



**REGULAR CITY COUNCIL STUDY SESSION
WEDNESDAY, MAY 1, 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. PRESENTATIONS

7:10 PM

A. Subject: Friends of the Farms – 15 min.
Discussion Leaders: Wendy Tyner, Bobbie Morgan and Ryan Vancil, FOF Representatives
Discussion Goal: Information.

B. Subject: Update on Transfer of Park Properties to Bainbridge Island Metropolitan Parks and Recreation District – 10 min.
Discussion Leader: Ryan Vancil, BIMPRD Legal Counsel
Discussion Goal: Information.

C. Subject: Harbor Commission 2013 Work Plan, AB 13-051– 15 min.
Discussion Leader: Mark Leese, Chair
Discussion Goal: Consider approval.

D. Subject: Utility Advisory Committee 2013 Work Plan, AB 13-054 – 15 min.
Discussion Leader: Arlene Buetow, Chair
Discussion Goal: Consider approval.

4. STAFF INTENSIVE

8:05 PM

A. Subject: Amendment to the City's Shoreline Master Program Grant from the Department of Ecology, AB 09-097 – 10 min.
Discussion Leader: Planning
Discussion Goal: Consider approval.

B. Subject: Ad Hoc Committee Recommendations to Revise the Housing Design Demonstration Program (HDDP), AB 13-059 – 20 min.
Discussion Leader: Planning
Discussion Goal: Consider forwarding the recommendations to the Planning Commission for further review and development of an implementing ordinance.

**** 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.

- C. **Subject:** Rockaway Beach Road Stabilization Project, AB 11-061 – 10 min.
Discussion Leader: Public Works
Discussion Goal: Update.
- D. **Subject:** Interlocal Agreement with the City of Bremerton for Traffic Signals Repair & Maintenance, AB 13-057 –10 min.
Discussion Leader: Public Works
Discussion Goal: Consider scheduling approval on the May 22, 2013 consent agenda.
- E. **Subject:** Ordinance No. 2013-05, Q1 2013 Budget Amendments, AB 13-024 – 5 min.
Discussion Leader: Finance
Discussion Goal: First reading. Consider scheduling second reading for May 22, 2013.
- F. **Subject:** Budget Process – 30 min.
Discussion Leader: Finance
Discussion Goal: Information.
- G. **Subject:** Ordinance No. 2013-09, Emergency Management, AB 13-058 –10 min.
Discussion Leader: Executive
Discussion Goal: First reading. Consider scheduling second reading for May 22, 2013.

5. **COUNCIL DISCUSSION**

9:40 PM

- A. **Subject:** Proclaiming May, 2013 as “Puget Sound Starts Here” Month, AB 13-055 – 5 min.
Discussion Leader: Mayor Bonkowski
Discussion Goal: Consider approval.

6. **COMMITTEE REPORTS**

9:45 PM

7. **REVIEW UPCOMING COUNCIL MEETING AGENDAS**

9:50 PM

8. **FOR THE GOOD OF THE ORDER**

9:55 PM

9. **ADJOURNMENT**

10:00 PM

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City of Bainbridge Island
EXECUTIVE DEPARTMENT



MEMORANDUM

TO: City Council
Doug Schulze, City Manager

FROM: Morgan Smith, Deputy City Manager

DATE: April 25, 2013

RE: Review of Farm Policies as Identified in City Master Lease Agreement

As part of the City's master lease with the Friends of the Farms (FOF), Friends developed Goals, Policies and Practices for each of the City-owned farm properties. This information was captured in Exhibit B of the master lease agreement.

The master lease requires an annual review of these goals and policies, as specified in Section 3.9.b:

For the first five years of this Lease, the Parties will annually review the terms of Exhibit B, the Lease Goals, Policies and Practices by June 1 of each year beginning in 2013. The purpose of the review will be to examine Exhibit B, and to determine if modifications are necessary to the terms of Exhibit B to ensure fulfillment of the goals of this Lease. Where the Parties identify the need for modifications of the Goals, Policies and Practices, the Parties agree to act in good faith to make such modifications to support the Lease. Modifications to Exhibit B or any other part of the Lease will go into effect only upon the written agreement of both the City and Friends. Exhibit B will be reviewed in the same manner every five years of this Lease after the first five years this Lease is in effect.

Friends of the Farms has developed proposed changes to these policies and practices ahead of this year's first annual review. City administration will review these proposed changes in May and will work with FOF to process these requests. Because the initial goals and policies are captured in Exhibit B of the master lease, any changes to this information will generate an update to that Exhibit B.

City staff will be working to complete this administrative process in the coming weeks, and will keep City Council updated as needed. Please advise if you would like additional information on this topic either during or at completion of this annual review.

City Farmland Goals, Policies, and Practices Definitions

1. City – City of Bainbridge Island, and any agents, employees or representatives of the City.
2. Community Land Trust - A community land trust is a property trust which aims to benefit the surrounding community by ensuring the long-term availability of affordable housing. The community land trust (CLT) is an equitable and sustainable model of affordable housing and community development that has slowly spread throughout the United States during the past 30 years. Two-thirds of a CLT's board of directors are nominated by, elected by, and composed of people who either live on the CLT's land or people who re-side within the CLT's targeted "community" but do not live on the CLT's land.
3. Farm District – This area is comprised of City Farmlands: Day Road Farm, Crawford Farm, M & E Tree Farms, and Morales Farm, and private farmlands: Laughing Crow Farm, Bainbridge Island Winery and Vineyards and Perennial Vintners Farm. At this time the farm district is not a legal designation, but it is hoped that the City will establish such designation under its zoning code in the near future.
4. Friends of the Farms – A Washington non-profit corporation managing the City of Bainbridge Island farmland properties.
5. Goal - A goal or objective is a projected state of affairs that a person or a system plans or intends to achieve a personal or organizational desired end-point in some sort of assumed development.
6. Policy and Practice - A "policy" is a statement of commitment to a broad requirement, often used in an organization to instruct personnel as to a required outcome, and a "practice" describes how a policy is implemented. In this case policies and practices are closely aligned, limited in quantity, and for ease of drafting are included in the same sections.

~~DRAFT~~
GOALS, POLICIES AND PRACTICES

CRAWFORD PROPERTY

I. General Property Description

The Crawford property is a forested property that was purchased by the City with open space funds for agricultural purposes.

Acreage: 2.3

Tax Parcel No.: 102502-1-047-2006

Location: Mid-point of Farm District, the Crawford property lies south of Suyematsu West, North of the Lempriere property, and east of M & E.

~~Legal Description: (LOT A OF SHORT PLAT NO. 4670 RECORDED UNDER AUDITOR'S FILE NO. 8803240085) THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE ALONG THE NORTH SOUTH CENTERLINE, S1*12'27" W 1311.73 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE S88*04'22" E 15.00 FEET TO THE EASTERLY RIGHT OF WAY OF COUNTY ROAD NO. 145 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING S88*04'22" E 317.87 FEET TO THE NORTHWEST CORNER OF THE EAST ONE HALF OF THE WEST ONE HALF OF THE NORTH ONE HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER SAID SECTION 10; THENCE ALONG THE WEST LINE OF SAID SUBDIVISION, S1*12'34" W 300.00 FEET; THENCE S86*39'43" W 318.84 FEET TO THE EASTERLY RIGHT OF WAY OF SAID COUNTY ROAD NO. 145; THENCE ALONG SAID RIGHT OF WAY, N1*12'27" E 329.36 FEET TO THE TRUE POINT OF BEGINNING.~~

II. Management Goals

~~General Statement~~Background: As a forested property in a community with a significant dedication to conservation values it is essential that planned uses of the Crawford Property be sensitive to these values. This parcel was purchased with the primary intent of converting it to agricultural purposes. Timber harvesting is the legacy of Bainbridge Island. In our time we can enhance that legacy by harvesting in a manner that is sensitive to the environment and done with the purpose of fulfilling our vision of community. Once converted from a forested land into agricultural land the Crawford Property will follow the Suyematsu and Bentryn Family Farms Goals, Policies, and Practices, Day Road Farm Management Plan as this property is adjacent to the Suyematsu and Bentryn Family Farms Day Road farms and will likely be put to the same or similar uses. Therefore, the following management goals shall be recognized ~~by this plan~~:

1. All timber removal shall be done using best management practices for sustainable timber harvest. Removal of lumber shall be phased to allow for minimal environmental impact as the forest is removed. For instance, timber removal should not be undertaken during species mating, nesting, hibernation, or reduced food availability periods for wildlife currently reliant on the property for habitat. Harvest methods involving low impact such as the use of animals and hand logging shall be considered.

2. Opportunities for harvest of forest products and forest dependent crops should be considered as part of the phased removal of timber. Forest products are a valuable Northwest commodity. For instance, salal and oregon grape undergrowth is used by florists, cedar and fir trimmings are common holiday decorations, and burnt out stumps and logs are valuable for landscaping.

3. Timber harvest of the Crawford Property shall exercise maximum sensitivity with regard to surface water run-off. Removal of timber will increase downhill stormwater runoff. Planning shall include mitigation for stormwater impacts such as silt barriers and a stormwater collection pond that could be converted to irrigation uses in the future.

4. Maximum public benefit shall be identified for uses for harvested timber. Harvested timber may yield board lumber and logs. These wood resources may be utilized for community projects such as farm property structures, bus stops, bird blinds in public parks, benches, or artistic creations, or may be sold to fund public or agricultural related activities.

5. Local labor and artisans should whenever possible be consulted and hired to undertake the work of harvesting materials from the property.

6. All forestry and clearing activities shall comply with local and state laws governing such activities such as securing a City of Bainbridge Island Clearing Permit and a Department of Natural Resources Forest Practices Application.

7. Timing of timber harvest shall be undertaken with consideration to shading impacts already occurring on adjacent farmland.

~~8. Upon completion of timber removal and clearing of the Crawford Property the use of the land shall be governed by the Management Goals, Policies and Practices adopted for the Day Road Farm area. However, the Crawford property has no water rights and any plans at long term farming must address this issue.~~

98. Tree harvest plans shall include consideration of community education opportunities e.g. sustainable logging demonstrations and hands on activities.

109. Wood that cannot be utilized for a more constructive purpose shall be collected for fire wood. Fire wood sales can be used to fund farmland management and activities.

~~DRAFT~~
GOALS, POLICIES AND PRACTICES

~~DAY ROAD FARM~~Suyematsu and Bentryn Family Farms

I. General Property Description

The ~~Suyematsu and Bentryn Family Farms Day Road Farm area~~ consists of two parcels of land purchased by the City. One was purchased from farmer Akio Suyematsu. According to the real estate purchase agreement this area shall contain “Suyematsu” in the name of the property. The other parcel was purchased from vintner ~~Gerard~~ and Jo Ann Bentryn. Herein the parcels will be referred to as “Suyematsu East,” and “Bentryn West,” and collectively as the “The ~~Day Road Farm~~Suyematsu and Bentryn Family Farms.”

The ~~Suyematsu and Bentryn Family Farms Day Road Farm~~ area is the center piece of the City public farmlands. The parcels represent a major agricultural site dating from the 1940’s, and remains one of the largest farms in Kitsap County. This farm was identified by the City Open Space Commission as central to fulfilling the community’s goals of preserving agriculture on Bainbridge Island.

The ~~Suyematsu and Bentryn Family Farms Day Road~~ agricultural lands consist of some of the richest and most productive agricultural soils on the island: ~~—the farmland slopes south-southwestward thus they receive maximum sunlight.~~

Acreage: Total 25.97

Suyematsu East: 14.76

Bentryn West: 11.21

Location: The ~~Suyematsu and Bentryn Family Farms Day Road Farm~~ comprises the north end of the City Farm District. Day Road runs parallel to the northern property line bounding the Farm District on that side. Suyematsu East has the physical address of 9229 Day Rd. E.

Tax Parcel Nos.: Suyematsu East: 102502-1-052-2008
 Bentryn West: 102502-1-063-2005

~~Legal Description:~~

~~Suyematsu East: RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200110240152, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: PARCEL 1: THE EAST ONE HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., CITY OF BAINBRIDGE ISLAND, KITSAP COUNTY, WASHINGTON. EXCEPT THE NORTHWEST QUARTER OF THE SOUTH ONE HALF THEREOF. EXCEPT THE SOUTH ONE HALF OF THE SOUTH ONE HALF THEREOF. AND EXCEPT THE NORTH 20 FEET FOR N.E. DAY ROAD AS CONVEYED TO KITSAP COUNTY UNDER KITSAP COUNTY AUDITOR'S FILE NUMBER 224033. SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD. PARCEL 2: ALSO THE EAST 171.86~~

~~FEET OF THE NORTH ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., CITY OF BAINBRIDGE ISLAND, KITSAP COUNTY, WASHINGTON, EXCEPT THE NORTH 20.00 FEET FOR N.E. DAY ROAD. SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD.~~

~~Bentryn West: RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200110240152, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: PARCEL 1: THE EAST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., CITY OF BAINBRIDGE ISLAND, KITSAP COUNTY, WASHINGTON, EXCEPT THE NORTHWEST QUARTER OF THE SOUTH ONE-HALF THEREOF, EXCEPT THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF THEREOF, AND EXCEPT THE NORTH 20 FEET FOR N.E. DAY ROAD AS CONVEYED TO KITSAP COUNTY UNDER KITSAP COUNTY AUDITOR'S FILE NUMBER 224033. SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD. PARCEL 2: ALSO THE EAST 171.86 FEET OF THE NORTH ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., CITY OF BAINBRIDGE ISLAND, KITSAP COUNTY, WASHINGTON, EXCEPT THE NORTH 20.00 FEET FOR N.E. DAY ROAD. SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD.~~

II. Management Goals, Policies and Practices

A. Agricultural Use

1. Policies and Practices

(a) ~~Given the high quality soil conditions and solar exposure of this farmland,~~ The land should be farmed consistent with feasible and long-term sustainable agriculture objectives. (with allowances should be made for standard farm practices that enhance long-term sustainability as opposed to short term maximization of profit, such as regular fallowing of land, and variation of crops from one season to another or long-term crop development).

(b) Farming operations shall be carried out in a cooperative manner among all farmers bearing leases to the farmland. Such cooperation will include but not be limited to equipment and infrastructure sharing, repair and maintenance of farm infrastructure and common areas, group irrigation planning, marketing, farm stand sales, and crop rotation planning.

(c) Property owners and lessees must comply with any and all applicable local ordinances, including but not limited to zoning, solid waste, wellhead protection and critical areas ordinances, and any applicable federal, state and local permits that may be required.

(d) Farm activities on the Suyematsu and Bentryn Family Farms Day Road Farm shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(e) Farmers should rely on the findings of the Farm Evaluation Plan for the Suyematsu and Bentryn Family Farms Day Road Farm Property, if available, as they develop farm plans.

(f) Long-term operating leases designed to ensure long-term viability shall be offered to farmers who are chosen as tenants. Lease terms shall be based on farmer experience, farmer business plan, availability of agricultural lands, type of crop and demonstrated farmer ability to meet management goals for the property and City agricultural lands.

(g) The primary use for the City agricultural lands is for the production of food crops.

(h) Consideration should be given to identifying opportunities for providing emerging commercial farmers with access to farmland and/or opportunities to participate with established commercial farming businesses.

2. Goals

(a) Develop a Farm Evaluation Plan for the Suyematsu and Bentryn Family Farms Property to identify potential agricultural uses for the farm area. The evaluation should include an analysis of soil quality, water availability, potential crop and livestock capacity, and analysis of existing and potential farm related infrastructure.

(b) Farm Plans. Farmers utilizing Suyematsu and Bentryn Family Farms Day Road Farm agricultural lands must develop individual farm plans and business plans to be reviewed in a City-approved application process.

~~(b) Develop Farm Evaluation Plan for the Day Road Farm Property to identify potential agricultural uses for the farm area. The evaluation should include an analysis of soil quality, water availability, potential crop and livestock capacity, and analysis of existing and potential farm related infrastructure.~~

(c) Capital Improvement Plan. Develop a cooperative maintenance, ~~and~~ repair, and placement plan and schedule for common areas and shared infrastructure.

B. Agricultural Housing

1. Background: Agricultural housing is a desired goal by the community to enhance opportunities to support the agricultural community. The need for farm housing on the Island is significant.

Suyematsu East has 6 development rights under current zoning code. The Northeast corner of this property already contains a single family home. Thus, up to 5 new single family homes can still be built on this property along with up to 6 accessory dwelling units (1 for each single family home). The existing home can either be replaced or rebuilt to meet needs. Historically, 3 transient residences were placed along the northern boundary. Although no longer used, these offer potential sites of historical interest, and for location of additional farm housing. This

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Northeast area of the farm property is the preferred location of additional and ongoing development due to its easy access to roadways and the poor condition of soils compared with other areas of the property.

2. Policies and Practices

(a) Housing opportunities should be provided on the property for farmers working the public agricultural lands, farm interns, and participants in agricultural education programming.

(b) Housing development should be coordinated to reduce impact on farming activities, and existing housing.

(c) Agricultural housing on the Suyematsu and Bentryn Family Farms ~~Day Road Farms~~ should only be provided for farmer households, farm interns, itinerant farm labor, educational farm program housing, or other agriculture housing needs. Housing should not be established on the Suyematsu and Bentryn Family Farms ~~Day Road Farms~~ to provide general housing or affordable housing to meet other City housing needs.

(d) As based on need, as determined by the farmers relying on farms in the farm district, available units should be provided for interns and itinerant labor.

(e) Management of the housing should be carried out by an organization with experience in affordable housing, such as the Housing Resources Board of Bainbridge Island (“HRB”) or another suitable agency, or as a self managing Community Land Trust.

(f) ~~The Farm Village~~Farm housing should be made available on a rental basis.

(g) Opportunities for communal sharing of resources should be maximized for the ~~Farm Village~~farm housing. This policy should be considered during development and management of the ~~Farm Village~~farm housing. This may include shared utilities, storage space, meeting rooms, kitchen service, garbage/composting operations, transportation, office space, yard space, play areas and workshops. At the same time, development should ensure opportunities for privacy for each individual and family.

~~(h) Provide interested farm families financial planning advice from local housing agencies or other sources concerning how to take advantage of the savings they will realize by renting rather than owning a home so that they might save toward purchasing a home of their own if that is a goal they desire.~~

3. Goals

(a) Establish a cluster of farm housing ~~(the “Farm Village”)~~ at the North East corner of Suyematsu East. This step will be largely the responsibility of the City, because of its scope and complexity, it must be viewed as a long-term goal.

(b) ~~The City shall~~ develop a master plan for appropriate farm housing.

~~(c) First unit established should be dedicated to interns.~~

~~(c)~~ Form a ~~Farm Village farm housing~~ resident's ~~or homeowner's~~ association for governance of common areas and shared resources. ~~Alternatively, develop a Community Land Trust to govern all housing and common areas within the Farm Village.~~

C. Water

1. Background: Water is a limited and scarce resource for the Suyematsu and Bentryn Family Farms~~Day Road Farms~~. Farmers must recognize the need to conserve and creatively use water.

2. Policies and Practices

(a) Water use on the Suyematsu and Bentryn Family Farms~~Day Road Farm~~ shall conform to USDA Irrigation Plan Natural Resources Conservation Service Irrigation Plan ~~or and~~ the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(b) Where feasible, drip irrigation and similar conservation methodologies should be utilized.

(c) Rainwater catchment should be encouraged where feasible.

3. Goals

(a) ~~Develop and implement~~ a Kitsap Conservation District farm plan to maximize conservation and sustainable use of water resources.

(b) Develop and implement irrigation management plan.

D. Soils

1. Policies and Practices

(a) Farm activities affecting soil on the Suyematsu and Bentryn Family Farms~~Day Road Farm~~ shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(b) The amount and timing of amendments and fertilizer applications should be based on crop needs and production goals.

(c) ~~Farm Practices~~Farmers shall implement ~~farm~~best management practices that intercept runoff and sediment as close to the source as possible.

(d) Efforts to control sources of runoff, sediment, and erosion should be coordinated with those of neighboring properties.

(e) ~~Protect u~~Unpaved roads and other heavy-use or bare soil areas should be protected from concentrated flows of water.

~~(f) Sediment and runoff should be detained and filtered before it leaves the property.~~

3. Goals

~~(a) Perform an evaluation of site conditions to determine farm site irrigation, rainfall, stormwater runoff patterns, and identify erosion problem areas and their causes.~~

~~(ba)~~ Develop aImplement the Kitsap Conservation District farm plan to minimize erosion.

~~(c) Perform an evaluation of site conditions to determine farm site soil conditions and quality.~~

~~(db)~~ Implement the Kitsap Conservation District ~~Develop a~~ farm plan to improve and maintain soil conditions and quality.

E. Structures

1. Background:

Suyematsu East: This property includes the Suyematsu house (mentioned above), a workshop, a green house and a variety of equipment sheds and storage areas.

Bentryn West: This property includes an existing farm stand, historical water-tower, and storage shed.

2. Policies and Practices

(a) Existing structures should be maintained and integrated into farming activities if feasible.

(b) Existing structures shall be used for farm related or farm support activities only.

(c) Consideration of new structures may include other shared agricultural and educational resources and structures, including a commercial kitchen, processing facilities, and classrooms. Structures such as green-houses that provide opportunities for year-round growing are encouraged. In addition, enhancement of existing structures to meet changing farm uses should be considered.

3. Goals

(a) Initiate process for acquiring/funding structures.

(b) Ensure long term maintenance and operations of existing farm structures.

(c) Evaluate the current location of existing structures to ensure locations maximize compatibility with access to sales and are compatible with other farming operations.

4. Farm Stand

(a) Background: Discussions of uses at the Suyematsu and Bentryn Family Farms Day Road Farms have for some time included the idea of upgrading the existing farm stand on Bentryn West. The electrical connections that could assist such an upgrade have been made as part of the electrical system installed for the Day Road Irrigation Project in 2008. In 2010 the existing farm stand was significantly upgraded and expanded to allow a substantial increase in sales of farm products. It is possible that the farm stand could operate up to seven days a week during high crop yield seasons, and if provided with refrigeration and display capacity it could expand the timing and variety of produce currently offered. It is expected that the farmers leasing public farmland will be encouraged to form a cooperative marketing system, and as part of such that lessee's will make seasonal products available to the farm stand. Lessees shall not have a right to prevent the farm stand from being managed to allow sales of selling products from commercial farmers from elsewhere other locations on Bainbridge Island.

(b) Goals

(i) Develop a business plan to determine the best and most feasible market plan for the farm stand (this should include a comparative analysis with the adequacy of other locations).

(ii) The Farmers at the Suyematsu and Bentryn Family Farms Day Road Farms will participate in a common marketing program that utilizes the farm stand.

5. Water Tower.

(a) Policy and Practices

(i) The historic water tower now standing in Bentryn West (near the potential site of a farm stand) should be enhanced and serve as an exhibit commemorating the history of local agriculture on Bainbridge Island. Access should be ensured for the public, and island visitors, to this commemorative site.

F. Public Access

1. Trails

(a.) Background: Agricultural parcels owned by the City are of interest to the entire community and require access trails and point of interest viewing locations. The City and the Park District are in the process of constructing a trail system that would connect the farm properties in the farm district. The City's Non-Motorized Transportation Plan includes plans for the construction of non-motorized facilities in the area. In addition, portions of the property not dedicated to agriculture may serve low impact public uses.

(b) Policies and Practices

(i) Trails and viewing stations should be developed to ensure that ~~public~~ visitors can access and view the property, will not interfere with farm activity, and are safe from active farm operations.

(ii) Open space on the property may allow activities where appropriate such as compiling wildlife and plant inventories, analyzing the life forms in the waterways, placing birdhouses on parts of the property, making periodic butterfly or bird counts, picking up litter on an annual basis and removal of invasive species where appropriate.

(iii) Trails should be developed for multi-model non-motorized transportation including pedestrian, bicycle and equestrian use.

c. Goals

(i) Develop trail system with viewing stations for points of interest to allow the public access to the Suyematsu and Bentryn Family Farms ~~Day Road Farm~~ Area.

(ii) Integrate the trail system with the City non-motorized transportation plan and Bainbridge Island Metropolitan Parks and Recreation District's trail Island wide trail planning.

2. Education Activities

a. Policies and Practices

(i) Public and private educational activities shall be allowed and encouraged on the Suyematsu and Bentryn Family Farms Day Road Farm.

(ii) Public and private educational activities may include, but are not limited to, volunteer projects to enhance the public's enjoyment of the properties, and opportunities for Bainbridge residents and others to educate themselves about agricultural practices and the natural world. These could include agricultural education programs, public growing programs, trail enhancement, and property enhancement work parties.

b. Goals

(i) Enhance and identify opportunities for ~~The~~ possibility of granting historic status to the Suyematsu property through the state registry should be researched. Such designation would acknowledge the historical and cultural significance of Japanese farmers on Bainbridge Island, and may open the property up to additional funding and educational opportunities.

(ii) Develop partnerships with educational institutes to facilitate educational opportunities on the property. Specifically: (i) build and facilitate K-12 learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability, (ii) develop adult learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability ~~—these may include internship programs and classes coordinated with WSU Extension and other educational programs.~~

G. Stewardship/Habitat Conservation

1. Background: Natural habitat and watercourses are an indispensable and irreplaceable but fragile natural resource with which the citizens of Bainbridge Island have been endowed. The natural areas and habitats are a unique sub-system in the local environment. Further, preservation of natural habitats in agricultural areas helps to ensure a continuance of native biological diversity. Therefore, efforts shall be made to preserve/maintain existing critical areas as defined by ~~BIMC~~ the Bainbridge Island Municipal Code.

2. Policies and Practices

(a) All Farm practices-activities should ~~reflect-preserve~~ a relation-relationship to the natural environment.

(b) Farm practices should preserve the unique natural habitats of agricultural areas for species that commonly rely on healthy farmlands.

(c) Portions of the property bordering private non-agricultural property and public rights of way shall be maintained in a natural vegetative state, when compatible with farm uses of the property. These border areas may be planted and maintained with native plants,

edible plantings and plantings supportive of habitat and food provision for birds and animals. Where possible plantings should include a variety of plant species and avoid monocultures. Where practicable trees should be planted on or near the property line, shrubs and smaller trees should be planted in front of these, and finally shrubs and groundcovers should be placed in front. This will allow for a tapered buffer to maximize privacy and habitat variation. Consideration should be given to planting of edible plant species that can be harvested. All planting must be balanced against usability of the land for crop production which will take precedence.

(d) Management of the property should be mindful of the water course that runs from Day Road through the Bentryn property and the M & E property. This ravine is a high value natural area.

3. Goals

(a) Place a conservation easement on portions of this property and the adjacent properties containing the ravine area to permanently protect the open space value of this portion of these properties.

(b) Develop a habitat management plan for the Suyematsu and Bentryn Family Farms~~Day Road Farm~~.

(c) Develop a long-term plan for compost operations on the property.

H. Special Considerations

1. Aesthetics: As both public lands and as fully operational commercial farmlands management of these lands must strike a delicate balance between form and function. One of the reasons operating farms are supported on public lands is that they reflect a rural aesthetic valued by the community. They are also supported because of their practical value of providing locally grown food for local consumption. Farm management is inherently a busy and sometimes messy industry, and these practices must not be compromised by aesthetics alone. To balance these values the farmland must be maintained according to the following Policies and Practices:

2. Policy and Practices

(a) Obsolete materials and machinery should be removed from the property, or if they are to be saved organized for display.

(b) Mechanical equipment and storage areas should be screened by vegetation or building design where possible.

(c) Vegetation near roadsides and public areas should be maintained.

(d) Structures should reflect the historical and rural character of local farms where feasible.

(e) While year-round agriculture opportunities provided by green-houses are encouraged, placement and development of such structures should be guided by aesthetic principles that preserve the rural and open crop-land nature of the property.

DRAFT
GOALS, POLICIES AND PRACTICES

JOHNSON FARM

I. General Property Description

The Johnson Farm is located mid-island on Fletcher Bay Road and Johnsonville Lane. This area was historically farmed by the Johnson family.

Acreage: 14.51

Location: Johnson Farm is located off of Island Center Road at its intersection with Johnsonville Lane. Primary access to the property is via two access roads that enter from Fletcher Bay Road.

Tax Parcel No.: 282502-2-064-2002

~~Legal Description: RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200108090145, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTH ONE HALF OF THE SOUTH ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 28; THENCE ALONG THE NORTH SOUTH CENTERLINE OF SAID SECTION 28, SOUTH 00°56'10" WEST 1316.84 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID SUBDIVISION, NORTH 89°04'22" WEST 393.41 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 21°36'14" EAST 393.06 FEET; THENCE NORTH 89°04'22" WEST 635.79 FEET; THENCE SOUTH 89°11'42" WEST 71.58 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED UNDER AUDITOR'S FILE NO. 8103300054; THENCE ALONG SAID EAST LINE, SOUTH 00°49'49" WEST 12.46 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE SOUTH LINE OF SAID PARCEL AND THE PARCEL DESCRIBED UNDER AUDITOR'S FILE NO. 1144465, SOUTH 89°01'21" WEST 365.18 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE ALONG SAID WEST LINE, NORTH 00°49'49" EAST 9.82 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED UNDER AUDITOR'S FILE NO. 1144465, NORTH 89°04'22" WEST 357.52 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED UNDER AUDITOR'S FILE NO. 982136; THENCE ALONG SAID EAST LINE SOUTH 00°46'38" WEST 149.99 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID PARCEL NORTH 89°04'22" WEST 240.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE WEST LINE OF SAID PARCEL, NORTH 00°46'38" EAST 40.00 FEET TO THE SOUTH LINE OF THAT PARCEL DESCRIBED UNDER AUDITOR'S FILE NO. 1086501; THENCE ALONG SAID SOUTH LINE, NORTH 89°04'22" WEST 253.67 FEET TO THE EAST LINE OF THE WEST 463.75 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE ALONG SAID EAST LINE, SOUTH 00°43'28" WEST 167.61 FEET TO THE SOUTH LINE OF THE NORTH ONE HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THE NORTH ONE HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, SOUTH 89°02'53" EAST 2165.31 FEET TO THE SOUTHEAST CORNER OF SAID NORTH ONE HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION, NORTH~~

~~00*56'10" EAST 658.42 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THE RIGHT OF WAY OF FLETCHER BAY ROAD N.E. CONVEYED UNDER AUDITOR'S FILE NO. 1003493, EXCEPT THE RIGHT OF WAY OF ISLAND CENTER ROAD N.E. CONVEYED UNDER AUDITOR'S FILE NO. 280318, EXCEPT THE RIGHT OF WAY OF N.E. JOHNSONVILLE LANE RECORDED UNDER AUDITOR'S FILE NO. 200106270142, SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.~~

II. Management Goals, Policies and Practices

~~General Statement~~Background: The Johnson Farm is a unique property serving multiple public purposes. The diverse segments of the property allow for uses serving farming, affordable/agricultural housing, public access, and open space conservation. The Johnson Farm property shall be managed for a combination of agricultural purposes, affordable/agricultural housing, habitat conservation, public access and passive recreation. See Attachment A for a Johnson Farm Site Plan reflecting these goals, practices, and policies.

A. Agricultural Use

1. Policies and Practices

(a) The land should be farmed consistent with feasible and long-term sustainable agriculture objectives. Allowances should be made for standard farm practices that enhance long-term sustainability as opposed to short term maximization of profit, such as regular fallowing of land, and variation of crops from one season to another or long-term crop development.~~Given the high quality soil conditions and solar exposure of this farmland, the land should be farmed consistent with feasible and sustainable objectives (with allowance for standard farm practices such as regular fallowing of land, and variation of crops from one season to another or long-term crop development).~~

(b) Farming operations shall be carried out in a cooperative manner among all farmers bearing leases to the farmland. Such cooperation will include but not be limited to equipment and infrastructure sharing, repair and maintenance of farm infrastructure and common areas, group irrigation planning, marketing, farm stand sales, and crop rotation planning.

(c) Property owners and lessees must comply with any and all applicable local ordinances, including but not limited to zoning, solid waste, wellhead protection and critical areas ordinances, and any applicable federal, state and local permits that may be required.

(d) Farm activities on the Johnson Farm shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(e) Farmers should rely on the findings of the Farm Evaluation Plan for the Johnson Farm Property, if available, as they develop farm plans.

(f) Long-term operating leases designed to ensure long-term viability shall be offered to farmers who are chosen as tenants. Lease terms shall be based on farmer experience, farmer business plan, availability of agricultural lands, type of crop and demonstrated farmer ability to meet management goals for the property and City agricultural lands.

(g) The primary use for the City agricultural lands is for the production of food crops.

(h) Consideration should be given to identifying opportunities for providing emerging commercial farmers with access to farmland and/or opportunities to participate with established commercial farming businesses.

2. Goals

~~(a) Farm Plans. Farmers utilizing Johnson Farm agricultural lands must develop individual farm plans and business plans to be reviewed in a City-approved application process.~~

~~(b) Develop Farm Evaluation Plan for the Johnson Farm Property to identify potential agricultural uses for the farm area. The evaluation should include an analysis of soil quality, water availability, potential crop and livestock capacity, and analysis of existing and potential farm-related infrastructure.~~

~~(c) Capital Improvement Plan. Develop a cooperative maintenance, and repair~~ and placement plan and schedule for common areas and shared infrastructure.

B. Water

1. **Background:** There is a large farm pond on the Johnson property, and the Johnson property does have legal water rights for irrigation of up to 20 acres. The time frame during which irrigation can be pumped from the farm pond under existing water rights for the property is limited to the period of June 1 to September 30 each year. The water rights for this property also include the use of water for rearing and propagating fish. In order to extend the irrigation period, or change the allowed uses for the farm's water, then an application to the Washington Department of Ecology would need to be submitted for these changes.

2. Policies and Practices

(a) Water use on the Johnson Farm shall conform to USFA Irrigation Plan Natural Resources Conservation Service Irrigation Plan or the Resource Inventory

Evaluation and Alternatives produced for the property by the Kitsap Conservation District. Where feasible, drip irrigation and similar conservation methodologies should be utilized.

(b) Rainwater catchment should be encouraged where feasible.

(c) In most years, application of water between June 1 and September 30 will likely cover the needs for irrigation of crops and pasture. However, given the relatively low water holding capacity of the soils at this location, it is possible that in years with drier than normal spring months, or drier than normal Octobers, crops and/or pasture might suffer for lack of soil moisture. Therefore, if it is feasible and possible to extend the period when irrigation is allowed on the Johnson property, it is recommended that an application be made to extend that period to run from May 1 through October 15 each year to assure that adequate irrigation water be available should precipitation in the Spring or in October be insufficient for agricultural needs.

3. Goals

(a) ~~–Implement Kitsap Conservation District farm plan to maximize conservation and sustainable use of water resources. Develop and implement a farm plan to maximize conservation and sustainable use of water resources.~~

(b) Develop and implement irrigation management plan.

C. Soils

1. Policies and Practices

(a) Farm activities affecting soil on the Johnson Farm shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(b) The amount and timing of amendments and fertilizer applications should be based on crop needs and production goals.

(c) ~~Farm Practices~~Farmers shall implement best management farm practices that intercept runoff and sediment as close to the source as possible.

(d) Efforts to control sources of runoff, sediment, and erosion should be coordinated with those of neighboring properties.

(e) ~~Protect u~~Unpaved roads and other heavy-use or bare soil areas should be protected from concentrated flows of water.

(f) ~~Sediment and runoff should be detained and filtered before it leaves the property.~~

2. Goals

~~(a) Perform an evaluation of site conditions to determine farm site irrigation, rainfall, stormwater runoff patterns, and identify erosion problem areas and their causes.~~

~~(ba)~~ Implement the Kitsap Conservation District Develop a farm plan to minimize erosion.

~~(c) Perform an evaluation of site conditions to determine farm site soil conditions and quality.~~

~~(db)~~ Implement the Kitsap Conservation District Develop a farm plan to improve and maintain soil conditions and quality.

D. Housing/Structures

1. Background: There are four existing structures on Johnson Farm: two well houses, a storage shed with Community Supported Agriculture (“CSA”) delivery area, and a storage area with a fowl pen. The property has six development rights. Plans for the property depict two units being located on the upper property for farmer housing, and four units located in the lower “parking” area of the property. The City has approved a barn structure to be built for community use, also to be located in the “parking” area.

2. Policies and Practices

(a) Providing opportunities for housing to the farming community is an important element in ensuring that farmers and their families can continue their work on Bainbridge Island. Further, economic diversity in the community is promoted by providing options for affordable housing. Therefore, a portion of the property shall be engaged in affordable and/or agricultural housing unless specific conditions make housing impossible on the property.

(b) The Johnson Farm property has 6 development rights. These should be used to provide agricultural housing and affordable housing.

(c) Farm families should be given priority of use for housing. Units that are not occupied by farm families or interns and itinerant labor, can be added to the pool of affordable housing available to Islanders.

(d) Management of the housing should be carried out by an organization with experience in affordable housing, ~~such as the Housing Resources Board of Bainbridge Island (“HRB”) or another suitable agency,~~ or as a self-managing Community Land Trust.

(e) Opportunities for communal sharing of resources should be maximized by the households located on the property. This may include shared utilities, storage space, meeting rooms, kitchen service, garbage/composting operations, transportation, office space, yard space, play areas and workshops. At the same time, development should ensure opportunities for privacy for each individual and family.

(f) The barn structure planned for the low East end of the property shall be available for farm related activities, and may be used for other public needs that are compatible with the primary uses of the Johnson Farm.

(g) The property currently includes a well and appurtenant pump house, fowl containment pen, and shed structure used for storage and to house the CSA subscription pick up for Persephone Farms. These structures should be maintained and remain in continued use.

3. Goals

(a) Develop housing on the property according to the layout in the Johnson Farm Site Plan, Attachment A. The East end of the property (a low area used for parking during the Harvest Fair) is planned to include four residential units and a barn structure for public use. Two residential units are planned for the central area of the upland portion of the property.

| (b) ~~The City shall d~~Develop a master plan for appropriate farm housing.

| (c) Form a ~~Farm Village~~ resident's or homeowner's association for governance of common areas and shared resources. Alternatively, develop a Community Land Trust to govern all housing and common areas ~~within the Farm Village~~.

(d) Ensure long term maintenance and operations of existing farm structures.

E. Public Access

1. Trails

(a) Background: Agricultural parcels owned by the City are of interest to the entire community and require access trails and point of interest viewing locations. Friends of the Farms has constructed a trail system that connects provides access and viewing opportunities on the property. In addition, portions of the property not dedicated to agriculture may serve low impact public uses.

(b) Policies and Practices

i. -Trails and viewing stations should be developed to ensure that ~~public~~ visitors can access and view the property, will not interfere with farm activity, and are safe from active farm operations.

ii. Open space on the property may allow activities where appropriate such as compiling wildlife and plant inventories, analyzing the life forms in the waterways, placing birdhouses on parts of the property, making periodic butterfly or bird counts, picking up litter on an annual basis and removal of invasive species where appropriate.

iii. Trails should be developed for multi-model non-motorized transportation including pedestrian, bicycle and equestrian use.

(c) Goals

i. Develop trail system with viewing stations for points of interest to allow the public access to the Johnson Farm Area.

ii. Integrate the trail system with the City non-motorized transportation plan and Bainbridge Island Metropolitan Parks and Recreation District's trail Island wide trail planning.

2. Education Activities

(a) Policies and Practices

i. Public and private educational activities shall be allowed and encouraged on the Johnson Farm.

ii. Public and private educational activities may include, but are not limited to, volunteer projects to enhance the public's enjoyment of the properties, and opportunities for Bainbridge residents and others to educate themselves about agricultural practices and the natural world. These could include agricultural education programs, public growing programs, trail enhancement, and property enhancement work parties.

(b) Goals

i. Develop partnerships with educational institutes to facilitate educational opportunities on the property. Specifically: (i) build and facilitate K-12 learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability, (ii) develop adult learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability ~~—these may include internship programs and classes coordinated with WSU Extension and other educational programs.~~

3. Pea-Patches

(a) Background: A pea-patch area has been established adjacent to the orchard area.

(b) Policies and Practices

i. A portion of the property should be maintained for public use garden areas.

(c) Goals

i. Maintain availability of portions of the property for pea-patch gardening.

F. Stewardship/Habitat Conservation

1. Background: Natural habitat and watercourses are an indispensable and irreplaceable but fragile natural resource with which the citizens of Bainbridge Island have been endowed. The natural areas and habitats are a unique sub-system in the local environment. Further, preservation of natural habitats in agricultural areas helps to ensure a continuance of native biological diversity. Therefore, efforts shall be made to preserve/maintain existing critical areas as defined by- the Bainbridge Island Municipal CodeBIMC.

2. Policies and Practices

(a) All farm activities should preserve a relationship to the natural environment.~~Farm practices should reflect a relation to the natural environment.~~

(b) Farm practices should preserve the unique natural habitats of agricultural areas for species that commonly rely on healthy farmlands.

(c) Portions of the property bordering private non-agricultural property and public rights of way shall be maintained in a natural vegetative state, when compatible with farm uses of the property. These border areas may be planted and maintained with native plants, edible plantings and plantings supportive of habitat and food provision for birds and animals. Where possible plantings should include a variety of plant species and avoid monocultures. Where practicable trees should be planted on or near the property line, shrubs and smaller trees should be planted in front of these, and finally shrubs and groundcovers should be placed in front. This will allow for a tapered buffer to maximize privacy and habitat variation. Consideration should be given to planting of edible plant species that can be harvested. All planting must be balanced against usability of the land for crop production which will take precedence.

3. Goals

(a) The West end of the property has been used for nature mapping by students from Sakai for at least ten years. The data they have been collecting has been submitted to the University of Washington. This and similar activities should be encouraged to continue.

(b) Develop a habitat management plan for the Johnson Farm.

(c) The West end of the property is not suitable for agricultural activities, and should be placed under a conservation easement to permanently protect the open space value of this portion of the property.

G. Special Considerations

1. Aesthetics. As both public lands and as fully operational commercial farmlands management of these lands must strike a delicate balance between form and function. One of the reasons operating farms are supported on public lands is that they reflect a rural aesthetic valued by the community. They are also supported because of their practical value of providing locally grown food for local consumption. Farm management is inherently a busy and sometimes messy industry, and these practices must not be compromised by aesthetics alone. To balance these values the farmland must be maintained according to the following Policies and Practices:

2. Policy and Practices

(a) Obsolete materials and machinery should be removed from the property, or if they are to be saved organized for display.

(b) Mechanical equipment and storage areas should be screened by vegetation or building design where possible.

(c) Vegetation near roadsides and public areas should be maintained.

(d) Structures should reflect the historical and rural character of local farms where feasible.

~~DRAFT~~

GOALS, POLICIES AND PRACTICES

M & E PROPERTY

I. General Property Description

The M & E Property was donated to the City in 2003 by Elizabeth Grossman. It is the location of the former M & E Tree Farm. The site consists of two parcels "M & E East" and "M & E West."

A. Acreage: Total 13.33

M & E East: 5.02

M & E West: -8.31

B. Location: The M & E properties are located along the southern and south east section of the Farm District. ~~The best point of access for the property is from the South via Charles Pl. NE (Note that the Charles Place access entails a questionable "public" easement over private property. This calls for clarification). The Bainbridge Island Metropolitan Parks District has cleared an area for parking near the entrance.~~

C. Tax Parcel Nos.: M & E East: 102502-1-028-2009
M & E West: 102502-1-029-2008

~~D. Legal Descriptions:~~

~~M & E West: WEST HALF OF THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; AND EAST HALF OF THE WEST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; EXCEPT THE FOLLOWING DESCRIBED TRACTS: PARCEL A: THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SUBDIVISION WHICH IS SOUTH 88°05'05" EAST 473.56 FEET FROM THE NORTHWEST CORNER THEREOF; THENCE SOUTH 6°07'33" EAST 112.26 FEET; THENCE SOUTH 72°19'53" EAST 159.83 FEET; THENCE NORTH 29°44'49" EAST 174.76 FEET TO THE NORTH LINE OF SAID SUBDIVISION; THENCE NORTH 88°05'05" WEST 251.12 FEET TO THE POINT OF BEGINNING. PARCEL B: BEGINNING AT A POINT 300 FEET SOUTH OF THE NORTHWEST CORNER OF SAID EAST HALF OF THE WEST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 360 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER THEREOF; THENCE EAST 270 FEET; THENCE IN A NORTHEASTERLY DIRECTION TO THE POINT OF BEGINNING; TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND ACROSS THE SOUTHWESTERLY 20 FEET OF THE ABOVE EXCEPTED PARCEL A.-~~

~~M & E East: THE EAST HALF OF THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 10, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; TOGETHER WITH AN EASEMENT~~

~~FOR INGRESS AND EGRESS AND FOR UTILITIES OVER A PORTION OF THE WEST HALF OF THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE NORTH 30 FEET; THENCE WEST 30 FEET; THENCE SOUTH 30 FEET; THENCE EAST 30 FEET TO THE POINT OF BEGINNING. TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT N87°55'25" W 1331.44 FEET AND N1°11'59" E 342.52 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 10; THENCE N1°11'59" E 315.00 FEET TO THE NORTHWEST CORNER OF THE PLAT OF VIEW CREST RECORDED IN VOLUME 9 OF PLATS, PG. 30, RECORDS OF KITSAP COUNTY, WASHINGTON; THENCE N88°00'12" W 330 FEET TO THE TRUE POINT OF BEGINNING; THENCE N88°00'12" W 20 FEET; THENCE S1°11'51" W 315.00 FEET; THENCE S88°00'12" E 20 FEET; THENCE N1°11'51" E 315.00 FEET TO THE TRUE POINT OF BEGINNING.~~

II. Management Goals, Policies and Practices

A. Background: The M & E property is unique from other properties in the Farm District in that it was not purchased using City open space funds, but was donated to the City as open space. The acquisition agreement subjected the property to conservation and use restrictions that control and serve as policy and practices for the property.

III. ~~Permitted Land~~ Uses

A. ~~Agricultural Use~~Background:

The M & E property is ~~burdened by a restriction, such~~ that no individual may conduct commercial farming on the property. Aside from this restriction there are no restrictions on agricultural activity for the property.

The unique restrictions placed on the M & E property present unique opportunities. While it is not possible to conduct commercial agricultural operations by private parties, there are ~~likely~~ many activities that can be undertaken on the property that complement the ~~commercial~~ farm activities ~~in the Farm District~~ on nearby public farmland. ~~One possibility (in addition to those mentioned above)~~ Possible uses include but are not limited to:

~~is for agricultural~~
1. Incubator farm area for would-be farmers (such as interns) to test their business plans, possibly in conjunction with agriculture-related courses and/or other educational opportunities.

2. Demonstration, community, and pea-patch garden and growing spaces.

3. Nursery space for public agency use.

4. Growing spaces dedicated to multi-age educational opportunities.

5. Not-for-profit farming activities to support management of the public farms programs, agriculture related educational programs, programming for Bainbridge Island agriculture, and permanent preservation of Bainbridge Island farming including acquisition. For instance, harvesting and sale of existing Christmas trees or seasonal greens can be carried out by a contract staff farmer or volunteers.

~~-activity to be carried out on the land by the Farm Manager. Harvesting activities could be accomplished by farmers serving as employees of the Farm Manager. Products derived from the operation could be harvested and marketed for a modest profit to help pay for management operations. For instance, harvesting of existing Christmas trees or seasonal greens could be carried out by a staff farmer, and the materials could be sold to support the Farm Manager. This activity would not be commercial, and could contribute to solving the problem of funding the City farmlands management entity.~~

~~The parcel could also be used as an incubator to allow would-be farmers (such as interns) to test their business plans, possibly in conjunction with an agriculture related courses at the Washington State University Extension.~~

B. Water

1. Background: The M & E property has no water rights ~~or water access~~ at this time. The property does have access to water service from the Kitsap Public Utility District.

2. Goals

(a) Develop and implement a water acquisition and management plan relative to the determined use of the property.

(b) Develop feasible onsite water resources including wells, water storage, and water rights acquisition.

C. Soils

Background: The West M & E Property has served as a commercial tree farm. Therefore, the soils are disturbed and have special amendment needs.

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1. Policies and Practices

(a) Farm activities affecting soil on the M & E Property shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(b) The amount and timing of amendments and fertilizer applications should be based on crop needs and production goals.

(c) Farm Practices shall implement farm practices that intercept runoff and sediment as close to the source as possible.

(d) Efforts to control sources of runoff, sediment, and erosion should be coordinated with those of neighboring properties.

(e) Protect unpaved roads and other heavy-use or bare soil areas should be protected from concentrated flows of water.

(f) Sediment and runoff should be detained and filtered before it leaves the property.

2. Goals

(a) Perform an evaluation of site conditions to determine farm-site irrigation, rainfall, stormwater runoff patterns, and identify erosion problem areas and their causes.

(b) Develop a farm plan to minimize erosion.

(c) Perform an evaluation of site conditions to determine farm-site soil conditions and quality.

(d) Develop a farm plan to improve and maintain soil conditions and quality.

D. Structures

1. Background: There are two storage sheds and a small office structure located on the property. The Conservation Restrictions allow for maintenance of existing structures, but prohibit expansion of the structures.

2. Policies and Practices

~~(a) Existing structures should be maintained and integrated into farming activities if feasible.~~

~~(a)~~ Existing structures shall be maintained and used for any onsite for farm related or farm support activities only ~~property use programs.~~

(b) Any signs posted on the property must be consistent with rural aesthetics and uses of the property.

(c) Where possible utilities should be installed underground, and in a manner such that they do not interfere other uses of the property or the natural environment.

3. Goals

(a) Ensure long term maintenance and operations of existing farm structures.

(b) Establish electrical utility access for the Property. Consider solar access options.

F. Public Access

1. Trails

(a) Background: Agricultural parcels owned by the City are of interest to the entire community and require access trails and point of interest viewing locations. The City and the Park District are in the process of constructing a trail system that would connect the farm properties in the farm district. The City's Non-Motorized Transportation Plan includes plans for the construction of non-motorized facilities in the area. In addition, portions of the property not dedicated to agriculture may serve low impact public uses.

(b) Policies and Practices

i. Trails and viewing stations should be developed to ensure that public visitors can access and view the property, will not interfere with farm activity, and are safe from active farm operations.

ii. Open space on the property may allow activities where appropriate such as compiling wildlife and plant inventories, analyzing the life forms in the waterways, placing birdhouses on parts of the property, making periodic butterfly or bird counts, picking up litter on an annual basis and removal of invasive species where appropriate.

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(c) Goals

i. Develop trail system with viewing stations for points of interest to allow the public access to the Day Road Farm Area.

ii. Integrate the trail system with the City non-motorized transportation plan and Bainbridge Island Metropolitan Parks and Recreation District's trail Island wide trail planning.

2. Education Activities

(a) Policies and Practices

i. Public and private educational activities shall be allowed and encouraged on the ~~Day Road Farm~~ M & E Property.

ii. Public and private educational activities may include, but are not limited to, volunteer projects to enhance the public's enjoyment of the properties, and opportunities for Bainbridge residents and others to educate themselves about agricultural practices and the natural world. These could include agricultural education programs, public growing programs, trail enhancement, and property enhancement work parties.

(b) Goals

i. ~~The possibility of granting historic status to the Suyematsu property through the state registry should be researched. Such designation would acknowledge the historical and cultural significance of Japanese farmers on Bainbridge Island, and may open the property up to additional funding and educational opportunities.~~

~~ii.~~ Develop partnerships with educational institutes to facilitate educational opportunities on the property. Specifically: (i) build and facilitate K-12 learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability, (ii) develop adult learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability – these may include internship programs and classes coordinated with WSU Extension and other educational programs.

3. Passive Recreation

(a) Policies and Practices

i. Low impact public use of the Property that is compatible with other users should be encouraged. Uses such as trails, seating areas, and view-points are allowed.

ii. No hunting is allowed on the Property.

(b) Goals

i. Public restroom facilities should be established.

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G. Stewardship/Habitat Conservation

1. Background: Natural habitat and watercourses are an indispensable and irreplaceable but fragile natural resource with which the citizens of Bainbridge Island have been endowed. The natural areas and habitats are a unique sub-system in the local environment. Further, preservation of natural habitats in agricultural areas helps to ensure a continuance of native biological diversity. Therefore, efforts shall be made to preserve/maintain existing critical areas as defined by BIMC.

2. Policies and Practices

(a) Farm practices should reflect a relation to the natural environment.

(b) Farm practices should preserve the unique natural habitats of agricultural areas for species that commonly rely on healthy farmlands.

(c) Portions of the property bordering private non-agricultural property and public rights of way shall be maintained in a natural vegetative state, when compatible with farm uses of the property. These border areas may be planted and maintained with native plants, edible plantings and plantings supportive of habitat and food provision for birds and animals. Where possible plantings should include a variety of plant species and avoid monocultures. Where practicable trees should be planted on or near the property line, shrubs and smaller trees should be planted in front of these, and finally shrubs and groundcovers should be placed in front. This will allow for a tapered buffer to maximize privacy and habitat variation. Consideration should be given to planting of edible plant species that can be harvested. All planting must be balanced against usability of the land for crop production which will take precedence.

(d) Management of the property should be mindful of the water course that runs from Day Road through the Bentryn property and the M & E property. This ravine is a high value natural area.

~~(e) Currently the center of Suyematsu East is occupied by an active and large scale composting operation. The composting operation are controlled by Akio Suyematsu. This operation is undertaken as part of Mr. Suyematsu's life estate management of the property. It is his hope to leave a legacy of excellent soil conditions at the Day Road Farm. It is anticipated that when Mr. Suyematsu is no longer running this operation that it will be modified.~~

3. Goals

(a) Place a conservation easement on portions of this property and the adjacent properties containing the ravine area to permanently protect the open space value of this portion of these properties.

(b) Develop a habitat management plan for the Day Road Farm.

(c) Develop a long-term plan for compost operations in cooperation with Mr. Suyematsu.

H. Timber Removal

1. Background: According to the property Conservation Restrictions “Timber resources on the Property may be cultivated cut, and harvested, provided that such timber Activities are (i) reviewed and approved in advance by the Open Space Commission or other commission or entity designated by the City, (ii) conducted in a manner to preserve and protect the Conservation Values of the Property, and (iii) all funds generated by such activities are used to acquire additional open space property in accordance with applicable laws and ordinances.”

IV. Prohibited Uses

The following uses are prohibited on the property under the Conservation Restrictions:

A. Subdivision of the property.

B. Commercial Agricultural Activities. The commercial harvesting, cutting, or destruction of timber or other vegetation on the Property.

C. Alteration of Land. The alteration of the surface of the land, including, without limitation, the excavation or removal of soil, sand, gravel, rock, peat, or sod, except as necessary to preserve or protect the Conservation Values of the Property.

~~DRAFT~~

GOALS, POLICIES AND PRACTICES

MORALES FARM

I. General Property Description

The Morales Farm is owned by the City and currently managed by the Friends of the Farms under a stewardship plan dated November 4, 2003, that has been incorporated into a management contract.

The Morales Farm has value as a historic farm located in a part of the island with soil and other conditions conducive to agriculture, at the South West corner of the Farm District. The property must be preserved as a community resource to promote island farming.

The Morales house was built in 1953 and served as the primary residence of the Morales family before the property was put on the market after many years of use by the family for farming. The property was sold to the City in 2003 as an open space fund acquisition .

A. Acreage: Acreage: 4.74

B. Location: The property is located in the NE ¼ of Section 10, Township 25N, Range 2E, at 8862 Lovgreen Road, Bainbridge Island in the Manzanita Bay Watershed.

C. Tax Parcel No.: 102502-1-056-2004

~~**D. Legal Description:** THE W 330FT OF THE S1/2 OF THE SW1/4 NE1/4 EXC TH PT CNVYD TO THE ST OF WASH FOR HWY NO.21A ALSO EXC RDS.~~

II. Management Goals, Policies and Practices

A. Agricultural Use

1. Background: The Morales Farm has been used for small-scale agriculture for decades. The farm fell into disuse when the Morales family vacated the property prior to purchase by the City. The property should be returned to maximum agricultural production. Under Friends of the Farms management, substantial steps have been taken toward that goal over the past eight years.

2. Policies and Practices

(a) The land should be farmed consistent with feasible and long-term sustainable agriculture objectives. Allowances should be made for standard farm practices that enhance long-term sustainability as opposed to short term maximization of profit, such as regular fallowing of land, and variation of crops from one season to

~~another or long-term crop development. Given the high quality soil conditions and solar exposure of this farmland, the land should be farmed to the maximum consistent with feasible and sustainable objectives (with allowance for standard farm practices such as regular fallowing of land, and variation of crops from one season to another or long term crop development).~~

(b) Farming operations shall be carried out in a cooperative manner among all farmers bearing leases to the farmland. Such cooperation will include but not be limited to equipment and infrastructure sharing, repair and maintenance of farm infrastructure and common areas, group irrigation planning, marketing, farm stand sales, and crop rotation planning.

(c) Property owners and lessees must comply with any and all applicable local ordinances, including but not limited to zoning, solid waste, wellhead protection and critical areas ordinances, and any applicable federal, state and local permits that may be required.

(d) Farm activities on the Morales Farm shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(e) Farmers should rely on the findings of the Farm Evaluation Plan for the Morales Farm Property, if available, as they develop farm plans.

(f) Long-term operating leases designed to ensure economic viability shall be offered to farmers who are chosen as tenants. Farm leases shall be given terms based on farmer experience, farmer business plan, availability of agricultural lands, type of crop and demonstrated farmer ability to meet management goals for the property and City agricultural lands.

(g) The primary use for the City agricultural lands is for the production of food crops.

(h) Consideration should be given to identifying opportunities for providing emerging commercial farmers with access to farmland and/or opportunities to participate with established commercial farming businesses.

3. Goals:

~~(a) Farm Plans. Farmers utilizing Morales Farm agricultural lands must develop individual farm plans and business plans to be reviewed in a City approved application process.~~

~~(b)~~ Develop Farm Evaluation Plan for the Morales Farm Property to identify potential agricultural uses for the farm area. The evaluation should include an

analysis of soil quality, water availability, potential crop and livestock capacity, and analysis of existing and potential farm related infrastructure.

(eb) Capital Improvement Plan. Develop a cooperative maintenance and repair plan and schedule for common areas and shared infrastructure.

B. Water

1. Background: There is a shallow well on the property (see “pumphouse” on site plan for location). This is currently being used to support agricultural activity. Friends of the Farms installed a new pump and electrical system. The well originally provided water for the Morales residence. Anecdotal, the well never runs dry. Future plans for the property should include applying to the Department of Ecology for a water right to serve agricultural activity. A seasonal stream crosses the property from the northeast, emptying into a wetland on the adjacent property to the west. The Morales family made use of water from the pond on the neighboring property to the west for their agricultural needs. Another approach to securing long-term water access for agricultural activities could include approaching the neighbor for a water easement.

Finally, the Morales Farm has ~~recently~~ been connected to domestic water provided by the KPUD system, which serves the surrounding neighborhood. This will provide a health department-approved water source for any residence or farm stand on the property, though it does not represent a likely source of agricultural water due to the costs of irrigation water usage.

2. Policies and Practices

(a) Water use on the Johnson Farm shall conform to USFA Irrigation Plan Natural Resources Conservation Service Irrigation Plan or the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District. Where feasible, drip irrigation and similar conservation methodologies should be utilized.

(b) Rainwater catchment should be encouraged where feasible.

3. Goals

(a) Secure water-rights sufficient to serve long-term agricultural uses.

(b) Implement Kitsap Conservation District farm plan to maximize conservation and sustainable use of water resources.

(c) Develop and implement irrigation management plan.

C. Soil

1. Policies and Practices

(a) Farm activities affecting soil on the Morales Farm shall conform to the Resource Inventory Evaluation and Alternatives produced for the property by the Kitsap Conservation District.

(b) The amount and timing of amendments and fertilizer applications should be based on crop needs and production goals.

(c) Farmers ~~Practices~~ shall implement best management farm practices that intercept runoff and sediment as close to the source as possible.

(d) Efforts to control sources of runoff, sediment, and erosion should be coordinated with those of neighboring properties.

(e) ~~Protect u~~Unpaved roads and other heavy-use or bare soil areas should be protected from concentrated flows of water.

~~(f) Sediment and runoff should be detained and filtered before it leaves the property.~~

3. Goals

~~(a) Perform an evaluation of site conditions to determine farm site irrigation, rainfall, stormwater runoff patterns, and identify erosion problem areas and their causes.~~

~~(b)~~ Implement the Kitsap Conservation DistrictDevelop a farm plan to minimize erosion.

~~(c) Perform an evaluation of site conditions to determine farm site soil conditions and quality.~~

~~(d)~~ Implement the Kitsap Conservation DistrictDevelop a farm plan to improve and maintain soil conditions and quality.

D. Housing/Structures

1. Background: The property includes the Morales house and adjacent garage structure. ~~The house is currently unoccupied.~~

~~The house and garage are currently used for storage by farmers using the land for agricultural purposes. The roof of the house was replaced by the City in 2007. Remodeling of the structure is occurring now and will likely be completed in 2012.~~

2. Policies and Practices

(a) The Morales house is currently dedicated to housing for interns associated with Bainbridge Island farming activities. ~~for use depending on cost and need include:~~

~~i. Storage for agricultural activities on the property and for City activities.~~

~~ii. Classroom area for agricultural intern and education programs.~~

~~iii. Farm stand for produce sale. This option is attractive due to its location near the Hwy 305. Use as a farm stand would have to include consideration of other locations such as the Day Road Farm, which appears to be the current favored location for a farm stand.~~

~~iv. Residential use. Farm housing and affordable housing are an identified need for the community.~~

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(b) A large green-house structure has been established on the property is owned and managed by Butler Farms. The structure ~~will serve~~s the growing needs of the farmers on the property, and ~~will also serve~~s as an auxiliary structure for agriculture education programs.

3. Goals

(a) Ensure long term maintenance and operations of existing farm structures.

E. Public Access

1. Trails

(a) Background: The Morales Farm is on the far South West corner of the City Farm District. The City ~~is~~ interested in constructing a trail system that would connect the farm properties. The Non-Motorized Transportation Plan includes plans for the construction of non-motorized facilities in conjunction with Day Road to the north of the Morales Farm.

(b) Policies and Practices

i. Trails and viewing stations should be developed to ensure that ~~public~~ visitors can access and view the property, will not interfere with farm activity, and are safe from active farm operations.

ii. Open space on the property may allow activities where appropriate such as compiling wildlife and plant inventories, analyzing the life forms in the waterways, placing birdhouses on parts of the property, making periodic butterfly or bird counts, picking up litter on an annual basis and removal of invasive species where appropriate.

iii. Trails should be developed for multi-model non-motorized transportation including pedestrian, bicycle and equestrian use.

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(c) Goals

i. Develop trail system with viewing stations for points of interest to allow the public access to the Johnson Farm Area.

ii. Integrate the trail system with the City non-motorized transportation plan and Bainbridge Island Metropolitan Parks and Recreation District's trail Island wide trail planning.

2. Education Activities

(a) Policies and Practices

i. Public and private educational activities shall be allowed and encouraged on the Johnson Farm.

ii. Public and private educational activities may include, but are not limited to, volunteer projects to enhance the public's enjoyment of the properties, and opportunities for Bainbridge residents and others to educate themselves about agricultural practices and the natural world. These could include agricultural education programs, public growing programs, trail enhancement, and property enhancement work parties.

(b) Goals

i. Develop partnerships with educational institutes to facilitate educational opportunities on the property. Specifically: (i) build and facilitate K-12 learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability, (ii) develop adult learning experiences integrated with farm operations, in a way that does not interfere with daily business and supports the farm's sustainability ~~—these may include internship programs and classes coordinated with WSU Extension and other educational programs.~~

ii. Consideration should be given to placing an interpretive display on the property that explains the history and cultural contributions of Filipino farmers on

Bainbridge Island. ~~Potential partners that could help design and construct the display include the Bainbridge Island Historical Society, Bainbridge Island Arts and Humanities Council, or other cultural organizations.~~ Due to its historic and cultural values, the Morales farm may be a candidate for historical designation through the state registry. Such designation could open up the farm and the City's farmland preservation program in general, to additional funding opportunities.

H. Habitat Conservation

1. Background: Natural habitat and watercourses are an indispensable and irreplaceable but fragile natural resource with which the citizens of Bainbridge Island have been endowed. The natural areas and habitats are a unique sub-system in the local environment. Further, preservation of natural habitats in agricultural areas helps to ensure a continuance of native biological diversity. Therefore, efforts shall be made to preserve/maintain existing critical areas as defined by the Bainbridge Island Municipal Code. ~~wetland and woodland areas.~~

2. Policies and Practices

(a) All farm activities should preserve a relationship to the natural environment. ~~Farm practices should reflect a relation to the natural environment.~~

(b) Farm practices should preserve the unique natural habitats of agricultural areas for species that commonly rely on healthy farmlands.

(c) Portions of the property bordering private non-agricultural property and public rights of way shall be maintained in a natural vegetative state. These border areas should be planted and maintained with native plants, edible plantings and plantings supportive of habitat and food provision for birds and animals. Plantings should include a variety of plant species and avoid monocultures. Where practicable trees should be planted on or near the property line, shrubs and smaller trees should be planted in front of these, and finally shrubs and groundcovers should be placed in front. This will allow for a tapered buffer to maximize privacy and habitat variation. Consideration should be given to planting of edible plant species that can be harvested. All planting must be balanced against usability of the land for crop production which should take precedence.

(d) The farm is transected by a Non-fish seasonal (Ns) stream that drains west to Manzanita Creek. While Manzanita Creek has documented presence of salmonid species, publicly available data indicate the presence of a fish passage barrier where the stream passes under SR 305 via a culvert. This fish passage barrier is classified by Washington Department of Fish and Wildlife (WDFW) as a "total barrier." Current City critical areas regulations require a 50-foot buffer for Ns streams, measured from the ordinary high water mark (OHWM). Buffers are to be retained in their natural condition; however, it is acceptable to enhance the buffer by planting native or equivalent vegetation as approved by the City. Ongoing agricultural activities using best management practices as included in a farm management plan developed by the Kitsap Conservation District are

exempt from current critical areas regulations; however, it is recommended that invasive species, such as Himalayan and evergreen blackberry and Scotch broom, as well as tree species that may shade actively farmed areas, be removed from the stream buffer. Depending upon the extent of bare ground resulting from plant removal, native plant species of quantities and height that will provide an adequate riparian plant community and not interfere with agricultural activities should be installed. In addition, the Kitsap Conservation District recommends the correct management of fertilizers and chemicals on the farm property.

~~A small wetland lies to the west of the farm on the opposite side of the access road immediately adjacent to the farm. Due to the location of the existing road between the wetland and the farm, agricultural activities on the farm would not likely adversely affect the functions and values of the wetland as long as the correct management of fertilizers and chemicals is implemented on the farm property.~~

3. Goals

(a) Place a conservation easement on portions of this property and the adjacent properties containing the ravine area to permanently protect the open space value of this portion of these properties.

(b) Develop a habitat management plan for the Morales Farm.

G. Special Considerations

1. Aesthetics.

(a) Background: As both public lands and as fully operational commercial farmlands management of these lands must strike a delicate balance between form and function. One of the reasons operating farms are supported on public lands is that they reflect a rural aesthetic valued by the community. They are also supported because of their practical value of providing locally grown food for local consumption. Farm management is inherently a busy and sometimes messy industry, and these practices must not be compromised by aesthetics alone. To balance these values the farmland must be maintained according to the following Policies and Practices:

(b) Policy and Practices

i. Obsolete materials and machinery should be removed from the property, or if they are to be saved organized for display.

ii. Mechanical equipment and storage areas should be screened by vegetation or building design where possible.

iii. Vegetation near roadsides and public areas should be maintained.

iv. Structures should reflect the historical and rural character of local farms where feasible.

List of Properties Transferred to the Park District

Property Name	Parcel Number(s)	Fund Source	Date Transferred
Battle Point Grand Forest Trail	172502-1-022-20 (10-foot strip) 172502-1-039-2009 172502-1-042-2004	Open Space Bond	7/18/05
Hall Property	262502-4-003-2004 262502-4-027-2006 262502-4-004-2003 262502-4-021-2002	Open Space Bond	7/18/05
Peters Property	332502-3-003-2007	Open Space Bond	7/18/05
Rockaway Beach	4138-000-046-0102 4138-000-047-0002 4138-000-048-0001 4138-000-049-0000	Open Space Bond	7/18/05
Close	292502-3-017-2007	Open Space Bond	12/19/05
Veterane	322502-4-047-2004	Title passed directly to Park District	12/05
T'Chookwap Park	342602-4-045-2003	Purchased with contribution from Seattle Yacht Club pursuant to settlement agreement	9/3/09
Spargur Loop	342602-3-041-2009 342602-3-042-2008	Open Space Bond	9/3/09
Madison Avenue Tot Park	262502-2-105-2005	General Fund	9/3/09
Aaron Avenue Tot Lot and Green Belt	5152-001-027-0002 5152-001-028-0001	Dedicated to City	9/3/09 10/20/10
Williams Property	172502-1-026-2004 and	General	3/15/10

	082502-4-012-2005	Fund/LGTO Bond	
Blossom/Schel-Chelb Estuary and Beach and Tidelands	042402-1-060-2007 042402-1-061-2006 042402-1-086-2007 (easement) Trail Easement: 042402-1-072-2003 042402-1-073-2002 042402-1-074-2001	General Fund loan; repaid from General Fund/Open Space Reserve	7/9/12
Nute's Pond	112402-4-002-2003	General Fund	12/7/11
Parade Grounds Park	5451-000-023-0006, 5451-000-019-0002, 5451-000-020-0009	One dedicated in plat; two General Fund; received in exchange with KCCHA	12/7/11
Schel-Chelb Property	042402-1-075-2000	Open Space Bond	7/9/12
Yama	022402-3-047-2003	Open Space Bond	10/20/10

List of Park Properties Not Transferred to the Park District

Property Name	Parcel Number(s)	Fund Source	Surplused?
Blossom/Gazzam Lake	322502-4-009-2000	Acquired at no cost in connection with Point White purchase	Yes
Eagle Harbor Drive Pull Out ¹	4178-000-010-0105	General Fund	No
Manitou Beach Tidelands	142502-3-107-2005	Open Space Bond	Yes
Lumpkin Property	4178-000-001-0304 272502-3-008-2000 4178-000-042-0206	General Fund	Yes
Meigs Farm	152502-1-065-2008 15250-4-005-2005 152502-1-020-2002	General Fund (LGTO bond), Grant; General Fund	Yes
Land near Parade Grounds Park ²	5451-000-024-0005	Dedicated to City in plat	No
Lost Valley	282502-1-027-2000 4178-000-034-1204 (easement) 4178-000-034-0602 (easement) 282502-1-041-2002 (easement) 4178-000-034-0800 (easement)	General Fund and Open Space Bond	No
Lovgren Pit ³	092502-4-002-2006	General Fund	Yes

¹ Park District has said they are not interested in this parcel.

² Park District has said they do not want this parcel because it is too small.

³ SEPA is done.

Pritchard Park ⁴	352502-1-001-2001 352502-1-035-2001 352502-1-034-2002 (City only)	General Fund, Open Space Bond	Yes
Strawberry Plant	272502-4-006-2000	General Fund	No
Waterfront Park	4114-005-012-0000 262502-3-098-2002 4114-002-001-0000	General Fund	No

⁴ The first two parcels listed are jointly-owned with the Park District

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: 2013 Harbor Commission Work Plan	Date: May 1, 2013
Agenda Item: Presentation	Bill No.: 13-051
Proposed By: Councilmember Ward, Liaison	Referral(s):

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:

Consideration of the 2013 Work Plan from the Harbor Commission.

History:

Attached for City Council's consideration is the 2013 Work Plan from the Harbor Commission.

RECOMMENDED ACTION

Motion:

I move that the City Council accept the 2013 Work Plan from the Harbor Commission.

BI Harbor Commission

draft

2013 Work Plan Updated March 26th, 2013

1. The major task of the Harbor Commission this year is to continue promoting the redevelopment of the City Dock, key elements of which are:
 - 1.1 give presentations to the COBI Waterfront Park workshop in April and to any interested parties with the aim of emphasizing the benefits while endeavoring to alleviate any concerns that citizens have with the development,
 - 1.2 liaise with City Council Members and the City Management to refine the proposals to redevelop the City Dock that will hopefully lead to the Council Members deciding to authorize the project and the allocation of the \$1.85 million funds that would be available for the redevelopment of the Waterfront Park and City Dock,
 - 1.3 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
 - 1.4 work with the City management to more clearly define the available grants for the redevelopment of the City Dock in order to leverage the available money from the \$1.85 million fund, and resolve any problems that arise in order to submit the grant applications, such as the need for a Comprehensive Plan,
 - 1.5 liaise with the Bainbridge Island Rowers (BIR), Parks & Recreation District (BIPD) the kayak concessionaire, and trailer boat representatives on viable solutions for the conceptual layout of the proposed City Dock and launch ramp and keep the City management informed of these layouts and construction estimates that meet the needs of the various users,
2. discuss with other project leaders, such as the Road Ends Committee, ways of working with them to promote waterfront developments that will benefit the Island's citizens.

3. implement the recommendations contained in the 2012 Harbor Stewards Program Report and update the information contained therein.
4. continue to encourage the City Council to pass the revised Ordinance and Resolution that pertain to all waters of Bainbridge Island that the HC developed with the City Attorney in October 2011,
5. review navigational and safety issues of private docks in the waters of Bainbridge Island during the pre application process of the City Planning Department,
6. identify potential new Harbor Commissioners to replace the two Commissioners whose terms have expired on Feb.28th, 2013, and liaise with the nominated Council Members in the recruitment process.
7. encourage the participation of Harbor Commissioners, Harbor Stewards and other interested parties in volunteering at the Information Kiosk and being a Dock Host at Waterfront Park and City Dock during seasonally busy periods in 2013,
8. prepare an updated 2013 Appendix to the 1999 Harbor Management Plan,
9. with the assistance of the City management 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
10. assist the Marine Police when requested in the Derelict Vessel Removal Program,
11. continue to educate, advocate and assist the City in the buoy enforcement program,
12. 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,
13. encourage Bainbridge Island boaters to sign up for the Emergency Flotilla,
14. work with BI Parks District in making the boat launch ramp at Fort Ward accessible and safe.

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: 2013 Utility Advisory Committee Work Plan	Date: May 1, 2013
Agenda Item: Presentation	Bill No.: 13-054
Proposed By: Councilmember Blossom, Ex-Officio	Referral(s):

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:

Consideration of the 2013 Work Plan from the Utility Advisory Committee.

History:

Attached for City Council's consideration is the 2013 Work Plan from the Utility Advisory Committee.

RECOMMENDED ACTION

Motion:

I move that the City Council accept the 2013 Work Plan from the Utility Advisory Committee.

To: COBI City Council
From: Utility Advisory Committee
Date: March 25, 2013
Subject: Utility Advisory Committee 2013 Work Plan

The UAC members submits the following Work Plan for your consideration and comment:

Eagle Harbor Sewer Utility Beach Mains Project: UAC is awaiting Consultants Report 30% design and conditions of permit. Expect to review report with Consultants & Staff and provide comment to Council.

General Sewer Plan Update: UAC is awaiting Consultants presentation of the draft General Sewer Plan.

Annual Financial Review and Reporting/Water Utility Oversight: The UAC is awaiting briefing on 2012 Year end financials of all three utilities as well as discussion regarding the details behind the 2013 budgets and CIP outlook for the coming year. City Manager Doug Shultze has scheduled the first of these briefings, for the Water Utility on May 13, 2013.

SSWM Utility: City Manager Doug Shultz has agreed to provide the UAC with a briefing on the scope of services provided by the SSWM Utility. Including the source of the requirements which directs the individual services provided by the SSWM Utility, the funding mechanism and funding source for those individual activities, as well as policy directives which influence those items. This briefing is currently scheduled for April 22, 2013.

COBI Utility Taxes: The City assesses a Municipal Business tax on its utilities (Utility Tax) as allowed under RCW Chapter 35.102 and adopted under BIMC 5.08.040. This City imposes this tax on its municipal water, sewer and SSWM Utility customers while exempting other Island utility customers. These taxes are paid to the general fund and as such the UAC is interested in evaluating the basis and application of these taxes to determine if their application is equitable, and if not to make recommendation of a more appropriate base and associated rate.

Comprehensive Water System Plan Update: This regularly scheduled renewal date for the CWSP is 2013. Staff made a request to the state Department of Health for authorization to operate the water utility under the exiting plan thru January 12, 2015 and that request was approved by Health on February 11, 2013. Under the new authorization the existing plan will remain valid until that date, the City will be required to meet with Health for a pre-planning conference, and the new revised plan needs to be submitted and approved before the January 15, 2015 deadline. UAC expects to be involved in determining the scope of work and selection of the contractor for the update when that action resumes. DEFERRED

Water Utility Management Proposals Evaluation: The UAC completed their review and submitted a report of their findings to Council on January 21, 2013. COMPLETED

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Amendment to the City's Shoreline Master Program Update Grant from the Department of Ecology	Date: May 1, 2013
Agenda Item: Staff Intensive	Bill No.: 09-097
Proposed By: Kathy Cook, Planning	Referral(s): None

BUDGET INFORMATION

Department: Planning	Fund: General	Munis Contract #
Expenditure Req: \$30,000 (100% grant funding)	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:

This is an amendment to the City's grant from the Washington State Department of Ecology, which was provided to support the update of our Shoreline Master Program (SMP). The amendment increases the grant by \$30,000, to a new total of \$240,000. If approved by the City Council, the State will sign the attached amendment agreement.

Background:

In September, 2009, the City entered into a SMP Update grant agreement with the Department of Ecology for \$200,000 in grant funds. The City is currently in year four of the grant. Four previous amendments modified funding categories within the grant; extended the grant deadline to June 30, 2013, and increased the original \$200,000 funding by \$10,000, to a new total of \$210,000. Previously, the grant money has been used to fund consultant services to assist the City with communication and scientific information and for technical assistance to complete final reports such as the Restoration Plan and Consistency Analysis.

The additional funds are to be used to assist the City in the local adoption process for costs such as staff and consultant charges relating to research and development of options for the City Council consideration, additional consistency analysis and legal analysis.

RECOMMENDED ACTION

Motion: I move that the City Council approve a \$30,000 increase to the City's grant from the Washington State Department of Ecology, for a new total grant amount of \$240,000 for the City's SMP update; authorize the City Manager to sign the grant amendment; and approve a budget amendment to reflect the changes in the City's 2013-2014 Budget.

Amendment 5 to SMA Grant G1000036
between the
State of Washington Department of Ecology and the
City of Bainbridge Island
Project: Comprehensive Shoreline Master Program Update

Purpose: This grant is amended to increase and redistribute the budget in accordance with matrix below:

1. The end date for this grant is unchanged at June 30, 2013.
2. The Budget is increased and redistributed in accordance with the matrix below. Effective Date: **June 30, 2011.**
3. The total project cost is increased by \$30,000 from \$210,000 to \$240,000 as follows:
4. The City's project manager is changed to Katharine Cook, kcook@ci.bainbridge-isl.wa.us; 206-780-3756.

Phase / Task	Year 1 7/1/09- 6/30/10	Year 2 7/1/10-6/30/11	Years 3 & 4 7/1/11- 6/30/13	Expenditures to date	Years 3 & 4 ADD	Years 3 & 4 Amd 5 Budget
Tasks Common to All Phases:						
A. Project Coordination	\$16,883.00	\$ 2,300.00		\$ 19,183.00		\$ 19,183.00
B. Contracted Services	\$ -	\$ -		\$ -		\$ -
Phased Work:						\$ -
1. Pre. Assmt./Pub. Participation Plan	\$13,040.20	\$ 35,592.11	\$ 6,000.00	\$ 54,632.31		\$ 54,632.31
2. Shoreline Inv., Analysis & Characterization		\$ 46,088.76		\$ 46,088.76		\$ 46,088.76
3. Complete Draft SMP and Cum. Imp. Analysis	\$ -	\$ 28,571.00	\$ 28,688.00	\$ 57,464.55		\$ 57,464.55
4. Restoration Planning / Revisit Ph 3	\$ -	\$ 13,808.84	\$ 15,000.39	\$ 29,086.90		\$ 29,086.90
5. Local Adoption Process	\$ -	\$ 2,931.70	\$ 1,096.00	\$ 3,544.48	\$ 30,000.00	\$ 33,544.48
Total	\$29,923.20	\$ 129,292.41	\$ 50,784.39	\$ 210,000.00	\$ 30,000.00	\$ 240,000.00

Except as expressly provided by this amendment, all other terms and conditions of the original agreement including any amendments remain in full force and effect. The parties sign this grant amendment:

Washington State Department of Ecology

City of Bainbridge Island

Gordon White, Program Manager Date
Shorelands and Environmental Assistance

Approved as to form by
The Assistant Attorney General

Signature, Authorized Official Date

Print Name of Authorized Official

Title of Authorized Official

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Ad Hoc Committee Recommendations to Revise the Housing Design Demonstration Program (HDDP)	Date: May 1, 2013
Agenda Item: Staff Intensive	Bill No.: 13-059
Proposed By: Kathy Cook, Planning	Referral(s): None

BUDGET INFORMATION

Department: Planning	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:

Review the HDDP Ad Hoc Committee's recommendations for revising the City's HDDP program, and provide direction on whether staff should take the recommendations to the Planning Commission for further review and development of an implementing ordinance. Please note that forwarding the Committee's recommendations to the Planning Commission does not commit the City to a specific course of action; revisions may be modified, added or deleted during review by the Planning Commission and then the City Council.

Background:

The (HDDP) pilot program took effect on August 26, 2009, with the approval of Ordinance 2009-06. The program is intended to encourage a variety of housing densities, sizes and types, including income-qualified affordable housing, and to encourage the use of sustainable site development practices and green building techniques. Ordinance 2009-06 adopted a pilot program that was scheduled to sunset on August 26, 2012, unless the City decided to extend it.

Beginning in the spring of 2012, the City Council conducted several study sessions to discuss options for proceeding with the pilot program. On July 18, 2012, the Council approved Ordinance 2012-09, extending the HDDP program to December 31, 2013 and authorized the creation of an HDDP Ad Hoc Committee. The Ad Hoc Committee was charged with reviewing the current program and developing specific recommendations addressing the elements of the HDDP ordinance. The Council further directed that the Committee's recommendations be presented for Council consideration prior to June 1, 2013.

RECOMMENDED ACTION

Motion: I move that the City Council forward the HDDP Committee's recommendations to the Planning Commission for further review and development of an implementing ordinance.

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: City Council

FROM: Kathy Cook, Planning Director
Jennifer Sutton, Special Projects Planner

DATE: April 26, 2013

RE: Ad Hoc Committee Recommendations to Revise the HDDP Program
Council Study Session—May 1, 2013

The purpose of the May 1 Study Session is to review the HDDP Ad Hoc Committee's recommendations for revising the City's HDDP program, and get direction on whether staff should take the recommendations to the Planning Commission for further review and development of an implementing ordinance.

Please note that the recommendations are intended to be guidelines for revising the program; the Committee did not develop all of the details for each recommendation. In addition, forwarding the Committee's recommendations to the Planning Commission does not commit the City to a specific course of action; revisions may be modified, added or deleted during review by the Planning Commission and then the City Council.

In order to facilitate Council's comparison of the current program and the proposed revisions, staff has included a summary of the current HDDP scoring system.

Background

The Housing Design Demonstration Project (HDDP) pilot program took effect on August 26, 2009, with the approval of Ordinance 2009-06. The program, which is codified in BIMC Section 2.16.020.Q, is intended to encourage a variety of housing densities, sizes and types, including income-qualified affordable housing, and to encourage the use of sustainable site development practices and green building techniques. Successful HDDP applicants may achieve flexibility in development standards and density increases in return for meeting the program's goals. The HDDP program applies within the Winslow Master Plan Study area, which the Comprehensive Plan targets to receive 50% of the Island's future population growth.

The current HDDP program is a three-tiered system, with the amount of development incentives linked to the amount of public benefit offered by each tier. Each tier allows an HDDP applicant to select a "Green Building" path or a "Housing Diversity" path.

Previous Council Discussion on Status of HDDP Program

Ordinance 2009-06 adopted a pilot program that was scheduled to sunset on August 26, 2012, unless the City decided to extend it. Beginning in the spring of 2012, the City Council conducted several study sessions to discuss options for proceeding with the pilot program, including:

1. Extend the current HDDP program unchanged, with a later sunset date; or
2. Modify the current HDDP program, and extend with a later sunset date; or
3. Incorporate some or all of the HDDP provisions into permanent development regulations; or
4. Allow the program to sunset in August 2012.

On July 18, 2012, the Council approved Ordinance 2012-09, which extended the HDDP program to December 31, 2013. The City Council also authorized the creation of an HDDP Ad Hoc Committee, consisting of three Council members, a single member each from the Planning Commission, Design Review Board (DRB) and the Housing resources Board (HRB) and two members of the City staff to consider whether the program should be continued, and develop specific recommendations addressing the elements of the HDDP ordinance. The Council further directed that the Committee's recommendations be presented for Council consideration prior to June 1, 2013.

The HDDP Ad Hoc Committee

The Ad Hoc Committee membership included:

- City Council representatives: Sarah Blossom, Debbi Lester, David Ward
- Planning Commission representative: Maradel Gale
- Design Review Board representative: Jim McNett
- Housing Resources Board representative: Bill Luria
- Staff support: Jennifer Sutton, Kathy Cook

In addition, the Committee invited architect Charlie Wenzlau to attend meetings because of his experience with the HDDP ordinance.

The Ad Hoc Committee began meeting in October 2012, and met a total of 10 times. The Committee reviewed the purpose of the HDDP program; the current project review process; the four HDDP projects submitted to date; the structure of each tier in the three-tiered system; the incentives offered to developers in each tier; the public benefit offered by each tier; and the point scoring system. Much of the Committee's discussion focused on whether the public benefit offered by HDDP projects is commensurate with the incentives offered to developers, particularly in cases where a density bonus is available. The Committee was also concerned whether the HDDP program results in a project outcome that's significantly different from what would be achieved through a regular permitting process. Finally, the Committee agreed that the HDDP program should include a stronger income-qualified affordable housing program.

The Committee finalized its recommendations on April 18, 2013; they are attached for Council's review.

Next Steps

Any revisions to the existing HDDP program must be adopted by ordinance. Review and development of the ordinance begins with the Planning Commission, who will conduct several study sessions and a public hearing and then forward recommendations to Council. The Council will in turn conduct a study session(s) and public hearing and make the final decision on the ordinance.

If you would like more information about the current HDDP program and/or the proposed revisions, please contact Jennifer Sutton at 780-3772.

Ad Hoc Committee Recommendations For Revising HDDP Program

General Recommendations

- Change the HDDP review process so that all HDDP development applications are reviewed by the Design Review Board (DRB) and Planning Commission. In the current HDDP program, subdivisions do not get reviewed by the DRB and/or Planning Commission.
- The Design Review Board (DRB) shouldn't score projects in the Site Development Category, as is currently required by the program. (This is consistent with the DRB's recommendation.)
- The City should consider developing a cottage housing ordinance, separate from the HDDP program. The cottage housing ordinance should apply to sewer areas only, allow for subdivision in the Mixed Use Town Center (MUTC), and include a density bonus for the residential zones.
- The City should consider creating a green building incentive program for commercial/institutional projects, outside of the HDDP program.
- While the HDDP is a residential program, in the MUTC it currently could be used for mixed-use projects, with both residential and commercial components. Recommend clarifying incentives for mixed-use HDDPs, such as how the FAR bonus provisions are applied.

Definitions

- The City should develop a definition of "cottage" as an HDDP housing type. The Ad Hoc committee drafted a definition (see below).

Cottage: a dwelling unit qualifies as a cottage – a specific unit type under the Housing Design Demonstration Program (BIMC Section 2.16.020.Q) – if it has all of the following elements:

1. Maximum Unit Size: 1,200 square feet floor area
 2. 2nd floor area no more than 50% of the 1st floor area
 3. Pitched roofs with a minimum 4:12 roof pitch
 4. Maximum Building Height: 20 feet with a roof pitch less than 6:12. See *Building Height* BIMC Section 18.12.050.C. Maximum ridge height is 25 feet.
 5. Front Porch at least 80 square feet in size, and face a street or common open space.
 6. Garages must be detached. Shared carport building with other units or surface parking is allowed.
- The City should develop a definition for "common open space".

- In the Housing Diversity category, recommend adding “age-in-place” as a unit type; add a definition for “age-in-place”, and consider using one of the accessible unit definitions from the International Building Code (IBC).

Tier One

- The Tier 1 housing and green building paths should be merged to increase benefit to the community, by requiring both green building and housing diversity for all projects.
- Some development incentives should be reduced or eliminated, as discussed below.

Tier Two

- Merge Tier 2 Housing and Green Building paths. Certification should be LEED Silver/ BG 4 or Evergreen. Site development points should still be required, and the other green building bullets eliminated.
- Some development incentives should be reduced or eliminated, as discussed below.
- All Tier 2 projects should have some required affordable housing (perhaps 10%), and some required mix of unit size/ type.
- For Tier 2, recommend requiring mix of unit sizes, but for projects ≥ 20 units also require mix of unit types.
- For Tier 2 Flexible Development Standard Incentives, recommend keeping the same incentives recommended for Tier 1, differentiated between MUTC/ Residential zone areas. Only recommended change to those incentives is that lot coverage incentive is increased to 10% for Tier 2, because of density incentive.

Tier Three

- Recommend generally leaving Tier 3 Housing as is (becomes “Tier 3”), and changing Tier 3 Green Path to a new “Tier 4”.

Tier Four

- Recommend creating a new “Tier 4” with a green building requirement to qualify either as a *Living Building Challenge* project (International Living Future Institute) or a *Passive House* project (Passive House Institute US). “Tier 4” Incentives would be the same as Tier 3 Incentives.
- Consider allowing “Tier 4” HDDP projects in the Neighborhood Service Centers.

Flexible Development Standard Incentives

- Recommend reducing some of the flexible development standards, and having the flexible development standard incentives be different between properties in the MUTC and the residential zones.
- Recommended changes to the incentives for projects in the MUTC:
 1. Limit lot coverage incentives to a 5% increase for Tier 1, 10% for Tier 2.

2. Change open space incentive for subdivisions to require a minimum amount of common open space per unit (50 ft² was an estimate); common open space shall be located along a street, access driveway, or public pathway.
 3. Add guest parking requirement (1 space/ 5 units) to the residential parking incentive.
 4. Eliminated live/ work unit commercial parking incentive; live/ work recommended to be eliminated at a “unit type” under housing diversity.
 5. Eliminate reduction in roadside buffer incentive.
- Recommended changes to the incentives for projects in residential zones:
 1. Limit lot coverage incentive to a 5% increase for Tier 1, 10% for Tier 2. *Same recommendation for MUTC*
 2. Change open space incentive for subdivisions to require a minimum amount of common open space per unit (400 ft² / unit); common open space shall be located along a street, access driveway, or public pathway. The common open space would be in addition to protected critical areas.
 3. Add guest parking ratio (1 space/ 5 units) to the residential parking incentive. *Same recommendation for MUTC*
 4. Eliminated live/ work unit commercial parking incentive; live/ work recommended to be eliminated at a “unit type” under housing diversity. *Same recommendation for MUTC*
 5. Setback incentives should be limited to incentives within the projects. Eliminate setback incentives to the exterior property lines of the original property.
 6. Eliminate roadside buffer and building height incentive.

Housing Diversity Category

The committee recommends the following changes to the Housing Diversity Category:

- Eliminate Live/ Work and modular housing as a HDDP housing type.
- Change size ranges and points for unit types in the Housing Diversity Category.

Site Development Category

The committee recommends the following changes to the Site Development Category:

- The Biodiversity Offset component should be eliminated because it is unlikely to be used in the greater Winslow area.
- Tiers 2 and 3/ 4 should have different number of points required in the Site Development Category.
- Under the landscaping component, preserving an existing orchard should not be able to qualify and score points as a “neighborhood garden/ pea patch”.
- Covenants describing ongoing management should be required when a project integrates components such as a neighborhood garden, car share program, or electric charging station.
- Add rain barrel/ cistern to landscaping components.
- Delete “reduction in potable water use...” as a way to score points in the landscaping component. Add use of “drought tolerant” plants as a landscape component in promoting the use of native plants.

- Clearly promote the use of rain gardens in the Low Impact Development component.

Transportation Category

- Clarify importance of preserving existing connections, promote car-sharing by giving 1 point for each vehicle for car sharing.
- Add covered bike parking as a requirement for subdivisions.
- Give more points for non-motorized facilities within or adjacent to the right-of-way, but do not give points for facilities required by the NMTP.

HDDP DENSITY INCENTIVE SUMMARY (BIMC 18.38.090)

11/12/200

INCENTIVES		REQUIREMENTS TO MEET INCENTIVES	
T I E R	FLEXIBLE DEVELOPMENT STANDARD INCENTIVES (18.38.080) & BONUS DENSITY INCENTIVE (18.38.090)	INNOVATIVE BUILDING DESIGN PRACTICES/ GREEN BUILDING (18.38.060.B) & INNOVATIVE SITE DEVELOPMENT (18.38.060.C)	HOUSING DIVERSITY REQUIREMENT (18.68.090)
3 G R E E N	Flexible Development Standards & 2.5 x Base Density OR Max. Bonus Mixed-Use FAR	LIVING BUILDING CHALLENGE Net zero energy and water documentation, Qualifies in all six performance areas with required 16 pre-requisites: site (3), energy (1), materials (5), water (2), indoor quality (3), and beauty and inspiration (2).	NA
3 H O U S I N G	Flexible Development Standards & 2.5 x Base Density OR Max. Bonus Mixed-Use FAR	LEED Silver, BuiltGreen 4, or Evergreen Sustainable Development AND Achieve Minimum Required Points in Innovative Site Development Practices	• 50 % affordable housing • Home size not larger than 1600 sq. ft.
2 G R E E N	Flexible Development Standards & 1.5 x Base Density OR Max. Bonus Mixed-Use FAR	LEED Platinum or Gold, or Built Green 5 • For projects pursuing LEED, applicant must check off within the LEED checklist a minimum threshold for 20-30% water use reduction • For projects pursuing Built Green, applicant must achieve 20-30% water use reduction • For projects pursuing LEED or Built Green, applicant shall seek to achieve within the checklist a minimum threshold for 25-30% improved energy performance AND Achieve Minimum Required Points in Innovative Site Development Practices	• Home size not greater than 1600 sq. ft. • 4 points in Housing Diversity category
2 H O U S I N G	Flexible Development Standards & 1.5 x Base Density (Zones R-8 & R-14) OR 2.0 x Base Density not to exceed R-8 density (Zones R-2, R-2.9, R-3.5, & R-4.3) OR Max. Bonus Mixed-Use FAR	LEED Silver or Built Green 4 • For projects pursuing LEED, applicant must check off within the LEED checklist a minimum threshold for 20-30% water use reduction • For projects pursuing Built Green, applicant must achieve 20-30% water use reduction • For projects pursuing LEED or Built Green, applicant shall seek to achieve within the checklist a minimum threshold for 20-25% improved energy performance AND Achieve Minimum Required Points in Innovative Site Development Practices	• Home size not greater than 1600 sq. ft. • 10 pts. of affordable housing subcategory • 17 pts. total in Housing Diversity category
1 G R E E N	Flexible Development Standards & NO Density Bonus	LEED Certification	NA
1 H O U S I N G	Flexible Development Standards & NO Density Bonus	NA	• Home size not greater than 1600 sq. ft. • 7points in Housing Diversity category

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Interlocal Agreement with the City of Bremerton for Traffic Signals Repair & Maintenance	Date: May 1, 2013
Agenda Item: Staff Intensive	Bill No.: 13-057
Proposed By: Lance Newkirk, Public Works Director	

BUDGET INFORMATION

Depart/Fund: Public Works - Streets			
Estimated Expenditure	2013 - \$8,800.00	2014 - \$4,000.00	2015 - \$4,000.00
Budgeted?	☒ Yes ☐ No	Budget Amend. Req?	☐ Yes ☒ No

REFERRALS/REVIEW

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

DESCRIPTION/SUMMARY

Action Item:

Consider placement of the Traffic Signal Interlocal Agreement (ILA) with the City of Bremerton for approval at the next city council business meeting.

Background:

The City is responsible for maintaining five traffic signals on the Island that includes both yellow and red flashing lights; see attached scope of work for the various locations. This type of work requires certified signal technicians. The City of Bremerton has certified signal technicians on staff and performs this function under similar agreements with other local governmental agencies.

The proposed interlocal agreement is for a period of three years. The scope of work is comprised of three sections 1) initial repairs, 2) annual preventative maintenance, and 3) emergency and scheduled repairs. The initial repairs are needed to bring the infrastructure up to industry standards and are estimated to cost \$8,800.00. Once the initial repairs are completed, the annual preventative maintenance is estimated to cost \$4,000.00 annually. See attached scope of work (exhibit A to the Agreement) for further details.

RECOMMENDED ACTION

Motion:

I move that the City Council forward the Interlocal Agreement with the City of Bremerton for traffic signal maintenance to the next City Council business meeting consent agenda.

INTERLOCAL AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE

THIS INTERLOCAL AGREEMENT (this “Agreement”) is made and entered into by and between the City of Bainbridge Island, a municipal corporation of the State of Washington (“Bainbridge”) and the City of Bremerton, a municipal corporation of the State of Washington (“Bremerton”) for the purpose of providing traffic signal maintenance services.

WHEREAS, Bainbridge has five flashing red or yellow warning lights that require annual maintenance and repairs; and

WHEREAS, Bremerton provides traffic signal maintenance services for Bremerton and also possesses the ability to provide those services to Bainbridge; and

WHEREAS, Bainbridge desires to enter into an Agreement with Bremerton under which Bremerton will perform traffic signal maintenance services within the boundaries of Bainbridge; and

WHEREAS, Bremerton is willing to provide traffic signal maintenance services on the terms and conditions contained in this Agreement; and

WHEREAS, Chapter 39.34 RCW provides that local jurisdictions may enter into cooperative agreements for their mutual benefit;

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

1. SERVICES

A. Bremerton shall provide the traffic signal maintenance services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as Exhibit A (the “Services”).

B. The Bremerton Public Works Director and Bainbridge Public Works Director are authorized to act on behalf of Bremerton and Bainbridge, respectively, and shall develop working procedures associated with any of the activities comprising the Services. No separate legal or administrative entity is created under this Agreement.

C. By entering into this Agreement, the parties intend to have Bremerton provide Services to Bainbridge. Bremerton does not intend to assume, nor does Bainbridge expect Bremerton to gain, any greater responsibility and/or liability that it would normally have imposed upon it by law for the performance of traffic signal maintenance services generally for the citizens of Bremerton.

D. Bremerton is acting as an independent contractor so that control of personnel, standards of performance, discipline, and all other aspects of performance shall be governed entirely by Bremerton.

2. PERFORMANCE OF TRAFFIC SIGNAL MAINTENANCE SERVICES

A. For the purposes of performing Services under this Agreement, Bremerton shall furnish and supply all necessary labor, supervision, machinery, equipment, materials, and supplies except to the extent machinery, equipment, and/or materials are supplied by Bainbridge as agreed to by Bremerton in writing. Both parties agree that they and their officers and agents shall cooperate in the carrying out of said functions and that Bremerton shall have full authority, possession and necessary control of the work with the full assistance when necessary from the staff of Bainbridge.

B. For the purpose of facilitating the performance of the Services under this Agreement, it is agreed that Bainbridge, upon reasonable request in writing by Bremerton, or its duly authorized representative, will allow the temporary closing to traffic of all streets, or portions thereof, necessary to be closed before any work is commenced. Bainbridge will be responsible for furnishing the materials and labor needed to temporarily close a street or streets during the period maintenance is being performed.

C. The Services performed by Bremerton under this Agreement shall be pursued with care and diligence to appropriate Bainbridge standards, making every effort to recognize pertinent schedules of Bainbridge. Bremerton shall notify Bainbridge of a hardship or other inability to perform under this Agreement, including postponement of requested work due to a street light issue of higher priority.

D. All maintenance and repair work performed by Bremerton under this Agreement, and all materials, equipment, and supplies incorporated by Bremerton into Bainbridge's traffic signals in connection with the Services, shall become the sole property of Bainbridge upon completion and acceptance of the work. No jointly-owned property or equipment will be acquired under this Agreement.

3. WORK ORDER REQUESTS

A. Bremerton shall respond to work order requests for emergency and scheduled repairs in writing. If in the affirmative, Bremerton shall include an estimate of time and costs to complete the work. Charges shall be in accordance with Section 4 of this Agreement.

B. Upon receipt of Bremerton's estimate, Bainbridge may either issue a written notice to proceed which authorizes Bremerton to perform the requested work or a written notice rejecting Bremerton's estimate. The issuance of a notice to proceed shall constitute a representation by Bainbridge that the schedule of charges and basis of payment are acceptable and sufficient funds are appropriated to cover the cost of the requested work.

C. The scope of requested work may be amended in writing at any time with the consent of both parties.

4. PAYMENT

A. Bremerton shall submit quarterly invoices by the fifteenth day of the month following the end of the previous quarter for services performed in a previous quarter in a format acceptable to Bainbridge.

Each project and each task within a project shall be the subject of a separate invoice. Bremerton shall maintain time and expense records and provide them to Bainbridge upon request.

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

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

5. RECORDS

Each party hereto agrees to maintain record keeping for a period of three years after completion of work.

6. FACILITIES TO BE PROVIDED BY BAINBRIDGE

Bainbridge grants to Bremerton permission to enter Bainbridge rights-of-way for the purposes of providing the Services.

7. HOLD HARMLESS AND INDEMNIFICATION

A. Each party agrees to indemnify and hold harmless the other party, its officers, elected and appointed officials, employees, and agents from all claims, lawsuits, penalties, losses, damages, or costs of any kind whatsoever to the extent such a claim arises or is caused by the indemnifying party's own negligence or that of its officers, elected or appointed officials, agents, or employees in performance of this Agreement.

B. Bainbridge is a member of the Washington Cities Insurance Authority (WCIA), which is a self-insured pool of over 99 municipal corporations in the State of Washington. WCIA has at least \$1 million per occurrence combined single limit of liability coverage in its self insured layer that may be applicable in the event an incident occurs that is deemed to be attributed to the negligence of a member.

C. Bremerton is self-insured and has the insurance described in Exhibit C attached to this Agreement.

8. TERM AND TERMINATION

A. This Agreement shall be effective upon execution by all of the parties and shall remain in effect, unless other terminated as provided below, for a term of three (3) years.

B. Either party may terminate this Agreement at any time, with or without cause, upon not less than thirty (30) days' written notice to the other party. The indemnity provisions of Section 7 of this Agreement will survive termination for any claim, lawsuit, penalty, loss, damage or cost arising out of the acts, errors or omissions of the parties prior to the effective date of the termination.

9. 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.

10. LEGAL REQUIREMENTS

Each party shall comply with all applicable federal, state, and local laws, rules and regulations in performing this Agreement.

11. SEVERABILITY

Should any clause, phrase, sentence, or paragraph of this Agreement be declared invalid or void, the remaining provisions of this Agreement shall remain in full force and effect.

12. WRITTEN 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 Bainbridge:

City of Bainbridge Island
Operations & Maintenance
7305 Hidden Cove Road
Bainbridge Island, WA 98110
Phone: (206) 842-1212
Email: pwom@bainbridgewa.gov

To Bremerton:

City of Bremerton
Public Works & Utilities
100 Oyster Bay Ave. North
Bremerton, WA 98312
Phone: (360) 473-5359
Email: Jim.orton@ci.bremerton.wa.us

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.

13. GOVERNING LAW

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

14. VENUE

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

15. RECORDING

This Agreement shall be recorded by Bainbridge with the Kitsap County Auditor.

IN WITNESS WHEREOF, the parties have signed this Agreement, effective on the date indicated below.

CITY OF BREMERTON

CITY OF BAINBRIDGE ISLAND

By: _____
Patty Lent, Mayor

By: _____
Douglas Schulze, City Manager

DATE: _____

DATE: _____

EXHIBIT A

TRAFFIC SIGNAL MAINTENANCE SERVICES

Bainbridge has five intersections, as more fully described in Exhibit B (the “Signals”), with flashing red or yellow warning lights that require annual maintenance and repairs. Traffic signal maintenance services covered by this Agreement consist of the following initial repairs, preventative maintenance and emergency and scheduled repairs.

Initial Repairs. Bremerton shall provide the initial repairs at the following intersections as described below:

Blakely Avenue and Baker Hill

- Install refurbished crosswalk signal provided by the City of Bremerton
- Install heavy duty span wire
- Rewire flasher to control box
- Replace flasher unit in control box with 5 conductor IMSA cable
- Install new stainless steel hardware
- Install four new LED flasher heads and lamps
- Install crosswalk signal provided by the City of Bremerton

High School Road and Sportsmans Club Road

- Clean up service
- Rewire flasher to service
- Install stainless steel hardware
- Replace rusted components
- Paint
- Remove glass lenses
- Install existing LED lamps properly
- Install new visors where needed

New Brooklyn Road and Sportsmans Club Road

- Clean up service
- Rewire flasher to service
- Install stainless steel hardware
- Replace rusted components
- Paint
- Remove glass lenses
- Install existing LED lamps properly
- Install new visors where needed

Fletcher Bay/Miller Road/New Brooklyn

- Replace pad locks
- Paint
- Install LEDs
- Install stainless steel tie wraps
- Clean up wiring

Bucklin Hill/Blakely Avenue/Lynwood Center

- Install LED lamps
- Install new visors
- Replace flasher unit
- Clean up control cabinet
- Install stainless steel tie wraps
- Install new stainless steel hardware
- Rewire inside of head for access
- Paint
- Assess service and repair if necessary

It is anticipated that the initial repairs will take two people up to five working days to complete. Costs will be charged on a time and materials basis as follows:

Labor: 80 hours maximum at \$50/hour = \$4,000

Equipment: 1 vehicles, 5 days each at \$160 per day = \$800

Parts/Materials: maximum of \$4,000.

Annual Preventative Maintenance Tasks. The following preventative maintenance tasks will be conducted annually on the Signals in accordance with a mutually agreed upon schedule:

- Clean all signals including signal lens
- Clean all controller cabinets and breaker panels
- Refocus all signal lights and align with traffic as needed
- Check all cables, bolts, mounting hardware and safety chain
- Replace or repair cable or safety chain as needed
- Visually inspect all overhead splices, in pull boxes and in pole bases
- Test, clean and lubricate all controllers, solid state components electronic parts and check all relays
- Replace bulbs as required but no less than every three years.
- Email summary report of the work completed and a list of necessary scheduled repairs

Annual Preventative Maintenance Costs will be charged on a time and material basis as described above and are estimated to be \$4,000.

Labor: \$50/hour per person during normal working hours and \$75/hour per person in overtime status.

Equipment: 1 vehicle at \$160 per day.

Parts/Materials: Billed at costs.

Should circumstances dictate and as mutually agreed upon for each occurrence, Bremerton may conduct the work or continue the work in an overtime status for the most efficient use overall of staff and equipment resources.

Emergency and Scheduled Repairs

Bainbridge shall authorize all replacement and repairs recommended by the work crew by work order in accordance with Section 3(B) of the Agreement. Repairs that do not impact safety shall be scheduled on a mutually agreeable date and time. Bainbridge shall pay for time and materials for scheduled work. Emergency repairs shall be prioritized if traffic is impeded or safety is compromised. Bainbridge and the work crew shall work together to repair emergency situations as soon as reasonable. Bainbridge may be required to pay overtime rates if the work is performed outside normal business hours.

Scheduled Repairs shall be billed at \$50 per hour per person, plus materials and equipment rental costs.

Emergency Repairs shall be billed at \$75 per hour per person, plus materials and equipment rental costs. Bainbridge will pay for a minimum of 2.5 hours of labor for any emergency repair.

Qualifications

The work crew shall have a minimum of one International Municipal Signal Association Level II technician onsite at all times.

EXHIBIT B

FLASHING TRAFFIC SIGNAL INVENTORY

Intersection/Cross Street	Equipment	Description	Quantity*
Blakely Ave/Baker Hill	Yellow Flashing Traffic Lights (crosswalk) and Econolite controller	Two yellow flashing warning lights on Blakely Ave in either direction used in coordination with Blakely Elementary student ingress and egress.	4
High School/Sportsman Club	Red Flashing Traffic Lights	Four way red flashing traffic warning lights at a four way stop.	4
New Brooklyn/Sportsman Club	Red Flashing Traffic Lights	Four way red flashing traffic warning lights at a four way stop.	4
Fletcher Bay/Miller/New Brooklyn	Red Flashing Traffic Lights	Four way red flashing traffic warning lights at a four way stop.	4
Bucklin Hill/Blakely Ave/Lynnwood Center	Yellow and Red Flashing Traffic Lights	Two yellow flashing warning lights on Bucklin Hill and Blakely Ave and a one red flashing warning light on Lynnwood Center	3

*Note: The quantity refers to a single traffic signal lens and in most cases one intersection may have four traffic signal lenses.

EXHIBIT C

Insurance against claims for injuries to persons or damage to property arising out of or in connection with the performance of this Agreement by Bremerton, 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, Bremerton shall provide to Bainbridge a Certificate of Insurance evidencing the required insurance. Bainbridge 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 Bremerton. Bainbridge 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 Bremerton, and a copy of the endorsement naming Bainbridge 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 Bainbridge; and (3) shall state that Bainbridge will be given at least 30 days' prior written notice of any cancellation, suspension or material change in coverage.



CITY OF BAINBRIDGE ISLAND
FINANCE AND ADMINISTRATIVE
SERVICES DEPARTMENT

MEMORANDUM

TO: City Council
Doug Schulze, City Manager

FROM: Ellen Schroer, Finance Director

DATE: April 26, 2013

RE: First Quarter 2013 budget adjustments

The Finance and Administrative Services Department brings budget adjustments to Council for consideration on a quarterly basis. This timing allows real-time consideration of deviations from planned budget, and avoids the accumulation of a large number of year-end adjustments. In many cases, the items requiring new appropriation have been discussed previously with Council.

Attached are details related to budget adjustments City staff have identified as appropriate at the close of the first quarter of the year. Three of these are net increases to appropriations to support projects or activities for which the Council has previously expressed support, and for which Council has designated funding support from the Contingency Reserve:

- Council retreat: This item provides additional funding to cover expenses associated with the January Council retreat led by SGR.
- Police Department assessment: This item authorizes funds for the assessment by Michael Pendleton of the Police Department.
- Winslow Way seasonal maintenance: This item authorizes funds for seasonal Winslow Way maintenance and provides authority to hire a temporary employee for this purpose.

Two other budget adjustments are proposed in order to accept grants awarded to the Police Department, both of which have also been received in past years. These include:

- Safer Boating grant: This item accepts an award from the State of Washington Parks and Recreation Commission and provides additional budget authority in the amount of the grant. This grant supports activities intended to increase boater safety, for example conducting additional water patrols, conducting spot vessel inspections, and performing emphasis patrols for compliance with life jacket regulations.

- Suquamish Tribe mitigation grant: This item accepts an award from the Suquamish Tribe and provides additional budget authority in 2013. This grant supports officer training and equipment purchases.

Three budget adjustments are related to capital projects:

- Waterfront Park Community Center: This item accepts an additional donation made in 2012 by the Bainbridge Island Senior organization to contribute to the Waterfront Park Community Center project and increases the project budget in the amount of the donation.
- Wing Point Way: This item provides for a local match to the non-motorized grant for sidewalk improvements, roadway resurfacing, and stormwater drainage improvements to Wing Point Way.
- Madison Avenue Water Main: This item provides supplemental funding to the annual main program for a Madison Avenue water main project scheduled for summer 2013.

Two budget adjustments are related to ongoing City activities and were previously discussed with City Council:

- Well monitoring. This item authorizes funds for ongoing well monitoring at the Waypoint. Annual monitoring was agreed to by Kitsap Transit and the City of Bainbridge Island, co-owners of the property. This item is an increase to the operating budget and is supported by the General Fund.
- Kitsap Conservation District interlocal agreement: This item transfers budget authority and expected spending from the Surface and Storm Water Management Fund to the General Fund. This transfer reflects a decision to provide General Fund support for a portion of these activities.

The final budget adjustment is a budget reduction:

- Excise tax budget authority: This item reduces the budget for intergovernmental taxes to be paid by the Water Utility. The adjustment recognizes the lower level of tax payments resulting from decreased revenue due to the rate reductions made in early 2012. This adjustment provides for a more accurate estimate of actual expenditure levels.

Thank you for your consideration of these requests.

Attachment:

Budget Adjustment Spreadsheet

First Quarter 2013 budget adjustments

April 26, 2013

Page 3

SUBJECT	DESCRIPTION	FUND / Department	AMOUNT	Change to Appropriation
Council Retreat	This item authorizes additional funds for the 2013 Council retreat led by SGR. This funding will come from the Contingency Reserve.	General / Council	\$ 8,000	Increase. Source: General Fund (Contingency)
Police Department Assessment	This item authorizes funds for the assessment by Michael Pendleton of the Police Department. This funding will come from the Contingency Reserve.	General / Public Safety	\$ 12,000	Increase. Source: General Fund (Contingency)
Seasonal Maintenance	This item authorizes funds for seasonal Winslow Way maintenance and provides authority to hire a temporary employee for this purpose. This funding will come from the Contingency Reserve.	General / Executive	\$ 6,000	Increase. Source: General Fund (Contingency)
Safer Boating Grant	This item authorizes receipt of funds through the Washington State Parks & Recreation Safer Boating Program Grant. The funds support activities such as boat inspections and life preserver checks.	General / Public Safety	\$ 11,723	Increase. Source: Grant
Suquamish Tribe Grant	This item authorizes funds received from the Suquamish Tribe for mitigation. The funds will support the department's officer training and equipment procurement.	General / Public Safety	\$ 16,500	Increase. Source: Grant
Waterfront Park Community Center	This item recognizes an additional contribution received from the Bainbridge Island Senior Citizens for the Waterfront Park Community Center construction and increases the budget for the project by an equivalent amount.	Capital Construction / Public Works	\$ 30,000	Increase. Source: Donation
Wing Point Way	This item authorizes a local match to the non-motorized grant for improvements including sidewalks, roadway resurfacing and stormwater drainage improvements for Wing Point Way.	Capital Construction / Public Works; General / Finance	\$ 58,000	Increase. Source: Capital Construction Fund, supported by General Fund transfer
Water Main	This item provides supplemental funding to the Annual Water Program for the installation and replacement of the water main on Madison Avenue.	Water / Public Works	\$ 40,000	Increase. Source: Water Fund
Well Monitoring at Waypoint site	This item authorizes funds for ongoing well monitoring at the Waypoint. Annual monitoring was agreed to by Kitsap Transit and the City of Bainbridge Island, co-owners of the property.	General / Public Works	\$ 10,000	Increase. Source: General Fund
Kitsap Conservation District	This item recognizes a policy decision to change the funding supporting Kitsap Conservation District (KCD) Interlocal Agreement. This item moves 25% (\$10,200) of the annual funding (\$40,800) from SSWM to the General Fund to recognize the functional distribution of KCD activities.	From: SSWM / General Government (reduction of \$10,200) To: General / General Government (increase of \$10,200)	\$ -	Transfer
Water Utility Excise Tax Budget	This item reduces the budget appropriation for excise tax paid by the Water Utility to the Washington State Department of Revenue. This reduction recognizes the lower level of revenue and resulting excise tax after a rate decrease in 2012.	Water / General Government	\$ (70,000)	Decrease. Source: Water Fund

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Ordinance No. 2013-05, 2013 Budget Amendments	Date: May 1, 2013
Agenda Item: Ordinances/1 st Reading	Bill No.: 13-024
Proposed By: Ellen Schroer, Finance Director	Referral(s):

BUDGET INFORMATION

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

REFERRALS/REVIEW

Forward to :		
City Manager ☒ Yes ☐ No ☐ N/A	Legal ☒ Yes ☐ No ☐ N/A	Finance ☒ Yes ☐ No ☒ N/A

DESCRIPTION/SUMMARY

Action Item:

To provide an ordinance to reflect proposed budget amendments for the first quarter of 2013 for Council approval. The attached listing of proposed amendments includes the information for each item.

History:

City staff incorporates budget amendments as well as other maintenance type activities necessitated by system maintenance throughout the year. Each quarter, staff provides a detail of those activities for Council approval. Staff will continue to update the 2013 Budget as necessary for maintenance, department requests and Council action(s).

RECOMMENDED ACTION

Motion:

I move that the City Council forward Ordinance No. 2013-05 relating to 2013 Budget Amendments to second reading on May 22, 2013.

ORDINANCE NO. 2013-05

AN ORDINANCE of the City of Bainbridge Island, Washington amending the 2013 Budget of the City and providing for uses not foreseen at the time the 2013 budget was adopted.

WHEREAS, on December 12, 2012, the City Council adopted the budget for 2013 by Ordinance No. 2012-18; and

WHEREAS, a number of situations have occurred during 2013 which require the City to expend money on items, projects and categories not included in the 2013 Budget; now, therefore,

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

Section 1. Ordinance No. 2012-18 and the 2013 budget are each amended as shown on the attached Exhibit A.

Section 2. The City's Finance Director is authorized and directed by this ordinance to make the necessary changes to the 2013 Budget. The Finance Director is further directed to make sufficient interfund equity transfers from the appropriate funds to cover the added amounts authorized by this ordinance.

Section 3. The Finance Director is authorized and directed to properly account for the Building and Development Services activities of the City and to transfer such expenditures as are appropriate under Generally Accepted Accounting Principles from the General Fund to the Building and Development Services Fund provided that such transfers do not authorize an increase in expenditures.

Section 4. This ordinance shall take effect and be in force five days from and after 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, City Clerk

FILED WITH THE CITY CLERK:	April 26, 2013
PASSED BY THE CITY COUNCIL:	_____, 2013
PUBLISHED:	_____, 2013
EFFECTIVE DATE:	_____, 2013
ORDINANCE NO:	2013-05

2013 BUDGET AMENDMENTS

presented to City Council May 1, 2013

approved on __ __, 2013

SUBJECT	DESCRIPTION	FUND / Department	AMOUNT	Change to Appropriation
Council Retreat	This item authorizes additional funds for the 2013 Council retreat led by SGR. This funding will come from the Contingency Reserve.	General / Council	\$ 8,000	Increase. Source: General Fund (Contingency)
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SUBJECT	DESCRIPTION	FUND / Department	AMOUNT	Change to Appropriation
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Kitsap Conservation District	This item recognizes a policy decision to change the funding supporting Kitsap Conservation District (KCD) Interlocal Agreement. This item moves 25% (\$10,200) of the annual funding (\$40,800) from SSWM to the General Fund to recognize the functional distribution of KCD activities.	From: SSWM / General Government (reduction of \$10,200) To: General / General Government (increase of \$10,200)	\$ -	Transfer
Water Utility Excise Tax Budget	This item reduces the budget appropriation for excise tax paid by the Water Utility to the Washington State Department of Revenue. This reduction recognizes the lower level of revenue and resulting excise tax after a rate decrease in 2012.	Water / General Government	\$ (70,000)	Decrease. Source: Water Fund

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Ordinance No. 2013-09 relating to emergency management; repealing Ordinance No. 86-29, and adopting a new Chapter 2.44 of the Bainbridge Island Municipal Code	Date: May 1, 2013
Agenda Item: Staff Intensive	Bill No.: 13-058
Proposed By: Douglas Schulze, City Manager	Referral(s):

BUDGET INFORMATION

Department:	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:

1st Reading of Ordinance No. 2013-09 relating to emergency management; repealing Ordinance No. 86-29, and adopting a new Chapter 2.44 of the Bainbridge Island Municipal Code.

History:

The Washington Emergency Management Act, Chapter 38.52 RCW, requires each political subdivision of the state to establish a local organization for emergency management, together with a plan and program for emergency management, and to obtain certification of consistency with the state comprehensive emergency management plan. The City does not have a current emergency ordinance. Each local organization for emergency management is also required to have a director appointed pursuant to state law.

The attached emergency management ordinance appoints the City Manager as director and clarifies the authority and powers of the City's officers in emergency or disaster situations of local, regional, and national scope to ensure that emergency management functions are coordinated to the maximum extent possible with local, regional, and national agencies so that the most effective preparation and use may be made of the City's resources in dealing with any emergency or disaster.

RECOMMENDED ACTION

Motion:

I move that the City Council schedule 2nd reading of Ordinance No. 2013-09 relating to emergency management on May 22, 2013.

ORDINANCE NO. 2013-09

AN ORDINANCE of the City of Bainbridge Island relating to emergency management; repealing and replacing Ordinance No. 86-29, dated November 20, 1986, and adopting a new Chapter 2.44 of the Bainbridge Island Municipal Code.

WHEREAS, the Washington Emergency Management Act, Chapter 38.52 RCW, requires each political subdivision of the state to establish a local organization for emergency management, together with a plan and program for emergency management, and to obtain certification of consistency with the state comprehensive emergency management plan; and

WHEREAS, the City of Bainbridge Island does not have a current emergency management ordinance; and

WHEREAS, Washington State Constitution, article 11, section 11, grants cities the same police power as is granted to the state itself, except as restricted by statute; and

WHEREAS, each local organization for emergency management is required to have a director appointed pursuant to state law; and

WHEREAS, RCW 38.52.010(8), designates the city manager as the executive head in those cities and towns operating under the council-manager form of government; and

WHEREAS, it is in the best interest of the citizens of the City of Bainbridge Island that its emergency management ordinance be revised to clarify the authority and powers of its officers in emergency or disaster situations of local, regional, and national scope and to ensure that emergency management functions are coordinated to the maximum extent possible with local, regional, and national agencies so that the most effective preparation and use may be made of the City's resources in dealing with any emergency or disaster that may occur.

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

Section 1. Ordinance No. 86-29, dated November 20, 1986, is hereby repealed.

Section 2. A new emergency management ordinance is hereby adopted to be codified as Chapter 2.44 of the Bainbridge Island Municipal Code to read as follows:

EMERGENCY MANAGEMENT

Sections:

- | | |
|-----------------|--|
| 2.44.010 | Purpose. |
| 2.44.020 | Emergency management policy. |
| 2.44.030 | Definitions. |
| 2.44.040 | Emergency management organization. |
| 2.44.050 | Designation of the city manager as executive head for emergency |

- services of the city.
- 2.44.060 Comprehensive Emergency Management Plan.**
- 2.44.070 Continuity of government.**
- 2.44.080 Proclamation of emergency.**
- 2.44.090 Notice of proclamations of emergency and emergency orders.**
- 2.44.100 Authorized emergency orders.**
- 2.44.110 Emergency procurements.**
- 2.44.120 Emergency powers under governor's proclamation of emergency or disaster.**
- 2.44.130 Penalties.**
- 2.44.140 Private liability.**
- 2.44.150 Continuance of existing agreements.**
- 2.44.160 General duty only.**

2.44.010 Purpose.

The purpose of this chapter is to establish a local emergency management organization and set out and clarify the authority of the city and of its officers with regard to local, regional and national emergency and disaster situations. It is intended, in conformity with Article 11, Section 11 of the Washington State Constitution and with Chapter 38.52 RCW, to grant the broadest power permitted by constitutional and statutory authority to preserve the public health, safety and welfare.

2.44.020 Emergency management policy.

It is the policy of the city to make effective preparation and use of staffing, resources, and facilities for dealing with any emergency or disaster that may occur. Emergencies and disasters, by their very nature, may disrupt or destroy existing systems and the capability of the city to respond to protect life, public health and property. Therefore, citizens are advised to be prepared to be without public services or utilities for up to a minimum of 72 hours should an emergency or disaster occur.

2.44.030 Definitions.

When used in this chapter, the following words, terms and phrases, and their derivations, shall have the meanings ascribed to them in Chapter 38.52 RCW and this section, except where the context clearly indicates a different meaning:

- A. "Disaster" shall mean an incident, expected or unexpected, in which a community's available, pertinent resources are exhausted, or the need for resources exceeds availability, and in which a community undergoes severe damage, incurring losses so that the social or economic structure of the community is disrupted and the fulfillment of some or all of the community's essential functions are prevented.
- B. "Emergency" shall mean a sudden, usually unexpected event that does or could do harm to people, resources, property, or the environment. Emergencies can range from single to localized incidents, natural or technological, that damage, or threaten to damage, local operations. An emergency is an incident "which

requires emergency assistance to save lives and protect public health and safety or to avert or lessen the threat of a major disaster.” (Public Law 92-288)

- C. "Emergency management" shall mean the preparation for the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or manmade, and to provide support for search and rescue operations for persons and property in distress.
- D. "Emergency or disaster" as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the city overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the city manager proclaiming the existence of a disaster or the governor proclaiming a state of emergency in accordance with appropriate local ordinances and state statute.

2.44.040 Emergency management organization.

- A. There is hereby created, in accordance with Chapter 38.52 RCW, an emergency management organization. The purpose of the local organization is to perform local emergency management functions. The organization shall represent only the City of Bainbridge Island and exercise emergency authority only within the city.
- B. The emergency management director shall be appointed by the city manager and have direct responsibility for the organization, administration and operation of the emergency management program for the city.
- C. The emergency management organization of the city shall consist of the officers and employees of the city designated by the city manager as well as all volunteer emergency workers per RCW 38.52.010(4). The functions and duties of this organization shall be distributed among such divisions, services and staff as prescribed by the city manager. Any plan prescribed by the city manager shall set forth the form of the organization, establish and designate divisions and services, assign function, duties and powers, and designate officers and employees to carry out the provisions of this chapter according to an established line of succession. Insofar as possible, the form of the organization, titles and terminology shall conform to the recommendations of the federal government and the state of Washington Military Department, Emergency Management Division.

2.44.050 Designation of the city manager as executive head for emergency services of the city.

The city manager shall serve as the executive head of the city for purposes of emergency management pursuant to Chapter 38.52 RCW.

2.44.060 Comprehensive Emergency Management Plan.

The Comprehensive Emergency Management Plan, prepared under the direction of the emergency management director, is the official emergency management plan of the City of Bainbridge Island. The emergency management plan shall be available from the office of the city clerk.

2.44.070 Continuity of government.

In the event the city manager is unavailable to exercise the powers and discharge the duties described in this chapter, a line of succession, to be prepared by the city manager, shall be used to determine the interim executive head subject to the city council's confirmation, modification, or rejection as soon as practicable. In the event that the city manager and all successors are unable to discharge the duties in this chapter, the mayor shall act as the interim executive head subject to the city council's confirmation, modification, or rejection as soon as practicable.

2.44.080 Proclamation of emergency.

- A. Whenever an emergency or disaster, or the imminent threat thereof, occurs in the city and results in, or threatens to result in the death or injury of persons or the destruction of or damage to property to such extent as to require, in the judgment of the executive head, extraordinary and immediate measures to protect the public health, safety and welfare, the executive head shall forthwith:
 - 1. If the city council is in session, request the council to proclaim the existence or threatened existence of an emergency; or
 - 2. If the city council is not in session, issue such proclamation, subject to council ratification and confirmation, modification or rejection as soon as practicable.
 - 3. Proclamations of emergency issued by the executive head shall be presented as soon as practical to the city council for ratification and confirmation, modification or rejection. Proclamations which are rejected shall, after vote, be void. Proclamations shall be considered in full force and effect until the council shall act.
- B. Such proclamation of emergency may be in addition to or as an alternative to the proclamation of state of emergency by the governor.
- C. The executive head shall terminate the proclamation of emergency when order has been restored in the affected area of the city.

2.44. 090 Notice of proclamations of emergency and emergency orders.

When practical, the executive head shall consult with the emergency management director on the need for and development of the proclamation of emergency or emergency order. The executive head shall cause any proclamation of emergency or emergency order issued pursuant to the authority of this chapter to be delivered to the

emergency management director, state emergency management, the governor, the public, and news media within the general area of the city. The executive head shall use available means as shall be necessary in his or her judgment to give notice of such proclamations. Such proclamations and orders shall be filed with the city clerk as soon as practical.

2.44.100 Authorized emergency orders.

- A. Upon the proclamation of an emergency, and during the existence of such emergency, the executive head, may make and proclaim any or all of the following orders and delegate enforcement authority therefore to law enforcement officers and designated emergency personnel:
 - 1. Order imposing a general curfew applicable to the city as a whole, or to such geographical area or areas of the city and during such hours, as it deems necessary, and from time to time to modify the hours such curfew will be in effect and the area or areas to which it will apply;
 - 2. Order requiring any or all business establishments to close and remain closed until further order;
 - 3. Order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;
 - 4. Order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas, and public buildings;
 - 5. Order prohibiting undue inflationary pricing of goods and services with the intent of maximizing profits as a result of the declared emergency;
 - 6. Order utilizing existing services and facilities to the maximum extent practicable notwithstanding any other provision of law, in the event of a disaster, after proclamation by the governor of the existence of such disaster, to have the power to command the service and equipment of as many citizens as considered necessary in the light of the disaster proclaimed; provided that citizens so commandeered shall be entitled during the period of such service to all privileges, benefits and immunities as are provided by Chapter 38.52 RCW and federal and state emergency management regulations for registered emergency workers;
 - 7. Such other orders as are imminently necessary for the protection of life and property.
- B. Emergency orders shall be presented as soon as practicable to the city council for ratification and confirmation, modification or rejection. Orders which are rejected

shall, after vote, be void. Emergency orders shall be considered in full force and effect until the city council shall act.

2.44.110 Emergency procurements.

- A. Upon proclamation of an emergency, and during the existence of such emergency, the executive head, alternates as defined in BIMC 2.44.070, or the finance director, is authorized to make emergency procurements where the city may suffer a substantial loss or damage to property, bodily injury, or loss of life by reason of the time required for following the regular purchasing procedures.
- B. Such authorization for emergency procurement shall be presented to the city council for ratification and confirmation, modification or rejection. Emergency procurements shall be considered in full force and effect until the city council acts.

2.44.120 Emergency powers under governor's proclamation of emergency or disaster.

In addition to or as an alternative to those emergency powers prescribed by this chapter upon the proclamation of an emergency, the executive head shall have, upon proclamation of a state of emergency or disaster by the governor pursuant to Chapters 43.06 RCW and 38.52 RCW, the authority to exercise in behalf of the city all emergency powers set forth in RCW 38.52.070(2), including without limitation:

- A. To accept and receive, with the consent of the governor, in behalf of the city, offers from the federal government of services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of emergency management.
- B. In cases where there is damage to the equipment borrowed from other jurisdictions under a mutual aid agreement, to receive the filing of claims for such damage within 60 days after the damage is incurred.
- C. To utilize existing services and facilities to the maximum extent practicable notwithstanding any other provision of law, in the event of a disaster, after proclamation by the governor of the existence of such disaster, to have the power to command the service and equipment of as many citizens as considered necessary in the light of the disaster proclaimed; provided that citizens so commandeered shall be entitled during the period of such service to all privileges, benefits and immunities as are provided by Chapter 38.52 RCW and federal and state emergency management regulations for registered emergency workers.

2.44.130 Penalties.

A violation of this chapter shall constitute a misdemeanor and shall be punishable as such; provided that whenever any person shall commit a second offense hereunder, the same shall constitute a gross misdemeanor and shall be punishable as such. It shall be a violation of this chapter to:

- A. Willfully obstruct, hinder, or delay any law enforcement officer or designated emergency management personnel organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed upon such member by virtue of this chapter;
- B. Violate a proclamation of emergency issued pursuant to BIMC 2.36.090 or of a subsequent emergency order issued pursuant to Chapter 35.33 RCW;
- C. Wear, carry or display, without authority, any means of identification specified by the emergency management organization of the city.

2.44.140 Private liability.

No individual, firm, association, corporation or other party owning, maintaining or controlling any building or premises, who voluntarily and without compensation grants to the city a license or privilege or otherwise permits said city to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock or practice emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of any act or omission in connection with the upkeep or maintenance thereof, except a willful act of negligence, when such a person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during an emergency or disaster or an attack by enemies of the United States or during a disaster drill, exercise or test ordered by a lawful authority.

2.44.150 Continuance of existing agreements.

Nothing in this ordinance shall be deemed to affect any existing interlocal agreements entered into by the city or other cities and towns of the State of Washington pursuant to Chapter 38.52 RCW regarding emergency planning and the giving of mutual aid; provided that for the purposes of such agreements, the city manager shall exercise all powers as executive head of the city under such agreements in conformity with RCW 38.52.070.

2.44.160 General public duty created.

- A. It is expressly the purpose of this ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individual who will or should be especially protected or benefited by the terms of this ordinance.
- B. Nothing contained in this ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this ordinance by its officers, employees or agents.

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: April 26, 2013

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NUMBER: 2013-09

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Proclaiming May 2013 as "Puget Sound Starts Here" Month	Date: May 1, 2013
Agenda Item: Council Discussion	Bill No.: 13-055
Proposed By: Mayor Steven Bonkowski	Referral(s):

BUDGET INFORMATION

Department:	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:

Consideration of a proclamation declaring May 2013 as "Puget Sound Starts Here" month.

History:

Communities across Western Washington will celebrate Puget Sound with family-friendly activities and educational programs during "Puget Sound Starts Here" Month in May.

Puget Sound features 2,500 miles of shoreline. It is home to countless species, including orcas, sea lions, salmon and shellfish, as well as 4.5 million people. Puget Sound creates economic opportunities for the area, including tourism, shipping and seafood, and the region's exceptional quality of life is a key reason many people chose to live here.

Every year, millions of pounds of toxic pollutants enter Puget Sound. Most of that pollution comes from runoff. When it rains, the water flows over hard surfaces like houses, parking lots, driveways and streets and picks up pollution along the way. This polluted runoff flows through ditches or storm drains and into local waterways. Most runoff is not treated before it reaches streams, rivers, lakes, and Puget Sound.

This regional stormwater education campaign is designed to raise awareness that our local practices as individuals, such as washing cars, using fertilizers and scooping dog poop, affect the health of the Puget Sound. More information on what you can do to help improve the health of Puget Sound can be found on the Puget Sound Starts Here Website located at: <http://pugetsoundstartshere.org/>.

RECOMMENDED ACTION

Motion:

I move that the City Council authorize Mayor Steven Bonkowski to sign the proclamation declaring May 2013 as "Puget Sound Starts Here" month.



CITY OF BAINBRIDGE ISLAND CITY COUNCIL PROCLAMATION

Proclaiming the Month of May 2013 as “*Puget Sound Starts Here Month*”

Whereas, Puget Sound contributes in numerous ways to the City of Bainbridge Island’s economic infrastructure and to our unparalleled natural resource base; and

Whereas, water quality is a priority for the health and welfare of the citizens of Bainbridge Island; and

Whereas, millions of pounds of toxic pollutants enter Puget Sound every year. Most of these pollutants are a result of rain washing over yard chemicals, pet waste, oil, soaps, and other toxins that then enter storm drains, streams, and ultimately Puget Sound; and

Whereas, educational initiatives such as the regional “Puget Sound Starts Here” campaign will serve to protect and improve local and regional water quality; and

Whereas, state agencies and more than 470 local organizations, governments and tribes, including the City of Bainbridge Island, have joined together to engage residents in Puget Sound recovery, and have collectively launched the “Puget Sound Starts Here” public awareness campaign; and

Whereas, “Puget Sound Starts Here Month” will bring attention and focus to the issue of local and regional water quality and provide educational opportunities for the public to learn how they can help clean up Puget Sound and our local waterways; and

Whereas, all Puget Sound residents have the ability to take action to reduce their individual and cumulative impacts on the Sound and local waterways;

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

PUGET SOUND STARTS HERE MONTH

and urge all citizens to take action to improve the health of Puget Sound this month by attending local and regional events and to adopt behaviors in their daily lives that will help protect and clean up Puget Sound and our local waterways.

SIGNED, this ____ day of _____

Steven Bonkowski, Mayor