.38                   | 1,664.96 | 0.00     |           |
| Legal                              |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Accounting                         |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| <b>Total Professional Services</b> |                              | 0.00         | 2,651.78                   | 1,794.36 | 776.60   |           |
| Rent                               |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Supplies                           |                              | 0.00         | 92.61                      | 1,581.77 | 0.00     |           |
| Telephone                          |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Travel (Tolls, Parking, Mileage)   |                              | 0.00         | 0.00                       | 0.00     | 0.00     |           |
| Utilities                          |                              |              |                            |          |          |           |
| Cable                              |                              | 0.00         | 0.00                       | 0.00     | 473.62   |           |
| Water                              |                              | 0.00         | 0.00                       | 0.00     | 422.44   |           |
| Electricity                        |                              | 0.00         | 304.52                     | 239.85   | 2,181.40 |           |
| <b>Total Utilities</b>             |                              | 0.00         | 304.52                     | 239.85   | 3,077.46 |           |
| <b>AG Easements - Land</b>         |                              |              |                            |          |          |           |
| <b>TOTAL EXPENSE</b>               |                              | 517.20       | 3,112.40                   | 3,855.48 | 3,921.61 |           |
|                                    |                              | -517.20      | 3,744.62                   | 1,420.85 | -38.31   | -1,737.35 |

|                                                                                                                      |       |          |
|----------------------------------------------------------------------------------------------------------------------|-------|----------|
| Name of Applicant:                                                                                                   |       |          |
| Property:                                                                                                            |       |          |
| Reviewer's Name:                                                                                                     |       |          |
| Business/Legal Criteria: (40 total points)                                                                           | Score | Comments |
| 1) Commercial viability of farm business plan                                                                        |       |          |
| 2) Ability to meet lease requirements                                                                                |       |          |
| 3) Documented evidence of sufficient working capital (may include provisional arrangements for shortfall e.g. loans) |       |          |
| Total points                                                                                                         |       |          |
| Farming Criteria: (40 total points)                                                                                  |       |          |
| 1) Farming experience relative to project proposal                                                                   |       |          |
| 2) Providing agricultural diversity                                                                                  |       |          |
| 3) Suitability of proposed farming operation for the location                                                        |       |          |
| Total points                                                                                                         |       |          |
| Cooperation Criteria: (20 total points)                                                                              |       |          |
| 1) Ability to cooperate with Friends of Farms' programs                                                              |       |          |
| 2) Ability to cooperate with other farmers who may be working the farmland being considered for use                  |       |          |
| Total points                                                                                                         |       |          |
| Additional Criteria: (5 points each possible)                                                                        |       |          |
| 1) Growing food crops                                                                                                |       |          |
| 2) Currently working on the farmland                                                                                 |       |          |
| 3) Resident of Bainbridge Island/proximity to land                                                                   |       |          |
| Bonus points added:                                                                                                  |       |          |
| TOTAL                                                                                                                |       |          |
| Application was submitted by the deadline:    yes        no                                                          |       |          |
| Application was completed upon receipt :        yes        no                                                        |       |          |
| Farmer lives in close proximity/Bainbridge:    Yes        no                                                         |       |          |
| **Rating sheet is one part of a three-part Farm Application Review process.                                          |       |          |
| Farm applicants will have reference checks and interviews as needed.                                                 |       |          |



Suyematsu/Bentryn & Morales Farms  
Lease Map



0 35 70 140 210 280 Feet



Map Created By:  
Brian Stahl  
Kitsap Conservation District  
April 2013

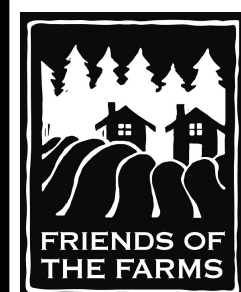


Johnson Farm Lease Map  
14.1 acres

Hey Day Farm  
1.21 acres

Hey Day Farm  
0.39 Acres

0 20 40 80 120 160 Feet



Map Created By:  
Brian Stahl  
Kitsap Conservation District  
April 2013



# CITY OF BAINBRIDGE ISLAND

## CITY COUNCIL AGENDA BILL



### PROCESS INFORMATION

|                                                                                                                                                    |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Subject: Ordinance 2014-06, Establishing Zoning Regulations for Recreational Marijuana Processing, Retailing, and Production (Growing) Businesses. | Date: April 7, 2014 |
| Agenda Item: Ordinances: 1 <sup>st</sup> Reading/ Study Session                                                                                    | Bill No.: 13-136    |
| Proposed By: Special Project Planner Jennifer Sutton & Planning Director Kathy Cook                                                                |                     |

### BUDGET INFORMATION

Depart/Fund:

Expenditure Req: Budgeted? ☐ Yes ☐ No Budget Amend. Req? ☐ Yes ☐ No

### REFERRALS/REVIEW

Planning Commission Recommendation: Approve Ordinance 2014-06  
City Manager ☒ Yes ☐ No ☐ N/A Legal ☒ Yes ☐ No ☐ N/A Finance ☐ Yes ☐ No ☒ N/A

### DESCRIPTION/SUMMARY

**Action Item:** Discuss Draft Ordinance 2014-06, Establishing Zoning Regulations for Recreational Marijuana Processing, Retailing, and Production (Growing) Businesses. Consider scheduling second reading/ Public Hearing on April 28, 2014.

#### **Background:**

During the 6-months that the interim marijuana regulations are in effect (Ordinance 2013-32 expires on May 25, 2014), permanent regulations must be taken through the standard Planning Commission and City Council review process. The City must decide how it wants to regulate the three different types of recreational marijuana businesses- production (growing), processing, and retailing, and whether to “zone” for collective gardens- which fall under the State’s medical marijuana rules (Chapter 69.51A RCW). Draft Ordinance 2014-06 adopts the State’s recreational marijuana rules (Chapter 314-55 WAC) and integrates the Planning Commission recommendation to “zone” for these marijuana related uses as summarized below.

- **Collective Gardens:** The Planning Commission recommended banning collective gardens Citywide.
- **Marijuana Retail:** The Planning Commission recommended allowing recreational marijuana retail where general retail is already allowed- the Mixed Use Town Center, High School Road, and Neighborhood Service Center zoning districts. The City will only be granted 1 marijuana retail business license by the Liquor Control Board.
- **Marijuana Processing:** The Planning Commission recommended allowing recreational marijuana processing in the Business/ Industrial district.
- **Marijuana Production (Growing):** The Planning Commission recommended allowing recreational marijuana production (outdoor or greenhouse growing ONLY) in the R-0.4 zoning district subject to several conditions (see Ordinance 2014-06)

### RECOMMENDED ACTION

#### **Motion:**

I move to schedule to second reading/ public hearing for Ordinance 2014-06 on April 28, 2014.



*City of Bainbridge Island*  
**PLANNING & COMMUNITY DEVELOPMENT**



**MEMORANDUM**

TO: City Council  
City Manager Doug Schulze

FROM: Jennifer Sutton, AICP  
Special Project Planner

DATE: April 7, 2014

RE: Public Hearing Ordinance 2014-06  
Zoning Regulations for Marijuana-Related Uses and Businesses

---

During the 6-months that the interim marijuana regulations are in effect (Ordinance 2013-32 expires on May 25, 2014), permanent regulations must be taken through the standard Planning Commission and City Council review process. The City must decide how it wants to regulate the three different types of recreational marijuana businesses- production (growing), processing, and retailing, and whether to “zone” for collective gardens- which fall under the State’s medical marijuana rules (Chapter 69.51A RCW). Draft Ordinance 2014-06 (Attachment A) integrates the Planning Commission recommendation to “zone” for these marijuana related uses as described below. The City’s Official Zoning Map is included as Attachment B to provide further understanding of the Planning Commission’s recommendation.

The LCB recreational marijuana Rules are codified in Chapter 314-55 Washington Administrative Code (WAC, see link). <http://apps.leg.wa.gov/wac/default.aspx?cite=314-55>

**Planning Commission Review**

The Planning Commission reviewed and discussed both medical and recreational marijuana uses and businesses over 4 study sessions in January and February, and at a public hearing on March 13<sup>th</sup> (see excerpts of Planning Commission minutes, Attachment C). After holding the public hearing on March 13<sup>th</sup>, the Planning Commission made recommendations on zoning for all three types of recreational marijuana businesses, and recommended unanimously to ban medical marijuana collective gardens (which had been permitted in a limited fashion under Ordinance 2013-32, interim marijuana regulations.) The Commission’s recommendation on marijuana retail and processing were also unanimous, but the Commission’s recommendation on marijuana production (growing) was a split vote 4-3, and was the type of business that generated the most discussion and passion. In addition to the official minutes, Planning Commission members on both sides of the marijuana growing issue, wrote majority and minority reports (Attachment D) explaining the discussion and reasons for their vote.

Written public comment received to date is included as Attachment E.



## **Summary of Ordinance 2014-06: Planning Commission Recommendation**

### ***Marijuana Retail***

The Planning Commission unanimously recommended that marijuana retail be a permitted use in the zoning districts that otherwise permit general retail- the Mixed Use Town Center (MUTC), High School (HS) Road I & II, and Neighborhood Service Center (NSC) zoning districts. It should be noted that the 1,000 foot State required sensitive uses buffer eliminates the MUTC and most of HS Road zoning districts from marijuana business opportunities at this time. Of the three NSC areas, the southern half of the Island Center NSC area is eliminated by the buffer to Island Center Hall.

The Commission also recommended that the City treat a marijuana business like any other retail establishment when it comes to City land use permits. Staff will use the current applicability section of the Site Plan Review (SPR) Chapter (BIMC Section 2.16.040.B) to determine whether or not a SPR permit would be required for a new marijuana retail space, i.e. a SPR permit would be required for any new commercial building. But if the business is proposed for an existing commercial space, then the “change of use” applicability section would be used to determine if a new marijuana retailer would have more traffic, parking or noise impacts than the previous use. If so, a SPR permit would be required, if not, then perhaps only a tenant improvement building permit would be required. It should be noted that the districts where retail is a permitted use are subject to design guidelines, which would apply to any new commercial buildings.

The State has allocated one marijuana retail operation for the City of Bainbridge Island; the LCB has not issued a state license for a marijuana retail business on Bainbridge Island yet. An April 2<sup>nd</sup> press release about the upcoming retail license lottery is attached (Attachment F).

### ***Marijuana Processing***

The Planning Commission unanimously recommended that marijuana processing be a permitted use in the Business/ Industrial zoning district. The Commission also recommended always requiring a Site Plan Review permit, even if the new business would not otherwise require one, because processing could involve the type of impacts (i.e. noise, odor, safety and disposal) that the City would want to review ahead of time. The Business/ Industrial zoning district has required landscape buffers and design guidelines. It should be noted that most of the Business/ Industrial zoning district is eliminated by the State’s 1,000 foot sensitive uses buffer. Only a Businesses/ Industrial area immediately west of the SR 305/ Day Road intersection is available for marijuana business opportunities at this time.

### ***Marijuana Production (Growing)***

With a 4-3 split vote, the Planning Commission recommended that marijuana production (outdoors or in a greenhouse only) be a permitted use in the R-0.4 zoning district subject to the following conditions.

- a. A Minor Site Plan and Design Review permit is required and must be approved prior to any City approval of business licenses or other required permits;
- b. Minimum lot area of 1 acre required;



- c. Only Tier 1 (less than 2,000 sq. ft. of plant canopy) marijuana production businesses are allowed, as described by the Washington State recreational marijuana licensing rules, Section 314-55-075(6) WAC;
- d. Minimum 25 foot setback for marijuana-related buildings, uses, or outdoor planting areas.
- e. A 25 foot full screen perimeter landscaping buffer to other properties is required, meeting the planting requirements of BIMC Section 18.15.010.D.4.a; and
- f. A 25 foot partial screen roadside buffer to streets or planned right-of-way is required meeting the planting requirements of BIMC Section 18.15.010.D.4.b.

The City has prepared a map (Attachment G) showing which properties are greater than one acre in the R-0.4 zoning district, and the 1,000 foot State sensitive uses buffer.

### ***Collective Gardens (Medical Marijuana, Chapter 69.51A RCW)***

The Planning Commission unanimously recommended banning collective gardens Citywide. Ordinance 2013-32, the City's interim marijuana regulations, allowed collective gardens in the Business/ Industrial district, respecting the 1000 foot sensitive uses buffer that applies to recreational marijuana businesses. City staff is unaware of any existing collective gardens. The Planning Commission recommendation was bolstered by the recent decision issued by the Washington State Court of Appeals, Division I in the case *Cannabis Action Coalition v. City of Kent*, published on March 31, 2014. Specifically, the court upheld the City of Kent's prohibition on collective gardens and further held that collective gardens are illegal uses.

### ***Definitions***

Draft Ordinance 2014-06 integrates the Washington State definitions for marijuana business/ uses into the City's zoning regulations (BIMC Section 18.36.030), so that the City regulations are synchronized with the State permitting regulations, and amendments the state may make to those definitions. Those definitions are found in Revised Code of Washington (RCW) section 69.50.101, the definitions section of the State *Uniform Controlled Substances Act*.

### ***Business Licenses & City owned property***

The City Attorney and City Administration have identified two other issues related to recreational marijuana businesses since the Planning Commission completed their review. Draft Ordinance 2014-06 has been updated by the City Attorney to address both issues.

1. Business license regulations, BIMC Chapter 5.04, refer to federal and state law, and therefore need to be updated to acknowledge that recreational marijuana businesses are not in compliance with federal law.
2. The City owns several open space properties purchased to promote continued agriculture use. The group *Friends of the Farm* currently manages those properties for the City. In Ordinance 2014-06, the City affirms that City-owned property may NOT be used for marijuana related businesses.



**Attachments**

- A. Draft Ordinance 2014-06
- B. Official Zoning Map of the City of Bainbridge Island
- C. Planning Commission Meeting Minutes (3/13 not included, still DRAFT, not approved yet)
- D. Planning Commission Majority & Minority Reports
- E. Written public comment
- F. April 2<sup>nd</sup> LCB Press Release
- G. Map of R-0.4 Zone Potential Marijuana Production Areas under Ord. 2014-06



## ORDINANCE NO. 2014-06

**AN ORDINANCE** of the City of Bainbridge Island, Washington, establishing zoning regulations relating to marijuana processing, producing/growing, retailing and collective gardens; repealing interim zoning regulations adopted under Ordinance No. 2013-32; amending Bainbridge Island Municipal Code Sections 5.04.055, 18.09.020, 18.09.030, and 18.36.030; and providing for severability and an effective date.

**WHEREAS**, in 2012 Washington voters approved Initiative 502 which authorizes certain production, processing and retailing of marijuana, codified in relevant part at RCW 69.50.325, *et seq.*, and directed the State Liquor Control Board to develop rules and regulations to:

1. Determine the number of retailers of marijuana by county and city;
2. Develop licensing and other regulatory measures;
3. Issue licenses to producers, processors, and retailers at locations which comply with the Initiative's distancing requirements prohibiting such uses within one thousand feet of schools and other designated public facilities; and
4. Establish a process for municipalities to comment prior to the issuance of such licenses; and

**WHEREAS**, the State Liquor Control Board adopted such regulations promulgated at chapter 314-55 of the Washington Administrative Code effective November 21, 2013; and

**WHEREAS**, while the production, processing, and retailing of marijuana remains in violation of the federal Controlled Substances Act, the City Council wishes to acknowledge the will of Bainbridge Island voters and the authority exercised by the state of Washington and the State Liquor Control Board to license such facilities; and

**WHEREAS**, Initiative Measure No. 692, approved by the voters of Washington State on November 30, 1998 and codified as chapter 69.51A RCW, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana (cannabis); and

**WHEREAS**, in April 2011 the Washington State Legislature passed a bill (E2SSB 5073) to provide qualifying patients with a new means of access to medical marijuana, authorizing "collective gardens" which would allow qualifying patients the ability to produce, grow, process, transport and deliver marijuana for medical use, and that provision was approved by Governor Gregoire, effective on July 22, 2011 and codified at RCW 69.51A.085; and

**WHEREAS**, on March 31, 2014, the Court of Appeals, Division 1, in *Cannabis Action Coalition v. City of Kent*, held that despite the authorizing language in RCW 69.51A.085, collective gardens are illegal uses; and

**WHEREAS**, the Planning Commission conducted study sessions on January 9 and 23 and February 13 and 27, 2014, and



**WHEREAS**, the Planning Commission conducted a public hearing on March 13, 2014 and forwarded their recommendation to the City Council; and

**WHEREAS**, the City Council conducted a public hearing on recreational and medical marijuana related uses on \_\_\_\_\_, 2014; and

**WHEREAS**, notice was given on March 14, 2014 to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106;

**WHEREAS**, nothing in this ordinance is intended nor shall be construed to authorize or approve of any violation of federal or state law; now, therefore,

**THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The interim zoning regulations and moratorium adopted under Ordinance No. 2013-32 are hereby repealed in their entirety.

**Section 2.** Section 5.04.055 of the Bainbridge Island Municipal Code relating to conduct associated with business licenses is amended as follows:

5.04.055 Standards of conduct.

Every licensee under this chapter shall:

A. Permit reasonable inspections of the business premises by governmental authorities for the purpose of enforcing the provisions of this chapter;

B. Comply with all ~~federal~~, state and city statutes, laws, ordinances and regulations relating to the business premises and the conduct of the business thereon;

**Section 3.** Section 18.09.020 of the Bainbridge Island Municipal Code is amended to add marijuana related uses as shown in Exhibit A.

**Section 4.** Section 18.09.030 of the Bainbridge Island Municipal Code, Use Specific Standards, is amended to add the following subsection:

K. Marijuana Related Uses

1. The production, processing and retailing of marijuana is and remains illegal under federal law. Nothing herein or as provided elsewhere in the ordinances of the City of Bainbridge Island is an authorization to circumvent federal law or to provide permission to any person or entity to violate federal law. Only



Washington State licensed marijuana producers, processors, and marijuana retailers may locate in the City of Bainbridge Island and then only pursuant to a license issued by the State of Washington. The purposes of these provisions is solely to acknowledge the enactment by Washington voters of Initiative 502 and state licensing procedures to permit, but only to the extent required by state law, marijuana processors, marijuana producers and marijuana retailers to operate in designated zones of the city.

2. In addition to any other applicable remedy and/or penalty, any violation of this section is declared to be a public nuisance *per se*, and may be abated by the city attorney under the applicable provisions of this code or state law, including but not limited to the provisions of Chapter 1.24 BIMC, Chapter 1.26 BIMC and Chapter 9.40 BIMC.

3. No marijuana processor, marijuana producer or marijuana retailer shall locate within 1000 feet, measured in the manner set forth in WAC 314-55-050(10), from any of the following existing uses as defined in Section 314-55-010 WAC:

- a. Elementary or secondary school;
- b. Playground;
- c. Recreation center or facility;
- d. Childcare center;
- e. Public park;
- f. Public transit center;
- g. Library; or
- h. Game arcade.

4. Marijuana Retailer: Marijuana retailing is a permitted use in the Mixed Use Town Center, High School Road, and Neighborhood Service Center zoning districts. A Site Plan and Design Review permit may be required, pursuant to Section 2.16.040.B, Site Plans and Design Review *Applicability*.

5. Marijuana Processors: Marijuana processing is a permitted use in the Business/ Industrial zoning district. A Site Plan and Design Review permit is required and must be approved prior to any City approval of business licenses or other required permits.

6. Marijuana Producers: Marijuana production (growing) outdoors or in a greenhouse is a permitted use in the R-0.4 zoning district subject to the following conditions:

- a. A Minor Site Plan and Design Review permit is required and must be approved prior to any City approval of business licenses or other required permits;
- b. Minimum lot area of 1 acre required;
- c. Only Tier 1 (less than 2,000 sq. ft. of plant canopy) marijuana production businesses are allowed, as described by the Washington



State recreational marijuana licensing rules, Section 314-55-075(6) WAC;

- d. Minimum 25 foot setback for marijuana related buildings, uses, or outdoor planting areas.
- e. A 25 foot full screen perimeter landscaping buffer to other properties, meeting the planting requirements of BIMC Section 18.15.010.D.4.a is required; and
- f. A 25 foot partial screen roadside buffer to streets or planned right-of-way meeting the planting requirements of BIMC Section 18.15.010.D.4.b is required.

7. No marijuana-related uses are allowed on City-owned property.

**Section 5.** Section 18.36.030 of the Bainbridge Island Municipal Code is amended to add the following definitions in alphabetical order in the section and re-number the existing definitions:

50. "Collective Gardens" means a type of medical marijuana use described in RCW 69.51A.085.

149. "Marijuana" or "marihuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

150. "Marijuana processor" means a person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

151. "Marijuana producer" means a person licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

152. "Marijuana-infused products" means products that contain marijuana or marijuana extracts and are intended for human use. The term "marijuana-infused products" does not include useable marijuana.

153. "Marijuana retailer" means a person licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.



254. "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include marijuana-infused products.

**Section 6. Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance.

**Section 7. Effective Date.** This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED BY THE MAYOR this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Anne S. Blair, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK: , 2014

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE: May 14, 2014

ORDINANCE NO. 2014-06



Table 18.09.020 Use Table

"P" = Permitted Use

"A" = Accessory Use

"C" = Conditional Use

Blank = Prohibited Use

"CA" = Conditional Accessory Use

"T" = Temporary Use

Additional Use restrictions for BIMC 16.12 and 16.20 may apply to shoreline or critical area properties

| ZONING DISTRICT               | R-0.4    | R-1 | R-2 | R-2.9 | R-3.5 | R-4.3 | R-5 | R-6 | R-8 | R-14 | Winslow Mixed Use Town Center |          |          |          |          | HSR 1 & 2 | NSC      | B/I      | WD-I | USE SPECIFIC STANDARDS 18.09.030 |
|-------------------------------|----------|-----|-----|-------|-------|-------|-----|-----|-----|------|-------------------------------|----------|----------|----------|----------|-----------|----------|----------|------|----------------------------------|
|                               |          |     |     |       |       |       |     |     |     |      | CC                            | MA       | EA       | GATE     | FRY      |           |          |          |      |                                  |
| <b>MARIJUANA RELATED USES</b> |          |     |     |       |       |       |     |     |     |      |                               |          |          |          |          |           |          |          |      |                                  |
| <u>Marijuana Retailer</u>     |          |     |     |       |       |       |     |     |     |      | <u>P</u>                      | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u>  | <u>P</u> |          |      | <u>K</u>                         |
| <u>Marijuana Processor</u>    |          |     |     |       |       |       |     |     |     |      |                               |          |          |          |          |           |          | <u>P</u> |      | <u>K</u>                         |
| <u>Marijuana Producer</u>     | <u>P</u> |     |     |       |       |       |     |     |     |      |                               |          |          |          |          |           |          |          |      | <u>K</u>                         |
| <u>Collective Garden</u>      |          |     |     |       |       |       |     |     |     |      |                               |          |          |          |          |           |          |          |      |                                  |



City of Bainbridge Island Official Zoning Map

November 27, 2013

Legend

- Land Use Designations**
- Business/Industrial District
  - CORE
  - Ericksen Avenue District
  - Ferry Terminal District
  - Gateway District
  - High School Road 1
  - High School Road 2
  - Limited to Current Use
  - Madison Avenue District
  - Neighborhood Service Center
  - Neighborhood Service Center/ R-12 Units per Acre
  - Water Dependent Industrial
  - R-0.4 1 Unit per Acre Zone (100,000 sq.ft.)
  - R-1 1 Unit per Acre Zone (40,000 sq. ft.)
  - R-2 2 Units per Acre Zone (20,000 sq.ft.)
  - R-2.9 2.9 Units per Acre Zone (15,000 sq.ft.)
  - R-3.5 3.5 Units per Acre Zone (12,500 sq.ft.)
  - R-4.3 4.3 Units per Acre Zone (10,000 sq.ft.)
  - R-5 5 Units per Acre Zone (8,500 sq.ft.)
  - R-6 6 Units per Acre Zone (6,543 sq.ft.)
  - R-8 8 Units per Acre Zone (5,400 sq.ft.)
  - R-14 14 Units per Acre Zone (3,100 sq.ft.)
  - Critical Overlay Districts

This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of the City of Bainbridge Island, Washington, adopted March 1, 1992. It is in accordance with provisions of this Code, changes are made in zoning district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map, promptly after the amendment has been adopted, together with an entry on, or attached to, the Official Zoning map, as follows:

Steven Bankowski, Mayor      Debbi Lester, Council Member

Anne Blair, Council Member      Bob Scales, Council Member

Sarah Blossom, Council Member      David Ward, Council Member

Kirsten Hytopoulos, Council Member

Attest:

Rosalind D. Lassoff, City Clerk

| DATE              | ORDINANCE         | DESCRIPTION                                                          |
|-------------------|-------------------|----------------------------------------------------------------------|
| April 4, 1996     | Ordinance 96-08   | Winslow Mixed Use Town Center (MUTC)                                 |
| March 20, 1997    | Ordinance 97-01   | Changes to LM and NSC; created WD-1                                  |
| September 5, 1997 | Ordinance 97-08   | Zoning changes per Lynwood Center SPA                                |
| August 6, 1998    | Ordinance 98-38   | Corrected mapping errors in Winslow                                  |
| April 28, 1999    | Ordinance 99-12   | Corrected mapping errors at Rockaway Beach                           |
| September 8, 1999 | Ordinance 99-17   | Implemented Winslow Master Plan (WMP), adopted FAU for MUTC          |
| December 22, 1999 | Ordinance 99-64   | Amended Ferry Terminal District Boundaries                           |
| February 23, 2000 | Ordinance 2000-03 | LM Rezone                                                            |
| February 23, 2000 | Ordinance 2000-04 | LM Rezone                                                            |
| February 23, 2000 | Ordinance 2000-05 | LM Rezone                                                            |
| May 25, 2005      | Ordinance 2005-12 | R-8 Rezone, MAD Rezone, LM Rezone                                    |
| March 20, 2006    | Ordinance 2006-03 | Rezone of parcel 26250230472304                                      |
| August 25, 2010   | Ordinance 2010-23 | Rezone of parcel 10250230072302                                      |
| November 27, 2013 | Ordinance 2013-19 | Corrected mapping errors at Lynwood Center                           |
| November 27, 2013 | Ordinance 2013-20 | Light Manufacturing District changed to Business/Industrial District |

| Effective Date | Ordinance         | Description                                 |
|----------------|-------------------|---------------------------------------------|
| June 1, 2005   | Ordinance 2005-02 | WSF Maintenance Yard & Ravine Creek Estuary |



**PLANNING COMMISSION REGULAR MEETING  
JANUARY 9, 2013**

4. ORD. 2014-06, REGULATIONS FOR MEDICAL AND RECREATIONAL MARIJUANA  
7:51 p.m. Planning Director Cook gave an overview of why this subject is before the Planning Commission, including the City Council's interim regulations.

When Commissioner Gale asked why medical and recreational marijuana are being treated the same, Director Cook said the state is working on integrating the regulations and the city attorney advises syncing them. She noted that the state seems to be heading toward prohibiting collective gardens for either medical or recreational marijuana.

Director Cook described three types of recreational marijuana businesses – growers, processors, and retail. The latest information is that the state has received applications for six growing operations, six processing operations, and five retail operations on Bainbridge Island.

The regulations for recreational marijuana have been established by the liquor control board. The city's job is to decide where they will allow these activities to occur.

Director Cook reported that crop agriculture is allowed in all residential zones and the neighborhood service centers. The City Council implemented a six-month moratorium on growing so that the affect of allowing marijuana to be grown in al zones could be more closely studied. The retail operation would be allowed only in the Business/Industrial zone on Bainbridge Island.

Under the current code, processing would be allowed in the Business/Industrial and High School Road districts.

Director Cook said the question is if marijuana businesses should be allowed with the current zoning, coupled with the Liquor Control Board's 1000-foot restriction. Doing so would allow retail operations primarily in neighborhood services centers (NSCs), where retail is currently allowed.

Commissioner Pearl noted that the restricted areas are not necessarily static and asked how a permitted retail operation might be affected if a school or other identified use was opened within 1000 feet of the retail. Director Cook responded that the marijuana facility would be grandfathered in and could remain.

Commissioner Quitslund asked if the Planning Commission may receive guidance from the City Council before the process is over. Director Cook replied that the Planning Commission typically does the research and the heavy lifting, and then makes a recommendation to the City Council.

Commissioner Gale mentioned that wanting to make it clear that people could grow things in their own yards (including pea patches and community gardens) was part of the code update process. Her sense is that would be precluded for this product because of the 1000-foot restriction. Director Cook replied that state law doesn't allow people to grow marijuana for



personal use – growing and processing must be licensed – and the 1000-foot radius further restricts such growing operations.

Asked if it is true that growing and processing can be combined, but that neither of those functions may be combined with retail, Director Cook said she needs to verify that.

Commissioner Kreigh questioned why religious facilities are not included in the restricted areas when they frequently include day cares and schools. Director Cook replied that the map was based on business licenses so that schools or day cards within a school were accounted for.

Commissioner Kreigh asked if a marijuana operation could operate on a leased property. Director Cook responded that she does not think that would be prohibited. Commissioner Kreigh also wanted to know how greenhouses and other structures for growing marijuana would be regulated.

Commissioner Thomas asked if the majority of these would be outside or limited to inside. Director Cook responded that either existing codes would have to be modified to allow 8-foot tall fences or growing operations could be limited to indoor growing. She noted that hoop structures are considered temporary and do not require a building permit, but count toward lot coverage and must meet setback requirements.

Commissioner Kelly said that it might help inform the Planning Commission's education process to know how other municipalities have dealt with this. Director Cook said that what other Kitsap County cities have done and what the County has done. Commissioner Gale suggested including Port Townsend.

Chair Lewars opened the floor for public comment.

*8:18 p.m.* Susan Willott said she lives in one of the white areas and have a neighbor with an application for a grow operation. She is concerned about the process because it's a liquor control board crop with lots of security issues. She feels that licensing should be a community thing with mitigation to make the neighbors more comfortable. Her major concerns are security, increased traffic, smell, lighting, and its effect on the children in the neighborhood.

*8:21 p.m.* Alexander Scott didn't realize there would be so much concern when he applied for a growing license. He has a five-acre parcel next to the landfill. He feels it would help to recognize that growing actually been legal for medical marijuana for years and that looking at the history might show what issues have actually cropped up since medical marijuana was allowed.

*8:27 p.m.* Ingrid Billings asked if there are limits on how much can be grown by a single operation. Someone in the audience replied that each application will be for a certain number of square feet. Her next question was if alternative energy sources will be allowed for grow operations. Staff replied that the current alternative energy regulations would apply. Ms. Billings' final question was if the growers would have also applied for processing licenses.



DH Billings understands there are issues with financing marijuana operations because of federal banking laws. As a cash crop, there are crime, security, and safety issues.

Dillon Wilkins told the Planning Commissioners to not let disinformation guide them because there are a lot of emotions on both sides. He feels they need to look closely at processing from the viewpoint of whether or not chemical extraction is happening. Mr. Wilkins spoke of the island's heritage of farming and cash crops, such as strawberries, and addressed the strict security requirements for growing operations and the transportation of the crop.

Commissioner Gale asked Mr. Wilkins to clarify that there is some initial processing that is typically done by the grower and asked what other processing may be done. Mr. Wilkins responded that there are a number of extraction processes with chemicals or gas that should be done in light manufacturing. Commissioner Gale favors making a distinction between mechanical and chemical processing.

8:42 p.m. Bruce Foland said that, as a grower, secrecy and privacy are major goals. An open grow won't work well on this Island. Everyone wants to work well with their neighbors. The more public the process, the more he is concerned about security. He invited the Commissioners to visit his medical marijuana growing facility to become better educated.

When asked about the financing, Mr. Foland replied that he self-financed, adding that others may have trouble getting financing.

Commissioner Pearl asked if an individual can grow medical marijuana. Mr. Foland replied that an individual with a medical marijuana license can grow up to 15 plants. When Commissioner Pearl noted that restricting collective grows would not affect all those individuals, Mr. Foland said that he knows of at least 100 individual or collective grows. He added that recreational marijuana is much more regulated than medical marijuana and spoke briefly about the tax differences between the two.

Commissioner Kreigh asked if these businesses have to meet the regulations for minor or major home occupations and was told that they do not.

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## **PLANNING COMMISSION REGULAR MEETING JANUARY 23, 2014**

4. ORD. 2014-06, REGULATIONS FOR MEDICAL AND RECREATIONAL MARIJUANA  
[7:49:49 PM](#) Director Cook thanked Planner Kelly Tayara for doing the research necessary for the packet preparation on short notice.

Director Cook told the Planning Commission that the Attorney General has issued an opinion that local jurisdictions can prohibit marijuana or strictly govern marijuana uses. A bill that would overturn that opinion has been proposed in the state legislature. The Attorney General opinion will be discussed at the City Council meeting on February 6.



Special Project Planner Jennifer Sutton gave an overview of the materials provided and stated that the goal was to begin considering how to zone for the three types of marijuana processing – producing, processing, and selling.

Planner Sutton told the Commission that the simplest approach would be to rely on the underlying zoning to determine where growing and processing operations could be located. This would result in processing being limited to the Business/Industrial district and production allowed in the two residential districts in which agriculture is a permitted use.

Director Cook noted that part of the policy direction from the City Council, during the discussions about the interim regulations, was to think carefully about where growing marijuana should be allowed.

Commissioner Kelly asked how determinations will be made on license applications. Planner Sutton responded that only one license for retail has been allocated for the Island, but there is no limitation on how many licenses can be granted for production and/or processing, nor is there any limitation on how many acres can be used. It was also noted that cutting, trimming, and drying are part of production.

[8:04:48 PM](#) Commissioner Quitslund asked if HB 2149 should be taken into consideration during the Planning Commission's discussions. Staff's understanding of the bill is that medical dispensaries and collective gardens would go away if the bill passes. Whatever regulations are passed may need to be reconsidered at the beginning of next year if the legislation passes.

Pondering what size restrictions would be feasible for growing operations on Bainbridge Island; Commissioner Quitslund suggested that perhaps such operations could be limited to Tier 1. Planner Sutton replied that another way to limit size would be to regulate lot coverage. Director Cook noted that hoop buildings are considered temporary structures that do not count against lot coverage.

In item 8, Commissioner Quitslund wondered if it would be feasible to prohibit outdoor production. Commissioner Thomas remarked that it is within the Commission's purview to prohibit production.

Chair Pearl asked if marijuana production could be considered as a home occupation. Planner Sutton replied that the home occupation regulations may need to be amended. Responding to a question from the Commission, staff said that agriculture is not considered a home occupation.

Under the interim regulations, processing and retail facilities are limited to the business/industrial area on Day Road, although the agricultural processing regulations could also be used to govern production. Agricultural processing as a primary use is allowed only in the High School Road and Business/Industrial districts.

In response to a question from the Commission, Director Cook said that, failing a different direction from City Council on February 6<sup>th</sup>, the Commission should assume that production will



be allowed. Commissioner Thomas clarified that the discussion should center on where and how production will be allowed.

There was a brief discussion about marijuana-related retail and where it could be located other than where it is currently permitted – Island Center, Rolling Bay, and tentatively Lynwood Center.

Commissioner Gale suggested separating marijuana agriculture from other crop agriculture. Chair Pearl agreed. Commissioner Kelly if there are other exemptions from crop agriculture and was told there are not. Commissioner Kriegh asked if the Planning Commission needs to provide reasons why marijuana would be exempted, if that is the Commission's recommendation. Director Cook responded that staff would ask the City Attorney to help develop findings for that.

[8:23:28 PM](#) Chair Pearl opened the floor for public comment, noting that the Commission would particularly appreciate being better educated.

Gary Wilmot introduced himself as a 20-year resident who is opposed to proposed weed operation across from his house because living next to a weed farm is not a great place to raise a family.

Uma Fetterman told the Commission that she strongly believes these operations do not belong in residential neighborhoods and should be treated differently from other forms of agriculture or agricultural processing.

Susan Wilmot said the only benefit is profit for the producers. She feels there are too many unknowns to permit growing marijuana in residential zones and notes that smell is one of the biggest complaints in Colorado. State law does not require any mitigation for the odor. She is also concerned about security, power usage, noise, and insurance and would like to increase the buffer zones around schools.

Ingrid Billings said her biggest concern is the safety of her children and asked if the school bus stop is considered a public transit center under the I-502 regulations. It is not under the state regulations.

Ben Schuster told the Commission he is an attorney specializing in marijuana law. He noted that the attorney general's opinion was really limited, acknowledged there are valid concerns, such as the odors from an outdoor grow, and stated that legalization will make it easier for growers to minimize their impacts.

Chair Pearl asked Mr. Schuster about the odor and was told the odor is most noticeable when the crop is flowering. Mr. Schuster went on to address processing. Closed booths are required for extraction.

Commissioner Kelly asked for clarification of the licensing process.



Mike Jacob thinks there is a significant error on the map because of the state's definition of public parks that does not include trails. He does not believe that Manzanita Park meets the definition, which would provide many more possible properties that could be the site of these businesses.

Dylan Lukens wants the opportunity to live and work in his neighborhood. He agrees with limiting production to indoor grows with limited lot coverage limitations. Statewide, Mr. Lukens said, it's very difficult to find facilities to rent for processing.

Alexander Scott said that most growers are going to get a smaller square footage than the maximum allowed.

[8:55:30 PM](#) Commissioner Gale repeated that she feels that marijuana production should be a separate use from agriculture, adding that the Commission needs to decide what, if any, residential districts would be appropriate for production.

The Commissioners and staff discussed issues and additional information that might be helpful to the Commissioners before deciding to add another study session on this topic.

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## **PLANNING COMMISSION REGULAR MEETING FEBRUARY 13, 2014**

### **4. ORDINANCE 2014-06, REGULATIONS FOR MEDICAL AND RECREATIONAL MARIJUANA**

Director Cook reported that the City Council does not want to consider the attorney general's opinion that recreational use can be banned and that Manzanita Park meets the definition of park so that the prescribed buffers will be applied.

[7:44:23 PM](#) Special Project Planner Jennifer Sutton told the Commission that staff was looking for guidance about what should be allowed where and strongly recommended that the City rely on the state's definitions of marijuana-related businesses. Staff proposals to be considered as a starting point for discussion included:

- Allow marijuana retail where retail is otherwise allowed (MUTC, NSC, and HSR)
- Allow marijuana processing where light manufacturing is otherwise allowed (B/I) through the site plan and design review permit process.
- Allow growing or production in the R-0.4 and R-1 zones on properties that are at least an acre in size through the site plan and design review permit process
- Consider increasing setbacks or requiring landscaping buffers.

In response to a request from the Commission, staff provided a map indicating sites for which a marijuana license has been applied for with the state. Planner Sutton noted that the state is still working through a backlog of marijuana license applications before she reviewed each of the sites.



Commissioner Gale suggested the Planning Commission begin its deliberations by starting with retail, adding that she thinks it makes sense to limit retail to the zones where retail is otherwise allowed (MUTC, NSC, and HSR) that meet the state's requirements for such businesses.

Commissioner Thomas asked staff why they proposed marijuana retail be a permitted use rather than a conditional use. Planner Sutton replied that she did not feel that such retail would have any greater impacts than any other retail use.

[7:59:24 PM](#) Commissioner Kreigh was concerned that other tenants in a building where a marijuana retail business was planning to locate might consider that use a conflict. The consensus was that the market would govern the location.

The Commission discussed the appropriate permitting process for marijuana-related businesses, ranging from a minor site plan and design review to a conditional use permit. Commissioner Kelly remarked that this type of business is already highly regulated by the state and supports limiting the one retail establishment to retail zones.

[8:11:42 PM](#) Commissioner Kelly moved that the Planning Commission accept staff's suggestion that marijuana retail be treated the same as other retail. The motion was seconded by Commissioner Gale and passed by a vote of 5 in favor and 1 against (Kreigh).

Commissioner Gale is concerned that marijuana production is very different from growing a few carrots and feels that marijuana is much more industrial than agricultural in nature. Because of that differentiation, she believes that production (particularly indoor production) should be limited to the Business/industrial zones and not allowed in residential.

Chair Pearl has been thinking of it as a small home-based business if it is an outdoor grow. Considering it agricultural would allow more employees that would normally be associated with a home business.

Commissioner Quitslund said that he believes each of the three tiers of production could be regulated differently. Special Project Planner Sutton remarked that the Attorney General's opinion indicates they could. She also thinks that indoor and outdoor production could be regulated separately, as could production and processing.

Commissioner Gale noted that mechanical and chemical processing could also be differentiated.

When Chair Pearl asked if production was going to be allowed in residential zones, Commissioner Quitslund commented that there are not many opportunities for production in only the Business/industrial zones. He added that the other jurisdictions that are prohibiting production in residential zones have more physical business and industrial area. Commissioner Quitslund stated he would be comfortable allowing production with appropriate criteria on larger parcels in residential zones. Commissioners Gale, Kreigh, and Thomas disagreed, advocating limiting it to Business/Industrial zones.



Commissioner Quitslund said he views marijuana production as a form of agriculture and likened it to a large, commercial orchid-growing enterprise.

Commissioner Lewars believes that prohibiting production in residential zones is contrary to the overwhelming support shown for recreational marijuana on the Island and that children who want to smoke marijuana could easily find it on the Island now.

The Commission discussed about indoor grows as not very sustainable because of the power usage. Commissioner Kelly is very concerned about odor impacts from outdoor grow and feels that it would be constructive to devise a way to allow indoor grows in residential zones with appropriate restrictions. She also loves the idea of requiring indoor grows to use alternative sources of energy.

Asked what she thought of marijuana –related businesses as a home occupation. Planner Sutton replied that no marijuana business may occur in a residence, so she would want it be totally separate from home occupation. The businesses could still be conditioned with landscaped buffer and increased setback requirements. Chair Pearl said that he was thinking of applying home occupation standards to marijuana businesses.

The Commission discussed marijuana and agriculture and how various uses might be mitigated to minimize impacts. The likelihood of indoor versus outdoor grows and how the impacts differ. Commissioner Quitslund would like to be better educated on what factors are considered in deciding on indoor or outdoor productions.

[8:45:05 PM](#) Chair Pearl opened the floor for public comment regarding indoor/outdoor, smell, or size of operations.

Benjamin Schuster, an attorney specializing in marijuana regulations, said the Liquor Control Board identifies production operations as indoor, outdoor, or rigid walled greenhouse. It is nearly impossible to control odor for an outdoor grow, although the size of the grow affects that. Rigid walled greenhouses and indoor grows can provide significant odor controls. Mr. Schuster suggested limiting production to Tier 1 and Tier 2 grows.

The Bevan PowerPoint presentation included the following information:

- Each plant requires about 100 square feet to grow, so the current limitation of 15 plants would result in 1500 square feet of plants.
  - Plant life is about seven months.
  - A marijuana plant is only valuable when it is flowering and would have to be cut down with a chainsaw during that time for a successful theft.
  - Odor can be mitigated in many ways, including strain selection and special filters.
  - Proponent of residential zones because there isn't enough space for all those who have applied for licenses.
  - Most growers would prefer to have all three types of production facilities in order to have more than one harvest per year.
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PLANNING COMMISSION REGULAR MEETING  
FEBRUARY 27, 2014

4. ORD. 2014-06, REGULATIONS FOR MEDICAL AND RECREATIONAL MARIJUANA  
Special Project Planner Jennifer Sutton told the Commission the draft ordinance integrates the retail decision from last week and definitions for production and processing from the RCWs.

When Vice Chair Kelly asked if collective gardens need to be included, Planner Sutton responded that the city attorney suggested adding them. Although collective gardens are currently allowed in Business/Industrial (B/I) under the interim regulations, the legislature is considering no longer allowing them. If that happens, the ordinance would need to be revisited.

[7:17:40 PM](#) Commissioner Lewars noted that medical marijuana regulations seem to be more permissive than recreational in that an individual can grow up to 15 plants with nothing but a prescription. He then moved that the Planning Commission recommend that the interim regulations for collective gardens be incorporated into the permanent regulation, pending action by the state. Commissioner Quitslund seconded the motion, which passed unanimously (6-0).

Commissioner Gale moved that marijuana processing and production be allowed only in B/I on Bainbridge Island. Commissioner Thomas seconded the motion.

Commissioner Quitslund moved to table the motion on the floor and deal first with processing. Commissioner Lewars seconded the motion, which passed with 3 votes in favor (Lewars, Quitslund, and Kelly) and 2 opposed (Gale and Kriegh).

Commissioner Gale moved to allow processing only in B/I. Commissioner Kriegh seconded the motion.

When asked if both manual and chemical processing would be allowed in B/I, Commissioner Gale replied that she is not making a distinction. Commissioner Lewars remarked that he is inclined to limit only chemical extraction to B/I and Commissioner Quitslund was not certain he wants to allow chemical extraction at all. The Commission asked staff to consult the fire marshal on the safety of chemical extraction.

The Commission discussed chemical extraction and safety requirements under the building code, fire code, and Liquor Control Board. There was a question about requiring periodic inspections by the Fire Marshall. Staff replied that the Planning Commission could include that in their recommendation.

Commissioner Lewars iterated that he doesn't see why chemical processing would be allowed at all. Commissioner Thomas said that he looks at it as being like any other light manufacturing processes. Commissioner Lewars moved that processing be allowed only in the B/I district. Commissioner Quitslund seconded the motion, which then passed unanimously.

7:35 p.m. Commissioner Gale moved to limit production to B/I zones on Bainbridge Island. Commissioner Kriegh seconded the motion.

Commissioner Gale said she doesn't believe the residential zones are appropriate for an industrial use, which marijuana production is, as indicated by the proposed scale of operation and the state's restrictions on them.

Commissioner Lewars said that he has give considerable thought to this issue and believes Tier 1 production could be allowed on R-0.4 properties with a minimum of one acre. Tier 1 operations would not much larger than existing medical marijuana operations. Commissioner Gale replied that the state's requirements for recreational marijuana them very different from medical marijuana grows.

Commissioner Quitslund agreed with Commissioner Lewars that it would be appropriate to allow Tier 1 in R-0.4 and disagrees that Tier 1 operations are industrial rather than agricultural use.

Commissioner Kriegh questioned singling out one zone to allow these operations, citing the testimony that had been heard from residents of that zone. She is in agreement with Commissioner Gale that marijuana production is not appropriate for residential zones.

Commissioner Gale noted that none of the neighboring jurisdictions allow processing in residential zones and asked why it is necessary on Bainbridge Island. Commissioner Quitslund replied that Bainbridge Island has much less land in non-residential zones. He feels the fear factor is distorting the conversation.

Acknowledging that marijuana is not the same as growing fruits or vegetables, the Commission discussed whether or not marijuana production is a form of crop agriculture.

Vice Chair Kelly reminded the Commission that Commissioner Lewars' motion is fairly consistent with the staff recommendation. When asked if staff is recommending allowing Tier 1 through Tier 3 production in R-0.4 and R-1, Director Cook said that it was more a starting point than a recommendation and added that limiting production to B/I is a de facto ban.

A variety of viewpoints were evident in the ensuing conversation about community values such as diversity, support for local products, and selectivity in allowed uses as those values relate to marijuana production. There was also some discussion about applying the conditional use criteria for major home occupations to marijuana production and requiring a site plan review for recreational marijuana grow operations.

The motion to restrict marijuana production to the B/I districts passed with four votes in favor of the motion (Gale, Kriegh, Thomas, and Kelly) and two against (Lewars and Quitslund).

[8:03:05 PM](#) Ron Peltier thought the Planning Commission had a very interesting conversation. Although he is a little unsure about the requirements for growing, he would favor as natural conditions as possible because a warehouse would use a lot of electricity.



Commissioner Quitslund noted that using a hoop structure would be considered an outdoor grow and that a greenhouse also limits environmental impact.

Commissioner Gale asked if he would vote to grow in residential neighborhoods, he replied that he wasn't sure, adding that he is more interested in reducing electrical use.

Susan Wilmot commented that marijuana production can't be a home business because of state law and noted that being zoned R-0.4 is not necessarily less dense.

Peter Bryant told the Commission he is in favor of natural growing and reminded commissioners that 73% of the island voted to legalize. He feels that grows are very doable, particularly outside.

Supporting Document prepared by Vice Chair Kate Kelly

Summary of Bainbridge Island Planning Commission Discussion

Marijuana Retailing, Processing and Producing on the Island

After conducting study sessions on January 9 and 23, and February 13 and 27, 2014, holding a public hearing and more discussion on March 13, and receiving public testimony and comment on all those occasions, the Planning Commission recommends to the City Council that is in the public interest for the City of Bainbridge Island to adopt reasonable requirements for marijuana-related uses so that the location of such uses is consistent with the goals of the Comprehensive Plan and so that the secondary impacts of such uses are minimized and mitigated, and the health, safety and welfare of the public is protected.

The Planning Commission members agree with the general findings presented below and unanimously support the recommendations set out below related to the location of retail and processing facilities, and collective gardens.

On the subject of marijuana production, the Commission was divided in our conclusions as to what to recommend to the Council. A majority of four Commissioners recommend that the Council allow limited marijuana production in certain areas of the Island zoned residential. A minority of the Commissioners recommend that marijuana production be limited to areas zoned Business/Industrial.

#### General Findings

In 2012 Washington voters, including a majority of the voters on Bainbridge Island, approved Initiative 502 authorizing certain production, processing and retailing of marijuana under rules and regulations adopted by the State Liquor Control Board.

Under Initiative 502, a marijuana processor, producer or retailer cannot be sited within 1000 feet of the following existing uses: elementary or secondary school, playground, recreation center or facility, childcare center, public park, public transit center, library, or game arcade. Due to the number of such public facilities on Bainbridge Island, separate and above any zoning restrictions, these distancing restrictions significantly reduce the potential locations for marijuana retailers, processors or producers on the Island.

There is a comprehensive framework under state statutory law and the rules of the Washington State Liquor Board for the strict regulation and permitting of marijuana production, processing and retailing operations.

Marijuana remains a Schedule I controlled substance under the federal Controlled Substances Act, 21 USC 801, et seq. and its possession and use is a violation of state law.

#### Marijuana Retail Recommendation (unanimously supported by the Planning Commission)

Based on the size of the population of the Island, under state law the Liquor Control Board will grant only one license for a retailer of marijuana on Bainbridge Island. The Planning Commission recommends that marijuana retail operations be a permitted use only in the zoning districts that



otherwise permit general retail, and that, due to the strict requirements imposed under state law - including the distancing requirements, surveillance and alarm systems, and background checks - the City treat a marijuana retailer like any other retail establishment when it comes to City land use permits.

#### Marijuana Processing Recommendation (Unanimously supported by the Planning Commission)

Marijuana processing can include mechanical processing of the parts of the plant, but it can also include chemical processing to extract oils and otherwise make the product useable. The chemical processing of marijuana can involve toxic and hazardous materials. Due to the nature of the business, the Planning Commission unanimously recommends that marijuana processing be limited to the Business/Industrial zoning district, and that a site plan and design review be required for all new processing facilities even if they are proposing to move into an existing manufacturing space. Among other things, under existing state and local law, these facilities are required to comply with distancing requirements, laws related to the safe handling and disposal of hazardous materials, and general laws related to odor, light and noise. This recommendation is consistent with zoning regulations adopted by other local jurisdictions in and around Kitsap County.

#### Collective Garden Recommendation (Unanimously supported by the Planning Commission)

The Planning Commission unanimously recommends that, due to uncertainty with regard to state law affecting collective gardens and the regulation thereof, the City Council adopt an indefinite moratorium on the location of collective gardens on Bainbridge Island.

#### Marijuana Production: General Findings

In the section discussing “Agricultural Lands”, the Bainbridge Island Comprehensive Plans states:

“The protection and support of existing farms and the preservation of prime agricultural lands and farms of local significance are important goals of the residents of Bainbridge Island, as evidenced in the Bainbridge Island Subarea Plan, testimony from public meetings, and community survey.

Farming on the Island provides an economic and nutritional benefit to the community. Equally important, protection of agricultural lands will enhance the cultural and economic diversity of the community and help retain the rural character of the Island.

Farm operations on the Island are unique. Unlike many other jurisdictions, farms on the Island are not located within one geographical area. Instead, over 40 small farms, ranging in size from 1 acre to 40+ acres, are mostly dispersed throughout the Island, with some clustering of farms in a few locations. The specialty, high-intensity, very small farms will continue to be an important adjunct to farming in the future.

Agriculture is one of the most fragile industries in any rapidly growing area. As land values continue to rise, the threat to small farms on Bainbridge Island increases. Given the nature of farming on the Island – small farms dispersed throughout the Island -the City must use creative solutions to conserving existing farms and encouraging the creation of new farms.”

Goal 3 of the “Environmental Element” of the Comprehensive Plan provides that land use decisions should

“Encourage and support farming as an economically viable option for land use and as a means to providing diversity of lifestyle.”

Under AG 3.5,

“The City should permit the production, processing, and marketing of farm products from Island farms. Processing shall include value-added processing of Island-grown crops.”

GOAL 3 of the Residential Open Space section of the Comprehensive plan is to

“Preserve the character of the interior areas of Bainbridge Island through establishment of an Open Space Residential District.” Going on to state:

OS 3.1

“The Open Space Residential District is designated for less intensive, residential development and a variety of agricultural and forestry uses.” and

OS 3.2

“Residential development shall be compatible with the preservation of open space, forestry, agricultural activities, and natural systems. Accessory farm buildings and uses are allowable.”

In section 18.06.020 of the Bainbridge Island Municipal Code, agriculture and forestry are among the uses promoted in the R-0.4, R-1, and R-2 zones.

The “Right to Farm” chapter of the Municipal Code states: “The city declares that an agricultural operation in conformance with agricultural best management practices is not a public or private nuisance” (BIMC 16.26.030.A).

Growing marijuana has many commonalities with the small farming practices encouraged in residential areas by the Island’s Comprehensive plan. At the same time, however, this type of farming is different from traditional fruit and vegetable production which has occurred on the Island. This is due to the fact that marijuana production is strictly regulated by state law, the product itself continues to be classified as a controlled substance under state and federal law, and the growing of marijuana can present secondary effects not presented by traditional agriculture.

There is a certain amount of public discomfort with the prospect of marijuana production on the Island – even if it is legally permitted and strictly regulated. This is due in part to concerns about the nature of the product and the potential secondary effects a marijuana growing facility might have on neighbors. These concerns may change over time as Washingtonians have more experience with the effects and regulation of marijuana-related facilities, but they exist at this time and should be acknowledged as the City considers where – or if - to allow marijuana production on the Island.



Under state law marijuana production can be permitted indoors or outdoors. Growing is not permitted inside a residence but it is permitted inside a rigid building. Outdoor production may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, under state law outdoor production must be enclosed by a sight obscure wall or fence at least eight feet high. Outdoor producers must meet strict security requirements.

Under state law, applicants for a marijuana producer's license must designate on their operating plan the size category of the production premises and the actual square footage in their premises that will be designated as plant canopy. There are three categories:

- Tier 1: Less than 2,000 square feet;
- Tier 2: 2,000 square feet to 10,000 square feet;
- Tier 3: 10,000 square feet to 30,000 square feet

State law limits the amount of product a producer can keep at the licensed location, and prescribes requirements for – among other things - background checks, surveillance and alarm systems, and traceability of the product “from seed to sale.”

#### Minority Marijuana Production Recommendation (this recommendation is supported by 3 out of 7 commissioners)

Due to the differences with traditional small farming practices and potential secondary effects, three members of the Planning Commission recommend limiting marijuana production on the Island to the Business-Industrial district. Because of the limited amount of properties covered by that designation and the 1000-foot distancing restrictions imposed by state law, this limitation would severely limit marijuana production on the Island under current zoning designations. This recommendation is consistent with zoning regulations adopted by other local jurisdictions in and around Kitsap County.

#### Majority Marijuana Production Recommendation (this recommendation is supported by 4 out of 7 commissioners)

Other jurisdictions in and around Kitsap County have restricted marijuana production – and farming activities - to areas not zoned for residential. Compared to these other areas, Bainbridge Island has a relatively small amount of land that is not zoned residential. Over 50% of the Island is zoned R-0.04 (Open Space Residential) in the City's Comprehensive Plan. The Open Space Residential District is designated for areas appropriate for low-density, residential development, and a variety of agriculture and forestry uses. We pride ourselves on the fact that – as set out in the Comprehensive Plan language quoted above - “farms on the Island are not located within one geographical area. Instead, over 40 small farms, ranging in size from 1 acre to 40+ acres, are mostly dispersed throughout the Island, with some clustering of farms in a few locations.” The Comprehensive Plan validates the future importance of these land use patterns.

It is the recommendation of four members - a majority – of the Planning Commission that Tier 1 marijuana production be allowed in the R-0.4 Zoning District. Recognizing the difference between marijuana production and traditional farming, we recommend a minimum lot size of one acre, that production be limited to outdoors or in a greenhouse, that any licensed marijuana producer be

required to obtain a site plan and design review and be subject to the general laws related to odor, light and noise, and that there be required setbacks and landscape buffers, in addition to the security and other restrictions required by state law.

A majority of the Planning Commissioners have concluded that this deliberate, cautious approach balances the many factors that need to be taken into account should we allow marijuana production on the Island, and that this outcome remains true to the Comprehensive Plan goals associated with encouraging open space and agriculture on the Island while recognizing the characteristics of marijuana production that distinguish it from traditional farming.



To: Members of Bainbridge Island City Council  
From: Planning Commission members Julie Kreigh, John Thomas and Maradel Gale  
Re: Marijuana ordinance

March 18, 2014

The Planning Commission vote on March 13, 2014 was divided, 3-3, on the matter of allowing marijuana to be grown in a residentially-zoned area. The final vote was 4-3 when the Planning Commission chair cast his vote to break the tie.

Over a period of five meetings, the PC discussed several matters:

1. What the vote to legalize marijuana meant on Bainbridge Island
2. Definitions of marijuana and various aspects of marijuana cultivation and processing
3. Where a retail marijuana license could be granted
4. Where marijuana could be processed on the island
5. Where marijuana could be grown (produced) on the island

#### **What did the I-502 vote mean?**

The most divisive discussion centered around the meaning of the vote on I-502 on Bainbridge Island. It was often stated that the ±70% in favor of legalization vote meant that Bainbridge Islanders wanted pot to be available and grown on the island. This was disputed by those who felt that the I-502 vote was simply about decriminalizing the possession and use of pot, and had nothing to do with the zoning regulations in our community. The issue was nicely articulated by one citizen who commented that if the I-502 ballot measure had stated that the issue was whether marijuana could be grown and/or processed on our residential land, the vote most likely would have been the opposite of what occurred with the question of legalization.

#### **Definitions of Marijuana**

Early in the discussion, the PC voted to define marijuana through a separate set of definitions, as opposed to merely lumping the crop in with other crop agriculture on the island. The reasons for this were to recognize the state-regulated status of the crop and conform the BIMC to the definitions included in the state WAC. Unfortunately, the application of this distinction was not recognized by the majority who argued that our code exalts agriculture and that in order to “remain true to the Comprehensive Plan goals associated with encouraging open space and agriculture on the island” we should allow marijuana growing in the R 0.4 zoning district. The elements of the Comprehensive Plan that were cited to support this recommendation are those which in fact are important to our community. However, the entire discussion at the time these elements were included in the Comprehensive Plan was focused on food production, and marijuana was never explicitly or implicitly included in that discussion. What the community wanted at the time of the Comprehensive Plan adoption, and most likely would

still be widely supported is the opportunity to produce locally on the island as much of our food as possible.

**Minority Recommendation:** To deal with this confusion, it is recommended that the City Council **amend BIMC 18.36.030.23, “Agriculture, Crop”** to state that marijuana is excluded from this definition. That will remove marijuana growing operations from the crop agriculture protections under the BI Municipal Code. In addition, an **amendment to BIMC 16.26.020 B**, should add the words “but excluding marijuana” after the words “ornamental crops.”

These amendments recognize the fact that marijuana is very different from the types of crops which are afforded a measure of heightened protection under our municipal code, and that marijuana is a crop that will not be sold in Town and Country nor at the Farmers Market, that can be a nuisance in terms of odors from the flowering plant, and that it is a regulated substance which is still illegal under federal law.

### **Retail Sales of Marijuana**

The retail issue was discussed over the course of a two-hour session, and the final determination was that it should be sold in our **areas zoned for commercial use**, overlaid by the state restrictions related to distances from such uses as schools, playgrounds, parks, transit centers, day care centers, arcades, etc. This recommendation received **unanimous support from the Planning Commission**.

### **Marijuana Processing**

At one point, a majority of the Planning Commission recommended that all marijuana production (growing) and processing be limited to the Business/Industrial Zoning District on the island. However, it was believed that doing so would effectively preclude any growing and processing on Bainbridge, since the amount of land so zoned is limited, and there may not be property owners with land zoned B/I who are willing to sell or lease land or buildings for marijuana production or processing. In the final recommendation, given the industrial nature of some forms of processing (chemical as opposed to mechanical), the **recommendation by the Planning Commission was unanimous to limit marijuana processing to the Business/Industrial Zone**.

### **Growing/Production of Marijuana**

The split in the commission was on the issue of growing marijuana. The minority believes it is not appropriate to allow growing in residential areas for the following reasons:

1. Residential zoning is our most protected zone, and the incursion of what can best be described as industrial growing is inappropriate in these neighborhoods. The reasons for concluding that this is akin to an industrial operation as opposed to growing something like spinach include:



- a. The strict regulations established by the state for growing include such requirements as 24/7 complete video surveillance systems (WAC 314-55-083 (3), controlled access and entrances and exits with fixed camera coverage in addition to alarm systems (WAC 314-55-083 (2). A 24-hour “quarantine” area for crops being transported from the grow operation to the marijuana processor or retailer must be maintained. (WAC 314-55-083 (3)(f)
  - b. Conspicuous signage is required to be posted on the premises (WAC 314-55-086)
  - c. There are mandatory requirements for training and identification of employees
  - d. Extensive records of each daily application of pesticides applied to the marijuana plants or growing medium must be recorded and maintained. (WAC 314-55-087 (1)(f)
  - e. Recordkeeping requirements as detailed in WAC 314-55-087 are required for the grow operation from seed to final product
  - f. Issues of waste and waste water management are detailed in WAC 314-55-097. This is not a simple composting operation
  - g. Quality assurance regulations for products moving to direct use such as marijuana flowers are detailed in WAC 314-55-102
  - h. A producer must have an operating plan which includes the above plus the qualifications and training plan for employees
2. The majority recommendation contains no restrictions on the number of employees involved with the grow operation, nor the impacts on the neighborhood and its roads of the added traffic attendant to employees, transportation of materials utilized in the grow operation, transportation of product from the operation, parking for employees. Even our major and minor home operations have strict standards in these areas.
3. Personal and neighborhood safety may become an issue due to the fact that this is still a cash-only operation as the banking industry has not yet been assured by the federal government that they can legally handle marijuana-related money.
4. Even with property-line setbacks, on a one-acre parcel of property which is the minimum size on which marijuana cultivation would be allowed, it will be difficult to actually conceal the fact that a marijuana grow operation is on the property. There is a very real question about the property valuation impacts of such an activity on neighboring properties. The state also requires signs to be prominently placed on the property.
5. The State has deemed it necessary to impose 1000-foot buffers to separate places where children congregate (schools, parks, playgrounds, etc.) from the production of the controlled substance and industrial business of marijuana, yet these children are not offered this same protection in their neighborhoods where they play. For many families, one of the main reasons to move to Bainbridge Island was so that their children could play, unsupervised, in safe residential neighborhoods.

6. The city has a mechanism to expand and change zoning on the island. This occurs through the comprehensive plan update, due in 2016, or a plan amendment process which occurs every three years. If the island does not currently have enough land zoned for business/industrial use, these are the mechanisms to change land uses to meet changing needs. To circumvent this established process and allow the production of marijuana in residential neighborhoods just because we currently do not have much land in the B/I zone establishes a dangerous precedent.
7. This legislative designation, to allow marijuana to be grown in one of our residential zones, is really for the financial gain of a very few people who will be able to take advantage of this zoning amendment. State law has strictly limited the number of producer and processor licenses on Bainbridge. Therefore, while this recommended action is not spot zoning per se, as it amends the zoning code for an entire residential zone (R 0.4), in fact it is zoning done for the benefit of only a very few people – those who have applied for and have an interest in obtaining a marijuana producer license and who ultimately meet the state standards to receive a producer license. Unlike legitimate zoning, there is no public benefit for all of the rest of the people who will potentially be negatively affected by this action.
8. Since this type of agriculture is not for the production of products that can be widely sold to, used and enjoyed by the citizens of this community, the real motive for commercial marijuana production is speculative financial gain. And that is one purpose of the Business/Industrial zone, which is where this activity should take place.
9. The Planning Commission majority, apparently in consideration of the extraordinarily high energy usage associated with the growing of marijuana, suggested that marijuana growing be allowed only “outdoors or in greenhouses.” However, “greenhouse” as defined in BIMC 18.36.030.101 states it is “an establishment where flowers, shrubs, vegetables, trees and other horticultural and floricultural products are grown, both **in open and enclosed buildings.**” This definition does specify any sort of percentage of natural light penetration into the building, and in fact means a totally enclosed warehouse-type operation meets the current definition of greenhouse.

**The minority of three Planning Commission members strongly urges the City Council to respect the intent of the Bainbridge Island zoning code, and limit the production and processing of marijuana to the Business/Industrial zone, and not allow any incursion into our residential zones.**



## Jennifer Sutton

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**From:** Kathy Cook  
**Sent:** Wednesday, April 02, 2014 8:40 AM  
**To:** Jennifer Sutton  
**Subject:** FW: Marijuana Zoning

Kathy Cook  
Director, Planning and Community Development  
City of Bainbridge Island  
280 Madison Avenue No.  
Bainbridge Island, WA. 98110  
206-842-2552

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**From:** Anne Blair [mailto:ABlair@bainbridgewa.gov]  
**Sent:** Wednesday, April 02, 2014 7:12 AM  
**To:** Sue Wilmot  
**Cc:** Kathy Cook; Doug Schulze  
**Subject:** RE: Marijuana Zoning

Howdy and good morning! Again, thank you for sharing your well-thought out points regarding the city's zoning regulations/land-use policies for marijuana. You make persuasive points about the problems with even limited outdoor marijuana production. I appreciate knowing these. So, while I am committed to approaching the coming decision with an open mind, I take seriously your observations and recommendations/plea and have added them to my thinking.

During Monday's Council Study Session, we anticipate seeing a map of the possible residential areas where the Planning Commission recommended growing sites are located. While the particular places are not central to your objections -- I understand that, if COBI permits any marijuana production, you want it limited to inside growing in the Business/Industrial areas only -- I hope that you will be able to join our Study Session either in-person or on-line as we learn more about and discuss this issue.

In the meantime, another note of appreciation to you for expressing your concerns as we move into a completely new aspect of what it means to encourage "agriculture" on Bainbridge Island.

Onward, A

Anne S. Blair  
City of Bainbridge Island  
Mayor and City Council member, North Ward  
206.842.6722 or 206.214.7907 (mobile)

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**From:** Sue Wilmot [mailto:ufcwsue@yahoo.com]  
**Sent:** Tuesday, April 01, 2014 5:43 PM  
**To:** Anne Blair; Steve Bonkowski; Sarah Blossom; Wayne Roth; Val Tollefson; Roger Townsend; David Ward  
**Subject:** Marijuana Zoning

Dear City Council Members,

**Attachment E**

I am writing to you in regards to the marijuana business zoning ordinance. I am a twenty year Bainbridge Island resident and home owner. I faithfully attended all 7 of the Planning Commission meetings on this topic. I urge you to NOT allow marijuana production facilities in ANY residential zone. I wholeheartedly agree with Julie Kreigh, John Thomas and Maradel Gale, that a residential neighborhood is not appropriate zoning for this new type of business. The Business/ Industrial Zone is where this should be. My major concerns are Safety and Security and Invasive Odors. The ordinance as written does not address these issues.

1.) Safety and Security: Marijuana, although legal at state level, is still a federally illegal Class 1 Narcotic. As such, the state recognizes that these businesses are a high risk for crime. They come with heavy regulations. They cannot have a bank account for their business and so must operate as cash only or risk federal seizure of their bank accounts. (This has happened in Colorado.) They also have a difficult time obtaining insurance for their operations as do property owners who rent to them because of this unique legal/illegal status. Accordingly, our surrounding local jurisdictions, including Kitsap County, Poulsbo, Bremerton, Port Townsend, Port Orchard, Gig Harbor and Pierce County all have restricted marijuana production to Indoors Only and Business/Industrial zones, or, have outright banned it. Open air or greenhouse grows in Island neighborhoods may just become the easy targets for crime and crime rings. Our grocery stores have already seen some of this with a high rate of liquor theft. Just the strict state requirements for security themselves – locks, alarms, cameras, nametags, age limitations for those on the property, restrictions from using any part of a home – should be evidence enough that this is not a good fit for home or residential neighborhood use.

2.) Odor: The Planning Commission heard from two experienced marijuana businessmen and an attorney in the marijuana business that the best way for control of the very strong, skunk-like odor that marijuana produces while growing, is by keeping it indoors and using carbon filters. The ordinance, as written, would allow for marijuana to be grown outdoors or in greenhouses with no odor control. Washington has no regulations on the invasive odor, unlike Colorado which has oversight, monitoring, and fines in place. The neighborhood that I live in has a much higher density than the one home per two and a half acres that it is zoned as. I have less than an acre as do many of my neighbors. I like to have my windows open. I like hang my laundry outside to dry to save energy. I love to garden. These will not be possible with an open air grow operation 50 feet away from my property. School buses also go through and stop six times each day in my neighborhood and the neighborhood children should not have to stand at their bus stop and go to school smelling of marijuana. As for the limit on the number of plants, Tier 1 is defined by the state as up to 2000 square feet of plant canopy. There is no restriction on the number of plants. I would like to know if and how the city plans to monitor and enforce this local jurisdictional limit.

Please, do not create a special zoning classification that puts marijuana grow operations into family neighborhoods. Thank you.

Sincerely,  
Susan Wilmot  
6112 Old Mill Road



## Bainbridge Island, WA

## Jennifer Sutton

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**From:** Alexander Scott [ajs@quincefarm.net]  
**Sent:** Thursday, March 20, 2014 8:53 AM  
**To:** Kathy Cook; Jennifer Sutton  
**Subject:** Re:  
**Attachments:** quincefarm.oldmill.2014-04-20.v2.pdf

I forgot one!

Please disregard the pdf I attached the first time.

On Thu, Mar 20, 2014 at 8:47 AM, Alexander Scott <ajs@quincefarm.net> wrote:  
> Kathy, Jennifer --

>  
> I mentioned during the March 13 hearing that I semi-officially polled  
> my nearby neighbors about my project and I wanted to get the  
> signatures/notes to the city before they got lost. The households  
> that aren't represented are a mix of being opposed, approving but  
> being uncomfortable signing, not being there whenever I knocked, being  
> undecided and not getting back to me, giving notes of approval to the  
> city but not copying me so that I could include their name here, etc.  
> If you count my house and Michael Bonoff/Libby Anderson who sent a  
> letter of approval but from whom I forgot to get a signature, it works  
> out to be about 80% of my neighbors not objecting. A complete turnout  
> could skew a little bit it in either direction.

>  
> It's rough gauge. And, to me, the stark divergence of opinion  
> suggests that the issue is not really what people think one way or the  
> other but whether the impacts of small scale production can be  
> reasonably contained within the property where it is taking place.

>  
> Also, I wanted to pass along that the LCB has claimed to me that sides  
> (walls, windows) up to 8 feet of any licensed premises (indoor grow,  
> rigid greenhouses, etc) need to be sight obscuring. I am not  
> satisfied that the rules as written compel that but I am choosing not  
> to quibble.

>  
> Alexander

--  
Alexander Scott | Quince Farm LLC | 206.842.7480



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

We have farmed the property since we moved. We raise chickens, sheep, pigs, have a large garden and many fruit trees.

The City's Comprehensive Plan promotes farming but the Planning Commission recently voted to recommend to the City Council to restrict growing marijuana to the Business Industrial area because they perceived that growing marijuana is more of an industrial activity than an agricultural one and because they perceived that my neighbors had decided that growing marijuana is unmitigatably noxious.

I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

Harp Leon - HARP LEON, 5700 OLD MILL RD. 3/2/2014  
Name / Address / Date

To Whom It May Concern:

We are neighbors of Alexander Scott, and we fully approve of his application to grow marijuana on his family property on Old Mill Road. We live at 5790 Old Mill Rd.

I-502 passed by a majority of voters in this state and was approved by over 70% of Island voters. Those voters who voted against it have already had their say, and they lost the election. Growing and selling marijuana in this state is legal under the guidelines outlined in the initiative.

Any opinion that growing marijuana is "unmitigatably obnoxious" can have no weight at this point in the process. Mr. Scott is within his legal rights and should be granted his permits.

We fully support his request and approve of his entrepreneurial spirit.

We are willing to be contacted by the city regarding our approval at 842-1457.

Sincerely,

Mary E Bonnier

Bruce Wallace

Mary E Bonnier 3/02/14

Bruce Wallace 3-03-14



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

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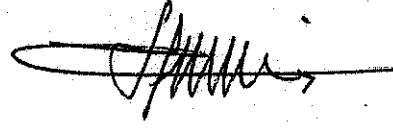
We have farmed the property since we moved. We raise chickens, sheep, pigs, have a large garden and many fruit trees.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

P -  Feb. 28 - 2014  
PATRICE CHEMIN - 5872 OLD MILL ROAD - BAINBRIDGE ISLAND  
Name / Address / Date

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

We have farmed the property since we moved. We raise chickens, sheep, pigs, have a large garden and many fruit trees.

The City's Comprehensive Plan promotes farming but the Planning Commission recently voted to recommend to the City Council to restrict growing marijuana to the Business Industrial area because they perceived that growing marijuana is more of an industrial activity than an agricultural one and because they perceived that my neighbors had decided that growing marijuana is unmitigatably noxious.

I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

*I live across the road from the Scotts  
and have no problem with their proposed  
marijuana field.*

*Marshall / Miller*  
Name / Address / Date 3/3/14



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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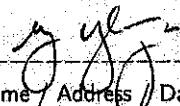
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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

I SUPPORT ALEXANDER IN HIS PURSUIT OF HIS I-502 PERMIT

  
Name / Address / Date

5969 OLD MILL RD, B.I. WA 98110

3/2/2014

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

RICHARD WHITE - 6117 OLD MILL ROAD - 3-1-14  
Name / Address / Date



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott



6132 OLD Mill Rd , 98110 Mar 1, 2014

Name / Address / Date

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

Per Sherwin  
6160 Old Mill Rd. NE  
2-29-2014

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Name / Address / Date



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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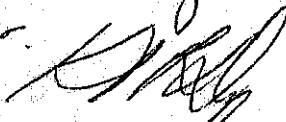
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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

I support Mr. Scott's application. The faster we normalize marijuana production, the better.



Ken Day / 6172 Old Mill Rd NE / March 3 '14

Name / Address / Date

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

FABIAN MOERCHEN

6200 OLD MILL RD

98110 BAINBRIDGE

3/1/2014

Name / Address / Date



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

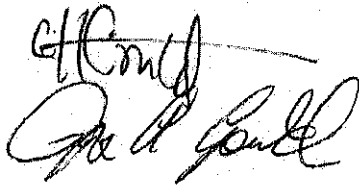
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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott



6202 OLD MILL RD, DE 3/1/14  
Name / Address / Date

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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The City's Comprehensive Plan promotes farming but the Planning Commission recently voted to recommend to the City Council to restrict growing marijuana to the Business Industrial area because they perceived that growing marijuana is more of an industrial activity than an agricultural one and because they perceived that my neighbors had decided that growing marijuana is unmitigatably noxious.

I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

Alex Jones / 6204 Old Mill Rd NE / Mar 1, 2014  
Name / Address / Date

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

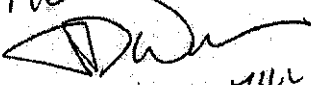
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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

OK/FINE WITH ME 3/3/14  
TIMOTHY WATSON   
6225 OLD MILL

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Name / Address / Date



March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

My husband and I do not have  
a problem with locating a marijuana grow  
operation on Old Mill Rd.

\_\_\_\_\_  
Name / Address / Date

Melissa Weakly & Dan Parsons 3-2-14

6226 Old Mill Rd NE.

(MELISSA WEAKLY<sup>1/3</sup>, DAN PARSONS)

March 1, 2014

Hello, many of you know me. My family has lived on Old Mill since 1988.

I have applied for an I-502 permit to grow marijuana. The plan is to cultivate 500 SF in rigid greenhouse in the field north of the house. The state has many requirements for growers including security and traceability. These requirements are comparable to those for wineries and distilleries. There would be no retail and it would be a family-only operation.

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I would like your support letting the City know that you are fine with a small growing operation on Old Mill Road.

Thank you,

Alexander Scott

Steve Boyce, Steve G. H. 3/1/14  
AS

Name / Address / Date

6232 Old Mill Rd NE

3/1/14

## Jennifer Sutton

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**From:** Kathy Cook  
**Sent:** Monday, March 17, 2014 10:31 AM  
**To:** Jennifer Sutton  
**Subject:** FW: marijuana

Kathy Cook  
Director, Planning and Community Development  
City of Bainbridge Island  
280 Madison Avenue No.  
Bainbridge Island, WA. 98110  
206-842-2552

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**From:** Roz Lassoff **On Behalf Of** Council  
**Sent:** Monday, March 17, 2014 10:30 AM  
**To:** Kathy Cook; Doug Schulze  
**Subject:** FW: marijuana

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**From:** [Hikertad@aol.com](mailto:Hikertad@aol.com) [<mailto:Hikertad@aol.com>]  
**Sent:** Monday, March 17, 2014 10:11 AM  
**To:** Council  
**Subject:** marijuana

Good morning,

A petition is circulating which asks that marijuana growing not be allowed in residential areas. I totally support that position, but wanted to go one step further and say that I hope marijuana is prohibited anywhere on Bainbridge Island, not just in residential area. And that includes places that would sell it. This state has become a laughing stock in the rest of the country over its absurd obsession with getting marijuana "legalized". Talk about a feeding frenzy!!

Please do all that you can to prevent marijuana anywhere on Bainbridge Island.

Thank you,

Norman Marten  
4952 Rose Avenue



**Jennifer Sutton**

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**From:** wilder0619@gmail.com on behalf of Scott Wilder [scott.wilder@outlook.com]  
**Sent:** Wednesday, March 12, 2014 2:28 PM  
**To:** PCD  
**Subject:** Opposing Marijuana production in residential areas

When my family and I moved to the island last fall we purchased a home on Old Mill Road and have enjoyed getting to know our neighbors and settling in to the community. We love that our 11 year old daughter can safely walk on her own to visit new friends down the road. I am concerned, however, that our neighborhood will be forever changed for the worse if the planning commission decides to recommend allowing Marijuana production in residential areas on the island.

You are no doubt aware that one of our new neighbors has applied for a production license. I oppose allowing Marijuana production in residential areas. I'm concerned about my daughter's safety, the possibility of increased crime, and the potentially negative impact on property values. I am also very concerned about the unintended consequences that none of us have even considered yet, and I urge you to not turn our neighborhood into a test case to see how it works. Instead I support limiting Marijuana production to areas zoned for business/industrial use.

Thank you for your consideration and for your service to our community.

Sincerely,

Scott Wilder  
6208 Old Mill Rd  
206-451-4931

## Jennifer Sutton

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**From:** Hap Leon [hap.leon@gmail.com]  
**Sent:** Wednesday, March 12, 2014 7:27 AM  
**To:** Bainbridge Island Planning Commission  
**Subject:** Support for Alexander Scott's marijuana growing application  
**Attachments:** Letter in support of Alexander Scott's application.pdf

Bainbridge Island Planning Commission  
Attention: Jennifer

Greetings:

I understand that this Thursday, March 13<sup>th</sup>, the Planning Commission will be considering the application of Alexander Scott for a marijuana growing operation on Old Mill Road.

I am a neighbor of Mr. Scott, and I support his application. I will not be able to attend your hearing on Thursday, but I request that you accept my letter of support, which is attached as a pdf file.

Thank you for your consideration.

Hap Leon  
5700 Old Mill Road  
Bainbridge Island

Hap Leon  
5700 Old Mill Road  
P.O. Box 10402  
Bainbridge Island, Washington 98110

City of Bainbridge Island Planning Commission  
City Hall  
Bainbridge Island, Washington 98110  
[pcd@bainbridge.wa.gov](mailto:pcd@bainbridge.wa.gov)

March 12, 2014

Re: I-502 Permit for Alexander Scott, Old Mill Road

I am writing this letter in support of the application of Alexander Scott for a marijuana growing operation on his family's property on Old Mill Road. I am a long-time resident of Bainbridge Island, having lived here on Old Mill Road for 40 years. I believe in that time I have developed a good sense of what is consistent with our neighborhood, and with Bainbridge Island as a whole.

I have known Alexander Scott and his family since they moved here in the 1980's. The Scotts purchased an old run-down farmhouse, and restored and improved it. They have operated a small-scale farming operation – complete with quite a variety of livestock – for most of the time they have lived here. They are good, friendly, concerned neighbors, often helping out other neighbors on local projects.

The marijuana growing operation that Alexander has proposed would be consistent with the farming they have done for many years, and would certainly not be inconsistent with any other activity in our neighborhood. From an island-wide perspective, a growing operation would be in keeping with the rich agricultural heritage of Bainbridge Island. The berry farming, goat dairies, horse stables, and other farming activity that we still have on the island should be protected and encouraged, rather than restricted. In our neighborhood, we have Heyday Farm, which is preserving and restoring two long-standing farms on Old Mill Road and McDonald Road. Growing marijuana, which is now a perfectly legal and regulated crop, would be an important contribution to keeping the agricultural tradition alive and well on the island.

Election results made available from the State of Washington Secretary of State's office show that the citizens of Bainbridge Island approve of marijuana being legal to use, to grow and to process, as specified in Initiative-502. As you know, the initiative passed comfortably statewide. Locally, it received the support of 70 percent of voters on Bainbridge Island. In the precinct that includes Old Mill Road (317 - Eagle Harbor precinct) 72 percent of voters approved the initiative. These results clearly demonstrate an overwhelming community support for local, legal, regulated operations such as the one that Alexander Scott has proposed.

Alexander Scott's proposed growing operation would be an asset to Bainbridge Island, and to our neighborhood on Old Mill Road. Such an operation would continue the island's agricultural heritage, and would enjoy local support. I strongly encourage you to approve Mr. Scott's application.

Yours sincerely,



Hap Leon



5711 Old Mill Road  
Bainbridge Island, WA 98110  
March 10, 2014

City of Bainbridge Planning Commission at [pcd@bainbridge.wa.gov](mailto:pcd@bainbridge.wa.gov)

Re: I-502 Permit for Alexander Scott, Old Mill Road

Dear Mr. Mack Pearl and other Planning Commission members,

This letter is in support of Alexander Scott's application to grow marijuana on his Old Mill Road property.

We live two properties away and I pass the Scott property twice or more daily. I have known the Scott family for about 30 years. Alexander Scott is a serious, responsible adult who will conduct this growing operation in conjunction with other sustainable activities currently conducted on the family owned property.

I believe the scale and type of activity of this land use is compatible with our neighborhood of large residential lots and multiple acreage properties. In this immediate vicinity on Old Mill Road we have a variety of home based occupations including a hair salon, land clearing services and vegetable growing that serves island restaurants. Other owners raise chickens, maintain a dog kennel and run a cemetery.

Thank you for your consideration.

Mike Bonoff and Libby Anderson

**From:** Sue Wilmot  
**To:** [jonquitslund@att.net](mailto:jonquitslund@att.net); Anne Blair; Sarah Blossom; Steve Bonkowski; Wayne Roth; Val Tollefson; Roger Townsend; PCD; David Ward  
**Subject:** Marijuana zoning.  
**Date:** Friday, March 07, 2014 4:18:44 PM

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Dear Jon Quitslund,

Thank you for explaining your opinions on this matter in your email of March 6, 2014. However, the question at hand is about zoning – it is not about your views or the public's views about marijuana use. I feel, as do many others, that it is simply madness to put a commercial, controlled substance production facility into a residential neighborhood. Your comments at the last meeting and in your email, suggest you are in favor of this move in order to be, or appear to be, politically correct. Think for a moment: would the city allow special dispensation for any other type of business, even one without the red flags of very strict LCB restrictions?

Grow facilities cannot be classified as home businesses under federal law, and no amount of setback, screening or lot size will control the security risk, invasive odor, traffic, lights, industrial water and power usage, waste and water run-off and all the other concerns I and my fellow citizens have expressed.

This is not medical marijuana. If we don't grow marijuana in Island neighborhoods, people who need it will still be able to obtain medical marijuana. These state licenses are for "recreational" marijuana, the first of which went out to a man in Spokane whose company name is Kouchlock Productions, in reference to the term "couch-locked"-being too stoned to get off the couch. He intends to franchise this business. Perhaps he can, since recreational marijuana is now legal, but keep in mind that placing commercial production facilities into family neighborhoods was not on the ballot. If it was, do you seriously think it would pass? I can assure you it would not.

To address your statements about a black market existing on

the island, this too will grow as use goes up and availability is heightened. As to security and crime concerns: I work for Safeway, and with the advent of liquor sales in markets, our store has been the victim of organized crime rings coming to the Island and stealing liquor, as do locals and local teens. There is a bigger black market of liquor now due to its wider availability and required taxes. Safeway was open 24 hours a day, but now we have to close at night because of liquor theft. Think about it: a huge corporation in a big building with cameras and employees on duty in a commercial zone had to close at night due to widespread theft of liquor. What kind of target will these less powerful cash-only production facilities make in our family neighborhoods? Furthermore, these will draw customers and potential licensees from neighboring jurisdictions all around us, most of which are insisting on more stringent zoning requirements.

I urge you, at the very least, to not rush into this huge change on the Island. Be honest about what we don't yet know concerning the ramifications of these untested businesses. You remarked in your email that "No one can know in advance". We agree. This is experimental. These licenses do not fulfill an urgent or unmet city need. If you and the powers that be decide to open the Island to grow facilities, they should, without question, be contained in industrial areas only. Better yet, extend the moratorium on production and take note of the experience of other cities and counties in Washington. No one will fault us for a cautious approach. At such a time in the future when we have more facts and information on how these businesses impact other areas, the Planning Commission and City Council will have the basis on which to make a more educated, thoughtful, and fair decision on zoning changes. This decision is too important to rush through, or treat as an "experiment", since the ramifications will be enormous.

Sincerely,



Susan Wilmot

6112 Old Mill Road  
Bainbridge Island, WA

**From:** Sue Wilmot  
**To:** PCD; Anne Blair; David Ward; Roger Townsend; Val Tollefson; Wayne Roth; Sarah Blossom; Steve Bonkowski  
**Subject:** Fw: Marijuana Zoning  
**Date:** Friday, March 07, 2014 6:28:00 PM

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Dear Commission and Council members,  
I neglected to include the original email from Jon Quitslund in my email concerning marijuana zoning. It follows.  
Sincerely, Susan Wilmot

On Thursday, March 6, 2014 1:54 AM, "jonquitslund@att.net" <jonquitslund@att.net> wrote:  
Dear Sue Wilmot,

I have given serious consideration to your email dated March 4, and to the views expressed by others who are opposed to permitting marijuana cultivation in any of the residential zones on Bainbridge Island. Accordingly, I have taken a very restrictive approach to what may be permitted.

I have several problems with the approach taken by my good friend Maradel Gale, and supported by a vote of the majority in the recent Planning Commission meeting. I am in favor of reconsidering that vote when we meet on March 13.

To exclude marijuana cultivation from all residential zones on Bainbridge amounts, in effect, to opting out of the state's stringent regulatory regime, developed in response to a vote of the people and supported, I believe, by 73% of the Bainbridge voters who took a position on the Initiative. I know it is possible for counties and cities to prohibit cultivation and sale within their boundaries, but to do so only endorses the continuation of illicit growing and selling. I am in favor of being honest about the fact that, even on Bainbridge, we have a black market supplying recreational users of marijuana. No one can know in advance if the new policies will discourage sellers and customers in the illicit and unregulated market, but I want to honor that intention and give the new program a chance to work.

As the new program develops, the existing arrangements for production and sale of medical marijuana are going to be phased out. Marijuana does benefit many people living with serious illness and chronic pain, and some medical marijuana products involve therapeutic chemicals that have nothing to do with getting high. In my view, also, marijuana is less dangerous, for young people and for the public in general, than alcohol, which is widely advertised and available in all sorts of stores, bars, restaurants, etc. We have a sorry history of irrationality where guilty pleasures are concerned, and laws that seem irrational and fail to achieve their intended purpose invite scofflaw behavior.

I agree with you that Bainbridge Island is "a special place." I would observe, however, that if you talk to ten people, asking them what's special about our community, you might get fifteen different opinions, with only a few of them supporting your opinion that small-scale marijuana cultivation would endanger our distinctive island character and quality of life.

I took a good look at the linked articles about Redding. Redding doesn't sound "special" to me, and I don't think we face, or will face in the future, social problems and crime on a scale comparable to Redding's statistics.

Please give some thought to Bainbridge, compared to other communities in Kitsap County.

We are very different from Poulsbo, although we have a great deal in common. I haven't seen a zoning map of Poulsbo, but I'm sure it's very different from the map of Bainbridge.

What percentage of Poulsbo's acreage is zoned residential, and how much of that is appropriate for any sort of crop agriculture? So what Poulsbo, or Port Orchard, or Gig Harbor does may not help us decide what's right on Bainbridge.

As I said at the beginning, I would take a very restrictive approach to the permitting of marijuana cultivation. I start from the premise that marijuana is an agricultural crop, but that doesn't mean that it should be permitted, like other agricultural crops, in all residential zones.

The L C B rules regulate growing and processing in ways that separate marijuana from food and ornamental crops, and we are free to regulate further. I would limit the size of a 'plantation' to Tier 1, 2000 sq. ft. or less; I would not permit 'outdoor' growing, which includes the use of open-ended plastic hoop structures, because rigid greenhouses enable the grower to contain odors. I would limit the use of lights in greenhouses. Fences and setbacks from property lines would be required. And I would limit cultivation to properties of at least one acre, only in the R-0.4 zone. (A great deal of the Island's acreage and much of its population outside of Winslow falls in that zoning classification. The norm for that zone is one house per 2.5 acres, but many lots are smaller -- one acre or less -- because they were platted before the zoning classification was applied, or they are in a development where houses are clustered.)

I don't know whether, with all of these restrictions and the L C B requirements, a grower could make a reasonable profit at the Tier 1 level; that's not my worry. I am confident that at that level, marijuana cultivation wouldn't attract violent crime.

In conclusion, it's up to the City Council to deliberate and decide on the ordinance, and they have to decide before the moratorium runs out. I'm not attached to a specific outcome, at either the Planning Commission or the Council level. I just want to see the Planning Commission do its job well, by carefully considering alternative policies, and weighing the pros and cons.

Sincerely, Jon Quitslund



## Jennifer Sutton

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**From:** Theresa Rice on behalf of PCD  
**Sent:** Tuesday, March 04, 2014 12:48 PM  
**To:** Jennifer Sutton  
**Subject:** FW: Marijuana Zoning

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

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**From:** Sue Wilmot [mailto:[ufcwsue@yahoo.com](mailto:ufcwsue@yahoo.com)]  
**Sent:** Tuesday, March 04, 2014 12:46 PM  
**To:** PCD  
**Subject:** Marijuana Zoning

Hello,

I have a friend near Redding, California and they too are grappling with the marijuana legalization issue. Medical marijuana is legal in California. These links represent some of the real problems that have been exacerbated in a city, Redding, that has more lax growing laws than the surrounding county, Shasta County. This is what some members of the commission are advocating for on Bainbridge Island vs. Kitsap County. I implore you all to carefully and prudently zone this new business and to not open the doors to our Island before you consider, research, observe and study what you invite into our neighborhoods. There is nothing wrong with waiting and watching how this plays out in other jurisdictions before committing to a zoning decision. This is a special place and we have to get this right.

<http://blogs.redding.com/mbeauchamp/archives/2014/02/redding-no-5-on.html>

<http://www.city-data.com/forum/california/2050913-redding-makes-top-ten-list-violent.html>

<http://www.redding.com/news/2014/jan/20/neighborhood-group-says-ban-on-outdoor-marijuana/?partner=RSS>

<http://www.redding.com/news/2011/dec/16/redding-area-citizens-to-pay-for-increase-in-crime/>

Thank you,  
Susan Wilmot  
6112 Old Mill Road  
Bainbridge island, WA

**Theresa Rice**

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**From:** Jason Younker [jason@ynkr.org]  
**Sent:** Thursday, February 27, 2014 3:41 PM  
**To:** PCD  
**Subject:** no marijuana production facilities on bainbridge!

Bainbridge Island Planning Commision,

I am writing to voice my passionate disapproval of allowing marijuana production facilities on Bainbridge Island. Understand that for me neither morality nor marijuana itself are the issue here. The issue is the side effects such a production facility would have for local residents and the impact that would have on our beautiful home.

I regret that I cannot come to the study session tonight, Thursday February 27th at 7pm, to voice my opinion in person.

Thank you for hearing my concerns.

Jason Younker

## Jennifer Sutton

---

**From:** Theresa Rice on behalf of PCD  
**Sent:** Tuesday, February 25, 2014 1:09 PM  
**To:** Jennifer Sutton  
**Subject:** FW: No marijuana production on Bainbridge!

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

---

**From:** Heather Younker (GOFFINET) [<mailto:Heather.Goffinet@microsoft.com>]  
**Sent:** Tuesday, February 25, 2014 12:34 PM  
**To:** PCD  
**Subject:** No marijuana production on Bainbridge!

I urge you to vote against allowing the marijuana production facilities on our island. The negative impacts to our community far exceed any benefits. Please vote no and protect our community.

Thank you,  
Heather Younker



## Jennifer Sutton

---

**From:** Theresa Rice on behalf of PCD  
**Sent:** Tuesday, February 25, 2014 8:00 AM  
**To:** Jennifer Sutton  
**Subject:** FW: Marijuana on BI.

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

---

**From:** ATSON REEDER [<mailto:yourholyness@msn.com>]  
**Sent:** Monday, February 24, 2014 4:46 PM  
**To:** PCD  
**Subject:** Marijuana on BI.

We have had large scale marijuana production for medical marijuana on Bainbridge Island for more then a decade with no problems. No one even knows they are there. There has been no pollution and little or no smell. Why should this production be any worse? Isn't a quiet non polluting business that offers good wages just what we want on Bainbridge? As to smell, that can be mitigated and has always been by others. Thanks, Atson

## Jennifer Sutton

---

**From:** Theresa Rice on behalf of PCD  
**Sent:** Tuesday, February 25, 2014 7:59 AM  
**To:** Jennifer Sutton  
**Subject:** FW: Letter Opposed to Residential Marijuana Farming

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

---

**From:** Sarah Barrett [<mailto:lsbarrett@seanet.com>]  
**Sent:** Tuesday, February 25, 2014 6:29 AM  
**To:** PCD  
**Subject:** Letter Opposed to Residential Marijuana Farming

City Hall  
Attn: Planning Commission  
280 Madison Avenue N  
Bainbridge Island, WA 98110

To whom it may concern,

I've recently become aware that the planning commission is considering allowing commercial marijuana farming in residential neighborhoods on Bainbridge Island. I believe this is not a good idea.

I agree with Planning Commissioner Maradel Gale's position as stated in *Inside Bainbridge* as follows: "Planning Commissioner Maradel Gale doesn't think pot farming belongs on Bainbridge at all given our geographic limits. She believes it should not be treated as a typical crop agriculture and points out that the state regulations restricting it make that eminently clear. Gale is concerned about the adverse effects of security cameras and bright lights near people's homes, the "skunklike" smell of the crop when it blooms, the increased traffic from farm employees, and the plants' high demand for water. She also fears that the intensive electricity usage of up to six farms in our community could end up requiring taxpayers to foot the bill for an additional substation on the Island—something that the Green Power program and citizen activists have been working to prevent."

Additionally, I disagree with the arguments of Planning Commissioner Mike Lewars as stated in *Inside Bainbridge* that smart city planning can make this work by limiting the size and forcing the farming to be indoors. I feel that any commercial marijuana growing should not be happening in residential neighborhoods. The increased required security and smell make this crop different than other agriculture currently allowed. Mr. Lewars' solutions also don't resolve the increased traffic, power, water usage, or the potential drop in housing prices. Furthermore, I disagree with the assumption that because the measure overwhelmingly passed on Bainbridge Island, residents want it grown in residential neighborhoods. Residents might have voted for the measure, assuming it would be regulated like the special agriculture it is. There are many measures that we vote yes on with the hope and understanding that our government will have the wisdom to implement them safely and with common sense.

I regret I cannot attend the 2/27 meeting to speak in person, but I am hoping you will consider this letter in lieu of my personal appearance as a plea to not approve commercial marijuana farming in residential neighborhoods.

Sincerely,

Sarah Barrett  
3974 Point White Dr. NE  
Bainbridge Island, WA



**From:** [ingrid blohm-hyde](#)  
**To:** [PCD](#)  
**Subject:** Marijuana licenses  
**Date:** Sunday, February 23, 2014 1:17:41 PM

---

I am hearing that the city of Bainbridge Island is considering allowing marijuana farms to be established in our neighbourhoods. I want to emphasize that I am VERY MUCH against any type of Marijuana operation at any location on this island. I find the consequences of having these types of facilities in our neighbourhoods devastating. The property values in such neighbourhoods would decline precipitously, the smell would be intolerable, and the security issues would be too stressful to bear. Most of us residents moved here for the quietness, fresh air, and family atmosphere; one of these Marijuana operations would severely jeopardize what we islanders so cherish. please DO NOT allow this to happen here - I want to see Marijuana operations banned from this island.

Thanks  
Ingrid

The person who says it cannot be done, should not interrupt the person doing it!

**From:** Shawna  
**To:** PCD  
**Subject:** NO to Marijuana in Residential Areas  
**Date:** Sunday, February 23, 2014 10:16:08 AM

---

Dear BI Planning Commission,

The current discussions and decisions you are making about zoning for marijuana related production and retail will change the nature of neighborhoods on Bainbridge Island forever. It is a crucial vote, and I strongly urge the Commission to not allow our residential neighborhoods to be blighted by marijuana production facilities. I love Bainbridge and want to keep it clean, and safe. The zoning decisions you are making for all of us can keep it that way; or let our neighborhoods go to pot.

Sincerely,

Shawna Paulson

**From:** Julie Rust  
**To:** PCD  
**Subject:** Marijuana production in neighborhoods  
**Date:** Sunday, February 23, 2014 6:35:47 AM

---

Dear Bainbridge Planning Commission,

Please do not allow the production and processing operations for marijuana to move into residential areas here on the island.

Please consider expanding the existing industrial zones for this purpose.

Please also consider regulating the stench and runoff.

As a small business owner trying to be careful with the water usage necessary in my business operations (dog grooming) I am very concerned about responsible stewardship of our limited resources.

Thanks,

Julie Rust, Current resident in Fletcher Bay area  
Business Owner, The Fluffy Ruff Dog Spa

*Julie Rust, NCMG  
Bainbridge Island, WA  
[www.TheFluffyRuff.com](http://www.TheFluffyRuff.com)*



**From:** Joe Litus  
**To:** PCD  
**Subject:** rezoning  
**Date:** Friday, February 21, 2014 10:05:40 PM

---

Commissioners and Councilmen,

Do not allow Marijuana processing and production facilities on Bainbridge Island.  
Thank you for your response,  
Joseph Litus

## Jennifer Sutton

---

**From:** Theresa Rice on behalf of PCD  
**Sent:** Wednesday, February 19, 2014 12:22 PM  
**To:** Jennifer Sutton; Kathy Cook  
**Subject:** FW:

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

-----Original Message-----

**From:** Sue Wilmot [<mailto:ufcwsue@yahoo.com>]  
**Sent:** Tuesday, February 18, 2014 9:08 PM  
**To:** PCD  
**Subject:**

Here is a link to an article about what we will be facing if marijuana businesses are allowed on the Island.

<http://news.yahoo.com/legal-cash-only-pot-sellers-supermarkets-crooks-003703542--abc-news-topstories.html>

We should not allow it here until these issues are resolved.

Thank you,  
Susan Wilmot

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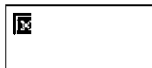
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## Legal Cash-Only Pot Sellers Supermarkets for Crooks



By Clayton Sandell  
February 18, 2014 7:37 PM



*pot sellers become targets of criminals*

They come in the middle of the night. Breaking through doors, heads and faces covered to hide from surveillance cameras. Sometimes, they bring guns.

Amid Colorado's booming legal recreational and medical marijuana trade, thieves are busting into shops and grow facilities looking for cash, sometimes running out with pot plants worth thousands of dollars.

Kristi Kelly, owner of GoodMeds Marijuana Dispensary, was hit three times by burglars taking advantage of an industry that is drowning in cash.

**Related: Colorado pot buyers lining up for legalized sales.**

In Denver alone, there have been 17 reported burglaries at marijuana grows, dispensaries or manufacturers since January first, according to numbers compiled by the Denver Police Department.

Part of what makes Kelly and thousands of legal marijuana business owners vulnerable is that they operate largely as cash-only companies, without the ability to open a bank account.

Kelly must pay her employees in cash that often smells like pot. She cannot use checks to pay taxes, or accept credit cards from customers. Banks keep shutting Kelly down because the US government still considers marijuana illegal, and banks must answer to federal regulators.

"In the last 18 months, I've lost six bank accounts," she told ABC News. "I feel very paranoid. I feel I'm always looking over my shoulder even if I have nothing of value on me."

Another company that wanted to remain anonymous showed ABC News how it paid taxes of \$200,000 in cash.

Kelly recently turned her shop into a virtual fortress, complete with nine visible cameras - the others are hidden.

"I have complete control over who comes in and out," she said.

Kelly said she made an effort to not keep large amounts of cash in one place. Moving the money around is a potentially dangerous prospect.

"Our security protocols change on a weekly basis," Kelly said. "So if someone were to watch our patterns we wouldn't have any patterns because every week we're changing them. The times of day, the places, the locations, everything about the transfer of any of our valuable assets is taken into consideration."

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Ted Daniels, president of Blue Line Protection Group, took ABC News on one of 1,000 runs his guards make every month. He hires former military and law enforcement people as guards.

Leonid Pavlushkin used to be a sniper in the Russian Special Forces and spent time as n the NYPD. Before heading out on a job for Blue Line, he strapped a Glock handgun to his thigh and loaded an M-4 assault rifle, just in case.

On a recent trip to deliver marijuana to a medical dispensary, Pavlushkin drove while Daniels kept a close eye on their surroundings.

"We look for anything suspicious," Daniels told ABC News. "We look for any cars parked, any people sitting and watching."

"We do move around large amounts of cash," Daniels said. "We don't like to say how much our clients have in their store."

As Pavlushkin stood watch outside, armed escorts brought new supplies of weed in. Then, they unlocked the safe and removed the money, speeding off minutes later to a secure, secret vault.

Although the Justice Department recently issued new guidelines meant to reassure banks that they would not be prosecuted for doing business with the pot industry, banks ABC News spoke with were not convinced.

"[The guidance] only reinforces and reiterates that banks can be prosecuted for providing accounts to marijuana related businesses," said Don Childears, CEO of the Colorado Bankers Association.

"Bankers had expected the guidance to relieve them of the threat of prosecution should the open accounts for marijuana businesses, but the guidance does not do that. Instead, it reiterates reasons for prosecution and is simply a modified reporting system for banks to use. It imposes a heavy burden on them to know and control their customers' activities, and those of their customers. No bank can comply," Childears said in a statement.

**Related: Feds let banks and pot sellers do business.**

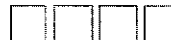
The marijuana industry said that real safety would only come when Congress changed banking laws.

A bill being considered in the House of Representatives would prohibit federal regulators from punishing banks who open accounts for legal marijuana businesses.

"We want to be able to put out cash in a bank account and have a piece of paper be good for that cash that we give to our employees or pay our taxes," said Michael Elliot, executive director of the Medical Marijuana Industry Group. "That very basic thing seems to be impossible to do."

[View Comments \(758\)](#)

Share this <http://news.yahoo.com/legal-cash-only-pot-sellers-super>



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LINDA L. GORDON  
6212 Old Mill Road N.E.  
Bainbridge Island, WA 98110  
Email: LLGonbi@gmail.com

February 13, 2014

**Delivered via Email**

Planning and Community Development  
City of Bainbridge Island  
280 Madison Avenue  
Bainbridge Island, WA 98110

Re: Application for Marijuana Growing Operation on Old Mill Road

Ladies and Gentlemen:

I am writing to provide a second comment related to the application for a Level 2 License for a Marijuana Growing and Distribution operation at 5973 Old Mill Road.

- Since Old Mill Road is zoned residential, what impact will an agricultural business have on our residential water sources? Many homes on Old Mill Road purchase our water from a private business that has two wells in our area. What is the water source for 5973 Old Mill Road?
- In a January letter to the planning commission, Alexander Scott commented that he does not want to grow marijuana in an industrial park noting that "humans grow most of their crops in soil with direct sunlight." I believe he could grow his agricultural crop hydroponically eliminating the need for soil.
- I originally asked to receive notification of future meetings concerning marijuana growing and distribution issues on the island but did not receive a notice for this meeting on Thursday, February 13. Do city guidelines require some type of notification by mail for zoning changes or is a published notice in the local newspaper all that is required?

Very truly yours,

Linda L. Gordon

## Jennifer Sutton

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**From:** Nan Gladstein on behalf of PCD  
**Sent:** Friday, February 07, 2014 10:24 AM  
**To:** Kathy Cook; Jennifer Sutton  
**Subject:** FW: I-502 Retail

---

**From:** Alex Snyder [mailto:snyderm2@gmail.com]  
**Sent:** Thursday, February 06, 2014 4:31 PM  
**To:** PCD  
**Subject:** I-502 Retail

Hello. I wanted to send a letter to hopefully get it into the next packet. I have a few things to add about the zoning regulations Bainbridge is trying to get sorted out. I have applied for the license at Rolling Bay under Saltese LLC with a DBA of "Evergreen" Evergreen would be the name of the store, with only that sign on the front. In the zone at Day Rd. I contacted all of the businesses there, the landlords ect., and there either wasn't space, or the owners were not interested in leasing. In the Land Use Element the neighborhood service centers were created with several goals and ideas in mind. One of the 5 overriding principals is "To foster the diversity of the residents of the island". The first goal of the NCS says "Encourage the development of the Neighborhood Service Centers at Rolling Bay, Lynwood, and Island Centers, as designated on the Land Use Map, as areas with small scale, Island-wide, commercial, mixed use and residential development outside Winslow."

Rather than spend time and money to re-write laws that already exist, and to which this kind of business profile already fits the parameters of, I would like to see the city stick with the well written laws already in place.

The fact is, that this is now a legal trade just as alcohol is. It may not be socially accepted by all, but legally speaking the NSC were created to house such businesses as this.

Thank you...

Sincerely,

Alex Snyder

## Theresa Rice

---

**From:** Releasefish [releasefish@aol.com]  
**Sent:** Thursday, February 06, 2014 11:18 AM  
**To:** PCD  
**Cc:** hiro@lostartslc.com; nico@lostartslc.com; snyderm2@gmail.com  
**Subject:** Bainbridge Island I-502 Zoning

To The City of Bainbridge Island Planning Commission,

I would like to offer some insight into how to best zone marijuana production, processing, and retail on Bainbridge Island.

For marijuana retail I understand the current zoning allows only NSC areas on Bainbridge Island including Rolling Bay, Lynwood Center, and a small portion of Island Center in conjunction with the 1000 foot rule that goes along with marijuana retail. As a long time Bainbridge Island resident this seems logical to me and I see no reason to come up with special zoning just for marijuana retail. Zoning marijuana retail into industrial areas seems like an extreme and uneducated approach to this issue. The City of Bainbridge constituents voted by very large margin to legalize marijuana and based on this it should be the will of the government to enact the will of the people. While some will be opposed, history has shown all over Washington and now Colorado that marijuana businesses do not ruin the neighborhood, rather have shown to be good neighbors and participating in local communities in many cases. The argument that children could have access to marijuana easier because of the existence of a properly run and licensed retail facility, or any facility, is ridiculous. Minors will always have more access to marijuana as long as a strong black market exists. One of the main goals of the State of Washington is to reduce the black market and especially access for minors. The rules and regulations have been written with many safeguards for children. As a marijuana user I can say definitely and will stand against this argument that lack of access to licensed and regulated marijuana will increase the opportunity for minors to obtain marijuana through the black market.

I have applied for a marijuana producer and processor license here on Bainbridge Island. At a previous Planning Department meeting I spoke on the need for a farmer to be able to dry, trim, and package marijuana on-farm. The subsequent meeting provided information pertaining to the fact that as a producer I can dry and trim my own product. However, I would still need a processor license to be able to simply package my product and deliver it to market. This would be the equivalent of someone making jam at home and not being able to put it in a jar for sale, but would need to contract this out at a separate location. The Washington State Liquor Control Board wrote the WACs pertaining specifically to recreational marijuana use to allow producers to process their own product because as a farmer we can acquire a much higher price if we can deliver directly to the retailers. We feel the Washington State business model for producing marijuana requires the ability to package product onsite under a processor license.

As I mentioned above, I do not believe in any way that the existence of a marijuana business will increase exposure for minors in the immediate area. The Washington State Liquor Control Board has much experience with keeping controlled substances out of the hands of minors. In almost every NSC on Bainbridge Island children can, legally or not, walk into a store and touch alcoholic beverages. This does not mean they will be drinking more, but there is no physical barrier between children and alcohol in most cases. Marijuana will be completely different. Whether a production facility, processing facility, or retail establishment, Washington State has written extensive law to keep legal, licensed marijuana out of the hands of children to the extent they will never even see it unless presented to them by an adult.

Again, I stress the importance of educating yourselves on every aspect of what a marijuana business is and the current State laws they need to abide to. I think you will find that the State has done enough with rules and regulations that the City of Bainbridge does not have to do drastic code changes to successfully integrate marijuana production, processing, and retail into our community.

Thank You,  
Dylan Wilkins  
8480 Ferncliff Ave. NE  
Bainbridge Island, WA 98110



LINDA L. GORDON  
6212 Old Mill Road N.E.  
Bainbridge Island, WA 98110  
Email: LLGonbi@gmail.com

January 23, 2014

**Delivered via Email**

Planning and Community Development  
City of Bainbridge Island  
280 Madison Avenue  
Bainbridge Island, WA 98110

Re: Application for Marijuana Growing Operation on Old Mill Road

Ladies and Gentlemen:

I am writing to lodge a comment related to the application for a Level 2 License for a Marijuana Growing and Distribution operation on Old Mill Road. I have lived on Old Mill Road since 1985. Like many residents, my choice to move to this part of the island was due in part to the quiet, rural location, less than 3 miles from downtown Winslow.

I urge the planning commission to **decline** the application for this growing operation at 5973 Old Mill Road. While I respect the decision by Washington voters to legalize marijuana in our state, there are a number of issues for this specific request, including but not limited to:

- Old Mill Road is zoned residential;
- Old Mill Road is an extremely narrow road and approval of this request will lead to increased traffic.
- Marijuana is still deemed a controlled substance. There are a number of families with young children in our immediate neighborhood. These children are out and about while walking to and from the bus stop and while outside for recreational activities.
- What lighting impact will the facility have for neighbors?

Please add me to the mailing list to receive notification of future meetings concerning marijuana growing and distribution issues on Bainbridge Island.

Very truly yours,

Linda L. Gordon

## Jennifer Sutton

---

**From:** Alexander Scott [ajs@quincefarm.net]  
**Sent:** Friday, January 24, 2014 1:12 AM  
**To:** Jennifer Sutton  
**Subject:** January 23 Planning Commision, Cannabis Regulation

Jennifer Sutton,  
After the January 9 Planning Commission I sent some thoughts to the Planning Commission via Kathy Cook, and I was hoping to get a written statement to them again. Thanks.

Planning Commission,  
I was hoping to share some thoughts via email again as I did after the January 9 session since the public comment section of tonight's meeting was a bit constrained.

0. Growing marijuana is agriculture -- subject to uncertainties of markets and nature, and constrained by the delicate necessities of living things. It is not without reason that humans still grow most of their crops in soil using direct sunlight. You cannot by fiat transmute a room in an industrial park into a verdant viable farm. The most you can do is constrain the supply of a crop (under penalty of the wrath of the State) so that the margins are high enough to justify the waste of growing the plants there.

1. Unless it is stated plainly in the future city code, it may be ambiguous if rigid greenhouses are an "inside grow". Rigid greenhouses offer security without requiring a ridiculous and energetically wasteful lighting infrastructure. The historic primary disadvantage of greenhouses is that it is harder to hide your activities from law enforcement. With legalization, those who pay for all the light they feed their plants will be at a disadvantage.

2. There are (by my count) actually three not two types of processing -- mechanical, chemical, and packaging for retail sale. And packaging is the reason why I applied for a processing license in my processor application. If you cannot package your own flowers then you must sell to another licensed processor where a 25% tax\* plus markup that wouldn't have been there otherwise gets added, rendering you rather uncompetitive.

3. It is possible that when the LCB proportionally reduce producer allotments it will be by a factor greater than ten; it is entirely possible that someone who applied for the largest possible space -- 30,000 square feet) would only get to use something in the tier 1 range -- less than 2,000 square feet).

4. Regarding the city's comment to the state about my application: "Informed the LCB that we have a moratorium" is a bit of a euphemistic. It very clearly said that "[my] application should be and can be denied due to its inconsistency with applicable local regulations." I can send the whole thing if anyone is curious.

5. After the Jan 9 meeting I went door to door and invited my neighbors to share their thoughts and concerns. All of the people I spoke with were aware of my proposal and mostly their opinions ranged from neutral to actually happy and proud to have it on their street. I suppose it is often the case that the naysayers are the more outspoken ones. I think people would be surprised at what has been going on around them for decades -- apparently without impact.

I had hoped my previous email was a bit of an argument for why you should allow marijuana to be farmed in non-industrial zones. But I will prepare a little statement for next session recapitulating all my thoughts on that.

Thanks,  
Alexander

\* Each time licensed marijuana is sold the LCB adds a 25% tax. And it is required that marijuana flow through each of the following steps:  
producer -> processor -> retail -> consumer. And the only combined (tax evading) licensing allowed is producer + processor.

--

Alexander Scott | Quince Farm LLC | 206.842.7480

## Jennifer Sutton

---

**From:** Theresa Rice on behalf of PCD  
**Sent:** Thursday, January 23, 2014 11:02 AM  
**To:** Jennifer Sutton; Kathy Cook  
**Subject:** FW: Marijuana zoning

Theresa C. Rice, CAP  
Administrative Secretary  
206.780.3758 (direct)

---

**From:** ingrid blohm-hyde [<mailto:ingrid2005@hotmail.com>]  
**Sent:** Thursday, January 23, 2014 10:11 AM  
**To:** PCD  
**Subject:** Marijuana zoning

To Whom it May concern

I am alarmed of the fact that there are people applying for Marijuana permits in our neighbourhoods. I would like to urge you to pass laws that prohibit farming Marijuana on this island. The liability to our community is too high. This island is comprised of families with children for the most part and we do not want to expose our families to the risks associated with Marijuana farms. Such businesses attract thieves who would want to steal the plants which would require high security, traffic, and exposure to potential crime - this is not what this island is about. These types of businesses should be moved to the far outskirts of population residences, if at all.

I am totally against allowing Marijuana of any kind and shape to be grown on this island.

Thank you for considering my position

Ingrid

The person who says it cannot be done, should not interrupt the person doing it!



## Jennifer Sutton

---

**From:** Kathy Cook  
**Sent:** Friday, January 10, 2014 2:04 PM  
**To:** 'Mack Pearl'; katekelly3@comcast.net; 'Michael Lewars'; Maradel Gale; jonquitslund@att.net; 'John Thomas'; Julie Kriegh  
**Cc:** Theresa Rice; Jennifer Sutton  
**Subject:** FW: I-502, Local Regulations, Planning Commission

Planning Commissioners,

See public comment below.

Kathy Cook  
Director, Planning and Community Development City of Bainbridge Island  
280 Madison Avenue No.  
Bainbridge Island, WA. 98110  
206-842-2552

-----Original Message-----

**From:** Alexander Scott [<mailto:ajs@quincefarm.net>]  
**Sent:** Friday, January 10, 2014 12:23 PM  
**To:** Kathy Cook  
**Subject:** I-502, Local Regulations, Planning Commission

Kathy Cook,

Would it be possible to forward this to the Planning Commission members? I believe it would be good to give them a written version of what I had planned to say in my head.

Planning Commission,

Firstly, though of course dwelling on procedural circumstances does not help inform the crafting of regulations, you should probably be aware that the city passed the marijuana growing moratorium/interim regulations 7 days into the 30 day application window (the only application window planned) and that based on these temporary rules the city executive is submitting formal requests to the state that they reject island based applications. I believe that all 8 applications for cannabis farming and 5/6 of the applications for retail are not in compliance with the temporary rules and will elicit objections from the city. The state may or may not heed these requests, but I believe that your first steps in approaching regulations as a whole should be to check the presumptions that marijuana farming warrants this style of governance.

And while there is much that is new in all of this, especially publicly accessible retail and general awareness, what isn't new is the growing of marijuana on the island and in the state. It has been possible to grow marijuana legally and with minimal regulation in Washington for 15 years, and beyond cultivation by individuals, there are several legal collective gardens operating on the island variously serving medical and recreational markets. It is easy to concoct nightmares about the unknown, so it is fortunate that we have 15 years of history to inform on any issues that actually crop up in practice in our community.

To the best of my knowledge, this presence, which has benefited from none of the meticulously crafted safety regulations crafted by the LCB, has been benign. And I believe that the misplaced sense of newness expressed by some attests to that.

I do not know the details of the other applications, but my proposed location has been actively farmed (by me and my family) for 25 years, and a (relatively small, sight obscured) greenhouse based floriculture is consistent with existing use.

I am sorry that I did not anticipate how difficult it would be for me to speak publicly at a podium. Hopefully this letter is a little more cogent.

Thank you,  
Alexander

--  
Alexander Scott | Quince Farm LLC | 206.842.7480



## Washington State Liquor Control Board

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# Liquor Control Board Approves Lottery Process for Retail Marijuana Stores

*Washington State University and private sector audit firm to produce ordered lists of applicants*

OLYMPIA – The Washington State Liquor Control Board (WSLCB) today approved staff's recommendation for a lottery that will select the apparent successful applicants for marijuana retail licenses. The independent, double-blind process will take place April 21-25, 2014, and will produce an ordered list of applicants that the agency will use to continue its retail licensing process. The agency expects to begin issuing retail licenses no later than the first week of July.

Initiative 502 directed the WSLCB to limit the number of marijuana retail stores by county. In its rules, the WSLCB limited the number of stores statewide to 334. The most populated cities within each county are allotted a maximum number of stores with the remainder at large within the county. The rules further state that if the WSLCB receives more applications for a jurisdiction than there are stores allocated the state would use a lottery process for producing a ranked order of applicants. The allocated list of stores and locations are available on the [I-502 implementation section](#) <sup>[1]</sup> of the WSLCB website.

The agency contracted with the Social and Economic Sciences Research Center of Washington State University and the accounting firm for Washington's Lottery, Kraght-Snell of Seattle, to independently produce rank-ordered lists of applicants in each jurisdiction where a lottery is necessary. Being identified as the apparent successful applicant is not a guarantee that the selected applicant will receive a license. There are multiple requirements for licensure such as the applicant must pass a criminal history and financial investigation as well as have a location that is not within 1,000 feet of a school, park or other area specified by Initiative 502 as places where children congregate.

The WSLCB began pre-qualifying applicants for the lottery the weekend of Feb. 21-23, 2014. Applicants had 30 days to return the basic documents necessary to be eligible for the lottery including verification of: their personal criminal history, their age being 21 or older, that they are Washington State residents, that their business was formed in Washington State, and that they have a location address with a right to real property. A letter of intent to lease was acceptable to be eligible for the lottery. WSLCB licensing staff is currently reviewing pre-qualifying packets. Initial estimates of returned packets show that despite repeated notices and reminders to applicants, roughly 25 percent did not

## ATTACHMENT F

return the required documents at all. Of the returned packets, anywhere between 20-50 percent are incomplete, thus disqualifying them from the retail lottery.

The WSLCB is expected to post the ordered list of applicants for each jurisdiction in the public records section [2] of the agency website on May 2, 2014.

Note: An FAQ is available on the WSLCB website here [3].

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**Source URL:** <http://www.liq.wa.gov/pressreleases/lcb-approves-lottery-process-retail-mj-stores>

**Links:**

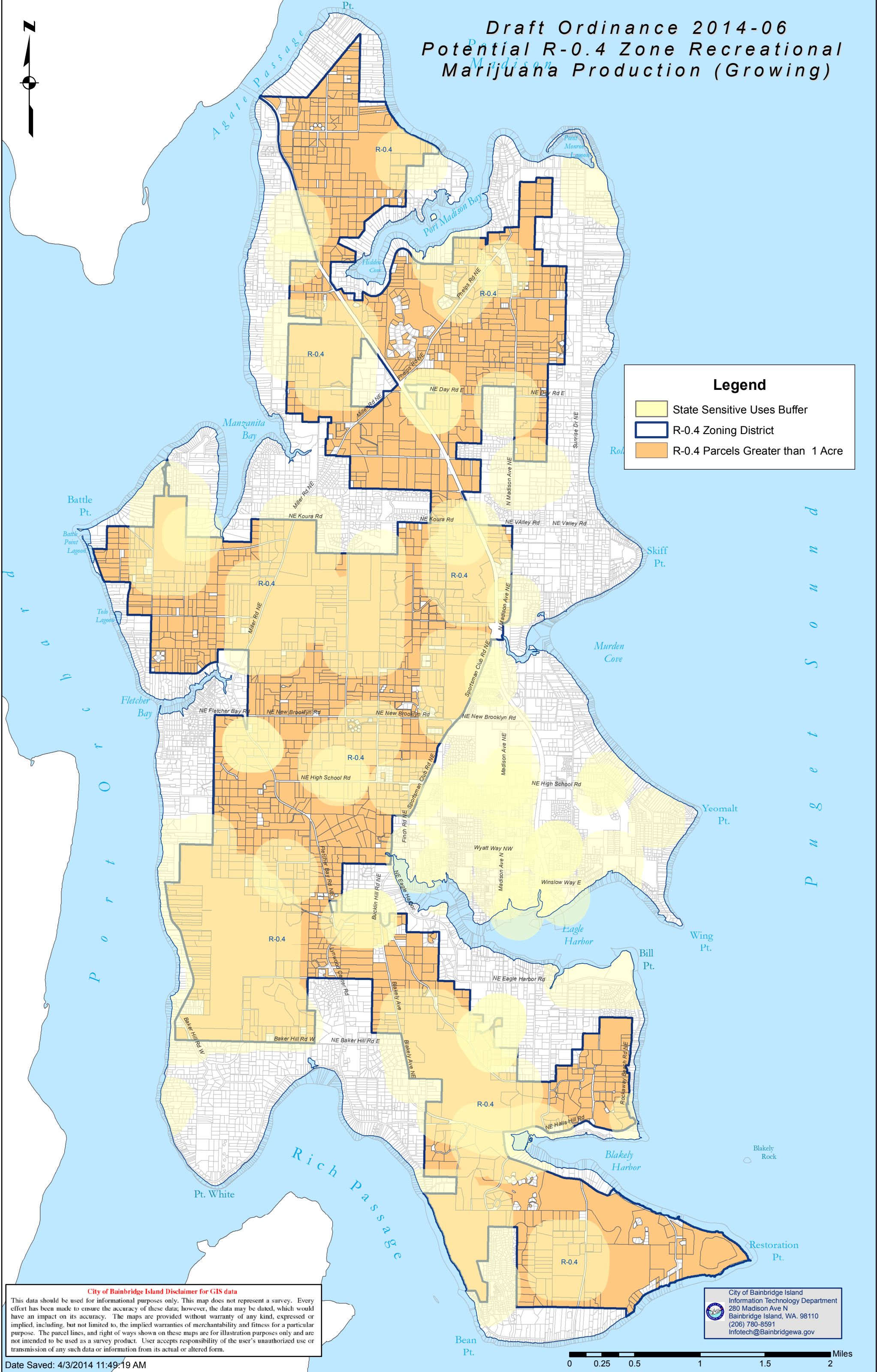
[1] <http://www.liq.wa.gov/marijuana/I-502>

[2] <http://www.liq.wa.gov/records/public-records>

[3] <http://www.liq.wa.gov/publications/Marijuana/I-502/I-502-retail-lottery-QA-II.pdf>



Draft Ordinance 2014-06  
Potential R-0.4 Zone Recreational  
Marijuana Production (Growing)



**Legend**

- State Sensitive Uses Buffer
- R-0.4 Zoning District
- R-0.4 Parcels Greater than 1 Acre

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# CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



## PROCESS INFORMATION

|                                                                               |                     |
|-------------------------------------------------------------------------------|---------------------|
| Subject: Waterfront Park 30% Design                                           | Date: April 7, 2014 |
| Agenda Item: Staff Intensive                                                  | Bill No.: AB 13-025 |
| Proposed By: Public Works Director Barry Loveless/Bill Grimes, Studio Cascade |                     |

## BUDGET INFORMATION

|                         |                                                                               |                                                                                        |
|-------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Depart/Fund:            |                                                                               |                                                                                        |
| Expenditure Req: \$ N/A | Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Budget Amend. Req? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

## REFERRALS/REVIEW

|                                                                                                               |                                                                                                        |                                                                                                          |  |
|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--|
| Study Session:                                                                                                | Recommendation:                                                                                        |                                                                                                          |  |
| City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | Legal <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A | Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A |  |

## DESCRIPTION/SUMMARY

### Action Item:

Consider placement of the 30% design decision and Authorizing Resolution on the April 14<sup>th</sup> City Council Unfinished Business agenda.

### Background:

Studio Cascade recently presented the 30% design plans at the Design Review Board's March 31, 2014 meeting. The project strategy is to create a Phase 1 upland design that will fully re-structure the Park by re-grading and creating a flowing network of soft paths, both in form and material that follow the grade down and around the topography, while weaving in between as many existing trees as possible. These paths will be twinned with a water catchment channel that will take storm water down the slope to the harbor. Every so often along the path will be water events that will allow for contemplation, play, etc. The other piece of the strategy would be to connect the 3 or 4 "forest fragments" by planting new forest in the gaps. This will turn the east end of the park into a more cohesive natural area yet allow for the forest to flow along the water towards the boat launch area. Along the waterfront, the trees would be limbed up to allow for views through and understory plantings would be different than further east. These new forest plantings will allow larger numbers of trees to be planted making up for those that will be removed (where necessary) in the western portion of the park to make grades work, etc.

— Continued on Page 2 —

## RECOMMENDED ACTION

### Motion:

I move that the City Council forward the recommended design alternative and Authorizing Resolution No. 2014-08 to apply for a Recreation Conservation Office grant for the Waterfront Park 30% design to the April 14, 2014 Unfinished Business agenda.

## **DESCRIPTION/SUMMARY – Page 2**

The project's intent is to execute the proposed grading, path and waterway construction, along with tree planting, etc., within Washington Recreation and Conservation Office (RCO) grant opportunity guidelines (approx \$500K), leaving an opportunity for an RCO grant project in the amount of \$1M for the dock expansion.

The remaining programmatic pieces of the park, pavilion, plaza, arbors, terraces, belvedere, play areas, etc. will have been planned for in the Master Plan and can be built around funding availability.

This strategy gives the park a full make-over setting the stage for future work, instead of doing extensive work in one small area of the park and leaving the rest as is.

The RCO requires the governing body of any grant recipient to pass an Authorizing Resolution in order to be eligible to receive the grant funds.



**DRAFT**

**SPECIAL MEETING  
DESIGN REVIEW BOARD  
WATERFRONT PARK/DOCK MASTER PLAN**

**MEETING NOTES**

Monday, March 31, 2014 @ 2:00 p.m.  
Council Chambers – 280 Madison Avenue N.  
Bainbridge Island, WA 98110

**Design Review Board**

Vice Chair Alan Grainger, Adrian Sawyer, Jim McNett, and Mark Epstein. Absent: Chair Mark Levine, Jason Gibson, and Russ Hamlet.

**City Staff**

Planning Director Kathy Cook and Public Works Admin Specialist Joan Haase.

**Consultants**

William Grimes with Studio Cascade, Dean Koontz with HBB Landscape Architecture and Mark Hinshaw with LMN Architects.

**Visitors:**

See attached sign-in sheet.

**2:01:38 PM – Call to Order**

Vice Chair Alan Grainger called the meeting to order. He explained that the presentation will take approximately thirty minutes followed by the Design Review Board's questions and comments, then public comment, and then the Design Review Board's deliberations and recommendations, to be passed on to City Council for their April 7, 2014 meeting.

Alan also commented that he received background information from Harbor Commission Chair David Kircher related to the Harbor Commission's recommendations for the design of the new city dock. Alan explained that it is not the Design Review Board's intention to discuss the city dock as they are focusing on the upland portion of the park at this time.



#### 2:04:43 PM - Waterfront Park & City Dock- 30% Design Presentation

Bill Grimes with Studio Cascade explained that he has a short film to show featuring updates from the workshops presented earlier in the year followed by a PowerPoint presentation on the 30% design. Bill gave a background of the overall process to date stating that the design process was originally kicked off in June of last year with studio workshops co-sponsored with Sustainable Bainbridge in January. He added that along with the community input, several existing master plans such as the Comprehensive Plan, Winslow Tomorrow Plan, and the Cultural Resources Plan were taken into consideration. Following the 15% design presentations to the DRB and City Council in February, the design team incorporated the recommendations to come up with the 30% plan to be presented tonight. Bill added that once the City Council has approved moving forward with the 30% design, the design team plans to apply for a Recreation Conservation Office (RCO) grant.

Bill stated that the baseline vision through community interactions promoted a “village park visitor friendly” design approach. Some of the “big ideas” that emerged throughout the process was to make sure the park is designed for an off-site connection strategy and to find better ways for the Winslow area to connect with the Waterfront Park/Dock. Other ideas included preserving woods, build and link terraces, provide multi-use spaces and provide a central performance space. Also, provide view corridor and viewpoints, build pathway networks, add a courtyard to the Community Center, replace the stage with a pavilion, install wayfinding and interpretive signs, encourage arts in the park, activate beach, and replace dock.

He shared that the view corridor/view points and pathway network are comprehensive and accessible to take advantage of the Community Center as a park asset by increasing available outdoor space to compliment the Center and replace the boathouse with a structure that has more flexible use options. Also, need to look at taking advantage of the park location to encourage arts not only visual but also performing and find ways to activate the beach and reinvest in the dock so we can make it a safer place and more realistic destination.

The Design Team, along with Public Works Director Barry Loveless and Sustainable Bainbridge member Jonathan Davis, re-visited the Park following the recommendations from the 15% design presented at the February 24<sup>th</sup> DRB meeting. From there, the 30% design was formed incorporating a softer approach from Bjune/Brien down to the water and thereby minimizing the number of pathway switchbacks, along with other changes.

Dean Koontz with HBB Landscape Architecture explained that the team really looked at how everything flows through the park and how the stormwater flows down from Bjune to the waterfront and explored the difference spaces cascading into each other. Dean commented that they are looking at integrating 8% slopes and pathways which would have railings going down towards the lower grades. He stated that they wanted to create a parent plaza area between where the play equipment is and also use this space as a prime viewpoint. From there and heading south towards the Community Center, parking was expanded into more of a parking court using interlocking unit pavers which would create more of a plaza feel for larger group events. At the main section of the park there will be terraces with pathways through the whole central area and also stairs for a direct access to the waterfront. In the area next to the Rowing Club house, this space could be used as a multi-purpose area where benches could be set up creating an outdoor seating area for special events. Dean also wanted to float the idea of retrofitting a green roof on the existing restroom building, which could expand to installing a green roof on the proposed longhouse building in the future. Regarding pathways, he suggested snaking pathways through existing trees where the boat ramp and boat trailer parking is; thereby, minimizing the affect on trees in that area. He also mentioned a wider trail that goes from the restroom area to the bridge location which could function as a more regional connection. He liked the concept of a more trellis structure vocabulary for entrances where Bjune and Brien meet on both the east and west sides.

Dean explained that as far as planting concepts are concerned, they used both the City's Vegetation Management Plan and the Park District's Vegetation Management Plan as a baseline. What emerged was looking at the flow of the forest from the east side of the park and suggested that the green ward be removed and restored back to forest so that it connects remnants which are currently divided by the lawn with a few trees in between making a more contagious forested area. Dean also discussed moving the trail that goes through the remnant forest northward so that it's located outside of the cultural resource area. He also mentioned that the Madrona grove along the waterfront will be kept intact; however, the understory may need to be spruced up. In response to a question from the last DRB meeting in February, Dean stated that approximately 36 to 40 trees out of 467 may be removed under the current design plan. The tree removal is primarily concentrated in the central area due to grading and changes in levels. Dean said that by restoring the green areas and extending to the eastern section where the Community Center is, we can meet the replacement capacity in tree units while connecting these remnants and fragments in the Park. Also, downed trees, nurse logs, and branches can be created for brush piles providing food for animals in the eco system. Dean also commented that he is looking for feedback on what type of benches, ballads, etc. might be used throughout the park.

A commenter asked why the southeast corner of the park is not accessible. Dean responded that based on the 2008 Cultural Resource Document, that area contains middens and we need to avoid social trails and trampling from further degradation in that area.

Dean shared that the Design Team listened to the concerns and recommendations from the DRB and community and eliminated the main switchback trails, along with other recommendations, creating a softer pathway grade to the waterfront. He added that we need to look at options for a wheel chair and/or disabled path.

#### 2:49:27 PM – Public Comments

Citizen comments included minimizing the use of railings, placement of a formal entrance and/or belvedere, incorporate theme of recent city works such as city hall building, Waypoint Park, Winslow Way, move proposed pavilion building eastward for viewpoint access; celebrate stormwater pieces as more of an artwork feature as oppose to concrete runnels; sculpting the landscape to create an amphitheatre area; create various locations for play areas; create stormwater education features; use the existing rowing club area as more of a multi-use area for all visitors; supports large flat areas for sports such as petanque; favors keeping with similar motif's from recent projects such as Winslow Way; create design for longhouse building in such a way as something that might have been there at one point of time in history; vision of a water feature path for runoff similar to a creek; more seating areas; and phase budget between park and dock proposed improvements.

### 3:27:46 PM – Design Review Board Recommendations

The Design Review Board is appreciative of the Design Team incorporating recommended changes from the 15% design presented at the February 24<sup>th</sup> meeting into the 30% design.

The Design Review Board recommends approval of the 30% Master Plan with future consideration of the following:

- Expand access adjacent to the water along the waterfront trail. Maintain existing trail along the water and extend to the east forested part of the site all the way to the bridge pathway, potentially as a boardwalk to protect the middens.
- Proposed pavilion design be of a shed type of design incorporating post and beam construction and that it be moved further east, and not as a “bandstand” characteristics.
- That the site furniture, lighting, signage, and drinking fountains be the same vocabulary as recent public projects.
- Seating opportunities be increased within the Park.
- That the stormwater treatment features incorporate sculpture, art and consideration of a sundial.
- Add bike runnels to the stairs.
- That the pedestrian circulation design be completed as part of a first phase to create the structure of the Park.
- Reduce need for pathway rails as much as possible while still meeting ADA requirements.
- Create a south facing stepped terrace to transition between the parking court and the crushed rock multi-use area.
- That the Board confirms that the multi-use space is a valuable part of the Plan.
- That the proposed boathouse (Rowing Club building) design also come before the DRB for review as it is an important part of the multi-use space.

**Motion:** *Mark Epstein moved to approve the above mentioned recommendations for the Waterfront Park/Dock Master Plan 30% design review.*

*The motion was seconded by Jim McNett and unanimously approved.*

### 3:43:46 – Adjourn



**City of Bainbridge Island**  
**Washington Wildlife and Recreation Program**  
**Authorizing Resolution**  
**Development Type Projects**

Organization Name: City of Bainbridge Island

Resolution No. 2014-08

Project Name(s): Waterfront Park and Dock Redevelopment

This is a resolution that authorizes submitting application(s) for grant funding assistance for Washington Wildlife and Recreation Program project(s) to the Recreation and Conservation Office as provided in Chapter 79A.15 RCW, Acquisition of habitat conservation and outdoor recreation lands, WAC 286 and subsequent Legislative action.

WHEREAS, our organization has approved a comprehensive parks and recreation plan or habitat conservation plan that includes this project; and

WHEREAS, under the provisions of the Washington Wildlife and Recreation Program (WWRP), state grant assistance is requested to aid in financing the cost of facility development, and

WHEREAS, our organization considers it in the best public interest to complete the project described in the application(s);

NOW, THEREFORE, BE IT RESOLVED that:

1. The **City Manager** is authorized to make formal application to the Recreation and Conservation Office for grant assistance;
2. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above;
3. Our organization hereby certifies that our matching share of project funding will be derived from **City General Fund and each of the Utility Funds** and that we are responsible for supporting all non-cash commitments to this project should they not materialize.
4. We acknowledge that the grant assistance, if approved, will be paid on a reimbursement basis, meaning we will only request payment from the Recreation and Conservation Office after eligible and allowable costs have been incurred and payment remitted to our vendors, and that the Recreation and Conservation Office will hold retainage until the project is deemed complete.
5. We acknowledge that any facility developed through grant assistance from the Recreation and Conservation Funding Board must be reasonably maintained and made available to the general public at reasonable hours and times of the year according to the type of area or facility unless other restrictions have been agreed to by the Recreation and Conservation Office Director or the Recreation and Conservation Funding Board.
6. We acknowledge that any facility developed with grant assistance from the Recreation and Conservation Funding Board must be dedicated for public outdoor recreation purposes, and be retained and maintained for such use for perpetuity unless otherwise provided and agreed to by our organization and the Recreation and Conservation Funding Board.
7. This resolution becomes part of a formal application to the Recreation and Conservation Office for grant assistance; and
8. We provided appropriate opportunity for public comment on this application.

This resolution was adopted by our organization during the meeting held:

Location \_\_\_\_\_ Date \_\_\_\_\_

Signed and approved by the following authorized representative:

Signed \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Attest: \_\_\_\_\_

Approved as to form: \_\_\_\_\_

# CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



## PROCESS INFORMATION

|                                                                                           |                     |
|-------------------------------------------------------------------------------------------|---------------------|
| Subject: Waterfront Park/City Dock Design Professional Services Agreement Amendment No. 1 | Date: April 7, 2014 |
| Agenda Item: Staff Intensive                                                              | Bill No.: AB 13-025 |
| Proposed By: Public Works Director Barry Loveless                                         |                     |

## BUDGET INFORMATION

Depart/Fund: Public Works Professional Services – General Fund

Expenditure Req: \$ 49,788      Budgeted? ☐ Yes ☒ No      Budget Amend. Req? ☐ Yes ☒ No

## REFERRALS/REVIEW

|                                                                                                               |                                                                                                        |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Study Session:                                                                                                | Recommendation:                                                                                        |                                                                                                          |
| City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | Legal <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A | Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A |

## DESCRIPTION/SUMMARY

### Action Item:

Consider placement of the Waterfront Park/City Dock design Professional Services Agreement Amendment No. 1 in the amount of \$49,788 on the April 14, 2014 consent agenda.

### Background:

The City Council is asked to authorize an amendment to the professional services agreement with Studio Cascade for the Waterfront Park/City Dock project. The attached scope of work will be incorporated in the City's standard professional services agreement, previously approved by the City Council on September 18, 2013 in the amount of \$190,000.

Following the development of three thematic park design concepts, and vetting through community involvement in a storefront studio process, it has been concluded that replacement/expansion of the current City dock is a high priority in the park development plan. The original contract with Studio Cascade did not anticipate that expansion of the dock to be the highest priority of the plan; therefore, did not account for the level of effort needed to prepare a dock project that would be ready to compete successfully for a Washington State Recreation & Conservation Office (RCO) grant.

Addendum No. 1 authorizes Studio Cascade to expand its dock design services, providing 30% design to advance dock improvements and to enhance competitive grant opportunities. This work will also include a marine survey and conceptual electrical system design, and services necessary to support environmental permitting and dock design. The design and permit applications will be the basis for the RCO grant application and eventual construction of improvements. The RCO grant application for this project must be submitted by July 1<sup>st</sup>.

## RECOMMENDED ACTION

### Motion:

I move that the City Council forward the Waterfront Park/Dock Professional Services Agreement Amendment No. 1 in the amount of \$49,788 to the April 14, 2014 consent agenda.

**AMENDMENT NO. 1 TO  
AGREEMENT FOR PROFESSIONAL SERVICES**

This Amendment No. 1 to the Agreement for Professional Services, dated as of the date written below (this "Amendment"), between the City of Bainbridge Island ("City") and Studio Cascade, Inc. ("Consultant") amends that certain Agreement for Professional Services, dated November 12, 2013, between the City and Consultant (the "Agreement").

WHEREAS, City and Consultant entered into the Agreement to provide design services for the Waterfront Park/City Dock project;

WHEREAS, City desires to increase the services provided under the Agreement and amend the maximum amount payable under the Agreement;

NOW, THEREFORE, City and Consultant agree to amend the Agreement as follows:

1. Section 2(A) is hereby amended to read as follows:

A. The City shall pay the Consultant for such services: (check one)

☒ Hourly, plus actual expenses, in accordance with Attachment A, but not more than a total of ~~One Hundred, Ninety Thousand Dollars (\$190,000)~~ Two Hundred Thirty-Nine Thousand Seven Hundred Eighty-Eight Dollars (\$239,788);

☐ Fixed Sum: a total amount of \$\_\_\_\_\_;

☐ Other: \$\_\_\_\_\_, for all services performed and incurred under this Agreement, to be billed monthly in equal amounts.

2. Attachment A is hereby amended to include Attachment A.1 as set forth and attached hereto and made a part hereof by this reference.

3. Except as modified herein, all other terms and conditions to the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of April \_\_\_\_, 2014.

STUDIO CASCADE, INC.

CITY OF BAINBRIDGE ISLAND

By:\_\_\_\_\_  
Name:\_\_\_\_\_  
Title:\_\_\_\_\_

By:\_\_\_\_\_  
Douglas Schulze, City Manager

## **Attachment A.1 – Bainbridge Island Extra Design Services – Addendum 1**

Addendum 1 authorizes Studio Cascade (“Consultant”) and PND, as a permitted sub-consultant, to expand its dock design services, providing 30% design to advance dock improvements and to enhance competitive grant opportunities. The work will include these tasks as described below, delivering 30% dock design and a JARPA application for submittal to the permitting agencies. This work will also include a marine survey and conceptual electrical system design, services performed for PND under a subcontract and necessary to support environmental permitting and dock design. The services, resulting in a contract increase of \$49,788, are explained in more detail below.

### **Task 1. Preliminary Engineering**

This task will involve advancing the master plan drawing for the entirety of the boat launch and float facilities to a 30% design. A Project Design Criteria Report will be developed and will list environmental criteria such as winds, wave, and wakes as well as structural criteria for the floats. This will be documented in a memo to the City and will be the basis of design for the floats. The City’s base drawing and survey information will be used to determine how far the float can extend within the current lease limits and to provide adequate depth of water under the floats for boat use and to keep them from grounding out. Any existing geotechnical information that the City can provide for the vicinity will be included.

PND will advance the concept design to include sizing piles and developing 30% level design details for each of the boarding float, launch ramp extensions, and the new transient moorage floats as well as the low freeboard launch float. Habitat impacts and potential mitigation needs will be considered throughout this phase.

Project elements of the Concept Plan will include:

- Environmental and structural design criteria;
- Concept development for new float arrangement including provisions for a police boat slip and associated security gate.
- Float utilities including potable water and electrical for each slip, a dry fire system, and lighting for the floats. Electrical and lighting locations will be approximated but electrical design will not be included in this phase of work.

Consultant proposes the following approach to arrive at the 30% plan: Attend one work session with City staff to discuss options and priorities; select a concept at the work session; subsequently provide drawings capturing the selected concept; and allow a review period by the City with one round of revisions.

### **Task 2. Permitting and Agency Coordination**

Consultant will contact the appropriate agencies to determine the most effective approach to permitting the replacement and potential relocation of the existing dock, identify key personnel, introduce concepts, and determine initial agency concerns and anticipated hurdles. Endangered Species Act (ESA) consultation including preparation of a Biological Evaluation (BE) will be addressed as well. The following scope includes anticipated permitting elements.

1. Pre-submittal Coordination



- a. Project Initiation: Consultant will initiate contact with the City permit review staff, Washington Departments of Fish & Wildlife (WDFW) and Natural Resources (DNR) Habitat Specialist, and the U.S. Army Corps of Engineers (USACE) to introduce the project scope prior to submittal of applications. Agency specific concerns will be discussed and submittal requirements confirmed.
  - b. Pre-submittal Site Visit: One site visit with agency staff is included in this task.
  - c. City Pre-Application Conference: Prepare application documents and drawings, submit and attend meeting with City staff.
2. Permit Application Preparation
    - a. JARPA
      1. Complete JARPA form and supporting documentation as necessary for submittal of the JARPA package to WDFW, USACE, DNR and Department of Ecology (DOE).
      2. JARPA drawings will be prepared in 8.5"x11" format as required.
      3. A Biological Evaluation (BE) including Macro Algae survey will be prepared by Marine Surveys and Assessments. See scope under Subconsultant section
      4. Respond to one round of review comments and update drawings. Additional comments will be addressed as additional services and will be provided on a time and materials basis outside of this fee estimate.
      5. Mitigation Coordination with the agencies is included in the form of initial discussions and brainstorming with the agencies and City to identify potential mitigation opportunities acceptable to all parties. This task does not include preparation of a formal Mitigation Plan.
    - b. City Land Use Permits
      1. Shoreline Substantial Development Permit (SSDP)
        - i. Consultant will complete application for SSDP and prepare drawings based on the 30% preliminary design layout prepared under a separate task. Efforts will be made to use the JARPA drawing information to the extent possible in order to minimize duplicative work. However, the City drawing requirements (18"x24") and formatting may warrant preparation of a separate set of drawing. Scope does not include attending public hearings.
        - ii. Consultant will work with the City to prepare a supplemental document to address specific SSDP information.
        - iii. Consultant will respond to one round of review comments and update drawings. Additional comments will be addressed as additional services and will be provided on a time and materials basis outside of this fee estimate.
      2. SEPA Checklist
        - i. Consultant will complete the City SEPA Checklist form for environmental review by the City.
    - c. Coast Guard Coordination: Consultant will provide the US Coast Guard with informal notification of the proposed project including drawings for review of impacts to navigation. If additional permit documents, applications, or coordination with USCG are required, Consultant will notify the City of these additional services.

| <b>Budget Increase Summary</b> |                                                                                                                                                                                    |                |                 |                 |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------|-----------------|
| <b>Task</b>                    | <b>Description</b>                                                                                                                                                                 | <b>SCI</b>     | <b>PND</b>      | <b>Total</b>    |
| 1. 30% dock design             | Refining design criteria, establishing design program in response to Design Review Board/Harbor Commission/City Council guidance, preliminary design to 30%, JARPA permit drawings | 2,000          | 16,460          | 18,460          |
| 1. Power design                | Subcontracted services to determine dock power needs and provide conceptual design                                                                                                 | 500            | 4,873           | 5,373           |
| 2. Environmental permitting    | Pre-submittal meeting with agency representatives, JARPA completion, City shoreline permit, US Coast Guard coordination                                                            | 500            | 10,470          | 10,970          |
| 2. Marine survey               | Subcontracted services to survey and assess marine environment to inform and supplement environmental permit applications.                                                         | 1,300          | 12,995          | 14,295          |
| Expenses                       | Travel, photocopies, postage                                                                                                                                                       | 190            | 500             | 690             |
| <b>Total extra services</b>    |                                                                                                                                                                                    | <b>\$4,490</b> | <b>\$45,298</b> | <b>\$49,788</b> |

# CITY OF BAINBRIDGE ISLAND

## CITY COUNCIL AGENDA BILL



### PROCESS INFORMATION

|                                                                                          |                     |
|------------------------------------------------------------------------------------------|---------------------|
| Subject: Traffic Concurrency Management Services - Study Professional Services Agreement | Date: April 7, 2014 |
| Agenda Item: Staff Intensive                                                             | Bill No.: AB 14-003 |
| Proposed By: Public Works Director Barry Loveless                                        |                     |

### BUDGET INFORMATION

|                                                                                         |                     |                    |                     |
|-----------------------------------------------------------------------------------------|---------------------|--------------------|---------------------|
| Depart/Fund: 2014 PW Prof. Services/Traffic Study @ \$140,000 & Roads Program @ \$6,361 |                     |                    |                     |
| Expenditure Required:                                                                   | 2014 @ \$146,361.00 | 2015 @ \$55,585.00 | Total: \$201,946.00 |

### REFERRALS/REVIEW

|              |                                                                                                  |       |                                                                                                  |         |                                                                                                  |
|--------------|--------------------------------------------------------------------------------------------------|-------|--------------------------------------------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------|
| City Manager | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | Legal | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A | Finance | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
|--------------|--------------------------------------------------------------------------------------------------|-------|--------------------------------------------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------|

### DESCRIPTION/SUMMARY

#### **Action Item:**

Consider placement of the Traffic Concurrency Management Services and the Island-wide Transportation Study limited update with Transportation Solutions Inc. on the April 14, 2014 unfinished business agenda and approve budgeting \$55,585 for this effort in 2015.

#### **Background:**

The proposed Traffic Concurrency Management Services consist of travel demand model development, level of service evaluation, studying impact fee rates, developing an impact fee ordinance, and updating the City's concurrency management ordinance. The plan is to complete the majority of the study related to this work in 2014.

The City's Comprehensive Plan is to be updated in 2016. To facilitate this effort Staff recommends updating the Island-wide Traffic Study starting in late 2014 and continuing through the first half of 2015 following the Council's directed Traffic Concurrency Management effort to realize efficiencies.

— Continued on Page 2 —

### RECOMMENDED ACTION

#### **Motion:**

I move that the City Council forward the Professional Services Agreement with Transportation Solutions Inc. for Traffic Concurrency Management and Transportation Study Services in the amount of \$146,361.00 and request City Council budget \$55,585.00 in the 2015 budget, to the April 14, 2014 unfinished business agenda.

## DESCRIPTION/SUMMARY – Page 2

The development of the 2004 Island-wide Traffic Study and the 2003 Island-wide Non-motorized Transportation Plan took considerable resources and resulted in comprehensive plans that provide good long term vision for the community that is still mostly relevant. A limited update of these plans is proposed to combine both documents into one plan and to update the plans with the technical information and policy direction from undertaking the Traffic Concurrency Management Services.

The Traffic Concurrency Management Services will be staff led with the support of Non Motorized Advisory Committee to reduce costs. As most policy changes will have been addressed as part of Concurrency Management the public involvement effort will also be resource managed and will involve the NMTAC and the Planning Commission with final work product being accepted but not adopted by Council. More extensive opportunities for public input will follow with the Council's update of the Transportation Element of the Comprehensive Plan. The Consultant will provide technical input and peer review.

### Cost Breakdown:

|                                                           |                     |
|-----------------------------------------------------------|---------------------|
| • Develop Traffic Model and Study Impact Fees             | \$ 138,946.00       |
| • Update Concurrency                                      | \$ 7,415.00         |
| • Island-wide Transportation Study Limited Update Support | <u>\$ 55,585.00</u> |
|                                                           | \$ 201,946.00       |

The cost of developing the traffic model is estimated to be \$81,096.00. A portion of this cost may be recovered by allocating part of the cost to third party concurrency reviews if desired by Council and established by ordinance.

The City solicited statements of qualifications from 16 firms from the MSRC consultant roster and Transportation Solutions Inc. was selected as the most qualified consultant to design the project. See attached agreement and scope of work for further details.



## **AGREEMENT FOR PROFESSIONAL SERVICES**

**THIS AGREEMENT FOR PROFESSIONAL SERVICES** (this “Agreement”) is entered into as of the date written below between the City of Bainbridge Island, a Washington state municipal corporation (the “City”) and Transportation Solutions, Inc. (the “Consultant”).

**WHEREAS**, the City desires to study island-wide transportation needs and the implementation of traffic impact fees; and

**WHEREAS**, the Consultant has the expertise and experience to provide said services and is willing to do so in accordance with the terms and conditions of this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants, conditions, promises, and agreements set forth herein, it is agreed by and between the City and the Consultant as follows:

### **1. SERVICES BY CONSULTANT**

The Consultant shall provide the professional services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as Attachment A and incorporated herein by this reference as if set forth in full. The Consultant shall furnish all services, labor and related equipment to conduct and complete the work, except as specifically noted otherwise in this Agreement.

### **2. PAYMENT**

A. The City shall pay the Consultant for such services: (check one)

- ☒ Hourly, plus actual expenses, in accordance with Attachment A, but not more than a total of Two Hundred One Thousand Nine Hundred Forty-Six Dollars (\$201,946.00);
- ☐ Fixed Sum: \_\_\_\_\_;
- ☐ Other: \_\_\_\_\_, for all services performed and incurred under this Agreement, to be billed monthly in equal amounts.

B. The Consultant shall submit monthly invoices for services performed in a previous calendar month in a format acceptable to the City. Each project and each task within a project shall be the subject of a separate invoice. The Consultant shall maintain time and expense records and provide them to the City upon request.

C. All invoices shall be paid by mailing a city check within sixty (60) days of receipt of a proper invoice.

D. If the services rendered do not meet the requirements of this Agreement, the Consultant shall correct or modify the work to comply with this Agreement. The City may withhold payment for such work until it meets the requirements of this Agreement.

### **3. INSPECTION AND AUDIT**

The Consultant shall maintain all books, records, documents and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

### **4. INDEPENDENT CONTRACTOR**

A. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants and agrees that the Consultant's status as an independent contractor in the performance of the work and services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the services required under this Agreement. The Consultant shall make no claim of City employment nor shall claim any related employment benefits, social security, and/or retirement benefits.

B. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

C. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

D. The Consultant shall obtain a business license and, if applicable, pay business and occupation taxes pursuant to Title 5 of the Bainbridge Island Municipal Code.

### **5. DISCRIMINATION AND COMPLIANCE WITH LAWS**

A. The Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, sexual orientation, age, disability, or other circumstance prohibited by federal, state or local law or ordinance, except for a bona fide occupational qualification.

B. The Consultant shall comply with all federal, state and local laws and ordinances applicable to the work to be done under this Agreement.

C. Violation of this Section 5 shall be a material breach of this Agreement and grounds for cancellation, termination or suspension by the City, in whole or in part, and may result in ineligibility for further work for the City.

## **6. TERM AND TERMINATION OF AGREEMENT**

A. This Agreement shall become effective upon execution by both parties and shall continue in full force and effect until January 31, 2017, unless sooner terminated by either party as provided below.

B. This Agreement may be terminated by either party without cause upon thirty (30) days' written notice to the other party. In the event of termination, all finished or unfinished documents, reports, or other material or work of the Consultant pursuant to this Agreement shall be submitted to the City, and the Consultant shall be entitled to just and equitable compensation at the rate set forth in Section 2 for any satisfactory work completed prior to the date of termination.

## **7. OWNERSHIP OF WORK PRODUCT**

All data, materials, reports, memoranda and other documents developed under this Agreement whether finished or not shall become the property of the City, shall be forwarded to the City in hard copy and in digital format that is compatible with the City's computer software programs.

## **8. GENERAL ADMINISTRATION AND MANAGEMENT**

The City Manager of the City, or designee, shall be the City's representative, and shall oversee and approve all services to be performed, coordinate all communications, and review and approve all invoices, under this Agreement.

## **9. HOLD HARMLESS AND INDEMNIFICATION**

A. The Consultant agrees to protect, defend, indemnify, and hold harmless the City, its elected officials, officers, employees and agents from any and all claims, demands, losses, liens, liabilities, penalties, fines, lawsuits, and other proceedings and all judgments, awards, costs and expenses (including reasonable attorneys' fees and disbursements) caused by or occurring by reason of any negligent act, error and/or omission of the Consultant, its officers, employees, and/or agents, arising out of or in connection with the performance or non-performance of the services, duties, and obligations required of the Consultant under this Agreement.

B. In the event that the Consultant and the City are both negligent, then the Consultant's liability for indemnification of the City shall be limited to the contributory negligence for any resulting suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorneys' fees and disbursements) that can be apportioned to the Consultant, its

officers, employees and agents.

C. The foregoing indemnity is specifically and expressly intended to constitute a waiver of the immunity of the Consultant under Washington's Industrial Insurance Act, RCW Title 51, as respects the other parties only, and only to the extent necessary to provide the indemnified party with a full and complete indemnity of claims made by the employees of the Consultant. The parties acknowledge that these provisions were specifically negotiated and agreed upon by them.

D. The City's inspection or acceptance of any of the Consultant's work when completed shall not be grounds to void, nullify and/or invalidate any of these covenants of indemnification.

E. Nothing contained in this section of this Agreement shall be construed to create a liability or a right of indemnification in any third party.

F. The provisions of this section shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.

## **10. INSURANCE**

Consultant shall maintain insurance as follows:

- ☒ Commercial General Liability as described in Attachment B.
- ☒ Professional Liability as described in Attachment B.
- ☒ Automobile Liability as described in Attachment B.
- ☐ None.

## **11. SUBLETTING OR ASSIGNING CONTRACT**

This Agreement, or any interest herein or claim hereunder, shall not be assigned or transferred in whole or in part by the Consultant to any other person or entity without the prior written consent of the City. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the Consultant as stated herein.

## **12. EXTENT OF AGREEMENT/MODIFICATION**

This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified or added to only by written instrument properly signed by both parties.

## **13. SEVERABILITY**

A. If a court of competent jurisdiction holds any part, term or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.



B. If any provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

#### **14. FAIR MEANING**

The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

#### **15. NON-WAIVER**

A waiver by either party hereto of a breach by the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

#### **16. NOTICES**

Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand-delivered to the parties at their addresses as follows:

To the City:                      City of Bainbridge Island  
                                         280 Madison Avenue North  
                                         Bainbridge Island, WA 98110  
                                         Attention: City Manager

To the Consultant:              Transportation Solutions, Inc.  
                                         8250 165<sup>th</sup> Avenue NE, Suite 100  
                                         Redmond, WA 98052-6628  
                                         Attention: Victor Salemann - Principal

or to such addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand-delivered. Such notices shall be deemed effective when mailed or hand-delivered at the addresses specified above.

#### **17. SURVIVAL**

Any provision of this Agreement which imposes an obligation after termination or expiration of this Agreement shall survive the term or expiration of this Agreement and shall be binding on the parties to this Agreement.

#### **18. GOVERNING LAW**

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

**19. VENUE**

The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Kitsap County, Washington.

**20. COUNTERPARTS**

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of \_\_\_\_\_, 2014.

TRANSPORTATION SOLUTIONS, INC.

CITY OF BAINBRIDGE ISLAND

By \_\_\_\_\_

By \_\_\_\_\_

Name \_\_\_\_\_

Douglas Schulze, City Manager

Title \_\_\_\_\_

Tax I.D. # \_\_\_\_\_

City Bus. Lic. # \_\_\_\_\_

## **ATTACHMENT A**

### **SCOPE OF SERVICES**

## **ATTACHMENT B**

Insurance against claims for injuries to persons or damage to property arising out of or in connection with the performance of this Agreement by the Consultant, its officers, employees and agents:

A. Automobile Liability Insurance with limits no less than \$1,000,000.00 combined single limit per accident for bodily injury and property damage.

B. Commercial General Liability Insurance written on an occurrence basis with limits no less than \$1,000,000.00 combined single limit per occurrence and \$2,000,000.00 aggregate for personal injury, bodily injury and property damage. Coverage shall include, but not be limited to blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCU) if applicable; and employer's liability.

C. Professional Liability Insurance with limits no less than \$1,000,000.00 limit per occurrence.

Before commencing work and services, the Consultant shall provide to the person identified in Section 16 of the Agreement a Certificate of Insurance evidencing the required insurance. City reserves the right to request and receive a certified copy of all required insurance policies.

Any payment of deductible or self-insured retention shall be the sole responsibility of the Consultant. City shall be named as an additional insured on the Commercial General Liability Insurance Policy, with regard to work and services performed by or on behalf of the Consultant, and a copy of the endorsement naming City as an additional insured shall be attached to the Certificate of Insurance.

The insurance policies (1) shall state that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability; (2) shall be primary insurance with regard to City; and (3) shall state that City will be given at least 30 days' prior written notice of any cancellation, suspension or material change in coverage.



## **Attachment A**

### **Scope of Services**

#### **Travel Demand Model Development, LOS Evaluation, Comprehensive Plan Support, Impact Fee Development, and Concurrency Management Procedures**

This scope of services is between the City of Bainbridge Island (City) and Transportation Solutions, Inc. (TSI) to develop:

- A Calibrated Travel Demand Forecasting Model
- A citywide Level of Service (LOS) Evaluation for both Motorized and Non-motorized LOS
- Update of the City's Transportation Study and Non-motorized Study Compliant with Growth Management Act (GMA) Transportation Planning Requirements
- A Transportation Impact Fee Program
- Updated Concurrency Management Procedures

The scope of services will include the following tasks:

#### **Task 1 Project Management**

This task provides for management and coordination activities that are necessary to complete the work program, in addition to technical tasks necessary for deliverable products. The activities shall include project administration, preparation of monthly invoices and progress reports, city-consultant coordination and meetings, and quality control and quality assurance.

*Deliverables: Monthly invoices and progress reports*

#### **Task 2 Travel Demand Model Development**

##### **Task 2.1 Collect and Review Citywide Traffic Counts**

This task will develop traffic count and other monitoring information to establish 2014 citywide base traffic conditions. The count program will consist of tube counts for a typical weekday and intersection turn movement counts for the afternoon peak period and critical intersections for the morning peak period. The tube counts are needed at approximately 5 locations citywide, to document the weekday daily total volumes and speed data, and identify the actual afternoon peak hour at each location. Based on that information, the standard peak hour citywide will be validated, and turn movement counts will be conducted at approximately 80 intersections citywide for the two-hour period covering the afternoon peak hour, and approximately 10 intersections citywide for the two-hour period covering the morning peak hour. The new base year is 2014. Counts should be collected citywide within the same week or the following week in spring 2014, to approximate annual average conditions. The new count data will be used to calibrate the 2014 VISUM model to 2014 counts.

TSI will:

- Review the intersection turning movement count locations with City staff for the AM/PM peak hours and for arterial weekday counts on a typical week.
- Determine with the City a set of approximately 80 intersections to be counted in the weekday afternoon peak period, 10 intersections to be counted in the weekday morning peak period, and 5 locations for the typical weekday 24 hour tube counts.
- Hire traffic count vendor(s) to collect traffic counts in spring 2014 when school is in session.
- Review the 2014 traffic count data and balance the traffic counts between close-spaced intersections.

*Deliverables: Raw traffic count data, traffic count summary documentation*

### **Task 2.2 Collect Land Use Data**

This task provides for building the traffic model's inventory of land use in each Traffic Analysis Zone, or TAZ, to match 2014 conditions. The parcel data from Kitsap County's Geographic Information System (GIS) will be used to aggregate the land use information for the VISUM model for the base year. This land use data shall accurately represent existing occupied land uses at the time traffic counts are gathered.

TSI will:

- Obtain GIS parcel database files from Kitsap County for current inventory of housing and other built structures.
- Compile existing land use inventory within each TAZ, in terms of dwellings by type, building square feet by type of business activity within the City.
- Verify the land use outside of the City's limits from PSRC land use inventory.
- Input 2014 TAZ land use data to VISUM traffic demand model.
- Maintain land use inventory for 2014 and pipeline developments.

*Deliverables: Spreadsheet summarizing 2014 land use by TAZ*

### **Task 2.3 Develop 2014 VISUM Model**

This task involves developing a citywide travel demand forecasting model using the VISUM program for the PM peak hour only. VISUM is a user-friendly and multimodal transportation modeling program. It has strong analysis tools for transportation modeling and planning and powerful network object graphic display, including background, link and turn volumes, link volumes bandwidth and link and zone origin-destination flow bundle.

Network coding and land use data will be built into the VISUM model. The four-step (trip generation, trip distribution, mode choice, and traffic assignment) modeling procedure will then be built into the VISUM model. The 2014 VISUM model will be calibrated and validated to reflect 2014 traffic conditions.

TSI will:

- Use Navteq data to build the link and node network that includes a true alignment of links that are detailed down to the local street level for accurate traffic assignment.

- Build the traffic analysis zone system and boundaries in GIS and export the GIS zoning system to VISUM demand model.
- Determine the roadway (link) and intersection (node) capacity.
- Determine link and node delay functions and turn penalties.
- Populate the traffic model with 2014 land use information.
- Develop the four-step modeling procedure.
  - Develop trip generation rates and refine as necessary during model calibration/validation.
  - Develop traffic assignment gravity model parameters and refine as necessary during model calibration/validation.
- Calibrate the demand model to reflect 2014 counts within FHWA calibration guidelines.
- Validate the 2014 VISUM model.
- Conduct post-processing and model adjustments.

*Deliverables: Calibrated 2014 VISUM travel demand model input files, model documentation report summarizing model development procedures and calibration result. Electronic VISUM input files will provided to allow the City or future consultants to run the model.*

#### **Task 2.4 Develop 2014 Pipeline VISUM Forecasting Model**

The pipeline concurrency model for the PM will be developed based on the 2014 calibrated travel demand forecasting model.

Within the city limits, pipeline land use (permitted but not constructed) will be added to the calibrated 2014 travel demand model. TSI will work with City staff to verify all pipeline developments that are still valid for inclusion in the model. The verified developments will then be included in the citywide pipeline traffic demand forecasting model. Next TSI will confirm with City staff the six-year transportation improvement program (TIP) project list and update the pipeline forecasting model network with roadway and intersection improvement projects.

Outside the city limits, the land use growth will be interpolated from the Kitsap County or PSRC land use between 2010 and 2030.

The four step model procedures and parameters used in the existing calibrated 2014 travel demand model will be carried forward to the concurrency pipeline VISUM model. The post-processed adjustments will be verified and applied into the concurrency VISUM model.

*Deliverables: 2014 Pipeline VISUM travel demand model input files, model documentation report summarizing the differences between the 2014 and 2014 Pipeline VISUM Models. Electronic VISUM input files will provided to allow the City or future consultants to run the model.*

#### **Task 2.5 Develop 2035 VISUM Forecasting Model**

The 2035 VISUM forecasting model will be developed based on the 2014 calibrated travel demand forecasting model.

Within the city limits, the 2035 potential future land use will be verified from the Comprehensive Plan. The verified future developments will then be included in the citywide 2035 traffic demand forecasting model. Next TSI will confirm with City staff the long-range transportation

improvement project list and update the 2035 forecasting model network with roadway and intersection improvement projects.

Outside the city limits, the land use growth will be interpolated from the Kitsap County or PSRC land use between 2030 and 2040. The long-range regional transportation improvement projects will be obtained from Kitsap county and state agencies such as PSRC, KRCC or WSDOT and incorporated into the 2035 VISUM model.

The four step model procedures and parameters used in the 2014 calibrated travel demand model will be validated and revised as necessary for the 2035 VISUM model. The post-processed adjustments will be verified and applied as necessary to the 2035 VISUM model.

*Deliverables: 2035 VISUM travel demand model input files, model documentation report summarizing the differences between the 2014 and 2035 VISUM Models. Electronic VISUM input files will be provided to allow the City or future consultants to run the model.*

### **Task 3 Level of Service Evaluation**

#### **Task 3.1 Develop Citywide 2014 Intersection and Segment Operational Models**

TSI will collect the citywide major intersection channelization, control type, signalized intersection timings and phasing to develop a citywide 2014 HCM operational analysis model based on 2014 traffic counts. The operational analysis model will include the arterial/arterial intersections of all collector, minor and principal arterials in the city and will be built using SYNCHRO 8 or equivalent software utilizing the 2010 Highway Capacity Manual (HCM) level of service methodology. For roundabout control intersections, TSI will use SIDRA Intersection 5 or later for roundabout analysis. The citywide intersection model is intended to be built so that data exchange between VISUM and the intersection model can be automated.

A Segment LOS methodology will be developed with input from City staff integrating multimodal attributes and roadway configuration to address auto, bike and pedestrian LOS. A spreadsheet calculation tool will be developed to output multi-modal link LOS for all collector, minor and principal arterials in the City. The citywide Segment model is intended to be built so that data exchange between VISUM and the Segment model can be automated.

*Deliverables: An HCM methodology intersection operational model for 2014 LOS evaluation and a Segment LOS spreadsheet for 2014 motorized and non-motorized LOS evaluation*

#### **Task 3.2 Develop Citywide Pipeline Intersection and Segment Operational Models**

The citywide pipeline; short-term (6-year timeframe) operational analysis models will be built as described for the 2014 models in Task 7. Intersection and roadway improvement projects planned for the six-year horizon will be included in the pipeline intersection and Segment operational analysis models. The pipeline traffic volumes will be imported from the citywide pipeline traffic forecasting model. For roundabout controlled intersections, TSI will use SIDRA Intersection 5 or later to conduct the operational analysis. The outputs of these models provide a citywide LOS assessment of the development of permitted projects combined with the implementation of near term traffic improvements consistent with concurrency monitoring requirements of the GMA.

*Deliverables: An HCM methodology intersection operational model for 2014 Pipeline LOS evaluation and a Segment LOS spreadsheet for 2014 Pipeline motorized and non-motorized LOS evaluation*

### **Task 3.4 Develop Citywide 2035 Intersection and Segment Operational Models**

The citywide 2035 operational analysis models will be built as described for the 2014 models in Task 7. Intersection and roadway improvement projects planned for the twenty-year horizon will be included in the pipeline intersection and Segment operational analysis models. The 2035 traffic volumes will be imported from the citywide 2035 traffic forecasting model. For roundabout controlled intersections, TSI will use SIDRA Intersection 5 or later to conduct the operational analysis. The outputs of these models provide a citywide LOS assessment of the 2035 land use forecast combined with the implementation of the comprehensive plan traffic improvements consistent with the transportation planning requirements of the GMA.

*Deliverables: An HCM methodology intersection operational model for 2035 LOS evaluation and a Segment LOS spreadsheet for 2035 motorized and non-motorized LOS evaluation*

### **Task 3.5 Develop a Macro-Driven Program for Data Exchange**

TSI will develop a data exchange system between the VISUM model and the intersection and Segment operational models to eliminate manually inputting the volumes from the VISUM forecasting model to the operational models.

The macro will help export the traffic volumes from the citywide VISUM model and import the traffic volumes into the citywide intersection model automatically. After operational analysis is completed, the level of service (LOS), delay, V/C (Volume to Capacity ratio) can be exported from the intersection and Segment models back to the excel workbook. The macro-driven excel workbook will then automatically summarize LOS, delay, and multi-modal LOS for all arterials and provide summary tables for 2014 conditions, pipeline conditions, and 2035 planned conditions.

The macro-driven program will closely monitor the intersection LOS and arterial roadway capacity and flag any roadways and intersections with deficiencies.

*Deliverables: Macro driven data transfer spreadsheet*

## **Task 4 Transportation Impact Fee Rate Study and Ordinance**

TSI will develop transportation impact fees to allow the City to charge new development a proportionate share of the cost of motorized and non-motorized projects necessary to support growth. TSI will prepare three Transportation Impact Fee Rate Studies and a combined ordinance consistent with Washington State law and the City's updated Transportation Plan. TSI will draft an impact fee ordinance to implement the rate study. The ordinance will include provisions for calculating transportation impact fees for typical land uses, adjustments to fees for dedication of land or construction of improvements, exemptions for specified uses, and provisions for independent fee calculations.



#### **Task 4.1 Motorized Transportation Impact Fee (LOS)**

TSI will prepare the Transportation Impact Rate Study for roadway segments and intersections based upon the growth share of roadway and intersection improvements necessary to meet motorized operational standards.

#### **Task 4.2 Non-Motorized Transportation Impact Fee**

TSI will prepare the Transportation Impact Rate Study for roadway segments and intersections based upon the growth share of roadway, intersection, and off-road non-motorized improvements necessary to meet non-motorized operational standards.

*Deliverables: Transportation Impact Fee Rate Studies and Transportation Impact Fee Ordinance to include motorized, non-motorized, and pavement structural capacity.*

### **Task 5 Integrated Traffic Review and Concurrency Management Procedures**

TSI will develop a concurrency management procedure to allow the city to review development applications with respect to motorized and non-motorized LOS and to issue concurrency certificates if the proposed development does not create an LOS failure. TSI will draft a concurrency ordinance and procedures consistent with the updated Transportation Plan LOS policy.

The concurrency report template will include a proposed development project description, site trip generation, site-trip distribution throughout the City network, the City's motorized and non-motorized segment, intersection, and pavement condition review criteria, motorized segment and intersection concurrency results, pavement condition concurrency results, non-motorized concurrency results, and mitigation recommendation for approval. The report shall include the tables and figures necessary to document the impacts of the proposed new development, and to demonstrate whether the development passes or fails the City's concurrency tests. In the case of a failure, TSI will identify, based on the analysis, one or more simple and direct actions that would have an effect sufficient to allow the development to pass. A sample concurrency report using the report template will be provided for City staff's review and comment.

*Deliverables: Updated Concurrency Ordinance, updated concurrency management system procedures and recommended fee structure.*

### **Task 6. Transportation Study Update and Comprehensive Plan Support**

TSI will support City staff in an update to the 2004 Transportation Study and the 2003 Non-Motorized Study to inform the 2016 Comprehensive Plan Update. Key objectives of this work are to merge both plans into one document suitable for adoption by City Council as a plan that establishes policy versus a study that is informational.

The format will be the same as the 2004 study in that the content of the non-technical chapters will remain the same other than outdated information will be updated and some sections may be elaborated to further clarify City policy.

**Task 6.1 Chapter 1 Introduction**

TSI to provide review and comment on staff revisions.

*Deliverables: Review comments*

**Task 6.2 Chapter 2 Issues, Goals and Policies**

TSI to participate in review and confirmation of goals and policies, particularly related to non-motorized LOS policy to support developer contributions/construction of non-motorized facilities. TSI to provide review and comment on staff revisions

**Task 6.3 Chapter 3 Community Character, Neighborhoods and Environment**

TSI to provide review and comment on staff revisions

*Deliverables: Review comments*

**Task 6.4 Chapter 4 Operations and Mobility**

TSI will provide technical traffic data and analysis including intersection and Segment LOS for 2014, 2022 (6 year/pipeline), and 2035 (20 year) travel demand forecasts. TSI will recommend additions/deletions/modifications to the CIP to address motorized and non-motorized forecast LOS. TSI will recommend elements of the 2003 Non-motorized Plan related to operations and mobility for City staff to integrate into the chapter in support of impact fees and developer mitigation requirements for non-motorized improvements.

*Deliverables: Technical memo and attachments*

**Task 6.5 Chapter 5 SR305**

This chapter will be updated by City staff to reference the 2007 Corridor Vision Study and PSRC and WSDOT's latest planning and information, "Congestion and Mobility Report" relative to SR 305. TSI will compare the 2035 travel forecasts and SR 305 LOS to the findings of these studies to check for consistency and provide staff with a summary of the findings.

*Deliverables: Technical memo and attachments*

**Task 6.6 Chapter 6 Safety and Maintenance**

TSI to provide review and comment on staff revisions.

*Deliverables: Review comments*

**Task 6.7 Chapter 7 Non-Motorized System**

TSI to provide recommendations for the integration of the county wide plan and existing City non-motorized plans. TSI will provide review and comment on staff revisions.

*Deliverables: Technical memo and review comments*

**Task 6.8 Chapter 8 Other Transportation Systems**

This chapter will be updated by City staff to reflect current ferry and transit plans. TSI to provide review and comment on staff revisions.

*Deliverables: Review comments*

**Task 6.9 Chapter 9 Financing**

TSI will provide technical information for update including an assessment of the revenue necessary and available in addition to impact fees available to implement the Transportation Plan.

*Deliverables: Technical memo and attachments*

**Task 6.10 Chapter 10 Community Involvement**

TSI will attend meetings as requested in support of the various tasks identified in the scope of services.

*Deliverables: Meeting attendance and materials*

**Task 6.11 Review the Transportation Plan update to comply with Growth Management Act Requirements for Transportation Planning**

TSI will assist the City through the Puget Sound Regional Council's Vision 2040 Plan Review Process. TSI will use the PSRC checklist to check that the final product is consistent with PSRC guidelines for an approvable Transportation Element of the Comprehensive Plan

*Deliverables: Completed PSRC Checklist and Comment Log*

**Task 7 Meetings and Public Involvement**

TSI will support the City as requested at various meetings related to the tasks identified in the scope of services on an as-requested basis.

**CITY RESPONSIBILITIES**

The City will:

- Provide TSI with available transportation facility and system plans and inventory data in its possession, to the extent required for TSI tasks.
- Provide TSI with current Comprehensive Plan land use maps, zoning maps and codes, and generic land use density assumptions for estimating the development capacity of each zoning code category, consistent with current development practices and policies.
- Work with Kitsap County, KRCC and PSRC to obtain future land use forecasts.
- Provide TSI with other relevant transportation studies and/or data in its possession.

- Provide timely reviews of reports and information provided to it by TSI for comment
- Limit its reviews of TSI documents to one draft version and one final version.
- Provide GIS support for Plan Figures
- Develop and conduct all public information and discussion processes.

# CITY OF BAINBRIDGE ISLAND

## CITY COUNCIL AGENDA BILL



### PROCESS INFORMATION

|                                             |                     |
|---------------------------------------------|---------------------|
| Subject: Use of Technology for Transparency | Date: April 7, 2014 |
| Agenda Item:                                | Bill No.: 14-058    |
| Proposed By: Doug Schulze, City Manager     | Referral(s):        |

### BUDGET INFORMATION

|                            |                                                                               |                                                                                        |
|----------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Department/Fund: Executive | Munis Contract #                                                              |                                                                                        |
| Expenditure Req: N/A       | Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Budget Amend. Req? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

### DESCRIPTION/SUMMARY

The City Council previously requested information from City staff regarding use of technology for records management and public records request responses. A presentation has been prepared for the April 7<sup>th</sup> meeting to provide information about leading practices in the area of technology use for transparency, City of Bainbridge Island practices and options that could increase public access to public records.

In addition, staff has prepared a report (attached) to summarize the public records requests from 2013 and first two months of 2014.

### RECOMMENDED ACTION

**Information only – no action requested.**



## Public Records Request Summary 2011 – 2013

### Points of interest:

- Public Records Requests (PRR) at the City of Bainbridge Island peaked in 2012, both in terms of hours recorded and number of requests received.
- The number of PRR handled by the Public Records Officer is increasing.
- Three City employees use more than 10 % of their productive time responding to PRR; one employee devotes most of her time to PRR.
- The City spent an average of \$104,000 annually on personnel costs devoted to PRR from 2011 – 2013.
- In 2013, of the 1,163 requests received by the City:
  - 108 were filed by members of the press
  - 64 were filed by one individual (A)
  - 38 were filed by another individual (B)
  - 24 were filed by a third individual (C)
- In the first two months of 2014, of the 128 requests received by the City:
  - 5 were filed by members of the press
  - 9 were filed by one individual (A)
  - 3 were filed by another individual (B)
  - 6 were filed by a third individual (C)
- It is likely that the hours and costs coded to PRR understate the level of effort for some City staff, as only hours coded on timesheets to this activity are captured in this report.

## Summary Table of PRR Hours, Costs and Request Volume

|                                               | 2011   | 2012    | 2013   | 2014<br>(Jan - Feb) |
|-----------------------------------------------|--------|---------|--------|---------------------|
| <b>PRR Hours/Costs</b>                        |        |         |        |                     |
| Total Hours Coded to PRR                      | 2,195  | 2,489   | 1,945  | 261                 |
| Estimated FTE @ 1,700 hrs of coded time/year  | 1.29   | 1.46    | 1.14   | 0.15                |
| Personnel cost (salary, plus benefits at 35%) | 97,818 | 116,258 | 96,809 | 18,544              |
|                                               |        |         |        |                     |
| <b>PRR Received</b>                           | 1,109  | 1,175   | 1,163  | 128                 |
| Public Records Officer                        | 212    | 379     | 439    | 48                  |
| PCD Counter                                   | 341    | 324     | 266    | 60                  |
| Police                                        | 556    | 472     | 458    | 20                  |

## Summary Table of Employee Hours Coded to PRR

2011 – 2013 and January/February of 2014

| Name                   | 2011 | 2012  | 2013  | 2014<br>(Jan - Feb) |
|------------------------|------|-------|-------|---------------------|
| BROWN, CHRISTINE A     | 739  | 1,159 | 1,080 | 160                 |
| SEITZ, BARBARA H       | 413  | 322   | 269   | 30                  |
| RICE, THERESA C        | 211  | 228   | 227   | 32                  |
| MILLER, STEVE L        | 144  | 195   | 104   | 11                  |
| JAHRAUS, KELLY E       | -    | 88    | 73    | 7                   |
| GLADSTEIN, NANCY J     | 73   | 46    | 36    | 4                   |
| SCHROER, ELLEN C       | 19   | 13    | 30    | 3                   |
| BURNS, BARBARA         | 4    | 50    | 25    | -                   |
| ROUGHT, THEODORE R     | 79   | 44    | 24    | 3                   |
| APFELBECK, CAMI A      | 8    | 50    | 23    | -                   |
| SHAW, KARL R           | 19   | 13    | 20    | 3                   |
| DUNSCOMBE, KIMBERLY M  | -    | -     | 15    | -                   |
| OYLOE, BRUCE H         | -    | -     | 6     | 4                   |
| LONGFIELD, JENNIFER    | 1    | -     | 6     | -                   |
| STEINBERG, LINDA R     | -    | -     | 4     | -                   |
| WARD, LARRY M          | -    | -     | 2     | -                   |
| LASSOFF, ROSALIND D    | 361  | 208   | 2     | -                   |
| BROWN, KATE L          | 1    | 1     | 1     | -                   |
| CORE, MARK E           | -    | -     | 1     | -                   |
| ROSE, DEBORAH J        | -    | -     | -     | 6                   |
| ALLEN, TAMI R          | -    | 5     | -     | -                   |
| ARNTZ, LEZLIE A        | 82   | -     | -     | -                   |
| BERRY, DIANE M         | -    | 2     | -     | -                   |
| GOOD, WILLIAM E        | 9    | 20    | -     | -                   |
| GRANT, ROBERT T        | 8    | -     | -     | -                   |
| GULBRANSON, MARY CAROL | 2    | -     | -     | -                   |
| HAMMER, KENNETH C      | 13   | 7     | -     | -                   |
| HILL, MELVA D          | -    | 24    | -     | -                   |
| LEE, DEBORAH           | -    | 10    | -     | -                   |
| MCKNIGHT, KATHLEEN     | -    | 4     | -     | -                   |
| MCKNIGHT, MEGHAN E     | 3    | 1     | -     | -                   |
| MUNTER, CHRISTIAN D    | 1    | 2     | -     | -                   |
| ROBINSON, GRETCHEN E   | 8    | -     | -     | -                   |
| SHIPMAN, MARILYN C     | -    | 1     | -     | -                   |

## 2013 Public Records Requests

| PRR#   | CUSTOMER              | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------|-----------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130492 | Adams, Sally          | 6/10/2013  | <p>1. Detail of the City's Water, Sewer, and SSWM utilities capital assets as of December 31, 2012 in a format similar to the December 31, 2011 Excel file I received last year. See attached.</p> <p>2. Detail of the City's capital assets as of December 31, 2012 in the tax supported funds including but not limited to the General Fund, Street Fund, Building &amp; Development Services Fund, Capital Construction Fund, and Real Estate Excise Tax Fund. Hopefully, this information is maintained by the City in an Excel format similar to the attached 2011 detail of the proprietary funds.</p> |
| 131119 | Allan, Jane           | 11/22/2013 | Emails relating to outdoor seating at Hitchcocks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 131155 | Allan, Jane           | 12/10/2013 | Winslow Way Reconstruction - All documents relating to funding; grants or City funds and staff reports on the reconstruction that addressed pedestrian-oriented improvements on Winslow way that would result from the reconstruction project                                                                                                                                                                                                                                                                                                                                                                |
| 130435 | Allen, Richard (Dick) | 5/15/2013  | Lists of sewer and water utility customers, including addresses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 131146 | Anderson, Cynthia     | 12/9/2013  | <p>Please provide me with a copy of Lieutenant Bob Day's cell phone bill for January 2 of 2008.</p> <p>I am specifically looking for a record of phone calls made on the afternoon of January 2, 2008.</p> <p>I realize that Bob may not have used his cell phone for the calls I'm looking for. If there is a record of calls to or from his DID City line, I would like a copy of that as well. (I don't think one exists but I thought I'd ask just in case).</p>                                                                                                                                         |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------|-------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130174 | Anderson, Cynthia | 2/19/2013  | <p>On January 31, 2010 Kim Koenig sent an email to Bob Scales. The email pertained to felony police misconduct allegations against Officer Steven Cain made by Ms. Koenig, a reference to other complaints that would be filed against officer Cain in the weeks to come, as well as a reference to the lack of proper investigation/adjustment of a claim for damages made by Ms. Koenig against Officer Cain.</p> <p>Then city manager responded to Kim Koenig on behalf of Bob Scales.</p> <p>1. I would like a copy of any information pertaining to those emails including but not limited to emails to WCIA attorney(s)'s and council.</p> <p>2. I would like a copy of any information indicating there would be an executive session discussion regarding those emails and /or an executive session regarding the complaints made against Officer Steven Cain by Susie Bohnert and Rickie Chipman and or Kim Koenig in the January, February, March 2010 time frame.</p> |
| 130176 | Anderson, Cynthia | 2/19/2013  | I would like a copy of all documents that contain the word or words "Steven Cain", "Steve Cain", "misconduct complaint", "Susie Bohnert", "Rickie Chipman", and /or "Kim Koenig" between January 30, 2010 and October 26, 2010.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130177 | Anderson, Cynthia | 2/19/2013  | I would like a copy of all documents/correspondence dated between January 30, 2010 and October 26, 2010 that contain the words or words: "police", "police reform", "felony", "police misconduct" .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130178 | Anderson, Cynthia | 2/19/2013  | I would like copies of the legal/executive financials monthly expenditures/reports by fund and all city vouchers or signed checks (for consultants etc.) between January 30, 2010 and October 26, 2010.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|-------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130194 | Anderson, Cynthia | 2/25/2013  | <p>Please forward copies of any documents that pertain to the inclusion of Officer Steven Cain in the civil service panel that interviewed potential police officer applicants.</p> <p>I would like to know who asked/assigned Officer Cain to do this and who communicated the request to him.</p>                                                                                                                                                             |
| 130195 | Anderson, Cynthia | 2/25/2013  | <p>Please forward me all legal opinions of city legal counsel, be they inside or outside attorneys, that were written between January of 2008 and May of 2011 that pertain to the creditworthiness and/or current and future financial situation of City. This request includes opinions provided to individuals or institutions that financed capital equipment, bought financial instruments, or provided funds to purchase equipment or pay contractors.</p> |
| 130196 | Anderson, Cynthia | 2/25/2013  | <p>Please forward me a copy of any city financial statement or report that includes a reference to current and/or pending litigation for the years: 2008, 2009, 2010 and 2011.</p> <p>Please also include financial statements and/or reports for that time period that include the words: 'lawsuit', 'litigation', "claims for damages", "damage claims", "damage award" "Koenig", "Ostling", "Anderson"</p>                                                   |
| 130209 | Anderson, Cynthia | 2/28/2013  | <p>Copy of the complaint and/or claim for damages filed by Rickie Chipman on or about February 11, 2010.</p> <p>Please provide me with all documents associated with the investigation of this claim, including but not limited to investigations, communication with the insurance pool, and disposition of the claim/complaint.</p>                                                                                                                           |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------|-------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130214 | Anderson, Cynthia | 2/28/2013  | <p>Can you check your records again and maybe check with Richard Jolley,( who would have been acting as an 'agent' of the city), for a letter he wrote to Rickie shortly after she filed the claim.</p> <p>For the purposes of my project, it would be helpful for me to get a copy of the letter directly from the city.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 130215 | Anderson, Cynthia | 3/1/2013   | <p>1. Please provide me with copies of any document(s) that would permit the City of Bainbridge Island to allow an outside attorney, not employed by the city, to advise an employee without first disclosing to that employee who the attorney works for, all potential conflicts of interest, and getting the employee's informed signed consent for concurrent representation. .</p> <p>2. Please provide me with a copy of the informed consent signed by Scott Anderson in which Mr. Mark Bucklin, counsel for the Washington Cities Insurance Authority (WCIA), disclosed the names of the other individuals or corporate entities that Mr. Bucklin represented or owed a fiduciary duty whose interests might be directly adverse to those of Mr. Anderson when he provided advice to Mr. Anderson on January 2, 2008.</p> <p>3. Please provide me with a copy of the signed informed consent of any person or corporate entity to whom Mr. Bucklin, WCIA legal counsel, owed a fiduciary duty and whose interests might be directly adverse to those of Mr. Anderson in which they consent to allow Mr. Bucklin to provide advice to Scott Anderson while he was an employee of COBI.</p> <p>4. Please provide me with a copy of the signed informed consent of any person or corporate entity that Mr. Bucklin,</p> |
| 130216 | Anderson, Cynthia | 3/1/2013   | <p>Please provide me with a copy of the informed consent agreement permitting attorney Mark Bucklin, Executive Committee Member and Legal Counsel for the Washington Cities Insurance Authority, to concurrently represent the City of Bainbridge Island at anytime during 2007 and 2008.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------|-------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130233 | Anderson, Cynthia | 3/7/2013   | Copies of the information used by the Record Clerk at the police departments to determine that there were missing Internal Investigations, copies of any documents discussing the missing Internal Investigations including but not limited to emails and notes, copies of the police reports associated with the missing Internal Investigations, copies of any citizen complaints associated with the missing Internal Investigations, of the log used to issue Internal Investigation numbers numbers for 2005, 2006, 2007, 2008, 2009, 2010, 2011, and 2012, copy of the log that is used to log in all citizen complaints for the years 2005 through 2012                                                                   |
| 130258 | Anderson, Cynthia | 3/20/2013  | <p>Please provide me with the following:</p> <ol style="list-style-type: none"> <li>1. All specific records that were made by Chief Matt Haney that pertain to the "Sustained" decision entered into the Master file.</li> <li>2. A copy of the signed "Sustained" decision made by Chief Matt Haney.</li> <li>3. The specific evidence of what Scott Anderson allegedly said or did that indicated a lack of cooperation with an investigation of the handcuffing; the date, time and or circumstances (the events that justified the generic charges made against Scott Anderson).</li> <li>4. Any decisions NOT SIGNED by a police chief or acting police chief in 2007 that are recorded in the Master File List.</li> </ol> |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|-------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130274 | Anderson, Cynthia | 3/25/2013  | <p>I would like copies of information pertaining to #12 Unfinished Business (A) Capital Lease discussed in the April 28. 2010 council meeting.</p> <p>I am specifically looking for any documents that explain why the State asked the city to withdraw from the bond fund. It was noted that the reason for this was that the fund balances were relatively low and the city's legal processes, while Councilwoman Franz noted that it was due to concerns about litigation. I would like to know what funds were being referred to, what pending litigation was referred to and any information that indicates why the litigation was of concern. Specifically, was the State concerned about the city's ability to pay the lease. I requested any legal opinions pertaining to credit worthiness of the city during this period in an earlier request. I would like that (if it has been located) as well as any other applications or documents that refer to litigation provided to the the State in regard to this lease.</p> |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|-------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130281 | Anderson, Cynthia | 3/26/2013  | <p>1. Please provide me with the name of the party that paid for Mr. Bucklin's time when he provided employees of the city with advice directly adverse to the best interests of employee Scott Anderson, in November of 2007, through January of 2008.</p> <p>2. Please provide me with a copy of the written, signed informed consent of all parties employed by the City of Bainbridge Island that Mr. Bucklin provided advice to during this time period. This written informed consent should have included the information that Mr. Mark Bucklin was the legal counsel for the Washington Cities Insurance Authority. It should have also informed the employees of precisely who Mr. Bucklin was representing at the time the advice was given and described the potential conflicts of interests. The city employees include, but are not limited to: former police chief Matt Haney, former deputy chief Mark Duncan, Lieutenant Bob Day, and employee, Officer Scott Anderson.</p> <p>3. Please provide me with any information that indicates the contract the city had with the Washington Cities Insurance Authority permitted their legal counsel to provide advice to one covered employee that was directly adverse to the best interests of another covered employee.</p> <p>?</p> |



| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|-------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130333 | Anderson, Cynthia | 4/10/2013  | <p>On Sunday, January 31, 2010 at 7:21 PM Bob Scales sent an email to Lee Walton and others with the subject line: "FW: The Bainbridge Island Police Department". There were two attachments to this email which I would like you to identify and produce. They are identified as follows:</p> <p>--static--icystripes_tl.gif; and</p> <p>--static--icystripes_br.gif</p> <p>These same documents were attached to the email Paul McMurray sent to Richard B. Jolley on February 1, 2010 wherein the subject line also reads "FW: The Bainbridge Island Police Department. Please determine if these are the same documents referenced above.</p> <p>Also, on February 10, 2010 at 8:38 AM Paul McMurray emailed Richard Jolley and attached two documents which I am requesting you to identify and produce. They are identified in the email as follows (may be duplicate attachments?):</p> <p>static--icy stripes and<br/>static--icy stripes</p> |
| 130334 | Anderson, Cynthia | 4/11/2013  | This is a Public Records Request for a copy of the email, from Matt Haney to Mark Duncan dated November 27, 2007.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130335 | Anderson, Cynthia | 4/11/2013  | Provide me with copies of any agreements executed between the Washington Cities Insurance Authority and the City of Bainbridge Island in from 2007 through present. This would include, but not be limited to, agreements providing the City of Bainbridge Island with insurance, risk management, legal, claims adjustment and risk safety training services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130343 | Anderson, Cynthia | 4/15/2013  | I would like a copy of all documents that contain the word or words "Steven Cain", "Steve Cain", "misconduct complaint", "Susie Bohnert", "Rickie Chipman", and /or "Kim Koenig" between January 30, 2010 and October 26, 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|-------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130355 | Anderson, Cynthia | 4/17/2013  | Please forward me a copy of the email between council person Bob Scales and city of Bainbridge employee Kelly Jahraus that was sent by Mr. Scales to Ms. Jahraus on Friday, February 5, 2010 at 12:19:16 AM                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130356 | Anderson, Cynthia | 4/18/2013  | <p>In the April May time frame of 2011 I sent former city manager emails making police misconduct complaints against former Commander Susan Shultz.</p> <p>My emails were forwarded to the city attorney who forwarded my emails to the WICA attorney. The WICA attorney replied to the city attorney, Jack Johnson, who then forwarded the emails to former city manager Brenda Bauer. I am asking that you review the redacted content for it's legality. Please forward me copies of the emails again after you review the contents for legality and release any portions that no longer qualify for privilege</p> |
| 130314 | Anderson, Cynthia | 4/3/2013   | Please forward me a copy of the video tape that shows Bob Scales requesting the Exectutive Session that took place on February 10, 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130337 | Anderson, Cynthia | 4/4/2013   | Copies of the conflict of interest disclosures signed by Bob Scales and Kirsten Hytopoulos from 2010 through 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130421 | Anderson, Cynthia | 5/13/2013  | Please forward me a copy of the WCIA Claims manual in effect for 2009, 2010, 2011, 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130422 | Anderson, Cynthia | 5/13/2013  | Please provide me with digital recordings of the City Council meetings that took place between January 1, 2012 and October 26, 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130462 | Anderson, Cynthia | 5/23/2013  | Please forward me copies of documents that pertain to the reason why anyone thought Scott Anderson was filing a claim for damages as early as November 7, 2007. In other words, what damages might Scott Anderson have suffered and what incident would have caused the potential damages.                                                                                                                                                                                                                                                                                                                            |
| 130423 | Anderson, Cynthia | 5/3/2013   | 1. Please forward me any emails, letters, notes, contracts or other documents that pertain specifically to an agreement to process claims for the City of Bainbridge Island for the years 2007, 2008, 2009, 2010 and 2011                                                                                                                                                                                                                                                                                                                                                                                             |
| 130410 | Anderson, Cynthia | 5/7/2013   | WCIA claims last 5 years                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130417 | Anderson, Cynthia | 5/9/2013   | A copy of the city code in force in 2009 and 2010 pertaining to the handling of damage claims; copy of the investigation of my claim for damages preformed by the city attorney, Paul McMurray and any other information pertaining to the 'investigation' of my claim for damages that was filed with the city on November 4, 2009; COPY OF THE CITY CODE PERTAINING TO THE HANDLING OF DAMAGE CLAIMS BY THE CITY IN FORCE TODAY |
| 130532 | Anderson, Cynthia | 6/25/2013  | I would like a copy of the 'Incident Report', (as per Section II of the attached Claims manual), that pertains to Scott Anderson and the heretofore unidentified incident that resulted in the retaining of WCIA's legal counsel as per attached<br>Scott Anderson Pre Def. Bill                                                                                                                                                  |
| 130591 | Anderson, Cynthia | 7/17/2013  | November 27, 2007 email without redaction                                                                                                                                                                                                                                                                                                                                                                                         |
| 130593 | Anderson, Cynthia | 7/17/2013  | According to WCIA, the city was copied on a letter to Seth and Rickie Chipman denying their claim.<br>Does the city have a copy of this letter? It was dated March 29, 2010 and written by a WCIA adjuster.                                                                                                                                                                                                                       |
| 130595 | Anderson, Cynthia | 7/18/2013  | Please forward me a copy of Bates No. 00213-216 listed on page 3 of the attachment referred to as 2120405113527, as per the Public Records Act.<br><br>I believe this is the 12/19/2007 Incident/Investigation Report redacted of all information non responsive to the charges made against Officer Scott Anderson in the fraudulent Internal Investigation conducted under the direction of WCIA attorney Mark Bucklin.         |
| 130600 | Anderson, Cynthia | 7/18/2013  | Please forward me a copy of Bates No. 000198 referred to in the attached log as per Public Records Act                                                                                                                                                                                                                                                                                                                            |
| 130702 | Anderson, Cynthia | 8/22/2013  | I asked WCIA for the back up documentation for the 'fire fighters' statements. I am looking for information directly provided by the firefighters, ie sworn statements, notes from an adjuster's conversation with them about the claim etc.                                                                                                                                                                                      |
| 130767 | Anderson, Cynthia | 9/2/2013   | A copy of the 11/27/2007 email we have often corresponded about ---without redaction.                                                                                                                                                                                                                                                                                                                                             |

| PRR#   | CUSTOMER            | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                         |
|--------|---------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130798 | Anderson, Cynthia   | 9/30/2013  | Please forward me a copy of the following emails:<br><br>3/12/08 Email to L. Arntz from C. Brown; one page<br>3/21/08 Email to L. Arntz from C. Brown; one page<br><br>3/21/08 Email to Les Arntz from C. Brown; three pages<br>3/21/08 Email to C. Brown from L. Arntz ; three pages<br>3/26/08 Email to L. Arntz from C. Brown; three pages |
| 131056 | Backer, Tom         | 11/6/2013  | HEX appeal file                                                                                                                                                                                                                                                                                                                               |
| 130028 | Barrett, Perry      | 1/8/2013   | Towards the end of August and first portion of September a couple of our Park District commissioners spoke to City Council regarding the SMP update and park issues. Do you have a link or a copy of those minutes for me                                                                                                                     |
| 130246 | Beavis, George      | 3/12/2013  | LEMAP report                                                                                                                                                                                                                                                                                                                                  |
| 130477 | Beletz, James       | 5/31/2013  | Comcast licensing agreement                                                                                                                                                                                                                                                                                                                   |
| 130652 | Beletz, James       | 8/9/2013   | All records relating to hazardous waste associated with PVT Estates.                                                                                                                                                                                                                                                                          |
| 130732 | Beletz, James       | 9/9/2013   | Results of samples of water that are taken from Fox Creek                                                                                                                                                                                                                                                                                     |
| 130058 | Bodrie, Christopher | 1/17/2013  | 2013 wages, health, vision, and dental insurance, and life and disability premiums for the Police Guild and support staff                                                                                                                                                                                                                     |
| 131133 | Bonzon, Gary        | 11/25/2013 | Letter to Chadwick                                                                                                                                                                                                                                                                                                                            |
| 130760 | Brennan, Jim        | 9/18/2013  | All drawings, permits and exemptions for the road stabilization project at Rockaway Beach                                                                                                                                                                                                                                                     |
| 131048 | Brunton, Bruce      | 11/5/2013  | Hard copy of Design Review Board minutes                                                                                                                                                                                                                                                                                                      |
| 130389 | Brunton, Bruce      | 4/30/2013  | Hard copy of Minutes and files from DRB/Planning Commission and City Council relating to Erickson Avenue Design Guidelines                                                                                                                                                                                                                    |
| 130390 | Brunton, Bruce      | 4/30/2013  | Hard copy of City council minutes for 4-10-2013                                                                                                                                                                                                                                                                                               |
| 130841 | Buetow, Arlene      | 10/14/2013 | Finance Committee Meeting Minutes 4/1 - 7/31, 1998                                                                                                                                                                                                                                                                                            |
| 130288 | Buetow, Arlene      | 3/27/2013  | the Municipal Code Chapter, original adopting Ordinance or Resolution which will provide details on when these utility taxes were initially adopted and how these taxes are applied                                                                                                                                                           |
| 130338 | Buetow, Arlene      | 4/11/2013  | Updated copy of the attached Excel File for 2012 and 2013 SSWM Utility Assessments                                                                                                                                                                                                                                                            |

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| 130847 | Buetow, Arlene         | 10/14/2013 | Copy of agenda bill 6269; provide copy of BIMC 5.08.030 and BIMC 5.08.040 before the repeal and the amendment that was the subject of Ordinance 98-26? And can you tell me when BIMC 5.08.030 and 5.08.030 were 1st adopted, and provide any amendments thereof between the adoption date and June 1998                                                                                                                                                                                                                                                                                        |
| 130707 | Buetow, Arlene         | 8/27/2013  | Media for 3-3-10 meeting on cost allocation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 131049 | Burke, Richard         | 11/5/2013  | Agenda materials relating to CPA 18573                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130237 | Cainion, Andrew        | 3/11/2013  | Copies of each meeting minutes with roster of public attendees testifying before the Commission, on CPA 14567 (NSC) Cainio                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130464 | Cainion, Andrew        | 5/28/2013  | Claim for Damages submitted by Harley Unruh as well as the settlement agreement reached with the City and Mr. Unruh regarding the latecomer's agreement                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130490 | Cainion, Andrew        | 6/3/2013   | Copy of maps of the service area that was used prior to the annexation.<br><br>Am also requesting ordnances and resolutions which expanded the services beyond the former City of Winslow for sewer and water services                                                                                                                                                                                                                                                                                                                                                                         |
| 130559 | Cainion, Andrew        | 7/2/2013   | The record shows that Mr Unruh was granted a Planned Unit development (PUD) by the Kitsap County Government in 1983 to construct approximately ten condominium units at the Lynwood Center water front area.<br><br>It was also stated he receive several extension of the original approval and the most recent in 1995 to arrange for sewage disposal ,and construction was underway as of May 23,1997.<br><br>Please provide copies of all extension granted by the County and the City of Bainbridge Island, and a full copy of the issued Planned Unit Development for the stated project |
| 130109 | Cannard, Ed            | 2/5/2013   | Friends of the Farm Master Lease                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130350 | Cannard, Ed            | 4/15/2013  | FoF lease/Morales Farm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130681 | Carey, Tim             | 7/25/2013  | Anything to do with drainage from Rodal Court                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 131131 | Castillo, Wendy "Jade" | 11/27/2013 | Complaints by Cosgroves                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



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| 130829 | Choi, Anita      | 10/9/2013  | Copy of public notice for SSDE 18611                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 131233 | Colleton, Lee    | 12/20/2013 | Lapel camera policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130296 | Cool, Gale       | 3/29/2013  | Ord 96-02                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130596 | Cool, Gale       | 7/18/2013  | Schel Chelb watershed - the watershed delineation/GIS info for attached map and associated stormwater fees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130706 | Cool, Gale       | 8/27/2013  | All GIS files found on land use map applications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130815 | Covey, Amy       | 10/4/2013  | 5750 NE Crystal Lane - building plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130034 | Dashiell, Robert | 1/10/2013  | Request the following for calendar year 2012: <ul style="list-style-type: none"> <li>(1) Number of City owned catch basins inspected.</li> <li>(2) Number of City owned catch basins cleaned. (Note: If this data available by quarter, then request by quarter).</li> <li>(3) Number of privately owned catch basins inspected by City staff.</li> <li>(4) Number of privately owned catch basin inspected using City contractor(s).</li> <li>(5) Number of privately owned catch basins cleaned by City staff.</li> <li>(6) Number of privately owned catch basin cleaned by other than City staff.</li> <li>(7) Estimated cost to the City to clean a catch basin.</li> </ul> |
| 130050 | Dashiell, Robert | 1/15/2013  | (1) Debt remaining on City Hall Bond(s) as of 1 January 2013. <ul style="list-style-type: none"> <li>(2) Debt principal and interest payments by year to pay off City Hall bond debt.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130063 | Dashiell, Robert | 1/22/2013  | Invoices Jan 23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130026 | Dashiell, Robert | 1/8/2013   | Invoice Dec 26                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130027 | Dashiell, Robert | 1/8/2013   | Invoices Jan 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 130803 | Dashiell, Robert | 10/2/2013  | <p>2012 expenditures for the Water, Sewer, and SSWM utilities for the following:</p> <ul style="list-style-type: none"> <li>Insurance</li> <li>Electrical</li> <li>SSWM</li> <li>Water</li> <li>Rent/lease (City Hall)</li> <li>Rent/lease other</li> <li>Taxes paid to COBI</li> <li>Taxes paid to State of Washington</li> <li>Salaries</li> <li>Benefits</li> <li>Capital Equipment</li> <li>Capital Projects</li> <li>Professional Services</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130884 | Dashiell, Robert | 10/21/2013 | Invoices Oct 23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130915 | Dashiell, Robert | 10/21/2013 | <p>1. Copy of 2013 Area Drainage Study, Brown Wheeler Eng., Yeomalt Area Drainage.</p> <p>2. Copy of DOE grant, Yeomalt area drainage.</p> <p>3. 2012 Area Drainage Study, 2012, Brown Wheeler, for Mountain View Road Reconstruction (might be the same as item (a).</p> <p>4. Copy of the key DNR correspondence requiring the stormwater outfall to be removed from the aquatic habitat and conservancy area.</p> <p>5. Copy of the DOE grant for the Waterfront Park Outfall.</p> <p>6. Copy (if available) of the design of the Waterfront Park Outfall, and specifically any stormwater control or water quality devices being considered for installation.</p> <p>7. Copy of DOE grant for design and fish passage culvert on Woodward Creek.</p> <p>8. Copy of planned scope of work and design plans on Dripping Creek Fish Passage improvements, including any right of way acquisition plans.</p> <p>9. Data City has on Blakely Falls Creek apparently related to</p> |

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| 131036 | Dashiell, Robert | 10/28/2013 | City contract 2130073, Bainbridge Island Traffic Study and/or Speed Limit Study with Perteet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130822 | Dashiell, Robert | 10/7/2013  | Invoices Oct 10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130823 | Dashiell, Robert | 10/7/2013  | <p>All 2012 and 2013 (to date) individual expenditures for the City's groundwater monitoring program, to include:</p> <ul style="list-style-type: none"> <li>a. Fund(s) paying the expenditure.</li> <li>b. All COBI staff salary, benefits, and any cost allocations costs charged to the COBI groundwater program.</li> <li>c. A copy of all groundwater monitoring contracts that were effective or have been approved since 1 January 2012.</li> <li>d. If any expenditures were paid by grants, request those expenditures be so annotated</li> </ul>                                                                                                                                                                                                                                                                                                                             |
| 131060 | Dashiell, Robert | 11/12/2013 | KPFF report on Waterfront park bridge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 131061 | Dashiell, Robert | 11/12/2013 | <p>For the City's Street Fund Fund (101), request the budgeted amounts and specific descriptive details of all cost allocations made for COBI budget years 2013 and 2014.</p> <p>Cost allocations were defined to include some non-direct labor personal salaries and benefits made by the City's finance department as the first allocation step in the City's cost allocation system (Ellen Schoer, 23 Oct 2013 CC meeting, AB 13-022).</p> <p>The second level calculation is known to be at least rents for City Hall and the Public Works Yard, a share of the City insurance invoice, and perhaps other items.</p> <p>For the insurance allocation, I request the accounting basis of the allocation.</p> <p>I don't believe there are any street depreciation charges used in the cost allocation, but if there are, I request they be detailed as to the accounting basis.</p> |

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| 131105 | Dashiell, Robert | 11/20/2013 | <p>During the 2013 embankment repairs at Rockaway Beach Drive, the contractor reportedly was issued some form of a stop work order for allegedly violating some permit condition related to machinery and Puget Sound waters.</p> <p>Request copy of all correspondence received by the City on this stop work order, and any correspondence sent by the City to the contractor or to the agency alerting the City to the conditions of the stop work order.</p> <p>If there were any fines or other financial occurrences due to this work stoppage, request copies that would document such.</p>                                                                                                                                                             |
| 131116 | Dashiell, Robert | 11/25/2013 | <p>Request 1: Streams in Washington State are classified in one of nine categories (WAC 222-16-031). These are "Type 1 Water" to "Type 5 Water" for interim water typing, and types "S", "F", "Np" or "Ns" for permanent water typing.</p> <p>For each Bainbridge Island named stream, request the stream type category as presently recognized by the City, and the source or basis of said classification.</p> <p>Request 2: For a stormwater project entitled "Weaver Culvert Replacement", was the culvert replacement engineered on fish passage criteria, or just stream flow sizing at a flood stage? If the culvert sizing was based on fish passage, request copies of any consulting report or agreements that determined project size or scope.</p> |
| 131117 | Dashiell, Robert | 11/25/2013 | Request the City record(s) that established the WQFMP, and most specifically, the date (month and year close enough) the WQFMP was established.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 131118 | Dashiell, Robert | 11/25/2013 | Invoices Nov 25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 131125 | Dashiell, Robert | 11/26/2013 | The total City's legal costs related to the McNabb/Bainbridge Marina land rezone related to Comp Plan Amendment 18573                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 131059 | Dashiell, Robert | 11/8/2013  | Invoices 11-7-13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| 131178 | Anonymous        | 12/16/2013 | A copy of the scoring matrix for each of the submitted proposals of the LTAC voting members                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130129 | Dashiell, Robert | 2/11/2013  | <p>Copies of all direct and follow-on correspondence received by the City of Bainbridge Island related to the Request for Qualifications (RFQ) for the General Sewer Plan, RFQ originally due 7/23/12.</p> <p>Copies of all COBI correspondence (outgoing or internal) related to the full scope of the RFQ for the General Sewer Plan.</p>                                                                                                                                                                                                               |
| 130171 | Dashiell, Robert | 2/15/2013  | Invoices Feb 13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130207 | Dashiell, Robert | 2/27/2013  | <p>I'm submitting this public document to the City to get an interpretation of two cash outflow lines on a City financial document.</p> <p>The document I'm attaching is a COBI 2012 Cash Flow Plan - SSWM as of July 2012.</p>                                                                                                                                                                                                                                                                                                                           |
| 130236 | Dashiell, Robert | 3/11/2013  | Invoices Mar 13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130263 | Dashiell, Robert | 3/21/2013  | Any and all City written records (including electronic communication) that list, detail, or describe the City of Bainbridge Island's concerns or objections to the Department of Ecology's ! August 2013 NPDES-II permit, and if Ecology has responded specifically to any of those forms of communication, copies of Ecology responses. I am not requesting the collective, general responses to the permit concerns ... only those that Ecology has sent specifically to the City of Bainbridge Island. The general responses are on Ecology's website. |
| 130268 | Dashiell, Robert | 3/22/2013  | <p>Did the City pay for the design and construction of Curtis Loop NE? If yes, what fund was used for that capital project? When did Curtis Loop NE project appear on the City's six year capital facilities plan? (A single page of the CIP is all I would need, or if it's in the City's website, just a link).</p> <p>If the City did pay for Curtis Loop NE, what was the design costs, total construction costs , and City engineering labor costs to the City of Bainbridge Island?</p>                                                             |
| 130273 | Dashiell, Robert | 3/25/2013  | Invoices Mar 27                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



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| 130283 | Dashiell, Robert | 3/27/2013  | Copy of written documentation held by the City of Bainbridge Island that specifically shows the use of water flow monitoring data and the City's Illicit Discharge and Elimination program                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130305 | Dashiell, Robert | 4/1/2013   | NPDES-II annual report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130345 | Dashiell, Robert | 4/10/2013  | <p>I am seeking city records of the following:</p> <p>(1) The calculated total flow volume from each of the four flow monitoring stations for years 2011, 2012 and through the latest available month IF the data is calculated by month. If it's annualized, then the total flow volume from each station for 2011 and 2102. (2) The total calculated mass loading from each of the four monitoring stations for years 2011, 2012, and through the latest available month IF the data is calculated by month. If it's annualized, then the total calculated mass loading from each station for 2011 and 2012.</p> <p>I loading data should be bacteria (fecal coliform), but if other water quality parameters are measure in mass load calculation, request that data be provided.</p> |
| 130346 | Dashiell, Robert | 4/10/2013  | <p>Request copies of the monthly cash flow plans for the period July 2012 to most current as of 10 April 2013 for the following funds:</p> <p>Water (401)</p> <p>Sewer (402)</p> <p>Storm Surface Water (403)</p> <p>Additionally, although it is not an enterprise fund:</p> <p>Streets (101) (if the City does a cash flow plan for this fund).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 130344 | Dashiell, Robert | 4/11/2013  | Copy of COBI's five year WQFM storm event plan that discusses a consultant needs for assistance. I believe the plan will call for one year of monitoring six storm events                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 130341 | Dashiell, Robert | 4/12/2013  | COBI Contract No. 250130 (Cardno Tec) and invoice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 130351 | Dashiell, Robert | 4/17/2013  | Copy of the City document submitted to the ETAC committee, including date submitted requesting a literature review of potential small stream load calculation methodologies and prepare a recommendation as to the best method(s) to apply to the Island streams                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130312 | Dashiell, Robert | 4/2/2013   | Copy of City recordings showing location and/or cause of 38 illicit discharges identified to COBI's MS4 system in 2012 as the City reported to the Department of Ecology in it's 2013 annual NPDES-II report (line 27).                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130362 | Dashiell, Robert | 4/22/2013  | Invoices April 24                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130368 | Dashiell, Robert | 4/23/2013  | <p>For calendar year 2012: request any and all charges, including cost allocations, charged to either a City utility or City general fund for the City's Groundwater Monitoring Program.</p> <p>Such data would include but not be limited to any and all groundwater monitoring contracts (Include name of contractor) , any and all City staff time, and any cost allocations specifically for the Groundwater Monitoring program.</p> <p>For calendar year 2013 to date: Same data as above either paid or obligated to date.</p> <p>Please note: This requests is not limited to Water Utility expenditures. The intent of the request is for a full cost of program disclosure.</p> |
| 130378 | Dashiell, Robert | 4/25/2013  | Copy of Plan prepared by Gardner Engineers, Inc. and Warren Consultants, Inc. dated July 22, 1985.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 130342 | Dashiell, Robert | 4/4/2013   | <p>(1) All water flow monitoring data held by the City of Bainbridge Island for Murden Creek, Meigs Creek, and Woodward Creek. (Meigs and Woodward are tributaries to Murden Creek).</p> <p>(2) Dates when flow monitoring equipment was installed at Murden Creek, and if it has been removed, the date the equipment was removed. Alternatively, if water flow monitoring was collected under some other program other than the Taylor Assoc. and Cardno-TEC WQFM contracts, I am requesting the specific data on such alternative contract. If the Flow monitoring data was collected using portable equipment, request the specifics of whether this data was collected by contractors or City staff, and dates and nature of of such water flow monitoring collection be provided.</p> |
| 130347 | Dashiell, Robert | 4/9/2013   | Request the number of privately owned catch basin connected to the City's MS4 system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130503 | Dashiell, Robert | 6/14/2013  | (1) Copy of two ordinances and the (2) any recorded minutes pertaining to such ordinances from the City Council meetings that established Ordinance 91-49 and Ordinance 86-27.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130519 | Dashiell, Robert | 6/24/2013  | Invoices June 26                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| 130543 | Dashiell, Robert | 6/27/2013  | <p>(1) The forwarding document of the City's WQFMP WY 2008 (or that time period if all of the work was not completed in WY 2008) SEDIMENT SAMPLING RESULTS to the Department of Ecology. I'm assuming the City transmitted the actual analytical results data in electronic form, and I am NOT requesting all of the result data. I am seeking the transmittal letter which would include the date the information was sent to the Department of Ecology, and the City comments on that Sediment Sampling program made on the submission of the data to the Department of Ecology.</p> <p>(2) The forwarding document of the City's WQFMP WY 2008 (or that time period if all of the work was not completed in WY 2008) STORM EVENT SAMPLING RESULTS to the Department of Ecology. I'm assuming the City transmitted the actual analytical results data in electronic form, and I am NOT requesting all of the result data. I am seeking the transmittal letter which would include the date the information was sent to the Department of Ecology, and the City comments on that Storm Event program made on the submission of the data to the Department of Ecology.</p> <p>(3) Copy of the message related to agenda bill AB 13-81 that was sent by PW Interim Director John Cunningham to the City Council on either Monday or Tuesday, 24 or 25 June. He mentioned the e-mail to the City Council during his</p> |
| 130546 | Dashiell, Robert | 6/28/2013  | Request a copy of the City Council meeting minute(s) that imposed City utility taxes on the City of Bainbridge Island's Water Utility, the Sewer Utility, and the Stormwater/SSWM Utility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130572 | Dashiell, Robert | 7/10/2013  | <p>Request the total cost of the USGS study.</p> <p>Request the fund sources and dollar amounts (what City fund(s) ) paid for the USGS study.</p> <p>If any of the USGS reimbursement was grant money, request the amount and from what fund was used to manage the grant money expended in the study.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130573 | Dashiell, Robert | 7/10/2013  | a copy of the city's SMP monitoring plan, specifically that portion of the monitoring plan that deals with water quality monitoring and/or sediment sampling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| 130576 | Dashiell, Robert | 7/11/2013  | <p>All written correspondence, in any form, originated by Mr. Randal Samstag during the full time he was appointed and served on the City's Utility Advisory Committee, that has any mention or reference to City of Bainbridge Island Utilities, including the City Water utilities, Sewer utility, Stormwater or SSWM utility.</p> <p>This request includes any correspondence or notes related to the City's Beach Main replacement project, city sewer plan in which he was a principle in the firm selected for the sewer plan and beach main replacement projects, including any and all correspondence with his employing firm, Carrollo Engineerings.</p> <p>This request is for ANY documents prepared by or sent in the name of Mr. Samstag during his full tenure on the Utility Advisory Committee.</p> <p>For any e-mails included in this response, I also request full address (sent to) and metadata information.</p> <p>This request covers the time Mr. Samstag was first appointed to the City's Utility Advisory Committee and ends upon his resignation because of a conflict of interest situation with his employer being awarded two City sewer utility contracts.</p> |



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| 130577 | Dashiell, Robert | 7/11/2013  | <p>1. Copy of the original submission by citizen Robert Dashiell to the City Clerk/Ethics Board that lead to the Ethics Board issuing Advisory Opinion 2012-01.</p> <p>2. Copy of any and all Ethics Board correspondence, including both hand written and electronic generated or notes made related to telephone calls of Ethics Board member discussions held outside an Ethics Board open public meeting related in any way to Ethics Board Advisory Opinion 2012-01.</p> <p>Note: The minutes of the 4/23/12 note "Additional clarifications were received on the request concerning the applicability of the ethics ordinance to candidates by public office, leading up to the time they are sworn into office." Since the drafter of the original request for this advisory opinion did not supply those clarifications and they were not presented at the 4/23/12 Ethics Committee meeting, I am requesting those clarifications either made or received by the Ethics Board as part of this public records request.</p> |
| 130577 | Dashiell, Robert | 7/11/2013  | <p>3. The Ethics Committee minutes of 4/23/12 state "The Ethics Board felt there is a potential gap in the current ethics code regarding gifts to elected officials who have not yet taken office. This will be taken up as a separate agenda item in the future." This public records request is for copies of any ethics Committee correspondence, minutes, or written communication, in written or electronic form, of any further action on Ethics Board Advisory Opinion 2012-01 between 4/12/12 and the date of this Public Records Request.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| 130580 | Dashiell, Robert | 7/11/2013  | <p>(1) I am seeking the governing COBI policy document on what COBI commissions, committees, subcommittees, ad-hoc committees, and any other civilian groups formed by the City staff or City Council fall under the State of Washington's Open Public Meetings Act.</p> <p>(2 )I am seeking the governing COBI policy document on what COBI commissions, committees, subcommittees, ad-hoc committees, and any other civilian groups formed by the City Staff or City Council for which the Public Records Act applies, specifically to individual member's communication about City related business or issues.</p> |
| 130602 | Dashiell, Robert | 7/22/2013  | Invoices July 24                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130570 | Dashiell, Robert | 7/9/2013   | Stormwater Grant for Waterfront Park                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130661 | Dashiell, Robert | 8/12/2013  | Request the annual amounts transferred from the General Fund to the SSWM utility for each of the years 2003-2006.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130662 | Dashiell, Robert | 8/12/2013  | Invoices Aug 14                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130669 | Dashiell, Robert | 8/14/2013  | <p>The City Manager wrote on an e-mail regarding the interfund loan from the SSWM Fund to the Streets Fund: "The intention of City staff is to adhere to the interfund loan resolution and plan for a repayment from the SSWM Fund to the Streets Fund."</p> <p>Request a copy of subject mentioned resolution.</p>                                                                                                                                                                                                                                                                                                   |
| 130675 | Dashiell, Robert | 8/15/2013  | A copy of any and all CH2M Hill reports, memorandums, or any other documented media that pertains to water quality measurements and/or results at the Vincent landfill site submitted to the City since 2006 or later                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130676 | Dashiell, Robert | 8/15/2013  | Copy of Klitsap Conservation District's report to the City of Bainbridge Island for the past three most recent quarters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130699 | Dashiell, Robert | 8/26/2013  | Invoices Aug 28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130740 | Dashiell, Robert | 9/11/2013  | The specific expenditures for the 2013 adopted and 2014 endorsed COBI budgets for the Streets Fund that make up the budget line item "Other Services and Charges."                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| 130745 | Dashiell, Robert  | 9/13/2013  | <p>1. Copy of any and all documents , reports, or studies that document fish populations in Bainbridge Island streams from 2003 to present (last 10 years). I have access to the State of the Islands Waters Report (2012) ... that document mentions fish but is not a population study of the finny types. I do not need that report as part of this PRR. I'm looking for what streams hve fish, how many fish, and what species of fish.</p> <p>2. List of Bainbridge Island fish bearing streams and basis or source of reference for listing each and every stream that has a fish population.</p> <p>3. List of capital project completed since 2003 for the purpose of improving fish passage, including a very brief project description, date completed, and project capitalized cost.</p> |
| 130746 | Dashiell, Robert  | 9/16/2013  | Total amount the City paid consultant BHC for Beach Sewer Mains Consulting work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 130749 | Dashiell, Robert  | 9/16/2013  | This PRR requests any and all City held records in any form that relate to or explain the "why" of the added wording in COBI 13.24.020 passed by the City Council on December 30, 1991                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130774 | Dashiell, Robert  | 9/23/2013  | Invoices Sept 25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 130731 | Dashiell, Robert  | 9/9/2013   | Invoices Sept 11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 131140 | De Leon, Rudy     | 12/4/2013  | <p>Address: 7250 Ne Bay Hill Rd Bainbridge Island, WA 98110</p> <p>Can you please provide information on the following New Purchase:</p> <ul style="list-style-type: none"> <li>• (If lienable)Any current/unpaid status of the water/sewer utility billing</li> <li>• Any Code Violation</li> <li>• Any Open/Expired Permits</li> <li>• Any outstanding special assessments</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130272 | Dessinger, David  | 3/22/2013  | March 14, 2013 public hearing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130353 | Donckers, Brendan | 4/17/2013  | Bart Berg Payments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 131162 | Donnelly, Tuck    | 12/13/2013 | his records requests from 2010-2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130845 | Dupree, Andy      | 10/14/2013 | a COBI staff report dated 10-23-97 recommending that the road end at NE North not be considered for development due the complexities of the site; revised to Agate Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| 130009 | Dusbabek, Patti | 1/4/2013   | <p>1 Guidelines used by the LTAC committee in 2012--include the state as well as that of the city</p> <p>2 Identify all committee members who exempted themselves from voting on specific grant allocations and which grants they did not vote on</p> <p>3 Provide the breakdown of the vote on each approved non profit, what each supported to meet the guidelines, and how the committee determined they fit the required guidelines</p> |
| 130887 | Dusbabek, Patti | 10/16/2013 | <p>Copy of the EPA water advice to Bainbridge provided approximately 20 years ago</p> <ul style="list-style-type: none"> <li>- If this document has been destroyed, the name, position, date of the person who authorized its disposal</li> <li>- City to obtain a replacement copy of that document from EPA if it has been destroyed.</li> </ul>                                                                                          |
| 130280 | Dusbabek, Patti | 3/26/2013  | <p>The contracts the city has made with Friends of the Farm for every year beginning 2010 - present; any agreements between the city council and Friends of the Farm which indicate a directive on the amount Friends was to charge each farmer for the use of their land; documentation from 2006 - present on the amount of land each farmer farming city land has been authorized/allowed to use</p>                                     |

| PRR#   | CUSTOMER            | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| 130451 | Dusbabek, Patti     | 5/21/2013  | <p>1 WA state approval for Friends of the Farm to operate as a non profit in the state. If it operates under a different name, provide the reason it hasn't changed to the name it presently uses. If there is any state record of FOF being refused to operate under its name, provide that document also</p> <p>2 Income &amp; expense report FOF provided to the council on 5/1/13 for its 2012 results.</p> <p>3 Income &amp; expense report for all FOF farmers as agreed to in 2012 to provide to the city/council. For any records not on file, please provide any communication between the city &amp; FOF requesting they meet the criteria they agreed to</p> <p>4 School release agreement whereby grade school children would be released during the school day to plant acres of potatoes for FOF farmers</p> <p>5 FOF agricultural insurance to protect these children &amp; others while working on city land. If this document is not available, the reason the city/council has not required FOF to follow city policy</p> |
| 130401 | Elfendahl, Gerald   | 5/3/2013   | A set of the permit drawings for the pier as provided by the Anchor Company - AKA the pier permit plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 131238 | Erickson, Barbara   | 12/30/2013 | 15640 Point Monroe Dr. NE. - any and all permits, correspondence, notes, photos, plans, inspection reports and certificates for this residence from 2010 to the present                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130535 | Evans-Sleeper, Lynn | 6/25/2013  | Furry Tale Farms - the red-tagging of wetlands pasturage that occurred in 2006                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130713 | Evans-Sleeper, Lynn | 9/3/2013   | <p>Two Farm Plans that were written for parcel 27 - one for Susannah Sloan, when she was operating Furrytale Farm on the property</p> <p>- I think it was written in 2005 or 2006 - and the more recent one, written in 2012, for Rolling Bay Farm</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 130404 | Farley, Josh       | 4/12/2013  | <p>* A list of employees, retired and active, that are a part of the LEOFF-1 pension retirement system;</p> <p>* Pay/compensation, broken down by month, of the final year of employment for any employee under the LEOFF-1 retirement system who retired between 2008 to current day*</p> <p>* A list of medical procedures covered for LEOFF-1 retirees between 2008 and current day;</p> <p>* Total money spent by your agency on the LEOFF-1 retirement system for the years 2008, 2009, 2010, 2011 and 2012.</p> |
| 130721 | Farley, Josh       | 9/3/2013   | <p>1. Can you get me the policies and procedures for uniforms at the Bainbridge Island Police Department?</p> <p>2. Can we get a photo of an officer in a regular uniform and one wearing a jumpsuit?</p>                                                                                                                                                                                                                                                                                                             |
| 130605 | Fortner, Bob       | 7/22/2013  | <p>1-A copy or copies of the disc(s) provided to Althea concerning the UAC email records btw members of CC.</p> <p>2- All emails, public and private, from CC members, Ward, Bonkowski, Lester and Blossom beginning November 5, 2011 thru Jan. 30, 2012.</p>                                                                                                                                                                                                                                                         |
| 131151 | Fox, Laura         | 12/9/2013  | BIPD retention and disposition of evidence policies; name and contact information for the person in our agency responsible for supervising the implementation of evidence policies and/or procedures                                                                                                                                                                                                                                                                                                                  |
| 130438 | Friedrich, Ed      | 5/15/2013  | Copy of: traffic and accident information leading to the determination to build a roundabout at High School Road and Madison Avenue, and comparable information after the roundabout was built. The information is to be used in a story about different types of traffic-calming means and their effects.                                                                                                                                                                                                            |
| 130190 | Fromuth, Christian | 2/21/2013  | Fish Habitat Survey Records                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 131026 | Gander, Malcolm    | 10/31/2013 | Purchase Agreement Wyckoff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 131086 | Gander, Malcolm    | 11/14/2013 | All Bainbridge Island Metropolitan Park & Recreation District expenditures associated with the Wyckoff-Eagle Harbor superfund site                                                                                                                                                                                                                                                                                                                                                                                    |



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| 131087 | Gander, Malcolm | 11/14/2013 | All expenditures associated with the Wyckoff-Eagle Harbor superfund site                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 131042 | Gander, Malcolm | 11/4/2013  | Letter dated September 28, 2006 from Meghan McKnight addressed to Malcolm Gander and Melanie Keenan                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130212 | Gander, Malcolm | 2/28/2013  | Sampling results for the former Unocal site from September 2012                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130450 | Gander, Malcolm | 5/20/2013  | Electronic copies of the Remedial Investigation Report and Feasibility Study Report prepared by CH2MHill in connection with the Vincent Road Landfill                                                                                                                                                                                                                                                                                                                                                         |
| 130961 | Garza, Cecilia  | 10/24/2013 | City Manager's evaluation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130962 | Garza, Cecilia  | 10/24/2013 | Any information regarding a complaint filed by Gary Tripp against Quality Bainbridge about campaign signage                                                                                                                                                                                                                                                                                                                                                                                                   |
| 131099 | Garza, Cecilia  | 11/19/2013 | Planning Commission application materials                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 131126 | Garza, Cecilia  | 11/26/2013 | Public Comment Sign-in Sheet; 11-25-13                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 131180 | Garza, Cecilia  | 12/16/2013 | Sign In list for 12-11-2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130230 | Gehring, Gunnar | 3/7/2013   | 2012 asphalt repairs bid tabulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130522 | Gendreau, Henri | 6/24/2013  | Budgeted Items - severance packages for Fehlman, Shultz, Bauer, Newkirk, Patton; salary increases in transition period for Schroer and Smith; Prothman agreements for Dickerson and Cunningham; all SGR expenses, all expenses involving public meetings relating to police chief and city manager, searches for city attorney and public works director, expenses relating to ceremonies for new chief and city manager.                                                                                     |
| 130583 | Gendreau, Henri | 7/15/2013  | Any public records or information on the status of some construction projects I'm looking into.<br>Namely, American Marine Bank loaned money for a luxury home somewhere on the island to be constructed by Pacifica Construction, LLC.<br>The bank also made a loan to Summerhill Estates, LLC owned by the same man, David Berry, for the construction of "luxury residential spec properties," possibly on the island. Two homes (I do not know of which firm) were built in the Derby Downs neighborhood. |

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| 130083 | Gerlach, Marcus and Suzi | 1/25/2013  | All documents/records/notes/mail which was exchanged between Peter Best, Josh Machen, Ryan Ericson, Maradel Gale, Kathy Cook, Doug Schulze and Heather Beckmann which pertains to SSDP13500 or Marcus Gerlach's dock/bulkhead, gatehouse, boatlift application from January 2012 to January 2013. Copy of 2013 COBI business license for Joshua Machen or Josh's Window Cleaning. Copy of business license from 2009 through 2013 for Peter Namvedt Best Consulting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130010 | Gerlach, Marcus and Suzi | 1/7/2013   | Request a summary/list of all Bainbridge Island permit applicants (with file numbers), where permit applications were transferred to another jurisdiction, including but not limited to Poulsbo, for permit review when COBI deemed a conflict of interest                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130978 | Gerlach, Marcus and Suzi | 10/28/2013 | Permit applications/permits for 240 Winslow Way E                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 131084 | Gerlach, Marcus and Suzi | 11/13/2013 | Copies of all COBI electronic correspondence drafted, sent, received, or copied by Kathy Cook, between August 14, 2013 and November 13, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 131232 | Gerlach, Marcus and Suzi | 12/20/2013 | All COBI correspondence (drafted, sent, received, or copied) between Doug Schulze and Joshua Machen from October 1, 2013 to December 19, 2013. All COBI correspondence (drafted, received, or copied) between Doug Schulze and Meghan McKnight from September 1, 2013 to December 19, 2013. Copies of the 2013 COBI Investigation Report regarding the COBI Planning Department staff, including all draft copies sent to or received by COBI management staff. All correspondence sent to or received by COBI management/staff regarding the 2013 COBI Investigation Report. All employment records for Joshua Machen which reflect his attendance or absence with COBI employment on December 3, 2013, including all correspondence sent from or received by Joshua Machen requesting time off from COBI employment on December 3, 2013, including all correspondence sent from or received by Joshua Machen regarding Joshua Machen's employment at a physical location other than 280 Madison Avenue, Bainbridge Island, WA. All COBI electronic correspondence, hard copy correspondence or phone notes/memorandum drafted, sent, received or copied between Doug Schulze and any COBI Municipal Court staff between December 1, 2013 and December 19, 2013. |
| 130217 | Gerlach, Marcus and Suzi | 3/4/2013   | MDNS for Open Water Marina                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 130308 | Gerlach, Marcus and Suzi | 4/1/2013   | <p>All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 15335. All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 14272. All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, Heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 17439.</p>  |
| 130308 | Gerlach, Marcus and Suzi | 4/1/2013   | <p>All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, Heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 17976. All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 12757. All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead at Rockaway Beach.</p> |

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| 130308 | Gerlach, Marcus and Suzi | 4/1/2013   | All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 17993. All email/correspondence which was exchanged (sent to; received from; and copied between) any employee of COBI, including but not limited to Joshua Machen, Ryan Ericson, Kathy Cook, Heather Beckmann and any employee of National Marine and Fisheries Service regarding the application for a bulkhead under SSDP 13500B.                                                                                                                                                                                                                                           |
| 130380 | Gerlach, Marcus and Suzi | 4/26/2013  | All email/correspondence which was exchanged between any employee of COBI that references the Staff Report for SSDP 13500. All drafts, copies or versions of the Staff Report which was exchanged between any employee of COBI that was used in the creation of the staff report or used as part of the final version of the staff report for SSDP 13500. All email/correspondence which was exchanged between any employee of COBI and any outside participants who assisted, aided or directed in the drafting of the staff report for SSDP 13500. All email/correspondence between any employee of COBI and Washington State Department of Ecology regarding the drafting of the staff report for SSDP 13500. A copy of the COBI Planning Commission's Oath of Office. All COBI files where Maradel Gale has provided a written recommendation on any Shoreline Substantial Development Permit. |

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| 130455 | Gerlach, Marcus and Suzi | 5/21/2013  | <p>All documents, which identify or describe COBI's policies and procedures (including but not limited to COBI ordinances) for obtaining the name/contact information of any individual who requests a COBI building development file, even if only for review at the COBI planning counter. This information should include, but not be limited to the Public Records Request (PRR) forms, authors of the PRR forms, required/mandatory information and all exceptions from completing PRR forms. This record request should also include all COBI rules, policies, or procedures for COBI staff, when reviewing and copying documents for anyone requesting any Public Records held by COBI. All documents, including letters, memos, drafts, copies, comments, complaints, photographs, correspondence to/from COBI and Bruce Woolever, which pertains to Marcus Gerlach/Suzanne Gerlach, 579 Stetson Place, or SSDP 13500, from January 1, 2004 to May 20, 2013.</p>                                                                                |
| 130455 | Gerlach, Marcus and Suzi | 5/21/2013  | <p>All PRR (completed or not) forms from Bruce Woolever to COBI from January 1, 2004 to May 20, 2013 regarding any COBI files, including but not limited to files for construction, SSDE, SSDP and SCUP. All documents, receipts, invoices, photographs and correspondence to/from COBI planning department employees and Bruce Woolever, or Toilsome Construction employees, from January 1, 2012 to May 20, 2013. All documents, notes, messages, memorandums, photographs, email/correspondence that was exchanged (sent to; received from; and copied), between any employee/agent of COBI and Bruce Woolever, from January 1, 2012 and May 20, 2013. All COBI building files, permits/applications, including but not limited to construction permits, SSDE, SSDP and SCUP for property owned by Anne Blair, located at 16550 Agate Point Road. All COBI building files, permits/applications, including but not limited to construction permits, SSDE, SSDP and SCUP for property owned by Cedar Lane LLC, located at 16550 Agate Point Road.</p> |

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| 130455 | Gerlach, Marcus and Suzi | 5/21/2013  | All COBI building files, permits/applications, including but not limited to construction permits, SSDE, SSDP and SCUP for property owned by Cedar Lane LLC, located at 16550 Agate Point Road. All permits in COBI's possession, custody or control for the bulkhead on 16500 Agate Point Road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130463 | Gerlach, Marcus and Suzi | 5/28/2013  | Campbell SSDP 15063 file; any comments from NOAH or a Planning Commissioner on the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130407 | Gerlach, Marcus and Suzi | 5/3/2013   | Gary Gramstad or Debbie Flecher business license                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 130549 | Gerlach, Marcus and Suzi | 6/28/2013  | Copies of all COBI citations issued by the COBI Code Enforcement Officer, Meghan McKnight, from July 1, 2008 through March 30, 2013. All copies of all COBI correspondence drafted by COBI's Code Enforcement Officer, Meghan McKnight, which correspond to the COBI citations identified in request #1. Copies of the COBI citations issued by COBI's Code Enforcement Officer, William Peddy.                                                                                                                                                                                                                                                                                                                                                                 |
| 130550 | Gerlach, Marcus and Suzi | 6/28/2013  | All documents, letters, memorandums, and notes (including, but not limited to electronic correspondence from Meghan McKnight to COBI from April 17, 2013 to the present. All documents, letters, memorandums and notes (including, but not limited to electronic correspondence) from COBI staff to Meghan McKnight from April 17, 2013 to the present. All COBI business licenses regarding the professional consultation services of Meghan McKnight, or Meghan McKnight. Copies of all COBI business licenses for Toilsome Construction, or Bruce Woolever.                                                                                                                                                                                                  |
| 130599 | Gerlach, Marcus and Suzi | 7/18/2013  | All COBI correspondence/documents/writings drafted by, or sent to, any employee of COBI (including but not limited to correspondence between Joshua Machen and Douglas Schulze) which reference washing/cleaning of windows at any residence on Woodson Lane, or Lynwood Center, between January 1, 2013 and July 10, 2013. All permit applications, permit documents and permit authorizations (including but not limited to, the construction of a retaining wall between the residence and Eagle Harbor) for the property located at 401 Lovell Avenue between January 1, 2011 and July 10, 2013. All permit applications, permit documents and permit authorizations for the property located at 418 Wood Avenue between January 1, 2012 and July 10, 2013. |



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| 130708 | Gerlach, Marcus and Suzi | 8/27/2013  | All COBI correspondence/documents/writings drafted by, or sent to, COBI employee Mark Core, between June 1, 2013 and August 26, 2013                                                                                                                                                                                                                                           |
| 130730 | Gerlach, Marcus and Suzi | 9/9/2013   | Island Gateway memo dated January 21, 2010                                                                                                                                                                                                                                                                                                                                     |
| 130411 | Gilpin, Sharon           | 5/7/2013   | RFP for Friends of the Farm Lease                                                                                                                                                                                                                                                                                                                                              |
| 130571 | Gilpin, Sharon           | 7/9/2013   | List of individuals and groups who donated money for the work on the Waypoint Park, and all amounts donated by said individuals and groups                                                                                                                                                                                                                                     |
| 131064 | Grinter, John            | 11/12/2013 | Brewer settlement                                                                                                                                                                                                                                                                                                                                                              |
| 130520 | Gustafson, Emily         | 6/24/2013  | Vouchers, compensation or paperwork relating to Meghan McKnight and COBI v Radtke                                                                                                                                                                                                                                                                                              |
| 131132 | Hagstromer, Claes        | 11/26/2013 | LTAC Applications                                                                                                                                                                                                                                                                                                                                                              |
| 130447 | Hanna, Stephanie         | 5/20/2013  | All correspondence and records of interaction regarding our property at 10658 NE Valley Road, Bainbridge Island, WA. This would include but not be limited to all written correspondence, e-mails received, meetings arranged by telephone or personal contact with any member of COBI staff by on the subject of our property by individuals other than the property owners.  |
| 130386 | Haugan, Richard (Dick)   | 4/29/2013  | <ol style="list-style-type: none"> <li>1. SMP Expenses thus far including salaries and outside expenses.</li> <li>2. In the North Ward meeting Anne said 15,000 hours have been spent. I need to know how that is derived.</li> <li>3. Written correspondence in conjunction with the SMP from and to those staff people directly involved especially Ryan Ericson.</li> </ol> |
| 130704 | Haugan, Richard (Dick)   | 8/26/2013  | <p>I need a summary of all time (staff time) and expense (probably mostly legal or other outside expense) for:</p> <p>Blakely Harbor Dock Ban Litigation</p>                                                                                                                                                                                                                   |
| 130705 | Haugan, Richard (Dick)   | 8/27/2013  | A list of water and sewer customers with parcel numbers                                                                                                                                                                                                                                                                                                                        |
| 131085 | Hendrickson, Kim         | 11/14/2013 | Which BIPD reserve officers were paid from January 2011 to July of 2013, and the dates and amounts of compensation                                                                                                                                                                                                                                                             |
| 130162 | Hendrickson, Kim         | 2/13/2013  | Police officer appeal                                                                                                                                                                                                                                                                                                                                                          |

| PRR#   | CUSTOMER          | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 130164 | Hendrickson, Kim  | 2/14/2013  | Weiss decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130256 | Hendrickson, Kim  | 3/18/2013  | Debbie Lester ethics complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130459 | Hendrickson, Kim  | 5/23/2013  | Any written policy or guidance that exists, other than GOM chapter 25 and BIMC 2.24, controlling the BIPD's use of reserves? If there are emails dating from 2010 that contain instructions about reserve use I would appreciate seeing those too (please note: I am looking for emails about reserve policies and practice, not emails discussing any particular reserve officer). Any master content, provided by Lexipol to the BIPD, about the use of reserve officers.                                                                                              |
| 130588 | Hendrickson, Kim  | 7/16/2013  | Application for Mr. Alek to the Civil Service Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130690 | Hendrickson, Kim  | 8/21/2013  | Fortner/Paulson filing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130639 | Hendrickson, Kim  | 8/6/2013   | Pendleton Report on 8-7 agenda                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130778 | Hendrickson, Kim  | 9/26/2013  | Could you let me know what the rules are around a public records request for video/audio from our officers' recording devices? Does a request to review audio/video need to be tied to a specific complaint? ) Is audio/video deleted after a certain period of time? If there is Guild contract language related to this issue, and that language is covered by the PRA, I'd like to see that too.                                                                                                                                                                      |
| 130849 | Henry, Chris      | 10/16/2013 | <p>City manager, salary (total), benefits (total, with breakdown of what those benefits are; seems like the current city manager contract would address this.</p> <p>Does the City Manager have an executive assistant, if so total salary and benefits, please. If there is another staff members whose job is partly to fulfill the duties of assistant to the city manager, I would like that information.</p> <p>Last, I would like an itemized break-down of costs associated with hiring BI's current city manager. Search firm contract, moving costs, other?</p> |
| 130395 | Henry, Dave       | 4/15/2013  | Ethics Agenda                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130909 | Holcomb, Byron    | 10/21/2013 | Comcast agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130963 | Humbert, Jonathan | 10/24/2013 | Webster v BISD police reports                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130166 | Johnson, Sandi    | 2/14/2013  | List of Building Permits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| 131097 | Julian, Mark    | 11/19/2013 | All emails and correspondence between the Planning Department and Thomas or Karen Hamilton or Diversified Home Consulting regarding 5967 or 5961 Rose Loop from 1-1-13 to today.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 131098 | Julian, Mark    | 11/19/2013 | All emails and correspondence between the Planning Department and Thomas or Karen Hamilton or Diversified Home Consulting regarding preapplication or any and all aspects of RUE 12063, SSDE 12063 from 1-1-13 to today.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130033 | Kanter, Jeff    | 1/10/2013  | Documents which detail the following items on page 99 of the 2013 budget (Section 4, Revenues and expenses) as follows: professional services \$248, 550, other services \$334,773; intergovernment services \$212,692.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 131062 | Kanter, Jeff    | 11/12/2013 | 3rd quarter results for utility funds                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130824 | Keenan, Melanie | 10/7/2013  | <p>Please provide the date, EPA author, a copy, and link to the EPA report presented at the Bainbridge Island City Council public meeting referenced by the Kitsap Sun.</p> <p>"The concerns about the toxicity were alleviated based on the report by the EPA (Environmental Protection Agency) that showed very low levels, almost non-reportable."</p> <p>Please make information available since this referenced reporting contradicts the latest required 2nd five-year reporting by CH2M Hill dated December 2012 paid for by taxpayers.</p> <p>Please explain the obvious discrepancies in "safety requirements" of the site listed as a hazardous waste site, ranked 1 with the DOE.</p> |

| PRR#   | CUSTOMER        | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 130358 | Keenan, Melanie | 4/18/2013  | <p>Please send me a copy or link to the Frankenstein 2000 report referenced in your recent Murden Cove Watershed nutrient and bacteria project document. Please also send a copy or link to Ecology's 2008 Water Quality Assessment, both are referenced on p. 2 of the document enclosed.</p> <p>Are you aware of any other studies previously done for Murden Cove? Did the University of Washington participate in any studies associated with this estuary previously?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130372 | Keenan, Melanie | 4/23/2013  | <p>Please provide copies of the grant application and other materials used to develop funding for this new Murden Cove study, including resources from -Health District - Ecology -University of Washington and others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130430 | Keenan, Melanie | 5/14/2013  | <p>Please provided public records documenting the following inquiries.</p> <ol style="list-style-type: none"> <li>1. What is the City of Bainbridge Island's (COBI) costs for membership to the ICLEI group annually?</li> </ol> <p>ICLEI - Local Governments for Sustainability, founded in 1990 as the International Council for Local Environmental Initiatives, is an international association of local governments and national and regional local government organizations that have made a commitment to sustainable development. COBI is a current member.</p> <ol style="list-style-type: none"> <li>2. What other costs associated with ICLEI membership and participation has COBI incurred for the last 3 years (broken out by year)? Example, seminars, publications, and other materials and assistance provided by the international organization?</li> <li>3. When did COBI become a member?</li> <li>4. Was membership a result of a council decision/vote?</li> </ol> |

| PRR#   | CUSTOMER        | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 130443 | Keenan, Melanie | 5/20/2013  | Documents relating to proposed dog park at Vincent Road                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130449 | Keenan, Melanie | 5/20/2013  | send me a copy of the Engineering Design Report for the Bainbridge Island Vincent Road Landfill                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130461 | Keenan, Melanie | 5/23/2013  | Please provide the Permits, Environmental Studies, Groundwater Monitoring, and Surface Mining Reclamation Plan required by Department of Natural Resources (DNR) for the Triangle Pit sand mining operations that has resumed on Bainbridge Island.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130489 | Keenan, Melanie | 6/7/2013   | <p>Please provide emails from the following concerning all communications, as well as business associated with the city water utility and the possible management by KPUD for the last 2 weeks. May 23, - June 6, 2013.</p> <p>           Bob Scales<br/>           Kirsten Hytopoulos<br/>           Anne Blair<br/>           Andy Maron<br/>           Sallie Maron<br/>           Council Candidate Bob Bosserman<br/>           Erika Shriner<br/>           Bob Fortner<br/>           Nancy Fortner<br/>           Gloria Sayler<br/>           Randal Samstag<br/>           Dan Mallove<br/>           Althea Paulson<br/>           Brian Kelly of the Bainbridge Island Review<br/>           Richard Oxley of the Bainbridge Island Review<br/>           Council Candidate Val Tollefson<br/>           Barry Peters<br/>           Doug Shulze<br/>           Christine Brown<br/>           City Attorney         </p> |

| PRR#   | CUSTOMER        | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| 130772 | Keenan, Melanie | 9/20/2013  | <p>Please provide the following:</p> <ul style="list-style-type: none"> <li>- The dates when HDDP Bainbridge Island Municipal code revision business (as identified in the September 20, 2013, notice of Determination of Nonsignificance enclosed below) were published in city council agendas published online.</li> <li>- The dates when HDDP matters were posted in online city council and planning commission agendas and minutes from the origination of the program until today.</li> <li>- The link for public process outlying the proposed revisions to BIMC Sections 2.14.020, 2.16.020Q, 18.09.020, 18.09.030, and 18.36.030 and other changes to the voluntary program in the Bainbridge Island Municipal Code, including becoming part of the City's permanent development regulations.</li> <li>- A link to the completed environmental check list for the Notice of Determination of Nonsignificance for Ordinance 2013-25.</li> <li>- Identify the name and location of all HDDP projects approved and the date approved for Bainbridge Island.</li> <li>- Identify HDDP projects under consideration with COBI.</li> </ul> |
| 130044 | Kelly, Brian    | 1/14/2013  | Copy of the contract for SGR for conducting the police chief search, and the submittals from other firms that responded to the RFP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130001 | Kelly, Brian    | 1/2/2013   | Any document that shows the current status of Bainbridge Police Officer Scott Weiss. Is there any change in pay? Also, can you please tell us what his effective salary will be?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130005 | Kelly, Brian    | 1/2/2013   | Request for employee performance evaluations from 2009 through the present for officers Stich and Giuntoli                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130062 | Kelly, Brian    | 1/22/2013  | Copy of Invoice #181766                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130075 | Kelly, Brian    | 1/23/2013  | City Manager's latest report to Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130013 | Kelly, Brian    | 1/8/2013   | Any letters from code enforcement to Bainbridge organizations, individuals or businesses related to sign issues, and responses to those letters, for the time span of Dec. 1, 2012 through Jan. 7, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



| PRR#   | CUSTOMER     | DATE REC'D | TOPIC                                                                                                                                               |
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| 130029 | Kelly, Brian | 1/9/2013   | Request for the letters of support that Sue Shultz provided to the city manager prior to her resignation. I believe there are 50 or so.             |
| 130839 | Kelly, Brian | 10/11/2013 | Copy of any applications for marijuana related businesses, and any city responses, over the past two months                                         |
| 130843 | Kelly, Brian | 10/14/2013 | Copy of the letter Kim Hendrickson submitted to the Civil Service Commission that was discussed at their last meeting.                              |
| 130846 | Kelly, Brian | 10/14/2013 | Copy of the petition to PERC regarding the police union                                                                                             |
| 130959 | Kelly, Brian | 10/23/2013 | Public record requests from Richard Haugan                                                                                                          |
| 130975 | Kelly, Brian | 10/28/2013 | Copy of the employment contract/job offer for Barry Loveless                                                                                        |
| 130979 | Kelly, Brian | 10/28/2013 | Results of Gary Tripp's request for Council emails.                                                                                                 |
| 130819 | Kelly, Brian | 10/7/2013  | Copy of Gary Tripp's public record request                                                                                                          |
| 131089 | Kelly, Brian | 11/15/2013 | Any draft versions of the planning commission's findings for the Visconsi shopping center.                                                          |
|        |              |            | We are also requesting any emails or other communications between planning commissioners and city staff re: the findings that were adopted Thursday |
| 131100 | Kelly, Brian | 11/19/2013 | Legal brief filed by Summit law in Paulson matter.                                                                                                  |
| 131227 | Kelly, Brian | 12/19/2013 | Can we get the staff report/findings for both Harrison and T&C                                                                                      |
| 130130 | Kelly, Brian | 2/11/2013  | Invoices from Summit Law that have come in since our last request                                                                                   |
| 130132 | Kelly, Brian | 2/11/2013  | Appeal on Civil Service agenda                                                                                                                      |
| 130136 | Kelly, Brian | 2/11/2013  | Police Dept monthly crime statistics as far back as they go.                                                                                        |
| 130188 | Kelly, Brian | 2/21/2013  | WASPC report                                                                                                                                        |
| 130189 | Kelly, Brian | 2/21/2013  | Weiss hearing transcript                                                                                                                            |
| 130205 | Kelly, Brian | 2/26/2013  | Scott Weiss Exhibits G31-G40                                                                                                                        |
| 130210 | Kelly, Brian | 2/28/2013  | Guild contract proposal                                                                                                                             |
| 130110 | Kelly, Brian | 2/5/2013   | City Manager's Report                                                                                                                               |
| 130247 | Kelly, Brian | 3/1/2013   | Any letters on the SMP that have been sent to the city council within the past week                                                                 |
| 130259 | Kelly, Brian | 3/20/2013  | Emails sent to the Police Department following the gun round-up.                                                                                    |

| PRR#   | CUSTOMER     | DATE REC'D | TOPIC                                                                                                                                                                                                                                                        |
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| 130269 | Kelly, Brian | 3/22/2013  | Does the City keep any mooring records? I am trying to find out if a boat named "Grumpy" was moored in Eagle Harbor.                                                                                                                                         |
| 130270 | Kelly, Brian | 3/22/2013  | Copies of response to Feb. 26 request from K. Rubenstein, Feb. 20 request from J. Rothnell and Jan. 17 request from H. Walker. Also, Weiss's back pay amount.                                                                                                |
| 130279 | Kelly, Brian | 3/26/2013  | List of people on the Police Chief citizen interview panel and their applications.                                                                                                                                                                           |
| 130235 | Kelly, Brian | 3/8/2013   | Draft LEMAP report; last installment of anonymous citizen's request and California address.                                                                                                                                                                  |
| 130340 | Kelly, Brian | 4/12/2013  | An estimate of the time/cost spent by the City on responding to Cindy Anderson public records requests during the past two years and the number of documents provided.                                                                                       |
| 130311 | Kelly, Brian | 4/2/2013   | Stage 1 and Stage 2 media searches by SGR for the five Police finalists.                                                                                                                                                                                     |
| 130363 | Kelly, Brian | 4/22/2013  | Pendleton invoices/report                                                                                                                                                                                                                                    |
| 130364 | Kelly, Brian | 4/22/2013  | Ogden Murphy invoices                                                                                                                                                                                                                                        |
| 130392 | Kelly, Brian | 5/1/2013   | New police chief contract                                                                                                                                                                                                                                    |
| 130424 | Kelly, Brian | 5/13/2013  | Draft and final separation agreement for Lance Newkirk                                                                                                                                                                                                       |
| 130400 | Kelly, Brian | 5/2/2013   | Pendleton Report and any documents that reflect any disciplinary actions within the police department that are currently in grievance proceedings.                                                                                                           |
| 130444 | Kelly, Brian | 5/20/2013  | Pendleton invoices                                                                                                                                                                                                                                           |
| 130457 | Kelly, Brian | 5/22/2013  | I would like a copy of the Pendleton report, and also the Gaunt decision on the Weiss records issue                                                                                                                                                          |
| 130465 | Kelly, Brian | 5/28/2013  | Pendleton's contract                                                                                                                                                                                                                                         |
| 130491 | Kelly, Brian | 6/10/2013  | This is a request for any emails, for the time period of May 20, 2013 through June 9, 2013, that were sent:<br><br>Between city council members;<br><br>Between city council members and city staff;<br><br>And between city council members and the public. |
| 130502 | Kelly, Brian | 6/13/2013  | Any records between the city and its new interim public works director, including contract, job offer, etc                                                                                                                                                   |
| 130551 | Kelly, Brian | 7/1/2013   | Summit Law Invoices                                                                                                                                                                                                                                          |

| PRR#   | CUSTOMER     | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| 130563 | Kelly, Brian | 7/8/2013   | <p>A copy of the attorney invoices that are listed in the warrants for this week's council meeting.</p> <p>Also, I would like to request the last four performance evaluations completed for Lance Newkirk</p>                                                                                                                                                                                                                                                              |
| 130655 | Kelly, Brian | 8/12/2013  | Any email[s] that the city manager sent to employees or Mr. Pendleton in relation or response to the email from Lt. Day that you sent to me                                                                                                                                                                                                                                                                                                                                 |
| 130656 | Kelly, Brian | 8/12/2013  | Judge Carruther's contract                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130658 | Kelly, Brian | 8/12/2013  | SGR contract for Public Works Director search                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130623 | Kelly, Brian | 8/2/2013   | Request from Debbie Vann for two reports [you responded on 9-28-12 and provided them both] and I was hoping you would be able to forward those to us.                                                                                                                                                                                                                                                                                                                       |
| 130624 | Kelly, Brian | 8/2/2013   | A written response document that the BIPD prepared after the LEMAP report was complete                                                                                                                                                                                                                                                                                                                                                                                      |
| 130698 | Kelly, Brian | 8/23/2013  | Lt Bob Day corrective email                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130700 | Kelly, Brian | 8/23/2013  | Any documents relating to an application for a business license for a medical marijuana business                                                                                                                                                                                                                                                                                                                                                                            |
| 130709 | Kelly, Brian | 8/28/2013  | Draft minutes Harbor Commission, July 2013                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130646 | Kelly, Brian | 8/8/2013   | <p>This is a request for Pendleton's final invoices [if submitted] and a few items mentioned in his report that the city may have provided:</p> <p>44 page summary of numerous allegations of abuse by police officers to include specific details of incidents and related processes.</p> <p>Memo: Lieutenants Expectations: 2009</p> <p>Framework for 2012-2020 Police Department Strategic Plan</p> <p>Policy compliance audit of all police performance evaluations</p> |
| 130654 | Kelly, Brian | 8/9/2013   | Pendleton Invoices                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130763 | Kelly, Brian | 9/19/2013  | Application materials for the candidates for the planning commission vacancies that were decided last night                                                                                                                                                                                                                                                                                                                                                                 |
| 130773 | Kelly, Brian | 9/20/2013  | Copy of public records request for all code enforcement actions.                                                                                                                                                                                                                                                                                                                                                                                                            |

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| 130727 | Kelly, Brian           | 9/5/2013   | Responses to Paulson and Fortner public record requests,                                                                                                                                                                                                                                               |
| 130232 | King, Robert           | 3/8/2013   | List of tax parcels that have code enforcement pertaining to critical areas from January 1, 2012 to March 8, 2013                                                                                                                                                                                      |
| 130914 | Kirkwood, Richard      | 10/21/2013 | Pendleton staff report                                                                                                                                                                                                                                                                                 |
| 130807 | Knickenbocker, Harry   | 10/2/2013  | List of permits for private mooring buoys in Eagle Harbor                                                                                                                                                                                                                                              |
| 130831 | Kriner, Kerry          | 10/9/2013  | Background information on Table 18.12.040 of zoning code                                                                                                                                                                                                                                               |
| 131024 | Kroah Hartman, Shannon | 10/31/2013 | All documents related to the property being developed next to 5155 Rose Avenue                                                                                                                                                                                                                         |
| 130179 | Lane, Sarah            | 2/19/2013  | Scott Weiss arbitration decision; amount of back pay; amount paid by City for arbitration.                                                                                                                                                                                                             |
| 130660 | Lane, Sarah            | 8/12/2013  | Lt. Day email referenced in the Pendleton Report.                                                                                                                                                                                                                                                      |
| 130084 | LastNameUnknown, Robin | 1/29/2013  | Copy of "For Hire" records for year 2012-2013                                                                                                                                                                                                                                                          |
| 130648 | Lawrence Grant, Marti  | 7/29/2013  | Any correspondence or paperwork on Westside Pizza requesting permission to lease the old Pizza Factory Building.                                                                                                                                                                                       |
| 130074 | Mackin, Andrea         | 1/23/2013  | Q3 Sales Tax 2012                                                                                                                                                                                                                                                                                      |
| 130791 | Mallove, Daniel        | 9/26/2013  | Emails in their native format with all metadata provided in Paulson and Fortner responses.                                                                                                                                                                                                             |
| 130484 | Mari, Luke             | 6/5/2013   | The proponent application files and any Council documents related to the Grow Community                                                                                                                                                                                                                |
| 130712 | Mauer, Michael         | 8/29/2013  | Copy of code enforcement complaint                                                                                                                                                                                                                                                                     |
| 131122 | McDermott, James       | 11/25/2013 | Permit records and Property history for the Winslow Wharf Marina, especially those older records, prior to 2000, ideally between 1975 and 2000, but I would also love to see older permits related to the commercial operations at this Property:<br><br>141 and 133 Parfitt Way SW, Bainbridge Island |

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| 130361 | McGonagle, William | 4/22/2013  | <p>1. All correspondence and e-mails between the employees of the City of Bainbridge Island and Neil or Beth Rabinowitz, including any memoranda, notes, records, reports of meetings or phone calls with Neil or Beth Rabinowitz, and any and all internal reports, records or memoranda of the Department of Planning and Community Development and the Mayor, City Counsel members and staff personnel of the City of Bainbridge Island, involving complaints lodged against William S. McGonagle or Sara L. McGonagle, or concerns involving the use, drainage, grading or development of the McGonagle property located at 2615 Toe Jam Hill Road, including any and all correspondence and communication regarding any negotiations or allegations about the McGonagles' adverse interest claim against the City of Bainbridge Island, which was settled in May 2011.</p> <p>2. Copies of any requests for records made by Neil or Beth Rabinowitz to the City of Bainbridge Island.</p> <p>This public records request should include all materials described herein from September 2008 to the present.</p> |
| 130370 | McKelvey, Denise   | 4/23/2013  | PSE-COBI current franchise agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 130371 | McKelvey, Denise   | 4/23/2013  | Puget Sound Energy's right-of-way permit #CP-12-85, together with attached plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 130793 | Meyer, Linda       | 9/26/2013  | Copy of the permit/license for operating/hosting concerts at the Island Music Guild on Bainbridge Island                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130601 | Michael, Kathy     | 7/19/2013  | <p>Requesting, copy of City of Bainbridge Island's Lodging Tax funding for 2013. Looking specifically for a breakdown of recipients and the individual designated dollar mounts.</p> <p>Also, if you know the amount of funding/revenues being considered for 2014 disbursement would appreciate that estimated dollar amount.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130081 | Milton, Marijane   | 1/25/2013  | I would like to know who filed the complaint about the Little league signs. I would also like to know what the process is with the city to file a complaint so political signs have the same restrictions private signs have - so they cannot use public land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 130747 | Neal, Lisa       | 9/16/2013  | <p>All documents in existence (regardless of when they were created) regarding plans to alter, repair, remove, or add any structure, landmass, or vegetation from the Road End. This will include all site plans, building plans, road work plans, permit requests, compliance with the Americans with Disability Act information regarding any planned alterations to the site, environmental studies conducted regarding the site, including any EIS, legal opinions regarding planned work at the site, including any opinions that compliance with state or federal requirements regarding shorelines, waterways, roadways, or buildings need not be complied with or have been complied with, cost estimates, bid requests, emails among the City and any Road End Committee member regarding the Road End, submissions by the public or other owners regarding the Road End.</p> <p>All documentation regarding required notice to property owners reliant upon this right of way regarding proposed changes to the right of way.</p> <p>All documentation regarding required public hearings regarding the proposed land use action.</p> <p>All documentation regarding required compliance with city, county, state and federal statutes and regulations regarding new structures, artificial changes to shorelines, and impacts upon navigable waters.</p> |
| 130060 | Neumann, Colleen | 1/17/2013  | <p>Please provide the 2012 year end total for NEW CONSTRUCTION building permits in the following categories.</p> <p>Single Family Residential (If you have a separate category for Manufactured Homes, please include that number)<br/>Multifamily Residential (# of permits AND # of Units)<br/>Commercial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130627 | Nguyen, Susan    | 8/5/2013   | A copy of the selected vendor proposal for the City of Bainbridge Website redesign project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130048 | Nordby, Lynn     | 1/15/2013  | Examples of agreements or easements that can be recorded against a piece of property to restrict future development or protect sensitive areas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130262 | Nordby, Lynn     | 3/21/2013  | Examples of debt collection letters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 131145 | O'Connor, Peter  | 12/6/2013  | Copy of all complaints to the City of Bainbridge Island regarding the Heyday Farms on Old Mill Road and McDonald Ave                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



| PRR#   | CUSTOMER       | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                 |
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| 130674 | Oliver, Rex    | 8/15/2013  | Report egarding the listing of businesses licensed to do business on Bainbridge                                                                                                                                                                                                       |
| 130052 | Oxley, Richard | 1/16/2013  | Request any records of a complaint made about the Coyote Farm in regard to the dairy, wood working operation or property dispute made within the last year                                                                                                                            |
| 130053 | Oxley, Richard | 1/16/2013  | Copy of any statistics on Bainbridge Island. Any numbers such as current population, employment rates, household income, home values, etc.?                                                                                                                                           |
| 130175 | Oxley, Richard | 2/19/2013  | Any documentation regarding the arbitration result of Officer Scott Weiss                                                                                                                                                                                                             |
| 130182 | Oxley, Richard | 2/19/2013  | Can you tell me what this payment was for, listed on the payroll check run for April 19 from the last council meeting?<br><br>"Misc check run - Wiess leave repay \$4,611.45."                                                                                                        |
| 130112 | Oxley, Richard | 2/6/2013   | Staff analysis of the proposals for water utility management                                                                                                                                                                                                                          |
| 130123 | Oxley, Richard | 2/7/2013   | Letter of intent that PSE/Sustainable Bainbridge emailed to the city regarding the Green Power Challenge                                                                                                                                                                              |
| 130124 | Oxley, Richard | 2/7/2013   | I would like to request the letter that Dennis Reynolds sent to the city in regard to shoreline properties.<br><br>I would also like to request a copy of the letter that the Pacific Coast Shellfish Growers Association sent to the city in regard to the Shoreline Master Program. |
| 130249 | Oxley, Richard | 3/14/2013  | A copy of the ethics complaint recently submitted to the city regarding Councilwoman Debbi Lester                                                                                                                                                                                     |
| 130254 | Oxley, Richard | 3/18/2013  | I would like to request a copy of all public request submitted to the city of Bainbridge Island from Dec. 7 to March 15.<br><br>I would also like to request a copy of any claims made to the city of Bainbridge Island from Dec. 7 to March 15.                                      |
| 130257 | Oxley, Richard | 3/18/2013  | Any record of attorney Ryan Vancil working for the city of Bainbridge island ie being paid by the city, or being hired or contracted by the city.                                                                                                                                     |

| PRR#   | CUSTOMER       | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                       |
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| 130357 | Oxley, Richard | 4/18/2013  | I would like to request Cindy Anderson's request for an advisory opinion from the Ethics Board recently submitted to the city                                                                                                                                               |
| 130393 | Oxley, Richard | 5/1/2013   | Any documents involving City Manager Doug Schulze and an agreement with the Chamber of Commerce regarding wifi in downtown Winslow                                                                                                                                          |
| 130428 | Oxley, Richard | 5/13/2013  | Any documents related to city negotiations with KPUD for the management of the city's water utility, such as a draft contract.<br>Unofficial contracts, preliminary drafts, etc. are acceptable                                                                             |
| 130431 | Oxley, Richard | 5/14/2013  | Ethics complaint 3-2013                                                                                                                                                                                                                                                     |
| 130448 | Oxley, Richard | 5/20/2013  | Any online material (sent through email acceptable), regarding the Visconsi development on Highway 305 and High School Road that has been sent to the DRB                                                                                                                   |
| 130460 | Oxley, Richard | 5/23/2013  | A second proposal for the city manager's review was discussed at City Council meeting on Wednesday, May 22. I would like to request that proposal that is separate than SGR's                                                                                               |
| 130414 | Oxley, Richard | 5/8/2013   | Any emails from Rex Oliver to the city within the month of May and April                                                                                                                                                                                                    |
| 130445 | Oxley, Richard | 5/8/2013   | Are there any other portions of the SMP that deal with liveaboards? If so, what sections deal with liveaboards? What changes will be made to liveaboards if the SMP is passed?                                                                                              |
| 130416 | Oxley, Richard | 5/9/2013   | Has the city asks for any opinion or assistance from the state's Department of Ecology regarding law suits against the city over the update to the Shoreline Master Program? If so, I would like to request a copy of the city's request of Ecology, and Ecology's response |
| 130495 | Oxley, Richard | 6/12/2013  | Traffic study - Visconsi                                                                                                                                                                                                                                                    |
| 130496 | Oxley, Richard | 6/12/2013  | How much revenue did the water utility take in last year?<br><br>What is the current rate schedule for the water utility?                                                                                                                                                   |

| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                   |
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| 130498 | Oxley, Richard     | 6/13/2013  | I would like to request all claims filed with the city since March 2013.<br><br>I would also like to request a record of all public records requests submitted to the city since March 2013                                             |
| 130499 | Oxley, Richard     | 6/13/2013  | A request for a settlement agreement — for McNabb lawsuit — that was approved at last week's council meeting. What is the status of that?                                                                                               |
| 130504 | Oxley, Richard     | 6/18/2013  | Water Utility Memo by City Manager                                                                                                                                                                                                      |
| 130529 | Oxley, Richard     | 6/24/2013  | DRAFT ordinance relating to a water utility rate cut that City Manager Doug Schulze has drafted                                                                                                                                         |
| 130479 | Oxley, Richard     | 6/4/2013   | Copies of T&C's remodel pre-app                                                                                                                                                                                                         |
| 130486 | Oxley, Richard     | 6/6/2013   | A copy of Councilman Steve Bonkowski's presentation to the city council on June 5 regarding the water utility                                                                                                                           |
| 130557 | Oxley, Richard     | 7/2/2013   | The 2009 study about a joint fire/police station as referenced by Mayor Bonkowski at the July 1, 2013 council meeting                                                                                                                   |
| 130629 | Oxley, Richard     | 8/5/2013   | The number of permits applied for at the city for shoreline properties, last year, and so far this year. Copies of the permits, or if it is easier, a list of the properties and the type of permits applied for ie bulkhead, dock, etc |
| 130638 | Oxley, Richard     | 8/6/2013   | The forms submitted to the Design Review Board by Town & Country for its meeting on Monday, Aug. 5, such as the DRB Design Guidelines checklist, and other checklists                                                                   |
| 130642 | Oxley, Richard     | 8/7/2013   | Any digitized copies available of T&C remodel plans submitted to the Design Review Board                                                                                                                                                |
| 130644 | Oxley, Richard     | 8/8/2013   | Request any information the city has received about the E City award that Bainbridge Island has received                                                                                                                                |
| 131144 | Palmer III, Robert | 12/5/2013  | All correspondence, including emails on official and “personal” email accounts, to and from the members on the Planning Commission related to SRP/CUP 17734 (Visconsi)                                                                  |
| 130575 | Palmer, Brian      | 7/10/2013  | GIS data request for UW study                                                                                                                                                                                                           |
| 131044 | Palmer, Heather    | 11/4/2013  | Incident Report (roots/city sewer)                                                                                                                                                                                                      |

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| 130057 | Paulson, Althea | 1/17/2013  | <p>I hereby request all records within the meaning of RCW 42.56 et seq, including relevant applications, memos, employee performance reviews, disciplinary or pre-disciplinary activity, union correspondence, appeals/grievances and the like related to the following:</p> <ol style="list-style-type: none"> <li>1. The agreement by Scott Weiss of the Bainbridge Island Police Department to step down as lieutenant and take the position as officer (date unknown).</li> <li>2. The assignment of Officer Weiss to the position of detective, the date of which assignment is unknown to me but, to the best of my knowledge, occurred within the past twelve months.</li> </ol> <p>If the Civil Service Commission was involved in either of the above actions, this request include records of the Commission as well.</p> |
| 130170 | Paulson, Althea | 2/15/2013  | Any records relating to the Scott Weiss discipline and subsequent appeal/hearing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 130172 | Paulson, Althea | 2/15/2013  | <p>All reports, recommendations, supporting documentation and other information given to the City by the WASPC team in connection with its review of the BIPD.</p> <p>I am also hereby requesting all reports, recommendations, supporting documentation and other information given to the City by Pendleton Consulting in connection with that organization's review of the BIPD.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130521 | Paulson, Althea | 6/24/2013  | <p>All emails, memos or other documents or correspondence to or from Arlene Buetow since January of 2009. On August 19, request was narrowed to January 1, 2011 forward.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 130542 | Paulson, Althea | 6/27/2013  | The UAC rules that were adopted on September 10, 2009. I am looking for a copy of them, and any amendments there are--basically what the current version is (I know there was a draft of some revisions but can't tell whether the amendments were passed). I can't find them on the city website. Also I'm trying to find any proposed amendments to the UAC ordinance because there's a reference in the 9/10/09 minutes to an intent to prepare some suggested changes.                                                                                                                                                                                                                                                                                                                                          |
| 130547 | Paulson, Althea | 6/28/2013  | All emails and other records involving the UAC and any of the city's utilities, and any records referencing any city employees, including the City Manager, from May 1, 2013 through today, whether those records are in their private email accounts or otherwise.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130548 | Paulson, Althea | 6/28/2013  | Records relating to Will Patton's OPMA advice to the UAC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 130554 | Paulson, Althea | 6/28/2013  | <p>I note that the city ordinance establishing the UAC (BIMC ch. 2.33 et seq) requires that the committee "shall keep a record of its meetings, findings, transactions and determinations." I hereby request all such records, since October of 2012 to the current date.</p> <p>This request includes all minutes and records of meetings of a majority of UAC members (three or more, under the current five-person voting membership of the UAC) which constitute a quorum under BIMC 2.33.060 as well as the duly adopted UAC rules. Note that under state law, meetings are deemed to take place, in addition to gathering at a physical location, whenever a quorum occurs during a telephonic or email exchange. I would also like to receive copies of any notices filed with respect to such meetings.</p> |

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| 130585 | Paulson, Althea  | 7/15/2013  | <p>I request emails from the city accounts of Debbi Lester, Sarah Blossom, Dave Ward and Steve Bonkowski from Arlene Buetow, for the month of April, 2013. I hereby amend time period of the below request as follows:</p> <p>This request covers the time period from April 1, 2013 through today, 7/12/13. I am looking for three emails.</p> <ol style="list-style-type: none"> <li>1. April 14, 2013 from Arlene Buetow to Dave Ward, Sarah Blossom, Steven Bonkowski and Debbi Lester. Subject line: Ord No 2013-03 Licensing Requirements Applied to HOA's. There is also a memo attached, From Ms. Buetow to Mr. Bonkowski.</li> <li>2. April 15, 2013, from Arlene Buetow to the above four. Subject line: Timing and attachments concerning Ord No 2013-03</li> <li>3. April 23, 2013 from Arlene Buetow to the above four. Subject line: Ord 2013-03 Licensing Requirements Applied to HOA's</li> </ol> |
| 130568 | Paulson, Althea  | 7/8/2013   | Emails from UAC members to Council members between May 20th and June 9th                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130645 | Paulson, Althea  | 8/8/2013   | Pendleton report 8-7 meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130982 | Pearson, Brian   | 10/29/2013 | Employee Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130313 | Peters, Barry    | 4/3/2013   | Please provide to me an Excel spreadsheet, in electronic form, containing all of the email addresses of all people who are on all of the City's public listservs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 130468 | Phan, Amy        | 5/29/2013  | I request access to and copies of traffic studies done on the experimental speed hump on Cave Avenue. I am also requesting to get copies of background information regarding the reason for the speed hump.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 130454 | Purcell, Debra   | 5/21/2013  | <p>I need some information on the Olson Plat, recording # 200806300212:</p> <p>Site Drainage Plan</p> <p>City's formal letter of acceptance of the roads</p> <p>Written confirmation that Hemlock Street is NOT required to be opened up through lot 1 to Lofgren</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 131114 | Rabinowitz, Neil | 11/22/2013 | Documents relating to the McGonagle property                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



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| 130508 | Rabinowitz, Neil | 6/20/2013  | All correspondence between City of Bainbridge and William S. McGonagle between 2006 to the present                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130472 | Rector, Brom     | 5/30/2013  | <p>SmartProcure is submitting a public records request to City of Bainbridge Island for all purchases made from January 1st 2008 to current. Requested information for each purchase includes:</p> <ol style="list-style-type: none"> <li>1. Purchase order number or equivalent</li> <li>2. Date of purchase</li> <li>3. Line item details of the purchase or description of each purchase</li> <li>4. Quantity of each item purchased</li> <li>5. Price of each item purchased</li> <li>6. Vendor ID, name, address, contact person and email</li> </ol>                                                                                                                                              |
| 130608 | Rector, Brom     | 7/23/2013  | <p>For any electronically stored records, which exist for all purchases during a time period of January 1st 2008 to current. If records do not exist there is no expectation to create records. Specifically, please provide any and all electronic records which contain any of the following information within the scope of the request:</p> <ol style="list-style-type: none"> <li>1. Purchase order number or equivalent</li> <li>2. Date of purchase</li> <li>3. Line item details of the purchase or description of each purchase</li> <li>4. Quantity of each item purchased</li> <li>5. Price of each item purchased</li> <li>6. Vendor ID, name, address, contact person and email</li> </ol> |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| 130766 | Rector, Brom     | 9/19/2013  | <p>For any electronically stored records, which exist for all purchases during a time period of 5/1/2013 to current. If records do not exist there is no expectation to create records. Specifically, please provide any and all electronic records which contain any of the following information within the scope of the request:</p> <ol style="list-style-type: none"> <li>1. Purchase order number or equivalent</li> <li>2. Date of purchase</li> <li>3. Line item details of the purchase or description of each purchase</li> <li>4. Quantity of each item purchased</li> <li>5. Price of each item purchased</li> <li>6. Vendor ID, name, address, contact person and email</li> </ol> |
| 131091 | Reynolds, Dennis | 11/18/2013 | Examiner decisions issued since February 26, 1992                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 131047 | Reynolds, Dennis | 11/5/2013  | Copy of a Settlement Agreement for Schilling v. Beasley et al incorporated into the attached hand written Memorandum Settlement. It looks like the case was settled sometime in 2003-2004. This Memorandum of Settlement has a piece of language that says: 7) "The Defendant will not oppose vacation of the right of way." We need the ROW vacation file if the road was vacated.                                                                                                                                                                                                                                                                                                             |
| 130388 | Reynolds, Dennis | 4/30/2013  | Contract that the COBI may have signed in 2007. Other than the City, the parties to the contract include: Charles Trae King, Vicki and Howard Wilburn and Steven V. and Denise Gibbons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130394 | Reynolds, Dennis | 4/30/2013  | Department of Public Works records 1990 to day regarding Gertie Johnson Road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130090 | Rich, Michael    | 1/31/2013  | The winning proposal addressing the Police Chief Recruitment RFQ/P and a copy of the resulting contract. Also evaluator's notes and/or rating sheets on the proposals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130183 | Rothwell, James  | 2/20/2013  | Records re: city attorney evaluation questions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 140092 | Rubenstein, Kim  | 10/16/2013 | <p>Records from the Bainbridge Island Police Department from 2006 to present:</p> <p>*All police reports titled "arson" or "reckless burning."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 130203 | Rubenstein, Kim    | 2/26/2013  | <p>Records for all city employees for fiscal year 2012:</p> <ul style="list-style-type: none"> <li>*Name (Last, first)</li> <li>*Department</li> <li>*Position</li> <li>*Date hired</li> <li>*Date employment ended (if relevant)</li> <li>*Base annual salary</li> <li>*Hourly rate</li> <li>*Overtime</li> <li>*Other compensation (to include special pays that fall outside the parameter of overtime)</li> <li>*Total compensation</li> <li>*Full time or part time</li> <li>*Sum of comp time, holiday and leave payout</li> <li>*Sum of mileage reimbursements</li> <li>*Sum of other travel reimbursements</li> <li>*Town of residence</li> </ul> <p>I would like the information electronically, in Excel or other similar format.</p> |
| 130505 | Rubenstein, Kim    | 6/18/2013  | <p>Copy of:</p> <ul style="list-style-type: none"> <li>*any city email with the words "public works director," "Lance Newkirk," or "Lance" or "Newkirk" in the body of the email sent between Jan. 1, 2013 and April 30, 2013;</li> <li>*any investigations conducted on Lance Newkirk during his employment with the city;</li> <li>*a copy of Lance Newkirk's personnel file.</li> </ul>                                                                                                                                                                                                                                                                                                                                                      |
| 130805 | Sacerdote, Barbara | 10/2/2013  | Resolution No. 2000-45                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130038 | Sayler, Gloria     | 1/10/2013  | City Manager's Power Point 1-9-2013 meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 130006 | Seitz, Barbara     | 1/2/2013   | Copy of complaint CR 2012-002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130007 | Seitz, Barbara     | 1/2/2013   | Copies of PRR# IA 2012-001 and IA 2012-002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130201 | Shelton, Scott     | 2/25/2013  | Taylor Avenue Well Planning Contract - the complete report by Browne Engineering and documents regarding the report by Public Works officials                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 130224 | Shultz, Susan          | 3/5/2013   | An electronic copy of any and all of the letters or memorandums in or not in support of me submitted to Mr. Schulze in connection with the Seabold Investigation and my subsequent resignation                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 131235 | Smart, Procure         | 12/26/2013 | For any electronically stored records, which exist for all purchases during a time period of 8/1/2013 to current. Specifically, please provide any and all electronic records which contain any of the following information within the scope of the request: <ul style="list-style-type: none"> <li>1. Purchase order number or equivalent</li> <li>2. Date of purchase</li> <li>3. Line item details of the purchase or description of each purchase</li> <li>4. Quantity of each item purchased</li> <li>5. Price of each item purchased</li> <li>6. Vendor ID, name, address, contact person and email</li> </ul> |
| 130167 | Sooter, Thaddeus "Tad" | 2/14/2013  | Arbitrator decision regarding discipline against police officer Scott Weiss                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130339 | Sooter, Thaddeus "Tad" | 4/15/2013  | Documents relating to COMP-2013-2 on the Ethics Board agenda                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130433 | Sooter, Thaddeus "Tad" | 5/15/2013  | Complaint 3-2013 (Ethics)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130501 | Sooter, Thaddeus "Tad" | 6/13/2013  | Contract and salary for Chief Hamner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130480 | Sooter, Thaddeus "Tad" | 6/4/2013   | 1. The separation agreement with Lance Newkirk.<br><br>2. The May 9 arbitrator decision in the Weiss/Police Guild case.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130485 | Sooter, Thaddeus "Tad" | 6/5/2013   | Interim PW director contract                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 130734 | Sooter, Thaddeus "Tad" | 9/10/2013  | Written comments on increased flights over Bainbridge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130336 | Stevens, Rod           | 4/4/2013   | Copies of time sheet records showing the dates, hours billed, and names of employees billing time on a request for comprehensive plan amendment and rezone filed by Johnson Squared, project owned by William Moore, and filed under number CPA 16146 and REZ 16146.                                                                                                                                                                                                                                                                                                                                                  |
| 130817 | Suraci, Mike           | 10/4/2013  | Email communications regarding Hitchcock Restaurant's use of the sidewalk                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130754 | Temple, Dee            | 9/17/2013  | Summary of two personal meetings with Mayor Kordonowy and City Manager Bauer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| 130885 | Tripp, Gary | 10/21/2013 | Please provide the city attorney(s) legal takings analysis on draft SMP and any other documents prepared by the City attorney(s) on the SMP or provide a full explanation of the exemption claimed. All emails between the city attorney and other attorneys hired by the city and the city council regarding takings. |
| 130892 | Tripp, Gary | 10/21/2013 | DOE documents including emails to and from DOE from 10/14 until when the search is performed                                                                                                                                                                                                                           |
| 130896 | Tripp, Gary | 10/21/2013 | DOE letter approval and changes the DOE suggests or requires                                                                                                                                                                                                                                                           |
| 130809 | Tripp, Gary | 10/3/2013  | Response to SMP comments received from DOE                                                                                                                                                                                                                                                                             |
| 130810 | Tripp, Gary | 10/3/2013  | Emails from Councilmembers Blair, Hytopoulos and Scales to one another or to any citizen of Bainbridge Island between February 20, 2010 and September 30, 2013                                                                                                                                                         |
| 130811 | Tripp, Gary | 10/3/2013  | Letter from CoBI to DOE for expedited review                                                                                                                                                                                                                                                                           |
| 131025 | Tripp, Gary | 10/31/2013 | PRR for communication and attachments to and from DOE from 10/29 to 11/8                                                                                                                                                                                                                                               |
| 130818 | Tripp, Gary | 10/7/2013  | Ecology's summary of testimony given at the DOE SMP Public Hearing                                                                                                                                                                                                                                                     |
| 130820 | Tripp, Gary | 10/7/2013  | All emails and attachments to and from Ryan Ericson for July, August and September                                                                                                                                                                                                                                     |
| 131158 | Tripp, Gary | 12/11/2013 | Please provide a copy of the following: 1. Agreed Order signed by Mayor Darlene Kordonowy and Ecology on October 16, 2006<br>2. Letter from Ecology dated May 3, 2006,<br>3. letter from the city to Ecology dated May 17, 2006,                                                                                       |
| 131161 | Tripp, Gary | 12/12/2013 | Communications and agreements related to Wyckoff Phase I and II Acquisition Areas                                                                                                                                                                                                                                      |
| 131164 | Tripp, Gary | 12/13/2013 | All communications to and from DOE regarding the SMP from 11/8 through 12/13                                                                                                                                                                                                                                           |
| 130159 | Tripp, Gary | 2/12/2013  | Results of the Waypoint Well Sampling                                                                                                                                                                                                                                                                                  |
| 130260 | Tripp, Gary | 3/20/2013  | Copy of the JARPA permit application to the Army Corp. for Rockaway bulkhead and road work and any correspondence between the City and the Corp. in the last 24 months including emails and letters                                                                                                                    |
| 130294 | Tripp, Gary | 3/29/2013  | Resumes of Police chief finalists                                                                                                                                                                                                                                                                                      |
| 130391 | Tripp, Gary | 4/30/2013  | Oath of office for City Council                                                                                                                                                                                                                                                                                        |

| PRR#   | CUSTOMER    | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|-------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 130420 | Tripp, Gary | 5/13/2013  | <p>This is a PPR for the following</p> <ol style="list-style-type: none"> <li>1. The speaker signup sheet from the SMP Public Hearing on the 8th and</li> <li>2. All emails received by the City Council referencing the SMP from May 1 to May 8</li> <li>3. Email from Ann Blair referencing the SMP from May 1 to May 8</li> </ol>                                                                                                                                                                                  |
| 130436 | Tripp, Gary | 5/15/2013  | BERK consistency analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 130506 | Tripp, Gary | 6/19/2013  | Copy of all buffer easements for waterfront buffers or native vegetation zone required as part of permit in the shoreline district within the last two years                                                                                                                                                                                                                                                                                                                                                          |
| 130619 | Tripp, Gary | 7/30/2013  | <p>I would like to make PRR for information on FOF and FOF subleases</p> <ol style="list-style-type: none"> <li>1. A copy of the RFP for lease of 60 acres of public land</li> <li>2. A copy of the RFP for the subleases of public land</li> <li>3. A copy of all subleases</li> <li>4. A copy of all correspondence with and reports from FOF, FOF managers, any of the lessees, and the City for the 2012 and 2013</li> </ol> <p>I would appreciate if you could provide this in PDF format and email it to me</p> |
| 130680 | Tripp, Gary | 8/19/2013  | <p>Could you please provide me information on business licenses, including nonprofits, on the Island.</p> <p>Specifically, a list in XLS format of all the names, addresses, phone numbers, email addresses and contact information for all business licenses, including nonprofits, on the Island.</p>                                                                                                                                                                                                               |
| 130643 | Tripp, Gary | 8/7/2013   | Shoreline Buffer Easements and restrictions on bulkheads that were a condition of permit and "may" have been recorded on the title of shoreline properties since 1996, the date of current SMP                                                                                                                                                                                                                                                                                                                        |
| 130796 | Tripp, Gary | 9/30/2013  | <p>The DOE received SMP comments on COBI's SMP and then sent those comments or a summary of the comments to COBI for COBI's response.</p> <p>Please provide a copy of what DOE sent to COBI and to which COBI will provide responses</p>                                                                                                                                                                                                                                                                              |



| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| 131066 | Turloff, Eric    | 11/13/2013 | <p>Per the budget website I see<br/> <a href="http://www.bainbridgewa.gov/documents/fin/fin/2013_2014_proposed_budget/2014q4_payroll_allocations_for_2013_and_2014.pdf">http://www.bainbridgewa.gov/documents/fin/fin/2013_2014_proposed_budget/2014q4_payroll_allocations_for_2013_and_2014.pdf</a></p> <p>Can you please send me a copy of the actual excel workbook for the Payroll Allocations?</p>                                                                                                                                                                                                                                                                                                                                                                     |
| 130476 | Turloff, Eric    | 5/31/2013  | <p>Does anyone happen to know how many court filings were processed in 2012?<br/> Also, how many hearing did they have in 2012?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130387 | Twist, Gary      | 4/30/2013  | Fee study RFP information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 130041 | UNKNOWN, CITIZEN | 1/11/2013  | <p>A. Copies of any and all records, documents, etc relating to the issues in a September 21, 2012 email between Larry Dickerson and Morgan Smith. The email was entitled "records issue" and the body of the email spoke about Mr. Dickerson wanting to speak with Morgan Smith about an issue with Barb Seitz and records found in the police chief's office. I would like copies of anything relating to this at all. If Barb Seitz was disciplined or investigated for anything, then I would request those records as well.</p> <p>B. Copies of Susan Shultz's separation agreement, letter of resignation, and the form CJ1902 that the city is required to file with the state criminal justice center following the separation of her employment with the city.</p> |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 130041 | UNKNOWN, CITIZEN | 1/11/2013  | <p>C. Copies of the following police department discipline and IA records;</p> <ol style="list-style-type: none"> <li>1. File# IA-2008-003 dated 3/1/08 for Officer M. Sias. This involves off-duty criminal conduct and apparently resulted in the officer's resignation.</li> <li>2. File# IA-2009-001 dated 12/24/09 for Officer Gilbert. This involves theft/misappropriation and apparently resulted in the officer being suspended and resignation.</li> </ol> <p>2</p> <p>D. Copies of any police department complaint log or IA Master File List that shows any complaint whatsoever being filed, tracked, or logged against Susan Shultz. Copies of any other city tracking system or log that would show such information. I had asked for copies of any complaints that had been filed against Susan Shultz in my original request. However, the city did not do so. The list of complaints I was given did not include any complaints that lead to Susan Shultz's most recent investigation and resignation. According to news articles, the city would have received the complaint months before my original request was filed.</p> |
| 130586 | UNKNOWN, CITIZEN | 7/15/2013  | 2013 business licenses for Cannis Equus and Manzanita Creek Farm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 130606 | UNKNOWN, Jessica | 7/22/2013  | Business licenses of the Chamber of Commerce and Agate Pass Transport                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 131106 | Vancil, Ryan     | 11/20/2013 | BIMC 18.99                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| PRR#   | CUSTOMER     | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 131150 | Vancil, Ryan | 12/10/2013 | <p>This request is for documents and records associated with permits for the following bridge projects:</p> <p>Bridge Project running along the water front West to East along the following tax parcels: 272502-4-161-2001, 272502-4-172-2008, 8119-000-000-0001, and 8056-000-000-0006.</p> <p>Bridge Project (City Water Front Bridge (Ravine)) running West to East across the following tax parcels: 4114-005-001-0003 and 262502-3-112-2004.</p> <p>Bridge Project (Treasure Island) serving the following tax parcel: 4187-000-004-0102.</p> <p>“Documents and records” includes permit files for the listed bridge projects.</p> |
| 131147 | Vancil, Ryan | 12/9/2013  | Copies of any minutes, transcripts or tapes for the City of Bainbridge Island planning commission meetings for: November 14, October 10, and October 24, and a copy of the Planning Commission’s findings and conclusions for the Visconsi Project.                                                                                                                                                                                                                                                                                                                                                                                      |
| 131148 | Vancil, Ryan | 12/9/2013  | Ordinance 2011-02                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 131149 | Vancil, Ryan | 12/9/2013  | <p>This request is for documents and records associated with the City adoption of Land Use Element 1.4 of the Bainbridge Island Comprehensive Plan.</p> <p>“Documents and records” includes reports, meeting minutes, facsimiles, notes, memoranda, photos, e-mails and other correspondence</p>                                                                                                                                                                                                                                                                                                                                         |

|        |                     |           |                                                                                         |
|--------|---------------------|-----------|-----------------------------------------------------------------------------------------|
| 130377 | Vancil, Ryan        | 4/5/2013  | All records and communications related to Ordinance No. 96-02, Baker Hill Road Vacation |
| 130518 | Vann, Debbie        | 6/20/2013 | PW Director job description                                                             |
| 130612 | Vibrans, Jr., Frank | 7/29/2013 | Rowing Club Agreement                                                                   |
| 130223 | Waite, Jeff         | 3/5/2013  | Waterfront Park Plans                                                                   |
| 130412 | Wales, Erika        | 5/7/2013  | Any laws regarding dogs tied up in public places or in right-of-ways                    |
| 130059 | Walker, Hannah      | 1/17/2013 | Summary of instances of crime by location for the City of Bainbridge Island in 2011     |
| 130626 | Warren, William     | 8/5/2013  | Listing of the properties that pay taxes to your office, especially LID payments        |
| 130191 | Weaver, Jodi        | 2/21/2013 | Payment and performance bonds for Tucci & Sons                                          |

| PRR#   | CUSTOMER        | DATE REC'D | TOPIC                                                                                |
|--------|-----------------|------------|--------------------------------------------------------------------------------------|
| 130743 | Weaver, Keri    | 9/12/2013  | Applications and/or approvals for dog boarding kennels” for the past 10 years        |
| 130379 | Webster, Jesse  | 4/15/2013  | Any complaint lodged against, or investigations of, Ever-Green Tree Care, Inc        |
| 130169 | White, Holly    | 2/14/2013  | CC&Rs from Housing Authority sweat equity projects                                   |
| 130093 | Wolfe, Adrienne | 2/1/2013   | Copy of the compliant filed and action taken per the City policy re Rolling Bay Farm |
| 130306 | Wright, Elise   | 4/1/2013   | Shoreline home owners petition                                                       |

## Public Records Requests as of March 25, 2014

| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                   |
|--------|--------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 140000 | McNabb, Darrell    | 1/10/2014  | Files relating to the Pritchard Park West Rip-Rap Shoreline Restoration Project                                                                                                                                                                                         |
| 140001 | Dashiell, Robert   | 1/3/2014   | Copy of the final accounts payable and payroll approval document for 2013.<br><br>Copy of minutes of that document approval process.                                                                                                                                    |
| 140002 | O'Connor, Peter    | 1/2/2014   | Copies of all complaints to the City of Bainbridge Island regarding the Heyday Farms on Old Mill Road and McDonald Ave                                                                                                                                                  |
| 140003 | Peltier, Ron       | 1/6/2014   | Copies of all the surveys you have going back to the 1990s                                                                                                                                                                                                              |
| 140005 | Johnson, Stephen   | 1/3/2014   | PSE utility franchise agreement                                                                                                                                                                                                                                         |
| 140015 | Burnside, Donna    | 1/6/2014   | List of CoBI Business Licenses                                                                                                                                                                                                                                          |
| 140016 | Kelly, Brian       | 1/6/2014   | Invoices (Summit/Ogden)                                                                                                                                                                                                                                                 |
| 140031 | Andrews, Linda     | 1/9/2014   | All records relating to Stonecress                                                                                                                                                                                                                                      |
| 140033 | Lester, Debbi      | 1/10/2014  | Comparable cities report                                                                                                                                                                                                                                                |
| 140035 | Tripp, Gary        | 1/10/2014  | Josh Machen report                                                                                                                                                                                                                                                      |
| 140036 | Datum, Sabine      | 1/10/2014  | Building and planning department records such as building permits, building plans and information on historical use, SEPA documents and any environmental records for 323 NE High School Road                                                                           |
| 140046 | Vann, Debbie       | 1/15/2014  | The 2025 Growth Advisory Committee Final Report                                                                                                                                                                                                                         |
| 140048 | Tripp, Gary        | 1/15/2014  | Please send me a copy of the engagement letter for investigator Claire Cordon and any and all instructions she sent to her, and all emails or letters to and from her and the City Manager, Assistant City Manager, City Attorney or Kathy Cook in the last six months. |
| 140052 | Anderson, Mitchell | 1/16/2014  | BIPD Audio/Video devices policy                                                                                                                                                                                                                                         |

\*Does not include BIPD or Planning Counter Requests

| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|--------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 140055 | Shore, Beryl & Jim | 1/17/2014  | <p>All records from any point in time during the period beginning January 1, 2010 through and including the present, including, but not limited to, emails (including any and all emails on City, personal and/or any other email provider and system), written summaries, memos, written reports, documents, file notes, electronic and written calendars showing appointments, telephone logs of phone calls placed or received, transcriptions of any in-person or telephonic conversations held by any city employees or city elected or appointed officials, and any other documentation regarding any of the following Heyday Farm tax parcels on or accessed through Old Mill Road or adjacent thereto (also referred to by its owners and operators as the Adolf Pederson Farm), Steve Romein, Theilene ("Ty") Cramer, Romerkoff Farms, LLC, Heyday Farms, LLC, Alice Skipton, Craig Skipton, or the Heyday Farm Project on Old Mill Road as currently configured and as modified from time to time, and all amendments, modifications, supplements, and addenda thereto.</p> |



| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 140055 | Shore, Beryl & Jim | 1/17/2014  | Any and all records, including, but not limited to, emails (including n City, personal and/or any other email provider and/or system), written summaries, memos, written reports, documents, file notes, electronic and written calendars showing appointments, telephone logs of phone calls placed or received, transcriptions of any in-person or telephonic conversations held by any city employees or city elected or appointed officials, and any other documentation regarding the development of the Ordinance, including without limit SEPA Environmental Checklists and Threshold Determinations prepared, reviewed and relied on in association with the development of the Ordinance; public comment or any other input on the Ordinance; the potential for or effects on any neighboring residential property as a result of the Ordinance; the Ordinance's consistency with and implementation of the Bainbridge Island Comprehensive Plan; any stated concerns about the Ordinance. |
| 140055 | Shore, Beryl & Jim | 1/17/2014  | All records from any point in time during the period beginning January 1, 2010 through and including the present, regarding any and all formal or informal complaints about Heyday Farm on McDonald Avenue, including but not limited to, emails (including on City, personal and/or any other email provider and/or system), written summaries, memos, written reports, documents, file notes, electronic and written calendars showing appointments, telephone logs of phone calls placed or received, transcriptions of any in-person or telephonic conversations held by any city employees or city electted or appointed officials, and any other documentation.                                                                                                                                                                                                                                                                                                                               |

| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------|--------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 140055 | Shore, Beryl & Jim | 1/17/2014  | For the period beginning January 1, 2012 through and including the present, all letters of support for HeyDay Farm submitted to the City by any citizens of, or organizations from, Bainbridge Island related to commercial and/or agricultural activities conducted by Heyday Farm LLC on and adjacent to Old Mill Road . This includes all correspondence, emails (including on City, personal and/or other email provider and/or system), written summaries, memos, written reports, or any other documents written or submitted by anyone (individual or organization) in support of any such commercial and/or agricultural activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 140055 | Shore, Beryl & Jim | 1/17/2014  | Any and all records, as defined above, pertaining to the following: any representations made to the City about intended uses of any of the above-referenced properties, including, without limitation, commercial uses; any inquiries made to the City and responses thereto; proposals, requests and/or applications for approval to conduct agricultural activities (including any accessory uses); proposals, requests, and/or applications for approval to conduct tourism or agritourism activities (including any accessory uses); permits, authorizations, and approvals issued; reports, studies, narratives, analyses, and all other documents related to critical areas review related to the development of Heyday Farm on the parcels described above, any and all SEPA environmental checklists, SEPA threshold determinations, reports, studies, narratives, public and legal notices and all other environmental review documents related to the development of Heyday Farm on the parcels listed above, the potential for or effects on neighboring residential properties; |

| PRR#   | CUSTOMER           | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| 140055 | Shore, Beryl & Jim | 1/17/2014  | Staff reports, letters and memoranda sent to or received from the Bainbridge Island Planning Commission, Design Review Board, Hearing Examiner, City Council or any of its other departments, agencies or commissions; Kitsap County Conservation District; Department of Ecology related to the development of Heyday Farm on the parcels listed above; formal or informal complaints about any of the above-referenced properties, or about the Heyday Farms operation described above; livestock; dairy operations; nuisance issues; neighbors of any of the above-referenced properties; alleged or actual violations of the City Code. |
| 140055 | Shore, Beryl & Jim | 1/17/2014  | Copies of any and all staff reports, SEPA Threshold Determinations, public notices, analyses, memoranda, and draft ordinances related to BIMC Section 18.09.030 (the "Ordinance") in the possession of the City and its elected and appointed officials, agents, departments, councils and commissions, including without limit the Department of Planning and Development, the City Council, and the Bainbridge Island Planning Commission.                                                                                                                                                                                                |
| 140057 | Tripp, Gary        | 1/21/2014  | PRR for the RFP for the Compensation study                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 140058 | Morehead, Gary   | 1/21/2014  | <p>1. All documents related to the design, installation, and construction, including field notes of all sewer improvements at the referenced property. We are particularly interested in the original Exhibit B that was attached to the easement agreement. We would like to compare the original and final versions of Exhibit B. It would be helpful to have copies of any field notes that might explain why there were differences between the original design and the actual construction.</p> <p>2. We already have a copy of the Easement Agreement for Sewer Facilities recorded with the Kitsap County Auditor as document # 200901300020 (8 pages). We do not need this again.</p> <p>3. The sewer was installed close to the lot line between Tax Parcels No. 012402-3-008-2001 and 012402-3-012-2005. Was the sewer line sized to serve both of the above properties from the access point or only parcel 012402-3-008-2001?</p> <p>4. We also need drawings showing a typical design of the access point plus a plot plan showing the location of the access point for Tax Parcels No. 012402-3-008-2001 and 012402-3-012-2005.</p> |
| 140060 | Cullen, Paul     | 1/21/2014  | Any documents referring to or relating to the John Frederick Olsen request to destroy non-conviction records, including, but not limited to, specific information regarding this request and any decision to object or general information regarding any policy of the department as to such requests to destroy non-conviction data and/or requests to vacate conviction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 140063 | Garza, Cecilia   | 1/23/2014  | Shoreline Access Guide                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 140066 | Dashiell, Robert | 1/23/2014  | January invoices                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 140067 | Duerr Day, Amy   | 1/23/2014  | Marsh/Saton Short Plat - engineered drainage plan (and thus the storm drainage easement) and the engineer's report for the property (perhaps done before the short plat).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| PRR#   | CUSTOMER               | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                        |
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| 140068 | Castillo, Wendy "Jade" | 1/24/2014  | All records previous to May 31, 2013 for Canis Equus, Manzanita Creek Farm; all email correspondence re: number of dogs I was allowed; copies of my two previous public records requests and any other filing.                                                                               |
| 140070 | Schmid, Charles        | 1/23/2014  | I was wondering if the Winslow Downtown Association has submitted any correspondence to the BI City Council in the past two days? If so, could you forward a copy?                                                                                                                           |
| 140071 | Dashiell, Robert       | 1/24/2014  | Request copies of the quarterly Kitsap Conservation District reports submitted to the City for calendar year 2013.                                                                                                                                                                           |
| 140073 | Lane, Shaun            | 1/27/2014  | Resume and personnel records for Officer Gary Koon                                                                                                                                                                                                                                           |
| 140075 | Kelly, Brian           | 1/28/2014  | UAC applications (including withdrawn applications)                                                                                                                                                                                                                                          |
| 140078 | Cainion, Andrew        | 1/27/2014  | Ordinance No. 96-25                                                                                                                                                                                                                                                                          |
| 140080 | Vancil, Ryan           | 1/29/2014  | Visconsi Hearing Examiner hearing cd                                                                                                                                                                                                                                                         |
| 140083 | Anderson, Cynthia      | 1/31/2014  | Please provide me with a copy of all damage claims pending against the City of Bainbridge Island as of 11/7/2007 that pertained to the police department, Chief Matt Haney and/or any other member of the police department.                                                                 |
| 140084 | Anderson, Cynthia      | 1/31/2014  | Please forward me a copy of the damage claim former employee Scott Anderson filed against the City of Bainbridge Island. Please forward me a copy of all information pertaining to the investigation and disposition of that claim. The claim was filed at the beginning of January in 2010. |
| 140085 | Anderson, Cynthia      | 1/31/2014  | Please provide me with a copy of the damage claim filed against the City of Bainbridge Island by Henry Narte along with any documentation associated with the investigation and the disposition of that claim. The claim was filed in 2006.                                                  |
| 140087 | Matthee, Karen         | 1/30/2014  | City's communication plan                                                                                                                                                                                                                                                                    |
| 140093 | Roberts, Scott         | 2/3/2014   | Compensation records for the 2013 fiscal year, including base wages, overtime and benefits for each employee                                                                                                                                                                                 |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| 140109 | Dore, Tim        | 2/4/2014   | Survey of tennis court/boat house area; any geotechnical reports for Waterfront Park                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 140114 | Thornburgh, John | 2/6/2014   | Permit files relating to 1985 remodel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 140117 | Dashiell, Robert | 2/10/2014  | Invoices Feb 12                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 140118 | Dashiell, Robert | 2/10/2014  | Copy of 2011-13 ILA contract with the Kitsap Conservation District and any amendments to the contract during the period the contract was effective.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 140120 | Tripp, Gary      | 2/11/2014  | What is the BIPD policy when vestcams must used?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 140122 | Garza, Cecilia   | 2/12/2014  | Can you send me application materials for the other four consultants that applied for the salary study project?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 140123 | Dashiell, Robert | 2/13/2014  | <p>TOTAL payments made to Kitsap Conservation District, BY FUND, for calendar years 2011, 2102, and 2013. (I have the 2014 data).</p> <p>If there was a financial budget adjustment at the end of 2011, 2012, or 2013 to charge a percentage of the Kitsap Conservation District from one fund to another, request the date (so I can view the adjustment on the budget adjustment agenda item) and amount of those financial transfers.</p> <p>I don't recall any budget adjustments for that stated purpose, but City staff said they occurred in 2012 and 2013 if I understood their remarks to the City Council.</p> <p>City staff also stated the percentage division for Kitsap Conservation District was 75% SSWM, 25% General Fund. That was new information, at least to my ears. Assuming that was not an arbitrary decision, request copy of the decision paper or supporting documentation that shows how the City arrived at that percentage split.</p> |
| 140124 | Baird, Steve     | 2/13/2014  | BI rowing rental or lease agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| PRR#   | CUSTOMER         | DATE REC'D | TOPIC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| 140126 | Dashiell, Robert | 2/13/2014  | <p>(1) Copy of the Hydraulic Permit Application (HPA) submitted to the Department of Fish and Wildlife for the culvert replacement project.</p> <p>(2) Copy of any and all City records, in any form, that discusses the type of replacement culvert to be at Dripping Water Creek. What I'm looking for is who made the decision for a fish passage culvert, who reviewed that decision, and what (if any) City standards exist for making a fish culvert passage decision.</p> <p>(3) Any and all City records of fish of any species or type in Dripping Water Creek. If the City applied for a fish passage culvert in their HPS, what was the basis of any mention of fish on the HPA application ... like stating it was a fish stream? (I'm assuming here the HPA application contains some form of a fish or no fish statement).<br/>Creek</p> |
| 140128 | Dashiell, Robert | 2/14/2014  | Request a copy of the remaining invoice(s) for the remainder of the Sealevel Blkhd costs of repairs to the Waterfront Park Dock                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 140130 | Tripp, Gary      | 2/18/2014  | <p>I am interested in copy of the police records for Feb. 10 through the 16th that would show when the Personal Video Cams were used and not used.</p> <p>Your help in determining what would answer my question would be greatly appreciated. I don't know if I am asking for the right records. Any suggestions?</p> <p>I think I need the following for the week I have indicated:</p> <ol style="list-style-type: none"> <li>1. copies of all call logs</li> <li>2. copies of all police reports</li> <li>3. copies of all tickets and arrest records, and</li> <li>4. copies of all logs of PVC recordings</li> </ol>                                                                                                                                                                                                                             |



| PRR#   | CUSTOMER            | DATE REC'D | TOPIC                                                                                                                                                                                                                                                               |
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| 140137 | Vancil, Ryan        | 2/21/2014  | Please make available all planning and building permit files available for permits associated with the following properties:<br><br>Tax Parcel No. 4161-000-027-0006<br>Tax Parcel No. 4161-000-028-0005                                                            |
| 140144 | Gaudiell, Christine | 2/26/2014  | Bid tabulations                                                                                                                                                                                                                                                     |
| 140147 | Dashiell, Robert    | 2/27/2014  | Invoices Feb 26                                                                                                                                                                                                                                                     |
| 140148 | Kelly, Brian        | 2/27/2014  | This is a request for any police report and correspondence between the city police department and James Olsen in re: to a claimed incident of voter harassment in February outside the Madison Ave. fire station.                                                   |
| 140149 | Dashiell, Robert    | 2/27/2014  | Invoices and City invoicing data submitted by the Kitsap Conservation District for the ILA covering calendar year 2010.<br><br>If knotweed eradication was a separate contract/agreement between the City and KCD, request same type invoices for knotweed taskings |
| 140150 | Tripp, Gary         | 2/27/2014  | Could you please get me copy of the Police Union Contract , which is searchable - not just a scanned image.                                                                                                                                                         |
| 140152 | Roberts, Kathleen   | 3/3/2014   | Copy of police report involving James Olsen                                                                                                                                                                                                                         |
| 140155 | Kelly, Brian        | 3/3/2014   | We would like to request a review of the Bainbridge Island Police Department case file sent to the Kitsap County prosecutor for Scott Anthony Fuchs [Sept. 2013 felony voyeurism case] and any response from the prosecutor's office.                               |
| 140156 | Dashiell, Robert    | 3/4/2014   | Request copy of the latest COBI financial report.                                                                                                                                                                                                                   |
| 140157 | Dashiell, Robert    | 3/4/2014   | 2014-2019 CIP                                                                                                                                                                                                                                                       |
| 140158 | Dashiell, Robert    | 3/4/2014   | 2014 Adopted budget                                                                                                                                                                                                                                                 |

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| 140159 | Dashiell, Robert | 3/4/2014   | <p>Request copy of any and all written records of meetings, agreements, planning documents, and design documents related to the proposed capital expenditure for a replacement culvert for Blakely Falls Creek.</p> <p>I am specifically interested if this is another stream simulation fish passage culvert, and if it is, any and all written agreements the City has made with the Department of Fish and Wildlife and/or the Suquamish Tribe related to this proposed project.</p> <p>I have on record all the documented fish data from the Department of Fish and Wildlife (there is none), and I believe I have all the fish data held by the City of Bainbridge Island. However, if the City holds any fish data specifically for Blakely Falls Creek, I request such data.</p> |
| 140160 | Dashiell, Robert | 3/4/2014   | Copy of CIP March 3 presentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 140175 | Kelly, Brian     | 3/4/2014   | <p>I would like copies of the following invoices that were approved as part of last week's warrants: 189164, 189165, 189224 and 189268.</p> <p>Also, since you will probably have to check in with finance to retrieve those, might you be able to ask if the books have been closed for the 2013 budget and if there will be a document [spreadsheet or whatever] that lists revenues/expenditures at the budgeted and end-of-year figures available soon?</p>                                                                                                                                                                                                                                                                                                                          |
| 140178 | Woolever, Bruce  | 3/6/2014   | 2004-2005 correspondence between Bill Hunt and Tom McKerlick relating to Rockaway Beach LID Sue Cooley (verbal PRR)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 140179 | Dashiell, Robert | 3/6/2014   | This PRR is a request for any and all documentation in any public records accessible form, be it ordinance, resolution, legal decision, or any other, that designates or establishes the City's stormwater (SSWM) fund to pay for COBI's Water Quality and Flow Monitoring Program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 140180 | Dashiell, Robert  | 3/6/2014   | <p>At the City Council meeting on May 11, 2005, the City Council accepted a DOE Bainbridge Island Water Quality Monitoring Centennial Clean Water Fund Grant (AB 6413) for \$198,640.</p> <p>Request a copy of:</p> <p>(1) the City's grant application,</p> <p>(2) the actual grant from DOE, and</p> <p>(3) the City's final or summary grant report to DOE (if there was one ... there normally is).</p>              |
| 140181 | Anderson, Cynthia | 3/6/2014   | <p>Please provide me with the identity of the five members of the Bainbridge Island Police department referred to by Henry Narte in the lawsuit he filed in 2006 against the City of Bainbridge Island.</p> <p>Please provide me with a copy of the assignment of defense counsel letter from the WCIA Executive Director pertaining to the Henry Narte lawsuit filed in 2006 against the City of Bainbridge Island.</p> |
| 140187 | Marrinan, Paul    | 3/7/2014   | Geotech report and critical areas analysis for Clearstory Short Plat                                                                                                                                                                                                                                                                                                                                                     |
| 140189 | Dashiell, Robert  | 3/10/2014  | March 10 Invoices                                                                                                                                                                                                                                                                                                                                                                                                        |
| 140190 | Dashiell, Robert  | 3/10/2014  | Request a copy of any written record held by the City related to the proposed Blakely Falls Creek culvert replacement.                                                                                                                                                                                                                                                                                                   |
| 140191 | Dashiell, Robert  | 3/10/2014  | <p>Basic breakdown of (1) grants received (from any source), (2) utility and tax supported fund amounts used for WQFMP expenditures, and (3) City staff costs (utility and tax supported) for the WQFMP.</p> <p>I believe the COBI WQFMP began with a DOE grant in May, 2005. I am requesting data as far back as there are City records that are germane to the request.</p>                                            |

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| 140192  | Dashiell, Robert  | 3/10/2014  | Copy of the 2013 PW job orders annual summary. If the job orders are in mathematical code, request the plain language (prefer English) description of the job orders                                                                                                                                                                                                                                                                                                                                                                                      |
| 140199  | Peterson, Leah    | 3/14/2014  | List of Island non-profits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 140201  | Kelly, Brian      | 3/13/2014  | Submittals/briefs from both sides in the PERC case re: the guild                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 140202  | Kelly, Brian      | 3/13/2014  | Copy of Lt. Hawkins resignation letter                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 140000- | Miner, Germana    | 1/23/2014  | Harbor Square Market and Café provided business that were permitted. Where can I get a description of what those businesses provided and what kind of equipment they used?                                                                                                                                                                                                                                                                                                                                                                                |
| 140000- | Schmid, Charles   | 1/24/2014  | Zoning map in place in 1994; records relating to the history on the Comprehensive Plan designation change for the area indicated on attached map                                                                                                                                                                                                                                                                                                                                                                                                          |
| 140227  | Anderson, Cynthia | 3/24/2014  | <p>This is a public request for two documents.</p> <ol style="list-style-type: none"> <li>1. Please provide me with the police "event chronology" associated with a mental health response by Bainbridge Island police on November 6, 2007 provided me in Discovery by the WCIA retained KBM defense attorney. The event chronology provided to me pertained to a DUI traffic stop of a woman.</li> <li>2. Please provide me with the police "event chronology" that was concealed from me in Discovery by the WCIA retained defense attorney.</li> </ol> |
| 140224  | Dashiell, Robert  | 3/22/2014  | Invoices 24 Mar 2014 City Council Meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 140208  | Fortner, Robert   | 3/17/2014  | Is there a chance that your archives contain any sketches of the Farmer's Market area that show it with the prospective roof cover attached to the infrastructure that was built                                                                                                                                                                                                                                                                                                                                                                          |

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| 140325  | Gerlach, Marcus  | 3/21/2014  | Copies of all 2013 and 2014 COBI documents, memorandums or mail by COBI Council or management which restrict side-business work by COBI employees, including but not limited to documents from Doug Schulze to any COBI employee. Copies of all COBI documents, memorandums, inspection reports for any post-installation inspections of COBI permitted mooring buoys by COBI employees, including but not limited to Joshua Machen after approval by COBI and Washington State Department of Fish and Wildlife from 2008 to 2014. Copy of 2014 COBI business license for Joshua Machen - janitorial services. Please identify if any other business licenses were filed by Joshua Machen in 2014. |
| 140205  | Hendrickson, Kim | 3/14/2014  | A new "traits and characteristics" list for Bainbridge police officers was recently developed by the Chief. Could you please send me the list                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 140217  | Mauer, Mike      | 3/18/2014  | File on complaint against Wing Point Golf Course                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 140218  | Palmer, Heather  | 3/18/2014  | Permits for Wing Point residence                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 14000-3 | Salo, Brian      | 3/17/2014  | List of chiropractors on Bainbridge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 140216  | Speaking Out     | 3/17/2014  | Non-discrimination and fair housing policies on Bainbridge Island                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |