



**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, AUGUST 10, 2021**

COUNCIL CHAMBERS AND ZOOM WEBINAR

**280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WASHINGTON**

**PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:
[HTTPS://BAINBRIDGEWA.ZOOM.US/J/92947338351](https://bainbridgewa.zoom.us/j/92947338351)
OR TELEPHONE: US: +1 253 215 8782
WEBINAR ID: 929 4733 8351**

AGENDA

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
- 2. EXECUTIVE SESSION**
 - 2.A (6:05 PM) Pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price, and pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency, 30 Minutes**
- 3. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE - 6:35 PM**
- 4. PUBLIC COMMENT**
 - 4.A (6:40 PM) Instructions and Guidelines for Providing Public Comment - City Clerk, 15 Minutes**
[Instructions for Providing Public Comment 080521.pdf](#)
- 5. CONSENT AGENDA**

All items listed under this section are considered to be routine and will be acted upon with one motion and one vote. There will be no separate discussion of these items unless a member of the City Council, or City Manager so requests, in which event, the item will be considered separately in its normal sequence.

5.A (6:55 PM) Agenda Bill for Consent Agenda, 5 Minutes

5.B Approve Accounts Payable and Payroll

Council Report PR 8-5-21.pdf

AP Report to Council of Cash Disbursements 08-11-21.pdf

5.C Approve City Council Meeting Minutes

Special City Council Meeting, Annual Retreat, Minutes.pdf

City Council Study Session Minutes, July 20, 2021.pdf

Regular City Council Business Meeting Minutes, July 27, 2021.pdf

5.D Approve Confirmation of Recommended Appointments to the Environmental Technical Advisory Committee - Council, 5 Minutes

Frazer - ETAC (Redacted).pdf

Gander - ETAC (Redacted).pdf

Harmon - ETAC (Redacted).pdf

Kossik - ETAC (Redacted).pdf

Kratzer - ETAC (Redacted).pdf

5.E Consider Property Transfer to Washington State Department of Transportation (WSDOT) in support of the State Route 305 Roundabout Project

Quitclaim Deed, WSDOT Format, COBI Grantor.docx

Real Estate Excise Tax (REETA).pdf

WSDOT Deed AFN 201711070031 from 2017.pdf

COBI Parcel 332602-2-050-2000 Vicinity Map.pdf

5.F Authorize an Increase to the City Manager's Change Order Authority by up to \$150K for Annual Roads Preservation Contract

Annual Roads 2021 CO Approval Limits Memo.docx

5.G Review Criteria for 2022 Lodging Tax Award Cycle and Authorize Issuance of RFP with Total Award Amount of \$350,000 - Executive 5 Minutes

2021 LTAC RFP for 2022

LTAC Award Summary 2019-2021

MRSC - Lodging Tax (Hotel-Motel Tax) Accessed 05212021

6. COUNCIL ANNOUNCEMENTS - 7:00 PM

7. CITY MANAGER'S REPORT

7.A (7:10 PM) Present City Manager's Report, 5 Minutes

WWTP Capacity Memo 081021CW .docx

Affordable Housing Sales Tax Memo

8. FUTURE COUNCIL AGENDAS

- 8.A (7:15 PM) Review Future Council Agendas, 10 Minutes**
Council Agenda Topics for Upcoming Meetings 080621.pdf

9. UNFINISHED BUSINESS

- 9.A (7:25 PM) Confirm Council Direction from July 17 Retreat, 20 Minutes**
Council Priority Projects 2021-2022
City Advisory Group Council Role
Councilmember liaison job description approved 03102020.pdf
Policy 2 - Agenda Preparation
Workplan items to pause - Staff memo for CC 08102021
- 9.B (7:45 PM) Confirm Suspension of Island Center Subarea Planning Process - Executive, 10 Minutes**
- 9.C (7:55 PM) Consider Purchase of Islander Mobile Home Park Floor Area Ratio - Planning, 20 Minutes**
Declaration of Housing Restrictive Covenants & Agmt for Transfer of FAR (10-29-04).pdf
- 9.D (8:15 PM) Ordinance 2021-10 Amending Bonus Floor Area Ratio (FAR) Options, BIMC 18.12.030.E., Consider holding public hearing - Planning, 30 Minutes**
20210810 CC Staff Memo.docx
Ordinance No. 2021-10 Revising Bonus FAR Regulations.docx
Exhibit A to Ordinance No. 2021-10.pdf
CC_Presentation.pptx
Tawresey 20210728 Comment to Planning Commission.pdf
MUTC and HS Rd Map.pdf
ORD 2021-10 PC Recorded Motion 072921.pdf
20200924 PC Staff Memo.pdf
WMP Goals & Policies Related to FAR.pdf
- 9.E (8:45 PM) Schedule Public Hearing on Ordinance No. 2021-22, Bonus FAR Interim Control, 6 Month Extension - Planning, 15 Minutes**
Ordinance No. 2021-22 Extending Interim Zoning Control Related to Bonus Density
Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density Approved 022321.pdf
- 9.F (9:00 PM) Consider Adoption of Resolution No. 2021-13 Relating to Working with the Fire Department Regarding Wildfire Mitigation, 10 Minutes**
Resolution No. 2021-13 Relating to Wildfire Mitigation.docx
Exhibit A - What is the Home Ignition Zone?
Staff Memo re Planning Commission Recommendation.pdf
Planning Commission Recorded Motion December 17 2020

10. NEW BUSINESS

- 10.A (9:10 PM) Consider Ordinance No. 2021-20, Complete Streets Ordinance - Public Works, 5 Minutes**
Ordinance 2021-20 Relating to Complete Streets.docx

- 10.B (9:15 PM) Consider Confirmation of Recommended Appointment to the Utility Advisory Committee - Council, 5 Minutes**
[Brandt-Erichsen - UAC \(Redacted\).pdf](#)

11. COUNCIL DISCUSSION

- 11.A (9:20 PM) Consider Formation of a Subcommittee of Planning Commissioners and Design Review Board Members, 5 Minutes**
- 11.B (9:25 PM) Consider Revisions to the Ethics Program, 20 Minutes**
[COBI Ethics Program-Simplified.docx](#)
[Summary of Proposed Revisions to COBI Ethics Code.docx](#)
[National Association of Hearing Officials Model Code of Ethics.docx](#)

12. COMMUNICATIONS - 9:45 PM

13. COMMITTEE REPORTS - 9:55 PM

14. ADJOURNMENT - 10:00 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 by noon on the day preceding the meeting.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (6:05 PM) Pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price, and pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency,

SUMMARY: Hold Executive Session.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: Discussion only.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (6:40 PM) Instructions and Guidelines for Providing Public Comment - City Clerk,

SUMMARY: The public is invited to provide public comment in person in Council Chambers or remotely by joining the Zoom webinar. Instructions and guidelines are attached.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: Information only.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Instructions for Providing Public Comment 080521.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

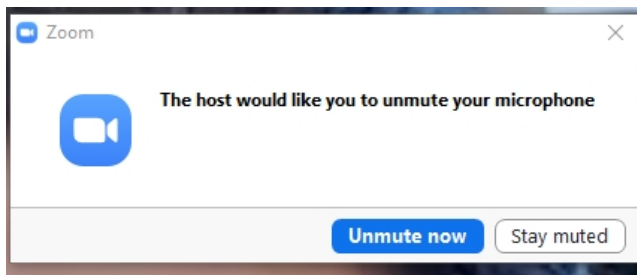


CITY CLERK'S OFFICE

Members of the public are encouraged to submit written public comment to the City Council at any time by emailing Council at council@bainbridgewa.gov. Members of the public who wish to provide public comment may attend the business meeting in Council Chambers or may participate remotely by following the instructions outlined below. Guidelines for public comment are also attached.

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT REMOTELY

1. Join the Zoom webinar by following the link posted on the agenda and on the City calendar.
2. Sign in to Zoom with your full name.
3. The Mayor will indicate when it is time for public comment.
4. Attendee indicates desire to speak by clicking on "Raise Hand" option at the bottom of the screen.
5. Attendee clicks button "Unmute now" after they are called to speak by the Mayor.



6. Attendee will appear on screen with other panelists, but without video, just name.

IMPORTANT NOTE: If you do not have the latest version of Zoom, the Clerk will promote you to panelist. You will then appear with video enabled. Look for the video icon in the bottom left-hand corner of the screen to turn off your video.

7. Attendee provides their comment.
8. A timer on the screen will track your time.
9. Stop speaking when the timer reaches the 3-minute mark.
10. Attendee is returned to attendee group, and microphone is muted.

11. Public comment is simply received by the Council, with no response.

Excerpt from the Governance Manual regarding public comment:

5.6 Respect and Decorum

It is the duty of the Presiding Officer and Councilmembers to maintain dignity and respect for their offices, City staff, and the public. While the Council is in session, the Councilmembers shall preserve civility, order and decorum. No member of the public shall, by conversation or otherwise, delay, disrupt, or interrupt the proceedings of the Council, nor engage in any of the prohibited behavior described below.

Councilmembers and the public shall obey the proper orders of the Presiding Officer of the meeting.

5.6.1 Orderly Behavior and Civility in Remarks

Any person disrupting the business of the Council, either while addressing the Council or attending the proceedings, shall be asked to leave, or be removed from the meeting. Continued disruptions may result in a point of order by the Presiding Officer or a Councilmember pursuant to the Council's parliamentary rules, or a recess, forced removal, or adjournment as described elsewhere in this manual. Disruptive behavior includes, but is not limited to, the following:

- (a) Speaking without being recognized by the Presiding Officer.
- (b) Continuing to speak after the allotted time has expired.
- (c) Speaking on an item at a time not designated for discussion by the public of that item, such as speaking on a quasi-judicial item at a time other than during a public hearing or closed record proceeding on the matter.
- (d) Throwing objects.
- (e) Speaking on an issue that is not within the jurisdiction of the City Council or is otherwise irrelevant to Council business.
- (f) Speaking in favor of or in opposition to a ballot proposition or a candidate for public office, provided, that public comment is allowed when the City Council is considering taking a collective position in favor of or in opposition to a ballot proposition as authorized in RCW 42.17A.555.
- (g) Impersonating a City Councilmember or a member of the City staff.
- (h) Shouting or otherwise engaging in loud or boisterous behavior.
- (i) Continuing to make repetitive remarks after being requested not to do so by the Presiding Officer or a majority of the City Council.
- (j) Attempting to engage the audience rather than the Council, e.g., asking audience members to stand, clap, boo or otherwise express collective support or opposition to any matter.

- (k) Booing, hissing, or otherwise disrupting the comments of another speaker.
- (l) Using racial slurs or other slurs directed at the color, creed, religion, ancestry, gender, sexual orientation, gender expression or identity, national origin, citizenship or immigration status, or mental, physical, or sensory disability of any individual or group, or any other words considered “fighting words” under constitutional law.
- (m) Refusing to modify conduct after being advised by the Presiding Officer that the conduct is disrupting the meeting or disobeying any other lawful order of the Presiding Officer or a majority of the City Council.

5.6.2 Permission Required to Address the Council

Persons other than Councilmembers and Administration shall be permitted to address the Council only upon recognition and introduction by the Presiding Officer of the meeting.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (6:55 PM) Agenda Bill for Consent Agenda,

SUMMARY: Consider the following Consent Agenda items:

- B. Approve Accounts Payable and Payroll
- C. Approve City Council Meeting Minutes
- D. Approve Confirmation of Recommended Appointments to the Environmental Technical Advisory Committee
- E. Consider Property Transfer to Washington State Dept. of Transportation in support of State Route 305 Roundabout Project
- F. Authorize an Increase to the City Manager's Change Order Authority by up to \$150K for Annual Roads Preservation
- G. Review Criteria for 2022 Lodging Tax Award Cycle and Authorize Issuance of RFP with Total Award of \$350,000

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION: I move to approve the Consent Agenda as presented.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME:

AGENDA ITEM: Approve Accounts Payable and Payroll

SUMMARY: Council will consider approval of payroll and accounts payable.

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION: Approve accounts payable and payroll.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Council Report PR 8-5-21.pdf](#)

[AP Report to Council of Cash Disbursements 08-11-21.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

PAYROLL

PAYROLL CHECK RUN: 8 - 05 - 2021

Run Type	Run Date	Check # Sequence	Comments	Amount
Normal	8/5/2021	51636 - 51766	Regular check run (Direct Dep)	324,416.33
Normal	8/5/2021	109658	Regular check run (Paper Checks)	2,072.20
Vendor	8/5/2021	109659 - 109667	Vendor check run (Paper Checks)	302,255.51
EFTPS	8/5/2021	N/A	Federal Tax Electronic Transfer	127,095.84
			TOTAL:	755,839.88

Prepared and Reviewed by:  Date 8-4-21
Brenda Landolt, Payroll Specialist

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Bainbridge Island, and that I am authorized to authenticate and certify to said claim.

 Date 8/4/21
Kim Dunscombe, Budget Manager

ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: July 26, 2021 - August 09, 2021

CITY COUNCIL: July 27, 2021 - August 10, 2021

Last check from previous run: 356919 dated 07/28/2021 issued to Zee Medical Service Co for \$334.57.

Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
EFT	7/26/21	447	WA State DOR/Excise taxes - June 2021	9,247.54
ACH	7/26/21	448	COBI/Utility billing - July 2021	2,564.80
ACH	7/26/21	449	WA State DOL/Firearm permits - July 2021	414.00
VOID	7/14/21	356789	Mandy Pieze/Incorrect payee	N/A
VOID	8/11/21	356950	Bainbridge Electric/Retainage input error	N/A
Manual	7/26/21	356920	EX/BIDA/Banner agreement: administrative fee	100.00
Manual	7/26/21	356921	CenturyLink/Weaver PRV water telemetry - July 2021	58.32
Manual	7/26/21	356922	EX/Mike Juneau/Banner agreement: installation & removal	250.00
Manual	7/26/21	356923	EX/Jennifer Kuhns/Something New Phase IV: installments 1&2	850.00
Manual	7/26/21	356924	Puget Sound Energy/Green Power contract	812.00
Manual	7/26/21	356925	IT/Sitestar.net/WAN internet support	6,170.00
Manual	7/26/21	356926	ENG/Skillings/Engineering design services	44,831.61
Manual	7/26/21	356927	ENG/Soundwest Engineering/Country club bulkhead spot repairs	6,532.50
Manual	7/26/21	356928	EX/John Wylde/Something New Phase IV: installments 1&2	850.00
Manual	8/4/21	356929	Allstream/Citywide phone services - August 2021	838.94
Manual	8/4/21	356930	CenturyLink/Citywide telemetry & fax services - July 2021	3,033.88
Manual	8/4/21	356931	EX/Janet Von Stark/Something New Phase IV: installments 1&2	850.00
Manual	8/4/21	356932	Kitsap PUD #1/Lot 1 Belfair Ave	40.97
Manual	8/4/21	356933	EX/Edward McCarthy/Something New Phase IV: installments 1&2	850.00
Manual	8/4/21	356934	Puget Sound Energy/184 Winslow Way - June 2021	11.05
Manual	8/4/21	356935	EX/Shawn Marie Johnson/Something New Phase IV: installments 1&2	850.00
Manual	8/4/21	356936	WA Water Service/Decant facility water - July 2021	165.14

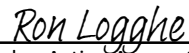
Total Manual Checks and Electronic Disbursements	79,320.75
---	------------------

Regular Run	8/11/21	356937-357038	Total Regular Check Run	447,923.89
Total Disbursements				527,244.64

Retainage Release	N/A	N/A		N/A
Travel Advance	N/A	N/A		N/A

Prepared and Reviewed by  Carrie Freitas, Senior Accounting Technician

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished,
the services rendered, or the labor performed as described herein and that the claim
is a just, due, and unpaid obligation against the City of Bainbridge Island,
and that I am authorized to authenticate and certify to said claim.


Ron Logghe, Acting Accounting Manager

8/5/2021
Date



07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 1
apcshdsb

CASH ACCOUNT: 635 111100 CASH
CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

INV DATE

PO

CHECK RUN

NET

INVOICE DTL DESC

447 07/26/2021 MANL	124 WA ST DEPT OF REVENU	249689	JUN21	07/26/2021	EFT0726	9,247.54
Invoice: JUN21				JUNE 2021 EXCISE		
		73.17	91411341 553000	FINANCE - WATER	EXTRNL TAXES	
		4,448.15	91421351 553000	FINANCE - SEWER -	EXTRNL TAXES	
		6.28	91411341 553000	FINANCE - WATER	EXTRNL TAXES	
		288.63	91431383 553000	FINANCE - SSWM -	EXTRNL TAXES	
		4,044.84	91411341 553000	FINANCE - WATER	EXTRNL TAXES	
		455.99	91421351 553000	FINANCE - SEWER -	EXTRNL TAXES	
		-72.72	91411341 553000	FINANCE - WATER	EXTRNL TAXES	
		3.20	63470586 544000	CUR-DEV-ZONING-ADV		

CHECK 447 TOTAL: 9,247.54

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 9,247.54

	COUNT	AMOUNT
TOTAL MANUAL CHECKS	1	9,247.54

*** GRAND TOTAL *** 9,247.54

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR PER JNL	SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T 0B	DEBIT	CREDIT
2021 7 198	APP 401-213000	07/26/2021	EFT0726	EXCISE			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		4,051.57	
APP 635-111100	07/26/2021	EFT0726	EXCISE				CASH AP CASH DISBURSEMENTS JOURNAL			9,247.54
APP 402-213000	07/26/2021	EFT0726	EXCISE				ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		4,904.14	
APP 403-213000	07/26/2021	EFT0726	EXCISE				ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		288.63	
APP 407-213000	07/26/2021	EFT0726	EXCISE				ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		3.20	
GENERAL LEDGER TOTAL									9,247.54	9,247.54
APP 631-130000	07/26/2021	EFT0726	EXCISE				DUE TO/FROM CLEARING		9,247.54	
APP 401-130000	07/26/2021	EFT0726	EXCISE				DUE TO/FROM CLEARING			4,051.57
APP 402-130000	07/26/2021	EFT0726	EXCISE				DUE TO/FROM CLEARING			4,904.14
APP 403-130000	07/26/2021	EFT0726	EXCISE				DUE TO/FROM CLEARING			288.63
APP 407-130000	07/26/2021	EFT0726	EXCISE				DUE TO/FROM CLEARING			3.20
SYSTEM GENERATED ENTRIES TOTAL									9,247.54	9,247.54
JOURNAL 2021/07/198 TOTAL									18,495.08	18,495.08

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
401 WATER OPERATING FUND 401-130000 401-213000	2021 7	198	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	4,051.57	4,051.57
				FUND TOTAL	4,051.57	4,051.57
402 SEWER OPERATING FUND 402-130000 402-213000	2021 7	198	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	4,904.14	4,904.14
				FUND TOTAL	4,904.14	4,904.14
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 7	198	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	288.63	288.63
				FUND TOTAL	288.63	288.63
407 BUILDING & DEVELOPMENT FUND 407-130000 407-213000	2021 7	198	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	3.20	3.20
				FUND TOTAL	3.20	3.20
631 CLEARING FUND 631-130000 635-111100	2021 7	198	07/26/2021	DUE TO/FROM CLEARING CASH	9,247.54	9,247.54
				FUND TOTAL	9,247.54	9,247.54

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
401	WATER OPERATING FUND		4,051.57
402	SEWER OPERATING FUND		4,904.14
403	STORM & SURFACE WATER FUND		288.63
407	BUILDING & DEVELOPMENT FUND		3.20
631	CLEARING FUND	9,247.54	
TOTAL		9,247.54	9,247.54

** END OF REPORT - Generated by Carrie L. Freitas **

07/26/2021 15:25
cfreitasCITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNALP 1
apcshdsb

CASH ACCOUNT: 635		111100	CASH								
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN		NET	
INVOICE DTL DESC											
448	07/26/2021	MANL	103 CITY OF BAINBRIDGE I	249691	13005JUL21	07/01/2021		ACHUB07		641.88	
Invoice: 13005JUL21				641.88	91011768 547500	309	SHANNON DR				
							GG-C/E-PARKS-WTR/SWR				
Invoice: 13006JUL21				249692	13006JUL21	07/01/2021		ACHUB07		466.78	
				466.78	91011768 547500	309	SHANNON DR DOCK				
							GG-C/E-PARKS-WTR/SWR				
Invoice: 10461JUL21				249693	10461JUL21	07/01/2021		ACHUB07		746.60	
				746.60	91011768 547500	286	SHANNON DR				
							GG-C/E-PARKS-WTR/SWR				
Invoice: 10463JUL21				249694	10463JUL21	07/01/2021		ACHUB07		347.24	
				347.24	91011755 547500	370	BRIEN DR				
							GG-C/E-COMMONS-WTR/SWR				
Invoice: 10464JUL21				249695	10464JUL21	07/01/2021		ACHUB07		347.24	
				347.24	91011755 547500	402	BRIEN DR				
							GG-C/E-COMMONS-WTR/SWR				
Invoice: 11573JUL21				249696	11573JUL21	07/01/2021		ACHUB07		15.06	
				15.06	91011768 547500	5350	CREOSOTE PL NE				
							GG-C/E-PARKS-WTR/SWR				
CHECK								448 TOTAL:		2,564.80	
NUMBER OF CHECKS				1	*** CASH ACCOUNT TOTAL ***					2,564.80	
						COUNT	AMOUNT				
TOTAL MANUAL CHECKS						1	2,564.80				
*** GRAND TOTAL ***										2,564.80	

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR	PER	JNL	SRC	ACCOUNT	EFF	DATE	JNL	DESC	REF	1	REF	2	REF	3	ACCOUNT	DESC	LINE	DESC	T	OB	DEBIT	CREDIT
2021	7	199	APP	001-213000	07/26/2021		ACHUB07	UB							GENERAL - ACCOUNTS PAYABLE						2,564.80	
															AP CASH DISBURSEMENTS JOURNAL							
APP	635-111100				07/26/2021		ACHUB07	UB							CASH							2,564.80
															AP CASH DISBURSEMENTS JOURNAL							
GENERAL LEDGER TOTAL																			2,564.80	2,564.80		
APP	631-130000				07/26/2021		ACHUB07	UB							DUE TO/FROM CLEARING						2,564.80	
APP	001-130000				07/26/2021		ACHUB07	UB							GENERAL - DUE TO/FROM CLEARING							2,564.80
SYSTEM GENERATED ENTRIES TOTAL																			2,564.80	2,564.80		
JOURNAL 2021/07/199 TOTAL																			5,129.60	5,129.60		

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 7	199	07/26/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	2,564.80	2,564.80
				FUND TOTAL	2,564.80	2,564.80
631 CLEARING FUND 631-130000 635-111100	2021 7	199	07/26/2021	DUE TO/FROM CLEARING CASH	2,564.80	2,564.80
				FUND TOTAL	2,564.80	2,564.80

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		2,564.80
631	CLEARING FUND	2,564.80	
TOTAL		2,564.80	2,564.80

** END OF REPORT - Generated by Carrie L. Freitas **

07/26/2021 15:25
cfreitasCITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNALP 1
apcshdsb

CASH ACCOUNT: 635		111100		CASH				INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE						
INVOICE DTL DESC											
449	07/26/2021	MANL	969 DEPARTMENT OF LICENS	249697	JUL21 FA		07/26/2021			ACHFA07	414.00
Invoice: JUL21 FA				414.00	41654860 586000	JUL 2021	CPL				
						GUN PERMIT OUT					
								CHECK	449	TOTAL:	414.00
				NUMBER OF CHECKS	1	*** CASH ACCOUNT TOTAL ***					414.00
						COUNT	AMOUNT				
TOTAL MANUAL CHECKS						1	414.00				
								***	GRAND TOTAL	***	414.00

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR	PER	JNL	SRC	ACCOUNT	EFF	DATE	JNL	DESC	REF	1	REF	2	REF	3	ACCOUNT	DESC	LINE	DESC	T	OB	DEBIT	CREDIT
2021	7	200	APP	650-213000	07/26/2021	ACHFA07	CPL								ACCOUNTS PAYABLE						414.00	
			APP	635-111100	07/26/2021	ACHFA07	CPL								CASH							414.00
															AP CASH DISBURSEMENTS JOURNAL							
															GENERAL LEDGER TOTAL						414.00	414.00
			APP	631-130000	07/26/2021	ACHFA07	CPL								DUE TO/FROM CLEARING						414.00	
			APP	650-130000	07/26/2021	ACHFA07	CPL								DUE TO/FROM CLEARING							414.00
															SYSTEM GENERATED ENTRIES TOTAL						414.00	414.00
															JOURNAL 2021/07/200	TOTAL					828.00	828.00

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
631 CLEARING FUND 631-130000 635-111100	2021 7	200	07/26/2021	DUE TO/FROM CLEARING CASH	414.00	414.00
				FUND TOTAL	414.00	414.00
650 AGENCY FUND 650-130000 650-213000	2021 7	200	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	414.00	414.00
				FUND TOTAL	414.00	414.00

07/26/2021 15:25
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
631	CLEARING FUND	414.00	
650	AGENCY FUND		414.00
TOTAL		414.00	414.00

** END OF REPORT - Generated by Carrie L. Freitas **

VOID
8/3/2021



RL

08/03/2021 08:59
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 1
apcshdsb

CASH ACCOUNT: 635	111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET

INVOICE DTL DESC

356789	07/14/2021	VOID	9779 MANDY PIEZE	249184	BLD25663	06/22/2021			-69.03
Invoice: BLD25663				-69.03	47148	322100	CANCELLED PERMIT REFUND BUILDINGS, STRUCT. & EQ		

Check returned in the mail as undeliverable.
Payee ended up being wrong so the check and
invoice were voided and re-entered with
the correct payee name and address.

CHECK		356789	TOTAL:	-69.03
NUMBER OF CHECKS	1	*** CASH ACCOUNT TOTAL ***		-69.03

	COUNT	AMOUNT
TOTAL VOIDED CHECKS	1	69.03

*** GRAND TOTAL *** -69.03

08/03/2021 08:59
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR PER JNL	SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T 0B	DEBIT	CREDIT
2021 8 9	APP 407-213000	08/03/2021	356789	VOID			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL			69.03
APP 635-111100	08/03/2021	356789	VOID				CASH AP CASH DISBURSEMENTS JOURNAL		69.03	
GENERAL LEDGER TOTAL									69.03	69.03
APP 631-130000	08/03/2021	07/11/21	VOID				DUE TO/FROM CLEARING			69.03
APP 407-130000	08/03/2021	07/11/21	VOID				DUE TO/FROM CLEARING		69.03	
SYSTEM GENERATED ENTRIES TOTAL									69.03	69.03
JOURNAL 2021/08/9 TOTAL									138.06	138.06

08/03/2021 08:59
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
407	BUILDING & DEVELOPMENT FUND	2021	8	9	08/03/2021			
	407-130000					DUE TO/FROM CLEARING	69.03	
	407-213000					ACCOUNTS PAYABLE		69.03
						FUND TOTAL	69.03	69.03
631	CLEARING FUND	2021	8	9	08/03/2021			
	631-130000					DUE TO/FROM CLEARING		69.03
	635-111100					CASH	69.03	
						FUND TOTAL	69.03	69.03

08/03/2021 08:59
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
407	BUILDING & DEVELOPMENT FUND		69.03
631	CLEARING FUND	69.03	
TOTAL		69.03	69.03

** END OF REPORT - Generated by Carrie L. Freitas **

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 1
apcshdsb

CASH ACCOUNT: 635		111100	CASH										
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET				
INVOICE DTL DESC													
356920	07/26/2021	PRTD	567 BAINBRIDGE ISLAND	DO	249679	BANNER AGREEMENT	07/22/2021	M072621	100.00				
Invoice: BANNER AGREEMENT					100.00	31011256 541100	EX/BANNER AGREEMENT: ADMIN FEE						
							EX-GF-EMERG PREP-PROF SVCS						
CHECK 356920 TOTAL:									100.00				
356921	07/26/2021	PRTD	551 CENTURYLINK		249680	6124JUL21	07/16/2021	M072621	58.32				
Invoice: 6124JUL21					58.32	91411891 542100	WEAVER PRV WATER TELEM						
							GG-WTR-FAC-PHONE						
CHECK 356921 TOTAL:									58.32				
356922	07/26/2021	PRTD	9798 MIKE JUNEAU		249681	BANNER AGREEMENT	07/22/2021	M072621	250.00				
Invoice: BANNER AGREEMENT					250.00	31011256 541100	EX/BANNER AGRMT: INSTALL & REMOVAL						
							EX-GF-EMERG PREP-PROF SVCS						
CHECK 356922 TOTAL:									250.00				
356923	07/26/2021	PRTD	9796 JENNIFER CHRISTINE K		249685	INSTALLMENTS 1&2	07/26/2021	M072621	850.00				
Invoice: INSTALLMENTS 1&2					850.00	31024759 54110001155	SOMETHING NEW IV: FERTILITY						
							SOMETHING NEW PH4-PROF SVCS						
CHECK 356923 TOTAL:									850.00				
356924	07/26/2021	PRTD	1205 PUGET SOUND ENERGY		249682	220001220	07/19/2021	M072621	812.00				
Invoice: 220001220					812.00	91011189 547101	JUL21 GREEN POWER CONTRACT						
							ELECTRIC-GREEN POWER						
CHECK 356924 TOTAL:									812.00				
356925	07/26/2021	PRTD	4689 SITESTAR.NET		249687	6878304	06/11/2021	M072621	6,170.00				
Invoice: 6878304					6,170.00	81011881 548500	IT/INTERNET ACCESS (WAN)						
							IT - C/E COMPUTER SUPPORT						
CHECK 356925 TOTAL:									6,170.00				
356926	07/26/2021	PRTD	7173 SKILLINGS		249683	12856	04/15/2021	M072621	44,831.61				
Invoice: 12856					3,186.91	72423434 64110001085	Engineering Design Services fo						
					1,300.92	72424435 64110000989	SUNDAY COVE GRAVITY MAIN-PRO S						
					4,954.81	72423434 64110001086	SUNDAY COVE PUMP REHAB-PROF SV						
					28,681.49	72423434 64110000990	LOWER LOVELL SLS-PROF SVCS						
					6,707.48	72423434 64110000820	WOOD AVE PUMP STA-PROF SVCS						
							REHAB WING PT PUMP STATION-DES						

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CASH ACCOUNT: 635			111100		CASH											
CHECK NO	CHK	DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN					NET		
INVOICE DTL DESC																
										CHECK	356926	TOTAL:	44,831.61			
356927	07/26/2021	PRTD	9065	SOUNDWEST ENGINEERIN	249684	2021-029	07/20/2021		M072621			6,532.50				
Invoice: 2021-029								COUNTRY CLUB BULKHEAD SPOT REP								
				6,532.50		72321955 64110001116		CC BULKHEAD SPOT RPR-PRF SVCS								
										CHECK	356927	TOTAL:	6,532.50			
356928	07/26/2021	PRTD	9788	JOHN MACRAE WYLDE	249688	INSTALLMENTS 1&2	07/22/2021		M072621			850.00				
Invoice: INSTALLMENTS 1&2								SOMETHING NEW IV: TRUTH								
				850.00		31024759 54110001155		SOMETHING NEW PH4-PROF SVCS								
										CHECK	356928	TOTAL:	850.00			
										NUMBER OF CHECKS		9	*** CASH ACCOUNT TOTAL ***		60,454.43	
										COUNT		AMOUNT				
										TOTAL PRINTED CHECKS		9	60,454.43			
										*** GRAND TOTAL ***				60,454.43		

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR PER JNL SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T 0B	DEBIT	CREDIT
2021 7 197									
APP 001-213000	07/26/2021	M072621	072621			GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		9,032.00	
APP 635-111100	07/26/2021	M072621	072621			CASH AP CASH DISBURSEMENTS JOURNAL			60,454.43
APP 401-213000	07/26/2021	M072621	072621			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		58.32	
APP 402-213000	07/26/2021	M072621	072621			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		44,831.61	
APP 301-213000	07/26/2021	M072621	072621			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		6,532.50	
GENERAL LEDGER TOTAL								60,454.43	60,454.43
APP 631-130000	07/26/2021	M072621	072621			DUE TO/FROM CLEARING		60,454.43	
APP 001-130000	07/26/2021	M072621	072621			GENERAL - DUE TO/FROM CLEARING			9,032.00
APP 401-130000	07/26/2021	M072621	072621			DUE TO/FROM CLEARING			58.32
APP 402-130000	07/26/2021	M072621	072621			DUE TO/FROM CLEARING			44,831.61
APP 301-130000	07/26/2021	M072621	072621			DUE TO/FROM CLEARING			6,532.50
SYSTEM GENERATED ENTRIES TOTAL								60,454.43	60,454.43
JOURNAL 2021/07/197 TOTAL								120,908.86	120,908.86

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 7	197	07/26/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	9,032.00	9,032.00
				FUND TOTAL	9,032.00	9,032.00
301 CAPITAL CONSTRUCTION FUND 301-130000 301-213000	2021 7	197	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	6,532.50	6,532.50
				FUND TOTAL	6,532.50	6,532.50
401 WATER OPERATING FUND 401-130000 401-213000	2021 7	197	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	58.32	58.32
				FUND TOTAL	58.32	58.32
402 SEWER OPERATING FUND 402-130000 402-213000	2021 7	197	07/26/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	44,831.61	44,831.61
				FUND TOTAL	44,831.61	44,831.61
631 CLEARING FUND 631-130000 635-111100	2021 7	197	07/26/2021	DUE TO/FROM CLEARING CASH	60,454.43	60,454.43
				FUND TOTAL	60,454.43	60,454.43

07/26/2021 15:24
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 5
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		9,032.00
301	CAPITAL CONSTRUCTION FUND		6,532.50
401	WATER OPERATING FUND		58.32
402	SEWER OPERATING FUND		44,831.61
631	CLEARING FUND	60,454.43	
TOTAL		60,454.43	60,454.43

** END OF REPORT - Generated by Carrie L. Freitas **

08/04/2021 14:12
cfreitasCITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNALP 1
apcshdsb

CASH ACCOUNT: 635		111100	CASH		VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME							
INVOICE DTL DESC										
356929	08/04/2021	PRTD	8672 ALLSTREAM	249851	17627992	08/01/2021			M080421	838.94
	Invoice: 17627992			838.94	41637891 542100	CITYWIDE PHONE SERVICES				
						FIN - ALLOC TELEPHONE				
						CHECK	356929	TOTAL:		838.94
356930	08/04/2021	PRTD	551 CENTURYLINK	249852	0399JUL21	07/23/2021			M080421	3,033.88
	Invoice: 0399JUL21			1,565.55	91425358 542100	CITYWIDE TELEMETRY & FAX SERVICE				
				850.10	91411891 542100	GG-WWTP-TELEPHONE/FAX				
				79.25	91011755 542100	GG-WTR-FAC-PHONE				
				162.25	91011189 542100	GG-C/E-COMMONS-PHONE				
				235.45	91011897 542100	GG-C/E-CITY HALL-PHONE				
				76.93	91011255 542100	GG-C/E-O&M YARD FAC-PHONE				
				64.35	91011215 542100	GG-C/E-COURT BLDG-PHONE				
						GG-C/E-PD-PHONE				
						CHECK	356930	TOTAL:		3,033.88
356931	08/04/2021	PRTD	9789 JANET VON STARK	249853	INSTALLMENTS 1&2	07/30/2021			M080421	850.00
	Invoice: INSTALLMENTS 1&2			850.00	31024759 54110001155	EX/SOMETHING NEW PH IV				
						SOMETHING NEW PH4-PROF SVCS				
						CHECK	356931	TOTAL:		850.00
356932	08/04/2021	PRTD	694 KITSAP PUD #1	249854	MAY-JUL21	07/16/2021			M080421	40.97
	Invoice: MAY-JUL21			40.97	91011768 547500	WATER/LOT1 BELFAIR AVE				
						GG-C/E-PARKS-WTR/SWR				
						CHECK	356932	TOTAL:		40.97
356933	08/04/2021	PRTD	9795 EDWARD MCCARTHY	249855	INSTALLMENTS 1&2	07/30/2021			M080421	850.00
	Invoice: INSTALLMENTS 1&2			850.00	31024759 54110001155	EX/SOMETHING NEW PH IV				
						SOMETHING NEW PH4-PROF SVCS				
						CHECK	356933	TOTAL:		850.00
356934	08/04/2021	PRTD	1205 PUGET SOUND ENERGY	249856	0727JUN21	07/29/2021			M080421	11.05
	Invoice: 0727JUN21			11.05	91011739 547100	184 WINSLOW WAY W				
						COMM EVENTS-ELECTRICITY				
						CHECK	356934	TOTAL:		11.05
356935	08/04/2021	PRTD	9791 SHAWN MARIE JOHNSON	249857	INSTALLMENTS 1&2	07/30/2021			M080421	850.00
	Invoice: INSTALLMENTS 1&2			850.00	31024759 54110001155	EX/SOMETHING NEW PH IV				
						SOMETHING NEW PH4-PROF SVCS				

08/04/2021 14:12
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CASH ACCOUNT: 635
CHECK NO CHK DATE

111100 CASH
TYPE VENDOR NAME

VOUCHER INVOICE

INV DATE PO

CHECK RUN

NET

INVOICE DTL DESC

CHECK 356935 TOTAL: 850.00

356936 08/04/2021 PRD 5271 WASHINGTON WATER SER 249858 4815979187-JUL21
Invoice: 4815979187-JUL21

07/16/2021 M080421

165.14

165.14 91435838 547500 DECANT FACILITY WATER
GG-DECANT-WATER/SEWER

CHECK 356936 TOTAL: 165.14

NUMBER OF CHECKS 8 *** CASH ACCOUNT TOTAL *** 6,639.98

COUNT AMOUNT

TOTAL PRINTED CHECKS 8 6,639.98

*** GRAND TOTAL *** 6,639.98

08/04/2021 14:12
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

CLERK: cfreitas

JOURNAL ENTRIES TO BE CREATED

YEAR PER SRC ACCOUNT	JNL ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021 8	23									
APP 631-213000		08/04/2021	M080421	080421			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		838.94	
APP 635-111100		08/04/2021	M080421	080421			CASH AP CASH DISBURSEMENTS JOURNAL			6,639.98
APP 402-213000		08/04/2021	M080421	080421			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		1,565.55	
APP 401-213000		08/04/2021	M080421	080421			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		850.10	
APP 001-213000		08/04/2021	M080421	080421			GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		3,220.25	
APP 403-213000		08/04/2021	M080421	080421			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		165.14	
GENERAL LEDGER TOTAL									6,639.98	6,639.98
APP 631-130000		08/04/2021	M080421	080421			DUE TO/FROM CLEARING		5,801.04	
APP 402-130000		08/04/2021	M080421	080421			DUE TO/FROM CLEARING			1,565.55
APP 401-130000		08/04/2021	M080421	080421			DUE TO/FROM CLEARING			850.10
APP 001-130000		08/04/2021	M080421	080421			GENERAL - DUE TO/FROM CLEARING			3,220.25
APP 403-130000		08/04/2021	M080421	080421			DUE TO/FROM CLEARING			165.14
SYSTEM GENERATED ENTRIES TOTAL									5,801.04	5,801.04
JOURNAL 2021/08/23 TOTAL									12,441.02	12,441.02

08/04/2021 14:12
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 8	23	08/04/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	3,220.25	3,220.25
				FUND TOTAL	3,220.25	3,220.25
401 WATER OPERATING FUND 401-130000 401-213000	2021 8	23	08/04/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	850.10	850.10
				FUND TOTAL	850.10	850.10
402 SEWER OPERATING FUND 402-130000 402-213000	2021 8	23	08/04/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	1,565.55	1,565.55
				FUND TOTAL	1,565.55	1,565.55
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 8	23	08/04/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	165.14	165.14
				FUND TOTAL	165.14	165.14
631 CLEARING FUND 631-130000 631-213000 635-111100	2021 8	23	08/04/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE CASH	5,801.04 838.94	6,639.98
				FUND TOTAL	6,639.98	6,639.98

08/04/2021 14:12
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 5
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		3,220.25
401	WATER OPERATING FUND		850.10
402	SEWER OPERATING FUND		1,565.55
403	STORM & SURFACE WATER FUND		165.14
631	CLEARING FUND	5,801.04	
TOTAL		5,801.04	5,801.04

** END OF REPORT - Generated by Carrie L. Freitas **

08/04/2021 16:05 CITY OF BAINBRIDGE ISLAND
cfreitas A/P CASH DISBURSEMENTS JOURNAL

RL

P 1
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
356937	08/11/2021	PRTD	7726 AIR MANAGEMENT SOLUT	249711	0001136110	07/16/2021		08/08/21	907.17	
	Invoice: 0001136110					PW/HUNEY HALL THERMOSTAT REPL				
				907.17	73011755 54810000707	COMMONS HVAC-REPAIRS				
						CHECK	356937	TOTAL:	907.17	
356938	08/11/2021	PRTD	7994 PENINSULA SERVICES	249712	95160B	06/30/2021		08/08/21	128.00	
	Invoice: 95160B					POL/MOBILE SHREDDING				
				128.00	51011211 541100	PD-C/E-ADM-PROF SVCS				
				249713	95314B	06/30/2021		08/08/21	96.00	
	Invoice: 95314B					CRT/MOBILE SHREDDING				
				96.00	21011125 541100	COURT - PROFESSIONAL SERVICES				
						CHECK	356938	TOTAL:	224.00	
356939	08/11/2021	PRTD	8991 ALLIANCE 2020, INC	249744	5832110	07/31/2021		08/08/21	459.74	
	Invoice: 5832110					HR/BACKGROUND CHECKS				
				459.74	33011161 544000	HR-C/E-ADVERTISING				
						CHECK	356939	TOTAL:	459.74	
356940	08/11/2021	PRTD	9809 ALLISON & RUSSELL WA	249710	95487	07/29/2021		08/08/21	6.89	
	Invoice: 95487					UB 12870 9165 BURLINGAME COURT NE				
				6.89	411 122100	WATER ACCOUNTS RECEIVABLE				
						CHECK	356940	TOTAL:	6.89	
356941	08/11/2021	PRTD	4710 ASSOCIATED PETROLEU	249714	0358710-IN	07/13/2021		08/08/21	325.43	
	Invoice: 0358710-IN					PW/84.3 GAL DIESEL				
				325.43	73638893 532000	O&M-FUEL USE-ALLOCATION				
				249715	0358711-IN	07/13/2021		08/08/21	781.74	
	Invoice: 0358711-IN					PW/251.2 GAL UNLEADED				
				781.74	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				
				249716	0359969-IN	07/15/2021		08/08/21	689.01	
	Invoice: 0359969-IN					PW/209.5 GAL DIESEL				
				689.01	73638893 532000	O&M-FUEL USE-ALLOCATION				
				249717	0359970-IN	07/15/2021		08/08/21	932.33	
	Invoice: 0359970-IN					PW/300.5 GAL UNLEADED				
				932.33	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				
				249718	0361933-IN	07/21/2021		08/08/21	1,009.23	
	Invoice: 0361933-IN					PW/337.2 GAL UNLEADED				
				1,009.23	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 2
apcshdsb

CASH ACCOUNT: 635		111100	CASH			INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INVOICE DTL	DESC		
						CHECK	356941	TOTAL:	3,737.74
356942	08/11/2021	PRTD	7821 ARAMARK	249719	512000095160	07/08/2021	08/08/21		63.41
Invoice: 512000095160				63.41	73638893 589310	PW/LAUNDRY SERVICE	LAUNDRY SERVICES		
Invoice: 51200009888				249720	51200009888	07/15/2021	08/08/21		63.41
				63.41	73638893 589310	PW/LAUNDRY SERVICE	LAUNDRY SERVICES		
						CHECK	356942	TOTAL:	126.82
356943	08/11/2021	PRTD	9574 BAINBRIDGE LANDING L	249699	95476	07/29/2021	08/08/21		92.34
Invoice: 95476				92.34	411 122100	UB 13253 734 HANAMI LANE NE	WATER ACCOUNTS RECEIVABLE		
						CHECK	356943	TOTAL:	92.34
356944	08/11/2021	PRTD	55 SOUND PUBLISHING, IN	249721	BIR932582	07/16/2021	08/08/21		116.60
Invoice: BIR932582				116.60	72321955 64400001116	ENG/NTC: COUNTRY CLUB SPOT REPAIRS	CC BULKHEAD SPOT RPR-ADV		
Invoice: BIR932681				249722	BIR932681	07/16/2021	08/08/21		49.58
				49.58	11011113 544000	CC/ORD 2021-21	COUNCIL - LEGAL NOTICES		
Invoice: BIR932682				249723	BIR932682	07/16/2021	08/08/21		60.21
				60.21	11011113 544000	CC/ORD 2021-19	COUNCIL - LEGAL NOTICES		
Invoice: BIR932516				249745	BIR932516	07/16/2021	08/08/21		129.86
				129.86	61011581 544000	PCD/DNS: ORD 2021-12	PCD - C/E ADMIN ADVERTISING		
Invoice: BIR932518				249797	BIR932518	07/16/2021	08/08/21		107.43
				107.43	61011581 544000	PCD/PHN: 7/29/21	PCD - C/E ADMIN ADVERTISING		
						CHECK	356944	TOTAL:	463.68
356945	08/11/2021	PRTD	3390 BAINBRIDGE SELF STOR	249725	2583	07/30/2021	08/08/21		1,163.00
Invoice: 2583				1,163.00	36011143 541100	EXCC/9008&9009 RENT AUG-SEP	CLERK-C/E-PROF SVCS		
						CHECK	356945	TOTAL:	1,163.00

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 3
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
356946	08/11/2021	PRTD	7179 BAINBRIDGE YOUTH SER	249747	Q2 2021	07/21/2021		08/08/21	12,813.00	
Invoice: Q2 2021						2021 COMMUNITY SERVICES CONTRA				
				12,813.00	31017526 54110000297	EX-BYS-YOUTH COUNS & JOB OPP				
						CHECK	356946	TOTAL:	12,813.00	
356947	08/11/2021	PRTD	5412 BENEFIT ADMINISTRATI	249726	2107509	07/23/2021		08/08/21	256.30	
Invoice: 2107509						HSA/FSA BENEFITS				
				24.41	21011125 520000	COURT - BENEFITS				
				36.61	31011131 520000	EX-GF-BEN				
				36.61	41011141 520000	FIN - C/E ADMIN BENEFITS				
				24.41	51011211 520000	PD-C/E ADMIN-BENEFITS				
				36.61	61011581 520000	PCD - C/E ADMIN BENEFITS				
				85.43	71011321 520000	PW - C/E BENEFITS				
				12.22	81011881 520000	IT - C/E ADMIN BENEFITS				
						CHECK	356947	TOTAL:	256.30	
356948	08/11/2021	PRTD	9805 BERRY, CINDEE	249705	95482	07/29/2021		08/08/21	81.11	
Invoice: 95482						UB 12117 9537 NORTH TOWN LOOP NE				
				81.11	411 122100	WATER ACCOUNTS RECEIVABLE				
						CHECK	356948	TOTAL:	81.11	
356949	08/11/2021	PRTD	45 BAINBRIDGE ISLAND CH	249727	PARKING REFUND	07/26/2021		08/08/21	6.66	
Invoice: PARKING REFUND						POL/REFUND ON PARKING				
				6.66	01136 362500	FAC & PARKING RENTAL-LONG TERM				
						CHECK	356949	TOTAL:	6.66	
356950	08/11/2021	VOID	50 BAINBRIDGE ISLAND EL						.00	
Invoice:		Retainage was paid to vendor instead of COBI in error. Void for correction and reissue.								
						CHECK	356950	TOTAL:	.00	
356951	08/11/2021	PRTD	2476 BISCC	249730	072321	07/23/2021		08/08/21	200.00	
Invoice: 072321						DAMAGE DEPOSIT REFUND				
				200.00	41622860 586000	PARK/DOCK DEPOSITS CUST-OUT				
						CHECK	356951	TOTAL:	200.00	
356952	08/11/2021	PRTD	64 BAINBRIDGE ISLAND AR	249731	2034	04/05/2021		08/08/21	3,000.00	
Invoice: 2034						PUBLIC ART ADMINISTRATION				
				3,000.00	31024759 54110200297	PUBLIC ART-MNGT SVCS				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 4
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
Invoice: 2045				249732	2045	07/20/2021		08/08/21	3,000.00	
				3,000.00	31024759 54110200297	PUBLIC ART ADMINISTRATION PUBLIC ART-MNGT SVCS				
Invoice: 2046				249734	2046	07/22/2021		08/08/21	267.32	
				225.48	73011759 53110001132	PW/PUBL. ART PRINTING EXPENSES SOMETHING NEW PH3-SUPPLIES				
				41.84	73011759 53110001132	SOMETHING NEW PH3-SUPPLIES				
						CHECK	356952	TOTAL:	6,267.32	
356953	08/11/2021	PRTD	9262 BOULDER PARK INC	249737	3630	07/09/2021		08/08/21	8,625.25	
Invoice: 3630				8,625.25	73425358 54790100551	BOIDOLIDS MANAGEMENT/DISPOSAL BIOSOLIDS WASTE DISPOSAL				
						CHECK	356953	TOTAL:	8,625.25	
356954	08/11/2021	PRTD	4901 BRABER EQUIPMENT	249738	408256	07/14/2021		08/08/21	885.48	
Invoice: 408256				885.48	73637958 531100	PW/BLADE KITS ROADSIDE MOWER ALLOC-SUPPLIES				
						CHECK	356954	TOTAL:	885.48	
356955	08/11/2021	PRTD	9781 BRONLEA LEHUA MISHLE	249735	21-02	07/31/2021		08/08/21	1,466.97	
Invoice: 21-02				1,466.97	31011572 541100	EX/BIPD SOC MEDIA SUPPORT EX-GF-OUTREACH-PROF SVCS				
						CHECK	356955	TOTAL:	1,466.97	
356956	08/11/2021	PRTD	360 BUILDERS FIRSTSOURCE	249739	83754740	07/14/2021		08/08/21	26.47	
Invoice: 83754740				26.47	73421355 531100	PW /SEWER SUPPLIES WIN COLL-SUPPLIES				
						CHECK	356956	TOTAL:	26.47	
356957	08/11/2021	PRTD	4661 CENTRAL HIGHLANDS	249748	PLN51836 SUB	07/30/2021		08/08/21	1,145.00	
Invoice: PLN51836 SUB				1,145.00	47047 345810	PARTIAL FEE REFUND ZONING & SUBDIVISION FE				
						CHECK	356957	TOTAL:	1,145.00	
356958	08/11/2021	PRTD	8253 CHS NORTHWEST	249740	42621/H	07/01/2021		08/08/21	912.24	
Invoice: 42621/H				912.24	73637892 531100	PW/SALT O&M-ALLOC-WTR-CONSUMABLES				
				249741	42738/H	07/19/2021		08/08/21	912.24	

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 5
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
						INVOICE DTL	DESC			
Invoice: 42738/H				912.24	73637892 531100	PW/SALT				
						O&M-ALLOC-WTR-CONSUMABLES				
							CHECK	356958	TOTAL:	1,824.48
356959	08/11/2021	PRTD	8491 ROSSMAN ENTERPRISESE	249742	1058365-0	07/26/2021		08/08/21		195.18
Invoice: 1058365-0				195.18	21011125 531100	CRT/OFFICE SUPPLIES				
						COURT - SUPPLIES				
							CHECK	356959	TOTAL:	195.18
356960	08/11/2021	PRTD	102 CITY OF BAINBRIDGE I	249750	RETREQFINAL-911	07/28/2021	20200031	08/08/21		8,696.24
Invoice: RETREQFINAL-911				8,696.24	73011183 54810000911	2020 CITY HALL RPRS-RET				
						CH REPAIRS-REPAIRS				
							CHECK	356960	TOTAL:	8,696.24
356961	08/11/2021	PRTD	8435 COATES DESIGN INC	249752	124721	06/28/2021		08/08/21		4,800.00
Invoice: 124721				4,800.00	72311473 64110001050	SENIOR CENTER DESIGN				
						SCC RENOVATIONS-PROF SVCS				
							CHECK	356961	TOTAL:	4,800.00
356962	08/11/2021	PRTD	9534 COLVOS CONSTRUCTION,	249753	PAYREQFINAL-911	07/28/2021	20200030	08/08/21		180,881.81
Invoice: PAYREQFINAL-911				180,881.81	73011183 54810000911	CITY HALL REPAIRS 2020				
						CH REPAIRS-REPAIRS				
							CHECK	356962	TOTAL:	180,881.81
356963	08/11/2021	PRTD	6920 COMCAST	249754	AUG21	08/01/2021		08/08/21		11.23
Invoice: AUG21				11.23	51011211 545000	POL/HD CONVERTER BOX				
						PD-C/E-ADMIN RENTS/LEASE				
							CHECK	356963	TOTAL:	11.23
356964	08/11/2021	PRTD	142 COPIERS NORTHWEST IN	249755	INV2330327	07/22/2021		08/08/21		568.10
Invoice: INV2330327				284.05	31011131 545000	EX,FIN/COPIER OVERAGES				
				284.05	41011141 545000	EX-GF-RENTS & LEASES				
						FIN - C/E ADMIN RENTS & LEASES				
							CHECK	356964	TOTAL:	568.10
356965	08/11/2021	PRTD	4950 CORRECT EQUIPMENT IN	249756	44558	07/21/2021		08/08/21		4,801.45
Invoice: 44558				4,801.45	73426355 54810000562	PW/PLEASANT BEACH G. PUMP REPR				
						GRINDER PUMP MAINT CONTRACT				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 6
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
						CHECK	356965	TOTAL:	4,801.45	
356966	08/11/2021	PRTD	5132 CRYSTAL SPRINGS	249758	5228674 072821	07/28/2021		08/08/21	40.71	
	Invoice: 5228674 072821			40.71	21011125 531100	CRT/WATER SUPPLIES				
						COURT - SUPPLIES				
						CHECK	356966	TOTAL:	40.71	
356967	08/11/2021	PRTD	6363 LN CURTIS & SONS	249759	INV506124	07/08/2021		08/08/21	342.65	
	Invoice: INV506124			342.65	53011212 520000	POL/UNIFORM: SHIELDS				
						POLICE - C/E PATROL BENEFITS				
						CHECK	356967	TOTAL:	342.65	
356968	08/11/2021	PRTD	7016 CUSTOM PRINTING	249760	9679	07/23/2021		08/08/21	332.38	
	Invoice: 9679			332.38	41011141 531100	FIN/SECURITY WINDOW ENV				
						FIN - C/E ADMIN SUPPLIES				
						CHECK	356968	TOTAL:	332.38	
356969	08/11/2021	PRTD	9756 DANA'S HEATING, INC.	249762	BLD25663	08/03/2021		08/08/21	69.03	
	Invoice: BLD25663			69.03	47148 322100	FEE REFUND FOR CANCELLED PERMIT				
						BUILDINGS, STRUCT. & EQ				
						CHECK	356969	TOTAL:	69.03	
356970	08/11/2021	PRTD	9801 DONAHUE, MARK & STAC	249701	95478	07/29/2021		08/08/21	6.46	
	Invoice: 95478			6.46	411 122100	UB 12329 8405 WYATT WAY NW				
						WATER ACCOUNTS RECEIVABLE				
						CHECK	356970	TOTAL:	6.46	
356971	08/11/2021	PRTD	672 DSC INC	249761	101437	07/22/2021		08/08/21	245.80	
	Invoice: 101437			245.80	73637958 531100	PW/HYDO HOSE REPAIR SUPPLIES				
						ROADSIDE MOWER ALLOC-SUPPLIES				
						CHECK	356971	TOTAL:	245.80	
356972	08/11/2021	PRTD	9814 EAST OLYMPIC LAND MA	249763	604669174	07/21/2021		08/08/21	5.00	
	Invoice: 604669174			5.00	01131 316100	B&O PENALTY FEE REFUND				
						B&O TAX				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 7
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
						CHECK	356972	TOTAL:	5.00	
356973	08/11/2021	PRTD	7510 EXPERIAN	249764	CD2204001752	07/30/2021		08/08/21	92.65	
Invoice: CD2204001752				92.65	52011212 549100	POL/INFO SERVICES				
						PD-C/E-INV-DUES/SUBSCR/MEMBRSH				
						CHECK	356973	TOTAL:	92.65	
356974	08/11/2021	PRTD	212 FABRICARE 02 - PLANT	249765	08-02-21	08/02/2021		08/08/21	383.41	
Invoice: 08-02-21				223.88	51011211 520000	POL/LAUNDRY SERVICE				
				54.80	52011212 520000	PD-C/E ADMIN-BENEFITS				
				104.73	53011212 520000	POLICE - C/E INVEST BENEFITS				
						POLICE - C/E PATROL BENEFITS				
						CHECK	356974	TOTAL:	383.41	
356975	08/11/2021	PRTD	9819 FREDERICK FEITEN & L	249859	ROW 20-107 SURETY	08/03/2021		08/08/21	3,500.00	
Invoice: ROW 20-107 SURETY				3,500.00	41621860 586000	SURETY BOND REFUND				
						PLANS DEPOSIT-OUT				
						CHECK	356975	TOTAL:	3,500.00	
356976	08/11/2021	PRTD	1953 FERGUSON ENTERPRISES	249766	0993541-1	07/13/2021		08/08/21	2,653.81	
Invoice: 0993541-1				2,653.81	73411345 531100	PW/WATER SUPPLIES				
						OFFICE SUPPLIES				
Invoice: 1003785-1				249767	1003785-1	07/13/2021		08/08/21	230.91	
				230.91	73411345 531100	PW/WATER SUPPLIES				
						OFFICE SUPPLIES				
Invoice: 1010652				249768	1010652	07/20/2021		08/08/21	246.72	
				246.72	73411345 531100	PW/WATER MX SUPPLIES				
						OFFICE SUPPLIES				
Invoice: 1010738				249769	1010738	07/21/2021		08/08/21	567.77	
				567.77	73431835 531100	PW/CATCH BASIN MX SUPPLIES				
						OFFICE SUPPLIES				
						CHECK	356976	TOTAL:	3,699.21	
356977	08/11/2021	PRTD	8709 FRAMEWORK CULTURAL P	249798	14	06/30/2021		08/08/21	2,856.79	
Invoice: 14				618.79	61011586 54110000930	ISLAND CENTER SUBAREA PLANNING				
				2,238.00	72421352 54110000930	COMP PLAN IMPL-PROF SVCS				
						COMP PLAN IMPL-PROF SVCS				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 8
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
CHECK 356977 TOTAL:									2,856.79	
356978	08/11/2021	PRTD	513 GRAINGER	249771	9963892238	07/15/2021		08/08/21	269.26	
Invoice: 9963892238					269.26	73411345	531100	PW/SOLENOID VALVE OFFICE SUPPLIES		
CHECK 356978 TOTAL:									269.26	
356979	08/11/2021	PRTD	1517 GUARDIAN SECURITY SY	249772	1156330	08/01/2021		08/08/21	47.96	
Invoice: 1156330					47.96	51011215	541100	POL/ALARM MONITORING POLICE - C/E FACIL PROF SVCS		
CHECK 356979 TOTAL:									47.96	
356980	08/11/2021	PRTD	8514 HERITAGE-CRYSTAL CLE	249773	16897357	07/08/2021		08/08/21	464.27	
Invoice: 16897357					464.27	91011897	547900	PW/COM-30 GAL GG-C/E-O&M YARD FAC-GARBAGE		
CHECK 356980 TOTAL:									464.27	
356981	08/11/2021	PRTD	863 INTERSTATE BATTERIES	249774	22067520	07/01/2021		08/08/21	292.01	
Invoice: 22067520					292.01	53011212	531100	POL/BATTERIES: VEH 237, 201 PD-C/E-PATROL SUPPLIES		
Invoice: 22067729					128.57	73637958	531100	PW/BATTERY VEH 148 ROADSIDE MOWER ALLOC-SUPPLIES		
CHECK 356981 TOTAL:									420.58	
356982	08/11/2021	PRTD	4740 KITSAP COUNTY PUBLIC	249785	10212	07/20/2021		08/08/21	2,512.68	
Invoice: 10212					2,512.68	72431832	54110000872	ENG/Q2 WSSOG H2O/SSWM GROUP-PROF SVCS		
CHECK 356982 TOTAL:									2,512.68	
356983	08/11/2021	PRTD	1496 KITSAP COUNTY SEWER	249776	4853/4855 DOTSON LP	07/29/2021		08/08/21	11,982.00	
Invoice: 4853/4855 DOTSON LP					11,982.00	62038	386002	4853 & 4855 DOTSON PARTIC. PMTS: 2 ERU PARTICIPATION-SEWER DIST. #7		
CHECK 356983 TOTAL:									11,982.00	
356984	08/11/2021	PRTD	338 KITSAP COUNTY SHERIF	249777	20210041	07/27/2021		08/08/21	5,444.92	
Invoice: 20210041					5,444.92	51011236	551000	POL/PRISONER BOARD: JUN POLICE - C/E PRISONER DETENT'N		

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 9
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
							CHECK	356984	TOTAL:	5,444.92
356985	08/11/2021	PRTD	1971 KELLEY CONNECT	249778	29687901	07/12/2021		08/08/21	189.66	
Invoice: 29687901						CRT/COPIER LEASE				
						189.66 21011125 545000		COURT - RENTS & LEASES - OPER		
CHECK 356985 TOTAL:							189.66			
356986	08/11/2021	PRTD	9565 KATHERINE L KIRKLAND	249779	016	07/21/2021		08/08/21	240.00	
Invoice: 016						EX/CITY REOPENING GRAPHICS				
						240.00 31011572 54110001069		COVID19-PROF SVCS-OUTREACH		
CHECK 356986 TOTAL:							240.00			
356987	08/11/2021	PRTD	1802 KITSAP CONSERVATION	249781	2021-1	03/31/2021		08/08/21	6,596.85	
Invoice: 2021-1						FARMLAND SSWM PLANNING				
						3,298.42 72011593 55100000871		FARMLAND SSWM PLANNING-KCDONLY		
						3,298.43 72431835 55100000871		FARMLAND SSWM PLANNING-KCDONLY		
Invoice: 2021-2						249782 2021-2				
						5,602.03 72011593 55100000871		FARMLAND SSWM PLANNING-KCDONLY		
						5,602.03 72431835 55100000871		FARMLAND SSWM PLANNING-KCDONLY		
CHECK 356987 TOTAL:							17,800.91			
356988	08/11/2021	PRTD	9811 KITSAP GARAGE DOOR C	249783	601218721	07/21/2021		08/08/21	66.82	
Invoice: 601218721						B&O PENALTY FEE REFUND				
						66.82 01131 316100		B&O TAX		
CHECK 356988 TOTAL:							66.82			
356989	08/11/2021	PRTD	315 KITSAP HUMANE SOCIET	249784	50846	08/01/2021		08/08/21	6,233.33	
Invoice: 50846						ANIMAL CONTROL (2021-2023)				
						6,233.33 91011393 541100		FIN - C/E ANIMAL CONTROL FEES		
CHECK 356989 TOTAL:							6,233.33			
356990	08/11/2021	PRTD	9810 KITSAP TREE, LLC	249786	604372212	07/21/2021		08/08/21	5.00	
Invoice: 604372212						B&O PENALTY FEE REFUND				
						5.00 01131 316100		B&O TAX		
CHECK 356990 TOTAL:							5.00			

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 10
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
356991	08/11/2021	PRTD	6318 KUSTERS ZIMA CORP	249849	84498	06/30/2021		08/08/21	1,125.00	
Invoice: 84498				1,125.00	73425358 531100	PW/MOTOR				
						O&M-WWTP-SUPPLIES				
Invoice: 84512				249850	84512	07/08/2021		08/08/21	257.47	
				257.47	73425358 541100	PW/FREIGHT & SALES TAX				
						O&M-WWTP-PROF SVCS				
						CHECK	356991	TOTAL:	1,382.47	
356992	08/11/2021	PRTD	9807 LANE, WILLIAM & DORO	249707	95484	07/29/2021		08/08/21	45.41	
Invoice: 95484				45.41	411 122100	UB 12845 960 CURTIS LOOP NE				
						WATER ACCOUNTS RECEIVABLE				
						CHECK	356992	TOTAL:	45.41	
356993	08/11/2021	PRTD	9812 LIPTON LAW GROUP PLL	249787	604082503	07/21/2021		08/08/21	46.40	
Invoice: 604082503				46.40	01131 316100	B&O PENALTY FEE REFUND				
						B&O TAX				
						CHECK	356993	TOTAL:	46.40	
356994	08/11/2021	PRTD	9820 JOHN MACY	249860	BLD23744	08/03/2021		08/08/21	3,217.85	
Invoice: BLD23744				3,211.35	47148 322100	REFUND FOR CANCELLED PERMIT				
				6.50	65238 386000	BUILDINGS, STRUCT. & EQ				
						SBCC - SBCC FEE				
						CHECK	356994	TOTAL:	3,217.85	
356995	08/11/2021	PRTD	9808 MCINTOSH, XIMENA & D	249709	95486	07/29/2021		08/08/21	26.76	
Invoice: 95486				26.76	411 122100	UB 12002 9006 NORTH TOWN DRIVE NE				
						WATER ACCOUNTS RECEIVABLE				
						CHECK	356995	TOTAL:	26.76	
356996	08/11/2021	PRTD	8375 MOORE IACOFANO GOLTS	248196	69255-C	04/27/2021		08/08/21	-196.25	
Invoice: 69255-C				-196.25	72321951 64110000708	OVERPAYMENT INV # 69255				
						WYATT-MAD TO LOVELL-ENG/DESIGN				
Invoice: 0070686				249861	0070686	07/28/2021		08/08/21	1,401.25	
				1,401.25	72321951 64110000708	DESIGN OF WYATT WAY RECONSTRUC				
						WYATT-MAD TO LOVELL-ENG/DESIGN				
						CHECK	356996	TOTAL:	1,205.00	

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 11
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
356997	08/11/2021	PRTD	9800 NAKAO, WILLIAM	249700	95477	07/29/2021		08/08/21	163.10	
	Invoice: 95477			163.10	411	122100	UB 10408 426 LOVELL AVENUE SW			
							WATER ACCOUNTS RECEIVABLE			
							CHECK	356997 TOTAL:	163.10	
356998	08/11/2021	PRTD	9254 NELSON NYGAARD CONSU	249789	80032	07/19/2021		08/08/21	17,130.00	
	Invoice: 80032			17,130.00	72111444	54110001018	SUSTAINABLE TRANSPORTATION PLA			
							SUSTAINABLE TRANS-PROF SVC			
							CHECK	356998 TOTAL:	17,130.00	
356999	08/11/2021	PRTD	9066 NORTHWEST PERMIT INC	249862	BLD25725	08/03/2021		08/08/21	236.26	
	Invoice: BLD25725			139.25	47148	322100	REFUND FOR CANCELLED PERMIT			
				90.51	47148	345830	BUILDINGS, STRUCT. & EQ			
				6.50	65238	386000	PLAN CHECKING FEES			
							SBCC - SBCC FEE			
	Invoice: BLD25730			249863	BLD25730	08/03/2021		08/08/21	421.06	
				251.25	47148	322100	REFUND FOR CANCELLED PERMIT			
				163.31	47148	345830	BUILDINGS, STRUCT. & EQ			
				6.50	65238	386000	PLAN CHECKING FEES			
							SBCC - SBCC FEE			
							CHECK	356999 TOTAL:	657.32	
357000	08/11/2021	PRTD	2430 OGDEN MURPHY WALLACE	249790	852525	07/23/2021		08/08/21	14,114.30	
	Invoice: 852525			945.00	32470152	54111100892	LEGAL/LEGAL SVCS JUN 2021			
				315.00	32011152	54111001020	LIT-CAINION SUP CT WRIT			
				328.50	32011152	54111001046	SMALL CELL WIRELESS ORD			
				1,185.80	32011152	54111001131	LGL-PSE FRANCHISE			
				5,166.00	32011152	541110	ETHICS BOARD LEGAL ADVISOR			
				1,071.00	91011211	541110	LGL-GF-LEGAL ADVICE			
				5,103.00	32470152	54111100897	GG-C/E-CIVIL SVC-LEGAL ADVICE			
							PRES RESP SHORE(CT OF APPEALS)			
							CHECK	357000 TOTAL:	14,114.30	
357001	08/11/2021	PRTD	4111 OLYMPIC SPRINGS INC	249791	340564	07/31/2021		08/08/21	166.83	
	Invoice: 340564			166.83	51011215	531100	POL/PURIFIED WATER			
							POLICE - C/E FACIL SUPPLIES			
							CHECK	357001 TOTAL:	166.83	

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 12
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
357002	08/11/2021	PRTD	7925 OMNIPARK, INC	249792	123235	08/01/2021		08/08/21	379.32	
	Invoice: 123235			379.32	51011217 548500	POL/PARKING SYSTEM SUPPORT				
						PD-C/E-PARKING ENF-COMP		SUPPOR		
						CHECK	357002	TOTAL:	379.32	
357003	08/11/2021	PRTD	8200 PACIFIC DUST CONTROL	249794	2117	06/21/2021		08/08/21	1,393.02	
	Invoice: 2117			1,393.02	73435838 548100	PW/LIGNIN SULFONATE APPLICATION				
						O&M-DECANT-REPAIRS				
						CHECK	357003	TOTAL:	1,393.02	
357004	08/11/2021	PRTD	9650 THE PAPE GROUP INC.	249795	12890479	07/09/2021		08/08/21	91.52	
	Invoice: 12890479			91.52	73431835 531100	PW/LINE, MOWING HEAD				
						OFFICE SUPPLIES				
	Invoice: 12899981			249796	12899981	07/14/2021		08/08/21	51.44	
				51.44	73111427 531100	PW/BLADE				
						OFFICE SUPPLIES				
	Invoice: 12914989			249799	12914989	07/20/2021		08/08/21	1,432.16	
				233.17	73011319 53110000827	PW/MX SUPPLIES				
				1,198.99	73431835 531100	FARM MAINT PROJECTS TBD-SUPPLY				
						OFFICE SUPPLIES				
						CHECK	357004	TOTAL:	1,575.12	
357005	08/11/2021	PRTD	458 PENINSULA FIRE INC	249800	62147	07/09/2021		08/08/21	205.41	
	Invoice: 62147			205.41	73425358 548100	PW/WWTP FIRE EXT. TESTING				
						O&M-WWTP-REPAIRS				
	Invoice: 62148			249801	62148	07/09/2021		08/08/21	136.74	
				136.74	73011755 548100	PW/COMMONS FIRE EXT. TESTING				
						O&M-COMMONS REPAIRS				
	Invoice: 62149			249802	62149	07/09/2021		08/08/21	251.19	
				251.19	73011183 548100	PW/FIRE EXT. TESTING				
						O&M-C/E-CH FAC-REPAIRS				
	Invoice: 62150			249803	62150	07/09/2021		08/08/21	518.24	
				518.24	73011215 548100	PW/POL FIRE EXT. TESTING				
						O&M-C/E-POLICE FAC-REPAIRS				
	Invoice: 62151			249804	62151	07/09/2021		08/08/21	1,530.31	
				1,530.31	73011897 548100	PW/FIRE EXT. TESTING				
						O&M-C/E-PWYD FAC-REPAIRS				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 13
apcshdsb

CASH ACCOUNT: 635		111100	CASH								
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET		
INVOICE DTL DESC											
						CHECK	357005	TOTAL:		2,641.89	
357006	08/11/2021	PRTD	8229 PIPER THORNBURGH	249831	07/21/21	07/21/2021		08/08/21		30.00	
	Invoice: 07/21/21			30.00	21011125 541210	CRT/.5 HR PRO TEMP COURT - JUDGE PRO TEMPORE SVCS					
						CHECK	357006	TOTAL:		30.00	
357007	08/11/2021	PRTD	9815 PRESCIENT STRATEGIES	249805	603374875	07/21/2021		08/08/21		5.00	
	Invoice: 603374875			5.00	01131 316100	B&O PENALTY FEE REFUND B&O TAX					
						CHECK	357007	TOTAL:		5.00	
357008	08/11/2021	PRTD	9806 PUETTE, THOMAS	249706	95483	07/29/2021		08/08/21		32.59	
	Invoice: 95483			32.59	411 122100	UB 12517 8757 ROSARIO PLACE NW WATER ACCOUNTS RECEIVABLE					
						CHECK	357008	TOTAL:		32.59	
357009	08/11/2021	PRTD	7435 RANDY KAN PORTABLE R	249806	1929553	07/15/2021		08/08/21		180.00	
	Invoice: 1929553			180.00	73011768 545000	PW/EAGLE HARBOR CANS O&M-C/E-PARKS-OP LEASES					
	Invoice: 1929554			249807	1929554	07/15/2021		08/08/21		90.00	
				90.00	73011768 545000	PW/CREOSOTE CAN O&M-C/E-PARKS-OP LEASES					
	Invoice: 1929555			249808	1929555	07/15/2021		08/08/21		90.00	
				90.00	73435838 545000	PW/VEINCENT RD CAN O&M-DECANT-RENTS					
	Invoice: 1929556			249809	1929556	07/15/2021		08/08/21		90.00	
				90.00	73011897 545000	PW/HIDDEN COVE CAN O&M-C/E-PWYD FAC-RENTS					
						CHECK	357009	TOTAL:		450.00	
357010	08/11/2021	PRTD	9817 RENEWAL BY ANDERSON	249810	BLD25762	07/29/2021		08/08/21		33.14	
	Invoice: BLD25762			33.14	47148 322100	REFUND FOR INCORRECT PERMIT TYPE BUILDINGS, STRUCT. & EQ					
						CHECK	357010	TOTAL:		33.14	

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 14
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
357011	08/11/2021	PRTD	617 S & B INC	249811	25908A	07/23/2021		08/08/21	1,847.55	
	Invoice: 25908A			1,847.55	73425358 548100	PW/WWTP PHONE SUPPORT O&M-WWTP-REPAIRS				
						CHECK	357011	TOTAL:	1,847.55	
357012	08/11/2021	PRTD	9816 SENPAI TECH, LLC	249813	604078064	07/21/2021		08/08/21	1.55	
	Invoice: 604078064			1.55	01131 316100	B&O PENALTY FEE REFUND B&O TAX				
						CHECK	357012	TOTAL:	1.55	
357013	08/11/2021	PRTD	7550 STRATEGIC GOVERNMENT	249815	2021-103546	07/21/2021		08/08/21	8,000.91	
	Invoice: 2021-103546			8,000.91	11011116 541100	CC/RETREAT: R.HOLIFIELD COUNCIL - PROF SERVICES				
						CHECK	357013	TOTAL:	8,000.91	
357014	08/11/2021	PRTD	9804 SHERWOOD, RODNEY & K	249704	95481	07/29/2021		08/08/21	36.24	
	Invoice: 95481			36.24	411 122100	UB 11454 8175 SPRINGRIDGE ROAD NE WATER ACCOUNTS RECEIVABLE				
						CHECK	357014	TOTAL:	36.24	
357015	08/11/2021	PRTD	8040 SOLENIS LLC	249816	131833384	07/08/2021		08/08/21	4,892.36	
	Invoice: 131833384			4,892.36	73425358 531100	PW/PRAESTOL O&M-WWTP-SUPPLIES				
						CHECK	357015	TOTAL:	4,892.36	
357016	08/11/2021	PRTD	8738 SPEAKWRITE, LLC	249817	2FFF0F0E1	08/01/2021		08/08/21	135.00	
	Invoice: 2FFF0F0E1			135.00	52011212 541100	POL/TRANSCRIPTION POLICE - C/E INVEST PROF SVCS				
						CHECK	357016	TOTAL:	135.00	
357017	08/11/2021	PRTD	8132 SPECTRA LABORATORIES	249818	21-05157	07/15/2021		08/08/21	114.00	
	Invoice: 21-05157			114.00	73425358 54110000391	PW/BOD TESTING LAB & TESTING SVCS-WWTP				
				249819	21-05197	07/19/2021		08/08/21	175.00	
	Invoice: 21-05197			175.00	73425358 54110000391	PW/EFFLUENT TESTING LAB & TESTING SVCS-WWTP				
				249820	21-05294	07/20/2021		08/08/21	63.48	

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 15
apcshdsb

CASH ACCOUNT: 635		111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
INVOICE DTL DESC									
Invoice: 21-05294				63.48	73411345 54110000391	PW/WELL FLOURIDE TESTING LAB SVCS-WATER			
Invoice: 21-05295				249821	21-05295	07/20/2021		08/08/21	63.48
				63.48	73415345 54110000391	PW/TAYLOR WELL TESTING LAB SVCS-WATER ROCKAWAY			
Invoice: 21-05301				249822	21-05301	07/20/2021		08/08/21	114.00
				114.00	73425358 54110000391	PW/BOD TESTING LAB & TESTING SVCS-WWTP			
Invoice: 21-05366				249823	21-05366	07/22/2021		08/08/21	114.00
				114.00	73425358 54110000391	PW/BOD TESTING LAB & TESTING SVCS-WWTP			
Invoice: 21-05419				249824	21-05419	07/26/2021		08/08/21	175.00
				175.00	73425358 54110000391	PW/EFFLUENT TESTING LAB & TESTING SVCS-WWTP			
				CHECK 357017 TOTAL:					818.96
357018	08/11/2021	PRTD	5882 STAR RENTALS	249825	549148A-36	07/12/2021		08/08/21	2,983.89
Invoice: 549148A-36				2,983.89	73111427 545000	PW/WATER TRUCK RENTAL O&M-ACCESS RDSIDE RENTS/LEASES			
				CHECK 357018 TOTAL:					2,983.89
357019	08/11/2021	PRTD	2122 STERICYCLE INC	249826	3005655158	07/31/2021		08/08/21	10.36
Invoice: 3005655158				10.36	53011212 541100	POL/BIOHAZARD DISPOSAL POLICE - C/E PATROL PROF SVCS			
				CHECK 357019 TOTAL:					10.36
357020	08/11/2021	PRTD	9799 STEVENSON, GREGORY &	249698	95475	07/29/2021		08/08/21	116.97
Invoice: 95475				116.97	411 122100	UB 11755 206 GROW AVENUE NW WATER ACCOUNTS RECEIVABLE			
				CHECK 357020 TOTAL:					116.97
357021	08/11/2021	PRTD	7164 HELEN STEVENSON	249827	REFUND	07/19/2021		08/08/21	25.00
Invoice: REFUND				25.00	01132 321300	POL/SEP REFUND: FUN RUN GF-FIREWORKS/SPEC EVENT PERMIT			
				CHECK 357021 TOTAL:					25.00

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 16
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
357022	08/11/2021	PRTD	5730 SUMMIT LAW GROUP	249828	127792	07/27/2021		08/08/21	3,115.50	
Invoice: 127792				2,110.50	32011152	54111000870	HR/PROF SVCS JUN 2021			
				1,005.00	32011152	54111000274	LGL-HR (NON-BARGAINING)			
							LGL-LABOR NEGOTIATIONS			
Invoice: 127793				249829	127793	07/27/2021		08/08/21	201.00	
				201.00	32011152	54111000274	LEGAL/PROF SVCS JUN 2021			
							LGL-LABOR NEGOTIATIONS			
CHECK 357022 TOTAL:								3,316.50		
357023	08/11/2021	PRTD	8244 THE HOME DEPOT PRO	249830	629279597	07/16/2021		08/08/21	650.51	
Invoice: 629279597				650.51	73637948	531100	PW/SOAP O&M ALLOC-CITY WIDE SUPPLIES			
CHECK 357023 TOTAL:								650.51		
357024	08/11/2021	PRTD	8385 TAWRESEY, ALICE & JO	249708	95485	07/29/2021		08/08/21	444.04	
Invoice: 95485				444.04	411	122100	UB 10425 121 WOOD AVENUE SW A & B			
							WATER ACCOUNTS RECEIVABLE			
CHECK 357024 TOTAL:								444.04		
357025	08/11/2021	PRTD	6714 TOSHIBA FINANCIAL SE	249832	29771338	07/26/2021		08/08/21	234.42	
Invoice: 29771338				234.42	51011211	545000	POL/COPIER LEASE			
							PD-C/E-ADMIN RENTS/LEASE			
CHECK 357025 TOTAL:								234.42		
357026	08/11/2021	PRTD	8183 JOHN A. GREEN	249833	15840	06/22/2021		08/08/21	416.17	
Invoice: 15840				416.17	73638935	531100	PW/PW LOGOS			
							O&M-STD ALLOCATION-SUPPLIES			
CHECK 357026 TOTAL:								416.17		
357027	08/11/2021	PRTD	1152 USA BLUE BOOK	249834	645261	06/25/2021		08/08/21	1,248.45	
Invoice: 645261				1,248.45	73421355	531100	PW/GLOVES			
							WIN COLL-SUPPLIES			
Invoice: 653197				249835	653197	07/06/2021		08/08/21	171.93	
				171.93	73411345	531100	PW/CONNECTOR TUBES			
							OFFICE SUPPLIES			
Invoice: 653508				249836	653508	07/06/2021		08/08/21	3,509.03	
				3,509.03	73425358	531100	PW/WWTP SUPPLIES			
							O&M-WWTP-SUPPLIES			

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 17
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
Invoice: 655438				249837	655438	07/07/2021		08/08/21	546.75	
				546.75	73425358 531100	PW/WWTP SUPPLIES				
						O&M-WWTP-SUPPLIES				
Invoice: 657239				249838	657239	07/08/2021		08/08/21	52.76	
				52.76	73425358 531100	PW/DETERGENT				
						O&M-WWTP-SUPPLIES				
						CHECK	357027	TOTAL:	5,528.92	
357028	08/11/2021	PRTD	5457 VERN'S ORGANIC TOPSO	249839	407790	06/01/2021		08/08/21	2,180.00	
Invoice: 407790				2,180.00	73111427 531100	PW/BARK				
						OFFICE SUPPLIES				
						CHECK	357028	TOTAL:	2,180.00	
357029	08/11/2021	PRTD	9813 EMILY K. WACHSMAN	249840	604068689	07/21/2021		08/08/21	5.00	
Invoice: 604068689				5.00	01131 316100	B&O PENALTY REFUND				
						B&O TAX				
						CHECK	357029	TOTAL:	5.00	
357030	08/11/2021	PRTD	9802 WARNER, HENRY J.	249702	95479	07/29/2021		08/08/21	298.70	
Invoice: 95479				298.70	421 122100	UB 12472 4465 PLEASANT BEACH DRIVE NE				
						SEWER ACCOUNTS RECEIVABLE				
						CHECK	357030	TOTAL:	298.70	
357031	08/11/2021	PRTD	5709 WEBCHECK INC	249841	6997	07/31/2021		08/08/21	277.95	
Invoice: 6997				138.97	43411341 541100	FIN/WEBCHECK SVCS JUL 2021				
				138.98	43421351 541100	FIN - WATER ADMIN PROF SERVICE				
						FIN - SEWER ADMIN PROF SERVICE				
						CHECK	357031	TOTAL:	277.95	
357032	08/11/2021	PRTD	8355 WEST COAST CODE CONS	249842	2021-BIX-JUN	07/09/2021		08/08/21	673.75	
Invoice: 2021-BIX-JUN				673.75	62471585 541100	TEMPORARY THIRD PARTY BUILDING				
						BLDG PERMITS & PLAN REVIEWS				
						CHECK	357032	TOTAL:	673.75	
357033	08/11/2021	PRTD	9160 WEST SOUND PLUMBING	249843	12246	07/09/2021		08/08/21	185.30	
Invoice: 12246				185.30	73011183 548100	PW/PLUMBING REPAIR				
						O&M-C/E-CH FAC-REPAIRS				

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 18
apcshdsb

CASH ACCOUNT: 635		111100	CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
INVOICE DTL DESC										
CHECK 357033 TOTAL:									185.30	
357034	08/11/2021	PRTD	499 WESTBAY AUTO PARTS I	249844	648079	07/13/2021		08/08/21	76.63	
Invoice: 648079				76.63	73638935 531100	PW/BRAKE PADS, OIL FILTERS				
						O&M-STD ALLOCATION-SUPPLIES				
Invoice: 649793				249845	649793	07/20/2021		08/08/21	75.97	
				75.97	73638935 531100	PW/OIL FILTERS, SOLVENT, STRAP				
						O&M-STD ALLOCATION-SUPPLIES				
Invoice: 650416				249846	650416	07/21/2021		08/08/21	33.68	
				33.68	990 141100	PW/OIL, FUEL FILTERS				
						MERCHANDISE				
Invoice: 650495				249847	650495	07/22/2021		08/08/21	22.91	
				22.91	990 141100	PW/OIL FILTERS				
						MERCHANDISE				
CHECK 357034 TOTAL:									209.19	
357035	08/11/2021	PRTD	9803 ZACHARIAH, CHERIAN &	249703	95480	07/29/2021		08/08/21	187.14	
Invoice: 95480				187.14	411 122100	UB 10368 472 WINSLOW WAY W				
						WATER ACCOUNTS RECEIVABLE				
CHECK 357035 TOTAL:									187.14	
357036	08/11/2021	PRTD	2607 ZEE MEDICAL SERVICE	249848	68419761	07/16/2021		08/08/21	254.41	
Invoice: 68419761				254.41	73637891 531100	PW/FIRST AID RESTOCK				
						OFFICE SUPPLIES				
CHECK 357036 TOTAL:									254.41	
357037	08/11/2021	PRTD	50 BAINBRIDGE ISLAND EL	249728	20210079	07/28/2021		08/08/21	2,072.04	
Invoice: 20210079				2,072.04	73011256 548100	PW/ISLAND CENTER GEN REPAIR				
						O&M-GF-DIS PREP-REPAIRS				
Invoice: PAYREQ1-818/821				249729	PAYREQ1-818/821	07/27/2021		08/08/21	66,255.28	
				15,662.40	72413434 66300000818	SCADA UPGRADES - 00818 AND 008				
				50,592.88	72423434 66300000821	SCADA UPGRADES WTR CONSTRUC				
						SWR-SCADA UPGRADES-CONSTR				
CHECK 357037 TOTAL:									68,327.32	
357038	08/11/2021	PRTD	102 CITY OF BAINBRIDGE I	249865	RETREQ1-818/821	07/27/2021	20210037	08/08/21	3,185.35	
Invoice: RETREQ1-818/821				753.00	72413434 66300000818	BI ELECTRIC - RETAINAGE				
				2,432.35	72423434 66300000821	SCADA UPGRADES WTR CONSTRUC				
						SWR-SCADA UPGRADES-CONSTR				



08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 19
apcshdsb

CASH ACCOUNT: 635	111100	CASH						
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN
								NET

INVOICE DTL DESC

CHECK 357038 TOTAL: 3,185.35

NUMBER OF CHECKS 102 *** CASH ACCOUNT TOTAL *** 447,923.89

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	101	447,923.89
TOTAL VOIDED CHECKS	1	.00

*** GRAND TOTAL *** 447,923.89

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 20
apcshdsb

JOURNAL ENTRIES TO BE CREATED

CLERK: cfreitas

YEAR PER SRC ACCOUNT	JNL EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021 8 25									
APP 001-213000	08/11/2021	08/08/21	081121			GENERAL - ACCOUNTS PAYABLE		263,673.39	
APP 635-111100	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 401-213000	08/11/2021	08/08/21	081121			CASH			447,923.89
APP 631-213000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 301-213000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		21,493.01	
APP 622-213000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 402-213000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		8,422.58	
APP 407-213000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 403-213000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		6,121.60	
APP 650-213000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 101-213000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		15,682.00	
APP 901-213000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 631-130000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		83,530.86	
APP 001-130000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 401-130000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		11,824.59	
APP 301-130000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 622-130000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		14,754.44	
APP 402-130000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 407-130000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		19.50	
APP 403-130000	08/11/2021	08/08/21	081121			STREETS - ACCOUNTS PAYABLE		22,345.33	
APP 650-130000	08/11/2021	08/08/21	081121			AP CASH DISBURSEMENTS JOURNAL			
APP 101-130000	08/11/2021	08/08/21	081121			ACCOUNTS PAYABLE		56.59	
						AP CASH DISBURSEMENTS JOURNAL			
GENERAL LEDGER TOTAL								447,923.89	447,923.89
APP 631-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING		439,501.31	
APP 001-130000	08/11/2021	08/08/21	081121			GENERAL - DUE TO/FROM CLEARING			263,673.39
APP 401-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			21,493.01
APP 301-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			6,121.60
APP 622-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			15,682.00
APP 402-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			83,530.86
APP 407-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			11,824.59
APP 403-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			14,754.44
APP 650-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			19.50
APP 101-130000	08/11/2021	08/08/21	081121			STREETS - DUE TO/FROM CLEARING			22,345.33

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 21
apcshdsb

JOURNAL ENTRIES TO BE CREATED

YEAR SRC	PER ACCOUNT	JNL EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T 0B	DEBIT	CREDIT
APP	901-130000	08/11/2021	08/08/21	081121			DUE TO/FROM CLEARING			56.59
		08/11/2021	08/08/21	081121						
SYSTEM GENERATED ENTRIES TOTAL									439,501.31	439,501.31
JOURNAL 2021/08/25 TOTAL									887,425.20	887,425.20

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 22
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 8	25	08/11/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	263,673.39	263,673.39
				FUND TOTAL	263,673.39	263,673.39
101 STREET FUND 101-130000 101-213000	2021 8	25	08/11/2021	STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	22,345.33	22,345.33
				FUND TOTAL	22,345.33	22,345.33
301 CAPITAL CONSTRUCTION FUND 301-130000 301-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	6,121.60	6,121.60
				FUND TOTAL	6,121.60	6,121.60
401 WATER OPERATING FUND 401-130000 401-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	21,493.01	21,493.01
				FUND TOTAL	21,493.01	21,493.01
402 SEWER OPERATING FUND 402-130000 402-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	83,530.86	83,530.86
				FUND TOTAL	83,530.86	83,530.86
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	14,754.44	14,754.44
				FUND TOTAL	14,754.44	14,754.44
407 BUILDING & DEVELOPMENT FUND 407-130000 407-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	11,824.59	11,824.59
				FUND TOTAL	11,824.59	11,824.59
622 EXPENDABLE TRUST FUND 622-130000 622-213000	2021 8	25	08/11/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	15,682.00	15,682.00
				FUND TOTAL	15,682.00	15,682.00
631 CLEARING FUND	2021 8	25	08/11/2021			

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 23
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND	ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
	631-130000					DUE TO/FROM CLEARING	439,501.31	
	631-213000					ACCOUNTS PAYABLE	8,422.58	
	635-111100					CASH		447,923.89
						FUND TOTAL	447,923.89	447,923.89
650	AGENCY FUND	2021	8	25	08/11/2021			
	650-130000					DUE TO/FROM CLEARING		19.50
	650-213000					ACCOUNTS PAYABLE	19.50	
						FUND TOTAL	19.50	19.50
901	CITY-WIDE REPORTING FUND	2021	8	25	08/11/2021			
	901-130000					DUE TO/FROM CLEARING		56.59
	901-213000					ACCOUNTS PAYABLE	56.59	
						FUND TOTAL	56.59	56.59

08/04/2021 16:05
cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

P 24
apcshdsb

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		263,673.39
101	STREET FUND		22,345.33
301	CAPITAL CONSTRUCTION FUND		6,121.60
401	WATER OPERATING FUND		21,493.01
402	SEWER OPERATING FUND		83,530.86
403	STORM & SURFACE WATER FUND		14,754.44
407	BUILDING & DEVELOPMENT FUND		11,824.59
622	EXPENDABLE TRUST FUND		15,682.00
631	CLEARING FUND	439,501.31	
650	AGENCY FUND		19.50
901	CITY-WIDE REPORTING FUND		56.59
	TOTAL	439,501.31	439,501.31

** END OF REPORT - Generated by Carrie L. Freitas **



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME:

AGENDA ITEM: Approve City Council Meeting Minutes

SUMMARY: Council will consider approval of meeting minutes.

AGENDA CATEGORY: Minutes

PROPOSED BY: Executive

RECOMMENDED MOTION: Consider approval of meeting minutes.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Special City Council Meeting, Annual Retreat, Minutes.pdf](#)

[City Council Study Session Minutes, July 20, 2021.pdf](#)

[Regular City Council Business Meeting Minutes, July 27, 2021.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



SPECIAL CITY COUNCIL MEETING
ANNUAL COUNCIL RETREAT
SATURDAY, JULY 17, 2021

MEETING MINUTES

1) [WELCOME, AGENDA REVIEW, OVERALL PURPOSE, GROUND RULES](#)

Mayor Nassar called the meeting to order at 8:04 a.m. City Manager King provided opening remarks and introduced Ron Holifield from Strategic Government Resources.

2) [ISSUES FACING THE COMMUNITY AND THE MUNICIPAL CORPORATION PLUS EMERGING TOPICS](#)

Ron Holifield spoke about the issues facing the community and the nation.

3) [BREAK](#)

The meeting went into recess at 9:32 a.m. and reconvened at 9:42 a.m.

4) [REVIEW OF PROJECTS AND PROJECT STATUS - WHAT TO DO ABOUT THE WORKLOAD? \[MOVED\]](#)

Council agreed to discuss this agenda item later in the meeting.

5) [CITY COUNCIL AGENDA CONSTRUCTION POLICIES - EXAMPLES FROM SIMILAR COMMUNITIES](#)

5.A Examples of City Council Agenda Construction Policies

[Cover Page](#)

[Lodi, California Agenda Policy.pdf](#)

[Coronado, California Agenda Policy.pdf](#)

City Manager King introduced the topic. Council discussed "For Good of the Order" and agreed to remove the section from the agenda.

Council discussed the agenda setting process. City Manager King will draft a policy for Council review.

6) [REVIEW OF COUNCIL AND CITY MANAGER COMMUNICATIONS EXPECTATIONS - CASE STUDY OF FLAWED COUNCIL CITY MANAGER COMMUNICATIONS](#)

6.A Communication Case Study

[Cover Page](#)

[Poor Communication Case Study.pdf](#)

City Manager King spoke about communications between Council, City Manager, and staff.

7) [COUNCIL SUBCOMMITTEES AND AD HOC SUBCOMMITTEES](#)

7.A 2021 Council Local and Regional Assignments

[Cover Page](#)

[2021_Council_Assignments.docx](#)

City Manager King introduced the agenda item, and Council discussed the topic.

Mayor Nassar and City Manager King will return with a policy on Council liaisons and communications.

4) REVIEW OF PROJECTS AND PROJECT STATUS - WHAT TO DO ABOUT THE WORKLOAD? [MOVED]

4.A 2021 Workplan

[Cover Page](#)

[2021 Workplan 07-2021 for Retreat 07172021.pdf](#)

Deputy City Manager Schroer introduced the agenda item.

8) HOSTED LUNCH

The meeting went into recess for lunch at 12:14 p.m. and reconvened at 12:41 p.m.

9) WHAT ARE THE COUNCIL'S HIGH PRIORITY PROJECTS?

Each Councilmember identified their top 5 priorities (attached). City Manager King will return to Council with the list of highest priorities.

Council discussed potential projects to defer. Council will confirm retreat direction on agenda setting, high priority items, and deferring certain projects at the August 10, 2021 City Council meeting.

10) ADJOURNMENT

Mayor Nassar adjourned the meeting at 1:57 p.m.

Rasham Nassar, Mayor

Christine Brown, CMC, City Clerk

Project	RN	MP	LS	BFJ	KH	CC	JD	Sum
Climate Action implementation		3			1		2	6
Initiate Winslow Master Plan (WMP) Update	1		1		1	1	1	5
Housing Action Plan, Housing Needs Assessment, and Housing Inventory			1		1	1	1	4
Support Groundwater Management Plan	1			1	1			3
WWTP Upgrade and beneficial reuse		1			1		1	3
Consider TDR Implementation		1				1		2
Develop regulations specific to small lots	1					1		2
Adopt 12 and 20-year Multifamily Tax Exemption (MFTE) program			1					1
Consider implementation of Inclusionary Zoning (IZ)			1					1
Consider regulations related to common ownership of ADU's				1				1
Decision Criteria – Conditional Use Permit						1		1
Complete SMP Periodic Review	1							1
Support Sustainable Transportation Project			1					1
EM - complete MOUs with community partners for Hubs and Shelters				1				1
Continue to investigate options to improve community cellular service				1				1
Support REAC outreach workplan				1				1
Stormwater Master Plan	1							1



CITY COUNCIL STUDY SESSION
TUESDAY, JULY 20, 2021

MEETING MINUTES

1) CALL TO ORDER / ROLL CALL

Deputy Mayor Pollock called the meeting to order at 6:00 p.m. on the Zoom webinar platform.

Mayor Nassar, Deputy Mayor Pollock and Councilmembers Deets, Schneider, Hytopoulos, Carr and Fantroy-Johnson were in attendance.

2) APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE

MOTION: I move that we amend tonight's agenda and take from the table the motions that were considered by the Council on June 22nd, regarding the ethics committee assignments.

Schneider/Hytopoulos: The motion carried 4 – 3.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Christy Carr
NOES: Rasham Nassar, Michael Pollock, Brenda Fantroy-Johnson
ABSENT: None
ABSTAIN: None

MOTION: I move to approve the agenda as modified.

Deets/Nassar: The motion carried 6 – 1.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Christy Carr
NOES: Brenda Fantroy-Johnson
ABSENT: None
ABSTAIN: None

No conflicts of interest were disclosed.

3) FUTURE COUNCIL AGENDAS

3.A Future Council Agendas

[Cover Page](#)

[Council Agenda Topics for Upcoming Meeting.pdf](#)

City Manager King reviewed the future Council agendas and answered Council's questions.

4) PRESENTATIONS

4.A Receive Presentation from Puget Sound Energy on Proposed Transmission Line

Cover Page

Council Presentation Slides.pptx

Bainbridge Island Transmission Loop Project Fact Sheet.pdf

City Manager King introduced the agenda item.

Kierra Phifer from Puget Sound Energy (PSE) provided a brief introduction. Andy Wappler, Barry Lombard, and Jens Nedrud from PSE provided a presentation and answered Council's questions.

5) COUNCIL DISCUSSION

5.A Discuss Planning Commission's Recorded Motion Related to Ordinance No. 2021-03, related to Hotels in the Central Core, Gateway, and Ferry Terminal Districts

Cover Page

ORD 2020-40 Planning Commission Recorded Motion 121020

Ordinance No. 2021-03-Relating to Triage Code Updates-Approved 04132021 (1).pdf

Staff Memo re Hotels.pdf

City Manager King presented the agenda item, and Council discussed the topic.

Mayor Nassar moved to direct the Planning Commission to review and provide recommendations with regard to the development of hotels in the Central Core, Gateway, and Ferry Terminal districts, and to consider whether or not the Council wishes to provide guidance to the Planning Commission concerning standards for the development of hotels; or in the alternative, whether the Council wishes to hold the consideration of hotels in abeyance until the initiation or completion of the Winslow Master Plan Update. Mayor Nassar withdrew her motion.

MOTION: I move to request that the Planning Commission provide an initial advisory recommendation on whether hotels of some sort, with a use and definition standard to be determined, is a use consistent with the goals and policies of the comprehensive plan. After receiving that initial recommendation, the City Council will either, 1) request that the Planning Commission move forward with development of a revised definition and use-specific standards for hotels, or 2) defer this work and incorporate that into the Winslow Master Plan update.

Carr/Fantroy-Johnson: The motion carried unanimously, 7-0.

6) COMMUNICATIONS

6.A Receive Planning Commission's Action and Recommendations on Draft Ordinance 2021-12 and Draft Resolution 2021-07 and Emergency Request to amend Chapter 16.18 BIMC

Cover Page

Staff Memo re Planning Commission Recommendation.pdf

PC Recommendation 20210714

Exhibit A Phase Two Triage Code Changes DforB

Exhibit B - Project Review Flow Chart

Ordinance No. 2021-12 Final Draft Revisions

RESOLUTION NO 2021-07

Public Hearing DRAFT ORD 2020-28 Exhibit A Chapter 16.18 BIMC

City Manager King introduced the agenda item, and Planning Director Wright addressed Council's questions.

City Manager King and City Attorney Levan will work to develop an ordinance to present to Council at the July 27, 2021 meeting.

7) [ADDED ITEM] Appointment and Confirmation of Ethics Board Members

MOTION: I move to take from the table, the agenda item, from June 22, 2021, the appointments to the Ethics Board.

Schneider/Deets: The motion carried 4 – 3.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Christy Carr
NOES: Rasham Nassar, Michael Pollock, Brenda Fantroy-Johnson
ABSENT: None
ABSTAIN: None

Council took a break in order for the City Manager to provide Council with information on the Ethics Board appointments.

Council discussed details about the Ethics Board and voting at this time.

MOTION: I move to confirm and appoint to the Ethics Board, Donna Davidson, to the currently vacant position 5, and to complete an existing term expiring in June 2022.

Schneider/Deets: The vote was 4-3 in favor; however, the motion failed because a majority plus one is needed to appoint members to the Ethics Board.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Christy Carr
NOES: Rasham Nassar, Michael Pollock, Brenda Fantroy-Johnson
ABSENT: None
ABSTAIN: None

Deputy Mayor Pollock moved to forward the discussion on the Ethics Board appointees to the July 27, 2021 meeting. Deputy Mayor Pollock amended his motion to move the discussion to the August 10, 2021 meeting due to Council absences on July 27, 2021. He withdrew the motion since the topic is already on the August 10, 2021 agenda.

8) FOR THE GOOD OF THE ORDER

No comments were made.

9) ADJOURNMENT

Deputy Mayor Pollock adjourned the meeting at 8:39 pm.

Rasham Nassar, Mayor



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, JULY 27, 2021

MEETING MINUTES

1) [CALL TO ORDER/ROLL CALL](#)

Mayor Nassar called the meeting to order at 6:02 p.m. on the Zoom webinar platform.

Mayor Nassar and Councilmembers Carr, Deets, and Fantroy-Johnson were present. Deputy Mayor Pollock and Councilmembers Hytopoulos and Schneider were absent and excused.

2) [APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE](#)

Council discussed quorum issues due to the absence of three Councilmembers and Councilmember Fantroy-Johnson's need to leave the meeting early. Councilmember Deets moved and Councilmember Carr seconded to amend the agenda to remove everything except public comment, item 3; the Consent Agenda, item 4; and item 10.A, discuss SR305/Adas Will/Port Madison Roundabout Project. The motion carried 4 – 0. Items removed from the agenda will be deferred until the August 10, 2021 meeting. There were no conflicts of interest disclosed.

3) [PUBLIC COMMENT](#)

3.A Instructions and Guidelines for Providing Public Comment at Remote Meetings - City Clerk

[Cover Page](#)

[Instructions and Guidelines for Providing Public Comment at Remote Meetings.pdf](#)

Paul Travis expressed concerns with the Adas Will roundabout.

Emily Reardon expressed concerns with Puget Sound Energy's "missing link" project.

Sal DeRosalia spoke about the need for COVID-19 testing on the Island.

Jim Halbrook spoke about Councilmember's support of climate change.

Jenny Van Aken expressed concerns with the Adas Will roundabout.

Matt Kress expressed concerns with Puget Sound Energy's "missing link" project.

Caty Kehs expressed concerns with Puget Sound Energy's "missing link" project.

Tara expressed concerns with Puget Sound Energy's "missing link" project.

4) CONSENT AGENDA

4.A Agenda Bill for Consent Agenda

[Cover Page](#)

Mayor Nassar pulled item 4.F from the Consent Agenda.

MOTION: I move to approve the amended Consent Agenda.

Deets/Carr: The motion carried 4 – 0.

AYES: Rasham Nassar, Joe Deets, Christy Carr, Brenda Fantroy-Johnson

NOES: None

ABSENT: Leslie Schneider, Kirsten Hytopoulos, Michael Pollock

ABSTAIN: None

4.B Approve Payroll and Accounts Payable

[Cover Page](#)

[Council Report PR 7-20-21.pdf](#)

[AP Report to Council of Cash Disbursements 07-27-21.pdf](#)

4.C Approve City Council Meeting Minutes

[Cover Page](#)

[July 6, 2021, Study Session Minutes.pdf](#)

[July 13, 2021 Regular City Council Meeting Minutes.pdf](#)

4.D Consider Ford F450 Crew Cab Flatbed Truck Procurement (\$83,631.04) - Public Works

[Cover Page](#)

[Enterprise Services Purchase Request.pdf](#)

[PMI Truck Bodies Quote.pdf](#)

4.E Consider Concrete Sidewalk Replacement Project Budget Adjustment and Contract Award (\$79,000.00) and Associated Street Fund Budget Amendment (\$19,000.00) – Public Works

[Cover Page](#)

[Concrete Sidewalk Replacement Bid Form.docx](#)

[Concrete Sidewalk Replacement Contract.docx](#)

[Sidewalk Map.pdf](#)

4.F Approve Confirmation of Recommended Appointments to the Environmental Technical Advisory Committee – Council [Removed from the Consent Agenda]

[Cover Page](#)

[Frazer - ETAC \(Redacted\).pdf](#)

[Gander - ETAC \(Redacted\).pdf](#)

[Harmon - ETAC \(Redacted\).pdf](#)

[Kossik - ETAC \(Redacted\).pdf](#)

[Kratzer - ETAC \(Redacted\).pdf](#)

4.G Accept 2017-2020 Bainbridge Island Housing Biennial Report and Addendum

[Cover Page](#)

[20210727 CC Staff Memo.docx](#)

[Addendum to Housing Report.pdf](#)
[2017-2020 Biennial Housing Report Final.pdf](#)
[Appendix A 2017 2020 Bremerton-Silverdale MSA HUD Median Income Limit](#)
[Appendix B](#)
[Housing Element.pdf](#)

4.H Consider Increase to Municipal Court Staffing by 0.15 FTE and Budget Increase of \$5,000

[Cover Page](#)
[court_org_charts.pdf](#)

4.I Accept Status Report on Green Building Task Force

[Cover Page](#)
[Staff Memo](#)
[Attachment 1 GBTF - History Log](#)
[Attachment 2 GBTF Road Map Recommendation \(Sept 2020\)](#)
[Attachment 3 - GBTF First Steps Recommendation \(Sept 2020\)](#)

5) COUNCIL ANNOUNCEMENTS

This item was removed from the agenda.

6) CITY MANAGER'S REPORT

This item was removed from the agenda.

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas

[Cover Page](#)
[Council Agenda Topics for Upcoming Meetings.pdf](#)

This item was removed from the agenda.

8) UNFINISHED BUSINESS

8.A Discuss Criteria for 2022 Lodging Tax Award Cycle and Authorize Issuance of RFP with Total Award Amount of \$350,000 – Executive

[Cover Page](#)
[LTAC_Presentation_for_CC_07272021](#)
[2021_LTAC_RFP_for_2022_for_CC_07272021](#)
[LTAC Award Summary 2019-2021](#)
[MRSC - Lodging Tax \(Hotel-Motel Tax\) Accessed 05212021](#)

This item was removed from the agenda and deferred until the August 10, 2021 meeting.

8.B Consider Adoption of Resolution No. 2021-13 Relating to Working with the Fire Department Regarding Wildfire Mitigation

[Cover Page](#)
[Resolution No. 2021-13 Relating to Working with Fire Department for Wildfire Mitigation](#)
[Exhibit A - What is the Home Ignition Zone?](#)
[Staff Memo re Planning Commission Recommendation.pdf](#)

[Planning Commission Recorded Motion December 17 2020](#)

This item was removed from the agenda and deferred until the August 10, 2021 meeting.

9) NEW BUSINESS

9.A Consider Ordinance No. 2021-20, Complete Streets Ordinance - Public Works

[Cover Page](#)

[Ordinance No. 2021-20 Relating to Complete Streets.docx](#)

This item was removed from the agenda and deferred until the August 10, 2021 meeting.

9.B Consider Recommended Appointments to the Lodging Tax Advisory Committee – Council

[Cover Page](#)

[Corbin - LTAC \(Redacted\).pdf](#)

[Donnelly - LTAC \(Redacted\).pdf](#)

[Dumouchel - LTAC \(Redacted\).pdf](#)

[Mackin - LTAC \(Redacted\).pdf](#)

[Raffa - LTAC \(Redacted\).pdf](#)

This item was removed from the agenda and deferred until the August 10, 2021 meeting.

9.C Consider Confirmation of Recommended Appointment to the Utility Advisory Committee – Council

[Cover Page](#)

[Brandt-Erichsen - UAC \(Redacted\).pdf](#)

This item was removed from the agenda and deferred until the August 10, 2021 meeting.

10) COUNCIL DISCUSSION

10.A Discuss SR305 Adas Will/Port Madison Roundabout Project - Public Works

[Cover Page](#)

[SR305 Roundabout Plans.pdf](#)

Public Works Director Wierzbicki introduced the agenda item. Lone Moody, Project Engineer from Washington State Department of Transportation (WSDOT), Melissa Mies, Project Manager from WSDOT, and Kevin House, Project Manager, Parametrix, joined the meeting. Project Engineer Moody provided a presentation on the project. WSDOT representatives addressed Council's questions.

Council will schedule an additional discussion at a future meeting.

11) COMMUNICATIONS

This item was removed from the agenda.

12) COMMITTEE REPORTS

This item was removed from the agenda.

13) ADJOURNMENT

Mayor Nassar adjourned the meeting at 7:27 p.m.

Rasham Nassar, Mayor

Christine Brown, CMC, City Clerk



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Approve Confirmation of Recommended Appointments to the Environmental Technical Advisory Committee - Council,

SUMMARY: A call for participation was issued for volunteers to serve on the Environmental Technical Advisory Committee (ETAC). The selection panel consisted of Councilmember/Liaison Carr, Councilmember Fantroy-Johnson, and ETAC member Rovalo. The selection panel recommends confirmation of the appointments as shown in the suggested motions.

Pursuant to BIMC 2.01.015, City Council confirmation of the recommended appointments requires a majority plus one vote of the entire membership of the Council (i.e., five "yes" votes).

AGENDA CATEGORY: Appointment

PROPOSED BY: City Council

RECOMMENDED MOTION: Approve confirmation of the recommended reappointment to the Environmental Technical Advisory Committee of Charlie Kratzer to Position 3 through June 2024.

Approve confirmation of the recommended appointment to the Environmental Technical Advisory Committee of Malcolm Gander to Position 4 through June 2024.

Approve confirmation of the recommended reappointment to the Environmental Technical Advisory Committee of Dylan Frazer to Position 7 through June 2023.

Approve confirmation of the recommended appointment to the Environmental Technical Advisory Committee of Brian Harmon to Position 9 through June 2024.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Frazer - ETAC \(Redacted\).pdf](#)

[Gander - ETAC \(Redacted\).pdf](#)

[Harmon - ETAC \(Redacted\).pdf](#)

[Kossik - ETAC \(Redacted\).pdf](#)

[Kratzer - ETAC \(Redacted\).pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

From: noreply@civicplus.com
Sent: Monday, May 3, 2021 9:49 AM
To: CityAdmin
Subject: Online Form Submittal: Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

Step 1

Environmental Technical Advisory Committee Volunteer Application

Members should have expertise in wildlife management, fisheries management, geology, wetlands management, hydrology, forestry and aquatic or terrestrial ecology. The committee provides technical recommendations on habitat management plans and environmental management standards for the Shoreline Master Program and critical areas.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Wednesday, April 21, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name Dylan Frazer

Email

Daytime Phone

Address

City Bainbridge Island

State WA

Zip	98110
Current Employer	Landau Associates
Current Position	Associate
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	ETAC
Please share your qualifications for this appointment (skills, activities, training, education) if any?	11 years environmental remediation consulting experience. 2 years geotechnical engineering consulting experience. BA in Geology and State of Washington Licensed Geologist.
Please share your community interests (groups, committees, organizations) if any:	Current ETAC member, BI Little League assistant coach.
Do you have potential conflicts of interest? If so, please explain:	no.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	<i>Field not completed.</i>
Type the Year	2021

From: noreply@civicplus.com
Sent: Wednesday, April 21, 2021 3:46 PM
To: CityAdmin
Subject: Online Form Submittal: Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

Step 1

Environmental Technical Advisory Committee Volunteer Application

Members should have expertise in wildlife management, fisheries management, geology, wetlands management, hydrology, forestry and aquatic or terrestrial ecology. The committee provides technical recommendations on habitat management plans and environmental management standards for the Shoreline Master Program and critical areas.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Wednesday, April 21, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name Malcolm Gander

Email

Daytime Phone

Address

City Bainbridge Island

State WA

Zip	98110
Current Employer	US Navy/Dept. of Defense
Current Position	Remedial Project Manager
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills, activities, training, education) if any?	I am a practicing hydrogeologist in charge of the environmental cleanup of the Naval Base Kitsap-Bangor (Silverdale, WA) Superfund Site. I am a Washington Registered Geologist and Registered Hydrogeologist, and a California Registered Geologist. I have managed multi-million dollar projects involving aquifer restoration and human health and ecological risk assessments, and community involvement.
Please share your community interests (groups, committees, organizations) if any:	Interested in aquifer protection on Bainbridge Island; public education and explaining water supply fundamentals to a broad non-technical audience.
Do you have potential conflicts of interest? If so, please explain:	No. I am a civilian employee of the US Government and this activity is allowed.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2021

Malcolm Gander, Ph.D., L.G., L.Hg.
Environmental Manager & Earth Scientist

Recent Experience

Remedial Project Manager, Department of Navy, Naval Base Kitsap – Bangor, Silverdale, WA

2016 – Present: Environmental Manager in charge of the cleanup, per various Records of Decision with U.S. Environmental Protection Agency (EPA) Region 10, of all Operable Units of this Superfund site. Works closely with the EPA and the Washington Department of Ecology site managers in guiding the implementation of soil and groundwater remediation systems that address fuels, solvents, metals, per- and polyfluoroalkyl substances (PFAS), and ordnance compound contamination. Manages multi-million dollar contracts with various subcontracted engineering firms, and develops and administers overall Superfund site budgets and strategies on behalf of the Navy.

Summary of Technical Experience

Environmental Site Assessments.

Over the past thirty years, conducted many real estate due diligence assessments, regulatory compliance audits, and subsurface investigations at computer manufacturers, aerospace contractors, and heavy and light industrial facilities.

Assessed environmental liabilities associated with the merger and acquisition of industrial facilities and natural resource companies on behalf of equity investment firms or international corporations; individual transaction values range from \$50M to \$1B.

Managed and served as the technical lead on large federal (CERCLA - Comprehensive Environmental Response Compensation & Liability Act) and various state contamination investigations and remedial investigation/feasibility studies (RI/FS) projects on behalf of the Department of Navy and Department of Energy (DOE) in Washington, Nevada and Alaska; U.S. EPA Region 10 in Idaho; the Port of Seattle; and many private clients at sites throughout the U.S.

Acted as field supervisor of large remediation projects and is current with HAZWOPER 40-hour health & safety training. Gained valuable supervisory experience, including an overriding attention to safety and loss control, during the management of large multi-year projects in remote locations.

Staff & Project Management, Environmental Document Preparation.

Management experience includes mentoring staff and delivering formal training modules on topics including environmental regulations and multi-media sampling protocols.

Thirty years of professional experience as a scientist, technical writer, permit writer, reviewer and administrator, office manager with profit and loss responsibility, line manager, and project manager, with a focus in environmental and hazardous waste services. Experienced in writing and reviewing the following documents: hydrogeologic assessments, sampling & analysis plans with field sampling plans, cleanup action plans, remedial investigation/feasibility studies (RI/FS), proposed plans, records of decision (ROD), five-year review reports, environmental impact studies (EIS).

Environmental Policy.

Develops environmental strategies, guides policy, and ensures compliance with legal and regulatory environmental requirements on behalf of Fortune 500 companies (e.g., Amazon Web Services, Yellow Freight, Hertz, Union Pacific Railroad, Arkema Chemical); Defense (U.S. Navy); and public entities (Department of Energy, Port of Seattle, Federal Emergency Management Agency [FEMA]), among others.

Assists attorneys on legal issues associated with contaminated sites, and the long-term compliance issues associated with the management of sites following remediation. Provided expert witness testimony on behalf of both defendant and plaintiff before hearing examiners and judges; assisted in cost allocation projects; and negotiates with regulatory agencies on behalf of private and public sector clients. Negotiations have been conducted with the Washington Department of Ecology, Alaska Department of Environmental Conservation, California Regional Water Quality Control Board, Bay Area Air Quality Management District, Idaho Department of Environmental Quality, Nevada Department of Environmental Protection, Virginia Department of Environmental Quality, and the U.S. Environmental Protection Agency (EPA) – Region 10.

Volunteer Activities.

In the field of groundwater supply and management, in Summer 2009 served as co-author on a petition to the U.S. EPA Region 10 for the Sole Source Aquifer (SSA) Designation for Bainbridge Island, Washington. This volunteer work included a detailed compilation of historic and current island-wide water supply and water quality conditions. The SSA designation is assigned to those areas where groundwater supplies at least 50 percent of the total drinking water. The EPA codified the document in the Federal Register in March 2013.

International Water Resources Association (IWRA) Water Quality Task Force Panelist, 2018.

IWRA Chairman, Water Pollution Working Group, Climate Change Task Force, 2020-Present.

Credentials

Washington Registered Professional Geologist and Hydrogeologist #2032, 2002.

California Registered Geologist #4655, 1989

Education

Ph.D., Environmental & Natural Resource Sciences, Washington State University, May 2013;
Dissertation: *International Water Law and Supporting Water Management Principles in the Development of a Model Transboundary Agreement Between Riparians in International River Basins*.

M.S., Geology, Colorado State University, 1982

B.A., Geology and Journalism, Double Major, George Washington University, 1979

Amazon Web Services, Environmental Manager, Global Environmental Affairs

2011-2015: Served as the first Environmental Manager for Amazon Web Services (AWS). Effectively managed all global environmental regulatory compliance activities concerning data center siting, operations, and expansions between Fall 2011 and Spring 2015. Worked as a sole practitioner for two years, then hired three additional staff. Developed strong working relationships with various USA state regulatory agencies and EPA Ireland. Through successful negotiations concerning a misapplication of Virginia air quality regulations, saved AWS > \$1M. Developed an aggressive and expanding revenue-generating program for the recycling of hard drives in the USA and European Union.

Other duties:

Management of environmental regulatory compliance for various regions on behalf of the Data Center Engineering group in Amazon's corporate headquarters in Seattle. Management of air permitting of emergency diesel generators, and a variety of facility environmental/hazardous waste permits.

Utilization of detailed knowledge of environmental regulations in North & South America, European Union countries, and Asia. Coordination with senior management, engineering design and construction, real estate, and legal department in corporate offices and facility managers concerning hazardous waste management and staff training, spill prevention and related environmental compliance.

Corporate representative in meetings with state, federal and overseas regulatory agencies. Management of stable of consultants capable of providing global environmental services; reviews and revises master services agreements in cooperation with corporate legal staff and outside counsel. Negotiation of contractual terms and conditions and compensation with large vendors. Development of processes and procedures to more efficiently manage the storage, accessibility and manipulation of regulatory permits and documents by management and facility personnel.

Subject Matter Expert regarding: a) water management issues; b) environmental and geotechnical assessment and clearance of sites prior to acquisition and development; and c) hard drive recycling.

CH2M Hill, Environmental Project Manager, July 2009 to September 2011.

Technical lead for completion of CERCLA compliance/closure documents for the 200-UW-1 Operable Unit at the Hanford Nuclear Reservation. Managed budgets in excess of \$7 million dollars on behalf of the Department of Energy; directed teams of professionals conducting field studies and soil/groundwater two-dimensional numerical modeling. Provided presentations to and negotiated with the Washington Department of Ecology and U.S. EPA.

ENVIRON International Corporation, Senior Manager, 2007 – June 2009

Served as the Principal Hydrogeologist for the Pacific Northwest operations.

Nevada Copper Corporation, Exploration Geologist, August 2006 – February 2007

Interpreted voluminous historic geologic and hydrogeologic data and generated drill targets designed to expand reserves in planned open-pit and underground orebodies at the Pumpkin Hollow Cu-Fe-Au skarn, Yerington, Nevada. Evaluated existing water supply information and active and abandoned water wells. Evaluated the distribution of Au, Ag, Cu, Fe, and Mo throughout the skarn system and managed a historic core resampling effort that addressed the previously-undefined extent of Au mineralization in each orebody. Supervised core and reverse circulation drilling subcontractors, and conducted geologic, hydrogeologic and geotechnical logging.

Environmental Project Manager, Various Environmental Engineering Firms, 1987-2006

Exploration Geologist, Various Firms Western United States: 1982-1987.

From: noreply@civicplus.com
Sent: Thursday, May 13, 2021 4:14 PM
To: CityAdmin
Subject: Online Form Submittal: Environmental Technical Advisory Committee Volunteer Application (Due: 5/14 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Environmental Technical Advisory Committee Volunteer Application (Due: 5/14 at 4pm)

Step 1

Environmental Technical Advisory Committee Volunteer Application

Members should have expertise in wildlife management, fisheries management, geology, wetlands management, hydrology, forestry and aquatic or terrestrial ecology. The committee provides technical recommendations on habitat management plans and environmental management standards for the Shoreline Master Program and critical areas.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Friday, May 14, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name Brian Harmon

Email

Daytime Phone

Address

City Bainbridge Island

State Washington

Zip	98110
Current Employer	Verdis Group
Current Position	Associate
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills, activities, training, education) if any?	I worked as a fishery biologist in PNW headwater stream systems for several entities including West Fork Environmental, NOAA Fisheries, and the University of Washington. I hold a M.S. in Natural Resource Sciences and a B.S. in Aquatic and Fisheries Sciences. My experience includes conducting riparian habitat surveys, conducting fish presence/absence surveys in small headwater streams, collection and identification of aquatic invertebrates, and collecting biological samples from stream systems.
Please share your community interests (groups, committees, organizations) if any:	None. New to Bainbridge Island and looking to contribute my expertise.
Do you have potential conflicts of interest? If so, please explain:	No.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2021
How did you hear about the volunteer opportunity?	City website
Other	<i>Field not completed.</i>

Brian S. Harmon

Skills

- Small stream ecology
- Statistical modeling
- Data analysis
- Project management
- GIS
- Program R
- Advanced Excel user

Education

University of Nebraska | M.S. Natural Resource Sciences | 2017

University of Washington | B.S. with Honors Aquatic and Fishery Sciences | 2012

- Focus: Aquatic Ecology
- Minor: Quantitative Science

Professional Experience

Verdis Group | *Associate* | 2018 – present

- Analyze GHG sources and sinks including:
 - Provided expertise throughout City of Salem OR's ongoing Climate Action Plan including performing a consumption-based inventory, forecasting GHG emissions and the impact of 10 target source reductions, and refining and prioritizing strategies
 - Analyzed carbon sinks for City of Lincoln's net 80% emissions reduction goal
 - Produced inventory covering 3 years of Scope 1, 2, and select 3 emissions for First National Bank
 - Identified and fixed errors in Seattle Aquarium's greenhouse gas inventory, leading to net-positive carbon outcome
 - Produced inventory of per-pound product emissions for Crowd Cow, a meat subscription service
 - Created internal data dashboard to calculate travel-related greenhouse gas emissions built on program R
- As Project Manager, successfully own process and outcomes for a variety of clients, highlights include:
 - First National Bank of Omaha adopting recommendations for CSR environmental initiatives
 - Developing a strategic partnership with Arbor Day Foundation to streamline carbon accounting and offsetting process
 - Relaunching a sustainability master planning process with Seattle Aquarium to adapt to circumstances due to COVID19
 - Produced detailed waste stream data and recommendations for First National Bank of Omaha, University of Nebraska Medical Center, and Omaha's Henry Doorly Zoo and Aquarium.
- Provide technical assistance to enhance team functionality and profitability including:

- Provide assistance in statistics and data management to other project teams
- Launched company's first Git repository
- Launched internal website for Shiny tools hosted on Digital Ocean server

Nebraska Department of Natural Resources | *Water Planner* | 2017 – 2018

- Developed methods for the retention of 28 years of Excel, Python, and R scripts
- Collaborated with 42 stakeholders and 5 agencies to create a [25-year water conservation plan](#)
- Improved and managed documentation and expenditure of over \$65,000,000 of funding

Cascadia Consulting Group | *Project Analyst* | 2017

- Produced detailed IPCC-compliant greenhouse gas analyses for [King County](#) and the [Puget Sound Clean Air Agency](#), covering 4 million people.
- Reconstructed online reporting system for Tucson Water used by more than 100 organizations
- Processed and cleaned large and messy datasets with program R

University of Nebraska | *Research Assistant* | 2014 – 2017

- Analyzed stated and realized spatial preferences of over 5,000 people using program R including
 - Experimental design
 - Ensemble modeling, time-series analysis, and machine learning
 - Repeated use of SQL to query data from large databases
- Use of ArcGIS, QGIS, program R, Shiny, and markdown
- Presented at 10 conferences and produced [3 publications](#) with responsibilities including
 - Produced a novel method for population estimation
 - Implemented experimental design including power analysis
 - Represented data for technical and non-technical audiences

NOAA Fisheries Northwest Fisheries Science Center | *Fishery Biologist* | 2014

Intern | 2010 – 2013

- Trained and mentored staff of 3 interns to conduct 1-2 week sampling expeditions
- Managed data QA/QC and processing of a collection of over 10,000 biological samples
- Processed stable isotope and chlorophyll samples in a laboratory

West Fork Environmental | *Crew Lead* | 2013

- Conducted presence/absence fish surveys of headwater streams on private timberland in Washington State

From: noreply@civicplus.com
Sent: Thursday, March 25, 2021 2:16 PM
To: CityAdmin
Subject: Online Form Submittal: Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

Step 1

Environmental Technical Advisory Committee Volunteer Application

Members should have expertise in wildlife management, fisheries management, geology, wetlands management, hydrology, forestry and aquatic or terrestrial ecology. The committee provides technical recommendations on habitat management plans and environmental management standards for the Shoreline Master Program and critical areas.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Wednesday, April 21, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name Richard Kossik

Email

Daytime Phone

Address

City Bainbridge Island

State Washington

Zip	98110-2073
Current Employer	GoldSim Technology Group
Current Position	President
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills, activities, training, education) if any?	I have a BS in Atmospheric and Oceanic Science from the University of Michigan and an MS in Civil Engineering (specializing in Water Resources and Hydrodynamics) from MIT. I have 35 years of experience as an environmental consultant. I have specialized in the development and application of numerical modeling techniques for surface water and groundwater flow and transport problems (such as the remediation of hazardous waste sites and the evaluation and protection of water supply aquifers). For the last 17 years, I have led a small software company. Our software is used worldwide to carry out risk analysis for environmental engineering and water resource applications. In addition to my technical background, I served on the Board of Directors of a large environmental consulting firm for three years. LinkedIn profile: https://www.linkedin.com/in/rick-kossik/
Please share your community interests (groups, committees, organizations) if any:	Moved to the island just two years ago (lived on eastside for 30 years). Interested in getting more involved in the community. I am an avid kayaker and hiker.
Do you have potential conflicts of interest? If so, please explain:	No.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	<i>Field not completed.</i>
Type the Year	2021

Rick Kossik

Summary

I am the President and co-founder of the GoldSim Technology Group. I have a wide variety of experience in the fields of probabilistic risk analysis and environmental simulation. I've spent most of my career developing and applying probabilistic simulation techniques to complex environmental systems. I am a co-developer of GoldSim, a powerful dynamic, probabilistic simulation program that is being used by public and private organizations throughout the world to support decision-making and risk analysis, primarily for complex environmental systems.

I have applied GoldSim to evaluate complex engineering and business applications worldwide, including the evaluation and design of options to support the closure and remediation of hazardous waste disposal facilities, evaluation of water resources management alternatives, and long-term strategic planning for complex projects. I've delivered over a hundred workshops and seminars describing simulation techniques and the use of the GoldSim software tool in North America, Europe, Australia and Asia.

Prior to co-founding GoldSim Technology Group in 2004, I was a Principal with Golder Associates, a large international engineering consulting firm. In addition to serving as a senior staff member, I served on the Board of Directors of Golder's US company for 3 years.

Experience

President

GoldSim Technology Group LLC

Feb 2004 - Present (17 years 2 months +)

My company produces GoldSim, a Monte Carlo simulation software solution for dynamically modeling complex systems in engineering, science and business. Although primarily used for environmental engineering and water resource applications, the software is also used in a wide variety of other arenas, ranging from aerospace mission risk analysis to strategic planning.

Principal

Golder

Nov 1987 - Jan 2004 (16 years 3 months)

As a senior engineer, most of my effort was associated with developing and applying probabilistic performance assessment and risk analysis techniques to the evaluation of existing hazardous waste sites and proposed radioactive waste disposal facilities worldwide. I was involved in carrying out performance assessments of both the Yucca Mountain and WIPP facilities in the U.S. for the US Department of Energy, as well as facilities in Canada, the United Kingdom, Spain, Japan, Germany and Hungary.

Earlier in my career I also acted as field manager for several site investigations, installed and sampled groundwater monitoring wells, carried out chemical analysis of soils and groundwater, designed and analyzed pump tests for determining aquifer properties, and designed and analyzed in-situ permeability tests of fractured rock.

In addition to serving as a senior staff member, I served on the Board of Directors of Golder's US company for 3 years.



Water Resources Engineer

CDM Smith

Jun 1986 - Oct 1987 (1 year 5 months)

At CDM, I specialized in the development and application of numerical modeling techniques to surface water and groundwater flow and transport problems. This included applying three-dimensional groundwater models to problems involving the remediation of hazardous waste sites and the protection of water supply aquifers, and applying hydrodynamic circulation and transport models (which I helped develop at MIT) to site an ocean sewage outfall in Boston Harbor.

Education



Massachusetts Institute of Technology

MS, Civil Engineering

1984 - 1986

Worked in the Parsons Laboratory for Water Resources and Hydrodynamics under Phil Gschwend and Eric Adams. Thesis: Tracing and Modeling Pollutant Transport in Boston Harbor



University of Michigan

BS, Atmospheric and Oceanic Science

1980 - 1984

Skills

Risk Analysis • Water Resources • Water Quality • Numerical Simulation

From: noreply@civicplus.com
Sent: Friday, April 9, 2021 8:49 PM
To: CityAdmin
Subject: Online Form Submittal: Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Environmental Technical Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

Step 1

Environmental Technical Advisory Committee Volunteer Application

Members should have expertise in wildlife management, fisheries management, geology, wetlands management, hydrology, forestry and aquatic or terrestrial ecology. The committee provides technical recommendations on habitat management plans and environmental management standards for the Shoreline Master Program and critical areas.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Wednesday, April 21, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name	Charlie Kratzer
Email	
Daytime Phone	
Address	
City	Bainbridge Island
State	WA

Zip	98110
Current Employer	Retired
Current Position	Retired
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	ETAC
Please share your qualifications for this appointment (skills, activities, training, education) if any?	I have been on ETAC for 6 years. I worked as a hydrologist and water quality specialist for over 30 years (see resume). I also have a broad educational background in many areas of the environmental sciences.
Please share your community interests (groups, committees, organizations) if any:	My main interest is in ETAC. I am also interested in the Bainbridge Island Land Trust, Eagle Harbor Congregational Church, Weed Warriors, and other civic and environmental organizations on the local, statewide, national, and international scale.
Do you have potential conflicts of interest? If so, please explain:	Not that I know of.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2021

CHARLES R. KRATZER

EDUCATION

University of California, Los Angeles
Environmental Science and Engineering Program
Doctor of Environmental Science and Engineering

University of Florida
Environmental Engineering Sciences Dept.
Master of Engineering

University of California, Davis
Civil Engineering Dept.
Bachelor of Science

EXPERIENCE

MEMBER AND CHAIR, ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE
City of Bainbridge Island
July 1, 2015 – June 30, 2018; July 1, 2018 -- Present

The committee is appointed by the City Council to advise the City Council, City Manager, and City staff on environmental management issues. As Chair, analyzed and synthesized groundwater reports and models, climate change scenarios, and water budget analyses. Prepared 32-page report to City Council recommending development of a groundwater management plan for Bainbridge Island. Presented the plan and proposed budget to the Council in November 2018, and at the annual Association of Bainbridge Communities Environmental Conference in March 2019. Presented an overview of Bainbridge Island groundwater to the Bainbridge Island Women's Club in January 2020, and to the Bainbridge Island Senior center in October 2020.

PROPOSAL REVIEWER
Water Quality, Supply and Infrastructure Improvement Act (CA Proposition 1, Nov. 2014)
Delta Water Quality and Ecosystem Restoration Grant Program
September, 2015 – November, 2015
(Allen Barnes, UC Davis, 530-754-8408)

Reviewed proposals on water quality and ecosystem restoration for the California Department of Fish and Wildlife. The reviewed proposals totalled about \$5 million in requested funding.

CHAIR, PANEL REVIEW
Ecosystem Restoration Program Independent Review Panel
San Joaquin River Stockton Ship Channel Dissolved Oxygen TMDL – WARMF and Link-Node Models
September, 2013 – March, 2014
(Allen Barnes, UC Davis, 530-754-8408)

Led a panel to evaluate the proposed use of two models by the state regulatory agency to manage a TMDL control program. The issue deals with the effects of the hyper-eutrophic San Joaquin River on the dissolved oxygen levels in the downstream estuary. After reviewing many documents and a two-day meeting with the project team, wrote and assembled a final report from the panel to the state.

SENIOR ENGINEER, WATER RESOURCES
Department of Water Resources
Division of Integrated Regional Water Management
Sacramento, CA 10/09 to 8/12
(Supervisor: Mike Floyd, 916-651-9208)

Designed monitoring requirements and protocols for statewide groundwater level reporting program. Led committee on protocols and chaired group that developed guidance document for prospective monitoring entities (see document at: <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/CASGEM/Files/CASGEM-DWR-GW-Guidelines-Final-121510.pdf>). Work team lead for regional forums (12 regions statewide) to elicit regional input to the California Water Plan (CWP), a document produced every 5 years to guide management of California's water resources. Chairperson for statewide conference (270 attendees) on integrated regional water management. Member of CWP work teams on climate change, tribal involvement, and groundwater.

SUPERVISORY HYDROLOGIST
U.S. Geological Survey
Sacramento, CA 10/00 to 10/09
(Supervisor: Neil Dubrovsky, 916-278-3078)

Study unit chief for the San Joaquin-Tulare Basins study unit of the National Water Quality Assessment (NAWQA) program. Responsible for all aspects of this \$1- to 2-million per year program. Supervised staff of 6 to 10 hydrologists, biologists, field personnel, and a GIS/database manager. Worked closely with the GIS staff person to design the NAWQA website, using ArcGIS and Adobe Illustrator. Principal investigator and contract manager for two multi-year, million-dollar spinoff projects: (1) evaluation of pesticide sources (atmospheric and land-based), occurrence, transport, and fate and bioassessments of selected waterbodies in the San Joaquin Valley; and (2) evaluation of groundwater nitrate inputs to the lower San Joaquin River and the sources of the nitrate. Both projects were conducted to provide technical support to the state regulatory agency for the development of TMDLs. Supervised two graduate students in the Geology Department at California State University, Sacramento and served on their graduate committees.

Served on a technical committee to work with the San Francisco Estuary Partnership on designing a Delta Regional Monitoring Program. This partnership is part of the National Estuary Program as is Puget Sound Partnership. As NAWQA chief, I reviewed products and consulted with USGS personnel in Washington State on Puget Sound NAWQA studies.

HYDROLOGIST
U.S. Geological Survey
Sacramento, CA 10/91 to 9/00
(Supervisor: Neil Dubrovsky, 916-278-3078)

Surface water specialist for San Joaquin-Tulare Basins study unit of the NAWQA program. Designed and supervised several surface-water sampling projects to evaluate transport and fate of pesticides from agricultural and urban sources, during storm and non-storm flows. Coordinated these sampling efforts with time-of-travel dye studies to put resulting data into a lagrangian context for interpretation. Also, designed a monitoring, assessment, and research program for water quality in the San Joaquin River Basin for the CALFED program.

Project chief for several water resources/water quality spinoff projects, including: (1) assessment of water quality in Abbots Lagoon at Point Reyes National Seashore (funded by National Park Service); (2) determination of selenium transport in Panoche Creek (funded by U.S. Bureau of Reclamation); (3) evaluation of surface water/ground water interactions and transport of water quality constituents in Santa Clara River in LA County (funded by LACSD); (4) determination of storm-driven transport of

diazinon and chlorpyrifos in the San Joaquin River Basin (funded by CA Dept. of Pesticide Regulation); (5) evaluation of historical nutrient loads and trends in tributaries to Lake Tahoe (co-project chief; funded by Lahontan RWQCB); and (6) evaluation of nutrients and oxygen-consuming substances in the San Joaquin River Basin that contribute to low dissolved oxygen in the Stockton Deep Water Ship Channel (funded by CALFED and CA Dept. of Water Resources). Projects 4 and 6 were conducted to provide technical support to the state regulatory agency for the development of TMDLs. As project chief and contract manager, I was responsible for all aspects of the projects from data collection to monitoring the budget to writing the final report.

EARLIER WORK EXPERIENCE

- o State Water Resources Control Board – Technical expert on San Joaquin Valley water resources, modeling of San Joaquin River including a groundwater component; technical evaluations, compliance inspections, and sampling related to agricultural and point-source regulations.
- o UCLA – Modeling salinity and water levels in Salton Sea, estimating heat dissipation from cooling water, and evaluating physical criteria for wind energy development.
- o South Florida Water Management District – Managed Lake Okeechobee water quality studies, including collecting, analyzing, and writing up water chemistry data.
- o University of Florida – Used computer models and statistics to analyze existing data on nutrient loading and trophic conditions in Florida lakes.

OVERSEAS EXPERIENCE

VOLUNTEERS IN OVERSEAS COOPERATIVE ASSISTANCE (VOCA)

Strezevo Water Quality Project (EM084)
Republic of Macedonia
May 1-25, 1995

Evaluated water quality of Strezevo Reservoir and recommended a monitoring program, changes in the laboratory, and use of a eutrophication model.

MEMBERSHIPS

American Water Resources Association
American Geophysical Union
Professional Engineer, State of California, Reg. No. C038369
Professional Engineer, State of Washington, License No. 51489

SELECTED PUBLICATIONS

Zamora, C., Dahlgren, R.A., Kratzer, C.R., Downing, B.D., Russell, A.D., Dileanis, P.D., Bergamaschi, B.A., and Phillips, S.P., 2013, Groundwater contributions of flow, nitrate, and dissolved organic carbon to the lower San Joaquin River, California, 2006—2008: USGS Scientific Investigations Report 2013-5151, 105 p. (<https://pubs.er.usgs.gov/publication/sir2013551>)

Kratzer, C.R., Kent, R.H., Saleh, D.K., Knifong, D.L., Dileanis, P.D., and Orlando, J.L., 2011, Trends in nutrient concentrations, loads, and yields in streams in the Sacramento, San Joaquin, and Santa Ana Basins, California, 1975—2004: USGS Scientific Investigations Report 2010-5228, 112 p. (<https://pubs.er.usgs.gov/publication/sir20105228>)

Kratzer, C.R., Saleh, D.K., and Zamora, C., 2006, Assessment of hydrologic and water quality data collected in Abbotts Lagoon watershed, Point Reyes National Seashore, California, during water years 1999 and 2000: U.S. Geological Survey Scientific Investigations Report 2005-5261, 35 p.

Majewski, M.S., Zamora, C., Foreman, W.T., and Kratzer, C.R., 2006, Contribution of atmospheric deposition to pesticide loads in surface water runoff: USGS Open-File Report 2005-1307

Kratzer, C.R., Dileanis, P.D., Zamora, C., Silva, S.R., Kendall, C., Bergamaschi, B.A., and Dahlgren, R.A., 2004, Sources and transport of nutrients, organic carbon, and chlorophyll-a in the San Joaquin River upstream of Vernalis, California, during summer and fall, 2000 and 2001: USGS Water-Resources Investigations Report 03-4127, 113 p.

Kratzer, C.R., Saleh, D.K., and Zamora, C., 2002, Selenium and sediment loads in storm runoff in Panoche Creek, California, February 1998: USGS Water-Resources Investigations Report 02-4286, 38 p.

Kratzer, C.R., 1999, Transport of sediment-bound organochlorine pesticides to the San Joaquin River, California: Journal of American Water Resources Association, 35:957-981.

Kratzer, C.R., 1999, Transport of diazinon in the San Joaquin River Basin, California: Journal of American Water Resources Association, 35:379-395.

Dubrovsky, N.M., Kratzer, C.R., Brown, L.R., Gronberg, J.M., and Burow, K.R., 1998, Water quality in the San Joaquin-Tulare basins, California, 1992-95: USGS Circular 1159, 38 p.

Kratzer, C.R. and Shelton, J.L., 1998, Water-quality assessment of the San Joaquin-Tulare Basins, California: analysis of available data on nutrients and suspended sediment in surface water, 1972-90: USGS Professional Paper 1587, 92 p. (<https://pubs.er.usgs.gov/publication/pp1587>)

Kratzer, C.R., 1998, Pesticides in storm runoff from agricultural and urban areas in the Tuolumne River Basin in the vicinity of Modesto, California: U.S. Geological Survey Water-Resources Investigations Report 98-4017, 17 p.

Grober, L.F., Kavvas, M.L., Rashmawi, E.A., Grismer, M.E., and Kratzer, C.R., 1992, Stochastic water quality modeling and numerical groundwater simulation for the lower San Joaquin River Basin: Report to the California State Water Resources Control Board from the University of California, Davis, 128 p.

Kratzer, C.R., 1985, Agricultural drainage problems in the San Joaquin Valley: Doctoral Dissertation, University of California, Los Angeles, 193 p.

Kratzer, C.R., 1979, Application of input-output models to Florida lakes: M.E. Thesis, University of Florida, 169 p.

SELECTED PRESENTATIONS

Kratzer, C.R., and Bannister, P., 2019, Groundwater 101: observations, simulations, and plans, Association of Bainbridge Communities, 16th Bainbridge Environmental Conference, March 10, 2019, Bainbridge Island, WA. (INVITED)

Kratzer, C.R., Dahlgren, R.A., Zamora, C., and Dileanis, P.D., 2009, Salinity inputs to the San Joaquin River from groundwater: 27th Biennial Groundwater Conference and 18th Annual Meeting of the Groundwater Resources Association of California, October 6-7, 2009, Sacramento, CA. (INVITED)

Kratzer, C.R., Bergamaschi, B.A., Dahlgren, R.A., Dileanis, P.D., Kendall, C., Phillips, S.P., Russell, A., Schmidt, C., and Young, M., 2007, Nitrate and dissolved organic carbon concentrations in riparian-

zone ground water of the lower San Joaquin River, California: AGU Fall Meeting, December 10-14, 2007, San Francisco, CA.

Kratzer, C.R., and Saleh, D.K., 2007, Trends in nitrate and other nutrients in the San Joaquin River, California: ASA-CSSA-SSSA 2007 International Annual Meetings, November 4-8, 2007, New Orleans, LA. (INVITED)

Kratzer, C.R., Zamora, C., and Domagalski, J.L., 2004, Monitoring diazinon and chlorpyrifos for TMDL development: Soc of Environ Tox and Chem, 25th Annual Meeting, November 14-18, 2004, Portland, OR. (INVITED)

Kratzer, C.R., Domagalski, J.L., Phillips, S.P., Dileanis, P.D., Zamora, C., and Majewski, M.S., 2004, Monitoring all hydrologic compartments in a small agricultural watershed in central California: National Monitoring Conference of National Water-Quality Monitoring Council, May 17-20, 2004, Chattanooga, TN.

Kratzer, C.R., and Dileanis, P.D., 2004, Water quality monitoring design issues for Central Valley, California streams: Salmonid Restoration Fed, 14th Intl Salmon Enhancement Workshop, March 17-18, 2004, Davis, CA. (INVITED)

SELECTED TRAINING COURSES

USGS Training Courses (one to two-week courses presented by the USGS National Training Center, Denver, CO.):

“Leadership Intensive”; “SPARROW Surface-Water Quality Modeling”; “Statistical Techniques for Trend and Load Estimation”; “Ground Water/Surface Water Relationships”; “Quality Control Sample Design and Interpretation”; “Environmental Behavior of Organic Chemicals”; “Probability and Statistics for Data Analysis”; “Ground Water Concepts and Modeling”.

Other USGS Training:

USGS Western Region Managers Development Program (graduated from 4-year program); and USGS Western Region Supervisory Training (completed two, 2-day training courses).

Other Training Courses:

“Facilitation Training”, Center for Collaborative Policy, Sacramento, CA.

“Nondetects and Data Analysis” Training course presented by Practical Stats (Dr. Dennis Helsel), Seattle, WA.

USDA Graduate School training courses, “Introduction to Supervision” (SUPV 7001); “Supervision and Group Performance” (SUPV 8001).

“ArcGIS Desktop I: Introduction to GIS (ArcGIS 10.1)”, King County GIS Center, Seattle, WA.

VOLUNTEER ACTIVITIES

City of Bainbridge Island, Department of Public Works: Flow measurements and water-quality sampling of Bainbridge Island creeks, October 2014 to Present.

Sakai Intermediate School: Volunteer for “Read Naturally” and “Math Olympiad” programs.

Soccer coach, Bainbridge Island FC.



City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME:

AGENDA ITEM: Consider Property Transfer to Washington State Department of Transportation (WSDOT) in support of the State Route 305 Roundabout Project

SUMMARY: Staff is requesting that the City Council consider authorizing the City Manager to execute the attached quit claim deed to transfer ownership of City of Bainbridge Island property to WSDOT in support of the SR305 Roundabout project located at SR305 and Ada Wills Lane.

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Public Works

RECOMMENDED MOTION: Informational purposes only to consider WSDOT proposal.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	N/A
Ongoing Cost:	N/A
One-Time Cost:	N/A
Included in Current Budget?	No

BACKGROUND: Parcel No. 332602-2-062-2006 was deeded to the City of Bainbridge Island in 2017 (Auditor's File No. 201711070031) at no cost to the City. This same parcel is now needed by WSDOT to support the State Route 305 Roundabout Project.

The parcel was originally deeded "for and in consideration of CONTINUED ROAD PURPOSES." The city has no current or future plans to use the parcel for road purposes. A map of the project is included as an attachment to this agenda bill.

City staff is currently coordinating with WSDOT on final details related to the proposed transfer. The Public Works Department is also coordinating with the City Attorney's Office to determine appropriate next steps for this transaction in the interest of assuring the proposed transfer complies with City policies.

ATTACHMENTS:

[Quitclaim Deed, WSDOT Format, COBI Grantor.docx](#)

[Real Estate Excise Tax \(REETA\).pdf](#)

[WSDOT Deed AFN 201711070031 from 2017.pdf](#)

[COBI Parcel 332602-2-050-2000 Vicinity Map.pdf](#)

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

After recording return document to:

State of Washington
Department of Transportation
Real Estate Services Office
P O Box 47338
Olympia WA 98504-7338

Document Title: Quitclaim Deed
Reference Number of Related Document: NA
Grantor: City of Bainbridge Island
Grantee: State of Washington, Department of Transportation
Legal Description: SE-NW S33-T26N-2E
Additional Legal Description is on Page 4 of Document.
Assessor's Tax Parcel Number: 332602-2-062-2006

QUITCLAIM DEED

State Route 305, West Port Madison to Agate Pass

The Grantor, **City of Bainbridge Island, a municipal corporation of the State of Washington**, for and in consideration of a donation, and other valuable consideration, conveys and quitclaims to the **State of Washington, acting by and through its Department of Transportation**, Grantee, the following described real property, and any after acquired interest therein, situated in Kitsap County, in the State of Washington, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain:

For legal description and additional conditions
See Exhibit A attached hereto and made a part hereof.

Our donation of parcel number 3-10937 to the State of Washington, Department of Transportation, is made voluntarily and with full knowledge of our entitlement to receive just compensation, therefore. We hereby waive the state's requirement of obtaining an appraisal for the acquired property.

QUITCLAIM DEED

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, by and through its Department of Transportation, by its authorized agent.

Dated: _____, _____

Blair King, City Manager

Accepted and Approved

STATE OF WASHINGTON
Department of Transportation

By: _____

Cyndi Booze

Olympic Region

Real Estate Services Manager

Date: _____

QUITCLAIM DEED

STATE OF WASHINGTON)
 : ss
County of _____)

On this _____ day of _____ before me personally appeared _____ to me known to be the _____ (President, Secretary, Treasurer) of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that _____ (he/she is) (they are) authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)

Notary Public in and for the State of
Washington, residing at _____

My commission expires _____

QUITCLAIM DEED

EXHIBIT A

That portion of property described in Warranty Deed dated February 8, 1951, recorded March 28, 1951 under Auditor's File No. 529551; Warranty Deed dated February 9, 1951, recorded March 28, 1951 under Auditor's File No. 529547; and Warranty Deed dated February 9, 1951, recorded March 28, 1951 under Auditor's File No. 529548; records of Kitsap County, Washington, being in the Southeast quarter of the Northwest quarter of Section 33, Township 26 North, Range 2 East of the Willamette Meridian, Kitsap County, Washington, lying within the following described tract of land:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 427+87 on the SR 305 line survey of SR 305, Winslow to Agate Pass and 75 feet Southwesterly therefrom; thence Northwesterly, to a point opposite HES 428+20.80 L/A on said SR 305 line survey and 147.30 feet Southwesterly therefrom, said point being on the Easterly margin of Secondary State Highway No. 21-A (SR 305), Agate Pass Bridge Vicinity, as described in Warranty Deed dated November 18, 1948, recorded January 6, 1949 under Auditor's File No. 477878; and Warranty Deed dated August 31, 1948, recorded October 16, 1948 under Auditor's File No. 477883; thence Northeasterly along said Easterly margin to an intersection with a line drawn parallel with and 75 feet Southwesterly of said SR 305 line survey; thence Southeasterly, parallel with said SR 305 line survey to the point of beginning.

Grantor's Initials

Real Estate Excise Tax Affidavit

(RCW 82.45 WAC 458-61A)

Only for sales in a single location code on or after January 1, 2020.
This affidavit will not be accepted unless all areas on all pages are fully completed.
This form is your receipt when stamped by cashier. *Please type or print.*

Check box if the sale occurred in more than one location code.

Check box if partial sale, indicate % sold.
List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name

Mailing address

City/state/zip

Phone (including area code)

2 Buyer/Grantee

Name

Mailing address

City/state/zip

Phone (including area code)

3 Send all property tax correspondence to: Same as Buyer/Grantee
Name

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
---	-----------------------	----------------------

Mailing address

City/state/zip

4 Street address of property
This property is located in

(for unincorporated locations please select your county)

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.
Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

5

Enter any additional codes
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)?
Is this property predominantly used for timber (as classified under RCW 84.84 and 84.33) or agriculture (as classified under RCW 84.34.020)? See ETA 3215.
If yes, complete the predominate use calculator (see instructions for section 5).

	Yes	No

6 Is this property designated as forest land per RCW 84.33?
Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34?
Is this property receiving special valuation as historical property per RCW 84.26?

	Yes	No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below**. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land: does does not qualify for
continuanace.

Deputy assessor signature	Date
---------------------------	------

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)
NEW OWNER(S): To continue special valuation as historic property, **sign (3) below**. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature	Signature
Print name	Print name

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent
Name (print)
Date & city of signing

Signature of grantee or agent
Name (print)
Date & city of signing

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

Real Estate Excise Tax Affidavit

(RCW 82.45 WAC 458-61A)

Only for sales in a single location code on or after January 1, 2020.

This affidavit will not be accepted unless all areas on all pages are fully completed.

This form is your receipt when stamped by cashier. *Please type or print.*

Check box if the sale occurred in more than one location code.

Check box if partial sale, indicate % sold.
List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name

Mailing address

City/state/zip

Phone (including area code)

2 Buyer/Grantee

Name

Mailing address

City/state/zip

Phone (including area code)

3 Send all property tax correspondence to:

Same as Buyer/Grantee

Name

List all real and personal property tax
parcel account numbers

Personal
property?

Assessed
value(s)

Mailing address

City/state/zip

4 Street address of property

This property is located in

(for unincorporated locations please select your county)

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

5

Enter any additional codes
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)?

Yes

No

Is this property predominantly used for timber (as classified under RCW 84.84 and 84.33) or agriculture (as classified under RCW 84.34.020)? See ETA 3215.

Yes

No

If **yes**, complete the predominate use calculator (see instructions for section 5).

6 Is this property designated as forest land per RCW 84.33?

Yes

No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34?

Yes

No

Is this property receiving special valuation as historical property per RCW 84.26?

Yes

No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)

NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below**. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land:

does

does not qualify for

continuan

Deputy assessor signature

Date

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)

NEW OWNER(S): To continue special valuation as historic property, **sign (3) below**. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature

Signature

Print name

Print name

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent

Name (print)

Date & city of signing

Signature of grantee or agent

Name (print)

Date & city of signing

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

Real Estate Excise Tax Affidavit
Only for sales in a single location code on or after January 1, 2020.
This affidavit will not be accepted unless all areas on all pages are fully completed.
This form is your receipt when stamped by cashier. *Please type or print.*

(RCW 82.45 WAC 458-61A)

Check box if the sale occurred in more than one location code.

Check box if partial sale, indicate % sold.
List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name

Mailing address

City/state/zip

Phone (including area code)

2 Buyer/Grantee

Name

Mailing address

City/state/zip

Phone (including area code)

3 Send all property tax correspondence to: Same as Buyer/Grantee
Name

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
---	-----------------------	----------------------

Mailing address

City/state/zip

4 Street address of property
This property is located in

(for unincorporated locations please select your county)

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.
Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

5

Enter any additional codes
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)? Yes No

Is this property predominantly used for timber (as classified under RCW 84.84 and 84.33) or agriculture (as classified under RCW 84.34.020)? See ETA 3215. Yes No

If yes, complete the predominate use calculator (see instructions for section 5).

6 Is this property designated as forest land per RCW 84.33? Yes No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34? Yes No

Is this property receiving special valuation as historical property per RCW 84.26? Yes No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below**. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land: does does not qualify for continuance.

Deputy assessor signature Date

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)
NEW OWNER(S): To continue special valuation as historic property, **sign (3) below**. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature	Signature
Print name	Print name

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent
Name (print)
Date & city of signing

Signature of grantee or agent
Name (print)
Date & city of signing

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

Real Estate Excise Tax Affidavit
Only for sales in a single location code on or after January 1, 2020.
This affidavit will not be accepted unless all areas on all pages are fully completed.
This form is your receipt when stamped by cashier. *Please type or print.*

(RCW 82.45 WAC 458-61A)

Check box if the sale occurred in more than one location code.

Check box if partial sale, indicate % sold.
List percentage of ownership acquired next to each name.

1 Seller/Grantor

Name

Mailing address

City/state/zip

Phone (including area code)

2 Buyer/Grantee

Name

Mailing address

City/state/zip

Phone (including area code)

3 Send all property tax correspondence to: Same as Buyer/Grantee
Name

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
---	-----------------------	----------------------

Mailing address

City/state/zip

4 Street address of property
This property is located in

(for unincorporated locations please select your county)

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.
Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

5

Enter any additional codes
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)? Yes No

Is this property predominantly used for timber (as classified under RCW 84.84 and 84.33) or agriculture (as classified under RCW 84.34.020)? See ETA 3215. Yes No

If yes, complete the predominate use calculator (see instructions for section 5).

6 Is this property designated as forest land per RCW 84.33? Yes No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34? Yes No

Is this property receiving special valuation as historical property per RCW 84.26? Yes No

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, **you must sign on (3) below**. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land: does does not qualify for continuance.

Deputy assessor signature Date

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)
NEW OWNER(S): To continue special valuation as historic property, **sign (3) below**. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

(3) NEW OWNER(S) SIGNATURE

Signature	Signature
Print name	Print name

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent
Name (print)
Date & city of signing

Signature of grantee or agent
Name (print)
Date & city of signing

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).

To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

Instructions

Note: To report a transfer of a controlling interest in real property, please use the Real Estate Excise Tax Affidavit Controlling Interest Transfer Return, Revenue Form No. 84-0001B. This form is available online at dor.wa.gov.

Section 1:

If the sale involves property in more than one location code, use the Multiple Location Real Estate Excise Tax Affidavit.
If sale is less than 100%, check the box “Check if partial sale” and bill in the percentage sold.
Enter the name(s) of seller/grantor exactly as listed on the legal conveyance document including the method of holding title.

Section 2:

Enter the name(s) of buyer/grantee exactly as listed on the legal conveyance document including the method of holding title.
List the percentage acquired after each name.

Sect on 3:

- Enter the name and address where you would like all future property tax information sent.
- Enter the tax parcel number and current assessed value for real and personal property being conveyed in this county. Check the box to indicate personal property.

Section 4:

- Enter the street address of the property.
- Enter the county if in unincorporated area. Enter city name if located within a municipality.
- Enter the legal description of the property.

Section 5:

Enter the appropriate land use code for the property. Please list all codes that apply on the lines provided in section 5.
See WAC 458-53-030(5) for a complete list.

- | | | |
|--|--|--|
| 9 - Land with mobile home | 26 - Paper and allied products | 64 - Repair services |
| 10 - Land with new building | 27 - Printing and publishing | 65 - Professional services (medical, dental, etc.) |
| 11 - Household, single family units | 28 - Chemicals | 71 - Cultural activities/nature exhibitions |
| 12 - Multiple family residence (2-4 Units) | 29 - Petroleum refining and related industries | 74 - Recreational activities (golf courses, etc.) |
| 13 - Multiple family residence (5+ Units) | 30 - Rubber and miscellaneous plastic products | 75 - Resorts and group camps |
| 14 - Residential condominiums | 31 - Leather and leather products | 80 - Water or mineral right |
| 15 - Mobile home parks or courts | 32 - Stone, clay and glass products | 81 - Agriculture (not in current use) |
| 16 - Hotels/motels | 33 - Primary metal industries | 83 - Agriculture current use RCW 84.34 |
| 17 - Institutional Lodging (convalescent homes, nursing homes, etc.) | 34 - Fabricated metal products | 86 - Marijuana grow operations |
| 18 - All other residential not coded | 35 - Professional scientific and controlling instruments; photographic and optical goods; watches/clocks manufacturing | 87 - Sale of Standing Timber |
| 19 - Vacation and cabin | 39 - Miscellaneous manufacturing | 88 - Forest land designated RCW 84.33 |
| 21 - Food and kindred products | 50 - Condominiums-other than residential | 91 - Undeveloped Land (land only) |
| 22 - Textile mill products | 53 - Retail Trade - general merchandise | 94 - Open space land RCW 84.34 |
| 23 - Apparel and other finished products made from fabrics, leather, and similar materials | 54 - Retail Trade - food | 95 - Timberland classified RCW 84.34 |
| 24 - Lumber and wood products (except furniture) | 58 - Retail trade - eating & drinking (restaurants, bars) | 96 - Improvements on leased land |
| 25 - Furniture and fixtures | 59 - Tenant occupied, commercial properties | |
- Check yes if the seller was receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit organization, senior citizen, or disabled person, homeowner with limited income).
 - Check yes if the land is primarily used for timber as defined by RCW 84.34 and 84.33 or agriculture as defined by RCW 84.34.020. See ETA 3215 for additional information. If the sale involves multiple parcels with different land use codes, complete the predominate use worksheet.

Section 6:

Indicate whether the property is designated as forest land per chapter 84.33 RCW, classified as current use (open space, farm, agricultural, or timber) per chapter 84.34 RCW, or receiving special valuation as historic property per chapter 84.26 RCW.

Section 7:

- List personal property included in the selling price of the real property. For example, include tangible (furniture, equipment, etc.) and intangible (goodwill, agreement not to compete, etc.).
- Use Tax is due on personal property purchased without payment of the sales tax. Report use tax on your Combined Excise Tax Return or a Consumer Use Tax Return, both available at dor.wa.gov.
- If you are claiming a tax exemption, cite the specific Washington Administrative Code (WAC) number, section and subsection and provide a brief explanation. Most tax exemptions require specific documentation. Refer to the appropriate WAC to determine documentation requirements. WAC 458-61A is available online at dor.wa.gov.
- Enter the type of document (quit claim deed, statutory warranty deed, etc.), and date of document (MM/DD/YYYY).
- Enter the selling price of the property.
- Selling price: For tax purposes, the selling price is the true and fair value of the property conveyed. When property is conveyed in an arm’s length transaction between unrelated persons for valuable consideration, there is a presumption that the selling price is equal to the total consideration paid or contracted to be paid, including any indebtedness. Refer to RCW 82.45.030 for more information about selling price.
- Deduct the amount of personal property included in the selling price.
- Deduct the amount of tax exemption claimed per WAC 458-61A.

Instructions Continued

- **Calculate the state excise tax:**

The state portion of excise tax is calculated using a graduated tax rate structure. The amount of tax increases as the amount of the transaction increases. Each portion of the sales amount is taxed at a different rate.

Exception: Property designated as farm and agriculture or timberland is taxed at 1.28% per 83.34 RCW.

Instructions:

1. Enter the sale amount that falls within the specific threshold in column A.
2. Multiply the amount in column A by the state rate in column B. Enter the results in column C.
3. Enter the amount in column C on the appropriate threshold line on page 1 of the affidavit.

Example: This is how the state REET tax would be calculated on a sale totaling \$1,600,000:

	Column A	Column B	Column C
Threshold	Amount within threshold	State rate	Tax
0 to \$500,000	500,000	1.1%	5,500
500,000.01 – 1,500,000	1,000,000	1.28%	12,800
1,500,000.01 to 3,000,000	100,000	2.75%	2,750
3,000,000.01 and above	0	3.0%	0
Totals	\$1,600,000		\$21,050

Calculate the state excise tax due using this chart:

	Column A	Column B	Column C
Threshold	Amount within threshold	State rate	Tax
0 to \$500,000		1.1%	
500,000.01 – 1,500,000		1.28%	
1,500,000.01 to 3,000,000		2.75%	
3,000,000.01 and above		3.0%	
Totals			

Enter the total tax due amount on the Excise Tax: State line on the first page of the affidavit.

- **Due Date, interest and penalties:** Tax is due at the time of sale/transfer. If tax is not paid within one month of the date of sale/transfer, interest and penalties will apply. The interest rate is variable and determined per RCW 82.32.050. Delinquent penalties are 5% one month after the due date; 10% two months after the due date; and 20% three months after the due date. (RCW 82.45.100)
- **State technology fee:** A \$5.00 Electronic Technology Fee that is due on all transactions. (82.45.180)
- **Affidavit processing fee:** A minimum of \$5.00 shall be collected in the form of tax and processing fee. A processing fee is due on all transactions where no tax is due and on all taxable transactions where the tax due is less than \$5.00. (RCW 82.45.180)

Section 8:

Both grantor (seller) and grantee (buyer), or the agent of each, must sign this form, certifying that all the information provided is correct. Note: Original signatures required on the “County Treasurer” copy. Signatures may be required on the “Assessors” copy. Check with your county.

Audit:

Information you provide on this form is subject to audit by the Department of Revenue. Underpayments of tax will result in the issuance of a tax assessment with interest and penalties. Note: in the event of an audit, it is the taxpayer’s responsibility to provide documentation to support the selling price or any exemption claimed. **This documentation must be maintained for a minimum of four years from date of sale. (RCW 82.45.100)**

Ruling requests:

You may request a ruling on the taxability of the property transfer. Go to our website at dor.wa.gov/rulings or fax your request to 360-705-6655.

Where to send completed forms:

Completed forms must be submitted to the County Treasurer’s or Recorder’s Office where the property is located.

AFTER RECORDING RETURN TO:

ATTN: REAL ESTATE SERVICES
DEPARTMENT OF TRANSPORTATION
P.O. BOX 47338
OLYMPIA, WA 98504-7338

CITY OF BAINBRIDGE IS 201711070031
Quit Claim Deed Rec Fee: \$ 77.00
11/07/2017 10:21 AM
Dolores Gilmore, Kitsap Co Auditor Page: 1 of 4


Document Title: Quitclaim Deed
Reference Number of Related Document: N/A
Grantor: State of Washington
Grantee: City of Bainbridge Island
Legal Description: Ptn. SE ¼ - NW ¼, Sec 33, T 26 N, R 2 E, W. M.
Additional Legal Description is on Page 1 and 2 of document
Assessor's Tax Parcel Number: 3326022062 **2006**

QUITCLAIM DEED

SR 305, Winslow to Agate Pass

The STATE OF WASHINGTON acting by and through its DEPARTMENT OF TRANSPORTATION, Grantor, for and in consideration of **CONTINUED ROAD PURPOSES**, hereby conveys and quitclaims unto the CITY OF BAINBRIDGE ISLAND, a municipal corporation, Grantee, all right, title, and interest in and to the following described real property situated in Kitsap County, State of Washington:

That portion of property described in Warranty Deed dated February 8, 1951, recorded March 28, 1951 under Auditor's File No. 529551; Warranty Deed dated February 9, 1951, recorded March 28, 1951 under Auditor's File No. 529547; and Warranty Deed dated February 9, 1951, recorded March 28, 1951 under Auditor's File No. 529548; records of Kitsap County, Washington, being in the Southeast quarter of the Northwest quarter of Section 33, Township 26 North, Range 2 East of the Willamette Meridian, Kitsap County, Washington, lying within the following described tract of land:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 427+87 on the SR 305 line survey of SR 305, Winslow to Agate Pass and 75 feet Southwesterly

RES 411
3/2017

Page 1 of 4 Pages

IC# 3-18-04987

KITSAP COUNTY TREASURER EXCISE

11/06/2017

2017EX08858

Total: \$10.00

Clerk's Initial 

therefrom; thence Northwesterly, to a point opposite HES 428+20.80 L/A on said SR 305 line survey and 147.30 feet Southwesterly therefrom, said point being on the Easterly margin of Secondary State Highway No. 21-A (SR 305), Agate Pass Bridge Vicinity, as described in Warranty Deed dated November 18, 1948, recorded January 6, 1949 under Auditor's File No. 477878; and Warranty Deed dated August 31, 1948, recorded October 16, 1948 under Auditor's File No. 477883; thence Northeasterly along said Easterly margin to an intersection with a line drawn parallel with and 75 feet Southwesterly of said SR 305 line survey; thence Southeasterly, parallel with said SR 305 line survey to the point of beginning.

The specific details concerning all of which are to be found on sheets 4 and 4-E of 4 sheets of that certain plan entitled SR 305, Winslow to Agate Pass, now of record and on file in the office of the Secretary of Transportation at Olympia, bearing date of approval July 11, 1950, as to sheet 4, and March 13, 1951, as to sheet 4-E, revised June 16, 2017.

The Grantor reserves, to itself and its successors and/or assigns, all easement rights of access, light, view and/or air in the property herein conveyed to the extent that the property abuts the state highway right of way; therefore, the Grantee herein, including successors or assigns, shall have no right of ingress or egress to, from or between SR 305 and the lands herein described, nor shall Grantee herein, its successors or assigns, be entitled to compensation for any loss of access, light, view and/or air occasioned by the location, construction, reconstruction, maintenance or operation of said highway.

Subject to all existing encumbrances, including easements, restrictions, and reservations, if any.

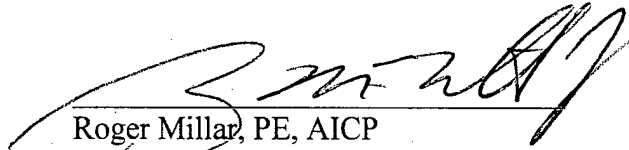
The Grantee herein, on behalf of itself and its successors or assigns, as part consideration made paid herein, waives and/or releases Grantor from any past, present, or future claims for damages directly or indirectly caused by highway drainage or runoff, and further, Grantee, its successors or assigns, shall have no right of compensation for damages to the property herein conveyed caused directly or indirectly by highway drainage or runoff.

The Grantee, on behalf of itself and its successors or assigns, as part consideration made herein, does hereby agree to comply with all civil rights and anti-discrimination requirements of chapter 49.60 RCW as to the lands herein conveyed.

The lands herein described are not required for state highway purposes and are conveyed pursuant to the provisions of RCW 47.12.080.

Dated at Olympia, Washington, this 20th day of July, 2017.

STATE OF WASHINGTON,
DEPARTMENT OF TRANSPORTATION - GRANTOR


Roger Millar, PE, AICP
Secretary of Transportation

APPROVED AS TO FORM:

By: Patricia K. Nightingale
Assistant Attorney General

REVIEWED AS TO FORM
CITY OF BAINBRIDGE ISLAND-GRANTEE:

By: 

Title: City Manager

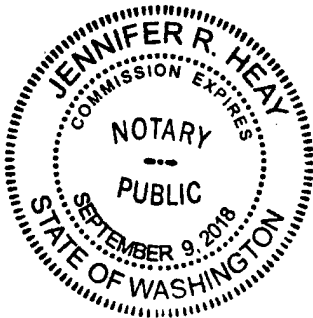
STATE OF WASHINGTON)

): ss

COUNTY OF THURSTON)

On this 20th day of July, 2017, before me personally appeared Roger Millar, known to me as the Secretary of Transportation, State of Washington, Department of Transportation, and executed the foregoing instrument, acknowledging said instrument to be the free and voluntary act and deed of the State of Washington, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Given under my hand and official seal the day and year last above written.



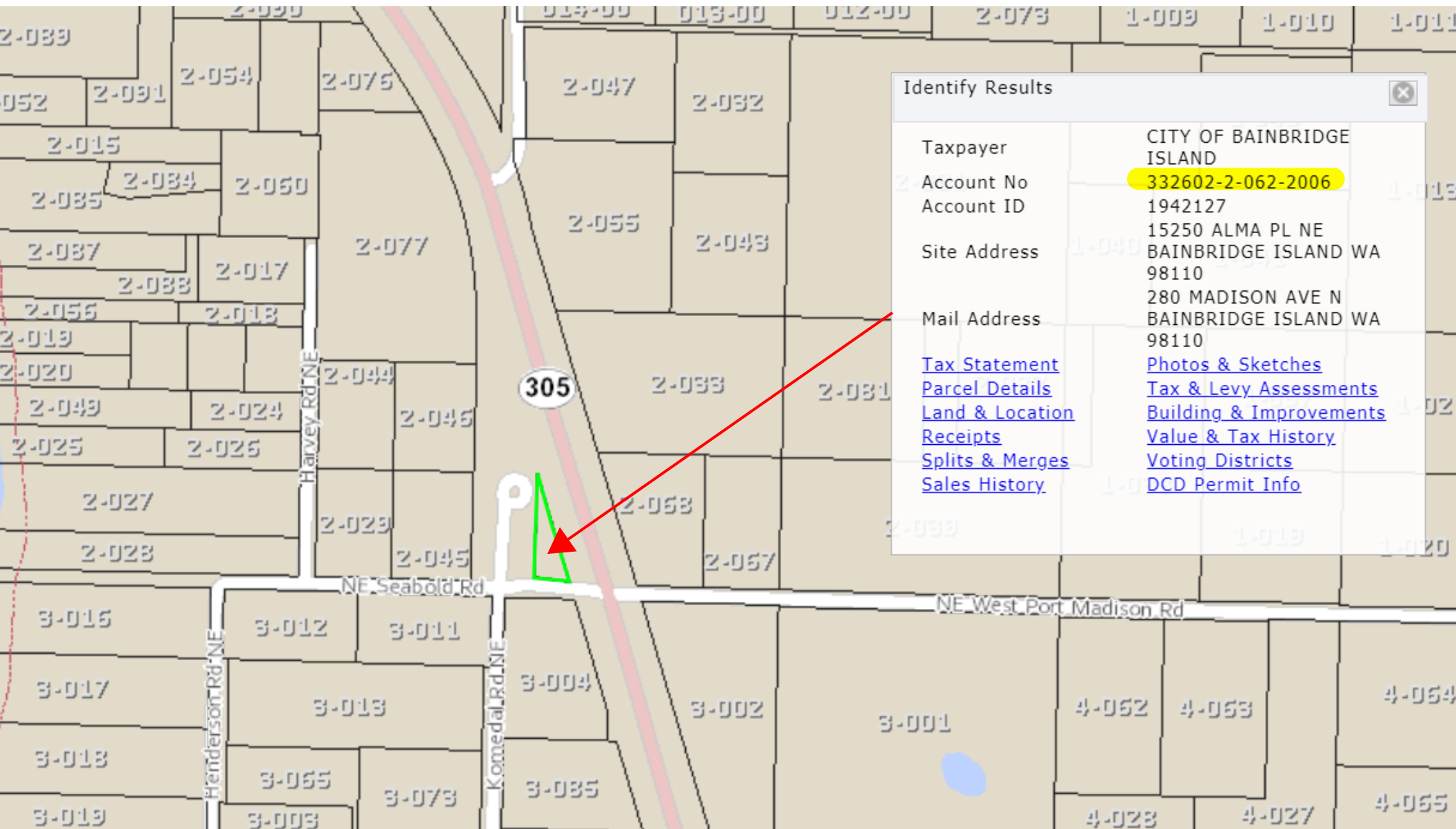
Jennifer R Heay
Notary (print name) Jennifer R Heay
Notary Public in and for the State of Washington,
residing at Thurston County
My Appointment Expires 9/9/2018

4E-B

Quitclaim Deed

SR 305, Winslow to Agate Pass

3-18-04987





CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME:

AGENDA ITEM: Authorize an Increase to the City Manager's Change Order Authority by up to \$150K for Annual Roads Preservation Contract

SUMMARY: Staff is requesting an increase in the City Manager's change order authority to expand the annual roads preservation contract work within the allowable budget.

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve an increase in the City Manager's Change Order Authority by up to \$150,000 for the Annual Roads Preservation Contract.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$150,000
Ongoing Cost:	N/A
One-Time Cost:	\$150,000
Included in Current Budget?	Yes

BACKGROUND: As part of the 2021 annual road preservation program, the City advertised a construction contract to rehabilitate and re-pave the following road segments: Euclid Avenue, Olympic Terrace Avenue, Elizabeth Place, Inland Way, Shannon Drive (east of Waterfront Park), Pleasant Beach Drive, and Henderson Road. The contract was awarded to the lowest responsible bidder, Central Paving LLC, in the amount of \$425,634.40 and included the base bid plus 3 alternatives.

Owing to the bid construction costs being lower than anticipated by the engineer's estimate and COVID cost predictions, a surplus of appropriated program funds is available to construct additional shelf-ready alternatives. The department proposes to add the repaving of Shannon Drive with a PCI score of 35 from approximately 120 feet south of Bjune Drive to the City dock and Henderson Road with a PCI score of 37 with sections from Ralston to Seabold.

In order to proceed with this work, the forthcoming change order will exceed the 10% contract limit under the City Manager's approval authority (Procurement Manual 5.13.3). A one-time project-specific authorization to

increase the City Manager's change order authority to \$150,000 is requested to process the future anticipated change order for the work.

See the attached staff memo for additional information.

ATTACHMENTS:

[Annual Roads 2021 CO Approval Limits Memo.docx](#)

FISCAL DETAILS: The 2021 budget for the Annual Roads Preservation Program is \$675,000. The previously awarded contract and other expenditures to date are approximately \$426K, leaving an approximate balance of \$249K available.

Fund Name(s): Streets Fund

Coding: 72111423-548100-00222



CITY OF
BAINBRIDGE ISLAND

Public works department

Memorandum

Date: July 30, 2021
To: FILE
From: PETER CORELIS, p.e., City Engineer
Subject: 2021 Annual Roads Preservation change order limits

As part of the 2021 annual road preservation program the City advertised a construction contract to rehabilitate and re-pave the following road segments: Euclid Avenue, Olympic Terrace Avenue, Elizabeth Place, Ihland Way, Shannon Drive (east of Waterfront Park), Pleasant Beach Drive, and Henderson Road. The contract was awarded to the lowest responsible bidder, Central Paving LLC, in the amount of \$425,634.40 and included the base bid plus 3 alternatives.

Owing to the bid construction costs being lower than anticipated by the engineer's estimate and COVID cost predictions, a surplus of appropriated program funds is available to construct additional shelf-ready alternatives. The department proposes to add the repaving of Shannon Drive with a PCI score of 35 from approximately 120 feet south of Bjune Drive to the City dock and Henderson Road with a PCI score of 37 with sections from Ralston to Seabold. Henderson is a well-used access to the bus route and Shannon drive is the connection to waterfront park, a recreation area. These repairs will bring equity to our community and our roads, improving public transit routes and access to local outdoor activities. Without these repairs these important access points will decline. The addition of Shannon Drive and Henderson will result in additional savings to the City by reducing mobilization costs by the contractor because they will already be constructing in the vicinity.

The additional contract scope will not exceed \$150,000, and will remain under the roads preservation budget for the year. A change order will be processed for this additional amount over the contract award amount. The change order will exceed the 10% contract limit under the City Manager's approval authority. A one-time project-specific authorization up to the amount of \$150,000 is requested to process the future anticipated change order for the work.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Review Criteria for 2022 Lodging Tax Award Cycle and Authorize Issuance of RFP with Total Award Amount of \$350,000 - Executive

SUMMARY: The City of Bainbridge Island annually solicits proposals for eligible projects to receive funding from the City's Civic Improvement Fund. The City Council appoints members to the Lodging Tax Advisory Committee (LTAC), which reviews project proposals and provides the Council with recommendations on project funding. The Request for Proposals includes certain criteria established by the Council, which will be reviewed and approved at this meeting.

The Council will also review recent financial performance of this revenue and decide on the amount to be awarded for 2022.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: Authorize the City Manager to issue the Request for Proposals for the 2022 LTAC award cycle with a total award amount of \$350,000.

STRATEGIC PRIORITY: Vibrant Economy

FISCAL IMPACT:

Amount:	\$350,000
Ongoing Cost:	
One-Time Cost:	\$350,000
Included in Current Budget?	No

BACKGROUND: The City of Bainbridge Island will issue a Request for Proposals (RFP) for projects to receive funding in 2022 under the Civic Improvement Fund (also known as LTAC). Proposals must be for tourism marketing projects, marketing and operations of special events or festivals, the operation of eligible tourism-related facilities, or capital expenses for an eligible tourism-related facility.

Staff will issue the RFP in mid-August; proposals are due by Thursday, September 30, 2021. A committee of two individuals representing businesses that generate the lodging tax, two individuals representing organizations that can receive awards, and one voting councilmember will review the proposals, hear presentations, and arrive at an award recommendation for Council in the fourth quarter.

The City proposes to award a total of \$350,000 in 2022, with awards ranging from \$2,000 to \$175,000. In a typical year, roughly a dozen organizations receive an award.

ATTACHMENTS:

[2021 LTAC RFP for 2022](#)

[LTAC Award Summary 2019-2021](#)

[MRSC - Lodging Tax \(Hotel-Motel Tax\) Accessed 05212021](#)

FISCAL DETAILS: The lodging tax, also referred to as the hotel-motel tax, is a consumer tax on lodging charges. The State of Washington provides guidance for eligible uses of these funds, as well as for how the funds are awarded. Additional information is provided in the attached explanatory material from the Municipal Research and Services Center of Washington (MRSC).

Over time, the amount of revenue received by the City of Bainbridge Island from this revenue source has increased, with the highest annual revenue in 2019 at \$345,000. From 2017-2020, the average amount of revenue received was \$267,000. Over that same period of time, the average award was \$252,000. The current estimated ending fund balance for 2021 is at or above \$400,000.

The recommended award for 2022 is \$350,000. This amount can be fully supported by the estimated fund balance available at the beginning of 2022.

The recommended award total is supported by the City's estimated fund balance estimates. For several years, it has been the City's practice to award an amount of total funding that is fully supported by the prior year's fund balance. This provides certainty to the recipient organizations that funding will be available, and allows a lead time to adjust in the event of any significant downturns in this revenue stream. This year's award recommendation is estimated to provide for relatively stable amounts for the coming years. The decision about the amount to be awarded is made annually.

Fund Name(s): Other

Coding:



CITY OF BAINBRIDGE ISLAND

REQUEST FOR PROPOSALS 2022 LODGING TAX / TOURISM FUND (CIVIC IMPROVEMENT FUND)

The City of Bainbridge Island is seeking proposals for projects to receive funding under the Civic Improvement Fund, which is established through Chapter 67.28 of the Revised Code of Washington (“RCW”) and Section 3.65.040 of the Bainbridge Island Municipal Code. Proposals must be for tourism marketing projects, marketing and operations of special events or festivals, the operation of eligible tourism-related facilities,¹ or capital expenses for an eligible tourism-related facility.²

In 2021, there are approximately \$350,000 in Civic Improvement funds (also known as Lodging Tax funds) available for distribution to support selected projects in 2022. The City Council has approved funding within a wide range, to encourage innovative projects of all sizes that recognize and promote the exciting – and expanding – tourism trends and opportunities happening on Bainbridge Island. Applicants may seek a minimum award of \$2,000 and a maximum award of \$175,000 (to reflect 50% of total available funds).

Funds must be used for: tourism marketing; marketing and operations of special events and festivals designed to attract tourists; operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district; or operations of tourism-related facilities owned or operated by nonprofit organizations. The City does not make multi-year commitments with Lodging Tax funds; however, service providers are not limited to nor are applicants prohibited from making repeat annual requests of a similar nature.

Successful applicants will be required to enter into a professional services agreement with the City to provide the services or products outlined in their proposals. Payment by the City will be made only when documentation of delivery of contracted services or products is provided to the City. The City will not provide payment in advance of delivery of goods or services.

All project activities must be identified in promotional and other business materials as having been funded by the City of Bainbridge Island Civic Improvement Fund.

¹ To be eligible for *operating* expenses, the tourism-related facility must be owned or operated by a municipality, or a public facilities district, or a nonprofit recognized by the Internal Revenue Service under 26 U.S.C. Sec. 501(c)(3) or 26 U.S.C. Sec. 501(c)(6). See, RCW 67.28.1816.

² To be eligible for *capital* expenses, the tourism-related facility must be owned or operated by a municipality or a public facilities district. See, RCW 67.28.1816.

Project and Applicant Eligibility

- Applicants seeking funding for capital expenditures for a tourism-related facility must be a municipality or a public facilities district created under Chapters [35.57](#) and [36.100](#) RCW.
- Applicants seeking funding for operating expenditures for a tourism-related facility must be a municipality or a public facilities district, or be recognized by the Internal Revenue Service as a nonprofit under 26 U.S.C. Sec. 501(c)(3) or 26 U.S.C. Sec. 501(c)(6).
- Applicants, other than municipalities or a public facilities district, must be registered with the Washington Secretary of State as a Washington State Corporation.
- Individual persons are not eligible for funding.
- For-profit, private businesses are not eligible for funding.
- Proposals must comply with federal, state, and City of Bainbridge Island laws and requirements.
- Funding may be used for expenses incurred during January 1 – December 31, 2022. Funding requests for goods or services to be provided in 2021 or beyond calendar year 2022 will not be considered.
- Proposals from non-City organizations with a board member, officer, or staff member serving on the Lodging Tax Advisory Committee are not eligible for funding and will not be considered.
- Proposals involving special events, signs, building or construction, impacts to public property, or other activities that require permits under City code or state or federal law must demonstrate that the applicant has researched the appropriate permit regulations, confirmed the viability of the proposed activities, and incorporated permit fees in the project budget.

Policy Background

Bainbridge Island Municipal Code – [Section 3.65.040 Civic Improvement Fund](#)

[Revised Code of Washington \(RCW\) Chapter 67.28 RCW](#) – PUBLIC STADIUM, CONVENTION, ARTS, AND TOURISM FACILITIES

Definition of Terms (Per RCW 67.28.080)

“Operation” includes, but is not limited to, operation, management, and marketing.

“Tourism” means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.

“Tourism promotion” means activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists.

“Tourism-related facility” means real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned by a nonprofit organization described under section 501(c)(3) of the federal internal revenue code of 1986, as amended; or (iii) owned by a nonprofit organization described under section 501(c)(6) of the federal internal revenue code of 1986, as amended, a business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce and (b) used to support tourism, performing arts, or to accommodate tourist activities.

Application Requirements

- Each proposal must **ADDRESS AND REFERENCE** the questions listed on the attached LTAC 2022 Proposal Form **IN THE ORDER IN WHICH THEY APPEAR**.
- Proposal must be presented in minimum 11-point font and may not exceed ten pages in total length (including the Cover Sheet).
- The City will only accept proposals in electronic format. **Proposals must be submitted as a single document that includes a Cover Sheet and any attachments, preferably using a pdf format.** Submit the proposal via email to:

cityadmin@bainbridgewa.gov

- Proposals are due **no later than 4:00 pm, Thursday, September 30, 2021**. Late proposals will not be accepted. Applicants are solely responsible for ensuring that proposals are submitted and received on time.
- Each selected Service Provider (i.e., Lodging Tax funding recipient) will be required to submit to the City a final report on project results by Tuesday, February 28, 2023. **Per RCW 67.28.1816, and the reporting guidelines provided by the Washington State Joint Legislative Audit and Review Committee (JLARC), final reports must include the following information related to the activity:**

The projected and actual data for each of the following categories:

- a) Overall attendance for the activity;*
- b) The number of people who traveled more than 50 miles to attend the activity;*
- c) The number of people from outside the state or outside the country who attended the activity;*
- d) The number of people who attended the activity and paid for overnight lodging;*
- e) The number of people who attended the activity without paying for overnight lodging, and*
- (f) Total number of paid lodging nights (one lodging night = one or more persons occupying one room for one night).*

Additional information is available via JLARC's "[Instructions For Reporting Lodging Tax Expenditures](#)" document. See also the City's [Lodging Tax Advisory Committee](#) webpage to view JLARC data from prior years.

Review Process

Lodging Tax Advisory Committee (LTAC)

To be appointed by the Council

Kirsten Hytopoulos , Chair	City Councilmember
Joe Deets , Vice-chair, non-voting	City Councilmember
TBD	Eligible lodging business representative
TBD	Eligible lodging business representative
TBD	Eligible recipient organization representative
TBD	Eligible recipient organization representative

Proposals will be provided to the City's Lodging Tax Advisory Committee (LTAC) for review and comment. Applicants will have an opportunity to meet with the LTAC to provide additional information about their proposals, at a time and date to be identified by the committee. Applicant participation in this LTAC briefing is not mandatory but is strongly encouraged. The format for this briefing will be determined by the committee and applicants will be notified in advance of any particulars related to presentation materials, format, and time allowed.

All meetings of the LTAC will be open to the public, and advance notification of LTAC meetings will be provided by the City Clerk.

The LTAC will provide its recommendation for 2022 awards to the City Council for a final funding decision. The committee recommendation will include a list of candidate projects and recommended amounts of funding, which the City Council will consider for final approval.

Selection Criteria

The LTAC will use the following criteria in evaluating project proposals. Other relevant factors, such as availability of funds, may also guide the decision process.

Lodging Fund Project Evaluation – Basic Criteria

- A. Encourages tourism from visitors traveling more than 50 miles and from visitors traveling from outside Washington State or outside the country.
- B. Expected impact on increase in overnight stays in paid accommodations on the island.
- C. Expected increase in tourism. Tourism means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.
- D. Potential to draw visitors to the Island and increase overnight stays during the off-season, October 1 until Memorial Day.
- E. Applicant's demonstrated history of organizational and project success, including but not limited to previous LTAC-funded projects.
- F. Project reflects partnerships with other organizations and businesses, to encourage cooperative tourism marketing and minimize duplication of services.
- G. Project reflects innovative use of LTAC funds.
- H. Proposals for events that will generate an expected increase in tourism are encouraged.
- I. Proposals for capital projects are encouraged.
- J. Project goals and/or results can be objectively assessed.
- K. Project will leverage award funds with additional matching funds or donated in-kind goods or services.
- L. Proposals for projects that lead to tourism approached with an intent towards reducing carbon emissions, such as reducing the need for fossil fuels or parking, are encouraged.

**CITY OF BAINBRIDGE ISLAND
2022 LODGING/TOURISM FUND PROPOSAL
COVER SHEET**

Project Name: _____

Name of Applicant Organization and Amount Requested: _____

_____ Amount _____

Applicant Organization IRS Chapter 501(c)(3) or 501(c)(6) Status and Tax ID Number: _____

Date of Incorporation as a Washington State Corporation and UBI Number: _____

Primary Contact: _____

Mailing Address: _____

Email(s): _____

Day phone: _____ Cell phone: _____

Please indicate the type of project described in your proposal:

✓	Project Type
☐	Tourism marketing
☐	Marketing and operations of special events and festivals designed to attract tourists
☐	Supporting the operations of a tourism-related facility owned or operated by a nonprofit organization*
☐	Supporting the operations and/or capital expenditures of a tourism-related facility owned or operated by a municipality or a public facilities district*

*If the proposal requests funds for a tourism-related facility, please indicate the legal owner of that facility:

LODGING/TOURISM FUND APPLICATION

Applicant Information

Please respond to each of these questions in the order listed. If the proposal includes multiple partners, please include the requested information for each organization.

1. Describe the applicant organization's mission, history, and areas of expertise. Describe the applicant's experience in tourism promotion on Bainbridge Island and its demonstrated ability to complete the proposed project.

Alternate question for event or facility funding:

Describe the event or facility proposed including its purpose, history, and budget. Include past attendance history, if applicable, and estimate the number of tourists drawn to the event or facility/year. Please estimate total attendance and the number of tourists estimated to attend for 2022. How has the activity been promoted in the past (if applicable) and what promotion is planned for 2022?

2. If appropriate, please identify any project partners and briefly describe the involvement of each. Please note that the maximum award of \$175,000 will apply to any single project, even if proposed by a team of partners.
3. If appropriate, please list each project and amount of funding awarded and utilized from the Lodging Tax (Civic Improvement) Fund within the last five years (2017-2021).
4. If any previous projects by the applicant were funded through the Lodging Tax (Civic Improvement) Fund and were not completed and/or if reports were not submitted to the City as requested, please explain:

LODGING/TOURISM FUND APPLICATION

Project Information

1. Describe the proposed project.

- a. **Scope:** Identify the Project's main objectives and how each will be achieved. Be as specific as possible about the proposed services, measurable impacts, distribution method, and costs.
- b. **Budget:** Include a detailed budget for the proposed project with itemized expenses and income. Include the amount requested from the Lodging Tax Fund and identify other sources of funding anticipated or obtained, including matching funds, as well as any in-kind contributions necessary to complete the project.
- c. **Schedule:** Provide a project timeline that identifies major milestones.

If applicable, please describe the project's scalability. How would the project scope and budget be adjusted should the full amount of the LTAC funding request not be awarded? Please provide specifics.

2. Provide a brief narrative statement to address each of the selection criteria:

- a. Expected impact on increased tourism in 2022. Please provide specific estimates of how the project will impact the number of people traveling fifty miles or more to Bainbridge Island for the activity, or who will travel from another country or state outside of Washington State to attend the activity. If appropriate, compare/contrast this impact to the actual or estimated number of tourists at your event/facility in 2020 and estimates for 2021.
- b. Expected impact on, or increase in, overnight stays on the island. Please include actual or estimated numbers of tourists who will stay overnight in paid accommodations in Bainbridge Island lodging establishments in 2022 as a result of the proposed activities. Please include the basis for any estimates.
- c. Projected economic impact on Bainbridge Island businesses, facilities, events, and amenities, including sales of overnight lodging, meals, tours, gifts, and souvenirs (helpful data may be found on the Washington State Department of Commerce website).
- d. The project's potential to draw visitors to the Island and increase overnight stays during the off-season, i.e., October 1 until Memorial Day.
- e. The applicant's demonstrated history of organizational and project success.
- f. Describe any partnerships with other organizations and businesses in the proposed project – including efforts to minimize duplication of services where appropriate and encourage cooperative marketing.
- g. Describe how this project is new to our community or reflects an innovative use of LTAC funds.
- h. Expected draw for the proposed event, in particular how it will both generate an expected increase in tourism and appeal to the community.
- i. If for a capital project, detail the project's expected impact on increased tourism.

- j. Describe the degree to which the project goals and/or results can be objectively assessed.
- k. Describe the degree to which the project will leverage award funds with additional matching funds or donated in-kind goods or services.
- l. Describe how this proposal will support tourism approached with an intent towards reducing carbon emissions.

LODGING/TOURISM FUND APPLICATION

Supporting Documentation

1. Provide your organization's 2020 income/expense summary.
2. Provide your organization's 2021 budget and an estimate of actual 2021 revenue and expenses.
3. Letters of Partnership – Include letters from any partnering organizations committing to joint sponsorship of the application and specifying their intended activities.

Three-year summary of LTAC Awards

Recipient Organization	2019		2020		2021	
	Purpose	Award	Purpose	Award	Purpose	Award
Arts & Humanities Bainbridge	Artsopolis Community Cultural Platform	\$ 15,000	Currents Online Cultural Collaborations	\$ 10,000	Certified Creative District	\$ 5,000
Bainbridge Arts & Crafts	Tourism Marketing - Off-Island Advertising Package	\$ 15,000	Off-Island Advertising	\$ 5,000	Off-Island Advertising	\$ 7,000
Bainbridge Island Chamber of Commerce	Tourism Marketing, Special Events, Operations	\$ 63,000	Visitor Information Center	\$ 40,000	Visitor Information Center	\$ 38,000
Bainbridge Island Downtown Assoc.	Tourism Marketing , Special Events	\$ 50,000	Multi-Media Destination Marketing Campaign	\$ 35,000	Multi-Media Destination Marketing Campaign	\$ 12,250
Bainbridge Island History Museum	Operations - "Free the Museum"	\$ 12,000	2nd Annual Pickleball Founders Tournament	\$ 12,000	Operational Support	\$ 15,000
Bainbridge Island Lodging Assoc.	Tourism Marketing, Special Events - Destination Bainbridge 2019	\$ 60,000	Destination Bainbridge: 2020	\$ 56,500	Destination Bainbridge: 2021	\$ 41,750
Bainbridge Island Museum of Art	Special Events - "Celebration of Artists' Books	\$ 10,000	Cultural Impact Programs & Festivals	\$ 5,000		
Bainbridge Island Parks Foundation			Trillium Trail Family Run	\$ 6,500	Trail Maps and STO Trail Planning	\$ 10,000
Bainbridge Island Winery Alliance	Tourism Marketing, Special Events - BI Wineries: Wine on the Rock	\$ 15,000	Wine on the Rock Event	\$ 14,000	Wine on the Rock Event	\$ 12,000
Bloedel Reserve			Shoulder Season Awareness : "Fish Where the Fish Are"	\$ 10,000		
City of Bainbridge Island			Downtown Wayfinding Signs	\$ 12,000		
Kids Discovery Museum					Strategic Marketing Plan	\$ 9,000
North Kitsap Tourism Coalition	Tourism Marketing - Market Plan & Event Implementation	\$ 10,000	Media Support	\$ 7,000		
Visit Bainbridge Island			Multi-Media Destination Marketing Campaign	\$ 50,000	Multi-Media Destination Marketing Campaign	\$ 70,000
Visit Kitsap Peninsula	Tourism Marketing	\$ 12,000	12-Month Lodging & Tourism Marketing Campaign	\$ 12,000	12-Month Lodging & Tourism Marketing Campaign	\$ 5,000
		\$ 262,000			\$ 275,000	\$ 225,000

Lodging Tax (Hotel-Motel Tax)

This page provides an overview of the lodging tax, also known as the hotel-motel tax, that cities and counties in Washington State may charge to benefit tourism, including applicable tax rates, use of revenues, lodging tax advisory committees (LTACs), and sample documents.

The information on this page applies only to cities and counties. Certain public facilities districts also have separate lodging tax authority which is not discussed on this page. For more information, see our page on [Public Facilities Districts \(PFDs\)](#).

For further guidance on lodging taxes and other local revenue options, see MRSC's [City Revenue Guide](#) and [County Revenue Guide](#).

Overview

Any city, town, or county has the authority to levy lodging taxes, also known as “hotel/motel taxes,” on all charges for furnishing lodging at hotels, motels, and short-term rentals – including such activities as Airbnb, bed and breakfasts (B&Bs), RV parks, and other housing and lodging accommodations for periods of time less than 30 days.

The tax is collected as a sales tax and paid by the customer at the time of the transaction, and the revenues must be used for eligible tourism promotion activities or tourism-related facilities.

There are two lodging tax options:

- A **“basic”** or **“state-shared” lodging tax** up to 2% that is taken as a credit against the 6.5% state sales tax rate, so that the lodging patron does not see any tax increase ([RCW 67.28.180-.1801](#)). The state also sometimes refers to this as the **“transient rental tax.”**
- An **“additional”** or **“special” lodging tax** up to 2% *on top* of the other state and local [retail sales taxes](#), resulting in a higher tax bill for the patron ([RCW 67.28.181](#)).

If a jurisdiction imposes both options at the maximum rate, that would bring the total lodging tax rate to 4%. However, a few specific jurisdictions are not authorized to collect certain lodging taxes while others have additional authority, as discussed below.

Lodging taxes are different from (and may be imposed in addition to) tourism promotion area fees. For more information on tourism promotion areas, see our page [Tourism and Local Governments](#).

"Basic" or "State-Shared" Lodging Tax

Any county has the authority to levy the “basic” or “state-shared” lodging tax up to 2% ([RCW 67.28.180](#)), which is taken as a credit against the 6.5% state sales tax ([RCW 67.28.1801](#)). This means that there is no tax increase, and the total tax paid by the patron is equal to the retail sales tax in the jurisdiction in which the lodging is located. The state’s portion of the sales tax rate on lodging effectively drops from 6.5% to 4.5% within those jurisdictions. The state sometimes refers to this as the “transient rental tax.”

Most cities and towns have similar “basic” lodging tax authority. The city’s basic rate is credited against the county’s basic rate ([RCW 67.28.180\(2\)](#)). For instance, if both the city and the county impose the full 2% basic lodging tax, the total rate will be 2% countywide, but the county will not receive revenues from the incorporated area because it must credit those revenues back to the city.

The basic lodging tax has a few exceptions:

- No city located within King County may impose the basic lodging tax (see [RCW 67.28.180\(2\)\(c\)\(ii\)](#)), except for Bellevue which has legislation allowing it to collect a rate up to 2% until its related debt is retired (subsection (2)(c)(iii)).
- No city that is located within a county that is exempt under [RCW 67.28.180\(2\)\(b\)](#) may impose the basic lodging tax so long as the county remains exempt. Currently, Yakima County is the only county exempt under that subsection, so no city within Yakima County may impose this tax. However, there is also an exception that grandfathers in the City of Yakima and allows it to collect a basic lodging tax up to 2% until its related debt is retired (subsection (2)(c)(iii)).
- For Bellevue/King County and City of Yakima/Yakima County, the statutory exemptions allow the jurisdictions to “double-dip,” meaning that the city lodging tax is not taken as a credit against the county rate. Instead, the city and county rates are added together, resulting in a credit of up to 4% against the state sales tax rate within Bellevue and the City of Yakima. This means the state only receives a 2.5% sales tax on lodging in those two cities.

"Additional" or "Special" Lodging Tax

In addition to the “basic” 2% lodging tax, any county may impose an “additional” or “special” lodging tax up to 2% in increments no smaller than 0.1% ([RCW 67.28.181](#)). Unlike the basic lodging tax, the additional lodging tax is *not* a credit against the state sales tax and results in a tax increase for the lodging patron.

If the basic and additional lodging tax are each levied at a rate of 2%, the combined lodging tax rate would be 4% and the total tax paid by the patron would equal the retail sales tax in the jurisdiction plus the additional/special lodging tax of 2%.

Most cities and towns also have similar authority, and just like the basic lodging tax the city’s additional lodging tax must be taken as a credit against the county’s additional rate ([RCW 67.28.181\(3\)](#)). For instance, if both the city and the county impose the full 2% additional lodging tax, the total additional rate will be 2% countywide, but the county will

not receive revenues from the incorporated area because it must credit those revenues back to the city.

The additional lodging tax also has a few exceptions:

- Counties and cities that imposed a combined lodging tax greater than 4% before July 27, 1997 were grandfathered in under [RCW 67.28.181\(2\)\(a\)](#). This includes Grays Harbor and Pierce counties (and the cities within them), plus the cities of Airway Heights, Bellevue, Chelan, Leavenworth, Long Beach, Winthrop, and Yakima.
- Any city located within a county that had the authority to levy a countywide 4% lodging tax before January 1, 1997 may not impose the additional 2% ([RCW 67.28.181\(2\)\(b\)](#)). This applies to all cities in Cowlitz and Snohomish counties.
- Cities that imposed a combined lodging tax rate of 6% before January 1, 1998 are grandfathered in under [RCW 67.28.181\(2\)\(d\)](#). This occurred due to a unique set of circumstances and only applies to the cities of Wenatchee and East Wenatchee.

Use of Revenues

City and county lodging tax revenues – including both the “basic” and “additional” lodging taxes – must generally be used for tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities ([RCW 67.28.1815-.1816](#)), including:

- Tourism marketing;
- Marketing and operations of special events and festivals designed to attract tourists;
- Operations *and* capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district, including repayment of general obligation bonds ([RCW 67.28.150](#)) or revenue bonds ([RCW 67.28.160](#)) for eligible capital projects; or
- Operations of tourism-related facilities owned or operated by nonprofit organizations (but *not* capital expenditures).

(King County has separate provisions and requirements for how to spend the revenues.)

Definitions of “tourism,” “tourism promotion,” and “tourism-related facility” are provided in [RCW 67.28.080](#). Cities and counties may use the funds either directly, or indirectly through a convention and visitor’s bureau or destination marketing organization. The funds may be awarded to nonprofits, tourism organizations, and to the city or county for eligible expenses.

Practice Tip: The guiding principle is that these facilities should be used by tourists. So for example, a municipal golf course would likely be a permitted lodging tax expenditure in Chelan, while it probably would not be if it were in a residential neighborhood in Spokane. Each situation is unique and requires careful assessment.

After conferring with the State Auditor’s Office, we have also concluded that lodging tax revenues may be used to pay for staff support of the lodging tax advisory committee (LTAC, described in further detail below), provided that proper application and reporting requirements are followed. Our conclusion comes from [RCW 67.28.1815](#), which states that the revenues must be used “solely for the purpose of paying all or any part of the cost of tourism promotion...” It is our opinion that the primary function of an LTAC is to promote and market tourism.

Cities and counties may also use lodging tax revenues to repay general obligation bonds ([RCW 67.28.150](#)) or revenue bonds ([RCW 67.28.160](#)) issued for affordable workforce housing within a half-mile of a transit station. For more information, see our page on [Affordable Housing Funding Sources](#).

Application and Award Process

All prospective lodging tax recipients must apply to the city/county for funding. The entities that may apply for lodging tax funding are:

- Convention and visitors' bureaus;
- Destination marketing organizations;
- Nonprofits, including main street organizations, lodging associations, or chambers of commerce; and
- Municipalities (defined as any city, town, or county).

Any city or county with a population of 5,000 or more that imposes any lodging tax must also establish a lodging tax advisory committee (LTAC), described in the next section, to review the applications and make funding recommendations.

Jurisdictions with a population of less than 5,000 are not required to establish an LTAC, although they may do so if desired. If the jurisdiction does not have an LTAC, prospective applicants must apply directly to the legislative body (city council or county commission) for consideration and funding.

All applications must include estimates of how funding the activity will result in increases to the number of people staying overnight, traveling 50 miles or more, or coming from another state or country. To ensure that the applicants are compliant with this statutory requirement, this information should be included in the lodging tax application form that will be filed with the city/county or the LTAC.

There is no requirement that priority for funding be given to applicants expected to generate the largest number of tourists, and lodging tax revenue may still be awarded to recipients who provide services that indirectly increase tourism such as destination marketing organizations.

The law is silent on the frequency of the awards. Some jurisdictions choose to make the award process a part of their annual budget cycle while others may incorporate a mid-year awards procedure to account for unexpected increases or decreases in lodging tax revenues.

Practice Tips:

- The State Auditor's Office interprets the law to mean that all users of lodging tax funds, including municipalities, are considered applicants and must follow the relevant application procedures. So, if cities or counties are seeking to use the funds directly, the city/county should submit applications for their own projects to the legislative body or LTAC for consideration.
- To avoid any concerns regarding [gifting of public funds](#), the city or county awarding the funds should enter into a contract with the recipient organization(s). The contract should spell out the tourism-related services to be provided in exchange for the funding, as well as the required reports that must be filed by the recipient that quantifies the services in terms of the number of tourists generated as a result of the funding.

Lodging Tax Advisory Committees (LTACs)

Any city or county with a population of 5,000 or more that imposes any lodging tax is required to establish a lodging tax advisory committee (LTAC) to review the applications and make funding recommendations to the legislative body.

Practice Tip: Jurisdictions with a population of less than 5,000 are not required to establish an LTAC, although they may do so voluntarily. If a jurisdiction voluntarily establishes an LTAC, it is not required to follow these rules and may adopt its own processes and requirements.

For jurisdictions of at least 5,000 population, the LTAC must be appointed by the legislative body (city council or county commission) and must contain at least five members, including at least two representatives of businesses that are required to collect the lodging tax, at least two people who are involved in activities that are authorized to be funded by the lodging tax, and one elected official from the jurisdiction who serves as chair (RCW 67.28.1817).

The number of committee members from organizations representing hotels/motels collecting the tax and the number from organizations involved in activities that can be funded must be equal. Organizations representing hotels and motels and organizations involved in activities that can be funded by this tax may recommend people for membership.

The statute also provides that a person who is eligible under the first category (lodging businesses) is not eligible for appointment under the second category (funding organizations), and vice versa.

The legislative body must review the committee's membership annually and makes changes as appropriate. A city's committee may include a non-voting elected county official and vice versa.

The LTAC receives all applications for lodging tax revenue and recommends a list of candidates and funding levels to city or county legislative body for final determination. The statute says that the legislative body “may choose only *recipients* from the list of candidates and recommended amounts provided by the local lodging tax advisory committee” (RCW 67.28.1816(2)(b)(ii), emphasis added).

Practice Tip: The legislative body is not required to fund the full list of recommended recipients and may choose to make awards to only some or even none of the recommended recipients, but the legislative body *may not award funds to any recipient that was not recommended by LTAC*.

However, an informal opinion from the Attorney General's Office in 2016 states that the legislative body may award *amounts* different from the LTAC's recommended amounts, but only after satisfying the procedural requirements of RCW 67.28.1817(2). This requires the municipality to submit its proposed change(s) to the LTAC for review and comment at least 45 days before final action is taken.

Any proposal to impose a new lodging tax, raise the rate of an existing tax, repeal an exemption from the lodging tax, or change the use of the tax proceeds, must be submitted to the lodging tax advisory committee for review and comment at least 45 days before final action will be taken on the proposal by the legislative body (RCW 67.28.1817(2)).

Reporting Requirements

All cities and counties *receiving* lodging tax revenues must file an annual report with the Joint Legislative Audit & Review Committee (JLARC) by May 15 for the prior calendar year ([RCW 67.28.1816](#)). If a jurisdiction received lodging tax revenues but did not have any distributions or expenses during the calendar year, the JLARC report must still be completed and filed by the deadline indicating no activity.

JLARC has established an [online reporting system](#) – see the reporting instructions, data field descriptions, and FAQs at the top of the JLARC page. The reporting requirements include:

- All lodging tax revenues received;
- All lodging tax revenues distributed and/or expended;
- All recipients of lodging tax monies, including the city itself, that may have directly used lodging tax funds for qualifying facilities, tourist events, or tourism administration; and
- For all recipients, the actual number of people traveling for business or pleasure on an overnight trip in paid accommodations, traveling 50 or more miles away from their business or place of residence for the day or overnight, or traveling from another country or state.

Practice Tip: The deadline to submit the annual lodging tax data to JLARC is May 15 for the year ending December 31 of the prior fiscal period. However, the JLARC online filing system can record and store lodging tax activity throughout the calendar year, so as part of your contract with recipients, we recommend that you require the recipient to file the actual number of attendees, overnight stays, and/or other associated tourism data as soon as the event or activity has been completed to ensure the city's full compliance with JLARC.

Maximum Combined Sales & Lodging Tax Rate

For cities and counties, the maximum combined sales and lodging tax rate upon sales of lodging may not exceed 12% ([RCW 67.28.181\(1\)](#)), except for Seattle which has a maximum combined rate of 15.2%. The statutes included within the 12% cap are:

- [Chapter 36.100 RCW](#) (public facilities districts),
- [Chapter 82.08 RCW](#) (state sales tax)
- [Chapter 82.14 RCW](#) (local sales taxes)
- [Chapter 67.28 RCW](#) (lodging taxes), and
- Chapter 67.40 RCW (convention and trade center tax – repealed in 2010).

However, affordable housing sales taxes (see [RCW 67.28.181\(4\)](#)) and the first 0.4% of the Sound Transit high-capacity transit sales tax (adopted prior to December 1, 2000 – see [RCW 82.14.410\(2\)\(c\)](#)) are not included within the 12% cap.

Most counties and cities are not that close to the 12% cap, and the cap does not affect the ability of any jurisdiction to impose the maximum “basic” lodging tax allowed by law since it is taken as a credit against the state sales tax and does not increase the sales tax rate. However, the 12% cap may limit the “additional” lodging tax rate that some **144**

jurisdictions may impose.

[RCW 82.14.410](#) provides that any local sales and use tax increase adopted after December 1, 2000 must exempt lodging sales if the increase would cause the total combined lodging/sales tax rate to exceed the greater of the 12% cap or the actual combined lodging/sales tax rate in effect on December 1, 2000.

Examples of Lodging Tax Documents

Below are selected examples of lodging tax ordinances, code provisions, application forms, and contracts.

Code Provisions/Ordinances

- [Clallam County Code Ch. 5.13](#) – Additional Special Excise Tax on Lodging
- [Ferndale Municipal Code Ch. 2.31](#) – Lodging Tax Advisory Committee
- [Kirkland Municipal Code Ch. 5.19](#) – Lodging Excise Tax, with tourism development committee performing LTAC functions
- [Ocean Shores Resolution No. 787](#) (2019) – Establishing plan for use of lodging tax funds, LTAC membership, funding process, and city council goals and priorities for use of lodging taxes.
- [Quincy Municipal Code Ch. 2.36](#) (Lodging Tax Advisory Committee) and [Ch. 3.24](#) (Hotel/Motel Tax)
- [San Juan County Code Ch. 3.16](#) – Lodging Tax
- [SeaTac Ordinance No. 98-1049](#) (1998) – Authorizes issuance of \$5 million in limited tax general obligation (LTGO) bonds for specified tourism-related capital projects, repaid from lodging tax revenues and, if lodging taxes are insufficient, general property taxes
- [Spokane Valley Municipal Code Ch. 3.20](#) – Transient Occupancy Tax

RFPs, Applications, and Guidelines

- [Airway Heights Lodging Tax Advisory Committee](#) – Includes city's tourism policy goals and strategic plan, LTAC grant application and instructions, and application for reimbursement of approved funding
- [Kittitas County, Cle Elum, Ellensburg, and Roslyn Request for Proposals: Lodging Tax Fund](#) – Consolidated online application form for county and cities. Provides lots of details about the application and scoring process; users must log in to access form
 - [Lodging Tax Request For Proposals](#) (2017) – Older paper copy of RFP; includes application form, rating form; and applicant and internal submittal checklists
 - [Consolidated Lodging Tax Interlocal Agreement](#) (amended 2018) – Creates consolidated lodging tax application process with countywide lodging tax advisory committee (LTAC) work group consisting of members of each participating LTAC. Includes amendments.
- [Lacey Application for City Lodging Tax Funds](#) (2019)
- [Ocean Shores Lodging Tax Funds Application](#) (2019)
- [Pacific County Lodging Tax Grant Application Packet](#) (2019)
- [Pierce County Lodging Tax Program](#) – Includes application process and forms, list of awards, and “resources” including the county's tourism funding strategic plan and LTAC scoring matrices. Applicants must schedule a one-

on-one application workshop with the county economic development department.

- **San Juan County Lodging Tax Advisory Committee** – Includes most recent LTAC master plan, RFPs, and application forms
- **Wenatchee Application for Lodging Tax Funds** (2016)

Contracts with Lodging Tax Recipients

- **Ocean Shores Tourism Promotion Agreement** (2019) – Contract template for lodging tax recipients; includes reporting requirements and example of final report on number of visitors and paid room nights
- **Olympia Professional Services Agreement for Tourism Promotion (Lodging Tax) Services** (2014) – Agreement to use lodging tax revenues for marketing and promotion of the Hands On Children's Museum and the 2014 Sand in the City event, not to exceed \$60,000.
- **Union Gap Old Town Days Agreement** (2011) – Simple and short contract
- **Wenatchee Municipal Services Agreement Re: Lodging Tax Funded Activities** (2014) – Agreement to use lodging tax revenues to support operations of nonprofit Wenatchee Valley Museum and Cultural Center Association by growing visitation, enhancing events and marketing, and supporting a visitor services staff member/volunteer coordinator

Last Modified: May 06, 2021

Follow us:

© 2021 MRSC of Washington. All rights reserved. [Privacy & Terms](#).



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (7:10 PM) Present City Manager's Report,

SUMMARY: The City Manager will provide information for Council and the community.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: Information only.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[WWTP Capacity Memo 081021CW .docx](#)

[Affordable Housing Sales Tax Memo](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



Department of Public Works Memorandum

Date: August 10, 2021

To: Blair King, City Manager

From: Christopher Wierzbicki, Public Works Director

Subject: Wastewater Treatment Plant Status Update

Executive Summary

In June of 2021, the Wastewater Treatment Plant (WWTP) crossed a critical threshold related to high influent concentrations – a plant-capacity metric that is outlined in the City’s wastewater discharge permit. Staff have responded by developing a cost-effective, short-term action plan for maintaining compliance and protecting the environment. The treatment plant remains in compliance with all treatment standards and applicable regulations. The work to maintain performance is ongoing.

Background

On June 1, 2021, City staff presented the City Council with an update on the status of the City’s WWTP. That update contained information regarding three aspects of a recently completed study of the plant, including: the impact of commercial discharges; results from the study of contaminants of emerging concern; and updates upcoming regulations and the plant capacity.

As a part of that discussion, the staff highlighted one of the findings from the report that indicated high concentrations of biologically dissolved oxygen (BOD) and total suspended solids (TSS) in the plant influent. These influent characteristics are important because under the City’s wastewater discharge permit, they define the rated capacity of the plant. If the monthly average of these influent characteristics exceed 85% of the rated capacity for treatment for three consecutive months, a capacity re-rating study must be performed, and the recommendations executed in a reasonable timeframe. The plant reached this threshold in March, April and May 2021, and continued to exceed the threshold in June. City staff are working to satisfy the requirements of the Department of Ecology (Ecology) – the agency that regulates the City’s permit – and plan for next steps.

Next Steps

As part of the June 1, 2021 presentation to the City Council, City staff presented several potential next steps for dealing with plant capacity issues, including a lower-cost, short-term optimization options, and higher-cost, long term investment options. A report just recently completed from the City's wastewater consultant, who has been working with staff over the last two months to refine the short-term options, indicates that the lower-cost, short-term optimization process is likely sufficient to postpone the need for larger investments for up to 6-8 years – assuming the plant is not required by upcoming regulations to meet any more stringent limits for effluent nutrients.

The path forward recommended by City staff and the wastewater consultant is as follows:

1. Year 2021 & 2022 - Continue ongoing operational optimization. Estimated cost \$100K, included in the biennial budget.
2. Year 2021 & 2022 - Work with Ecology to verify that operational optimizations in process, and short-term planned improvements will satisfy the re-rating requirements of the permit.
3. Year 2022 – Begin an engineering report to assess/design short-term planned improvements to aeration basins by adding diffusers to the second anoxic/anaerobic zone. Use projections from existing planning work to determine the lifespan of improvements. Estimated cost, \$75K, not budgeted in the biennium.
4. Year 2024 – Implement the short-term aeration basin improvements. Estimated cost, \$400K.
5. Year 2022 to 2026 – Develop Nutrient Optimization Report required by upcoming State regulations. Estimated cost, \$75K.
6. Year 2026 – Begin Facility Plan update to re-evaluate the plant long-term improvement needs based on optimized performance projection and considering any new requirements from the Nutrient Optimization Report and/or forthcoming regulations. Estimated cost, \$150K.
7. Year 2027 to 2029 – Anticipate design and implementation of longer-term investments in plant upgrades. Cost to be determined.

The cost estimates outlined above for un-budgeted near-term actions (through 2026) total approximately \$700K, all of which would be eligible for American Rescue Plan Act (ARPA) funding. Funding for design and implementation of long-term improvements are likely to be outside of the timeframe for utilizing ARPA funds. The project funding will be proposed by Staff for the mid-biennium budget update.



FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT MEMORANDUM

Date: August 10, 2021
To: Blair King, City Manager
From: DeWayne Pitts, Director of Finance and Administrative Services
Subject: Sales Tax Increment for Affordable Housing

Summary

This memorandum provides background information about the ability of a city to pass, by council action with a simple majority vote via ordinance, an increase to the sales tax levied within city limits by one-tenth of one percent (.001) for the dedicated purpose of affordable housing. Staff currently estimates that if the City of Bainbridge Island implemented this tax, it could generate roughly \$450,000 annually in new revenue to be used for certain eligible purposes related to affordable housing. However, if Kitsap County imposes a county-wide affordable housing sales tax prior to the city, the city may not impose its own increase to the sales tax.

Background

In 2015, [RCW 82.14.530](#) authorized the imposition of an additional sales and use tax of one-tenth of one percent to be used for funding affordable housing. In 2019, [SHB1406](#) allowed cities a tax credit for similar affordable housing needs. The City of Bainbridge passed an ordinance in 2019 to receive the sales tax credit and in 2020 we received more than \$34,000.

In 2020, [HB 1590](#) gave counties across the State of Washington the exclusive right to impose the county-wide tax until September 30, 2020, and cities were given the right to impose the tax thereafter if the county had not already done so. Kitsap County (County) did not impose the additional sales tax by September 30, 2020 but appears to be moving forward with enacting the sales tax in the near future. The County still retains the authority to pass such legislation, but no longer has the exclusive right to enact such a tax. However, if a city has already imposed an affordable housing sales tax and the county imposes the same sales tax at a later date, the county must credit the full amount back to the city. In other words, the county will not receive any of the affordable housing sales tax revenues for any city that has already imposed an affordable housing sales tax.

Eligible uses and qualifications:

Last year the legislature changed eligible uses of the revenue generated by this incremental sales tax. At least 60% of the revenue must be used for constructing affordable housing, constructing mental and behavioral health-related facilities, or funding the operations and maintenance costs of new units of affordable housing and facilities where housing-related programs are provided. The remaining funds

must be used for the operation, delivery, or evaluation of mental and behavioral health treatment programs and services or housing-related services. No more than 10% of the revenue may be used to supplant existing local funds.

The affordable housing and facilities may only be provided to people within specified population groups whose income is 60% or less of the county median income. The median household income in Kitsap County is approximately \$80,000 per year which means the eligibility for meeting this criterion is approximately \$48,000.

Revenue Estimate

The rate of one-tenth of one percent is the same as the Sales Tax for Criminal Justice which the City currently has in place; this can be used as an estimate of potential revenue if the City were to increase sales tax for affordable housing. In 2020 the City received approximately \$450,000 in Criminal Justice sales tax revenue; year to date through June of 2021 the City has collected roughly \$253,000. If the City were to pass an ordinance to collect one-tenth of one percent Sales Tax for Affordable Housing the amounts are expected to be similar.

Next Steps

Staff is providing this initial information to you and the Council due to the ongoing interest in affordable housing. If you or the Council would like to move forward with this option, Finance staff will do additional research, including reaching out to the City of Poulsbo to learn about their process and understanding the legislative steps which must be taken to consider this new revenue source.

Additional information:

[Poulsbo Ordinance 2021-07](#), approved July 14, 2021

[House Bill 1590](#), Affordable Housing Sales and Use Tax – Councilmanic Authority, effective date June 11, 2020



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:15 PM) Review Future Council Agendas,

SUMMARY: Council will review future Council agendas.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: Discussion.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Council Agenda Topics for Upcoming Meetings 080621.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ITEMS TENTATIVELY SCHEDULED FOR FUTURE COUNCIL AGENDAS - **SUBJECT TO CHANGE**

Last updated 8/06/2021

August 17, 2021 Study Session

Item	Staff Lead
Discuss Madison Avenue Sidewalk Project Scope	Wierzbicki
Review Housing Action Plan Schedule of Activities	Wright
Consider direction to City Manager to pause work on the Shoreline Management Program Periodic Review	Wright

August 24, 2021 Business Meeting

Item	Staff Lead
Hold executive session to discuss litigation or potential litigation	Levan
Approve proclamation declaring September 2021 as Childhood Cancer Awareness Month	Brown
Hold Public Hearing on Ordinance No. 2021-22, Extension of the Interim Control of the Bonus FAR program	Wright
Discuss ARPA Project List	King
Discuss Adas Will Roundabout Project	Wierzbicki
Discuss 2021 Mid-Year Report	Pitts
Consider Public Works LTAC Funding Proposal (\$20,000)	Wierzbicki
Consider Historic Preservation Commission 2021 Work Plan and 2020 Work Plan Summary	Tayara/Wright
Consider response to Puget Sound Energy's proposed transmission line project	Wierzbicki
Discuss Ferncliff Avenue Water Line Extension Rate Structure Recommendation and Code Revision	Wierzbicki
Approve Ordinance No. 2021-24 Relating to 2021 2nd Quarter Budget and Updated Capital Improvement Plan Amendments	Dunscombe
Adopt Ordinance No. 2021-23, Amendment to the Bonus FAR program	Wright
Consider High School Road Safety Improvements Contract Award	Wierzbicki
Authorize Participation in the Bainbridge Island Cooperative Weed Management Board	Levan
Consider Country Club Bulkhead Spot Repairs Contract Award	Wierzbicki
Consider approach to Human Services Funding Award Cycle (\$330,000 for 2022)	Schroer
Authorize issuance of Request for Proposals for Cultural Funding Award Cycle (\$300,000 for 2022-2023)	Schroer

September 7, 2021 Study Session

Item	Staff Lead
Present Proclamation for a Day of Service and Remembrance	Brown

September 14, 2021 Business Meeting

Item	Staff Lead
Present Proclamation declaring September 2021 as Community Preparedness Month	LeSage
Consider Sportsman Club New Brooklyn Intersection Improvements Contract Award	Wierzbicki

Consider Ordinance No. 2021-12, Phase 2 Triage Code Changes Related to the Pre-application Process	Wright/Greetham
Consider Resolution No. 2021-07, Phase 2 Triage Code Changes Related to Public Participation Meeting	Wright/Greetham
Consider Resolution No. 2021-14, Phase 2 Triage Code Changes Related to Administrative Manual	Wright/Greetham
Consider Recommended Appointments to the Lodging Tax Advisory Committee	Lassoff
Review Title 3, MFTE Code Adoption	Wright
Consider Recommended Appointments to the Cultural Funding Advisory Task Force	Lassoff

September 21, 2021 Study Session

Item	Staff Lead
Receive Presentation from Suquamish Tribal Chairman	King
Discuss Groundwater Management Plan Kickoff	Wierzbicki
Discuss Traffic Calming and Safety Project Part 1	Wierzbicki
Introduce Building and Development Study and Authorize Public Review of Building and Community Development Fees	Wright

UNSCHEDULED AT THIS TIME

City Council Initiated Items

Item	Staff Lead
Review Affordable Housing Work Plan Components	Wright, Schroer
Review Approach and Recommendations for Police/Court Facility Project	King
Review Puget Sound Regional Council Growth Allocation	Wright
Receive Update from Kitsap Public Facilities District Representative	Schroer
Receive report from Joint REAC/CCAC Subcommittee	Schroer
Receive Quarterly Public Safety Presentation	Clark
Consider Resolution on Proclamation/Recognition Policy	Levan
Receive Update from Public Farmland Ad Hoc Committee	Schroer
Consider Suquamish Welcome Pole	Wierzbicki
Consider resolution to update the Governance Manual related to Council complaints	Levan
Consider policy for co-sponsorship of City events	Schroer
Protection of Landmark Trees Ordinance, Sunset Landmark Tree Ordinance	Snyder, Wright
Receive recommendation from joint subcommittee regarding anonymous complaints to the Ethics Board	King
Discuss statute to provide additional housing density for religious organizations to build affordable housing on their property	Wright
Appoint resident to serve on the Kitsap Coordinated Grant Program (Capital)	Lassoff
Appoint resident to serve on the Kitsap Coordinated Grant Program (Services)	Lassoff
Consider further regulations relating to single use plastics	Levan

All Other Items

Item	Staff Lead
Update on Eagle Harbor Phase I Project Options	Wierzbicki
Consider Settlement with Sewer District 7	Pitts, Wierzbicki, Levan
Consider Ordinance adopting Small Wireless Facility Design Standards	Wright, Levan
Receive 2020 financial report	Pitts
Receive and File Annual Audit	Pitts
Consider revisions to sign code	Wright
Consider redistricting process	King, Levan
Consider establishing Poet Laureate program	King, Schroer



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 20 Minutes

AGENDA ITEM: (7:25 PM) Confirm Council Direction from July 17 Retreat,

SUMMARY: The City Council had a retreat on July 17, 2021. Retreats allow a City Council to step back from the normal routine and consider broader issues. This retreat was facilitated to assist with managing group discussions and capturing key points. At the July retreat, the Council had initial discussions about setting Council priorities, updating the approach to Council participation in City Advisory Groups, revising the meeting agenda-setting process, and adjusting Council workplan projects. This agenda item is for the Council to consider taking formal action and providing specific direction to the City Manager related to those topics (i.e., Council priorities, Council participation in City Advisory Groups, Council meeting agenda-setting, and Council workplan projects). Note that there is a separate agenda item that the Council is considering at this August 10, 2021 meeting that relates to one of the workplan items considered by the Council at the retreat. That item relates to deferring or suspending work on the Island Center Subarea Planning Process until after the Winslow Master Plan is complete.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: (1) I move to direct the City Manager to schedule the Council High Priority List for review and approval at a future Council meeting.

(2) I move to approve the revised Council meeting agenda-setting process described in the attached memorandum on that topic, and to direct the City Manager to update the Governance Manual to include that revised process.

(3) I move to confirm the initial direction provided by the Council at its retreat on July 17, 2021 to direct the City Manager to work with the Mayor to review the role of Council Liaisons to City Advisory Groups.

(4) I move to change the status of the following City workplan activities, as described in the attached memorandum on that topic: continue to defer work related to completing administrative review of the Critical Areas Ordinance; defer work on the SEPA ordinance update; prioritize work on completing and considering for adoption an ordinance related to new regulations regarding floor area ratio; and initiate work on the Winslow Master Plan update process.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:

Ongoing Cost:

One-Time Cost:

BACKGROUND: The City Council met on July 17 at a facilitated retreat. Several items were discussed, as presented in the attached memos. The highest Council priorities were considered to be:

- * Climate Action Implementation
- * Winslow Master Plan
- * Housing Action Plan, Housing Needs Assessment, Housing Inventory
- * Groundwater Management Plan
- * Wastewater Treatment Plant and Beneficial Water Reuse
- * Transfer of Development Rights Program
- * Small Lots Development Regulations

In addition, the Council considered the role of Council liaisons to City Advisory Groups. The current approved approach is included for reference; eliminating the Council liaison role was discussed at the retreat.

The Council also discussed changing its approach to agenda-setting to streamline Council meetings and provide clarity to the manner in which items are considered for the agenda. A draft approach is included.

Finally, the Council reviewed its workplan projects and considered changing the status of five of the more than 140 projects:

- * consider pausing: Administrative Review of the Critical Areas Ordinance, SEPA Ordinance Update, and Island Center Subarea Planning Process (see also, separate agenda item)
- * consider prioritizing: Floor Area Ratio Zoning Regulations, Winslow Master Plan process

ATTACHMENTS:

[Council Priority Projects 2021-2022](#)

[City Advisory Group Council Role](#)

[Councilmember liaison job description approved 03102020.pdf](#)

[Policy 2 - Agenda Preparation](#)

[Workplan items to pause - Staff memo for CC 08102021](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



City Council Highest Priority Projects

For 2021-2022

Climate Action Implementation

Winslow Master Plan

Housing Action Plan, Housing Needs Assessment, Housing Inventory

Groundwater Management Plan

Wastewater Treatment Plant Upgrade/Beneficial Water Reuse

Transfer of Development Rights Program

Small Lots Development Regulations

Established by the City Council July 17, 2021

Confirmed by the City Council _____, 2021



EXECUTIVE DEPARTMENT MEMORANDUM

Date: August 10, 2021
To: City Council
From: Blair King, City Manager
Subject: City Advisory Group Council Liaison Role

At the Council Retreat on July 17th, the City Council discussed the City Advisory Groups, including the function of the Council Liaison. The Council provided direction to the City Manager to work with the Mayor to review the role of the Council Liaison to the City Advisory Groups. This memo provides background and requests confirmation of that initial direction.

Discussion

At this time, a Council member is assigned to each City Advisory Group to serve as a liaison. The role of the liaison has been discussed in the past, including in 2020 when the attached job description was approved by the Council, detailing the duties and expectations of the Council liaisons. The description applies to four different types of groups to which liaisons are sent:

- A county-wide or regional policy or governing body or intergovernmental organization;
- A community organization;
- A governing or inter-agency board function in the city; and
- A resident board, commission, or committee of the City.

The retreat discussion suggested that the City Manager and Mayor review the role of the liaison with the City Advisory Groups and consider bringing a revised approach to the Council. This revised approach includes recognizing the role of City staff. Typically, whether or not explicitly, City Advisory Groups impact staff workload. In the future, as we go forward, impacts upon staff as a result of City Advisory Groups will be reviewed during the budget policy discussion.

Conclusion

Staff recognizes the importance of the City Advisory Groups. Staff also recognizes that the City Council has multiple demands on their time, and that it may be best to review and consider elimination of the responsibility to attend City Advisory Group meetings as Council liaisons.

Councilmember Liaison Job Description

Definition of Liaison

“Liaison”: a person who establishes and maintains communication for mutual understanding and cooperation (Merriam-Webster Dictionary).

Duties and Expectations of a Council Liaison

- 1 A Councilmember acting as a liaison to a Council advisory committee or other body (a “Committee”) is not a member of the Committee. Rather, the Councilmember is a positive resource to support the Committee in the completion of its work subject to the rules stated below.
- 2 A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council.
- 3 Generally put, the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee. More specifically,
 - the Councilmember shall not take part in the Committee’s deliberations or discussions unless (a) the Committee requests the Councilmember’s participation in a particular discussion (in this situation, the Councilmember must expressly state that she or he is speaking for her or himself, not for the entire Council) or (b) the Councilmember determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or laws including the Open Public Meetings Act and the Public Records Act; and
 - the Councilmember shall not take part in any votes or decisionmaking of the Committee.
- 4 The Councilmember liaison shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee’s work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee.
- 5 The Councilmember liaison shall bring to the Council any requests from the Committee, such as the following:
 - (a) questions raised by a Committee about the Committee’s scope of work;
 - (b) requests from the Committee to change the Committee’s scope of work;

- (c) requests for expenditures of City resources to further the Committee's work (money, staff time, or other resources); and
- (d) requests from the Committee to place an item on a Council meeting agenda.

- 6 The Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council shall on a quarterly basis revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan.

Committee Governance and Oversight

If a Committee member or member of the public feels that there is a problem with the manner in which the Committee is being managed or governed, the Committee member or member of the public should speak with the Committee Chair first. If the problem is not resolved by the Chair to the Committee member or member of the public's satisfaction, then the Committee member or member of the public can speak to the Councilmember liaison about her/his concern(s).

At that juncture, the Councilmember liaison's duty is to bring the concerns to the Mayor and Deputy Mayor rather than attempt to resolve the problem on her or his own. The Mayor, Deputy Mayor, and liaison shall then decide on what steps to take, if any. These steps could include, for example, deciding that they do not agree that there is a problem; discussing the issue with the Committee Chair; or bringing the issue to the full Council for discussion and a possible Council decision.

Governance Manual Provisions

Section 3.2.6 Council Liaison

With Council approval, a Councilmember may serve for a calendar year as the Council's Liaison (i.e. representative), to an organization. A Liaison is responsible for facilitating communication, collaboration and coordination with the designated organization, and with regular reporting and accountability to the Council. There are typically Councilmember Liaisons to four types of organizations:

- A county-wide or regional policy or governing body or intergovernmental organization (such as the Kitsap Regional Coordinating Council)
- A community organization (such as an arts, business, or social service organization)
- A governing or inter-agency board functioning in the city (such as the Parks Board or the Intergovernmental Working Group – IGWG); and
- A citizen board, commission, or committee of the City, whether or not the charter calls for an ex officio Council member (such as the Utility Advisory Committee or Lodging Tax Advisory Committee)

Exhibit B, section (c) Liaison Procedures

Individual members of the Council may be assigned as liaisons whose duties involve keeping current with a group or activity by either attending meetings or conferring with members, and keeping Council informed. Liaisons may advocate Council actions on behalf of their assigned group or activity. Care must be taken to avoid an Appearance of Fairness Doctrine violation, or conflict of interest possibilities (i.e.: in the unusual case of a quasi-judicial proceeding). Liaisons' functions and duties may be further defined and/or directed by the Mayor or Mayor Pro Tem with concurrence of Council.



REQUEST BY MEMBER OF CITY COUNCIL, INCLUDING THE MAYOR,
TO PLACE AN ITEM ON THE COUNCIL AGENDA

AUGUST 10, 2021

-
1. Any Member of the City Council, including the Mayor, may request that an item be placed on a future City Council agenda for discussion and possible action.
 2. For any item to be placed on the City Council agenda by any Member of the City Council, including the Mayor:
 - a. A single page request should state the matter to be discussed, and the Mayor or Councilmember's recommended action to address the matter. No additional material other than the single page request drafted by the requesting Councilmember may be submitted to be agendized at the initial City Council meeting in which the matter will be heard. The request need not be written in the ultimate legal form necessary to take action on the matter at the next City Council meeting.
 - b. The request must be submitted no later than 5:00 p.m. on the Tuesday prior to the scheduled City Council meeting (Study Session or Regular Business Meeting).
 - c. The City Manager will review the item and with the City Attorney determine, if the matter as written in the single page request, should be considered at an open meeting or as part of a closed or executive session.
 - d. If it is determined the matter is appropriate to include in the open session agenda, it will be added to the agenda as written. If it is determined the matter should be discussed in closed or executive session, the single page request written by the requesting City Councilmember or Mayor will be provided to the entire City Council in a privileged information packet.
 3. If a majority of the City Council votes to include the item as an action item at a subsequent City Council meeting, City staff, via the City Manager, will be directed to provide a staff report on the matter, including costs of the action, and a recommendation (if any) among alternatives (if any) as soon as the research and staff report can be reasonably completed for a subsequent City Council meeting.

The Agenda is a lawful tool used by the City Council to conduct the public's business. To accommodate the diversity of the City's residents, each Councilmember, and the Mayor, as representatives of the public, should be afforded the opportunity to present matters for the City Council's consideration.



EXECUTIVE DEPARTMENT MEMORANDUM

Date: August 10, 2021
To: City Council
From: Blair King, City Manager
Subject: Staff Response/Workplan projects' status change

At the Council Retreat on July 17th, the City Council requested a change in status for some projects on the City workplan list should change. There are over 100 projects on the list, with Council's particular focus on the status of the following:

Project Title	Progress Notes	Current Status	Council Comment
Complete administrative review of Critical Areas Ordinance (CAO)	Currently deferred due to lack of staff capacity	Deferred	Concur with deferral
SEPA Ordinance Update	Defer or remove due to competing priorities for staff and Council time.	Suggest removal	Concur with deferral
FAR – Zoning Control – Amended Regulations	Council briefing scheduled in August. Interim Control in effect until September 10, 2021.	Active	Prioritize finishing ordinance from Planning Commission rather than consider extension of Interim Control.
Complete Island Center Subarea Plan	Subcommittee completed their recommendation in May 2021. Planning Commission Review started July 8, 2021	Active	Consider deferring further work until after Winslow Master Plan is complete.
Initiate Winslow Master Plan (WMP) Update	Will commence after completion of Island Center Subarea Plan.	Pending	Consider starting this work in 2021.

DISCUSSION

Little negative is foreseen in deferring the review of Critical Areas Ordinance (CAO) and the SEPA ordinance indefinitely. These two projects will be documented and set aside until a later date.

The Planning Commission held a public hearing on the proposed Floor Area Ratio (FAR) ordinance on July 29, 2021. Staff is bringing an ordinance which would create related regulations on August 10, 2021 for Council consideration. The Council may consider whether it wishes to hold the FAR discussion in abeyance or forward the ordinance for further Council consideration in order to complete this task.

Council indicated that beginning work on the Winslow Master Plan (WMP) is a higher priority than completing the Island Center Subarea Plan. The WMP is a significant project, likely to take more than a year to complete. Commencing this project will require redirecting existing staff (or hiring additional temporary or regular staff) to focus on this work, developing a project plan, and identifying outside consultant support. There is funding of \$45,000 in the 2021 budget for this project, which is available to be used. Staff expects to return to the Council in October with an initial scope of work.

It appears from Council comments that the Council would like to suspend the Island Center Subarea Plan. It is understood that the Council feels a superior Island Center Subarea Plan will be developed if the Winslow Master Plan is developed in advance of the Island Center Plan. Approximately \$130,000 had been invested towards the development of the subarea plan. This work can be suspended and resumed at a later date. However, some of the component elements which are a part of the Subarea Plan, depending upon the duration of the suspension, would need to be repeated. The most likely tasks to be repeated are related to the transportation and public space improvements. Therefore, costs will increase.

Because of the process associated with the development of the Island Center Subarea Plan, such as citizen appointees, it is recommended that the Council formally suspend the Island Center Subarea Plan to provide clarity to participants and staff who have worked on the plan.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:45 PM) Confirm Suspension of Island Center Subarea Planning Process - Executive,

SUMMARY: In 2017, the City Council identified Island Center subarea planning as a priority. The Council then appointed a steering committee, which has been meeting and gathering information. Staff and the steering committee have met since 2017, including organizing community outreach, open houses, and surveys.

On May 5, 2021, the Steering Committee completed its recommendation for the Island Center Subarea Plan. The draft Subarea Plan includes recommendations for land use alternatives, traffic calming, bicycle and pedestrian facilities, and trail connections.

On July 17, 2021, the Council retreat included discussion of suspending work on the Island Center Subarea Plan. This agenda item is for the Council to consider whether to take action to suspend such work.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: I move to indefinitely suspend the Island Center Subarea Planning Process, and to terminate the terms of the existing Island Center Subarea Planning Process Steering Committee members, such that the work of that committee is hereby deemed complete.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: In 2017, the City Council identified Island Center subarea planning as a priority. The Council then appointed a steering committee, which has been meeting and gathering information since that time. The Subarea Planning Process is outlined in Bainbridge Island Municipal Code (BIMC) Section 2.16.210 (see attached PDF).

On May 5, 2021, the Island Center Subarea Planning Process Steering Committee completed its recommendation for the Island Center Subarea Plan. The draft Subarea Plan, which can be reviewed on the City's website

(<https://www.bainbridgewa.gov/DocumentCenter/View/15030/May-5-Steering-Committee-Recommended-DRA>)

FT-Island-Center-Subarea-Plan), includes recommendations for land use alternatives, traffic calming, bicycle and pedestrian facilities, and trail connections.

It appears from Council discussion at the Council retreat on July 17, 2021 that the Council would like to suspend the Island Center Subarea planning process. At its July 17 retreat, the Council expressed interest in developing the Winslow Master Plan in advance of the Island Center Plan to allow the Island Center Plan to be informed by the work that will be done on the Winslow Master Plan.

Approximately \$130,000 had been invested toward the development of the Island Center Subarea Plan. This work can be suspended and resumed at a later date. However, some of the component elements which are a part of the Subarea Plan, depending on the duration of the suspension, would need to be repeated. The most likely tasks to be repeated are related to the transportation and public space improvements. Therefore, costs will increase.

Because of the process associated with the development of the Island Center Subarea Plan, including related to the Council's appointment of members to the Island Center Steering Committee and the terms of those members, the Council will formally consider the suspension the Island Center Subarea Plan to provide clarity to committee members, participants, and staff who have worked on the plan. If the Council decides to indefinitely suspend work on the Island Center Subarea Plan, it is recommended that the Council terminate the terms of the existing Island Center Subarea Planning Process Steering Committee members to ensure that there is clarity that the work of the committee is deemed by the Council to be complete.

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 20 Minutes

AGENDA ITEM: (7:55 PM) Consider Purchase of Islander Mobile Home Park Floor Area Ratio - Planning,

SUMMARY: At the November 17, 2020 City Council meeting, after a discussion between the Planning Commission and the Council regarding the Planning Commission's recommendation to purchase the remaining floor area ratio from the Islander Mobile Home Park, the Council directed the City Manager to contact the Islander Residents Association regarding potential purchase of the remaining mobile home park floor area ratio ("FAR"). Since then, the City Manager and staff have been in communication with the Islander Residents Association ("Association"), and the Association has expressed an interest in selling their remaining floor area to the City. This agenda item is for City staff to update the Council about due diligence activities that staff have been engaged in regarding such a potential purchase by the City.

AGENDA CATEGORY: Review and Recommendation

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: Update and consideration of possible next steps related to potential purchase of floor area ratio from the Islander Residents Association.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: In 2004, the residents of the Islander Mobile Home Park ("IMHP") succeeded in their multi-year effort to purchase their mobile home park property to prevent it from being sold and potentially redeveloped. This purchase was the result of a widescale community effort to raise money to preserve the IMHP to maintain this affordable housing in downtown Winslow. The City was an integral partner in the preservation of the IMHP. The IMHP is in the Mixed Use Town Center/Central Core District in the center of downtown Winslow, which is the area that allows the most intense development. Preserving the IMHP as a mobile home park with a relatively low level of development left the IMHP with more than 137,000 square feet of unused residential floor area ratio ("FAR").

The City is a party to a 2004 declaration of covenant (see attached) with the then newly formed Islander Residents Association ("Association"). As set forth in that covenant, the Association is authorized to sell or transfer the unused residential FAR with City oversight. Most of the mobile home park residential FAR has been sold and used in development throughout Winslow, however some of the Association's residential FAR remains unsold or unused.

On July 9, 2020, the Planning Commission recommended eliminating BIMC 18.12.030.E.1.b., which relates to the IMHP bonus FAR provision. The Commission also recommended that the City purchase the balance of IMHP FAR. In making this recommendation, the Commission acknowledged that legal review and budget analysis would be necessary to inform a City Council decision regarding such a potential purchase.

In considering this matter and making its recommendation, the Planning Commission expressed concern about treating bonus FAR, which is an incentive in the City's development regulations, as a financial transaction. The Commission also expressed concern about the City's regulations and the absence of mandatory affordable housing provisions, such as mandatory inclusionary zoning, and that the residential bonus FAR that the Association has available to sell would most likely be used to build market-rate (rather than affordable) housing in downtown Winslow. When this bonus FAR was created, as described in subsection E of BIMC 18.12.030, the goal was to preserve the affordable housing provided by the mobile home park. In exchange, the Islander Residents Association is allowed to sell the FAR that it holds for market-rate prices related to market-rate residential use on other properties in the Mixed Use Town Center zone.

Accounting for sales made through the years, the Islander Residents Association has a current balance of 20,812 square feet of bonus FAR available for the Association to sell. Based on past communications, the Association has offered to sell its remaining FAR to the City for \$18 per square foot, which amounts to a total purchase price of \$374,616.

ATTACHMENTS:

[Declaration of Housing Restrictive Covenants & Agmt for Transfer of FAR \(10-29-04\).pdf](#)

FISCAL DETAILS: The total square footage = 20,812 feet x \$18 per square foot = \$374,616. This would come from general fund reserves and need a supplemental budget appropriation from Council.

Fund Name(s): General Fund

Coding:

AFTER RECORDING RETURN TO:
City of Bainbridge Island, Washington
Attn: City Administrator
280 Madison Avenue North
Bainbridge Island, Washington 98110



32082813

**DECLARATION OF HOUSING RESTRICTIVE COVENANTS
AND AGREEMENT FOR TRANSFER OF FLOOR AREA RATIOS**

Grantor(s): Islander Residents Association, a Washington non-profit corporation

Grantee(s): City of Bainbridge Island, Washington, a municipal corporation

Short Legal Description: Madrona Way Investments, LLC, a Washington limited liability company
RESULTANT PARCELS A & B OF PIA, FILE NO. 200410290023
BEING PTN NW/4 SW SEC 26, TWP 25N, RGE 2E,

Assessor's Property Tax
Parcel/Account Number(s): 262502-3-052-2006

Reference Number(s) of
Documents Assigned
or Released:

THIS DECLARATION OF HOUSING RESTRICTIVE COVENANTS AND AGREEMENT FOR TRANSFER OF FLOOR AREA RATIOS (this "Declaration") is made this 29 day of OCTOBER, 2004 by and among Islander Residents Association, a Washington non-profit corporation ("Grantor"), the City of Bainbridge Island, a Washington municipal corporation (the "City") and Madrona Way Investments, LLC, a Washington limited liability company ("Madrona Way Investments"). For purposes of this Declaration, the City and Madrona Way Investments shall be collectively referred to herein as "Grantees".

Recitals

A. Grantor is the owner of certain real property located in Bainbridge Island, Kitsap County, Washington, legally described on **Exhibit A**, attached hereto and incorporated herein by this reference (the "Islander Mobile Home Park"). Grantor desires to encumber a

portion of the Islander Mobile Home Park, as legally described on **Exhibit B**, attached hereto and incorporated by this reference (the "Property"), as such encumbrance is more fully set forth herein.

B. The Property is a portion of a historic mobile home neighborhood, upon which approximately 52 mobile home pads are currently located.

C. Grantor, the City and Madrona Way Investments have collaborated in a mutual effort designed to preserve the use of the Property as a mobile home park. Pursuant to such collaboration and with the assistance of the City and Madrona Way Investments, Grantor was able to purchase the Property.

D. As part of the parties' collaboration, Madrona Way Investments purchased certain real property located adjacent to the Property in Bainbridge Island, Kitsap County, Washington, as legally described on **Exhibit C**, attached hereto and incorporated herein by this reference (the "Madrona Way Investments Property").

E. In exchange for the City's and Madrona Way Investments' assistance with its purchase of the Property, and in furtherance of the parties' shared goals for the Property, Grantor desires to preserve the use of the Property for mobile, manufactured and/or modular housing in perpetuity by virtue of this Declaration.

F. The parties acknowledge and agree that the City, in its role as a municipal corporation, is an intended beneficiary of this Declaration. This Declaration is also intended to benefit the Madrona Way Investments Property; towards this end, Madrona Way Investments' rights and obligations hereunder as a Grantee are limited to its ownership interest in the Madrona Way Investments Property, except as expressly stated herein to the contrary.

G. Further, the parties agree that this Declaration shall constitute an enforceable contract between them for the transfer of those certain development density credits known as Floor Area Ratios ("FAR"), pursuant to Section 18.06.395 of the Bainbridge Island Municipal Code ("BIMC")

NOW, THEREFORE, in consideration of good and valuable consideration, receipt of which is hereby acknowledged, Grantor makes the following declaration and the parties agree as follows:

1. Restrictive Covenant: Grantor declares and agrees that the Property shall be used by it and its successors, heirs and assigns in perpetuity exclusively for single-family manufactured housing purposes only. For purpose of this Declaration, "single-family manufactured housing purposes" shall mean Grantor's use of the Property exclusively as follows: Grantor shall lease no less than fifty (50) and no more than sixty (60) lots within the Property to members of Grantor for the placement thereon of mobile, manufactured and/or



modular homes owned by said members. Only one mobile, manufactured or modular home shall be allowed for each leased lot and there shall be no less than fifty (50) and no more than sixty (60) mobile, manufactured or modular homes on the Property.

In addition to the foregoing, at least one-half (1/2) of the total number of mobile, manufactured or modular homes located upon the Property shall be limited to single-story homes. Grantor shall have the discretion to determine which manufactured home lots located upon the Property will be subject to the one-story restriction; provided, however, that for so long as the City leases any such lots from Grantor, Grantor shall designate as "multiple-story lots" that number of City lots proportionate to the City's Membership Interest in Grantor. For example, if Grantor operates 50 lots, and the City leases from Grantor 10 lots (20% of the total number of lots), Grantor shall designate 5 of the City's lots (20% of the 25 multiple-story lots) as multiple-story lots. The City may reallocate the multiple-story lots among those lots leased by the City, with Grantor's consent, which shall not be unreasonably withheld.

2. Covenant to Run with the Land: The restrictions and covenants granted, created and made herein shall run with and bind the Property and shall bind Grantor's grantees, heirs, administrators, successors and assigns. Except as expressly stated herein to the contrary, the benefits to Madrona Way Investments hereunder shall run with and benefit the successors and assigns of Madrona Way Investments with respect to the ownership of the Madrona Way Investments Property

3. Permitted Uses of the Madrona Way Investment Property. City and Grantor hereby agree that this Declaration shall not, in any manner, be construed to restrict the uses or improvements that are allowed on the Madrona Way Investments Property (which uses remain subject to the BIMC). At the election of Madrona Way Investments, in its sole discretion, the Madrona Way Investments Property may continue to be used as a mobile home park, or such use may be discontinued at any time. The City agrees, however, that for so long as Madrona Way Investments elects (in its sole discretion) to use the Madrona Way Investments Property as a mobile home park, up to a maximum of sixteen (16) homes sites may be located on the Madrona Way Investments Property so long as the sites are used for "single-family manufactured housing purposes," as such term is defined above.

4. Floor Area Ratio:

a. Issuance of Bonus FAR. The parties acknowledge and agree that this Declaration is designed to preserve the Property for purposes of mobile, manufactured and/or modular housing and therefore this Declaration meets the criteria set forth in BIMC 18.40.050.A.2, relating to the issuance and transfer of Bonus FAR for the Property. In connection with this Declaration and pursuant to BIMC 18.40.030 and 18.40.050.A.2, the City hereby issues to Grantor 0.6 Bonus FAR for the Property, amounting to 137,028 square feet of market-rate residential FAR. The City will issue "Certificates of FAR" for such Bonus FAR as set forth more fully herein. For purposes of this Declaration, "market-rate residential



FAR” shall be defined as FAR that is applicable only for residential development, but is NOT dedicated or otherwise committed to use for affordable housing under the BIMC.

b. Severance of Madrona FAR and Transfer to Madrona Way Investments.

In consideration of Madrona Way Investments’ assistance with Grantor’s purchase and preservation of the Property, Grantor hereby agrees to convey and warrant to Madrona Way Investments a total of 39,617 square feet of the Bonus FAR issued under Section 4.a above (the “Madrona FAR”), thereby leaving Grantor with 97,411 square feet of Bonus FAR (the “Unused Bonus FAR”). Without payment of any additional consideration by Madrona Way Investments, to Grantor or the City, the Madrona FAR, or any portion thereof, may be transferred by Grantor to the Madrona Way Investments Property, or to such other eligible property within the Mixed Use Town Center of the City, for use in connection with residential development. Such transfers may occur as, when and in such FAR increments as Madrona Way Investments dictates, at any time in the future, in Madrona Way Investments’ sole discretion, in accordance with the terms of this Declaration.

(i) Transfer to Madrona Way Investments Property. Grantor’s transfer of up to 39,617 square feet of the Madrona FAR to the Madrona Way Investments Property is hereby expressly approved by the City in this Declaration, and no further notice to the City, application or filing process with the City, or consent or approval from the City shall be required; provided, however, that nothing herein shall be construed to eliminate or relieve Madrona Way Investments’ obligations to obtain all required permits and approvals associated with the development and construction of the Madrona Way Investments Property, in accordance with local law, or to permit a greater density than the maximum density permitted by Chapter 18.40 BIMC, as such chapter may be amended. Towards this end, the City has issued Certificate(s) of FAR for the Madrona FAR, true and correct copies of which are attached hereto as **Exhibit D** and incorporated by this reference, consisting of nineteen (19) Certificates of FAR representing 2000 square feet of Madrona FAR per Certificate, and one (1) Certificate of FAR representing 1,617 square feet of Madrona FAR. Until such time as all Madrona FAR has been transferred in accordance with this Section 4, Grantor covenants that it shall retain and preserve the Certificates of FAR that evidence the Madrona FAR. The City agrees that, (i) if any such Certificate is lost, stolen or destroyed (upon the City’s receipt of an Affidavit of Lost Certificate(s) from Grantor or Madrona Way Investments), or (ii) if Madrona Way Investments desires to exchange any single Certificate for multiple replacement Certificates that total the same amount of the Madrona FAR as was represented by the single exchanged Certificate, then the City will promptly re-issue replacement Certificates for the then-available Madrona FAR in accordance with this Declaration. If Madrona Way Investments, in its sole discretion, elects to have all or any portion of the Madrona FAR transferred to the Madrona Way Investments Property, Grantor shall, within five (5) business days of its receipt of written notice of Madrona Way Investments’ election, transfer the subject Madrona FAR to the Madrona Way Investments Property by executing and recording a Warranty Deed Severing and Transferring FAR, in substantially similar form as that set forth in **Exhibit E**, attached hereto and incorporated by this reference (the “Warranty Deed”),

which Warranty Deed shall attach those certain original applicable Certificate(s) of FAR issued hereunder which Madrona Way Investments elects to have transferred under said Warranty Deed. Upon Grantor's execution and recording of such Warranty Deed (with applicable Certificate(s)), and delivery of a copy of the same to the City, the severance and transfer of such Madrona FAR shall be permanent and complete, and shall thereafter be perpetually beneficial and appurtenant to the Madrona Way Investments Property. In connection with all transfers of FAR hereunder, it shall be the responsibility of Grantor and Madrona Way Investments, as the case may be, to provide the City with notice of such transfer, and copies thereof, for the City's record-keeping.

(ii) Transfer to Alternative Property. If Madrona Way Investments, in its sole discretion, on one or more occasions, elects to have all or any portion of the Madrona FAR transferred to an eligible property or properties within the Mixed Use Town Center other than the Madrona Way Investments Property (each an "Alternative Property") (whether or not such Alternative Property is owned by Madrona Way Investments), Grantor shall execute and record a Warranty Deed effecting such transfer; provided that such transfer shall be in accordance with Chapter 18.40 BIMC, as such chapter may be hereafter amended, and shall require the approval of the City pursuant to the application process set forth below. Within five (5) business days of Grantor's receipt of Madrona Way Investments' written notice that it elects to have all or any portion of the Madrona FAR transferred to an Alternative Property, Grantor shall apply to the City for approval of such transfer and shall diligently pursue approval of such transfer. Upon such approval, Grantor shall execute and record a Warranty Deed, which Warranty Deed shall attach those certain original applicable Certificate(s) of FAR issued hereunder which Madrona Way Investments elects to have transferred under said Warranty Deed to the Alternative Property; provided that (A) the Grantee under the Warranty Deed shall be changed to the holder of fee title to the Alternative Property, and (B) the legal description of the Grantee's property under the Warranty Deed shall be changed to the description of the Alternative Property. Upon Grantor's execution and recording of such Warranty Deed (with applicable Certificate(s)), and delivery of a copy of the same to the City, the severance and transfer of the Madrona FAR conveyed by such Deed shall be permanent and complete, and shall thereafter be perpetually beneficial and appurtenant to such Alternative Property.

c. Severance of Unused Bonus FAR. Grantor may transfer and/or sell any portion of the Unused Bonus FAR, provided that such transfer shall be in accordance with Chapter 18.40 BIMC, as such chapter may be hereafter amended, and shall require the approval of the City pursuant to the application process set forth below. In the event that Grantor determines that it desires to sell all or any part of the Unused Bonus FAR, then Grantor shall not in any manner sell, convey or transfer any portion of the Unused Bonus FAR (or enter into any form of agreement to do the same) without first providing written notice to Madrona Way Investments of the terms of such proposed sale and the proposed buyer (the "Offer Notice"). If, within fifteen (15) days of receipt of the Offer Notice, Madrona Way Investments provides written notice to Grantor indicating acceptance of the proposed sale terms



(the "Acceptance Notice"), then Grantor shall sell the subject Unused Bonus FAR to Madrona Way Investments on the terms and conditions stated in the Offer Notice. If the Acceptance Notice is not delivered within said fifteen-day period, then Grantor is entitled to sell and convey the subject Unused Bonus FAR to any third party in strict conformance with the terms stated in the Offer Notice; provided that if such sale does not close within one hundred twenty (120) days after delivery of the Offer Notice, then any subsequent sale, conveyance or other transfer of the Unused Bonus FAR shall be deemed a new determination to sell, and a new Offer Notice must be given hereunder to Madrona Way Investments.

d. FAR Transfer Approval Process. Grantor shall not transfer any Madrona FAR to any Alternative Property under Section 4(b)(ii) above, nor transfer any Unused Bonus FAR under Section 4(c) above, until the City has determined that such transfers are consistent with applicable local law, including the terms of Chapter 18.40 BIMC, as such chapter may be hereafter amended. Grantor, or Madrona Way Investments acting on behalf of Grantor, shall obtain such City determination by filing an application with the City prior to said transfer. The form of application shall be provided by the City and shall be processed by the City in accordance with its regular practices and procedures. The City shall approve all such transfers if they are consistent with applicable local law, including the terms of Chapter 18.40 BIMC, as such chapter may be hereafter amended. Notwithstanding the foregoing, the approval process set forth in this Section 4(d) shall not apply to any transfers of the Madrona FAR to the Madrona Way Investments Property, all of which are deemed pre-approved by the City under the terms of this Declaration.

4. Successors and Assigns: This Declaration and the rights and covenants contained herein shall inure to the benefit of the City and the owner of the Madrona Way Investments Property, and their respective heirs, successors, and assigns; *provided, however*, notwithstanding any terms herein to the contrary, Grantor and the City agree that the rights of Madrona Way Investments under Section 4 above to direct the transfer Madrona FAR to the Madrona Way Investments Property, and/or to any other Alternative Property, shall be personal to Madrona Way Investments, shall not succeed to any purchaser of all or any portion of the Madrona Way Investments Property, and shall survive indefinitely after conveyance by Madrona Way Investments of all or any portion of its interest in the Madrona Way Investments Property.

5. Remedies for Violation: In addition to any and all other rights and remedies to which they may be entitled hereunder, at law or in equity, in the event of a breach or attempted breach of any of the agreements, restrictions or covenants set forth in this Declaration, Grantees shall be entitled to the remedy of damages, specific performance and injunctive relief in connection therewith. The rights and remedies of Madrona Way Investments hereunder are independent of the rights and remedies of the City, and either Grantee may enforce its rights hereunder without consent or participation of the other Grantee.



6. Notices All notices required or permitted by this Declaration or by law to be served on or delivered to any of the parties hereto shall be in writing and deemed duly served, delivered and received when personally delivered or delivered by a recognized overnight courier service, to the party to whom directed, or instead, three (3) business days after deposit in the U.S. mail, certified or registered, return receipt requested, first-class postage prepaid, addressed as indicated below. Any party may change this address by giving written notice of the change to all other parties at their listed addresses. Addresses for this purpose are:

Grantor:

Islander
Residents Association
417 Madrona Way
Bainbridge Island, Washington 98110
Phone: _____
Fax: _____

Grantee:

City of Bainbridge Island, Washington
Attn: City Administrator
280 Madison Avenue N
Bainbridge Island, Washington 98110
Phone: (206)842-2545
Fax: (206)780-8600

Madrona Way Investments, LLC
Attn: Kelly Samson
149 Finch Place, Suite 4
Bainbridge Island, Washington 98110
Phone: (206)842-0325
Fax: (206)842-_____

7. Amendment: This Declaration may be amended by duly recording an instrument signed by Grantor and Grantees.

8. Governing Law: This Declaration shall be governed by and construed and enforced in accordance with the laws of the State of Washington. Venue for any dispute arising hereunder shall be Kitsap County, Washington.

9. Attorney's Fees: In the event that any party hereto brings suit or other proceeding with respect to the subject matter or enforcement of this Declaration, the substantially prevailing party (as determined by the court, agency or other authority before which such suit or proceeding is commenced) shall, in addition to such other relief as may be awarded, be entitled to recover attorney's fees, expenses and costs as actually incurred as a result of such litigation or proceeding (including without limitation, court costs, expert witness fees, costs and expenses of litigation, and any and all attorney's fees, costs and expenses incurred in such suit or proceeding).

10. No Waiver: No waiver of any of the provisions of this Declaration shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver

11. Invalidity of Provision: If any provision or provisions of this Declaration or of any amendment hereto shall be held by a court of competent jurisdiction to be invalid, void or illegal, the remaining provisions hereof shall nevertheless remain in full force and effect to the maximum extent permitted by law and shall not be affected thereby.

12. Complete Declaration: This Declaration, together with any Exhibits and any other documents necessary to effectuate the terms of this Declaration, contains all of the terms and conditions of the restrictions and covenants described herein and supercedes all prior declarations or agreements relating to the subject matter hereof.

13. Time. Time is of the essence with respect to the performance of each of the provisions, covenants and agreements contained in this Declaration.

IN WITNESS WHEREOF, the parties have executed this Declaration as of the date first written above.

GRANTOR:

ISLANDER RESIDENTS
ASSOCIATION, a
Washington non-profit corporation:

By: 
Name: WILLIAM A ISLEY
Its: PRESIDENT

GRANTEES:

CITY OF BAINBRIDGE ISLAND,
WASHINGTON, a municipal corporation:

By: 
Name: Darlene Kordonowy
Its: Mayor

MADRONA WAY INVESTMENTS,
LLC, a Washington limited liability
company:

By:  10/22/04
Name: Kelly Samson
Its: mgr



STATE OF WASHINGTON)
) ss
COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that William Isley is the person who appeared before me, and said person acknowledged that he signed this instrument, and acknowledged it as the President of Islander Residents Association to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.



DATED: October 22, 2004

Michelle M. Fischer
NAME: Michelle M. Fischer
(Print Name)

Notary Public in and for the State of Washington.
Commission Expires: June 9, 2005

STATE OF WASHINGTON)
) ss
COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that Darlene Kordonowy is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument, and acknowledged it as the Mayor of City of Bainbridge Island, Washington to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.



DATED: October 22, 2004

Michelle M. Fischer
NAME: Michelle M. Fischer
(Print Name)

Notary Public in and for the State of Washington.
Commission Expires: June 9, 2005



COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that Kelly Samson is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument as the Manager on behalf of Madrona Way Investments, LLC, a Washington limited liability company, pursuant to the provisions of the Limited Liability Company Agreement of said company, and acknowledged it to be the free and voluntary act of said company for the uses and purposes mentioned in the instrument.



DATED: October 22, 2004
Michelle M. Fischer

NAME: Michelle M. Fischer
(Print Name)

Notary Public in and for the State of Washington.

Commission Expires: June 9, 2005



200410290024

Page: 10 of 60

10/29/2004 08:42A

PACIFIC NW TITLE

COVEN \$97.00 Kitsap Co, WA

EXHIBIT "A"

PARCEL B (Islander Property)

That portion of the Northwest quarter of the Southwest quarter of Section 26, Township 25 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Beginning at the West quarter corner of said Section 26;
Thence along the West line of said Section 26, South 01°20'33" West 269.50 feet to the Southwest corner of the plat of Lars Lone's Park Addition to Winslow as recorded in volume 7, page 74 of plats, records of Kitsap County, Washington;
Thence along the South line of said plat, South 88°37'28" East 220.00 feet to the Northeast corner of the plat of Winslow Business Addition as recorded in volume 7, page 38 of plats, records of Kitsap County, Washington;
Thence along the East line of said plat of Winslow Business Addition South 01°20'33" West 122.50 feet to the true Point of Beginning;
Thence continuing along said East line, South 01°20'33" West 393.29 feet to the Northwest corner of a parcel of land conveyed to the City of Bainbridge Island under Kitsap County Auditor's File No. 200210140121;
Thence along the North line of said parcel, South 88°40'48" East 45.00 feet to the Northeast corner thereof;
Thence along the East line of said parcel, South 01°20'33" West 10.00 feet to the North line of Lot B of the City of Winslow Short Plat recorded under Kitsap County Auditor's File No. 8405030132;
Thence along said North line, South 88°40'48" East 494.00 feet to the Northeast corner of said Lot B;
Thence along the East line of Lot A of said City of Winslow Short Plat, North 01°20'33" East 12.00 feet;
Thence South 88°40'48" East 200.00 feet to the Westerly right of way of Erickson Avenue NE;
Thence along said right of way, North 01°20'33" East 58.00 feet;
Thence leaving said right of way, North 88°40'48" West 200.00 feet to the East line of said Lot A;
Thence along said East line, North 01°20'33" East 332.77 feet;
Thence leaving said East line North 88°37'28" West 539.00 feet to the True Point of Beginning.

Subject to and Together with an easement for ingress, egress and utilities as recorded under Kitsap County Auditor's File No. 20041029 0023.

Subject to and Together with easements, restrictions, and reservations of record.



EXHIBIT "B"

(Modified) PARCEL B (Islander Property)

That portion of the Northwest quarter of the Southwest quarter of Section 26, Township 25 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Beginning at the West quarter corner of said Section 26;
Thence along the West line of said Section 26, South 01°20'33" West 269.50 feet to the Southwest corner of the plat of Lars Lone's Park Addition to Winslow as recorded in volume 7, page 74 of plats, records of Kitsap County, Washington;
Thence along the South line of said plat, South 88°37'28" East 220.00 feet to the Northeast corner of the plat of Winslow Business Addition as recorded in volume 7, page 38 of plats, records of Kitsap County, Washington;
Thence along the East line of said plat of Winslow Business Addition South 01°20'33" West 122.50 feet to the true Point of Beginning;
Thence continuing along said East line, South 01°20'33" West 393.29 feet to the Northwest corner of a parcel of land conveyed to the City of Bainbridge Island under Kitsap County Auditor's File No. 200210140121;
Thence along the North line of said parcel, South 88°40'48" East 45.00 feet to the Northeast corner thereof;
Thence along the East line of said parcel, South 01°20'33" West 10.00 feet to the North line of Lot B of the City of Winslow Short Plat recorded under Kitsap County Auditor's File No. 8405030132;
Thence along said North line, South 88°40'48" East 494.00 feet to the Northeast corner of said Lot B;
Thence along the East line of Lot A of said City of Winslow Short Plat, North 01°20'33" East 402.76 feet;
Thence leaving said East line North 88°37'28" West 539.00 feet to the True Point of Beginning.

Subject to and Together with an easement for ingress, egress and utilities as recorded under Kitsap County Auditor's File No. 200410290023.

Subject to and Together with easements, restrictions, and reservations of record.



PACIFIC NW TITLE

COVEN \$97.00

200410290024
Page: 12 of 60
10/29/2004 08:42A
Kitsap Co, WA

EXHIBIT "C"

RESULTANT PARCEL A (Madrona Property.)

That portion of the Northwest quarter of the Southwest quarter of Section 26, Township 25 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Beginning at the West quarter corner of said Section 26;
Thence along the West line of said Section 26, South 01°20'33" West 269.50 feet to the Southwest corner of the plat of Lars Lone's Park Addition to Winslow as recorded in volume 7, page 74 of plats, records of Kitsap County, Washington;
Thence along the South line of said plat, South 88°37'28" East 220.00 feet to the Northeast corner of the plat of Winslow Business Addition as recorded in volume 7, page 38 of plats, records of Kitsap County, Washington and the True Point of Beginning;
Thence continuing along the South line of said plat of Lars Lone's Park Addition to Winslow, South 88°37'28" East 539.00 feet;
Thence leaving said South line, South 01°20'33" West 122.50 feet;
Thence North 88°37'28" West 539.00 feet to the East line of said plat of Winslow Business Addition;
Thence along said East line North 01°20'33" East 122.50 feet to the True Point of Beginning.

SUBJECT to and Together with an easement for ingress, egress and utilities as recorded concurrently herewith.



PACIFIC NW TITLE

COVEN \$97.00

200410290024

Page: 13 of 60

10/29/2004 08:42A

Kitsap Co, WA

EXHIBIT D

Certificate(s) of Bonus FAR

[See Attached]





Exhibit D, pg 2

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 1,617 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 1,617 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ___, 2004 and recorded under Kitsap County Auditor's No. 200410290001 (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 15 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, pg 3

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 1,617 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 1,617 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 16 of 60

10/29/2004 08:42A



Exhibit D, pg 4

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 2004/10290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 17 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, pg 5

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 20041029001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 18 of 60

10/29/2004 08:42A

PACIFIC NW TITLE

COVEN \$97.00 Kitsap Co, WA



Exhibit D, pg. 6

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



Exhibit D, pg 7

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy
Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 20 of 60
10/29/2004 08:42A



Exhibit D, pg 8

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 21 of 60
10/29/2004 08:42A
Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$97.00

Exhibit D, pg 9

FAR evidenced by this Certificate to that real property located at _____ Madrona
Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

Date of Approval: _____

October 22, 2004

COPY

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN \$97.00

200410290024

Page: 22 of 60

10/29/2004 08:42A

Kitsap Co, WA



Exhibit D, pg. 10

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 23 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, pg 11

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 20041029001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property

Darlene Kordonowy
Darlene Kordonowy, Mayor

COPY

Date of Approval: October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 24 of 60

10/29/2004 08:42A

Kitsap Co, WA



Exhibit D, pg 12

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290009

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 25 of 60
10/29/2004 08:42A
Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$37.00

exhibit D, pg 13

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy
Darlene Kordonowy, Mayor

Date of Approval: _____

October 22, 2004

COPY

Approved as to Alternative Property: _____

Date of Approval: _____





Exhibit D, pg 14

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 27 of 60
10/29/2004 08:42A

Exhibit D, pg 15

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN \$97.00

200410290024

Page: 28 of 60

10/29/2004 09:42A

Kitsap Co, WA



Exhibit D, pg. 16

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 29 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, page 17

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN \$37.00 Kitsap Co, WA

200410290024

Page: 30 of 60

10/29/2004 08:42A



Exhibit D, pg. 18

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 31 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, pg. 19

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

Date of Approval: _____

COPY

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN

\$37.00

200410290024

Page: 32 of 60

10/29/2004 08:42A

Kitsap Co, WA



Exhibit D, pg. 20

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290024.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ___, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 33 of 60
10/29/2004 08:42A
Kitsap Co. WA

Exhibit D, pg 21

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 25, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN \$97.00 Kitsap Co, WA

200410290024

Page: 34 of 60

10/29/2004 08:42A



Exhibit D, pg. 22

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 35 of 60

10/29/2004 08:42A

Exhibit D, pg. 23

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024
Page: 36 of 60
10/29/2004 08:42A
Kitsap Co, WA



Exhibit D, pg 24

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 37 of 68

10/29/2004 08:42A

Exhibit D, pg 25

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 38 of 60

10/29/2004 08:42A



Exhibit D, pg 26

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 70040290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 39 of 60

10/29/2004 08:42A

Exhibit D, pg 27

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290007.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 40 of 60

10/29/2004 08:42A

Kitsap Co, WA



Exhibit D, pg 28

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290024.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 41 of 60
10/29/2004 08:42A
Kitsap Co, WA

Exhibit D, pg. 29

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

Date of Approval: _____

COPY

Approved as to Alternative Property: _____

Date of Approval: _____





Exhibit D, pg. 30

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 2004 10290024

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 43 of 60
10/29/2004 08:42A
Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$97.00

Exhibit D, pg. 31

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410291061

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR..

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

Date of Approval: _____

COPY

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 44 of 60

10/29/2004 08:42A

Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$97.00



Exhibit D, pg 32

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 45 of 60
10/29/2004 08:42A
Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$37.00

Exhibit D, pg. 33

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 20410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____





Exhibit D, pg. 34

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 47 of 60

10/29/2004 08:42A

Exhibit D, pg. 35

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 48 of 60

10/29/2004 08:42A

PACIFIC NW TITLE

COVEN \$97.00 Kitsap Co, WA



Exhibit D, pg 36

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290024

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



PACIFIC NW TITLE

-1-

COVEN \$37.00

200410290024

Page: 49 of 60

10/29/2004 08:42A

Kitsap Co, WA

Exhibit D, pg 37

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290024

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy
Darlene Kordonowy, Mayor

COPY

Date of Approval: October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVEN \$97.00

200410290024

Page: 50 of 60

10/29/2004 08:42A

Kitsap Co, WA



Exhibit D, pg. 38

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024

Page: 51 of 60
10/29/2004 08:42A

Exhibit D, pg. 39

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property: _____

Darlene Kordonowy, Mayor

Date of Approval: _____

October 22, 2004

COPY

Approved as to Alternative Property: _____

Date of Approval: _____



200410290024

Page: 52 of 60

10/29/2004 08:42A

Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$97.00



Exhibit D, pg 40

City of Bainbridge Island, Washington
CERTIFICATE OF FLOOR AREA RATIO (FAR)

Issued at the Request of: Islander Residents Association, a Washington non-profit corporation ("Owner")

For the Benefit of: Madrona Way Investments, LLC, a Washington limited liability company ("Recipient") and assigns

Short Legal Description of Transferring Property: _____

Tax Parcel ID for Transferring Property: _____

No. of FAR: 2,000 sq feet

Part I: Available FAR

This Certificate evidences that, as of the date set forth below, 2,000 square feet of floor area ratio (FAR) is available to be transferred from the property commonly called "Islander Mobile Home Park", located at ___ Madrona Way NE, Bainbridge Island, Kitsap County, Washington and legally described as follows:

Resultant Parcel B of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290001.

As of the date set forth below, this FAR may be transferred and/or sold to other eligible properties in the Mixed Use Town Center, as provided in the Bainbridge Island Municipal Code, Section 18.40.050.A(2).

Part II Proposed Transfer of FAR

This Certificate is issued in accordance with that Declaration of Affordable Housing Restrictive Covenant by and between the City, Owner and Recipient, dated ____, 2004 and recorded under Kitsap County Auditor's No. _____ (the "Declaration"). Pursuant to the Declaration, the City has approved the transfer of the



200410290024
Page: 53 of 60
10/29/2004 08:42A
Kitsap Co, WA

PACIFIC NW TITLE

COVEN \$97.00

Exhibit D, pg 41

FAR evidenced by this Certificate to that real property located at _____ Madrona Way, NE, Bainbridge Island, Kitsap County, Washington, and legally described as follows:

Resultant Parcel A of Boundary Line Adjustment,
Recorded under Auditor's File No. 200410290007.

(the "Receiving Property"). To the extent that the transfer of the FAR evidenced by this Certificate is to the Receiving Property, no further City approval is needed. Said transfer shall be deemed complete upon Owner's execution and recordation of a Warranty Deed Severing and Transferring FAR (to which Deed this original Certificate shall be attached), and delivery of a copy of the same to the City, all in accordance with the Declaration.

Part III: Approval and Terms of Transfer to Alternative Property

To the extent that Recipient elects to transfer the FAR evidenced by this Certificate to property other than the Receiving Property (the "Alternative Property"), as permitted in Paragraph 4(b)(ii) of the Declaration, this Certificate evidences that 2,000 square feet of FAR may be transferred to an eligible property in accordance with applicable law. Such transfer shall require prior City approval, in accordance with the Declaration. Said approval shall be evidenced by the Mayor's or designee's signature, as indicated below. Said transfer shall only be valid upon the recordation of a correlating Statutory Warranty Deed Severing and Transferring FAR (in a form substantially similar to that set forth in the Declaration), and delivery of a copy of the same to the City.

Part IV: Entry In City's Records.

Upon receipt of a copy of the above referenced recorded Deed and Certificate of FAR, the City shall record the transfer in its records, at which time the transfer shall be deemed complete and final. Upon the City's recordation of the transfer, the 2,000 FAR evidenced herein shall be deemed to be permanently severed from the Transferring Property, and permanently affixed to the Receiving Property or Alternative Property (as applicable). Until such time as the City records the transfer as provided for herein, the City shall not approve any permit or application for the Receiving Property or Alternative Property which includes the transferred FAR.

Approved as to Receiving Property _____

Darlene Kordonowy, Mayor

COPY

Date of Approval: _____

October 22, 2004

Approved as to Alternative Property: _____

Date of Approval: _____



PACIFIC NW TITLE

COVER \$97.00

200410290024
Page: 54 of 60
10/29/2004 08:42A
Kitsap Co, WA

EXHIBIT E

Warranty Deed Severing and Transferring Floor Area Ratio

AFTER RECORDING RETURN TO GRANTEE AT:

**WARRANTY DEED SEVERING AND TRANSFERRING
FLOOR AREA RATIO**

Grantor(s): Islander Residents Association, a Washington non-profit corporation
Grantee(s): Madrona Way Investments, LLC, a Washington limited liability company
Short Legal Description: [Complete legal description on p. __]
Assessor's Property Tax Parcel/Account Number(s):
Reference Number(s) of Documents Assigned or Released: [Insert recording no. of Declaration of Housing Restrictive Covenant]

Warranty Deed Severing and Transferring Floor Area Ratio

THIS WARRANTY DEED SEVERING AND TRANSFERRING FLOOR AREA RATIO (this "Deed") is entered into this 14 day of October, 2004, by Islander Residents Association, a Washington non-profit corporation, ("Grantor") for the benefit of Madrona Way Investments, LLC, a Washington limited liability company ("Grantee").

A. Grantor is the owner of certain real property located in Bainbridge Island, Kitsap County, Washington, as legally described in **Exhibit A**, attached hereto and incorporated by this reference (the "Property").



B. The Property is a historic mobile home neighborhood, upon which approximately ____ mobile home pads are currently located.

C. Pursuant to its Comprehensive Plan and BIMC 18.40.050.A.2, the City of Bainbridge Island, Washington (the "City") has designated the use of the Property as a park site for manufactured homes as a preferred use of the Property.

D. Chapter 18.40 BIMC sets forth a procedure whereby the owner of the Property may transfer the unused residential Floor Area Ratio, as defined by BIMC 18.06.395 ("FAR"), for the Property to another parcel or parcels within the Mixed Use Town Center in exchange for permanently preserving the Property as a manufactured home park.

E. Grantor has executed and recorded a Declaration of Housing Restrictive Covenant under Kitsap County Auditor's No. 200410290024 (the "Declaration"), which Declaration preserves the Property in perpetuity exclusively for single-family manufactured housing purposes only. The City has accepted the Declaration as a binding covenant which meets the criteria of BIMC 18.40.050.A.2.

F. Pursuant to BIMC 18.40.030, the Property has been assigned a base FAR of 0.4 (the "Base FAR").

G. Pursuant to BIMC 18.40.050.A.2. and in consideration of the Declaration, the City has issued to the Property a bonus residential FAR of 0.6, in the amount of 137,028 square feet (the "Bonus FAR").

H. Grantee owns certain real property located within the Mixed Use Town Center of the City of Bainbridge Island, Kitsap County, Washington, as legally described on **Exhibit B**, attached hereto and incorporated by this reference ("Grantee's Property").

I. For good and valuable consideration Grantor desires to sever from the Property and to transfer to Grantee's Property ____ square feet of the Bonus FAR (the "Severed FAR"). The Severed FAR is evidenced by the Certificate(s) of Bonus FAR attached hereto as **Exhibit C** and incorporated by this reference. Grantee's Property is eligible to receive such Severed FAR.

NOW, THEREFORE,

1. Severance of Severed FAR. As approved by the City pursuant to the Declaration, Grantor hereby permanently severs from Grantor's Property the Severed FAR evidenced by the Certificate(s) of Bonus FAR attached hereto as **Exhibit C** and incorporated by this reference.

2. Transfer of Severed FAR. Grantor, for and in good and valuable consideration, the receipt of which is hereby acknowledged, conveys and warrants to Grantee, for the benefit of Grantee's Property legally described on **Exhibit B** attached hereto and incorporated by this reference, the Severed FAR described and evidenced by the Certificate(s) of Bonus FAR attached hereto as **Exhibit C** and incorporated by this reference.

Grantor makes all the warranties and covenants contained in RCW 64.04.030 with respect to the Severed FAR.

Dated: _____

GRANTOR:

ISLANDER RESIDENTS ASSOCIATION,
a Washington non-profit corporation:

By: _____
Its: _____

STATE OF WASHINGTON)
) ss
COUNTY OF KITSAP)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he signed this instrument, and acknowledged it as the President of Islander Residents Association to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

DATED: _____

NAME: _____
(Print Name)

Notary Public in and for the State of Washington.

Commission Expires: _____



**EXHIBIT A
TO
DEED OF FAR**

Legal Description of Grantor' s Property



**EXHIBIT B
TO
DEED OF FAR**

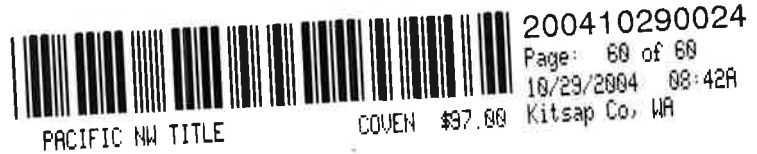
Legal Description of Grantee' s Property



**EXHIBIT C
TO
DEED OF FAR**

Certificate(s) of Bonus FAR

[See Attached]





CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (8:15 PM) Ordinance 2021-10 Amending Bonus Floor Area Ratio (FAR) Options, BIMC 18.12.030.E., Consider holding public hearing - Planning,

SUMMARY: On July 29, 2021, the Planning Commission, after conducting a public hearing on proposed Ordinance No. 2021-10, took action to recommend approval of the ordinance to the City Council. This proposed ordinance would amend the City's Bonus Floor Area Ratio ("FAR") regulations (BIMC 18.12.030.E) to limit options for achieving Bonus FAR to the following: 1) providing affordable housing within a development, 2) purchasing residential FAR from the Islander Mobile Home Park, or 3) in the Ferry Terminal District, relocating ferry surface parking to underground or within a building. Historic buildings would continue to not count toward a property's level of FAR. These changes essentially eliminate all ways of achieving bonus commercial FAR, unless a property has a historic building. Exhibit A to proposed Ordinance No. 2021-10 modifies BIMC Table 18.12.020-3 to reflect the FAR reductions for commercial and mixed use projects in the Mixed Use Town Center ("MUTC") and High School Road zoning districts. The Planning Commission has indicated that this proposed ordinance is an interim step, while the City works to improve its affordable housing and transfer of development rights programs, and updates the Winslow Master Plan. To that end, Section 8 of Ordinance No. 2021-10 provides for the ordinance to sunset after 2 years.

AGENDA CATEGORY: Ordinance

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: I move to schedule a public hearing on Ordinance No. 2021-10 for the City Council meeting on August 24, 2021.

or

I move to forward Ordinance No. 2021-10 for additional discussion and consideration of approval at the August 24, 2021 City Council meeting.

or

I move to forward Ordinance No. 2021-10 for approval on the Consent Agenda at the August 24, 2021 City Council meeting.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

Amount:

Ongoing Cost:

One-Time Cost:

BACKGROUND: The City Council has engaged in multiple discussions regarding bonus floor area ratio ("FAR") options. The following is a chronological legislative history summary of discussions and decisions made by the Council and the Planning Commission thus far related to the current Interim Zoning Control, Ordinance No. 2020-10 and subsequent ordinances that have extended the term of the interim control, as well as related to consideration of FAR density options more generally. The summary is based on the agenda packet materials and the minutes of the meetings as described below.

At the February 4, 2020 City Council study session, Councilmembers expressed an interest in discussing whether to eliminate the option to purchase bonus FAR from the City. The fees for FAR have been established by resolution (Resolution Nos. 2001-02 & 2006-50) and are included within the City's Fee Schedule. The fees are \$18 per square foot for residential development, \$25 per square foot for mixed use development, and \$34 per square foot for commercial development. The funds are split between public amenities (40%) and farm/agriculture (60%). Options considered by the Council at the February 4 meeting included pursuing a suspension of the bonus FAR regulations via adoption at a future meeting of an interim control ordinance that would be effective immediately (if adopted on an emergency basis) or five days after passage and publication (if enacted on a non-emergency basis). The Council also discussed the option of seeking to otherwise consider revisions to or elimination of the FAR bonus option by referring the matter to the Planning Commission for review and recommendation, and the Council would then consider that recommendation before taking action.

At the February 11, 2020 City Council business meeting, the Council passed a motion directing the City Manager to pursue an interim zoning control related to BIMC 18.12.030.E. to suspend that code section (relating to bonus FAR). A motion to direct the Planning Commission to review Chapter 18.12 BIMC relating to FAR and Chapter 18.21 BIMC relating to affordable housing was tabled. Following further discussion, the Council decided to revisit the first motion and approved a motion to reconsider that motion relating to the development of an interim control ordinance at the Council's February 25, 2020 meeting.

At the February 25, 2020 City Council meeting, the Council reconsidered the motion directing the City Manager to develop an interim control ordinance related to suspending BIMC 18.12.030.E. regarding use of bonus FAR density. That motion failed. Other motions also failed related to directing the City Manager to pursue an interim zoning control that would suspend BIMC 18.12.030.E. in different ways. However, the Council passed unanimously (6-0, with Councilmember Pollock absent) the following motion: I move to direct the City Manager to work with the Planning Commission and any other appropriate City committees or commissions to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights.

At the February 27, 2020 Planning Commission meeting, City staff briefly discussed with the Planning Commission the City Council's action directing the City Manager to work with the Planning Commission to bring back to the Council as quickly as possible an ordinance to reform the City's bonus FAR programs so as to only allow bonus FAR in relation to affordable housing, historic preservation, and transfer of development rights. At the March 3, 2020 City Council meeting, Councilmember Medina was absent and Councilmember Pollock, who was absent for the February 25 meeting, was present. Councilmember Pollock moved and Councilmember Deets seconded a motion to add a discussion regarding an interim zoning control related to BIMC 18.12.030.E. to that night's agenda under Unfinished Business. The Council approved the agenda as amended. The Council then unanimously passed a motion to suspend the rules for the purpose of taking up this motion again after

having voted on it at the last meeting on February 25. The Council then unanimously passed the following motion: I move to direct the City Manager to prepare an interim zoning control ordinance for consideration at the Council's March 10 meeting related to BIMC 18.12.030.E. to suspend the applicability and use of that Section E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended and waiving any procedural requirements that would otherwise apply to the motion that was passed.

At the March 10, 2020 City Council meeting, the Council considered the interim control ordinance that was prepared as directed by the Council at its March 3, 2020 meeting related to suspending the applicability and use of BIMC 18.12.030.E., except that subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation) would not be suspended. The ordinance was prepared as an emergency ordinance, meaning that it would be effective immediately upon passage. The ordinance also included suspension of the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that were being suspended in BIMC 18.12.030.E. As part of that March 10, 2020 Council meeting, the Council passed various motions to revise the ordinance as drafted. The first such motion was to add an additional exclusion to the interim zoning control as follows: I move to amend Ordinance No. 2020-10, Section 2.B., to add an exclusion to the interim zoning control for development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.

The Council also adopted motions to remove two recital "Whereas" clauses in the draft ordinance. The Council then voted unanimously to approve Ordinance No. 2020-10 with the following motion: I move to approve Ordinance No. 2020-10, relating to an interim zoning control to hereby suspend BIMC 18.12.030.E. and related provisions as described in the ordinance regarding floor area ratio bonus density options, except for Sections E.1. and E.6. of BIMC 18.12.030.E. as amended.

At the March 12, 2020 Planning Commission meeting, the Planning Commission ("Commission") had an item on their agenda entitled "FAR Discussion." Planning Director Heather Wright introduced the interim zoning control ordinance to the Commission. Following, there was public comment, including from Councilmember Pollock. After the public comment, the Commission unanimously passed a motion that recommended changes to the interim control to the City Council. At the April 14, 2020 City Council meeting, the Council scheduled a public hearing regarding Ordinance No. 2020-10 for April 28, 2020. The Council took action to set the public hearing pursuant to RCW 35A.63.220 and RCW 36.70A.390, which require the Council to hold a public hearing within 60 days of adoption of Ordinance No. 2020-10 (i.e., by May 10, 2020) in order to take public testimony and to consider adopting further findings of fact. On April 28, 2020, the City Council held a public hearing on Ordinance No. 2020-10 and no changes to the Ordinance were made.

The Planning Commission formed a subcommittee of 3 members (Chester, Paar, Quitslund) to begin working on a revised FAR ordinance. The Planning Commission discussed the subcommittee's information and recommendations on changes to bonus FAR regulations on at their May 2020 meetings and on June 11, 2020. City Staff integrated the June 11 recommendations into Draft Ordinance No. 2020-16 (now Ordinance No. 2021-10). Those changes were discussed and refined by the Planning Commission on July 9, August 27, September 10 and 24, and October 8, 2020. The Planning Commission sought City Council feedback on their recommendation to date on November 17, 2020. At the November 17 City Council meeting, the Council directed the City Manager to contact the Islander Residents Association (on behalf of the Islander Mobile Home Park) regarding potential purchase of the remaining mobile home park FAR. The City is continuing to consider that option. The Commission then debriefed on that Council discussion at the Planning Commission meeting on

November 19, 2020, and indicated that proposed Ordinance No. 2021-10 should move forward without any changes to the BIMC 18.12.030.E.1.b. related to the mobile home park FAR while discussion about a possible City purchase is ongoing. See attached staff memo and past staff memos and Draft Ordinance No. 2021-10 for additional information.

ATTACHMENTS:

[20210810 CC Staff Memo.docx](#)

[Ordinance No. 2021-10 Revising Bonus FAR Regulations.docx](#)

[Exhibit A to Ordinance No. 2021-10.pdf](#)

[CC Presentation.pptx](#)

[Tawresey 20210728 Comment to Planning Commission.pdf](#)

[MUTC and HS Rd Map.pdf](#)

[ORD 2021-10 PC Recorded Motion 072921.pdf](#)

[20200924 PC Staff Memo.pdf](#)

[WMP Goals & Policies Related to FAR.pdf](#)

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

Memorandum

Date: August 6, 2021
To: City Council
From: Jennifer Sutton, AICP
Senior Planner
Subject: Proposed Ordinance No. 2021-10 (formerly No. 2020-16) *Revising Bonus FAR Program*

I. EXECUTIVE SUMMARY

Proposed Ordinance 2021-10 would amend the Bonus FAR program to 1) only allow Bonus residential FAR for affordable housing, 2) allow the unused FAR from the mobile home park to be transferred to other parcels in the Mixed Use Town Center, and 3) allow an additional 0.2 FAR in the Ferry Terminal District for relocating existing legal surface ferry commuter parking on site.

The proposed ordinance would also amend the definition of floor area to exclude a historic structure from the calculation of FAR for the site, therefore providing an incentive for the preservation of historic structures by not including its floor area in the maximum amount allowed on-site.

The impetus for the proposed ordinance was based on the Council's request in February 2020 that the Planning Commission bring to Council an ordinance to reform the City's bonus FAR program so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. An interim control has been in place since March 10, 2020 that paused the use of bonus FAR, except for:

- Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a.;
- Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.b.; or
- Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

While not included in the proposed ordinance, the Planning Commission has also recommended that the City Council purchase the unused FAR from the Islander Mobile Home Park. In the event this happens, it may be that a proposed further change to the City's FAR regulations would be brought to the Council by City staff for consideration to clarify how that FAR can be used.

Finally, the proposed ordinance is recommended by the Planning Commission to sunset after two years while the City works to improve its affordable housing and transfer of development rights ("TDR") programs and/or update the Winslow Master Plan ("[WMP](#)"). The passage of this proposed ordinance

would sunset the existing interim control, which was most recently extended via Ordinance No. 2021-09.

II. BACKGROUND

On March 10, 2020, the City Council approved an [interim zoning control ordinance](#) related to Floor Area Ratio ("FAR") bonus options in the municipal code, [BIMC 18.12.030.E](#), ([Ordinance No. 2020-10](#)). The interim control became effective immediately and paused the use of bonus FAR, except for subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation). Bonus FAR increases the amount of residential, commercial, or mixed-use development that can be built for some types of projects in some instances.

The FAR and Bonus FAR development provisions only apply within the Mixed Use Town Center ("MUTC") and High School Road zoning districts, otherwise known as downtown Winslow or Winslow. See attached map and Exhibit A to proposed Ordinance No. 2021-10, which would amend [BIMC Table 18.12.020-3](#). See definitions of *Floor Area* and *Floor Area Ratio* below ([BIMC 18.12.050](#)), as follows:

F. Floor Area. Floor area is measured as the total area of all floors within the exterior vertical walls of a building. If any room has a sloping ceiling, no portion of the room measuring less than five vertical feet from the finished floor to the finished ceiling shall be included in the computation of total area.

G. Floor Area Ratio (FAR). "Floor area ratio" is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations.

The City's Bonus FAR program was created in the late 1990's as part of implementing the [Winslow Master Plan \("WMP"\)](#). As described in the [WMP](#), bonus FAR incentivizes developers to provide or integrate a variety of community benefits as a way to earn bonus FAR. Each district has different FAR standards for residential, commercial, and mixed-use FAR, and in several districts, the program has a "built-in" incentive for mixed-use development by having a higher mixed-use FAR standard than straight commercial or residential development. In addition, the Bonus FAR could be purchased from the City to support public farmland and improved amenities downtown.

As a result of the interim zoning control, Bonus FAR choices were limited and currently can only be obtained or used currently under the following circumstances:

- Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a.;
- Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.b.; or
- Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

The Interim Zoning Control [Ordinance No. 2020-10](#) includes an exclusion recognizing development rights that were purchased from the City or otherwise acquired prior to the effective date of the ordinance, as well as a provision recognizing vested rights. At their [August 25, 2020 meeting](#), the City Council held a public hearing on [Ordinance No. 2020-20](#) and voted to extend the Interim Zoning Control until March 10, 2021. On [February 23, 2021](#), the City Council extended the interim control, approving [Ordinance No. 2021-09](#). The Interim Zoning Control is currently set to expire on September 10, 2021 unless the City

Council further extends it by approving Ordinance No. 2021-22. The City Council is scheduled to discuss extending the Interim Zoning Control at their meetings on August 10 and 24, 2021.

In response to the interim control ordinance, the Planning Commission began work on changes to the bonus FAR program in the Spring of 2020 and discussed this topic through the Summer and Fall of 2020. On July 9, 2020, the Commission also discussed how to pursue eliminating the sale of Islander Mobile Home Park residential FAR. This would eliminate all of the options for achieving Bonus FAR except for building new affordable housing (BIMC 18.12.030.E.1.a.).

On August 27, 2020, the Planning Commission discussed a memo from staff that provided analysis on a proposal to the Bonus FAR program related to the Comprehensive Plan. On October 8, 2020, the Planning Commission completed their recommendations for proposed Ordinance No. 2020-16, including adding back in Section 18.12.030.E.7. related to ferry parking. The Planning Commission also included a cover letter to the City Council for the November 17, 2020 check-in (see attached). The Planning Commission sought City Council feedback on their recommendation to date on November 17, 2020. At the November 17 City Council meeting, the Council directed the City Manager to contact the Islander Mobile Home Park Association regarding potentially purchasing the remaining mobile home park FAR. The City is continuing to consider that option.

III. Proposed Ordinance No. 2021-10 (formerly 2020-16)

As directed by the City Council on February 25, 2020, the Planning Commission was tasked to bring back to the Council as quickly as possible an ordinance that will reform the City's bonus FAR program so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. The Planning Commission began their discussion on [March 12, 2020](#), and it continued on [May 14 and 28, June 11, June 25, July 9, August 27, September 10 and 24, and October 8, 2020](#). The Planning Commission had formed a subcommittee that came back with recommendations on revising the Bonus FAR program on June 11. The Commission affirmed the committee's recommendations for revising the Bonus FAR program, and those recommendations were integrated into proposed Ordinance No. 2020-16 (now Ordinance No. 2021-10).

Proposed Ordinance No. 2021-10 removes all the bonus FAR provisions of BIMC 18.12.030.E., except [Subsection E.1 and Subsection E.7](#), related to affordable housing and relocating surface ferry parking under a building or below ground, respectively. The Planning Commission recommends relocating the FAR provisions related to preserving historic buildings to the [BIMC Chapter 18.24 Historic Preservation Program](#). By removing all of the ways of achieving bonus FAR except through the provisions of affordable housing, proposed Ordinance No. 2021-10 would eliminate all of the ways to achieve bonus FAR for commercial-only developments (except for those properties with historic buildings- see above).

This proposed change would mean that there would not be a base AND bonus FAR for commercial development, only a FAR standard for commercial development. This change would be made via BIMC Table 18.12.020-3 (see EXHIBIT A to proposed Ordinance No. 2021-10). The [staff memo prepared for the September 24, 2020 Planning Commission meeting](#) had a staff Comprehensive Plan analysis of the changes to the Bonus FAR program.

The Planning Commission has indicated that this proposed ordinance is an interim step, while the City works to improve its affordable housing and transfer of development rights ("TDR") programs and/or updates the [WMP](#). To that end, Section 8 of proposed Ordinance No. 2021-10 provides for the ordinance to sunset after 2 years.

The Planning Commission held a public hearing on proposed Ordinance No. 2021-10 on July 29, 2021. One comment was received (see attached). After closing the public hearing, the Planning Commission voted to recommend approval of proposed Ordinance No. 2021-10 to the City Council (see attached Recorded Motion).

IV. NEXT STEPS

During the August 10, 2021 City Council meeting, the City Council is scheduled to discuss and consider Ordinance No. 2021-10, including whether to hold a City Council public hearing on the proposed ordinance on August 24. If the Council does not change in a material manner the proposed ordinance that is being recommended for approval by the Planning Commission, the Council could opt not to hold a public hearing and forward the ordinance for further discussion and consideration of approval on the Consent Agenda or the Unfinished Business Agenda at the August 24 meeting. If the Council takes action on this proposed Ordinance No. 2021-10 on August 24, because the ordinance relates directly to the above described interim control that is in effect currently pursuant to Ordinance No. 2021-09, the effective date of Ordinance No. 2021-10 would coincide with the scheduled expiration of that interim control, such that at the point at which the interim control expires, Ordinance No. 2021-10 would take effect. That interim control is scheduled to expire on September 10, 2021.

ORDINANCE NO. 2021-10
(Formerly Ordinance No. 2020-16)

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to bonus floor area ratio and amending Table 18.12.020-3, and Sections 18.12.030.E., 18.12.050, 18.24.010, 18.27.040, and 18.27.080 of the Bainbridge Island Municipal Code.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt zoning controls and other regulations related to land uses; and

WHEREAS, the City Council of the City of Bainbridge Island (“City”) updated the City’s Comprehensive Plan in February of 2017; and

WHEREAS, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

WHEREAS, the City has encouraged affordable housing construction by adopting “bonus density” programs that allow for increases in density above the underlying zoning if the additional density creates affordable housing; and

WHEREAS, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

WHEREAS, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

WHEREAS, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. and Table 18.12.020-3, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

WHEREAS, on February 25, 2020, the Council passed unanimously the following motion: “I move to direct the City Manager to work with the Planning Commission and any other appropriate City committees or commissions to bring back to Council as quickly as possible an ordinance that will reform the City’s bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights;” and

WHEREAS, on March 10, 2020, the City Council approved an interim zoning control ordinance related to Floor Area Ratio (“FAR”) density bonus options (Ordinance No. 2020-10); and

WHEREAS, the Planning Commission discussed these policies on February 27 and March 12, 2020 and formed a subcommittee of Commissioners Chester, Paar, and Quitslund to work on this topic; and

WHEREAS, the subcommittee brought back their recommendations to the full Planning Commission for discussion on May 14 and 28, 2020, met again, and brought back revised recommendations for the June 11, 2020 Commission meeting and the full Planning Commission came to consensus on a set of amendments to bonus FAR regulations; and

WHEREAS, the Planning Commission and City Council held a joint meeting on June 22, 2020 to discuss the bonus FAR regulations and how they are interrelated with other land use issues such as improving affordable housing and transfer of development rights programs; and

WHEREAS, the Planning Commission discussed Ordinance No. 2020-16 on June 25 and July 9, 2020 and made additional recommendations on revising BIMC 18.12.030.E.; and

WHEREAS, the Planning Commission recommends retaining and revising Subsection E.1.a. and Subsection E.7. and eliminating other provisions related to obtaining Bonus FAR; and

WHEREAS, the Planning Commission recommends that Subsection E.2., related to obtaining Bonus FAR through the City’s Transfer of Development Rights (“TDR”) program, be deleted at this time and reconsidered at a later date as part of updating the TDR program; and

WHEREAS, the Planning Commission recommends moving Subsection E.6. related to Historic Structure provisions to Chapter 18.24 BIMC, Historic Preservation, and to BIMC 18.12.050; and

WHEREAS, the Planning Commission recommends that the City pursue eliminating the Bonus FAR provisions related to the Islander Mobile Home Park, Subsection E.1.b., and selling its unused residential FAR, if legally and economically feasible; and

WHEREAS, on August 25, 2020, the City Council approved Ordinance No. 2020-20 extending the interim zoning control on the City’s bonus FAR program for six an additional months; and

WHEREAS, the Planning Commission continued discussion of proposed Ordinance No. 2020-16 related to revising the Bonus FAR Program on September 10, 24, and October 8, 2020; and

WHEREAS, in fall 2020, the Planning Commission recommended adoption of Ordinance No. 2020-16 as an interim measure while the City Council, the Planning Commission, and Planning Staff address broader revisions to the zoning code, including base FAR and

whether to replace it with other measures such as form-based zoning; and

WHEREAS, in recommending Ordinance No. 2020-16 as an interim ordinance, the Planning Commission recommended that the ordinance should sunset or end after 2 years; and

WHEREAS, on November 17, 2020, the City Council discussed Ordinance No. 2020-16, the current amendments to the City's bonus FAR program recommended by Planning Commission together with representatives from the Planning Commission, and the City Council provided policy guidance to the Planning Commission on outstanding policy questions, including directing the City Manager to contact the Islander Mobile Home Park regarding potential purchase of its floor area ratio by the City; and

WHEREAS, on November 19, 2020, the Planning Commission discussed the City Council feedback from November 17 and indicated that the City could move forward with Ordinance No. 2020-16 without any changes to BIMC 18.12.030.E.1.b. related to Islander Mobile Home Park FAR; and

WHEREAS, on February 23, 2021, the City Council approved Ordinance No. 2021-09 extending the interim zoning control ordinance related to Floor Area Ratio density bonus options (Ordinance Nos. 2020-10 and 2020-20) for six additional months, until September 10, 2021, to allow time to complete work on Ordinance No. 2021-10 (formerly Ordinance No. 2020-16); and

WHEREAS, on July 22, 2021, the Planning Commission reviewed an updated version of Ordinance No. 2021-10; and

WHEREAS, after holding and closing a public hearing on July 29, 2021, the Commission recommended approval of this Ordinance No. 2021-10 to the City Council; and

WHEREAS, notice was given on July 16, 2021, to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

WHEREAS, the City Council considered this Ordinance No. 2021-10 at its meetings on August 10 and August 24, 2021; and

WHEREAS, because this ordinance relates directly to the above described interim control that is in effect currently pursuant to Ordinance No. 2021-09, the effective date of this ordinance will coincide with the scheduled expiration of that interim control, such that at the point at which the interim control expires, this ordinance will take effect. That interim control is scheduled to expire on September 10, 2021.

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

Section 1. Table 18.12.020-3 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

Section 2. Section 18.12.030.E. of the Bainbridge Island Municipal Code is hereby amended as follows:

E. Bonus Density to incentivize affordable housing in Winslow Mixed Use and High School Road Districts. Eligible properties may increase achieve a maximum level of development-above the base FAR, as provided for in Table 18.12.020-3, by using one, or a combination of, the following FAR bonus provisions. The FAR bonus provisions may be combined to achieve the maximum level of development established for each district. In no case shall the total commercial, residential or mixed use FAR exceed the maximum FAR as provided for in Table 18.12.020-3.

1. Optional Affordable Housing.

- a. FAR Bonus. Up to 100 percent of the maximum residential FAR bonus may come from providing affordable housing as defined in Chapter 18.36 BIMC; provided, that the difference between the base residential FAR and the maximum residential FAR shall be dedicated to affordable housing. A portion of the total floor area that is of common use and benefit to the entire residential development (for example, interior halls, stairwells, laundry rooms, exercise rooms) may be included in the calculation of the affordable housing component. This portion shall be the same percentage as the affordable housing provided. For example, if 20 percent of the living unit floor area is for affordable housing, then 20 percent of the common floor area may be included in the total affordable housing calculation. Development of the optional affordable housing shall be in accordance with Chapter 18.21 BIMC and Table 18.12.030.

Table 18.12.030: Optional Affordable Housing Bonus Summary Table

Size of Development	Residential development less than 10,000 sq. ft.	Residential development of 10,000 sq. ft. but less than 60,000 sq. ft.	Residential development more than 60,000 sq. ft.
Affordable Housing FAR Bonus	Must provide 100 percent of bonus square footage for extremely low, very low, or moderate income groups.	Must comply with following ratios: (a) 100 percent of bonus for all moderate; OR (b) 0.2 of bonus for extremely low, very low, or low income groups; 0.5 of bonus for moderate income group; and 0.3 of bonus for middle income group.	Must comply with following ratios: 0.1 of bonus for extremely low, very low or low income groups; 0.6 of bonus for moderate income group; and 0.3 of bonus for middle income group.

- b. Preservation of the Islander Mobile Home Park. Preservation of the Islander Mobile Home Park as an existing park site for manufactured homes shall be encouraged through the following provisions.

i. Unused FAR from the parcel on which the mobile home park is located may be transferred to another parcel or parcels within the Mixed Use Town Center. For example, the base FAR for the mobile home park would be calculated, less the FAR of the mobile homes. In exchange for permanently preserving the mobile home park, the owner of the property may transfer the unused FAR to another parcel or parcels in the Mixed Use Town Center, where it may be used as bonus FAR above the base FAR for that district.

ii. Permanent preservation of the mobile home park may be used as an affordable housing bonus on another parcel or parcels within the Mixed Use Town Center. For example, in exchange for preserving the mobile home park, the owner of the property would be deemed to have met the affordable housing bonus provisions of subsection A.1 of this section, and could achieve the maximum FAR bonus for residential development on another parcel or parcels in the Mixed Use Town Center. The owner of the mobile home park may either apply the FAR bonus to another parcel(s) he or she owns, or transfer or sell the bonus to another property owner in the Mixed Use Town Center.

~~2. Purchase of Development Rights. Up to 100 percent of the maximum residential, commercial or mixed use FAR bonus may come from the purchase of development rights as provided for in Chapter 18.27 BIMC. The cost of development rights shall be established by resolution of the city council.~~

~~3. Public Amenities and/or Infrastructure. At the applicant's option, a portion of the bonus may be earned through the provision of public amenities, infrastructure, and/or preservation of a heritage tree(s) on site, pursuant to an adopted city council resolution clarifying the amount of credit awarded for different provision of different public amenities and/or infrastructure, as follows:~~

~~a. Up to 40 percent of the maximum residential, commercial or mixed use FAR bonus may come from monetary contributions toward public amenities and/or infrastructure beyond that required for SEPA mitigation. The amount of the contribution shall be established by resolution of the city council. Funds contributed to the public amenities and/or infrastructure shall be used exclusively in the Mixed Use Town Center or High School Road districts, for projects identified in the six year capital facilities program, or approved by the city.~~

~~b. In lieu of the contribution of funds as provided for in subsection E.3.a of this section, and subject to approval by the director or designee, the public amenities FAR bonus may be achieved by the preservation of a heritage tree(s) on site, construction of public amenities and/or infrastructure beyond that required to mitigate the impacts of development. Public amenities and/or infrastructure projects shall be located in the Mixed Use Town Center or High School Road districts, and shall be chosen from~~

projects identified in the six-year capital facilities program, or approved by the city.

4. Community Open Space. In the ferry terminal district, up to 60 percent of the maximum residential, commercial or mixed-use FAR bonus may be achieved by providing community open space of one acre, or 20 percent of the parcel area, whichever is greater. The community open space shall be located in or in the immediate vicinity of locations identified in Figure 4.1 of the Winslow master plan. The open space must be located on the same parcel that is being developed, and must be on land that would be otherwise buildable. Adequate public access to the community open space must be provided. The city shall consider approving the bonus, taking into consideration the configuration, public use and accessibility of the proposed open space. In cases where a development project utilizes the community open space bonus provision in conjunction with the purchase of development rights bonus provision, all funds collected from the purchase of development rights shall go toward the preservation of agricultural lands fund.

5. Winslow Town Center Mixed Use/High School Road FAR Transfers. Up to 20 percent of the maximum residential, commercial or mixed-use FAR bonus may come from transfers of FAR from parcels within the Mixed Use Town Center and the High School Road districts. The transfer shall create permanent open space through open space preservation covenants on sending parcels that contain critical areas as defined in Chapter 16.20 BIMC. For example, development potential in the ravine of the gateway district may be shifted to the upland area; provided, that the requirements of Chapter 16.20 BIMC are satisfied.

6. Historic Structure Preservation. When an historic structure is preserved on site, the FAR of that historic structure shall not be included in the calculation of total FAR for the site. The historic structure must be included on a state, local or federal register.

2 7. Ferry-Related Parking. In the ferry terminal district, an additional 0.2 FAR may be achieved by relocating existing legal surface ferry commuter parking on site (as shown on Figure 6.2 of the Winslow master plan) to under-building or below-grade parking. The percentage of the additional FAR that is achieved shall be dependent upon the percentage of parking that is relocated. For example, if 50 percent of existing surface ferry commuter parking on site is relocated under-building or below grade, then 50 percent of the total additional FAR (or 0.1 FAR) may be achieved.

Section 3. Section 18.12.050 of the Bainbridge Island Municipal Code is hereby amended as follows:

G. Floor Area Ratio (FAR). “Floor area ratio” is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations. When an historic structure is preserved on site, the floor area ratio of that historic structure shall not be included in the calculation of total floor area ratio for the site. The historic structure must be included on a state, local, or federal register.

Section 4. Section 18.24.010 of the Bainbridge Island Municipal Code is hereby amended as follows:

C. Zoning Code Relief. Designated local register properties may be authorized for a use not otherwise permitted in a certain zone. The planning director may approve said use through an administrative conditional use (BIMC 2.16.050). The planning director may also waive or modify development standards such as: setbacks, open space, lot coverage, landscape buffers and parking requirements. When an historic structure is preserved on site, the floor area ratio of that historic structure shall not be included in the calculation of total floor area ratio for the site. The historic structure must be included on a state, local, or federal register.

Section 5. Section 18.27.040 of the Bainbridge Island Municipal Code is hereby amended as follows:

18.27.040 Receiving areas for development rights.

~~A. Winslow Mixed Use Town Center and High School Road Districts. Developments in the Mixed Use Town Center (MUTC) and the High School Road districts are eligible for increases in floor area ratio as provided for in BIMC 18.12.030.E.1.~~

~~B. NC Districts. The neighborhood centers (NC) are eligible for increased density through the purchase or transfer of development rights in accordance with BIMC 18.12.030.D.1 and D.3, as amended.~~

~~C. R-8 Districts. The urban single-family overlay district (R-8SF) is eligible for increased density through the purchase or transfer of development rights for specified lots in the R-2.9, R-3.5, and R-4.3 zone districts.~~

Section 6. Section 18.27.080 of the Bainbridge Island Municipal Code is hereby repealed

in its entirety as follows:

~~18.27.080 Use of development rights in Mixed Use and High School Road districts.~~

~~A. In order to use development rights to increase floor area ratio within the Mixed Use Town Center or High School Road districts as provided in BIMC 18.12.030.E, an applicant must out an application in a form approved by the city. The application shall include the amount of the requested increase in floor area ratio, and the fee, if any, of the increased floor area ratio. The fee for development rights to increase floor area ratio shall be established by resolution of the city council.~~

~~B. The approved application to utilize development rights to increase floor area ratio within the receiving area must be part of a site plan and design review application under BIMC Title 2. The site plan must indicate the increase in floor area ratio (FAR).~~

~~C. The use of development rights shall be reviewed for conformance with the design review provisions of BIMC 18.18.030.~~

Section 7. Effect on Vested Rights. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any property owner's or property leaseholder's vested development rights as defined by state law and City of Bainbridge Island regulations.

Section 8. The amendments to the Bainbridge Island Municipal Code approved by this ordinance shall sunset or end two years from the effective date of this ordinance.

Section 9. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 10. This ordinance shall take effect and be in force immediately upon the expiration of the related interim zoning control that is in effect currently pursuant to Ordinance No. 2021-09. That interim control is scheduled to expire on September 10, 2021.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2021.

APPROVED BY THE MAYOR this _____ day of _____, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	August 6, 2021
PASSED BY THE CITY COUNCIL:	_____, 2021
PUBLISHED:	_____, 2021
EFFECTIVE DATE:	_____, 2021 (This ordinance is effective immediately upon the expiration of the related interim zoning control that is in effect currently pursuant to Ordinance No. 2021-09. That interim control is scheduled to expire on September 10, 2021.)
ORDINANCE NUMBER:	2021-10

Exhibit A: Table 18.12.020-3 of the Bainbridge Island Municipal Code

Exhibit A to Ordinance No. 2021-10

Revisions to Table 18.12.020-3

ZONING DISTRICT	Winslow Mixed Use Town Center					HSR I and II
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]	
DIMENSIONAL STANDARD						
Basic Maximum						
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3
Residential	0.4	0.4	0.3	0.5	0.4	0.3
Mixed Use [2]	1.0	0.5	0.5	0.5	0.5	0.3
Maximum with Bonus	Bonus densities require compliance with BIMC 18.12.030.E					
Commercial and Other Nonresidential Uses	1.0	0.6	0.6	0.3	0.2	0.6
Residential	1.0	0.6	0.6	1.0	1.1	0.6
Mixed Use [2]	1.5	1.0	1.0 0.9	1.0	1.3 1.2 (1.5 1.4 pursuant to note [3])	1.0 0.9

[1] If the existing FAR for a developed property as of May 21, 1998, is higher than the base FAR for that district, then the existing FAR will be considered the base FAR for that developed property. Total FAR may not be exceeded.

[2] In mixed use development, the established FAR in the residential and commercial components shall not be exceeded. For the residential FAR bonus provisions for qualifying housing design demonstration project, refer to the bonus density provisions in BIMC 2.16.020.S.8.

[3] In mixed use development in the ferry terminal district, an additional 0.2 FAR is permitted in accordance with **BIMC 18.12.030.E.27**. The additional FAR may be applied to either the residential or commercial component of the mixed use development.

Ordinance 2021-10 Revising Bonus Floor Area Ratio (FAR) Options

City Council
August 10, 2021

Background

- Interim Control:
 - Passed on March 10, 2020
 - Amended Bonus FAR to:
 - Allow for affordable housing;
 - Transfer unused FAR from the Islander Mobile Home Park (IMHP); &
 - Exclude historic structure square footage from the FAR calculation
 - City Council Directed the Planning Commission to work on a permanent Ordinance.
 - Planning Commission proposal:
 - Allow for affordable housing;
 - Transfer unused FAR from the Islander Mobile Home Park (IMHP);
 - Allow an additional .2 FAR in the Ferry Terminal District for relocating ferry commuter parking.
- Other Considerations:
- Excludes historic structures (definition)
 - Amends the FAR Table
 - 2-year sunset
 - Pursue purchase of IMHP

Ordinance 2021-10 Revising Bonus Floor Area Ratio (FAR) Options

Pre-Interim Control: 18.12.030.E *Bonus Density in Winslow Mixed Use and High School Road Districts*

1. Affordable Housing: Build affordable housing with development project or Purchase Residential FAR from Islander Mobile Home Park
2. Purchase Development Rights (Bonus FAR) from the City or private TDR
3. Integrate Public Amenities and/or Infrastructure with Development
4. Community Open Space (Ferry Terminal District)
5. FAR Transfers between MUTC/HS Road Zoned Properties
6. Historic Structure Preservation
7. Relocating Ferry Surface Parking to Under a Building or Underground (Ferry Terminal District)

Ordinance 2021-10 Revising Bonus Floor Area Ratio (FAR) Options

Changes with Ordinance 2021-10:

1. Affordable Housing: Build affordable housing with development project or Purchase Residential FAR from Islander Mobile Home Park
- ~~2. Purchase Development Rights (Bonus FAR) from the City or private TDR~~
- ~~3. Integrate Public Amenities and/or Infrastructure with Development~~
- ~~4. Community Open Space (Ferry Terminal District)~~
- ~~5. FAR Transfers between MUTC/HS Road Zoned Properties~~
6. Historic Structure Preservation: MOVED TO HISTORIC PRESERVATION CHAPTER
7. Relocating Ferry Surface Parking to Under a Building or Underground (Ferry Terminal District)

Ordinance 2021-10:

Sunsets after 2 years
(Section 8)

Eliminates Bonus FAR for:
Market-rate Housing
(almost entirely)

Eliminates bonus FAR for
Commercial Development

ZONING DISTRICT DIMENSIONAL STANDARD	Winslow Mixed Use Town Center					HSR I and II
	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC 18.12.030.C]	
Basic Maximum						
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3
Residential	0.4	0.4	0.3	0.5	0.4	0.3
Mixed Use [2]	1.0	0.5	0.5	0.5	0.5	0.3
Maximum with Bonus	Bonus densities require compliance with BIMC 18.12.030.E					
Commercial and Other Nonresidential Uses	1.0	0.6	0.6	0.3	0.2	0.6
Residential	1.0	0.6	0.6	1.0	1.1	0.6
Mixed Use [2]	1.5	1.0	1.0 0.9	1.0	1.3 1.2 (1.5 1.4 pursuant to note [3])	1.0 0.9

Ordinance 2021-10 Revising Bonus Floor Area Ratio (FAR) Options

Next Steps

August 10:
City Council Review and Discussion;
Consider Holding Public Hearing

August 24:
Public Hearing and/or Consent Agenda

September 10, 2021:
Interim Zoning Control Expires Unless Extended
by the City Council

From: [JOHN TAWRESEY](#)
To: [PCD](#)
Cc: alicetaw@aol.com
Subject: July 29, 2021 Planning Commission Public Hearing
Date: Wednesday, July 28, 2021 11:55:11 AM
Attachments: [July 29 2021 Public Hearing on FAR - Ferry Terminal District.docx](#)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Jennifer,

Please find attached my comments regarding the Ferry Terminal District FAR.

John G Tawresey SE, FSEI, FTMS, Hon. M. TMS, Dist. M. ASCE
CFO Kpff Consulting Engineers - Retired
213 Gowen PL NW
Bainbridge Island, WA 98110
206-669-1989

Written Comment to the Department of Planning and Community Development
July 28, 2021

From: John Tawresey
Subject: FAR in the Ferry Terminal District

Existing Condition:

1. Because it is a transportation hub, the Ferry Terminal District is different and unique compared to other MUTC districts.
2. A developer will not add one affordable unit to gain FAR when the affordable unit return on investment is lower than the market rate unit. Affordable units need to be subsidized. Adding 100% FAR only to affordable units provides no subsidy.
3. Surface parking in the FTD is the highest and best use of the land when a .4 FAR is the limiting value.
4. Developable land is limited in the FTD.
5. Analysis shows that ordinance 2021-10 will reduce the development in the FTD from approximate 300 units to 100 units (see table).

Ferry Terminal District

Unit Size	1200	Square Foot
Base FAR	0.4	
Maximum FAR	1.2	Allowed only if all additional FAR is affordable

Map Parcel	Owner	Address	Lot	Existing Building	Developable	
			SQ-FT	SQ-FT	FAR 0.4	FAR 1.2
106	OSTENSON & SWEAZEY Inv	220 Olympic Dr SE	47480	1344	16	47
150	WINSLOW MARINE LLC	290 Olympic DR SE: Diamond lot	141134	0	47	141
161	KITSAP TRANSIT	260 Olympic DR SE: Bus & Transit	41818	2058	0	0
108	STATE OF WA DOT	270 Olympic DR SE: Ferry Terminal	226948	9368	0	0
076	TORCH INVEST LLC	Parking east of Diamond Lot	11761	0	4	12
075	DIAMOND PARKING INC	Parking east of Diamond Lot	4792	0	2	5
074	DAUGHTERS OF AMERICAN REV	Parking east of Diamond Lot	32234	0	11	32
103	701 WINSLOW LLC	701 WINSLOW WAY E:	6098	3075	2	6
104	SOLARMARINE LLC	755 WINSLOW WAY E	12632	7901	4	13
105	HARRIS DENISE D	761 WINSLOW WAY E	12632	651	4	13
003-00	TAWRESEY JOHN & ALICE B	Cave Ave.	29185	0	10	29
010	COLE CLIFFORD & ELIZABETH	682 Winslow Way E: Pine Building	5227	1192	2	5
BL Development	Many owners - Fully Developed					
Harbor Square	Many owners - Fully Developed					
				Total	101	303

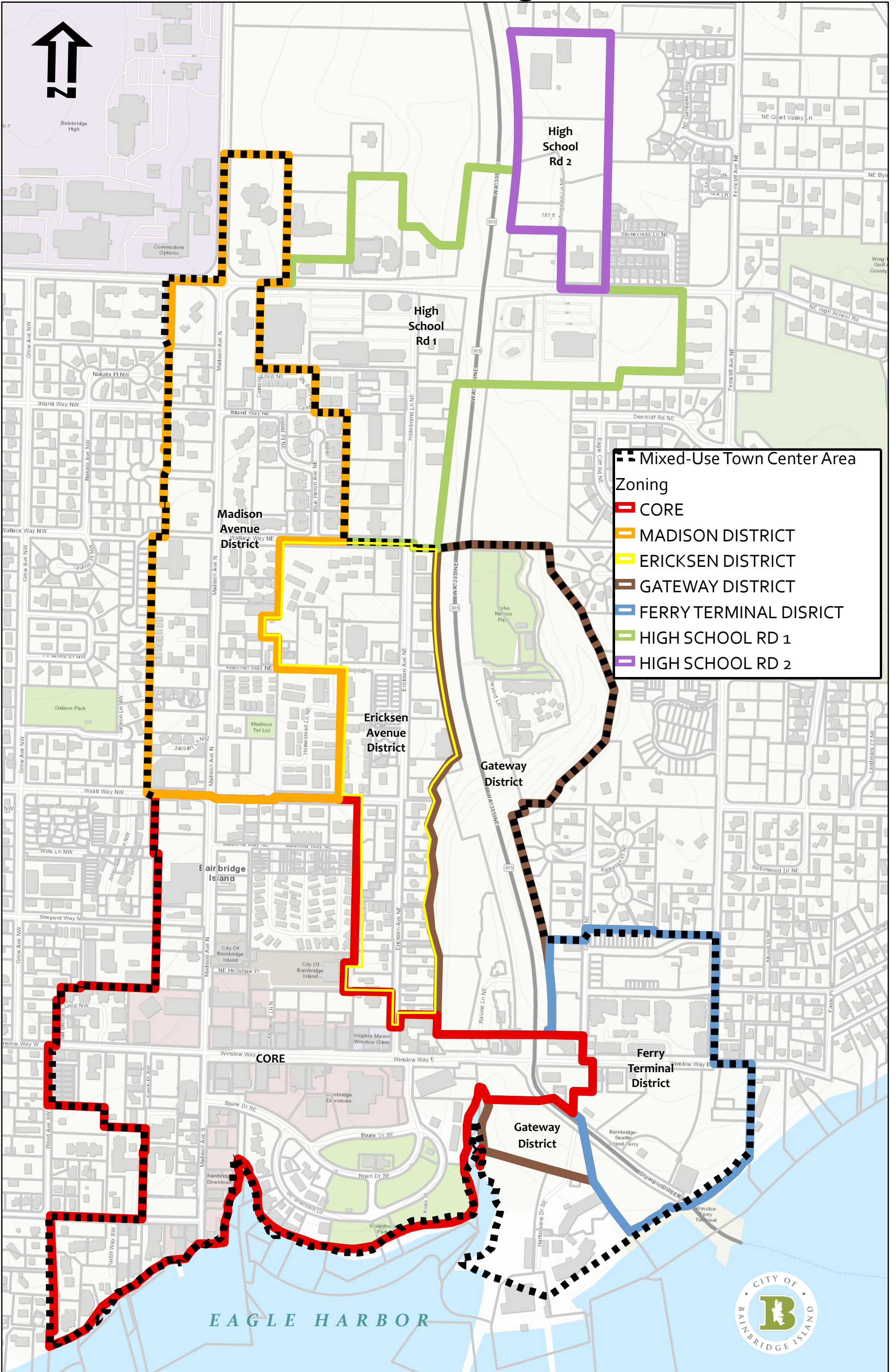
Questions for Planning:

1. Does the GMA give direction for densities in transportation hubs?
2. Does the WMP recognize the FTD as a transportation hub?
3. What is the best location in the MUTC for affordable housing?
4. If FAR could be purchased for the FTD could the money be used to subsidize affordable housing?

Recommendation:

To justify development in the Ferry Terminal District, a base of FAR of .8 is necessary. Otherwise, no residential, affordable or market rate, will be built and surface parking will remain.

MUTC & HSR Zoning Districts



PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	July 29, 2021
Ordinance:	2021-10 Amending Bonus Floor Area Ratio (FAR) Options, BIMC 18.12.030.E
Decision Maker:	City Council

Planning Commission Role and Responsibility: Pursuant to [BIMC 2.16.180](#), Planning commission review and recommendation is required for amendments to BIMC Chapter 2.16, and BIMC Titles [16](#), [17](#), and [18](#), area-wide rezones initiated by the city, or area-wide rezones associated with a privately initiated amendment to the comprehensive plan.

Planning Commission Action:

1. In making a recommendation, the planning commission shall consider applicable decision criteria of this chapter, all applicable law, the comprehensive plan, public comment, and any necessary documents and approvals.
2. The planning commission shall issue a written recommendation that contains (a) a statement recommending that the proposed amendment be approved, approved as amended, or denied, and (b) a statement of facts upon which the recommendation is based and the conclusions derived from those facts.
3. The planning commission's written recommendation and other documents upon which its decision is based shall be immediately transmitted to the city council and department director.

Findings of Fact and Reasons for Action

On February 25, 2020, the City Council directed the Planning Commission to bring back an ordinance that would reform the City's Bonus FAR program to only allow bonus FAR in relation to affordable housing, historic preservation, and transfer of development rights. During its discussions, the Planning Commission recommended removing the allocation of bonus FAR for historic preservation to the historic preservation section of the code. The proposed ordinance would reform the City's FAR program to only allow bonus FAR in relation to affordable housing and the relocation of ferry surface parking. The ordinance is intended to be an interim regulation with a two-year sunset for the purpose of allowing the City Council to revise the Winslow Master Plan and develop an affordable housing program and a transfer of development rights program, which will all be used to then determine whether changes are necessary to the FAR base and bonus programs within the Winslow mixed use town center.

Recommendation:

The Planning Commission recommends the City Council:

- ☒ Approve the ordinance.
☐ Approve the ordinance as amended.
☐ Deny the ordinance.



PLANNING COMMISSION RECORDED MOTION

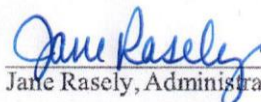
Recorded motion on: July 29, 2021

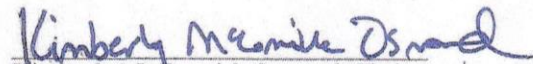
**I move to approve Ordinance 2021-10.
Blossom/Mathews**

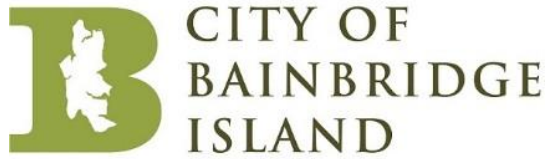
Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
McCormick Osmond	X			
Paar	X			
Chester	X			
Macchio	X			
Blossom	X			
Mathews	X			
Subramanian	X			
Total	7			

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Jane Rasely, Administrative Specialist


Kimberly McCormick Osmond, Chair



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: September 24, 2020
To: Planning Commission
From: Jennifer Sutton, AICP
Senior Planner
Subject: Planning Commission Review of DRAFT Ordinance No. 202-16 Re: Bonus FAR Program

I. BACKGROUND

On March 10, 2020, the City Council approved an [interim zoning control ordinance](#) related to Floor Area Ratio ("FAR") bonus options ([Ordinance No. 2020-10](#)). The interim control became effective immediately and paused the use of bonus FAR, which increases the amount of residential, commercial, or mixed-use development that can be built for some types of projects in some instances. At their [August 25, 2020 meeting](#), the City Council will held a public hearing on Ordinance No. 2020-20 and voted to extend the Interim Zoning Control until March 10, 2021.

The FAR and Bonus FAR development provisions only apply within the Mixed Use Town Center (MUTC) and High School Road zoning districts, otherwise known as downtown Winslow or Winslow. See attached map and excerpt of [BIMC Table 18.12.020-3](#). See definitions of *Floor Area* and *Floor Area Ratio* below ([BIMC 18.12.050](#)).

F. Floor Area. Floor area is measured as the total area of all floors within the exterior vertical walls of a building. If any room has a sloping ceiling, no portion of the room measuring less than five vertical feet from the finished floor to the finished ceiling shall be included in the computation of total area.

G. Floor Area Ratio (FAR). "Floor area ratio" is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations.

The City's Bonus FAR program was created in the late 1990's as part of implementing the [Winslow Master Plan \(WMP\)](#); as described in the [WMP](#), bonus FAR incentivizes developers to provide or integrate a variety of community benefits as a way to earn bonus FAR. Each district has different FAR standards for residential, commercial, and mixed-use FAR, and in several districts, the program has a "built-in" incentive for mixed-use development by having a higher mixed-use FAR standard than straight commercial or residential development.

In addition, the Bonus FAR could be purchased from the City to support public farmland and improved amenities downtown. As a result of the interim zoning control, Bonus FAR choices were limited and can now only be obtained or used currently under the following circumstances:

- Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a;
- Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.b; or
- Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

[Ordinance No. 2020-10](#) includes an exclusion recognizing development rights that were purchased from the City or otherwise acquired prior to the effective date of the ordinance, as well as a provision recognizing vested rights. On August 25, 2020, the City Council voted to extend the interim control March 10, 2021.

II. DRAFT ORDINANCE NO. 2020-16

As directed by the City Council on February 25, 2020, the Planning Commission has been tasked to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR program so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. The Planning Commission began their discussion on [March 12, 2020](#), and it continued on [May 14 and 28, June 11, June 25, July 9, August 27, and September 10, 2020](#). The Planning Commission had formed a subcommittee that came back with recommendations on revising the Bonus FAR program on June 11. The Commission affirmed the committee's recommendations for revising the Bonus FAR program, and those recommendations were integrated into DRAFT Ordinance No. 2020-16.

DRAFT Ordinance No. 2020-16 removes all the bonus FAR provisions of BIMC 18.12.030.E except the [Subsection E.1.a and Subsection E.7](#), related to affordable housing and relocating surface ferry parking under a building or below ground, respectively. The Planning Commission recommends relocated the FAR provisions related to preserving historic buildings to the [BIMC Chapter 18.24 Historic Preservation Program](#). By removing all of the ways of achieving bonus FAR except through the provisions of affordable housing, DRAFT Ordinance No. 2020-16 de facto eliminates all of the ways to achieve bonus FAR for commercial-only developments (except for those properties with historic buildings- see above).

This change means that there would not be a base AND bonus FAR for commercial development, only a FAR standard for commercial development. This change would be made BIMC Table 18.12.020-3- see EXHIBIT A to DRAFT Ordinance No. 2020-16. Staff included two options for EXHIBIT A for the Planning Commission to consider. EXHIBIT A Option 1 sets the commercial FAR standard at the level of the current maximum commercial FAR. Staff recommended this Option as best supported by the Comprehensive Plan (see discussion below). EXHIBIT A Option 2 set the commercial FAR standard at the level of the current base commercial FAR. The Commission recommended to move forward with Option 2 at their September 24 meeting (see current Exhibit A to Ordinance 2020-16).

III. COMPREHENSIVE PLAN

As mentioned above, the bonus FAR program was originally added in the late 1990's as part of implementing the [Winslow Master Plan \(WMP\)](#), which was originally approved in 1998 and substantially updated in 2006. The WMP went into the details about how Winslow could grow and change to support the broader smart growth principles of the City's [Comprehensive Plan](#). Those smart growth principles

were reaffirmed in the recent Comprehensive Plan Update, including the [Land Use Vision 2036](#) and the City's growth plan, the Island-wide Conservation and Development Strategy.

ISLAND-WIDE CONSERVATION AND DEVELOPMENT STRATEGY GOAL LU-4

As part of a long-term Island-wide Conservation and Development Strategy, focus residential and commercial development in designated centers, increase a network of conservation lands, maximize public access while protecting the shoreline, minimize impacts from the SR 305 corridor and conserve the Island's ecosystems and the green and open character of its landscape.

The Island-wide Conservation and Development Strategy, Land Use Element Goals LU-5 through LU-8 and supporting policies promote housing and commerce in designated centers including downtown Winslow and describe the positive benefits of that growth pattern.

Policy LU 5.1 Winslow is the urban core of the Island while the Neighborhood Centers are smaller-scale mixed-use centers. In order to achieve the goals of the GMA this Plan:

- Encourages development in areas where public facilities and services exist or can be provided in an efficient and effective manner.
- Provides a vibrant, pedestrian-oriented core.
- Reduces sprawl.
- Provides choice of housing location and lifestyle.
- Maintains and protects environmentally sensitive and resource lands.
- Encourages the retention of open space.
- Maintains and enhances fish and wildlife habitat.

GOAL LU-6 Ensure a development pattern that is true to the Vision for Bainbridge Island by reducing the conversion of undeveloped land into sprawling development. Encourage improvement of aging or underutilized developments over development of previously undeveloped property.

Policy LU 6.1 Land use designations reflect the priority of Bainbridge Island to remain primarily residential and agricultural with nonresidential development concentrated in the designated centers.

Policy LU 6.2 Promote dense residential and commercial development and encourage human activity within Winslow, the heart of Bainbridge Island. In order to create a vibrant city center direct growth where infrastructure exists, reduce reliance on the automobile, provide opportunities for affordable housing and absorb growth that would otherwise be scattered in outlying areas. Plan for adequate parking in Winslow to accommodate residents and visitors who drive downtown for shopping, participation in local government, attendance at cultural events and centers, and to use other resources in Winslow.

GOAL LU-7 The Winslow mixed use and commercial districts are designed to strengthen the vitality of downtown Winslow as a place for people to live, shop and work. The Winslow Mixed Use Town Center (MUTC) is intended to have a strong residential component to encourage a lively community during the day and at night. The high residential density of Winslow requires the Central Core Overlay District to provide services and products that meet the needs of residents as well as visitors. Policy

LU 7.1 The Island's major center for new commercial development is the Mixed Use Town Center (MUTC) and the other commercial districts in Winslow. Development within the MUTC and High School Road Districts shall be consistent with the Winslow Master Plan. The level of development is

determined using Floor Area Ratio (FAR) rather than dwelling units per acre. The use of FAR may result in an increase in the base level of development (density) over the existing zoning, but will provide greater flexibility in type and size of housing units that will further the goals of this Plan.

The above Land Use Element policies are merely a smattering that support the City's [Comprehensive Plan](#) anti-sprawl land use strategy. Additional support can be found in the Comprehensive Plan Elements hyperlinked below.

[Introduction](#)

[Land Use Element](#)

[Economic Element](#)

[Housing Element](#)

[Transportation Element](#)

[Winslow Master Plan](#)

As mentioned above, the [Winslow Master Plan \(WMP\)](#) describes a Winslow that is a major component of the City's overall land use strategy as the Island's primary center for commerce and housing. The "bonus FAR tool" is described in the [WMP](#) as a way to achieve community benefits above and beyond what is required by the BIMC. See attached document of [WMP](#) goals, policies and information specifically related directly to the bonus FAR program. The very first page of the [WMP](#) distills these community goals (below):

WHY A MASTER PLAN FOR WINSLOW?

The Comprehensive Plan establishes the vision and overall framework for the future of Winslow. It is designated as the major area of urban concentration — the commercial, cultural and commuter hub of the Island.

Higher intensity of residential and commercial activity is recommended for Winslow to 1) encourage development where public facilities and services exist or can be efficiently expanded, 2) provide choice of housing for all economic segments of the population, 3) reduce sprawl elsewhere on the Island, 4) encourage efficient multimodal transportation, and 5) encourage economic development within Winslow.

WMP Chapter 1 Introduction & Summary

BONUS FAR Changes Reduces New Commercial Development

As seen above, the [Comprehensive Plan](#) and [WMP](#) identify and promote Winslow as the commercial center for Bainbridge Island. The Planning Commission recommendation to modify the bonus FAR provisions, DRAFT Ordinance No. 2020-16, eliminates the ability to purchase FAR from the City would limit the ability of commercial development to achieve bonus FAR to 1) projects that can integrate preserving a historic building and 2) mixed-use developments that provides affordable housing pursuant to [BIMC 18.12.030.E.1.a](#). To summarize, the changes currently contemplated by the Planning Commission de facto limit most commercial development to the base FAR levels of [BIMC Table 18.12.020-3](#).

In addition to supporting the goals and policies that put Winslow as the center of Bainbridge Island commerce and public life, the Growth Management Act requires that that comprehensive plans and zoning plan for future jobs, not just future residences. It is well known that the City's 2016 Comprehensive Plan needed to plan for or accommodate a future population of 28,660 persons. Lesser known is that comprehensive plans need to accommodate enough land with commercial development potential to accommodate future jobs. Kitsap County and its cities coordinated on the [2014 Buildable Lands Report](#) (see Chapter 5 and Appendix C for more information on commercial capacity analysis) in

advance of the comprehensive plan update. Page 18 of [Introduction](#) to the Comprehensive Plan summarizes this work and is excerpted below:

The Plan has been updated based on residential and employment targets that align with [Vision 2040](#), as demonstrated through the population and employment capacity analysis in the [Kitsap County 2014 Buildable Lands Report](#). The City's existing residential and commercial zoning accommodates those target- see tables below.

Table IN-1: City of Bainbridge Island Population Capacity and Demand	
2036 Residential Population Forecast/Target	28,660
Population Capacity Under Existing Zoning	6,814
2010-2036 Allocated Population Growth	5,635
Net 20-Year Population Capacity (+ or -)	+1,179
Population Capacity/Demand Ratio	1.21

Table IN-2: City of Bainbridge Island Employment Capacity and Demand	
Employment Capacity Under Existing Commercial Zoning	2,941 jobs
2036 Employment Growth Forecast/Target	2,808 jobs
Net 20-Year Population Capacity (+ or -)	+133 jobs
Employment Capacity/Demand Ratio	1.04

Table IN-2 shows that the City has *just enough* land with commercial development capacity to accommodate 2,808 future jobs. The [2014 Buildable Lands Report](#) commercial capacity analysis for the MUTC and HS road zones utilized the *bonus* commercial FAR standard to calculate employment growth capacity. The Growth Management Act requirement to plan for future commercial development is another reason to not reduce the availability of commercial FAR, and instead, to consider other options for bonus FAR. An option presented by staff at the August 13 and September 10 Planning Commission meeting would be to make the current *bonus* commercial FAR as maximum FAR. Another option would be for the Planning Commission to recommend an alternative bonus FAR option, such as amenities or consideration of an increased fee for community benefits.

Affordable Housing

Increasing the amount of affordable housing and improving housing affordability generally are goals that permeate several elements of the [Comprehensive Plan](#), notably the [Land Use](#), [Housing](#) and [Economic](#) Elements. To achieve the affordable housing goals and policies in the [Comprehensive Plan](#), City Council created a short-term Affordable Housing Task Force (AHTF) in 2017 to assist the City in prioritizing a variety of affordable housing actions.

The City changed its mandatory affordable housing requirement to voluntary in 2005 ([BIMC 18.21](#)), and developers have opted not to use it, including in downtown Winslow ([BIMC 18.12.030.E.1.a](#)). Although the City has succeeded in building a high proportion of new residences in Winslow in the last 20 years, few of the units have been designated as "Affordable Housing". Despite the aspirational goals of the [Comprehensive Plan](#) and [WMP](#), the City's development code is not producing affordable units.

The City has hired firm ECONorthwest to provide economic analysis and feasibility study regarding a new Inclusionary Zoning program and adoption of a Multifamily Tax Exemption (MFTE). Council discussed

these issues on [June 19](#), [October 2](#) and [December 4](#), 2018. On [February 19, 2019](#), ECONorthwest presented a final report to City Council. The final analysis indicated that the City's FAR (too low), building height (too low) and parking standards (too high) are outdated, and need to be changed in order to create an inclusionary zoning program that relies on the private market to produce affordable housing. Council has considered adoption of an MFTE and/or an inclusionary zoning program and continued to make progress on these complex issues at their [September 17, 2019](#) and [February 4, 2020](#) meetings, however the Council has not finalized a policy direction to design a inclusionary zoning program that could be successful.

Although limiting bonus FAR to those projects that include affordable housing as required by [BIMC 18.12.030.E.1.a](#) seems a likely way to ensure that affordable housing is constructed in lieu of market rate and commercial development, it is unlikely that any private development project would utilize this section, because it hasn't been utilized for 15 years. The City's base and bonus FAR levels have not been updated since the WMP was originally implemented- more than 20 years ago.

The [February 2019 Final Report on Inclusionary Zoning](#) by ECONorthwest indicates that the current available FAR is too low, and the affordability requirement too high (requiring the entirety of any bonus FAR to be designated affordable housing) to produce any private development projects. The modeling done by ECONorthwest was utilizing a 10% affordable housing requirement. Given that building and implementing designated affordable housing is expensive, the lower the income targeted, the higher the number of market-rate units needed to support those affordable units. Add in the incredible low vacancy for rental units at this time, and for these reasons, City Planning staff suggests making the other changes to FAR, building height and parking that are described in [February 2019 Final Report on Inclusionary Zoning](#) by ECONorthwest. As described above, the [Comprehensive Plan](#) and [WMP](#) describe a Winslow where both commerce and diverse housing types are appropriate.

IV. ISLANDER MOBILE HOME PARK RESIDENTIAL FAR

In 2004, the residents of the Islander Mobile Home Park (IMHP) succeeded in their multi-year effort to purchase their mobile home park property to prevent it from being sold and likely, redeveloped. This purchase was the result of a wide-scale community effort to raise money to preserve the IMHP to preserve this pocket of affordability in downtown Winslow. The City was an integral partner in the preservation of the IMHP. The IMHP is in the MUTC/Central Core District in the center of downtown Winslow, which allows the most intense development. Preserving the IMHP as a mobile home park with a relatively low level of development left the IMHP with more than 137,000 square feet of unused "Residential" FAR.

The City is party to a 2004 Covenant with the then newly formed IMHP Residents Association that outlines the ability of the IMHP to "sell" or "transfer" the unused residential FAR with City oversight. Most of the IMHP residential FAR has been sold and used in development throughout Winslow, however some of the IMHP residential FAR remains unsold or unused.

On July 9, the Planning Commission recommended eliminating BIMC 18.12.030.E.1.b, the IMHP bonus FAR provision, and that the City should purchase the balance of IMHP FAR. In making this recommendation, the Commission acknowledged that to do so would require legal review and budget analysis to inform a City Council decision on this task. Eliminating this provision would also require amending that 2004 Covenant in coordination with the other parties. Part of the Commission's rationale for eliminating the IMHP FAR is because the City doesn't otherwise have mandatory affordable housing provisions, such as mandatory inclusionary zoning, that the residential bonus FAR could be used to build only market-rate housing in downtown Winslow. This provision is in the *Affordable Housing* portion of Section E because of the affordable units MAINTAINED by preserving the IMHP.

V. NEXT STEPS & PUBLIC OUTREACH

Staff has scheduled a Planning Commission check-in with the City Council regarding the Planning Commission regarding the entire Planning Commission proposal for updating the Bonus FAR program, including the proposal to pursue eliminate the Mobile Home Park bonus FAR provisions, for October 20, 2020, prior to the Planning Commission holding a public hearing and completing their recommendation on Ordinance No. 2020-16.

City staff will collaborate with the City's Communications Coordinator to improve outreach about the proposed changes to the Bonus FAR program, to ensure that the Winslow community, including the business community, is informed about this effort prior to the Planning Commission holding a public hearing on Ordinance No. 2020-16.

WMP CHAPTER 2

LAND USE

Overall Land Use Goal WMP 2-1

Strengthen Winslow—the Island’s commercial, cultural and commuter hub—as a sustainable, affordable, diverse, livable and economically vital community, by:

- Encouraging downtown living;
- Providing an enhanced pedestrian experience, with linked access to retail shopping, the ferry, major public facilities, open space and residential areas, and promoting and retaining visual access to Eagle Harbor;
- Promoting the efficient use of land;
- Encouraging the retention and expansion of retail that serves the needs of community members and visitors;
- Providing opportunities for business expansion and private reinvestment;
- Promoting development that is sustainable and supports community values; and
- Developing strategies that result in the creation of less expensive housing and retail space, thereby increasing diversity while minimizing dependence on the automobile.

Goal WMP 2-3: Maintain and Enhance Community Character in the Mixed-Use Town Center and High School Road Districts

Policy WMP 2-3.1: Promote architecture that encourages green building, natural light, ventilation and rooftop gardens.

Policy WMP 2-3.2: Through the use of design guidelines, development standards and incentives, promote the development of courtyards that create a pattern of linked public and private gardens and gathering places, providing opportunities for pedestrian movement.

Policy WMP 2-3.3: Through the use of design guidelines, development standards and incentives encourage stepped-back buildings that result in a softer street edge, the retention and enhancement of visual connections to Eagle Harbor and the creation and preservation of sun-filled public gathering spaces.

Policy WMP 2-3.4: Preserve, protect, adapt and restore sites, buildings and trees of historic significance.

Policy WMP 2-3.5: Retain and expand the historic pattern of narrow pedestrian passages.

Policy WMP 2-3.6: Enhance the livability of the downtown with trees and small gardens on the streets, along paths and in courtyards.

Policy WMP 2-3.7: Collaborate with the Arts and Humanities Council and downtown organizations to solicit sponsors for public art in the downtown.

Policy WMP 2-3.8: Enhance the experience of Winslow as a waterfront town that is connected to Eagle Harbor by activity, trails, views, lanes and design features:

- Utilize FAR levels, development standards and incentives to encourage development and redevelopment along Bjune Drive.
- Actively work to acquire land, easements and permits needed to extend the Waterfront Trail and develop a ravine trail.
- Develop new facilities for visitors, residents and the community, including public road ends, beaches, concessions, docks, marinas and mooring.
- Plan for a future water taxi connection between the Winslow and Eagledale waterfronts.
- Improve water quality through restoration projects, management practices and environmentally responsible building techniques.
- Retain views of the harbor from public lands and streets.

Goal WMP 2-4: Sustain and Enhance the Economic Vitality of the Mixed-Use Town Center and High School Road Districts

Policy WMP 2-4.1: Establish policies, programs and development standards that facilitate business expansion and private reinvestment.

Policy WMP 2-4.2: To stimulate investment in the downtown, create an organizational and funding structure that encourages partnerships and participation by the property owners, developers, businesses and island residents.

Policy WMP 2-4.3: Develop an organizational structure in city government as needed to implement the long-term vision for Winslow.

Policy WMP 2-4.4: Integrate sustainable solutions that address economic, social and ecological concerns into land use planning and building processes.

Goal WMP 2-5: Determine density and intensity of development in the Mixed-Use Town Center and High School Road Districts through the Floor Area Ratio (FAR) method.

Discussion: Floor area ratio refers to a figure that expresses the total allowable floor area in relation to the total lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area. For example, if a lot is 25,000 square feet and the FAR is 1.0, then the total square footage allowed would be: $25,000 \times 1 = 25,000$ sq. ft. A development of 1 FAR could have up to 25,000 sq. ft. of development that could be commercial or residential.

Although density is frequently defined by dwelling units per acre in suburban communities that are comprised of single-use districts, it is less useful in areas where a mixture of uses is desired. Using FARs provides flexibility to design a project to address a particular site. The use of FAR allows the market to determine the number and size of units and the mix in the type of development. (Conventional density limits can discourage affordability since smaller, less expensive units count the same as larger, more expensive ones.)

It is possible to relate FAR to a range of achievable units per acre, as follows:

0.4 FAR would produce 8-20 units per acre

0.8 FAR would produce 16-40 units per acre

1.5 FAR would produce 24-60 units per acre

The unit range results from the variety of unit sizes that can occur.

Parking requirements also influence the number of units that a site could accommodate. The form of parking also affects the extent to which a development actually reaches the densities suggested by each range. Surface parking coupled with larger average unit sizes would tend to produce the lower end of the range, while structured parking coupled with smaller average unit sizes would allow the higher end to be possible.

FAR allows uses to be weighted according to the characteristics of a particular district. For example, one district might allow an FAR of 0.4 for commercial and 0.4 for residential, while another might allow 0.4 for commercial and 0.8 for residential. Each development would be a unique blend of uses and unit sizes.

Policy WMP 2-5.1: Establish base floor area ratio levels for commercial, residential and mixed-use development (FAR) for each of the five overlay districts in the MUTC and the High School Road Districts, in coordination with a study of the necessary infrastructure, particularly transportation.

Policy WMP 2-5.2: Establish maximum FAR levels of development beyond the base for each of the districts through the use of bonus FAR provisions. The bonus FAR provisions are a means of advancing specific Comprehensive Plan policies and community values. Bonus FAR may be achieved by:

- Preserving open space, agricultural land and critical areas, through participation in a Transfer of Development Rights (TDR) program or contribution to a land preservation effort;
- Providing public open space that is visibly accessible to the public, with adequate access from a public corridor.
- Contributing toward or providing public amenities (above and beyond what is required to mitigate the impacts of the project itself) that serve the community and enhance the livability and vitality of Winslow. Public amenities may include, but are not limited to, pedestrian connections; on-site places for public gathering; streetscape improvements; public art; and other public benefits as determined by the City;

- Preserving exceptional and/or legacy trees or trees within designated greenways.
- Preserving historic structures;
- Providing affordable housing;
- Utilizing green building and low impact development techniques;
- Creation of permanent open space on parcels that contain critical areas, by transferring development potential from the critical areas to another parcel within the Mixed-Use Town Center or High School Road Districts; and
- Relocating existing surface commuter parking to underbuilding (Ferry Terminal District only).

Priorities among the bonus FAR provisions may be established in the zoning code through the level of bonus that can be achieved through each of the provisions, and by phasing implementation of the provisions.

Policy WMP 2-5.3: The bonus FAR provisions may be changed based on future conditions without amending the Master Plan, as long those changes continue to meet the goals of the Comprehensive Plan and Winslow Master Plan, and provided that changes are made in coordination with a study of the necessary infrastructure, particularly transportation.

Policies for Specific Districts

Specific land use policies in the MUTC and High School Road Districts are as follows:

Central Core Overlay District

Policy WMP 2-6.1: Establish FARs and development standards that support mixed-use development at a level that encourages downtown living with a variety of housing sizes and types, provides commercial and retail services that meet the needs of the community, and enhances the vitality of the downtown.

Policy WMP 2-6.2: Encourage the retention and development of ground floor retail on Winslow Way, Madison Avenue, Bjune Drive and other appropriate areas, and establish the implementing FAR levels and development regulations.

Policy WMP 2-6.3: Increase the vitality of the civic plaza — currently comprised of the Farmers’ Market, BPA and City Hall — by developing better circulation and enhanced pedestrian amenities, providing opportunities for future civic and cultural buildings; and encouraging a greater variety of activities.

Policy WMP 2-6.4: Design Winslow Way as the community’s “living room”-- the stage for community gatherings and a gallery to showcase art and gardens. The central section of Winslow Way should function as a civic plaza, with artistic gathering spaces and unique design features.

Ericksen Overlay District

Policy WMP 2-7.1: Establish FARs and development standards that provide for a mix of residential and small-scale commercial development, while preserving the unique and historical features of the Ericksen Avenue neighborhood.

Madison Overlay District

Policy WMP 2-8.1: Establish FARs and development standards that provide for a mix of residential and small-scale commercial development, with retail located on the ground floor.

Gateway Overlay

Policy WMP 2-9.1: Establish FARs and development standards that provide for commercial, multifamily, and tourist-oriented uses while ensuring protection of the natural character of the Ravine.

Policy WMP 2-9.2: Development within the district should include provisions for pedestrian access to adjoining parcels and neighborhoods, and as part of the pedestrian link to the ferry terminal and waterfront.

Policy WMP 2-9.3: Implement policies to restore and protect the habitat, forest and water resources of the Ravine and provide for non-motorized public access.

Ferry Terminal Overlay District

Discussion: The Ferry Terminal Overlay District — currently dominated by parking — could undergo significant change as it transforms from surface parking lots for commuters to a new pedestrian and transit oriented, mixed-use neighborhood. Although the Core District is designated for the most intense development in the Mixed Use Town Center, new development in the Ferry Terminal District should complement the character and vitality of the Core District. Higher density housing is appropriate for this area because of its proximity to the ferry and downtown and because it is a prime view location. Parking for both commuters and new development may be integrated within (or under) housing or in adjacent garages.

Policy WMP 2-10.1: Establish FARs and development standards that provide for a pedestrian/transit oriented, mixed-use neighborhood with higher density residential development, commercial development, and some retail, while protecting the adjacent residential neighborhoods.

Policy WMP 2-10.2: Enhance the district's status as the "gateway" to Winslow by maximizing opportunities for visual and physical access to the shoreline while protecting, reclaiming and sustaining high quality, native shoreline vegetation. Civic and public uses should be provided along the waterfront.

Policy WMP 2-10.3: The area south of Winslow Way is intended to redevelop as a transit and pedestrian friendly mixed-use neighborhood, with small blocks served by a network of streets, alleys, public open space and pedestrian walkways.

Policy WMP 2-10.4: Allow additional parking spaces in structured parking in the Ferry Terminal District for use by non-commuter ferry passengers in off-peak hours (e.g., after 9:00 a.m.), when constructed in conjunction with placement of an equivalent amount of existing surface ferry parking in structure.

Policy WMP 2-10.5: Any redevelopment of the ferry terminal and/or related transit services should maximize public open space and minimize the development footprint, and should provide shoreline views, a public plaza and a pedestrian accessible waterfront.

Discussion: The transit center should address multimodal users and should integrate access to the public plaza and shoreline. “Stacking” of vehicle holding, transit and terminal activities is preferred.

Policy WMP 2-10.6: Commuter parking located in the Ferry Terminal Overlay District shall be limited in number and/or area to achieve the following objectives:

- Protect the character of the district from being further dominated by parking;
- Encourage the redevelopment of the district;
- Limit traffic impacts; and
- Encourage transit, non-motorized, and other travel methods as alternatives to low-occupancy vehicles.

Policy WMP 2-10.7: North of Winslow Way, the City shall protect adjacent residential neighborhoods from adverse impacts associated with development by establishing transition standards, such as landscaped buffers, lower height limits, small-scale buildings and other appropriate measures.

High School Road I and High School Road II

Policy WMP 2-11.1: Establish FARs and development standards that provide for a variety of commercial uses that complement downtown Winslow and benefit from automobile access near the highway, while creating a pedestrian-friendly retail area. In High School Road II, retail uses shall be limited to 14,400 sq. ft. (See Land Use Element Policy W 5.3.)

WMP CHAPTER 3 HOUSING

Goal WMP 3-1: Promote and facilitate the provision of diverse and affordable housing choices in a manner that encourages socio-economic diversity.

Policy WMP 3-1.1: Through FAR levels, development standards and incentives, encourage a variety of housing sizes and types that meet the needs of a broad range of households, including smaller units suitable for small families, single individuals and senior citizens.

Policy WMP 3-1.2: The bonus FAR program established for the Mixed Use Town Center and High School Road districts may include a provision that allows bonus FAR to be achieved in exchange for providing for-rental and for-purchase income-qualified housing.

WMP CHAPTER 4 OPEN SPACE AND TRAILS

Goal WMP 4-1: Incorporate open space and green spaces throughout Winslow by:

- enhancing existing parks and developing new parks;
- providing street trees, small gardens and other landscaping that provides visual relief and enhances the character;
- providing a series of green spaces, plazas and corridors that connect the community, define character and protect resources; and
- celebrating and connecting the town to the Harbor and the Ravine.

WMP 4-1.1: Development standards, design guidelines, and incentives should be provided to encourage retention or development of open space, public gathering spaces and parks.

WMP CHAPTER 6 TRANSPORTATION

Goal WMP 6-13: Commuter parking within the Ferry Terminal Overlay District shall be limited and planned to ensure consistency with a new mixed-use neighborhood in the District and limit traffic impacts within the District, Winslow, SR-305, and Island-wide.

Policy WMP 6-13.1: Commuter parking located in the Ferry Terminal Overlay District shall be limited to achieve the following objectives:

- Protect the character of the district from being further dominated by parking;
- Encourage the redevelopment of the district;
- Limit traffic impacts within the Ferry Terminal Overlay District, Winslow, and Island-wide; and

- Encourage transit, non-motorized, and other travel methods as alternatives to low-occupancy vehicles.

Policy WMP 6-13.2: The City should develop an overall parking management strategy that balances the parking needs of downtown residents and visitors, long-term and short-term ferry commuters, and commercial uses. The parking management strategy should include:

- Promoting the availability and use of park & ride lots and transit to reduce the number of vehicle trips and associated parking demand in the downtown.
- Improving parking enforcement.
- Offering incentives for providing parking for non-commuter ferry passengers in off-peak hours (e.g., after 9:00 a.m.).
- Encouraging the owners of existing parking lots to redevelop their properties in a coordinated manner to ensure enhanced pedestrian safety and efficient traffic flow.
- Developing strategies and innovative financing techniques to promote the construction of commuter parking structures by a private entity or public/partnership, in conjunction with mixed-use projects.
- Creating a mechanism to hold funds generated in the Ferry Terminal Overlay District from any future paid parking revenues, including but not limited to a fee-in-lieu program and/or meter revenue.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (8:45 PM) Schedule Public Hearing on Ordinance No. 2021-22, Bonus FAR Interim Control, 6 Month Extension - Planning,

SUMMARY: The interim control, originally passed on March 10, 2020 (Ordinance Nos. 2020-10, 2020-20, and 2021-09), is scheduled to expire on September 10, 2021, unless it is extended.

On March 10, 2020, the City Council approved an interim zoning control ordinance related to Floor Area Ratio ("FAR") density bonus options (Ordinance No. 2020-10). The interim control became effective immediately and paused the use of bonus FAR (which increases density) for some types of projects in some instances. On August 25, 2020, the interim control was extended for an additional six months (Ordinance No. 2020-20). On February 23, 2021, the interim control was extended for another six months (Ordinance No. 2021-09). The current interim control ordinance is scheduled to expire on September 10, 2021. This ordinance, Ordinance No. 2021-22, would extend the interim control for six months to March 10, 2022.

A related ordinance, proposed Ordinance No. 2021-10, would revise the City's bonus FAR provisions, BIMC 18.12.030.E., to respond to issues addressed by the interim zoning control. Proposed Ordinance No. 2021-10 will be discussed by the City Council at this same August 10, 2021 Council meeting. Depending on the Council's consideration and discussion on August 10, the Council could take action on proposed Ordinance No. 2021-10 at their meeting on August 24, 2021. If proposed Ordinance No. 2021-10 is adopted on August 24, it would take effect on September 1, 2021, which would allow the interim zoning control to expire without any gap between the interim control and the revised regulations (in proposed Ordinance No. 2021-10).

AGENDA CATEGORY: Ordinance

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: I move to schedule a public hearing on Ordinance No. 2021-22 for August 24, 2021, in order to consider an extension of the bonus floor area ratio interim regulations until March 10, 2022.

OR

No Action. (If no action taken, the current Interim Zoning Control will expire on September 10, 2021.)

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

Amount:

Ongoing Cost:

One-Time Cost:

BACKGROUND: The interim control, which was approved by the City Council on March 10, 2020, suspends the applicability and use of bonus floor area ratio as provided in BIMC 18.12.030.E. (dimensional standards) and the related provisions described in the ordinance, except for subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation). The interim control also suspends the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that are otherwise suspended in BIMC 18.12.030 by Ordinance No. 2020-10 (see Exhibit A to Ordinance No. 2020-10).

The interim control excludes development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of Ordinance No. 2020-10 (March 10, 2020). As a result of the Council's March 10, 2020 action, FAR bonus density, which is currently available in the Mixed Use Town Center and High School Road Districts, can only be obtained or used at this time under the following circumstances:

*providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a;

*transferring unused FAR from the Islander Mobile Home Park to another parcel in the Mixed Use Town Center in accordance with BIMC 18.12.030.E.1.b; or

*preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

Since the passage of this interim zoning control, the Planning Commission has met multiple times to discuss revisions to the Bonus FAR program, including the formation of a subcommittee. The Planning Commission formed a subcommittee of 3 members (Chester, Paar, and Quitslund) to begin working on a revised FAR ordinance. The Planning Commission discussed the subcommittee's information and recommendations on changes to bonus FAR regulations at their May 2020 meetings and on June 11, 2020. City staff integrated the June 11 recommendations into draft Ordinance No. 2020-16 (now draft Ordinance No. 2021-10). Those changes were discussed and refined by the Commission on June 11, 25, July 9, August 27, September 10 and 24, and October 8, 2020. The Planning Commission recommendation proposes to eliminate most ways of achieving Bonus FAR. In October 2020, the recommendation included a recommendation for the City to pursue purchase of the remaining residential FAR from the Islander Mobile Home Park, and to eliminate that option from BIMC 18.12.030.E.1.b.

The Planning Commission checked in with the City Council about their recommendations on November 17, 2020. The outcome of that meeting was that the Council directed the City Manager to contact the Islander Residents Association regarding potential purchase of floor area ratio by the City. Discussion between the City Manager and the Islander Residents Association was initiated and is ongoing.

On November 19, 2020, the Planning Commission debriefed from the November 17 City Council meeting, and indicated that proposed Ordinance No. 2021-10 (formerly 2020-16) could be moved forward without any changes to BIMC 18.12.030.E.1.b. related to residential FAR from the Islander Mobile Home Park while the discussions between the City and the Islander Residents Association continue.

The Planning Commission discussed proposed Ordinance No. 2021-10 at their meeting on July 22, 2021, and held a public hearing on the ordinance on July 29 before recommending approval of the ordinance to the City Council.

ATTACHMENTS:

[Ordinance No. 2021-22 Extending Interim Zoning Control Related to Bonus Density](#)

[Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density Approved 022321.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

PUBLIC HEARING DRAFT

ORDINANCE NO. 2021-22

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance Nos. 2020-10, 2020-20, and 2021-09 that imposed an interim zoning control on the use or applicability of certain bonus density options as provided in BIMC 18.12.030.E. and the related provisions described in Ordinance Nos. 2020-10, 2020-20, and 2021-09; continuing the basis for the emergency interim zoning control; recognizing that public hearings have been conducted; updating the adopted work plan; stating the effect on vested rights; authorizing interpretive authority; providing for severability; leaving the effective date of the interim zoning control unchanged; and extending the duration of the interim control for six months until March 10, 2022.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim zoning controls related to land uses; and

WHEREAS, the City Council of the City of Bainbridge Island (“City”) updated the City’s Comprehensive Plan in February of 2017; and

WHEREAS, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

WHEREAS, the City has encouraged affordable housing construction by adopting “bonus density” programs that allow for increases in density above the underlying zoning if the additional density creates affordable housing; and

WHEREAS, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

WHEREAS, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

WHEREAS, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. that are suspended by this interim zoning control, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

WHEREAS, an emergency exists necessitating the continuation of this interim zoning control to suspend the use and applicability of certain bonus density options in order to preserve and protect public health, safety, and welfare; and

WHEREAS, interim zoning controls enacted under RCW 36.70A.390 and RCW 35A.63.200 are methods by which local governments may preserve the status quo so that new policies and regulations will not be rendered moot by intervening development; and

WHEREAS, this interim zoning control provides the City with additional time to review and potentially revise its public health, safety, and welfare requirements and zoning and land use regulations related to providing density bonuses above and beyond the underlying zoning; and

WHEREAS, the City Council concludes that it must continue this interim zoning control based on concerns as expressed in this ordinance regarding the awarding of density bonuses that are unrelated to affordable housing and historic structure preservation; and

WHEREAS, the City Council has significant concerns regarding whether the use of certain density bonus options is accomplishing the vision and goals of the City's Comprehensive Plan; and

WHEREAS, based on these and related concerns, the City Council requires additional time to review the regulations and policies at issue to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, on April 28, 2020, the City Council conducted a public hearing on Ordinance No. 2020-10 in accordance with state law; and

WHEREAS, in spite of the COVID-19 pandemic that has existed for over a year and the public health emergency that it has created, the Planning Commission has met multiple times to discuss revised regulations related to bonus density, as proposed in draft Ordinance No. 2021-10 (formerly Ordinance No. 2020-16), including on February 27, 2020, and continuing on March 12, May 14 and 28, June 11 and 25, July 9, August 27, September 10 and 24, October 8, November 19, 2020, as well as on July 22 and 29, 2021; and

WHEREAS, the City Council has considered the applicability and use of bonus density options at multiple Council meetings, including on February 4, February 11, February 25, March 3, March 10, April 14 and 28, and November 17, 2020; and

WHEREAS, on August 25, 2020, the City Council conducted a public hearing on Ordinance No. 2020-20 and the Council received and considered public comment related to the ordinance, and after considering such public comment, the Council adopted Ordinance No. 2020-20 to extend this interim zoning control for six months to March 10, 2021; and

WHEREAS, on November 17, 2020, the City Council discussed another ordinance, proposed Ordinance No. 2021-10 (formerly 2020-16 as referenced above), which relates to proposed amendments to the City's bonus floor area ratio regulations recommended by the

Planning Commission, together with representatives from the Planning Commission, and the City Council provided policy guidance to the Planning Commission on outstanding policy questions, including directing the City Manager to contact the Islander Mobile Home Park regarding potential purchase of its floor area ratio by the City; and

WHEREAS, on November 19, 2020, the Planning Commission discussed the City Council feedback from November 17 and indicated that the City could move forward with proposed Ordinance No. 2021-10 (formerly 2020-16) without any changes to BIMC 18.12.030.E.1.b. related to the Islander Mobile Home Park floor area ratio while the City's discussions with the Islander Mobile Home Park are ongoing; and

WHEREAS, on February 9, 2021, the City Council set a public hearing for February 23, 2021 to accept public comment and consider Ordinance No. 2021-09 to extend the interim zoning control for another six months; and

WHEREAS, on February 23, 2021, the City Council conducted a public hearing on Ordinance No. 2021-09 and the Council received and considered public comment on that ordinance; and

WHEREAS, on February 23, 2021, after considering such public comment, the City Council adopted Ordinance No. 2021-09 to extend this interim zoning control for six months to September 10, 2021; and

WHEREAS, on July 22, 2021, the Planning Commission continued review and consideration of the related ordinance referenced above, proposed Ordinance No. 2021-10 (regarding bonus floor area ratio regulations); and

WHEREAS, on July 29, 2021, the Planning Commission held a public hearing on proposed Ordinance No. 2021-10 and after closing the hearing, adopted a recommendation of approval of that ordinance to the City Council; and

WHEREAS, on August 10 and August 24, 2021, the City Council considered proposed Ordinance No. 2021-10 but will not complete its review and consideration of that ordinance and the revised regulations the ordinance includes prior to the scheduled expiration of the current interim zoning control (as extended by Ordinance No. 2021-09), which expiration would occur on September 10, 2021, if not extended; and

WHEREAS, on August 10, 2021, the City Council set a public hearing for August 24, 2021 to receive public comment and consider this Ordinance No. 2021-22 to extend the interim zoning control for another six months; and

WHEREAS, on August 24, 2021, the City Council conducted a public hearing on this Ordinance No. 2021-22 and the Council received and considered public comment related to this ordinance; and

WHEREAS, on August 24, 2021, after considering such public comment, the City Council adopted this Ordinance No. 2021-22 to extend this interim zoning control for six months

to March 10, 2022, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, the interim zoning control imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and

WHEREAS, the public emergency that the City Council determined to exist requiring that this interim control become effective immediately upon adoption on March 10, 2020 continues to exist, requiring that this interim control continue to be in effect for an additional six months as set forth in this ordinance.

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim zoning control established in Ordinance Nos. 2020-10, 2020-20, and 2021-09.

Section 2. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim zoning control at its meeting on August 24, 2021 and took public testimony and considered further findings of fact.

Section 3. Interim Zoning Control Amended. This interim control is hereby amended, as also stated in Section 9 below, to extend the interim zoning control in its current form as described in Ordinance Nos. 2020-10, 2020-20, 2021-09, and herein for six months until March 10, 2022.

Section 4. Interim Zoning Control Work Plan. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim zoning control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinances related to this interim zoning control, Ordinance Nos. 2020-10, 2020-20, and 2021-09, the City is hereby extending the interim zoning control for an additional six months based on the updated work plan as incorporated herein as Exhibit A to this ordinance.

Section 5. Effect on Vested Rights. The interim zoning control imposed by Ordinance No. 2020-10 and extended by Ordinance Nos. 2020-20, 2021-09, and this ordinance shall operate, as of the effective date of Ordinance No. 2020-10 (March 10, 2020), to suspend the applicability or use of BIMC 18.12.030.E. and the related provisions described in Ordinance No. 2020-10, subject to the exclusions stated in Ordinance No. 2020-10, for all properties and development in the Mixed Use Town Center and High School Road Districts. However, nothing in Ordinance No. 2020-10, Ordinance No. 2020-20, Ordinance No. 2021-09, or this Ordinance

No. 2021-22 shall be construed to extinguish, limit, or otherwise infringe on any property owner's or property leaseholder's vested development rights as defined by state law and City of Bainbridge Island regulations.

Section 6. Interpretive Authority. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 7. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim zoning control which preceded this ordinance, Ordinance Nos. 2020-10, 2020-20, and 2021-09, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim zoning were included in the "Whereas" clauses of Ordinance Nos. 2020-10, 2020-20, and 2021-09, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim zoning control, which is March 10, 2020.

Section 9. Change in Duration to March 10, 2022. This ordinance amends Ordinance Nos. 2020-10, 2020-20, and 2021-09 and hereby extends the current interim zoning control, and this ordinance shall cause the interim control to remain effective in its current form until March 10, 2022, unless terminated earlier by the City Council. The Council may, at its sole discretion, renew the interim control for one or more six (6) month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council this ____ day of _____, 2021.

APPROVED by the Mayor this ____ day of _____, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	August 6, 2021
PASSED BY THE CITY COUNCIL:	_____, 2021
PUBLISHED:	_____, 2021
EFFECTIVE DATE:	_____, 2021
ORDINANCE NUMBER:	2021-22

Attached: Exhibit A: Updated Work Plan

EXHIBIT A TO ORDINANCE NO. 2021-22



BONUS FAR INTERIM ZONING CONTROL

UPDATED WORK PLAN (August 24, 2021)

BONUS FAR INTERIM ZONING CONTROL:

On **March 10, 2020**, the City Council imposed a six-month interim zoning control via Ordinance No. 2020-10 to suspend the use and applicability of certain bonus density options related to land use on Bainbridge Island. The initial term of the interim control was for six months, or until **September 10, 2020**, and Ordinance No. 2020-20 extended the term for six months to **March 10, 2021**. Ordinance No. 2021-09 extended the term for an additional six months to **September 10, 2021**. This Ordinance No. 2021-22 extends the term for an additional six months to **March 10, 2022**.

Based on direction from the City Council at the February 25, 2020 Council meeting, the Planning Commission, beginning on February 27, 2020, engaged in multiple discussions throughout 2020 and 2021 regarding a related proposed ordinance to amend the bonus floor area ratio ("FAR") regulations, as well as formed a subcommittee dedicated to the subject. On July 29, 2021, the Planning Commission held a public hearing on proposed Ordinance No. 2021-10 which would amend the City's bonus FAR regulations (BIMC 18.12.030.E.). After closing the public hearing, the Planning Commission recommended approval of proposed Ordinance No. 2021-10 to the City Council. This extension in the duration of the interim zoning control will provide time for the City Council to fully consider the revised regulations proposed in Ordinance No. 2021-10 and to consider adoption of those revised regulations.

The City is hereby updating the previous work plan for this interim zoning control with the following **Updated Work Plan** described below:

August to September 2021 (and perhaps beyond)

City staff will continue to work with the City Council related to the review and consideration of proposed Ordinance No. 2021-10. Should the City Council opt to hold a public hearing on Ordinance No. 2021-10, City staff would reach out to affected property owners, as was done prior to the Planning Commission public hearing.

Ongoing

The City's Executive Department has initiated discussions with the Islander Residents Association ("Association") about potentially purchasing the remaining residential floor area ratio that is owned by the Association. The City Council is considering that potential purchase and City staff are engaged in ongoing discussion with the Association related to that potential transaction.

ORDINANCE NO. 2021-09

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance Nos. 2020-10 and 2020-20 that imposed an interim zoning control on the use or applicability of certain bonus density options as provided in BIMC 18.12.030.E. and the related provisions described in Ordinance Nos. 2020-10 and 2020-20; continuing the basis for the emergency interim zoning control; recognizing that public hearings have been conducted; updating the adopted work plan; stating the effect on vested rights; authorizing interpretive authority; providing for severability; leaving the effective date of the interim zoning control unchanged; and extending the duration of the interim control for six months until September 10, 2021.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim zoning controls related to land uses; and

WHEREAS, the City Council of the City of Bainbridge Island (“City”) updated the City’s Comprehensive Plan in February of 2017; and

WHEREAS, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

WHEREAS, the City has encouraged affordable housing construction by adopting “bonus density” programs that allow for increases in density above the underlying zoning if the additional density creates affordable homes; and

WHEREAS, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

WHEREAS, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

WHEREAS, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. that are suspended by this interim zoning control, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

WHEREAS, an emergency exists necessitating the continuation of this interim zoning control to suspend the use and applicability of certain bonus density options in order to preserve and protect public health, safety, and welfare; and

WHEREAS, interim zoning controls enacted under RCW 36.70A.390 and RCW 35A.63.200 are methods by which local governments may preserve the status quo so that new policies and regulations will not be rendered moot by intervening development; and

WHEREAS, this interim zoning control provides the City with additional time to review and potentially revise its public health, safety, and welfare requirements and zoning and land use regulations related to providing density bonuses above and beyond the underlying zoning; and

WHEREAS, the City Council concludes that it must continue this interim zoning control based on concerns as expressed in this ordinance regarding the awarding of density bonuses that are unrelated to affordable housing and historic structure preservation; and

WHEREAS, the City Council has significant concerns regarding whether the use of certain density bonus options is accomplishing the vision and goals of the City's Comprehensive Plan; and

WHEREAS, based on these and related concerns, the City Council requires additional time to review the regulations and policies at issue to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, tens of thousands of persons in Washington State have contracted the virus and thousands of persons in the state have died due to the virus thus far and during the time period that this interim zoning control has been in effect, and the public health emergency is ongoing and is expected to continue for many months, and likely much longer; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, the City has been engaged in essential work on a highest-priority basis related to the public health emergency, and as a result City staff and the City Council have had to significantly adjust work priorities accordingly to address the public health crisis, including related to work that the Council has been able to consider at modified Council meetings during this time period; and

WHEREAS, as a result of the public health emergency, City staff and the City Council have not had sufficient time to complete the ongoing substantial review of the regulations and policies at issue related to this interim zoning control to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, on April 28, 2020, the City Council conducted a public hearing on Ordinance No. 2020-10 in accordance with state law; and

WHEREAS, in spite of this public health emergency, the Planning Commission has met multiple times to discuss revised regulations related to bonus density, as proposed in draft

Ordinance No. 2020-16, including on February 27, 2020, and continuing on March 12, May 14 and 28, June 11 and 25, July 9, August 27, September 10 and 24, and October 8, 2020; and

WHEREAS, the City Council has considered the applicability and use of bonus density options at multiple Council meetings, including on February 4, February 11, February 25, March 3, March 10, and April 14 and 28, 2020; and

WHEREAS, on August 11, 2020, the City Council set a public hearing for August 25, 2020 to accept public comment and consider Ordinance No. 2020-20 to extend the interim zoning control for another six months; and

WHEREAS, on August 25, 2020, the City Council conducted a public hearing on Ordinance No. 2020-20 and the Council received and considered public comment related to the ordinance, and after considering such public comment, the Council adopted Ordinance No. 2020-20 to extend this interim zoning control for six months to March 10, 2021; and

WHEREAS, on November 17, 2020, the City Council discussed another ordinance, Ordinance No. 2020-16 (as referenced above), which relates to proposed amendments to the City's bonus floor area ratio program recommended by the Planning Commission, together with representatives from the Planning Commission, and the City Council provided policy guidance to the Planning Commission on outstanding policy questions, including directing the City Manager to contact the Islander Mobile Home Park regarding potential purchase of its floor area ratio by the City; and

WHEREAS, on November 19, 2020, the Planning Commission discussed the City Council feedback from November 17 and indicated that the City could move forward with Ordinance No. 2020-16 without any changes to BIMC 18.12.030.E.1.b. related to the Islander Mobile Home Park floor area ratio; and

WHEREAS, the Planning Commission review and recommendation on Ordinance No. 2020-16, including holding a public hearing, is not yet complete; and

WHEREAS, based upon a motion passed by the City Council at their November 17, 2020 meeting regarding the Planning Commission's recommendation on draft Ordinance No. 2021-10 (formerly Ordinance No. 2020-16), City staff is continuing conversations with the Islander Mobile Home Park; and

WHEREAS, City staff is continuing their analysis and will perform outreach on draft Ordinance No. 2021-10 before holding a public hearing with the Planning Commission on that ordinance; and

WHEREAS, on February 9, 2021, the City Council set a public hearing for February 23, 2021 to accept public comment and consider this Ordinance No. 2021-09 to extend the interim zoning control for another six months; and

WHEREAS, on February 23, 2021, the City Council conducted a public hearing on this ordinance and the Council received and considered public comment related to this ordinance; and

WHEREAS, on February 23, 2021, after considering such public comment, the City Council adopted this ordinance to extend this interim zoning control for six months to September 10, 2021, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, the interim zoning control imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and

WHEREAS, the public emergency that the City Council determined to exist requiring that this interim control become effective immediately upon adoption on March 10, 2020 continues to exist, requiring that this interim control continue to be in effect for an additional six months as set forth in this ordinance.

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim zoning control established in Ordinance Nos. 2020-10 and 2020-20.

Section 2. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim zoning control at its meeting on February 23, 2021 and took public testimony and considered further findings of fact.

Section 3. Interim Zoning Control Amended. This interim control is hereby amended, as also stated in Section 9 below, to extend the interim zoning control in its current form as described in Ordinance No. 2020-10, Ordinance No. 2020-20, and herein for six months until September 10, 2021.

Section 4. Interim Zoning Control Work Plan. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim zoning control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinances related to this interim zoning control, Ordinance Nos. 2020-10 and 2020-20, the City is hereby extending the interim zoning control for an additional six months based on the updated work plan as incorporated herein as Exhibit A to this ordinance.

Section 5. Effect on Vested Rights. The interim zoning control imposed by Ordinance No. 2020-10 and extended by Ordinance No. 2020-20 and this ordinance shall operate, as of the effective date of Ordinance No. 2020-10 (March 10, 2020), to suspend the applicability or use of BIMC 18.12.030.E. and the related provisions described in Ordinance No. 2020-10, subject to the exclusions stated in Ordinance No. 2020-10, for all properties and development in the Mixed Use Town Center and High School Road Districts. However, nothing in Ordinance No. 2020-10, Ordinance No. 2020-20, or this Ordinance No. 2021-09 shall be construed to extinguish, limit, or otherwise infringe on any property owner's or property leaseholder's vested development rights as defined by state law and City of Bainbridge Island regulations.

Section 6. Interpretive Authority. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 7. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim zoning control which preceded this ordinance, Ordinance Nos. 2020-10 and 2020-20, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim zoning were included in the "Whereas" clauses of Ordinance Nos. 2020-10 and 2020-20, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim zoning control, which is March 10, 2020.

Section 9. Change in Duration to September 10, 2021. This ordinance amends Ordinance Nos. 2020-10 and 2020-20 and hereby extends the current interim zoning control, and this ordinance shall cause the interim control to remain effective in its current form until September 10, 2021, unless terminated earlier by the City Council. This ordinance does not change the effective date of the interim control, which is March 10, 2020. The Council may, at its sole discretion, renew the interim control for one or more six (6) month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council this 23rd day of February, 2021.

APPROVED by the Mayor this 23rd day of February, 2021.



Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:


Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	February 5, 2021
PASSED BY THE CITY COUNCIL:	February 23, 2021
PUBLISHED:	February 26, 2021
EFFECTIVE DATE:	March 3, 2021
ORDINANCE NUMBER:	2021-09

Attached: Exhibit A: Work Plan

EXHIBIT A TO ORDINANCE NO. 2021-09



BONUS FAR INTERIM ZONING CONTROL

UPDATED WORK PLAN (February 23, 2021)

BONUS FAR INTERIM ZONING CONTROL:

On **March 10, 2020**, the City Council imposed a six-month interim zoning control via Ordinance No. 2020-10 to suspend the use and applicability of certain bonus density options related to land use on Bainbridge Island. The initial term of the interim control was for six months, or until **September 10, 2020**, and Ordinance No. 2020-20 extended the term for six months to **March 10, 2021**. Ordinance No. 2021-09 extends the term for an additional six months to **September 10, 2021**.

Based on direction from the City Council at the February 25, 2020 Council meeting, the Planning Commission, beginning on February 27, 2020, engaged in multiple discussions throughout 2020 regarding a proposed ordinance to amend the bonus floor area ratio ("FAR") program, as well as formed a subcommittee dedicated to the subject. However, the ordinance requires additional analysis by City planning, legal, and finance staff before it is ready for consideration by the City Council. This extension in the duration of the interim zoning control will provide time to complete the analysis and to hold the necessary public hearing(s).

The City is hereby updating the previous work plan for this interim zoning control with the following **Updated Work Plan** described below:

1) February 2021 to March 2021

Staff continues discussion with the City Council on a potential legislative path and requests direction from the Council to address permanent Bonus FAR regulations; which could include adding Inclusionary Zoning as top work plan priority.

2) February to Unknown, 2021

The Executive Department continues discussions with the Islander Mobile Home Park regarding the potential to purchase remaining development rights.

3) March to April 2021

Communicate legislative work plan by performing targeted outreach to the property owners so they can be engaged in policy discussions before a public hearing.

4) April to July 2021

Provide the Planning Commission and the City Council with an update on the research performed to date and the Islander Mobile Home Park conversations.

5) August to September 2021

Continue working with the Planning Commission and the City Council on a draft Ordinance (2021-10) and prepare to hold a public hearing at the Planning Commission for adoption by the City Council.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (9:00 PM) Consider Adoption of Resolution No. 2021-13 Relating to Working with the Fire Department Regarding Wildfire Mitigation,

SUMMARY: On July 8, 2021, the Planning Commission made a recommendation to consider on an emergency basis an exemption from certain permitting requirements set forth in Chapter 16.18 BIMC to allow for a defensible space related to wildfire mitigation activities. On July 20, 2021, the City Council discussed this request from the Planning Commission and directed the City Manager to work with the City Attorney to proceed with drafting an ordinance for the July 27, 2021 Council meeting. On July 27, 2021, the City Council decided to defer this item to the August 10 Council meeting for Council consideration.

The Planning Commission held a public hearing on a related draft ordinance, Ordinance No. 2020-28 (which is now Ordinance No. 2021-07), on December 17, 2020. In addition to addressing the fire safety and defensible space topic, that ordinance included other notable proposed revisions to the Bainbridge Island Municipal Code. Pursuant to the Council's direction on July 20, the City Manager worked with the City Attorney and other City staff on preparing a draft ordinance for the Council to consider. Based on that review, the City Manager, in consultation with the City Attorney, determined that the text proposed by the Planning Commission lacks sufficient specificity to include in an ordinance that would amend the City's municipal code. As a result, the City Manager determined that an ordinance as requested by the Council was not ready for the Council's consideration at the July 27 meeting. As above described, on July 27 the Council deferred this agenda item to this August 10 meeting.

In the alternative, the City Manager worked with the City Attorney and the Director of Planning and Community Development to prepare a resolution for the Council's consideration for possible immediate adoption. The resolution included with this agenda item, Resolution No. 2021-13, is intended to emphasize the importance of fire safety measures and wildfire mitigation activities that residents of Bainbridge Island can engage in and implement. The resolution directs the City Manager to work with City staff to work on a high-priority basis with the Bainbridge Island Fire Department to provide information and outreach to the Bainbridge community regarding fire safety measures and wildfire mitigation activities.

Resolution No. 2021-13 also directs the City Manager to work with the City Attorney and other City staff to develop specific regulations for the Council to consider that would revise the Bainbridge Island Municipal Code to include provisions that will result in enhanced fire safety measures and wildfire mitigation activities on Bainbridge Island, and for the City Manager to work with City staff to bring a proposed ordinance to the Council in the future for the Council's consideration in that regard.

AGENDA CATEGORY: Report

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: I move to approve Resolution No. 2021-13.

STRATEGIC PRIORITY: Safe City

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: The Bainbridge Island Fire Department identified the need for reasonable provisions for wildfire mitigation and forest stewardship that support responsible wildfire mitigation and provide a pathway for wider forest stewardship planning. Since approximately August 2020, the Fire Department has been working with the City to add an exemption from permitting requirements to the City's tree and vegetation standards as a means of raising awareness and partnering with the City to reduce the risk of wildfire damage. As part of this effort, the Fire Department and City staff have looked to Firewise USA as an important resource. Firewise USA is cosponsored by the USDA Forest Service, the U.S. Department of the Interior, and the National Association of State Foresters. Further background regarding this topic is provided in attached Resolution No. 2021-13.

ATTACHMENTS:

[Resolution No. 2021-13 Relating to Wildfire Mitigation.docx](#)

[Exhibit A - What is the Home Ignition Zone?](#)

[Staff Memo re Planning Commission Recommendation.pdf](#)

[Planning Commission Recorded Motion December 17 2020](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

RESOLUTION NO. 2021-13

A RESOLUTION of the City Council of Bainbridge Island, Washington, relating to the City of Bainbridge Island working and coordinating with, on a high-priority basis, the Bainbridge Island Fire Department regarding recommended fire safety measures and wildfire mitigation activities for residents of Bainbridge Island.

WHEREAS, on May 7, 2019, the City Council instructed City staff to draft a new ordinance to revise the City's tree and vegetation regulations; and

WHEREAS, on February 25, 2020, the City Council endorsed the continuing work by City staff and the City Arborist to draft an ordinance that would include changes to Chapter 16.18 of the Bainbridge Island Municipal Code ("BIMC") (Tree Removal, Forest Stewardship, and Vegetation Maintenance), Chapter 16.32 BIMC (Protection of Landmark Trees), and BIMC 18.15.010 (Development Standards and Guidelines); and

WHEREAS, at public meetings of the Planning Commission, City staff provided information and materials to the Planning Commission and the Planning Commission considered draft regulations related to draft Ordinance No. 2020-28 (which was renumbered in 2021 to Ordinance No. 2021-07) on August 13, September 10, October 29, November 11, and December 10, 2020; and

WHEREAS, on December 17, 2020, the Planning Commission held a public hearing to consider draft Ordinance No. 2020-28, including Exhibits A – E, received public input, and after closing the public hearing, made a recommendation of approval of draft Ordinance No. 2020-28 to the City Council; and

WHEREAS, included in the draft ordinance was an exemption from permitting requirements related to applicable properties with a primary structure to perform work within a 30-foot defensible space pursuant to minimum standards of Firewise USA®, the Bainbridge Island Community Wildfire Protection Plan, or as recommended by the Bainbridge Island Fire Department; and

WHEREAS, the City notified the Department of Commerce on January 21, 2021 of its intent to revise its development regulations relating to tree removals and vegetation management practices; and

WHEREAS, the City issued a State Environmental Policy Act ("SEPA") Determination of Non-Significance for Ordinance No. 2021-07 (formerly Ordinance No. 2020-28) on January 29, 2021; and

WHEREAS, on April 27, 2021 at a regular business meeting, the City Council considered Ordinance No. 2021-07, took no action on the ordinance, and the Council expressed a collective interest in further considering the ordinance at a future meeting; and

WHEREAS, on May 13 and 27, 2021, City staff returned to the Planning Commission to discuss additional revisions to draft Ordinance No. 2021-07 based on City Council comments; and

WHEREAS, Kitsap County Fire District No. 2, which is commonly known as the Bainbridge Island Fire Department (“Fire Department”), has identified the need for reasonable provisions for wildfire mitigation and forest stewardship that support responsible wildfire mitigation and provide a pathway for wider forest stewardship planning; and

WHEREAS, at a public meeting on July 8, 2021, the Planning Commission discussed and requested that the City Council take immediate action on an amendment to Chapter 16.18 BIMC, Tree Removal, Forest Stewardship and Vegetation Maintenance, to adopt the recommended exemption from permitting requirements related to allowing certain fire safety activities within a 30’ defensible space; and

WHEREAS, on July 6, 2021, Governor Inslee signed an emergency order declaring a wildfire state of emergency for Washington State; and

WHEREAS, on July 14, 2021, the Washington State Department of Ecology issued a drought advisory for numerous counties in Washington State; and

WHEREAS, on July 20, 2021 at a regular meeting, the City Council discussed the recommendation of the Planning Commission and directed the City Manager to work with the City Attorney to prepare for the Council’s consideration at its July 27, 2021 meeting an ordinance to adopt the recommendation of the Planning Commission; and

WHEREAS, on July 27, 2021 at a regular meeting, the City Council deferred taking action on this item and forwarded it to the August 10, 2021 meeting for Council consideration; and

WHEREAS, the revisions to the Bainbridge Island Municipal Code recommended by the Planning Commission require additional legal review to ensure that the intended regulations are clear for the public and City staff to understand and for City staff to enforce, as applicable; and

WHEREAS, City staff members are working on preparing an ordinance to set forth regulations to meet the City Council’s intent and, in the interim, this Resolution No. 2021-13 has been prepared by City staff for the Council’s consideration to allow the Council to take immediate action to direct the City Manager to work with City staff to work and coordinate with the Fire Department, on a high-priority basis, to provide information and outreach to the Bainbridge Island community regarding the importance of fire safety measures and wildfire mitigation activities, including specific actions residents can take to help protect their property and the community from fires, including vegetation and structure fires; and

WHEREAS, on August 10, 2021 at a regular business meeting, the City Council discussed and considered this Resolution No. 2021-13 and adopted the resolution.

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

Section 1. The City Council hereby directs the City Manager to work with City staff, including the City's Department of Planning and Community Development, to work and coordinate with the Bainbridge Island Fire Department ("Fire Department"), on a high-priority basis, to provide information and outreach to the Bainbridge Island community regarding the importance of fire safety measures and wildfire mitigation activities and specific actions residents can take to help protect their property and the community from fires, including vegetation and structure fires.

Section 2. As part of this effort, the City Council directs the City Manager to work with City staff to work on a high-priority basis with the Fire Department to raise awareness through information-sharing, education, and outreach in the community and encourage measures by residents related to fire safety, including those described in the attached document entitled, "What is the Home Ignition Zone?" That document is included as Exhibit A and is incorporated herein by reference.

Section 3. Also as part of this effort, the City Council directs the City Manager to work with City staff on a high-priority basis with the Fire Department to raise awareness in the community and encourage measures by residents related to wildfire mitigation activities within a 30-foot defensible space around primary structures that bring properties up to the current minimum standards of Firewise USA®, the Bainbridge Island Community Wildfire Protection Plan, and as recommended by the Fire Department.

Section 4. Pursuant to the direction provided by motion of the City Council at its meeting on July 20, 2021 (as above described in the recitals), the City Manager will work with the City Attorney and other City staff to proceed with developing specific regulations for the Council to consider that would revise the Bainbridge Island Municipal Code to include provisions that will result in enhanced fire safety measures and wildfire mitigation activities on Bainbridge Island, and for the City Manager to work with City staff to bring a proposed ordinance to the Council in the future for the Council's consideration in that regard.

Section 5. Severability. If any one or more sections, subsections, or sentences of this resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this resolution and the same shall remain in full force and effect.

Section 6. This resolution shall take effect and be in force immediately upon its passage.

PASSED by the City Council this ____ day of _____, 2021.

APPROVED by the Mayor this ____ day of _____, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

By: _____

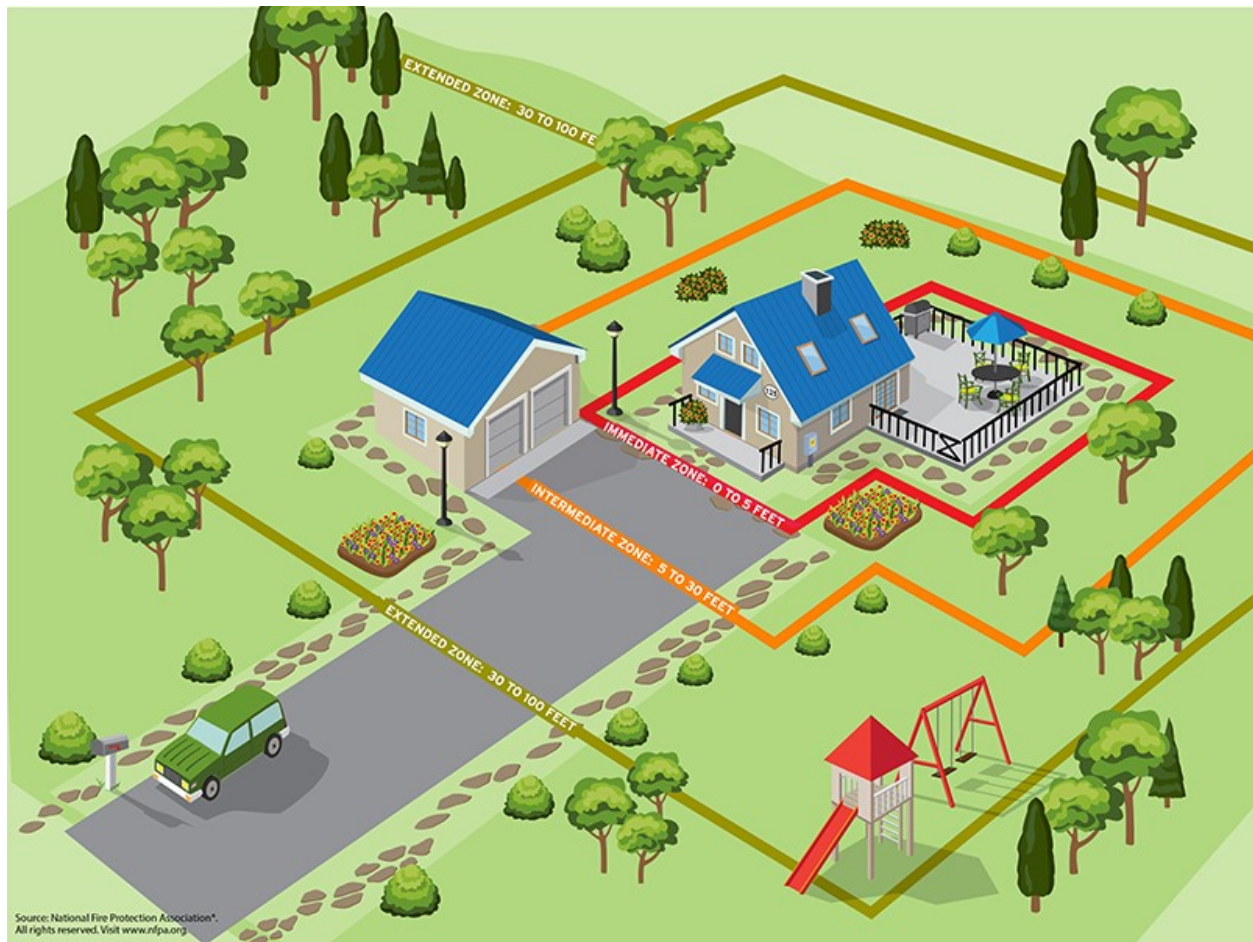
Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	July 22, 2021 (Updated August 5, 2021)
PASSED BY THE CITY COUNCIL:	_____, 2021
RESOLUTION NO.	2021-13

Exhibit A: “What is the Home Ignition Zone?”

What is the Home Ignition Zone?

The concept of the home ignition zone was developed by retired USDA Forest Service fire scientist Jack Cohen in the late 1990s, following some breakthrough experimental research into how homes ignite due to the effects of radiant heat. The HIZ is divided into three zones.

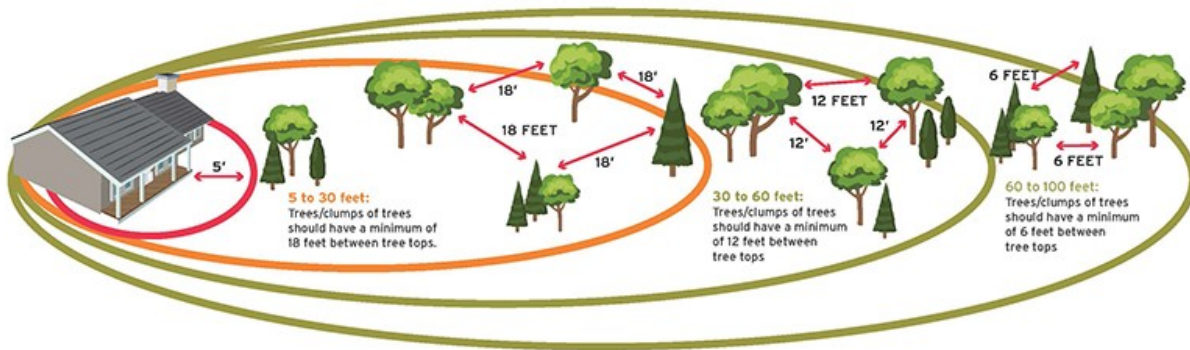


Immediate zone

The home and the area 0-5' from the furthest attached exterior point of the home; defined as a non-combustible area. Science tells us this is the most important zone to take immediate action on as it is the most vulnerable to embers. START WITH THE HOUSE ITSELF then move into the landscaping section of the Immediate Zone.

- Clean roofs and gutters of dead leaves, debris and pine needles that could catch embers.
- Replace or repair any loose or missing shingles or roof tiles to prevent ember penetration.
- Reduce embers that could pass through vents in the eaves by installing 1/8 inch metal mesh screening.
- Clean debris from exterior attic vents and install 1/8 inch metal mesh screening to reduce embers.
- Repair or replace damaged or loose window screens and any broken windows. Screen or box-in areas below patios and decks with wire mesh to prevent debris and combustible materials from accumulating.
- Move any flammable material away from wall exteriors – mulch, flammable plants, leaves and needles, firewood piles – anything that can burn. Remove anything stored underneath decks or porches.

TREE SPACING



Intermediate zone

5-30' from the furthest exterior point of the home. Landscaping/hardscaping- employing careful landscaping or creating breaks that can help influence and decrease fire behavior

- Clear vegetation from under large stationary propane tanks.
- Create fuel breaks with driveways, walkways/paths, patios, and decks.
- Keep lawns and native grasses mowed to a height of four inches.
- Remove ladder fuels (vegetation under trees) so a surface fire cannot reach the crowns. Prune trees up to six to ten feet from the ground; for shorter trees do not exceed 1/3 of the overall tree height.
- Space trees to have a minimum of eighteen feet between crowns with the distance increasing with the percentage of slope.
- Tree placement should be planned to ensure the mature canopy is no closer than ten feet to the edge of the structure.
- Tree and shrubs in this zone should be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape. Tree and shrubs in this zone should be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape.

Extended zone

30-100 feet, out to 200 feet. Landscaping – the goal here is not to eliminate fire but to interrupt fire's path and keep flames smaller and on the ground.

- Dispose of heavy accumulations of ground litter/debris.
- Remove dead plant and tree material.
- Remove small conifers growing between mature trees.
- Remove vegetation adjacent to storage sheds or other outbuildings within this area.
- Trees 30 to 60 feet from the home should have at least 12 feet between canopy tops.*
- Trees 60 to 100 feet from the home should have at least 6 feet between the canopy tops.*

**The distances listed for crown spacing are suggested based on NFPA 1144. However, the crown spacing needed to reduce/prevent crown fire potential could be significantly greater due to slope, the species of trees involved and other site specific conditions. Check with your local forestry professional to get advice on what is appropriate for your property.*



CITY OF
BAINBRIDGE ISLAND

PLANNING AND COMMUNITY DEVELOPMENT MEMORANDUM

DATE: July 14, 2021

TO: Blair King, City Manager

FROM: Heather Wright, Director of Planning and Community Development

SUBJECT: Planning Commission Action and Recommendation (BIMC 2.16.180.E.)

Pursuant to BIMC 2.16.180.E., Planning Commission Action and Written Recommendation, the Planning Commission's written recommendation on certain changes to the Bainbridge Island Municipal Code ("BIMC") related to land use procedures and regulations and other documents upon which its decision is based shall be immediately transmitted to the City Council and department director.

On July 8, 2021, the Planning Commission held a Public Hearing on draft Ordinance No. 2021-12 and draft Resolution No. 2021-07. Following the Public Hearing, the Planning Commission made a recommendation of approval to the City Council on proposed Ordinance No. 2021-12 (See attached PC Recommendation 20210714).

The Planning Commission motion and the items they reviewed at the Planning Commission meeting are included with this agenda item and include: draft Ordinance No. 2021-12, Exhibit A Phase Two Triage Code Changes, Design for Bainbridge revisions, Exhibit B – Project Flow Chart, and draft Resolution No. 2021-07.

In addition, the Planning Commission discussed and requested that the City Council take immediate action on an amendment to Chapter 16.18 BIMC, Tree Removal, Forest Stewardship and Vegetation Maintenance. The Planning Commission requests that the City Council adopt as an emergency an exemption that would allow wildfire mitigation activities within a 30' defensible space around primary structures, that bring a property up to the current standards of [Firewise USA®](#) without a permit (See Public Hearing Draft Ordinance No. 2020-28, Chapter 16.18 BIMC, and BIMC 16.18.040.H).

On December 17, 2020, the Planning Commission held a public hearing and recommended approval of draft Ordinance No. 2020-28 which included changes to Chapter 16.18 BIMC, Tree Removal, Forest Stewardship and Vegetation Maintenance, specific to exempting activities to create a 30' defensible space around primary structures.

PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	December 17, 2020
Ordinance:	2020-28 Updates and Revisions to Tree and Vegetation Regulations
Decision Maker:	City Council

Planning Commission Role and Responsibility: Pursuant to [BIMC 2.16.180](#), Planning commission review and recommendation is required for amendments to BIMC Chapter 2.16, and BIMC Titles [16](#), [17](#), and [18](#), area-wide rezones initiated by the city, or area-wide rezones associated with a privately initiated amendment to the comprehensive plan.

Planning Commission Action:

1. In making a recommendation, the planning commission shall consider applicable decision criteria of this chapter, all applicable law, the comprehensive plan, public comment, and any necessary documents and approvals.
2. The planning commission shall issue a written recommendation that contains (a) a statement recommending that the proposed amendment be approved, approved as amended, or denied, and (b) a statement of facts upon which the recommendation is based and the conclusions derived from those facts.
3. The planning commission's written recommendation and other documents upon which its decision is based shall be immediately transmitted to the city council and department director.

Findings of Fact and Reasons for Action

The policies presented in this chapter rest on an assumption that in, the care of trees and vegetation on their property, citizens will be guided by common sense and best practices, responsive to the purposes stated in BIMC 16.18.025. Sanctions shall be applied to activities that are found by the planning director to be reckless and destructive, and to any action or negligence that adversely affects a neighboring property, pursuant to the provisions of BIMC 16.18.120 and other applicable provisions of the code.

This draft ordinance now represents the combined efforts of the Planning Commission, Bainbridge Island Fire Department, and city staff to collaborate and address issues identified with our current tree removal and vegetation management code. Its purpose is to provide needed updates to language, and revisions to procedures that will reflect current best practices for tree and vegetation management. The update also includes language that supports responsible wildfire mitigation and provides a pathway for wider forest stewardship planning. Additionally, the Community Forest Best Management Practices Manual is included for adoption to round out our tree protection and retention strategy



PLANNING COMMISSION RECORDED MOTION

Recommendations:

The Planning Commission recommends the City Council:

- ☐ Approve the ordinance.
☒ Approve the ordinance as amended.
☐ Deny the ordinance.

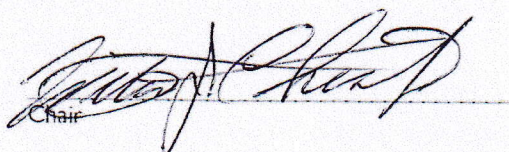
Recorded motion on Ordinance 2020-28:

I move to forward Ordinance 2020-28 to the City Council recommending approval of the ordinance subject to the changes discussed to incorporate language from the memorandum of December 11 describing the scope of changes to the municipal code in several chapters. The ordinance is understood to include Exhibits A through E as distributed and discussed in several meetings of the Planning Commission.
Quitslund/Paar

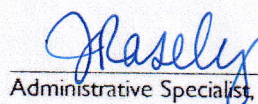
Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Chester	X			
McCormick Osmond		X		
Quitslund	X			
Macchio			X	
Paar	X			
Blossom	X			
Mathews	X			
Total	5	1		

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Chair

Date: 12/18/20


Administrative Specialist, Planning and Community Development

Date: 12/18/20



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (9:10 PM) Consider Ordinance No. 2021-20, Complete Streets Ordinance - Public Works,

SUMMARY: City staff is proposing a Complete Streets Ordinance to codify the City's commitment to building complete streets, and to allow the City to be eligible compete for the Transportation Improvement Board's complete street grant program.

AGENDA CATEGORY: Ordinance

PROPOSED BY: Public Works

RECOMMENDED MOTION: I move to forward Ordinance No. 2021-20 for consideration of approval with the August 24, 2021, Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	N/A
Ongoing Cost:	N/A
One-Time Cost:	N/A
Included in Current Budget?	Yes

BACKGROUND: As part of the 2021-22 biennial budget deliberations, City staff and the City Council discussed the development of a Complete Streets Ordinance. According to Smart Growth America:

"...Complete Streets are designed and operated to prioritize safety, comfort, and access to destinations for all people who use the street, especially people who have experienced systemic underinvestment or whose needs have not been met through a traditional transportation approach. By adopting a Complete Streets policy, communities direct their transportation planners and engineers to routinely design and operate the entire right of way to prioritize safer slower speeds for all people who use the road, over high speeds for motor vehicles. This means that every transportation project will make the street network better and safer for people walking, biking, driving, riding transit, and moving actively with assistive devices—making your town a better place to live.

There is no singular design prescription for Complete Streets; each one is unique and responds to its community context. A complete street may include: sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible public transportation stops, frequent and safe crossing opportunities,

median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more."

The goal of the proposed ordinance is to codify City practices regarding the designing and building of complete streets facilities, and also to allow the City to compete for a grant available from the Transportation Improvement Board. Only jurisdictions with an adopted Complete Streets Ordinance are eligible to compete for the grant, which could provide between \$100-200K in unrestricted funding to support the implementation of complete streets.

As part of the budget deliberations, the City Council agreed to discuss adopting a "model" ordinance that would not require extensive community outreach or consultant support. The proposed ordinance was developed by staff in accordance with best management practices and regional examples. To a degree, the ordinance is anticipated to be aspirational guidance, as not every street project undertaken by the City will be able to meet all of the Complete Street standards.

ATTACHMENTS:

[Ordinance 2021-20 Relating to Complete Streets.docx](#)

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

ORDINANCE NO. 2021-20

AN ORDINANCE of the City of Bainbridge Island, Washington, adopting a new Chapter 12.02, Complete Streets, of the Bainbridge Island Municipal Code.

WHEREAS, Complete Streets are roadways planned, designed, and constructed to provide access to all legal users in a manner that promotes safe and efficient movement of people and goods, whether by car, truck, transit, assistive device, foot, or bicycle; and

WHEREAS, increasing walking and bicycling offers improved health benefits for the population and makes Bainbridge Island a more livable community; and

WHEREAS, the Washington legislature has passed Complete Streets legislation that encourages the Washington State Department of Transportation and local governments to consider all users in transportation related projects; and

WHEREAS, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, school, work, recreation, and commercial destinations by improving pedestrian and vehicular environments through communities; and

WHEREAS, Complete Streets enhance safe walking and bicycling options for school age children, in recognition of the national Safe Routes to Schools program; and

WHEREAS, the City of Bainbridge Island recognizes the importance of street infrastructure and modifications such as sidewalks, crosswalks, connecting pathways, multi-use paths, bicycle lanes, signage, and accessible curb ramps that enable safe, convenient, and comfortable travel for all users; and

WHEREAS, funding from the Washington State Complete Streets Grant Program is only available to jurisdictions that have adopted a Complete Streets Ordinance; and

WHEREAS, the City's Island-wide Transportation Plan, which is part of the City's Comprehensive Plan, contains guidance that aligns with the values of a complete streets policy; and

WHEREAS, the City is in the process of developing a Sustainable Transportation Plan, a portion of which will provide guidance on transportation priorities that align with the values of Complete Streets policies; and

WHEREAS, the City has demonstrated the values of complete streets policies in recently completed transportation project, including the Winslow Way Reconstruction,

the Sound to Olympics Trail, the Olympic Drive Improvements, and the Wyatt Way Reconstruction; and

WHEREAS, on October 6, 2020, the City Council discussed developing a Complete Streets Ordinance as part of the Public Works 2021-22 biennial budget.

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

Section 1. A new Chapter 12.02 of the Bainbridge Island Municipal Code, Complete Streets, is hereby adopted to read as follows:

**Chapter 12.02
COMPLETE STREETS**

Sections:

- 12.02.010 Purpose
- 12.02.020 Definitions
- 12.02.030 Complete Streets Infrastructure
- 12.02.040 Implementation of Complete Streets Principles
- 12.02.050 Intergovernmental Cooperation and Partnerships
- 12.02.060 Exceptions
- 12.02.070 Best Practices Criteria

12.02.010 Purpose.

The City of Bainbridge Island shall, to the maximum extent practicable, scope, plan, design, construct, operate and maintain appropriate facilities for the safe accommodation of pedestrians, bicyclists, transit users, motorists, emergency responders, freight, and users of all ages and abilities in all new construction or reconstruction projects of public streets. Through ongoing operations and maintenance efforts, the City of Bainbridge Island shall identify cost-effective opportunities to include Complete Streets practices.

12.02.020 Definitions.

A. “Complete Street” means a road that is designed to be safe and accessible for drivers, bicyclists, transit vehicles and riders, freight, emergency service providers, and pedestrians of all ages and abilities. The Complete Streets policy focuses not just on changing individual roads, but on changing the decision making process so that all users are routinely considered during the planning, designing, building, and operation of all roadways.

B. “Complete Streets Infrastructure” means design features that contribute to a safe, convenient, or comfortable travel experience for users, including but not limited to, features such as sidewalks, shared use paths, bicycle lanes, automobile lanes, paved shoulders, street trees, and landscaping planting strips. Curbs, accessible curb ramps, bulb outs, crosswalks, refuge islands, pedestrian, and traffic signals, including countdown and

accessible signals, signage, street furniture, and bicycle parking facilities. Also, includes traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete, narrow vehicle lanes, and raised medians.

C. “Street,” for the purposes of this chapter, means any public right of way, including arterials, connectors, alleys, ways, lanes, and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network, that is open for use by the general traveling public.

D. “Street Project” means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any street, and includes the planning, design, approval, and implementation processes.

E. “Users” means individuals that use streets, including pedestrians, bicyclists, motor vehicle drivers, and public transportation riders and drivers.

12.02.030 Complete Streets Infrastructure.

As feasible, the City of Bainbridge Island shall incorporate Complete Streets Infrastructure into existing public streets to create a comprehensive, integrated, connected transportation network that balances access, mobility, health, economy, and safety needs of pedestrians, bicyclists, transit users, motorists, emergency responders, freight and users of all ages and abilities.

12.02.040 Implementation of Complete Streets Principles.

The City of Bainbridge Island will incorporate Complete Streets principals into the City's Comprehensive Plan, public works standards, parks and recreation comprehensive plan, traffic circulation plan, and other plans, manuals, rules, regulations, and programs as feasible and appropriate.

12.02.050 Intergovernmental Cooperation and Partnerships.

The City will cooperate with other transportation agencies including the Federal Highways Administration, the Washington State Department of Transportation, Kitsap County and Kitsap Transit to ensure the principles and practices of Complete Streets are embedded within their planning, design, construction, and maintenance activities. The City will cooperate to ensure to the maximum extent practicable the transportation network flows seamlessly between jurisdictions in accordance with local and regional road, transit, bicycle, and pedestrian plans.

Additionally, it is a goal of the City of Bainbridge Island to foster partnerships with other agencies and organizations such as the Bainbridge Island School District, The Bainbridge Island Metropolitan Parks and Recreation District, City Committees, residents, businesses, interest groups, and neighborhoods to procure grant funding and implement the Complete Streets ordinance.

12.02.060 Exceptions.

Facilities for pedestrians, bicyclists, transit users and/or people of all abilities are not required to be provided in new construction or reconstruction Street Projects when:

- A. A documented absence of current or future need exists, as identified in City plans and future travel demand models; or
- B. Non-motorized uses are prohibited by law; or
- C. Routine maintenance and repair of the transportation network is performed that does not change the roadway geometry or operations; or
- D. The cost exceeds more than 20% of the total project cost for new construction; or
- E. The Public Works Director issues a documented exception concluding that application of complete streets principles is unnecessary or inappropriate because it would be contrary to public safety; or
- F. Where there are significant adverse environmental impacts to streams, wetlands, steep slopes, or other critical areas; or
- G. Where the establishment would be contrary to the Transportation Element of the Comprehensive Plan; or
- H. Where their inclusion in a small, isolated project would create a very short section of improvements with problematic transitions on either end or that are in an isolated area unlikely to be followed by similar improvements at either end, resulting in little progress on implementing Complete Streets networks.

12.02.070 Best Practice Criteria.

The Public Works Director shall modify, develop and adopt policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction and operations including but not limited to the latest editions of American Association of State Transportation Officials (AASHTO), Institute of Transportation Engineers (ITE) and National Association of City Transportation Officials (NACTO) guidelines and standards, while reflecting the context and character of the surrounding built and natural environment and enhancing the appearance of such.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED by the City Council this ____ day of _____, 2021.

APPROVED by the Mayor this ____ day of _____, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	July 23, 2021
PASSED BY THE CITY COUNCIL:	_____, 2021
PUBLISHED:	_____, 2021
EFFECTIVE DATE:	_____, 2021
ORDINANCE NUMBER:	2021-20



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (9:15 PM) Consider Confirmation of Recommended Appointment to the Utility Advisory Committee - Council,

SUMMARY: A call for participation was issued for volunteers to serve on the Utility Advisory Committee (UAC). The member selection panel consisted of Mayor Nassar, Deputy Mayor Pollock, and UAC members Maron and Jones. Deputy Mayor Pollock and UAC members Maron and Jones participated in the interview. The member selection panel recommends forwarding to the August 24, 2021 Consent Agenda confirmation of the appointment as shown in the suggested motion.

Pursuant to BIMC 2.01.015, City Council confirmation of the recommended appointments requires a majority plus one vote of the entire membership of the Council (i.e., five "yes" votes).

AGENDA CATEGORY: Appointment

PROPOSED BY: Executive

RECOMMENDED MOTION: I move to forward the confirmation of the appointment to the Utility Advisory Committee of Svend Brandt-Erichsen to Position 3 through June 2024 to the August 24, 2021 Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

[Brandt-Erichsen - UAC \(Redacted\).pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

From: noreply@civicplus.com
Sent: Saturday, May 1, 2021 11:14 AM
To: CityAdmin
Subject: Online Form Submittal: Utility Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Utility Advisory Committee Volunteer Application (Due: 4/21 at 4pm)

Step 1

Utility Advisory Committee Volunteer Application

Members should have knowledge or expertise in utility planning, construction, rate structures or related focus areas. The committee provides recommendations to the Council related to the City's water, sanitary sewer and stormwater utility policies and utility rates, rate structures and other changes made to water, sanitary sewer and stormwater utility customers.

The City of Bainbridge Island welcomes the participation of volunteers in serving our Island community through advisory groups. Please complete the form below if you are interested in serving. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared. We thank all applicants for their interest, however only those candidates selected for interviews will be contacted.

Application Deadline – Wednesday, April 21, 2021 at 4 pm. Applicants must be available in May for interviews.

Applicant Information

Name Svend Brandt-Erichsen

Email

Daytime Phone

Address

City Bainbridge Island

State Washington

Zip 98110

Current Employer

Current Position

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?

No

If yes, please indicate which group(s).

Utility Advisory Committee

Please share your qualifications for this appointment (skills, activities, training, education) if any?

Environmental attorney (33 years) with a practice focus on energy project development and regulatory compliance. As the accompanying bio shows, my practice currently is focused on renewable energy development, with associated wildlife issues, as well as air emissions and other environmental issues associated with conventional energy and industrial facilities. However, I regularly work with regulatory requirements applicable to water supplies and wastewater systems, typically for commercial and industrial facilities. I also have experience with solid waste facilities. Early in my career, I was a regional administrator for Alaska's environmental agency for 3 years, which exposed me to the regulatory issues associated with community water and sewer systems and solid waste management.

Please share your community interests (groups, committees, organizations) if any:

While we have lived on Bainbridge since 1993 and I have followed developments in the community throughout our time here, I am not involved in any local community groups or organizations.

Do you have potential conflicts of interest? If so, please explain:

I don't believe so. While I work for companies that develop electricity generation and transmission projects, almost all of my projects are outside Washington. From 1993-2001 I managed a Class B water system on the Island - the system served the home we lived in at that time. Other than that, I have not had any connection to utility services on the Island. I do not represent Puget Sound Energy or other utilities in Washington State.

Feel free to attach a cover letter, resume', or other materials, if you wish (optional):

Type the Year

2021



Svend Brandt-Erichsen | Partner

Svend Brandt-Erichsen focuses his practice on the development and ongoing operation of energy and natural resource projects. He advises companies on permitting, compliance, regulatory development and other issues arising under all of the major federal environmental statutes, as well as their counterparts in a number of states, with a particular emphasis on air, water, waste and wildlife. He routinely handles appeals involving environmental matters in federal and state courts.

Mr. Brandt-Erichsen has helped companies obtain a wide range of environmental permits and approvals, appealed permits when necessary, and defended them from third party challenges. He has helped clients obtain use of federal lands and litigated challenges to those uses as well as broader issues of federal land management and has helped assure compliance with the National Environmental Protection Act (NEPA) and its state counterparts and litigated claims under those statutes. Mr. Brandt-Erichsen has represented clients participating in rule development, challenging regulations in federal and state court, and intervening to defend rules after successfully obtaining favorable decisions from regulators. He also regularly defends clients against enforcement actions and citizen suits under multiple federal environmental statutes and their state counterparts and has defended against toxic tort claims, including several class actions.

Before joining Nossaman, Mr. Brandt-Erichsen served as Managing Partner of the Seattle office of a boutique environmental law firm. He began his career on the legislative staff of Alaska's Senator Ted Stevens and served as a Regional Administrator of the State of Alaska's Department of Environmental Conservation.

Representative Work

- **Endangered Species Act.** Assisting clients with ESA matters, including: ESA section 7 consultations and development of habitat conservation plans (HCPs); litigation over HCPs and the adequacy of biological opinions; litigation over an agency's failure to conduct ESA consultation; successfully opposed petitions to list a herring population and a whale population.
- **Migratory Bird Treaty Act.** Advise companies on MBTA requirements and policy development. Defended a wind energy project against litigation claiming that MBTA authorization was required for take of migratory birds.
- **NEPA.** Advise companies regarding compliance with NEPA and its State equivalents, including adequacy of EISs and EAs for project development, expansion of existing industrial facilities, federal land exchanges, and federal land management policy decisions. Represent parties in disputes regarding the adequacy of environmental reviews under NEPA and its state counterparts.
- **Air Regulation and Permitting.** Advise companies on air regulatory requirements and permitting. Represent permitted sources in compliance actions, including responses to agency investigations and information requests, penalty appeals, and permit appeals. Assisted more than twenty companies in preparing the first generation of Title V air operating permit applications, including facilities located in California, Washington, Oregon, Alaska, Louisiana, New York and Pennsylvania.

Practice Areas & Industries

- Environment and Land Use
- Energy
- Climate Change
- Litigation

- **Cook Inlet, Alaska NPDES.** Represented the owners of oil and gas platforms in Cook Inlet in several cycles of NPDES wastewater discharge permitting since 1996, including litigation in the Fifth and Ninth Circuits concerning the validity of EPA-issued general NPDES permits and of effluent guidelines developed for the coastal sector of oil and gas exploration, development and production facilities.
- **Federal Lands.** Represented companies in obtaining authorization to locate projects and linear structures on federal lands and in amending and transferring existing authorizations, as well as represented them in litigation regarding federal land use authorizations. Advised companies regarding regulatory requirements governing the use of federal lands and represented them in administrative proceedings and litigation regarding federal land use policy.
- **Washington Wind Project.** Currently assisting the developer of a 137 MW Washington wind project in negotiating terms of an HCP and related mitigation to support an incidental take permit for ESA-listed marbled murrelets, as well as for bald and golden eagles under the Bald and Golden Eagle Protection Act (BGEPA).
- **California Wind Project.** Currently advising the developer of a 155 MW California wind project regarding ESA and BGEPA requirements. The project will overlay an existing HCP developed for forest practices.
- **Washington Hydroelectric Project.** Currently representing the owner of a 100-year-old hydroelectric project in defending a citizen suit alleging unauthorized take of ESA-listed fish species. This matter includes assistance with development of an HCP and other regulatory approvals needed for installation of fish diversion structures and other project improvements and repairs.
- **Litigation Concerning Wind Project on Federal Lands.** Served as lead counsel for an independent power developer in defending federal rights-of-way for a wind energy project in California's Imperial Valley, the first renewable energy project to deliver power over the Sunrise Powerlink. The six suits filed against the project raised issues including: impacts on ESA-listed bighorn sheep and state-protected raptors; Native American cultural artifacts, cremation sites and a Traditional Cultural Landscape; NEPA compliance; and FLPMA compliance. Obtained favorable decisions on the merits in all five federal cases, a state court case, and three Ninth Circuit Appeals.
- **Nevada Wind Project.** Represented the developer of the first utility-scale wind energy project in Nevada in defending the federal right-of-way for the project. Defeated a preliminary injunction motion in federal district court and on appeal to the Ninth Circuit, then negotiated settlement of all claims. Subsequently assisted the developer in negotiating changes to operating constraints designed to protect migratory bat species.
- **Transmission lines.** Advised project developers on regulatory issues regarding rights of way across federal lands managed by BLM, the Forest Service and U.S. Fish and Wildlife Service, including projects located in Alaska, Washington, New Mexico, and Mississippi.
- **Sage Grouse.** Represented the Governor of Idaho in a suit challenging sage grouse-related land management plan amendments. Issues included the adequacy of agency compliance with FLPMA and NEPA requirements.
- **Greenhouse Gas Controls.** Represented a Washington regional air agency in defending a CAA citizen suit seeking to require the agency to regulate greenhouse gas emissions from existing refineries. Ninth Circuit ruled that the

plaintiff environmental groups did not have standing to bring the citizen suit, as they had not shown that refinery emissions caused their climate change-related injuries. Advised the Washington air agencies on the development of regulations limiting greenhouse gas emissions from the refineries, which were adopted despite the Ninth Circuit's ruling.

- **Due Diligence.** Regularly advise companies on permitting, regulatory requirements, and contaminated property issues arising in corporate and real estate transactions.

Awards & Honors

Best Lawyers in America® - listed 2013-2020, named Seattle "Lawyer of the Year" for Natural Resources Law in 2016
Chambers & Partners - chosen for individual recognition for Environment in Washington State, 2013-2020
Who's Who Legal: Environment in 2016-2020
Martindale Hubbell AV® Preeminent™ Rated

Education

J.D., George Washington University, 1988
B.A., University of Colorado, 1984

Admitted

Alaska
Washington
U.S. Supreme Court
U.S. Courts of Appeals for the Third, Fifth, Sixth, Ninth, D.C. and Federal Circuits
U.S. District Courts for Alaska, the Western and Eastern Districts of Washington, and the Central District of Illinois



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (9:20 PM) Consider Formation of a Subcommittee of Planning Commissioners and Design Review Board Members,

SUMMARY: Council will consider the formation of a subcommittee of Planning Commission and Design Review Board members to perform consistency analysis of the Comprehensive Plan and Bainbridge Island Municipal Code.

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION: Discussion and possible formation of subcommittee.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: August 10, 2021

ESTIMATED TIME: 20 Minutes

AGENDA ITEM: (9:25 PM) Consider Revisions to the Ethics Program,

SUMMARY: The City Council will consider and discuss Deputy Mayor Pollock's proposed changes to the Ethics Program (attached).

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION: Direction requested.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	City staff tracks cost related to the outside legal counsel for the Ethics Board. The full cost for 2020 was \$10,164. Year to date for 2021 is \$6,824.
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: At the Regular City Council Business Meeting on June 22, 2021, the Council tabled appointments to the Ethics Board pending consideration of a proposal offered by Deputy Mayor Pollock to amend the City's Ethics Program.

Attached is a memorandum and attachments as supplied by Deputy Mayor Pollock. In that this item has been scheduled as an initial discussion of Deputy Mayor Pollock's proposal to gauge the Council's interest in the proposal, this item does not include a staff memo or legal analysis by the City Attorney.

Regarding additional background, on July 20, 2021, the Council added an agenda item at that meeting to consider the appointment and confirmation of Ethics Board members. As above referenced, action on those appointments had been previously tabled by the Council, and the Council on July 20 removed that item from the table for consideration. At that July 20 meeting, the Council voted on the first of the appointments and although the appointment received four votes, the appointment under the Council's rules related to appointments to the Ethics Board requires five votes, so the appointment wasn't made. Following that vote, the Council did not vote

on the other appointments on July 20 and the Council referred to considering those appointments at a future meeting, but did not decide on a specific meeting date for such consideration.

ATTACHMENTS:

[COBI Ethics Program-Simplified.docx](#)

[Summary of Proposed Revisions to COBI Ethics Code.docx](#)

[National Association of Hearing Officials Model Code of Ethics.docx](#)

FISCAL DETAILS: Fiscal impact is undetermined at this time. Cost savings may be realized with reduced legal services fees and associated administrative costs to support the Ethics Board. New costs will be incurred as a result of a hearing officer.

Fund Name(s):

Coding:

Chapter 2.83 CODE OF ETHICS

Sections:

- 2.83.010 Policy.
- 2.83.020 Adoption of state law.
- 2.83.030 Statute of limitations.
- 2.83.040 Hearing officer.
- 2.83.050 Processing of complaints.
- 2.83.060 Penalties.

2.83.010 Policy.

A. The City of Bainbridge Island is committed to conducting its business in a fair, open, efficient, and accountable manner. Municipal officers shall conduct their public and private actions and financial dealings in a manner that shall present no conflict of interest between the public trust and their private interest. Each municipal officer is assumed and expected to act in accordance with all laws that may apply to his or her position.

B. Each municipal officer shall be trained on the requirements of this code as soon as practicable after beginning appointment to or employment with the city. Refresher training shall be provided at least every two years.

C. This code does not address issues of sexual harassment, discrimination, workplace rules or personnel policies, or other activities prohibited by law or regulated by city policies.

2.83.020 Adoption of state law.

A. General. Except as provided for in this chapter, the city adopts as its code of ethics Chapter [42.23](#) of the Revised Code of Washington ("RCW"). This chapter shall apply to all municipal officers as defined in RCW [42.23.020](#).

B. Gifts.

1. Except as amended in this chapter, the city adopts the following RCW sections: 42.52.010(8), (9), and (20), 42.52.140, and 42.52.150, except RCW [42.52.150](#)(2)(g), (h), (i), and (l).
2. Where the statutes listed in subsection (B)(1) of this section use the terms "state," "state officer," or "state employee," those terms shall apply to the city or to municipal officers of the city as appropriate.
3. Where the statutes listed in subsection (B)(1) of this section refer to other sections in Chapter [42.52](#) RCW, those references shall be to the comparable section in Chapter [42.23](#) RCW. If there is no comparable section in Chapter [42.23](#) RCW, the statutes adopted in subsection (B)(1) of this section shall not apply.

2.83.030 Statute of limitations.

Any complaint related to a violation of this chapter must be filed with the city clerk not later than three years from the alleged date of the violation.

2.83.040 Hearing officer.

A. Ethics Hearing Officer Position Created. There is created and established the position of "ethics hearing officer" ("hearing officer") for the City of Bainbridge Island. The council shall appoint a hearing officer and may appoint one or more alternate hearing officers. The first alternate hearing officer shall serve as the hearing officer if the hearing officer is unavailable or unable to serve, and the second alternate shall serve if the hearing officer and first alternate are unavailable or unable to serve.

B. Qualification. A hearing officer must be an active member of the Washington State Bar Association, have at least seven years of experience as a lawyer, have no record of public discipline, and have experience as an adjudicator or as an advocate in contested adjudicative hearings.

C. Powers. The hearing officer, when assigned by council or the city manager, has the authority to conduct independent investigations and to conduct hearings related to violations of this chapter.

D. The Hearings Officer shall behave according to the National Association of Hearing Officials Model Code of Ethics (see <https://www.naho.org/Model-Code-of-Ethics#top>).

2.83.050 Processing of complaints.

A. Written Complaint. Any person may submit a written complaint to the city clerk that a municipal officer has violated this chapter. The allegation must set forth specific facts with precision and detail. In addition, the complaint must set forth the specific sections and subsections of this code that the facts violate and the reasons why. Each complaint must state the submitter's legal name and a method by which the submitter may be contacted. The city clerk shall promptly deliver a copy of the complaint to the individual complained against.

B. Elected Officials – City Manager. Complaints against elected officials and the city manager shall be automatically assigned to a hearing officer. The hearing officer shall dismiss a complaint if, assuming all facts alleged are true, there is no violation of this chapter or that any violation was minor. The hearing officer will submit a report to the city council, with a copy to the complainant and the person against whom the complaint was filed.

C. Employees – Advisory Board Members. Complaints regarding city employees and officials, and members of advisory bodies, shall be brought to the employee's supervisor, manager, or to the city manager. The supervisor, or appropriate individual as determined by the city manager, shall investigate the complaint and provide a report to the city manager.

D. Hearings shall generally be conducted in accordance with the city's then-current adopted version of the hearing examiner's rules of procedure (see COBI HeX Rules of Procedure 2/18).

2.83.060 Penalties.

A. Elected officials may be disciplined as provided for in state law or the council's rules of procedure.

B. The city manager may be disciplined as provided for in state law, the city's personnel policy manual, or the manager's employment contract.

C. Employees may be disciplined as provided for in state law, the city's personnel policy manual, or the applicable collective bargaining agreement.

D. Members of advisory boards may be disciplined as provided for in state law or the council's rules of procedure.

Summary of Proposed Revisions to COBI Ethics Code

These proposed revisions reduce the City's complex 31 page ethics resolution to a simplified 2 page ordinance that is analogous to the ethics program adopted by the City of Port Townsend. Key changes include:

- Elimination of the Article 1 code of conduct or civility code from the ethics program.
- Modification of Article 2, code of ethics, to be consistent with state law for conduct of public officers
- Replacement of the Ethics Board with a Hearings Officer
- Requiring the Hearings Officer behave according to the National Association of Hearing Officials Model Code of Ethics (see <https://www.naho.org/Model-Code-of-Ethics#top>).
- Requiring that hearings shall generally be conducted in accordance with the city's current adopted version of the hearing examiner's rules of procedure (see COBI HeX Rules of Procedure 2/18).

Elimination of the Article 1 code of conduct or civility code from the ethics program.

The City of Bainbridge Island is only one of two municipalities in Washington to have enacted a code of conduct (aka civility code) that seeks to regulate the free speech of public officers. Such codes are problematic because they arguably interfere with constitutionally-guaranteed free speech rights provided in both the United States Constitution (Amendment 1) and Washington State Constitution (Article 1, Declaration of Rights). A discussion of civility and free speech can be found here <https://www.dailycal.org/2014/09/16/define-civility/>. Civility is subjective and difficult to define. This means in operational terms that it is hard to describe what is and is not 'civil', other than to describe specific terms or phrases that are prohibited, and this runs into censorship and free speech issues.

Modification of Article 2, code of ethics, to be consistent with state law for ethical conduct of public officers.

Article 2 is generally consistent with state codes (RCWs), but there are minor differences. Further, Article 2 restates the RCW rather than making reference to the RCW. The proposed revisions simply refer to the relevant sections of RCW Chapter 42 (e.g., Chapter [42.23](#) and [42.52](#)).

Replacement of the Ethics Board with a Hearings Officer.

Ethics is a specialized field and objective consideration of whether or not public officers have committed ethics violations requires a thoughtful, fair and deliberative process by someone with proper training. The revisions to the program require that hearing officers are experienced as an adjudicator; They must be an active member of the Washington State Bar Association, have at least seven years of experience as a lawyer, have no record of public discipline, and have experience as an adjudicator or as an advocate in contested adjudicative hearings. Additionally, would remove the need for the City to expend resources hiring, training, and providing ongoing legal support to the Ethics Board.

Requiring the Hearings Officer behave according to the National Association of Hearing Officials Model Code of Ethics.

There is an established model of ethical conduct that has been adopted by the National Association of Hearing Officials to serve as a guide to ethical behavior for hearing officials and to ensure the integrity of the hearings that such officials oversee. The City's current ethics program provides no code of ethics for the Ethics Board and provides limited guidance as to what constitutes acceptable behavior. Without such guidance, this has led to questionable behavior such as Ethics Board members themselves filing code of conduct and ethics complaints against elected officials with whom they disagree.

Requiring that hearings shall generally be conducted in accordance with the city's current adopted version of the hearing examiner's rules of procedure

The current ethics program does not have well-established rules of procedure or 'due process' in terms of appeals and rights of the accused and the accuser. Requiring the Hearings Officer to follow Hearing Examiner Rules of Procedure creates consistency in process and enables all parties to understand the rules of the game.

National Association of Hearing Officials Model Code of Ethics

- Section I- Scope
- Section II - Competence
- Section III - Impartiality
- Section IV - Independence
- Section V - Ex Parte Communication
- Section VI - Dignity And Decorum Of The Forum
- Section VII - Professional Conduct
- Section VIII - Personal Conduct
- Section IX - Confidentiality
- Section X - Compliance With Ethical Rules

The National Association of Hearing Officials has adopted the following Model Code of Ethics.

Section I: Scope

This Code of Ethics is a guide to ethical behavior for hearing officials. Hearing officials include persons who conduct or review administrative hearings or who supervise hearing officials. NAHO had adopted this model code in recognition of the importance of the integrity of hearing officials. It is intended to supplement but not overrule, any existing statutes, codes, policies or regulations setting out ethical requirements for hearing officials and public employees in a particular agency or jurisdiction.

Section II: Competence

Hearing officials should know the substantive and procedural law, including the principles of due process, to be applied in the hearings over which they preside, and should understand the principles of its application and interpretation. Hearing officials should be skilled in conducting hearings efficiently and fairly. Hearing officials should be skilled in discerning the facts of the cases presented to them. Hearing officials should be clear and fair-minded in their application of the law to the facts of each case, and should communicate their decisions completely and clearly. Hearing officials should regularly participate in continuing education to improve their competence and to stay current in their knowledge of the law.

Section III: Impartiality

Hearing officials should always strive to assure all persons involved that the proceedings will be conducted and decided impartially. "All persons involved" includes the appealing or petitioning parties and their representatives, the agency, agency staff or representatives, witnesses, interpreters, intervenors, observers, and any other person who appears before the hearing official, whether in person, in writing, or by electronic means.

Hearing officials should act in such a way that no one could reasonably believe that any person or agency could improperly influence them in the performance of their duties. Hearing officials should not conduct or participate in deciding the outcome of any proceeding in which their impartiality might be reasonably questioned. Personal knowledge of the facts in a case is an appropriate ground for disqualification of the hearing official. Hearing officials should promptly disclose to the parties any prior personal knowledge of or involvement in the matter. Hearing officials should always withdraw from any proceeding in which their impartiality becomes

compromised for any reason. However, the hearing official should not withdraw from a proceeding if the hearing officials' impartiality is challenged solely on the basis that the hearing officials are employed by an agency appearing in the proceeding. The parties may agree to allow the hearing official to preside after full disclosure has been made. Hearing officials should preside without bias or prejudice and without discrimination on any prohibited basis against any person involved in the proceeding, and should control the proceedings to prevent such discriminatory behavior by any other person involved.

Section IV: Independence

The administrative hearing process requires re-examination and reappraisal of determinations made by an administrative agency. Regardless of the hearing official's employment relationship with a party agency, the hearing official should exercise independence of action and judgment to protect the due process rights of parties and to achieve the most legally correct result in a case, maintaining decisional independence from agency management and programs. Supervisors may provide consultation to hearing officials, except as prohibited by law, but may not alter the hearing officials' decisions or substitute their judgment for that of the hearing officials.

Section V: Ex Parte Communication

Hearing officials should have a strong working knowledge of their jurisdiction's definitions and restrictions on ex parte contact. Generally, "ex parte" refers to communication between a hearing official and fewer than all parties to an administrative hearing. Hearing officials should not receive information from any party without sharing that information with all parties. If hearing officials are authorized to consult with an expert, the nature of the consultation and the substance of the expert's advice must be disclosed to all parties. Hearing officials should also give all parties an opportunity to respond.

Section VI: Dignity and Decorum of the Forum

Hearing officials should promote the dignity and decorum of the administrative hearing process and tribunal. Hearing officials should exercise their lawful authority in any proceeding to ensure that all persons involved conduct themselves with the proper decorum.

Section VII: Professional Conduct

Hearing officials should: always act in a manner that promotes public confidence in the integrity, impartiality and efficiency of the hearing process; maintain high standards of professional conduct and encourage other hearing officials to do the same; be temperate and dignified; be courteous to all in the performance of their duties; follow procedural formalities, making exceptions only in the interest of fairness; and punctually fulfill their professional commitments.

Section VIII: Personal Conduct

Hearing officials should refrain from all illegal or ethically reprehensible conduct. Hearing officials should not accept any gifts or favors from parties to any proceeding before them. Hearing officials should not engage in activities which may bring their own personal or professional interests into conflict with the performance of their official duties. Hearing officials should not give the impression that any party is in a special position to personally influence them, nor should they permit anyone, including friends and relatives, to convey such an impression to others. Hearing officials should treat all participants with equal courtesy and dignity and require the same treatment of the hearing officials by participants. For example, before, during and after a hearing, hearing officials should restrict their contacts regarding the matter such as social conversation, with agency staff or representatives, and should address agency participants as they would address any other hearing participant, using last names and

courtesy or professional titles. During the hearing process, hearing officials should politely discourage all participants from referring to a hearing official on a first name or casual basis.

Section IX: Confidentiality

Hearing officials should not disclose confidential or private information obtained by reason of official position or authority except as required by law. Hearing officials should never seek to use such confidential information to further their personal interests. Hearing officials should follow their agency's rules or policies regarding media contacts. In any permitted contact with the media, hearing officials should limit the sharing of information to that which does not identify individuals and should never discuss the merits of any specific case. Hearing officials should avoid ex parte communications about a case with anyone (including family, friends and agency staff and associates) unless authorized by statute or agency regulations. However, hearing officials may in confidence discuss cases with other hearing officials.

Section X: Compliance with Ethical Rules

Hearing officials must comply with all applicable statutes, administrative rules, codes of conduct, policies, and ordinances regarding ethics in their jurisdiction, and work to ensure that persons involved in the proceedings also comply. Hearing officials have a duty to report ethical violations.