



CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, MARCH 23, 2021**

REMOTE MEETING ON ZOOM

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 - 6:00 PM**
2. **EXECUTIVE SESSION**
 - 2.A **(6:05 PM) 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, 45 Minutes**
3. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE - 6:50 PM**
4. **PUBLIC COMMENT**
 - 4.A **(6:55 PM) Instructions for Providing Public Comment - City Clerk, 15 Minutes**
[Instructions for Providing Public Comment at Remote Meetings.docx](#)
5. **CITY MANAGER'S REPORT - 7:10 PM**
6. **CONSENT AGENDA**
 - 6.A **(7:15 PM) Agenda Bill for Consent Agenda, 5 Minutes**
 - 6.B **Accounts Payable and Payroll**
[AP Report to Council of Cash Disbursements 03-24-21.pdf](#)

Payroll.pdf

- 6.C **City Council Meeting Minutes,**
City Council Study Session Minutes, March 2, 2021.docx
City Council Regular Business Meeting Minutes, March 9, 2021.docx
- 6.D **Eagle Harbor Phase II Non-Motorized Improvements Contract Award - Public Works,** 5 Minutes
Eagle Harbor Ph2 Shoulder Imp BID FORM.docx
Eagle Harbor Phase 2 Shoulder Improvements - CONTRACT.docx
- 6.E **Chlorine Generator Replacement Contract - Public Works,** 5 Minutes
Chlorine Generator Bid Form.doc
Chlorine Generator Contract.docx
- 6.F **Bainbridge Island Senior Community Center Grant Application - Public Works**
Draft BCF grant request for Huney hearing loop.docx
Email Kit.pdf
- 6.G **Kitsap County Conservation District Manzanita Watershed Interlocal Agreement - Public Works**
ILA Between City and Kitsap Conservation District re Manzanita Watershed.docx
- 6.H **Transportation Benefit District (Traffic Calming and Climate Mitigation) Funding Discussion and Budget Amendment - Public Works,** 5 Minutes
Traffic Calming CIP Slides.pptx
Resolution No. 2019-06 Directing Use of Additional Vehicle License Fee Revenue Approved 012219.docx

7. FUTURE COUNCIL AGENDAS

- 7.A **(7:20 PM) Future Council Agendas,** 10 Minutes
March 24 Special Joint City Council Meeting.pdf
April 6 City Council Study Session.pdf
April 13 City Council Regular Business Meeting.pdf
April 20 City Council Study Session.pdf
April 27 City Council Regular Business Meeting.pdf
List of Proposed Future Council Topics.docx

8. PRESENTATION(S)

- 8.A **(7:30 PM) Proclamation Declaring March 24, 2021 as "Education and Sharing Day" - Mayor Nassar,** 5 Minutes
Proclamation - Education and Sharing Day 2021.docx
- 8.B **(7:35 PM) Proclamation Declaring March 2021 as "Brain Injury Awareness Month" - Mayor Nassar,** 5 Minutes
Brain Injury Awareness Month Proclamation 2021.docx

9. UNFINISHED BUSINESS

- 9.A **(7:40 PM) Ordinance No. 2021-03 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes,** 20 Minutes
 Ordinance No. 2021-03 Triage Code Updates.docx
 Exhibit A to Ord 2021-03.docx
 ORD 2020-40 Planning Commission Recorded Motion 121020.pdf
 20201029 Planning Commission Workplan for Joint Land Use Subcommittee Recommendations.pdf
 20201013_Joint_Land_Use_Subcommittee_Memorandum_Initial_Recommendations_Recovered.pdf
 20201013 Joint Land Use Subcommittee Attachment A Table.pdf
- 9.B **(8:00 PM) Review Scope of Work and Workplans for Joint Land Use Subcommittee, Affordable Housing Council Ad Hoc Committee, and Hazard Pay Council Ad Hoc Committee - Executive,** 10 Minutes
 Affordable Housing Ad Hoc Committee Request Form and Workplan.docx
 Grocery Worker Hazard Pay Ad Hoc Committee Request Form and Workplan.docx
 Joint Land Use Subcommittee Proposal Form and Workplan.docx
- 9.C **(8:10 PM) Ordinance No. 2021-13 Relating to Hazard Pay for Grocery Workers - Executive,** 15 Minutes
 Ordinance No. 2021-13 (Hazard Pay for Grocery Workers)
 Order of Dismissal - Northwest Grocery Association v. City of Seattle
- 9.D **(8:25 PM) Capital Improvement Plan Grant Update - Public Works,** 10 Minutes
 CC_CIP_Project_Update_031821.pptx

10. NEW BUSINESS

- 10.A **(8:35 PM) Madison Avenue Non-Motorized/Utility Project Scope Discussion - Public Works,** 10 Minutes
 Madison_Ave_Project_031821_FINAL.pptx
- 10.B **(8:45 PM) Lodging Tax Advisory Committee (LTAC) 2021 Funding Recommendations - Executive,** 10 Minutes
 2021 LTAC Funding Recommendations - Final.pdf

11. COUNCIL DISCUSSION

- 11.A **(8:55 PM) Feedback on Proposed Changes to Governance Manual - Council,** 10 Minutes
 Governance Manual 071420-2 MP LS comments-2.docx
- 11.B **(9:05 PM) Discussion of Police and Court Facility Project,** 30 Minutes
 Draft Stmt of Work re Harrison purchase for CC 03232021 - packet

12. COMMITTEE REPORTS - 9:35 PM

13. FOR THE GOOD OF THE ORDER - 9:40 PM

14. ADJOURNMENT 9:50 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: March 23, 2021

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: (6:05 PM) 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: March 23, 2021

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (6:55 PM) Instructions for Providing Public Comment - City Clerk,

SUMMARY: The attached instructions explain how to provide public comment in a remote Zoom meeting.

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 at Remote Meetings.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

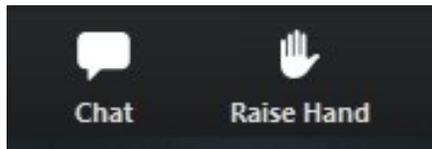
OFFICE OF THE CITY CLERK

SEPTEMBER, 2020

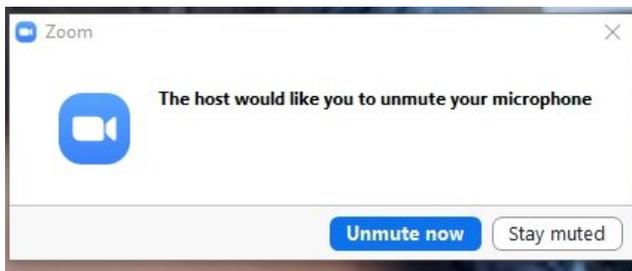
Members of the public are encouraged to submit written public comment to the City Council at any time by emailing Council at council@bainbridgewa.gov or the City Clerk at cityclerk@bainbridgewa.gov. Members of the public who wish to provide public comment during the remote meeting should follow the instructions outlined below.

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT IN REMOTE MEETINGS

1. Attendees who wish to provide public comment sign in to Zoom with their name.
2. Meeting Chair will indicate when it is time for public comment.
3. Attendee indicates desire to speak by clicking on "Raise Hand" option at the bottom of the screen:



4. Attendee clicks button "Unmute now" after they are called to speak by Meeting Chair.



5. 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.

6. Attendee provides their comment.
7. A timer on the screen will track your time.

8. Stop speaking when the timer reaches the 3-minute mark.
9. Attendee is returned to attendee group, and microphone is muted.
10. As always, public comment is simply received by the Council, with no response.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (7:15 PM) Agenda Bill for Consent Agenda,

SUMMARY: Consider approval of the following Consent Agenda items:

- B. Accounts Payable and Payroll
- C. City Council Meeting Minutes
- D. Eagle Harbor Phase II Non-Motorized Improvements Contract Award
- E. Chlorine Generator Replacement Contract
- F. Bainbridge Island Senior Community Center Grant Application
- G. Kitsap County Conservation District Manzanita Watershed Interlocal Agreement
- H. Transportation Benefit District (Traffic Calming and Climate Mitigation) Funding Discussion and Budget Amendment

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: March 23, 2021

ESTIMATED TIME:

AGENDA ITEM: Accounts Payable and Payroll

SUMMARY: Consider approval of payroll and accounts payable.

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Executive

RECOMMENDED MOTION: Approve with the Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[AP Report to Council of Cash Disbursements 03-24-21.pdf](#)

[Payroll.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: March 08, 2021 - March 22, 2021

CITY COUNCIL: March 09, 2021 - March 23, 2021

Last check from previous run: 355830 dated 03/10/2021 issued to Granite Construction for \$48,276.86.

Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
VOID	3/24/21	355865	Business Interiors/Incorrect business name (former)	N/A
VOID	3/24/21	355897	Kitsap Public Health/Incorrect remittance address	N/A
VOID	3/24/21	355924	ENG/Seton Construction/Check print error	N/A
Manual	3/10/21	355831	US Bank/Credit card purchases - February 2021	30,109.84
Manual	3/10/21	355832	Bainbridge Disposal/Citywide disposal services - February 2021	2,180.17
Manual	3/10/21	355833	CenturyLink/Citywide telemetry & fax services	4,712.53
Manual	3/10/21	355834	POL/HID Global/Livescan printer	1,090.00
Manual	3/10/21	355835	Puget Sound Energy/Citywide electricity services - February 2021	31,746.03
Manual	3/10/21	355836	Verizon Wireless/Citywide cellular services	5,524.68
Manual	3/12/21	355837	BIMPR/CARES grant shared funding	90,717.13
Manual	3/17/21	355838	Bainbridge Disposal/Commons disposal services - February 2021	169.89
Manual	3/17/21	355839	CenturyLink/Additional citywide telemetry & fax services	372.26
Manual	3/17/21	355840	ENG/City of BI/Permit: PLN51849	180.00
Manual	3/17/21	355841	PW/Island Hands/Janitorial services - February 2021	22,078.09
Manual	3/17/21	355842	Puget Sound Energy/City Hall, Casey St water electricity - February 2021	10,713.35
Manual	3/17/21	355843	Verizon Wireless/Modem lines	78.91

Total Manual Checks and Electronic Disbursements	199,672.88
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Regular Run	3/24/21	355844-355954	Total Regular Check Run	559,954.60
Total Disbursements				759,627.48

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.

 3/18/2021

Karl R. Shaw, Accounting Manager Date



03/10/2021 10:52
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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355831	03/10/2021	PRTD	7314 US BANK	246469	02/08/21-CB	02/25/2021	USB0221	21.99
	Invoice: 02/08/21-CB			21.99	11011116 443410	CC/BROWN PAPER TICKETS/KEDA COUNCIL - TRAINING	EVENT: LS	
	Invoice: 02/10/21-CB			246470	02/10/21-CB	02/25/2021	USB0221	125.00
				125.00	36011143 443410	EXCC/WMCA/SPRING ACADEMY CLERK-GF-TRAINING		
	Invoice: 02/16/21-CB			246471	02/16/21-CB	02/25/2021	USB0221	78.57
				78.57	11011116 443410	CC/WEDA/CONF: JD COUNCIL - TRAINING		
	Invoice: 01/30/21-ZB			246472	01/30/21-ZB	02/25/2021	USB0221	64.37
				64.37	53011212 53110000962	POL/CHEWY/K9 FOOD TRACKING CANINE-SUPPLIES		
	Invoice: 02/22/21-ZB			246473	02/22/21-ZB	02/25/2021	USB0221	64.37
				64.37	53011212 53110000962	POL/CHEWY/K9 FOOD TRACKING CANINE-SUPPLIES		
	Invoice: 01/31/21-BB			246474	01/31/21-BB	02/25/2021	USB0221	33.75
				33.75	52011212 531100	POL/AMAZON/FLASH DRIVE POLICE - C/E INVEST SUPPLIES		
	Invoice: 01/31/21-BB-A			246475	01/31/21-BB-A	02/25/2021	USB0221	188.41
				188.41	91029179 531100	POL/AMAZON/WELLNESS PRICES GG-SELF INS-WELLNESS-SUPPLIES		
	Invoice: 01/31/21-BB-B			246476	01/31/21-BB-B	02/25/2021	USB0221	33.75
				33.75	51011211 531100	POL/AMAZON/FLASH DRIVE PD-C/E-ADM-SUPPLIES		
	Invoice: 02/04/21-BB			246477	02/04/21-BB	02/25/2021	USB0221	342.00
				342.00	53011212 545000	POL/RELIABLE STORAGE/JAN RENT POLICE - C/E PATROL RENTS		
	Invoice: 02/11/21-BB			246478	02/11/21-BB	02/25/2021	USB0221	257.34
				257.34	91011215 542500	POL/UPS STORE/SHIPPING TO FBI GG-C/E-PD-POSTAGE		
	Invoice: 02/16/21-BB			246479	02/16/21-BB	02/25/2021	USB0221	49.16
				49.16	51011211 531100	POL/AMAZON/SPACE HEATER: KL PD-C/E-ADM-SUPPLIES		
	Invoice: 02/20/21-BB			246480	02/20/21-BB	02/25/2021	USB0221	189.16
				189.16	52011212 531100	POL/AMAZON/FLASH DRIVES POLICE - C/E INVEST SUPPLIES		
	Invoice: 02/22/21-BB			246481	02/22/21-BB	02/25/2021	USB0221	50.00
				50.00	51011217 443410	POL/PAYPAL/EM PREP: KL PD-C/E-PARKING ENF-TRAINING		

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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
Invoice: 01/27/21-MD				246482	01/27/21-MD	02/25/2021		USB0221	12.05
				12.05	81011881 542500	IT/USPS/PORTAGE FOR RMA IT-C/E-ADM-POSTAGE			
Invoice: 01/27/21-MD-A				246483	01/27/21-MD-A	02/25/2021		USB0221	65.00
				65.00	81011881 535100	IT/AUTOENGINEITY/MECHANIC SW IT - C/E COMPUTER SOFTWARE			
Invoice: 01/27/21-MD-B				246484	01/27/21-MD-B	02/25/2021		USB0221	32.69
				32.69	81011881 535100	IT/ADOBE/SW SUBX IT - C/E COMPUTER SOFTWARE			
Invoice: 01/27/21-MD-C				246485	01/27/21-MD-C	02/25/2021		USB0221	3.52
				3.52	81011252 53510001069	IT/ZOOM/VIDEOCONF SVC COVID19-SOFTWARE			
Invoice: 01/28/21-MD				246486	01/28/21-MD	02/25/2021		USB0221	135.14
				135.14	81011252 53110001069	IT/AMAZON/PRINTER INK COVID19-SUPPLIES			
Invoice: 01/28/21-MD-A				246487	01/28/21-MD-A	02/25/2021		USB0221	218.98
				218.98	81011252 53550001069	IT/AMAZON/PRINTER: CS COVID19-COMPUTER HARDWARE			
Invoice: 01/28/21-MD-B				246488	01/28/21-MD-B	02/25/2021		USB0221	66.48
				66.48	81011881 535500	IT/NEWEGG/UPS: AH IT - C/E COMPUTER PARTS & EQ			
Invoice: 02/01/21-MD				246489	02/01/21-MD	02/25/2021		USB0221	980.46
				980.46	81011252 53510001069	IT/PDFXCHANGE/SW LIC X10 COVID19-SOFTWARE			
Invoice: 02/01/21-MD-A				246490	02/01/21-MD-A	02/25/2021		USB0221	1,830.82
				1,830.82	81011252 53510001069	IT/ZOOM/VIDEOCONF SVC COVID19-SOFTWARE			
Invoice: 02/01/21-MD-B				246491	02/01/21-MD-B	02/25/2021		USB0221	3,910.00
				3,910.00	81011252 54110001069	IT/FIREWALLS.COM/PROF SVC HRS IT PROF SVC - COVID-19			
Invoice: 02/02/21-MD				246492	02/02/21-MD	02/25/2021		USB0221	18.51
				18.51	81011881 531100	IT/AMAZON/PHONE CASE: EC IT - C/E SUPPLIES			
Invoice: 02/02/21-MD-A				246493	02/02/21-MD-A	02/25/2021		USB0221	33.78
				33.78	81011881 531100	IT/AMAZON/HEADSET: NR IT - C/E SUPPLIES			
Invoice: 02/03/21-MD				246494	02/03/21-MD	02/25/2021		USB0221	10.00
				10.00	81011881 535100	IT/APPLE/\$10 GIFTCARD: EC IT - C/E COMPUTER SOFTWARE			

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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
Invoice: 02/04/21-MD				246495	02/04/21-MD	02/25/2021		USB0221	65.79
				65.79	81011881 535500	IT/AMAZON/UPS: ES IT - C/E COMPUTER PARTS & EQ			
Invoice: 02/04/21-MD-A				246496	02/04/21-MD-A	02/25/2021		USB0221	130.78
				130.78	81011881 535500	IT/AMAZON/MONITOR, POST-ITS IT - C/E COMPUTER PARTS & EQ			
Invoice: 02/06/21-MD				246497	02/06/21-MD	02/25/2021		USB0221	149.58
				149.58	81011252 53550001069	IT/AMAZON/WEBCAMS, PENCILS COVID19-COMPUTER HARDWARE			
Invoice: 02/06/21-MD-A				246498	02/06/21-MD-A	02/25/2021		USB0221	50.22
				50.22	81011881 535500	IT/AMAZON/PERIPHERALS: EC IT - C/E COMPUTER PARTS & EQ			
Invoice: 02/13/21-MD				246499	02/13/21-MD	02/25/2021		USB0221	700.80
				700.80	81011881 443410	IT/SHAREPOINT/MS WEBINAR IT - C/E TRAINING			
Invoice: 02/16/21-MD				246500	02/16/21-MD	02/25/2021		USB0221	130.79
				130.79	81011252 53550001069	IT/AMAZON/24" MONITOR COVID19-COMPUTER HARDWARE			
Invoice: 02/18/21-MD				246501	02/18/21-MD	02/25/2021		USB0221	37.01
				37.01	81011881 531100	IT/AMAZON/OFFICE SUPPLIES IT - C/E SUPPLIES			
Invoice: 02/19/21-MD				246502	02/19/21-MD	02/25/2021		USB0221	54.91
				54.91	81011881 531100	IT/AMAZON/POWER STRIP, COAT RACK IT - C/E SUPPLIES			
Invoice: 02/22/21-MD				246503	02/22/21-MD	02/25/2021		USB0221	221.30
				221.30	81011881 531100	IT/AMAZON/DESK IT - C/E SUPPLIES			
Invoice: 02/23/21-MD				246504	02/23/21-MD	02/25/2021		USB0221	168.34
				168.34	81011881 535500	IT/AMAZON/HEADSETS IT - C/E COMPUTER PARTS & EQ			
Invoice: 02/08/21-KD				246505	02/08/21-KD	02/25/2021		USB0221	76.30
				76.30	31011572 549100	EX/CONSTANT CONTACT/MONTHLY SUBX OUTREACH DUES, SUBS& MEMBER			
Invoice: 01/28/21-KD				246506	01/28/21-KD	02/25/2021		USB0221	260.00
				260.00	41011141 549100	FINIMA/ANNUAL MEMBERSHIP FIN-C/E-DUES, SUBS, MEMBERSHIPS			
Invoice: 02/02/21-JF				246507	02/02/21-JF	02/25/2021		USB0221	35.23
				35.23	91011215 542500	POL/UPS/SHIPPING GG-C/E-PD-POSTAGE			

03/10/2021 10:52
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CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100 CASH
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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
Invoice: 02/08/21-JF				246508	02/08/21-JF	02/25/2021		USB0221	580.37
				580.37	53011212 531100	CHPWS/OPTICS PLATE X8 PD-C/E-PATROL SUPPLIES			
Invoice: 02/09/21-JF				246509	02/09/21-JF	02/25/2021		USB0221	95.74
				95.74	53011212 531100	POL/RED RIVER TACT/HOLSTER: MT PD-C/E-PATROL SUPPLIES			
Invoice: 01/27/21-EH				246510	01/27/21-EH	02/25/2021		USB0221	11.98
				11.98	51011215 531100	POL/SAFEWAY/PAPER TOWELS POLICE - C/E FACIL SUPPLIES			
Invoice: 01/27/21-RL				246511	01/27/21-RL	02/25/2021		USB0221	34.16
				34.16	31011131 531100	EX/AMAZON/CALENDAR EX-GF-SUPPLIES			
Invoice: 01/29/21-RL				246512	01/29/21-RL	02/25/2021		USB0221	45.54
				45.54	32011152 531100	LEGAL/AMAZON/FILE FOLDERS LGL-GF-SUPPLIES			
Invoice: 02/01/21-RL				246513	02/01/21-RL	02/25/2021		USB0221	31.90
				31.90	41011141 531100	FIN/AMAZON/CALENDAR FIN - C/E ADMIN SUPPLIES			
Invoice: 02/05/21-RL				246514	02/05/21-RL	02/25/2021		USB0221	54.50
				54.50	31011131 531100	EX/AMAZON/STANDING DESK MAP EX-GF-SUPPLIES			
Invoice: 02/06/21-RL				246515	02/06/21-RL	02/25/2021		USB0221	33.20
				33.20	11011116 531100	CC/AMAZON/ROBERT'S RULES OF ORDER COUNCIL - SUPPLIES			
Invoice: 02/09/21-RL				246516	02/09/21-RL	02/25/2021		USB0221	1,036.08
				1,036.08	44011141 545000	FIN/PITNEY BOWES/LEASE PAYMENT RENTS & LEASES - OPERATING			
Invoice: 02/22/21-RL				246517	02/22/21-RL	02/25/2021		USB0221	600.00
				600.00	31011131 549100	EX/ICLEI/ANNUAL MEMBERSHIP EX-GF-DUES/SUBCR/MEMBERSH			
Invoice: 01/27/21-AL				246518	01/27/21-AL	02/25/2021		USB0221	137.91
				137.91	31011229 53110001069	EX/COSTCO/TEST SITE SNACKS TESTING-COVID19-SUPPLIES			
Invoice: 01/29/21-AL				246519	01/29/21-AL	02/25/2021		USB0221	12.40
				12.40	31011229 53110001069	EX/RITE AID/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES			
Invoice: 02/01/21-AL				246520	02/01/21-AL	02/25/2021		USB0221	47.94
				47.94	31011229 53110001069	EX/COSTCO/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME	INVOICE DTL		DESC			
Invoice: 02/04/21-AL				246521	02/04/21-AL		02/25/2021	USB0221	-32.12
				-32.12	31011229	53110001069	EX/AMAZON/CALENDAR REFUND TESTING-COVID19-SUPPLIES		
Invoice: 02/04/21-AL-A				246522	02/04/21-AL-A		02/25/2021	USB0221	91.56
				91.56	31011229	53110001069	EX/AMAZON/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES		
Invoice: 02/05/21-AL				246523	02/05/21-AL		02/25/2021	USB0221	2,442.00
				2,442.00	31011229	54110001069	EX/NCSI/BACKGROUND CHECKS COVID19 TESTING-PROF SVCS		
Invoice: 02/05/21-AL-A				246524	02/05/21-AL-A		02/25/2021	USB0221	55.59
				55.59	31011229	53110001069	EX/AMAZON/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES		
Invoice: 02/08/21-AL				246525	02/08/21-AL		02/25/2021	USB0221	6.83
				6.83	31011229	53110001069	EX/AMAZON/TEST SITE PPE TESTING-COVID19-SUPPLIES		
Invoice: 02/08/21-AL-A				246526	02/08/21-AL-A		02/25/2021	USB0221	557.39
				557.39	31011229	53110001069	EX/AMAZON/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES		
Invoice: 02/10/21-AL				246527	02/10/21-AL		02/25/2021	USB0221	375.81
				375.81	31011229	53110001069	EX/4IMPRINT/BADGE LANYARDS TESTING-COVID19-SUPPLIES		
Invoice: 02/11/21-AL				246528	02/11/21-AL		02/25/2021	USB0221	242.90
				242.90	31011229	54110001069	EX/SIGNUPGENIUS/SUBX COVID19 TESTING-PROF SVCS		
Invoice: 02/11/21-AL-A				246529	02/11/21-AL-A		02/25/2021	USB0221	327.00
				327.00	31011283	54110001069	EX/CUSTOM PRINTING/CLINIC FORMS COVID19-IMMUNIZATION-PROF SVCS		
Invoice: 02/12/21-AL				246530	02/12/21-AL		02/25/2021	USB0221	16.34
				16.34	31011229	53110001069	EX/COSTCO/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES		
Invoice: 02/17/21-AL				246531	02/17/21-AL		02/25/2021	USB0221	29.26
				29.26	31011229	53110001069	EX/AMAZON/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES		
Invoice: 02/17/21-AL-A				246532	02/17/21-AL-A		02/25/2021	USB0221	49.00
				49.00	31011256	549100	EX/AMERICAN RADIO RELAY/HAM SUBX EX-GF-EMERG PREP-DUES/SUBSCRIP		
Invoice: 02/22/21-AL				246533	02/22/21-AL		02/25/2021	USB0221	350.71
				350.71	31011229	54110001069	EX/CORT/TENT INSPECTION COVID19 TESTING-PROF SVCS		

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 02/22/21-AL-A				246534	02/22/21-AL-A	02/25/2021	USB0221	1.00
				1.00	31011229	54110001069	EX/CORT/SAMPLE CHARGE - REFUND EXPECTED COVID19 TESTING-PROF SVCS	
Invoice: 02/22/21-AL-B				246535	02/22/21-AL-B	02/25/2021	USB0221	611.86
				611.86	31011229	53110001069	EX/AMAZON/TEST SITE SUPPLIES TESTING-COVID19-SUPPLIES	
Invoice: 01/26/21-CL				246536	01/26/21-CL	02/25/2021	USB0221	49.13
				49.13	63470586	544000	PCD/CLICK2MAIL/LEGAL NOTICES CUR-DEV-ZONING-ADV	
Invoice: 02/09/21-CL				246537	02/09/21-CL	02/25/2021	USB0221	7.86
				7.86	63470586	544000	PCD/CLICK2MAIL/LEGAL NOTICES CUR-DEV-ZONING-ADV	
Invoice: 02/12/21-CL				246538	02/12/21-CL	02/25/2021	USB0221	70.09
				70.09	63470586	544000	PCD/CLICK2MAIL/LEGAL NOTICES CUR-DEV-ZONING-ADV	
Invoice: 02/17/21-CL				246539	02/17/21-CL	02/25/2021	USB0221	49.85
				49.85	63470586	544000	PCD/CLICK2MAIL/LEGAL NOTICES CUR-DEV-ZONING-ADV	
Invoice: 02/23/21-CL				246540	02/23/21-CL	02/25/2021	USB0221	11.14
				11.14	63470586	544000	PCD/CLICK2MAIL/LEGAL NOTICES CUR-DEV-ZONING-ADV	
Invoice: 01/26/21-DM				246541	01/26/21-DM	02/25/2021	USB0221	317.19
				317.19	73011768	531100	PW/WALMART/EAGLE FLOAT WFP O&M-C/E-PARKS-SUPPLIES	
Invoice: 01/28/21-DM				246542	01/28/21-DM	02/25/2021	USB0221	265.48
				265.48	73011897	531100	PW/123SECURITYPRODUCTS/PC MONITOR O&M-C/E-PWY FAC-SUPPLIES	
Invoice: 01/28/21-DM-A				246543	01/28/21-DM-A	02/25/2021	USB0221	39.63
				39.63	73011183	531100	PW/AMAZON/FENCE STRETCHER BAR O&M-C/E-CH FAC-SUPPLIES	
Invoice: 01/28/21-DM-B				246544	01/28/21-DM-B	02/25/2021	USB0221	166.76
				166.76	73011897	531100	PW/OFFICE DEPOT/LASER PRINTER O&M-C/E-PWY FAC-SUPPLIES	
Invoice: 01/28/21-DM-C				246545	01/28/21-DM-C	02/25/2021	USB0221	46.86
				46.86	73011897	531100	PW/OFFICE DEPOT/TONER O&M-C/E-PWY FAC-SUPPLIES	
Invoice: 01/28/21-D				246546	01/28/21-D	02/25/2021	USB0221	470.00
				470.00	73431835	443410	PW/ARGUS PAC/HAZWOPPER TRAINING O&M-SSWM MAINT-TRAVEL EXP	

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

VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
246547	01/28/21-DM-D	02/25/2021		USB0221	470.00
Invoice: 01/28/21-DM-D					
470.00	73431835 443410	PW/ARGUS PAC/HAZWOPPER TRAINING O&M-SSWM MAINT-TRAVEL EXP			
246548	01/30/21-DM	02/25/2021		USB0221	28.32
Invoice: 01/30/21-DM					
28.32	73111290 531100	PW/AMAZON/EARPLUGS O&M-STREET-MAINT O/H-SUPPLIES			
246549	02/10/21-DM	02/25/2021		USB0221	649.20
Invoice: 02/10/21-DM					
649.20	73011189 531100	PW/FLAGSAFLYING/COBI FLAGS O&M - C/E FACIL OFC SUPPLIES			
246550	02/12/21-DM	02/25/2021		USB0221	135.44
Invoice: 02/12/21-DM					
135.44	73111252 53110001055	PW/JERSEY MIKES/STORM CREW MEALS STORM RESP-STRT-SUPPLIES			
246551	02/16/21-DM	02/25/2021		USB0221	1.18
Invoice: 02/16/21-DM					
1.18	73425358 53110001122	PW/PLATT/LOCKNUT & WASHER WWTP PUMP & MOTOR-SUPPLIES			
246552	02/23/21-DM	02/25/2021		USB0221	85.00
Invoice: 02/23/21-DM					
85.00	73111290 443410	PW/EVERGREEN SAFETY/FLAGGER TRAINING O&M-STREET-MAINT O/H-TRAINING			
246553	02/10/21-BN	02/25/2021		USB0221	64.46
Invoice: 02/10/21-BN					
64.46	54025212 443410	POL/KALKOMEY ENT/TRAINING MARINE - TRAINING			
246554	02/4/21-DP	02/25/2021		USB0221	75.00
Invoice: 02/4/21-DP					
75.00	41011144 443410	FIN/WFOA/BARS CLASS FIN - C/E TRAINING			
246555	02/04/21-DP	02/25/2021		USB0221	140.00
Invoice: 02/04/21-DP					
140.00	41011144 443410	FIN/MRSC/FS REP CLASS FIN - C/E TRAINING			
246556	02/19/21-AP	02/25/2021		USB0221	50.00
Invoice: 02/19/21-AP					
50.00	65011597 443410	PCD/FAOC/TRAINING? CODE - C/E TRAINING EXPENSE			
246557	02/16/21-AQ	02/25/2021		USB0221	590.00
Invoice: 02/16/21-AQ					
147.50	72411341 443410	ENG/APWA/CM INSP TRAINING			
147.50	72421351 443410	ENG - WATER TRAINING			
147.50	72431831 443410	ENG - SEWER TRAINING			
147.50	72111436 443410	ENG - SSWM ADM TRAINING			
		ENG - ACCESS TRANS TRAINING			
246558	02/01/21-JR	02/25/2021		USB0221	900.00
Invoice: 02/01/21-JR					
900.00	61470581 545000	PCD/STORAGE98110/RENT PCD - DEV ADMIN RENTS & LEASES			
246559	01/31/21-JR	02/25/2021		USB0221	60.00

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 01/31/21-JR				60.00 62471591 549100				
					PCD/ICC/MEMBERSHIP RENEW: CW			
					BLDG - BLDG DUES/SUBSCRIPTIONS			
Invoice: 02/07/21-JR				246560 02/07/21-JR	02/25/2021		USB0221	5.41
				5.41 61011581 531100	PCD/WALMART/CARDS FOR STAFF			
					PCD - C/E ADMIN SUPPLIES			
Invoice: 02/08/21-JR				246561 02/08/21-JR	02/25/2021		USB0221	40.33
				40.33 61011581 531100	PCD/AMAZON/ID HOLDERS, LANYARDS			
					PCD - C/E ADMIN SUPPLIES			
Invoice: 02/08/21-JR-A				246562 02/08/21-JR-A	02/25/2021		USB0221	3.99
				3.99 61011581 531100	PCD/ALBERTSONS/CANDY FOR STAFF			
					PCD - C/E ADMIN SUPPLIES			
Invoice: 02/09/21-JR				246563 02/09/21-JR	02/25/2021		USB0221	54.06
				54.06 61011581 531100	PCD/USPS/POSTAGE			
					PCD - C/E ADMIN SUPPLIES			
Invoice: 02/11/21-JR				246564 02/11/21-JR	02/25/2021		USB0221	199.00
				199.00 63011586 443410	PCD/PRYOR/TRAINING SUBX: NS			
					CUR - C/E TRAINING TRAVEL			
Invoice: 02/23/21-JR				246565 02/23/21-JR	02/25/2021		USB0221	27.00
				27.00 61011584 443410	PCD/JURASSIC PARLIAMENT/WEBINAR: JR			
					PCD - C/E ADM TRAINING			
Invoice: 02/23/21-JR-A				246566 02/23/21-JR-A	02/25/2021		USB0221	27.00
				27.00 61011584 443410	PCD/JURASSIC PARLIAMENT/WEBINAR: HW			
					PCD - C/E ADM TRAINING			
Invoice: 02/23/21-JR-B				246567 02/23/21-JR-B	02/25/2021		USB0221	27.00
				27.00 61011584 443410	PCD/JURASSIC PARLIAMENT/WEBINAR: KMO			
					PCD - C/E ADM TRAINING			
Invoice: 02/23/21-JR-C				246568 02/23/21-JR-C	02/25/2021		USB0221	140.00
				140.00 61011584 443410	PCD/MRSC/WEBINR: JR			
					PCD - C/E ADM TRAINING			
Invoice: 02/03/21-MS				246569 02/03/21-MS	02/25/2021		USB0221	-17.79
				-17.79 61011252 53110001069	PCD/AMAZON/ERGO MOUSE RETURN			
					COVID19-SUPPLIES			
Invoice: 02/08/21-MS				246570 02/08/21-MS	02/25/2021		USB0221	38.10
				38.10 61011252 53110001069	PCD/AMAZON/CHAIR WHEELS			
					COVID19-SUPPLIES			
Invoice: 02/22/21-MS				246571 02/22/21-MS	02/25/2021		USB0221	43.58
				43.58 61011252 53110001069	PCD/AMAZON/SNEEZE GUARD			
					COVID19-SUPPLIES			
				246572 02/25/21-MS	02/25/2021		USB0221	40.32

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 02/23/21-KB-A				246585 02/23/21-KB-A	02/25/2021		USB0221	420.00
				420.00 33011161 544000	HR/ASCE/AD: ENGINEER			
					HR-C/E-ADVERTISING			
Invoice: 02/24/21-KB				246586 02/24/21-KB	02/25/2021		USB0221	418.00
				418.00 33011161 544000	HR/SWE YOURMEMBER/AD: ENGINEER			
					HR-C/E-ADVERTISING			
Invoice: 02/24/21-KB-A				246587 02/24/21-KB-A	02/25/2021		USB0221	90.00
				90.00 33011161 544000	HR/CRAIGSLIST/AD: ENGINEER			
					HR-C/E-ADVERTISING			
Invoice: 02/08/21-KJ				246588 02/08/21-KJ	02/25/2021		USB0221	21.99
				21.99 11011116 443410	CC/BROWN PAPER TIX/KEDA: JD			
					COUNCIL - TRAINING			
Invoice: 01/29/21-KS				246589 01/29/21-KS	02/25/2021		USB0221	15.00
				15.00 41011144 443410	FIN/PSFOA/TRAINING: KS			
					FIN - C/E TRAINING			
Invoice: 02/08/21-KS				246590 02/08/21-KS	02/25/2021		USB0221	85.00
				85.00 41011144 443410	FIN/GFOA/TRAINING: KS			
					FIN - C/E TRAINING			
Invoice: 02/19/21-KS				246591 02/19/21-KS	02/25/2021		USB0221	85.00
				85.00 41011144 443410	FIN/GFOA/TRAINING: KS			
					FIN - C/E TRAINING			
Invoice: 02/18/21-KG				246592 02/18/21-KG	02/25/2021		USB0221	50.00
				50.00 72431831 443410	ENG/WSU/MUNI STORMWATER CONF: SC			
					ENG - SSWM ADM TRAINING			
Invoice: 01/28/21-CK				246593 01/28/21-CK	02/25/2021		USB0221	73.20
				73.20 73011768 531100	PW/AMAZON/WFP FENCE LOCK			
					O&M-C/E-PARKS-SUPPLIES			
Invoice: 02/01/21-CK				246594 02/01/21-CK	02/25/2021		USB0221	300.00
				300.00 73011189 545000	PW/STORAGE98110/RENT			
					O&M - C/E FACIL RENTS & LEASES			
Invoice: 02/02/21-CL				246595 02/02/21-CL	02/25/2021		USB0221	32.21
				32.21 73425358 531100	PW/AMAZON/VARIABLE SPEED CONTR			
					O&M-WWTP-SUPPLIES			
Invoice: 02/03/21-CK				246596 02/03/21-CK	02/25/2021		USB0221	553.52
				553.52 73425358 531100	PW/AMAZON/THERMAL CAMERA			
					O&M-WWTP-SUPPLIES			
Invoice: 02/04/21-CK				246597 02/04/21-CK	02/25/2021		USB0221	837.84
				837.84 73425358 531100	PW/EAGLE MTN/YARD HYDRANT			
					O&M-WWTP-SUPPLIES			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 02/07/21-CK				246598	02/07/21-CK			
				16.34	73411345	549100	02/25/2021	16.34
							USB0221	
							PW/ADOBE/PRO SUBX	
							DUES/SUBSCRIPTIONS	
Invoice: 02/09/21-CK				246599	02/09/21-CK			
				100.00	73411345	443410	02/25/2021	100.00
							USB0221	
							PW/ABC/WW OP CERT EXAM: RN	
							O&M-WTR MAINT-TRAINING EXP	
Invoice: 02/12/21-CK				246600	02/12/21-CK			
				302.93	73637891	531100	02/25/2021	302.93
							USB0221	
							PW/COSTCO/WATER	
							OFFICE SUPPLIES	
Invoice: 02/14/21-CK				246601	02/14/21-CK			
				16.34	73411345	549100	02/25/2021	16.34
							USB0221	
							PW/ADOBE/PRO SUBX	
							DUES/SUBSCRIPTIONS	
Invoice: 02/16/21-MD-A				246602	02/16/21-MD-A			
				195.00	81011881	443410	02/25/2021	195.00
							USB0221	
							IT/SHAREPOINT/MS SEARCH WEBINAR	
							IT - C/E TRAINING	
							CHECK 355831 TOTAL:	30,109.84
				NUMBER OF CHECKS	1		*** CASH ACCOUNT TOTAL ***	30,109.84
							COUNT	AMOUNT
				TOTAL PRINTED CHECKS	1		1	30,109.84
							*** GRAND TOTAL ***	30,109.84

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JOURNAL ENTRIES TO BE CREATED

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CLERK: cfreitas

YEAR PER	JNL	SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021	3	73									
APP	001-213000		03/10/2021	USB0221	USBCC			GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		25,272.65	
APP	635-111100		03/10/2021	USB0221	USBCC			CASH AP CASH DISBURSEMENTS JOURNAL			30,109.84
APP	407-213000		03/10/2021	USB0221	USBCC			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		1,148.07	
APP	403-213000		03/10/2021	USB0221	USBCC			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		1,137.50	
APP	101-213000		03/10/2021	USB0221	USBCC			STREETS - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		396.26	
APP	402-213000		03/10/2021	USB0221	USBCC			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		1,572.25	
APP	401-213000		03/10/2021	USB0221	USBCC			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		280.18	
APP	631-213000		03/10/2021	USB0221	USBCC			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		302.93	
GENERAL LEDGER TOTAL										30,109.84	30,109.84
APP	631-130000		03/10/2021	USB0221	USBCC			DUE TO/FROM CLEARING		29,806.91	
APP	001-130000		03/10/2021	USB0221	USBCC			GENERAL - DUE TO/FROM CLEARING			25,272.65
APP	407-130000		03/10/2021	USB0221	USBCC			DUE TO/FROM CLEARING		1,148.07	
APP	403-130000		03/10/2021	USB0221	USBCC			DUE TO/FROM CLEARING		1,137.50	
APP	101-130000		03/10/2021	USB0221	USBCC			STREETS - DUE TO/FROM CLEARING		396.26	
APP	402-130000		03/10/2021	USB0221	USBCC			DUE TO/FROM CLEARING		1,572.25	
APP	401-130000		03/10/2021	USB0221	USBCC			DUE TO/FROM CLEARING		280.18	
SYSTEM GENERATED ENTRIES TOTAL										29,806.91	29,806.91
JOURNAL 2021/03/73 TOTAL										59,916.75	59,916.75

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JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 3	73	03/10/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	25,272.65	25,272.65
				FUND TOTAL	25,272.65	25,272.65
101 STREET FUND 101-130000 101-213000	2021 3	73	03/10/2021	STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	396.26	396.26
				FUND TOTAL	396.26	396.26
401 WATER OPERATING FUND 401-130000 401-213000	2021 3	73	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	280.18	280.18
				FUND TOTAL	280.18	280.18
402 SEWER OPERATING FUND 402-130000 402-213000	2021 3	73	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	1,572.25	1,572.25
				FUND TOTAL	1,572.25	1,572.25
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 3	73	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	1,137.50	1,137.50
				FUND TOTAL	1,137.50	1,137.50
407 BUILDING & DEVELOPMENT FUND 407-130000 407-213000	2021 3	73	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	1,148.07	1,148.07
				FUND TOTAL	1,148.07	1,148.07
631 CLEARING FUND 631-130000 631-213000 635-111100	2021 3	73	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE CASH	29,806.91 302.93	30,109.84
				FUND TOTAL	30,109.84	30,109.84

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		25,272.65
101	STREET FUND		396.26
401	WATER OPERATING FUND		280.18
402	SEWER OPERATING FUND		1,572.25
403	STORM & SURFACE WATER FUND		1,137.50
407	BUILDING & DEVELOPMENT FUND		1,148.07
631	CLEARING FUND		
		29,806.91	
	TOTAL	29,806.91	29,806.91

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



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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355832	03/10/2021	PRTD	47 BAINBRIDGE DISPOSAL	246603	0001063274	02/28/2021	M031021	1,754.25
						CITYWIDE DISP SVCS FEB 2021		
				143.70	91011215	547900	GG-C/E-PD-GARBAGE	
				65.00	91111427	547900	GG-STREET-ROADSIDE-GARBAGE	
				445.32	91011768	547900	GG-C/E-PARKS-GARBAGE	
				433.74	91425358	547900	GG-WWTP-GARBAGE(NOT BIOSOLIDS)	
				646.53	91011897	547900	GG-C/E-O&M YARD FAC-GARBAGE	
				9.98	91111427	547900	GG-STREET-ROADSIDE-GARBAGE	
				9.98	91111427	547900	GG-STREET-ROADSIDE-GARBAGE	
				246604	0001063466	02/28/2021	M031021	346.96
						CITY HALL DISP SVCS FEB 2021		
				346.96	91011189	547900	GG-C/E-CITY HALL-GARBAGE	
				246606	0001063523	02/28/2021	M031021	78.96
						BIG BELLY DISP SVCS FEB 2021		
				78.96	91011189	547903	BIG BELLY SOLAR GARBAGE CANS	
						CHECK	355832 TOTAL:	2,180.17
355833	03/10/2021	PRTD	551 CENTURYLINK	246679	0225MAR21	03/02/2021	M031021	129.03
						O&M FIRE ALARM MONIT		
				129.03	91011897	542100	GG-C/E-O&M YARD FAC-PHONE	
				246680	0456MAR21	03/02/2021	M031021	89.16
						VILLAGE SEWER PUMO		
				89.16	91421891	542100	GG-SWR-FAC-PHONE	
				246681	0754MAR21	03/02/2021	M031021	65.94
						FLETCHER BAY WELL TLEM		
				65.94	91411891	542100	GG-WTR-FAC-PHONE	
				246682	1745MAR21	03/02/2021	M031021	60.82
						CH ELEVATOR SVC LINE		
				60.82	91011189	542100	GG-C/E-CITY HALL-PHONE	
				246683	3736MAR21	03/02/2021	M031021	129.03
						CH FIRE ALARM MONIT		
				129.03	91011189	542100	GG-C/E-CITY HALL-PHONE	
				246684	5211MAR21	03/02/2021	M031021	219.75
						POL PHN SVCS		
				219.75	91011215	542100	GG-C/E-PD-PHONE	
				246685	8731MAR21	03/02/2021	M031021	65.84
						COMMONS FIRE ALARM MONIT		
				65.84	91011755	542100	GG-C/E-COMMONS-PHONE	
				246686	8834MAR21	03/02/2021	M031021	79.49
						259 FERNCLIFF PRV TELEM		
				79.49	91411891	542100	GG-WTR-FAC-PHONE	

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

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL	DESC		
Invoice: 9136	MAR21			246687	9136MAR21	03/02/2021		M031021	167.14
				167.14	91011189 542100				
						CH SECURITY ALARM MONIT			
						GG-C/E-CITY HALL-PHONE			
Invoice: 9791	MAR21			246688	9791MAR21	03/02/2021		M031021	137.80
				137.80	91011215 542100				
						POL TI MANDUS			
						GG-C/E-PD-PHONE			
Invoice: 9840	MAR21			246689	9840MAR21	03/02/2021		M031021	65.94
				65.94	91411891 542100				
						HEAD OF BAY WELL TELEM			
						GG-WTR-FAC-PHONE			
Invoice: 9858	MAR21			246690	9858MAR21	03/02/2021		M031021	50.35
				50.35	91411891 542100				
						SANDS AVE WELL TELEM			
						GG-WTR-FAC-PHONE			
Invoice: 0399	FEB21			246691	0399FEB21	02/23/2021		M031021	3,452.24
				2,034.03	91425358 542100				
				794.47	91411891 542100				
				79.11	91011755 542100				
				161.97	91011189 542100				
				241.66	91011897 542100				
				76.79	91011255 542100				
				64.21	91011215 542100				
						CITYWIDE TELEMETRY FEB 2021			
						GG-WWTP-TELEPHONE/FAX			
						GG-WTR-FAC-PHONE			
						GG-C/E-COMMONS-PHONE			
						GG-C/E-CITY HALL-PHONE			
						GG-C/E-O&M YARD FAC-PHONE			
						GG-C/E-COURT BLDG-PHONE			
						GG-C/E-PD-PHONE			
						CHECK	355833	TOTAL:	4,712.53
355834	03/10/2021	PRTD	9652 HID GLOBAL CORPORATI	246607	13402003244	03/04/2021		M031021	1,090.00
			Invoice: 13402003244						
				1,090.00	51011211 531100				
						POL/LIVESCAN PRINTER			
						PD-C/E-ADM-SUPPLIES			
						CHECK	355834	TOTAL:	1,090.00
355835	03/10/2021	PRTD	1205 PUGET SOUND ENERGY	246608	828FEB21	03/01/2021		M031021	180.91
			Invoice: 828FEB21						
				180.91	91415345 547100				
						TAYLOR WELLS LID17 PH1			
						GG-ROCKAWAY BCH-UTILITIES			
Invoice: IL3	FEB21			246609	IL3FEB21	03/01/2021		M031021	25.08
				25.08	91111263 547100				
						ROUNDABOUT HS/MADISON IMPR			
						GG-STRT-STREET LIGHTING-UTIL			
Invoice: 647	FEB21			246610	647FEB21	03/01/2021		M031021	50.05
				50.05	91111263 547100				
						ST LTS/TRAFFIC CONTR			
						GG-STRT-STREET LIGHTING-UTIL			
Invoice: IL9	FEB21			246611	IL9FEB21	03/01/2021		M031021	77.63
				77.63	91111263 547100				
						MADISON AVE S			
						GG-STRT-STREET LIGHTING-UTIL			

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

VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
Invoice: 285FEB21	246612 285FEB21	03/01/2021		M031021	367.97
	367.97 91421355 547100	SPS NORTHTOWN/SPORTSMAN GG-SWR-ELECTRIC			
Invoice: 735FEB21	246613 735FEB21	03/01/2021		M031021	70.25
	70.25 91011768 547100	SHANNON DR/WFP DOCK GG-C/E-PARKS-ELECTRIC			
Invoice: 182FEB21	246614 182FEB21	03/01/2021		M031021	54.16
	54.16 91011255 547100	MUNI COURT - METER E6 GG-C/E-COURT BLDG-ELECTRIC			
Invoice: 058FEB21	246615 058FEB21	03/01/2021		M031021	61.71
	61.71 91011897 547100	NE HIDDEN COVE - SHOP GG-C/E-O&M YARD FAC-ELECTRIC			
Invoice: 973FEB21	246616 973FEB21	03/01/2021		M031021	50.43
	50.43 91415345 547100	OC RESERVOIR LID17 PH2 GG-ROCKAWAY BCH-UTILITIES			
Invoice: 558FEB21	246617 558FEB21	03/01/2021		M031021	2,957.18
	2,957.18 91011897 547100	7315 NE HIDDEN COVE - SHOP GG-C/E-O&M YARD FAC-ELECTRIC			
Invoice: 336FEB21	246618 336FEB21	03/01/2021		M031021	135.84
	135.84 91421355 547100	SLS-9 ISLAND TERRACE GG-SWR-ELECTRIC			
Invoice: IL11FEB21	246619 IL11FEB21	03/01/2021		M031021	21.51
	21.51 91111263 547100	ST LTS WW MAD TO 305 GG-STRT-STREET LIGHTING-UTIL			
Invoice: 520-330FEB21	246620 520-330FEB21	03/01/2021		M031021	63.79
	63.79 91011768 547100	210 WINSLOW WAY E IRRIG GG-C/E-PARKS-ELECTRIC			
Invoice: 682-B-FEB21	246621 682-B-FEB21	03/01/2021		M031021	31.32
	31.32 91111263 547100	MUNI PARKING LOT: MAD/MAD GG-STRT-STREET LIGHTING-UTIL			
Invoice: 736FEB21	246622 736FEB21	03/01/2021		M031021	87.19
	87.19 91011768 547100	SHANNON DR/WFP RESTROOM GG-C/E-PARKS-ELECTRIC			
Invoice: 040-581FEB21	246623 040-581FEB21	03/01/2021		M031021	165.92
	165.92 91421355 547100	3900 HALLS HILL RD PUMP GG-SWR-ELECTRIC			
Invoice: 884FEB21	246624 884FEB21	03/01/2021		M031021	99.63
	99.63 91421355 547100	SLS FERRY TERMINAL GG-SWR-ELECTRIC			

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

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL	DESC		
Invoice: 111FEB21				246625	111FEB21	03/01/2021		M031021	507.27
				507.27	91011215 547100		POL STATION METER 2 GG-C/E-PD-ELECTRIC		
Invoice: 717FEB21				246626	717FEB21	03/01/2021		M031021	292.83
				292.83	91011215 547100		POL STATION METER 1 GG-C/E-PD-ELECTRIC		
Invoice: 520-374FEB21				246627	520-374FEB21	03/01/2021		M031021	66.74
				66.74	91111264 547100		SIGNAL @ 108 OLY DR SE GG-STREET-TRAF CONTROL-UTILITY		
Invoice: 520-136FEB21				246628	520-136FEB21	03/01/2021		M031021	1,982.51
				1,982.51	91411345 547100		HOB BOOSTER PUMP/WELL GG-WTR-ELECTRIC		
Invoice: IL5FEB21				246629	IL5FEB21	03/01/2021		M031021	109.33
				109.33	91111263 547100		COMMODORE OFF HS @ OLY GG-STRT-STREET LIGHTING-UTIL		
Invoice: 291FEB21				246630	291FEB21	03/01/2021		M031021	15.66
				15.66	91411345 547100		HEAD OF BAY WELL FIELD GG-WTR-ELECTRIC		
Invoice: 031FEB21				246631	031FEB21	03/01/2021		M031021	173.03
				173.03	91421355 547100		SLS-6 LOVELL LOWER GG-SWR-ELECTRIC		
Invoice: IL12FEB21				246632	IL12FEB21	03/01/2021		M031021	55.45
				55.45	91111263 547100		ST LTS WW 305-FERNCLIFF GG-STRT-STREET LIGHTING-UTIL		
Invoice: 573FEB21				246633	573FEB21	03/01/2021		M031021	13.25
				13.25	91411345 547100		COMMODORE/HS RESERVOIR GG-WTR-ELECTRIC		
Invoice: 040-714FEB21				246634	040-714FEB21	03/01/2021		M031021	11.05
				11.05	91021182 547100		7095 NE TWIN PONDS RD GG-OS-PROP MNGT-ELECTRIC		
Invoice: 206FEB21				246635	206FEB21	03/01/2021		M031021	468.51
				468.51	91421355 547100		4586 PT WHT DR GG-SWR-ELECTRIC		
Invoice: 256FEB21				246636	256FEB21	03/01/2021		M031021	483.39
				483.39	91421355 547100		SLS-8 HWY 305/HARBORVIEW GG-SWR-ELECTRIC		
Invoice: 636FEB21				246637	636FEB21	03/01/2021		M031021	101.27
				101.27	91421355 547100		SLS-7 WING PT WAY GG-SWR-ELECTRIC		

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

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL	DESC		
Invoice: 888FEB21				246638	888FEB21	03/01/2021		M031021	222.58
				222.58	91411345 547100	NE HS RD PUMP GG-WTR-ELECTRIC			
Invoice: 658FEB21				246639	658FEB21	03/01/2021		M031021	74.37
				74.37	91421355 547100	SLS-4 IRENE/LOWER HAWLEY GG-SWR-ELECTRIC			
Invoice: 520-298FEB21				246641	520-298FEB21	03/01/2021		M031021	392.58
				392.58	91421355 547100	SLS-5 WW/SUNDAY COVE GG-SWR-ELECTRIC			
Invoice: 640FEB21				246642	640FEB21	03/01/2021		M031021	16.31
				16.31	91011768 547100	BRIEN DR S/BOOTH EL PANEL GG-C/E-PARKS-ELECTRIC			
Invoice: 983FEB21				246643	983FEB21	03/01/2021		M031021	11.97
				11.97	91111264 547100	MILLER RD NE BEACON GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 067FEB21				246644	067FEB21	03/01/2021		M031021	11.05
				11.05	91111263 547100	MADISON PARKING LOT GG-STRT-STREET LIGHTING-UTIL			
Invoice: IL7FEB21				246645	IL7FEB21	03/01/2021		M031021	67.21
				67.21	91111263 547100	MADISON PRJ HS TO WINSLOW II GG-STRT-STREET LIGHTING-UTIL			
Invoice: 466FEB21				246646	466FEB21	03/01/2021		M031021	11.28
				11.28	91111264 547100	MADISON/HS RAINBRINGER GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 093FEB21				246647	093FEB21	03/01/2021		M031021	1,874.14
				1,874.14	91411345 547100	FLETCHER BAY WELL FIELD GG-WTR-ELECTRIC			
Invoice: 444FEB21				246648	444FEB21	03/01/2021		M031021	671.80
				671.80	91011755 547100	BI COMMONS GG-C/E-COMMONS-ELECTRIC			
Invoice: 461FEB21				246649	461FEB21	03/01/2021		M031021	7,325.38
				7,325.38	91425358 547100	WWTP GG-WWTP-ELECTRIC			
Invoice: WW&305FEB21				246650	WW&305FEB21	03/01/2021		M031021	338.68
				338.68	91111264 547100	WINSLOW WAY & 305 GG-STREET-TRAF CONTROL-UTILITY			
Invoice: 831FEB21				246651	831FEB21	03/01/2021		M031021	3,428.81
				3,428.81	91411345 547100	SANDS AVE NE WELL FIELD GG-WTR-ELECTRIC			

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

VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
		INVOICE DTL	DESC		
Invoice: WING&AZALEAFEB21	246665	WING&AZALEAFEB21	03/01/2021	M031021	12.38
	12.38	91111263 547100	WING PT & AZALEA AVE NE ST LT GG-STRT-STREET LIGHTING-UTIL		
Invoice: W.OFMAD-PH1FEB21	246666	W.OFMAD-PH1FEB21	03/01/2021	M031021	1,002.31
	1,002.31	91111263 547100	W. OF MADSON - BAINBRIDGE CO PH1 GG-STRT-STREET LIGHTING-UTIL		
Invoice: W. OF MAD-PH2FEB21	246667	W. OF MAD-PH2FEB21	03/01/2021	M031021	1,989.41
	1,989.41	91111263 547100	E. OF MADISON-BAINBRIDGE CO PH2 GG-STRT-STREET LIGHTING-UTIL		
Invoice: MAD&H.S.FEB21	246668	MAD&H.S.FEB21	03/01/2021	M031021	45.81
	45.81	91111263 547100	MADISON AVE/H.S. ST LT GG-STRT-STREET LIGHTING-UTIL		
Invoice: 2681FEB21	246669	2681FEB21	03/01/2021	M031021	11.05
	11.05	91011768 547100	BJUNE WFP BOOTH EL PANEL #4 GG-C/E-PARKS-ELECTRIC		
Invoice: 2996FEB21	246670	2996FEB21	03/01/2021	M031021	21.78
	21.78	91411345 547100	965 WEAVER RD NW GG-WTR-ELECTRIC		
Invoice: 3010FEB21	246671	3010FEB21	03/01/2021	M031021	11.05
	11.05	91011768 547100	BJUNE WFP BOOTH EL PANEL #3 GG-C/E-PARKS-ELECTRIC		
Invoice: 3028FEB21	246672	3028FEB21	03/01/2021	M031021	12.36
	12.36	91011768 547100	BJUNE WFP BOOTH EL PANEL #2 GG-C/E-PARKS-ELECTRIC		
Invoice: 3044FEB21	246673	3044FEB21	03/01/2021	M031021	11.05
	11.05	91011739 547100	278 WINSLOW WAY E #KIOSK COMM EVENTS-ELECTRICITY		
Invoice: 3051FEB21	246674	3051FEB21	03/01/2021	M031021	11.05
	11.05	91011768 547100	BJUNE WFP BOOTH EL PANEL #1 GG-C/E-PARKS-ELECTRIC		
Invoice: 5760FEB21	246675	5760FEB21	03/01/2021	M031021	115.17
	115.17	91421355 547100	TREATMENT PLANT LS #3 GG-SWR-ELECTRIC		
Invoice: 0909FEB21	246676	0909FEB21	03/01/2021	M031021	3,652.45
	3,652.45	71011183 54710000724	8804 N MADISON PD/COURT BLDG NON CAP-ELECTRIC		
Invoice: 0120FEB21	246677	0120FEB21	03/01/2021	M031021	17.20
	17.20	91111263 547100	220 OLY DR SE GG-STRT-STREET LIGHTING-UTIL		

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CLERK: cfreitas

YEAR PER	JNL	SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021	3	78									
APP	001-213000		03/10/2021	M031021	031021			GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		18,522.77	
APP	635-111100		03/10/2021	M031021	031021			CASH AP CASH DISBURSEMENTS JOURNAL			45,253.41
APP	101-213000		03/10/2021	M031021	031021			STREETS - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		5,114.05	
APP	402-213000		03/10/2021	M031021	031021			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		12,735.53	
APP	401-213000		03/10/2021	M031021	031021			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		8,859.39	
APP	403-213000		03/10/2021	M031021	031021			ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		21.67	
GENERAL LEDGER TOTAL										45,253.41	45,253.41
APP	631-130000		03/10/2021	M031021	031021			DUE TO/FROM CLEARING		45,253.41	
APP	001-130000		03/10/2021	M031021	031021			GENERAL - DUE TO/FROM CLEARING			18,522.77
APP	101-130000		03/10/2021	M031021	031021			STREETS - DUE TO/FROM CLEARING			5,114.05
APP	402-130000		03/10/2021	M031021	031021			DUE TO/FROM CLEARING			12,735.53
APP	401-130000		03/10/2021	M031021	031021			DUE TO/FROM CLEARING			8,859.39
APP	403-130000		03/10/2021	M031021	031021			DUE TO/FROM CLEARING			21.67
SYSTEM GENERATED ENTRIES TOTAL										45,253.41	45,253.41
JOURNAL 2021/03/78 TOTAL										90,506.82	90,506.82

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FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 3	78	03/10/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	18,522.77	18,522.77
				FUND TOTAL	18,522.77	18,522.77
101 STREET FUND 101-130000 101-213000	2021 3	78	03/10/2021	STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	5,114.05	5,114.05
				FUND TOTAL	5,114.05	5,114.05
401 WATER OPERATING FUND 401-130000 401-213000	2021 3	78	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	8,859.39	8,859.39
				FUND TOTAL	8,859.39	8,859.39
402 SEWER OPERATING FUND 402-130000 402-213000	2021 3	78	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	12,735.53	12,735.53
				FUND TOTAL	12,735.53	12,735.53
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 3	78	03/10/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	21.67	21.67
				FUND TOTAL	21.67	21.67
631 CLEARING FUND 631-130000 635-111100	2021 3	78	03/10/2021	DUE TO/FROM CLEARING CASH	45,253.41	45,253.41
				FUND TOTAL	45,253.41	45,253.41

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A/P CASH DISBURSEMENTS JOURNAL

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		18,522.77
101	STREET FUND		5,114.05
401	WATER OPERATING FUND		8,859.39
402	SEWER OPERATING FUND		12,735.53
403	STORM & SURFACE WATER FUND		21.67
631	CLEARING FUND		
		45,253.41	
	TOTAL	45,253.41	45,253.41

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME					
INVOICE DTL DESC								
355837	03/12/2021	PRTD	5490 BAINBRIDGE ISLAND ME	246678	CARES-2020	12/31/2020	M031021	90,717.13
Invoice: CARES-2020						CARES GRANT SHARED FUNDING		
				90,717.13	31011252	54110001069	COVID19-PROF SVCS	
						CHECK	355837 TOTAL:	90,717.13
				NUMBER OF CHECKS	1	*** CASH ACCOUNT TOTAL ***		90,717.13
						COUNT	AMOUNT	
				TOTAL PRINTED CHECKS		1	90,717.13	
						*** GRAND TOTAL ***		90,717.13

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JOURNAL ENTRIES TO BE CREATED

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YEAR PER	JNL	SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021	3	126									
APP	001-213000		03/12/2021	M031021	031221			GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		90,717.13	
APP	635-111100		03/12/2021	M031021	031221			CASH AP CASH DISBURSEMENTS JOURNAL			90,717.13
GENERAL LEDGER TOTAL										90,717.13	90,717.13
APP	631-130000		03/12/2021	M031021	031221			DUE TO/FROM CLEARING		90,717.13	
APP	001-130000		03/12/2021	M031021	031221			GENERAL - DUE TO/FROM CLEARING			90,717.13
SYSTEM GENERATED ENTRIES TOTAL										90,717.13	90,717.13
JOURNAL 2021/03/126 TOTAL										181,434.26	181,434.26

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JOURNAL ENTRIES TO BE CREATED

FUND	ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001	GENERAL FUND	2021	3	126	03/12/2021			
	001-130000					GENERAL - DUE TO/FROM CLEARING		90,717.13
	001-213000					GENERAL - ACCOUNTS PAYABLE	90,717.13	
						FUND TOTAL	90,717.13	90,717.13
631	CLEARING FUND	2021	3	126	03/12/2021			
	631-130000					DUE TO/FROM CLEARING	90,717.13	
	635-111100					CASH		90,717.13
						FUND TOTAL	90,717.13	90,717.13

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		90,717.13
631	CLEARING FUND	90,717.13	
TOTAL		90,717.13	90,717.13

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC			
355838	03/17/2021	PRTD	47 BAINBRIDGE DISPOSAL	246742	0001063238	02/28/2021	M031721	169.89	
Invoice: 0001063238				169.89	91011755 547900	SS/COMMONS GARBAGE SVCS GG-C/E-COMMONS-GARBAGE			
							CHECK	355838 TOTAL:	169.89
355839	03/17/2021	PRTD	551 CENTURYLINK	246743	4953MAR21	03/07/2021	M031721	74.99	
Invoice: 4953MAR21				74.99	91421891 542100	310 MADISON AVE SLS TELEM GG-SWR-FAC-PHONE			
Invoice: 5127MAR21				246744	5127MAR21	03/07/2021	M031721	200.68	
				200.68	71011183 54210000724	8804 MADISON AVE PD/COURT BLDG NON CAP-PHONE			
Invoice: 5996MAR21				246745	5996MAR21	03/07/2021	M031721	96.59	
				96.59	91011757 542100	E-PHONE @WFP DOCK GG-GF-WFP DOCK-PHONE			
							CHECK	355839 TOTAL:	372.26
355840	03/17/2021	PRTD	634 CITY OF BAINBRIDGE I	246965	PLN51849	11/06/2020	M031721	180.00	
Invoice: PLN51849				36.00	72423434 64110001085	PERMIT: PLN51849 SUNDAY COVE GRAVITY MAIN-PRO S			
				36.00	72424435 64110000989	SUNDAY COVE PUMP REHAB-PROF SV			
				36.00	72423434 64110001086	LOWER LOVELL SLS-PROF SVCS			
				36.00	72423434 64110000990	WOOD AVE PUMP STA-PROF SVCS			
				36.00	72423434 64110000820	REHAB WING PT PUMP STATION-DES			
							CHECK	355840 TOTAL:	180.00
355841	03/17/2021	PRTD	8646 ISLAND HANDS	246746	2104	02/18/2021	M031721	13,870.09	
Invoice: 2104				13,453.99	73011183 54110000269	2020-2023 JANITORIAL CONTRACT JANITORIAL CONTRACT-PRO SVCS			
				416.10	73425358 54110000269	JANITORIAL CONTRACT-PRO SVCS			
Invoice: 2105				246961	2105	02/18/2021	M031721	8,208.00	
				7,961.76	73011183 54810101069	EMERGENCY JANITORIAL- COVID-19 COVID19-EXTRA JANITORIAL			
				246.24	73425358 54810101069	COVID19-SWR-EXTRA JANITORIAL			
							CHECK	355841 TOTAL:	22,078.09
355842	03/17/2021	PRTD	1205 PUGET SOUND ENERGY	246962	9932FEB21	03/09/2021	M031721	11.05	
Invoice: 9932FEB21				11.05	91011739 547100	184 WINSLOW WAY E COMM EVENTS-ELECTRICITY			
Invoice: CITY HALL JAN-FEB21				246963	CITY HALL JAN-FEB21	03/09/2021	M031721	10,670.94	
						CITY HALL JAN-FEB 2021			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC			
				10,670.94	91011189	547100	GG-C/E-CITY HALL-ELECTRIC		
Invoice: 3319FEB21				246973	3319FEB21		03/09/2021	M031721	31.36
				31.36	73416345	547100	PW/CASEY ST WATER CASEY STREET WTR-ELECTRICITY		
							CHECK	355842	TOTAL: 10,713.35
355843	03/17/2021	PRTD	1485 VERIZON WIRELESS	246969	9874601517		03/01/2021	M031721	78.91
Invoice: 9874601517				78.91	91011189	542100	MODEM LINES FOR C.BERG PRJ GG-C/E-CITY HALL-PHONE		
							CHECK	355843	TOTAL: 78.91
							NUMBER OF CHECKS	6	*** CASH ACCOUNT TOTAL *** 33,592.50
							COUNT		AMOUNT
							TOTAL PRINTED CHECKS	6	33,592.50
									*** GRAND TOTAL *** 33,592.50

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YEAR	PER	JNL	ACCOUNT	JNL	DESC	REF 1	REF 2	REF 3	ACCOUNT	DESC	T	OB	DEBIT	CREDIT
SRC	EFF	DATE	JNL	DESC	REF 1	REF 2	REF 3	ACCOUNT	LINE	DESC				
2021	3	209												
APP	001-213000	03/17/2021	M031721	031721					GENERAL - ACCOUNTS PAYABLE				32,643.81	
APP	635-111100	03/17/2021	M031721	031721					AP CASH DISBURSEMENTS JOURNAL					
APP	402-213000	03/17/2021	M031721	031721					CASH					33,592.50
APP	401-213000	03/17/2021	M031721	031721					AP CASH DISBURSEMENTS JOURNAL					
APP	401-213000	03/17/2021	M031721	031721					ACCOUNTS PAYABLE				917.33	
APP	401-213000	03/17/2021	M031721	031721					AP CASH DISBURSEMENTS JOURNAL					
APP	401-213000	03/17/2021	M031721	031721					ACCOUNTS PAYABLE				31.36	
APP	401-213000	03/17/2021	M031721	031721					AP CASH DISBURSEMENTS JOURNAL					
GENERAL LEDGER TOTAL												33,592.50	33,592.50	
APP	631-130000	03/17/2021	M031721	031721					DUE TO/FROM CLEARING				33,592.50	
APP	001-130000	03/17/2021	M031721	031721					GENERAL - DUE TO/FROM CLEARING					32,643.81
APP	402-130000	03/17/2021	M031721	031721					DUE TO/FROM CLEARING					917.33
APP	401-130000	03/17/2021	M031721	031721					DUE TO/FROM CLEARING					31.36
SYSTEM GENERATED ENTRIES TOTAL												33,592.50	33,592.50	
JOURNAL 2021/03/209 TOTAL												67,185.00	67,185.00	

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JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 3	209	03/17/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	32,643.81	32,643.81
				FUND TOTAL	32,643.81	32,643.81
401 WATER OPERATING FUND 401-130000 401-213000	2021 3	209	03/17/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	31.36	31.36
				FUND TOTAL	31.36	31.36
402 SEWER OPERATING FUND 402-130000 402-213000	2021 3	209	03/17/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	917.33	917.33
				FUND TOTAL	917.33	917.33
631 CLEARING FUND 631-130000 635-111100	2021 3	209	03/17/2021	DUE TO/FROM CLEARING CASH	33,592.50	33,592.50
				FUND TOTAL	33,592.50	33,592.50

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		32,643.81
401	WATER OPERATING FUND		31.36
402	SEWER OPERATING FUND		917.33
631	CLEARING FUND	33,592.50	
TOTAL		33,592.50	33,592.50

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355844	03/24/2021	PRTD	9249 911 SUPPLY INC	246694	INV-2-9064		03/21/21	51.78
	Invoice: INV-2-9064			51.78	53011212	531100	POL/HASHMARKS X30 PD-C/E-PATROL SUPPLIES	
							CHECK 355844 TOTAL:	51.78
355845	03/24/2021	PRTD	5 ACE HARDWARE	246695	46770/1		03/21/21	81.74
	Invoice: 46770/1			81.74	73425358	531100	PW/TARP O&M-WWTP-SUPPLIES	
	Invoice: 46778/1			246696	46778/1		03/21/21	63.18
				63.18	73425358	531100	PW/PRIMER, STRING BEAD WIRE O&M-WWTP-SUPPLIES	
	Invoice: 46810/1			246697	46810/1		03/21/21	5.44
				5.44	73011183	531100	PW/EPOXY O&M-C/E-CH FAC-SUPPLIES	
	Invoice: 48216/1			246698	48216/1		03/21/21	34.49
				34.49	73425358	531100	PW/MISC MX SUPPLIES O&M-WWTP-SUPPLIES	
	Invoice: 48239/1			246699	48239/1		03/21/21	140.59
				140.59	73425358	531100	PW/MISC MX SUPPLIES O&M-WWTP-SUPPLIES	
	Invoice: 48250/1			246700	48250/1		03/21/21	496.78
				496.78	73411345	531100	PW/PADLOCKS OFFICE SUPPLIES	
	Invoice: 48283/1			246701	48283/1		03/21/21	51.52
				51.52	73111427	531100	PW/RAKES OFFICE SUPPLIES	
	Invoice: 48289/1			246702	48289/1		03/21/21	150.30
				150.30	73411345	531100	PW/TOOLS, CABLE TIES OFFICE SUPPLIES	
	Invoice: 48291/1			246703	48291/1		03/21/21	124.17
				65.33	73011897	531100	PW/BULBS, HANDLES, BRUSHES O&M-C/E-PWY FAC-SUPPLIES	
				58.84	73011755	531100	O&M-COMMONS SUPPLIES	
	Invoice: 48311/1			246798	48311/1		03/21/21	4.55
				4.55	73111264	531100	PW/KEYS X3 O&M-STREET-TRAF CONTROL-SUPPLY	
	Invoice: 48324/1			246799	48324/1		03/21/21	21.19
				21.19	73111264	531100	PW/STRAPS, TAPE O&M-STREET-TRAF CONTROL-SUPPLY	

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 48330/1				246800	48330/1			28.31
				28.31	73421355	531100		
							03/11/2021	03/21/21
							PW/BROOM, DUSTPAN, GARBAGE BAGS	
							WIN COLL-SUPPLIES	
							CHECK	355845 TOTAL: 1,202.26
355846	03/24/2021	PRTD	7166 AMERICAN MESSAGING	246704	W4104492VC			94.68
Invoice: W4104492VC				94.68	73637891	542100		
							03/01/2021	03/21/21
							PW/MESSAGING SERVICES	
							O&M - ALLOC FACIL TELEPHONE	
							CHECK	355846 TOTAL: 94.68
355847	03/24/2021	PRTD	4710 ASSOCIATED PETROLEU	246705	0291755-IN			665.17
Invoice: 0291755-IN				665.17	73638932	532000		
							01/21/2021	03/21/21
							PW/262.8 GAL UNLEADED	
							O&M-FUEL ALLOC TO OTH DEPTS	
Invoice: 0301805-IN				246706	0301805-IN			1,095.01
				1,095.01	73638893	532000		
							02/18/2021	03/21/21
							PW/420.20 GAL DIESEL	
							O&M-FUEL USE-ALLOCATION	
Invoice: 0301806-IN				246707	0301806-IN			504.97
				504.97	73638932	532000		
							02/18/2021	03/21/21
							PW/201 FAL UNLEADED	
							O&M-FUEL ALLOC TO OTH DEPTS	
Invoice: 0303278-IN				246708	0303278-IN			698.88
				698.88	73638893	532000		
							02/23/2021	03/21/21
							PW/250.10 GAL DIESEL	
							O&M-FUEL USE-ALLOCATION	
Invoice: 0303279-IN				246709	0303279-IN			729.51
				729.51	73638932	532000		
							02/23/2021	03/21/21
							PW/284 GAL UNLEADED	
							O&M-FUEL ALLOC TO OTH DEPTS	
Invoice: 0304228-IN				246801	0304228-IN			2,286.54
				2,286.54	73425358	532000		
							03/02/2021	03/21/21
							PW/1155.7 GAL DIESEL	
							O&M-WWTP-FUEL	
Invoice: 0305950-IN				246802	0305950-IN			1,036.86
				1,036.86	73638932	532000		
							03/02/2021	03/21/21
							PW/394.90 GAL UNLEADED	
							O&M-FUEL ALLOC TO OTH DEPTS	
Invoice: 0305958-IN				246803	0305958-IN			569.70
				569.70	73638893	532000		
							03/02/2021	03/21/21
							PW/231 GAL DIESEL	
							O&M-FUEL USE-ALLOCATION	
Invoice: 0306967-IN				246804	0306967-IN			317.62
				317.62	73638893	532000		
							03/04/2021	03/21/21
							PW/95 GAL DIESEL	
							O&M-FUEL USE-ALLOCATION	
Invoice: 0306968-IN				246805	0306968-IN			991.78
							03/04/2021	03/21/21
							PW/375 GAL UNLEADED	

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
				991.78 73638932 532000		O&M-FUEL ALLOC TO OTH DEPTS		
Invoice: 0307310-IN				246806 0307310-IN	03/04/2021		03/21/21	463.95
				463.95 73638893 532000		PW/170 GAL DIESEL (34 BIO) O&M-FUEL USE-ALLOCATION		
Invoice: 03088892-IN				246807 03088892-IN	03/09/2021		03/21/21	202.27
				202.27 73638893 532000		PW/46.7 GAL DIESEL O&M-FUEL USE-ALLOCATION		
Invoice: 0308919-IN				246808 0308919-IN	03/09/2021		03/21/21	965.60
				965.60 73638932 532000		PW/353 GAL UNLEADED O&M-FUEL ALLOC TO OTH DEPTS		
Invoice: 0309583-IN				246809 0309583-IN	03/11/2021		03/21/21	355.68
				355.68 73638893 532000		PW/106.30 GAL DIESEL O&M-FUEL USE-ALLOCATION		
Invoice: 0309584-IN				246810 0309584-IN	03/11/2021		03/21/21	551.43
				551.43 73638932 532000		PW/200 GAL UNLEADED O&M-FUEL ALLOC TO OTH DEPTS		
						CHECK	355847 TOTAL:	11,434.97
355848 03/24/2021 PRTD			7821 ARAMARK	246710 1992121793	02/18/2021		03/21/21	60.58
Invoice: 1992121793				60.58 73638893 589310		PW/LAUNDRY SERVICE LAUNDRY SERVICES		
Invoice: 512000003015				246812 512000003015	02/25/2021		03/21/21	60.58
				60.58 73638893 589310		PW/LAUNDRY SERVICES LAUNDRY SERVICES		
Invoice: 512000007712				246813 512000007712	03/04/2021		03/21/21	60.58
				60.58 73638893 589310		PW/LAUNDRY SERVICES LAUNDRY SERVICES		
						CHECK	355848 TOTAL:	181.74
355849 03/24/2021 PRTD			2922 ARXCIS INC	246711 1001393	10/13/2020		03/21/21	2,422.50
Invoice: 1001393				2,422.50 73637891 541100		PW/INSPECTION, TEST & CERT SVCS PROFESSIONAL SERVICES		
						CHECK	355849 TOTAL:	2,422.50
355850 03/24/2021 PRTD			1235 AT&T ONENET SERVICE	246966 1273355819	03/01/2021		03/21/21	16.97
Invoice: 1273355819				16.97 91011189 542100		FIN/FAX LONG DIST GG-C/E-CITY HALL-PHONE		
				246967 1273363962	03/01/2021		03/21/21	.70

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 1273363962				.70	91011189	542100	PCD/FAX LONG DIST GG-C/E-CITY HALL-PHONE	
					CHECK	355850	TOTAL:	17.67
355851	03/24/2021	PRTD	1159 AUTOGLASS PLUS INC	246712	B0044153		02/26/2021 03/21/21	305.52
Invoice: B0044153				305.52	73411345	531100	PW/WINDSHIELD REPL VEH 28 OFFICE SUPPLIES	
					CHECK	355851	TOTAL:	305.52
355852	03/24/2021	PRTD	54 BAINBRIDGE RENTAL IN	246814	CON#72333		03/10/2021 03/21/21	44.98
Invoice: CON#72333				44.98	73111427	531100	PW/SPLINE SCREW, TRIMMER LINE OFFICE SUPPLIES	
					CHECK	355852	TOTAL:	44.98
355853	03/24/2021	PRTD	55 BI REVIEW SUBSCRIPTI	246725	BI-210425-2021		02/26/2021 03/21/21	100.00
Invoice: BI-210425-2021				100.00	72431832	549100	ENG/SUBX RENEWAL DUES/SUBSCRIPTIONS	
					CHECK	355853	TOTAL:	100.00
355854	03/24/2021	PRTD	55 SOUND PUBLISHING, IN	246714	8017047-2556282		02/28/2021 03/21/21	125.00
Invoice: 8017047-2556282				125.00	11011113	544000	CC/AD: RETF COUNCIL - LEGAL NOTICES	
Invoice: 8017047-2557670				246715	8017047-2557670		02/28/2021 03/21/21	250.00
				250.00	11011113	544000	CC/AD: ETHICS BAORD COUNCIL - LEGAL NOTICES	
					CHECK	355854	TOTAL:	375.00
355855	03/24/2021	PRTD	55 SOUND PUBLISHING, IN	246716	BIR920546		02/26/2021 03/21/21	48.00
Invoice: BIR920546				48.00	11011113	544000	CC/ORD 2021-02 COUNCIL - LEGAL NOTICES	
Invoice: BIR920547				246717	BIR920547		02/26/2021 03/21/21	45.60
				45.60	11011113	544000	CC/ORD 2021-02 COUNCIL - LEGAL NOTICES	
Invoice: BIR920548				246718	BIR920548		02/26/2021 03/21/21	40.80
				40.80	11011113	544000	CC/2021-08 COUNCIL - LEGAL NOTICES	
Invoice: BIR920549				246719	BIR920549		02/26/2021 03/21/21	72.00
							CC/ORD 2021-09	

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
				72.00	11011113	544000	COUNCIL - LEGAL NOTICES	
							CHECK 355855 TOTAL:	206.40
355856	03/24/2021	PRTD	55 SOUND PUBLISHING, IN	246863	8017074-2560264		02/28/2021 03/21/21	55.50
			Invoice: 8017074-2560264				POL/CLASSIFIEDS: PROPERTY	
				55.50	51011191	544000	PD-C/E-PROP RM-ADVERTISING	
							CHECK 355856 TOTAL:	55.50
355857	03/24/2021	PRTD	9664 KEENAN BARRY	246720	BLD24641 R-SFR		03/12/2021 03/21/21	125.63
			Invoice: BLD24641 R-SFR				WITHDRAWN PERMIT PARTIAL REFUND	
				125.63	47148	322110	PLAN'G REVIEW OF BLDG PERMITS	
			Invoice: BLD24643 R-SFR				03/12/2021 03/21/21	1,433.93
				1,188.30	47148	345830	WITHDRAWN PERMIT PARTIAL REFUND	
				245.63	47148	322110	PLAN CHECKING FEES	
							PLAN'G REVIEW OF BLDG PERMITS	
			Invoice: BLD24644 R-SFR				03/12/2021 03/21/21	1,433.93
				1,188.30	47148	345830	WITHDRAWN PERMIT PARTIAL REFUND	
				245.63	47148	345830	PLAN CHECKING FEES	
							PLAN CHECKING FEES	
			Invoice: BLD24645 R-SFR				03/12/2021 03/21/21	1,433.93
				1,188.30	47148	345830	WITHDRAWN PERMIT PARTIAL REFUND	
				245.63	47148	322110	PLAN CHECKING FEES	
							PLAN'G REVIEW OF BLDG PERMITS	
							CHECK 355857 TOTAL:	4,427.42
355858	03/24/2021	PRTD	57 BAY HAY & FEED	246724	1597410		03/02/2021 03/21/21	184.21
			Invoice: 1597410				PW/GRASS SEED	
				184.21	73431835	531100	OFFICE SUPPLIES	
							CHECK 355858 TOTAL:	184.21
355859	03/24/2021	PRTD	50 BAINBRIDGE ISLAND EL	246726	20210022		02/26/2021 03/21/21	159.55
			Invoice: 20210022				PW/WWTP ELEC REPR	
				159.55	73425358	541100	O&M-WWTP-PROF SVCS	
							CHECK 355859 TOTAL:	159.55
355860	03/24/2021	PRTD	8396 BIG BELLY SOLAR, INC	246974	35286		03/03/2021 20210011 03/21/21	115.76
			Invoice: 35286				BIG BELLY REPLACEMENT KEYS	
				115.76	91011189	531100	FACILITIES SUPPLIES	

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
					CHECK	355860	TOTAL:	115.76
355861	03/24/2021	PRTD	9663 BLUE TO GOLD, LLC	246727	LVS-21-IGS000X	03/02/2021	03/21/21	379.00
			Invoice: LVS-21-IGS000X	379.00	53011212 443410	POL/TRAINING: LK STVNS PD: RN	POLICE - C/E PATROL TRAINING	
			Invoice: LVS-21-IGS000Y	246728	LVS-21-IGS000Y	03/02/2021	03/21/21	318.00
				318.00	53011212 443410	POL/TRAINING: LK STVNS PD: BN	POLICE - C/E PATROL TRAINING	
					CHECK	355861	TOTAL:	697.00
355862	03/24/2021	PRTD	9262 BOULDER PARK INC	246729	3532	02/16/2021	03/21/21	11,273.01
			Invoice: 3532	11,273.01	73425358 54790100551	BOIDOLIDS MANAGEMENT/DISPOSAL	BIOSOLIDS WASTE DISPOSAL	
					CHECK	355862	TOTAL:	11,273.01
355863	03/24/2021	PRTD	8595 BRUCE TITUS FORD, IN	246815	67107048	02/24/2021	03/21/21	4,902.92
			Invoice: 67107048	2,451.46	73111423 531100	PW/VEH #33 MX	OFFICE SUPPLIES	
				2,451.46	73111427 531100	OFFICE SUPPLIES		
					CHECK	355863	TOTAL:	4,902.92
355864	03/24/2021	PRTD	360 BUILDERS FIRSTSOURCE	246730	82917223	02/23/2021	03/21/21	35.25
			Invoice: 82917223	35.25	73020769 531100	PW/RD END BENCH SUPPLIES	O&M-ROAD ENDS-SUPPLIES	
			Invoice: 82925267	246731	82925267	02/24/2021	03/21/21	34.96
				34.96	73011897 531100	PW/REBAR	O&M-C/E-PWY FAC-SUPPLIES	
			Invoice: 83016226	246816	83016226	03/12/2021	03/21/21	15.07
				15.07	73020769 531100	PW/WASHERS, SCREWS	O&M-ROAD ENDS-SUPPLIES	
					CHECK	355864	TOTAL:	85.28
355865	03/24/2021	VOID	1847 BUSINESS INTERIORS N					.00
			Invoice:					
					CHECK	355865	TOTAL:	.00

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CASH ACCOUNT: 635		111100		CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET		
INVOICE DTL DESC											
355866	03/24/2021	PRTD	8253 CHS NORTHWEST	246734	41469/H	02/19/2021		03/21/21	456.12		
	Invoice: 41469/H			456.12	73637892 531100	PW/SALT BAGS X49					
	Invoice: 41660/H			246818	41660/H	03/11/2021		03/21/21	456.12		
				456.12	73411345 531100	PW/SALT BAGS X49					
						OFFICE SUPPLIES					
						CHECK	355866	TOTAL:	912.24		
355867	03/24/2021	PRTD	9405 CITY OF BAINBRIDGE I	246924	23000087	03/01/2021		03/21/21	11,505.00		
	Invoice: 23000087			11,505.00	91011897 547400	042502-1-108-2000 SSWM FEES					
	Invoice: 23000088			246926	23000088	03/01/2021		03/21/21	390.00		
				390.00	91011897 547400	042502-1-109-2009 SSWM FEES					
	Invoice: 23000089			246927	23000089	03/01/2021		03/21/21	195.00		
				195.00	91021182 547400	092502-4-002-2006 SSWM FEES					
				246928	23000090	03/01/2021		03/21/21	1,950.00		
	Invoice: 23000090			1,950.00	91021182 547400	102502-1-052-2008 SSWM FEES					
				246929	23000091	03/01/2021		03/21/21	780.00		
	Invoice: 23000091			780.00	91021182 547400	102502-1-062-2006 SSWM FEES					
				246930	23000092	03/01/2021		03/21/21	195.00		
	Invoice: 23000092			195.00	91021182 547400	142502-3-109-2003 SSWM FEES					
				246931	23000093	03/01/2021		03/21/21	195.00		
	Invoice: 23000093			195.00	91021182 547400	202502-1-049-2002 SSWM FEES					
				246933	23000094	03/01/2021		03/21/21	195.00		
	Invoice: 23000094			195.00	91411345 547400	202502-3-010-2003 SSWM FEES					
				246934	23000095	03/01/2021		03/21/21	195.00		
	Invoice: 23000095			195.00	91421355 547400	262502-2-007-2004 SSWM FEES					
				246935	23000096	03/01/2021		03/21/21	195.00		
	Invoice: 23000096			195.00	91011768 547400	262502-2-016-2003 SSWM FEES					
						GG-C/E-PARKS-COBI SSWM FEE					

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 23000097				246936 23000097	03/01/2021		03/21/21	1,170.00
				1,170.00 91011753 547400	262502-3-046-2005	SSWM FEES		
						GG-C/E-HIST SOC-COBE	SSWM FEE	
Invoice: 23000098				246937 23000098	03/01/2021		03/21/21	195.00
				195.00 91011189 547400	262502-3-057-2001	SSWM FEES		
						GG-C/E-CITY HALL-SSWM	FEE	
Invoice: 23000099				246938 23000099	03/01/2021		03/21/21	1,755.00
				1,755.00 91011189 547400	262502-3-064-2002	SSWM FEES		
						GG-C/E-CITY HALL-SSWM	FEE	
Invoice: 23000100				246939 23000100	03/01/2021		03/21/21	195.00
				195.00 91431835 547400	262502-3-095-2005	SSWM FFES		
						GG-SSWM-COBI	SSWM FEE	
Invoice: 23000101				246940 23000101	03/01/2021		03/21/21	2,145.00
				2,145.00 91011215 547400	262502-3-100-2008	SSWM FEES		
						GG-C/E-PD-COBI	SSWM FEE	
Invoice: 23000102				246941 23000102	03/01/2021		03/21/21	195.00
				195.00 91421355 547400	262502-3-129-2005	SSWM FEES		
						GG-SWR-COBI	SSWM FEE	
Invoice: 23000103				246942 23000103	03/01/2021		03/21/21	585.00
				585.00 91011189 547400	262502-3-133-2009	SSWM FEES		
						GG-C/E-CITY HALL-SSWM	FEE	
Invoice: 23000104				246943 23000104	03/01/2021		03/21/21	195.00
				195.00 91011189 547400	262502-3-140-2000	SSWM FFES		
						GG-C/E-CITY HALL-SSWM	FEE	
Invoice: 23000105				246944 23000105	03/01/2021		03/21/21	3,900.00
				3,900.00 91011189 547400	262502-3-143-2007	SSWM FEES		
						GG-C/E-CITY HALL-SSWM	FEE	
Invoice: 23000106				246945 23000106	03/01/2021		03/21/21	195.00
				195.00 91411345 547400	272502-2-036-2008	SSWM FEES		
						GG-WTR-COBI	SSWM FEE	
Invoice: 23000107				246946 23000107	03/01/2021		03/21/21	195.00
				195.00 91011515 547400	272502-3-028-2006	SSWM FEES		
						EXEC-C/E-HELPLINE	HSE-SSWM FEE	
Invoice: 23000108				246947 23000108	03/01/2021		03/21/21	780.00
				780.00 91021182 547400	272502-4-006-2000	SSWM FEES		
						GG-OS-PROP MNGT-SSWM	FEES	
Invoice: 23000109				246948 23000109	03/01/2021		03/21/21	195.00
				195.00 91021182 547400	272502-4-035-2005	SSWM FFES		
						GG-OS-PROP MNGT-SSWM	FEES	

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 23000110				246949 23000110	03/01/2021		03/21/21	585.00
				585.00 91021182 547400	282502-2-064-2002	SSWM FFES		
						GG-OS-PROP MNGT-SSWM FEES		
Invoice: 23000111				246950 23000111	03/01/2021		03/21/21	2,925.00
				2,925.00 91435838 547400	332502-2-019-2001	SSWM FFES		
						GG-DECANT-SSWM FEES		
Invoice: 23000112				246951 23000112	03/01/2021		03/21/21	4,485.00
				4,485.00 91011768 547400	352502-1-034-2002	SSWM FFES		
						GG-C/E-PARKS-COBI SSWM FEE		
Invoice: 23000113				246952 23000113	03/01/2021		03/21/21	195.00
				195.00 91011768 547400	352502-1-035-2001	SSWM FFES		
						GG-C/E-PARKS-COBI SSWM FEE		
Invoice: 23000114				246953 23000114	03/01/2021		03/21/21	2,535.00
				2,535.00 91011768 547400	4114-002-001-0000	SSWM FFES		
						GG-C/E-PARKS-COBI SSWM FEE		
Invoice: 23000115				246954 23000115	03/01/2021		03/21/21	390.00
				390.00 91011755 547400	4114-002-007-0004	SSWM FFES		
						GG-C/E-COMMONS-COBI SSWM FEE		
Invoice: 23000116				246955 23000116	03/01/2021		03/21/21	390.00
				390.00 91011755 547400	4114-002-008-0003	SSWM FFES		
						GG-C/E-COMMONS-COBI SSWM FEE		
Invoice: 23000117				246956 23000117	03/01/2021		03/21/21	3,315.00
				3,315.00 91425358 547400	4115-004-007-0009	SSWM FFES		
						GG-WWTP-SSWM FEES		
Invoice: 23000126				246957 23000126	03/01/2021		03/21/21	2,925.00
				2,925.00 91011212 54740000724	232502-3-083-2002	SSWM FFES		
						PD/COURT BLDG NON-CAP-SSWM FEE		
						CHECK	355867 TOTAL:	45,240.00
355868 03/24/2021 PRD			104 CITY OF BREMERTON	246735 BKAT000590	03/04/2021		03/21/21	2,932.24
Invoice: BKAT000590				2,932.24 81011881 542420	IT/BKAT BROADCASTING			
						IT-C/E-TELEVISTED COUNCIL MEET		
						CHECK	355868 TOTAL:	2,932.24
355869 03/24/2021 PRD			6920 COMCAST	246736 MAR21	02/20/2021		03/21/21	11.23
Invoice: MAR21				11.23 51011211 545000	POL/HD CONVERTER BOX			
						PD-C/E-ADMIN RENTS/LEASE		

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
					CHECK		355869 TOTAL:	11.23
355870	03/24/2021	PRTD	7965 SHH	246737 19251	02/23/2021		03/21/21	324.37
	Invoice: 19251			324.37 21011125 531100	CRT/DRUG TEST KITS			
					COURT - SUPPLIES			
					CHECK		355870 TOTAL:	324.37
355871	03/24/2021	PRTD	4950 CORRECT EQUIPMENT IN	246738 43488	03/03/2021		03/21/21	3,819.36
	Invoice: 43488			3,819.36 73426355 54810000562	PW/GRINDER PUMP MX			
					GRINDER PUMP MAINT CONTRACT			
					CHECK		355871 TOTAL:	3,819.36
355872	03/24/2021	PRTD	9274 DOUGLAS CRIST	246748 3.4.21	03/04/2021		03/21/21	150.00
	Invoice: 3.4.21			150.00 31011572 54110001049	EX/PHOTO SVCS: WAYFINDING			
					WAYFINDING-PROF SVCS			
					CHECK		355872 TOTAL:	150.00
355873	03/24/2021	PRTD	5132 CRYSTAL SPRINGS	246740 5228674 031021	03/10/2021		03/21/21	28.23
	Invoice: 5228674 031021			28.23 21011125 531100	CRT/WATER SUPPLIES & SVCS			
					COURT - SUPPLIES			
					CHECK		355873 TOTAL:	28.23
355874	03/24/2021	PRTD	6363 LN CURTIS & SONS	246741 INV464805	02/17/2021		03/21/21	108.26
	Invoice: INV464805			108.26 53011212 520000	POL/UNIFORMS: BN			
					POLICE - C/E PATROL BENEFITS			
	Invoice: INV467352			246749 INV467352	02/25/2021		03/21/21	588.67
				588.67 53011212 520000	POL/UNIFORMS: BS			
					POLICE - C/E PATROL BENEFITS			
	Invoice: INV467652			246750 INV467652	02/26/2021		03/21/21	110.47
				110.47 53011212 520000	POL/UNIFORMS: JL			
					POLICE - C/E PATROL BENEFITS			
	Invoice: INV467776			246751 INV467776	02/26/2021		03/21/21	208.52
				208.52 53011212 520000	POL/UNIFORMS: CK			
					POLICE - C/E PATROL BENEFITS			
	Invoice: INV467819			246752 INV467819	02/26/2021		03/21/21	110.47
				110.47 53011212 520000	POL/UNIFORMS: JB			
					POLICE - C/E PATROL BENEFITS			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355880	03/24/2021	PRTD	705 FCS GROUP	246762	3153-22010107	10/23/2020	03/21/21	8,496.25
			Invoice: 3153-22010107	8,496.25	61470581	541100	100% FEE COST RECOVERY STUDY PCD - DEV ADMIN PROF SERVICES	
			Invoice: 3153-22011057	246763	3153-22011057	11/20/2020	03/21/21	4,057.50
				4,057.50	61470581	541100	100% FEE COST RECOVERY STUDY PCD - DEV ADMIN PROF SERVICES	
							CHECK 355880 TOTAL:	12,553.75
355881	03/24/2021	PRTD	53 NICK FELKEY	246764	082237	03/04/2021	03/21/21	238.16
			Invoice: 082237	238.16	11011116	541100	EXCC/COUNCIL PHOTO COUNCIL - PROF SERVICES	
							CHECK 355881 TOTAL:	238.16
355882	03/24/2021	PRTD	1953 FERGUSON ENTERPRISES	246820	0956505	02/09/2021	03/21/21	520.69
			Invoice: 0956505	520.69	73431835	531100	PW/GRATE, CURB OFFICE SUPPLIES	
			Invoice: 0957547	246821	0957547	02/16/2021	03/21/21	375.89
				375.89	73411345	531100	PW/REG UNIV 1.5-2 OMT2C2 REPL OFFICE SUPPLIES	
			Invoice: 0959616	246822	0959616	02/09/2021	03/21/21	243.72
				243.72	73411345	531100	PW/ADJ PUPE SUPP OFFICE SUPPLIES	
							CHECK 355882 TOTAL:	1,140.30
355883	03/24/2021	PRTD	131 FORD MANUFACTURING I	246823	4281	03/03/2021	03/21/21	429.99
			Invoice: 4281	429.99	73431835	531100	PW/BELT, SPLICE PIN OFFICE SUPPLIES	
							CHECK 355883 TOTAL:	429.99
355884	03/24/2021	PRTD	8095 GUNARAMA WHOLESALE,	246765	1090580	02/25/2021	03/21/21	1,627.37
			Invoice: 1090580	1,627.37	53011212	531100	POL/GLOCKS X3 PD-C/E-PATROL SUPPLIES	
			Invoice: 1091587	246766	1091587	02/25/2021	03/21/21	1,572.87
				1,572.87	53011212	531100	POL/GLOCKS X3 PD-C/E-PATROL SUPPLIES	
							CHECK 355884 TOTAL:	3,200.24

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CASH ACCOUNT: 635		111100		CASH							
CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET		
INVOICE DTL DESC											
355885	03/24/2021	PRTD	253 HACH COMPANY	246767	12335242	02/22/2021		03/21/21	997.53		
			Invoice: 12335242								
				997.53	73411345	531100	PW/FLOURIDE	OFFICE SUPPLIES			
			Invoice: 12335257								
				246768	12335257	02/22/2021		03/21/21	256.33		
			Invoice: 12344698								
				256.33	73011897	531100	PW/ZOBELLS STD SOLN	O&M-C/E-PWY FAC-SUPPLIES			
			Invoice: 12344698								
				246824	12344698	02/26/2021		03/21/21	5,494.08		
			Invoice: 12351560								
				5,494.08	73425358	531100	PW/SPECTROPHOTOMETER	O&M-WWTP-SUPPLIES			
			Invoice: 12351560								
				246825	12351560	03/03/2021		03/21/21	1,127.16		
			Invoice: 12354935								
				1,127.16	73425358	531100	PW/WWTP SUPPLIES	O&M-WWTP-SUPPLIES			
				246826	12354935	03/05/2021		03/21/21	404.95		
			Invoice: 12354935								
				404.95	73411345	531100	PW/DPD FREE REFILL VIAL	OFFICE SUPPLIES			
								CHECK	355885 TOTAL:	8,280.05	
355886	03/24/2021	PRTD	8374 HEARING ADVANTAGE, I	246769	8739	03/03/2021		03/21/21	70.00		
			Invoice: 8739								
				70.00	73637891	541100	PW/OCC HEALTH SCREENING	PROFESSIONAL SERVICES			
								CHECK	355886 TOTAL:	70.00	
355887	03/24/2021	PRTD	4850 HOME DEPOT CREDIT SE	246770	6902711	02/25/2021		03/21/21	1,197.91		
			Invoice: 6902711								
				1,197.91	73421355	531100	PW/HONDA BT INVERTER	WIN COLL-SUPPLIES			
								CHECK	355887 TOTAL:	1,197.91	
355888	03/24/2021	PRTD	9567 SARAH LANE	246771	030421	03/05/2021		03/21/21	1,470.00		
			Invoice: 030421								
				1,470.00	31011572	54110001015	EX/COBI CONNECTS PROF SVCS	NEWSLETTER-PROF SVCS			
								CHECK	355888 TOTAL:	1,470.00	
355889	03/24/2021	PRTD	3114 JOHNSON CONTROLS FIR	246772	22126692	02/18/2021		03/21/21	278.47		
			Invoice: 22126692								
				278.47	73011183	54110000390	PW/CH ALARM MONIT	FAC BLDG/FIRE ALARM-CITY HALL			
			Invoice: 22126694								
				246773	22126694	02/18/2021		03/21/21	139.57		
			Invoice: 22126694								
				139.57	73011897	54110000390	PW/SHOP ALARM MONIT	PWY-ALARM SVCS			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC			
Invoice: 22126786				246774	22126786	02/18/2021	03/21/21	139.57	
				139.57	73011755	54110000390	PW/COMMONS ALARM MONIT FAC BLDG/FIRE ALARM-COMMONS		
							CHECK 355889 TOTAL:	557.61	
355890	03/24/2021	PRTD	2306 KITSAP COUNTY PROSEC	246775	MAR21	03/02/2021	03/21/21	9,346.77	
Invoice: MAR21				9,346.77	32011521	541112	LEGAL/PROEC SVCS MAR 2021 LGL-OUTSIDE PROSECUTOR		
							CHECK 355890 TOTAL:	9,346.77	
355891	03/24/2021	PRTD	1496 KITSAP COUNTY SEWER	246776	KCSD7-COVI-2021-FEB	02/01/2021	03/21/21	21,424.46	
Invoice: KCSD7-COVI-2021-FEB				21,424.46	73426356	551000	UB/352.55 ERUS SIS-SD#7 PROCESSING CHGS		
							CHECK 355891 TOTAL:	21,424.46	
355892	03/24/2021	PRTD	1505 KITSAP COUNTY TREASU	246777	FEB21	02/28/2021	03/21/21	25.82	
Invoice: FEB21				25.82	41612860	586000	KC COURT OUT REMIT FEB 2021 CRIME VICTIMS-OUT		
							CHECK 355892 TOTAL:	25.82	
355893	03/24/2021	PRTD	1971 KELLEY CONNECT	246778	IN807804	03/10/2021	03/21/21	287.06	
Invoice: IN807804				287.06	72011321	531100	PW/COPIER OVERAGE ENG - C/E ADMIN SUPPLIES		
							CHECK 355893 TOTAL:	287.06	
355894	03/24/2021	PRTD	1010 KING'S MOBILE LOCK,	246827	55534	02/26/2021	03/21/21	326.95	
Invoice: 55534				326.95	73011768	548100	PW/COMMONS LOCKSMITH SVCS O&M-C/E-PARKS-R&M		
Invoice: 55619				566.80	73011768	548100	02/23/2021 PW/COMMONS BROKEN KEY RMVL O&M-C/E-PARKS-R&M	566.80	
							CHECK 355894 TOTAL:	893.75	
355895	03/24/2021	PRTD	9565 KATHERINE L KIRKLAND	246780	008	03/04/2021	03/21/21	1,800.00	
Invoice: 008				1,800.00	31011572	54110001015	EX/COBI CONNECTS DESIGN SUPPORT NEWSLETTER-PROF SVCS		
				246864	009		03/04/2021	03/21/21	120.00

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 009					EX/STP DESIGN SUPPORT			
				120.00 31111444 54245001018	SUSTAINABLE TRANS-OUTREACH			
Invoice: 010				246865 010	03/09/2021		03/21/21	80.00
				80.00 64011582 54245001134	PCD/PERIODIC REVIEW OUTREACH DESIGN SMP UPDATE GRANT-OUTREACH			
					CHECK	355895	TOTAL:	2,000.00
355896	03/24/2021	PRTD	315 KITSAP HUMANE SOCIET	246784 1992	03/01/2021		03/21/21	6,233.33
	Invoice: 1992			6,233.33 91011393 541100	ANIMAL CONTROL (2021-2023) FIN - C/E ANIMAL CONTROL FEES			
					CHECK	355896	TOTAL:	6,233.33
355897	03/24/2021	VOID	2421 KITSAP PUBLIC HEALTH					.00
	Invoice:							
					CHECK	355897	TOTAL:	.00
355898	03/24/2021	PRTD	579 KITSAP SUN	246831 0003708942	02/28/2021		03/21/21	445.30
	Invoice: 0003708942			445.30 11011113 544000	CC/ADS: REFT & ETHICS BOARD COUNCIL - LEGAL NOTICES			
					CHECK	355898	TOTAL:	445.30
355899	03/24/2021	PRTD	309 KITSAP TIRE CENTER I	246785 INV052130	02/25/2021		03/21/21	1,897.71
	Invoice: INV052130			1,897.71 73411345 531100	PW/VEH #32 TIRES OFFICE SUPPLIES			
					CHECK	355899	TOTAL:	1,897.71
355900	03/24/2021	PRTD	7849 LAW OFFICE OF THOMAS	246786 MAR21	03/05/2021		03/21/21	4,484.38
	Invoice: MAR21			4,484.38 32011281 541113	MAR 2021 PUB DEF SVCS LGL-PUBLIC DEFENDER			
					CHECK	355900	TOTAL:	4,484.38
355901	03/24/2021	PRTD	5011 LEXISNEXIS RISK SOLU	246787 1272084-20210228	02/28/2021		03/21/21	163.50
	Invoice: 1272084-20210228			163.50 52011212 549100	POL/FEB SUBX PD-C/E-INV-DUES/SUBSCR/MEMBRSH			
					CHECK	355901	TOTAL:	163.50

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355902	03/24/2021	PRTD	2132 MCKINSTRY CO LLC	246788	10137238	02/22/2021	03/21/21	1,673.15
	Invoice: 10137238					PW/FIRE PROTECTION SVC REPR		
				1,673.15	73011183	54810000772 CH FIRE SPRINKLER - REPAIRS		
						CHECK	355902 TOTAL:	1,673.15
355903	03/24/2021	PRTD	9263 BELLEVUE PRINTING LL	246789	52725	03/08/2021	03/21/21	7,770.08
	Invoice: 52725					EX/COBI CONNECTS: MARCH		
				2,176.56	31011572	54250001015 NEWSLETTER-POSTAGE		
				5,593.52	31011572	54950001015 NEWSLETTER-PRINTING		
						CHECK	355903 TOTAL:	7,770.08
355904	03/24/2021	PRTD	7038 MOON SECURITY SERVIC	246790	1074070	02/28/2021	03/21/21	362.00
	Invoice: 1074070					CRT/HOUSE ARREST MONIT SVCS		
				362.00	21011232	545000 COURT-ELECT HOME DET'N-EQ RENT		
						CHECK	355904 TOTAL:	362.00
355905	03/24/2021	PRTD	8642 MULTICARE HEALTH SYS	246791	M5123110165	03/17/2020	03/21/21	100.00
	Invoice: M5123110165					PW/OCC HEALTH SVCS: OREIRO 3-17-20		
				100.00	73111290	531100 O&M-STREET-MAINT O/H-SUPPLIES		
						CHECK	355905 TOTAL:	100.00
355906	03/24/2021	PRTD	2574 NATIONAL BARRICADE C	246792	290161	02/18/2021	03/21/21	2,311.15
	Invoice: 290161					PW/ROAD SIGNS		
				2,311.15	990	141100 MERCHANDISE		
	Invoice: 290323							
				246793	290323	02/23/2021	03/21/21	793.35
						PW/ROAD SIGNS		
				793.35	990	141100 MERCHANDISE		
						CHECK	355906 TOTAL:	3,104.50
355907	03/24/2021	PRTD	4134 NORSTAR INDUSTRIES I	246794	58903	02/24/2021	03/21/21	88.61
	Invoice: 58903					PW/PLUNGERS		
				88.61	73111252	53110001055 STORM RESP-STRT-SUPPLIES		
						CHECK	355907 TOTAL:	88.61
355908	03/24/2021	PRTD	4118 NORTHWEST BIOSOLIDS	246795	2021-5	12/17/2020	03/21/21	262.50
	Invoice: 2021-5					PW/2021 DUES		
				262.50	73425358	549100 O&M-WWTP-DUES, SUBSCR		

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
					CHECK	355908	TOTAL:	262.50
355909	03/24/2021	PRTD	6987 NORTON CORROSION LIM	246833 256562	02/22/2021		03/21/21	1,262.00
	Invoice: 256562			1,262.00 73421355 548100	PW/LS INSPECTION	WIN COLL-R&M		
					CHECK	355909	TOTAL:	1,262.00
355910	03/24/2021	PRTD	4111 OLYMPIC SPRINGS INC	246796 336723	03/01/2021		03/21/21	71.51
	Invoice: 336723			71.51 51011215 531100	POL/PURIFIED WATER	POLICE - C/E FACIL SUPPLIES		
	Invoice: 336724			246797 336724	03/01/2021		03/21/21	26.00
				26.00 73425358 531100	PW/PURIFIED WATER	O&M-WWTP-SUPPLIES		
					CHECK	355910	TOTAL:	97.51
355911	03/24/2021	PRTD	8164 OPENGOV, INC	246834 INV00003918	02/26/2021		03/21/21	6,500.00
	Invoice: INV00003918			6,500.00 81011881 548500	IT/2021 REPORTING	IT - C/E COMPUTER SUPPORT		
					CHECK	355911	TOTAL:	6,500.00
355912	03/24/2021	PRTD	8286 SUPERINTENDENT OF P	246835 16450	02/25/2021		03/21/21	135.75
	Invoice: 16450			135.75 65438 386110	POL/FINGERPRINTING	AGENCY-FINGERPRINT REV TO SPI		
					CHECK	355912	TOTAL:	135.75
355913	03/24/2021	PRTD	4129 OWEN EQUIPMENT COMPA	246836 00100637	02/02/2021		03/21/21	3,046.75
	Invoice: 00100637			3,046.75 73637941 531100	PW/SCREENS	VACTOR R&M-SUPPLIES		
					CHECK	355913	TOTAL:	3,046.75
355914	03/24/2021	PRTD	9650 THE PAPE GROUP INC.	246837 12520393	02/18/2021		03/21/21	33.82
	Invoice: 12520393			33.82 73111427 531100	PW/FILTER ELEMENT	OFFICE SUPPLIES		
					CHECK	355914	TOTAL:	33.82
355915	03/24/2021	PRTD	7153 PORT MADISON ENTERPR	246838 82942	11/10/2020		03/21/21	67.60
	Invoice: 82942			67.60 73111423 531100	PW/GRAVEL?	OFFICE SUPPLIES		

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
					CHECK	355915	TOTAL:	67.60
355916	03/24/2021	PRTD	9349 PROPANE NORTHWEST	246839 1503395784	02/17/2021		03/21/21	421.61
	Invoice: 1503395784			421.61 91011897 547200	PW/253.2 GAL PROPANE			
					GG-C/E-O&M YARD FAC-PROPANE			
	Invoice: 1530607713			246840 1530607713	03/08/2021		03/21/21	1,493.51
				1,493.51 91011897 547200	PW/661.7 GAL PROPANE			
					GG-C/E-O&M YARD FAC-PROPANE			
					CHECK	355916	TOTAL:	1,915.12
355917	03/24/2021	PRTD	7563 PUMPTECH INC	246841 0166925-IN	03/01/2021		03/21/21	533.02
	Invoice: 0166925-IN			533.02 73411345 531100	PW/BELLOWS PUMP			
					OFFICE SUPPLIES			
					CHECK	355917	TOTAL:	533.02
355918	03/24/2021	PRTD	9440 QBSI-XEROX	246842 IN2537510	02/26/2021		03/21/21	56.00
	Invoice: IN2537510			56.00 21011125 545000	CRT/COPIER LEASE			
					COURT - RENTS & LEASES - OPER			
					CHECK	355918	TOTAL:	56.00
355919	03/24/2021	PRTD	7435 RANDY KAN PORTABLE R	246843 1923286	02/25/2021		03/21/21	180.00
	Invoice: 1923286			180.00 73011768 545000	PW/EAGLE HARBOR CANS			
					O&M-C/E-PARKS-OP LEASES			
	Invoice: 1923287			246844 1923287	02/25/2021		03/21/21	90.00
				90.00 73011768 545000	PW/CREOSOTE CAN			
					O&M-C/E-PARKS-OP LEASES			
	Invoice: 1923288			246845 1923288	02/25/2021		03/21/21	90.00
				90.00 73435838 545000	PW/VINCENT RD CAN			
					O&M-DECANT-RENTS			
	Invoice: 1923289			246846 1923289	02/25/2021		03/21/21	90.00
				90.00 73011897 545000	PW/HIDDEN COVE CAN			
					O&M-C/E-PWYD FAC-RENTS			
					CHECK	355919	TOTAL:	450.00
355920	03/24/2021	PRTD	2409 RIVER OAKS COMMUNICA	246847 022321	02/23/2021		03/21/21	3,613.50
	Invoice: 022321			3,613.50 32011152 54110001082	EX/COMCAST FRANCHISE			
					COMCAST FRANCHISE RENEWAL			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
						CHECK	355920 TOTAL:	3,613.50
355921	03/24/2021	PRTD	408 ROLLING BAY COMMERC	246848 291519	02/24/2021		03/21/21	4,281.25
	Invoice: 291519			4,281.25 21011125 545000	CRT/MARCH RENT			
					COURT - RENTS & LEASES - OPER			
					CHECK	355921 TOTAL:		4,281.25
355922	03/24/2021	PRTD	617 S & B INC	246849 25249N	02/28/2021		03/21/21	550.00
	Invoice: 25249N			300.00 72423434 64110000821	WATER/SEWER TELEMETRY SCADA UP			
				250.00 72413434 64110000818	SCADA UPGRADES SWR PROF SVC			
					SCADA UPGRADES WTR PRF SVC			
					CHECK	355922 TOTAL:		550.00
355923	03/24/2021	PRTD	1670 SEATTLE PUMP & EQUIP	246850 220039-1	02/25/2021		03/21/21	371.58
	Invoice: 220039-1			371.58 73421355 531100	PW/TIGER TAIL HOSES			
					WIN COLL-SUPPLIES			
					CHECK	355923 TOTAL:		371.58
355924	03/24/2021	VOID	1488 ** NOT FOUND					.00
	Invoice:							
						CHECK	355924 TOTAL:	.00
355925	03/24/2021	PRTD	7385 CHARLES P. SHANE	246851 002845	03/11/2021		03/21/21	226.50
	Invoice: 002845			226.50 32011281 541113	CRT/PUB DEF #2270980			
					LGL-PUBLIC DEFENDER			
					CHECK	355925 TOTAL:		226.50
355926	03/24/2021	PRTD	8035 SHINE QUARRY, LLC	246852 0031678	01/28/2021		03/21/21	1,013.89
	Invoice: 0031678			1,013.89 73111423 531100	PW/64.82T GRAVEL			
					OFFICE SUPPLIES			
	Invoice: 0032102			246853 0032102	02/19/2021		03/21/21	335.07
				335.07 73111423 531100	PW/26.73T GRAVEL			
					OFFICE SUPPLIES			
	Invoice: 0032247			246854 0032247	02/26/2021		03/21/21	478.22
				478.22 73111423 531100	PW/38.15T GRAVEL			
					OFFICE SUPPLIES			
	Invoice: 0032281			246855 0032281	03/01/2021		03/21/21	161.95
					PW/12.92T GRAVEL			

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
				161.95	73111423	531100	OFFICE SUPPLIES	
							CHECK 355926 TOTAL:	1,989.13
355927	03/24/2021	PRTD	4689 SITESTAR.NET	246856	6869596		03/03/2021 03/21/21	6,165.00
			Invoice: 6869596				IT/CONNECTIONS FOR WAN	
				6,165.00	81011881	548500	IT - C/E COMPUTER SUPPORT	
							CHECK 355927 TOTAL:	6,165.00
355928	03/24/2021	PRTD	2035 SIX ROBBLEES INC	246857	2-749926		02/25/2021 03/21/21	631.33
			Invoice: 2-749926				PW/.5 HP VDC SPINNE, UNIV SNOWPLOW	
				631.33	73111252	53110000903	2018 STORM RESP-STRT-SUPPLY	
							CHECK 355928 TOTAL:	631.33
355929	03/24/2021	PRTD	7173 SKILLINGS CONNOLLY I	246859	12731		03/08/2021 03/21/21	49,944.71
			Invoice: 12731				Engineering Design Services fo	
				58.85	72424435	64110000989	SUNDAY COVE PUMP REHAB-PROF SV	
				3,240.10	72423434	64110001085	SUNDAY COVE GRAVITY MAIN-PRO S	
				13,574.29	72423434	64110001086	LOWER LOVELL SLS-PROF SVCS	
				30,291.75	72423434	64110000990	WOOD AVE PUMP STA-PROF SVCS	
				2,779.72	72423434	64110000820	REHAB WING PT PUMP STATION-DES	
				246860	12748		03/15/2021 03/21/21	2,161.30
			Invoice: 12748				SPORTSMAN CLUB & NEW BROOKLYN	
				2,161.30	72321953	64110000715	SP CLUB/NB INTERSECTN-DESIGN	
							CHECK 355929 TOTAL:	52,106.01
355930	03/24/2021	PRTD	8040 SOLENIS LLC	246861	131770649		03/04/2021 03/21/21	4,468.02
			Invoice: 131770649				PW/PRAESTOL	
				4,468.02	73425358	531100	O&M-WWTP-SUPPLIES	
							CHECK 355930 TOTAL:	4,468.02
355931	03/24/2021	PRTD	8855 SOUND LAW CENTER	246862	2544		03/06/2021 03/21/21	4,865.00
			Invoice: 2544				LEGAL/FEB 2021 HEX SVCS	
				2,800.00	34470586	54111001154	HEX-MANITOU RUEX & VAR (SLC)	
				542.50	34470586	54111001158	HEX-HUGUET/KROMAN RUEX (SLC)	
				1,522.50	32011545	54111001072	PELTIER ETHICS COMPLAINT (SLC)	
							CHECK 355931 TOTAL:	4,865.00

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
Invoice: 62097				246886 62097	02/23/2021		03/21/21	330.93
				330.93 73011151 541100	PW/VEH TOW TO SURPLUS	O&M-C/E-PD FLEET-PRF SVC		
Invoice: 62098				246887 62098	02/23/2021		03/21/21	330.93
				330.93 73011151 541100	PW/VEH TOW TO SURPLUS	O&M-C/E-PD FLEET-PRF SVC		
					CHECK	355937 TOTAL:		1,985.59
355938 03/24/2021 PRTD		8244	THE HOME DEPOT PRO	246888 601170343	02/18/2021		03/21/21	675.26
Invoice: 601170343				675.26 73111252 53110000903	PW/ICE MELT	2018 STORM RESP-STRT-SUPPLY		
					CHECK	355938 TOTAL:		675.26
355939 03/24/2021 PRTD		4819	THOMSON REUTERS - WE	246889 843958455	02/28/2021		03/21/21	603.48
Invoice: 843958455				603.48 32011152 549100	LEGAL/INFO SVCS	LGL-GF-DUES & SUBSCRIPTIONS		
					CHECK	355939 TOTAL:		603.48
355940 03/24/2021 PRTD		6714	TOSHIBA FINANCIAL SE	246890 28731816	02/08/2021		03/21/21	239.26
Invoice: 28731816				239.26 61470581 545000	PCD/COPIER LEASE	PCD - DEV ADMIN RENTS & LEASES		
Invoice: 28918569				246891 28918569	03/09/2021		03/21/21	263.19
				263.19 61470581 545000	PCD/COPIER LEASE	PCD - DEV ADMIN RENTS & LEASES		
					CHECK	355940 TOTAL:		502.45
355941 03/24/2021 PRTD		4788	TRIANGLE PUMP	246892 13118	10/27/2020		03/21/21	14,875.24
Invoice: 13118				14,875.24 73425358 54810001122	WWTP REUSE PUMP & MOTOR REPLAC	WWTP PUMP & MOTOR-R&M		
Invoice: 13253				246893 13253	02/16/2020		03/21/21	1,658.98
				1,658.98 73425358 54810001122	WWTP REUSE PUMP & MOTOR REPLAC	WWTP PUMP & MOTOR-R&M		
					CHECK	355941 TOTAL:		16,534.22
355942 03/24/2021 PRTD		2190	UNITED PARCEL SERVIC	246895 000028Y3Y1081	02/20/2021		03/21/21	23.55
Invoice: 000028Y3Y1081				23.55 91011215 542500	POL/SHIPPING	GG-C/E-PD-POSTAGE		
				246896 000028Y3Y1091	02/27/2021		03/21/21	11.14

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET	
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC			
Invoice: 000028Y3Y1091				11.14	91011215	542500	POL/SHIPPING GG-C/E-PD-POSTAGE		
							CHECK	355942 TOTAL:	34.69
355943	03/24/2021	PRTD	1152 USA BLUE BOOK	246897	470362		01/13/2021	03/21/21	958.83
Invoice: 470362				958.83	73425358	531100	PW/RICCA PH 6.00 BUFFER O&M-WWTP-SUPPLIES		
Invoice: 478288				246898	478288		01/20/2021	03/21/21	119.88
				119.88	73425358	531100	PW/RICCA PH 6.00 BUFFER O&M-WWTP-SUPPLIES		
Invoice: 480178				246899	480178		01/21/2021	03/21/21	157.13
				157.13	73425358	531100	PW/PONY PUMP O&M-WWTP-SUPPLIES		
Invoice: 490578				246900	490578		02/01/2021	03/21/21	199.07
				199.07	73425358	531100	PW/SUSPENDED SOLIDS O&M-WWTP-SUPPLIES		
Invoice: 497340				246901	497340		02/08/2021	03/21/21	164.57
				164.57	73425358	531100	PW/REPLACEMENT CAP O&M-WWTP-SUPPLIES		
Invoice: 508345				246902	508345		02/19/2021	03/21/21	581.14
				581.14	73431835	531100	PW/BLADE, SHOVEL OFFICE SUPPLIES		
Invoice: 508415				246903	508415		02/19/2021	03/21/21	885.83
				885.83	73425358	531100	PW/DISP WIPES, TRASH PUMP O&M-WWTP-SUPPLIES		
							CHECK	355943 TOTAL:	3,066.45
355944	03/24/2021	PRTD	553 UTILITIES UNDERGROUN	246904	1020118		02/28/2021	03/21/21	223.17
Invoice: 1020118				223.17	73637893	54110000393	PW/EXCAVATION NOTICES O&M ALLOC-LOCATING SVCS		
							CHECK	355944 TOTAL:	223.17
355945	03/24/2021	PRTD	167 WA ST DEPT OF ECOLOG	246756	21-WA0020907B-1		03/09/2021	03/21/21	3,109.32
Invoice: 21-WA0020907B-1				3,109.32	73425358	549800	PW/WQP 2021 FEE O&M-WWTP-PERMITS		
							CHECK	355945 TOTAL:	3,109.32

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CASH ACCOUNT: 635	111100	CASH	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
CHECK NO	CHK DATE	TYPE	VENDOR NAME		INVOICE DTL	DESC		
355946	03/24/2021	PRTD	2251 WA ST TREASURER	246905	FEB21 SBCC			
			Invoice: FEB21 SBCC			02/28/2021	03/21/21	351.50
				351.50	41652860	586000	STATE OUT COURT REMIT FEB21 SBCC	
						SBCC BLDG.-OUT		
			Invoice: FEB21	246906	FEB21			1,811.96
						02/28/2021	03/21/21	
				773.99	41611860	586000	STATE COURT OUT REMIT FEB21	
				457.17	41610860	586000	PSEA 60% OUT	
				4.27	41619860	586000	PSEA 30% OUT	
				74.90	41616860	586000	PSEA 3 - STATE DISB OUT	
				28.34	41616860	586000	THEFT PRV&TR BRAIN INJ-OUT	
				218.87	41614860	586000	THEFT PRV&TR BRAIN INJ-OUT	
				131.01	41617860	586000	JUDICIAL INFO SYST.-OUT	
				37.35	41618860	586000	SCHOOL SAFETY ZONE-OUT	
				24.70	41618860	586000	TRAUMA CARE-OUT	
				5.16	41618860	586000	TRAUMA CARE-OUT	
				29.52	41618860	586000	TRAUMA CARE-OUT	
				26.68	41615860	586961	STATE CRIME LAB	
							CHECK	355946 TOTAL:
								2,163.46
355947	03/24/2021	PRTD	4513 WM CORPORATE SERVICE	246907	005265-2588-5			
			Invoice: 005265-2588-5			01/01/2021	03/21/21	9,452.97
				9,452.97	73435838	54790000618	PW/DECANT DISP SVCS	
							DECANT SPOILS DISPOSAL	
							CHECK	355947 TOTAL:
								9,452.97
355948	03/24/2021	PRTD	5709 WEBCHECK INC	246909	6873			
			Invoice: 6873			02/28/2021	03/21/21	228.90
				114.45	43411341	541100	FIN/WEBCHECK SVCS FEB 2021	
				114.45	43421351	541100	FIN - WATER ADMIN PROF SERVICE	
							FIN - SEWER ADMIN PROF SERVICE	
							CHECK	355948 TOTAL:
								228.90
355949	03/24/2021	PRTD	8390 WEST HILLS FORD MAZD	246911	707433			
			Invoice: 707433			03/04/2021	03/21/21	407.68
				407.68	53011212	531100	POL/WINDSHIELD MOULDING X4	
							PD-C/E-PATROL SUPPLIES	
							CHECK	355949 TOTAL:
								407.68
355950	03/24/2021	PRTD	499 WESTBAY AUTO PARTS I	246912	611928			
			Invoice: 611928			02/25/2021	03/21/21	10.50
				10.50	73011321	531100	PW/FUEL FILTER	
							O&M-C/E-ENG VEH WORK-SUPPLIES	
			Invoice: 611941	246913	611941			15.05
				15.05	990	141100	PW/OIL, AIR FILTERS	
							MERCHANDISE	

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

										INVOICE DTL	DESC			NET	
										CHECK	355952	TOTAL:			5,710.44
355953	03/24/2021	PRTD	9338	KEY CODE MEDIA, INC.	246975	087502-A	02/04/2021		03/21/21		14,892.08				14,892.08
			Invoice: 087502-A				IT/CHAMBERS BRDCST PIX UPGRADE								
					14,892.08	81031881	53550000567	PEG CAP FUNDING-NON CAP ITEMS							
										CHECK	355953	TOTAL:			14,892.08
355954	03/24/2021	PRTD	2421	KITSAP PUBLIC HEALTH	246830	317198	03/03/2021		03/21/21		880.00				880.00
			Invoice: 317198				PW/SOLID WASTE HANDLING PERMIT								
					880.00	73435838	549800	O&M-DECANT-PERMITS							
										CHECK	355954	TOTAL:			880.00
355955	03/24/2021	PRTD	1488	SETON CONSTRUCTION I	246976	PAYREQ8-708.	02/26/2021	20200027	03/21/21		198,418.26				198,418.26
			Invoice: PAYREQ8-708.				WYATT WAY RECONSTRUCTION								
					182,412.46	72321953	66300000708	WYATT-MAD TO LOVELL-CONSTR							
					16,005.80	72413434	66300000708	WYATT-MAD TO LOVELL-WTR-CONSTR							
										CHECK	355955	TOTAL:			198,418.26

NUMBER OF CHECKS 112 *** CASH ACCOUNT TOTAL *** 559,954.60

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	109	559,954.60
TOTAL VOIDED CHECKS	3	.00

*** GRAND TOTAL *** 559,954.60

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JOURNAL ENTRIES TO BE CREATED

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CLERK: cfreitas

YEAR PER SRC	JNL ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
2021	3	218								
APP	001-213000	03/24/2021	03/21/21	032421			GENERAL - ACCOUNTS PAYABLE		146,993.00	
							AP CASH DISBURSEMENTS JOURNAL			
APP	635-111100	03/24/2021	03/21/21	032421			CASH			559,954.60
							AP CASH DISBURSEMENTS JOURNAL			
APP	402-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		134,579.00	
							AP CASH DISBURSEMENTS JOURNAL			
APP	401-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		23,613.35	
							AP CASH DISBURSEMENTS JOURNAL			
APP	101-213000	03/24/2021	03/21/21	032421			STREETS - ACCOUNTS PAYABLE		9,780.14	
							AP CASH DISBURSEMENTS JOURNAL			
APP	631-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		16,326.79	
							AP CASH DISBURSEMENTS JOURNAL			
APP	403-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		15,978.33	
							AP CASH DISBURSEMENTS JOURNAL			
APP	407-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		20,826.12	
							AP CASH DISBURSEMENTS JOURNAL			
APP	301-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		186,291.61	
							AP CASH DISBURSEMENTS JOURNAL			
APP	650-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		2,325.03	
							AP CASH DISBURSEMENTS JOURNAL			
APP	901-213000	03/24/2021	03/21/21	032421			ACCOUNTS PAYABLE		3,241.23	
							AP CASH DISBURSEMENTS JOURNAL			
							GENERAL LEDGER TOTAL		559,954.60	559,954.60
APP	631-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING		543,627.81	
APP	001-130000	03/24/2021	03/21/21	032421			GENERAL - DUE TO/FROM CLEARING			146,993.00
APP	402-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			134,579.00
APP	401-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			23,613.35
APP	101-130000	03/24/2021	03/21/21	032421			STREETS - DUE TO/FROM CLEARING			9,780.14
APP	403-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			15,978.33
APP	407-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			20,826.12
APP	301-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			186,291.61
APP	650-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			2,325.03
APP	901-130000	03/24/2021	03/21/21	032421			DUE TO/FROM CLEARING			3,241.23

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JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT
SYSTEM GENERATED ENTRIES TOTAL										543,627.81	543,627.81
JOURNAL 2021/03/218 TOTAL										1,103,582.41	1,103,582.41

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JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021	3	218	03/24/2021	GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	146,993.00	146,993.00
					FUND TOTAL	146,993.00	146,993.00
101 STREET FUND 101-130000 101-213000	2021	3	218	03/24/2021	STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	9,780.14	9,780.14
					FUND TOTAL	9,780.14	9,780.14
301 CAPITAL CONSTRUCTION FUND 301-130000 301-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	186,291.61	186,291.61
					FUND TOTAL	186,291.61	186,291.61
401 WATER OPERATING FUND 401-130000 401-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	23,613.35	23,613.35
					FUND TOTAL	23,613.35	23,613.35
402 SEWER OPERATING FUND 402-130000 402-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	134,579.00	134,579.00
					FUND TOTAL	134,579.00	134,579.00
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	15,978.33	15,978.33
					FUND TOTAL	15,978.33	15,978.33
407 BUILDING & DEVELOPMENT FUND 407-130000 407-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	20,826.12	20,826.12
					FUND TOTAL	20,826.12	20,826.12
631 CLEARING FUND 631-130000 631-213000 635-111100	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE CASH	543,627.81 16,326.79	559,954.60
					FUND TOTAL	559,954.60	559,954.60

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JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR	PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
650 AGENCY FUND 650-130000 650-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	2,325.03	2,325.03
					FUND TOTAL	2,325.03	2,325.03
901 CITY-WIDE REPORTING FUND 901-130000 901-213000	2021	3	218	03/24/2021	DUE TO/FROM CLEARING ACCOUNTS PAYABLE	3,241.23	3,241.23
					FUND TOTAL	3,241.23	3,241.23

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JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		146,993.00
101	STREET FUND		9,780.14
301	CAPITAL CONSTRUCTION FUND		186,291.61
401	WATER OPERATING FUND		23,613.35
402	SEWER OPERATING FUND		134,579.00
403	STORM & SURFACE WATER FUND		15,978.33
407	BUILDING & DEVELOPMENT FUND		20,826.12
631	CLEARING FUND	543,627.81	
650	AGENCY FUND		2,325.03
901	CITY-WIDE REPORTING FUND		3,241.23
	TOTAL	543,627.81	543,627.81

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

PAYROLL

PAYROLL CHECK RUN: 3 - 19 - 2021

Run Type	Run Date	Check # Sequence	Comments	Amount
Normal	3/19/2021	50487 -50612	Regular check run (Direct Dep)	342,386.52
Normal	3/19/2021	109567	Regular check run (Paper Checks)	3,000.86
Vendor	3/19/2021	109568 - 109574	Vendor check run (Paper Checks)	130,806.48
EFTPS	3/19/2021	N/A	Federal Tax Electronic Transfer	132,858.91
			TOTAL:	609,052.77

Prepared and Reviewed by:  Date 3-18-21
 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 03/18/2021
 Kim Dunscombe, Budget Manager



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME:

AGENDA ITEM: City Council Meeting Minutes,

SUMMARY: Council will consider approval of the attached meeting minutes.

AGENDA CATEGORY: Minutes

PROPOSED BY: Executive

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[City Council Study Session Minutes, March 2, 2021.docx](#)

[City Council Regular Business Meeting Minutes, March 9, 2021.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL STUDY SESSION
TUESDAY, MARCH 2, 2021

Meeting Minutes

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

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

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

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

Councilmember Nassar moved and Councilmember Carr seconded to approve the agenda as presented. The motion carried unanimously, 7-0. There were no conflicts of interest disclosed.

3) [FUTURE COUNCIL AGENDAS](#)

3.A [Future Council Agendas](#)

[Cover Page](#)

[March 9 City Council Regular Business Meeting.pdf](#)

[March 16 City Council Study Session.pdf](#)

[March 23 City Council Regular Business Meeting.pdf](#)

[March 24 Special Joint City Council Meeting.pdf](#)

[April 6 City Council Study Session.pdf](#)

[April 13 City Council Regular Business Meeting.pdf](#)

Interim City Manager Schroer reviewed future Council agendas. Council authorized noticing the joint Climate Change Advisory Committee and Race Equity Advisory Committee meeting on March 4, 2021 for quorum purposes.

Councilmember Schneider asked to postpone the Governance Manual discussion. It will be rescheduled on March 23, 2021.

Recognition of two residents will be scheduled on April 13, 2021.

4) [CITY COUNCIL DISCUSSION](#)

4.A [Workplan Discussion - City Council](#)

[Cover Page](#)

[Presentation - Workplan for CC 03022021.pdf](#)

[2021 Workplan Memo for CC 03022021 - Final for packet.pdf](#)

[2021 Work Plan -- Policy Projects -- annotated.docx](#)

Interim City Manager Schroer provided a presentation on the workplan, and Councilmember Carr led the discussion following the presentation.

Council forwarded the workplan to a study session in late April for further discussion.

5) **FOR THE GOOD OF THE ORDER**

Councilmember Deets commented on an article in the Bainbridge Review.

Councilmember Carr mentioned her Walk the Ward event.

Mayor Nassar asked Councilmembers about appointing a Councilmember to the Peninsula Regional Transportation Planning Organization.

Councilmember Schneider provided an update on the Sustainable Transportation Workshop.

6) **ADJOURNMENT**

Deputy Mayor Hytopoulos adjourned the meeting at 7:52 p.m.

Rasham Nassar, Mayor

Christine Brown, CMC, City Clerk



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
Tuesday March 9, 2021

Meeting Minutes

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

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

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

2) EXECUTIVE SESSION

2.A [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,](#)
[Cover Page](#)

Mayor Nassar adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(i). Council returned from executive session at 6:33 p.m., and Mayor Nassar reconvened the meeting.

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

Councilmember Deets moved and Councilmember Carr seconded to approve the agenda as presented. The motion carried unanimously, 7-0. There were no conflicts of interest disclosed.

4) PUBLIC COMMENT

4.A [Instructions for Providing Public Comment - City Clerk](#)
[Cover Page](#)
[Instructions for Providing Public Comment at Remote Meetings.docx](#)

Wendy Tyner spoke about the Triangle Property.

Sue Wilmot spoke in favor of hazard pay for grocery workers.

Poulsbo Mayor Becky Erickson thanked Council for Bainbridge Island's vaccination program.

Ron Peltier spoke against the Harrison purchase.

Dick Haugan spoke against the Harrison purchase.

Erin Murphy spoke in favor of hazard pay for grocery workers.

Maya Green spoke against funding the new police facility.

Kevin Miller spoke about the Triangle Property.

Kimberly Hendrickson thanked Council for Bainbridge Island's vaccination program.

Salvatore DeRosalia spoke about the police facility.

Bob Russell spoke about the police facility.

Kaylie Treskin spoke against funding the police facility.

Nathan Bombardier spoke against funding the police facility.

Juliet Wallace spoke against funding the police facility.

Spencer Bispham spoke against funding the police facility.

Salvatore DeRosalia spoke in favor of a citizen academy and considering a community center as part of the police facility.

5) [CITY MANAGER'S REPORT](#)

Interim City Manager mentioned the vaccine clinic at Woodward Middle School, a virtual lunch with the Police Chief and behavioral specialist on March 23, 2021, and outreach for the Shoreline Master Program update.

6) [CONSENT AGENDA](#)

6.A [Agenda Bill for Consent Agenda](#) [Cover Page](#)

6.B [Accounts Payable and Payroll](#) [Cover Page](#) [AP Report to Council of Cash Disbursements 03-10-21.pdf](#) [Payroll.pdf](#)

Accounts payable: ACH check number 426= \$7,126.35; ACH check number 427= \$2,615.89; ACH check number 428= \$162.00; ACH check number 429= \$21,516.00; manual check number 355772

VOID; Manual check numbers 355722-355730= \$115,063.26; regular run check numbers 355731-355830= \$662,388.16; Total disbursement= \$801,745.31.

Payroll: Vendor reissue check number 109556= \$34,708.91; normal check run numbers 50362-50486= \$300,953.56; normal paper check run number 109557= \$2,026.10; vendor check run numbers 109558-109566= \$316,155.77; Federal Tax Electronic Transfer= \$111,127.99; Total disbursement= \$730,263.42.

6.C City Council Meeting Minutes

[Cover Page](#)

[City Council Study Session Minutes, February 16 2021.docx](#)

[City Council Regular Business Meeting Minutes, February 23, 2021.docx](#)

6.D Radar Feedback Sign Procurement and Budget Amendment - Public Works

[Cover Page](#)

[Western Systems Sales Quote.pdf](#)

[Radar Sign Locations_.jpg](#)

6.E New Brooklyn Sewer Basin Study Professional Services Agreement Amendment No. 1 - Public Works

[Cover Page](#)

[Original Agreement.pdf](#)

[Amendment No 1 to PSA - BHC - rev JL 030321.docx](#)

6.F Race Equity Welcoming Sign Approval and Budget Amendment - Public Works

[Cover Page](#)

[City Council_2021-02-23.pdf](#)

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

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

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas

[Cover Page](#)

[March 16 Special City Council Study Session.pdf](#)

[March 23 City Council Regular Business Meeting.pdf](#)

[March 24 Special Joint City Council Meeting.pdf](#)

[April 6 City Council Study Session.pdf](#)

[April 13 City Council Regular Business Meeting.pdf](#)

[April 20 City Council Study Session.pdf](#)

[2021 List of Proposed Future Council Topics.docx](#)

Interim City Manager Schroer reviewed upcoming agendas.

Councilmember Carr said that the Environmental Technical Advisory Committee would like to present their Groundwater Fact Sheet, and Council concurred.

Council asked for an update from the City Manager on the Triangle Property at a future meeting.

Councilmember Fantroy-Johnson asked Council to consider a resolution passed by the Race Equity Advisory Committee.

8) CITY MANAGER EMPLOYMENT AGREEMENT

8.A City Manager Employment Agreement

[Cover Page](#)

[Blair King - COBI Agreement 030521.docx](#)

City Attorney Levan introduced the agenda item. Ron Holifield from Strategic Government Resources provided information on the contract.

MOTION: I move to authorize the Mayor to execute the City Manager employment agreement with Blair King.

Deets/ Pollock: The motion carried unanimously, 7-0.

Blair King thanked Council for their support and committed to honest and transparent management for the City.

9) UNFINISHED BUSINESS

9.A Transportation Benefit District (Traffic Calming and Climate Mitigation) Funding Discussion and Budget Amendment - Public Works

[Cover Page](#)

[Traffic Calming CIP Slides.pptx](#)

[Resolution No. 2019-06 Directing Use of Additional Vehicle License Fee Revenue Approved 012219.docx](#)

Public Works Director Wierzbicki provided a status update on the Transportation Benefit District funds.

MOTION: I move to forward for approval with the March 23, 2021 consent agenda authorization for the City Manager to include \$35,000 from the Transportation Benefit District fund in the 1st quarter budget amendment ordinance to support the development of a City traffic calming policy handbook, and an associated preliminary design for calming and safety projects on Grow Avenue and at the Miller Road/Grand Forest and Schel Chelb pedestrian crossing.

Deets/Schneider: The motion carried unanimously, 7-0.

9.B Update on the Development Moratorium - Planning

[Cover Page](#)
[Dept of Ecology Approval Letter.pdf](#)
[Ordinance No. 2020-29 Further Narrowing the Development Moratorium to Shoreline Properties within the WMPSA Approved 102720.pdf](#)
[ORD NO. 2020-24 EXTENDING THE DEVELOPMENT MORATORIUM.pdf](#)

Planning Director Wright introduced the agenda item.

MOTION: Take no action. Via this option, the City Council would allow the development moratorium to expire without a further extension as provided in Ordinance No. 2020-29, which expiration would occur as of April 4, 2021.

Deets/Schneider: The motion carried unanimously, 7-0.

10) CITY COUNCIL DISCUSSION

10.A [Hazard Pay for Grocery Workers - Executive Cover Page](#)

Councilmember Deets proposed drafting an ordinance that would direct grocery stores of over 500 workers worldwide to pay \$2.00 hour for hazard pay that would end when the emergency declaration for the pandemic ends. Council expressed interest in a tiered approach for hazard pay. The City Attorney will bring back a draft ordinance on March 23, 2021.

10.B [Discussion of Police/Court Facility](#)

[Cover Page](#)
[Police and Court Project Questions - Transmittal Memo for CC 03092021- Final for Packet SUMMARY CHRONOLOGY - Police Court 2013-2020.pdf](#)
[Police Court Facility Project Status Report thru Feb 26 2021.pdf](#)

Mayor Nassar introduced the agenda item. Interim City Manager Schroer provided information on the project, and Council discussed the topic.

MOTION: I move that we ask the City Manager to make a proposal for how we can address these two separate requests. One request is to come up with some impartial experts, that are not from Bainbridge Island, to take a look at the appraisal process that was used, and the second one is to come up with a proposal for how we have oversight of the construction costs going forward.

Schneider/Hytopoulos: The motion was withdrawn.

Council forwarded the item to the March 23, 2021 meeting for further discussion.

11) COMMITTEE REPORTS

Councilmember Deets reported on the SR 305 Improvements meeting.

Councilmember Fantroy-Johnson mentioned a Government Alliance for Race Equity (GARE) membership meeting and training.

Councilmember Pollock reported on the Island Center Subarea Plan Committee.

12) FOR THE GOOD OF THE ORDER

Councilmember Deets commented on the vaccination program.

Deputy Mayor Hytopoulos commented on the Police/Court facility discussion.

Councilmember Schneider mentioned ranked-choice voting as a potential discussion item.

Mayor Nassar mentioned a request for a proclamation for Education and Sharing Day.

13) ADJOURNMENT

Mayor Nassar adjourned the meeting at 10:11 p.m.

Rasham Nassar, Mayor

Christine Brown, CMC, City Clerk



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Eagle Harbor Phase II Non-Motorized Improvements Contract Award - Public Works,

SUMMARY: The Eagle Harbor Phase II Shoulder Improvements project consists of paved shoulder improvements along Eagle Harbor Drive from McDonald Avenue north approximately 4900 linear feet.

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve with the Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$512,254
Ongoing Cost:	N/A
One-Time Cost:	\$512,254
Included in Current Budget?	Yes

BACKGROUND: The Eagle Harbor Phase II Shoulder Improvements project consists of paved shoulder improvements along Eagle Harbor Drive, from McDonald Avenue north approximately 4900 LF. The southbound lane will have a separated landscape strip between the travel lane and the new paved shoulder. The northbound lane will be non-separated and adjacent to the new paved shoulder.

The bid opening was held on Friday, March 12, 2021 and Seton Construction, Inc. was the apparent responsive low bidder in the base bid amount of \$512,254.00 including sales tax. The engineer's estimate is \$742,778.00. See attached bid form.

Public Works staff has reviewed the contractor's qualifications and recommends awarding the contract to Seton Construction, Inc. in the amount of \$512,254.00 including sales tax.

ATTACHMENTS:

FISCAL DETAILS: There is a total of \$980,000 budgeted for project construction. Of that \$980K, \$700K is from a secured federal transportation grant, and the balance (\$280K) is City-funded.

With the current construction bid amount of \$512,254, the federal grant would cover 86% (\$440,538) and the City would fund the remaining 13% (\$71,716). Change orders or other yet-to-be determined project cost increases would be subject to the same funding split until the grant funds are expended, at which point the City would fund any remaining costs.

Fund Name(s): Other

Coding:

City of Bainbridge Island, Public Works Department

Eagle Harbor Ph 2 Shoulder Improvements

Bid Opening Date: Bids Due on March 12, 2021, @ 9:30 a.m.

Open Bids @ 10:00 a.m.

Note: Bids Are Opened in Order Received. Bids Solicited by: ✓ Advertisement <input type="checkbox"/> Small Works Roster The Engineers Estimate is: \$(742,778.00)	<u>Bidder #1</u> Seton Construction, Inc	<u>Bidder #2</u> Lakeside Industries	<u>Bidder #3</u> Northern Asphalt	<u>Bidder #4</u> Sound Pacific Construction
Proposal – Items of Work & Materials, Estimated Quantities, Units of Measurement.	✓	✓	✓	✓
Proposal Signature Page	✓	✓	✓	✓
Addenda Acknowledged - (N/A)	N/A	N/A	N/A	N/A
Non-Collusion Declaration	✓	✓	✓	✓
Proposal Bond (or check/cash in lieu)	✓	✓	✓	✓
Statement of Bidders Qualifications	✓	✓	✓	✓
Local Agency Subcontractor List	✓	✓	✓	✓
UDBE Utilization Certification	✓	✓	✓	✓
UDBE Written Confirmation Document	✓	✓	-	✓
Good Faith Effort (GFE) documentation				
TOTAL BID AMOUNT	\$512,254.00	\$700,228.00	\$720,661.00	\$803,004.00

A total of 7 bids were received for the Eagle Harbor Ph 2 Shoulder Improvements project. Christian Munter, Project Manager, has reviewed all the bids and recommends that the City Council award the contract to the apparent low bidder, Seton Construction, Inc. in the amount of \$512,254.00.

<p>Note: Bids Are Opened in Order Received.</p> <p>Bids Solicited by:</p> <p><input checked="" type="checkbox"/> Advertisement <input type="checkbox"/> Small Works Roster</p> <p>The Engineers Estimate is: \$(742,778.00)</p>	<p><u>Bidder #5</u></p> <p>Granite Construction</p>	<p><u>Bidder #6</u></p> <p>Port Madison Enterprises</p>	<p><u>Bidder #7</u></p> <p>Active Construction Inc.</p>	
Proposal – Items of Work & Materials, Estimated Quantities, Units of Measurement.	✓	✓	✓	
Proposal Signature Page	✓	✓	✓	
Addenda Acknowledged - (N/A)	N/A	N/A	N/A	
Non-Collusion Declaration	✓	✓	✓	
Proposal Bond (or check/cash in lieu)	✓	✓	✓	
Statement of Bidders Qualifications	✓	✓	✓	
Local Agency Subcontractor List	✓	✓	✓	
UDBE Utilization Certification	✓	✓	✓	
UDBE Written Confirmation Document	-	✓	-	
Good Faith Effort (GFE) documentation if DBE threshold not met				
TOTAL BID AMOUNT	\$706,921.00	\$596,309.59	\$826,826.00	

Contract

CONTRACT FOR CONSTRUCTION

THIS CONSTRUCTION CONTRACT (“Contract”), made the 23rd day of March, 2021, by and between the City of Bainbridge Island (“City” and/or “CONTRACTING AGENCY”) and Seton Construction, Inc. (“CONTRACTOR”).

WITNESSETH:

WHEREAS, the CONTRACTING AGENCY has caused the Project Manual, Specifications, Drawings, and other contract documents to be prepared for certain Work as described therein, known as the **EAGLE HARBOR DRIVE PH 2 SHOULDER IMPROVEMENTS PROJECT**, and

WHEREAS, the CONTRACTOR has offered to perform the proposed Work in accordance with the terms of the Contract Documents including but not limited to this Contract, and

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the CONTRACTOR hereby agrees that the foregoing recitals are true and correct and are incorporated into this Contract and to complete the Work at the price and on the terms and conditions herein contained. The CONTRACTING AGENCY agrees to pay the CONTRACTOR the contract price of Five Hundred Twelve Thousand Two Hundred Fifty-Four and no/100 (\$512,254.00) (“Contract Price”) for the fulfillment of the Work and the performance of the covenants set forth herein.

The further terms, conditions, and covenants of this Contract are set forth in the following documents, all of which are component parts of this Contract as if set out in full, and if not attached, as if hereto attached collectively referred to as the “Contract Documents”:

1. This Contract, including the form “Proposal – Items of Work and Materials to be Provided, Estimated Quantities, Units of Measurement at the Unit Bid Prices”
2. The Standard Specifications for Road, Bridge, and Municipal Construction, 2020 edition, as issued by the Washington State Department of Transportation (WSDOT) and the American Public Works Association (APWA), Washington State Chapter (hereafter “Standard Specifications”)
3. Amendments to the Standard Specifications
4. Special Provisions
5. Indemnity and Insurance Agreement
6. Special Indemnity and Insurance Agreement
7. Prevailing Wage Schedules and Regulations
8. Specifications, Drawings, Details, and all other Documents contained in and made applicable by this Contract and the Project Manual
9. Certification of Compliance with Wage Payment Statutes
10. All Plans, Drawings, Specifications, and Addenda issued prior to the Bid Opening Date.

The CONTRACTING AGENCY and the CONTRACTOR recognize that time is of the essence of this Contract and that the CONTRACTING AGENCY will suffer financial loss if the Work is not completed within the time specified in this Contract. Therefore, the parties agree that the liquidated damages provisions of the Standard Specifications as modified herein shall apply and that those provisions have been mutually negotiated.

CONTRACTOR’s Initials: _____

The CONTRACTOR hereby warrants and represents it has reviewed, understands, and agrees to the terms and conditions of this Contract, all Addenda, and the Standard Specifications as modified by the Amendments and Special Provisions and all other Documents contained in the Project Manual and incorporated herein by reference. The person executing this Contract warrants and represents that they are fully authorized to execute this Contract.

All parties agree that the State of Washington is hereby named as an express third-party beneficiary of this Contract, with all rights as such.

THE CONTRACTOR AGREES TO RETURN THIS EXECUTED CONTRACT AND OTHER REQUIRED DOCUMENTS TO THE CONTRACTING AGENCY as required by the Standard Specifications as modified herein, and to return the DECLARATION OF OPTION OF MANAGEMENT OF STATUTORY RETAINED PERCENTAGE AT THE SAME TIME.

IN WITNESS WHEREOF, this Contract has been executed on the day and year above written.

SETON CONSTRUCTION, INC.:

By: _____

Its: _____

Date: _____

CITY OF BAINBRIDGE ISLAND:

By: _____

Ellen Schroer, Interim City Manager

Date: _____



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Chlorine Generator Replacement Contract - Public Works,

SUMMARY: The Chlorine Generator Replacement contract is for construction services to replace three on-site Sodium Hypochlorite Generation (OSHG) systems within the Winslow Water System.

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve with the Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$523,218.53
Ongoing Cost:	
One-Time Cost:	\$523,218.53
Included in Current Budget?	Yes

BACKGROUND: The Chlorine Generator Replacement contract is for construction services to replace three on-site Sodium Hypochlorite Generation (OSHG) systems within the Winslow Water System. The OSHG systems provide disinfection services at each pump station located at Fletcher Bay, Sands, and Head of the Bay.

The bid proposal also includes an additive Alternative A1 for the Fletcher Bay/Sands chlorine metering pumps. All three OSHG systems have exceeded their life expectancy and require replacement to maintain reliable operations. Future installation of the chlorine generators is anticipated to occur in the fall following the peak water usage season.

The bid opening was held on Friday, February 26, 2021 and JMG Constructors, LLC was the apparent responsive low bidder in the base bid amount of \$508,267.00 including sales tax. The engineer's estimate was \$507,000 to \$607,000. See attached bid form.

Public Works staff has reviewed the contractor's qualifications and recommends awarding the contract to JMG Constructors, LLC and adding Alternative A1 for a grand total of \$523,218.53 including sales tax.

ATTACHMENTS:

[Chlorine Generator Bid Form.doc](#)

[Chlorine Generator Contract.docx](#)

FISCAL DETAILS: The Water fund has \$720,000 Budgeted for this project. CIP #00987. Life-to-date expenditures and encumbrances total \$98,575 leaving a budget balance of \$98,206 after the contract is awarded.

Fund Name(s): Water Fund

Coding: Project 00987

City of Bainbridge Island
Public Works Department

Chlorine Generator Upgrades, CIP 00987

Bid Opening Date: Bids Due on Friday, 02/26/2021, @ 9:30am; Open Bids @ 10:00am

Bids Are Opened in Order Received. Bids Solicited by: <input checked="" type="checkbox"/> Advertisement <input type="checkbox"/> Small Works Roster The Engineers Estimate is: \$507,000 to \$607,000	<u>Bidder #1</u> Hawk Mechanical	<u>Bidder #2</u> Olympic Peninsula Construction	<u>Bidder #3</u> McClure & Sons	<u>Bidder #4</u> Gary Harper Construction
Proposal – Items of Work & Materials, Estimated Quantities, Units of Measurement.	✓	✓	✓	✓
Proposal Signature Page	✓	✓	✓	✓
Addenda Acknowledged - (1)	✓	✓	✓	✓
Non-Collusion Declaration	✓	✓	✓	✓
Proposal Bond (or check/cash in lieu)	✓	✓	✓	✓
Statement of Bidders Qualifications	✓	✓	✓	✓
Statement of Proposed Subcontractors	✓		✓	✓
Total Base Bid:	\$577,127.75	\$518,077.00	\$640,412.00	\$681,359.00
Total Bid Additive Alternative A1	\$ 20,605.36	\$ 15,618.61	\$ 13,625.00	\$ 15,805.00
TOTAL BASE BID + Bid Additive Alternative A1	\$597,733.11	\$533,695.61	\$654,037.00	\$697,164.00

A total of five (5) bids were received for the Chlorine Generator Upgrades project. Project Manager Aaron Claiborne has reviewed the bids and recommends that the City Council award the contract to the apparent low bidder, JMG Constructors, LLC in the amount of \$523,218.53.

Bids Are Opened in Order Received. Bids Solicited by: <input checked="" type="checkbox"/> Advertisement <input type="checkbox"/> Small Works Roster The Engineers Estimate is: \$507,000 to \$607,000	<u>Bidder #5</u> JMG Constructors, LLC			
Proposal – Items of Work & Materials, Estimated Quantities, Units of Measurement.	✓			
Proposal Signature Page	✓			
Addenda Acknowledged - (1)	✓			
Non-Collusion Declaration	✓			
Proposal Bond (or check/cash in lieu)	✓			
Statement of Bidders Qualifications	✓			
Statement of Proposed Subcontractors	✓			
Total Base Bid:	\$508,267.00			
Total Bid Additive Alternative A1	\$ 14,951.53			
TOTAL BASE BID + Bid Additive Alternative A1	\$523,218.53			

Contract

CONTRACT FOR CONSTRUCTION

THIS CONSTRUCTION CONTRACT (“Contract”), made the _____, day of _____, 2021, by and between the City of Bainbridge Island (“City” and/or “CONTRACTING AGENCY”) and JMG Constructors, LLC (“CONTRACTOR”).

WITNESSETH:

WHEREAS, the CONTRACTING AGENCY has caused the Project Manual, Specifications, Drawings, and other contract documents to be prepared for certain Work as described therein, known as the CHLORINE GENERATOR UPGRADE PROJECT, and

WHEREAS, the CONTRACTOR has offered to perform the proposed Work in accordance with the terms of the Contract Documents including but not limited to this Contract, and

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the CONTRACTOR hereby agrees that the foregoing recitals are true and correct and are incorporated into this Contract and to complete the Work at the price and on the terms and conditions herein contained. The CONTRACTING AGENCY agrees to pay the CONTRACTOR the contract price of Five Hundred Twenty-Three Thousand Two Hundred Eighteen Dollars and Fifty-Three Cents. (\$523,218.53) (“Contract Price”) for the fulfillment of the Work and the performance of the covenants set forth herein.

The further terms, conditions, and covenants of this Contract are set forth in the following documents, all of which are component parts of this Contract as if set out in full, and if not attached, as if hereto attached collectively referred to as the “Contract Documents”:

1. This Contract, including the form “Proposal – Items of Work and Materials to be Provided, Estimated Quantities, Units of Measurement at the Unit Bid Prices”
2. Standard General Conditions of the Construction Contract prepared by Engineers Joint Contract Documents Committee (hereafter “General Conditions”)
3. Supplementary Conditions
4. Technical Specifications
5. Indemnity and Insurance Agreement
6. Special Indemnity and Insurance Agreement
7. Prevailing Wage Schedules and Regulations
8. Specifications, Drawings, Details, and all other Documents contained in and made applicable by this Contract and the Project Manual
9. Certification of Compliance with Wage Payment Statutes
10. All Plans, Drawings, Specifications, and Addenda issued prior to the Bid Opening Date.

The CONTRACTING AGENCY and the CONTRACTOR recognize that time is of the essence of this Contract and that the CONTRACTING AGENCY will suffer financial loss if the Work is not completed within the time specified in this Contract. Therefore, the parties agree that the liquidated damages provisions of the Standard Specifications as modified herein shall apply and that those provisions have been mutually negotiated.

CONTRACTOR’s Initials: _____

The CONTRACTOR hereby warrants and represents it has reviewed, understands, and agrees to the terms and conditions of this Contract, all Addenda, and the Standard Specifications as modified by the Amendments and Special Provisions and all other Documents contained in the Project Manual and incorporated herein by reference. The person executing this Contract warrants and represents that they are fully authorized to execute this Contract.

All parties agree that the State of Washington is hereby named as an express third-party beneficiary of this Contract, with all rights as such.

THE CONTRACTOR AGREES TO RETURN THIS EXECUTED CONTRACT AND OTHER REQUIRED DOCUMENTS TO THE CONTRACTING AGENCY as required by the Standard Specifications as modified herein, and to return the DECLARATION OF OPTION OF MANAGEMENT OF STATUTORY RETAINED PERCENTAGE AT THE SAME TIME.

IN WITNESS WHEREOF, this Contract has been executed on the day and year above written.

JMG CONSTRUCTORS, LLC

By: _____

Its: _____

Date: _____

CITY OF BAINBRIDGE ISLAND:

By: _____

Ellen Schroer, Interim City Manager

Date: _____



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME:

AGENDA ITEM: Bainbridge Island Senior Community Center Grant Application - Public Works

SUMMARY: The Bainbridge Island Senior Community Center (BISCC) is requesting the authorization to apply for a Bainbridge Community Foundation grant to support a "hearing loop" facility in the Senior Community Center Building in conjunction with the upcoming renovation project.

AGENDA CATEGORY: Consent Agenda

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve as part of the Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$6,500.00 grant request
Ongoing Cost:	N/A
One-Time Cost:	N/A
Included in Current Budget?	No

BACKGROUND: The BISCC Resource Committee has been studying accessibility issues with representation from the Hearing Association of America, and is recommending the installation of an induction "hearing" loop system in Huney Hall to help the hearing impaired participate in activities.

BISCC is requesting authorization to apply for a \$6,500.00 Bainbridge Community Foundation grant to support installation of the equipment in conjunction with the upcoming renovation project. If the grant is received, the City's project manager would work with BISCC to ensure that this scope element of work is included in the project.

ATTACHMENTS:

[Draft BCF grant request for Huney hearing loop.docx](#)

[Email Kit.pdf](#)

FISCAL DETAILS: This item is not budgeted, but if the \$6,500.00 grant is received, the amount would be included in the BISSC renovation project through an amendment to the project budget and the grant amount would be collected from the senior center resulting in no net budget impact.

Fund Name(s): General Fund

Coding:

DRAFT GRANT PROPOSAL TO BAINBRIDGE COMMUNITY FOUNDATION BY THE BAINBRIDGE ISLAND SENIOR/COMMUNITY CENTER

2021 ANNUAL COMMUNITY GRANTS CYCLE

General Information

Applications will be accepted from organizations meeting the following requirements:

- A current 501(c) (3) nonprofit status from the Internal Revenue Service,
- Serve greater Bainbridge Island and be located in Washington State,
- Grant period for projects is July 1, 2020 – June 30, 2021, and
- Requests \$1,000 to \$10,000 will be considered.

NOTE: Grants will not be awarded to any religious organization where the funds would be used in whole or in part to further any religious activity or outreach, and must be used solely for secular purposes; to individuals; for memberships; for any political purposes; for vehicles; or for any endowment funds.

Funds will not be awarded for projects &/or equipment, etc. that were started, completed or acquired PRIOR to the start of the grant period, July 1, 2021.

The applicant will also affirm in their application that they do not discriminate on any basis for any of its activities / operations and are an equal opportunity employer.

2021 Community Grants Cycle (CGC) Timeline

February 24 12 Noon, Grant Applications "go live"

March 24 DEADLINE 5 PM PST to submit online Grant Application.

March 25 – June 15 Application evaluation and review.

April 6 – April 27 Virtual Site visits scheduled

June 15 BCF Board of Trustees makes final grant decisions

June 16 Organizations notified of funding decisions

By early-July Grant Agreement information emailed via Common Grant Application to the email provided in the application. Grantee will log on and accept the agreement. Grant checks will then be mailed.

August 31, 2021 Due date to submit FINAL REPORT from the 2020 CGC grants cycle (last year)

DRAFT GRANT PROPOSAL

Summary*:

Provide a very brief one to two sentence overview of the program for which you are requesting grant funds. If your organization has elected to participate in the online grant catalogue (www.BainbridgeGives.org), this description will be used there to describe your request. If you are requesting general operational support, please say "unrestricted support for mission".

We are seeking funds to purchase and install an induction hearing loop for our community space, Huney Hall, to make the room accessible and welcoming to those who are hard of hearing, with many able to use their T-coil equipped hearing aids.

Describe Request*:

Please describe your request in 10 words or less. Examples from prior years include (Classroom Arts Education, Youth Engagement Plan, New Oar Racks, Disaster Preparedness Supplies, Rink safety upgrades, etc.) Please keep this description very succinct.

Accessibility equipment for the hearing impaired.

Question 1*:

Please describe the need this program seeks to address? If this is an operational support application, describe how this will support your organization / mission.

As part of an effort to refresh and make the Bainbridge Island Senior/Community Center more accessible, we would like to have an induction hearing loop installed in Huney Hall.

Benefit*:

What is the benefit to the broader community?

Huney Hall is widely used for community events. If installed professionally, this equipment will be available for Senior Center sponsored activities, civic meetings, and by people who rent the room.

Question 2*:

How did you determine this benefit or need existed?

Our Resource Committee has been studying accessibility issues with representation from the Hearing Loss Association of America (HLAA) at recent resource fairs. We also, of course, have members who are hard of hearing, and a former board member who is a gerontologist. All have recommended the induction loop system for helping the hearing impaired.

Question 3*:

How is this program aligned to your mission?

This is a key part of our effort toward inclusion through accessibility. Making it easy for everyone to understand and participate in activities is foundational to our mission. As our mission statement says, "we will provide the information, tools, and support that older adults (50+) want and need in their quest for healthy and engaged living."

Type of Funding*:

Choose type of funding requested

Capital

Goals & Objectives*:

Describe your organization's capacity to accomplish the program goals and objectives to the answer in Question 1 above.

We have engaged HearingLoopNW, which has installed over two hundred large-area hearing loops and over 120 hearing loops in the region and boasts that all these projects have exceeded certification

standards. A representative from the company has measured the room and assessed its acoustics in advance of making an estimate of the cost.

Activities*:

Please list specific activities that your organization is planning for this program / project).

We use Huney Hall extensively for programs that attract a wide audience--including political forums, educational lectures, club meetings, and more. We expect city and rental activities will also use the vital community space, and having adequate hearing assist device installed will be a benefit to all.

Output 1*:

How many people do you anticipate will be served by this program / project?

It's hard to calculate, but we estimate 1,000 in the first year, figuring 20 events of 50 or more people.

Output 2*:

How many of these are Bainbridge Island residents, or work on Bainbridge?

In 2020, 89 percent of registered program participants live on Bainbridge.

Output 3*:

What measurements do you anticipate using to measure output?

In addition to statistical studies of the effectiveness of the installation before it is certified and approved, we plan to invite people who attend events in the first year to let us know if the system worked for them and suggest how it could be more effectively deployed.

Identify Outcomes*:

Identify several outcomes that will demonstrate the program / project's impact on your constituency.

People will be able to use their already purchased hearing aids to clearly hear activities taking place in Huney. People who don't have T-coil equipped hearing aids will be able to use small portable devices to improve their hearing in the space.

Measure Outcomes*:

How will you measure these outcomes?

We will invite users during the first year following installation to fill out a short survey indicating if the program was useful and welcome their suggestions on how deployment or promotion of the equipment could be enhanced.

Impact of Partial Funding*:

If BCF could not fully fund this request, please describe how partial funding would impact this program or meet general support?

We are in the midst of a comprehensive refresh of the Senior/Community Center to meet a variety of accessibility and efficiency needs. If we are not fully funded for this project, then funds will need to be diverted from other improvements to accomplish this very important installation.

Other Sources of Funding*:

Please describe what other sources of funding have been, or are being sought, for this program (or for general support, if that is what you are applying for).

Some of the funding (for example the accompanying electrical work and related costs) will be paid for by the City of Bainbridge Island and allocated funds from the Senior/Community Center.

Other Organizations*:

Are there other organizations providing same or similar services? Do you collaborate with them?

This is a site-specific installation, but many other public and shared spaces now include induction hearing loops. Any of those organizations that use the space or collaborate with us on programming will benefit from this project.

Sustainability Plan*:

How do you intend to sustain your organization / program / project in the future?

Any ongoing maintenance costs or the purchase of additional receivers (for people who don't have hearing devices equipped with T-coils) will be made out of the Senior/Community Center's general operating fund.

If you consider this application innovative in some way, please describe.:

Every time a shared public space is made more accessible (or adopts other aspects of inclusiveness, diversity, equity, and/or accessibility) it is a beacon to other organizations that this is expected and normal behavior. By including and promoting this hearing loop, we are sending a clear message to the wider community to include similar thinking in their facility planning.

Estimated Cost \$5,784.68 plus \$716 contingency = \$6,500

Estimated proposal:

HearingLoop NW

P. Spencer Norby

HearingLoop NW

2522 N. Proctor #519

Tacoma, WA 98406

253.686.6684



psnorby@hearingloopnw.com

www.hearingloopnw.com

Proposal: Bainbridge Senior Center

March 6, 2021

Room: Community Room

Equipment: \$3,552.00
1 HLD9 Induction Loop Amplifier
4 Contacta RX-20 HS Loop Receivers
 With Headphones (can use ear buds as well)
4 50 Foot "Rolls Raceway on a Roll", 3/8"
1 Lead wire Star Quad 16ga
160 Feet Hearing Loop Wire
Audio Patch Cables as needed
Miscellaneous Supplies
2 Hearing Loop Signs 6x9
2 Hearing Loop Signs 9X12

Labor/Consulting: \$1,700.00
Design:
Installation
Certification:

Subtotal: \$5,252.00
Sales Tax: 472.68
Subtotal: 5,724.68
Shipping: 160.00
Final Total \$5,784.68

Considerations:

Client will provide LV Electrician for one half day to run actual loop wire and handle any applicable permit if required by client/jurisdiction.

HearingLoop NW has installed over two hundred large-area hearing loops and over 120 Counter Loops all of which exceed Certification Standards.

Maintenance Plans are Available

HearingLoop NW

Assistive Listening Systems that work

P. Spencer Norby
2522 N. Proctor #519
Tacoma, WA 98406
Phone: 253.686.6684
psnorby@hearingloopnw.com

HearingLoop NW
Group Presentations, Consulting
Sales, Design and Installation



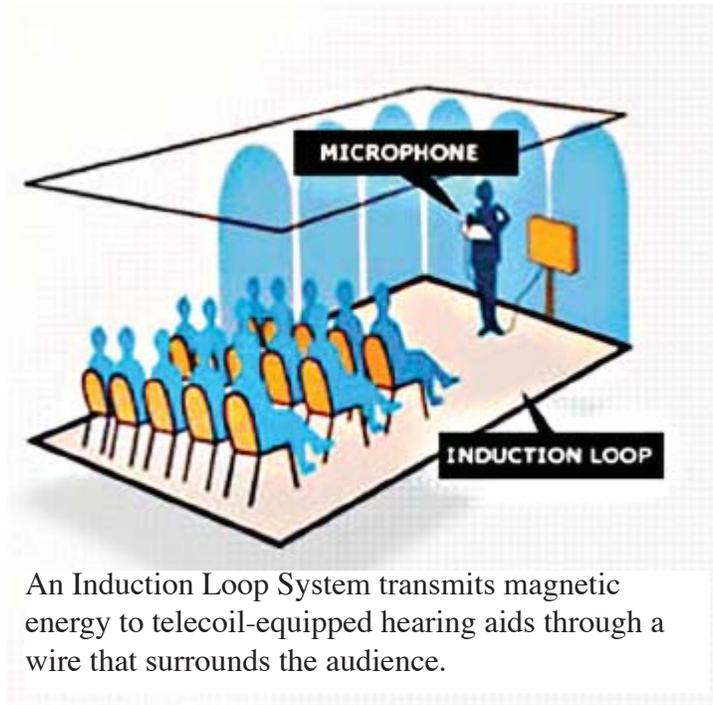
A Quick Glance:

1. Assisted Listening Systems (A.L.S.) are a ministry/service to the hearing impaired. Hearing Loops are about dignity and quality of life no other system can offer.
2. Hearing aids do not solve the problem of hearing in a noisy or large room.
3. An Assisted Listening System, (A.L.S.) that requires a hearing aid user to remove their hearing aid will not give the quality of sound they need to hear and understand.
4. Radio and infrared-based systems require sterilizing, maintenance and having many more receivers than Induction Loop Systems require.
5. Induction Loop Systems do not require a special receiver to use when the user has a T-coil hearing aid so fewer receivers are required and there is far less maintenance. Hearing Loops save money over the long run and last longer.
6. FM radio-based A.L.S. systems can be prone to interference even at great distances.
7. Infrared systems are prone to light interference such as large windows certain kinds of light fixtures and some heat sources, and require "line of sight" design. Receivers are particularly obtrusive, single out the hard of hearing and intrude upon their dignity.
8. Every installation we do has had at least one person in tears of joy when they first heard the system in their own hearing aid. One man called it a "miracle".
9. Induction Loop systems broadcasting directly into t-coil hearing aids give the user completely customized sound that is fine-tuned for their particular hearing need.
10. Individual Induction Loop receivers are available for people who do not have t-coil hearing aids and use simple personal earbuds that are readily available and inexpensive.
12. Audio Frequency Induction Loop Listening Systems we install are tested and certified to the strictest of world standards. We use the European IEC 60118-4:2006 A.F.I.L.S. standard. The U.S. has no scientific standard to date. We do not settle for, "Can you hear me now?" and neither should you.
13. We are the only company that offers the whole process including years of experience to sell, architecturally install, IEC certify and service Induction Loop assisted listening systems including audio in this region of the United States. We do more than sell a box or run a wire around a room. We make your project rock solid, integrated and beautiful.

Get in the Loop

Induction Loops

The dignity, people-centered approach for your facility's "Assistive Listening Needs"



An Induction Loop System transmits magnetic energy to telecoil-equipped hearing aids through a wire that surrounds the audience.

Why can't people just use their hearing aids without a "system?"

People with a hearing loss feel disconnected from the world around them. All sounds are jumbled, muffled and confused if they can hear them at all. Even most hearing aids only make the sound louder and more confused in a large room with background noise. Induction loops (as pictured above) broadcast directly into a t-coil hearing aid or a special inconspicuous receiver for those without the t-coil hearing aid. The people with the greatest need already have t-coils. That means you can buy way few receivers.

What's the advantage? Why is it best?

People with disabilities want to preserve their dignity. Sometimes it is all they have left. Often they would rather go without assistive methods if they have to ask for them or wear some device that calls attention to them. Infrared systems are the worst for this. Users have to wear this plastic crown often with a little light on the top that points out to everyone that they are "handicapped". FM radio systems do the same thing, but don't look quite so terrible. With either system they have to call attention to their "handicapped" condition and ask for assistance. Most would rather save their dignity and not ask.

HearingLoop NW

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psnorby@hearingloopnw.com
Website: hearingloopnw.com

How does it do this?

Inside most hearing aids is an item called a “t-coil”. This coil was developed to help hearing aid users hear when talking on the telephone without feeding back. (You have no doubt heard that squeal they make when they feed back.) This t-coil picks up the small magnetic signal given off by the telephone speaker. The signal is then amplified directly in the hearing aid and sent into the users ear. Their hearing aid is tone adjusted specifically for their hearing loss and gives them the best possible sound they can hear.

Induction Loop Systems work in the same way. They use a large tuned loop of wire around the room perimeter (or more complex design if needed) that has a signal going into it from a special induction loop amplifier. This amplifier and loop work in concert to generate a low-level magnetic field that the t-coil receives just as it would were it coming from a phone. This makes their hearing aid their own private speaker system. Additionally, there are separate receivers people can use to pick-up the induction loop signal if they do not have a t-coil hearing aid.

Many rooms can be set up for inductions loops with a simple perimeter loop around the walls. Others however have metal in the floors, walls or ceilings that drain power away from the loop’s strength. Strangely, even aluminum will drain the magnetic strength right out of a system. In these cases careful engineering is necessary, and because of this no system should ever be installed without a full survey of the facility. We will not consider installing a system without a survey. We have several engineers we work with who design more complex systems for us to insure our systems are the best possible system available.

A sign like this could be in your facility advertising your services to the hearing impaired.

**HearingLoop
System Equipped**

This facility features a
Hearing Loop listening system.
Activate your hearing aid or
cochlear implant T-coil for enhanced sound in this room.
Hearing Loop Receivers are available upon request.

System Design and Install by:
HearingLoop NW

Some Sites Looped by HearingLoop NW

Most of the facilities for Era Retirement Living
Everett Performing Arts Center
Seattle Repertory Theatre
Mirabella Retirement Community, Seattle
Issaquah Village Theatre
St. Augustine Episcopal Church, Whidbey Island
KCTS-9 Crosscut Festival 2018 (four auditoriums)
Green River Community College Board Room, Auburn
Bellevue College Theatre
City of Bellevue Council Chamber
Volney Auditorium, Virginia Mason Hospital, Seattle

A Quick Glance:

1. Assisted Listening Systems (A.L.S.) are a basic service to the hearing impaired.
2. Hearing aids do not solve the problem of hearing in a noisy or large room.
3. An Assisted Listening System, (A.L.S.) that requires a hearing aid user to remove their hearing aid will not give the quality of sound they need to hear and understand and is embarrassing.
4. Radio and infrared-based systems require sterilizing, maintenance and having many more receivers than Induction Loop Systems.
5. Induction Loop Systems do not require a special receiver to use when the user has a T-coil hearing aid or cochlear implant so fewer receivers are required, and there is far less maintenance and overall cost.
6. FM radio-based A.L.S. systems are prone to interference even at great distances.
7. Infrared systems are prone to light interference such as large windows certain kinds of light fixtures and some heat sources, and require “line of sight” design. Receivers are particularly obtrusive, single out the hard of hearing user and impinges upon their dignity.
8. Every installation HearingLoopNW has done has had at least one person in tears of joy when they first heard the system in their own hearing aid. One man called it a “miracle”.
9. Induction Loop systems broadcasting directly into t-coil hearing aids give the user completely customized sound that is fine-tuned for their particular hearing need.
10. Individual Induction Loop receivers are available for people who do not have t-coil hearing aids and use simple personal earbuds that are readily available, inexpensive and disposable if preferred.
11. Just because some system is advertised as easy to install and inexpensive does not mean it is the system for your hearing impaired persons’ needs for dignity, convenience, hearing and life quality. These other systems cost more in the long run and require more attention.
12. Audio Frequency Induction Loop Listening Systems HearingLoopNW installs are tested and certified by us to exceed the strictest of world standards (5000 Hz not just 1000 Hz). We use the European IEC 60118-4:2006 A.F.I.L.S. standard. The U.S. has no scientific standard to date. I do not settle for, “Can you hear me now?” and neither should you.
13. We are the only people we know who offer the whole process to sell, install, IEC certify and service Induction Loop assisted listening systems in this region of the United States that has over eleven years of success. We do more than sell a box or run a wire around a room.

Benefits of Hearing Loop Systems

- Induction loops allow usage by telecoil equipped hearing aid users without a receiver/headset
- T-coil equipped users switch to the “T” setting on their hearing aid and no other equipment is needed
- Only induction loop systems can be used without a receiver/headset
- Anyone not T-coil equipped can receive signal using a receiver/headset
- Over 85% of hearing aids are fitted with a telecoil
- Hard of hearing advocacy groups actively promote the telecoils in hearing aids

Induction loops are inconspicuous: No announcing, “I am hard of hearing!”

- Increases usage of the assistive listening system by the HOH (Hard of Hearing)

Induction loops eliminate sanitation issues associated with headsets/earbuds

Induction loop systems maximize the effectiveness of a hearing aid

- Delivers personalized in-the-ear sound customized by one’s own hearing aids to address one’s own hearing loss

Induction loops are the most cost-effective assistive listening technology

- Hearing loops have a very long life.
- People will actually use a hearing loop. People don't like to wear the gear other systems require
- Most users already have their own receiver...
- Virtually eliminates the operating costs associated with receiver/headset issuance and retrieval, maintenance, and loss or damage to the receiver/headset units
- Temporary systems can be quickly and easily installed

Induction loop systems can be used indoors or outdoors

- No light intensity or line of sight issues that effect infrared systems
- No random signal issues that effect FM systems
- Don't need to wear all that headgear with their t-coil.

Finally:

- Industry leading products and loop design capability eliminate spillover and compensate for metal loss issues
- Phased array design engineering and specialized equipment eliminate spillover and compensate for metal loss. Back to back rooms can each be looped without cross-talk interference
- Expert installation guarantees years of trouble-free service with superb performance
- Internationally documented performance standards guarantee the product performance you expect.



Which Assistive Listening System user would you like to look like? Only Induction Loop Listening Systems can make you look like the man in this picture. He gets to keep his pride and dignity by not being required to ask for a listening device or wear a crown on his head declaring, “I’m handicapped.”

HearingLoop NW

P. Spencer Norby
HearingLoop NW
2522 N. Proctor #519
Tacoma, WA 98406



Testimonials
Induction Loop A.L.S.

St. Luke's Episcopal, Sequim:

Thank you for installing a loop system at St. Luke's, Sequim. Without the system I am almost deaf during the worship service, especially when parishioners pray and read the lessons. (Parishioners seldom project their voices and not all priests are good at getting through to the impaired hearing). I have stopped going to the church I attend in AZ as it is a waste of time.

William Evans

St. Luke's Induction Loop System, Sequim

Our Induction Loop System was installed in September 2009. I had been told by my audiologist how this system could assist hearing and comprehension beyond what the amplification of the P.A. system and my own hearing aids were providing. He was certainly right.

With the new system, simply adjusting my aid to the t-coil setting puts what is being said right in my ear. In the past, a lot of the sermon and announcements were lost to me, especially when people dropped their voice at the end of sentences or when they were not facing me.

Having the Loop System is so convenient. I have used receiver units that helped, but didn't always work well and the headphones were often uncomfortable and hard to adjust. We are spreading the word, and several of our congregants whose hearing aids were not set with t-coil capability have seen their provider to have it activated. They are as pleased as I am.

Working with Spencer Norby was a pleasure. His response to our requests for information was most prompt. His presentation to the Vestry was comprehensive and easy to understand. At our request, he gave us bids for several options that would work in our particular situation.

Once he received the special order equipment, Spencer installed the Loop System immediately. He was able to do the job, make the necessary adjustments and certify the system in less than two days. The wiring, which in the existing building has to be along the base of the wall, is unobtrusive, and most people do not notice it until it is pointed out.

I recommend Mr. Norby to anyone investigating installing an Induction Loop Assisted Listening System.

Sally Sue Barry
St. Luke's Episcopal Church
Sequim WA

Christ Lutheran Church, Lakewood

The induction loop system installed in Christ Lutheran Church has loop in the floor that produces sound to t-coil hearing aids regardless of where one is seated in the auditorium.

I do lectures in various types of facilities that use hearing assistance systems, and I am satisfied that Christ Lutheran has received a plus value for its installed system.

The Rev. Dr. Francis E. Jeffery
CH, Lt. Col., USAF (ret)
253-588-3478:

Testimonials from Jovita Baptist Church:

With the hearing loop system in our church I'm now able to hear every word clearly. The music is much clearer also. I get so much more out of the service now." Mary G.

"When my hearing aids are tuned to the new Hearing Loop System in our sanctuary, I can hear the pastor's message clearly and personally." Herb D.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME:

AGENDA ITEM: Kitsap County Conservation District Manzanita Watershed Interlocal Agreement - Public Works

SUMMARY: This Interlocal Agreement between the City of Bainbridge Island and the Kitsap Conservation District is to work collaboratively in providing information and services to property owners that will improve water quality and infiltrate more clean water into the aquifer system.

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve with the Consent Agenda.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

Amount:	\$13,000
Ongoing Cost:	
One-Time Cost:	\$13,000
Included in Current Budget?	Yes

BACKGROUND: It is the desire of both the City and the Kitsap Conservation District to work collaboratively in providing information and services to property owners that will improve water quality and infiltrate more clean water into the aquifer system. In anticipation of new wells and increased groundwater extraction, the state of Washington has asked local jurisdictions to plan for this future by increasing recharge and balancing the water cycle.

The City was granted funds from the National Estuary Program to mitigate stormwater runoff, improve baseflow in island streams, and heal the hydrologic cycle. The City plans to use a portion of these funds to inform the landowners and community members of the Manzanita Watershed about the issue of stormwater runoff and solutions they can undertake and also provide personalized design support and encourage landowners to implement the proposed designs.

There are approximately 1,376 acres of land in the Manzanita Watershed some of which has been altered from its natural state and is not served by stormwater mitigation facilities. This watershed has been identified as

having great potential for ecological restoration. One way to reach this goal is to reduce stormwater runoff at the residential site scale.

For more information follow the Watershed Assessment of Manzanita (WAM) project webpage:

<https://www.bainbridgewa.gov/1268>

This Agreement is made under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW.

ATTACHMENTS:

[ILA Between City and Kitsap Conservation District re Manzanita Watershed.docx](#)

FISCAL DETAILS: This expenditure is budgeted as part of the \$200,000.00 Near-term Action grant from the Department of Ecology. The amount is not to exceed \$13,000 from 2021 through 2022.

Fund Name(s): SSWM Fund

Coding: 72431832-541100-01129

**2021-2022 Interlocal Agreement Between the
City of Bainbridge Island and the Kitsap Conservation District
Regarding Watershed Assessment of Manzanita**

THIS INTERLOCAL AGREEMENT (“Agreement”) is made and entered into by and between the City of Bainbridge Island, a Washington state municipal corporation (“City”), and the Kitsap Conservation District, a Washington state municipal corporation (“District”), pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW.

WHEREAS, there are 1,376 acres of land in the Manzanita Watershed on Bainbridge Island, much of which is altered from its natural state and not served by stormwater mitigation facilities; and

WHEREAS, the City was granted funds from the National Estuary Program to mitigate stormwater runoff, improve baseflow in island streams, and heal the hydrologic cycle; and

WHEREAS, the District’s suite of services assists the City in implementing the tasks stated in the Watershed Assessment of Manzanita scope of work including general outreach to the community on green stormwater infrastructure; and

WHEREAS, the District has the expertise and experience to provide rain garden design and provide assistance to agriculture and non-agriculture property owners regarding land management activities and their impacts on water quality; and

WHEREAS, the City and the District desire to enter into an agreement and to work collaboratively in providing information and services to property owners that will protect water quality and infiltrate clean water into the aquifer system; and

WHEREAS, the Interlocal Cooperation Act, Chapter 39.34 RCW, further authorizes the parties hereto to enter into this Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the City and the District agree as follows:

1. SERVICES BY DISTRICT

The District shall perform such duties and services as are described in the scope of work attached hereto as **Attachment A**. All services funded under this Agreement shall be provided exclusively within the boundaries of incorporated City of Bainbridge Island. The District shall furnish all services, labor, and related equipment to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. PAYMENT

The City shall reimburse the District only for actual incurred costs upon presentation of a properly

executed invoice in a form approved by the City. Costs shall be charged and funds reimbursed based upon cost categories as set forth in **Attachment A**.

The sum of the District's reimbursement requests during the duration of this Agreement shall not exceed Thirteen Thousand Dollars (\$13,000). Reimbursement requests shall be submitted once a quarter at a maximum and once a year at a minimum. The City reserves the right to withhold payments pending timely delivery of progress reports or documents as may be required under this Agreement. The City shall reimburse the District within sixty (60) days of receipt of a properly executed District invoice.

3. GENERAL ADMINISTRATION AND MANAGEMENT

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

The Chair of the Board of Supervisors for the Kitsap Conservation District, or designee, shall represent the District in all matters pertaining to the services and materials to be rendered under this Agreement. All requirements of the City pertaining to the services or materials to be rendered under this Agreement shall be coordinated through the District's representative.

4. PROGRESS REPORTING

The District shall produce year-end reports summarizing the work performed and evaluating the performance and results of the work performed pertaining to this Agreement.

Progress reports shall include, but are not limited to, the following information:

- a. A description of work performed during the period and progress made to date, including performance indicators that reflect effectiveness of the program elements as set forth in **Attachment A**.
- b. A description of any adverse conditions that have affected the program objectives and/or time scheduled, and actions taken to resolve these issues.
- c. The year-end report shall contain a summary of major accomplishments realized during the year.

5. INSPECTION AND AUDIT

The District shall maintain all books, records, documents, and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the District shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy

such books, accounts, and records if necessary to conduct or document an audit. The District shall preserve and make available all such books of account and records for a period of five (5) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the District shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

6. INDEPENDENT CONTRACTOR

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

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

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

7. NONDISCRIMINATION AND COMPLIANCE WITH LAWS

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

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

C. Violation of this Section 7 shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension by the City, in whole or in part, and may result in ineligibility for further work for the City.

8. TERM AND TERMINATION OF AGREEMENT

A. This Agreement shall become effective upon execution by both parties and shall continue in full force until December 31, 2022, unless sooner terminated by either party as provided below.

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

9. HOLD HARMLESS AND INDEMNIFICATION

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

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

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

D. The City's inspection or acceptance of any of the District's work when completed shall not be grounds to avoid any of these covenants of indemnification.

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

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

10. INSURANCE

The District shall maintain insurance as follows:

Commercial General Liability as described in Attachment B.

Professional Liability as described in Attachment B.

Automobile Liability as described in Attachment B.

None

The District shall comply with the provisions of Title 51 RCW, Industrial Insurance. For the duration of this Agreement, the District shall provide or purchase industrial insurance coverage for its employees, as may be required of an “employer” as defined in Title 51 RCW, and shall maintain full compliance with Title 51 RCW.

11. SUBLETTING OR ASSIGNING CONTRACT

The District shall not assign or subcontract any portion of the services provided within the terms of this Agreement without obtaining prior written approval from the City. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the District as stated herein.

12. EXTENT OF AGREEMENT/MODIFICATION

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

13. SEVERABILITY

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

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

14. FAIR MEANING

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

15. NON-WAIVER

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

16. NOTICES

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

To the City: City of Bainbridge Island
 280 Madison Avenue North
 Bainbridge Island, WA 98110
 Attention: City Manager
 Phone: (206) 842-2545

To the District: Kitsap Conservation District
 10332 Central Valley Rd
 Poulsbo, WA 98370
 Attention: Chair of the Board of Supervisors
 Phone: (360) 204-5529
 Fax: (360) 204-5519

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

17. SURVIVAL

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

18. GOVERNING LAW

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

19. VENUE

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

20. COUNTERPARTS

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

IN WITNESS WHEREOF, the parties have executed this Agreement as of the later of the signature dates included below.

KITSAP CONSERVATION DISTRICT

CITY OF BAINBRIDGE ISLAND

Chair, Board of Supervisors

Ellen Schroer, Interim City Manager

Date: _____

Date: _____

ATTACHMENT A

Scope of Work for Technical Assistance Between the City of Bainbridge Island and the Kitsap Conservation District

PURPOSE

- Inform the landowners and community members of the Manzanita Watershed about the issue of stormwater runoff and solutions they can undertake.
- Provide personalized design support to the landowners of the watershed and encourage them to implement the designs.

The City and the District desire to enter into this Agreement and continue to work collaboratively in providing information and services to property owners.

SCOPE OF WORK

The District will partner with the City to develop and accomplish the following tasks:

- Task 1- Assess
- Task 2 – Outreach
- Task 3 - Design

TASK 1 – Watershed Assessment Process

1.1 The District will participate in the process to scientifically target areas for maximum stormwater mitigation, flow control, and/or infiltration with the Washington State Department of Ecology’s (“Ecology”) Puget Sound Watershed Characterization model.

1.2 Attend a maximum of 3 (three) 1-hour meetings, organized by the City, with Ecology staff and provide comments on the process to complete this task.

Budget NA

TASK 2 – Outreach

2.1 Help design and proof a website that describes the objectives of the watershed assessment and the process for designing a rain garden or other Low Impact Development (“LID”) feature, with the District. The webpage will be hosted on the City’s or the District’s website.

2.2 Provide design input and proofread a postcard that the City designs to reach out and inform property owners about the opportunity for free rain garden design and the general goals of the watershed assessment.

2.3 Print and send postcards to approximately 200 targeted property owners.

2.4 The District and other project partners will track engagement created from this mailer with separate landowners and provide records to the city at the end of the project.

Budget \$ 3,000

TASK 3 – Design

3.1 Achieve feedback from 5 property owners in the watershed (via the postcard or otherwise) interested in LID infrastructure solutions on their property.

3.2 Communicate options for LID retrofits and other best management practices to improve water quality of stormwater runoff and increase infiltration into the aquifer system with 5 property owners.

3.3 Complete final designs (90%) for at least 2 rain gardens or other non-engineered LID facilities to slow down, filter, and infiltrate stormwater runoff on 2 distinct properties (1 per property). Designs will include items such as material lists, planting plans, site layout, elevations, drainage calculations and maintenance manuals.

Budget \$ 10,000

ATTACHMENT B

Based on the types of insurance identified in Section 10 of the Agreement, the following insurance coverage shall be maintained by the District pursuant to this Agreement:

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

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

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

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

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

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



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: Transportation Benefit District (Traffic Calming and Climate Mitigation) Funding Discussion and Budget Amendment - Public Works,

SUMMARY: City staff will present options for moving forward with climate mitigation and traffic calming investments from the Transportation Benefit District fund as identified by the City Council in Resolution No. 2019-06 (attached).

AGENDA CATEGORY: Discussion

PROPOSED BY: Public Works

RECOMMENDED MOTION: Approve with the Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$35,000
Ongoing Cost:	N/A
One-Time Cost:	\$35,000
Included in Current Budget?	No

BACKGROUND: On January 22, 2019, the City Council passed Resolution No. 2019-06, earmarking a portion of the Transportation Benefit District funding for climate change mitigation and neighborhood traffic calming. Shortly after the resolution passed, Initiative 976 paused the City's ability to use the funding source for its intended purpose. The Initiative was overturned in the fall of 2020, and City staff is now prepared to offer the Council some options for spending the funding in line with the intent of the Resolution.

The staff proposal is as follows:

- The funding for climate mitigation (also identified in the Resolution as support for Kitsap Transit's BI-Ride transit service) was capped by Resolution No. 2019-06 at \$100,000. To date, those funds have been collected, and staff is recommending that action on that program be postponed until the completion of the Sustainable Transportation Plan.

- To date, the funds collected for traffic calming is approximately \$203,000, with \$70,000 set aside for the installation of radar feedback signs per the Council's direction in late 2019. The remaining balance in the fund for traffic calming projects expected by the end of 2021 is approximately \$330,000. The staff is proposing a budget amendment of \$35,000 to support the following work, in a manner consistent with Resolution No. 2019-06, which is attached for reference:

- \$15,000 for development of an Island-specific traffic calming handbook for reference in the development of neighborhood traffic calming projects;

- \$10,000 for community engagement and a preliminary analysis of traffic calming options for Grow Avenue (per the Council's previous direction);

- \$10,000 for a preliminary analysis of traffic calming and safety enhancements at the Grand Forest Miller Road crossing (in conjunction with the Parks District plan for expansion of the existing parking lot); and

- Formal solicitation of traffic calming requests from the community for evaluation later in the year.

ATTACHMENTS:

[Traffic Calming CIP Slides.pptx](#)

[Resolution No. 2019-06 Directing Use of Additional Vehicle License Fee Revenue Approved 012219.docx](#)

FISCAL DETAILS: New budget authority in the amount of \$35,000 is requested from the Transportation Benefit District funds.

Fund Name(s): Other

Coding:

Resolution 2019-06

Support Kitsap Transit BI
Ride Program @ \$100K max

\$100K max collected

Recommendation:

- Hold next steps until post-COVID and post STP

Support Neighborhood Traffic
Calming Program

\$203K collected to date
-\$70K RFB Signs
\$133K balance remaining

Est. 2021 EOY Balance = \$330K

Est. 2022 EOY Balance = \$547K

Recommendation:

- \$15K COBI traffic calming handbook
- \$10K Grow Ave eval
- \$10K Grand Forest/Schel Chelb X-ing eval
- Solicit public input on TC projects
- Evaluate w/ Council late summer

RESOLUTION NO. 2019-06

A RESOLUTION of the City of Bainbridge Island, Washington, specifying how revenue from the increase of the vehicle license fee from \$20 to \$30, as allowed under RCW 36.73.065, will be used.

WHEREAS, on August 22, 2012, the City Council adopted Ordinance No. 2012-14, establishing the Bainbridge Island Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district’s governing board, a fee of up to \$40.00 if a \$20.00 vehicle fee has been imposed for at least twenty-four months; and

WHEREAS, on January 9, 2013, the Bainbridge Island Transportation Benefit District adopted TBD Resolution No. 2013-01, establishing a \$20.00 vehicle license fee in accordance with RCW 36.73.065; and

WHEREAS, on December 1, 2015, the City Council adopted Ordinance No. 2015-31, assuming the rights, powers, functions, and obligations of the Bainbridge Island Transportation Benefit District in accordance with Chapter 36.74 RCW; and

WHEREAS, on January 22, 2019, the City Council adopted Resolution No. 2019-08, increasing the vehicle fee from \$20.00 to \$30.00; and

WHEREAS, all revenue from the City’s vehicle fee (“Revenue”) is deposited in the City’s Transportation Benefit Fund; and

WHEREAS, also on January 22, 2019, the City Council adopted Resolution No. 2019-07, updating the City’s Financial and Budget Policies to specify that, on an annual basis, two-thirds of the Revenue will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW for preservation of the roads network, and one-third of the Revenue will be applied to eligible projects and programs under Chapters 36.73 and 36.74 RCW that are specific to traffic calming and climate change mitigation; and

WHEREAS, the City Council now desires to provide more specificity as to the traffic calming and climate change mitigation projects that one-third of the Revenue will be used for; and

WHEREAS, Policy TR 1.3 of the City’s Comprehensive Plan is to “[e]ncourage and support the establishment of ride sharing and ride hailing services”; and

WHEREAS, Policy TR 8.2 of the City’s Comprehensive Plan is to “[s]upport the character of neighborhoods by providing neighborhood programs and projects for place making, traffic calming, greenways, appropriate street width, lighting for safety, curb cuts, and pedestrian and bicycle facilities as consistent with the Comprehensive Plan”; and

WHEREAS, Goal TR-12 of the City’s Comprehensive Plan is to “[d]evelop, operate, and maintain a transportation system that respects and protects the natural environment including the quality of the Island’s air, water and natural habitats”; and

WHEREAS, Policy TR 12.2 of the City’s Comprehensive Plan is to “[d]evelop transportation plans and programs that reduce travel demand, improve traffic flow and consider the impact to air quality including reducing greenhouse gas emissions. Support County, regional and state air quality goals and requirements.”

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

Section 1. In accordance with the City’s Financial and Budget Policies, this resolution describes traffic calming and climate change mitigation projects to be funded with one-third of the Revenue that will be collected between the date on which the Washington State Department of Licensing begins collection of the increased vehicle fee authorized under Resolution No. 2019-08 and January 22, 2023 (the “Time Period”).

Section 2. To reduce reliance on single-occupancy vehicles, relieve traffic congestion, and lower greenhouse gas output on Bainbridge Island, no more than \$100,000 of the one-third of the Revenue collected during the Time Period shall go toward working with Kitsap Transit to engage the community and communicate the benefits of the current BI Ride service. Efforts should go toward high-value and high-impact marketing outreach that shall include a metrics-based campaign designed to show an increase in awareness and use of the BI Ride service. Approved uses of the Revenue for this purpose include:

- A. Social media and traditional advertising and marketing efforts.
- B. Event awareness and subsidizing rides for targeted groups to include seniors and youth during specified times of the year.
- C. Collateral development for information campaigns with community groups.
- D. Stakeholder engagement and promotion with other taxing districts on Bainbridge Island.

Section 3. The City Council hereby establishes an annual neighborhood safety and traffic calming application process to fund small (less than \$50,000 per project) traffic calming and safety measures. The portion of the one-third of the Revenue collected during the Time Period not otherwise allocated by Section 2 of this resolution

shall be awarded by the City Council through this application process. The City Manager is directed to develop the application process, which must encompass the following:

- A. A web-based form for submitting proposed safety and traffic-calming projects.
- B. A process whereby City staff will work with the City Council to select and award projects in a manner that considers Island-wide geographic equity.
- C. Proposed projects must focus on measures that increase pedestrian and driver safety or provide an infrastructure-related benefit to the neighborhood in question.

Section 4. This resolution shall take effect immediately after its passage and shall remain in full force and effect until all Revenue collected during the Time Period has been expended.

PASSED by the City Council this 22nd day of January, 2019.

APPROVED by the Mayor this 22nd day of January, 2019.

By: /s/_____

Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: /s/_____
Christine Brown, City Clerk, CMC

FILED WITH THE CITY CLERK:	December 31, 2018
PASSED BY THE CITY COUNCIL:	January 22, 2019
RESOLUTION NO.	2019-06



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (7:20 PM) 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:

[March 24 Special Joint City Council Meeting.pdf](#)

[April 6 City Council Study Session.pdf](#)

[April 13 City Council Regular Business Meeting.pdf](#)

[April 20 City Council Study Session.pdf](#)

[April 27 City Council Regular Business Meeting.pdf](#)

[List of Proposed Future Council Topics.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

**SPECIAL CITY COUNCIL MEETING
WEDNESDAY, MARCH 24, 2021**

CITY COUNCIL AND ETHICS BOARD SPECIAL JOINT MEETING

REMOTE MEETING ON ZOOM

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

[HTTPS://BAINBRIDGEWA.ZOOM.US/J/97496529363](https://bainbridgewa.zoom.us/j/97496529363)

OR TELEPHONE: (253) 215 8782

WEBINAR ID: 974 9652 9363

AGENDA

1. **CALL TO ORDER/ROLL CALL - 6:00 PM**
2. **COUNCIL/ETHICS BOARD DISCUSSION**
 - 2.A **(6:05 PM) Review of Ethics Board Annual Report and Consideration of Requests for Council Feedback and Administrative Support, 60 Minutes**
[2021.2.9 Annual Report.pdf](#)
 - 2.B **(7:05 PM) Review of Pending Motions to Amend Ethics Board Operating Rules, 2 Hours**
[Deputy Mayor Deets_Suggested Motions for Council Ethics Discussion](#)
[Ethics Board Operating Rules - Revised and Adopted 10-19-2020](#)
[Resolution No. 2020-13 Updating the Code of Conduct and Ethics Program Approved 081120](#)
3. **FOR GOOD OF THE ORDER - 9:05 PM**
4. **ADJOURNMENT - 9:10 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.



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CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL STUDY SESSION
TUESDAY, APRIL 06, 2021**

REMOTE MEETING ON ZOOM

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

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OR TELEPHONE: US: +1 253 215 8782

WEBINAR ID: 929 4733 8351

AGENDA

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**
2. **EXECUTIVE SESSION**
3. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
4. **FUTURE COUNCIL AGENDAS**
 - 4.A **(x PM) Future Council Agendas**, 10 Minutes
5. **PRESENTATIONS**
6. **UNFINISHED BUSINESS**
 - 6.A **Multifamily Tax Exemption (MFTE) Update** 30 Minutes
 - 6.B **Update on Triangle Property – Executive, Planning**, 20 Minutes
7. **NEW BUSINESS**
8. **COUNCIL DISCUSSION**
 - 8.A **City Advisory Group Selection Process and General Feedback - Mayor Nassar**, 20 Minutes
 - 8.B **Consideration of Draft Resolution relating to Proclamations/Recognition – Mayor Nassar**, 10

Minutes

8.C **Discussion of Ward Meetings - Mayor Nassar**, 10 Minutes

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

10. **ADJOURNMENT**

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CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, APRIL 13, 2021**

REMOTE MEETING ON ZOOM

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR:

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OR TELEPHONE: US: +1 253 215 8782

WEBINAR ID: 929 4733 8351

AGENDA

1. **CALL TO ORDER/ROLL CALL**
2. **EXECUTIVE SESSION**
 - 2.A **(6:05 PM) 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, 20 Minutes**
3. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
4. **PUBLIC COMMENT**
 - 4.A **(x PM) Instructions for Providing Public Comment - City Clerk, 15 Minutes**
[Instructions for Providing Public Comment at Remote Meetings.docx](#)
5. **CITY MANAGER'S REPORT**
6. **CONSENT AGENDA**
 - 6.A **(PM) Agenda Bill for Consent Agenda, 5 Minutes**
 - 6.B **Accounts Payable and Payroll,**
 - 6.C **City Council Meeting Minutes**

- 6.D **Water Resource Inventory Area 15 Watershed Restoration and Enhancement Plan - Public Works,** 5 Minutes
- 6.E **Sound to Olympics Trail Sakai Pond Connector Contract Award - Public Works,**
- 6.F **Sustainable Transportation Plan Professional Services Agreement Amendment No. 2 with Budget Amendment - Public Works**

7. FUTURE COUNCIL AGENDAS

- 7.A **(x PM) Future Council Agendas,** 10 Minutes

8. PRESENTATION(S)

- 8.A **(x PM) Proclamation Declaring the Month of April 2021 as "Heritage Tree Month" - Planning,** 5 Minutes
- 8.B **(x PM) Proclamation Declaring April 22, 2021, as "Bainbridge Island Earth Day" - Mayor Nassar,** 5 Minutes
- 8.C **Recognition of Community Members - Mayor Nassar,** 10 Minutes
- 8.D **Historic Preservation Commission Work Plan** 10 Minutes

9. PUBLIC HEARING(S)

10. UNFINISHED BUSINESS

- 10.A **Ordinance No. 2021-07, Amending the Tree and Vegetation Chapters of the Municipal Code, per the Landmark Tree Ordinance Work Plan - Planning,** 10 Minutes
ORD 2021-07 Staff Memo 021121.pdf
Ordinance No. 2021-07 01212021 DRAFT.docx
ORD 2021-07 Exhibit A-Chapter 16.18 BIMC (Tree Removal, Forest Stewardship, and Vegetation Maintenance) DRAFT 12112020.docx
ORD 2021-07 Exhibit B-Chapter 16.32 BIMC (Protection of Landmark Trees) DRAFT 12112020.docx
ORD 2021-07 Exhibit C-Section 18.15.010 BIMC (Landscaping, screening, and tree retention, protection and replacement) DRAFT 01212021.docx
ORD 2021-07 Exhibit D-Section 16.20.100 BIMC (Aquifer Recharge Areas) DRAFT 01212021.docx
ORD 2021-07 Exhibit E-Community Forest Best Management Practices Manual DRAFT 12112020.docx

PC Public Hearing 2021-07 (2020-28)- submitted written comments and staff response.docx
SEPA DNS for 2021-07 .pdf
Ord 2021-07 SEPA checklist.pdf

10.B Consider Purchase of Islander Mobile Home Park Floor Area Ratio 30 Minutes

11. NEW BUSINESS

11.A (x PM) Ordinance No. 2021-05 (Formerly Ordinance No. 2020-04), Adopting Small Wireless Facility Design Standards, 30 Minutes

Ordinance No. 2021-05, Adopting Small Wireless Facility Design Standards - CC Public Hearing Draft
Ordinance No. 2020-04, Adopting Small Wireless Facility Design Standards - PC Public Hearing Draft
SWF Planning Commission Minutes 20201308

11.B (x PM) Ordinance No. 2021-06, Terminating the Interim Wireless Communications Facilities Ordinance No. 2020-22 5 Minutes

Ordinance No. 2021-06 Terminating Interim Official Control SWFs.

12. COUNCIL DISCUSSION

12.A Input on Scope of Work for Senior Natural Resources Planner Position - Executive, 5 Minutes

13. COMMITTEE REPORTS

14. FOR THE GOOD OF THE ORDER

15. ADJOURNMENT

GUIDING PRINCIPLES

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CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL STUDY SESSION
TUESDAY, APRIL 20, 2021**

REMOTE MEETING ON ZOOM

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OR TELEPHONE: US: +1 253 215 8782
WEBINAR ID: 929 4733 8351

AGENDA

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2. **EXECUTIVE SESSION**
3. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
4. **FUTURE COUNCIL AGENDAS**
 - 4.A **(x PM) Future Council Agendas**, 10 Minutes
5. **PRESENTATIONS**
 - 5.A **Proclamation - Declaring April 18-24 as "National Volunteer Week on Bainbridge Island" - Executive**, 5 Minutes
[National Volunteer Week Proclamation 2021.docx](#)
6. **UNFINISHED BUSINESS**
7. **NEW BUSINESS**
 - 7.A **Eagle Harbor Phase I Non-Motorized Improvements Project Scope Discussion - Public Works**, 20 Minutes
 - 7.B **Winslow Wastewater Treatment Plant Influent/Effluent Study Results**
20 Minutes

8. COUNCIL DISCUSSION

- 8.A **(x PM) Workplan Discussion - City Council**, 20 Minutes
[Presentation - Workplan for CC 03022021.pdf](#)
[2021 Workplan Memo for CC 03022021 - Final for packet.pdf](#)
[2021 Work Plan -- Policy Projects -- annotated.docx](#)
- 8.B **Ordinance relating to Procedures for Processing Conduct Complaints Among City Councilmembers and Citizen Committee Members - Mayor Nassar**, 15 Minutes
[Procedures for Processing Conduct Complaints Among City Councilmembers and Citizen Committee Members.docx](#)

9. FOR THE GOOD OF THE ORDER

10. ADJOURNMENT

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CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, APRIL 27, 2021

REMOTE MEETING ON ZOOM

AGENDA

1. CALL TO ORDER / ROLL CALL- 6:00 PM
2. EXECUTIVE SESSION
3. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
4. PUBLIC COMMENT
 - 4.A [\(xx PM\) Instructions for Providing Public Comment - City Clerk](#), 15 Minutes
[Instructions for Providing Public Comment at Remote Meetings.docx](#)
5. CITY MANAGER'S REPORT
6. CONSENT AGENDA
 - 6.A [\(PM\) Agenda Bill for Consent Agenda](#), 5 Minutes
 - 6.B [Accounts Payable and Payroll](#),
 - 6.C [City Council Meeting Minutes](#)
7. FUTURE COUNCIL AGENDAS
8. PRESENTATION(S)
 - 8.A [Environmental Technical Advisory Committee \(ETAC\) Presentation of Groundwater Fact Sheet](#), 10 Minutes
9. PUBLIC HEARING(S)
10. UNFINISHED BUSINESS

11. NEW BUSINESS
12. COUNCIL DISCUSSION
13. COMMITTEE REPORTS
14. FOR THE GOOD OF THE ORDER
15. ADJOURNMENT

GUIDING PRINCIPLES

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

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

Memorandum

Date: March 23, 2021
To: City Council
From: Ellen Schroer, Interim City Manager
Subject: Proposed Future City Council Topics

The table below provides a list of potential future City Council topics that have been identified by one or more councilmembers but have not yet been placed on an agenda, or added to an agenda for consideration of placement.

TOPIC

- Consideration of Changes to Sign Code
- Follow up to Ethics Board/City Council Joint Meeting
- Review of draft County-wide Planning Policies



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (7:30 PM) Proclamation Declaring March 24, 2021 as "Education and Sharing Day" - Mayor Nassar,

SUMMARY: The attached proclamation declares March 24, 2021 as "Education and Sharing Day" in the City of Bainbridge Island.

AGENDA CATEGORY: Proclamation

PROPOSED BY: City Council

RECOMMENDED MOTION: I move to authorize the Mayor to sign the proclamation declaring March 24, 2021 as "Education and Sharing Day."

STRATEGIC PRIORITY: Healthy and Attractive Community

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[Proclamation - Education and Sharing Day 2021.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



PROCLAMATION

A PROCLAMATION by the City Council of the City of Bainbridge Island, Washington, declaring March 24, 2021 as "Education and Sharing Day, Bainbridge Island."

WHEREAS, a quality education is one of the significant foundations for the continuing success of our state, our country, and our society at large; and in the city of Bainbridge Island, we strive for the betterment of all of our citizens through an increased focus on education and sharing; and

WHEREAS, through providing the possibility of an excellent education for all, especially children, with which to gain knowledge through rigorous study, we can create hope for a brighter, kinder and more united and prosperous future in the lives of so many; and

WHEREAS, one of the leading global advocates for the advancement of education, the Lubavitcher Rebbe, Rabbi Menachem Schneerson, of righteous memory, stressed the importance of moral and ethical education as the bedrock of humanity and the hallmark of a healthy society, and strongly urged that education be reinforced by the inculcation of strong moral values; and

WHEREAS, in recognition of the Rebbe's outstanding and lasting contributions toward improvements in world education, morality, and acts of charity, he was awarded the Congressional Gold Medal, and the United States Congress has established his birthdate as a national day to raise awareness and strengthen the education of our children; and

WHEREAS, for more than forty years the President of the United States has recognized and honored the Rebbe's vision each year on that day by proclaiming it "Education & Sharing Day USA"; and

WHEREAS, we presently battle a global pandemic which has disrupted traditional models of education across our nation, while concurrently motivating a focus on the stronger core values we wish to impart to children and adults, beyond academic achievement; and

WHEREAS, we can nurture the unity of diverse peoples through encouraging increased acts of goodness and kindness, imbued with awareness that even a single positive act of an individual can make a major impact in this world; and

NOW, THEREFORE, I, Rasham Nassar, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby proclaim March 24, 2021, as "EDUCATION AND SHARING DAY" in the City of Bainbridge Island and call upon government officials, educators, volunteers, and citizens to reach out to those within your communities and work to create a better, brighter, and more hopeful future for all.

DATED this 23rd day of March, 2021

Rasham Nassar, Mayor



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 5 Minutes

AGENDA ITEM: (7:35 PM) Proclamation Declaring March 2021 as "Brain Injury Awareness Month" - Mayor Nassar,

SUMMARY:

The attached proclamation declares March 2021 as "Brain Injury Awareness Month." It is one of the approved annual proclamations that the Mayor may sign without further Council action.

AGENDA CATEGORY: Proclamation

PROPOSED BY: Executive

RECOMMENDED MOTION:

Presentation only.

STRATEGIC PRIORITY: Healthy and Attractive Community

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[Brain Injury Awareness Month Proclamation 2021.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



PROCLAMATION

A PROCLAMATION by the City Council of the City of Bainbridge Island, Washington, declaring March 2021 as “Brain Injury Awareness Month.”

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

WHEREAS, according to the Brain Injury Association of America, each year an estimated 2.5 million children and adults in the United States sustain a traumatic brain injury (TBI) and another 795,000 individuals sustain an acquired brain injury (ABI) from nontraumatic causes. TBIs can affect the functionality of the brain – affecting thinking, reasoning, and memory; and

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

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

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

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

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

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

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

NOW THEREFORE I, Rasham Nassar, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby proclaim March 2021 as

BRAIN INJURY AWARENESS MONTH

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

SIGNED this 23rd day of March, 2021.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 20 Minutes

AGENDA ITEM: (7:40 PM) Ordinance No. 2021-03 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes,

SUMMARY: Ordinance No. 2021-03 is an action item related to phase one of code changes that were recommended by the joint City Council/Planning Commission land use subcommittee. The Council endorsed moving forward with this first phase of code changes from the subcommittee at the October 13, 2020 meeting.

This ordinance implements part of these phase one changes. Some of the code changes proposed by Ordinance No. 2021-03 can be described as housekeeping, or clarifying in nature, and the other changes generally fall into 2 categories:

- The ordinance clarifies that the Planning Director and Hearing Examiner should give substantial weight to Planning Commission recommendations on certain land use matters, including recommendations of denial.
- The ordinance prohibits new hotels in the Central Core, Gateway, and Ferry Terminal districts. Currently, hotels are a conditional use in these zones.

The Planning Commission discussed this body of work last fall, and on December 10, 2020 held a public hearing and voted to recommend the ordinance to the City Council.

The attached version of the ordinance has been updated and revised based on the Council's consideration of this matter, including on February 9 and February 11, 2021.

AGENDA CATEGORY: Ordinance

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION: I move to forward Ordinance No. 2021-03 for consideration of approval as part of the Consent Agenda for the April 13, 2021 City Council meeting.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

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

BACKGROUND: On June 22, 2020, the City Council formed a City Council and Planning Commission joint land use subcommittee ("Joint Subcommittee") consisting of Councilmembers Carr, Hytopoulos, and Pollock. The Planning Commission selected commissioners Bill Chester, Kim McCormick-Osmond, and Lisa Macchio to serve on the Joint Subcommittee. The Council directed the Joint Subcommittee to "provide recommendations to the Council on a process to clarify an approach for affordable housing initiatives as well as to develop a process and list for undertaking work on priorities for land use code revisions."

The list of recommended priority code changes from the Joint Subcommittee was presented to the Council on October 13, 2020 and recommended to be forwarded to the Commission for immediate legislative work, with only item #13 related to site-specific rezones not endorsed for immediate work (see attached Joint Subcommittee Recommendations). The Joint Subcommittee requested, with the Council's approval, that the Planning Commission complete its portion of the required legislative work as follows: (1) Miscellaneous code revisions December 31, 2020; (2) Major projects decision criteria January 31, 2021; (3) MFTE program December 31, 2020.

The Planning Commission discussed the code changes forwarded from the Council at their meeting on October 29, 2020. The Planning Commission recommended separating the list of changes into two categories (see attached Planning Commission Workplan document), as follows:

1. Disparate Code changes identified by the Joint Subcommittee as "Triage" or housekeeping changes will move forward with Planning Commission review in a 1st phase "Triage" ordinance. Prohibiting new hotels in the MUTC Central Core, Gateway, and Ferry Terminal districts is also part of Phase 1 (hotels are currently a conditional use in these zones). Code changes are described by the Joint Subcommittee in the attached Planning Commission work plan. Draft Ordinance No. 2021-03 (formerly 2020-40) makes these phase 1 changes.

2. Code changes that relate to the nature and order of meetings and requirements that occur prior to applying for a land use permit (i.e., conceptual meeting, design guidance, preapplication conference) and how and when the Design Review Board and Planning Commission are involved in these early meetings. Members of the Planning Commission have been discussing these issues with representatives from the Design Review Board and City staff. This work would then be integrated into a second "triage" ordinance. The Commission discussed the two-phase workplan again at the November 12, 2020 Planning Commission meeting, and confirmed that the Phase 1 changes should be integrated into a draft ordinance.

The Commission then reviewed Draft Ordinance No. 2021-03 (formerly 2020-40) on November 19, 2020, and forwarded the ordinance to a public hearing on December 10, 2020. After closing the public hearing, the Planning Commission voted to recommend approval of Draft Ordinance No. 2021-03 (formerly 2020-40) to the City Council. See attached recorded motion.

The City Council has previously identified improving access to affordable housing as a high priority for the City. Therefore, on February 9, 2021, the Council decided to consider on a high-priority basis adoption of regulations to increase the duration of affordability described in BIMC 18.21.020.B. from 30 years to 50 years for rental units and 99 years for home-ownership units. The Council approved this change in Ordinance No. 2021-11 on February 11, 2021. Therefore, the changes that were adopted in Ordinance No. 2021-11 that used to be in draft Ordinance No. 2021-03 have been removed from Ordinance No. 2021-03.

Additionally, a new section has been added to Ordinance No. 2021-03 to clarify the Council's intent related to the prospective nature of certain sections of the ordinance and the extent to which those sections apply in the context of current projects that have received a described level of land use permitting approval.

ATTACHMENTS:

[Ordinance No. 2021-03 Triage Code Updates.docx](#)

[Exhibit A to Ord 2021-03.docx](#)

[ORD 2020-40 Planning Commission Recorded Motion 121020.pdf](#)

[20201029 Planning Commission Workplan for Joint Land Use Subcommittee Recommendations.pdf](#)

[20201013 Joint Land Use Subcommittee Memorandum Initial Recommendations Recovered.pdf](#)

[20201013 Joint Land Use Subcommittee Attachment A Table.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ORDINANCE NO. 2021-03

[Formerly Ordinance No. 2020-40]

AN ORDINANCE of the City of Bainbridge Island, Washington, amending BIMC 2.16.030, 2.16.040, 2.16.110, 2.16.125, 2.16.190, 18.09.030, and Table 18.09.020 related to priority clarifying code changes and prohibiting new hotels in certain zoning districts.

WHEREAS, on June 22, 2020, the City Council formed a City Council and Planning Commission joint land use subcommittee (“Joint Subcommittee”) directed by the Council to, among other things, develop a process and list for undertaking work on priorities for land use code revisions; and

WHEREAS, the Joint Subcommittee’s first phase of work included identifying urgent land use code changes; and

WHEREAS, the City Council endorsed the Planning Commission approach of beginning work on the first phase of work at their meeting on October 13, 2020; and

WHEREAS, the Planning Commission considered the proposed changes on October 29, November 12, and November 19, 2020; and

WHEREAS, the Planning Commission held a public hearing on this ordinance, which was then titled as Ordinance No. 2020-40, on December 10, 2020, and after closing the public hearing, made a recommendation of approval of Ordinance No. 2020-40 to the City Council; and

WHEREAS, notice was given on December 17, 2020, to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

WHEREAS, on February 9, 2021, the City Council discussed enacting the housing affordability provisions of Ordinance No. 2021-03 (formerly Ordinance No. 2020-40) related to updates to BIMC 18.21.020 on a priority basis and allowing for additional time for consideration related to the other provisions of Ordinance No. 2021-03, based on the Council’s concern about the limited number of affordable housing units on Bainbridge Island; and

WHEREAS, at a special meeting on February 11, 2021, the City Council approved Ordinance No. 2021-11 updating BIMC 18.21.020 and, therefore, those provisions have been removed from this Ordinance No. 2021-03; and

WHEREAS, the City Council considered this ordinance at its meeting on March 23, 2021; and

WHEREAS, as articulated in the Planning Commission’s Recorded Motion from its December 10, 2020 meeting, this ordinance, in relevant part, clarifies that the Planning Director and the Hearing Examiner should give substantial weight to Planning Commission recommendations of approval on land use permits, including recommendations of denial, and prohibits new hotels in the Central Core, Gateway, and Ferry Terminal zoning districts; and

WHEREAS, as also articulated in the Planning Commission’s Recorded Motion from its December 10, 2020 meeting, this ordinance, in relevant part, is intended to provide clarity to the decision-maker with respect to the treatment of a Planning Commission recommendation of denial and whether a decision can be remanded to the Hearing Examiner, and to clarify that the prohibition on new hotels in the referenced zoning districts is intended to allow for the completion by the Planning Commission and the City Council of a review of definition and use standards to determine if and how new hotels within these specific zoning districts is a use consistent with the City’s Comprehensive Plan.

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

Section 1. Section 2.16.030.D. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

D. Decision Procedures.

1. **Criteria for Decision.** In making the decision, the department director shall consider the applicable decision criteria of this code, all other applicable law, and any necessary documents and approvals. When no other criteria are specified, the director shall apply the following criteria:
 - a. The application must comply with all applicable requirements of the BIMC as well as state and federal law.
 - b. The application is consistent with the adopted comprehensive plan, and specifically with the character or intended character of the area in which the property is located, as described in the comprehensive plan.
2. **Environmental Review.** For a land use application subject to Chapter 43.21C RCW and Chapter 16.04 BIMC, a SEPA threshold determination may be issued simultaneously with the final decision of the land use application.
3. **Planning Commission Recommendation.** When written public comments are received during the public comment period concerning the effect of the land use application on the comprehensive plan, shoreline master program or matters not addressed by specific provisions of this code, the director may request the planning commission to review an application and make a written recommendation prior to the director making a decision. The planning

commission will consider the land use application at a public meeting. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria of this code, all other applicable law, and any necessary documents and approvals. If the applicable criteria are not met, the planning commission shall recommend the proposal be modified or denied. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation. The planning commission's written recommendation and other documents upon which its decision is based shall be immediately transmitted to the director and shall be given substantial weight by the director in making a decision.

Section 2. Section 2.16.040.E.5. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

5. Review and Recommendation by Planning Commission.
 - a. In the case of a major site plan and design review application, the planning commission shall review the application prior to the review and final decision by the director.
 - b. The purpose of the planning commission review and recommendation meeting is to review a proposed project for consistency with applicable design guidelines, BIMC Title 17, and the comprehensive plan.
 - c. The planning commission shall consider the application at a public meeting where public comments will be taken. The planning commission shall recommend approval, approval with conditions or denial of an application. In making a recommendation, the planning commission shall consider the applicable decision criteria, all other applicable law, and the recommendation of the design review board. If the applicable criteria are not met, the planning commission shall recommend the proposal be modified or denied.
 - d. The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.
 - e. The planning commission will forward its written findings of facts and conclusions, their determination of the project's consistency with the comprehensive plan, and their recommendation, including any conditions attached by the planning commission and design review board, to the staff planner. The planning commission's written findings will be included in the staff report transmitted to the director. The planning commission's recommendation shall be given substantial weight by the director in making a decision.

- f. A planning commission recommendation is not a final decision and therefore there is no appeal of the recommendation.

Section 3. Section 2.16.040.E.6. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

6. Review and Approval by Director.

- a. The director shall review the application materials, information provided by the health district and city engineer, staff report, any public comments received, the recommendations of the design review board and, in the case of major site plan and design review applications, the recommendations of the planning commission, and shall make a final decision based on:
 - i. In the case of a minor site plan and design review application, the final decision on an application is made by the director based on (A) decision criteria in subsection F of this section, (B) the DRB recommendation, and (C) consideration of any public comments received.
 - ii. In the case of a major site plan and design review application, the director will make the final decision based on (A) the decision criteria in subsection F of this section, (B) the recommendation of the planning commission, (C) the recommendation of the design review board, and (D) consideration of any public comments received. The design review board and planning commission's recommendation shall hold substantial weight in the consideration of the application by the director. Any deviation from that recommendation shall be documented in the director's report.
- b. The director shall make compliance with the recommendations of the design review board and/or planning commission a condition of approval, unless the director concludes that the recommendations:
 - i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;
 - ii. Exceed the authority of the design review board or planning commission;
 - iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or
 - iv. Conflict with requirements of local, state, or federal law.
- c. The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation:

- i. Reflects inconsistent application of design guidelines, the Comprehensive Plan, or any applicable provisions of this code;
- ii. Exceeds the authority of the design review board or planning commission;
- iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
- iv. Conflicts with requirements of local, state, or federal law.

Section 4. Section 2.16.040.F. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

F. Decision Criteria. The director and planning commission shall base their respective recommendations or decisions on site plan and design review applications on the following criteria:

- 1. The site plan and design is consistent with all applicable provisions of the BIMC, design guidelines, the Comprehensive Plan, and applicable subarea and master plans; and
- 2. The locations of the buildings and structures, open spaces, and landscaping result in a context-sensitive design; and
- 3. The Kitsap public health district has determined that the site plan and design meets the following decision criteria:
 - a. The proposal conforms to current standards regarding domestic water supply and sewage disposal; or if the proposal is not to be served by public sewers, then the lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system; and
 - b. If the health district recommends approval of the application with respect to those items in subsection F.3.a of this section, the health district shall so advise the director; and
 - c. If the health district recommends disapproval of the application, it shall provide a written explanation to the director; and
- 4. The streets and nonmotorized facilities, as proposed, are adequate to accommodate anticipated traffic; and
- 5. The city engineer has determined that the site plan and design meets the following decision criteria:
 - a. The site plan and design conforms to regulations concerning drainage in Chapters 15.20 and 15.21 BIMC; and

- b. The site plan and design will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use of properties downstream; and
 - c. The streets, nonmotorized facilities, locations of the buildings, structures, and vehicular circulation systems as proposed align with and are otherwise coordinated with streets and nonmotorized facilities serving adjacent properties and are adequate, safe, efficient and consistent with the Island-Wide Transportation Plan; and
 - d. If a traffic study shows that the proposed development will have an adverse impact on traffic, including nonmotorized traffic, the impact shall be mitigated as required by the city engineer; and
 - e. If the site will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the site, and the required service(s) can be made available at the site; and
 - f. The site plan and design conforms to the “City of Bainbridge Island Engineering Design and Construction Standards and Specifications,” unless the city engineer has approved a deviation from the standards; and
- ~~6. The site plan and design is consistent with applicable design guidelines in BIMC Title 18; and~~
- 6.7. No harmful or unhealthful conditions are likely to result from the proposed site plan; and
- ~~8. The site plan and design is consistent with the comprehensive plan and other applicable adopted community plans; and~~
- 7.9. If the subject property contains a critical area or buffer, as defined in Chapter 16.20 BIMC, the site plan and design review permit conforms to all requirements of that chapter; and
- 8.10. If the subject property is within the shoreline jurisdiction, as defined in Chapter 16.12 BIMC, the site plan and design review permit conforms to all requirements of that chapter; and
- 9.11. If the applicant is providing privately owned open space and is requesting credit against dedications for park and recreation facilities required by BIMC 17.20.020.C, the requirements of BIMC 17.20.020.D have been met;
- 10.12. The Bainbridge Island fire department has reviewed the application and determined that the site plan has been properly designed to ensure fire protection; and

~~11~~ 13. The site plan and design has been prepared consistent with the purpose and review procedures of this chapter.

Section 5. Section 2.16.110.E.4. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

4. Review by Director.
 - a. The director shall review the application materials, staff report, and the recommendations of the planning commission and shall prepare a report to the hearing examiner recommending approval, approval with conditions, or disapproval of the application.
 - b. The planning commission's recommendation shall hold substantial weight in the consideration of the application by the director. Any deviation from that recommendation shall be documented in the director's report.
 - c. The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation:
 - i. Reflects inconsistent application of design guidelines, the Comprehensive Plan, or any applicable provisions of this code;
 - ii. Exceeds the authority of the design review board or planning commission;
 - iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
 - iv. Conflicts with requirements of local, state, or federal law.

Section 6. Section 2.16.110.E.5 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

5. Review and Public Hearing with Hearing Examiner.
 - a. The hearing examiner shall consider the application materials and the director's recommendation at a public hearing following the procedures of BIMC 2.16.100.C and applicable provisions of BIMC 2.16.020.
 - b. The hearing examiner shall make compliance with the recommendations of the planning commission a condition of approval, unless the hearing examiner concludes that the recommendations:
 - i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;

- ii. Exceed the authority of the design review board or planning commission;
 - iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or
 - iv. Conflict with requirements of local, state, or federal law.
- c. The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation:
- i. Reflects inconsistent application of design guidelines, the Comprehensive Plan, or any applicable provisions of this code;
 - ii. Exceeds the authority of the design review board or planning commission;
 - iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
 - iv. Conflicts with requirements of local, state, or federal law.
- d. The hearing examiner may approve, approve with conditions, deny, or remand an application.

Section 7. Section 2.16.125.E.7. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

7. Review and Public Hearing with Hearing Examiner.
- a. The hearing examiner shall consider the application materials and the director's recommendation at a public hearing following the procedures of BIMC 2.16.100.C and applicable provisions of BIMC 2.16.020.
 - b. The hearing examiner shall make compliance with the recommendations of the planning commission a condition of approval, unless the hearing examiner concludes that the recommendations:
 - i. Reflect inconsistent application of design guidelines or any applicable provisions of this code;
 - ii. Exceed the authority of the design review board or planning commission;
 - iii. Conflict with SEPA conditions or other regulatory requirements applicable to the project; or

- iv. Conflict with requirements of local, state, or federal law.
- c. The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation:
 - i. Reflects inconsistent application of design guidelines, the Comprehensive Plan, or any applicable provisions of this code;
 - ii. Exceeds the authority of the design review board or planning commission;
 - iii. Conflicts with SEPA conditions or other regulatory requirements applicable to the project; or
 - iv. Conflicts with requirements of local, state, or federal law.

Section 8. Section 2.16.190.G.1. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

- 1. Preapplication Conference. Prior to submittal of a comprehensive plan amendment application, the applicant or applicant’s representative shall attend a preapplication conference in accordance with the procedures of BIMC 2.16.020.I. City staff will notify the planning commission if preapplication conferences are scheduled and representatives from the planning commission may attend the preapplication meeting to provide early identification of potential comprehensive plan consistency issues. Interested persons ~~citizens~~ may attend the preapplication meeting.

Section 9. Table 18.09.020 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

Section 10. Section 18.09.030.D.1. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

D. Commercial Sales and Service.

- ~~1. Hotel. In the ferry overlay district, hotels are permitted south of Winslow Way only.~~

Section 11. For clarity, Sections 9 and 10 of this Ordinance No. 2021-03 apply prospectively only based on the effective date of the ordinance. As relates to current projects to which this ordinance could potentially apply, this ordinance is applicable to development projects that do not have an approved land use permit with the City and which also have not 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 related to that same project.

Section 12. 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 13. 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:	March 19, 2021
PASSED BY THE CITY COUNCIL:	_____, 2021
PUBLISHED:	_____, 2021
EFFECTIVE DATE:	_____, 2021
ORDINANCE NUMBER:	2021-03

Exhibit A to Ordinance No. 2021-03

Table 18.09.020 Use Table

"P" = Permitted Use	"A" = Accessory Use	Additional use restrictions for Chapters 16.12 and 16.20 BIMC may apply to shoreline or critical area properties																	
"C" = Conditional Use	"CA" = Conditional Accessory Use																		
Blank = Prohibited Use	"T" = Temporary Use																		
ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14	Winslow Mixed Use Town Center				HSR I and II	NC	B/I	WD-I	Use-Specific Standards BIMC 18.09.030
USE CATEGORY/TYPE											CC	MA	EA	Gate	Ferry [1]				
COMMERCIAL SALES AND SERVICE Note: Commercial Sales and Service uses may be subject to additional requirements in BIMC 16.12.040.D, Commercial Development.																			
Accommodation																			
Bed and Breakfast (3+ bedrooms)	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P		
Inn											P	P	P	P	P	P	P		
Hotel											C			C	C	P			D-1



PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	December 10, 2020
Ordinance:	Ordinance 2020-40 - Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes
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

Most of the code changes proposed by Ordinance 2020-40 fall into 3 categories:

1. Clarifies that the Planning Director and Hearing Examiner should give substantial weight to Planning Commission recommendations on land use permits, including recommendations of denial.
2. Prohibits new hotels in the Central Core, Gateway and Ferry Terminal zoning districts.
3. Increases the duration of required affordability for designated affordable housing from 30 years to 50 years for rentals and 99 years for homeownership.

The intent of the proposed changes to the weight given to Planning Commission recommendations is to:

- Provide clarity to the decision maker with respect to the treatment of a Planning Commission denial and whether a decision can be remanded by the Hearing Examiner;
- Provide durations of affordability for rental and homeownership projects under Section 18.21.020.B; and
- Prohibit hotels in the referenced zoning districts while review of definition and use standards is completed to determine if and how hotels within these zoning districts are a use consistent with the comprehensive plan. (Table 18.09.020 and Definition 18.36.030.)

Recommendation:

The Planning Commission recommends the City Council:

- Approve the ordinance.
 Approve the ordinance as amended.



PLANNING COMMISSION RECORDED MOTION

	Deny the ordinance.
--	---------------------

Recorded motion on December 10, 2020:

I will move to recommend that this Ordinance draft be sent forward to the City Council and prepared for their deliberation and decision.
Quitslund/McCormick Osmond

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	7			

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Chair

Date: 12/15/20


Administrative Specialist, Planning and Community Development

Date: 12/16/20

**City Council/Planning Commission Joint Subcommittee on Land Use
Recommended Short-Term Land Use Code Revisions Confirmed by City Council on October 13, 2020**

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
<p>**Note: If specific new/revised language is being proposed, it is underlined.</p>			
<p>ISSUE</p>		<p>Revisions to Chapter 2.16 regarding Land Use Review Process</p>	
<p>GOAL</p>		<p>Provide comprehensive early review of proposed projects to identify potential Comprehensive Plan consistency issues and provide clarity to role of PC in review and weight given to PC recommendations by decisionmakers</p>	
<p>RATIONALE</p>		<p>The intent of these proposed changes to the review process is to alert project applicants at an early stage of project development to the potential for Comprehensive Plan consistency issues, thereby reducing the amount of time and money spent on proposed project elements that may have Comp Plan issues/problems. The intent of proposed changes to the weight given to PC recommendations is to provide clarity to the decisionmaker with respect to those recommendations, including a recommendation of denial.</p>	
<p>1</p>	<p>2.16.020.I.5</p>	<p>Preapplication Procedure – Revise the two-step preapplication process for projects where DRB review and a preliminary application conference are required to make the first step a joint meeting with the DRB and PC to discuss design concept and comprehensive plan consistency, with the second step to be a preapplication conference.</p>	<p>Planning Commission will meet with the Design Review Board (full DRB or representatives) to review and discuss proposed changes to the early phases of development review. DRB and PC will confirm what code changes are necessary to achieve more effective feedback and participation by the right land use body at the right time during the early phase of development review, with a goal of reducing the total number of early meetings that an applicant needs to attend.</p>
<p>2</p>	<p>2.16.020.I.6</p>	<p>Preapplication Procedure – move public participation meeting (PPM) for long subdivision, major site plan and design review permits and major conditional use permits to follow the preapplication conference. <i>Background: PPM happens after first conceptual design meeting with DRB; trying to cut down number of times applicant has to go back to advisory body/meeting; want PPM to be as meaningful as possible; project can change significantly after PPM with the current review procedure</i></p>	<p>These changes will be combined into a 2nd “Triage” ordinance once the DRB and PC are done with their review/discussion.</p>

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
**Note: If specific new/revised language is being proposed, it is underlined.			
3	2.16.020.S	Remove or revise Housing Design Demonstration Projects section to conform with revisions to the HDDP program	No Code Change Needed. Staff clarification at meeting that HDDP program relies on underlying land use permits (e.g. Site Plan and Design Review or Preliminary Subdivision ,see BIMC 2.16.020.S.3).
4	2.16.030	Revise Administrative Review section to conform with proposed changes to order of meetings re DRB/PC/Staff and Preapplication conference	For 2 nd "Triage" ordinance, see #1 and #2 above
5	2.16.030.D.3	Administrative Review decision procedures – PC recommendation – revise last sentence (underlined below) to state "The planning commission's written recommendation and other documents upon which its decision is based shall be immediately transmitted to the director <u>and shall be given substantial weight by the director in making a decision.</u> "	Consider for 1 st Triage Ordinance
6	2.16.040.D	Site plan and design review – Review Procedures – Proposal stage. Make changes consistent with earlier suggestions for joint DRB/PC initial meeting and PC participation in Preapplication Conference.	For 2 nd "Triage" ordinance, see #1 and #2 above
7	2.16.040.E.5.e	Review procedures – application stage. Review and Recommendation by PC – add " <u>The planning commission's recommendation shall be given substantial weight by the director in making a decision.</u> "	Consider for 1 st Triage Ordinance
8	2.16.040.E.6	Review and Approval by the Director – add the following subsection c.: " <u>The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law.</u> " <i>Background: This proposed new language is same as existing code language for approval/approval with conditions; this adds same standard for denial.</i>	Consider for 1 st Triage Ordinance

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
**Note: If specific new/revised language is being proposed, it is underlined.			
9	2.16.040.F.1	<p>Decision Criteria – revise to read as follows: <u>“The site plan and design is consistent with all applicable provisions of the BIMC, design guidelines, the Comprehensive Plan and applicable subarea and master plans.”</u></p> <p><i>Background: Want to verify that we can require consistency with Comprehensive Plan, subarea plans, and master plans when there is not a specific provision in municipal code. Is this proposed language the correct way to do it? Need clarity/legal opinion.</i></p>	Consider for 1 st Triage Ordinance. In adding reference to the design guidelines, comprehensive plan and other applicable plans to section F.1, the same reference to consistency for design guidelines (section F.6) and comp plan/other plans (section F.8) can be deleted.
10	2.16.110.D, E	Major Conditional Use Permit Review Procedures – revise to conform with proposed changes to order of meetings re DRB/PC/Staff and preapplication conference, substantial weight to be given to PC recommendation by Director. Add: <u>“The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law.”</u>	Consider for 1 st Triage Ordinance; additional legal review necessary. Section D or E may have to be updated again in 2 nd round.
11	2.16.110.E.5	Review and public hearing with Hearing Examiner: Add: <u>“The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law.”</u>	Consider for 1 st Triage Ordinance, additional legal review necessary

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
**Note: If specific new/revised language is being proposed, it is underlined.			
12	2.16.125.D, E	Preliminary long subdivisions – Review Procedures – revise to conform with proposed changes to order of meetings re DRB/PC/Staff and preapplication conference, substantial weight to be given to PC recommendation by Director. Add: <u>“The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law.”</u>	Consider for 1 st Triage Ordinance, additional legal review necessary. Section D or E may have to be updated again in 2 nd round.
13	2.16.140.C	Site specific rezones – no PC or DRB review or recommendation currently required. NOTE: 10/13 City Council Meeting Recommended NOT moving this forward.	Do not move forward at this time.
14	2.16.190.G, H	Legislative comprehensive plan amendments – review process and decision criteria – revise to add PC to preapplication conference to provide early identification of potential Comp Plan consistency issues; review decision criteria for additions/revisions	Consider for 1 st Triage Ordinance PC to Review Decision Criteria on 11/12
ISSUE			
		Hearing Examiner rules do not specify when the HEX is required or authorized to remand a decision	
GOAL			
		Clarify Hearing Examiner remand	
RATIONALE			
		The Hearing Examiner rules need clarification on remand	
15	2.14.030	Add language specifying when HEX is required or authorized to remand a decision.	Consider for 1 st Triage Ordinance, Pending additional legal review necessary.
ISSUE			
		Hotels of any size are allowed by conditional use permit in the Central Core, Gateway, and Ferry Terminal zoning districts	
GOAL			
		Prohibit hotels in Central Core, Gateway, and Ferry Terminal zoning districts	

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
**Note: If specific new/revised language is being proposed, it is underlined.			
RATIONALE		As currently defined, hotels in these districts are not consistent with the Comprehensive Plan	
16	Table 18.09.020 Definition 18.36.030	In the short-term, hotels should be prohibited in these zoning districts while review of definition and use-specific standards is completed to determine if/how hotels within these zoning districts is a use consistent with the Comprehensive Plan.	Consider for 1 st Triage Ordinance
ISSUE		No minimum duration of affordability for home ownership units specified; ownership affordable housing available as affordable only once, then can be sold at market rate	
GOAL		Create long-term affordable housing for home ownership units in perpetuity (or 99 years?)	
RATIONALE		Period of affordability needed to justify the added density	
17	18.21.020.B.2	<p>Revise code language to specify duration of affordability for home ownership units. Ensure consistency with BIMC 18.12 cross-references.</p> <p><i>Background: This is a stop-gap until broader AH program completed and specific questions answered, such as: What is mechanism to allow for some value capture/return on investment at sale for owner? Look into HRB Ferncliff Village – CLT model. Do we need to recommend the CLT model? Or create mechanism within City?</i></p> <p><i>Example: See BIMC 2.16.020.S.4.a.iii (HDDP program) -- Designated affordable housing shall remain affordable for 99 years from the time of final inspection on the affordable unit. The applicant shall record covenants that demonstrate how the unit will remain affordable and be managed for 99 years.</i></p>	Consider for 1 st Triage Ordinance

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes
**Note: If specific new/revised language is being proposed, it is underlined.			
18	18.21.020.B	<p>Existing code: Rental Units. Affordable rental housing units created as a result of the provisions of this chapter shall remain affordable for a period of 30 years from the time of first occupancy and shall be secured by recorded agreement and covenant running with the land, binding all the assigns, heirs and successors of the applicant.</p> <p>Should the current code for rental units be changed from 30 to 50 years to be consistent with state law? Need legal review of duration of affordability for rental units to ensure consistency with RCW 36.70A.540 (minimum 50 year affordability required; does this apply?)</p>	Consider for 1 st Triage Ordinance.



CITY OF
BAINBRIDGE ISLAND

City council and planning commission
joint land use sub-committee

Memorandum

Date: October 13, 2020
To: City Council
From: City Council and Planning Commission Joint Land Use Subcommittee
Subject: Initial Recommendations for Land Use Code Revisions

I. Introduction

This memorandum presents the joint land use subcommittee's recommendations on priorities for land use code revisions and requests that the City Council forward them to the Planning Commission for immediate legislative work. The recommendations are grouped into three focus areas: miscellaneous code revisions, major projects decision criteria, and adoption of a multi-family tax exemption program. Additional detail about these recommendations and the joint land use subcommittee's work in general is provided below.

II. Background

On June 22, 2020, the City Council formed a City Council and Planning Commission joint land use subcommittee (subcommittee) consisting of Councilmembers Carr, Hytopoulos, and Pollock. The Planning Commission selected commissioners Bill Chester, Kim McCormick-Osmond and Lisa Macchio to serve on the subcommittee. The City Council directed the subcommittee to "provide recommendations to the Council on a process to clarify an approach for affordable housing initiatives as well as to develop a process and list for undertaking work on priorities for land use code revisions."

The subcommittee meets twice monthly on Mondays from noon – 2 pm via Zoom. The subcommittee first met on August 3, 2020 and has met a total of five times.

In general, the subcommittee is approaching its work in two phases:

- Short-term revisions to the land use code: This work addresses the City Council's direction to provide a "process and list for undertaking work on priorities for land use code revisions." These

are items almost all of which have been previously identified by City Council members and/or the Planning Commission as specific provisions of the land use code that are urgent, and that can be addressed relatively quickly. Many of these items have been discussed at one or more Planning Commission (and/or Design Review Board) meetings as a result of their role in major project review, including conditional use permits (CUPs).

- Long-term approach to revisions to the land use code, in particular affordable housing initiatives and associated policy and regulatory tools: This work addresses the City Council's direction to "provide recommendations to the Council on a process to clarify an approach for affordable housing initiatives." The "approach for affordable housing initiatives" is understood to include a broad suite of policy and regulatory tools associated with affordable housing initiatives, including inclusionary zoning, MFTE program, floor area ratio (FAR), TDR program, agricultural resource lands (ARL) designation, and Winslow Master Plan.

This memorandum provides an overview of the subcommittee's recommendations for short-term revisions to the land use code.

III. Overview of Short-Term Recommendations for Land Use Code Revisions

This work responds to the Council's direction to provide a list of priorities for land use code revisions. The subcommittee's recommendations fall into three categories:

1. Miscellaneous code revisions

The subcommittee is recommending a number of revisions to the municipal code that can be addressed relatively quickly. As noted above, most have been previously identified through the City's review of major projects. These proposed revisions are shown in Attachment A. The revisions focus on specific provisions of four subsections of the municipal code:

- Land use review procedures (weight of decisions; sequence of review) – BIMC 2.16
- Hearing Examiner rules (clarity of remand) – BIMC 2.14
- Permitted use table (hotel in certain zoning districts) – BIMC 18.09
- Affordable housing (duration of affordability) – BIMC 18.21

Proposed revisions to the municipal code are grouped by "issue." For each issue, the goal and rationale for the revision(s) is provided. In some cases, a brief background and/or example is included to provide additional context from the subcommittee's discussion. Each issue has one or more specific code sections proposed for revision.

2. Major projects decision criteria

During discussions on these short-term items, the subcommittee identified two additional items to be addressed: decision criteria for major conditional use permits and preliminary long subdivisions (BIMC 2.16.110.F and BIMC 2.16.125.F, respectively). The subcommittee considers these items to be urgent but recognizes that they make take longer to address. While decision criteria for major projects were revised relatively recently, recent project review by the Planning Commission has demonstrated that they warrant further review, clarification, and potential additions.

3. Multi Family Tax Exemption Program

The subcommittee recommends that the City Council adopt a 12-year multi-family tax exemption (MFTE) program. This was a recommendation of the Affordable Housing Task Force in 2018 and the Planning Commission in 2019. The subcommittee recognizes that a MFTE program may achieve more affordable units or “deeper” affordability when used in tandem with inclusionary zoning. That said, it is a stand-alone program that could produce affordable units on its own. Given the low complexity of adopting a MFTE program, there is little benefit to further delay.

IV. Next Steps

The subcommittee is requesting that the City Council forward the recommendations herein to the Planning Commission and to direct the Planning Commission to complete its piece of the required legislative work as follows:

1. Miscellaneous code revisions	December 31, 2020
2. Major projects decision criteria	January 31, 2021
3. MFTE program	December 31, 2020

The subcommittee anticipates that the process for this work will follow the typical legislative review process as articulated in BIMC 2.16.180 (Legislative review of land use regulations and area-wide rezones). This process includes review by the Planning Commission, including a public hearing. The Planning Commission’s written recommendation on the proposed amendments will be forwarded to the City Council. The City Council has the option to hold a public hearing. The City Council may approve the revisions (through adoption of an ordinance) or return the matter to the subcommittee, City staff, or Planning Commission for further review.

Once these items are forwarded to the Planning Commission, the subcommittee will pivot to its second phase of work (Long-term approach to affordable housing initiatives and associated land use policy and regulatory tools).

Attachment A

City Council/Planning Commission Joint Subcommittee on Land Use

Recommended Short-Term Land Use Code Revisions – DRAFT for October 13, 2020 City Council Meeting

Item	Code Reference	Recommendation
<p>**Note: If specific new/revised language is being proposed, it is underlined.</p>		
ISSUE	Revisions to Chapter 2.16 regarding Land Use Review Process	
GOAL	Provide comprehensive early review of proposed projects to identify potential Comprehensive Plan consistency issues and provide clarity to role of PC in review and weight given to PC recommendations by decisionmakers	
RATIONALE	The intent of these proposed changes to the review process is to alert project applicants at an early stage of project development to the potential for Comprehensive Plan consistency issues, thereby reducing the amount of time and money spent on proposed project elements that may have Comp Plan issues/problems. The intent of proposed changes to the weight given to PC recommendations is to provide clarity to the decisionmaker with respect to those recommendations, including a recommendation of denial.	
1	2.16.020.I.5	Preapplication Procedure – Revise the two-step preapplication process for projects where DRB review and a preliminary application conference are required to make the first step a joint meeting with the DRB and PC to discuss design concept and comprehensive plan consistency, with the second step to be a preapplication conference.
2	2.16.020.I.6	Preapplication Procedure – move public participation meeting (PPM) for long subdivision, major site plan and design review permits and major conditional use permits to follow the preapplication conference. <i>Background: PPM happens after first conceptual design meeting with DRB; trying to cut down number of times applicant has to go back to advisory body/meeting; want PPM to be as meaningful as possible; project can change significantly after PPM with the current review procedure</i>
3	2.16.020.S	Remove or revise Housing Design Demonstration Projects section to conform with revisions to the HDDP program
4	2.16.030	Revise Administrative Review section to conform with proposed changes to order of meetings re DRB/PC/Staff and Preapplication conference
5	2.16.030.D.3	Administrative Review decision procedures – PC recommendation – revise last sentence (underlined below) to state “The planning commission’s written recommendation and other documents upon which its decision is

Item	Code Reference	Recommendation
**Note: If specific new/revised language is being proposed, it is underlined.		
		based shall be immediately transmitted to the director <u>and shall be given substantial weight by the director in making a decision.</u> "
6	2.16.040.D	Site plan and design review – Review Procedures – Proposal stage. Make changes consistent with earlier suggestions for joint DRB/PC initial meeting and PC participation in Preapplication Conference.
7	2.16.040.E.5.e	Review procedures – application stage. Review and Recommendation by PC – add <u>"The planning commission's recommendation shall be given substantial weight by the director in making a decision."</u>
8	2.16.040.E.6	<p>Review and Approval by the Director – add the following subsection c.: <u>"The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law."</u></p> <p><i>Background: This proposed new language is same as existing code language for approval/approval with conditions; this adds same standard for denial.</i></p>
9	2.16.040.F.1	<p>Decision Criteria – revise to read as follows: <u>"The site plan and design is consistent with all applicable provisions of the BIMC, design guidelines, the Comprehensive Plan and applicable subarea and master plans."</u></p> <p><i>Background: Want to verify that we can require consistency with Comprehensive Plan, subarea plans, and master plans when there is not a specific provision in municipal code. Is this proposed language the correct way to do it? Need clarity/legal opinion.</i></p>
10	2.16.110.D, E	Major Conditional Use Permit Review Procedures – revise to conform with proposed changes to order of meetings re DRB/PC/Staff and preapplication conference, substantial weight to be given to PC recommendation by Director. Add: <u>"The director shall adopt a planning commission recommendation of denial of an application unless the director concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law."</u>
11	2.16.110.E.5	Review and public hearing with Hearing Examiner: Add: <u>"The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the</u>

Item	Code Reference	Recommendation
**Note: If specific new/revised language is being proposed, it is underlined.		
		<u>recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law."</u>
12	2.16.125.D, E	Preliminary long subdivisions – Review Procedures – revise to conform with proposed changes to order of meetings re DRB/PC/Staff and preapplication conference, substantial weight to be given to PC recommendation by Director. Add: <u>"The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the recommendation: (i) reflects inconsistent application of design guidelines, the Comprehensive Plan or any applicable provisions of this code; (ii) exceeds the authority of the design review board or planning commission; (iii) conflicts with SEPA conditions or other regulatory requirements applicable to the project; or (iv) conflicts with requirements of local, state or federal law."</u>
13	2.16.140.C	Site specific rezones – no PC or DRB review or recommendation currently required. (see item 13 above)
14	2.16.190.G, H	Legislative comprehensive plan amendments – review process and decision criteria – revise to add PC to preapplication conference to provide early identification of potential Comp Plan consistency issues; review decision criteria for additions/revisions
ISSUE		
Hearing Examiner rules do not specify when the HEX is required or authorized to remand a decision		
GOAL		
Clarify Hearing Examiner remand		
RATIONALE		
The Hearing Examiner rules need clarification on remand		
15	BIMC 2.14.030	Add language specifying when HEX is required or authorized to remand a decision.
ISSUE		
Hotels of any size are allowed by conditional use permit in the Central Core, Gateway, and Ferry Terminal zoning districts		
GOAL		
Prohibit hotels in Central Core, Gateway, and Ferry Terminal zoning districts		
RATIONALE		
As currently defined, hotels in these districts are not consistent with the Comprehensive Plan		
16	Table 18.09.020	In the short-term, hotels should be prohibited in these zoning districts while review of definition and use-specific standards is completed to determine if/how hotels within these zoning districts is a use consistent with the Comprehensive Plan.
	Definition	

Item	Code Reference	Recommendation
<p>**Note: If specific new/revised language is being proposed, it is underlined.</p>		
	18.36.030	
ISSUE		No minimum duration of affordability for home ownership units specified; ownership affordable housing available as affordable only once, then can be sold at market rate
GOAL		Create long-term affordable housing for home ownership units in perpetuity (or 99 years?)
RATIONALE		Period of affordability needed to justify the added density
17	18.21.020.B.2	<p>Revise code language to specify duration of affordability for home ownership units. Ensure consistency with BIMC 18.12 cross-references.</p> <p><i>Background: This is a stop-gap until broader AH program completed and specific questions answered, such as: What is mechanism to allow for some value capture/return on investment at sale for owner? Look into HRB Ferncliff Village – CLT model. Do we need to recommend the CLT model? Or create mechanism within City?</i></p> <p><i>Example: See BIMC 2.16.020.S.4.a.iii (HDDP program) -- Designated affordable housing shall remain affordable for 99 years from the time of final inspection on the affordable unit. The applicant shall record covenants that demonstrate how the unit will remain affordable and be managed for 99 years.</i></p>
18	18.21.020.B	<p>Existing code: Rental Units. Affordable rental housing units created as a result of the provisions of this chapter shall remain affordable for a period of 30 years from the time of first occupancy and shall be secured by recorded agreement and covenant running with the land, binding all the assigns, heirs and successors of the applicant.</p> <p>Should the current code for rental units be changed from 30 to 50 years to be consistent with state law? Need legal review of duration of affordability for rental units to ensure consistency with RCW 36.70A.540 (minimum 50 year affordability required; does this apply?)</p>



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:00 PM) Review Scope of Work and Workplans for Joint Land Use Subcommittee, Affordable Housing Council Ad Hoc Committee, and Hazard Pay Council Ad Hoc Committee - Executive,

SUMMARY: The City Council will review the attached subcommittee and ad hoc forms to confirm the scopes of work.

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION: I move to approve the scope of work and workplans as described in the committee forms submitted for Council review in this March 23, 2021 agenda packet.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

BACKGROUND: It is the City's practice to formalize the creation of subcommittees and ad hoc committees to provide transparency and clarity about the intent of these temporary working groups.

The following groups were created in February 2021 :

1. Affordable Housing Council Ad Hoc Committee
2. Grocery Worker Hazard Pay Council Ad Hoc Committee
3. Joint Land Use Subcommittee with membership from City Council, Planning Commission and the Design Review Board.

ATTACHMENTS:

[Affordable Housing Ad Hoc Committee Request Form and Workplan.docx](#)

[Grocery Worker Hazard Pay Ad Hoc Committee Request Form and Workplan.docx](#)

[Joint Land Use Subcommittee Proposal Form and Workplan.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



Ad Hoc Committee Formation Request Form

REQUEST DATE: REQUESTED BY:

PROCEDURAL AUTHORITY/GOVERNANCE MANUAL REFERENCE(S):

NAME OF PROPOSED COMMITTEE:

PURPOSE/SCOPE OF WORK:

SPECIAL TASK DELIVERABLES (RECOMMENDATIONS, REPORTS, ETC.):

LINK TO CITY COUNCIL/DEPT. WORK PLAN:

REPORTS TO: CITY COUNCIL CITY MANAGER SUNSET DATE:

PUBLIC PARTICIPATION/EDUCATION REQUIRED: YES NO STAFF SUPPORT REQUIRED: YES NO

FORM OF STAFF SUPPORT NEEDED:

CITY MANAGER'S COMMENTS:

MEMBERS:

PROPOSED MOTION:

DATE ACTION TAKEN:



CITY OF
BAINBRIDGE ISLAND

AFFORDABLE HOUSING SUBCOMMITTEE

SCOPE OF WORK

Three councilmembers will serve on the subcommittee. The subcommittee will:

- Provide a recommendation for next steps to initiate a Housing Action Plan or other approach for affordable housing initiatives.
- Provide a recommendation for the most appropriate working group to move this work forward.

Recommendations of ad hoc committee for March 23, 2021:

1. Move forward with a housing action plan (HAP).
2. Move forward/continue working on a suite of work plan items while the HAP is under development.
3. Continue ad hoc committee; then make recommendation for future working group/committee.



Ad Hoc Committee Formation Request Form

REQUEST DATE: REQUESTED BY:

PROCEDURAL AUTHORITY/GOVERNANCE MANUAL REFERENCE(S):

NAME OF PROPOSED COMMITTEE:

PURPOSE/SCOPE OF WORK:

SPECIAL TASK DELIVERABLES (RECOMMENDATIONS, REPORTS, ETC.):

LINK TO CITY COUNCIL/DEPT. WORK PLAN:

REPORTS TO: CITY COUNCIL CITY MANAGER ANTICIPATED SUNSET DATE:

PUBLIC PARTICIPATION/EDUCATION REQUIRED: YES NO STAFF SUPPORT REQUIRED: YES NO

FORM OF STAFF SUPPORT NEEDED:

CITY MANAGER'S COMMENTS:

MEMBERS:

PROPOSED MOTION:

DATE ACTION TAKEN:



CITY OF
BAINBRIDGE ISLAND

GROCERY WORKER HAZARD PAY COUNCIL AD HOC COMMITTEE
SCOPE OF WORK

- Research and explore the possibility of an ordinance for hazard pay for grocery store workers



Subcommittee Formation Request Form

REQUEST DATE: REQUESTED BY:

PROCEDURAL AUTHORITY/GOVERNANCE MANUAL REFERENCE(S):

NAME OF PROPOSED SUBCOMMITTEE:

COUNCIL/COMMITTEES INVOLVED:

NUMBER OF MEMBERS FROM EACH MEETING BODY:

PURPOSE/SCOPE OF WORK:

SPECIAL TASK DELIVERABLES (RECOMMENDATIONS, REPORTS, ETC.):

LINK TO CITY COUNCIL/DEPT. WORK PLAN:

REPORTS TO: CITY COUNCIL CITY MANAGER ANTICIPATED SUNSET DATE:

PUBLIC PARTICIPATION/EDUCATION REQUIRED: YES NO STAFF SUPPORT REQUIRED: YES NO

FORM OF STAFF SUPPORT NEEDED:

CITY MANAGER'S COMMENTS:

MEMBERS:

PROPOSED MOTION:

DATE ACTION TAKEN:



JOINT LAND USE SUBCOMMITTEE

SCOPE OF WORK

- Review three titles of the Municipal Code – Chapters 16, 17 and 18
 - Review Title 16, Environment. Identify areas which need clarification for consistency within the code.
 - Review Title 17, Subdivisions and Boundary Line Adjustments. Identify areas which need clarification for consistency within the code.
 - Review Title 17, Subdivisions and Boundary Line Adjustments. Identify areas which need clarification for consistency with Design for Bainbridge.
 - Review Title 18, Zoning. Identify areas which need clarification for consistency within the code.
 - Review Title 18, Zoning. Identify areas which need clarification for consistency with Design for Bainbridge.

- Provide a set of recommendations for the Council for its consideration and approval on a quarterly basis.



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: (8:10 PM) Ordinance No. 2021-13 Relating to Hazard Pay for Grocery Workers - Executive,

SUMMARY: The City Council will consider adoption of an emergency ordinance relating to hazard pay for grocery workers on Bainbridge Island. Other local governments in the region and throughout the country have adopted measures on this issue related to assisting grocery workers in their role on the front lines of the COVID pandemic, and the Council directed the City Attorney to prepare an ordinance in this regard for the Council's consideration. That ordinance is attached to this agenda item.

AGENDA CATEGORY: Ordinance

PROPOSED BY: City Council

RECOMMENDED MOTION: I move to adopt emergency Ordinance No. 2021-13 related to hazard pay for grocery workers on Bainbridge Island.

STRATEGIC PRIORITY: Healthy and Attractive Community

FISCAL IMPACT:

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

BACKGROUND: At its meeting on February 23, 2021, the City Council took action to create a Council ad hoc committee consisting of Councilmembers Deets and Fantroy-Johnson to research the possibility of an ordinance regarding hazard pay for grocery workers, and directed the City Attorney to do a preliminary analysis of the associated legal risks related to such an ordinance. The ad hoc committee and the City Attorney have gathered information and researched and analyzed this matter and the City Attorney has prepared an ordinance for the Council's consideration. The ordinance is written as an emergency ordinance, which means that if it is adopted as such, it will become effective immediately.

On March 18, 2021, the City of Seattle successfully defended a very similar ordinance that was challenged in federal court. That court decision (see attached) was instructive for the City Attorney and the Council ad hoc committee in considering this matter and preparing an ordinance to meet the intent as thus far expressed by the Council.

ATTACHMENTS:

[Ordinance No. 2021-13 \(Hazard Pay for Grocery Workers\)](#)

[Order of Dismissal - Northwest Grocery Association v. City of Seattle](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

ORDINANCE NO. 2021-13

AN ORDINANCE of the City of Bainbridge Island, Washington, establishing a hazard pay requirement for additional compensation for certain grocery employees within the City of Bainbridge Island to protect the public health and safety; authorizing interpretative authority; providing for severability; declaring an emergency; and establishing an immediate effective date.

WHEREAS, the new coronavirus 19 (“COVID-19”) disease is caused by a virus that spreads easily from person to person and may result in serious illness or death, and is classified by the World Health Organization as a worldwide pandemic; and

WHEREAS, COVID-19 has broadly spread throughout Washington state and remains a significant health risk to the community, especially members of our most vulnerable populations; and

WHEREAS, on February 3, 2021, the City Council of the City of Seattle adopted Ordinance 126274 on an emergency basis, and that ordinance, like this ordinance, relates to hazard pay for employees (“Seattle Hazard Pay for Grocery Employees Ordinance”); and

WHEREAS, a legal challenge to the Seattle Hazard Pay for Grocery Employees Ordinance was dismissed with prejudice on March 18, 2021 by Judge Coughenour, United States District Court Judge for the United States District Court for the Western District of Washington, Seattle Division, and this Ordinance No. 2021-13 for Bainbridge Island is intended to be consistent with the legal principles that the United States District Court and other courts have determined to be acceptable and legally sound; and

WHEREAS, based on information from the Seattle Hazard Pay for Grocery Employees Ordinance, the Brookings Metropolitan Policy Program, in October 2020, reported that the United States’ top retail companies, including grocery businesses, have earned record-breaking profits during the pandemic; and

WHEREAS, grocery employees have been supporting grocery businesses’ operations and facilitating community access to food during the pandemic, despite facing a clear and present danger of workplace exposure to COVID-19 and receiving limited or inconsistent additional pay in recognition of this hazard; and

WHEREAS, the dangers of working during the pandemic are especially significant for Black, Indigenous, and People of Color (“BIPOC”) employees who are overrepresented among the retail frontline workforce and who are disproportionately impacted by COVID-19; and

WHEREAS, establishing a requirement for grocery employees to receive hazard pay for work performed in Bainbridge Island during the COVID-19 emergency will promote job retention, compensate applicable employees for the risks of working on the frontlines of a global pandemic, improve their financial ability to access resources for protecting themselves and their

families from catching or spreading the virus or coping with illness caused by the virus, and support the welfare of the greater community that depends on grocery employees for safe and reliable access to food; and

WHEREAS, the City encourages employers of essential frontline workers to help facilitate the distribution of COVID-19 vaccines to their employees as vaccines become available; and

WHEREAS, recognizing the ongoing threat to frontline grocery employees, several California cities, including Berkeley, Long Beach, Los Angeles, and San Francisco, as well as Los Angeles County, have announced legislative efforts to require hazard pay of \$4 to \$5 per hour for grocery employees during the COVID-19 emergency, and more cities are expected to announce similar legislation; and

WHEREAS, the City strives to be a leader on wage, labor, and workforce practices that improve workers' lives, support economic security, and contribute to a fair, healthy, and vibrant economy; and

WHEREAS, establishing a labor standard that requires hazard pay for grocery employees is a subject of vital and imminent concern to the community and requires appropriate action by the City Council; and

WHEREAS, the City has the authority under state law, including Chapters 35A.11 and 35A.13 RCW, to exercise its police powers, and the City is granted authority to enact regulations designed to protect and promote public health, safety, and welfare; and

WHEREAS, this ordinance protects and promotes public health, safety, and welfare during the COVID-19 emergency by requiring grocery businesses to provide hazard pay for grocery employees performing work on Bainbridge Island, thereby increasing retention of employees who provide essential services on the frontlines of a global pandemic and paying additional compensation to those employees for the hazards of working with significant exposure to an infectious disease; and

WHEREAS, on January 30, 2020, the World Health Organization (“WHO”) declared that COVID-19 constituted a public health emergency of international concern, WHO’s highest level of alarm; and

WHEREAS, on February 29, 2020, Washington Governor Jay Inslee issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout the state of Washington in response to new cases of COVID-19, and directing state agencies to use all resources necessary to prepare for and respond to the outbreak; and

WHEREAS, on March 9, 2020, then City Manager Morgan Smith issued a Proclamation of Emergency in accordance with Chapter 2.44 of the Bainbridge Island Municipal Code in response to new cases of COVID-19, which authorized the City Manager to exercise the

emergency powers necessary to take extraordinary measures to save lives and protect public health and safety or to avert or lessen a threat of a major disaster; and

WHEREAS, on March 10, 2020, the City Council adopted Resolution No. 2020-06, which recognized the existence of the COVID-19 public health emergency, affirmed and ratified the City Manager’s Proclamation of Emergency, and authorized the emergency procurement of goods and services to address the emergency; and

WHEREAS, on March 23, 2020, Washington Governor Inslee issued Proclamation 20-25, a “Stay Home – Stay Healthy” order, closing all non-essential workplaces, requiring people to stay home except to participate in essential activities or to provide essential business services, and banning all gatherings for social, spiritual, and recreational purposes, and this order was extended through May 31, 2020; and

WHEREAS, the “Stay Home – Stay Healthy” proclamation identified grocery employees as “Essential Critical Infrastructure Workers” performing work to protect communities and ensure continuity of functions critical to public health and safety, as well as economic and national security; and

WHEREAS, on May 4, 2020, Washington Governor Inslee announced a “Safe Start” plan to start on June 1, 2020 to reopen Washington’s economy in phases with adequate social distancing measures and health standards in place; and

WHEREAS, based on the Seattle Hazard Pay for Grocery Employees Ordinance, in October 2020, the British Medical Journal, Occupational & Environmental Medicine, reported that grocery employees face a serious risk of COVID-19 infection and associated psychological distress, and a study of 104 grocery employees at a grocery store in Boston, Massachusetts, found that 20 percent tested positive for COVID-19 despite 91 percent of employees reporting wearing a face mask at work and 77 percent of employees reporting wearing masks outside of work, and the positive rate of infection among grocery employees was five times as likely for those who interacted with customers than for those who did not; and

WHEREAS, that same study found that 76 percent of employees had no symptoms, suggesting that these employees could be an important reservoir of asymptomatic infection, and 24 of the 99 employees who filled out a related medical health questionnaire also reported experiencing anxiety, and eight employees were deemed depressed from their questionnaire answers; and

WHEREAS, based on the Seattle Hazard Pay for Grocery Employees Ordinance, in November 2020, the Brookings Metropolitan Policy Program reported that the profits of top retail companies, including grocery businesses, soared during the pandemic while their employees earned low wages and, with few exceptions, failed to receive consistent or meaningful additional compensation for performing life threatening work; and

WHEREAS, that same report found that the top retail companies in their analysis earned on average an extra \$16.7 billion in profit compared to the previous year – a 40 percent increase,

and frontline retail employees experienced little of this windfall, averaging a 10 percent pay increase on top of wages that were often too low to meet a family's basic needs; and

WHEREAS, on January 3, 2021, the Center for Disease Control (“CDC”) reported that multiple COVID-19 variants are circulating globally that appear to spread more easily and quickly than other variations; and

WHEREAS, studies show that a variant first detected in the United Kingdom (“U.K.”) in September 2020, known as B.1.1.7, is 50 to 70 percent more transmissible than the previously circulating form of the COVID-19 virus and is responsible for more than half of new infections in the U.K., and cases in the United States have occurred in several states; and

WHEREAS, studies show that a highly contagious COVID-19 variant first detected in South Africa may pose a risk to COVID antibody treatments; and

WHEREAS, the Washington State Department of Health (“WSDOH”) has provided updates related to vaccines that are authorized for emergency use by the United States Food and Drug Administration, and in December 2020, the WSDOH published a COVID-19 vaccine estimated timeline beginning in December 2020 with a “Phase 1.A.” for high-risk health care workers in healthcare settings, high-risk first responders, long term care facility residents, and continuing for other identified high-risk individuals; and

WHEREAS, the timeline stated that future phases would be announced for May through December 2021, and initially WSDOH’s COVID vaccine timeline indicated that all grocery employees would be eligible for vaccination in February 2021, although modified timelines have since been issued; and

WHEREAS, although vaccines are becoming more available, there have been serious issues with logistics and supplies locally, across Washington state, and around the nation; and

WHEREAS, on January 5, 2021, Governor Inslee announced the “Healthy Washington—Roadmap to Recovery,” a COVID-19 phased recovery plan beginning on January 11, 2021 that started with every region in Phase 1, such that regions have been allowed to reopen when they meet certain metrics related to hospitalization and case data; and

WHEREAS, based on information from the Washington State Department of Health as of March 19, 2021, thus far in this pandemic there have been a total of 5,174 deaths throughout Washington state due to COVID-19, and statewide there have been 353,792 positive COVID-19 cases; and

WHEREAS, based on information from the Kitsap Public Health District as of March 19, 2021, thus far in this pandemic there have been a total of 90 deaths in Kitsap County due to COVID-19, and Kitsap County has experienced 6,058 positive COVID-19 cases, including 271 on Bainbridge Island, 1,000 in North Kitsap, 1,426 in Central Kitsap, 1,620 in Bremerton, and 1,741 in South Kitsap, and the rate of positive cases per 100,000 is currently 77.5 over the past 14 days; and

WHEREAS, throughout the entirety of the COVID-19 emergency, grocery businesses have been operating on Bainbridge Island and relying upon the work of grocery employees who are highly vulnerable to health and safety risks; and

WHEREAS, grocery employees are essential workers performing services that are fundamental to the economy and health of the community during the COVID-19 crisis, and they face clear and present dangers at their jobs and continue to risk their lives and the health of their families to keep the community's food supply chain operating; and

WHEREAS, grocery employees cannot choose to work from home and must come to work to perform their jobs, which can involve substantial interaction with customers and/or ventilation systems that could potentially spread the virus, and they are wearing masks, trying as much as possible to social distance, performing safety protocols, and learning new skills to decrease transmission of the virus to protect themselves and the public; and

WHEREAS, the risks of working during the pandemic are especially significant for BIPOC employees because they are overrepresented among the retail frontline workforce and are disproportionately impacted by COVID-19, and data shows that people of color are disproportionately experiencing hospitalization and dying of COVID-19; and

WHEREAS, based on the Seattle Hazard Pay for Grocery Employees Ordinance, the CDC reports that Black and Indigenous people, followed by Pacific Islanders and Latinx people, are disproportionately affected by COVID-19 due to long-standing inequities in social determinants of health, including overrepresentation in jobs that require customer contact such as grocery stores, lower incomes and barriers to wealth accumulation, lack of access to quality healthcare and fair treatment in the healthcare system, difficulties in finding affordable and quality housing, and inequities in access to high-quality education; and

WHEREAS, based on the Seattle Hazard Pay for Grocery Employees Ordinance, the CDC reports that these determinants may increase risk of COVID-19 exposure, illness, hospitalization, long-term health and social consequences, and death, and that to stop the spread of COVID-19, the CDC states that resources must be equitably available for everyone to maintain physical and mental health; and

WHEREAS, based on the Seattle Hazard Pay for Grocery Employees Ordinance, Science in the News ("SITN"), a graduate student group at the Harvard Graduate School of the Arts and Sciences, reports that it is more difficult for BIPOC communities to stay safe during the pandemic and notes the importance of keeping these vulnerable populations in mind as the country slowly reopens the economy, and SITN states that social distancing is a privilege that many people of color cannot afford because they work and reside in situations with higher risk of exposure to the virus, and people of color are more likely to live in densely populated areas, reside in multigenerational and multifamily households, and use public transportation; and

WHEREAS, SITN further reports that many inequalities that predated the pandemic have worsened, including limited access for Black and Latinx communities to primary care physicians, medical facilities, and COVID testing; and

WHEREAS, grocery businesses are profiting during the pandemic from the labor of employees who are working under dangerous conditions; and

WHEREAS, it is rational to presume that large grocery businesses with hundreds or thousands of employees worldwide are more likely to be in a financial position to absorb the cost of the requirements of this ordinance than would be the case for grocery business with few employees, and it is not the intent of this ordinance to put any business out of business; and

WHEREAS, hazard pay, paid in addition to regular wages, is an established type of additional compensation for employees performing hazardous duties or work involving physical hardship that can cause extreme physical discomfort and distress; and

WHEREAS, grocery employees working during the COVID-19 emergency merit hazard pay because they are performing hazardous duty or work involving physical hardship that can cause extreme physical discomfort and distress due to the significant risk of exposure to the COVID-19 virus; and

WHEREAS, grocery employees have been working under hazardous conditions month after month for over a year of the COVID-19 pandemic, and they are working in these hazardous conditions now and will continue to face safety risks as the virus presents an ongoing threat, including the threat of more contagious variants, for an uncertain period to time; and

WHEREAS, although grocery employees can expect to be vaccinated in the coming months, state and national delays in vaccination efforts suggest the potential for a longer timeline, and in the meantime, the crisis of the pandemic continues unabated and presents extreme risks for grocery employees; and

WHEREAS, ensuring that grocery employees are compensated for the substantial risks of working during the COVID-19 emergency promotes retention of these vital workers, and retention of grocery employees is fundamental to protecting the health of the community as these employees directly support public purchase of groceries and facilitate community access to food; and

WHEREAS, this ordinance is immediately necessary in response to the COVID-19 emergency because the health threats that grocery employees face are as significant now as when this crisis began and are growing as community transmission is already surging, and COVID-19 variants may further increase transmission of the virus and reduce therapeutic treatments, and vaccinations are destined for a gradual rollout that could take many months for grocery employees and much longer for the general public; and

WHEREAS, this is a rapidly evolving situation, with disproportionate risks and adverse impacts for BIPOC communities, that must be addressed without delay; and

WHEREAS, grocery employees are necessary to protect the public health because their work sustains access to groceries, and hazard pay is one step to recognize the dangers facing these employees as they support our community, encourage them to continue their vital work, and provide them with additional financial resources; and

WHEREAS, an immediate requirement to provide grocery employees with hazard pay promotes retention of essential workers, improves the financial ability of grocery employees to access resources they need to stay safe and healthy, and ultimately supports the greater community that depends on grocery employees for consistent, safe, and reliable access to food; and

WHEREAS, Bainbridge Island is particularly susceptible to the potential spread of COVID-19 because the island is a regional ferry and transportation hub and gateway through which a multitude of persons travel every day and those persons interact with persons on Bainbridge Island, including grocery workers; and

WHEREAS, Bainbridge Island is also particularly susceptible to the potential spread of COVID-19 because the island is a well-known tourist destination that attracts tens of thousands of tourists from the Seattle metropolitan area, the Puget Sound region, and other areas every year, and those persons interact with persons on Bainbridge Island, including grocery workers; and

WHEREAS, Bainbridge Island is experiencing an increasing number of tourists currently as more persons are traveling and economic activity is opening up, and it is expected that the number of persons coming in contact with grocery workers on Bainbridge is going to continue to increase significantly in the coming months; and

WHEREAS, there will be a crucial period of time in which grocery workers will continue to be highly vulnerable to COVID-19 because they will not yet be vaccinated, or they will not yet have had the full course of vaccination treatment, or they will not yet be fully protected by being vaccinated, and it is likely over the coming several months that many such workers will be in contact with unvaccinated persons, some of whom may be asymptomatic with COVID-19; and

WHEREAS, the City Council intends to consider the hazard pay requirements in this ordinance in the coming months based on the severity of the public health crisis, including a review of the current health, safety, and economic risks of frontline work during the COVID-19 emergency; and

WHEREAS, an emergency exists necessitating adoption of this ordinance to provide hazard pay to certain grocery workers in order to preserve and protect public health, safety, property, and/or welfare; and

WHEREAS, the City possesses extensive police powers under state law within the City's incorporated lands; and

WHEREAS, the regulations imposed herein promote the public good and are necessary for the protection of public health, property, safety, property, and/or welfare; and

WHEREAS, the City Council now determines that a public emergency exists requiring that this regulation become effective immediately upon adoption.

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 the City Council’s findings of fact in support of the regulations established by this ordinance.

Section 2. Regulations Imposed. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 35A.13.190, the City hereby imposes this regulation, as described in this ordinance, as below described.

Section 3. Definitions.

A. “Adverse action” means reducing compensation, garnishing gratuities, denying a job or promotion, demoting, terminating, failing to rehire after a seasonal interruption of work, threatening, penalizing, retaliating, engaging in unfair immigration-related practices, filing a false report with a government agency, or otherwise discriminating against any person for any reason. “Adverse action” for an employee may involve any aspect of employment, including compensation, work hours, responsibilities, or other material change in the terms and conditions of employment. “Adverse action” also encompasses any action by the employer or a person acting on the employer’s behalf that would dissuade a reasonable person from exercising any right afforded by this ordinance.

B. “Aggrieved party” means an employee or other person who suffers tangible or intangible harm due to an employer or other person’s violation of this ordinance.

C. “City” means the City of Bainbridge Island.

D. “Compensation” means the payment owed to an employee by reason of employment, including but not limited to, salaries, wages, tips, service charge distributions, overtime, commissions, piece rate, bonuses, rest breaks, promised or legislatively required pay or paid leave, and reimbursement for employer expenses.

E. “Employ” means to suffer or permit to work.

F. “Employee” means a person who is employed for wages or salary, including, but not limited to, a full-time employee, a part-time employee, and a temporary worker. An alleged employer bears the burden of proof that the individual is, as a matter of economic reality, in

business for oneself (i.e., as an independent contractor), rather than employed by the alleged employer.

G. “Employer” means any individual, partnership, association, corporation, business trust, or any entity, person or group of persons, or a successor thereof, that employs another person and includes any such entity or person acting directly or indirectly in the interest of the employer in relation to the employee. More than one entity may be the “employer” if employment by one employer is not completely disassociated from employment by any other employer.

H. “Grocery business” means a retail store operating in Bainbridge Island:

1. That is primarily engaged in retailing groceries for offsite consumption, including but not limited to the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned and frozen foods, dry foods, beverages, baked foods, and/or prepared foods.
2. “Grocery business” does not include convenience stores or food marts primarily engaged in retailing a limited line of goods that generally includes milk, bread, soda, and snacks. “Grocery business” also does not include farmers’ markets.

I. “Grocery employee” means a person employed by a grocery employer, and who works at a grocery business in Bainbridge Island.

J. “Grocery employer” means an employer that matches the requirements in Section 4 of this ordinance.

K. “Hazard pay” means additional compensation owed to an employee on top of the employee’s other compensation, including but not limited to salaries, wages, tips, service charge distributions, overtime, commissions, piece rate, bonuses, rest breaks, promised or legislatively required pay or paid leave, and reimbursement for employer expenses. The pay need not be referred to specifically as “hazard pay” by the employer to constitute hazard pay under this ordinance, but the pay must otherwise meet this definition.

L. “Tips” means a verifiable sum to be presented by a customer as a gift or gratuity in recognition of some service performed for the customer by the employee receiving the tip.

Section 4. Employer Coverage.

A. For the purposes of this ordinance, “grocery employers” are those businesses that:

1. Employ at least one grocery employee who works at a grocery business located in Bainbridge Island; and
2. Employ 500 or more employees worldwide regardless of where those employees are employed, including but not limited to, chains, integrated

enterprises, or franchises associated with a franchisor or network of franchises that employ 500 or more employees in aggregate.

B. To determine the number of employees for the current calendar year for the purposes of this section:

1. The calculation is based upon the average number of employees who worked per calendar week during the preceding calendar year for any and all weeks during which at least one employee worked for the grocery employer. For employers that did not have any employees during the preceding calendar year, the number of employees for the current calendar year is calculated based upon the average number per calendar week of employees who worked during the first 90 calendar days of the current year in which the grocery employer engaged in the grocery business; and
2. All employees shall be counted, including, but not limited to:
 - a. Grocery employees;
 - b. Employees who are not grocery employees;
 - c. Employees who worked outside of Bainbridge Island; and
 - d. Employees who worked in full-time employment, part-time employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.

C. Separate entities that form an integrated enterprise shall be considered a single employer under this ordinance. Separate entities will be considered an integrated enterprise and a single employer under this ordinance where a separate entity controls the operation of another entity. The factors to consider in making this assessment may include, but are not limited to:

1. Degree of interrelation between the operations of multiple entities;
2. Degree to which the entities share common management;
3. Degree of centralized control of labor relations;
4. Degree of common ownership or financial control over the entities; and
5. Use of a common brand, trade, business, or operating name.

Section 5. Employee Coverage. This ordinance applies to the time a grocery employee performs work for a grocery employer at a grocery business location. It does not apply to time spent by a grocery employee in Bainbridge Island solely for the purpose of travelling through Bainbridge Island from a point of origin outside Bainbridge Island to a destination outside of

Bainbridge Island, with no employment-related or commercial stops in Bainbridge Island except for refueling or the employee's personal meals or errands.

Section 6. Hazard Pay Requirements.

A. For grocery employers with 500 or more employees but less than 2,000 employees worldwide, such grocery employers shall provide each grocery employee with hazard pay at a rate of two dollars per hour for each hour worked at the grocery employers' grocery business.

B. For grocery employers with 2,000 or more employees worldwide, such grocery employers shall provide each grocery employee with hazard pay at a rate of four dollars per hour for each hour worked at the grocery employers' grocery business.

C. Grocery employers providing hazard pay, as defined under Section 3, on the effective date of this ordinance may use the hourly rate of that hazard pay to offset the amount due under this subsection.

D. Grocery employers shall provide written notice of employment information that includes notice of hazard pay by 30 days after the effective date of this ordinance. The notice of employment information shall include notice of any hazard pay offset available under this subsection.

E. Grocery employers shall provide payment for hazard pay on the established, regular pay day on which wages are paid.

F. Grocery employers shall provide written itemization of the hazard pay separately from payment for wages and other compensation.

G. Grocery employers shall comply with the hazard pay requirements in this ordinance until this ordinance is terminated or repealed as set forth herein.

Section 7.

A. Within 30 days of the effective date of this ordinance, grocery employers shall display a written notice of rights established by this ordinance in a conspicuous and accessible place at all its grocery businesses. Grocery employers shall display the notice of rights in English and in the primary language or languages of the employee or employees at its grocery businesses.

B. The notice of rights shall provide information on:

1. The right to hazard pay guaranteed by this ordinance;
2. The right to be protected from retaliation for exercising in good faith the rights protected by this ordinance; and

3. The right to bring a civil action for a violation of this ordinance, including a grocery employer's denial of hazard pay as required by this ordinance and a grocery employer or other person's retaliation against a grocery employee or other person for asserting the right to hazard pay or otherwise engaging in an activity protected by this ordinance.

Section 8.

- A. Grocery employers shall retain records that document compliance with this ordinance for each grocery employee.
- B. Grocery employers shall retain the records required by this section for three (3) years.
- C. If a grocery employer fails to retain adequate records required under this section, there shall be a presumption, rebuttable by clear and convincing evidence, that the grocery employer violated this ordinance for the periods and for each grocery employee for whom records were not retained.

Section 9.

- A. A grocery employer or any other person shall not interfere with, restrain or deny the exercise of, or the attempt to exercise, any right protected under this ordinance.
- B. A grocery employer or any other person shall not take any adverse action against any person because the person has exercised in good faith the rights protected under this ordinance. The rights include, but are not limited to:
 1. The right to make inquiries about the rights protected under this ordinance;
 2. The right to inform others about their rights under this ordinance;
 3. The right to inform the person's employer, the person's legal counsel, a union or similar organization, or any other person about an alleged violation of this ordinance;
 4. The right to bring a civil action for an alleged violation of this ordinance;
 5. The right to testify in a proceeding under or related to this ordinance;
 6. The right to refuse to participate in an activity that would result in a violation of city, state, or federal law; and
 7. The right to oppose any policy, practice, or act that is unlawful under this ordinance.

C. A grocery employer or any other person shall not communicate to a person exercising rights protected in this section, directly or indirectly, the willingness to inform a government worker that the person is not lawfully in the United States, or to report, or to make an implied or express assertion of a willingness to report, suspected citizenship or immigration status of an employee or family member of an employee to a federal, state, or local agency because the employee has exercised a right under this ordinance.

D. It shall be a rebuttable presumption of retaliation if a grocery employer or any other person takes an adverse action against a person within ninety (90) days of the person's exercise of rights protected in this section. However, in the case of seasonal work that ended before the close of the ninety-day period, the presumption also applies if the grocery employer fails to rehire a former grocery employee at the next opportunity for work in the same position. The grocery employer may rebut the presumption with clear and convincing evidence that the adverse action was taken for a permissible purpose.

E. Proof of retaliation under this section shall be sufficient upon a showing that a grocery employer or any other person has taken an adverse action against a person and the person's exercise of rights protected in this section was a motivating factor in the adverse action, unless the grocery employer can prove that the action would have been taken in the absence of the protected activity.

F. The protections afforded under this section shall apply to any person who mistakenly but in good faith alleges violations of this ordinance.

G. A complaint or other communication by any person triggers the protections of this section regardless of whether the complaint or communication is in writing or makes explicit reference to this ordinance.

Section 10. Any aggrieved party or any entity acting on behalf of an aggrieved party may bring a civil action in a court of competent jurisdiction against the grocery employer or other person violating this ordinance and, upon prevailing, may be awarded reasonable attorney fees and costs and such legal or equitable relief as may be appropriate to remedy the violation including, without limitation: the payment of any unpaid compensation plus interest due to the aggrieved party and liquidated damages in an additional amount of up to twice the unpaid compensation; and a penalty payable to any aggrieved party if the aggrieved party was subject to prohibited retaliation. Interest shall accrue from the date the unpaid compensation was first due at twelve percent per annum, or the maximum rate permitted under RCW 19.52.020.

Section 11. Any waiver by an individual of any provision of this ordinance shall be deemed contrary to public policy and shall be void and unenforceable.

Section 12.

A. Nothing in this ordinance shall be construed to discourage or prohibit an employer from adopting or retaining hazard pay policies more generous than the one required.

B. Nothing in this ordinance shall be construed as diminishing the obligation of the employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous hazard pay policies to an employee than required in this ordinance.

Section 13.

A. This ordinance provides minimum requirements for hazard pay for grocery employees during the COVID-19 emergency and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for hazard pay or that extends other protections to employees; and nothing in this ordinance shall be interpreted or applied so as to create any power or duty in conflict with federal or state law.

B. Nothing in this section shall be construed as restricting an employee's right to pursue any other remedies at law or equity for violation of the employee's rights.

Section 14. Interpretive Authority. The City of Bainbridge Island City Manager, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 15. 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 16. Declaration of Emergency; Effective Date. This ordinance, which the City Council hereby regards as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and/or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the "Whereas" clauses above, all of which are adopted by reference as findings of fact as if fully set forth herein. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 17. Termination or Repeal of Ordinance. The City Council shall determine, based on criteria that are rationally related to the purpose of this ordinance, when the ordinance will be terminated or repealed. In making its determination of termination or repeal, the Council will be informed by the criteria used by the City Manager and the Council as relates to terminating the City Manager's March 9, 2020, Proclamation of Emergency, as well as in relation to terminating Resolution No. 2020-06 as adopted by the Council, which ratified and affirmed the City Manager's Proclamation of Emergency.

PASSED by the City Council this 23rd day of March, 2021.

APPROVED by the Mayor this 23rd day of March, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	March 19, 2021
PASSED BY THE CITY COUNCIL:	March 23, 2021
PUBLISHED:	_____, 2021
EFFECTIVE DATE:	March 23, 2021
ORDINANCE NUMBER:	2021-13

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

NORTHWEST GROCERY
ASSOCIATION, *et al.*,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

CASE NO. C21-0142-JCC

ORDER

This matter comes before the Court on Plaintiffs’ motion for a preliminary injunction (Dkt. No. 10) and Defendant’s motion to dismiss (Dkt. No. 23). Having thoroughly considered the parties’ briefing, oral arguments, and the relevant record, the Court hereby GRANTS Defendant’s motion to dismiss and DENIES Plaintiffs’ motion for a preliminary injunction for the reasons explained herein.

I. BACKGROUND

On January 25, 2021, in response to concerns for the health and welfare of grocery employees, the Seattle City Council unanimously passed the Hazard Pay for Grocery Employees Ordinance (“Ordinance”). (Dkt No. 1 at 2.) The Ordinance “establish[es] labor standards requirements for additional compensation for grocery employees working in Seattle,” Ordinance,

1 Preamble,¹ and mandates that covered grocery store employers in the City provide “additional
 2 compensation” of four dollars per hour to covered employees as “hazard pay.”² Ordinance
 3 §§ 100.010, 100.025. The Ordinance applies to “grocery businesses that employ 500 or more
 4 employees worldwide regardless of where those employees are employed.” Ordinance
 5 § 100.020. “Grocery business” includes any retail store operating in Seattle that is either (1)
 6 “[o]ver 10,000 square feet in size and that is primarily engaged in retailing groceries for offsite
 7 consumption” or (2) “[o]ver 85,000 square feet and with 30 percent or more of its sales floor area
 8 dedicated to sale of groceries[.]” Ordinance § 100.010. The hazard pay requirements are
 9 structured as temporary measures which remain in effect “for the duration of the civil emergency
 10 proclaimed by the Mayor on March 3, 2020.” Ordinance § 100.025(C). Finally, the Ordinance
 11 prohibits employers from circumventing its effect by reducing wages to counteract the hazard
 12 pay increase, providing the following limitation:

13 No employer shall, as a result of this ordinance going into effect, take steps
 14 to reduce employee compensation so as to prevent, in whole or in part,
 15 employees from receiving hazard pay at a rate of four dollars per hour for
 16 each hour worked in Seattle in addition to those employees’ other
 compensation. Employers shall maintain records to establish the reason(s) for
 any reduction in employee compensation pursuant to Section 100.040.

17 Ordinance § 100.025.A.1.

18 On February 3, 2021, the day the Ordinance took effect, Plaintiffs Northwest Grocery
 19 Association (“NWGA”) and Washington Food Industry Association (“WFIA”) brought this
 20 action against Defendant City of Seattle (“City”), seeking declaratory and injunctive relief
 21 against enforcement of the Ordinance. (Dkt. No. 1 at 3.) Plaintiffs argue the Ordinance is invalid,
 22

23 ¹ Plaintiffs attached a copy of the Ordinance to their Complaint, (Dkt. No. 1 at 14–49),
 24 refer to it throughout, (*see, e.g.*, Dkt. No. 1 at 2, 6), and neither party has questioned its
 25 authenticity. Accordingly, the Court takes judicial notice of the Ordinance attached to the
 26 Complaint.

² Employers already providing hazard pay on the effective date of the Ordinance “may
 use the hourly rate of that hazard pay to offset the amount due under this subsection.” Ordinance
 § 100.025.A.2.

1 alleging that it is preempted by the National Labor Relations Act (“NLRA”), 29 U.S.C. §§ 151–
2 169, and that it violates the Equal Protection and Contracts Clauses of the federal and state
3 constitutions.

4 **II. DISCUSSION**

5 **A. Legal Standard for a Motion to Dismiss**

6 A defendant may move to dismiss when plaintiffs “fail[] to state a claim upon which
7 relief can be granted.” Fed. R. Civ. P. 12(b)(6). To survive a motion to dismiss, a complaint must
8 contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its
9 face. *Ashcroft v. Iqbal*, 556 U.S. 662, 677–78 (2009). A claim has facial plausibility when
10 plaintiffs plead factual content that allows a court to draw the reasonable inference that the
11 defendant is liable for the misconduct alleged. *Id.* at 678. Although the court must accept as true
12 a complaint's well-pleaded facts, conclusory allegations of law and unwarranted inferences will
13 not defeat an otherwise proper Rule 12(b)(6) motion. *Vasquez v. Los Angeles Cnty*, 487 F.3d
14 1246, 1249 (9th Cir. 2007); *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir.
15 2001). Plaintiffs are obligated to provide grounds for their entitlement to relief that amount to
16 more than labels and conclusions or a formulaic recitation of the elements of a cause of action,
17 *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 545 (2007), and “[d]ismissal can be based on the lack
18 of a cognizable legal theory.” *Balistreri v. Pacifica Police Dep’t*, 901 F.2d 696, 699 (9th Cir.
19 1988).

20 **B. Defendant’s Motion to Dismiss**

21 Plaintiffs argue the Ordinance is unlawful and seek declaratory and injunctive relief
22 preventing its enforcement, alleging violations based on (1) NLRA preemption, (2) the Equal
23 Protection Clause of the U.S. Constitution, (3) the Equal Protection Clause of the Washington
24 Constitution, (4) the Contracts Clause of the U.S. Constitution, and (5) the Contracts Clause of
25 the Washington Constitution. (Dkt. No. 1.) For the reasons described below, the Court concludes
26

1 that none of these arguments establish valid claims for relief and Plaintiff’s complaint must be
2 dismissed under Rule 12(b)(6).

3 1. Ordinance Is Not Preempted by the National Labor Relations Act

4 Plaintiffs assert that the Ordinance is invalid because it is preempted by the NLRA. (Dkt.
5 No. 1 at 7–8.) The Supremacy Clause of the U.S. Constitution provides that the laws of the U.S.
6 are “the supreme law of the land.” U.S. Const. art. VI, cl. 2. Consequently, Congress may “pre-
7 empt, *i.e.*, invalidate, a state law through federal legislation,”³ and it may do so expressly or
8 implicitly. *Oneok, Inc. v. Learjet, Inc.*, 575 U.S. 373, 376 (2015). The NLRA contains no express
9 preemption provision, but the Supreme Court has recognized that the NLRA “implicitly
10 mandated two types of pre-emption as necessary to implement federal labor policy.” *Chamber of*
11 *Com. of U.S. v. Brown*, 554 U.S. 60, 65 (2008). Plaintiffs’ argument relies on one of these
12 implicit preemption doctrines: *Machinists* preemption.⁴ *See Int’l Ass’n of Machinists v. Wis.*
13 *Emp. Rels. Comm’n*, 427 U.S. 132 (1976). *Machinists* preemption prevents states from regulating
14 where “Congress intended that the conduct involved be unregulated because [it should be] left
15 ‘to be controlled by the free play of economic forces.’” *Id.* at 140 (1976) (quoting *NLRB v. Nash-*
16 *Finch Co.*, 404 U.S. 138, 144 (1971)). Specifically, this strain of preemption precludes states
17 from imposing restrictions on the use of “economic weapons” of “self-help” permitted by federal
18 law, such as strikes and lockouts. *Id.* at 147.

19 While neither the text nor the legislative history of the NLRA directly speak to whether
20

21 ³ Seattle is a “home rule” jurisdiction, with “as broad legislative powers as the state,
22 except when restricted by enactments of the state legislature.” *Winkenwerder v. City of Yakima*,
23 328 P.2d 873, 878 (Wash. 1958). Accordingly, the Court scrutinizes its ordinances under the
same framework as it would state law. *See, e.g., RUI One Corp. v. City of Berkeley*, 371 F.3d
1137, 1147 (9th Cir. 2004).

24 ⁴ The other type of preemption, not at issue here, is known as *Garmon* preemption, and it
25 prohibits states from regulating or prohibiting conduct arguably subject to the regulatory
26 jurisdiction of the NLRA. *See Chamber of Com. of the U.S. of Am. v. City of Seattle*, 890 F.3d
769, 790 (9th Cir. 2018) (citing *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236
(1959)).

1 Congress intended it to reach state regulations of general applicability affecting the terms over
2 which parties may bargain, the law “is primarily concerned with establishing an equitable
3 process for determining terms and conditions of employment, and *not* with particular substantive
4 terms of the bargain that is struck.” *Metro. Life Ins. Co. v. Massachusetts*, 471 U.S. 724, 753
5 (1985) (emphasis added). As a result, the Supreme Court has held the NLRA does not preempt
6 “minimum labor standards” which do not affect the process of collective bargaining, but rather
7 set the minimum terms that form the backdrop of their bargaining process. *Id.* at 756 (“[T]here is
8 no suggestion . . . that Congress intended to disturb the myriad state laws then in existence that
9 set minimum labor standards, but were unrelated in any way to the processes of bargaining or
10 self-organization.”). Such standards “affect union and nonunion employees equally, and neither
11 encourage nor discourage the collective-bargaining processes that are the subject of the NLRA.”
12 *Id.* at 755. The mere fact that a state law *affects*—and in effect, grants to employees—something
13 for which they otherwise could have bargained does not give rise to NLRA preemption. *Fort*
14 *Halifax Packing Co. v. Coyne*, 482 U.S. 1, 21 (1987).

15 Courts engaging in preemption analysis under *Machinists* have repeatedly found that
16 ordinances affecting the terms over which parties might bargain—rather than the mechanics of
17 the underlying bargaining process—are not preempted. *See, e.g., Am. Hotel and Lodging Assoc.*
18 *v. City of Los Angeles*, 834 F.3d 958, 963 (9th Cir. 2016) (living wage ordinance mandating
19 higher minimum wage and paid time off for airport workers was not preempted); *Metro. Life Ins.*
20 *Co.*, 471 U.S. at 755 (state law mandating minimum health benefits was not preempted); *Nat’l*
21 *Broad. Co. v. Bradshaw*, 70 F.3d 69, 71 (9th Cir. 1995) (state law mandating premium overtime
22 wage rates for broadcast industry employees was not preempted); *Babler Bros. v. Roberts*, 995
23 F.2d 911 (9th Cir. 1993) (state law mandating premium overtime wages for non-union
24 employees working on public construction projects was not preempted). “Indeed, this ‘general
25 principle that governments can pass minimum labor standards pursuant to their police power
26 without running afoul’ of the NLRA is well established.” *Cal. Grocers Ass’n v. City of Long*

1 *Beach*, 2021 WL 736627, slip op. at 3 (C.D. Cal. Feb. 25, 2021) (quoting *Am. Hotel & Lodging*
2 *Ass'n v. City of Los Angeles*, 119 F. Supp. 3d 1177, 1187 (C.D. Cal. 2015), *aff'd*, 834 F.3d 958
3 (9th Cir. 2016)).

4 In *Fort Halifax Packing Co.*, the Supreme Court considered whether the NLRA
5 preempted a Maine law which required employers with more than 100 employees to provide a
6 one-time, lump sum severance payment to all employees affected by a plant closure or
7 relocation. 482 U.S. at 3–4. As in the present case, the law applied to union and non-union
8 workers alike, but contained an exception for employees “covered by an express contract
9 providing for severance pay.” *Id.* at 4 n.1. The employer conceded that, unlike the law preempted
10 in *Machinists*, the Maine law did not directly prohibit employers or employees from utilizing the
11 sorts of economic weapons of self-help. *Id.* at 20. Nonetheless, the employer argued the law
12 “intrude[d] on the bargaining activities of the parties because the prospect of a statutory
13 obligation undercut[] an employer's ability to withstand a union’s demand for severance pay.” *Id.*
14 The Court disagreed, holding that the law was a minimum labor standard that was not preempted
15 by the NLRA. *Id.* at 20–23. The Court pointed out the NLRA “is concerned with ensuring an
16 equitable bargaining process, not with the substantive terms that may emerge from such
17 bargaining,” *id.* at 20, and because it applied to union and non-union employees alike, neither
18 encouraged nor discouraged use of the collective bargaining process, *id.* at 21. The Court
19 cautioned that, because the establishment of minimum labor standards is squarely within the
20 traditional state police power, and “Congress developed . . . the NLRA within the larger body of
21 state law promoting public health and safety,” “pre-emption should not be lightly inferred in this
22 area.” *Id.* at 21, 22. Plaintiffs do not meaningfully argue why the result reached in *Fort Halifax*
23 should be different than the one here.

24 The lone case Plaintiffs cite for the proposition that *Machinists* preemption may apply to
25 a wage ordinance is *Chamber of Com. v. Bragdon*. 64 F.3d 497, 502 (9th Cir. 1995). (Dkt. Nos.
26 10 at 12–13, 28 at 12–13.) In *Bragdon*, the county adopted a prevailing wage ordinance that

1 dictated the *precise* wage and benefits package paid to all workers on private construction
2 projects above a certain value. 64 F.3d at 502. The package was calculated by averaging the
3 collectively-bargained-for wages and benefits packages of other employers and employees. *Id.* at
4 502–03. The court held that ordinance “affect[ed] the bargaining process in a much more
5 invasive and detailed fashion than the isolated statutory provisions of general application
6 approved in *Metropolitan Life* and *Fort Halifax*.” *Id.* at 502. Plaintiffs argue this Ordinance is
7 analogous to the ordinance in *Bragdon*, because both “restricted an employer’s eligibility to
8 negotiate compensation packages.” (Dkt. No. 27 at 10.) But in *Bragdon*, the determinative issue
9 was that the ordinance dictated the mix *entirely*, leaving *nothing* to bargain over. 64 F.3d at 502.
10 The Ordinance here simply *affects* the mix of wage and non-wage benefits offered by employers.
11 This is not sufficient to establish an NLRA preemption argument, as it is true of *any* minimum
12 labor standard. *See Am. Hotel & Lodging Ass’n*, 834 F.3d at 963.

13 The challenged Ordinance establishes a mandatory wage premium applicable to all
14 covered employees, regardless of whether they are subject to a collective bargaining agreement.⁵
15 *See* Ordinance § 100.025. The fact that the benefit applies across wage levels may indeed
16 distinguish it from a minimum wage law, *but not from a minimum benefit law*, as was upheld in
17 *Metropolitan Life*. Further, like the Maine law in *Fort Halifax*, the Ordinance mandates that
18 covered employers pay a premium to all covered workers—here, workers engaged in specifically
19 delimited types of hazardous work who have been disproportionately impacted by COVID-19—
20 and the premium is applied regardless of their current wage.

21 Plaintiffs also claim that the Ordinance prohibits any modification that could reduce an
22 employee’s compensation in any way, and that, “[l]ike the complex wage and benefit formula in
23 *Bragdon*, this provision effectively ties the employers’ hands, rendering it impossible for

24 ⁵ Plaintiffs argue the Ordinance “has disparate impacts on union and non-union workers.”
25 (Dkt. No. 10 at 13.) But there is simply no support for such a proposition in the text of the
26 Ordinance.

1 employers to bargain with whatever tools she has available.” (Dkt. No. 10 at 13; *see* Dkt. No. 28
 2 at 11–12.) But while Plaintiffs frame the Ordinance’s definition of “compensation”⁶ as including
 3 “the full landscape of terms that are the subject of collective bargaining,” the Court does not read
 4 it so broadly: nothing regarding benefits, workplace policies or conditions, or hours worked are
 5 mentioned in the Ordinance’s definition. Ordinance § 100.010. While the Ordinance does
 6 prohibit reductions in compensation “as a result of this ordinance going into effect,” it does not
 7 prohibit bargaining between employers and employees over any other terms.⁷ Ordinance
 8 § 100.025.A.1. Even on the specific question of compensation, the City points out that the
 9 Ordinance “clearly contemplates that pay could be reduced for other reasons,” as it includes
 10 recordkeeping requirements to justify decreases made for such reasons. (Dkt. No. 23 at 9 n.3
 11 (citing Ordinance § 100.025.A.1).) Further, even if the Ordinance did prohibit employers from
 12 reducing wages for any reason, it is not clear that would be distinguishable from the function of
 13 traditional minimum wage laws, which are consistently upheld. *See, e.g., Am. Hotel and Lodging*
 14 *Assoc.*, 834 F.3d at 963.

15 Because the Ordinance does not interfere with the mechanics of the collective bargaining

16
 17 ⁶ The Ordinance defines “compensation” as follows:

18 “Compensation” means the payment owed to an employee by reason of
 19 employment, including but not limited to, salaries, wages, tips, service charge
 20 distributions, overtime, commissions, piece rate, bonuses, rest breaks,
 promised or legislatively required pay or paid leave, and reimbursement for
 employer expenses.

21 Ordinance § 100.010.

22 ⁷ In support of the proposition that the Ordinance may wholly dictate the terms of
 23 collective bargaining, Plaintiffs cite to a recent case where a court denied a preliminary
 24 injunction for a similar ordinance, but expressed concern for the plaintiffs’ argument that the
 25 ordinance at issue *could* prohibit any bargaining over compensation terms. (Dkt. No. 28 at 11
 26 n.1) (discussing *Cal. Grocers Ass’n*, 2021 WL 736627). However, the ordinance at issue in that
 case was broader: in addition to prohibiting reductions in compensation as a result of the
 ordinance (as in the instant case), it *also* prohibited grocers from taking actions which “limit a
 grocery worker’s earning capacity,” and notwithstanding that greater breadth, the court held that
 plaintiffs “ha[d] not established a likelihood that its interpretation [wa]s, in fact, correct.” *Id.* at 4.

1 process, it is a minimum labor standard of general applicability. As such, it is not preempted by
2 the NLRA.

3 2. Equal Protection Claims are Subject to—and Survive—Rational Basis Review

4 Plaintiffs next argue the Ordinance violates the Equal Protection Clauses of the U.S. and
5 Washington constitutions because it irrationally singles out their largest members⁸ for
6 discriminatory treatment. (Dkt. Nos. 1 at 9, 10 at 13–14, 28 at 21–25.) They further argue the
7 Ordinance is subject to strict scrutiny analysis because it impinges on their “fundamental rights
8 secured by the state and federal Contracts Clauses.” (Dkt. Nos. 10 at 14, 28 at 21–25.)

9 The Equal Protection clause mandates that similarly situated persons be treated alike.
10 *Plyler v. Doe*, 457 U.S. 202, 216 (1982). Laws challenged on Equal Protection grounds are
11 subject to one of three levels of scrutiny. *Tucson Woman’s Clinic v. Eden*, 379 F.3d 531, 543
12 (9th Cir. 2004). The highest level, strict scrutiny, is reserved for laws that discriminate on the
13 basis of a “suspect class,” such as race, or that “impact a fundamental right.” *Id.* The second
14 level—intermediate scrutiny—applies to laws discriminating on the basis of gender and is not at
15 issue in this case. *Id.* All other laws are subject to rational basis review. *Id.* (citing *Fitzgerald v.*
16 *Racing Ass’n*, 539 U.S. 103, 106–07 (2003)). A law survives rational basis review “so long as it
17 bears a rational relation to some legitimate end.” *Id.* (citing *Romer v. Evans*, 517 U.S. 620, 631
18 (1996)).

19 Turning first to the level scrutiny, Plaintiffs argue the Ordinance is subject to strict
20 scrutiny because it burdens their right guaranteed by the Contracts Clause: “[t]here should be
21 little question that the right guaranteed by federal Contract Clause is ‘fundamental.’” (Dkt. No.

22 ⁸ An organization has standing to bring suit on behalf of its members, provided “(a) its
23 members would otherwise have standing to sue in their own right; (b) the interests it seeks to
24 protect are germane to the organization's purposes; and (c) neither the claim asserted nor the
25 relief requested requires the participation of individual members in the lawsuit.” *Ecological Rts.*
26 *Found. v. Pac. Lumber Co.*, 230 F.3d 1141, 1147 (9th Cir. 2000) (citing *Hunt v. Wash. State*
Apple Advertising Com’n, 432 U.S. 333, 343 (1977)). Although not challenged by the City, the
Court acknowledges that Plaintiffs have pleaded the requisite allegations to establish standing to
bring suit on behalf of their members in the City of Seattle affected by the Ordinance.

1 10 at 14; *see* Dkt. No. 28 at 21–23.) Plaintiffs cite to cases from the 19th Century to support the
2 proposition that “[f]or more than two centuries, the Supreme Court has applied this provision to
3 strike down state laws that seek to alter the contractual rights held by private parties.” (Dkt. No.
4 10 at 14.) But this argument is in conflict with more modern jurisprudence. *See, e.g., Allied*
5 *Structural Steel Co. v. Spannaus*, 438 U.S. 234, 241 (1978) (“Although it was perhaps the
6 strongest single constitutional check on state legislation during our early years as a Nation, the
7 Contract Clause receded into comparative desuetude with the adoption of the Fourteenth
8 Amendment.”); *Home Bldg. & Loan Ass’n v. Blaisdell*, 290 U.S. 398, 436 (1934) (“Every
9 contract is made in subordination to [the laws of the nation], and must yield to their control, as
10 conditions inherent and paramount, wherever a necessity for their execution shall occur. The
11 Legislature cannot bargain away the public health or the public morals.”); *RUI One Corp. v. City*
12 *of Berkeley*, 371 F.3d 1137, 1154 (9th Cir. 2004). More importantly, Plaintiffs’ precise
13 argument—that laws which allegedly impinge on the Contracts Clause are subject to strict
14 scrutiny—appears to be entirely novel: the Court is aware of no authority supporting such a
15 proposition, nor is my esteemed colleague in the Central District of California. *See Cal. Grocers*
16 *Ass’n*, 2021 WL 736627, slip op. at 6 (“Although it seems implausible that this position is truly
17 unprecedented, neither party cites any authority showing otherwise, nor has the Court uncovered
18 any such case.”) The concept of heightened scrutiny has existed for over eighty years, *see U.S. v.*
19 *Carolene Prod. Co.*, 304 U.S. 144, 152 n.4 (1938), and the Contracts Clause for over two
20 hundred, U.S. Const. art. I, § 10, cl. 1. If the position advanced by Plaintiffs were so
21 straightforward, surely a court would have adopted it by now, but none have done so. *See Cal.*
22 *Grocers Ass’n*, 2021 WL 736627, slip op. at 6.

23 Plaintiffs clarify their position further, arguing that a challenged statute need not *violate*
24 the Contracts Clause to trigger heightened review, but must merely *implicate* it. (Dkt. No. 28 at
25 23.) Given the difficulty of surviving strict scrutiny review, elevating the Contracts Clause to a
26 “fundamental right” and subjecting any impingement thereupon to strict scrutiny would likely

1 obliterate the ability of government to regulate *any* economic activity at all. To the contrary,
2 courts have routinely applied rational basis review to regulations implicating economic
3 relationships and, by extension, contracts. *See, e.g., F.C.C. v. Beach Commc'ns, Inc.*, 508 U.S.
4 307, 313 (1993); *RUI One Corp.*, 371 F.3d at 1154; *Jackson Water Works, Inc. v. Pub. Utilities*
5 *Comm'n of State of Cal.*, 793 F.2d 1090, 1093–94 (9th Cir. 1986); *Int'l Franchise Ass'n, Inc. v.*
6 *City of Seattle*, 803 F.3d 389, 407 (9th Cir. 2015). The Ordinance is subject to rational basis
7 review.

8 Applying rational basis review, the Court must determine whether there is “any
9 reasonably conceivable state of facts that could provide a rational basis for the classification.”
10 *Beach Commc'ns, Inc.*, 508 U.S. at 313. “Where there are ‘plausible reasons’ for [legislative]
11 action, ‘our inquiry is at an end.’” *RUI One Corp.*, 371 F.3d at 1154 (9th Cir. 2004) (alteration in
12 original) (quoting *Beach Commc'ns, Inc.*, 508 U.S. at 313–14). Subject to such review, the law
13 survives. Unquestionably, the Ordinance “singles out large retailers and grocery companies.”
14 (Dkt. No. 28 at 7.) As justification, the City finds that (1) “top retail companies, including
15 grocery businesses, have earned record-breaking profits during the pandemic,” Ordinance,
16 Preamble, (2) that grocery store employees were at significantly heightened risk of contracting
17 COVID-19, Ordinance § 1.J, and (3) compensating grocery employees for the “substantial risks
18 of working during the COVID-19 emergency promotes retention of these vital workers,” which
19 is “fundamental to protecting the health of the community.” Ordinance § 1.GG. The City also
20 notes that the Ordinance promotes public health, because “[h]igher pay equips workers to
21 purchase more effective personal protective equipment and reduce reliance on public transit.”
22 (Dkt. No. 25 at 20–21.)

23 Nor is the Court persuaded by Defendant’s argument regarding the City’s decision not to
24 apply the law to smaller grocery stores or other frontline businesses. (*See* Dkt. Nos. 10 at 13–14,
25 28 at 7.) As the Ninth Circuit observed when upholding an ordinance that impacted businesses in
26 only one part of the City of Berkeley:

1 Such legislative decisions are “virtually unreviewable, since the legislature
 2 must be allowed leeway to approach a perceived problem incrementally.”
 3 *FCC v. Beach Communications, Inc.*, 508 U.S. 307, 316 (1993). “[R]eform
 4 may take one step at a time, addressing itself to the phase of the problem
 5 which seems most acute to the legislative mind. The legislature may select
 6 one phase of one field and apply a remedy there, neglecting the others.” *Id.*
 7 (quoting *Williamson v. Lee Optical of Okla., Inc.*, 348 U.S. 483, 489 (1955))
 8 (finding a rational basis where the state made geographic distinctions to
 9 determine tax rates for slot machines).

10 *RUI One Corp.*, 371 F.3d at 1155.

11 Analysis under the Privileges and Immunities Clause⁹ of the Washington Constitution,
 12 Wash. Const. art. I, § 12, commands a similar result. This clause is frequently construed
 13 similarly to the federal Equal Protection Clause, but in certain situations it may require an
 14 independent analysis. *See, e.g., Schroeder v. Weighall*, 316 P.3d 482, 485 (Wash. 2014). A claim
 15 related to a law regulating wages may constitute such a situation. *Int’l Franchise Ass’n, Inc. v.*
 16 *City of Seattle*, 97 F. Supp. 3d 1256, 1284 (W.D. Wash. 2015). The inquiry consists of two steps:
 17 (1) whether the law involves a privilege or immunity under the state constitution and, if so, (2)
 18 whether there is a reasonable ground for it. *Martinez-Cuevas v. DeRuyter Bros. Dairy, Inc.*, 475
 19 P.3d 164, 171 (Wash. 2020).

20 The “privileges” referred to in this analysis refer only to “fundamental rights of
 21 citizenship.” *Ockletree v. Franciscan Health Sys.*, 317 P.3d 1009, 1015 (Wash. 2014).
 22 Assuming, *arguendo*, that the Contracts Clause of the Washington Constitution *does* constitute a
 23 privilege or immunity, *and* that it is implicated here, the City need only have a “reasonable
 24 ground” for the distinctions it draws in the Ordinance. *Id.* at 1017. To establish reasonable
 25 grounds, the distinctions drawn “must rest on real and substantial differences bearing a natural,
 26 reasonable, and just relation to the subject matter of the act.” *Id.* (internal quotation omitted).
 Here, the decision to apply the Ordinance only to large grocery stores constitutes such a
 reasonable ground bearing a natural, reasonable, and just relation to its subject matter, given the

⁹ Sometimes referred to as the “Equal Protection Clause” to mirror its federal counterpart.
See Martinez-Cuevas v. DeRuyter Bros. Dairy, Inc., 475 P.3d 164, 168 (Wash. 2020).

1 City’s findings that large grocery businesses have earned record profits during COVID-19,
2 Ordinance, Preamble, and that grocery store employees are at significantly heightened risk of
3 contracting COVID-19, Ordinance § 1.J. This is a reasonable grounds for the distinctions drawn
4 in the Ordinance.

5 Accordingly, the Court FINDS that a rational basis exists for the City’s classifications
6 and, as a result, the Ordinance does not violate the Equal Protection clauses in the federal or state
7 constitutions.

8 3. The Contracts Clauses of the Federal and Washington Constitutions Do Not
9 Invalidate the Ordinance

10 Finally, Plaintiffs contend that the Ordinance unconstitutionally impairs their contracts
11 and, as a result, is invalid under the Contracts Clauses of the U.S. and Washington constitutions.
12 (Dkt. Nos. 1 at 11; 28 at 14–15, 24–25.)

13 The Contracts Clause of the U.S. Constitution provides that “[n]o state shall . . . pass any
14 . . . Law impairing the Obligation of Contracts.” U.S. Const., Art. I, § 10, cl. 1. “Although the
15 language of the Contract Clause is facially absolute, its prohibition must be accommodated to the
16 inherent police power of the State to safeguard the vital interests of its people.” *Energy Reserves*
17 *Grp., Inc. v. Kansas Power & Light Co.*, 459 U.S. 400, 410 (1983) (internal quotation omitted).
18 *See also Home Bldg. & Loan Ass’n*, 290 U.S. at 428 (“[T]he prohibition [on impairment of
19 obligation of contracts] is not an absolute one and is not to be read with literal exactness like a
20 mathematical formula.”). Instead, to assess whether a law “crosses the constitutional line”, the
21 court applies a two-step test. *Sveen v. Melin*, 138 S. Ct. 1815, 1821 (2018). The court considers
22 (1) “whether the state law has, in fact, operated as a substantial impairment of a contractual
23 relationship,” and (2) “[i]f the state regulation constitutes a substantial impairment, the State, in
24 justification, must have a significant and legitimate public purpose behind the regulation.”
25 *Energy Reserves Grp., Inc.*, 459 U.S. at 411 (internal quotations and citations omitted). “Once a
26 legitimate public purpose has been identified, the next inquiry is whether the adjustment of “the

1 rights and responsibilities of contracting parties [is based] upon reasonable conditions and [is] of
2 a character appropriate to the public purpose justifying [the legislation’s] adoption.” *U.S. Trust*
3 *Co. v. New Jersey*, 431 U.S. 1, 22 (1977). Unless the State is a contracting party, “[a]s is
4 customary in reviewing economic and social regulation . . . courts properly defer to legislative
5 judgment as to the necessity and reasonableness of a particular measure.” *Id.* at 22–23.

6 Plaintiffs argue the Ordinance substantially interferes with its contracts without any
7 significant or legitimate public purpose, and that even if the City demonstrates such a purpose,
8 the means it chose are neither reasonable nor necessary. (Dkt. No. 1 at 11.) They argue (1) “a
9 wage enhancement does not mitigate risks of exposure to a virus,” (2) the Ordinance does not
10 relate to any concerns of economic insecurity, and (3) it will not serve to improve worker
11 retention. (Dkt. Nos. 10 at 17, 28 at 21).¹⁰

12 First, the Court cannot properly assess whether the statute “substantially impairs”
13 Plaintiffs’ members’ contracts, as Plaintiffs have provided no specific allegations of contracts or
14 contractual terms which the Ordinance might impair. *See, e.g., Gen. Motors Corp. v. Romein*,
15 503 U.S. 181, 186 (1992) (holding that specific contractual terms must be substantially impaired
16 to give rise to a violation under the Contracts Clause); *RUI One Corp.*, 371 F.3d at 1147 (similar
17 holding). In addition, whether the employer has been subject to previous regulation in the
18 affected area is a relevant consideration in determining whether a substantial impairment has
19 occurred. *See Energy Reserves Grp., Inc.*, 459 U.S. at 413; *Spannaus*, 438 U.S. at 249; *In re Est.*
20 *of Hambleton*, 335 P.3d 398, 413 (Wash. 2014) (“[A] party who enters into a contract regarding
21 an activity ‘already regulated in the particular [way] to which he now objects’ is deemed to have
22 contracted ‘subject to further legislation upon the same topic.’”) (alterations in original) (quoting
23

24 ¹⁰ Plaintiffs also seem to argue that any impairment is invalid because it is not based on a
25 legitimate exercise of a police power, but the claim of illegitimacy seems premised on the
26 success of the Plaintiffs’ primary claims, *i.e.*, that a police power that is preempted, violates
equal protection, or violates the Contracts Clause is illegitimate. (Dkt. No. 28 at 23–24.) This
circular reasoning fails because the Court does not find such violations.

1 *Veix v. Sixth Ward Bldg. & Loan Ass'n of Newark*, 310 U.S. 32, 38 (1940)). While the Court
2 agrees with Plaintiffs that the grocery industry is not so heavily regulated as the companies at
3 issue in *Energy Reserves*, neither is it the case that City inserted itself into “a field it had never
4 sought to regulate,” as the Minnesota Legislature did in *Spannaus*. Further, the law in *Spannaus*
5 created entirely new contractual obligations with retroactive effect. 438 U.S. at 249. Neither is
6 true here: the store employees were already subject to state and local minimum wage laws, and
7 the Ordinance has no retroactive effect.

8 Even assuming, *arguendo*, that Ordinance does “substantially impair” Plaintiffs’
9 contracts, the law would still survive. Plaintiffs do not seem to contest that the City has a
10 legitimate interest in the health and safety of frontline workers, including grocery employees,
11 and in particular, protecting them from coronavirus infection. (*See* Dkt. No. 28 at 21.) The City
12 argues that the Ordinance accomplishes that by “equip[ing] workers to purchase more effective
13 personal protective equipment and reduce reliance on public transit.” (Dkt. No. 25 at 21.) They
14 further argue that compensating grocery employees for the “substantial risks of working during
15 the COVID-19 emergency promotes retention of these vital workers,” which is “fundamental to
16 protecting the health of the community.” Ordinance § 1.GG. These are the sorts of “significant
17 and legitimate” public purposes required to survive a Contracts Clause analysis, and the Court
18 will follow the directive of the Supreme Court to “defer to legislative judgment as to the
19 necessity and reasonableness of a particular measure” in cases where the state is not a
20 contracting party. *U.S. Trust Co.*, 431 U.S. at 22.

21 Similarly, no independent inquiry is required for purposes of the Contracts Clause
22 contained in the Washington constitution, as it is “coextensive and . . . given the same effect” as
23 the clause contained in the U.S. Constitution. *Dep’t of Lab. & Indus. of State v. Lyons Enters.*,
24 *Inc.*, 347 P.3d 464, 474 (Wash. App. 2015), *aff’d*, 374 P.3d 1097 (Wash. 2016).

25 Plaintiffs fail to state a claim based upon a Contracts Clause violation.
26

1 **III. CONCLUSION**

2 For the reasons described above, the Court GRANTS Defendant’s motion to dismiss
3 (Dkt. No. 23). Plaintiffs’ complaint is DISMISSED with prejudice and without leave to amend,
4 as any amendment would be futile. *See Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048,
5 1052 (9th Cir. 2003) (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)). Plaintiffs’ motion for
6 preliminary injunction (Dkt. No. 10) is DENIED as moot.

7 DATED this 18th day of March 2021.

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11 John C. Coughenour
12 UNITED STATES DISTRICT JUDGE
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CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:25 PM) Capital Improvement Plan Grant Update - Public Works,

SUMMARY: The City Council will discuss with staff the transportation and non-motorized projects in the Capital Improvement Plan (CIP) that did not receive grant funding, and consider next steps.

AGENDA CATEGORY: Discussion

PROPOSED BY: Public Works

RECOMMENDED MOTION: I move to remove the High School Road / State Route 305 Bike Crossing Project, the Finch Road Improvements Project, and the Madison Avenue Reconstruction Project from the 2021-26 Capital Improvement Plan and consider the funding for these projects in a future discussion as part of the Sustainable Transportation Plan and the Biennial Budget update.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	
Ongoing Cost:	N/A
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: As part of the development of the 2021-26 Capital Improvement Plan, City staff and the Council agreed to include several transportation and non-motorized projects that were partially funded through pending grant applications. Those projects, and their current grant status, is as follows:

- High School Road / 305 Bike Crossings: This project was funded with \$700K in pending grant funds and \$150K in City match funds. The grant for this project, a regional ped/bike program, was highly competitive and the project did not rank as highly as others in the Seattle metropolitan region with higher usage and equity scores.

- Finch Road Improvements: This project was funded with \$300K in pending grant funds and \$100K in City match funds. The grant for this project, a regional Safe Routes to School program, was highly competitive and the project did not rank as highly as others in the Seattle metropolitan region with higher usage and equity scores.

- Madison Avenue Reconstruction: This project was funded with \$750K in pending grant funds and \$403K in City match funds. The grant for this project, a Transportation Improvement Board program, was highly competitive and overall funding availability was very low. Other projects with higher volumes and worse conditions were selected.

Combined, there is approximately \$653K programmed into these projects that could potentially be reprogrammed to one or more of these projects, or other transportation projects at the Council's discretion. City staff is recommending removing the High School Road / State Route 305 Bike Crossing Project, the Finch Road Improvements Project, and the Madison Avenue Reconstruction Project from the 2021-26 Capital Improvement Plan and considering the funding for these projects in a future discussion as part of the Sustainable Transportation Plan and the Biennial Budget update.

ATTACHMENTS:

[CC CIP Project Update 031821.pptx](#)

FISCAL DETAILS: Financial impact will depend on decisions made.

Fund Name(s):

Coding:

Three projects in the CIP did not receive grant funding:

Non-Motorized: HSR/ 305 Bike Crossings

- \$700K Grant (not received)
- \$150K City Funds



Non-Motorized: Finch Road

- \$300K Grant (not received)
- \$100K City Funds



Reconstruction: Madison Ave

- \$750K Grant (not received)
- \$403K City Funds

\$1.7 M Grant Funds
\$653K City Funds



Recommended next steps:

- Remove projects from the CIP
- Evaluate non-motorized project as part of the Sustainable Transportation Plan
- Evaluate reconstruction needs as part of next budget update



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:35 PM) Madison Avenue Non-Motorized/Utility Project Scope Discussion - Public Works,

SUMMARY: City staff will present an option to the City Council for exploring the combination of several planned and future Madison Avenue capital projects into a single project that also includes a separated bike lane on both sides of the road along one or more segments of the corridor.

AGENDA CATEGORY: Discussion

PROPOSED BY: Public Works

RECOMMENDED MOTION: I move to authorize \$25,000 from the Transportation Benefits District fund to evaluate preliminary design options and cost estimates for the Madison Avenue Non-Motorized/Utility Project as discussed at the March 23, 2021 Council meeting.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	\$25,000
Ongoing Cost:	
One-Time Cost:	\$25,000
Included in Current Budget?	No

BACKGROUND: The 2021-16 Capital Improvement Plan contains three priority projects (Madison Sidewalk, Village Basin Sewer Improvements, and Madison Reconstruction) that could be combined into a single project that could also include a separated bike facility on both sides of one or more segments of the Madison Avenue corridor between Winslow Way and SR305.

The advantage of combining and expanding the scope of these projects are that it would create cost efficiencies by overlapping utility and road replacements, and would also mitigate limitations on staff resources by focusing on a series of improvements along one corridor in a single project. Additionally, the separated bike lane element of the project would create an all-ages north-south corridor through Winslow that could potentially connect downtown with the library, schools, parks, and other commercial establishments.

If the Council is interested in further evaluation of this option, City staff is recommending authorizing \$25,000 for concept design and estimates to be completed this summer.

ATTACHMENTS:

[Madison Ave Project 031821 FINAL.pptx](#)

FISCAL DETAILS: The Council has the option of using Transportation Benefits District funds in the amount of \$25,000 to support this effort.

Fund Name(s): Other

Coding:

Planned projects overlapping on Madison Ave.

Village Basin Improvements (sewer replacement)

- \$750K sewer funds
(includes \$120K for road reconstruction 1-lane)



Madison Sidewalk Expansion

- \$1.4M Grant (received)
- \$600K City Funds
- \$2.0M total



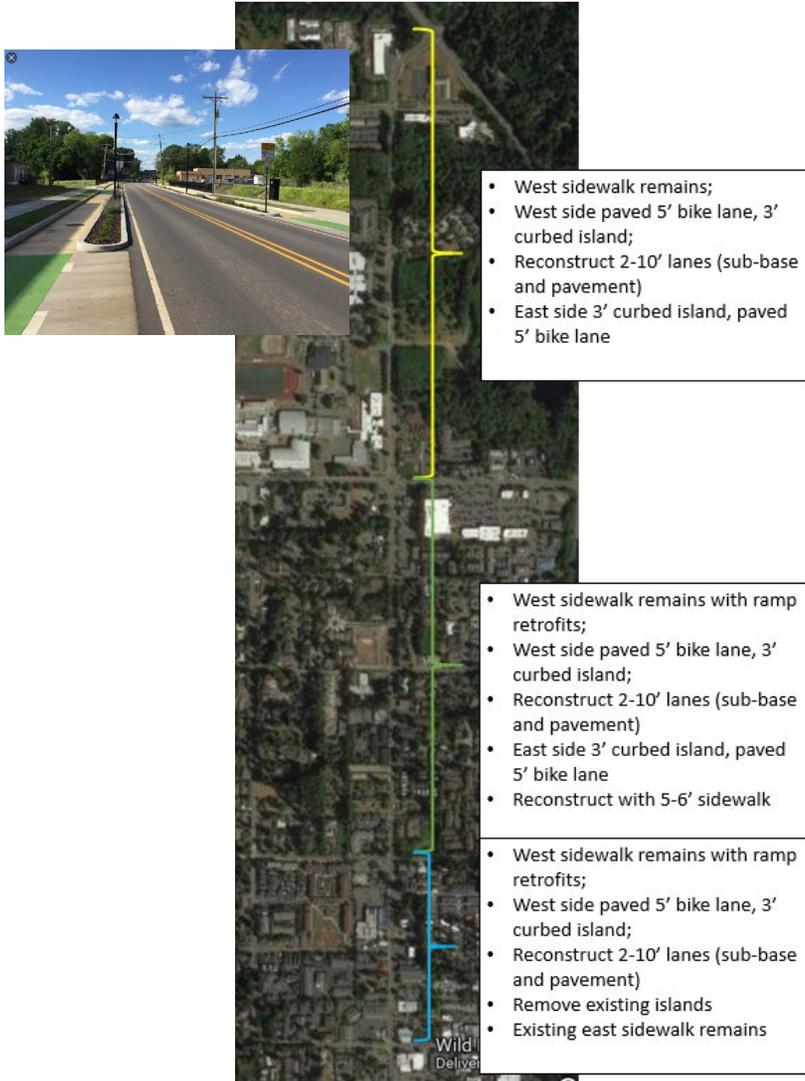
Reconstruction: Madison Ave

- \$750K Grant (not received)
- \$403K City Funds



Option for consideration

Madison Avenue Separated Bike Lanes



- West sidewalk remains;
- West side paved 5' bike lane, 3' curbed island;
- Reconstruct 2-10' lanes (sub-base and pavement)
- East side 3' curbed island, paved 5' bike lane

- West sidewalk remains with ramp retrofits;
- West side paved 5' bike lane, 3' curbed island;
- Reconstruct 2-10' lanes (sub-base and pavement)
- East side 3' curbed island, paved 5' bike lane
- Reconstruct with 5-6' sidewalk

- West sidewalk remains with ramp retrofits;
- West side paved 5' bike lane, 3' curbed island;
- Reconstruct 2-10' lanes (sub-base and pavement)
- Remove existing islands
- Existing east sidewalk remains

High School to 305
\$1.2M - \$1.9M

Wyatt Way to High School
\$1.2M - \$1.5M

Winslow to Wyatt
\$650K - \$850K

High School to 305
\$2.4 - \$3.4M

Total: \$3M - \$4.3M

Why investigate this project now?

- Overlaps with planned utility replacements and road reconstruction
- Mitigates staff capacity issues by layering on existing project work
- Addresses Madison reconstruction
- Provides for all ages and all modes

Potential Next Steps

- Utilize Transportation Benefits District funds to explore high-level design/cost options for Madison Bike Track (\$25K)
- Present options to Council early summer



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:45 PM) Lodging Tax Advisory Committee (LTAC) 2021 Funding Recommendations - Executive,

SUMMARY: In response to a request for proposals issued by the City in the Fall of 2020, the Lodging Tax Advisory Committee ("LTAC") received and reviewed proposals for funding from the Lodging Tax (Civic Improvement Fund) for activities in 2021. The LTAC reviewed 12 proposals totaling \$462,402 in funding requests. The LTAC funding recommendation totals \$225,000.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: I move to approve the Lodging Tax Advisory Committee's 2021 funding recommendation and authorize the Interim City Manager to execute the associated funding agreements with recipient organizations.

STRATEGIC PRIORITY: Vibrant Economy

FISCAL IMPACT:

Amount:	\$225,000
Ongoing Cost:	
One-Time Cost:	\$225,000
Included in Current Budget?	Yes

BACKGROUND: According to RCW 67.28.1816: "The local lodging tax advisory committee must select the candidates from amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee."

In response to a request for proposals issued by the City in the Fall of 2020, the Lodging Tax Advisory Committee ("LTAC") received and reviewed proposals for funding from the Lodging Tax (Civic Improvement Fund) for activities in 2020. The LTAC reviewed 12 proposals totaling \$462,402 in funding requests. The LTAC recommendation totals \$225,000. Details of the LTAC's review and the suggested funding are included in the attached recommendation. The proposals are available for review on the City's website:

<http://www.bainbridgewa.gov/236/Lodging-Tax-Advisory-Committee>. Following City Council approval, City staff will develop agreements with each recipient organization for which 2021 funding is provided.

ATTACHMENTS:

[2021 LTAC Funding Recommendations - Final.pdf](#)

FISCAL DETAILS: Per the 2021 RFP, the City Council approved up to \$225,000 in distributions. This amount of funding was selected based on forecasts of 2020 revenue available during Q1 2020.

The current estimate for available funds at year-end 2020 is \$404,000 which can fully support the award amount of \$225,000. Remaining funds will be combined with 2021 revenue to support activities in 2022. City staff will work with the City Council to schedule the 2022 award cycle, including estimates of the amount available to award in Q3 2021.

Fund Name(s): Other

Coding:



City of Bainbridge Island

**Recommendations for
2021 Civic Improvement Fund Expenditures
Lodging Tax Advisory Committee
March 2021**

**2021 Lodging Tax Advisory Committee (LTAC)
(Appointed by City Council on December 8, 2020)**

Christy Carr	(City Councilmember, Chair, Voting)
Kirsten Hytopoulos	(City Councilmember, Vice-Chair, Non-Voting)
Denise Dumouchel	(Eligible Recipient Organization Representative)
Peter Raffa	(Eligible Recipient Organization Representative)
Bill Corbin	(Eligible Lodging Business Representative)
John Dinsmore	(Eligible Lodging Business Representative)

Overview

The Lodging Tax Advisory Committee (LTAC) is established through Chapter 67.28 of the Revised Code of Washington (RCW) and is charged with reviewing and making recommendations to the City Council about the allocation of the Civic Improvement Fund (CIF). This special fund exists pursuant to City Code 3.65.040 through the collection of a tax on overnight lodging on the island.

In response to a Request for Proposals (RFP) issued by the City in September, the LTAC received 12 proposals for funding from the Civic Improvement Fund (CIF) for 2021 activities. The total amount requested was \$462,402. A complete proposal for each project reviewed by the LTAC is available on the City's website: [Lodging Tax Advisory Committee](#).

According to RCW 67.28.1816:

The local lodging tax advisory committee must select the candidates from amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee.

Eligibility

The State's requirements restrict the use of the fund to projects in the following categories:

- tourism marketing projects,
- marketing and operations of special events or festivals,
- the operation of tourism related facilities, or
- capital expenses for a tourism related facility.

The funding parameters for 2021 allow applicants to apply for grants between \$2,000 minimum and \$137,500 maximum. Additional eligibility requirements for 2021, as stated in the City's RFP, are as follows:

- 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 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.
- Proposals are to be for goods and services provided during calendar year 2021. Funding requests for goods or services to be provided in 2020 or beyond calendar year 2021 will not be considered. Funding may be used for expenses incurred during January 1 – December 31, 2021.
- Proposals from organizations with a board 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.

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.

Recommended Funding

The committee recommended funding awards for 2021 are presented in the following table:

Applicant	Project & Applicant's Total Budget, if Submitted	Request Detail	Total Request	Recommended Funding
Arts & Humanities Bainbridge	Certified Creative District		10,000	5,000
Bainbridge Arts and Crafts	Off-Island Advertising Package		14,000	7,000
	Print & Video Publications	14,000		
Bainbridge Island Chamber of Commerce	Visitors Center Information		61,500	38,000
	Visitors Bureau	2,000		
	Tourism, Marketing and Promotion	7,000		
	Celebrate Bainbridge	2,000		
	Washington Tourism Alliance	1,000		
	Website Development & Maintenance			
	Maintenance, Registration, Hosting, Upkeep	1,000		
	Staff Time to Maintain Information	3,000		
	Grand Old Fourth of July (53rd Anniversary)			
	Marketing, Event Planning, Operations, Staff Costs, Materials	14,000		
	Website Maintenance	2,000		
	Proposed Auxiliary Staffing	1,000		
	Operating a Tourism Related Facility Staffing			
	Supervisory Hours	6,000		
	Staffing Hours	15,000		
	Operation Costs of a Tourism Related Facility	7,500		
Bainbridge Island Downtown Association	Multi-Media Destination Marketing Campaign		67,600	12,250
	Walkabout Guides	30,900	18,900	
	July 3 rd Street Dance/ Celebrate Bainbridge	18,450	9,950	
	Art Walk	6,700	6,200	
	LeGarage Sale	10,750	7,750	
	Trick or Treat Downtown	3,250	2,750	
	Holiday Celebrations	24,700	21,200	
	Memberships	1,350	850	
	Total	96,100	68,100	

Bainbridge Island History Museum	Operational Support (Tourism-Related Facility)		15,506	15,000
	Volunteer Coordinator	15,506		
Bainbridge Island Lodging Association	Destination Bainbridge 2021		90,700	41,750
Foundation of Tourism Activities				
Destination Bainbridge Tourism Website	9,000	7,000		
Promotion of Overnight Tourism	28,000	23,000		
Training & Support for Overnight Lodging	5,500	4,000		
Strategic Partnerships for Off Season Promotions	10,200	5,700		
Administration & Overhead	9,000	6,500		
Expand Scope to Include Island Businesses				
New Partnerships with Tourism-Related Businesses	3,000	3,000		
Promote Local Businesses to Oversight Visitors	3,000	2,500		
Joint Tourism Promotions & Collateral	3,000	2,000		
Explore Potential for Island Hospitality Association	2,500	2,000		
Produce Innovative/ Promotional Videos				
Videos Promoting Lodging Properties	30,000	20,000		
Select Promotional Videos	15,000	10,000		
Member Marketing Assistance & Test Podcasts	7,500	2,500		
Promote & Distribute Video Library	2,500	2,500		
Total	128,200	90,700		
Bainbridge Island Parks Foundation	Bainbridge Island Trails Maps and STO Trail Planning		10,000	10,000
	Trail Map			
	Map Design and Printing	4,000		
	Staffing/Administration	1,000		
	STO Corridor Planning			
	Staffing/Administration	5,000		

Kids Discovery Museum	Strategic Marketing Plan		19,000	9,000
Social Media Marketing	2,000			
Digital Marketing	7,000			
Photography/Videography	3,000			
Print Marketing	7,000			
Payroll	20,000			
Total	39,000			
Mobility for All	Bainbridge Electric Shuttle		33,646	0
Set-up/Mobilization	22,469			
Operations	54,197			
Program Administration	5,580			
Total	82,246			
Visit Bainbridge Island	Multi-Media Destination Marketing Campaign		99,700	70,000
Administrative Expenses				
Staffing	30,400	30,400		
Operating Expenses	4,000	4,000		
Subtotal	34,400	34,400		
Marketing Expenses				
Advertising & Promotion	45,000	40,000		
Website: Update & Maintenance	4,500	4,500		
Industry Affiliations & Memberships	2,800	2,800		
Wayfinding App/Visitor Experience	2,300	2,300		
Social Media	3,500	3,500		
Photography/Videography	10,000	5,000		
Inbound Familiarization, Site Inspections & Media Visits	3,500	3,500		
Off-Island Sales Missions/Event Representation	3,200	3,200		
Membership Outreach	500	500		
Total	109,700	99,700		

Visit Kitsap Peninsula	12-Month Lodging & Tourism Marketing Support		18,000	5,000
Broadcast Media	35,000	3,750		
Print Advertising Program	28,000	3,000		
Digital/Social Media Programs	24,000	2,571.43		
Broadcast & Other Video Production	3,000	321.43		
KP Visitor Guide & Recreation Map/Printing/Distribution	14,000	1,500		
KP National Water Trails Guide & Website/Printing/Distribution	5,000	535.71		
Event Marketing/Social Media Support	2,500	267.86		
VKP Website Management, Update, Calendar, Marketing Services	24,000	2,571.43		
Specialty Visitor Information Guides – Production/Printing/Distribution	2,500	267.86		
Public Relations/Travel Writers/FAM Tours	4,500	482.14		
Industry/Recreation Trade Shows	500	53.57		
Visitor Information & Inquiry Request Services	5,000	535.71		
Other Visitor Services/Expenses	20,000	2,142.86		
Total	168,000	18,000		
Winery Alliance of Bainbridge Island	Wine on the Rock (Tourism Marketing/Special Events)		22,750	12,000
	Facebook Ads/Posters/Graphic Designer/Rack Card Printing	6,000		
	Taste Washington	1,250		
	Kitsap Wine Festival	500		
	Bainbridge Island Wine Trail Program	1,000		
	Photography (Two Events)	2,000		
	Marketing Consultant	12,000		
	Total	27,750		
Total – All Proposals			462,402	225,000



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (8:55 PM) Feedback on Proposed Changes to Governance Manual - Council,

SUMMARY: Attached is an annotated working copy of the Governance Manual that Councilmembers Pollock and Schneider provided comments on, mostly in terms of reorganization, clarity and consistency. They have asked for feedback from the Council.

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION: Discussion.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[Governance Manual 071420-2 MP LS comments-2.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

Manual of City Governance
Policies, Procedures and Guidelines

Resolution No. 2020-15

Adopted July 14, 2020

A Comprehensive Collection of
Governance Principles, Policies, Procedures,
Standards of Conduct, Meeting Rules
and References to Applicable Law

Introduction

The Bainbridge Island Manual of City Governance gathers standards for Bainbridge Island governance practices into a single document. It is a comprehensive collection of policies, meeting rules, coordination procedures, administrative references, public outreach guidelines and procedures. Included, by reference, are relevant provisions of applicable state and local law. Also included are principles to guide the Council/Manager form of government.

This manual can be a valuable resource for Bainbridge Island, the City's citizens, the City Council and City management as we continue to work together for effective and efficient local government. The City Council and City management should be familiar with the contents of this manual and keep it close at hand.

This manual (as adopted by Resolution) is a legislative act and is intended to remain in force except to the extent that any portion may be subsequently be amended or rescinded by act of Council.

RESOLUTION NO. 2020-15

A RESOLUTION of the City of Bainbridge Island
Adopting a Manual of City Governance
Policies, Procedures, and Guidelines
for the Council-Manager Form of Government.

WHEREAS, the City Council desires that city government be transparent and accountable to the public; and

WHEREAS, the City Council seeks to govern in a manner that is responsive to the community, in collaboration with City management, and in a business-like and professional manner; and

WHEREAS, written principles, policies and procedures best assure an atmosphere conducive to principled, accountable and transparent governance; and

WHEREAS, on April 10, 2018, the City Council adopted Resolution No. 2018-13, adopting the most recent version of the City of Bainbridge Island Manual of City Governance Policies, Procedures, and Guidelines.”

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

Section 1. The City Council hereby adopts the “City of Bainbridge Island Manual of City Governance Policies, Procedures, and Guidelines” dated July 28, 2020, which is attached hereto as **Exhibit A**.

Section 2. Resolution No. 2018-13 and any prior versions of the City of Bainbridge Island Manual of City Governance Policies, Procedures, and Guidelines are hereby repealed in their entirety.

Section 3. This resolution shall take effect immediately upon its passage.

PASSED by the City Council this 14th day of July, 2020.

APPROVED by the Mayor this 14th day of July, 2020.

/s/ _____

Leslie Schneider, Mayor ATTEST/AUTHENTICATE:

/s/ _____

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK: July 10, 2020
PASSED BY THE CITY COUNCIL: July 14, 2020
RESOLUTION NUMBER: 2020-15

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Exhibit A – Summary of Robert’s Rules of Order
Exhibit B – Local and Regional Board / Committee Assignments
Exhibit C – Scalable Public Process System
Exhibit D – Sample Order of Business

NOTES for Leslie

LS/MP Overall approach is to divide the process into three steps, (1) redline and get it shipshape with corrections and consistency check, along with suggestions for reorganization and also to flag policy issues; (2) reorganize, (3) suggest policy changes Great!

Organization Issues:

This is a mixture of council policies and administrative policies and state law, and some BIMC

This is a mixture of policy directives and aspirational goals.

Some terms are not well defined

For some phrases or policy directives, it is unclear what they mean or how they would be implemented

There are redundancies and information on subjects is scattered (e.g. public comment policies are in a number of places)

Some policies may not be consistent with state law (e.g. rules on what can be said during public comment, public records requirements)It is not spelled out what are the consequences for failure to follow any policies, and who decides whether or not the policy has been followed. In some cases it can be decided by the Council, in others it has to be decided by the City Manager, in other cases, in a court of law, in other cases, by the ethics board/HeX.

Overall the document is so long that it does not serve as a useful day to day reference. Suggest putting rules of procedure and any other information more commonly used up front and then putting the more arcane information in the back chapters or as appendices.

There is also a lot of redundancies and at times contradictory information . This manual could be significantly shortened by referring readers to websites or URLs or BIMC or RCWs or RONR that provide more current information, and by consolidating information. Having gone through it twice now, I think we should discuss reorganization/consolidation next, per our 3-step outline. I’ll work on that today while you are reviewing and then we can discuss that at 5 pm today (2/25/21)

Mostly agreed, but we can also consider this document to be the required reading material for an incoming council member, and to that goal, I think a paraphrasing of state law and the way that we interpret it is helpful.

Article 1: USE OF THIS MANUAL AND ITS RULES

1.1 Purpose

This manual, and its governance policies and rules of procedure, are designed to provide guidance for the Council and City Administrator.

Article 2: PRINCIPLES

It is hereby the policy of the City to establish the principles stated in this Article 1 as core values of City governance:

2.1 Values

2.1.1 **City Leaders Listen to the Community**

City leaders listen to the community in a way that represents the community's interests and goals.

2.1.2 **Collaboration is Valued**

Council and staff should use their best efforts to collaborate in every endeavor, seeking consensus as far as possible.

2.1.3 **City Leaders Lead and Reason Together**

Council members should, individually and collectively, demonstrate the ability to lead and reason together.

2.1.4 **The City Exemplifies Professionalism in City Management**

City leaders exhibit respect for the professionalism and ethical conduct of the City Manager and staff.

2.1.5 **Sustainability**

Leaders strive to achieve sustainable outcomes in City policies and administration, with sustainable bottom lines for the community, environment, and for city finances, and the local economy.

2.2 Relationship between Council, City Manager, Staff, and Public

2.2.1 **Council Oversees City Organization But Does Not Interfere With Management**

Council establishes budgetary authority for departments and positions, and may determine the duties and compensation of each, but does not interfere with the City Manager's management of City employees.

2.2.2 Council and City Manager Roles and Responsibilities Differentiated

Leaders adhere to the separate and distinct policy and management roles of Council and City Manager. Administrative policy and complaints are handled by the City Manager and Department Heads; legislative policy is established by Council.

2.2.3 City Attorney Is Legal Counsel to the City and Its Officials Collectively

The City Attorney is hired by the City Manager and represents the City and in that capacity, provides legal advice to the Council, City Manager, and staff to the extent their interests coincide with the City's.

2.2.4 Staff Provides Adequate Information for Council Policy-Setting
Information is sufficient for effective decisions.

2.3 Functioning of City Council

2.3.1 There is a Council-Selected Mayor

As per state law, the Council-selected Mayor presides at Business Meetings of the Council.

2.3.2 The Mayor Also Embodies Other Leadership Roles

As per Council policy, the Mayor serves as: the City's ceremonial head; the main liaison for the Council with the City Manager; a team leader; a goal-setter; an organizer who helps stabilize Council relationships; a champion of the City.

2.3.3 Citizen Volunteers Play an Important Role

For citizen advisory committees, boards, and commissions, the Mayor shares the role of seeking and interviewing volunteers, and appoints citizens to these committees, boards, and commissions subject to Council confirmation.

2.3.4 The Role of Deputy Mayor is Rotated

Council members take turns serving as Deputy Mayor, presiding at meetings, and coordinating with City Manager when Mayor is unavailable or absent.

2.3.5 Service on Regional Bodies is Shared Among Council Members

Council selects individual Council liaison roles based on the desire, qualifications, and skills of interested Council members. (policy)

2.3.6 Representatives of City Act in Accordance with City Policies

2.3.7 It is a duty of staff and Council who represent the City to advocate positions that are consistent with City policies, projects, and plans. Councilmembers Serve in Liaison Roles to Community Organizations

Council approves liaison duties to community organizations for arts, human services, business community, tourism organizations, etc., based on desire and qualifications.

2.3.8 Councilmembers Have Opportunity to be Leaders and Innovators

One or more Council members may “sponsor” an ordinance or resolution.

2.3.9 Council is Mindful of Limited Resources

Council expense reimbursement is limited to budget and requires receipts. There are other limits on types and amounts of reimbursements.

2.3.10 Council Authorizes Certain Grant Applications Before Submittal

If a grant would require material matching dollars or impact policy, the Administration will seek Council approval prior to applying. The administration will bring grant opportunities it becomes aware of to the full Council. The Council may also initiate the process of pursuing a grant.

2.3.11 Fewer Standing Committees

Because staff time and resources are limited, the Council will use Study Sessions of the whole Council rather than numerous Standing Committees. The Council will consider utilizing a Standing Committee only if needed to provide ongoing oversight in a prescribed area, as described in Section 3.1.2 below.

2.4 Efficiency and Effectiveness of Council Decision-Making

2.4.1 Opportunity for Public Comment During Meetings

Typically, during Business Meetings public comments on any topic relating to City business are taken at the outset of the meeting and public comments are taken in the course of consideration of each matter under study at the meeting. Each public comment should usually be limited to three minutes. In order to allow the Council to more efficiently and effectively study issues during its limited Study Session time, public comment is generally not taken during Study Sessions. Councilmembers may also receive public comments via email or other written communications.

2.4.2 Effective Decision Making Requires Finality

Rules shall limit the prerogative to reconsider a Council decision; effective decision-making results in finality and “moving on”.

2.4.3 Council Dialog Calls For “Sticking to the Point”

The Presiding Officer’s role, especially at the business meeting, is to keep Council business focused and expeditious.

2.4.4 Council Meeting Agendas Are Set by a Team

Agendas for Council meetings are generally developed and refined by the Council and Administration at City Council meetings and are then arranged by the Mayor, Deputy Mayor, and City Manager at the weekly agenda setting meeting prior to public notice and distribution of the agenda. Only the Mayor, Deputy Mayor, and City Manager attend the weekly agenda setting meetings,

but exceptions can be made by request of a third Councilmember for a specific issue, or to include consultation with additional staff as needed. Items may be added to an agenda as described below:

- **To Add an Item to, or Change, the Current Meeting’s Agenda:** *Any Councilmember may make a motion at “Approval of the Agenda.” A majority vote amends the current agenda.*
- **For Regular Council Deliberation at a Future Meeting:** *Any Councilmember may, during “Future Council Agendas,” request future Council deliberation of agenda items to discuss policy and request staff support. If after discussion there is not clear support for the agenda item, then the chair may call for a vote. If there is general Council support, or a majority vote of Council to proceed, then the City Manager, in consultation with the Mayor and Deputy Mayor, will add the item to an upcoming meeting agenda with adequate lead time for staff support.*
- **For Consideration of Council Attention:** *For proposed agenda items supported by a minority of Councilmembers, a motion and second may place a limited discussion on the agenda for the next meeting to advocate for further consideration of Council attention, including requested staff support and recommended motions. When this item comes up at the next meeting, after 10 minutes of discussion the Chair calls for a vote on further consideration.*
- **For Urgent Action by Council:** *If an urgent issue or opportunity arises between meetings and is best addressed at the upcoming meeting, three Councilmembers—including the Mayor and Deputy Mayor—must agree to add the item, agree to any necessary staff support, and give direction for recommended motions. Lack of agreement still gives any Councilmember the opportunity to make a motion at “Approval of Agenda” as described above for additions or changes to a current meeting agenda.*

2.5 Functioning of City Manager and Staff

2.5.1 Council-Manager Governance Depends on a Strong City Manager Role

The City Manager prepares the proposed budget; administers code and policy; appoints and removes city employees; serves as the City’s chief executive officer.

2.5.2 Regular and Understandable Financial Reporting

The City’s regular financial reports enable the Council and community to understand the City’s financial condition, and are in harmony with accounting standards for governmental organizations, applicable law, and municipal best practices, taking into account brevity, cogency, salience, and clarity.

2.5.3 Council and Administration are Mindful of Risk Management

There will be periodic reviews of risk management with WCIA (Washington Cities Insurance Authority). The Council empowers the City Manager with a dollar authority level to settle minor claims.

2.5.4 Council Meetings are Recorded and Accessible in Many Forms

There is a full audio and video recording on the city website for each Council meeting, and various real-time broadcast options. Minutes of meetings are concise and are approved and posted online in as timely a manner as possible.

Article 3: DEFINED TERMS AND BASIC RULES

3.1 Types of Governing Bodies, and Advisory or Supporting Groups

3.1.1 City Council (or “Council”)

The Council consists of 7 officials, each elected to four-year terms. The terms are staggered with 3 or 4 terms expiring at the end of even-numbered years. Individual Council members do not have governing power as individuals, but only when meeting as a Council, when a quorum (4 or more) is present. A special-purpose meeting of the Council when a quorum is present is sometimes referred to as a meeting of the Committee of the Whole.

3.1.2 Council Standing Committee

A Council Standing Committee consists of Councilmembers (not more than three, approved by the full Council for a calendar-year term), with staff support appointed by the City Manager. The Council may, but is not required to, establish one or more Standing Committees. A Standing Committee is a body with no established expiration date, and which has jurisdiction over a Council-prescribed ongoing policy area, such as finance. The purpose of a standing committee is to perform oversight functions in the prescribed area, and to develop and recommend actions in that area to the Council.

3.1.3 Council Ad Hoc Committee

An Ad Hoc Committee is a temporary committee established by Council to investigate and advise Council on a specific policy or issue for future Council action, or to develop a legislative or policy proposal for Council on a particular topic. The Council determines the purpose of an Ad Hoc Committee at the time of establishing it. The Council may appoint up to three Councilmembers to an Ad Hoc Committee, and, if applicable, one or more citizens or subject matter experts who are not city employees. Furthermore, each Ad Hoc Committee shall include the City Manager (or his or her designee) and any City staff that the City Manager chooses to assign to the Committee. An Ad Hoc Committee shall be dissolved upon completion of the Council-assigned task.

3.1.4 Citizen Advisory Committee or Commission

As defined by ordinance or resolution, a citizen board, committee, or commission is generally a standing (rather than temporary) body with prescribed authority to perform a recurring advisory or decision-making role on behalf of the City as a municipal corporation. The list of such bodies, as that list may be amended from time to time, is found in Exhibit B. Procedures and rules that apply to such bodies are described in Article 6: CITIZEN COMMITTEES, BOARDS AND COMMISSIONS.

3.1.5 Citizen Task Force

A Citizen Task Force consists of a group of citizens, established and appointed by the Council or by the City Manager, which is tasked with the responsibility of advising the appointing body or Manager regarding some activity or pending decision of City government. Such a committee is normally formed on an ad hoc temporary basis to advise either the Council or City Manager (or a Council standing or ad hoc committee) on a particular topic relating to city legislation, policy, or practices, or the means to carry out a proposed project or city activity. The list of such bodies, as that list may be amended from time to time, is found in Exhibit B.

3.1.6 Steering Group

The City Manager or the Council may establish a Steering Group to perform a temporary ad hoc task or project prescribed by the Council or the City Manager – such as organizing one or more forms of citizen engagement on a public issue or providing direction and oversight for the implementation of a City project or program.

3.1.7 Small Task Group

The Council may, from time to time, create, and appoint members to a small task group for the purpose of examining issues and making recommendations important to the City but not requiring the more formalized process of a larger task force, which may require a steering committee. The small task group may consist of one or more Councilmembers, one or more citizens or experts familiar with the issue or project, and the City Manager (or designee). In all cases, the instrument appointing a task force shall set forth a clear task assignment and provide for dissolution of the group upon completion of the task.

3.1.8 Multi-Agency or Regional Task Group

When a major regional effort involves key agencies outside of City government but vital to a project's coordination, the Council may create by motion, legislative directive, or intergovernmental agreement, an appropriately named multi-agency or regional task group (and may create a Steering Group to guide the task group effort). Membership shall consist of one to three Councilmembers and may include the City Manager (or designee), typically one representative from each partner agency, and, if applicable, representation from any private consultant or non-profit agency with a key interest or resource vital to the issue or project.

3.1.9 Scalable Public Process Planning System

For public issues of high interest or high impact or those that require a lengthy public process, a Public Process Steering Group may be formed. For issues that are less controversial, have less far-reaching impacts, or are suited to a shorter process, an Ad Hoc Committee or Task Force may be more appropriate. The purpose of the committee, task force, or steering group is to strategize and facilitate appropriate public process for a particular community subject or issue. See Exhibit C for more details on the use of this Scalable Public Process Planning System.

A Public Process Steering Group typically consists of one to three Councilmembers, the City Manager (or designee), and the City's Communications Coordinator. The Councilmember(s) shall be appointed by the Mayor and confirmed by Council. The City Manager shall appoint additional staff as needed to provide technical support and may appoint one or more citizens to provide community input. Representatives of outside agencies may also be included where appropriate. These appointments shall identify the task(s) of the Steering Group. The group shall be dissolved when the task is completed. A similar approach may be taken in assembling an Ad Hoc Committee or Task Force, except that the group make-up may be smaller and simpler, and it may have one or just a few meetings, or even "meet" by email.

The committee, task force, or steering group shall serve as a collection point for information and activity pertaining to the task or issue assigned and shall advise on the design for public processes. Public process activities may incorporate a range of tools such as press releases, newspaper columns, Q & A's, fact sheets, presentations to community organizations, focus groups, neighborhood meetings, ward meetings, and public forums, as described in the City's public participation guidelines. The Council Liaison will inform the Council of the group's activity at Council meetings (when appropriate).

3.1.10 Nonprofit Service Agency

A nonprofit organization may perform a function for the City as defined by contract with the City or as prescribed by ordinance. An example of such a nonprofit entity designated by ordinance is the Bainbridge Island Arts and Humanities Council (for oversight of the Cultural Element of the Comprehensive Plan).

3.2 City Officials and Adjudicators

3.2.1 Mayor

See the definition and duties stated in Section 5.3.

3.2.2 Deputy Mayor

See the definition and duties stated in Section 5.4.

3.2.3 Presiding Officer

The term Presiding Officer means the Councilmember who is to chair, or is in fact chairing, a Council meeting. Unless otherwise stated in the meeting agenda, the Presiding Officer shall be the Mayor unless the Mayor is absent, in which case the Presiding Officer shall be the Deputy Mayor (or, in the absence of both, the Councilmember who is elected by the quorum to preside at the meeting).

3.2.4 City Manager

See the definition and duties stated Article 7: CITY ADMINISTRATION.

3.2.5 Appointive Officers

The City's Appointive Officers consist of the City Manager and those persons (who may or may not be City employees) who occupy any of the appointive offices stated in Section 2.08.030 of the COBI Code.

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)*

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 assigned as a liaison to a Council advisory committee or other body (a “Committee”) is expected to attend all meetings of that Committee. If a liaison is not able to attend a meeting, the liaison should notify the Committee Chair and make a good faith effort to find another Councilmember to provide substitute support (emergencies excepted).
- 2 A Councilmember acting as a liaison to a Council 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.

- 3 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 that which clearly represents direction or guidance of the full Council. Any criticism of Council actions should be discussed with the full Council and never with the Committee in the absence of full Council.
- 4 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 decision making of the Committee.
- 5 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.
- 6 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.
- 7 The Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee.

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.

If the liaison has concerns with Committee actions, that liaison should express these concerns to the Committee Chair. If the concerns are not resolved by the Chair, then the Councilmember liaison's duty is to bring the concerns to the Mayor and Deputy Mayor, and subsequently to the full Council, if direction is needed. A liaison may not ever convey their own opinion that a committee member or Chair should be removed; only the full Council has this discretion.

Liaison Censure or Removal

If, after review and sufficient warnings by the full Council, a liaison fails to abide by these expectations, the full Council may vote to censure or remove the liaison from one or all committee assignments.

3.2.7 Hearing Examiner

The City regulates and adjudicates land use matters using a Hearing Examiner system set forth in BIMC 2.14.030. The Hearing Examiner is appointed by the City Manager and confirmed by Council. Under BIMC 2.14.030, the Hearing Examiner is "responsible for conducting hearings on and adjudicating quasi-judicial cases involving a variety of complex land use and regulatory compliance issues, and other issues which the city council may designate to the hearing examiner by ordinance or resolution." The Hearing Examiner has the authority to adopt rules and procedures for proceedings before the Hearing Examiner. Additionally, many of the procedures for hearing various matters and appeals before the Hearing Examiner are found in BIMC 2.16.

3.3 Types of Meetings of Council

3.3.1 Regular Meeting

A Regular Meeting of the Council is a meeting convened on a regular series of dates (and at a time) stated in City ordinance. At a Regular Meeting, the Council may conduct any business stated on the agenda that is publicly posted prior to the meeting, or the Council may approve additions or deletions to the agenda at the meeting.

3.3.2 Special Meeting

A special meeting is a Council meeting called at a date or time other than the time prescribed by ordinance for a Regular Meeting. At a special meeting, the Council may conduct any business stated on the agenda that is publicly posted prior to the meeting, or the Council may approve deletions or additional items for discussion (but not additional action items) to the agenda at the meeting.

3.3.3 Business Meeting

A business meeting is a regular or special meeting of the Council that is primarily for the purpose of voting on the City's business, generally in the form of motions, resolutions or ordinances. A business meeting typically includes a public comment period for a limited period of time stated in advance on the agenda, during which a member of the public may address the Council on any matter of public concern (whether or not on the agenda).

3.3.4 Study Session

A study session is a regular or special meeting of the Council that is generally held in a more informal manner or setting than a business meeting, and where the purposes may be, for example, (i) to study, deliberate, or review one or more topics or emerging issues for potential action at a future date, (ii) to vet the status of matters that are intended to be presented on the agenda of an ensuing business meeting unless exceptional circumstances apply, (iii) to engage in public comment or dialog, or (iv) to participate in presentations with City staff or other subject matter experts. In general, final votes are not taken at a study session, but there are commonly procedural votes on the disposition of various matters. Any regular or special Council meeting may be adjourned to a Study Session.

3.3.5 Workshop

A study session on a single topic or subject is sometimes referred to as a workshop.

3.3.6 Public Hearing on Ordinance

A formal public hearing may be required by statute or City ordinance as a portion of the prescribed public process for the Council's adoption of the City budget, the City's Capital Facilities Plan, and certain other legislative actions. In such a case, a public hearing is conducted according to certain formal public hearing rules prescribed by law. The public hearing typically occurs during a publicly noticed portion of a regular or special meeting of Council, where the time of the hearing has been stated in the prior public notice.

3.3.7 Public Hearing on Quasi-Judicial matter

Certain Council reviews and actions that are akin to a judicial decision affecting a particular party or a particular set of one or more properties require that the Council conduct a formal public hearing of a "quasi-judicial" kind. Such a hearing is typically conducted by Council during a prescribed portion of a regular or special meeting and is performed in such a manner as to establish a clear record of proceedings, facts presented, and the decision process according to judicial standards. A detailed discussion of quasi-judicial hearings can be found in Section 9.14.

3.3.8 Retreat

A retreat (sometimes referred to as an "advance") is generally a Special Meeting called for the purpose of very informal discussion dealing with goals, objectives, and guidelines for future activity of the organization. At a retreat, the Council may, for example, develop goals and objectives for its own organization for the year, consider priorities for the Council work plan, or set goals for the City Manager which may be elements of an annual performance evaluation in accordance with the employment agreement. Although a detailed listing of the City's activity plan for a coming year may result from informal consensus, formal adoption should be made in a regular Council meeting by motion or resolution.

3.4 Types of Public Participation in Government

3.4.1 **Public Comment Period at Business Meetings**

At Council Business Meetings, the agenda shall generally include a period of time known as the Public Comment Period. Within that time period, any member of the public may be recognized by the Presiding Officer and may address the full Council on any public issue – whether or not on the agenda. Unless Council determines otherwise, the Public Comment Period at a Business Meeting is reserved for comments by the public rather than responses from Council or Administration. For further guidelines, see Sections 5.6 (Respect and Decorum) and 9.12 (Procedures for Public Comment at Business Meetings).

3.4.2 **Limited Dialog with the Public at Study Sessions**

Council Study Sessions will usually not include time for public comments. However, the Presiding Officer, with the consent of Council, may allow limited public comments from, and dialog with, members of the public who have information to share that would be pertinent to the issue that the Council is studying. In general, the Presiding Officer may allow more flexibility than is generally allowed at a Business Meeting in accommodating responses and interactive dialog with Councilmembers, the Administration, and other presenters.

3.4.3 **Other Meetings with the Public Outside of City Hall**

The Council may organize other meetings with the public in various forums outside of City Hall – in various settings such as public forums, neighborhood meetings, presentations to community organizations, ward meetings, town halls, and so on. In such settings, the meeting shall ideally include one or more Council members and one or more members of the Administration.

3.4.4 **Public Forum**

*When major public policy development warrants, and after adequate preparation of issues and alternatives, a steering group (see Sections 3.1.6 to 3.1.9) may conduct **larger citizen forums** to help develop a public consensus on the issues. The general procedure would be to provide basic information, to explore alternatives and options and to receive verbal and written public comments. The Steering Group shall summarize the conclusions and recommendations of such **forums** for presentation to the City Council prior to the customary City Council deliberations (i.e., agenda actions, public hearings, etc.) which could normally result in final action.*

3.4.5 **Neighborhood or Ward Meetings**

Neighborhood or ward meetings may be scheduled as part of a larger public process as designed by an Ad Hoc Committee, Steering Group, or Task Force (see Sections 3.1.6 to 3.1.9), however, any member of the Council may convene a citizens' neighborhood meeting or series of meetings for the purpose of providing a general forum on City matters. Such meetings shall, when convened, provide information pertaining to specific issues as well as an opportunity for citizens to ask questions or express views on any subject. The

Councilmember may request that the City Manager or his or her designee attend these meetings to answer questions on administrative matters. Because such meetings typically involve three or fewer Council members and are therefore not official Council meetings, Councilmembers who attend shall report issues or conclusions to the Council as such meetings occur. At any such meeting, a Councilmember should avoid discussion or comments that pertain to current or potential lawsuits or other quasi-judicial proceedings that might later come before the Council. Councilmembers should exercise care to avoid claiming to speak for the City or Council on any issue on which the Councilmember is not expressly authorized to speak for the Council.

3.4.6 Additional Avenues for Public Participation

Public process activities may also incorporate a range of tools such as press releases, newspaper columns, fact sheets, Q&A's, etc. as described in the City's documents and guidelines pertaining to public participation in various projects and processes.

3.4.7 Committees and Other Citizen Participation Opportunities

For descriptions of other potential participation opportunities for citizens relating to City governance, see Sections 3.1.3 to 3.1.9.

3.5 Types of Governing Actions

3.5.1 Motion

An adopted motion is a form of action taken by the Council to direct that a specific course of action be taken or executed on behalf of the municipality. A motion is similar to a resolution but is generally much shorter and worded in a more informal manner than a resolution. A motion, once approved and entered into the record, is the administrative equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing State or Federal statutes, City ordinances, or resolutions.

3.5.2 Resolution

An adopted resolution is an administrative act which is less formal than an ordinance and is a statement of legislative policy or direction concerning matters of special or temporary character. Council action shall be taken by resolution when required by law or in those instances where an expression of legislative policy that is lengthier or more meticulously worded than a motion is desired. While resolutions are often just a statement of policy, a resolution may have the force of law (e.g., a resolution setting permit fees, or a resolution declaring certain City property to be surplus).

3.5.3 Ordinance

An enacted Ordinance is a local law (legislative act) prescribing general rules of conduct. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty. An ordinance is a legislative act within its sphere as much as an act of the State Legislature. The general guiding principle is that actions relating to subjects of a permanent and

general character are usually regarded as legislative and should be addressed through an ordinance, and those providing for subjects of a temporary and special character are regarded as administrative and should be addressed through a resolution. (See Durocher v. King County, 80 Wn.2d 139, 153, 492P2d 547 (1972)).

3.5.4 Comprehensive Plan Amendment

Such an amendment is a legislative act in which the Council amends all or part of the Comprehensive Plan after the Planning Commission has deliberated, held public hearings and made recommendation(s) to the Council. The Council likewise holds a public hearing before passage.

3.5.5 Budget Adoption or Amendment

Legislative acts adopting or amending the budget document for the City on an annual or biennial basis. Although the budget is a maximum spending plan, it must be managed by the City Manager to operate within actual revenue received for each fund.

3.5.6 Capital Facilities Plan (CFP) Adoption or Amendment

The CFP is a 6-year plan which is a companion to the budgeting process and which establishes priorities for construction or replacement of capital facilities of the City.

3.5.7 Quasi-Judicial Ruling

Such a ruling is similar to a “judicial act” taken by an agency or authority that is not constituted as a “court” of law. A quasi-judicial ruling is an administrative ruling made by the Council, Hearing Examiner, or Planning Commission where the process and facts to be heard and judged are prescribed by regulatory laws or ordinances and are appealable to a higher authority or court of law.

Article 4: STANDARDS OF CONDUCT

4.1 Sources and References

In this Article, the following references are frequently cited as sources of law or explanations of applicable law and standards of conduct:

- “KTT”: Association of Washington Cities (AWC) and Municipal Research & Services Center of Washington (MRSC): “Knowing the Territory: Basic Legal Guidelines for Washington City, County and Special Purpose District Officials”
- “CMH”: AWC and MRSC: “Councilmember’s Handbook”
- “RCW”: Revised Code of Washington
- “COBI Code” (or “BIMC”): Codified Ordinances of the City of Bainbridge Island (or Bainbridge Island Municipal Code)

4.2 Standards of Conduct for Officials under Washington Law

A summary of various Washington state statutes and case law that impose duties and standards of conduct on a city's elected and non-elected officials is found in the AWC/MRSC handbook called "Knowing the Territory" (referred to herein as "KTT"). For a summary of ethical standards of conduct under City ordinance, see, for example, Section 4.9 and the sections which follow it.

4.3 Oath of Office

A Council member, when sworn into office by the City's Municipal Court Judge or City Clerk, swears that "I will...":

- comply with the constitution and laws of the United States and the State of Washington, and
- ... I will faithfully and impartially discharge the duties of this office to the best of my ability."

The City Manager, Department Heads and certain other City employees in key positions are likewise considered city officials and, when hired or promoted to officer status, are likewise sworn in with a similar oath that calls for compliance with those constitutions and laws.

4.4 Public Trust and Fiduciary Duty

"Courts have held public office to be synonymous with public trust and that a public officer's relationship with the public is that of a fiduciary." KTT (pp 6-7). Public trust is a guiding concept in state statutes relating to avoidance of conflict of interest in contracting (RCW 42.23), and in the Open Public Meetings Act (RCW 42.30).

The people themselves, in a 1972 ballot initiative relating to public campaign law, declared trust to be the public policy of the State of Washington, stating in part: "That the people have the right to expect from their elected representatives at all levels of government the utmost of integrity, honesty and fairness in their dealings" and "That the people shall be assured that the private financial dealings of their public officials, and of candidates for those offices, present no conflict of interest between the public trust and private interests."

4.5 Stewardship of Public Funds

The state law imposes the highest of duties on public officials who are custodians of public funds, such as treasurers. (KTT, p. 7). By analogy, there are provisions of law that impose other high standards for public funds on City officials generally, such as: (i) the State Constitution's prohibition against making gifts to an individual or a for-profit or nonprofit corporation or association (KTT p. 22-24); (ii) the state law prohibitions against using public facilities or property for political campaign purposes (RCW 42.17.130); and state law requirements for bidding of public works projects (RCW 35.22.620) (MRSC, "Bidding Book for Washington Counties") and for the giving of notice when seeking suppliers for other major purchases (e.g. RCW 39.80).

4.6 Conflicts of Interest under State Law

As the state Supreme Court has ruled, a Councilmember may not vote on a matter where he or she would be especially benefitted. And, with some exceptions noted below, Washington law forbids a city official from having a financial interest in a City contract, regardless of whether or not s/he votes on the matter. (KTT, p.9).

Furthermore, the public campaign laws require public elected officials (in addition to candidates) to make financial disclosures at least annually (through the Washington Public Disclosure Commission (PDC)) so that the public can be informed about potential conflicts. These annual disclosures are in addition to those required by COBI's Ethics Code (see below).

4.6.1 State Code of Ethics

The RCW 42.23 includes a Code of Ethics for state and local officials that generally prohibits (with some specified exceptions) four types of conduct by a City official:

- (a) using one's City official position to obtain special privileges for oneself or others;
- (b) giving or receiving a gift in connection with a City matter;
- (c) accepting employment or engaging in a business that would require disclosing confidential information gained as a City official; and
- (d) disclosing confidential information gained as a City official or using such confidential information for personal gain.

Legal advice should be sought on such questions as:

- (a) Is a very small gift, such as a coffee, small enough as to be "de minimus" and therefore not intended to be prohibited?
- (b) Should a gift from an out of town dignitary be handed over from an official to the city as a whole?
- (c) Under what circumstances can an official accept expense-paid travel to a meeting or a fact-finding visit?

4.6.2 Prohibition Against Private Interest in a Public Contract

- (a) The RCW 42.23 also broadly prohibits the following conflicts of interest regarding a city contract (including, among other things, employment contracts):

"No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through, or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein ..."

- (b) This prohibition applies even if the official doesn't vote on or otherwise approve the contract that presents a conflict. (KTT, p. 11-13)
- (c) Unlike the COBI Ethics Code (which applies to both financial interests and other personal interests), this State conflict of interest standard prohibits only financial conflicts.
- (d) There are exceptions to the prohibition, and there is a qualified set of exceptions for certain "remote interests". (KTT, p. 11-13)

4.6.3 Limitations on Holding Multiple Offices

There are state law prohibitions against an official appointing himself or herself to a second office or employment with the city ("dual office holding"), and there are certain combinations of public office that are considered to be incompatible and therefore not eligible to be held concurrently. (KTT, p. 16-18)

4.6.4 "Appearance of Fairness" Doctrine under State Law

- (a) The Appearance of Fairness doctrine applies only in those instances when a Councilmember is a decision-maker in a "quasi-judicial" matter (e.g. a spot rezoning, or a long-form plat development approval). It doesn't apply to a Councilmember's various legislative and policy decision-making. (KTT, p. 19-21)
- (b) As stated in the RCW 42.36, the "appearance of fairness" requires that the Councilmember not engage in "ex parte" communications with a party interested in the outcome of the quasi-judicial matter.
- (c) See Section 9.14 for a further discussion of the Appearance of Fairness Doctrine as applied to quasi-judicial hearings that are conducted by the Council.

4.7 Open Public Meetings under Washington Law

The Open Public Meetings Act is summarized in the KTT, and is also described in greater detail in the MRSC publication, "The Open Public Meetings Act – How it Applies to Washington Cities, Towns, and Counties.

4.7.1 All Deliberations and Actions Must Be At Noticed Public Meetings

As stated in RCW 42.30 (Open Public Meetings Act or "OPMA"), all meetings of city governing bodies (i.e., where a quorum or more of Council members, or members of some other "governing body" of the City, assemble to discuss or otherwise act on City business) must be open and public.

4.7.2 Applies to Sub-Agencies of the City

The OPMA applies to a "subagency" of the City, which may mean that a City board, commission, or similar entity created by or pursuant to state or local legislation is

subject to elements of the OPMA, such as the Planning Commission. RCW 42.30.020(2) states that a “governing body” to which the OPMA applies includes a committee of the Council or other governing body “when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.” The OPMA does not apply to court proceedings, quasi-judicial proceedings (such as Civil Service Commission hearings), or collective bargaining and related labor relations meetings. It does not apply to purely social meetings where city business is not discussed.

4.7.3 Two Kinds of Meetings: “Regular” and “Special”

A “regular” meeting is one with regular dates, times, and locations set by ordinance, resolution or rule. Any business may be conducted at a regular meeting, but RCW 35A.12.160 states that “every city shall establish a procedure for notifying the public of upcoming hearings and the *preliminary agenda* for the forthcoming Council meeting.”

A “special” meeting is a meeting other than a “regular” meeting, which may be called by the Presiding Officer (e.g. the Council’s Mayor) or a majority of Council members. The notice of a special meeting must be posted at least 24 hours prior to the meeting and must state the items of business on the agenda. Unless an exception applies, the Council may not add to the agenda of a special meeting without giving 24 hours’ notice of the added item.

4.7.4 Open to the “Public”

Under RCW 42.30.050, all persons must be permitted to attend a public meeting except unruly persons. Attendance may not be conditioned upon registration or similar requirements. The Act does not prohibit a requirement that persons identify themselves prior to testifying at hearings. In cases of disorderly conduct, disorderly persons may be expelled, and if that is insufficient to restore order, the meeting place may be cleared or relocated. However, non-offending members of the news media may not be excluded.

4.7.5 Executive Sessions

An “executive session” is a portion of a public meeting that is conducted on a topic that is permitted by law to be discussed by a governing body or sub-agency in a non-public setting. As further provided by the RCW 42.30.110 in greater detail, an executive session may, in general, be conducted to discuss matters such as the following:

- (a) Real estate acquisition, lease or site selection; or deliberations on the price at which to offer real estate for sale or lease;
- (b) Negotiations on publicly bid contracts;
- (c) Evaluation of complaints or charges brought against a public officer or employee;
- (d) Evaluation of qualifications of an applicant for public employment or to review the performance of a public employee;

- (e) Evaluation of the qualifications of a candidate for appointment to elective office; or
- (f) To discuss with the City's legal counsel City enforcement actions or litigation or potential litigation.

Council members shall not disclose confidential information learned or confidential documents provided during or after an executive session unless waived by the full Council.

4.7.6 Unintended Meetings; Electronic Meetings

An unintended meeting may occur in violation of the OPMA if, without the requisite public notice, a quorum or more of a public body or sub-agency meets for an in-person or telephonic discussion or conducts an interactive discussion of city business through email, social media, or other electronic communication. (See 4.8.2 below for more discussion of email, social media, and other electronic communications).

4.8 Open Government and Public Records

As a result of a statewide ballot in 1972, strong public protections were put in place relating to (1) political campaign disclosure; (2) disclosure of lobbying; (3) disclosure of the financial interests of a candidate or elected official; and (4) openness of public records. The topic of open access to public records is summarized in pages 36-41 of the KTT, and in greater detail in the MRSC electronic publication: "Public Records Act for Washington Cities, Counties and Special Purpose Districts" (available at <http://mrsc.org/>).

4.8.1 Purpose of the Public Disclosure Law

"The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. [The law] ... shall be liberally construed . . . to promote this public policy." (See, RCW 42.56.030)

It is hereby the policy of the City that elected and other city officials shall do nothing to hinder the City's obligation to possess, retain and store public records. Under RCW 42.56.010(2), a "public record ... includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Furthermore, and under RCW 42.56.010(3), a writing means "handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents, including existing data compilations from which information may be obtained or translated."

4.8.2 Emails, Text Messages, Social Media, and Other Electronic Records

Under the state law definitions (above), an email, text message, or an entry on a website, blog, twitter, or a social media internet site) is a “writing”, and it is likewise a “public record” if it meets the definition above.

Additional regulations have been adopted which further elaborate on the legal duty of a city to store and archive not only public records of traditional hard-copy kinds but also electronic public records. (See Chapter 434-662 of the Washington Administrative Code (WAC))

In recognition of the legal duty and desire to maintain open and transparent government, and to support the City’s duty to accessibly store and archive electronic public records, it is the policy of the City that in the case of each public record, Council members shall conform to the following practices:

(a) Policies on Email Platforms

- (i) Councilmembers not use any private, public, or proprietary email service other than the City’s email system for the sending or receiving emails that meet the definition of public record. Council members shall take all reasonable steps to ensure that each email that is a public record sent or received by him or her is sent or received on the City-maintained email system utilizing the individual’s email address at bainbridgewa.gov or another email address provided by the City,
- (ii) If a Councilmember receives an email that is a public record at an email address other than an address provided by the City, the Councilmember shall promptly forward that email to the Councilmember’s email address at bainbridgewa.gov or another email address provided by the City, and advise the email sender that any and all emails pertaining to City matters are to be sent to the Councilmember at the City-provided email address;

(b) Policies on Text Messages

Council members shall promptly forward any text message that is a public record to the member’s email address at bainbridgewa.gov or another email address provided by the City; or in the alternative take a screen shot of the text message and promptly forward the screen shot to the member’s email address at bainbridgewa.gov or another email address provided by the City;

(c) Policies on Electronic Communications and Compliance With Open Public Meetings Law

- (i) Any electronic communication sent by a Councilmember that is a public record as defined above shall not be sent or copied to more than two other Councilmembers. Councilmembers shall not engage in any discussion of City business through email, social media, blog comments,

or any other electronic forum or medium with more than two other Councilmembers.

(ii) Any Councilmember who receives an electronic communication that is a public record that has been received by two other Councilmembers shall not forward the communication to any other Councilmember.

(d) **Policies on The Use of Personal Accounts and Devices to Conduct City Government**

(i) The City shall provide a personal computer and mobile phone to any Councilmember who desires a City-issued device for use in conducting City government.

(ii) In the alternative, a Councilmember may use a personal device to conduct City government, provided that the Councilmember complies with all the policies stated in this Manual.

(iii) Any Councilmember who uses any personal email account or personal electronic device (such as a computer, mobile phone, or tablet) to create or receive information relating to the conduct of City government, or the performance of any function of City government, shall use best efforts to save all such public records in a labeled, designated folder or other location in the account or on the device. The Councilmember shall, upon request of the City Attorney, and in any event prior to leaving office as a Councilmember, transfer all public records from his or her personal account or device to the City. The Councilmember shall not delete any public records from any account or device until all such public records have been transferred to the City. Once the transfer has been completed, and so long as there is no pending request relating to the public records, the Councilmember may delete the transferred records from the account or device.

(iv) If a Councilmember chooses to use a personal account or device to conduct City government, the Councilmember consents to the City or its agent searching the account or device to locate and copy all public records, subject to reasonable safeguards to protect the privacy of information that is not a public record, if a court finds that a search is necessary.

4.8.3 Duty to Act in the Interests of the City

- No elected person shall use his or her position, or the knowledge gained therefrom, in such a manner that a conflict arises between the interests of the City of Bainbridge Island and his or her personal interests, or the interests of other organizations.

- ***Each elected person has a duty to place the interests of the City of Bainbridge Island foremost*** in any dealings with the City and has a continuing responsibility to comply with the requirements of this policy.
- If an elected official has a financial interest a proposed transaction with the City; or has a financial interest in any organization involved in the transaction; or has an immediate family member with a financial interest in such transaction; or holds a position of trustee, director, officer or employee of any organization involved in the transaction; then he or she must make full disclosure of such an interest before any discussion or negotiation of such transaction, shall abstain participating in any Council discussion of such matter, and shall abstain from any vote on such matter.

4.9 Duties to Act Consistently with City Policy When Representing City Elsewhere

Both elected City officials and non-elected City officials are frequently called upon to participate in policy bodies and decision-making forums at the county and regional level. It is hereby the policy of the City that, whenever any City official (whether elected or staff) is directly or indirectly representing the City on a policy making or decision-making body at the county or regional level, it shall be the primary duty of that individual to act in a manner consistent with the interests of the City, as embodied in City policy, budget, capital facilities plan or other action of Council or directive of the City Manager. In short, a City official who is serving on a county or regional body as a City representative must place his or her fiduciary duties to the City above any fiduciary duties owed to the county or regional body.

4.10 Role of City Attorney

The City Attorney's ultimate client is the City itself – a municipal corporation. The City Attorney's relationship to the local government is similar in a number of respects to that of an attorney who represents a corporation. In that capacity, the City Attorney provides legal advice to the City Council, the City Manager, the Department Directors, and City staff. (See KTT (footnote 39).

The City Attorney may represent the City in actions brought by or against the City or against City officials in their official capacity. However, other attorneys may be hired to handle specific cases because of the nature of the case, because the City Attorney has a conflict or other reason he or she cannot become involved, or due to limited resources of the City Attorney's office. In some cases, the City Attorney may have a conflict and not be in a position to advise both the City Council and the City Manager. (See MRSC "Knowing the Territory."

In cases where either the City Council or the City Manager perceive such a conflict, the City Attorney should be consulted directly in order for him or her to make a decision about whether it is possible for the City Attorney to adequately represent the City in that situation. If

the City Attorney determines that they cannot do so, then it is the responsibility of the City Attorney to secure alternate legal assistance.¹

The City Manager cannot prohibit the Council from having access to the City Attorney's advice. For reasons of efficiency or cost effectiveness, the City Manager may decide that certain legal questions should be channeled to the City Attorney through the City Manager, to ensure that questions are clearly worded and communications back to Council are consistent. (See MRSC "Councilmember Handbook" p.#.)

The Council can determine as a policy matter whether the City shall obtain legal advice from an on-staff City Attorney or by reliance on a law firm, but the Council may not direct the appointment of an individual to the position of City Attorney – that being the role of the City Manager. (See MRSC "Code City Handbook" p#.)

4.11 Process for Officials to Question the Legality of City Actions

City officials, including elected officials, may be indemnified by the City (or by insurance purchased by the City) for actions taken by an official within the scope of his or her duties. An official should therefore take care to act within the scope of his or her duties, and not cause City or personal liability by virtue of individual actions taken in the absence of legal advice.

An unfounded assertion by a City official that the City is acting in violation of law can cause undue risk and liability to the City and may therefore constitute a breach of that official's duty to the City. Therefore, it is hereby the policy of the City that the following steps shall be followed if a City official questions the lawfulness of the conduct (or proposed conduct) of the City, or of any of its officials or staff.

1. Consult the City Attorney and fully describe the facts and issues which raise a question of illegality.
2. If the advice of the City Attorney does not resolve the concern, consult the City Manager.
3. If steps "1" and "2" do not resolve the concern, the official may request an executive session of the full Council, if the matter rises to the level of presenting a risk of litigation.

¹ There are two scenarios in which a city council has the implied authority to hire outside counsel. One, if the council hires counsel to represent it, and it prevails on the substantive issue to the benefit of the city, a court may direct the town to pay the reasonable fees and costs of outside counsel. *State v. Volkmer*, 73 Wn. App. 89, 95 (1994) (citing *City of Tukwila v. Todd*, 17 Wn. App. 401, 563 P.2d 223 (1977)). Two, if extraordinary circumstances exist a court may determine that a contract with outside counsel is both appropriate and necessary. *State v. Volkmer*, 73 Wn. App. 89, 95 (1994) (citing *Wiley v. Seattle*, 7 Wn. 576, 579, 35 P. 415 (1894)). Extraordinary circumstances may exist where there is a vacancy in the office of city attorney; or where the city attorney is ill, disqualified, absent, or unavailable; or where the legal official of the corporation refuses to appear and perform the necessary services; or where he has, or represents, adverse interests. *City of Tukwila v. Todd*, 17 Wn. App. 401, 406, 563 P.2d 223 (1977) (citing McQuillin, *The Law of Municipal Corporations* §29.12 at 262-63 (3d ed. 1966)).

4. Prior to completing steps “1” through “3”, it is a violation of the Official’s duty to the City to assert in public the opinion that the City is in violation of law.

4.12 Conduct of Officials with Regard to Litigation Against City

It is hereby the policy of the City that, once an individual or organization has filed a legal proceeding against the City, no City Council member shall engage in discussions or other communications with such individual (or the officers or directors of the organization) about the subject of the lawsuit without first disclosing the intent to do so to the Council, either in public or in executive session. It is also hereby the policy of the City that its conflict of interest rules shall apply to elected officials with regard to individuals or organizations threatening or pursuing a lawsuit against the City.

4.13 Prohibition Against Making Gifts of Public Funds

Article 7, section 1 (Amendment 14) of the Washington State Constitution requires that taxes and other public funds be spent only for public purposes. *See also State ex rel. Collier v. Yelle*, 9 Wn.2d 317, 324-26, 115 P.2d 373 (1941); AGO 1988 No. 21.

Article 11, section 15 further provides as follows:

The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

Article 8, section 7 of the constitution states:

No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.

A city may contract with private organizations to provide services to the public if those are services that the city is authorized to provide. The private organization provides the services in question as an agent or contractor for the city. For instance, a city, having authority to provide recreational programs for its residents, may do so by contracting with a youth agency or senior citizens’ organization to operate recreational programs for those groups, under appropriate city supervision. The contract should be carefully drawn, however, so that the program or project remains the city’s own operation and is not an unlawfully broad delegation of city authority, or grant of city funds, to a private agency. Payments should be made pursuant to vouchers reflecting the satisfactory performance of services, as provided in Chapter 42.24 of the RCW. (KTT p. 22-24).

4.14 Duty to Avoid Interfering with City Manager

Neither the Council nor any Councilmember shall interfere with the authority of the City Manager to appoint and remove any and all department heads, officers, and employees of the City (except Councilmembers), subject to the provisions of applicable law, rule, or civil service regulation. Nor shall the Council or any Councilmember give orders to any subordinate of the City Manager. (See RCW 35A.13.120).

4.15 Duty to Bargain in Good Faith with Collective Bargaining Representatives

Unions have a significant presence in Washington cities. Most city employees have the right to organize under state law and have joined state-wide unions or formed local associations. The city must negotiate labor contracts with these unions over wages, hours and working conditions.

In particular, most police ... departments are unionized. Except for very small cities, police ... unions have access to interest arbitration when an impasse in bargaining occurs. This can create a unique dynamic in police ... negotiations, given the potential for an outside arbitrator to make decisions regarding wages, benefits and contract language. (Councilmember's Handbook, p.13)

Certain City employees are represented by the International Association of Machinists (IAM) and police officers are represented by the Police Guild.

It is the policy of the City that it shall be the responsibility of the Council to set policy for collective bargaining, and the responsibility of the City Manager to engage in such collective bargaining.

4.16 Immunity and Indemnification of Officials For Individual Actions in Good Faith

An appointed or elected official or member of the governing body of a public agency is immune from civil liability for damages for any discretionary decision or failure to make a discretionary decision within his or her official capacity, but liability shall remain on the public agency for the tortious conduct of its officials or members of the governing body. (See RCW 4.24.070(1))

It is important to note that an official's immunity applies solely to actions taken in good faith in the course of performing within the scope of the official's duties.

The City is insured through the Washington Cities Insurance Authority (WCIA). WCIA provides broad coverage for damage claims and/or lawsuits brought against the City and its officials. If a damage claim involves a covered claim against a City official, then WCIA will retain legal counsel to defend the City official and will generally pay any resulting judgment or settlement amount. Please note WCIA coverage is only available if the situation is the result of a City official acting within the scope of her or his official duties and (if the matter is) not otherwise excluded from coverage through WCIA's compact with the City (i.e., hazardous waste claims are generally excluded from WCIA coverage).

Additionally, in the event that a damage claim or lawsuit is brought against a City official that is related to the performance or failure to perform his or her official duties and the matter is not covered through WCIA, BMC 2.68 provides that the City shall provide legal representation to defend the City official and shall indemnify the City official for the payment of the claim (if warranted) or any resulting judgment. The City will not indemnify and defend a City official acting outside the scope of his or her official duties, or if the claim or lawsuit is based upon a dishonest, fraudulent, criminal or malicious act.

Article 5: CITY COUNCIL – THE ELECTED GOVERNING BODY

5.1 Council Meeting - Time and Location

Regular Meetings of the Council in the form of Business Meetings and Study Sessions shall be held on the dates and times as adopted by Council ordinance, unless cancelled or postponed in accordance with applicable State or local procedures. Special meetings may be called by the Mayor or by four Councilmembers.

5.2 Council Meetings Open to the Public

All meetings of the Council and of any Committees thereof shall be open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140.

5.3 Mayor – Election – Chair to be Mayor – Duties (“Mayor”)

Biennially at the first meeting of the new Council the members thereof shall choose a chair from among their number. The chair of the Council shall have the title of Mayor and shall preside at meetings of the Council. In addition to the powers conferred upon him or her as Mayor, they shall continue to have all the rights, privileges, and immunities of a member of the Council. The Mayor shall be recognized as the head of the city for ceremonial purposes. He or she shall have no regular administrative duties. (See RCW 35A.13.030)

5.4 Deputy Mayor or Mayor Tempore (“Mayor Pro Tem”)

Biennially at the first meeting of a new Council, or periodically, the members thereof, by majority vote, may designate one of their number as deputy mayor or mayor for such period as the Council may specify, to serve in the absence or temporary disability of the Mayor; or, in lieu thereof, the Council may, as the need may arise, appoint any qualified person to serve as Mayor Pro Tem in the absence or temporary disability of the Mayor. (See RCW 35A.13.035)

Meetings of the Council shall be presided over by the Mayor, if present, or otherwise by the Deputy Mayor or Mayor Pro Tem if one has been appointed, or (in the absence of both of them) by a member of the Council selected by a majority of the Councilmembers at such meeting. Serving as Presiding Officer of the meeting shall not in any way abridge the right of the Presiding Officer to vote on matters coming before the Council at such meeting.

In the event of the extended excused absence, disability or resignation of a Councilmember, the remaining members by majority vote may appoint a Councilmember pro tempore to serve during the absence or disability.

5.5 Quorum

5.6 As provided under State law, at all meetings of the Council, four Councilmembers shall constitute a quorum for the transaction of business. A lesser number may adjourn from time to time, provided that written notice of the

adjournment is posted on the exterior Council Chamber doors (pursuant to RCW 42.30.090). 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 (ref RONR o#. No member of the public shall, by conversation or otherwise, delay, disrupt or interrupt the proceedings of the Council, nor disparage any person while speaking. Councilmembers and the public shall obey the proper orders of the Presiding Officer of the meeting. (ref RONR p#)

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 recess, forced removal, or adjournment as described elsewhere in this manual.

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.

5.7 Telephonic or Video Participation from a Remote Location

Requests by a Councilmember to participate and vote remotely by virtual technology shall be granted by the Presiding Officer provided technical capability exists and adequate notice is given.

5.8 Attendance; Excused Absences

A Councilmember may forfeit his or her office by failing to attend three consecutive regular meetings without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Mayor, Deputy Mayor, or Mayor Pro Tem prior to the meeting and state the reason for his or her inability to attend the meeting. If the member is unable to contact the Mayor, Deputy Mayor, or Mayor Pro Tem, the member shall contact the City Manager or City Clerk, who shall convey the message to the Presiding Officer. Near the beginning of the Council meeting, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is any objection to excusing the member. If there is any objection, the Presiding Officer shall call for a motion to excuse the member. This motion shall be non-debatable. In such a case, the outcome of the vote shall determine whether the member shall be considered excused. (See RCW 35A.12.060)

5.9 Filling Council Vacancies

If a vacancy occurs, the Council will follow the procedures provided in RCW35A.12.050 in order to fill the vacancy with the most qualified person available until an election can be held.

The Council will publish a notice of the vacancy, the procedure, and distribute the application form for soliciting candidates. The Council will draw up an application, which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember.

5.10 Continuity of Government Act

In the event that the executive head of the City is unavailable by reason of enemy attack to exercise the powers and discharge the duties of the office, the provisions of RCW 42.14.050 shall apply. The same policy shall be applied in the case of a natural or man-made disaster.

Article 6: CITIZEN COMMITTEES, BOARDS AND COMMISSIONS

6.1 Approval of Appointees

6.1.1 Citizens on Standing Governing Bodies

All members of standing citizen committees, citizen boards, and citizen commissions which are, or which may hereafter be, required by State law or City ordinance or resolution, shall be appointed by the Mayor with confirmation by the Council.

6.1.2 Citizens on Temporary Governing Bodies

Any citizen members of any other committees – such as Ad Hoc Committees, Citizen Advisory Committees or Steering Committees – shall be appointed and approved in the manner described in Section 3.1 (Types of Governing Bodies, and Advisory or Supporting Groups) of this Manual. With regard to any appointments that would normally be subject to Council approval, the Council may choose to waive confirmation in the instrument creating said committee or group. Policy Flag

6.1.3 Removal

Members of any committee, board, or commission which has been appointed by the Council or the Mayor and confirmed by the Council, may be removed without cause by a majority vote of the Council unless otherwise provided for in the Code, ordinance, or resolution that authorized creation of the committee, board, or commission. Policy Flag.

6.2 Establishment and Review of Citizen Governing Bodies That Are Temporary

Council-established governing bodies that are intended to be temporary -- such as Ad Hoc Committees or Citizen Advisory Committees – shall be commissioned for a time certain and provided with a clear task description and term (i.e. a "sunset" provision). Such temporary committees shall be subject to review whenever a new Council is seated following elections, so as to determine whether the committee and its functions continue to be appropriate and necessary.

Other special ad hoc committees and Council liaisons for a particular purpose may be appointed by the Mayor, with confirmation of Council, for a time certain along with a clear task description and "sunset" provision.

Citizen Committees, Commissions, and Boards; liaisons; and citizen advisory or taskforce groups should be given an opportunity to make a recommendation, when appropriate, on proposed ordinances, resolutions, and motions within their area of responsibility or interest, before action is taken by the Council. The appropriate spokesperson may present the recommendation(s) during discussion of that business item on a Council agenda. Policy Flag. Need to update this section consistent with our standard of practice or update our practices to be consistent with this policy.

To the extent that the City Attorney has determined that a citizen committee, commission, or board is a "governing body" that is subject to the State open meetings laws, no such body shall take votes for final action outside of a noticed open public meeting. Policy flag. Need to update consistent with our laws because we apply this to committees that are not subject to OPMA. Also need to reference BIMC

6.3 Relations with Boards, Commissions and Citizen Advisory Groups

Boards, commissions, and citizen advisory bodies of the City shall provide the City with minutes, or a summary report of all meetings. Communications from such boards, commissions, and advisory bodies shall be acknowledged by the Council. Any member of the Council may also bring such communication to the Presiding Officer's attention under the agenda item "Committee Reports." Should any member of the Council determine that such communication be officially answered by the Council, the Presiding Officer shall place the matter on the agenda under New Business for the current meeting or any subsequent meeting. Policy Flag. Need to update consistent with our practices.

Article 7: CITY ADMINISTRATION

7.1 City Manager (policy flag for all of Article 7. In general need to review and simplify and make consistent with our standards of practice. Should wait until BK is on board to deal with this section)

The City Manager is the chief administrative officer of the City. The City Manager is appointed by and directly accountable to the Council for the execution of the Council's legislative policy directives, and for the administration and management of City departments. The powers and duties of the City Manager are defined by State law and a variety of City ordinances (cite). Such duties may be expanded or clarified by job description, resolution, or Council directive (motion). Balanced with the City Manager's accountability to the Council for policy execution is the need for the Council to allow the City Manager freedom to perform those duties and responsibilities in his or her day-to-day management. The City Manager appoints and removes City employees and may delegate such powers to department heads, provided, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the City Manager, anything pertaining to appointments and removals of City officers and employees and City affairs. (See RCW 35A.13.)

7.2 Role of the City Manager

The City Manager shall attend all meetings of the City Council, unless excused by the Presiding Officer or Council. The City Manager may recommend for adoption by the Council such measures as he or she may deem necessary or expedient, prepare and submit to the Council such reports or proposals as may be required by the body or as the City Manager deems advisable to submit; keep the Council fully advised as to the business and finances of the City; and when appropriate, shall take part in the Council's discussion on all matters concerning the welfare of the City. In the event that the City Manager is unable to attend a Council meeting, the City Manager shall appoint a key staff member to attend the meeting as the representative of City Administration.

During Council meetings, the Presiding Officer should rely on the City Manager to introduce the administrative participation on agenda items and should offer opportunity for comment or recommendation of the City Manager before final vote on important matters.

7.3 Informal Communications Encouraged

Members of the Council are encouraged to interact informally and casually with City staff for the purpose of gathering information, obtaining progress reports on policies and programs, or providing information to staff relevant to their Council office. Such informal contacts can serve to promote better understanding of specific City functions and problems. However, Councilmembers should be careful, in such interaction, to avoid giving direction or advice to members of City staff, which may conflict with the City Manager's directives. City staff should provide their supervisor with the same information shared with the Councilmember.

7.4 City Manager – Interference by Councilmembers

As provided by RCW 35A.13.120, neither the Council, nor any of its committees or members, shall direct the appointment of any person to, or his or her removal from, office by the City Manager or any of his or her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any committee or member thereof shall give orders to any subordinate of the City Manager, either publicly or privately. The provisions of this section do not prohibit the Council, while in open session, from fully and freely discussing with the city manager anything pertaining to appointments and removals of city officers and employees and city affairs.

7.5 Complaints to Councilmembers

When performance complaints are made by citizens about staff actions or non-action directly to an individual Councilmember or in a Council or committee meeting, the Council or Councilmember should then refer the matter directly to the City Manager for review and, if appropriate, action. The individual Councilmember or the Council may request to be informed by the Administration of the action or response made to the complainant.

7.6 Administrative Complaints - "Best Practice"

Although citizens' direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a "personal intervention" pattern in minor

calls for service or administrative appeals which may actually delay a timely customer service response. The best policy is to get the citizen into direct contact with the appropriate department or the City Manager, unless an unsatisfactory result has occurred. In that case, refer to Section 7.5 above.

7.7 City Clerk - Minutes - Public Information Access

The City Clerk shall adhere to the requirements of Washington law, and shall be the ex-officio Clerk-of-the-Council. The City Clerk shall keep minutes as required by law and shall perform such other duties in the meeting as may be required by the Council, Presiding Officer, or City Manager. In the absence of the City Clerk, the City Clerk shall appoint a replacement to act as Clerk-of-the-Council. The Clerk-of-the-Council shall keep minutes which identify the general discussion of the issue and complete detail of the official action or consensus reached, if any. The City Clerk shall make an audio and video recording of the proceedings of all public hearings, regular business meetings, study sessions and workshops, and quasi-judicial proceedings. The Clerk shall keep, and make available, an agenda and date for each recording, which will facilitate location of the recorded proceedings. The audio and video recordings shall be posted publicly on the City website, ideally within 48 hours after the meeting.

7.8 The Three Touch Rule (policy flag)

Decision-makers and citizens at all levels of the City should have adequate time to thoughtfully consider the issues prior to final decisions. The Council and Administration should abide by the "Three Touch Rule" whenever possible (unless an exception applies). The following procedural guidelines are designed to avoid "surprises" to the Council, citizens, and administrative personnel.

Any pending request or proposal for adopting or changing public policy, ordinances, resolutions, or directives that will require a decision of the City Council or Administration should normally "**touch**" (through oral or written communication, or any combination thereof) the decision makers at least **three separate times**. Quasi-judicial matters and any subject discussed in executive sessions are excluded from application of the "Three Touch Rule."

The hands of Decision-makers should not be unnecessarily encumbered. Unexpected circumstances may arise such that observance of the "Three Touch Rule" is impractical. However, when unusual circumstances arise which justify a "first discussion" decision, the persons requesting the expedited decision should also explain the need for expedited timing. The Three Touch Rule excludes staff reports and other general communications not requiring a future Council decision. (policy flag)

7.9 City Staff – Attendance at Meetings

Attendance at meetings by City staff shall be at the discretion of the City Manager. It is the intent of the Council that the City Manager schedule adequate administrative support for the business at hand but also to protect the productive capability of department heads. When sound system or other monitoring capabilities exist, the City Manager may allow personnel to utilize time in their offices or other areas while waiting for the item of business for which appearance before the Council is required.

7.10 Administrative Presentations and Briefings

In order to enhance public understanding of complex issues being presented, City Administration is encouraged to include the use of visual communication tools whenever possible, such as:

- Overhead projection summaries or PowerPoint bullet points;
- Flow charts or box diagrams to illustrate complex organizations, sequences or systems;
- Bullet point or summary handouts for the public and the press, when appropriate;
- Slide projector or video-cam clips to show actual situations or settings;
- Large maps to help pinpoint specific locations or parcels;
- Use of color to highlight important elements;
- White board for illustration; and/or
- Configuring the room/display so as to allow the public to follow and understand issues.

Article 8: PREPARATION FOR COUNCIL MEETINGS

8.1 Council Meeting Agendas

Agenda preparation shall have 3 stages: a **preliminary** stage, a **proposed** stage and a final **Council agenda** stage.

The City Clerk, under the direction of the City Manager, and in consultation with the Mayor, Deputy Mayor, or Mayor Pro Tem, shall arrange a list of proposed matters deemed ready for Council consideration according to the “3 touch” rule (Article 7.8) and shall prepare a “**preliminary agenda**” for the next Council meeting. When the “**preliminary agenda**” has been reviewed by the Mayor or other Presiding Officer, he or she shall have the option of adding (or deleting) any item from such agenda.

When the Mayor executes approval of the preliminary agenda it shall then become the “**proposed agenda.**” Copies of the “proposed agenda” shall be posted on the City website at least 24 hours prior to the Council meeting and shall be subject to the notice provisions stated in the City Code.

Upon convening a Council meeting and before any other business, the Council shall accept or modify the agenda by motion. The agenda shall then be officially the “Council agenda” for that meeting.

Requests for presentations to be scheduled on the formal agenda imply that the presentation is an official business consideration of the City. The Presiding Officer shall have the authority to rule on whether or not a graphic presentation, video, or other audio-visual presentation by non-City personnel is appropriate to be presented at the meeting.

The Presiding Officer, a majority of Councilmembers present, or the City Manager may propose a new item for the agenda at a meeting when extraordinary circumstances require, or for the purpose of information touches, excepting that items for action may not be added to a Special Meeting agenda.

8.2 Consent Agenda

The City Clerk or City Manager, in consultation with the Mayor or other Presiding Officer, may place matters on the consent agenda that:

- have been previously discussed by the Council; or
- based on the information delivered to members of the Council by Administration, can be reviewed by a Councilmember without further explanation;
- are so routine, technical, or "housekeeping" in nature, that passage without discussion is likely; or
- are otherwise deemed in the best interest of the City.

8.3 Study Session Agendas

The City Clerk, under the direction of the City Manager and in consultation with the Mayor, Deputy Mayor, or other Presiding Officer, shall arrange a preliminary study session agenda worksheet for the meeting. Councilmembers may request items to be placed on the agenda by contacting the City Clerk.

The Study Session worksheet shall, for each item, contain the following elements:

- **Subject:** The project designation or descriptive name for the item. The person requesting the item should use the same title in any subsequent business.
- **Discussion Leader:** The person who will introduce the item and lead the discussion as in 8.3.1 below.
- **Activity:** A brief description and time estimate of the discussion necessary for the Council to speak to the question posed in the "Goal" column.
- **Goal:** The reasonable outcome contemplated, whether a final action, advancement to a future agenda, just a "touch," according to the 3 touch rule, or for general information.

When the "**preliminary study session agenda**" has been reviewed by the Presiding Officer for the Study Session, he or she shall have the option of deleting any item from such agenda until the next Council meeting when the full Council may vote on whether to re-introduce the item on the agenda or for a subsequent Council meeting. When the Mayor has approved the preliminary study session agenda, it shall then become the "proposed study session agenda." The proposed agenda shall be published on the City website not less than 24 hours prior to the Study Session.

Upon convening the Study Session and before any other business, the Council shall accept or modify the agenda by motion. The agenda shall then officially be the "**Council study session agenda**" for that meeting.

8.4 Study Session Procedure

During a Council Study Session or Workshop, the discussion leader introduced by the Presiding Officer should:

- Introduce the subject and give background information;
- Identify the discussion goal;
- Act as facilitator to keep the discussion focused toward the goal; and
- Alert the Presiding Officer when it is appropriate to call for consensus or a motion.

The Presiding Officer shall retain the option of assuming the function of the discussion leader at any time in order to keep the discussion properly focused. The City Clerk shall keep notes of the discussion subjects with special attention to Council consensus or administrative direction which may need more formal action in a later meeting (i.e. agenda, future budget changes, etc).

8.5 Process for Preparing Legislation or Policies for Adoption Policy Flag

8.5.1 Draft Documents

Prior to consideration or final passage of all Ordinances, Resolutions, or pre-written Motions, draft documents or proposals shall be designated as drafts and shall contain the date of revision and the name of the author. Proposed Ordinances and Resolutions shall be accompanied by a “bullet” summary for possible later publication.

- “Proposed Drafts” shall contain the date, name of the group or individual originating or sponsoring the proposal, prior to the first presentation to the City Council.
- “Council Drafts” shall be documents or proposals which have been presented in open public session and held over by the City Council for further consideration or revision.

8.5.2 Preparation of Ordinances. (Policy Flag check for SOP consistency and BIMC and RCW consistency)

The procedures for ordinances are as follows:

(a) Proposing an Ordinance

A Councilmember may, in open session, request of the Presiding Officer that the Council consider enacting an ordinance. The Council then may assign the development of the proposed ordinance to the Administration, an Ad Hoc Committee, an Advisory Committee or the Council for consideration. The committee or Administration shall report its findings to the Council. The City Manager, the City Attorney, or any of the citizen boards, committees, or commissions may propose that Council consider an ordinance or resolution.

(b) Sponsorship Encouraged

When a Councilmember wishes to assume sponsorship or advocacy of an ordinance or resolution, he or she should so announce, make the initial motion, provide an introduction and advocate the measure before the Council.

(c) Two (2) Readings

Although State law requires only one reading in most cases, all City ordinances shall normally have two (2) separate readings at separate Council meetings. At each reading, the title of the ordinance and a simplified summary or title of the ordinance shall be read prior to a vote. Not later than the date of the meeting at which the reading occurs, the full text of the draft ordinance shall be posted on the City website. A printed copy of the ordinance shall be made available by the City upon request by a member of the public.

(d) Waiver

The provision requiring two (2) separate readings of an ordinance may be waived at any meeting when the Council determines that the ordinance is simple, non-controversial, or administrative in nature or that the interests of the City are best served by one reading.

(e) Motion failure

If a motion to “continue an ordinance to a second reading” fails, the ordinance shall be considered lost, unless a subsequent motion directs its revision and resubmission to second reading.

(f) Repealer.

Any ordinance repealing any portion of the Municipal Code shall also repeal the respective portions of the original ordinance(s). Ordinances repealing earlier ordinances shall not apply to acts, incidents, transactions or decisions occurring before such repeal.

8.5.3 Preparation of Resolutions

A resolution may be put to its final passage on the same day on which it was introduced. However, the Council may invoke the two (2) reading procedure, described in Section 8.5.2(c) above, to facilitate public understanding and opportunity to comment on the resolution. The title of each resolution and a simple text summary, if available, shall be read prior to its passage. Not later than the date of the meeting at which the reading occurs, the full text of the draft resolution shall be posted on the City website. A printed copy of a resolution shall be made available upon request by a member of the public.

8.6 Council Packets

Councilmembers shall receive their agenda packets from the City Clerk. Councilmembers and affected staff should read the agenda material and ask clarification questions prior to the Council meeting, when possible. Policy Flag

Article 9: RULES OF ORDER FOR COUNCIL MEETINGS (POLICY FLAG)

Suggest replacing this section with the proposed simplified rules of procedure except for specific unique policies adopted in the GM noted below should also be added. Also need to remove rules of order material from other sections and place them here. Eliminate redundancies and inconsistencies.

9.1 Parliamentary Procedure

Rules of order not specified by statute, ordinance, or this Manual shall be governed by Robert's Rules of Order (<http://www.robertsrules.com/>). A simplified summary of some of the most frequently used motions under Robert's Rules is shown in Exhibit A.

9.2 Motions and Discussion

All items of business placed before the Council that require the expenditure of Council or Administration resources or changes in land use shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent "approval by default" of a failed negative motion.

9.3 Voting (this is basic RONR)

The votes during all meetings of the Council shall be transacted as follows:

- Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a roll call vote shall be taken and recorded by the City Clerk. The order of the roll call vote shall be determined by the Presiding Officer.
- In case of a tie vote on any proposal, the motion shall be considered lost.
- Every member who was in the Council chamber when the question was put, shall give his or her vote unless the Council, for special reasons, shall excuse the member by motion. If any Councilmember refuses to vote "aye" or "nay" (for example, due to a conflict of interest), the result shall be determined in accordance with Robert's Rules, which generally means that it shall be as if the individual who abstained from voting was not present for the vote.

9.4 Reconsideration (basic RONR)

Any action of the Council, (including without limitation a final action on applications for legislative changes in land use status), shall be subject to a motion to reconsider, *except for*:

- any action previously reconsidered,

- motions to adjourn or motions to suspend the rules, or
- a vote electing to office one who is present and does not decline.

A motion for reconsideration can be made only by a member of the prevailing side on the original action. A motion to reconsider must be made no later than the next regular Council Business Meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table immediately or at the next regular Council meeting (as determined by the wording of the motion to reconsider) for any action the Council deems advisable. Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five (5) business days advance notice of such discussion or action.

9.5 Dissents and Protests

Any Councilmember shall have the right to express dissent from or protest, orally or in writing, against any Motion, Resolution, or Ordinance of the Council, and have the reason therefore entered or retained in the minutes. This is a unique CC policy that should be added to the simplified rules of procedure

9.6 Complaints and Suggestions to Council

When citizen complaints or suggestions, not on the agenda, are brought before the Council at a meeting, the Presiding Officer may, if circumstances warrant it, attempt to direct the citizen matter to an appropriate channel for resolution. In such a case, the Presiding Officer shall, in consultation with the City Manager, first determine whether the issue is legislative or administrative in nature and then:

- If legislative, and a complaint is about the language or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Presiding Officer may refer the matter to Administration, or the Council for study and recommendation.
- If administrative, and a complaint regarding administrative staff performance, execution of legislative policy or administrative policy within the authority of the City Manager, the Presiding Officer should then refer the complaint directly to the City Manager for review, if said complaint has not been so reviewed. The Council may direct that the City Manager brief the Council when the City Manager's response is made.

Policy flag for this section. Need to update consistent with our SOP. We don't really do this right now. Maybe its time to reconsider that ombud position.

9.7 Prior Permission Required for Certain Elaborate Presentations

No overhead projection, photographs, motion pictures, or video that require the use of flood lights or similar continuous artificial illumination, shall be used by the public at City Council meetings without the prior consent of the Presiding Officer or the City Manager. Do we really need this?

9.8 Conduct of Business Meetings

The Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct the Council's business more expeditiously. Business Meetings of the Council may generally include many or most of the following agenda elements (which need not occur in the order stated below). Council may, by motion, formally approve a "Sample Order of Business," which, if adopted, shall be appended to accompany the published body of this manual as information. Such "Sample Order of Business" shall serve as a guideline, subject to change by motion of the City Council, in accordance with the procedures described in Article 8.1 and this article.

Examples of Business Meeting agenda elements include: (here is yet another discussion of meetings. Need to consolidate all the discussions of meetings and what they are and how they are run into one section and eliminate redundancies.

- **Executive Session**

The Council may hold an executive session during a regular or special meeting. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session shall be concluded. If the Council wishes to adjourn or take action at the close of a meeting from executive session, that fact will be announced. The announced time limit for executive sessions may be extended by announcement of the Presiding Officer made to those waiting in the nearest public area. No final action may be taken in executive session. (See RCW 42.30.110) Councilmembers shall not disclose any confidential oral and written information provided during executive sessions or otherwise obtained in the course of their duties in order to protect the best interests of the City. (See RCW 42.23.070(4), Article II(C) of the City's Code of Ethics.)

- **Summary Reports**

Short summary reports may be presented near the end of the meeting. Short summary reports may, for example, be presented by the Presiding Officer, the City Manager, or the chair of an Ad Hoc Committee or Steering Group. This was already mentioned elsewhere in the manual.

- **Public Comment Period or Public Hearing**

The routine public comment period at a Business Meeting is conducted as described in Section 9.12 below. By contrast, a public hearing is governed by different rules of procedure than a public comment period and may either be (a) a quasi-judicial review of a land-use matter, or (b) an opportunity for public comments to be heard and recorded on a legislative matter. Special opportunities for public comment apply to a public hearing (see Section 9.13 below), and special rules and procedures apply to a quasi-judicial hearing (see Section 9.14 below). Again, yet another discussion of public participation. Need to consolidate

- **Consent Agenda**

The proper Council motion on the consent agenda is as follows: *"I move adoption of the consent agenda"*. This motion shall have the effect of moving to adopt all items on the consent agenda. Any member of the Council shall have the right to remove ("pull") any item from the consent agenda. Therefore, prior to the vote on the motion to adopt the consent agenda, the Presiding Officer shall inquire if any Councilmember wishes an item to be "pulled" from the consent agenda. If any matter is pulled, the Presiding Officer shall entertain discussion and a motion on any pulled item after the vote on the passage of the unpulled items of the consent agenda. Consent agendas are mentioned elsewhere. Need to consolidate.

- **Discussion of Matters for Future Meetings**

The purpose of such a discussion is to offer Council members (an opportunity) to express preferences regarding the setting of the agenda for a future Council meeting, subject to the prerogatives of the agenda-setting process described in Section 8.1.

- **Other Common Agenda Elements**

The agenda of a Business Meeting may also include other elements such as: Unfinished Business; Ordinance Reading; and New Business.

9.9 Conduct of Study Sessions and Workshops consolidate

Regular or Special Meetings of the Council, or portions thereof, may be designated as Study Sessions. The definition and the basic rules for Study Sessions are stated in Section 3.4.4 and for a Workshop in Section 3.3.5.

A Study Session may consist of any or all of the following elements:

(a) **Public Comment Period consolidate**

In general, because a Study Session is more informal and more interactive than a Business Meeting, the Presiding Officer may have greater latitude to seek public comment on a particular issue being discussed. Therefore, the Presiding Officer may invite public comment and dialog from time to time during the Study Session. In general, public comment shall be sought solely or primarily on matters on the Study Session agenda.

(b) **Vetting of Agenda Items:**

This element of a Study Session involves a vetting and review of agenda items that are expected to appear for Council action on the agenda of the next ensuing Council Business Meeting. This element of the Study Session may include: review of clarity and completeness of issues presented; discussion of the merits of the proposal; and a procedural vote to determine whether the agenda item shall be advanced to an ensuing Business Meeting of the Council.

(c) **Study of Emerging Issues**

This element of the Study Session involves emerging issues that are not initially expected to appear for action at the next Council Business Meeting, and it may

include: (i) staff or third-party presentations; (ii) Council and Administration study, discussion and analysis; and/or (iii) interactive public comments and Council responses to comments.

(d) First Touch and Second Touch Updates

The agenda may provide time for short updates by the City Manager, staff, Councilmembers, or a member of an Ad Hoc Committee or Steering Group.

(e) Referral to Committee, Steering Group or Further Public Process

At a Study Session, the Council may choose to refer an issue to an Ad Hoc Committee or Steering Group, or schedule a Public Forum, before the issue returns to a future agenda.

9.10 Workshops

The purpose of a Workshop (i.e., a single-topic Study Session) is to allow Councilmembers to do concentrated preliminary work with Administration or the public on a single subject (i.e., budget, complex legislation, or reports, etc.). Workshops shall be in a less formal setting but shall not discourage public observation. Public comment is not normally allowed at Workshops although the Council may allow, or request, participation in the same manner as other Council Study Sessions.

9.11 Adjournment Due to Emergency or Disruption

In the event of emergency, such as a fire, threatened violence, or inability to maintain order, the Presiding Officer shall declare the meeting adjourned or continued and Councilmembers shall immediately leave the meeting area. Do we really need this in the GM?

9.12 Procedures for Public Comment at Business Meetings consolidate

9.12.1 In General

The City Council desires to allow a maximum opportunity for public comment at various public forums and meetings. However, at a Business Meeting, the business of the City must proceed in an orderly, timely manner, and in that setting, the open Public Comment period is generally limited in overall time on the agenda (e.g. 30 minutes), and is further limited in the amount of time per speaker (3 minutes, or such lesser time determined by the Presiding Officer if a large number of individuals wish to speak). At any time the Presiding Officer in his or her sole discretion, may set such further limitations as are necessary to progress through the agenda and to prevent disruption of other necessary business.

The City will utilize a sign-in procedure for public comments, but, if time permits, the Presiding Officer may also invite comments from individuals who failed to sign in. The Presiding Officer may require a member of the public to state their name, address, and the subject of their comments.

These rules are intended to promote an orderly system of holding a public meeting, to give persons opportunity to be heard and to create an environment in which no individuals are embarrassed or uncomfortable by exercising their right of free speech.

9.12.2 Subjects – Whether or Not on the Current Agenda

Public comments received during the public comment period may be on any public topic, whether or not on the agenda, but a comment on the subject that is covered by a public hearing at that meeting must be made during the period of the public hearing. Make consistent with SOP.

9.12.3 Use of Microphones

Comments shall be made directly into the microphone, as it is necessary for the public record and for the audience to hear all proceedings. No comments shall be made from any other location.

9.12.4 Civility

The Presiding Officer is responsible for maintaining order and civility among those addressing the Council. There will be no demonstrations during, or at the conclusion of, any person's presentation. Any disruptive behavior, as determined by the Presiding Officer, shall be cause for removal from the meeting room. Consolidate with other sections on civility and our ethics program

9.12.5 Council May Overrule the Presiding Officer

Any ruling by the Presiding Officer relative to the conduct of the public comment period may be overruled by a vote of a majority of Councilmembers present. Basic RONR

9.13 Public Hearings – In General

9.13.1 Sign in Procedure

Prior to the start of the public hearing, the Presiding Officer may require that all persons wishing to be heard sign in with the Clerk, giving their names and addresses, the agenda item, and whether they wish to speak as proponent, opponent, or otherwise. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. At any public hearing, persons who have signed in and wish to be heard shall be given an opportunity to be heard. Make consistent with SOP or eliminate

9.13.2 Time Limits

The Presiding Officer shall be authorized to establish speaker time limits and otherwise control presentations to avoid repetition. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings, (i.e., proponents, opponents, adjacent owners, vested interests, etc.). consolidate with other sections on public participation

9.13.3 Other Rules

The rules applicable to a Public Comment period under Sections 9.12.3, 9.12.4, and 9.12.5 shall likewise apply to legislative public hearings. consolidate

9.14 Council Quasi-Judicial Hearings

Do we need this section? If so, place in appendix, not under our ROPs

Quasi-judicial hearings and actions of the Council are those proceedings which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions or hearings do not include the hearings pertaining to legislative actions adopting, amending, or revising a general governmental policy or ordinance, or a comprehensive, community, or neighborhood plan or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance.”

9.14.1 Appearance of Fairness Doctrine Applies to Quasi-Judicial Actions

If a proceeding is quasi-judicial, the “appearance of fairness doctrine” under Washington state law is generally applicable. See RCW 42.36.010 and Section 4.6.4 of this Manual. If a proceeding contains both legislative and adjudicative functions, it is recommended that the appearance of fairness doctrine rules be followed by the Council.

9.14.2 Obligations of Councilmembers in Quasi-Judicial Proceeding

In the event of a quasi-judicial proceeding of the Council, a Council member should immediately disclose any interests that may appear to constitute a conflict of interest. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve a Councilmember’s business associate, or a member of the Councilmember’s immediate family. It could involve *ex parte communications* (that is, communications with one party to the quasi-judicial matter without notice to or argument from the other party). Or it could involve ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember’s employer with the proponents or opponents, announced predisposition, and the like. Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such fact to the City Attorney.

Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for disqualification is made known, or reasonably should have been made known, prior to the issuance of the decision. Upon failure to do so, the Doctrine may not be relied upon to invalidate the decision. The party seeking to disqualify the Councilmember shall state, with specificity, the basis for disqualification.

In the case of the Council sitting as a quasi-judicial body, the Presiding Officer shall have authority to request a Councilmember to excuse him or herself on the basis of an Appearance of Fairness violation. Further, if two Councilmembers believe that an

Appearance of Fairness violation exists, such individuals may move to request a Councilmember to excuse him or herself on the basis of an Appearance of Fairness violation. In arriving at this decision, the Presiding Officer or other Councilmembers shall give due regard to the opinion of the City Attorney.

9.14.3 Avoid Ex Parte Communications with Quasi-Judicial Parties

During the pendency of any quasi-judicial proceeding, no Councilmember may engage in **ex parte** communications with proponents or opponents about a proposal involved in the pending proceeding, unless the Councilmember: (1) places on the record the substance of such oral or written communications concerning the decision or action; and (2) provided that a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. Under RCW 42.36.060(2), this does not prohibit correspondence between a citizen and his or her elected official, if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding.

EXHIBITS

Exhibit A - Simplified Summary of Parliamentary Procedure

Suggest removing Exhibit A and simply referring to Jurassic Parliament and MRSC materials

PARLIAMENTARY PROCEDURE AT A GLANCE					
To do this:	You say this:	May you interrupt speaker?	Must be seconded ?	Is motion debatable ?	Vote required
Introduce business	“I move that ...”	NO	YES	YES	MAJORITY
Amend a motion	“I move to amend this motion”	NO	YES	YES	MAJORITY
Request information	“Point of information”	YES	NO	NO	NO VOTE
Suspend further discussion	“I move we table it”(until when?)	NO	YES	NO	MAJORITY
End debate	“I move the previous question ...”	NO	YES	NO	MAJORITY
Postpone discussion	“I move we postpone this matter until ...”(when?)	NO	YES	YES	MAJORITY
Have something further studied by a committee	“I move we refer ...”	NO	YES	YES	MAJORITY
Ask for a vote count to verify a voice vote	“I call for a division of the house”	NO	NO	NO	NO VOTE
Object to considering some matter	“I object to consideration”	YES	NO	NO	MAJORITY
Take up a matter previously tabled	“I move to take from the table ...”	NO	YES	NO	MAJORITY
Reconsider something already disposed of	“I move we reconsider action on ...” (time-date?)	YES	YES	YES	MAJORITY
Consider something in unscheduled order	“I move we suspend the rules and ...”	NO	YES	NO	MAJORITY
Vote on a ruling by the chair	“I appeal the chair’s decision”	YES	YES	YES	MAJORITY
Object to procedure or personal affront--chair decides	“Point of order”	YES	NO	NO	NO VOTE
Complain about noise, room temperature, etc.	“Point of privilege”	YES	NO	NO	NO VOTE

Recess the meeting	"I move that we recess until ..."	NO	YES	NO	MAJORITY
Adjourn the meeting	"I move that we adjourn"	NO	YES	NO	MAJORITY

Exhibit B - Current List of Citizen Committees, Commissions and Boards

Suggest updating using the spreadsheet I provided and posting to the web rather than putting in the GM and requiring administration to regularly update. We should include in the GM our policies relating to how we advertise for positions and such consistent with our SOPs.

Legend:

RCW: Required by state statute (Revised Code of Washington)

Ord: Required by City ordinance.

Res: Required by Council resolution.

COUNCIL WORKING COMMITTEES

- **Public Safety Committee:** 3 Councilmembers, Police Chief and City Manager.
- **Ad Hoc Tree & Low Impact Development Committee:** Research and recommend legislation modifying regulations relating to trees and low impact development

COUNCIL STANDING ADVISORY COMMITTEES

- **Climate Change Advisory Committee:** 9 members; Councilmember is liaison; serves as a technical and planning advisory committee on issues related to climate change. (Ord)
- **Cultural Organization Funding Committee:** 7 members; Councilmember is liaison; develops funding recommendations to support cultural activities in the community. (Ord)
- **Environmental Technical Advisory Committee:** 7 members; Councilmember is liaison; provides technical and scientific advice on environmental management issues and projects. (Ord)
- **Human Services Funding Advisory Committee:** 7 members; Councilmember is liaison; develops funding recommendations for human services funding. (Ord)
- **Lodging Tax Advisory Committee:** 6 members – four from the community plus Councilmembers as chair and co-chair; reviews proposals for contracts for tourism promotion or tourism facilities, funded by the lodging tax. (RCW)
- **Marine Access Committee:** 7 members; Councilmember is liaison; supports awareness, management, and enhancement of public access to the Island's water and water dependent activities. (Ord)
- **Multi-Modal Transportation Advisory Committee:** 7 members; Councilmember is liaison; advise on transportation issues.

- **Utility Advisory Committee:** 7 members; Councilmember is liaison; Public Works Director is principle support staff; advise on issues relevant to the operation and maintenance of the City's water, sanitary sewer, stormwater, and other utilities. (Ord)
- **Youth Advisory Committee:** Unspecified number of members; Councilmember is liaison; provides youth perspective on selected issues.

STANDING COMMISSIONS AND BOARDS

- **Civil Service Commission:** 5 members; administers Police Department advancements, demotions, suspensions, discharges and employment. (RCW)
- **Design Review Board:** 7 members; Councilmember is liaison; advises on commercial / mixed-use land use applications, makes recommendations based on design guidelines. (Ord)
- **Ethics Board:** 7 members; Councilmember is liaison; promotes understanding of ethical standards for elected officials, and for major contractors working with City. (Ord/Res)
- **Historic Preservation Commission:** 7 members; Councilmember is liaison; provides technical advice on historic preservation to property owners, reviews applications to National Historic register.
- **Planning Commission:** 7 members; Planning Director is staff liaison; reviews applications for amendments to comprehensive plan, official zoning map and official zoning ordinance and other land use and city planning matters. (RCW)

The committees, commissions and boards listed above shall be subject to the following general guidelines, except to the extent stated to the contrary in the applicable resolution or ordinance.

(a) **Meetings**

Committee meetings (when held) must be open to the public, including the media, unless discussing matters which would qualify for an executive session (under the state law defining eligible executive session issues that apply to the Council).

(b) **Council Liaison to Citizen Committees, Commissions and Boards**

Liaisons shall be appointed by the Mayor and confirmed by the Council for specific purposes and for a time certain (normally a term of one calendar year, which may repeat if Council so determines). Liaisons may attend assigned citizen group meetings and report to the Council on matters of public concern.

(c) **Liaison Procedures Policy Flag**

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.

Exhibit C - Scalable Public Process Planning System (what does this even mean and who follows this or even reads this? Suggest deleting.

Getting the right people in the right place at the right time making the right decisions to keep the residents of Bainbridge Island well-informed and engaged

Level of Public Interest/Impact	Who and How	Sample Outreach Activities/Tools
<p>Straightforward issue</p> <ul style="list-style-type: none"> • Information only • Low controversy • One-time event 	<ul style="list-style-type: none"> • Staff “expert” • Communications Coordinator <p>➤ A few emails</p>	<p>Information (2.4.6)</p> <ul style="list-style-type: none"> • Press release • Calendar announcement
<p>More complex issue</p> <ul style="list-style-type: none"> • Multiple public “touches” • Public input helpful • Low controversy • Longer term impact 	<p>Ad Hoc Committee (2.1.3, 2.1.9)</p> <ul style="list-style-type: none"> • Director/designee • Staff “expert” • Communications Coordinator <p>➤ One or more meetings</p>	<p>Small-scale campaign</p> <p>may include above, plus:</p> <ul style="list-style-type: none"> • Display ad • ListServ notification • FAQ • Presentations to Key Influencers (ie., Rotary, Men’s Oatmeal, 2.4.3)
<p>Complex, and/or controversial issue</p> <ul style="list-style-type: none"> • Lasting policy and/or land use impacts • High interest for multiple community elements • Public input desired • Longer process 	<p>Small Task Force (2.1.7, 2.1.9)</p> <ul style="list-style-type: none"> • City Council liaison • City Manager/designee • Director/designee • Staff “experts” • Communications Coordinator <p>➤ Multiple meetings</p>	<p>Longer, more complex strategy</p> <p>may include above, plus:</p> <ul style="list-style-type: none"> • Multiple press releases/ announcements • Targeted outreach to potential stakeholders • Stakeholder meetings (2.4.3) • Neighborhood meetings (2.4.5) • One or more public forums (2.4.4) • Built-in, iterative feedback loop to evaluate results and alter course as needed

Exhibit D - Sample Order of Business suggest deleting, since we have changed this and a sample order of business is already provided on a weekly basis.

Business Meetings of the Council shall be conducted as follows: provided, however, that the Mayor may, during a Council meeting, rearrange items on the agenda to conduct the business before the Council more expeditiously (article 8.8). this is redundant with previous material

Call to Order by the Mayor (7:00 PM)

Pledge of Allegiance

Roll Call

Acceptance or Modification of Agenda / Conflict of Interest Disclosure

Public Comment

Mayor's Report

City Manager's Report

Presentations

Public Hearing (if any)

Unfinished Business

New Business

Consent Agenda

Committee Reports

For the Good of the Order

Adjournment



CITY OF
BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: March 23, 2021

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (9:05 PM) Discussion of Police and Court Facility Project,

SUMMARY: The City Council has discussed the Police and Court Facility Project several times in 2021, most recently at the March 9 Business Meeting. At that meeting, the Council set time on the March 23 meeting to discuss:

- 1) Review of a Scope of Work for a potential professional services agreement to review the acquisition of the Harrison Building; and
- 2) Confirm the Council's intention for the City Manager to proceed with the competitive bidding process, including advertising for bids, related to the Police and Court Facility Project.

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION: I move to direct the City Manager to advertise for consultant services using a scope of work substantially similar to the one provided with this agenda item.

and

I move to confirm that the City Manager is authorized to proceed with the competitive bidding process and to advertise for bids as soon as the City is ready to issue the call for bids related to the Police and Court Facility Project.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

BACKGROUND: Please see the attached draft scope of work related to the acquisition of the Harrison Building.

Information about the Police and Court Facility Project is available on the project page on the City website:
<https://www.bainbridgewa.gov/528/Police-Station-and-Municipal-Court-Build>

ATTACHMENTS:

[Draft Stmt of Work re Harrison purchase for CC 03232021 - packet](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



DRAFT INFORMATION FOR SEEKING CONSULTANT SERVICES

Prepared by Ellen Schroer, Interim City Manager
For consideration March 23, 2021

Background

The City has been planning to build a new police station and municipal court for nearly 20 years. After extensive public process, in 2019, the City signed a purchase and sale agreement for an existing building, the Harrison Medical Center Building. The City completed the purchase of the existing Harrison Medical Center Building on Jan. 31, 2020 to be the site of a new Police and Municipal Court facility. The City purchased the building for \$8.975 million.

The property, located at 8804 Madison Avenue N, includes a 3.13-acre parcel and an existing two-story building with approximately 18,000 square feet of space. Based on feasibility studies performed in 2018, the approximate cost for the project, including property purchase and renovations, is estimated to be \$20 million.

In March 2021, the City's project management team expects to receive a building permit and will then advertise the project for construction bids. It is anticipated that the Council could consider awarding a contract in April or early May. Construction could begin in the summer or fall of 2021.

In recent months, some members of the community and some Councilmembers have questioned the purchase process. The current questions include a desire to review the information provided by staff and consultants to the Council over approximately the last four years, to include cost estimates for various sites and the appraisal and negotiation process for the purchase.

Statement of Work

The City is seeking consultant services to independently review the information provided related to the Harrison site and the real property negotiation process for that purchase.

Desirable qualifications include experience with municipal public works projects, expertise in municipal real estate purchase process, and expertise in public safety facility cost estimation.

Work product should include:

- Analysis of cost estimates for various sites, as provided in 2015-2019;
- Review and documentation of the purchase process for the Harrison Medical Center Building;
and
- Advice on improvements in the public process used to determine the project site.