



**REGULAR CITY COUNCIL STUDY SESSION
WEDNESDAY, MARCH 6, 2013
LOCATION: BAINBRIDGE ISLAND CITY HALL
280 MADISON AVENUE N., BAINBRIDGE ISLAND, WASHINGTON**

AGENDA

1. CALL TO ORDER / ROLL CALL

7:00 PM Mayor: Steven Bonkowski
Councilmembers: Anne Blair Debbi Lester
Sarah Blossom Bob Scales
Kirsten Hytopoulos David Ward

**2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
7:05 PM**

**3. PRESENTATION
7:10 PM**

- A. Subject:** 2010, 2011 and 2012 Harbor Commission Annual Reports, AB 13-028 – 10 min.
Discussion Leader: Councilmember Lester
Discussion Goal: Consider accepting reports.
- B. Subject:** Waterfront Park / City Dock Design Process, AB 13-025 – 45 min.
Discussion Leaders: City Staff and Harbor Commission
Discussion Goal: Receive presentations.

**4. STAFF INTENSIVE
8:05 PM**

- A. Subject:** Ordinance No. 2013-03, Business Licenses for Non-Profit Organizations, AB 13-020 – 5 min.
Discussion Leader: Planning
Discussion Goal: Conduct 1st reading. Consider scheduling 2nd reading and approval March 13.
- B. Subject:** Revisions to Off-Site / Right-of-Way Signs – 15 min.
Discussion Leader: Planning
Discussion Goal: Information. Consider next steps.
- C. Subject:** Annual Roads Striping Update, AB 13-026 – 15 min.
Discussion Leader: Executive
Discussion Goal: Information.
- D. Subject:** Council Ad Hoc Committees – 10 min.
Discussion Leader: Executive
Discussion Goal: Consider sunseting committees.

**** Public comment at study sessions is encouraged. Times listed on this agenda are approximate****



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) by noon on the day preceding the Meeting.

5. COUNCIL DISCUSSION

8:50 PM

A. Subject: Proclaiming March, 2013 as Brain Injury Awareness Month, AB 13-027– 5 min.

Discussion Leader: Mayor Bonkowski

Discussion Goal: Consider approval.

B. Subject: Renaming of Strawberry Plant Park – 20 min.

Discussion Leader: City Council

Discussion Goal: Discussion. Consider next steps.

C. Subject: Policy Consideration on Cost Allocation – 15 min. **(Pg.**

Discussion Leader: City Council

Discussion Goal: Discussion.

6. REGIONAL COMMITTEE REPORTS

9:30 PM

7. REVIEW OF UPCOMING COUNCIL MEETING AGENDAS

9:35 PM

8. FOR THE GOOD OF THE ORDER

9:40 PM

9. ADJOURNMENT

9:45 PM

**** Public comment at study sessions is encouraged. Times listed on this agenda are approximate****



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CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: 2010, 2011 and 2012 Annual Reports from the Harbor Commission	Date: March 6, 2013
Agenda Item: Presentation	Bill No.: 13-028
Proposed By: Councilmember Lester	Referral(s): Harbor Commission

BUDGET INFORMATION

Department: Legislative	Fund:	Munis Contract #
Expenditure Req:	Budgeted? ☒ Yes ☐ No	Budget Amend. Req? ☐ Yes ☒ No

REFERRALS/REVIEW

Study Session	Recommendation:
City Manager ☐ Yes ☐ No ☒ N/A	Legal ☐ Yes ☐ No ☒ N/A Finance ☐ Yes ☐ No ☒ N/A

DESCRIPTION/SUMMARY

Action Item:

Consider accepting the 2010, 2011 and 2012 Annual Reports from the Harbor Commission.

History:

Attached for City Council's consideration are the 2010, 2011 and 2012 Annual Reports from the Harbor Commission.

RECOMMENDED ACTION

Motion:

I move that the City Council accept the 2010, 2011 and 2012 Annual Reports from the Harbor Commission.

2010 HARBOR COMMISSION WORK PLAN (Approved 2/23/10)

1. Continue working toward implementation of OWM installation.
2. Discuss with the Chamber of Commerce ways to increase the transient use of Waterfront Park, the Linear Moorage and Eagle Harbor in general.
3. Investigate available grants for improvement of launch ramp, particularly a float addition, at Fort ward.
4. Assist as possible the Road Ends Committee in improving water side signage for various road ends access.
5. Re-open discussion of an authorized water ski area near Pritchard Park.
6. Provide input and assistance as requested, for the acquisition and development of the potential COBI waterfront property at the WSDOT facility.
7. Once the EH OWM is finalized and implementation underway, continue to assist City Council as they work toward adoption of Ordinance 2007-34, now 2010-34.
8. Continue to implement the DVRP as necessary.
9. Put together a cost estimate for dealing with multiple abandonment of small vessels, not able to be auctioned. Discuss with sub contractors options for disposal.
10. Install a transient Float at the Linear Moorage System.
11. Prepare an updated 2010 appendix to the 1999 Harbor Management Plan.
12. Recruit, train and schedule Harbor Stewards to volunteer at the City Dock during peak use hours.

2011 Harbor Commission Work Plan and Report

1. At the request of the COBI management and the City Councilors continue working towards the implementation of the Open Water Marina (OWM) for live aboards, including the creation and implementation of formal moorage agreements.

The Lease for the Open Water Marina, together with the City Dock, was signed with the DNR by the City for a 12 year period in July.

Formal moorage agreements were reached with 5 resident boaters for berths alongside the linear mooring and 5 for fore and aft moorings. The layout of the fore and aft moorings has still to be confirmed between the City management, the boat owners and the Harbor Commission (HC.)

2. Liaise with the City Councilors and COBI management regarding their ultimate decision on which project(s) the \$2 million from the WSF will be spent.

City Councilors decided at their meeting on Jan.4th, 2012 to form a Sub Committee to advise the Council which projects should benefit from the \$2 million capital fund The HC has made presentations to the Council and other stakeholders urging them to invest in re-building the City Dock

3. Assist, as requested in the compilation of the Request for Proposals (RFPs) for the construction of the chosen project.

As no project(s) have yet been chosen no work has been undertaken on this item by the HC.

4. Investigate available grants for improvements to waterfront facilities on the Island, including the City Dock and the launch ramp at Fort Ward.

The HC has determined suitable grant opportunities for the City Dock project and has identified steps that need to be taken prior to their application including the extension of the present DNR lease by the City on the City Dock and OWM.

5. Continue the dialogue with Bainbridge Island Rowers, Parks & Recreation and the kayak/canoe concessionaires to ensure all parties are coordinating their projects to improve the facilities.

Discussions have continued throughout the year with the above stakeholders to ensure that their future needs are met in the proposed project.

6. Review list of present Harbor Stewards and their job descriptions with a view to involving them more in the operations of the Island's harbors.

A full study of the Harbor Stewards roles and responsibilities was undertaken and a report compiled outlining recommendations for improvements.

7. Schedule management of the City Dock during peak weekends to ensure safe and efficient use of the dock while greeting visitors with information on amenities available in Winslow.

The construction of an Information Kiosk was made possible by voluntary contributions of time and money. This has led to an increase in the number of volunteers who man the kiosk and in the management of the City Dock. Improved monitoring of slip payments and requests for local information from visitors has resulted.

8. Assist the Marine Police in the Derelict Vessel Removal Program.

The City identified 45 vessels requiring attention at start of 2011.

9. Continue to educate, advocate and assist in the buoy enforcement program.

The HC has been kept briefed by the City staff on the 2011 progress with buoy compliance program. 15 non-compliant buoys were removed in 2011, Over 400 were brought in to compliance and an additional 85 are being resolved.

10. Estimate costs for dealing with abandonment of multiple small vessels, unable to be auctioned, and seek means of their disposal.

The City identified 45 vessels requiring attention at start of 2011. Costs were shared with Department of Natural Resources to remove 9 vessels.

11. Prepare an updated 2011 appendix to the 1999 Harbor management Plan.

Not addressed in 2011.

12. Coordinate use of the Island's harbors and waterways towards proper emergency procedures.

Not addressed in 2011.

13. Monitor Shoreline Master Program Update process as it applies to harbor related elements

The HC has been kept briefed by the City staff on the elements of the SMP that are related to the management of the Harbors. Speed limits and the permitting of buoys were issues that the HC had direct input.

BI Harbor Commission

Final

Report to the City Council of the work carried out by the Harbor Commission in 2012

1. The major task of the Harbor Commission last year was to promote redevelopment of the City Dock, key elements of which were:
 - 1.1 liaise with the Council Subcommittee and the City Management on all issues related to the City Dock redevelopment proposals, and determine the allocation of the \$1.85 million fund that is available for the City Dock.

Anne Blair and David Ward have kept the Commission updated on the progress of the Council's discussions, and a meeting was held with the City Manager Doug Schulze to brief him on the work so far undertaken by the Harbor Commission.

No information has been received on the allocation of the funds between the Waterfront Park and Dock

- 1.2 Assist the City Management in contacting DNR and RCO representatives, identified by the Harbor Commission, to extend the present City Dock lease that will allow applications for RCO grants

Commissioners have held meetings with RCO and DNR representatives to determine which grants might be available for the redevelopment of the City Dock and the required extension of the lease for 25 years

- 1.3 in conjunction with 1.2, urge the City Council to authorize the City Management to apply for the various grants available for the redevelopment of the Waterfront Park and City Dock in order to leverage the \$2 million capital fund available.

The HC remains ready to assist the City Manager and his staff, as requested, in preparing the grant applications and or resolving any problems that arise in order to submit the grant applications in a timely fashion,

- 1.4 liaise with the Bainbridge Island Rowers (BIR), Parks & Recreation District, kayak concessionaire, and trailer boat representatives on viable solutions for the conceptual layout of the proposed City Dock and launch ramp, and advise the City Council and City Manager and/or his designee, on viable layouts and construction estimates for meeting the City's multiple needs for City Dock,

The HC has continued to liaise with the above stakeholders throughout the year and received their inputs at meetings

- 1.5 continue to advise Island residents and interests groups on the need for redevelopment of the City Dock by updating the PowerPoint presentation and creating opportunities to give this presentation to interested groups whose members would benefit financially or materially from using the new recreational and transient boater facilities on the proposed City Dock,

The HC are now on versions 15 and 16 of their PowerPoint presentations. Previous versions were shown at HC meetings resulting in updates during the year.

The HC look forward to showing the latest version to Council Members and the public at the Council Meeting on March 6th.

- 1.6 discuss with other project leaders ways of working with them to promote waterfront developments that will benefit the Island's citizens.

These discussions have been on hold awaiting the Council's decision to proceed with the dock development

2. Implement the recommendations contained in the 2012 Harbor Stewards Program Report.

This work was started by Commissioner Chris Hammond but due to his work commitments overseas he has unfortunately decided to step down

3. Encourage the City Council to pass the revised Ordinance and Resolution that pertain to all waters of the City of Bainbridge Island: the HC worked this in October 2011.

Though the Commission has urged the Deputy City Manager to obtain the Council's support to pass this pending Ordinance we have been continuously advised that it is not a priority

4. Identify and recruit new volunteers to apply to the City of Bainbridge Island to replace the Harbor Commissions that are retiring February 28th, 2013,

The Commission is always on the lookout for new Commissioners, but until it is ascertained how many are stepping down at the end of February, 2013 no action has been taken yet.

5. Increase participation of Harbor Commissioners, Harbor Stewards and other interested parties in manning the Information Kiosk and being a Dock Host at Waterfront Park during busy periods in 2013,

The City has been fortunate in having Ben Tate volunteering as Dock Host through out the 2012 busy summer period. All together he contributed over 1,000 hours to this duty to ensure that as many boats as possible could safely enjoy the inadequate dock and ramp. Towards the end of the year he was informed that his services were no longer required.

There has been limited success in recruiting Information Kiosk volunteers but very little success in recruiting Dock Hosts in 2012

6. Prepare an updated 2012 Appendix to the 1999 Harbor Management Plan,

This is still being worked on by Commissioner Sandra Davis

7. Monitor the City's Shoreline Master Program update process as it applies to harbor related elements and re-examine the need to establish a uniform speed limit in all harbors of the Island,

Ryan Ericson has regularly attended HC meetings to update the Commission on SMP proposals that apply to the harbors of BI.

8. Assist the Marine Police in the Derelict Vessel Removal Program,

This task has been performed by Harbormaster Tami Allen

9. Continue to educate, advocate and assist the City in the buoy enforcement program,

The HC assisted in discussions with the resident boat owners on their preferred location for their fore and aft moorings. Otherwise the buoy enforcement program was carried out by the Harbormaster

10. Review the various sources of income for the City Dock and launch ramp and investigate possible new sources of income,

Ongoing

11. Coordinate with Sustainable Bainbridge's Prepared Neighborhoods Initiative and others regarding the use of the Island's harbors and waterways in the event of a natural or manmade emergency/disaster,

Discussions have been held at HC meetings with representatives of the above group and several HC members have signed up for local text alerts.

12. Encourage Bainbridge Island boaters to sign up for the Emergency Flotilla,

Limited success has been achieved this year in commissioners encouraging BI yacht clubs to participate. The flotilla increased from 25 to 32 vessels. The goal remains 100 vessels.

13. Work with BI Parks District in making the boat launch ramp at Fort Ward more accessible and safe.

No work has been done on this but the HC will carry this forward to the 2013 Work List

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Waterfront Park/City Dock Design Process	Date: March 6, 2013
Agenda Item: Presentation	Bill No.: 13-025
Proposed By: Christopher Wierzbicki, Community Development Administrator	Referral(s): None

BUDGET INFORMATION

Department: PCD	Fund: NA	Munis Contract #
Expenditure Req: No	Budgeted? ☐ Yes ☐ No	Budget Amend. Req? ☐ Yes ☐ No

REFERRALS/REVIEW

None	Recommendation: None
City Manager ☒ Yes ☐ No ☐ N/A	Legal ☐ Yes ☐ No ☒ N/A Finance ☐ Yes ☐ No ☒ N/A

DESCRIPTION/SUMMARY

Purpose:

The purpose of this agenda item to receive a presentation from the Harbor Commission regarding their proposal for improvements to the City Dock at Waterfront Park, and to receive information from City Staff regarding a proposed decision-making process for improvements to both the dock and the park.

Background:

There are many stakeholders interested in seeing improvements made to the dock and park, and also many differing opinions about what those improvements should be. One of those stakeholder groups, the Harbor Commission, has worked diligently over the past few months to develop a plan for substantial improvements to the City Dock, which will be presented to the Council for discussion on the 6th. Their plan has considerable merit, and also has the potential for receiving RCO grant funds with a matching partnership with the city. However, there has yet to be an opportunity for the City Council to consider how that plan could be interwoven with other park improvements for maximum community and economic benefit.

Attached to this agenda bill is a memo outlining the staff's proposal for a "community planning" process that would attempt to meet the following goals for the dock and park improvement project:

- Provide an opportunity for stakeholder groups to discuss their proposals;
- Provide an opportunity for the public to weigh in on the proposals;
- Allow the staff to analyze the proposals and provide feedback to the City Council;
- Provide the City Council with comprehensive information and recommendations for next steps.

RECOMMENDED ACTION

While there is no formal recommendation requested or required for this agenda item, the Council may wish to provide staff with feedback on the attached proposal, and potentially move forward with a "community planning" process.



City of Bainbridge Island
PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO: City Council, City Manager

FROM: Christopher Wierzbicki, Community Development Administrator

DATE: March 6, 2013

RE: **Waterfront Park/City Dock Improvements – Next-Steps Proposal**

Background

At their January 2013 retreat, the City Council identified the planning of improvements for Waterfront Park and the City Dock as one of the top priorities for the staff's 2013-14 work plan, and selected two Council members for a related Ad Hoc committee. The purpose of this memo is to briefly summarize the historic actions in support of improvements to Waterfront Park and the City Dock, and to recommend an initial "community planning" process for advancing the project forward for decision and implementation.

As comprehensively documented in the Ad Hoc Committee binder prepared by the city's paralegal, there is an extended and complex planning history associated with this project, as well as a large and diverse stakeholder group. The planning history includes everything from architectural master plans for the upland areas of the site, to specific design plans for shoreline restoration and over-water access and boating facilities. The stakeholder groups include the Harbor Commission, the rowing club, the Community Center, the Downtown Association, and general park and recreational boat users, just to name a few. All of these factors, combined with extensive property encumbrances and restrictions, complicate the creation of a defined vision for the project. Therefore, the "community planning" process outlined below makes an attempt to maximize the use of existing resources, and provide a level playing field of opportunity for input from a range of stakeholders. The goal of the process is to assist the City Council in making effective decisions in support of an achievable project.

Proposal for Initiating a 4-step “Community Planning” Process

Step 1

The initial step in the process is proposed to be a 2-hour community workshop that allows an opportunity for discussion of project proposals without regards to property or funding restrictions (essentially a brainstorming session). The purpose of the workshop is to:

- Review and vet the city’s historic project proposals;
- Provide an opportunity for stakeholder groups to identify themselves and also “pitch” their proposals to the community;
- Document public comments on the proposals, including implementation of a survey amongst the attendees that identifies project preferences; and,
- Capture other miscellaneous proposals and ideas.

The workshop preparation and structure would include the following:

Workshop Preparation

- An invitation for identified stakeholders to present their proposals to the community during the workshop;
- Members of the City Council are invited to attend at their discretion;
- An invitation for the general public to attend the workshop;
- Designation of a team of staff and/or other interested parties that could act as scribes and moderators of roundtable discussions. The Ad Hoc committee members would be invited to participate and/or moderate these discussions.

Workshop Structure

- Overview of workshop agenda and goals with attendees (city staff, 5 min.)
- Presentation of historic city project proposals and plans (city staff, 10 min. per project)
- Presentation of stakeholder project proposals and plans (stakeholder groups, 10 min. per project)
- Rotating round-table discussion of each project proposal (60 min. total)
- Wrap-up and survey (10 min.)

Step 2

The second step in the process is a report-back to the City Council on the meeting results, with guidance from the Ad Hoc committee. This report would include an overview of the existing conditions and uses on the property, as well as a review and summary of all the proposals, comments and feedback from the meeting. The staff will also be prepared to provide a high level analysis of issues that may complicate or restrict any of the proposals. If possible at this juncture, it would be beneficial for the Council to provide general direction on which project proposals, or groups of proposals, should be prioritized for more in-depth review.

Step 3

The third step in the process is the staff's review of the meeting results given the direction provided by the City Council. This review will be a more thorough vetting of the proposals, with the goal being to piece together feasible elements, and to identify and analyze how other variables will impact their implementation. This process would involve periodic check-ins with the Ad-hoc Committee, and will attempt to answer some of the following questions:

- What are the approximate costs of each proposal with respect to the available city funding?
- What additional sources of funds might be available and appropriate to support each proposal, and what steps must be taken to receive those funds?
- How can proposal elements be combined to maximize the leveraging of available funds?
- Which proposals benefit the largest group or groups of stakeholders?
- How do property encumbrances or other restrictions affect the feasibility of each proposal? Are some proposals entirely infeasible?
- Are there benefits to partnering with other agencies for certain proposals or proposal elements?
- What permits or other authorizations would need to be in place prior to implementing the proposals?
- What is the relative timeframe for implementation given the issues identified above?

Step 4

The fourth step in the process is a second report-back to the City Council, with guidance from the Ad Hoc committee, with answers to some of the questions above and recommendations for moving forward. Using those recommendations as a framework, the goal at this stage is for the Council to narrow down the proposals for continued development by the staff. This may also be the time to create an "advisory group" of stakeholders that can guide the implementation of the project, as well as potentially serve as a technical support group that assists the city staff with grant development and consultant selections.

If the Council decides to pursue the process outlined above, the staff anticipates the second report-back (Step 4) is likely to occur before the end of the 2nd quarter of 2013.

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Ordinance No. 2013-03 relating to business licenses for nonprofit organizations	Date: March 6, 2013
Agenda Item: Staff Intensive	Bill No.: AB 13-020
Proposed By: Code Enforcement Officer Meghan McKnight	Referral(s):

BUDGET INFORMATION

Department: Finance & Administrative Services	Fund: n/a	Munis Contract # n/a
Expenditure Req: n/a	Budgeted? ☐ Yes ☒ No	Budget Amend. Req? ☐ Yes ☒ No

REFERRALS/REVIEW

Study Session	Recommendation:
City Manager ☒ Yes ☐ No ☐ N/A	Legal ☒ Yes ☐ No ☐ N/A Finance ☒ Yes ☐ No ☐ N/A

DESCRIPTION/SUMMARY

Action Item:

1st reading of Ordinance No. 2013-03 relating to business licenses for nonprofit organizations; and amending Sections 15.040.080 and 15.04.090 of the Bainbridge Island Municipal Code.

History:

The City of Bainbridge Island requires all for-profit businesses to be licensed annually. Section 5.04.080 of the Bainbridge Island Municipal Code currently exempts nonprofit organizations from the requirement to obtain a business license. Requiring a business license will allow review of the organization's activities for compliance with zoning and building code standards. Additionally, nonprofit organizations have had difficulty in performing some of their activities, such as financial transactions, without a business license approved by the City of Bainbridge Island. Nonprofit organizations will continue to be exempt from the business license fee.

Schedule/Next Activities:

Consider scheduling Ordinance No. 2013-03 for second reading on March 13, 2013. If approved, staff will notify existing nonprofit organizations of the change and ensure future nonprofit organizations are aware of the requirement.

RECOMMENDED ACTION

Motion:

I move that the City Council schedule Ordinance No. 2013-03 relating to business licenses for nonprofit organizations for second reading on March 13, 2013.

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Councilmembers
Doug Schulze, City Manager

FROM: Meghan McKnight, Code Enforcement Officer

DATE: March 6, 2013

RE: Business Licenses for Non Profit Organizations

The Planning & Community Development 2013 department work plan includes revisions to the City's business license requirements (BIMC 5.04). There are approximately 400 registered nonprofit organizations on Bainbridge Island. The City of Bainbridge Island requires all for-profit businesses to be licensed annually. Section 5.04.080 of the Bainbridge Island Municipal Code currently exempts nonprofit activities from the requirement to obtain a business license. The proposed amendment would require nonprofit organizations to obtain and maintain a City of Bainbridge Island annual business license. No fee would be charged for the license.

Requiring a business license will allow review of the activities for compliance with zoning and building code standards. This review includes items such as life-safety review of facilities that likely hold large gatherings, ensuring the organization is located in the appropriate land-use designation, and addressing items such as adequate parking. Additionally, nonprofit organizations have expressed difficulty in performing their activities, such as financial transactions, due to a lack of business license approved by the City of Bainbridge Island.

The ordinance would take effect within five days of approval, thus requiring nonprofit organizations to obtain a 2013 business license. The City will notify all previously licensed nonprofit organizations and all nonprofit organizations identified from the Washington State Department of Licensing of the licensing requirement.

ORDINANCE NO. 2013-03

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the licensing of nonprofit organizations and amending Sections 15.040.080 and 15.04.090 of the Bainbridge Island Municipal Code.

WHEREAS, the City desires to license nonprofit organizations to ensure all nonprofit activities are properly located in accordance with the zoning and building codes; and

WHEREAS, nonprofit organizations will continue to be exempt from the business license fee; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.05.080 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

5.04.080 Exempt activities.

The following activities shall be exempt from the licensing provisions of this chapter:

~~A. Nonprofit activities carried on by religious, charitable, educational, benevolent, fraternal or social organizations which have been determined by the Internal Revenue Service of the United States to be exempt from the payment of income tax;~~

~~A.B.~~ The exercise of governmental functions performed by any instrumentality of the United States, the state of Washington, or any political subdivision thereof.

~~B.C.~~ Farmers or gardeners selling their own farm products raised and grown exclusively upon lands owned or occupied by them;

~~C.D.~~ Garage sales conducted on residential premises in compliance with this code;

~~D.E.~~ The mere delivery of goods or services to the customer or client by businesses where the sale occurred on business premises outside of the city, and was the only event occurring within the city except that the performance of contracting or subcontracting services is not an exempt activity; or

E.F.—Any business activity which is owned and operated solely by a person under the age of 18, and which does not generate a gross income of more than \$2,500 per year.

Section 2. Section 5.04.090 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

5.04.090 Payment of license fees.

A. There shall be a license fee imposed for the privilege of doing business as set by resolution of the city council.

B. Payment of the fee imposed by this chapter shall be due on or before the commencement of business and renewed on or before the last day of February of each successive year.

C. On or before the due date, every person required to pay a license fee or a tax as set forth by this chapter shall file with the city a written return, upon such form and including such information as the director shall require, together with the payment of the amount of the fee.

D. Nonprofit activities carried on by religious, charitable, educational, benevolent, fraternal or social organizations which have been determined by the Internal Revenue Service of the United States to be exempt from the payment of income tax shall be exempt from the license fee.

Section 3. 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 _____, 2013.

APPROVED BY THE MAYOR this _____ day of _____, 2013.

Steven Bonkowski, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK:	March 1, 2013
PASSED BY THE CITY COUNCIL:	
PUBLISHED:	
EFFECTIVE DATE:	
ORDINANCE NUMBER:	2013-03

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: Councilmembers
Doug Schulze, City Manager

FROM: Meghan McKnight, Code Enforcement Officer

DATE: March 6, 2013

RE: Revisions to Off-Site / Right-of-Way Signs

INTRODUCTION

The Planning & Community Development 2013 department work plan includes revisions to the City's sign code, Chapter 15.08 of the Bainbridge Island Municipal Code. Currently, limited sign placement off-site or within rights-of-way is allowed by certain types of signs. Upon legal advice, revisions are necessary to ensure political speech is not regulated more strictly than commercial speech, and that commercial speech regulations are content neutral. Additionally, citizens have requested that all signs placed in the right-of-way obtain the abutting property owner's permission so that they may choose what appears to be supported. Staff receives both complaints about signs and support for allowing additional signs. In order to address these issues, Staff is proposing two options for Council consideration. Each of the options would require careful drafting in order to avoid legal challenge, with Option #2 having the least risk.

OPTIONS

OPTION #1 - Allow only non-commercial signs

This option would create distinctions in organizations allowed to place signs off-site and within the right-of-way, excluding commercial endeavors. This would allow signage for events such as the MS Walk but not for the availability of agricultural products at a farm.

Civic and non-profit organizations are currently allowed banners off-site for limited time periods. This option may encourage organizations to use sandwich boards or small freestanding signs instead, which are often less expensive.

This option creates difficulty in permitting and enforcement, due to the requirement to research an organization's nonprofit status or determine if the speech is non-commercial.

OPTION #2 - Allow commercial signs

This option would allow all organizations to place signs off-site and within the right-of-way. This option allows community organizations and businesses to gain awareness for an event or advertise, such as a sale at a retail store or a youth activity enrollment period.

Staff would propose that limitations be included, such as: the number of signs and the time period allowed (e.g. 10 signs for 21 days per year); the property owner's permission would be required prior to placing signs off-site; the abutting property owner's permission would be required prior to placing signs within the right-of-way.

This option would allow for clear enforcement, however additional Staff resources would be necessary to permit the signs, and ensure their removal in accordance with the time and place limitations.

This option could create visual blight, as there would be no limit to the number of businesses and organizations placing signs off-site and within the right-of-way. Additionally, off-Island businesses could place signs in accordance with the provisions.

NEXT STEPS

Once Council has chosen an option, Staff will develop an ordinance for Council consideration.

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Information on Kitsap County Road Striping Services	Date: March 6, 2013
Agenda Item: Staff Intensive	Bill No.: 13-026
Proposed By: Morgan Smith, Deputy City Manager	Referral(s):

BUDGET INFORMATION

Department/Fund: Executive	Munis Contract #
Expenditure Req:	Budgeted? ☐ Yes ☒ No
	Budget Amend. Req? ☐ Yes ☒ No

DESCRIPTION/SUMMARY

The City Council requested staff to research whether Kitsap County could provide annual road striping services to the City. Currently, this work is performed by a third-party vendor that is selected via a competitive bid process.

City staff communicated with Kitsap County Public Works staff and developed the information provided in the following memo. The results indicate that the County provides basic striping services to other cities at a unit cost that is lower than what the City has recently paid. However, the County has determined that they do not have the capacity to add Bainbridge Island striping to their workplan.

RECOMMENDED ACTION

This agenda item is for discussion purposes. No action is required at this time.

City of Bainbridge Island
EXECUTIVE DEPARTMENT



MEMORANDUM

TO: Doug Schulze, City Manager

FROM: Morgan Smith, Deputy City Manager

DATE: January 31, 2013

RE: Information on Kitsap County Road Striping Services

BACKGROUND

Since Fall, 2012 staff have worked with Kitsap County Public Works to identify opportunities for County provision of services. These discussions parallel an ongoing effort among the County Public Works directors to identify cost savings through work consolidation, collaboration and shared equipment. At a meeting in October, 2012 the County's Public Works staff expressed their willingness to review information on Bainbridge Island's annual road striping to determine whether the County could provide road striping to the City of Bainbridge Island and if so, under what terms. This memo captures the results of that analysis and reflects cost and capacity information provide by Kitsap County staff including Randy Casteel (Director, Public Works) and Jon Brand.

COUNTY CAPACITY LIMITS

Kitsap County provides annual road striping to three cities within the County: Bremerton, Port Orchard and Poulsbo. The striping is done during the summer months, on Saturdays, as weather and other County work permits. At the October meeting, County staff raised the likelihood that their Public Works crews would not have sufficient capacity to manage Bainbridge road striping in this same manner. This has been confirmed in subsequent communication.

As County staff noted, the volume of striping for Bainbridge Island is roughly equivalent to the volume for the other three cities combined. The table below provides a comparison of the respective scale of the striping work in each city and the County's estimates of related crew time.

	Linear Feet of Striping	County Estimate - Days of Crew Time
Bremerton	357,900	1.5 days
Port Orchard	396,965	1.5 days
Poulsbo	240,146	1 day
Bainbridge Island	1,010,000	5 days

County staff indicated that they did not have the capacity to add the Bainbridge Island work to their existing schedule. Aside from the scale of the Bainbridge Island striping, they noted the fact that it was easier to complete work in the other cities, since there were opportunities for crews to “drive-through” en route to County work sites. They also noted the need for flexibility, since weather or other County work could interfere with the availability of crews to complete striping projects. In some years, the County was not able to complete work as planned for every city.

County staff indicated that they had considered whether they could expand staffing in order to provide striping services to Bainbridge Island. They concluded that expanded staffing would not be cost-effective for the County, since striping activities could only be provided during the summer weather window, and they could not support keeping additional staff during the remainder of the year. Because the striping equipment is fairly complex to use, the County did not believe that seasonal/temporary staffing was appropriate in this instance.

FINANCIAL ANALYSIS

Data provided by Kitsap County indicates that they are providing road striping services to other cities at a rate that is significantly lower than the rate Bainbridge Island has paid to private vendors. Information from 2012 road striping indicates that the County charged the cities roughly \$0.06 per linear foot for road striping. Bainbridge Island paid its contractor \$0.09 per linear foot for basic striping, and received bids ranging as high as \$0.18 per linear foot.

Applying the lower rate to Bainbridge Island’s annual road striping would result in savings of roughly \$30,000 per year.

Bainbridge Island also experiences some types of charges from private vendors that the County does not assess to the cities where the County provides striping. In 2012, Bainbridge Island paid roughly \$9,000 to its contractor for charges related to mobilization, traffic control, and minor changes in work.

Access to County road striping services might eliminate \$9,000 per year in contracted costs.

It is important to note that Bainbridge Island’s extensive road network also requires some specialized striping and pavement markings. In 2012, the annual work related to “painted wide line” and “raised pavement markers” represented a cost of roughly \$30,000. It is unclear whether the County has the ability to provide these services and if so at what cost.

NEXT STEPS

The data provided by Kitsap County is helpful in that it provides a baseline for the potential cost savings that Bainbridge Island might realize if the City could achieve a unit cost for road striping that was comparable to the rate the County is charging to other cities. Some options for achieving that rate might include:

- Request a “pilot” year in which Kitsap County attempts to include Bainbridge Island in its summer work schedule, to test the County’s belief that there is insufficient time to complete striping for all four cities. This approach would require some understanding of the respective priority/sequencing for work in each city, and also would require Bainbridge Island to tolerate a year with partial or no road striping in the event the pilot schedule failed.
- Consider a shift to a two-year striping cycle. This could achieve cost-savings by either skipping striping costs entirely in every other year, or by reducing the volume in each year to a point at which County capacity could more readily support the Bainbridge Island work. Alternatively, if other cities were interested in adopting a two-year cycle, the County could use year-one to stripe the current three cities and year-two to complete Bainbridge striping. If there is interest, the feasibility of a two-year cycle must be assessed from a safety perspective. Diminished visibility of road markings in the second year before re-striping may be too significant to permit this approach, particularly given the fact that nearly all island roads are unlit.
- Restructure the annual contract to achieve lower unit costs. There may be aspects of the annual contract specifications that are generating a unit cost in excess of the unit costs of County services. Using the Kitsap County information as a comparable may help to identify options to change the scope of work or specifications to achieve bids that are comparable to County services.

Ad Hoc Committees								
Committee		Affiliated Dept	Members	Date Established	Established by	Reports to	Status	Quarterly Review
1	Tree Ordinance Ad Hoc Committee	Legislative	Blossom, Lester, Ward	8/8/2010	Consensus	Council	Interim Ordinance approved 10/24/12	March, 2013
2	WSF Funds Ad Hoc Committee / Waterfront Park and Dock Joint Sub-Committee (with BIMPRD)	Legislative	Blair, Ward	1/4/2012, 3/7/2012 Reconfirmed membership & charge 10/24/12	Consensus	Council	Funding Option 2 chosen 7/25/12	March, 2013
3	Form of Govt/City Manager Performance Review Process	Legislative	Blair, Blossom, Hytopoulos	1/28/2012	Consensus	Council		March, 2013 Consider sunsetting
4	SMP Update Process	Legislative	Bonkowski (Liaison), Hytopoulos, Ward	2/1/2012	Consensus	Council		March, 2013 Consider sunsetting
5	City Broadcasting Ad Hoc Committee	Legislative	Hytopoulos, Lester	5/4/2011	Motion	Council		March, 2013
6	Housing Design Demonstration Project	Legislative	Blossom, Lester, Ward	7/18/2012	Motion	Council	Develop ordinance changes no later than 12/31/13	March, 2013
7	Water Utlity Ad Hoc Committee	Legislative	Bonkowski, Ward	8/8/2012, 8/15/12	Consensus	Council	Scope of Services completed. Proposals received.	March, 2013 Consider sunsetting
8	Off-Leash Dog Parks Sub-Committee	Legislative	Blair, Blossom, Ward	8/15/2012 Reconfirmed membership & charge 10/24/12	Motion	Council		March, 2013
9	Waterfront Park Community Center Ad Hoc Committee	Legislative	Bonkowski, Lester	8/15/2012	Motion	Council		March, 2013 Consider sunsetting
10	Community Use of Council Chambers Ad Hoc Committee (need form)	Legislative	Ward	11/19/2012	Motion	Council		March, 2013

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Brain Injury Awareness Proclamation	Date: March 6, 2013
Agenda Item: Council Discussion	Bill No.: 13-027
Proposed By: Mayor Bonkowski	Referral(s):

BUDGET INFORMATION

Department: n/a	Fund:	Munis Contract #
Expenditure Req:	Budgeted? ☐ Yes ☐ No	Budget Amend. Req? ☐ Yes ☐ No

REFERRALS/REVIEW

City Manager ☐ Yes ☐ No ☒ N/A	Legal ☐ Yes ☐ No ☒ N/A	Finance ☐ Yes ☐ No ☒ N/A
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DESCRIPTION/SUMMARY

March is Brain Injury Awareness Month. A brain injury can happen anytime, anywhere to anyone. Brain injuries do not discriminate. 1.7 million people each year sustain a brain injury. We also nationally are seeing an increase need for brain injury care for active duty military and veterans. An injury that happens in an instant can bring a lifetime of physical, cognitive and behavior challenges. Early, equal and adequate access to care will greatly increase overall quality of life.

“Since anyone can sustain a brain injury at any time, it is important for everyone to have access to comprehensive rehabilitation and ongoing disease management. Doing so eases medical complications, permanent disability, family dysfunction, job loss, homelessness, impoverishment, medical indigence, suicide and involvement with the criminal or juvenile justice system. Access to early, comprehensive treatment for brain injury also alleviates the burden of long term care that is transferred to tax payers at the federal, state and local levels.”

~ Dr. Brent Masel, national medical director for the Brain Injury Association of America

For more information, please visit the websites for the Brain Injury Association of America at www.biausa.org or Washington Traumatic Brain Injury Strategic Partnership Advisory Council at www.tbiwashington.org.

RECOMMENDED ACTION

Motion:

I move to approve that Mayor Bonkowski sign the proclamation in recognition of March as Brain Injury Awareness Month.



PROCLAMATION

WHEREAS, 1.7 million people, including 475,000 children, sustain a traumatic brain injury in the United States each year with 26,000 new cases visiting the emergency room in Washington State alone, and

WHEREAS, a traumatic brain injury is a contributing factor to a third of all injury-related deaths in the United States and is the leading cause of death and disability in children and young adults; and

WHEREAS, most traumatic brain injuries could be prevented with the top causes including, falls, car crashes, struck by/against events, and assaults, and

WHEREAS, traumatic brain injury is the signature injury of the war, presenting new challenges for members of the military and their families; and

WHEREAS, an injury that happens in an instant can bring a lifetime of physical, cognitive and behavior challenges, and

WHEREAS, because of a lack of awareness about brain injury and the difficulty of diagnosing brain injury, many persons with brain injury live for years without recognizing and dealing with their injuries; and

WHEREAS, early, equal and adequate access to care greatly increases the overall quality of life and will enable individuals to return to home, school, work and community; and

WHEREAS, the State of Washington established the Washington Traumatic Brain Injury Strategic Partnership Advisory Council to create a comprehensive plan to help individuals with traumatic brain injuries meet their needs; and

WHEREAS, March has been designated as Brain Injury Awareness Month to promote public awareness of the extent, causes, consequences, treatment and prevention of brain injury; now, therefore

NOW THEREFORE I, Steven Bonkowski, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby proclaim March 2013 as

TRAUMATIC BRAIN INJURY AWARENESS MONTH

in the City of Bainbridge Island and encourage all citizens to join me in this special observance.

SIGNED this 6th day of March 2013.

Steven Bonkowski, Mayor

Policy Questions

- Is the current cost allocation approach meeting City goals? If not, why not?
- Are there some costs that are currently allocated that Council prefers to support entirely with General Fund resources?
- Should Council formally approve a cost allocation plan as part of the 2014 budget process?