



**CITY COUNCIL STUDY SESSION  
TUESDAY, OCTOBER 15, 2019**

BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON

**AGENDA**

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**  
Mayor Medina will be absent; Councilmember Schneider will call in.
2. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
3. **DEPUTY MAYOR'S REPORT - 6:05 PM**
4. **UNFINISHED BUSINESS**
  - 4.A **(6:10 PM) Police and Court Project Update and Sustainability Discussion,** 30 Minutes  
Staff Presentation - Sustainability for CC 101519
5. **CITY COUNCIL DISCUSSION**
  - 5.A **(6:40 PM) Bainbridge Island Community Bill of Rights Ordinance - Councilmembers Nassar and Peltier,** 30 Minutes  
Memo to the City Council  
Memo re Rights of Nature in Bainbridge Island  
Ordinance - Bainbridge Island Community Bill of Rights (10-11-19)
6. **FUTURE COUNCIL AGENDAS**
  - 6.A **(7:10 PM) Future Council Agendas** 10 Minutes  
City Council Regular Business Meeting October 22, 2019  
Special City Council Study Session, November 5, 2019  
City Council Regular Business Meeting November 12, 2019  
City Council Study Session November 19, 2019  
City Council Regular Business Meeting November 26, 2019
7. **FOR THE GOOD OF THE ORDER - 7:20 PM**
8. **ADJOURNMENT - 7:30 PM**

## GUIDING PRINCIPLES

**Guiding Principle #1** - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

**Guiding Principle #2** - Manage the water resources of the Island to protect, restore and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations.

**Guiding Principle #3** - Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

**Guiding Principle #4** - Consider the costs and benefits to Island residents and property owners in making land use decisions.

**Guiding Principle #5** - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

**Guiding Principle #6** - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Guiding Principle #7** - Reduce greenhouse gas emissions and increase the Island's climate resilience.

**Guiding Principle #8** - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



City Council meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the City Clerk's Office at 206-780-8604 or [cityclerk@bainbridgewa.gov](mailto:cityclerk@bainbridgewa.gov) by noon on the day preceding the meeting.



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** October 15, 2019

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (6:10 PM) Police and Court Project Update and Sustainability Discussion,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

For discussion only.

**SUMMARY:**

Status of design development will be discussed for the new facility, as well as potential options for increasing sustainability goals for the project.

**FISCAL IMPACT:**

|                                    |  |
|------------------------------------|--|
| <b>Amount:</b>                     |  |
| <b>Ongoing Cost:</b>               |  |
| <b>One-Time Cost:</b>              |  |
| <b>Included in Current Budget?</b> |  |

**BACKGROUND:** The project was presented to the Design Review Board on June 3, 2019, and the DRB suggested that the City "think about sustainability and improving the performance of the building (e.g. Increasing the R-value of insulation.)"

**ATTACHMENTS:**

[Staff Presentation - Sustainability for CC 101519](#)

**FISCAL DETAILS:** The project has a current approved budget of \$20.0 million which includes design, site acquisition, construction and project management. Pursuing LEED or other certification for the building will increase design and construction costs.

**Fund Name(s):** Capital Construction Fund

**Coding:**



CITY OF  
BAINBRIDGE  
ISLAND

# Police and Court Project Sustainability Discussion

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# Project Status Update

- Permit issued and construction begun on relocation of CHI to Virginia Mason building
  - CHI plans to vacate current building by January 10, 2020
- Plan to complete City purchase of existing building in January 2020
- Permitting and design in progress for Police and Court conversion of existing building
  - Plan to completed design in Spring 2020
  - Estimate Construction start in summer 2020
  - Approximately 1-year construction period

# Q3 Progress

- Issued CHI Building Permit to relocate
- Presented Police/Court Project to DRB
- PCD Pre-Application Meeting held
- Public Participation meeting held with Planning Commission
- City Council Authorized Bond Underwriter and Passed Bond Ordinances
- Project Design in progress
  - Finalized floor plans
  - Finalized room design criteria
  - Developing basis of design criteria

October 15, 2019

# Planned for Q4

- Submit Conditional Use and Site Plan Permit Applications
- Complete Project Review with Planning Commission and Hearing Examiner
- Design Development
  - Finalize basis of design criteria
  - Significant progress on design drawings
- Prepare for Building Ownership
  - Develop contracts for landscape maintenance, alarm monitoring, elevator maintenance, etc.
  - Assume stormwater system maintenance
  - Re-assign utility accounts

# Green Building Design Elements

- Building Materials

- Responsible sourcing
- Life-cycle analysis

## COMP PLAN GOAL CF-4

*Public facilities* constructed on Bainbridge Island meet appropriate safety, construction, energy conservation, durability and *sustainability* standards

- Energy Efficiency

- Insulation and windows
- Efficient systems
- Natural daylight use
- Solar power systems

## Comp Plan Policy CF 4.4

Require public facilities to incorporate energy generation when and where possible.

- Water Conservation

- Efficient fixtures and equipment
- Rainwater harvesting or groundwater recharge

- Healthy Environment

- Indoor air quality
- Support for healthy lifestyle
- Non-toxic materials

# Existing Building Features

- Beneficial re-use of existing Medical Building Constructed in 2014
  - Limited changes planned to current building shell
  - Meets 2012 Washington State Energy Code
    - Insulation: Roof R-12 and R-38, Walls R-21
    - Doors and Windows:  $U=0.37$
    - Roof reflectivity
  - Green Stormwater Infrastructure
    - Rain garden
    - Permeable pavement
    - Stormfilter system
  - Protection of existing wetland
  - Proximity to public transit and non-motorized facilities

# Standards for Interior Renovation

- Comply with 2015 Washington State Energy Code
  - Occupancy and daylight sensing lighting controls
  - Programmable controls
  - High-efficiency fixtures
- Indoor water use efficiency (ASHRAE Standard 189.1)
  - Low-flow fixtures
  - Potential reduction of water service due to reduced fixture count
- Efficient HVAC controls (ASHRAE Standard 90.1)
  - Programmable DDC controls
  - Occupancy and equipment runtime schedules
  - Temperature setpoint controls
  - Minimum outside air requirements

# Standards for Interior Renovation (cont'd)

- Materials Sourcing
  - Environmental Product Declaration (EPD) sources
  - Responsible sourcing of raw materials
    - Recycled content
    - Low VOC
- Demolition waste reduction
  - Identifying re-use opportunities
- Assess for Solar Power opportunities

# LEED or Other Certification

- Estimate \$150k additional for design cost and to prepare application materials
- Estimate approximately 10% increase in construction costs
  - Current Construction Cost Estimate - \$6.6M
    - 10% increase = \$660K
- Potential Increased Project Cost of >\$800K to achieve Certification



# Questions?

# Discussion

October 15, 2019



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** October 15, 2019

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (6:40 PM) Bainbridge Island Community Bill of Rights Ordinance - Councilmembers Nassar and Peltier,

**STRATEGIC PRIORITY:** Green, Well-Planned Community

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:**

Discussion only.

**SUMMARY:**

Representatives from CELDF (Center for Environmental Legal Defense Fund) will introduce the proposed draft ordinance and the attached memo ("Re: Rights of Nature in the City of Bainbridge Island") that was prepared by a CELDF attorney. In that this is an initial proposal to gauge City Council interest, the City Attorney has not yet provided a legal analysis to the Council related to the proposal.

**FISCAL IMPACT:**

|                                    |  |
|------------------------------------|--|
| <b>Amount:</b>                     |  |
| <b>Ongoing Cost:</b>               |  |
| <b>One-Time Cost:</b>              |  |
| <b>Included in Current Budget?</b> |  |

**BACKGROUND:**

**ATTACHMENTS:**

[Memo to the City Council](#)

[Memo re Rights of Nature in Bainbridge Island](#)

**FISCAL DETAILS:** N/A - discussion only

**Fund Name(s):**

**Coding:**

Memo to the City Council  
August 20, 2019

### Bainbridge Island Community Bill of Rights

The Bainbridge Island Community Bill of Rights is born from the international movement to grant legal rights to nature and reaffirm the fundamental rights of people to a sustainable future. This movement is in response to the current mass extinction event and accelerating collapse of our life support systems driven by human-caused climate change.

The first laws establishing legal structures that recognized the Rights of Nature were adopted by local municipalities in the United States in 2006. Tamaqua Borough, Schuylkill County, Pennsylvania, was the first community to enact the Rights of Nature. Since then, more than three dozen communities have adopted such laws. In November 2010, the City of Pittsburgh, Pennsylvania, became the first major municipality in the United States to recognize Rights of Nature. In 2014, Mendocino County approved a Community Bill of Rights. In September 2008, Ecuador became the first country in the world to recognize Rights of Nature in its constitution. More recently, in February 2019 the citizens of Toledo, Ohio, voted to grant legal rights to Lake Erie, stating that “the lake has the right to “exist, flourish, and naturally evolve”.

Bainbridge Island has demonstrated its commitment to Climate Change and the environment through numerous actions and takes pride at being forefront and center of our region’s progress towards addressing our worsening environmental crisis. **To this end, the City of Bainbridge Island** has adopted the following Resolutions to implement the City’s Comprehensive Plan, promote Intergenerational Equity, and emphasize Bainbridge Island’s commitment to local, national, and global environmental causes and concerns: Resolution No. 2016-21, declaring the second Monday in October as Indigenous Peoples Day in the City of Bainbridge Island; Resolution No. 2017-13, declaring the month of April to be Celebrate Trees! Earth Month Bainbridge Island; No. 2017-18, adopting the *Bainbridge Island Community Forest Plan*; Resolution No. 2017-20, affirming the City of Bainbridge Island’s commitment to meet or exceed goals established in the *Paris Climate Agreement*; Resolution No. 2019-12, affirming the importance of the Southern Resident orca whales to the identity and values of Bainbridge Island and the broader Salish Sea region. Most recently, the City Council unanimously adopted Resolution 2019-14 in support of the *Green New Deal*, further declaring our City’s support of progressive environmental legislation. Through these actions, the City has demonstrated its commitment to fully implement its Comprehensive Plan to further effectuate rights of natural communities and ecosystems of the City of Bainbridge Island.

The proposed Ordinance, titled the *Bainbridge Island Community Bill of Rights*, seeks to promote the City’s Comprehensive Plan and the Sustainability Plan contained within; establishes Rights of Nature for the Natural Communities and Ecosystems of Bainbridge Island and Puget Sound; and asserts, protects and promotes the fundamental rights of Bainbridge Island citizens,

both present and future, to clean air, clean water, clean soil, and a sustainable future.

Several other cities in Washington State are currently working to draft similar Rights of Nature Ordinances, including Island County and Clallam County. Bainbridge Island is currently positioned to be the first City in Washington State to adopt Rights of Nature through the proposed Community Bill of Rights Ordinance, should the City Council vote to support the adoption of the Ordinance in the very near future. Thus, our City has the unique opportunity to join our international and national leaders in this global effort to address the most pressing crisis of our time.

Councilmember Nassar

Councilmember Peltier

# **SHEARWATER LAW PLLC**

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August 1, 2019

To: Mayor Kol Medina  
City Manager Morgan Smith  
Councilmember Sarah Blossom  
Councilmember Joe Deets  
Councilmember Rasham Nassar  
Councilmember Ron Peltier  
Councilmember Leslie Schneider  
Councilmember Matthew Tirman  
City Attorney Joe Levan  
City of Bainbridge Island  
280 Madison Ave N  
Bainbridge Island, WA 98110

## **Re: Rights of Nature in the City of Bainbridge Island**

With the proposed Rights of Nature in the City of Bainbridge Island ordinance, the City of Bainbridge Island is considering a development in the law whose time has surely come.

### **A. Why do we need to recognize ecosystem rights and human environmental rights?**

Last year, Tahlequah, a 20 year old resident orca whale, carried her deceased calf's body for 17 days.<sup>1</sup> Scientists consider Tahlequah's behavior to be an expression of grief, and many people around the world recognized it as a wake-up call on the urgent and critical need to protect the Salish Sea ecosystem.

One of the root causes of the resident orca's population decline is food shortage, due to the collapse of chinook salmon populations. In his 1999 book *Salmon Without Rivers: A History of the Pacific Salmon Crisis*, fisheries biologist Jim Lichatowich examines the roots and evolution of the salmon crisis in the Pacific Northwest. He concludes that the salmon suffer because of our current dominant worldview, wherein we deny our connections to the rest of the natural world. Unless that worldview is challenged and changed, there is little hope for recovery.

While many environmental laws seek to protect the Salish Sea, they do so by reproducing and reinforcing our separation from the rest of nature, and our social perception that we control earth's ecosystems. Thus, environmental law is primarily a sub-discipline of property law, because it accepts the idea that the earth is our property and therefor we have a right to control that property. Further, at the foundation of property law is the right of property owners to destroy their property, the ultimate form of control. Environmental law seeks to attempt to avert this outcome – destruction of the earth's ecosystems – while not challenging the underlying property law paradigm. Thus, environmental law merely sets limits to our destruction of the earth's ecosystems: how fast can it happen, or at what point must it stop. Property-based environmental law may slow down the speed at which we go over the ecological cliff, but it doesn't change our direction or reverse our course.

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<sup>1</sup> Lynda V. Mapes, *After 17 days and 1,000 miles, mother orca Tahlequah drops dead calf, frolics with pod*, THE SEATTLE TIMES (Aug. 11, 2018), available at <https://www.seattletimes.com/seattle-news/environment/after-17-days-and-1000-miles-mother-orca-tahlequah-drops-her-dead-calf/>.

Western legal thought has been late to developing a legal system to avert ecological collapse. Ecologist Aldo Leopold was among the first non-indigenous thinkers to propose expanding rights to ecosystems. Writing in the 1940's in the upper midwest, Leopold opened his essay, *The Land Ethic*, with a reminder of the long and violent history of property:

When god-like Odysseus returned from the wars in Troy, he hanged all on one rope a dozen slave-girls of his household whom he suspected of misbehavior during his absence.

This hanging involved no question of propriety. The girls were property. The disposal of property was then, as now, a matter of expediency, not of right and wrong.

Concepts of right and wrong were not lacking from Odysseus' Greece: witness the fidelity of his wife through the long years before at last his black-prowed galleys clove the wine-dark seas for home. The ethical structure of that day covered wives, but had not yet been extended to human chattels. During the three thousand years which have since elapsed, ethical criteria have been extended to many fields of conduct, with corresponding shrinkages in those judged by expediency only.

...

There is as yet no ethic dealing with man's relation to land and to the animals and plants which grow upon it. Land, like Odysseus' slave-girls, is still property. The land-relation is still strictly economic, entailing privileges but not obligations.

...

All ethics so far evolved rest upon a single premise: that the individual is a member of a community of interdependent parts. His instincts prompt him to compete for his place in that community, but his ethics prompt him also to co-operate (perhaps in order that there may be a place to compete for).

The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land.

This sounds simple: do we not already sing our love for and obligation to the land of the free and the home of the brave? Yes, but just what and whom do we love? Certainly not the soil, which we are sending helter-skelter downriver. Certainly not the waters, which we assume have no function except to turn turbines, float barges, and carry off sewage. Certainly not the plants, of which we exterminate whole communities without batting an eye. Certainly not the animals, of which we have already extirpated many of the largest and most beautiful species. A land ethic of course cannot prevent the alterations, management, and use of these "resources," but it does affirm their right to continued existence, and, at least in spots, their continued existence in a natural state.

Aldo Leopold, *The Land Ethic*, ¶¶ 1-3, 7, 10-12, in *A SAND COUNTY ALMANAC* (1949).

Here, despite our rhetorical statements about our love for the place we call home, our actions show that we do not love the Salish Sea. Whether it is the charismatic orcas suffering from famine,

toxins, and noise, or the multitude of plankton, molluscs, and arthropods suffering from anthropogenic ocean acidification, we have yet to create a legal system that values their existence beyond the bare minimum needed to (attempt to) avert extinction.

### **B. What would the Rights of Nature in the City of Bainbridge Island law do?**

The Rights of Nature in the City of Bainbridge Island ordinance proposes a different way for us to relate to the rest of nature. Rather than treating ecosystems as our property, it recognizes ecosystems' right to "naturally exist, flourish, regenerate, evolve, and be restored." Proposed BIMC 4.01.040(b). It also recognizes a human right to a healthy environment. Proposed BIMC 4.01.040(a).

These rights go above the protections provided by property-based environmental law. Where state and federal environmental law forms the minimum requirements for ecological protection, the proposed ordinance goes above that floor, it is more expansive protection than already provided. Thus, it draws on the established legal concept of state-recognized rights protections being more expansive than federally-recognized rights. *E.g.*, *State v. Sieyes*, 168 Wn.2d 276, 292, 225 P.3d 995 (2010) ("Supreme Court application of the United States Constitution establishes a floor below which state courts cannot go to protect individual rights. But states of course can raise the ceiling and afford greater protections under their own constitutions.").

The Washington Supreme Court has recognized that environmental laws can contemplate more than simply economic benefits. *See, e.g.*, *Swinomish Indian Tribal Community v. Dept. of Ecology*, 178 Wn.2d 571, 579, 600, 311 P.3d 6 (2013) (noting the Department of Ecology measured the value of fish in the Skagit River in monetary terms, and emphasizing "[t]hat more than economic benefits are contemplated" by state water law). One of the fundamental purposes of cities is to protect the people's health, safety, and welfare. A healthy environment makes that purpose possible.

### **C. What about the environmental harms caused by the City itself?**

The proposed law holds the city, as well as other governments and business entities, responsible for its actions that violate the recognized environmental rights. To examine what this might mean, let's use the example of the City's water treatment plant, and specifically a hypothetical challenge to the amount of industrial waste that enters and is then discharged from the water treatment plant. Federal, state, and local law already limit these pollution amounts, although they also permit industrial waste discharge. *See* BIMC Chapter 13.12.

The proposed BIMC 4.01.040(a) includes "All residents of Bainbridge Island possess a fundamental right to a healthy environment, which includes . . . comprehensive waste and water disposal systems that do not degrade the environment." If a resident of Bainbridge Island believed that this right is being violated by the waste treatment plant, the resident could begin a proceeding to challenge that purported violation. That proceeding would start with a notice letter to the city describing the purported violation and what steps the city should take to remedy the violation. Proposed BIMC 4.01.070(a)(1). The city would then have 120 days to mediate and implement an agreed remedy. Proposed BIMC 4.01.070(a)(3). Only after that, and assuming there is no agreed remedy, would the resident alleging a violation of their right to a healthy environment be able to go to court. Proposed BIMC 4.01.070(a) and (g).

In a court proceeding, to find that there is a violation, the judge would have to determine whether the city's water discharge "degrade[s] the environment" and thus violated the resident's right to a healthy environment. Proposed BIMC 4.01.040(a). This is a different standard than current water quality laws, and it would require the judge to assess the ecological impact of the waste discharge, not just whether the discharge was above the concentration authorized by existing permits. This standard recognizes the purpose of the prohibition: to protect residents' right to a healthy environment). Because

our understanding of environmental health has changed over time, and will continue to do so, the standard can adapt to evolving circumstances.

Environmental laws have always made value judgments, and this proposed law is no different. It does sets a higher standard for environmental protection, which the City holds itself to just as it expects business within the city to follow. This law continues the leadership that the City has shown in environmental protection.

#### **D. But what about corporations’ “rights”?**

Unfortunately, expanding rights comes at a cost, borne by those whose previously right-less “property” now has rights. In 1860, the law saw enslaved people as simply property, worth nearly half of the total wealth of the South.<sup>2</sup> Slave-owners lost their property with the Civil War Amendments to the United States Constitution; they lost their “right” to own slaves.

Today, over 150 years later, we don’t think of owning slaves as a right. But yet one of the principle reason for not recognizing ecosystems’ rights is this same argument that was used to uphold slavery.<sup>3</sup> Namely, today, corporations have a “right” to pollute, a “right” to extract, a “right” to harvest beyond tipping points. The limited liability protections afforded to the owners of corporations (and other limited liability entities) make corporations ideal mechanisms to put profits over people and the planet, because the people making the profit are shielded from personal liability. Frequently, our governments have given corporations these “rights” through courts’ interpreting corporations as “persons” under the Fourteenth Amendment, and by providing corporations with permits to pollute.

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2 Gavin Wright, *SLAVERY AND AMERICAN ECONOMIC DEVELOPMENT* (2006) (*cited in* Tracy Loeffelholz Dunn & Jeff Neumann, *40 Acres and a Mule Would Be at Least \$6.4 Trillion Today – What the U.S. Really Owes Black America*, YES MAGAZINE (May 14, 2015), available at <https://www.yesmagazine.org/issues/make-it-right/infographic-40-acres-and-a-mule-would-be-at-least-64-trillion-today>).

3 See David W. Orr, *2020: A Proposal*, 14 CONSERVATION BIOLOGY 338, 338-39 (2000).

Thus, the proposed ordinance creates enforcement against the harms done by governments and business entities, and not by individuals.

The decision to recognize ecosystem rights and human environmental rights is simultaneously, and irreconcilably, a decision to limit the “rights” of corporate polluters and extractors. In this way, you are choosing sides. You are siding with democracy, and against economic oligarchy.<sup>4</sup> This is not an easy decision, as many people will tell you that it isn’t necessary, is too risky, or our system works if we just give it more time. Most importantly, they will say you will cost the city money when polluters sue you to attempt to overturn this law, and therefore you are not being responsible representatives.

The challenge, of course, is that it will be future generations who bear the costs if we do not build a legal system that works with the rest of life on earth. If future generations in Bainbridge Island could lobby you, what would they want you to do? If Tahlequah could lobby you, what would she ask you to do?

Please do not hesitate to be in touch if I can be at all of assistance.

Thank you,



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4 E.g., David W. Orr, *Governance in the Long Emergency*, in STATE OF THE WORLD 2013: IS SUSTAINABILITY STILL POSSIBLE? ch. 26 (World Watch Institute 2013), available at [www.postcarbon.org/article/1650005-governance-in-the-long-emergency](http://www.postcarbon.org/article/1650005-governance-in-the-long-emergency) (“In our time, strong democracy may be our best hope for governance in the long emergency, but it will not develop, persist, and flourish without significant changes. The most difficult of these will require that we confront the age-old nemesis of democracy: economic oligarchy. Today the majority of concentrated wealth is tied, directly or indirectly, to the extraction, processing, and sale of fossil fuels, which is also the major driver of the long emergency.”).

Lindsey Schromen-Wawrin  
Shearwater Law PLLC

## **ORDINANCE NO. 2019-XX**

**AN ORDINANCE** of the City Council of the City of Bainbridge Island, Washington, promoting the City's Comprehensive Plan and the Sustainability Plan contained within; establishing Rights of Nature for the Natural Communities and Ecosystems of Bainbridge Island and Puget Sound; asserting, protecting, and promoting the fundamental rights of Bainbridge Island residents, both present and future, to clean air, clean water, clean soil, and a sustainable future.

**WHEREAS**, built on the right of local community self-governance, this ordinance establishes the legal rights of nature, which includes ecosystems and natural communities for Bainbridge Island and the surrounding marine environment of the Salish Sea they are connected to, in order to secure, protect, and promote our unalienable rights and the right of future generations to live in a climate system capable of sustaining human societies with access to clean air, clean water, and clean soil; and

**WHEREAS**, a number of specific examples show the destruction of the environment upon which all living things ultimately depend: the loss of 60% of animal populations since 1970, the accelerated nature of global warming, unabated deforestation practices ongoing around the world, dangerous concentrations of CO<sub>2</sub> present in the atmosphere, the destruction of entire marine ecosystems; regionally, Salish Sea marine water quality continues to deteriorate, and some species, like Chinook salmon and Southern Resident orcas, are dangerously below federal recovery goals and are not improving; and

**WHEREAS**, in response to the catastrophic consequences of exploiting the natural world for profit, the worldwide, national, and local environmental communities are urging governments to adopt a new paradigm base upon recognition that both individual human beings and ecosystems and natural communities have fundamental environmental rights which should be recognized by laws, that the health of the world's populations and ecosystems depend on the full protection of these rights, and that corporate rights can no longer be allowed to take precedence over these rights to human and environmental health and well-being; and

**WHEREAS**, in the last fifty years, national and state governments have attempted to address the escalating environmental crisis by adopting specific environmental protection laws, such as the Clean Water Act, Clean Air Act, National Environmental Policy Act, California Environmental Quality Act, and Washington State Environmental Policy Act that limit pollution and resource consumption, but those laws have proven inadequate to provide long-term protection of our rights to clean air, water, soil, sustainable food systems, and the rights of natural ecosystems to exist and flourish; and

**WHEREAS**, the inadequacy of these laws results, in part, from the underlying legal assumption that the natural world is "property," which may be used by its owners – largely corporations and governments – for their own, private, short-term economic benefit, generally with minimal regard for the health of the environment; and

**WHEREAS**, as declared in the City’s Comprehensive Plan, serving also as the City’s Sustainability Plan, preserving and protecting the environmental resources and natural amenities of Bainbridge Island and Puget Sound is a foundational component for the Vision of our City; and

**WHEREAS**, Guiding Principle 6 mandates that policy action and direction nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs, therefore articulating the City’s commitment to promoting Intergenerational Equity on Bainbridge Island; and

**WHEREAS**, there are numerous specific examples of policy statements and laws based on this new paradigm that recognize the rights of the natural world to exist, persist, thrive, and naturally evolve, including: the Constitution of Ecuador, amended to include the rights of nature in 2008; the City of Toledo’s Lake Erie Bill of Rights in 2019, and the laws of other local governments in California, Colorado, Oregon, Maine, Maryland, New Hampshire, New Mexico, Ohio, Pennsylvania, and New York, all which have adopted similar measures; and

**WHEREAS**, locally, the City of Bainbridge Island has adopted the following resolutions to implement the City’s Comprehensive Plan, promote Intergenerational Equity, and emphasize Bainbridge Island’s commitment to local, national, and global environmental causes and concerns: Resolution No. 2016-21, declaring the second Monday in October as Indigenous Peoples Day in the City of Bainbridge Island; Resolution No. 2017-13, declaring the month of April to be Celebrate Trees! Earth Month Bainbridge Island; No. 2017-18, adopting the *Bainbridge Island Community Forest Plan*; Resolution No. 2017-20, affirming the City of Bainbridge Island’s commitment to meet or exceed goals established in the *Paris Climate Agreement*; Resolution No. 2019-12, affirming the importance of the Southern Resident orca whales to the identity and values of Bainbridge Island and the broader Salish Sea region; and

**WHEREAS**, the City is committed to fully implementing its Comprehensive Plan to further effectuate rights of natural communities and ecosystems of the City of Bainbridge Island.

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

**Section 1.** Title 4 of the Bainbridge Island Municipal Code is hereby created to read as follows:

**Chapter 4.01           GENERAL PROVISIONS**

**4.01.010           Title**

This chapter shall be known as the Community Bill of Rights in the City of Bainbridge Island.

**4.01.020           Findings**

The City Council finds and declares:

A. With the exponential growth in human population and its increasing per capita resource consumption, the planet cannot sustain our current way of life, which is destructive to the natural elements upon which all species depend – the air, water, climate, soil, and other fundamental elements of the world.

B. These rights are not sufficiently safeguarded by the existing body of national and international environmental policies and laws, which are grossly inadequate to avert the mounting environmental crisis.

C. While progress is being made in some areas, many key indicators of Salish Sea Puget Sound ecosystem health are not showing improvement. Worse yet, some key indicators, such as resident orca and Chinook salmon populations, remain in a perilous state.

D. The inadequacy of the current framework of state, national, and international policies and laws necessitates a reexamination of the underlying societal and legal assumptions about our relationships with the environment and a renewed focus on effectuating these rights.

#### **4.01.030 Purpose**

This chapter is created and exists for the purpose of securing the right of natural ecosystems and natural communities on Bainbridge Island and those connected to the Salish Sea, as well as codifying Bainbridge Island's commitment to achieving sustainability, among other things: (1) asserting the city's commitment to preserve and protect our natural environment and all of its components and ecosystems, including, but not limited to, the air, water soil, and climate upon which all living things depend; (2) promoting sustainable management of groundwater supply, energy production and distribution transportation, waste disposal, and sustainable systems of food production and distribution; and (3) to the full extent legally possible, subordinating the short-term, private, financial interest of corporations and others to the common, long-term interest of achieving environmental and economic sustainability.

#### **4.01.040 Rights of Bainbridge Island Residents and the Natural Environment**

A. All residents of Bainbridge Island possess a fundamental right to a healthy environment, which includes, but is not limited to: clean water from sustainable sources; clean indoor and outdoor air; a sustainable food system; a stable, healthy climate system that supports a flourishing biodiverse land and marine environment; comprehensive waste and water disposal systems that do not degrade the environment; and a sustainable energy future based on renewable energy sources.

B. Ecosystems and natural communities within Bainbridge Island possess the fundamental right to naturally exist, flourish, regenerate, evolve, and be restored.

C. All residents of Bainbridge Island possess a fundamental right of self-government, which includes, but is not limited to, the following rights: first, the right to a system of local government founded on the consent of the people of the municipality; second, the right to a

system of local government that secures their rights; and third, the right to alter any system of local government that lacks consent or fails to secure and protect the people's rights, health, safety, and happiness.

D. All residents of Bainbridge Island possess the fundamental right to enforce this law free of interference from corporations, other business entities, and governments. That right includes the right of residents to be free from ceiling preemption, because this law expands right-protections for people and nature above those by less-protective state, federal, and international law.

#### **4.01.050      Annual Report**

At least once during every 12 month period, City staff shall prepare a written report to the City Council and community on the state of the environment in and around Bainbridge Island, including the Puget Sound environment, that includes the following:

1. An assessment of the state of the Puget Sound, drawing from the annual report prepared by the Puget Sound Partnership and other sources, such as the Puget Sound Keepers;
2. An assessment of impacts and contributions to water quality, primarily but not limited to stormwater, as it impacts Bainbridge Island and the larger Puget Sound ecosystem;
3. A sub-report prepared by the City's Climate Change Advisory Committee in conjunction with City staff on the state of the Earth's atmosphere, climate change, and Bainbridge Island's progress in doing its part to not only reduce its greenhouse gas emissions but to also show leadership in addressing climate change;
4. A sub-report by the City's Environmental Technical Advisory Committee in conjunction with city staff on the state of the Island's groundwater resources, including updates on development of a groundwater management plan and implementation of that plan; and
5. An overall summary of Bainbridge Island's progress in meeting the environmental stewardship goals and policies of the city's comprehensive plan.

#### **4.01.055      Sustainability Test**

The city shall take all necessary steps to fulfill the purpose of this chapter, including, but not limited to, an evaluation by city staff, the Planning Commission, and the Climate Change Advisory Committee, and all city projects, plans, activities, and legislation for consistency with the environmental sustainability goals and policies contained in the city's comprehensive plan, and for consistency with this chapter. Any inconsistencies shall be resolved within 6 months of identification.

#### **4.01.060      Annual Hearing**

The City Council shall annually review the report, conduct a public hearing, assess the city's progress in effectuating and enforcing the comprehensive plan, Salish Sea recovery actions identified in the biannual State of the Sound report, and the policies and provisions of this

chapter. The City Council shall provide direction to staff to ensure compliance with the comprehensive plan's provisions and with the fundamental rights of the people and natural communities of Bainbridge Island and Salish Sea secured herein.

#### **4.01.070 Compliance Assurance**

A. The city, or any resident of Bainbridge Island, may commence enforcement of this chapter only after:

1. The city or resident provides a notice letter to the alleged violator that describes the violative action(s) and necessary steps to remedy the violations(s);
2. Within 60 days of receipt of the notice letter, the violator neither remedies the violations nor agrees to mediate the issue; and
3. Within 120 days of receipt of the notice letter, the violator has not remedied the violation, either as stated in the notice letter or as agreed to in mediation.

B. The city or resident providing a notice letter shall also publish the notice letter, or at minimum the city or resident's name, contact information, date of letter, alleged violator's name, and a summary of the alleged violation and proposed remedy, in the principal newspaper or media source for Bainbridge Island, daily or as frequently as possible, for a least three weeks beginning within 30 days of providing the letter to the alleged violator. The city (if it did not provide the letter) and any resident may request to be informed of proceedings in resolving the alleged violation, and have a right to join in mediation.

C. Any business entity or government that willfully violates and provision of this law must be subject to a civil penalty in the amount of \$10,000 per day of violation.

D. Any business entity or government that willfully violates any provision of this law must be liable for any damages to an ecosystem or natural community caused by the violation. Damages must be measured by the cost of restoring the ecosystem or natural community to its state before the injury, and must be paid to the city to be used exclusively for the full and complete restoration of the ecosystem or natural community.

E. Governments and business entities engaged in activities that violate the rights and provisions of this law must be strictly liable for all harms and rights violations resulting from those activities.

F. Ecosystems and natural communities within Bainbridge Island may enforce or defend this law through an action brought in the name of the ecosystem or natural community as the real party in interest.

G. The city or any resident of Bainbridge Island may enforce or defend this law in any appropriate court. Any resident, and any ecosystem or natural community, has the right to intervene in any action concerning this law in order to enforce or defend it, and in such an action, the city must be deemed not to adequately represent their particularized interests.

**Section 2.** To the extent that any provision of the Bainbridge Island Municipal Code is inconsistent with the provisions of this ordinance, this ordinance shall govern.

**Section 3.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**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 \_\_\_\_\_, 2019.

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

\_\_\_\_\_  
Christine Brown, CMC, City Clerk

|                             |                  |
|-----------------------------|------------------|
| FILED WITH THE CITY CLERK:  | October 10, 2019 |
| PASSED BY THE CITY COUNCIL: | _____, 20__      |
| PUBLISHED:                  | _____, 20__      |
| EFFECTIVE DATE:             | _____, 20__      |
| ORDINANCE NUMBER:           | 2019-XX          |



CITY OF  
BAINBRIDGE ISLAND

## City Council Study Session Agenda Bill

**MEETING DATE:** October 15, 2019

**ESTIMATED TIME:** 10 Minutes

**AGENDA ITEM:** (7:10 PM) Future Council Agendas

**STRATEGIC PRIORITY:** Good Governance

**PRIORITY BASED BUDGETING PROGRAM:**

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** Executive

**RECOMMENDED MOTION:**

Council will review future Council agendas.

**SUMMARY:**

Council will review future Council agendas.

**FISCAL IMPACT:**

|                                    |  |
|------------------------------------|--|
| <b>Amount:</b>                     |  |
| <b>Ongoing Cost:</b>               |  |
| <b>One-Time Cost:</b>              |  |
| <b>Included in Current Budget?</b> |  |

**BACKGROUND:**

**ATTACHMENTS:**

[City Council Regular Business Meeting October 22, 2019](#)

[Special City Council Study Session, November 5, 2019](#)

[City Council Regular Business Meeting November 12, 2019](#)

[City Council Study Session November 19, 2019](#)

[City Council Regular Business Meeting November 26, 2019](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, OCTOBER 22, 2019**

BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON

**AGENDA**

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
2. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
3. **PUBLIC COMMENT**
4. **MAYOR'S REPORT**
5. **CITY MANAGER'S REPORT**
6. **PRESENTATION(S)**
7. **PUBLIC HEARING(S)**
  - 7.A **Public Hearing on Ordinance No. 2019-28 Adopting Mid-Biennium Modifications to the Final Budget ending December 2020 - Finance, 10 Minutes**  
Ordinance\_No.\_2019-28\_Adopting\_Mid-Biennium\_Modifications\_to\_the\_Final\_Budget\_ending\_December\_2020.docx  
2020 Expenditures by Fund Exhibit A to Ordinance 2019-28.pdf
  - 7.B **Public Hearing on Ordinance No. 2019-27 Relating to Property Tax Levy for Collection in 2020 - Finance, 10 Minutes**  
Ordinance\_No.\_2019-27\_Relating\_to\_the\_Levy\_of\_Property\_Taxes\_for\_Collection\_in\_2020.docx  
City\_of\_Bainbridge\_Island\_Levy\_Limit\_Calculation\_9\_17\_19\_TY-2020.docx
  - 7.C **Public Hearing on Ordinance No. 2019-31, Extending Interim Official Control Establishing Small Wireless Facilities Design Standards - Executive, 10 Minutes**  
Ordinance No. 2019-31, Extending Interim Official Control Establishing Small Wireless Facilities Design Standards  
Ordinance No. 2019-15, Interim Official Control Establishing Small Wireless Facilities Design Standards (Expires 11-14-19)
8. **UNFINISHED BUSINESS**

- 8.A (x PM) Consider Annual Funding for Friends of the Farms - Executive, 30 Minutes**  
 Staff Memo - Consideration of Annual Funding for Friends of the Farms  
 FOF Budget Detail for Management Fee Request  
 FOF Executive Director Activities for Public Farmland  
 FOF Program Manager Activities for Public Farmland  
 FOF Non-COBI Programs and Activities
- 8.B ( PM) Ordinance No. 2019-09 Relating to Accessory Dwelling Units (ADUs) - Planning, 20 Minutes**  
 Staff Memo  
 DRAFT Ordinance 2019-09  
 October 2018 Legal Memo on ADUs  
 Building Official Memo re Tiny Home Appendix Q Adoption  
 Appendix Q  
 ADU Use Specific Standards 18.09.030 Attachment A
- 8.C Ordinance No. 2019-32 Amending BIMC 2.16.020.S Housing Design Demonstration Projects (HDDP) Program - Planning, 15 Minutes**  
 DRAFT ORD 2019-32 HDDP Program  
 Ordinance No. 2018-31 Limiting the Housing Design Demonstration Project Program to Affordable Housing Approved 082818
- 8.D (X PM) Resolution No. 2019-26, Updating the City's Ethics Program - Executive, 20 Minutes**
- 8.E Proposed Process to Negotiate Puget Sound Energy Franchise Agreement Renewal - Executive, 15 Minutes**  
 OMW Memo - Proposed Process to Negotiate PSE Franchise Renewal

## **9. NEW BUSINESS**

- 9.A Interlocal Agreement with Kitsap County Department of Emergency Management, Executive 10 Minutes**  
 Amendment DEM ILA 10.2.2019 Final.docx
- 9.B Donation of a Cargo Trailer for Emergency Management Purposes from Virginia Mason - Public Works, 10 Minutes**  
 Staff Memo - Virginia Mason Trailer Donation  
 Donation Agreement for Virginia Mason Trailer
- 9.C Resolution No. 2019-28, Setting a Public Hearing Date for a Proposed Right-of-Way Vacation on a portion of Point Monroe Drive - Public Works, 10 Minutes**  
 Resolution No. 2019-28 to Set Pt. Monroe Rd Vac Public Hearing Date\_rtg.docx  
 Point Monroe Road Vacation Backup Documentation.pdf
- 9.D Roadside Chipper Procurement - Public Works, 5 Minutes**  
 WA State Master Contract No. 05218  
 FMI Equipment Quote
- 9.E Interlocal Agreement with the Houston-Galveston Area Council (HGAC) for Cooperative Purchasing**

- **Public Works**, 10 Minutes  
HGAC ILA Agreement

**9.F Front Broom Sweeper Procurement - Public Works**, 10 Minutes  
HGAC ILA Agreement

**9.G Video Inspection Camera Procurement and Budget Amendment- Public Works**, 10 Minutes  
HGAC ILA Agreement  
HGAC (CUES) Contract Pricing Worksheet

**10. CITY COUNCIL DISCUSSION**

**11. CONSENT AGENDA**

**11.A Agenda Bill for Consent Agenda** 5 Minutes

**11.B Accounts Payable and Payroll**

**11.C City Council Study Session Minutes, October 1, 2019**

**11.D City Council Regular Business Meeting Minutes, October 8, 2019**

**11.E Resolution No. 2019-27, Stating the City's Intent to Adopt Legislation to Receive a Tax Credit Against the State Sales Tax to Support Affordable and Supportive Housing - Finance**, 5 Minutes  
Resolution No. 2019-27, Stating the City's Intent to Adopt Legislation to Receive a Tax Credit Against the State Sales Tax to Support Affordable and Supportive Housing  
AWC Implementing HB 1406  
MRSC - SHB 1406 Understanding the Affordable Housing Sales Tax Credit

**11.F Ordinance No. 2019-29 Adopting an Update to the 2019-2024 Capital Improvements Plan (CIP) - Finance**, 5 Minutes  
Ordinance No. 2019-29 2019-2024 Updated Budget - Capital Improvement Plan  
Revised 2020 CIP.pdf  
100119 CIP Presentation

**11.G Amendment No. 1 to the Professional Services Agreement with Gray & Osborne, Inc., for a New High School Reservoir Pre-Design Report - Public Works**, 5 Minutes  
Staff Reservoir Presentation - 8 Oct 2019  
Amendment No. 1 to PSA with Gray & Osborne, Inc.  
Exhibit A to Amendment No. 1 to PSA with Gray & Osborne, Inc.  
Professional Services Agreement with Gray & Osborne, Inc. (Executed on 9-29-17)

**11.H Department of Ecology 2019-21 Biennial Stormwater Capacity Grant Agreement/Acceptance and Budget Amendment - Public Works**, 5 Minutes  
Water Quality Stormwater Capacity Agreement

- 11.I Amendment No. 1 to the Professional Services Agreement with Cascadia Consulting Group, Inc., for a Greenhouse Gas Emissions Inventory - Executive, 5 Minutes**  
Amendment No. 1 to PSA with Cascadia Consulting, Inc., for a Greenhouse Gas Inventory  
PSA with Cascadia Consulting, Inc., for a Greenhouse Gas Inventory (Executed 2-14-19)

**12. COMMITTEE REPORTS**

**13. FOR THE GOOD OF THE ORDER**

**14. ADJOURNMENT**

**GUIDING PRINCIPLES**

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**Guiding Principle #8** - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



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**CITY OF  
BAINBRIDGE ISLAND**

**SPECIAL CITY COUNCIL MEETING  
TUESDAY, NOVEMBER 05, 2019**

**BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA**

- 1. CALL TO ORDER / ROLL CALL - 5:00 PM**
- 2. APPROVAL OF AGENDA/CONFLICT OF INTEREST DISCLOSURE**
- 3. MAYOR'S REPORT**
- 4. PRESENTATION(S)**
  - 4.A (5:10 PM) Proclamation Honoring Veterans Day on November 11, 2019 - Mayor Medina, 5 Minutes**  
Veterans Day Proclamation 2019
- 5. UNFINISHED BUSINESS**
  - 5.A Green Building Code - Planning, 60 Minutes**
  - 5.B Race Equity Task Force Work Plan Update - RETF members and Council Liaisons, 30 Minutes**
  - 5.C Update on the Moratorium 10 Minutes**
- 6. NEW BUSINESS**
- 7. CITY COUNCIL DISCUSSION**
- 8. FUTURE COUNCIL AGENDAS**
  - 8.A Future Council Agendas 5 Minutes**
- 9. FOR THE GOOD OF THE ORDER**
- 10. ADJOURNMENT**

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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, NOVEMBER 12, 2019**

**BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**  
Deputy Mayor Tirman will be absent.
- 2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
- 3. PUBLIC COMMENT**
- 4. MAYOR'S REPORT**
- 5. CITY MANAGER'S REPORT**
- 6. PRESENTATION(S)**
  - 6.A Puget Sound Energy Briefing - Executive, 30 Minutes**
  - 6.B (X PM) Proclamation Declaring the Week of November 16 - 23 as "National Hunger and Homelessness Awareness Week" - Mayor Medina, 5 Minutes**  
National Hunger and Homelessness Awareness Week Proclamation 2019
- 7. PUBLIC HEARING**
  - 7.A Public Hearing on Point Monroe Road Vacation, portion of, and Consideration of Ordinance No. 2019-34 - Public Works, 20 Minutes**
- 8. UNFINISHED BUSINESS**
  - 8.A Set Public Hearing on Surplus of Suzuki Property - Executive, 10 Minutes**
  - 8.B Front Broom Sweeper Procurement - Public Works, PLACEHOLDER**

**8.C Public Safety Committee Recommendation on Committee Changes - Councilmembers Deets, Blossom, and Peltier 10 Minutes**

**8.D Ordinance No. 2019-xx, Authorizing Local Sales Tax to Support Affordable and Supportive Housing - Finance, 10 Minutes**

Resolution No. 2019-27, Stating the City's Intent to Adopt Legislation to Receive a Tax Credit Against the State Sales Tax to Support Affordable and Supportive Housing

AWC Implementing HB 1406

MRSC - SHB 1406 Understanding the Affordable Housing Sales Tax Credit

Ordinance\_No.\_2019-xx Authorizing Local Sales and Use Tax to Fund Investments in Affordable and Supportive Housing.docx

**9. NEW BUSINESS**

**9.A Comprehensive Emergency Management Plan (CEMP) Overview - Executive, 15 Minutes**

**9.B Winter Weather Preparedness Briefing - Executive, 10 Minutes**

**9.C Capital Improvement Plan Overview and Discussion FY 2021-26 - Public Works, 20 Minutes**

**9.D West Sound Stormwater Outreach Group Interlocal Agreement - Public Works 10 Minutes**

**9.E Lodging Tax Advisory Committee (LTAC) 2020 Funding Recommendations, AB 19-365 - Executive 10 Minutes**

2020 Lodging Tax Request for Proposal - Final

**9.F Ordinance No. 2019-35 relating to Business and Occupation Taxes (B&O) Changes - Finance, 10 Minutes**

**9.G Legal Services Agreement with Kitsap County Prosecuting Attorney's Office for 2020 - Executive, 5 Minutes**

Staff Memo - 2019 Referrals to Kitsap County Prosecuting Attorney's Office

2020 Legal Services Agreement with Kitsap County Prosecuting Attorney's Office

2020 Cost Breakdown for Prosecution Services

**9.H Amendment No. 1 to the Professional Services Agreement with Sound Law Center, LLC, for Hearing Examiner Services - Exec, 5 Minutes**

Amendment No. 1 to PSA with Sound Law Center, LLC, for Hearing Examiner Services

PSA with Sound Law Center, LLC, for Hearing Examiner Services (Executed 12-14-17)

**9.I Amendment No. 2 to the Contract for Indigent Defense Services - Executive, 5 Minutes**

Amendment No. 2 to Contract for Indigent Defense Services - THOMAS ALPAUGH

Amendment No. 1 to Contract for Indigent Defense Services - THOMAS ALPAUGH

- 9.J Ordinance No. 2019-30 Update Of Pass Through Fee From Retailers to Customers Requesting Plastic Bags - Finance, 10 Minutes**  
Ordinance No. 2019-30 Update Of Pass Through Fee From Retailers to Customers Requesting Plastic Bags.docx

**10. CITY COUNCIL DISCUSSION**

**11. CONSENT AGENDA**

- 11.A Agenda Bill for Consent Agenda 5 Minutes**

- 11.B Accounts Payable and Payroll**

**12. COMMITTEE REPORTS**

- 12.A Committee Reports 5 Minutes**

**13. FOR THE GOOD OF THE ORDER**

**14. ADJOURNMENT**

**GUIDING PRINCIPLES**

**Guiding Principle #1** - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL STUDY SESSION  
TUESDAY, NOVEMBER 19, 2019**

**BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA**

- 1. CALL TO ORDER / ROLL CALL - 6:00 PM**
- 2. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
- 3. MAYOR'S REPORT**
- 4. PRESENTATIONS**
  - 4.A Greenhouse Gas Inventory Report - Executive, 45 Minutes**
- 5. UNFINISHED BUSINESS**
  - 5.A Options for potential "City Academy" annual and quarterly community engagement programs 45 Minutes**
  - 5.B Sustainable Transportation Scope of Work - Public Works, 60 Minutes**
  - 5.C Ordinance No. 2019-07, Updating the City's General Code Enforcement Process Contained in Chapter 1.26 BIMC 15 Minutes**
  - 5.D Identification of Benchmarks for Climate Action Plan - Executive, Climate Change Advisory Committee, 15 Minutes**  
Bainbridge\_Island\_Climate\_Action\_Plan\_Draft\_Outline\_August\_6th\_2019
- 6. NEW BUSINESS**
- 7. CITY COUNCIL DISCUSSION**
- 8. FUTURE COUNCIL AGENDAS**

**8.A Future Council Agendas 5 Minutes**

**9. FOR THE GOOD OF THE ORDER**

**10. ADJOURNMENT**

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**CITY OF  
BAINBRIDGE ISLAND**

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, NOVEMBER 26, 2019**

**BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON**

**AGENDA**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
- 2. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
- 3. PUBLIC COMMENT**
- 4. MAYOR'S REPORT**
- 5. CITY MANAGER'S REPORT**
- 6. PRESENTATION(S)**
- 7. PUBLIC HEARING(S)**
- 8. UNFINISHED BUSINESS**
- 9. NEW BUSINESS**
  - 9.A Ordinance No. 2019-36 Relating to 2019 4th Quarter Budget and Updated Capital Improvement Plan Amendments**
  - 9.B Cultural Funding Advisory Committee 2020-21 Funding Recommendations, AB 19-363 - Executive 10 Minutes**  
**2020-2021 Cultural Funding RFP Final**
  - 9.C Dump Truck Procurement - Public Works, 10 Minutes**
  - 9.D City Hall Repairs Contract Award - Public Works, 10 Minutes**
- 10. CITY COUNCIL DISCUSSION**
- 11. CONSENT AGENDA**

**11.A Agenda Bill for Consent Agenda,**

**11.B Accounts Payable and Payroll**

**12. COMMITTEE REPORTS**

**12.A Committee Reports 5 Minutes**

**13. FOR THE GOOD OF THE ORDER**

**14. ADJOURNMENT**

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**Guiding Principle #5** - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

**Guiding Principle #6** - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Guiding Principle #7** - Reduce greenhouse gas emissions and increase the Island's climate resilience.

**Guiding Principle #8** - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



City Council meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the City Clerk's Office at 206-780-8604 or [cityclerk@bainbridgewa.gov](mailto:cityclerk@bainbridgewa.gov) by noon on the day preceding the meeting.