

# CITY COUNCIL REGULAR BUSINESS MEETING TUESDAY, FEBRUARY 09, 2021

### REMOTE MEETING ON ZOOM

PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR: 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, 30 Minutes
- 3. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 6:35 PM
- 4. PUBLIC COMMENT
  - **4.A (6:40 PM) Instructions for Providing Public Comment City Clerk,** 15 Minutes Instructions for Providing Public Comment at Remote Meetings.docx
- 5. CITY MANAGER'S REPORT 6:55 PM
- 6. CONSENT AGENDA
  - 6.A (7:00 PM) Agenda Bill for Consent Agenda, 5 Minutes
  - **6.B** Accounts Payable and Payroll,
    AP Report to Council of Cash Disbursements 02-10-21 (1).pdf

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### 6.C City Council Study Session Minutes, January 19, 2021

City Council Study Session Minutes, January 19, 2021.pdf

### 6.D Special City Council Meeting Minutes, January 20, 2021

Special City Council Meeting Minutes January 20, 2021.pdf

### 6.E Special City Council Meeting Minutes, January 26, 2021

Special City Council Meeting Minutes, January 26, 2021

### 6.F City Council Regular Business Meeting Minutes, January 26, 2021

City Council Regular Business Meeting Minutes January 26, 2021.pdf

### 6.G City Hall Repairs Change Order - Public Works, 10 Minutes

CO #2 FORMAL.xlsx

City Hall Roof Repair CO Pictures.docx

### 6.H Resolution No. 2021-02 - Small Water System Policies - Public Works, 5 Minutes

Resolution 2021-02 Small Water System Policy

UAC Water System Memo 092320.pdf

### 6.I Ordinance No. 2021-04 Amending BIMC 15.04.020 Relating to City Building Codes - Planning, 5

Minutes

Ordinance No. 2021-04 Building Code Update

### **6.J** Climate Change Advisory Committee 2021 Workplan, 5 Minutes

CCAC 2020 Progress Report and 2021 Workplan January 27th 2021.docx

Status of immediate actions January 27th 2021.docx

### 6.K Resolution No. 2021-06 Proclaiming and Declaring an Emergency at NE Yeomalt Point Drive and

**Approving Emergency Work - Public Works,** 5 Minutes

Resolution No. 2021\_06 Proclaiming an Emergency at NE Yeomalt Drive.docx

### **6.L** Extension of Salary Commission Review Period - Executive, 5 Minutes

### 7. FUTURE COUNCIL AGENDAS

### 7.A (7:05 PM) Future Council Agendas, 10 Minutes

February 10 Community Open House to Meet City Manager Finalist Blair King.pdf

February 10 Special City Council Meeting - Executive Session.pdf

February 16 City Council Study Session.pdf

February 23 City Council Regular Business Meeting.pdf

March 2 City Council Study Session.pdf

March 9 City Council Regular Business Meeting.pdf

2021 List of Proposed Future Council Topics.docx

### 7.B (7:15 PM) Discussion of Potential Future Council Agenda Items - Police/Court Facility Costs, 20

Minutes

Proposal from Councilmember Pollock.docx

Police Facilities Comparison Chart.pdf

### 8. UNFINISHED BUSINESS

## 8.A (7:35 PM) Schedule Public Hearing on Ordinance No. 2021-09, Bonus FAR Interim Control, 6 Month

Extension - Planning, 15 Minutes

Memo City Council re Draft Ordinance Bonus FAR

Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density

BACKGROUND 20200924 PC Staff Memo from Jennifer Sutton

BACKGROUND 20201008 PC Cover Letter to CC on Bonus FAR

Ordinance No. 2020-20 Extending Interim Zoning Control Related to Bonus Density Approved 082520.pdf

20201117 City Council Mtg Minutes.pdf

DRAFT Ordinance No. 2021-10 formerly 2020-16.docx

Exhibit\_A Ord. 2021-10.docx

### 8.B (7:50 PM) Revise Governance Manual - Mayor Nassar, 20 Minutes

Proposed Changes to GM246.docx

Duties of the Chair .docx

#### 9. **NEW BUSINESS**

### 9.A (8:10 PM) Ordinance No. 2021-01 Amending Chapter 20.04 BIMC Relating to City Fire Code - Public

Works, 5 Minutes

Fire Code 2021 Slides\_020921.pptx

UAC Fire Code Memo 050918.pdf

Ordinance No 2021-01 Updating City Fire Code.docx

# 9.B (8:15 PM) Ordinance No. 2021-02 Amending Chapter 13.10 BIMC Relating to Regulation of Fire Hydrants & Water Mains - Public Works, 5 Minutes

Ordinance No. 2021-02

# 9.C (8:20 PM) Schedule the Public Hearing on 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

Ord 2021-03 Exhibit A.docx

ORD 2020-40 Planning Commission Recorded Motion 121020

Background Planning Commission Workplan for Joint Land Use Subcommittee Recommendtions

Background Joint Land Use Subcommittee Memorandum Initial Recommendations

Background Joint Land Use Subcommittee Attachment A Table

### 10. COMMITTEE REPORTS - 8:40 PM

### 11. FOR THE GOOD OF THE ORDER - 8:45 PM

### 12. ADJOURNMENT - 8:55 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.



BACKGROUND:

### City Council Regular Business Meeting Agenda Bill

**MEETING DATE**: February 9, 2021 **ESTIMATED TIME**: 30 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:

ATTACHMENTS:		
FISCAL DETAILS:		
Fund Name(s):		
Coding:		

**Included in Current Budget?** 



# City Council Regular Business Meeting Agenda Bill

CITY OF BAINBRIDGE ISLAND MEETING DA	<b>TE</b> : February 9, 2021	ESTIMATED TIME: 15 Minutes			
AGENDA ITEM: (6:40 PM) Instructions for F	Providing Public Comment	- City Clerk,			
<b>SUMMARY:</b> The attached instructions explain how to provide public comment in a remote Zoom meeting.					
AGENDA CATEGORY: Discussion	PROPOSED BY:	Executive			
RECOMMENDED MOTION: Information or	nly.				
STRATEGIC PRIORITY: Good Governance	e				
FISCAL IMPACT:					
Amount:					
Ongoing Cost					
One-Time Cost					
Included in Current Budget?					
BACKGROUND:					

### ATTACHMENTS:

<u>Instructions for Providing Public Comment at Remote Meetings.docx</u>

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



# OFFICE OF THE CITY CLERK

### SEPTEMBER, 2020

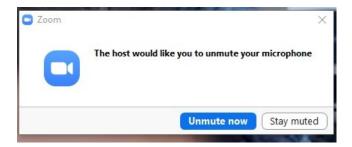
Members of the public are encouraged to submit written public comment to the City Council at any time by emailing Council at <a href="mailto:council@bainbridgewa.gov">council@bainbridgewa.gov</a> or the City Clerk at <a href="mailto:cityclerk@bainbridgewa.gov">cityclerk@bainbridgewa.gov</a>. Members 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.



ATTACHMENTS:

# City Council Regular Business Meeting Agenda Bill

MEETING DAT	E. Febluary 9, 2021	ESTIMATED TIME. 5 Minutes				
AGENDA ITEM: (7:00 PM) Agenda Bill for Co	nsent Agenda,					
SUMMARY: Consider approval of the followin	g Consent Agenda items:					
B. Accounts Payable and Payroll C. City Council Study Session Minutes, January 19, 2021 D. Special City Council Meeting Minutes, January 20, 2021 E. Special City Council Meeting Minutes, January 26, 2021 F. City Council Regular Business Meeting Minutes, January 26, 2021 G. City Hall Repairs Change Order H. Resolution No. 2021-02 - Small Water System Policies I. Ordinance No. 2021-04 Amending BIMC 15.04 Relating to City Building Code J. Climate Change Advisory Committee 2021 Workplan K. Resolution No. 2021-06 Recognizing Emergency at NE Yeomalt Point Drive and Approving Emergency Work L. Extension of Salary Commission Review Period						
AGENDA CATEGORY: Consent Agenda	PROPOSED BY: E	Executive				
RECOMMENDED MOTION: I move to appro	ove the Consent Agenda a	as presented.				
STRATEGIC PRIORITY: Good Governance	STRATEGIC PRIORITY: Good Governance					
FISCAL IMPACT:						
Amount:						
Ongoing Cost:						
One-Time Cost:						
Included in Current Budget?						
BACKGROUND:						

FISCAL DETAILS:

Fund Name(s):

Coding:



## City Council Regular Business Meeting Agenda Bill

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 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 02-10-21 (1).pdf

Payroll.pdf

**FISCAL DETAILS:** 

Fund Name(s):

Coding:

### ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: January 25, 2021 - February 08, 2021 CITY COUNCIL: January 26, 2021 - February 09, 2021

Last check from previous run: 355496 dated 01/27/2021 issued to Wood, Jonathan for \$277.58.

Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
VOID	10/14/20	354681	ENG/Toole Design Group/Lost check - reissue	N/A
Manual	1/27/21	355497	POL,IT/AT&T Mobility/Wireless charges - January 2021	1,661.32
Manual	1/27/21	355498	CenturyLink/Weaver PRV water telemetry - January 2021	58.32
Manual	1/27/21	355499	PW/Peninsula Tree Services/N Madison tree removal	5,232.00
Manual	1/27/21	355500	Puget Sound Energy/Green Power, City Hall adj	868.23
Manual	1/28/21	355501	UB/Linda & Michael Bugni/UB Refund - overpayment	4,640.69
Manual	1/28/21	355502	PW/Toshiba/Copier lease	224.23
Manual	1/28/21	355503	WA Water Service/Decant facility water	147.43
Manual	2/3/21	355504	Allstream/Citywide phone services - February 2021	794.31
Manual	2/3/21	355505	EXCC/ORMCA/Annual dues - 2021	100.00
Manual	2/3/21	355506	POL/Toshiba/Copier lease	234.42

Total Manual Checks and Electronic Disbursements	13,960.95
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Regular Run	2/10/21	355507-355601	Total Regular Check Run	469,987.41
			Total Disbursements	483,948.36

Retainage Release	1/27/21	196	Liden Land - Wyatt Way Sewer	1,210.50
Travel Advance	N/A	N/A		N/A

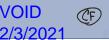
Prepared and Reviewed by \_\_\_\_\_\_Carrie Freitas, Senior Accounting Technician

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

Ron Logghe

Dato

Ron Logghe, Acting Accounting Manager





02/03/2021 10:30 cfreitas

CITY OF BAINBRIDGE ISLAND
A/P CASH DISBURSEMENTS JOURNAL

apcshdsb

CASH ACCOUNT: 635 CHECK NO CHK DATE 111100 CASH

TYPE VENDOR NAME

VOUCHER INVOICE

INV DATE PO

CHECK

CHECK RUN

NET

INVOICE DTL DESC

354681 10/14/2020 VOID 9295 TOOLE DESIGN GROUP, 243249 70138\_MAR02F2

04/17/2020 SPORTSMAN/NEW BROOKLYN PRJ -3,446.76

Invoice: 70138\_MAR02F2

SPURTSMAN/NEW BROOKLYN PRU

-3,446.76 72321953 64110000715 SP CLUB/NB INTERSECTN-DESIGN

Check is lost - void for reissue.

-3,446.76

NUMBER OF CHECKS

TOTAL VOIDED CHECKS

\*\*\* CASH ACCOUNT TOTAL \*\*\*

AMOUNT

3,446.76

354681 TOTAL:

-3,446.76

COUNT

\*\*\* GRAND TOTAL \*\*\*

-3,446.76



02/03/2021 10:30 CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL apcshdsb cfreitas JOURNAL ENTRIES TO BE CREATED CLERK: cfreitas YEAR PER SRC ACCOUNT ACCOUNT DESC T OB DEBIT CREDIT REF 3 EFF DATE JNL DESC REF 1 REF 2 LINE DESC 2021 2 43 APP 301-213000 ACCOUNTS PAYABLE 3,446.76 02/03/2021 354681 VOID AP CASH DISBURSEMENTS JOURNAL APP 635-111100 CASH 3,446.76 02/03/2021 354681 VOID AP CASH DISBURSEMENTS JOURNAL GENERAL LEDGER TOTAL 3,446.76 3,446.76 APP 631-130000 DUE TO/FROM CLEARING 3,446.76 02/03/2021 10/11/20 VOID APP 301-130000 DUE TO/FROM CLEARING 3,446.76 02/03/2021 10/11/20 VOID SYSTEM GENERATED ENTRIES TOTAL 3,446.76 3,446.76 JOURNAL 2021/02/43 TOTAL 6,893.52 6,893.52



02/03/2021 10:30 cfreitas	CITY OF BAINB	RIDGE ISLA URSEMENTS	JOURNA		NAL ENTRIES TO BE CREATED		P 3 apcshdsb
FUND ACCOUNT		YEAR P	ER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
301 CAPITAL CONSTR 301-130000 301-213000	RUCTION FUND	2021	2	43	02/03/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	3,446.76	3,446.76
					FUND TOTAL	3,446.76	3,446.76
631 CLEARING FUND 631-130000 635-111100		2021	2	43	02/03/2021 DUE TO/FROM CLEARING CASH	3,446.76	3,446.76
					FUND TOTAL	3,446.76	3,446.76



02/03/2021 10:30 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 4 apcshdsb

FUND		DUE TO	DUE FROM
301 CAPITAL CONSTRUCTION FUND 631 CLEARING FUND		3,446.76	3,446.76
	TOTAL	3,446.76	3,446.76

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*

MANUAL 1/27/21



01/27/2021 09:53 cfreitas CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 1 apcshdsb

CITEILAS A/P	CASH DISBURSEMENTS UUURNAL				apesitusi
	111100 CASH E VENDOR NAME	VOUCHER INVOICE	INV DATE PO	CHECK RUN	NE'
			INVOICE DTL DESC		
355497 01/27/2021 PRTI Invoice: 287287004	D 6420 AT&T MOBILITY	245635 287287004732X0	11921 01/11/2021 POL,IT/WIRELESS CHARGES	M012721	1,661.32
Invoice: 28/28/004	4/32X011921	62.19 91011189 542100	GG-C/E-CITY HALL-PHO	NE	
		1,599.13 91011215 542100	GG-C/E-PD-PHONE		
			CHECK	355497 TOTAL:	1,661.32
355498 01/27/2021 PRTI		245636 6124JAN21	01/16/2021	M012721	58.32
Invoice: 6124JAN2	I	58.32 91411891 542100	WEAVER PRV WATER TELEM GG-WTR-FAC-PHONE		
			CHECK	355498 TOTAL:	58.32
355499 01/27/2021 PRTD 865 Invoice: 2186	D 8655 PENINSULA TREE SER'	VI 245638 2186	10/26/2020	M012721	5,232.00
		5,232.00 73111427 5481000	PW/TREE REMOVAL N MADISC 0354 TREE PRES & REMOVAL-		
			CHECK	355499 TOTAL:	5,232.0
355500 01/27/2021 PRTD		245637 4376JAN21	01/19/2021	M012721	849.33
Invoice: 4376JAN23	1	849.33 91011189 547101	JAN21 GREEN POWER CONTRA ELECTRIC-GREEN POWER		
		245639 CITY HALL DEC2		M012721	18.90
Invoice: CITY HALI	L DEC20-ADJ	18.90 91011189 547100	CITY HALL DEC 2020 - ADJ GG-C/E-CITY HALL-ELE		
			CHECK	355500 TOTAL:	868.23
		NUMBER OF CHECKS	4 *** CASH ACCC	UNT TOTAL ***	7,819.8
			COUNT A	MOUNT	
		TOTAL PRINTED CH	ECKS 4 7,8	19.87	
				3370 momar 444	E 010 0
			*** GR	AND TOTAL ***	7,819.87



01/27/2021 09:53 CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL apcshdsb cfreitas JOURNAL ENTRIES TO BE CREATED CLERK: cfreitas YEAR PER T OB SRC ACCOUNT ACCOUNT DESC CREDIT DEBIT REF 1 REF 2 REF 3 EFF DATE JNL DESC LINE DESC 2021 1 221 APP 001-213000 GENERAL - ACCOUNTS PAYABLE 2,529.55 01/27/2021 M012721 012721 AP CASH DISBURSEMENTS JOURNAL APP 635-111100 7,819.87 01/27/2021 M012721 012721 AP CASH DISBURSEMENTS JOURNAL APP 401-213000 ACCOUNTS PAYABLE 58.32 AP CASH DISBURSEMENTS JOURNAL 01/27/2021 M012721 012721 STREETS - ACCOUNTS PAYABLE APP 101-213000 5,232.00 01/27/2021 M012721 012721 AP CASH DISBURSEMENTS JOURNAL GENERAL LEDGER TOTAL 7,819.87 7,819.87 APP 631-130000 DUE TO/FROM CLEARING 7,819.87 01/27/2021 M012721 012721 APP 001-130000 GENERAL - DUE TO/FROM CLEARING 2,529.55 01/27/2021 M012721 012721 APP 401-130000 DUE TO/FROM CLEARING 58.32 01/27/2021 M012721 012721 5,232.00 APP 101-130000 STREETS - DUE TO/FROM CLEARING 01/27/2021 M012721 012721 SYSTEM GENERATED ENTRIES TOTAL 7,819.87 7,819.87

JOURNAL 2021/01/221

TOTAL

15,639.74

15,639.74



01/27/2021 09:53 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 3 apcshdsb

FUNI	) ACCOUNT	YEAR	PER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
001	GENERAL FUND 001-130000 001-213000	2021	1	221	01/27/2021 GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	2,529.55	2,529.55
					FUND TOTAL	2,529.55	2,529.55
101	STREET FUND 101-130000 101-213000	2021	1	221	01/27/2021 STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	5,232.00	5,232.00
					FUND TOTAL	5,232.00	5,232.00
401	WATER OPERATING FUND 401-130000 401-213000	2021	1	221	01/27/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	58.32	58.32
					FUND TOTAL	58.32	58.32
631	CLEARING FUND 631-130000 635-111100	2021	1	221	01/27/2021 DUE TO/FROM CLEARING CASH	7,819.87	7,819.87
					FUND TOTAL	7,819.87	7,819.87



01/27/2021 09:53 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 4 apcshdsb

FUND		DUE TO	DUE FROM
001 GENERAL FUND 101 STREET FUND 401 WATER OPERATING FUND 631 CLEARING FUND		7,819.87	2,529.55 5,232.00 58.32
	TOTAL	7,819.87	7,819.87

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*

# REGULAR 1/28/21





01/28/2021 13:39

CTTV OF BAINBRIDGE ISLAND

Ιp

01/28/2021 13:39   CITY OF BAINBRIDGE ISLAND   A/P CASH DISBURSEMENTS JOURNAL	P 1 apcshdsb
CASH ACCOUNT: 635 111100 CASH CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE PO CHECK RUN	NET
INVOICE DTL DESC	
355501 01/28/2021 PRTD 9647 LINDA & MICHAEL BUGN 245641 91501 01/28/2021 M012821 Invoice: 91501 UB 13270 4837 DOTSON LOOP 4,640.69 421 122100 SEWER ACCOUNTS RECEIVABLE	4,640.69
CHECK 355501 TOTAL:	4,640.69
355502 01/28/2021 PRTD 6714 TOSHIBA FINANCIAL SE 245642 28563971 01/14/2021 M012821 Invoice: 28563971 PW/COPIER LEASE 224.23 73637891 545000 RENTS & LEASES - OPERATING	224.23
CHECK 355502 TOTAL:	224.23
355503 01/28/2021 PRTD 5271 WASHINGTON WATER SER 245643 4815979187-JAN21 01/20/2021 M012821 Invoice: 4815979187-JAN21 DECANT FACILITY WATER 147.43 91435838 547500 GG-DECANT-WATER/SEWER	147.43
CHECK 355503 TOTAL:	147.43
NUMBER OF CHECKS 3 *** CASH ACCOUNT TOTAL ***	5,012.35
COUNT AMOUNT	
TOTAL PRINTED CHECKS 3 5,012.35	
*** GRAND TOTAL ***	5,012.35



01/28/2021 13:39 CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL apcshdsb cfreitas JOURNAL ENTRIES TO BE CREATED CLERK: cfreitas YEAR PER T OB SRC ACCOUNT ACCOUNT DESC DEBIT CREDIT REF 1 REF 2 REF 3 EFF DATE JNL DESC LINE DESC 2021 1 230 APP 402-213000 ACCOUNTS PAYABLE 4,640.69 01/28/2021 M012821 012821 AP CASH DISBURSEMENTS JOURNAL APP 635-111100 CASH 5,012.35 01/28/2021 M012821 012821 AP CASH DISBURSEMENTS JOURNAL APP 631-213000 ACCOUNTS PAYABLE 224.23 01/28/2021 M012821 012821 AP CASH DISBURSEMENTS JOURNAL ACCOUNTS PAYABLE 147.43 APP 403-213000 01/28/2021 M012821 012821 AP CASH DISBURSEMENTS JOURNAL 5,012.35 5,012.35 GENERAL LEDGER TOTAL APP 631-130000 DUE TO/FROM CLEARING 4,788.12 01/28/2021 M012821 012821 APP 402-130000 DUE TO/FROM CLEARING 4,640.69 01/28/2021 M012821 012821 APP 403-130000 DUE TO/FROM CLEARING 147.43 01/28/2021 M012821 012821 SYSTEM GENERATED ENTRIES TOTAL 4,788.12 4,788.12 JOURNAL 2021/01/230 TOTAL 9,800.47 9,800.47



01/28/2021 13:39 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 3 apcshdsb

FUND ACCOUNT	YEAR PER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
402 SEWER OPERATING FUND 402-130000 402-213000	2021 1	230	01/28/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	4,640.69	4,640.69
			FUND TOTAL	4,640.69	4,640.69
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021 1	230	01/28/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	147.43	147.43
			FUND TOTAL	147.43	147.43
631 CLEARING FUND 631-130000 631-213000 635-111100	2021 1	230	01/28/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE CASH	4,788.12 224.23	5,012.35
			FUND TOTAL	5,012.35	5,012.35



01/28/2021 13:39 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 4 apcshdsb

FUNI	D		DUE TO	DUE FROM
402 403 631	SEWER OPERATING FUND STORM & SURFACE WATER FUND CLEARING FUND		4,788.12	4,640.69
		TOTAL	4,788.12	4,788.12

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*





02/03/2021 10:38

CITY OF BAINBRIDGE ISLAND

P 1 apcshdsb

cfreitas	A/P	CASH DI	SBURSEMEN	NTS JOURNAL								apcshdsb
CASH ACCOUNT: 635 CHECK NO CHK DATE		111100 VENDOR	CAS NAME	SH	VOUCHER	R INVOICE		INV DA	ATE	PO	CHECK RUN	NET
							INVO	ICE DTL DES	SC .			
355504 02/03/2021 Invoice: 1730		8672	ALLSTREA	MA	245851	17304953	OT TOV	02/01/2 WIDE PHN SV			M020321	794.31
invoice: 1730	4955				794.31	41637891 542100		FIN - ALLOC				
									CHEC	CK	355504 TOTAL:	794.31
355505 02/03/2021			OLYMPIC	REGIONAL MUN	245852	2021 DUES	0001	02/01/2			M020321	100.00
Invoice: 2021	DUES				100.00	36011143 549100		ANNUAL DUE CLERK-DUES/		SCR/MI	EMBRSHPS	
									CHEC	CK	355505 TOTAL:	100.00
355506 02/03/2021		6714	TOSHIBA	FINANCIAL SE	245853	28563972	DOT //	01/14/2			M020321	234.42
Invoice: 2856	39/2				234.42	51011211 545000		COPIER LEAS PD-C/E-ADMI		ENTS/I	LEASE	
									CHEC	CK	355506 TOTAL:	234.42
						NUMBER OF CHECKS	3	***	CASH	ACC	OUNT TOTAL ***	1,128.73
								COUNT		I	TRUOMA	
						TOTAL PRINTED CHE	CKS	3		1,1	128.73	
									*	** GI	RAND TOTAL ***	1,128.73



02/03/2021 10:38 CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL apcshdsb cfreitas JOURNAL ENTRIES TO BE CREATED CLERK: cfreitas YEAR PER ACCOUNT DESC T OB SRC ACCOUNT DEBIT CREDIT EFF DATE REF 1 REF 2 REF 3 JNL DESC LINE DESC 2021 2 44 APP 631-213000 ACCOUNTS PAYABLE 794.31 02/03/2021 M020321 020321 AP CASH DISBURSEMENTS JOURNAL APP 635-111100 CASH 1,128.73 02/03/2021 M020321 020321 AP CASH DISBURSEMENTS JOURNAL APP 001-213000 GENERAL - ACCOUNTS PAYABLE 334.42 02/03/2021 M020321 020321 AP CASH DISBURSEMENTS JOURNAL GENERAL LEDGER TOTAL 1,128.73 1,128.73 APP 631-130000 DUE TO/FROM CLEARING 334.42 02/03/2021 M020321 020321 APP 001-130000 GENERAL - DUE TO/FROM CLEARING 334.42 02/03/2021 M020321 020321 SYSTEM GENERATED ENTRIES TOTAL 334.42 334.42 JOURNAL 2021/02/44 1,463.15 1,463.15 TOTAL



02/03/2021 10:38 cfreitas	CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNA		NAL ENTRIES TO BE CREATED		P 3 apcshdsb
FUND ACCOUNT	YEAR PER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021 2	44	02/03/2021 GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	334.42	334.42
			FUND TOTAL	334.42	334.42
631 CLEARING FUND 631-130000 631-213000 635-111100	2021 2	44	02/03/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE CASH	334.42 794.31	1,128.73
			FUND TOTAL	1,128.73	1,128.73



02/03/2021 10:38 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 4 apcshdsb

FUND		DUE TO	DUE FROM
001 GENERAL FUND 631 CLEARING FUND		334.42	334.42
	TOTAL	334.42	334.42

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*

# REGULAR 2/3/2021





02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 1 apcshdsb

apesilasb			SH DISBURSEMENIS JOURNAL	CITEILAS A/P CA	
CHECK RUN NET	INV DATE PO	. INVOICE	1100 CASH ENDOR NAME VOUCHER		
	NVOICE DTL DESC				
02/07/21 117.57	01/08/2021	47986/1	5 ACE HARDWARE 245725	355507 02/10/2021 PRTD	
	PW/CLEANING SUPPLIES 9 COVID19-SUPPLIES	73011252 53110003	117.57	Invoice: 47986/1	
02/07/21 54.48	01/13/2021	48012/1	245726	T	
SUPPLY	PW/HAS CAN 03 2018 STORM RESP-SSWM	73431252 53110000	54.48	Invoice: 48012/1	
02/07/21 33.76	01/14/2021	48014/1	245727		
	PW/BATTERIES 9 COVID19-SUPPLIES	73011252 53110003	33.76	Invoice: 48014/1	
02/07/21 84.73	01/14/2021	48023/1	245728		
	PW/MX SUPPLIES WIN COLL-SUPPLIES	73421355 531100	84.73	Invoice: 48023/1	
02/07/21 22.81	01/15/2021	48029/1	245729		
IES	PW/BULBS 00 O&M-C/E-PWY FAC-SUPPI	73011897 531100	22.81	Invoice: 48029/1	
02/07/21 50.11	01/20/2021	48048/1	245730	Invoice: 48048/1	
PPLIES	PW/MX SUPPLIES O&M-C/E-POLICE FAC-S	73011215 531100	50.11		
02/07/21 17.43	01/22/2021	48058/1	245731	- 40050/1	
	PW/BATTERIES 59 COVID19-SUPPLIES	73011252 53110003	17.43	Invoice: 48058/1	
02/07/21 39.02	01/26/2021	48083/1	245732	- 40000/1	
OL-SUPPLY	W/FASTENERS O&M-STREET-TRAF CONT	73111264 531100	39.02	Invoice: 48083/1	
02/07/21 241.96	01/26/2021	48088/1	245733	- 40000/1	
	PW/DEHUMIDIFIER, PAD WIN COLL-SUPPLIES	73421355 531100	241.96	Invoice: 48088/1	
02/07/21 68.64	01/27/2021	48092/1	245734	- 40000/1	
IES	PW/BATTERIES, BULBS O&M-C/E-PWY FAC-SUPF	73011897 531100	68.64	Invoice: 48092/1	
55507 TOTAL: 730.51	CHECK				
02/07/21 5,804.26	10/21/2020	0001133179	7726 AIR MANAGEMENT SOLUT 245646	355508 02/10/2021 PRTD	
	W/EXPASION TANK INSTALL 07 CH HVAC-REPAIRS	73011183 54810000	5,804.26	Invoice: 0001133179	
55508 TOTAL: 5,804.26					



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL

P 2 apcshdsb

1 =					1 '
NET	CHECK RUN	INV DATE PO	VOUCHER INVOICE	1100 CASH ENDOR NAME	
		INVOICE DTL DESC			
32.00	02/07/21	12/31/2020	245644 96116	7994 PENINSULA SERVICES	355509 02/10/2021 PRTD
	L SERVICES	CRT/MOBILE SHREDDING COURT - PROFESSIONA	32.00 21011125 541100		Invoice: 96116
64.00	02/07/21	12/31/2020	245645 96117		
	S	POL/MOBILE SHREDDING PD-C/E-ADM-PROF SVC	64.00 51011211 541100		Invoice: 96117
96.00	355509 TOTAL:	CHECK			
139.08	02/07/21	01/31/2021	245735 580643	8991 ALLIANCE 2020, INC	355510 02/10/2021 PRTD
		HR/BACKGROUND CHECKS HR-C/E-PROF SVCS	139.08 33011161 541100		Invoice: 580643
139.08	355510 TOTAL:	CHECK			
522.17	02/07/21	12/08/2020	U 245647 0277182-IN	4710 ASSOCIATED PETROLEU	355511 02/10/2021 PRTD
	TION	PW/216 GAL DIESEL O&M-FUEL USE-ALLOCA	522.17 73638893 532000		Invoice: 0277182-IN
870.32	02/07/21	12/08/2020	245648 0277183-IN		T
	TH DEPTS	PW/435 GAL UNLEADED O&M-FUEL ALLOC TO (	870.32 73638932 532000		Invoice: 0277183-IN
254.10	02/07/21	01/12/2021 PW/82 GAL DIESEL	245724 0288573-IN		Invoice: 0288573-IN
	TION	O&M-FUEL USE-ALLOCA	254.10 73638893 532000		111VOICE: 02865/3-1N
1,382.68	02/07/21	01/19/2021 PW/540 GAL (432/108B) D	245736 0016842-IN		Invoice: 0016842-IN
		O&M-FUEL USE-ALLOCA	1,382.68 73638893 532000	1	INVOICE: UUIUU42-IN
270.79	02/07/21	01/05/2021 PW/93.2 GAL DIESEL	245737 0285899-IN		Invoice: 0285899-IN
	TION	O&M-FUEL USE-ALLOCA	270.79 73638893 532000		111V01CC: 0203033 11V
651.10	02/07/21	01/05/2021 PW/305 GAL UNLEADED	245738 0285900-IN		Invoice: 0285900-IN
	TH DEPTS	O&M-FUEL ALLOC TO C	651.10 73638932 532000		11110166. 0203900 111
499.24	02/07/21	01/07/2021 PW/202 GAL DIESEL	245739 0286610-IN		Invoice: 0286610-IN
	TION	O&M-FUEL USE-ALLOCA	499.24 73638893 532000		111/0100 0200010 11/
919.00	02/07/21	01/12/2021 PW/414 GAL UNLEADED	245740 0288574-IN		Invoice: 0288574-IN
	TH DEPTS	O&M-FUEL ALLOC TO C	919.00 73638932 532000		
379.15	02/07/21	01/14/2021	245741 0289371-IN		



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 3 apcshdsb

Circitas A/P CA	SH DISBURSEMENIS JOURNAL					apesilaso
	1100 CASH ENDOR NAME	VOUCHE	R INVOICE	INV DATE	PO CHECK RUN	NET
				INVOICE DTL DESC		
Invoice: 0289371-IN		379.15	73638893 532000	PW/140 GAL DIESEL O&M-FUEL USE-AL	LOCATION	
Invoice: 0289372-IN		245742	0289372-IN 73638932 532000	01/14/2021 PW/215 GAL UNLEADED O&M-FUEL ALLOC	02/07/21	481.69
Invoice: 0290995-IN		245743	0290995-IN	01/19/2021 PW/298.2 GAL DIESEL	02/07/21	711.71
INVOIGE OZJOJJ IN		711.71	73638893 532000	O&M-FUEL USE-AL		
Invoice: 0290996-IN		245744	0290996-IN	01/19/2021 PW/200 GAL UNLEADED	02/07/21	444.75
		444.75	73638932 532000	O&M-FUEL ALLOC	TO OTH DEPTS	
		245745	0291761-IN	01/21/2021	02/07/21	246.04
Invoice: 0291761-IN		246.04	73638893 532000	PW/116 GAL DIESEL O&M-FUEL USE-AL	LOCATION	
				CHEC	K 355511 TOTAL:	7,632.74
355512 02/10/2021 PRTD Invoice: 1992075862	7821 AUS WEST LOCKBOX	245746	1992075862	01/14/2021 PW/LAUNDRY SERVICE	02/07/21	60.58
INVOICE: 19920/5862		60.58	73638893 589310	LAUNDRY SERVICE	S	
Invoice: 1992085182		245747	1992085182	01/21/2021 PW/LAUNDRY SERVICE	02/07/21	60.58
		60.58	73638893 589310	LAUNDRY SERVICE	S	
				CHEC	K 355512 TOTAL:	121.16
355513 02/10/2021 PRTD	2138 ASPECT CONSULTING LL	245649	39775	01/20/2021	02/07/21	432.38
Invoice: 39775		432.38	73011317 54110000	SUYEMATSU SOIL & GR 0812 SUYEMATSU FUEL		
		245650	39833	01/27/2021	02/07/21	456.25
Invoice: 39833		456.25	73011370 54110000	VINCENT LANDFILL MA 261 VINCENT RD DUMP		
				CHEC		888.63
355514 02/10/2021 PRTD Invoice: 1273054103	1235 AT&T ONENET SERVICE	245748	1273054103	01/01/2021 FIN/FAX LONG DIST	02/07/21	19.67
		19.67	91011189 542100	GG-C/E-CITY HALI	L-PHONE	
Transica : 1272062222		245749	1273062283	01/01/2021	02/07/21	.70
Invoice: 1273062283		.70	91011189 542100	PCD/FAX LONG DIST GG-C/E-CITY HAL	L-PHONE	



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL

P 4 apcshdsb

CASH ACCOUNT: 635 111100 CASH CHECK NO CHK DATE TYPE VENDOR NAME	VOUCHER	R INVOICE	INV DATE PO	CHECK RUN	NET
			INVOICE DTL DESC		
			CHECK	355514 TOTAL:	20.37
355515 02/10/2021 PRTD 4365 AUTOMATIC FUNDS TRAN Invoice: 120058	1.40 1.41 2.75	120058 43411341 541100 43421351 541100 91411891 542500 91421891 542500	01/11/2021 FINFINAL BILL: PRINT & FIN - WATER ADMIN I FIN - SEWER ADMIN I GG-WTR-FAC-POSTAGE GG-SWR-FAC-POSTAGE	PROF SERVICE	8.31
Invoice: 120156	36.85 46.60	120156 43411341 541100 43421351 541100 91411891 542500 91421891 542500	01/15/2021 FIN/DELINQUENT INVS FIN - WATER ADMIN I FIN - SEWER ADMIN I GG-WTR-FAC-POSTAGE GG-SWR-FAC-POSTAGE		166.89
			CHECK	355515 TOTAL:	175.20
355516 02/10/2021 PRTD 9542 BACKFLOWS NORTHWEST, Invoice: PAYREQ3-510 6		_	01/15/2021 2020 BACKFLOW TESTING ( 510 BACKFLOW TEST-PRO (		6,507.30
			CHECK	355516 TOTAL:	6,507.30
355517 02/10/2021 PRTD 55 SOUND PUBLISHING, IN Invoice: 8003362-2531056		8003362-2531056 11011116 541100	10/31/2020 CC/COUNCIL VACANCY AD COUNCIL - PROF SERV	02/07/21 /ICES	125.00
Invoice: 8003362-2532164	245653 125.00	8003362-2532164 11011116 541100	10/31/2020 CC/COUNCIL VACANCY AD COUNCIL - PROF SERV	02/07/21 /ICES	125.00
Invoice: 8006987-2532164	245654 375.00	8006987-2532164 11011113 544000	11/30/2020 CC/COUNCIL VACANCY AD COUNCIL - LEGAL NO	02/07/21 FICES	375.00
			CHECK	355517 TOTAL:	625.00
355518 02/10/2021 PRTD 55 SOUND PUBLISHING, IN Invoice: BIR916677		BIR916677 63470586 544000	01/01/2021 PCD/NOA: BLD25240 CUR-DEV-ZONING-ADV	02/07/21	75.60
Invoice: BIR916678	245753 72.00	BIR916678 63470586 544000	01/01/2021 PCD/NOA: BLD25082 CUR-DEV-ZONING-ADV	02/07/21	72.00
Invoice: BIR917008	245754	BIR917008	01/08/2021 PCD/NOA: PLN51778	02/07/21	69.60



	OF BAINBRIDGE ISLAND ASH DISBURSEMENTS JOURNAL			P 5 apcshdsb
	11100 CASH VENDOR NAME	VOUCHER INVOICE	INV DATE PO CHECK	RUN NET
			INVOICE DTL DESC	
		69.60 63470586 544000	CUR-DEV-ZONING-ADV	
Invoice: BIR917900		245755 BIR917900	01/22/2021 02/07/2 PCD/MDNS: BLD24844 C-GAF	76.80
invoice. Bik917900		76.80 63470586 544000	CUR-DEV-ZONING-ADV	
		245756 BIR917010	01/08/2021 02/07/2	44.40
Invoice: BIR917010		44.40 72111421 5440000	ENG/NCC: ROADS PRESERVE PROGRAM 1074 2020 ASPHALT REPAIRS-ADV	
			CHECK 355518 TOTA	AL: 338.40
355519 02/10/2021 PRTD Invoice: 803	3390 BAINBRIDGE SELF STOR	2 245758 803	01/29/2021 02/07/2 EXCC/STORAGE UNITS: 9006, 9007	7,676.50
invoice: 803	7	7,676.50 36011143 545000	CLERK-RENTS	
			CHECK 355519 TOTA	AL: 7,676.50
355520 02/10/2021 PRTD Invoice: 1585128	57 BAY HAY & FEED	245759 1585128 23.86 73011897 531100	01/08/2021 02/07/2 PW/7.2 GAL PROPANE O&M-C/E-PWY FAC-SUPPLIES	23.86
			CHECK 355520 TOTA	AL: 23.86
355521 02/10/2021 PRTD Invoice: SOS122220	567 BAINBRIDGE ISLAND DO		12/22/2020 02/07/2 EX/SOS REIMB	1,778.71
	1	.,//8./1 310115/3 5411000	1069 COVID19-TOURISM-PROF SVCS-SOS	
			CHECK 355521 TOTA	L: 1,778.71
355522 02/10/2021 PRTD Invoice: 67105927	8595 BRUCE TITUS FORD, IN	1 245760 67105927	01/20/2021 02/07/2 PW/VEH 215 MP INSPECTION	439.13
111/0166: 0/103527		439.13 73637957 531100	O&M ALLOC-80%FAC/20%STRT-SUPL	
			CHECK 355522 TOTA	L: 439.13
355523 02/10/2021 PRTD Invoice: 82791608	360 BUILDERS FIRSTSOURCE	245761 82791608	01/28/2021 02/07/2 PW/FORM TUBES	10.89
111VOICE: 02/91000		10.89 73111264 531100	O&M-STREET-TRAF CONTROL-SUPPLY	
			CHECK 355523 TOTA	L: 10.89
355524 02/10/2021 PRTD Invoice: 26040966	1052 CANON FINANCIAL SERV	7 245762 26040966	01/13/2021 02/07/2 IT/COPIER LEASE	482.62
IIIAQIGE: 70040300		482.62 81011881 545000	IT - C/E RENTS & LEASES	



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 6 apcshdsb

Circitas A/P CA	SH DISBURSEMENIS JOURNAL					apesnaso
	1100 CASH ENDOR NAME	VOUCHE	R INVOICE	INV DATE PO	CHECK RUN	NET
				INVOICE DTL DESC		
				CHECK	355524 TOTAL:	482.62
355525 02/10/2021 PRTD Invoice: 796443	9449 NEWCO INC.	245763 793.39	796443 73411345 531100	01/04/2021 PW/SODIUM FLOURIDE OFFICE SUPPLIES	02/07/21	793.39
				CHECK	355525 TOTAL:	793.39
355526 02/10/2021 PRTD Invoice: 50641	9019 CITIES DIGITAL, INC.		50641 81011881 548500	01/14/2021 IT/LASERFICHE LICS (5) IT - C/E COMPUTER		1,831.20
				CHECK	355526 TOTAL:	1,831.20
355527 02/10/2021 PRTD Invoice: 23000006	103 CITY OF BAINBRIDGE I			01/25/2021 BACLFLOW S/ OF BRIDGE 0510 BACKFLOW TEST-CUST	02/07/21 FEES	49.90
Invoice: 23000017		31.81	23000017 73421355 547500 73426355 547500 73431835 547500	01/25/2021 DEC2020 SANDS WELL BII O&M-SWR-CITY WATER O&M-SIS-CITY WATER O&M-SSWM MAINT-CIT	/SEWER BILL /SEWER BILLS	148.62
Invoice: 23000032		245765 32.33	23000032 73431835 547500	02/01/2021 PW/SANDS WELL USE JAN O&M-SSWM MAINT-CIT		32.33
				CHECK	355527 TOTAL:	230.85
355528 02/10/2021 PRTD Invoice: BPD0002660	104 CITY OF BREMERTON	245659 200.00	BPD0002660 53011212 545000	12/31/2020 POL/RANGE RENTAL POLICE - C/E PATRO	02/07/21 L RENTS	200.00
				CHECK	355528 TOTAL:	200.00
355529 02/10/2021 PRTD Invoice: BKAT000582		245766 2,932.24	BKAT000582 81011881 542420	01/04/2021 IT/BKAT BROADCASTING O IT-C/E-TELEVISTED		2,932.24
				CHECK	355529 TOTAL:	2,932.24
355530 02/10/2021 PRTD Invoice: 201134880	518 CRIMINAL JUSTICE TRA		201134880 53011212 443410	01/25/2021 POL/PATROL RIFLE INSTR POLICE - C/E PATRO		600.00



02/03/2021 11:30 | CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL

P 7 apcshdsb

cfreitas  A/P	CASH DISBURSEMENTS JOURNAL							apcshdsb
	111100 CASH E VENDOR NAME	VOUCHER	R INVOICE		INV DA	ATE PO	CHECK RUN	NET
					INVOICE DTL DES	SC		
						CHECK	355530 TOTAL:	600.00
355531 02/10/2021 PRTD Invoice: 18_23_COBI-F					-2 12/14/2 EEL GRASS MONIT 710 ROCKAWAY-MI	CORING T		45,051.73
						CHECK	355531 TOTAL:	45,051.73
355532 02/10/2021 PRTD Invoice: 68766			68766 36011143 5	541100	01/29/2 EXCC/CODE PUBLI CLERK-C/E-E	SHING	02/07/21 CS	3,240.15
						CHECK	355532 TOTAL:	3,240.15
355533 02/10/2021 PRTD Invoice: 30885			30885 73111427 5	531100	01/21/2 PW/BROOMS OFFICE SUPE		02/07/21	1,540.17
						CHECK	355533 TOTAL:	1,540.17
355534 02/10/2021 PRTD Invoice: INV2251007			INV22510		01/22/2 EX,FIN/COPIER C EX-GF-RENTS	OVERAGES		642.59
		321.30	41011141 5	545000	FIN - C/E A	ADMIN RE	ENTS & LEASES	
Invoice: INV2250606	06		INV22506 61011581 5 72011321 5	531100	PCD, ENG/PLOTTER PCD - C/E A ENG - C/E A	R PAPER ADMIN SU		211.47
						CHECK	355534 TOTAL:	854.06
355535 02/10/2021 PRTD Invoice: 42850	~			54810000	11/25/2 PW/PLEASANT BCH 562 GRINDER PUN	H GRINDE		2,635.66
Invoice: 42916		245664	42916		12/03/2 PW/PLEASANT BCF 562 GRINDER PUN	2020 H GRINDE	02/07/21 ER PUMP MX	3,174.12
Invoice: 43183	3	245772	43183		01/15/2 PW/PT WHITE GRI 562 GRINDER PUN	2021 INDER PU	02/07/21 JMP MX	906.92
		J 0 0 . J Z	, 5 1 2 0 5 5 5	5 10 10 000	202 CICTINDEIC FOR	CHECK	355535 TOTAL:	6,716.70



02/03/2021 11:30 | CITY OF BAINBRIDGE ISLAND cfreitas | A/P CASH DISBURSEMENTS JOURNAL

cfreitas  A/	P CASH DISBURSEMENTS JOURNAL					apcshdsb
	111100 CASH YPE VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO CHECK RUN	NET
				INVOICE DTL DESC		
355536 02/10/2021 PRTD 5132 Invoice: 5228674 011321		245665	5228674 0113	21 01/13/2021 CRT/WATER SERVICE &	02/07/21	28.06
	1 011321	28.06 2	21011125 53110			
				CHECK	355536 TOTAL:	28.06
355537 02/10/2021 PRTD Invoice: 9441	RTD 7016 CUSTOM PRINTING	245666	9441	12/23/2020	02/07/21	69.22
		69.22	11011116 53110	CC/BUZ CARDS: BF-J COUNCIL - SUPPLI	S	
				CHECK	355537 TOTAL:	69.22
355538 02/10/2021 PRTD Invoice: 156641	RTD 9645 D'AMATO CONVERSANA,	245667	156641	01/19/2021	02/07/21	1,917.99
		1,917.99	73011183 54110	PW/CH SIDING ENG SVC 000911 CH REPAIRS-PROF		
				CHECK	355538 TOTAL:	1,917.99
355539 02/10/2021 PRTD Invoice: 100820	RTD 672 DSC INC	245668	100820	12/09/2020 PW/MX SUPPLIES	02/07/21	51.28
		51.28	73411345 53110			
Invoice: 100896		245773	100896	01/11/2021 PW/MX SUPPLIES	02/07/21	90.65
		90.65	73011897 53110		SUPPLIES	
Invoice: 100908		245774	100908	01/22/2021 PW/MX SUPPLIES	02/07/21	277.14
			73111427 53110 73111423 53110	OFFICE SUPPLIES OFFICE SUPPLIES		
				CHECK	355539 TOTAL:	419.07
355540 02/10/2021 PRTD 71 Invoice: 5384	PRTD 7144 DTMICRO, INC	245775	5384	01/15/2021	02/07/21	136.25
		136.25	91011215 54210	IT/POL NTWK CONNECTI GG-C/E-PD-PHONE	TO KC	
				CHECK	355540 TOTAL:	136.25
355541 02/10/2021 PRTD Invoice: 8825150		S 245673	8825150	12/02/2020	02/07/21	75.98
	J	75.98	73425358 53110	PW/CEMENT O&M-WWTP-SUPPLIE	S	
				CHECK	355541 TOTAL:	75.98



02/03/2021 11:30   CITY OF BAINBRIDGE ISLAND   CFreitas   A/P CASH DISBURSEMENTS JOURNAL	AL				P 9 apcshdsb
CASH ACCOUNT: 635 111100 CASH CHECK NO CHK DATE TYPE VENDOR NAME	VOLICHER	INVOICE	INV DATE PO	CHECK RUN	NET
			INVOICE DTL DESC	Cilibert Roiv	
355542 02/10/2021 PRTD 1953 FERGUSON ENTERPRI Invoice: 0947193		0947193	12/18/2020 PW/END CAP COUPLING	02/07/21	528.00
			0708 WYATT-MAD TO LOVEL		0 505 55
Invoice: 0948421		0948421 31411341 548500 31421351 548500	12/29/2020 PW/AUTOREAD SOFTWARE IT-WTR-COMP MAINT IT-SEWER-COMP MAIN		2,527.55
	,	0948527			2 404 06
Invoice: 0948527	245671 3,484.06 5	73411345 531100	12/28/2020 PW/WATER MX SUPPLIES OFFICE SUPPLIES	02/07/21	3,484.06
	245672	0949601	01/04/2021	02/07/21	515.37
Invoice: 0949601	515.37	73413434 6311000	PW/END CAP COUPLINGS 0708 WYATT-MAD TO LOVEL	L-WTR-SUPPLY	
	245777	0950673	01/11/2021	02/07/21	1,595.11
Invoice: 0950673	1,595.11	73431835 531100	PW/FORM & GRATE OFFICE SUPPLIES	2=, 2., ==	_,,,,,
			CHECK	355542 TOTAL:	8,650.09
355543 02/10/2021 PRTD 9509 FIREWALLS.COM INC	C 245778	2021-116043	02/01/2021	02/07/21	200.00
Invoice: 2021-116043		31011881 541100	IT/FORTINET SVCS IT - C/E PROF SERV	- , - ,	200.00
			CHECK	355543 TOTAL:	200.00
255544 00 (40 (2004		0.4555	01 /10 /0001	00/07/01	1 015 50
355544 02/10/2021 PRTD 8292 FLYING WRENCH SEI Invoice: 24557	RVIC 245779	24557	01/18/2021 PW/VEH 12 REPAIR	02/07/21	1,817.79
		73111423 548100 73111427 548100	REPAIRS & MAINTENA O&M-ACCESS RDSIDE		
			CHECK	355544 TOTAL:	1,817.79
355545 02/10/2021 PRTD 513 GRAINGER	245780	9777723173	01/19/2021	02/07/21	1,842.84
Invoice: 9777723173	1,842.84	73111264 531100	PW/SIGN & PORTABLE BAS O&M-STREET-TRAF CO		
			CHECK	355545 TOTAL:	1,842.84
355546 02/10/2021 PRTD 8955 GRANICUS	245674	133503	11/22/2020	02/07/21	18,006.38
Invoice: 133503	18,006.38 8	31011881 535100	IT/ANNUAL SOFTWARE MX IT - C/E COMPUTER	SOFTWARE	



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CASH ACCOUNT: 635 CHECK NO CHK DATE TYPE VENDOR NAME VOUCHER INVOICE INV DATE NET PΩ CHECK RUN INVOICE DTL DESC 355546 TOTAL: 18,006.38 CHECK 355547 02/10/2021 PRTD 2096 GRAY & OSBORNE INC 245849 19648.00-13 11/09/2020 21700158 02/07/21 1,965.46 Invoice: 19648.00-13 WATER SYSTEM DESIGN IMPRVMENTS 1,965.46 72413434 64110000819 WATER IMPR PROJECTS 2017-ENG CHECK 355547 TOTAL: 1,965.46 355548 02/10/2021 PRTD 8127 GUARDIAN TRACKING, L 245781 2021-0001 01/01/2021 02/07/21 1,756.00 Invoice: 2021-0001 POL/ANNUAL SUBX 1,756.00 51011215 548500 POLICE - C/E FACIL COMP MAINT CHECK 355548 TOTAL: 1,756.00 355549 02/10/2021 PRTD 253 HACH COMPANY 245675 12266836 12/31/2020 02/07/21 997.53 Invoice: 12266836 PW/FLOURIDE 997.53 73411345 531100 OFFICE SUPPLIES CHECK 355549 TOTAL: 997.53 355550 02/10/2021 PRTD 276.28 4850 HOME DEPOT CREDIT SE 245782 5013545 01/07/2021 02/07/21 PW/MX SUPPLIES Invoice: 5013545 276.28 73011897 531100 O&M-C/E-PWY FAC-SUPPLIES CHECK 276.28 355550 TOTAL: 355551 02/10/2021 PRTD 268 HOUSING RESOURCES BO 245676 12/31/2020 02/07/21 8139 1,125.00 Invoice: 8139 EX/ISLANDER MGMT FEES 04 2020 1,125.00 31180592 54130200297 IMHP MNGT FEES 02/07/21 10,784.93 245677 8141 12/31/2020 Invoice: 8141 2019-20 COMMUNITY SERVICES FUN 10,784.93 31017592 54130100297 INDEPENDENT LIVING PRGM 245678 8142 12/31/2020 02/07/21 9,112.57 Invoice: 8142 2019-20 COMMUNITY SERVICES FUN 9,112.57 31017592 54130600297 HOMESHARE/HOME FINDING CHECK 355551 TOTAL: 21,022.50 355552 02/10/2021 PRTD 9507 INSIGHT PUBLIC SECTO 245783 1100803455 01/19/2021 02/07/21 498.68 Invoice: 1100803455 IT/SOFTWARE LICS FOR COMITTEE MEMBERS 498.68 81011881 535100 IT - C/E COMPUTER SOFTWARE



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	.11100 CASH VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO CHECK RUN	NET
				CHEC	K 355552 TOTAL:	498.68
355553 02/10/2021 PRTD Invoice: 22065135	863 INTERSTATE BATTERIES		22065135 73111423 531100	01/07/2021 PW/BATTERIES OFFICE SUPPLIES	02/07/21	414.04
		102.86	73111423 531100 73111427 531100 73111427 531100	OFFICE SUPPLIES OFFICE SUPPLIES		
				CHEC	X 355553 TOTAL:	414.04
355554 02/10/2021 PRTD Invoice: 514229	333 KITSAP COUNTY AUDITO	245679	514229	09/18/2020 FIN/LEIN RELEASE LI	02/07/21 D20 SIS	40.00
111/01/02/ 31/12/		40.00	41011141 551000	FIN-INTERGOV'T		
				CHEC	X 355554 TOTAL:	40.00
355555 02/10/2021 PRTD Invoice: KCSD7-COBI	1496 KITSAP COUNTY SEWER	245786	KCSD7-COBI-2021	L-JAN 01/01/2021 JAN 2021: 352.55 ER	02/07/21	21,424.46
INVOICE: RESDIT-COBI		,424.46	73426356 551000	SIS-SD#7 PROCES		
				CHEC	X 355555 TOTAL:	21,424.46
355556 02/10/2021 PRTD Invoice: 28614748	1971 KELLEY CONNECT	245787	28614748	01/22/2021 ENG/COPIER LEASE	02/07/21	312.16
111VOICE: 20014740		312.16	72011321 545000	ENG - C/E ADMIN	RENTS & LEASES	
				CHEC	X 355556 TOTAL:	312.16
355557 02/10/2021 PRTD Invoice: 8525031	8135 MIDWEST MOTOR SUPPLY	245788	8525031	01/14/2021 PW/MX SUPPLIES	02/07/21	370.28
IIIVOICE: 6525031		370.28	73638935 531100	O&M-STD ALLOCAT	ION-SUPPLIES	
Invoice: 8528811		245789	8528811	01/15/2021 PW/MX SUPPLIES	02/07/21	19.06
111VOICE: 0320011		19.06	73638935 531100	O&M-STD ALLOCAT	ION-SUPPLIES	
				CHEC	X 355557 TOTAL:	389.34
355558 02/10/2021 PRTD Invoice: 005	9565 KATHERINE L KIRKLAND	245790	005	01/19/2021 EX/COVID VACCINE GR	02/07/21	60.00
IIIVOICE. UUS		60.00	31011572 54110001	L069 COVID19-PROF SV		
				CHEC	K 355558 TOTAL:	60.00



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CASH ACC	COUNT: 635 CHK DATE	111 TYPE VE	100 INDOR		ASH	VOUCHER	INVOICE	INV DATE	PO CHECK RUI	N NET
								INVOICE DTL DESC		
	02/10/2021 voice: BIPD		8546	KITSAP		3,159.32	BIPD2021-02 53011286 551000 52011286 551000	01/15/2021 POL/CALL CENTER SVCS POLICE - C/E PAT POLICE - C/E - 1	TROL CENCOM	11,656.17
								CHECK	X 355559 TOTAL:	11,656.17
	02/10/2021 voice: 2021				PUBLIC HEALTH		2021 PUBLIC HEA	LTH 01/05/2021 2021 PUB HEALTH & RO EXEC-C/E-HEALTH		85,000.00
								CHECK	355560 TOTAL:	85,000.00
	02/10/2021 voice: NOV2		694	KITSAP	PUD #1	245792	NOV20-JAN21	01/16/2021 WATER/LOT1 BELFAIR A	02/07/21 AVE	40.41
						40.41	91011768 547500	GG-C/E-PARKS-WTF		
								CHECK	X 355561 TOTAL:	40.41
	02/10/2021 voice: INV0		309	KITSAP	TIRE CENTER I		INV051654	01/14/2021 PW/VEH 39 TIRES	02/07/21	248.39
						248.39	73011321 531100	O&M-C/E-ENG VEH	WORK-SUPPLIES	
								CHECH	X 355562 TOTAL:	248.39
	02/10/2021 voice: J602			KRAZAN	& ASSOCIATES		J602094-5873 72321951 64110000	11/30/2020 WYATT WAY MATERIALS 708 WYATT-MAD TO LOV		1,341.50
								CHECK	X 355563 TOTAL:	1,341.50
	02/10/2021 voice: 2021		308	KITSAP	REGIONAL COOR		2021-DUES 91011199 549100	01/27/2021 2021 MEMBERSHIP DUES EXEC - C/E GEN'I	-	34,900.00
								CHEC	355564 TOTAL:	34,900.00
	02/10/2021 voice: PLN5		9649	LEON EI	IVIRONMENTAL I	245796 .,908.00	PLN51732 47047 345890	01/25/2021 PLN51732 PERMIT REFU OTHER PLANNING/I		1,908.00
								CHECH	X 355565 TOTAL:	1,908.00



	OF BAINBRIDGE ISLAND ASH DISBURSEMENTS JOURNAL		P 13 apcshdsb
	11100 CASH VENDOR NAME	VOUCHER INVOICE INV DATE PO (	CHECK RUN NET
355566 02/10/2021 PRTD Invoice: PLN51732A	9648 ROBERT & JAYNE MANLO SSDE	245797 PLN51732A SSDE 01/25/2021 02 445.33 47047 345890 OTHER PLANNING/DEVELOPM	2/07/21 445.33
		CHECK 355566	5 TOTAL: 445.33
355567 02/10/2021 PRTD Invoice: 0067698	8375 MOORE IACOFANO GOLTS	245681 0067698 01/19/2021 02 DESIGN OF WYATT WAY RECONSTRUCTION TO TO LOVELL-ENG/DESIGN OF WYATT-MAD TO LOVELL-ENG/DESIGN OF WYATT-WEST-WEST-WEST-WEST-WEST-WEST-WEST-WE	
		CHECK 35556	7 TOTAL: 585.00
355568 02/10/2021 PRTD Invoice: 1065448	7038 MOON SECURITY SERVICE	245682 1065448 12/31/2020 02 CRT/DEC 2020 MONIT SVCS 868.00 21011232 545000 COURT-ELECT HOME DET'N-EQ	2/07/21 868.00 RENT
		CHECK 355568	3 TOTAL: 868.00
355569 02/10/2021 PRTD Invoice: 6273	8887 NCSI	245683 6273 01/01/2021 02 EX/BACKGROUND CHECKS 166.50 31011256 541100 EX-GF-EMERG PREP-PROF SVCS	2/07/21 166.50
		CHECK 355569	9 TOTAL: 166.50
355570 02/10/2021 PRTD Invoice: INV-17067	8581 NEOGOV	245709 INV-17067 11/19/2020 02 IT/2020 PERF APPRAISAL APP 052.74 81011881 548500 IT - C/E COMPUTER SUPPORT	2/07/21 7,052.74
		CHECK 355570	7,052.74
355571 02/10/2021 PRTD Invoice: C-014359	9175 NORTHERN EQUIPMENT R	245798 C-014359 01/12/2021 02 PW/2" SEMI TRASH PUMP 244.71 73431252 54500001055 STORM RESP-SWM-RENTS	2/07/21 244.71
Invoice: C-014374		245799 C-014374 01/13/2021 02 PW/3" WHACKER TRASH PUMP 700.33 73431252 54500001055 STORM RESP-SWM-RENTS	2/07/21 700.33
		CHECK 355572	L TOTAL: 945.04
355572 02/10/2021 PRTD Invoice: 186433	2013 NORTHSTAR CHEMICAL,	245800 186433 01/12/2021 02 308.00 73425358 531100 PW/ALUMINUM CHLOROHYDRATE O&M-WWTP-SUPPLIES	2/07/21 1,308.00



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CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL

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CASH ACCOUNT: 635 111100

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	JENDOR NAME	VOUCHER	INVOICE		IN	V DATE	PO	CHECK RUN	NET
				I	NVOICE DTL	DESC			
						CHEC	K	355572 TOTAL:	1,308.00
355573 02/10/2021 PRTD Invoice: 846569	3 <i>,</i>	31.50 ,098.50 63.00 220.50 438.00 ,186.60 283.50 ,451.00	32470152 32470152 32470152 32011152 32011152 32011152 32011152 32011152 32071152	5411110084 5411110089 5411110107 5411100102 5411100104 5411100113	EGAL/DEC 2(4 LIT-CLAI) 3 LIT-CAI) 8 LIT-WIN; 0 SMALL C) 6 LGL-PSE 1 ETHICS 1 LGL-GF-1 7 PRES RE;	020 LEGA RK ADMIN NION (AP SLOW HOT ELL WIRE FRANCHI BOARD LE LEGAL AD SP SHORE	L SVC APPE A SUF EL (S LESS SE GAL A VICE (CT C	CAL(SUP CT) CCT) CUP CT) ORD  DVISOR  APPEALS)	25,821.00
						CHEC	K	355573 TOTAL:	25,821.00
355574 02/10/2021 PRTD Invoice: 00100480	4129 OWEN EQUIPMENT COMPA		0010048 73637941	P.	01/1 W/SWITCH VACTOR I			02/07/21	169.99
						CHEC	K	355574 TOTAL:	169.99
355575 02/10/2021 PRTD Invoice: 42398	4417 PACIFIC NORTHWEST TI			E: 6411000108	NG/LOVELL I	18/2020 REHAB 01 OVELL SL	086 S-PRC	02/07/21 F SVCS	4,631.41
Invoice: 42405	13,	245686	42405 72423434	E 6411000108	NG/SUNDAY (	18/2020 COVE GRA COVE GRA	VITY VITY	02/07/21 01085 MAIN-PRO S	13,232.60
Invoice: 42425		245687 ,247.71		E. 6411000099	NG/WOOD AVI	18/2020 E 00990 E PUMP S	TA-PR	02/07/21 OF SVCS	11,247.71
						CHEC	K	355575 TOTAL:	29,111.72
355576 02/10/2021 PRTD Invoice: 84109	7153 PORT MADISON ENTERPR		84109 73111423		01/0 W/GRAVEL OFFICE S	06/2021 SUPPLIES		02/07/21	385.33
Invoice: 84122		245803	84122		01/0 W/GRAVEL	07/2021		02/07/21	380.37
Invoice: 84133		245804 367.35	84133 73111423		01/0 W/GRAVEL OFFICE S	07/2021 SUPPLIES		02/07/21	367.35



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Invoice: 1921031

Invoice: 1921032

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	111100 CASH VENDOR NAME	VOUCHER INVOICE	INV DATE PO	CHECK RUN	NET
			INVOICE DTL DESC		
T		245805 84136	01/07/2021	02/07/21	1,082.83
Invoice: 84136		1,082.83 73111423 531100	PW/GRAVEL OFFICE SUPPLIES		
			CHECK	355576 TOTAL:	2,215.88
355577 02/10/2021 PRTD	9644 POLICE RECORDS AN	D I 245806 11077	01/19/2021	02/07/21	250.00
Invoice: 11077		250.00 51011214 443410	POL/PUB RECORDS TRAINI PD-C/E-ADMIN-TRAIN		
			CHECK	355577 TOTAL:	250.00
	9349 PROPANE NORTHWEST	245808 1503015330	01/11/2021	02/07/21	886.62
Invoice: 150301533	O .	886.62 91011897 547200	PW/660.7 GAL PROPANE GG-C/E-O&M YARD FA	AC-PROPANE	
	_	245850 1502858237	12/23/2020	02/07/21	639.01
Invoice: 150285823	I	639.01 91011897 547200	PW/525.90 GAL PROPANE GG-C/E-O&M YARD FA	AC-PROPANE	
			CHECK	355578 TOTAL:	1,525.63
355579 02/10/2021 PRTD	9440 QBSI-XEROX	245688 IN2488018	12/28/2020	02/07/21	48.69
Invoice: IN2488018		48.69 21011125 545000	CRT/COPIER LEASE COURT - RENTS & LE	CASES - OPER	
			CHECK	355579 TOTAL:	48.69
355580 02/10/2021 PRTD	7435 RANDY KAN PORTABL	E R 245809 1921029	01/01/2021	02/07/21	180.00
Invoice: 1921029		180.00 73011768 545000	PW/EAGLE HARBOR CANS O&M-C/E-PARKS-OP I	LEASES	
		245810 1921030	01/01/2021	02/07/21	90.00
Invoice: 1921030		00 00 73011760 545000	PW/CREOSOTE CAN	RA CRC	

90.00 73011768 545000

90.00 73435838 545000

90.00 73011897 545000

245811 1921031

245812 1921032

O&M-C/E-PARKS-OP LEASES

02/07/21

02/07/21

355580 TOTAL:

01/01/2021

01/01/2021

O&M-C/E-PWYD FAC-RENTS

CHECK

O&M-DECANT-RENTS

PW/VINCENT RD CAN

PW/HIDDEN COVE CAN

43

450.00

90.00

90.00



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	111100 CASH VENDOR NAME	VOUCHER	R INVOICE	Ē	INV DATE PO	CHECK RUN	NET
					INVOICE DTL DESC		
355581 02/10/2021 PRTD Invoice: 37043	394 RED'S ELECTRIC MOTOR		37043 73421355		01/08/2021 PW/MADRONA HOUSE ELEC 1 WIN COLL-R&M	02/07/21 REPAIR	5,583.98
	- ,				CHECK	355581 TOTAL:	5,583.98
355582 02/10/2021 PRTD Invoice: 80804	5612 RH2 ENGINEERING INC		80804	66200000	01/15/2021 CHLORINE GENERATOR UPG		7,163.42
Invoice: 80019	,	245690	80019	663000009	187 CHLORINE GEN UPGRA 11/09/2020 CHLORINE GENERATOR UPG	02/07/21	35,461.55
111,0100 0001	35,	461.55	72413434	663000009	87 CHLORINE GEN UPGRAI CHECK		42,624.97
355583 02/10/2021 PRTD Invoice: 011521	2409 RIVER OAKS COMMUNICA		011521 32011152	541100010	01/15/2021 EX/CONSULTING: COMCAST 82 COMCAST FRANCHISE I		5,383.75
	- ,				CHECK	355583 TOTAL:	5,383.75
355584 02/10/2021 PRTD Invoice: 885565			885565 21011125	545000	01/25/2021 CRT/FEB RENT COURT - RENTS & LE	02/07/21 ASES - OPER	4,281.25
					CHECK	355584 TOTAL:	4,281.25
355585 02/10/2021 PRTD Invoice: 2341		245692 915.60	2341 73011215		10/06/2020 PW/CLEAR REPAIR O&M-C/E-POLICE FAC	02/07/21 -REPAIRS	915.60
Invoice: 2369		245693	2369		12/15/2020 PW/SNOW PLOW SHOES 03 2018 STORM RESP-ST	02/07/21	1,308.00
	±,	300.00	73111232	33110000	CHECK	355585 TOTAL:	2,223.60
355586 02/10/2021 PRTD Invoice: 002763		245694	002763 32011281		01/12/2021 LEGAL/PUB DEF SVCS LGL-PUBLIC DEFENDE	02/07/21	317.25
Invoice: 002764		245815	002764	24117	01/12/2021 CRT/PUB DEF SVCS	02/07/21	43.50
		43.50	32011281	541113	LGL-PUBLIC DEFENDE	3	



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	ASH DISBURSEMENTS JOURNAL					apcshdsb
	11100 CASH VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO CHECK RUN	NET
				INVOICE DTL DESC		
				CHEC	K 355586 TOTAL:	360.75
355587 02/10/2021 PRTD Invoice: INV317154	9566 SMARTSHEET INC.	245816	INV317154	01/25/2021 IT/PROJ MGMT LIC: R	02/07/21 ETANA	229.35
		229.35 8	81011881 535100	IT - C/E COMPUT		
				CHEC	K 355587 TOTAL:	229.35
355588 02/10/2021 PRTD	8132 SPECTRA LABORATORIES	245817	21-00151	01/13/2021	02/07/21	63.48
Invoice: 21-00151		63.48	73411345 54110000	PW/FLOURIDE TESTING 391 LAB SVCS-WATER		
Transico: 21 00152		245818	21-00152	01/13/2021	02/07/21	63.48
Invoice: 21-00152		63.48	73415345 54110000	PW/ROCKAWAY TESTING 391 LAB SVCS-WATER		
		245819	21-00420	01/22/2021	02/07/21	21.16
Invoice: 21-00420		21.16	73411345 54110000	PW/ECOLI TESTING 0391 LAB SVCS-WATER		
				CHEC	K 355588 TOTAL:	148.12
355589 02/10/2021 PRTD	2467 STAPLES	245696	8060845011	01/02/2021	02/07/21	2,248.72
Invoice: 8060845011	2	,248.72	73637891 531100	PW/OFFICE SUPPLIES OFFICE SUPPLIES		
				CHEC	K 355589 TOTAL:	2,248.72
355590 02/10/2021 PRTD	5730 SUMMIT LAW GROUP	245697	120850	01/20/2021	02/07/21	3,923.88
Invoice: 120850	3	,230.88	32011152 54111000 32011152 54111000	LEGAL/PROF SVCS DEC 0870 LGL-HR (NON-BAR 0274 LGL-LABOR NEGOT	GAINING)	
		0,53.00	52011152 51111000	CHEC		3,923.88
355591 02/10/2021 PRTD Invoice: 146303	7095 SUPERIOR SAW & SUPPL			01/26/2021 PW/CHAIN SHARPENING		98.10
		98.10	73111427 548100	O&M-ACCESS RDSI		
				CHEC	K 355591 TOTAL:	98.10
355592 02/10/2021 PRTD		245549	53464419-CR	02/06/2020	02/07/21	-100.00
Invoice: 53464419-CF		-100.00	73637948 531100	OVERPMT INV 5346441 O&M ALLOC-CITY		
		245698	556507697	06/16/2020	02/07/21	1,641.54



	OF BAINBRIDGE ISLAND ASH DISBURSEMENTS JOURNAL					P 18 apcshdsb
	11100 CASH VENDOR NAME	VOUCHER	R INVOICE	INV DATE PO	CHECK RUN	NET
				INVOICE DTL DESC		
Invoice: 556507697		1,641.54	73637948 531100	PW/DISINF. CLEANER O&M ALLOC-CITY WIDE	SUPPLIES	
		245699	594602740	01/13/2021	02/07/21	-1,641.54
Invoice: 594602740		-1,641.54	73637948 531100	PW/RETURN CLNR O&M ALLOC-CITY WIDE	SUPPLIES	
		245822	594056707	01/11/2021	02/07/21	1,243.47
Invoice: 594056707		1 243 47	73637948 531100	PW/ANTIBACT FOAM SOAP O&M ALLOC-CITY WIDE	GIIDDI.TEG	•
		•	594326290		02/07/21	4 566 03
Invoice: 594326290		245823		01/12/2021 PW/MX SUPPLIES		4,566.03
		4,566.03	73637948 531100	O&M ALLOC-CITY WIDE	SUPPLIES	
Invoice: 594867798		245825	594867798	01/14/2021 PW/BATHROOM TISSUE	02/07/21	347.14
111/01/00 05 1007.750		347.14	73637948 531100	O&M ALLOC-CITY WIDE	SUPPLIES	
				CHECK	355592 TOTAL:	6,056.64
355593 02/10/2021 PRTD	4271 JOHN SUTTON	245700	Q4-2020	12/31/2020	02/07/21	433.80
Invoice: Q4-2020		433.80	91029211 521500	LEOFF1 REIMB Q4 2020 POLICE - INS ADD ME	DICAL COSTS	
				CHECK	355593 TOTAL:	433.80
355594 02/10/2021 PRTD	9295 TOOLE DESIGN GROUP	243249	70138 MAR02F2	04/17/2020	02/07/21	3,446.76
Invoice: 70138_MAR0:		•	_	SPORTSMAN/NEW BROOKLYN	PRJ	3,110.70
		3,440.70	72321953 64110000	0715 SP CLUB/NB INTERSEC CHECK	355594 TOTAL:	3,446.76
				CHECK	355594 TOTAL:	3,440.70
355595 02/10/2021 PRTD	6714 TOSHIBA FINANCIAL	SE 245827	28614747	01/22/2021	02/07/21	210.58
Invoice: 28614747		210.58	21011125 545000	CRT/COPIER LEASE COURT - RENTS & LEA	SES - OPER	
				CHECK	355595 TOTAL:	210.58
				Gillen	333373 101111	210.30
355596 02/10/2021 PRTD	1152 USA BLUE BOOK	245701	455657	12/24/2020	02/07/21	18.57
Invoice: 455657		18.57	73425358 531100	PW/WEIGH PAPERS O&M-WWTP-SUPPLIES		
		245828	457654	12/29/2020	02/07/21	116.54
Invoice: 457654		116.54	73425358 531100	PW/RICCA PH BUFFER O&M-WWTP-SUPPLIES		
		245829	465212	01/07/2021	02/07/21	683.92
		21029	100212	01/01/2021	02/01/21	003.92



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CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 19 apcshdsb

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	L1100 CASH /ENDOR NAME	VOUCHER	INVOICE	INV DATE PO	CHECK RUN	NET
				INVOICE DTL DESC		
Invoice: 465212		683.92	73425358 531100	PW/STENNER PUMP O&M-WWTP-SUPPLIES		
				CHECK	355596 TOTAL:	819.03
355597 02/10/2021 PRTD Invoice: 2021-00111	4010 WA ASSOC OF SHERIFF:			01/04/2021 POL/ANNUAL DUES: CLARK	02/07/21	245.00
		245.00	51011211 549100	PD-C/E-ADM-DUES/SU	BCR/MEMBRSHP	
				CHECK	355597 TOTAL:	245.00
355598 02/10/2021 PRTD Invoice: 0038056-104	18-6	245702		BIOSOLIDS LANDFILL DIS	POSAL	4,090.87
	•	4,090.87	73425358 5479010	0551 BIOSOLIDS WASTE DI:	SPOSAL	
				CHECK	355598 TOTAL:	4,090.87
355599 02/10/2021 PRTD Invoice: 706533	8390 WEST HILLS FORD MAZI	D 245831	706533	01/06/2021 PW/WHEEL ASSY	02/07/21	502.82
invoice. 700333			73111423 531100 73111427 531100	OFFICE SUPPLIES OFFICE SUPPLIES		
				CHECK	355599 TOTAL:	502.82
355600 02/10/2021 PRTD	499 WESTBAY AUTO PARTS	I 245703	596182	12/15/2020	02/07/21	43.56
Invoice: 596182		43.56	990 141100	PW/BLUE DEF 2.5 GAL X4 MERCHANDISE		
Invoice: 600773		245832	600773	01/07/2021 PW/SPARK PLUGS	02/07/21	10.03
111/0166: 000//3		10.03	73638935 531100	O&M-STD ALLOCATION	-SUPPLIES	
Invoice: 600989		245833	600989	01/08/2021 PW/HOT START HEATER	02/07/21	437.66
Involue occupies		437.66	73421355 531100	WIN COLL-SUPPLIES		
Invoice: 601725		245834	601725	01/12/2021 PW/GLOVES	02/07/21	153.82
		153.82	73638935 531100	O&M-STD ALLOCATION	-SUPPLIES	
Invoice: 601986		245835	601986	01/13/2021 PW/OIL, FUEL, HYD FILT	02/07/21 ERS	120.87
		120.87	990 141100	MERCHANDISE		
Invoice: 602308			602308	01/14/2021 PW/OIL FILTER	02/07/21	5.22
		5.22	990 141100	MERCHANDISE		



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL P 20 apcshdsb

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	L100 CASH ENDOR NAME	VOUCHE	R INVOIC	E		INV DA	ATE 1	20	CHECK RUN	NET
					INVOI	CE DTL DE	SC			
Invoice: 602356		245837	602356		DW / 7 T	01/14/2 R FILTER	2021		02/07/21	14.76
111VOICE: 002330		14.76	73011321	531100		)&M-C/E-EN(	G VEH I	WORK-SU	PPLIES	
Invoice: 602489		245838	602489		DW/OT	01/14/2 L FILTER,		οv	02/07/21	142.88
111VOICE: 002409		142.88	73011321	531100		)&M-C/E-EN			PPLIES	
T		245839	602756		01/15/2021 PW/OIL FILTER				02/07/21	4.97
Invoice: 602756		4.97	990	141100		L FILIER IERCHANDISI				
T		245840	602915		Dt.1 /1.13	01/16/2		DIIDNI	02/07/21	-137.95
Invoice: 602915		-137.95	73011321	531100		ARRANTY, CO 0&M-C/E-ENO			PPLIES	
T		245841	604411		DOI /D	01/22/2			02/07/21	46.86
Invoice: 604411		46.86	53011212	531100	POL/BATTERY CHARGER PD-C/E-PATROL SUPP			PPLIES		
		245842	605124		D / 3 T	01/26/2			02/07/21	14.95
Invoice: 605124		14.95	990	141100	PW/AIR, OIL FILTERS MERCHANDISE					
							CHECK	355	600 TOTAL:	857.63
355601 02/10/2021 PRTD	2607 ZEE MEDICAL SERVICE	245843	684117	30		01/12/2			02/07/21	154.00
Invoice: 68411730		154.00	51011215	531100		'IRST AID E POLICE - C			LIES	
Turne i ma		245844	684117	33	CDE /E	01/12/2			02/07/21	204.85
Invoice: 68411733		204.85	21011125	531100		'IRST AID I 'OURT - SUI		Λ.		
							CHECK	355	601 TOTAL:	358.85
			NUMBER O	F CHECKS	95	***	CASH Z	ACCOUNT	TOTAL ***	469,987.41
						COUNT		AMOU	NT	
			TOTAL PR	INTED CHE	ECKS	95	4	59,987.	41	
							**	* GRAND	TOTAL ***	469,987.41
										,



P 21 apcshdsb

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED 02/03/2021 11:30 cfreitas

CIEDK. afraita

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 2 46 APP 001-213000 02/10/2021 02/07/21 APP 635-111100	021021		GENERAL - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL CASH		279,546.79	469,987.41
02/10/2021 02/07/21 APP 403-213000	021021		AP CASH DISBURSEMENTS JOURNAL ACCOUNTS PAYABLE		2,769.63	
02/10/2021 02/07/21 APP 402-213000 02/10/2021 02/07/21	021021 021021		AP CASH DISBURSEMENTS JOURNAL ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		71,342.42	
APP 101-213000 02/10/2021 02/07/21	021021		STREETS - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		10,111.09	
APP 631-213000 02/10/2021 02/07/21	021021		ACCOUNTS PAYABLE  AP CASH DISBURSEMENTS JOURNAL		17,221.57	
APP 401-213000 02/10/2021 02/07/21	021021		ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL		59,016.75	
APP 407-213000 02/10/2021 02/07/21	021021		ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL	1	23,291.33	
APP 108-213000 02/10/2021 02/07/21	021021		AFFORD HSG - ACCOUNTS PAYABLE AP CASH DISBURSEMENTS JOURNAL	ı	1,125.00	
APP 301-213000 02/10/2021 02/07/21 APP 901-213000	021021		ACCOUNTS PAYABLE  AP CASH DISBURSEMENTS JOURNAL ACCOUNTS PAYABLE	ı	5,373.26 189.57	
02/10/2021 02/07/21	021021		AP CASH DISBURSEMENTS JOURNAL	ı ————		
			GENERAL LEDGER TOTAL		469,987.41	469,987.41
APP 631-130000 02/10/2021 02/07/21	021021		DUE TO/FROM CLEARING		452,765.84	
APP 001-130000 02/10/2021 02/07/21	021021		GENERAL - DUE TO/FROM CLEARING			279,546.79
APP 403-130000 02/10/2021 02/07/21	021021		DUE TO/FROM CLEARING			2,769.63
APP 402-130000 02/10/2021 02/07/21	021021		DUE TO/FROM CLEARING			71,342.42
APP 101-130000 02/10/2021 02/07/21	021021		STREETS - DUE TO/FROM CLEARING			10,111.09
APP 401-130000 02/10/2021 02/07/21	021021		DUE TO/FROM CLEARING			59,016.75
APP 407-130000 02/10/2021 02/07/21	021021		DUE TO/FROM CLEARING			23,291.33
APP 108-130000 02/10/2021 02/07/21 APP 301-130000	021021		AFFORD HSG DUE TO/FROM CLEAR'G DUE TO/FROM CLEARING			1,125.00 5,373.26
02/10/2021 02/07/21 APP 901-130000	021021		DUE TO/FROM CLEARING  DUE TO/FROM CLEARING			189.57
02/10/2021 02/07/21	021021		202 10/1 ROPI CHEMITING			100.07



02/03/2021 11:30 cfreitas			BRIDGE IS BURSEMENT			AL ENTRIES TO BE CREATED			P 22 apcshdsb
YEAR PER JNL SRC ACCOUNT EFF DATE	JNL DESC	REF 1	REF 2	REF	3	ACCOUNT DESC LINE DESC	т ов	DEBIT	CREDIT
						SYSTEM GENERATED ENTRIES	S TOTAL	452,765.84	452,765.84
						JOURNAL 2021/02/46	TOTAL	922,753.25	922,753.25



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 23 apcshdsb

FUND ACCOUNT	YEAR 1	PER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND 001-130000 001-213000	2021	2	46	02/10/2021 GENERAL - DUE TO/FROM CLEARING GENERAL - ACCOUNTS PAYABLE	279,546.79	279,546.79
				FUND TOTAL	279,546.79	279,546.79
101 STREET FUND 101-130000 101-213000	2021	2	46	02/10/2021 STREETS - DUE TO/FROM CLEARING STREETS - ACCOUNTS PAYABLE	10,111.09	10,111.09
				FUND TOTAL	10,111.09	10,111.09
108 AFFORDABLE HOUSING FUND 108-130000 108-213000	2021	2	46	02/10/2021 AFFORD HSG DUE TO/FROM CLEAR'G AFFORD HSG - ACCOUNTS PAYABLE	1,125.00	1,125.00
				FUND TOTAL	1,125.00	1,125.00
301 CAPITAL CONSTRUCTION FUND 301-130000 301-213000	2021	2	46	02/10/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	5,373.26	5,373.26
				FUND TOTAL	5,373.26	5,373.26
401 WATER OPERATING FUND 401-130000 401-213000	2021	2	46	02/10/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	59,016.75	59,016.75
				FUND TOTAL	59,016.75	59,016.75
402 SEWER OPERATING FUND 402-130000 402-213000	2021	2	46	02/10/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	71,342.42	71,342.42
				FUND TOTAL	71,342.42	71,342.42
403 STORM & SURFACE WATER FUND 403-130000 403-213000	2021	2	46	02/10/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	2,769.63	2,769.63
				FUND TOTAL	2,769.63	2,769.63
407 BUILDING & DEVELOPMENT FUND 407-130000 407-213000	2021	2	46	02/10/2021 DUE TO/FROM CLEARING ACCOUNTS PAYABLE	23,291.33	23,291.33
				FUND TOTAL	23,291.33	23,291.33
631 CLEARING FUND	2021	2	46	02/10/2021		



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 24 apcshdsb

FUND ACCOUNT	YEAR PER	JNL EFF DATE ACCOUNT DESCRIPTION	DN	DEBIT	CREDIT
631-130000 631-213000 635-111100		DUE TO/FROM CLEAR: ACCOUNTS PAYABLE CASH	ING	452,765.84 17,221.57	469,987.41
			FUND TOTAL	469,987.41	469,987.41
901 CITY-WIDE REPORTING FUND 901-130000 901-213000	2021 2	46 02/10/2021 DUE TO/FROM CLEAR: ACCOUNTS PAYABLE	ING	189.57	189.57
			FUND TOTAL	189.57	189.57



02/03/2021 11:30 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 25 apcshdsb

FUN:			DUE TO	DUE FROM
001 101 108 301 401 402 403 407 631	GENERAL FUND STREET FUND AFFORDABLE HOUSING FUND CAPITAL CONSTRUCTION FUND WATER OPERATING FUND SEWER OPERATING FUND STORM & SURFACE WATER FUND BUILDING & DEVELOPMENT FUND CLEARING FUND CITY-WIDE REPORTING FUND		452,765.84	279,546.79 10,111.09 1,125.00 5,373.26 59,016.75 71,342.42 2,769.63 23,291.33
201	01112220.11.0 102	TOTAL	452,765.84	452,765.84

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*

# RETAINAGE RELEASE

• munis a tyler erp solution

1/27/2021

01/27/2021 10:00 cfreitas

CITY OF BAINBRIDGE ISLAND A/P CASH DISBURSEMENTS JOURNAL (F)

P 1 apcshdsb

CASH ACCOUNT: 628 CHECK NO CHK DATE

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CASH-RETAINAGE

INAGE

VOUCHER INVOICE

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INVOICE	DTT.	DESC
TIVVOICE	$\nu_{\perp}$	שטמעע

196 01/27/2021 PRTD 5262 LIDEN LAND DEV & EXC 245640 RETREL-1053 01/20/2021 RT012721 1,210.50 Invoice: RETREL-1053 WW SIDE SWR - RETAINAGE & INT

1,210.50 41628860 586000

RETAINAGE RELEASE

196 TOTAL: 1,210.50

NUMBER OF CHECKS 1 \*\*\* CASH ACCOUNT TOTAL \*\*\* 1,210.50

CHECK

TOTAL PRINTED CHECKS 1 1,210.50

\*\*\* GRAND TOTAL \*\*\* 1,210.50



1,210.50

1,210.50

01/27/2021 10:00 CITY OF BAINBRIDGE ISLAND apcshdsb A/P CASH DISBURSEMENTS JOURNAL cfreitas JOURNAL ENTRIES TO BE CREATED CLERK: cfreitas YEAR PER SRC ACCOUNT ACCOUNT DESC T OB CREDIT DEBIT EFF DATE JNL DESC REF 1 REF 2 REF 3 LINE DESC 2021 1 222 APP 622-213000 ACCOUNTS PAYABLE 1,210.50 01/27/2021 RT012721 RT0127 AP CASH DISBURSEMENTS JOURNAL 1,210.50 APP 628-111100 CASH-RETAINAGE 01/27/2021 RT012721 RT0127 AP CASH DISBURSEMENTS JOURNAL

JOURNAL 2021/01/222

TOTAL



01/27/2021 10:00 cfreitas

CITY OF BAINBRIDGE ISLAND |A/P CASH DISBURSEMENTS JOURNAL | JOURNAL ENTRIES TO BE CREATED

P 3 apcshdsb

FUND ACCOUNT	YEAR PER	JNL	EFF DATE ACCOUNT DESCRIPTION	DEBIT	CREDIT
622 EXPENDABLE TRUST FUND 622-213000 628-111100	2021 1	222	01/27/2021 ACCOUNTS PAYABLE CASH-RETAINAGE	1,210.50	1,210.50
			FUND TOTAL	1,210.50	1,210.50

<sup>\*\*</sup> END OF REPORT - Generated by Carrie L. Freitas \*\*

# **PAYROLL**

PAYROLL CHECK RUN: 2-05-2021

Run Type	Run Date	Check # Sequence	Comments	Amount
Misc	1/26/2021	109536 - 109537	Misc check run (Paper Checks)	94.98 🖍
Normal	2/5/2021	50109 - 50234	Regular check run (Direct Dep)	312,655.64
Normal	2/5/2021	109538	Regular check run (Paper Checks)	2,026.11
Vendor	2/5/2021	109539 - 109547	Vendor check run (Paper Checks)	339,723.29
EFTPS	2/5/2021	N/A	Federal Tax Electronic Transfer	120,136.59
			TOTAL:	774,541.63

Prepared and Reviewed by:	Grenda Landalt	Date _	2-	4-21	
-	Brenda Landolt Payroll Specialist				

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

Date 2-4-21

DeWayne Ritts, Finance Director



# City Council Regular Business Meeting Agenda Bill

AGENDA ITEM: City Council Study Session Minutes, January 19, 2021

SUMMARY: Consider approval of 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?

D	4C	v	$\mathbf{c}$	D	$\sim$	11	N		
D/	40	n	J	П	v	u	IN	v	

# **ATTACHMENTS:**

City Council Study Session Minutes, January 19, 2021.pdf

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



# CITY COUNCIL STUDY SESSION TUESDAY, JANUARY 19, 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 Pollock moved and Councilmember Fantroy-Johnson 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

January 26 City Council Regular Business Meeting.pdf

February 2 City Council Study Session.pdf

February 9 City Council Regular Business Meeting.pdf

Interim City Manager Schroer reviewed upcoming Council agendas. Council requested changes to the agendas, including the addition of the process for appointing two new Race Equity Advisory Committee members, shortening the presentation on the SR 305 project, and a discussion regarding the City Manager search.

## 4) UNFINISHED BUSINESS

# 4.A Sustainable Transportation Plan Update - Projects and Programs - Public Works

Cover Page

BAINBRIDGE STP January Update 20210119.pdf

Engineering Project Manager Epstein introduced Jennifer Wieland, project consultant from Nelson/Nygaard, who provided an update on the project.

#### 5) NEW BUSINESS

#### 5.A Safe Routes to School Discussion - Public Works

Cover Page

## Safer Routes to School Slides 011921.pptx

Public Works Director Wierzbicki provided a presentation on the proposed project and addressed Council's questions.

**MOTION:** I move to forward for approval with the January 26, 2021 City Council Consent Agenda authorization for the City Manager to use the Council Contingency Fund in the amount of \$7,500 for expenses related to implementing the "safer" routes to school plan as described as part of this agenda item, and to expend those funds consistent with that plan.

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

AYES: Carr, Deets, Fantroy-Johnson, Hytopoulos, Nassar, Pollock, Schneider

NOES: None ABSENT: None ABSTAIN: None

# 5.B Review 2020 Results for Citywide Workplan Priorities - Executive

Cover Page

2020 Workplan Results for CC 01192021

Interim City Manager Schroer provided a presentation on the agenda item and addressed Council's questions.

#### 6) CITY COUNCIL DISCUSSION

# 6.A Revisions to Governance Manual and Expectations for Council Liaisons - Councilmembers Schneider and Pollock

Cover Page

Simplified Rules of Procedure 1-15-21.docx

COBI Committee List.xlsx

Councilmember Liaison Job Description amendments 01-15-21.pdf

FOR REFERENCE Resolution No. 2020-15 Updating the Governance Manual - Approved 071420

Councilmember Schneider introduced the agenda item, and Council discussed the Council Liaison Job Description.

**AMENDED MOTION:** I move to adopt the Council Liaison Job description as described with the exception of the reference to quarterly reports and to place this item on the Consent Agenda on January 26 for adoption. **Pollock/Carr:** The motion carried unanimously, 7 - 0.

AYES: Carr, Deets, Fantroy-Johnson, Hytopoulos, Nassar, Pollock, Schneider

NOES: None ABSENT: None ABSTAIN: None

Council adjourned for a break at 7:51 p.m., and Deputy Mayor Hytopoulos reconvened the meeting at 7:56 p.m.

Councilmember Pollock introduced his revisions to the Governance Manual, and Council discussed the process. Council forwarded the item to the January 26, 2021 agenda with the instruction to provide comments to the City Clerk for inclusion in the agenda packet.

# **6.B Economic Recovery Grants - Councilmembers Schneider, Hytopoulos, and Deets**

Cover Page

Proposed COBI Business Recovery Grants Memo.docx

Phase III Application Example Redacted.pdf

FOR REFERENCE - Agenda Bill for Resolution 3329 Small Business Assistance CARES.pdf

FOR REFERENCE - Resolution 3329 Small Business Assistance CARES.pdf

FOR REFERENCE - Bremerton Contract with KEDA -- Small Business Grant Program Administrator

Agreement.docx

Councilmember Schneider introduced the agenda item, and Council discussed the topic.

**MOTION:** I move to direct the Interim City Manager to develop the necessary elements of a business recovery grants program based on the guidelines presented by the subcommittee and any additional materials shared by the Bremerton Phase 3 Small Business Assistance program.

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

AYES: Carr, Deets, Fantroy-Johnson, Hytopoulos, Nassar, Pollock, Schneider

NOES: None ABSENT: None ABSTAIN: None

## 7) FOR THE GOOD OF THE ORDER

Mayor Nassar asked for Council support for the Climate Change Advisory Committee to take a look at Wastewater Treatment Plant options, and Council concurred.

Mayor Nassar invited a third Councilmember to join the agenda meeting with the Deputy Mayor and the Interim City Manager on a rotating basis. Council discussed the proposal.

## 8) ADJOURNMENT

Deputy Mayor Hytopoulos adjourned the meeting at 9:18 p.m.

	Rasham Nassar, Mayor
Christine Brown, CMC, City Clerk	



# City Council Regular Business Meeting Agenda Bill

AGENDA ITEM: Special City Council Meeting Minutes, January 20, 2021

SUMMARY: Consider approval of 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:	B	AC	Κ	G	R	O	U	N	D	•
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# ATTACHMENTS:

Special City Council Meeting Minutes January 20, 2021.pdf

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



# SPECIAL CITY COUNCIL MEETING WEDNESDAY, JANUARY 20, 2021

#### MEETING MINUTES

## 1) CALL TO ORDER/ROLL CALL

Mayor Nassar called the meeting to order at 6:01 p.m. on the Zoom webinar platform.

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

Mayor Nassar said that the City Attorney has requested the addition of an agenda item to the executive session pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation. Councilmember Pollock moved and Deputy Mayor Hytopoulos seconded to amend the agenda accordingly. The motion carried unanimously, 7-0.

#### 2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.

Cover Page

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 [Added]

Mayor Nassar adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i) at 6:02 p.m.

At 7:00 p.m., Council extended the executive session for an additional thirty minutes. At 7:30 p.m., Council extended the executive session for an additional thirty minutes. At 7:56 p.m., Council extended the executive session for an additional thirty minutes. At 8:28 p.m., Council extended the executive session for an additional fifteen minutes. At 8:45 p.m., Council extended the executive session for an additional fifteen minutes.

Mayor Nassar, Deputy Mayor Hytopoulos, Councilmember Fantroy-Johnson, and Councilmember Carr returned from executive session at 9:01 p.m.

# 3) ADJOURNMENT

Mayor Nassar adjourned the meeting at 9:01 p.m.		
	Rasham Nassar, Mayor	
Christine Brown, CMC, City Clerk		



# City Council Regular Business Meeting Agenda Bill

AGENDA ITEM: Special City Council Meeting Minutes, January 26, 2021

SUMMARY: Consider approval of meeting minutes.

AGENDA CATEGORY: Minutes PROPOSED BY: Executive

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

## **BACKGROUND:**

# **ATTACHMENTS:**

Special City Council Meeting Minutes, January 26, 2021

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



# SPECIAL CITY COUNCIL MEETING TUESDAY, JANUARY 26, 2021

#### MEETING MINUTES

## 1) CALL TO ORDER/ROLL CALL

Mayor Nassar called the meeting to order at 5:00 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, and pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.

  Cover Page

Mayor Nassar adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i) at 5:00 p.m.

Mayor Nassar, Deputy Mayor Hytopoulos, Councilmember Fantroy-Johnson, and Councilmember Carr returned from executive session at 6:00 p.m.

## 3) ADJOURNMENT

Mayor Nassar adjourned the meeting at 6:00 p.m.		
	Rasham Nassar, Mayor	
Christine Brown, CMC, City Clerk		



# City Council Regular Business Meeting Agenda Bill

AGENDA ITEM: City Council Regular Business Meeting Minutes, January 26, 2021

SUMMARY: Consider approval of meeting minutes.

AGENDA CATEGORY: Consent Agenda PROPOSED BY: Executive

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

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

## **BACKGROUND:**

# ATTACHMENTS:

City Council Regular Business Meeting Minutes January 26, 2021.pdf

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



# CITY COUNCIL REGULAR BUSINESS MEETING TUESDAY, JANUARY 26, 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) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Councilmember Pollock moved and Councilmember Deets seconded to amend the agenda to add an executive session to evaluate the qualifications of an applicant for City employment. The motion carried unanimously, 7-0.

Councilmember Deets moved and Councilmember Pollock seconded to approve the agenda as amended. The motion carried unanimously, 7-0.

There were no conflicts of interest disclosed.

## 3) EXECUTIVE SESSION [ADDED]

# 3.A Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.

Mayor Nassar adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(g) at 6:07 p.m.

Council extended the executive session for 30 minutes at 6:37 p.m. Council extended the executive session for 15 minutes at 7:07 p.m.

Mayor Nassar, Deputy Mayor Hytopoulos, and Councilmembers Carr, Deets, Fantroy-Johnson, and Schneider returned from executive session at 7:23 p.m., and Mayor Nassar reconvened the meeting.

# 4) PUBLIC COMMENT

## 4.A Instructions for Providing Public Comment - City Clerk

Cover Page Instructions for Providing Public Comment at Remote Meetings.docx

Cynthia Bellas spoke about the city manager recruitment.

Jim spoke in favor of Keith Campbell as the new city manager.

Councilmember Pollock rejoined the meeting at 7:28 p.m.

Cindy Anderson commented on ethics.

Ron Peltier spoke regarding the choice of a new city manager.

Lisa Neal spoke in favor of Keith Campbell as the new city manager.

Luke McAdams stated that he agreed with Ron Peltier.

Sal DeRosalia spoke regarding the city manager process.

Eleanor W. commented on the city manager recruitment.

#### 5) CITY MANAGER'S REPORT

Interim City Manager Schroer mentioned the resumption of school and related traffic calming measures, tonight's COVID testing site and vaccine update, and Courageous Conversations, an event hosted by the Race Equity Advisory Committee.

#### 6) FUTURE COUNCIL AGENDAS

## **6.A Future Council Agendas**

Cover Page

February 2 City Council Study Session.pdf

February 9 City Council Regular Business Meeting.pdf

February 16 City Council Study Session.pdf

February 23 City Council Regular Business Meeting.pdf

Interim City Manager Schroer reviewed upcoming council agendas. Council moved the Governance Manual discussion to February 16, 2021. Mayor Nassar mentioned that she would like to schedule a discussion of the role of the Mayor, and Council concurred.

Mayor Nassar adjourned the meeting for a break at 7:55 p.m. and reconvened the meeting at 8:01 p.m.

#### 7) PRESENTATION(S)

# 7.A COVID-19 Update - Community Based Test Site and Vaccine Distribution Efforts - Executive

Cover Page

COVID Update to Council 01262021.pdf

Emergency Management Coordinator LeSage provided a presentation on the community-based test site and vaccine distribution efforts.

#### 8) UNFINISHED BUSINESS

# 8.A Resolution No. 2021-02 - Small Water System Policies - Public Works

Cover Page Resolution 2021-02 Small Water System Policy UAC Water System Memo 092320.pdf

Public Works Director Wierzbicki introduced the agenda item.

**MOTION:** I move to forward Resolution No. 2021-02 for consideration of approval with the February 9, 2021 consent agenda.

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

**AYES:** Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None ABSENT: None ABSTAIN: None

9) NEW BUSINESS

# 9.A City Manager Finalist Deliberation and Decision - Council

Cover Page

Mayor Nassar introduced the agenda item and asked for a motion. Council discussed the motion.

**MOTION:** I move to authorize Ron Holifield of Strategic Government Resources to move forward with contract negotiations for the City Manager position with Blair King which includes further discussion with the public and council.

**Deets/Carr:** The motion carried, 4 - 3.

AYES: Carr, Deets, Hytopoulos, Schneider NOES: Fantroy-Johnson, Nassar, Pollock

**ABSENT:** None **ABSTAIN:** None

10) COUNCIL DISCUSSION

# 10.A Update on GARE Training and Possible Next Steps - Councilmember Fantroy-Johnson

Cover Page

**COBI-GARE Emails** 

Councilmember Fantroy-Johnson provided on update on Governmental Alliance on Race Equity (GARE) training.

**MOTION:** I move to authorize the Race Equity Advisory Committee to explore new options for Race Equity training, and for the Committee to come back to the Council to report on recommended next steps. **Fantroy-Johnson/Deets:** The motion carried unanimously, 7-0.

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None ABSENT: None ABSTAIN: None

# 10.B Process for Appointing Two New Race Equity Advisory Committee Members - Councilmember Fantroy-Johnson

Cover Page

City Advisory Group Application Form (Race Equity Advisory Committee).doc

Councilmember Fantroy-Johnson introduced the agenda item.

**MOTION:** I move to authorize the City Manager to open the application process for the newly created vacant Position 8 and Position 9 on the Race Equity Advisory Committee.

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

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None ABSENT: None ABSTAIN: None

**MOTION:** I move to authorize the City Manager to amend the City Advisory Group Application under 'Step One' of the online application on the City's website to include the following language: "We thank all applicants for their interest, however only those candidates selected for interviews will be contacted."

**Fantroy-Johnson/Pollock** The motion carried unanimously, 7-0.

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None
ABSENT: None
ABSTAIN: None

**MOTION:** I move to approve the addition of the following language to the Race Equity Advisory Committee member application: "What experience and/or training have you had in the area of race equity (skills, activities, training, education)?"

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

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None
ABSENT: None
ABSTAIN: None

The Race Equity Advisory Committee will advise on timing and outreach prior to staff opening the application process.

#### 11) CONSENT AGENDA

# II.A Agenda Bill for Consent Agenda

Cover Page

# 11.B Accounts Payable and Payroll

Cover Page

AP Report to Council of Cash Disbursements 01-27-21.pdf

Accounts payable: check number 355367 for \$217.98; manual check numbers 355368–355381 for \$121,405.01; regular run check numbers 355382–355496 for \$329,409.62. Total disbursement = \$451,114.63.

## Payroll.pdf

Normal check run numbers 49984 – 50108 for \$341,907.23; paper check run number 109528 for \$2,759.16; vendor check run 109529 -109535 for \$129,545.57; Federal Tax Electronic Transfer for \$129,648.22. Total disbursement = \$603,860.18.

# II.C City Council Study Session Minutes, January 5, 2021

Cover Page

City Council Study Session Minutes, January 5, 2021.pdf

# 11.D City Council Regular Meeting Minutes, January 12, 2021

Cover Page

City Council Regular Business Meeting Minutes, January 12, 2021.pdf

# II.E Special City Council Meeting Minutes, January 14, 2021, Continued to January 15, 2021

Cover Page

Special City Council Meeting Minutes, January 14, 2021, Continued to January 15, 2021.pdf

#### 11.F Resolution No. 2021-01 Relating to a Fee Schedule Update - Finance

Cover Page

Resolution No. 2021-01 Relating to a Fee Schedule Update.docx

# II.G Ford FI50 Truck Procurement for Utilities (CIP 00982) - Public Works [Pulled from the Consent Agenda]

Cover Page

Ford FI50 Truck Quote 00982.pdf

# II.H Ford FI50 Truck Procurement for Utilities (CIP #00983) - Public Works [Pulled from the Consent Agenda]

Cover Page

Ford FI50 Truck Quote 00983.pdf

# II.I Ford FI50 Truck Procurement for Streets (01110) - Public Works [Pulled from the Consent Agenda]

Cover Page

Ford FI50 Truck Quote 01110.pdf

#### II.] Kubota Excavator and Trailer Procurement - Public Works

Cover Page

Kubota Excavator Quote.pdf

Trailer Quote.pdf

# 11.K Bainbridge Parks Foundation Donation Agreement - Public Works

Cover Page

Parks Foundation Donation Agreement 2-Plants.docx

Attachment A - Plant List.pdf

## I I.L City of Bainbridge Island and Bainbridge Island Metropolitan Park and Recreation District Trails Interlocal Agreement and Budget Amendment - Public Works

Cover Page

COBI Staff Memo-Trails ILA.docx

COBI - BIMPRD - Trail Sharing ILA.docx

Attachment A - Work Request.docx

## I I.M Revisions to Governance Manual Related to Council Liaison Job Description - Councilmembers Schneider and Pollock

Cover Page

Councilmember Liaison lob Description amendments 01-26-21.pdf

#### II.N Safe Routes to School Discussion - Public Works

Cover Page

Safer Routes to School Slides 011921.pptx

Councilmember Carr requested that items 11.G, 11.H and 11.l be pulled from the Consent Agenda for discussion.

Councilmember Pollock moved and Councilmember Deets seconded to approve the Consent Agenda as modified. The motion carried unanimously, 7-0.

## I I.G Ford F150 Truck Procurement for Utilities (CIP 00982) - Public Works [Pulled from the Consent Agenda]

Cover Page

Ford FI50 Truck Quote 00982.pdf

Public Works Director Wierzbicki responded to Councilmember Carr's questions regarding the procurement and the potential for electric trucks.

**MOTION:** I move to authorize the purchase of a Ford FI50 truck for maintaining the City's utilities. **Carr/Pollock:** The motion carried unanimously, 7-0.

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None
ABSENT: None
ABSTAIN: None

## II.H Ford FI50 Truck Procurement for Utilities (CIP #00983) - Public Works [Pulled from the Consent Agenda]

Cover Page

Ford FI50 Truck Quote 00983.pdf

**MOTION:** I move to authorize the purchase of the vehicle that is identified in item 11.H of the agenda. **Carr/Pollock:** The motion carried unanimously, 7-0.

AYES: Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None ABSENT: None None

## II.I Ford FI50 Truck Procurement for Streets (01110) - Public Works [Pulled from the Consent Agenda]

Cover Page Ford FI50 Truck Quote\_01110.pdf

**MOTION:** I move to authorize the purchase of the vehicle identified in agenda item 11.l. **Carr/Pollock:** The motion carried unanimously, 7-0.

**AYES:** Carr, Deets, Hytopoulos, Schneider, Fantroy-Johnson, Nassar, Pollock

NOES: None ABSENT: None ABSTAIN: None

#### 11) COMMITTEE REPORTS

Councilmember Deets reported on the Climate Change Advisory Committee's forums on the Climate Action Plan.

#### 12) FOR THE GOOD OF THE ORDER

Interim City Manager Schroer explained the policy regarding recording city advisory committee meetings.

Deputy Mayor Hytopoulos resigned as liaison to the Race Equity Advisory Committee.

Councilmember Fantroy-Johnson mentioned the Courageous Conversations Race Equity Advisory Committee event on February 4, 2021. Council authorized staff to notice the meeting as a special City Council meeting due to a potential quorum.

Councilmember Fantroy-Johnson mentioned an event sponsored by the Bainbridge Island Historical Museum and the Race Equity Advisory Committee, Voices of Bainbridge Black Men, on January 27, 2021.

#### 13) ADJOURNMENT

Mayor Nassar adjourned the meeting at 9:42 p.m.		
	Rasham Nassar, Mayor	
Christine Brown, CMC, City Clerk		



#### City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: City Hall Repairs Change Order - Public Works,

**SUMMARY:** Change Order No. 2 is for new work identified during repairs that was not included in the original contract for the City Hall Repairs project.

AGENDA CATEGORY: Consent Agenda PROPOSED BY: Public Works

**RECOMMENDED MOTION:** Approve with the Consent Agenda and authorize the Interim City Manager to execute Change Order No. 2 pursuant to Section 5.13.3 of the City's Procurement Manual.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:	
Amount:	\$ 128,911.51
Ongoing Cost:	
One-Time Cost:	\$ 128,911.51
Included in Current Budget?	Yes

**BACKGROUND:** The City Hall Repairs project was awarded on June 23, 2020 in the amount of \$259,978.44. Since the initial contract award, Change Order No. 1 was issued for interior water damage and structural framing repair (required work that was identified during the repair process) in the amount of \$18,205.78, bringing the revised contract amount to \$278,184.22.

Change Order No. 2 in the amount of \$128,911.51 is necessary to repair damaged car decking plywood and insulation caused by a leaking mid-roof gutter. City staff had knowledge of these conditions prior to commencing the other repairs, but the extent of damage and the associated costs were only recently discovered and analyzed as part of the ongoing repair work.

In addition, Change Order No. 2 includes several work change directives for the window replacement, which is part of the original scope of work. The existing metal roof materials are no longer being produced and replacement parts are not available. Also, the roofing subcontractors will not guarantee the work unless the metal roof is replaced. Change Order No. 2 proposes to replace car decking, plywood, waterproof sealant installation, insulation, ice and shield vapor barrier, and metal roofing above and below the mid roof gutter.

This change order is based on an investigation into the damaged roof below the mid-roof gutter. It is assumed that the water damage is not more than the estimated 520 square feet below the mid-roof gutter and that there is not any water damage above the gutter. However, if further water damage is found, staff will authorize the Contractor to repair and restore and will present the information and associated costs to City Council as soon as practicable. Following approval by the Council of Change Order No. 2, the revised contract amount will be \$407,095.73. See Fiscal Details section for notes on the budget.

Pursuant to Section 5.13.3 of the City's Procurement Manual, change orders that move the total contract amount to \$350,000 or more and for which the total cumulative amount of change orders is more than 10% require that the City Council authorize the City Manager to approve the change order and the revised contract amount.

#### **ATTACHMENTS:**

CO #2 FORMAL.xlsx

City Hall Roof Repair CO Pictures.docx

**FISCAL DETAILS:** This change order does not require new budget authority.

This project is included in the 2021 budget as carry-over from 2020 (Project 00911). The current approved budget is \$361,264. City staff have identified three other repair and maintenance projects that will be deferred, totaling \$88,500, which will be moved to the City Hall Repairs project. The new project budget will be \$449,764.

Deferring the aforementioned projects is not only necessary from a budget standpoint, but also from a staff capacity standpoint, as the current change order represents unplanned work that will absorb the capacity for those lower priority projects.

Fund Name(s): General Fund

Coding:



## Change Order

City Hall Repair

#### City of Bainbridge Island - Public Works Department

280 Madison Ave. N	Change Order No.	2
Bainbridge Island, WA 98110	DATE	01/22/21
206.842.2016 Fax. 206.780.3710	Vendor ID	9534

pwadmin@bainbridgewa.gov

 CONTRACTOR
 Contract Ni
 2020055

 Colvos Construction
 PO / Pymt Ni
 20200030

 711 Court C
 PO / Ret Ni
 20200031

Tacoma, WA 98402

<u>CHANGE ORDER DESCRIPTION:</u> The contract is hereby revised as shown below and on any applicable attached detail, sheet, and sheet notes to this Change Order.

Itama Na			Bid	Actual		
Item No.	Description	Unit Bid Price	Quantity	Quanitity	Actual Price	Final CO
4A	Gutter Repair car decking	\$ 100.00	40	60	\$ 6,000.00	\$ 2,000.00
4B	Gutter Repair roof repair	0	0	1	\$ 114,353.44	\$ 114,353.44
6	CC Sliding Door	\$26,259.84	1	1	\$28,059.84	\$ 1,800.00
8	High Bay Window	\$21,272.19	1	1	22,136.19	864.00
9	Minor Change	\$22,966.55	1	1	22,216.55	(750.00)
					Total C/O:	118,267.44

	Amount tax incl.	<u>Sales Tax</u>	Total w/ Tax
Original Contract Amount:	\$ 238,512.33	21,466.11	<u>259,978.44</u>
Previous Change Orders:	\$ 16,702.55	1,503.23	<u>18,205.78</u>
Current Contract Amount:	\$ 255,214.88	22,969.34	<u>278,184.22</u>
Net Change This Change Order:	\$ 118,267.44	10,644.07	<u>128,911.51</u>
New Contract Amount:	\$ 373,482.32	<u>33,613.41</u>	407,095.73

Contractors Acceptance:			
	Colvos Construction, LLC	Date	
Prepared By:			
	Aaron Claiborne, Project Manager	Date	
Approved By:			
	Ellen Schroer - Interim City Manager	Date	

#### City Hall Roof Repair CO# 2

Figure 1: Shows areas highlighted in red that have water damage or rot from the mid-roof gutter and downspout connection.

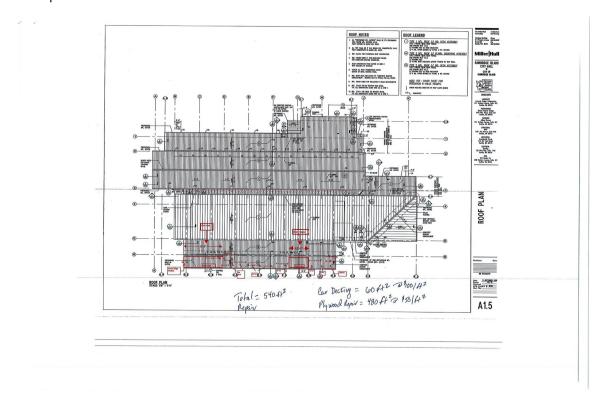
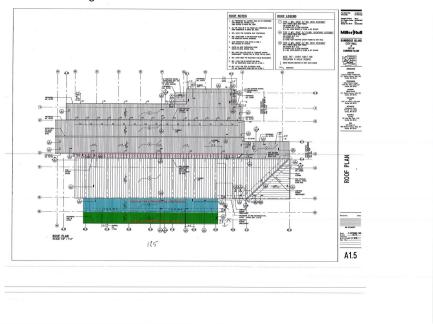


Figure 2: Lower roof below mid-roof gutter highlighted in green and blue represents roof proposed to be replaced above mid-roof gutter.



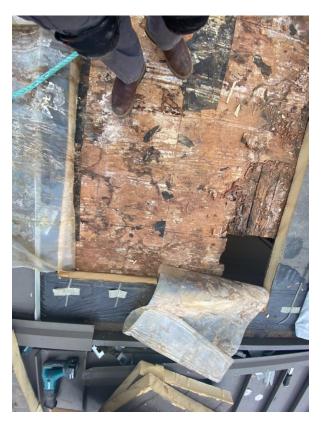


Figure 3: Plywood rotted due to mid-roof gutter and downspout connection.

Figure 4: Car decking replacement in the lower roof below the mid-roof gutter.

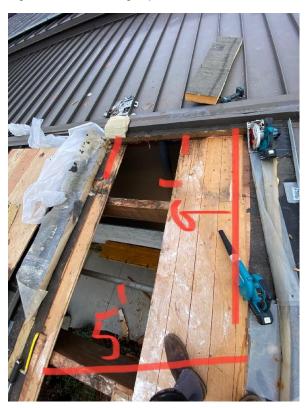


Figure 5: Location of saddle flashing to be installed to fix a leak at the transition from the upper roof/gutter box and lower roof.





#### City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes

AGENDAITEM: Resolution No. 2021-02 - Small Water System Policies - Public Works,

**SUMMARY:** To adopt a resolution to move forward with expanding support to small water systems island-wide.

AGENDA CATEGORY: Resolution PROPOSED BY: Public Works

**RECOMMENDED MOTION:** Approve with consent agenda.

**Included in Current Budget?** 

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:	
Amount:	N/A
Ongoing Cost:	
One-Time Cost:	

Yes

**BACKGROUND:** At the direction of the City Council in 2020, City staff have been working with the Utility Advisory Committee (UAC) in regards to expanding support to small water systems island-wide, and has been considering options for facilitating consolidation of small water systems. The UAC completed its review in a Memorandum dated September 28, 2020 (attached), which recommends that the City depart from its past generally reactive approach toward interfacing with small water systems on Bainbridge Island and instead work on a more proactive and supportive effort moving forward.

The attached Resolution adopts a policy of providing active and consistent assistance, if requested, to the small water systems on Bainbridge Island.

Resolution No. 2021-02 provides that the Council shall consider steps to implement this policy in coordination with the development of the City's Groundwater Management Plan, and through the Winslow Water System Business Planning effort, both of which are funded in the 2021-22 Biennial Budget. It should be noted that the adoption of the policies outlined in the resolution are likely to result in the need for new long-term financial and resource capacity investments in the City's water utility.

#### ATTACHMENTS:

Resolution 2021-02 Small Water System Policy

UAC Water System Memo 092320.pdf

**FISCAL DETAILS:** Not determined, however, adoption of the policies outlined in the resolution are likely to result in the need for new long-term financial and resource capacity investments in the City's water utility.

Fund Name(s): Water Fund

Coding:

#### **RESOLUTION NO. 2021-02**

**A RESOLUTION** of the City Council of Bainbridge Island, Washington, establishing a policy for management support to non-City owned small water systems on the Island.

**WHEREAS**, the 2017 Comprehensive Plan includes the following goals and policies intended to safeguard the Island's water resources:

- <u>Goal U-10</u>. Ensure that city-managed and to the extent possible non-city managed utility services are sufficient, cost effective, reliable, and that safe water utility service is provided.
- <u>Goal U-11</u>: Require utilities to operate in a manner that preserves and protects the water resources of the Island.
- Policy U 11.6: Encourage and support water utilities to enter into cooperative
  activities, such as jointly managed operations, shared storage, and construction of
  interties, to manage water resources and systems more efficiently, economically, and
  safely.
- <u>Policy U 11.7</u>: Encourage and facilitate consolidation of water systems, with particular emphasis on mergers of contiguous and small systems, to manage water resources and systems more efficiently, economically, and safely.
- <u>WR 3.2</u>: The City may elect to facilitate small water system management services by applying to the Department of Health to be an approved Satellite Management Area (SMA).
- <u>WR 3.3</u>: New development in previously unclaimed water service areas may be required to dedicate public water systems to the City if the system meets City standards and the City determines it is appropriate to accept, own and operate such systems; and

**WHEREAS**, the City Council asked the Utility Advisory Committee ("UAC") to "study and recommend a process for facilitating consolidation of small water systems." The UAC completed its review in a Memorandum dated September 28, 2020; and

WHEREAS, there are 35 Group A (generally more than 14 connections) water systems on Bainbridge Island, and 135 Group B systems (generally 2-14 connections). Smaller Group A and Group B water systems commonly face the following problems: (1) lack of professional management; (2) outdated and deteriorating infrastructure; (3) lack of appropriate capital improvement planning and capability; (4) insufficient financial resources; (5) inadequate backup and support; and (6) limited fire suppression facilities; and

**WHEREAS**, the Washington State Department of Health ("DOH") has encouraged small water systems to develop more "professional" planning, maintenance, financing, and staffing, and to consider consolidation with other water systems in order to jointly possess the resources to develop those attributes of effective water system management; and

**WHEREAS**, in the 2005 Kitsap County Coordinated Water System Plan it is stated that smaller water systems negatively impact the ability to accomplish water resource management made possible by larger interconnected water systems, and Group B water systems, which typically have shallow wells, are more likely to negatively impact stream flows; and

**WHEREAS**, in 1993, the City adopted a policy (Resolution No. 93-3) of providing assistance upon request to non-City owned water systems. This policy was partially implemented in the 1990's, but the City's involvement with other water systems lessened thereafter due to the lack of management focus, budget, and staffing; and

**WHEREAS**, the UAC Memorandum recommends the City depart from its past generally passive, reactive, and inconsistent approach toward interfacing with small water systems on Bainbridge Island.

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

**Section 1.** The City adopts a policy of providing active and consistent assistance, if requested, to the small water systems on Bainbridge Island, and of encouraging, if appropriate, voluntary consolidation of those systems into the City's current water utility. Priority focus should be on the water systems within and adjacent to the City's current county-assigned service areas.

**Section 2.** The Council shall consider steps to implement this policy in coordination with the development of the City's Groundwater Management Plan, and through the Winslow Water System Business Planning effort, both of which are proposed to be funded in the 2021-22 Biennial Budget.

**Section 3.** The City should conduct outreach to small water systems and be prepared to offer advice and services to encourage consolidation and continued safe operation. This includes providing a forum to discuss common problems and to identify the needs for City assistance. Further, the City should apply to the State Department of Health to become an approved Satellite Management Agency ("SMA").

**Section 4.** The City shall strive to update water system inventories and maps for use in the above efforts.

**Section 5.** This resolution shall take effect immediately.

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: PASSED BY THE CITY COUNCIL: RESOLUTION NO.	January 22, 2021, 2021 2021-02

# MEMORANDUM REGARDING THE CITY OF BAINBRIDGE ISLAND'S POLICIES TOWARD SMALL WATER SYSTEMS

Prepared by the City of Bainbridge Island Utility Advisory Committee September 23, 2020

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#### **EXECUTIVE SUMMARY**

In 2018, the City Council asked the Utility Advisory Committee (UAC) to "study and recommend a process for facilitating consolidation of small water systems." The Council's direction was driven by the City's Comprehensive Plan, which generally calls for managing utility services in a manner that is efficient, effective, and safe, and preserves and protects the Island's water resources.

As part of its work, the UAC developed four alternative models for a future City of Bainbridge Island (COBI) policy regarding facilitating the consolidation of small water systems:

- Minimal, hands-off role;
- Reactive to requests from water systems which the UAC suggests summarizes the City's current policy;
- Active assistance to water systems; and,
- Active assistance along with acquisition over time of small water systems.

The UAC believes it is time for the City to depart from its reactive and inconsistent approach towards interfacing with small water systems on Bainbridge Island. Accordingly, the UAC recommends that the City adopt a policy of providing active and consistent assistance, if requested, to the small water systems on Bainbridge Island, and encourage, if appropriate, voluntary consolidation of those systems into the City's current water utility. Priority focus should be on the water systems within and adjacent to the City's current county-assigned service areas.

The UAC encourages the Council to consider addressing this policy in coordination with the development of the City's Groundwater Management Plan, and through the Winslow Water System Business Planning effort, both of which are proposed to be funded in the 2021-22 Biennial Budget.

# COBI UTILITY ADVISORY COMMITTEE MEMORANDUM REGARDING COBI'S POLICIES TOWARD SMALL WATER SYSTEMS

#### I. INTRODUCTION

In 2018, the City Council asked the Utility Advisory Committee (UAC) to "study and recommend a process for facilitating consolidation of small water systems." The council's direction begins implementation of Comprehensive Plan Utilities Element Policy U-11.7, which is reproduced in the next section.

There are 35 Group A (the largest) water systems on Bainbridge Island, and 135 Group B systems (the smallest). COBI currently owns and manages two of the Group A systems (Winslow-Fletcher Bay and Rockaway Beach) and one Group B system (Casey Street).

The UAC gathered data on Island water systems, considered the history of water system management on the Island, and consulted with water system experts within state, county-wide, and city governments, and from the private sector.

The UAC then developed four alternative models for COBI policy regarding small water systems: (1) minimal, hands-off role; (2) reactive to requests from water systems – which the UAC suggests is an apt description of the City's current policy; (3) active assistance to water systems; and (4) active assistance along with acquisition over time of small water systems. Descriptions of these alternatives are contained in this memo and on an attached matrix.

As discussed in this memorandum, the UAC believes it is time for the City to depart from its disengaged, reactive, and inconsistent attitude toward water management on Bainbridge Island. Accordingly, the UAC recommends that the City adopt a policy of providing active and consistent assistance, if requested, to the small water systems on Bainbridge Island, and encourage, if appropriate, voluntary consolidation of those systems into the City's current water utility. Priority focus should be on the systems within and adjacent to the City's current county-assigned service areas.

The primary reasons for this policy are to help ensure all Island residents have adequate, safe drinking water and to protect Island water resources.

#### II. BACKGROUND

#### A. Comprehensive Plan

In 2017, the City Council approved an update to the Comprehensive Plan, which included a newly revised Utilities Element. Among the goals and policies in the Utilities Element are the following pertinent to this subject (key clauses are identified by bold highlighting):

• Goal U-10. Ensure that city-managed and to the extent possible non-city managed utility services are sufficient, cost effective, reliable, and that safe water utility service is provided.

- Goal U-11: Require utilities to operate in a manner that **preserves and protects the** water resources of the Island.
- <u>Policy U 11.6</u>: **Encourage and support water utilities to enter into cooperative activities**, such as jointly managed operations, shared storage, and construction of interties, to manage water resources and systems more efficiently, economically, and safely.
- <u>Policy U 11.7</u>: **Encourage and facilitate consolidation of water systems**, with particular emphasis on mergers of contiguous and small systems, to manage water resources and systems more efficiently, economically, and safely.

The Comprehensive Plan also contains Policy U 11.9 which states as follows: "Conduct a study of consolidation of water systems owned by the City and Kitsap Public Utility District. Pursue long-term consolidation of larger water systems." As is shown below, the City and KPUD own the three largest water systems on the Island, all of which are substantially larger than the remainder of Island water systems.

The UAC was <u>not</u> asked to study and recommend a process for implementing Policy 11.9 – but rather to focus on "small water systems." The size of "small water systems" was not defined, but for purposes of this memo the UAC will consider "small" to be all systems other than the three largest owned by the City and KPUD.

The drinking water policies and goals in the afore-described 2017 Comprehensive Plan build on those already outlined in the Water Resources Element of the City's 2004 Comprehensive Plan, namely:

- <u>WR 3.2</u>: The City may elect to facilitate small water system management services by applying to the Department of Health to be an approved Satellite Management Area (SMA).
- <u>WR 3.3</u>: New development in previously unclaimed water service areas may be required to dedicate public water systems to the City if the system meets City standards and the City determines it is appropriate to accept, own and operate such systems.

All of these goals and policies were adopted to help ensure that all island residents have safe drinking water.

#### B. Water Systems on Bainbridge Island

Potable water service is provided to residents of Bainbridge Island from private single or double<sup>1</sup> connection wells or public water systems classified by the Washington State Department of Health as Groups A or B, depending on the number of connections.

<sup>&</sup>lt;sup>1</sup> The 2005 Kitsap Coordinate Water System Plan notes that normally only single-connection wells are considered "private," but the Kitsap Public Health District has an exemption that allows double-connection residential wells meeting certain criteria to be classified as a "private well."

1) Group A. Those water systems serving 15 or more connections or the general public are labeled Group A. There are 35 active Group A systems on Bainbridge Island which are listed below by number of connections, and shown on a map attached as Exhibit A. This data comes from the Washington State Department of Health, and can be accessed at this link: <a href="https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx.">https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx.</a>

Name/Owner	Connections	Population
Winslow/Fletcher Bay (COBI)	3165	7130
North Bainbridge (KPUD)	1894	4663
South Bainbridge (KPUD)	1245	2863
Meadowmeer (managed by KPUD)	311	897
Island Utility (KPUD)	255	590
Port Madison (managed by KPUD)	103	233
Bucklin (managed by WA Water Co)	103	272
Emerald Heights	92	250
Bill Point (managed by KPUD)	84	200
Rockaway Beach (COBI)	72	175
Eagle Harbor Marina	54	17
Phelps Road (managed by WA Water Co)	22	58
Harbor Crest (KPUD)	21	53
Rose Avenue	20	53
Place Eighteen (managed by KPUD)	18	32
Ferncliff (managed by KPUD)	18	40
Ravens Reach	16	42
Graham Place	15	34
Hidden Heights	14	36
Islandwood Estates	14	40
Walden Water	13	34
Derby Downs	13	30
Seabold Heights (managed by KPUD)	12	36
Bloedel Reserve	8	2
Battle Point Park	6	0
Montessori Country School	5	0
Strawberry Hill Park	5	0
COBI Public Works	4	0
Fort Ward Park	3	1
Carden County School	2	3
Eagledale Park	2	0
Hazel Creek Montessori	2	0
Fieldstone Memory Care	1	96
Island Center Community Center	1	0
Seabold Community Hall	1	0
Totals	7614	17,880

- 2) Group B. Those water systems serving 2 to 14 connections are classified by the State and Kitsap Health District as Group B. There are 135 Group B systems on Bainbridge Island, many of which are shown on a map attached as Exhibit A. A list of the Group B water systems provided by Kitsap Public Health District is attached at Exhibit B. The list indicates the Group B water systems have 540 connections. Assuming 2.1 residents per connection, the Group B systems serve 1134 residents.
- 3) Private Wells. Many properties owners obtain potable water for a single residence or business from a private well. These are not considered "public water systems," and therefore are not addressed in detail in this analysis.
- 4) Statistical Analysis. The WA Department of Health and Kitsap Public Health District data indicates that the 35 Group A water systems on Bainbridge Island serve 7614 connections and 17,880 residents, and the 135 Group B water systems serve 540 connections and approximately 1134 residents.

There is no data indicating how many Bainbridge residents are served by *private wells*. But, it is possible to estimate that number. One method is to subtract the population served by Group A and B water systems (19,110) from the total Island population of  $25,300^2$ . Doing so results in an estimate that 6286 of the Bainbridge population obtains water from private wells.<sup>3</sup>

Looking further at the 35 Group A systems, the three largest cannot be considered "small." The City's Winslow/Ferncliff system and KPUD's North Bainbridge and South Bainbridge water systems together serve 6304 connections and a population of 14,656. Thus, the remaining 32 Group A water systems, which are truly small systems, in the aggregate serve 1310 connections and 3224 residents.

In summary, on a percentage basis, it is estimated that Bainbridge residents obtain water from:

Large Group A water systems	<b>58</b> %
City – Winslow/Fletcher	28 %
KPUD – No. & So. Bainbridge	30 %
Small Group A water systems	12.5 %
Group B water systems	4.5 %
Private wells	24 %

<sup>&</sup>lt;sup>2</sup> US Census, 2019.

<sup>&</sup>lt;sup>3</sup> It is important to note again that this is only an estimate. Another calculation method, based on parcels, yields a lower result. KPHD records indicate that approximately 2000 parcels of property on Bainbridge are served by private wells. Multiplying that number by 2.1 persons per connection tells us that 4200 people are served by private wells, which is approximately 2000 less than that above population method. But, if this method was to be used, it is unclear how to allocate those 2000 people among the Group A and B systems.

#### C. Ownership and Management of Water Systems

Water systems are owned by a variety of organizations: governments like COBI, forprofit corporations, non-profit organizations such as homeowner associations, and private individuals and businesses.

Many water systems, primarily very small ones, are self-managed. That is, the owners utilize volunteers or contractors to perform needed operational and administrative tasks.

In addition, two large organizations manage water systems owned by others pursuant to negotiated contracts of varying durations. They are Kitsap Public Utility District (KPUD) and Northwest Water Service, Inc.

KPUD owns and manages 4 Group A systems on Bainbridge Island: North Bainbridge, South Bainbridge, Island Utility, and Harbor Crest; and at least 3 Group B systems. See map at **Exhibit A**. KPUD also manages Group A water systems on Bainbridge Island owned by other entities, typically homeowner associations. Examples are Port Madison, Seabold Heights, Ferncliff, Place 18, and recently Bill Point and Meadowmeer.

Northwest Water Service, a private for-profit company headquartered in Port Orchard, manages 6 Group A and 16 Group B systems on Bainbridge Island. It manages 450 systems in Washington. Northwest Water generally does not provide complex engineering and construction services but may refer that work to KPUD or Washington Water.

Washington Water Service, a division of a publicly-traded California corporation with a local office in Gig Harbor, owns and manages three Group A water systems on the Island. It used to manage other water systems as well. However, in 2018, Washington Water changed its business model and will now only manage water systems it owns. The company thus withdrew from managing various Island small water systems unless and until they agreed to sell to Washington Water.

#### D. Service Areas

The 2005 Kitsap County Coordinated Water System Plan (CWSP) assigned "service areas" to Group A systems within the County. Most service areas contained just the properties currently being served by the Group A systems. The two largest water systems, COBI and KPUD, were also assigned properties that were not currently being served by that utility. This assignment essentially established that assigned water system as the primary future provider for the area.

Group B water systems do not have assigned "service areas" under CWSP. They do have the right to provide water service to the properties consistent with their approved water system plans.

The attached **Exhibit C** shows the assigned service areas on Bainbridge Island. COBI has three assigned areas: a large swath across the middle of the Island in which the Winslow-

Fletcher Bay system is located; the Rockaway Beach area which contains the Rockaway Beach system; and the northern tip of the Island in which neither COBI or any other Group A system operates a water system.

KPUD has two large service areas, resulting from its ownership of the North Bainbridge System and its relatively-recent acquisition of the South Bainbridge and Island Utility Systems.

There is an area on the south side of Eagle Harbor that is not within any assigned service area. It is wedged between the City's Winslow and Rockaway Beach systems, and adjacent to other small water systems.

#### **E.** Problems Identified with Small Water Systems

Beginning in the 1970's, the WA State Department of Health identified significant deficiencies with many small water systems throughout the state. Generally, many small water systems have some or all of the following problems: (1) lack of professional management; (2) outdated and deteriorating infrastructure; (3) lack of appropriate capital improvement planning and capability; (4) insufficient financial resources; (5) inadequate backup and support; and (6) limited fire suppression facilities.

For example, there are no requirements by either the State Office of Drinking Water or Kitsap Public health that Group B systems have reserves for improvements or repairs. The State Department of Health does require Groups A systems to have a capital reserve at the time they are initially created and approved. There is also a requirement that the amount of reserve be reviewed every 5 years during a Group A sanitary survey inspection, but this requirement is dependent on the State Department of Health's staffing. (Anecdotally, DOH did fail to review Meadowmeer's reserves at its last inspection due to new staff.) The lack of reserve requirements for Group B systems is becoming more significant because most water small water systems were developed during the 1960's and 1970's, and the equipment is reaching the end of its useful lives.

Small water systems also often rely on volunteer staff with little to no professional experience or knowledge of regulatory changes. Volunteers may also be reluctant to raise rates to make necessary safety improvements like backup generators for power outages, fire hydrants, interties with adjacent systems, and seismic improvements. These safety concerns are becoming more pressing due to the effects of global warming and the drier, longer summers Bainbridge is experiencing.

The Washington State Department of Health (DOH) has encouraged small water systems to develop more "professional" planning, maintenance, financing, and staffing, and to consider consolidation with other water systems in order to jointly possess the resources to develop those attributes of effective water system management. As noted above, the City's comprehensive plans have similarly called for consolidation.

Neither the City's Public Works Department nor the UAC has conducted a survey of the condition of the Group A and B systems on the Island, so we are not in a position to state which, if any, of the above-identified deficiencies are suffered by Island water systems. However, the

UAC has received complaints from customers of numerous small water systems about deficiencies in their systems and the need for assistance. Therefore, more data would be helpful.

Finally, as identified in the 2005 Kitsap County Coordinated Water System Plan, smaller water systems negatively impact the ability to accomplish water resource management made possible by larger interconnected water systems, and Group B water systems, which typically have shallow wells, are more likely to negatively impact stream flows.

#### F. Legal and Regulatory Authorities Pertinent to Small Water Systems

- 1) <u>Federal</u>: EPA Safe Water Drinking Act (1974). The Act protects public drinking water supplies throughout the United States. It sets regulatory limits for the amounts of certain contaminants in water provided by public water supply systems. The EPA also implements various financial programs to ensure drinking water safety. (See Title XIV of Public Health Service Act.)
- 2) <u>State</u>: Public drinking water is regulated at the State level by the Washington State Department of Health.
  - a. Group A systems (15 or greater connections or public access): The Washington State Department of Health (DOH) regulates Group A's under state law and a formal agreement with the US Environmental Protection Agency (EPA) for carrying out the federal Safe Drinking Water Act. DOH's Drinking Water Division's highest priority is responding to actual or potential public health emergencies. DOH's technical staff is available to water systems 24 hours a day. See Ch. 246-290 WAC.
  - b. Group B systems (2-14 connections): Group B systems are regulated under Chapter 246-291 of the Washington Administrative Code. Group B regulations suggest that new Group B owners should design their systems to comply with the more regulated Group A requirements like seismic safety, power outage, back-up systems, and capital reserves in order to allow for future consolidation into Group A's. Older Group B systems had no such requirements. Group B rules for ongoing oversight were amended in 2014 to be optional due to State budget cuts at DOH, so DOH does not provide oversight of Group B systems. See section 3) below for information about Kitsap Public Health District involvement with Group B systems.
  - c. Revolving Fund: The DOH makes funds available to Group A drinking water systems to pay for infrastructure improvements and consolidation of Class A systems or consolidation of Group B's into existing Group A systems through the Drinking Water State Revolving Fund. There was \$20 million available in the last cycle. The loan program is funded through state and federal money and is subject to state laws and additional federal regulations. These loans cover capital improvements that increase public health and compliance with drinking water regulations. They are for Public entities, so COBI and KPUD can apply for these loans, but private management agencies (like Washington Water) can not apply.

- d. <u>State Loans</u>: In implementation of the priority the State Department of Health places on the consolidation of Group A water systems, the State has created a loan and grant program. One such program offers \$25,000 grants to help public entities (like the City) investigate consolidation.
- e. <u>DOH Priorities</u>: One of the priorities of the DOH is to consolidate Groups A's (and possibly Group B's with Group A's or other B's) for the following reasons:
  - Better economies of scale ensure better supervision and monitoring
  - Large systems are generally more reliable
  - Large systems reduce the administrative burden on the Health Department
  - Improved well head protection ensures aquifer protection for all
  - Improved fire safety
- 3) <u>Kitsap Public Health District</u>: Although often mis-identified as a Kitsap County department, Kitsap Public Health District (KPHD) is a separate district governed by a seven-person Board composed of the three county commissioners and the mayors of the four Kitsap cities, including Bainbridge Island.
  - a. <u>Group A's</u>: KPHD defers to the State DOH to regulate Group A's, but assists State DOH with sanitary survey inspections/reports through a joint plan of responsibility agreement.
  - b. Groups B's: KPHD initially inspects Group B systems when they are installed. In September 2018 the KPHD adopted the proposed ordinance 1999-6, now approved as Ordinance 2018-01 which regulates ongoing operation of Group B's. The new ordinance requires all Group B's to purchase an annual permit, have a sanitary service inspection every 5 years, and obtain a water status report from the Health District at the time of sale to be delivered to the purchaser. Between 2009 and 2018, due to lack of funding, no one was monitoring Group B's for potential acute health problems from bacteria, nitrates and poorly monitored well head protection.
  - c. Wells: The KPHD publishes wellhead protection guidelines for owners of wells, but it is not clear whether these rules are well distributed or whether any government entity ensures that the rules are followed.
- 4) <u>Kitsap County</u>: As required by RCW 70.116, Kitsap County adopted its first Coordinated Water System Plan (CWSP) in 1992, and updated it in 2005. As mentioned previously, it is this document that assigns "service areas" within the County, and also establishes other policies and strategies.

As mentioned in Section F.2) e. above, for many decades the State encouraged the consolidation and professionalization of water systems. Kitsap County has followed those policies. The 2005 County Plan calls upon the County's water systems to coordinate and consolidate and to stop the proliferation of new small water systems. One of the principal points of the 2005 County Plan is to "provide improved coordination of new development and to restrict the proliferation of small public water systems." (See section 2-3.) The 2005 County Plan also called for "future growth planning" to be "in consideration and coordinated with the water service that it is in." (See Exhibit 2-4)

5) <u>WUTC</u>: The Washington Utilities and Transportation Commission regulates the rates charged by private water companies (such as Washington Water Co. and Northwest Water Inc.) operating within Washington State that have 100 or more connections or charges more than \$557 a year per customer.

#### G. History of COBI Policies and Activities Related to Island Water Systems

Prior to 1990, the City of Winslow owned and operated a water system to serve the Winslow area. The Winslow city limits were generally High School and Finch Roads. The water system was created in the 1940's and added to over the intervening years. By the 1970's, the major sources of Winslow's water were wells at the Head of the Bay and Fletcher Bay which fed a large reservoir at the High School – all of which were located outside the city limits.

The rest of Bainbridge Island was served by many private water systems, most of which were for-profit corporations or homeowner associations. One of the issues influencing the Home Rule movement in the late 1980's was a desire to better protect and manage the Island's water supply.

In 1991, the City of Winslow annexed the remainder of Bainbridge Island creating the City of Bainbridge Island. This had no direct effect on the ownership or management of water systems on the Island, but it did mean that the new COBI could begin to develop plans for water supply and system management. In February 1993, COBI adopted its first such planning document, Resolution 93-3., attached as **Exhibit D**. This document stated, among other things, that the City shall be prepared to, upon request from a water system, acquire a system, become a contract service provider for a system, or provide support assistance to a system.

In 1994, the Rockaway Beach Homeowner Association approached the City because its water system was failing. In implementation of the above policy, the City acquired the Rockaway Beach water system in 1996, and utilized the Local Improvement District (LID) process to construct a new well, reservoir, and distribution lines.

Regarding City assistance to Island water systems, it apparently provided limited support services as a Satellite System Agency (SMA) in the late 1990's to 19 small water systems. However, due to staffing concerns and other more pressing issues, in 2000, the City allowed the services contracts to expire. In 2002, the City revoked that portion of Resolution 93-3 regarding serving as an SMA. In 2001, the North Bainbridge Water Company approached the City about purchasing its system. The City staff commenced negotiations, but the owner of the company ultimately sold it to KPUD. KPUD Board of Commissioner minutes indicate KPUD believed COBI had decided not to purchase the company. That is not correct, as the issue had never reached the City Council.

During 2010-13, the City considered selling its water system to KPUD or contracting with KPUD to manage the system. The City eventually chose not to do so.

<sup>&</sup>lt;sup>4</sup> The Resolution revoking SMA authority, Resolution 2002-25, indicates in its title that the entire Resolution 93-3 has been repealed. However, the content of Resolution 2002-25 states it is eliminating the SMA program only. Thus, there may be an ambiguity as to whether the remaining portion of Resolution 93-3 is still in effect.

In 2015, KPUD purchased the South Bainbridge Water Company and Island Water Company. These systems were sold to KPUD by their private owners without notice to the City despite an informal agreement between the City and KPUD that KPUD would not purchase any water systems within the City without first obtaining agreement from the City.

In the 2017 Comprehensive Plan, the City adopted the policies listed on the first page of this memorandum. (See Section I.A. above.)

In 2017, a small 8-customer Group B water system known as Casey Street approached the City about acquiring it. After consideration, the City chose to do so because: (1) it was located within the City's water service area; (2) it was located in the north Ferncliff area relatively close to the City's existing Winslow water system; (3) the City has periodically discussed constructing a new water pipeline from North Ferncliff to North Madison to "loop" the Winslow system, which would be directly adjacent to the Casey Street system; and (4) acquiring this system would be a "test case" about how COBI might manage assimilation of small systems in the future.

In 2018, two Group A systems, Bill Point and Place 18, were faced with changing managers when Washington Water Service Co. withdrew. COBI staff had preliminary discussions regarding assuming satellite management of the systems, which would require eventual approval from Washington DOH, but the water systems contracted with others.

In 2019-20, three larger Group A systems, Emerald Heights, Bill Point, and Meadowmeer, contacted UAC representatives and some City senior staff about possible assistance from COBI. In February 2020, the UAC recommended to the City Council and senior staff that COBI consult with the three systems regarding their needs and the assistance the City might be able to provide. Apparently, City representatives have not had such consultations (COVID limitations no doubt impacted the staff), and Bill Point and Meadowmeer have retained KPUD as manager for the time being.

The 2019-2020 budget called for the City to begin a Groundwater Management Plan (GMP). For a variety of reasons, this process did not begin. The UAC understands that during the 2021-22 budget deliberations the City Council will be re-engaging the discussion around the development of a GMP. The UAC further understands the planned first step in the GMP process was the hiring of a hydrogeologist to manage the plan. The UAC supports the development of a GMP, and suggests the work plan should be expanded to include implementation of many of the recommendations contained in this memorandum.

Finally, beginning with the City's first Comprehensive Plan in 1994 and then continuing in the two major updates in 2004 and 2017, many policies were adopted concerning water systems on Bainbridge Island. Some are listed in Section II.A above. Taken together, the policies call for:

- Ensuring reliable, safe, and cost-effective water for City and non-City managed utility service;
- Preserving and protecting water resources;
- Encouraging water utilities to enter into cooperative activities;
- Encouraging and facilitating consolidation with particular emphasis on mergers of contiguous and small systems;

- Applying to the Department of Health to become a satellite management agency (SMA); and:
- Requiring new development to build according to City standards (Group A standards) and dedicate water systems to the City when it is appropriate for the City to accept such system.

#### III ANALYSIS AND RECOMMENDATION

#### A. Overview

In the three decades since the small City of Winslow annexed the remainder of Bainbridge Island, thus becoming the City of Bainbridge Island, the City has had only limited focus on Island water systems that it did not own. This is surely because the City was focused on other more pressing issues, such as land use policies and transportation, and because Island water systems were in general not seeking assistance from the City as they were still newer and in better repair.

Historically, the City had not been involved with the smaller water systems, and the City's passage of Resolution 93-3 did not significantly change that position. The City has no direct regulatory authority over Island water systems, other than management of the City's rights-of-way. Therefore, the City has had only minor interactions with Island water systems since the late 1990's and did not "advertise" its availability as a resource for those systems. This is despite the City's Comprehensive Plan policies encouraging actions to improve water resource protection and management. Island water systems needing assistance had to turn to private water companies and KPUD out of necessity.

In the meantime, interest in preserving water resources and in improving water quality in aging systems has become a larger concern of most island citizens, particularly in light of the steadily increasing development of the island and increasing population. To meet this increasing concern, the City and others conducted studies of Island water resources and the various aquifers which exist beneath the island. Unfortunately, to date, no studies were conducted about how the multitude of water systems, either individually or in the aggregate, were effectively and efficiently managing the resource or whether small water systems were protecting the health of islanders by ensuring good water quality.

The import of local control of the water consumed by its citizens has been highlighted elsewhere in the country, such as Flint, Michigan. There, the State assumed control resulting in catastrophic consequences. Similarly, stories across the country of private entities controlling water supplies and charging exorbitant rates while failing to ensure water quality have increased.

The 2005 CWSP suggests that Bainbridge as a water purveyor should implement policies that ensure efficient and effective management of water resources for numerous reasons. The 2005 Plan also assigned responsibility to Bainbridge Island's water utilities to plan for water system development within its assigned water service areas, to require new development to be built to Group A standards to help facilitate connection at a later time, and to require new developments to record a covenant at the registry of deeds and note the covenant on a title report for subsequent owners. (See Section 5.3.3)

It is interesting, and perhaps meaningful, to note that the 2005 County Plan (section 1.2.11 and in section 9) projects population growth concentrated in Central and North Kitsap and suggests that it will be necessary to develop water sources in the other parts of the County and "establish transmission mains to move the water to where growth is occurring." This argues for the City to be more involved in the water resources of the island to ensure that the City retains a seat at the table in any future discussions concerning use of water from Bainbridge Island wells in other areas in Kitsap County.

Given this situation, what should be the City's role toward Island water systems? Should the City continue to ignore requests for help from smaller water purveyors like Emerald Heights, Bill Point, and Meadowmeer, and thus avoid the opportunity to cooperate with or even consolidate with those systems? Should it adopt a somewhat more active policy of providing assistance only when approached by a small water purveyor? Or more proactively still, should the City seek out water systems to assist in the management (and perhaps ownership) of their water systems, so as to encourage more professional management of them and more island-wide planning and cooperation? What should be the City's role in ensuring Island residents have access to safe and adequate water?

Whatever policy is chosen, the focus of the City should be the long term. How do the citizens of Bainbridge Island want their water resource to be managed in 20, 30, 50, 75, 100 years? Is it through many, decentralized, small water systems, or by one or more large organizations? As stated, for many of the reasons outlined in this memo above, the State and County have made it clear that it believes consolidation over time is the best means for ensuring quality drinking water for all citizens.

#### B. City Relationship with KPUD

KPUD is a major provider of water service on the Island, owning four systems (two large and two small) and managing six others. This study effort by the UAC was specifically directed toward small water systems. The UAC was not asked to discuss or evaluate the present and future relationship between the City and KPUD. Thus, to a certain extent, this analysis and recommendation has been prepared while "avoiding the elephant in the room."

However, prior to outlining alternatives available to the City and making its policy recommendation, the UAC believes it is appropriate to comment on the City's relationship with KPUD.

The City and KPUD both serve approximately the same number of customers on the Island (approximately 7000 people or 30% of the Bainbridge population), and both have two large County-designated service areas. Yet there is no island-wide water resource and management planning being done by KPUD or the City, either separately or together.

At the current time, KPUD and the City exist as collaborating neighboring water utilities serving their own customers and cooperating in limited ways on planning and projects, while at the same time being competitors toward water systems they don't own or manage.

At some point in the future, the City needs to develop a policy about how it intends to work with KPUD. Comprehensive Plan Policy U 11.9 anticipates that analysis, when it states:

"Conduct a study of consolidation of water systems owned by the City and Kitsap Public Utility District. Pursue long-term consolidation of larger water systems."

Such a study *could* result in consolidation of one of more of the large water systems, but it could also result in collaborative activities such as construction of joint storage facilities and transmission lines, or preparation of island or sub-regional water resource planning. At a minimum, an interlocal agreement should be developed which outlines how and under what circumstances either utility will provide services to or assume ownership of water systems on the Island that they do not currently own. This will prevent the acquisition of water systems by either utility without knowledge of the other.

#### C. Policy Alternatives

The UAC suggests there are four policy alternatives for COBI's relationship with the other water systems on Bainbridge Island.: minimal; reactive; active; and active plus acquisition over time. To aid in the consideration of the alternatives, the UAC prepared a discussion Matrix, attached as **Exhibit E** to this Memo. The matrix outlines possible levels of city action for water systems within COBI's Current and Future Retail Service Areas as defined by the Kitsap County CWSP, and within small water systems that are <u>not</u> within COBI's assigned service areas.

The matrix also differentiates between smaller Group B's and the larger Group A systems, and posits that the City may establish different policies for them. Finally, the matrix provides pros and cons of the possible recommendations and provides examples of sample water systems that fit within the matrix sections.<sup>5</sup>

#### 1) Minimal

In this situation, COBI decides it will have nothing to do with water systems on Bainbridge Island other than those it currently owns: Winslow-Fletcher Bay, Rockaway Beach, and Casey Street. COBI will defer entirely to other water purveyors/managers, primarily to KPUD and Northwest Water Company.

The City might do this because it takes the least effort, staff time, and cost, and allows it to focus fully on its current 2700 water customers. On the other hand, this policy abdicates any assistance to the vast majority of Bainbridge Island land and citizens, and likely gives up any long-term ability to consider, manage, and protect the entire Island water resource or protect the safety and adequacy of drinking water for Island citizens.

#### 2) Reactive

This Is essentially the policy in Resolution 93-3, and describes what the City has been doing in the past 30 years. That is, on occasion, the City has provided assistance to small water systems or acquired them. This policy is the status quo – the City reacts to requests from other water systems and may respond consistent with staff time and interest.

<sup>&</sup>lt;sup>5</sup> Ex. E. does not detail the minimal alternative, since it is less than what the City is currently doing. Further, Active and Active Plus Acquisition alternatives are merged into one row for a simpler presentation.

This policy is slightly more energetic than the Minimal alternative discussed above, in that the City <u>may</u> decide to deal with the needs of other water systems if the city staff or council conclude that it can do so within existing resources. But, this reactive policy could lead to unfair practices, i.e., assistance to some water systems and not to others.

#### 3) Active

Under this policy, the City reaches out to the small water systems and encourages assistance and cooperation. It does so by devoting sufficient City staff, time, and resources to determining the needs of the water systems and developing financial, engineering, and management solutions. This policy does not mandate that small water systems participate with the City in any way, but rather calls for the City to develop the resources that will attract cooperation from small systems.

This policy will enable COBI to become more actively engaged with managing and thus preserving and protecting Island water resources. This policy has the potential to increase revenue to the City's existing water utility, thus utilizing economies of scale to benefit both current City and small water system customers. Also, in the long term, this policy may be the most cost-effective means to protect Island water supplies and ensure safe and adequate drinking water for Island citizens.

Among those steps that could be taken are:

- to become a Satellite Management Agency (SMA) pursuant to WAC 246-295,
- to require new development within or adjacent to the City's designated service areas to either connect to the City water system or build to Group A standards to facilitate future connection.

The City could also begin implementation of the 2005 County Plan's directive to create a water system plan which includes a program of capital improvements required to provide the anticipated level of island-wide water service, and to ensure that Bainbridge's water utility plans respond to its own land use and comprehensive plan policies.

This active policy will, at least at the outset, require some investment by the City. There should be no doubt about this. A major reason the City has not been more involved with Island water systems and resources is that it has not had the budget to do so. To be effective, the City must hire staff and perhaps consultants, when needed. The UAC has not attempted to determine any details of the costs to implement this policy; the Public Works Department is best suited to do that.

It is possible the funding for this investment could be shared by the City's water utility and general fund accounts so as to not unduly burden the City's existing water customers. That is because there is a general island-wide purpose behind this policy (water resource protection) and also a potential COBI water utility benefit (economies of scale).

#### 4) Active Plus Acquisition (over time)

This policy is essentially the same as the Active policy above, but with one significant change. That is, if a small water system requests assistance from the City with meeting its defined needs, be it management, testing, billing, reconstruction, etc., the City may agree to do

so on condition that the water system agree to be consolidated within the COBI water utility at some established time in the future. The UAC does not recommend a set period, leaving that to negotiation between the parties.

This policy is in furtherance of DOH's long-standing objective to consolidate small water systems within larger ones, and encourages long-range planning of water resource management.

#### D. UAC Recommendation

For the reasons outlined above, the UAC believes that the City should depart from its disengaged reactive, and inconsistent position toward other water systems on Bainbridge Island, and become more actively and consistently involved with managing the water resources on the Island.

Accordingly, the UAC recommends that the City adopt alternative #4 for small water systems within and adjacent to the City's assigned service areas. That is, the City should actively seek to provide assistance as needed by those systems, and in doing so there should be a plan for eventual consolidation within the City's water utility.

However, for the small water systems located outside the City's service areas, the UAC recommends adopting policy alternative #3. That is, the City should reach out to small water systems to offer assistance as needed.

The UAC emphasizes that under either alternative #3 or 4, the City will not be mandating any particular outcome for small water systems on Bainbridge Island. The City will be *encouraging* cooperation and consolidation when appropriate.

When implementing the above recommendations, the UAC suggests that the City start by focusing on the Group A systems not owned by KPUD that provide service to water customers (as opposed to the remaining Group A systems which primarily serve parks and facilities for the general public). Thereafter, the City could expand its outreach to the many Group B systems on the Island. However, due to their large number and likely limited incentive to seek professional assistance, the City should proceed with Group B systems much more slowly.

The UAC suggests an example of a circumstance that is ripe for City analysis and possible involvement and assistance exists at the southeast corner of Eagle Harbor. There, three adjacent small Group A water systems operate almost wholly independent of each other. They are the City-owned Rockaway Beach system with 72 connections, the Bill Point water system owned by the 84 members of its Homeowner Association, and the KPUD-owned Island Utility system with 255 connections. Also, nearby is the unassigned service area containing many very small Group A and B systems.

It is logical that the three systems should meet and discuss the current status of their systems and their short- and long-term needs, and then hopefully coordinate and cooperate with each other when implementing improvements. The UAC recommends that the City arrange for and facilitate such a dialogue and cooperative analysis.

#### E. Suggested Next Steps

If the Council is prepared to establish policies toward small water systems, the UAC suggests the following initial steps:

- 1) Create or assign one or more staff positions within the Public Works Department to focus on water systems and water resource policy, possibly combining that role with the staffing to develop a Groundwater Management Plan.
- 2) Coordinate and to the extent practical, include the recommended next steps on small water systems into the City's development and implementation of upcoming work on a Groundwater Management Plan.
- 3) Update and fine tune its information about Island water system in a comprehensive inventory and map. There is data in a variety of locations about the water systems, which has been the basis for information provided in this memorandum, but there is no single collection of the information in one usable and up-to-date location.
- 4) Internally consider how COBI can provide management, assistance, and capital improvement services for small water systems. The idea is to develop a list of services the City may be able to provide to smaller water systems if needed, such as billing and other administrative tasks, equipment rental, emergency assistance, and inspection and testing.
- 5) Convene a meeting(s) of all small Group A and B systems to discuss problems, potential solutions, cooperation, consolidation, etc., and to advise of the availability of City resources to assist.
- 6) Following the meeting(s) described above, evaluate and then propose steps to solve identified problems in the attending small water systems, and consider and propose recommendations for a larger policy for the City toward small water systems and unassigned service areas. Priority should be given to Group A systems. Among the issues to consider when developing such steps and policies is the financial fees charged to support the City's efforts, in alignment with the financial recommendations of Goals U-10 and Policies 11.6 and 11.7 of the Comprehensive Plan (reproduced on page 3 above).
- 7) Establish a common venue to enable small water systems to do water sampling, and providing an experienced City employee to assist volunteers with their questions about these and other operational tasks.
- 8) Apply to the State Department of Health to become an approved Satellite Management Agency (SMA).
- 9) Establish policies that make consolidation of systems less administratively burdensome and costly to the property owners and water systems. For example, consider requiring all new Group B systems to be constructed to Group A standards, thus more easily allowing future consolidation with Group A's, and

- consider requiring new building permits for private single-connection wells to consent to later connection to public water systems.
- 10) At the appropriate time, develop an established plan or pathway for the City to assume ownership of and provide capital improvements to systems which need assistance. Such planning would include necessary financing mechanisms, such as Local Improvement Districts (LID's) and state loans and grants.

#### IV. CONCLUSION

The UAC believes it is time for the City to depart from its disengaged, laissez faire attitude toward water management on Bainbridge Island, Accordingly, the UAC recommends that the City adopt a policy of providing active and consistent assistance to the small water systems on Bainbridge Island, and encourage voluntary consolidation over time of those systems within the City's current water utility. The UAC recommends the City prioritize its efforts and focus on Group A water systems and the small water systems within or adjacent to the City's current assigned service areas.

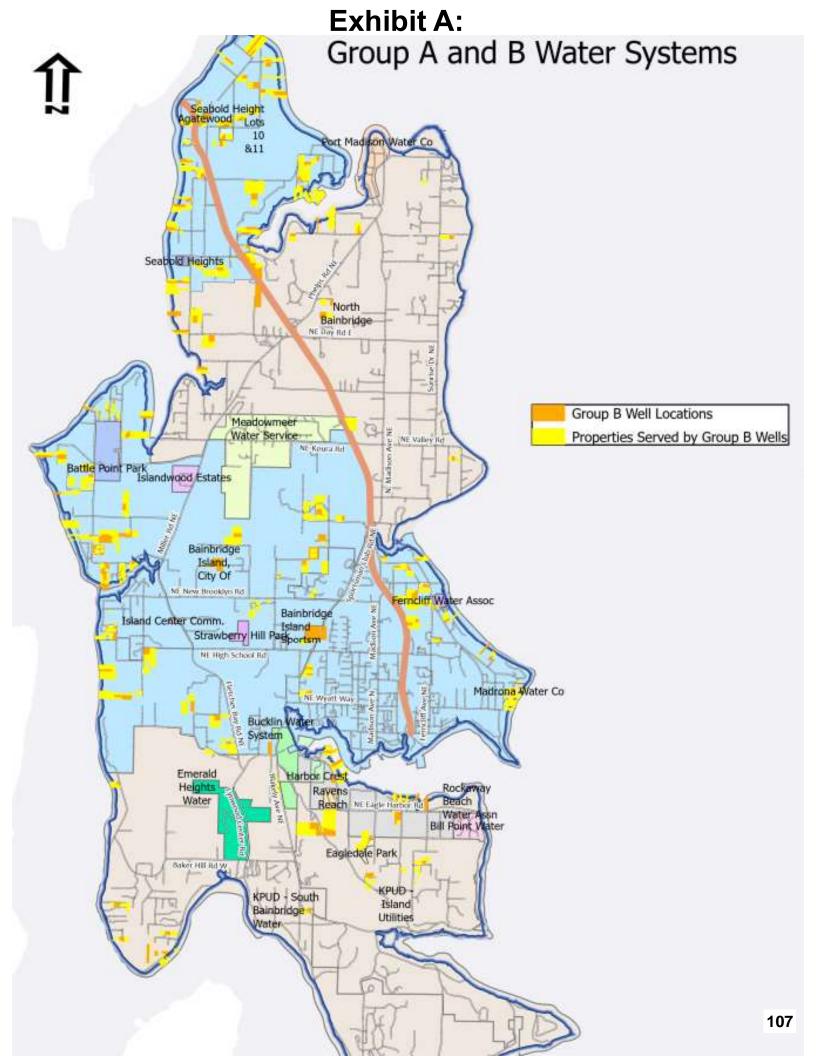
Adopted unanimously at UAC Meeting on September 23, 2020.

- Charles Averill
- Sheina Hughes
- Ted Jones, Co-Chair
- Andy Maron, Co-Chair
- Nancy Nolan
- Martin Pastucha (absent 9/23/20)
- Emily Sato

#### **EXHIBITS**

Exhibit A:

Map Group A and B Water Systems List of Group B Systems Map of Service Areas COBI Resolution 93-3 Exhibit B: Exhibit C: Exhibit D: Exhibit E: **UAC Discussion Matrix** 

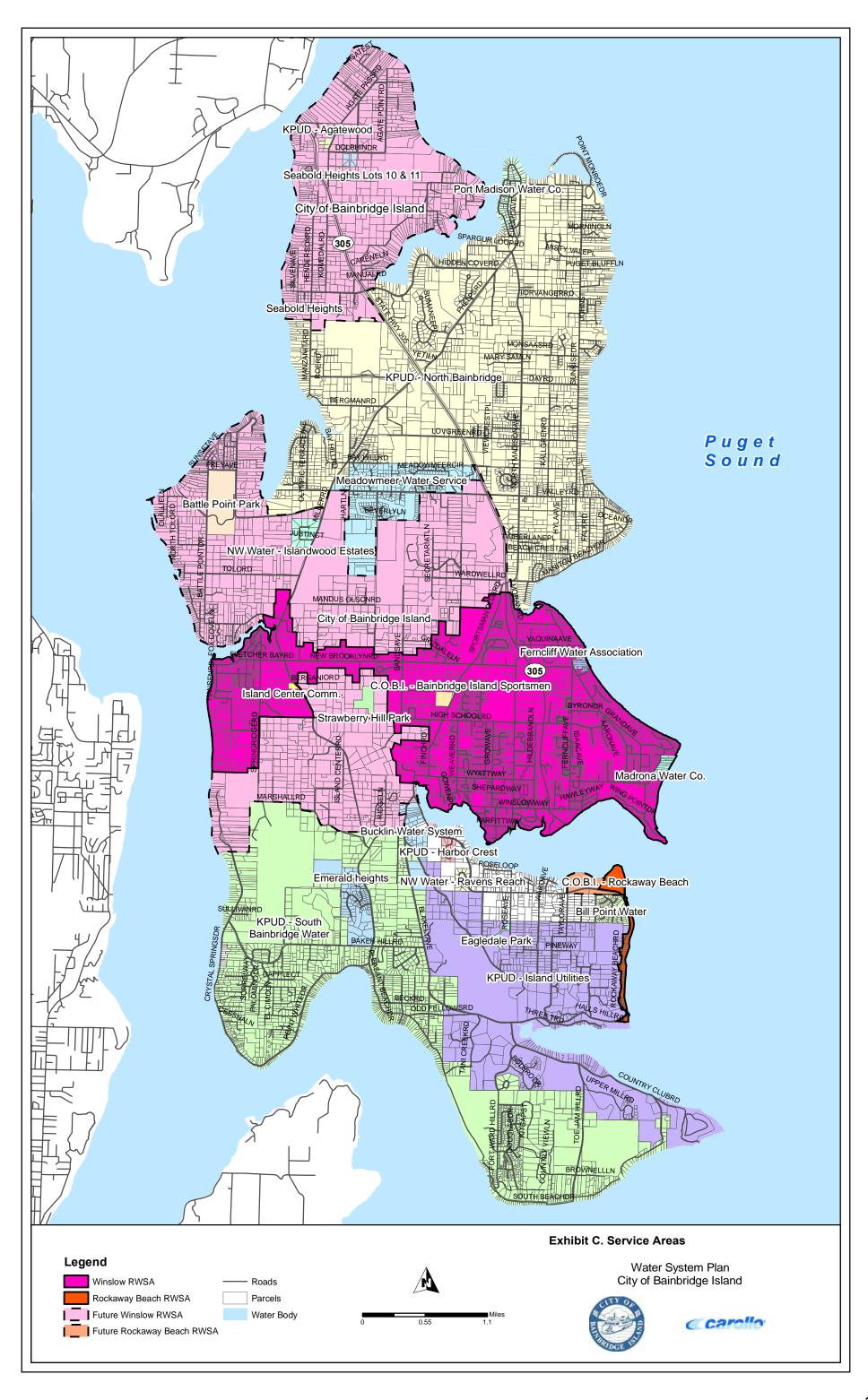


# **Exhibit B** – List of Group B Water Systems on Bainbridge Island

Clas	s SystemName	ApprovedConnections	ConnectionCount
В	Agate Community	9	6
В	Agate Point	4	4
В	Agatewood	3	3
В	Alford Homes I Water System	8	8
В	Alice Kimball Water System	2	2
В	Amber Water Assoc.	9	9
В	Amis Water	0	3
В	Argonaut	6	3
В	Arrow Point Water	6	5
В	Backland Well System	6	5
В	Bainbridge Green	8	8
В	Bainbridge Is Saddle	1	1
В	Bainbridge Island Marina	2	1
В	Bainbridge Island Sportsmans Club	0	1
В	Battle Point Water System	4	2
В	Bbd Water System	7	6
В	Bennett-Upton Water	6	4
В	Bergstrom Farm	4	4
В	Bernhard Water	4	4
В	Bevins	4	4
В	Big Fir	6	2
В	Blakely	9	9
В	Boetter Water	5	4
В	Booth Water	0	0
В	Bpib	3	3
В	Bronte	4	4
В	Broomgerrie	7	5
В	Browning	3	3
В	Cala Woods	6	5
В	Carole/Swink	4	4
В	Casey Street Water Co. Llc	9	8
В	Cedar Lane Water	4	4
В	Cedar Ponds Water System	0	4
В	Cessna Water	4	4
В	Churchill Water Corp.	9	8
В	Clark Acres Water	0	6
В	Clear Water	6	6
В	Clementz First Edition	4	4
В	Davis Keith Cooperative	5	5
В	Dawson/Tallon	5	2
В	Day Road Water System	4	4
В	Dolphin	4	4
В	Douglas Water System	5	3
В	Eagledale Marina	0	
В	Family Meadows Water	6	
B B	Fletcher Bay Water Flora Water	5	
В	Fox Cove Water	10	
В	Gale-Blair		
В		3 4	
В	Gen-Don Water System Gordon	6	
В	Graham Estates	4	
В	Green Spot Water	4	
В	Greene Water System	2	
В	Haley Water System	4	
В	Hansen/Spellman	6	
В	Heavenly Waters	6	
В	Hemlock Street	6	
	Honnock Otroct	6	6

В	Hendel	3	3
В	Henderson Road	3	2
В	Hidden Cove	9	7
В	Hidden Cove West Water Co	9	9
В	Holly Lane Gardens	2	1
В	Hooper Point	4	4
В	Hume Water System	4	4
В	lwihhy Inc	7	6
В	Johnston Well	9	9
В	Keeney Water	8	8
В	King, Carol/Ted Water	6	4
В	Kirk Ave Water	9	9
В	Laurelwood	5	5
В	Lazy Brook Farm	4	4
В	Lee Memorial Water Assn	6	1
В	Lightmoor	6	6
В	Little Manzanita Water	4	3
В	Little, Crista Water	6	4
В	Lone Eagle	7	7
В	Lustbader-Preston	4	4
В	Madrono Water Co	14	14
В	Manual Road	4	4
В	Manzanita Road	3	3
В	Martinson Water	0	3
В	McFarland Well	0	4
В	McFarlane Water System	4	2
В	McKeever Water System	6	6
В	McKenzie Water System	0	0
В	Moran Water	3	2
В	Murphys	4	3
В	Norris Sp 615 Water System	4	3
В	Olallie Water Sysem	2	2
В	Olympus Beach Water	8	7
В	Onorato	8	7
В	Park Place Water Company	4	3
В	Parsons	4	2
В	Peabody Water	6	4
В	Piper	9	9
В	Pleasant Lane Water	0	3
В	Port Madison Yacht Club	0	1
В	Puget Bluff Lane Water	6	7
В	Raiston Water System	3	3
В	Raven Ridge	5	5
В	Reese, Roy	6	3
В	Rippy Water System	4	2
В	Ruys Lane	4	4
В	Satterwhite	4	4
В	Schadel / Lewars	6	4
В	Schold - Crystal Springs	5	5
В	Seabold Acres Water Assoc.	4	4
В	Seabold Height Lots 10 &11	3	3
В	Seabold Water	8	7
В	Seattle Yacht Club	4	1
В	Skogen Eight	8	8
В	Skogen Lane	6	5
В	South Springridge Water	8	9
В	Spellman Water System	4	4
В	Springwood Lane	4	4
В	Springwood No. 1	4	4

В	Springwood No. 2	6	8
В	Stetson Acres	6	6
В	Stone-Erickson Water	0	3
В	Strawberry Water System	6	6
В	Sugar Mill	5	2
В	Sulu Water System	6	5
В	Sunset Heights Water	6	6
В	Thalberg Water System	8	8
В	Toad Holler	7	7
В	Tyee Yacht Club	1	1
В	Venice Water System	6	6
В	Wagener	3	3
В	Wallace	3	3
В	Waters, Owen Water System	4	4
В	Wendt Water System	6	4
В	West Port Madison	6	6
В	Wheeler West	5	5
В	Woodhaven Farm Water	3	3



RESOLUTION NO. 93-03

# A RESOLUTION ESTABLISHING POLICIES TOWARD WATER SYSTEMS OUTSIDE HISTORIC WINSLOW AND WATER RESOURCES ON BAINBRIDGE ISLAND

#### WHEREAS:

- 1. The citizens of Bainbridge Island obtain their water from wells owned by private individuals and almost 200 different water purveyors. 42% of the island's population are served by 17 water systems, which serve 12 to 1000 customers. The remaining 58% of the population obtain water from individual systems or small systems developed to serve a few residents.
- 2. The City of Bainbridge Island owns and operates one system, that being the former City of Winslow's system which serves 1200 connections.
- 3. Strict new federal and state regulations for drinking water systems, rising water demands, and stringent environmental and resource conservation standards for new water supply projects are making it more difficult for small water systems managers to operate successful systems.
- 4. Customers of several water systems have approached the City requesting assistance with a variety of system deficiencies. It is expected that small system customers and operators will continue to request the City's help in solving water system problems.
- 5. The Growth Management Act mandates that the City's land use plans be developed with a consideration of the island's water resources. There is thus a need to inventory water supplies, investigate water resources, and begin comprehensive water planning.
- 6. All citizens and the City must take steps now to protect the Island's water resources and to insure high quality and quantity of water for our citizens, future generations, and the natural habitat of the Island.

### IT IS THEREFORE RESOLVED:

- 7. The City of Bainbridge Island shall work with other governmental agencies, water purveyors, and citizens to preserve and protect the water resources of Bainbridge Island. The City shall assist citizens and water system purveyors to obtain reliable, high quality water service. In furtherance of this objective, the City shall be prepared to respond to requests to:
- a. become a direct service provider through acquisition of water systems;
- b. become a contract service provider to water system operators (performing such services as maintenance, billing, testing); and
  - c. provide support assistance (such as training and purchasing).

Revised 2-5-93

- 8. For existing water systems where the operators have expressed interest in relinquishing ownership to the City, the City shall respond actively to pursue system acquisition. The cost to bring the deficiencies of the water systems up to acceptable regulatory standards shall not be borne by the citizens of the City, but rather by the owners of the water system. The City may utilize the LID/ULID process to help finance the water system improvements.
- 9. The formation of new small water systems, the organization of new water purveyors, and the proliferation of new small wells shall be discouraged. Those persons desiring new or replacement water service are encouraged to hook-up to existing water systems. The City shall assume ownership of new water systems greater than a size to be determined by the Public Works Department when the systems are placed into service. The Public Works Department shall advise the council as to the size of new water systems that should be owned by the City.
- 10. The City shall develop a Water System Master Plan consistent with the Comprehensive Land Use Plan. The Water System Master Plan shall include issues of water quantity, quality, conservation, watershed, and well head protection. The City shall also work with water purveyors, other governmental agencies (like Kitsap County Public Utility District No. 1, Washington State Department of Ecology), and private citizens to provide education to the public about the Island's water resources and the benefits of conservation.
- 11. As part of the City's Water System Master Plan, the City may conclude that certain improvements will benefit the general public. These improvements may include new water sources, storage facilities, service lines, system interties, etc. Contrary to the situation described in paragraph 8, in which costs are paid by specific system owners, improvements which have general community benefit should be paid for by the City as a whole. Funding for these sorts of projects may come from a variety of sources, including general tax revenue, bonds, grants, matching funds, and may, consistent with the law, be allocated proportionate with the benefit.
- 12. As the City becomes involved with the water resource and water systems outside historic Winslow, in the manner described in the above paragraphs, it must be careful to consider the needs, benefits, and effects of its activities on those persons who obtain water from small private wells.
- 13. The City shall prepare a detailed inventory of all public water supplies on Bainbridge Island, and shall develop a well-monitoring program.
- 14. At the time annexation became effective, some water systems were actively working with Kitsap County Public Utility District No. 1, the City, and private contractors to improve their systems. The City shall continue to cooperate with these purveyors to accomplish the improvements.
- 15. The Public Works Department and Planning and Community Development Department shall advise the council by March 30, 1993 of the methods and means to implement this resolution and any proposed budget amendments necessary to do so.

PASSED BY THE CITY COUNCIL this 4th day of February, 1993.

APPROVED BY THE MAYOR this 4th day of February, 1993.

SAM SA GRANATO, Mayor

ATTEST AUTHENTICATE:

DA 21 N EEUS FINANCE DIRECTOR

## **Exhibit E: COBI POLICY DISCUSSION MATRIX FOR ALL ON-ISLAND WATER SYSTEMS**

	Inside COBI Retail Service Area (RSA)		0	utside COBI RSA				
Potential COBI	Public <i>Group B</i> Systems (3	1-14 connections)  Distant from current		Public <i>Group A</i> Systems (>14 conn.)				
involvement	Near current infrastructure	infrastructure	Private Wells	(× 14 com.)	Public <i>Group B</i> Systems (3-14 connections)	Private Wells	Pros	Cons
Example Systems	Casey Street	North Service Area (unserved now)		Bill Pt, Meadowmeer, Emerald Heights				
Reactive (Status Quo) current staffing	all services and support r fee  DBI 1st in line to acquire ates may vary from contiguous stem		SM, SB and SS if owner requests and if system is in good shape for fee  COBI <u>may</u> acquire if cost effective and on border of COBI Service Area or infrastructure, <u>if requested by the water system (as current staffing allows).</u>	a		liability  No staff growth	Doesn't encourage consolidations as recommended by State and County  Doesn't help protect citizens and aquifers from failing aging water systems  Occasional acquisition costs	
Active (Reaching Out) increased staffing	SM, SB and SS if owner requests and if system is in good shape for fee In exchange for helping old system; require agreement that when COBI infrastructure is in reach, future source is COBI  Opportunity to pay early connection fee (impact fees included) to get building permit approval  LID, if needed may be prefunded  Discourage new Group Bs in Current RSA - must connect to COBI, unless COBI cannot support  New Group Bs must be built to Group A technical specs to facilitate future consolidation	Defer to KPHD, KPUD and private water companies  Consider trading away service area if serving area is prohibitively costly	private wells  Offer information about closest water system and about LID programs available  For new wells; require agreement that when COBI infrastructure is in reach, future source is COBI  Opportunity to pay early connection fee (impact fees included) to get building permit approval	require agreement that when COBI infrastructure is in reach, future source is COBI  COBI may acquire if cost effective and on border of COBI Service Area or infrastructure, if requested by the water system.  Short range partnering with large operators (mostly KPUD) on CWF at RSA boundaries and growth areas to create interties and looped supply Long range: Build-out Infrastructure	closest water system and about LID programs available  New Group Bs must build to Group A technical specs to facilitate future consolidation  Short range partnering with large operators (mostly KPUD) on CWF at RSA boundaries and growth areas to create interties and looped supply  Long range: Build-out Infrastructure Plan, including wells, storage,		More cost effective, efficient, reliable and safe Clear rules for system owner/operators More protective of Groundwater Encourages and enables consolidation as required by State and County recommendations Protects citizens from aging water systems Approaches WA standards island-wide. Improve fire protection	More PW staff required  More planning, acquisition and operations  Periodic acquisition costs for interties and system wide improvements

<u>Key</u> CWF:

KPUD: Kitsap Public Utility District DOH:

RSA: Retail Service Area KPHD: SB: Billing service

SM: Satellite management

SS: Sampling and reporting services

updated: 9/18/2020



## City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: Ordinance No. 2021-04 Amending BIMC 15.04.020 Relating to City Building Codes - Planning,

**SUMMARY:** The State of Washington regularly updates the adoption period of new model building codes that begins with the availability of the new editions every three years and ends with formal adoption of the building code by the City Council. These codes help ensure building and facilities constructed in the state are safe and healthy for building occupants, accessible to persons with disabilities and the elderly, and energy efficient.

For the first time, the building code includes specific requirements for tiny houses (Appendix Q) including allowing lower ceiling heights, compact stair systems, and emergency escape for smaller rooms. The code adoption also amends and increases the energy efficiency requirements for residential and commercial construction.

AGENDA CATEGORY: Ordinance PROPOSED BY: Planning & Community Development

**RECOMMENDED MOTION:** Approve Ordinance No. 2021-04 as part of approval of the Consent Agenda.

**STRATEGIC PRIORITY:** Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:	
Amount:	N/A
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

**BACKGROUND:** Every 3 to 5 years, the State of Washington updates the State-adopted building codes. The updated edition is required to be reflected at the local level and there is also an opportunity to modify local code updates. The adoption was originally scheduled by the State for July 2020 but was delayed due to the COVID-19 pandemic.

The individual code manuals as proposed for adoption and created by the International Code Council can be found here: https://codes.iccsafe.org/codes/i-codes

ATTACHMENTS:
Ordinance No. 2021-04 Building Code Update
FISCAL DETAILS:
Fund Name(s):
Coding:

#### **ORDINANCE NO. 2021-04**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, relating to the City's building codes and regulations, amending Section 15.04.020 of the Bainbridge Island Municipal Code.

WHEREAS, the State Building Code Council amended and adopted the 2018 International Building Code, the 2018 International Residential Code, the 2018 International Mechanical Code published by the International Code Council, as well as the 2018 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, and the 2018 International Energy & Conservation Code; and

**WHEREAS**, the City of Bainbridge Island is required by RCW 19.27.031 to adopt provisions of certain uniform codes of technical building and related regulations as adopted by the Washington State Building Code Council; and

**WHEREAS**, pursuant to Chapter 51-50 of the Washington Administrative Code, these new codes were to become effective on July 1, 2020; and

**WHEREAS**, due to several factors, including the impacts of the COVID-19 pandemic, the State Building Code Council voted to extend the effective date to February 1, 2021; and

**WHEREAS**, this ordinance is being adopted in accordance with Washington state law requirements related to jurisdictions in the state adopting by reference and enforcing building codes throughout Washington.

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

**Section 1.** Section 15.04.020 of the Bainbridge Island Municipal Code is amended to read as follows:

#### 15.04.020 Codes adopted by reference.

The following codes are adopted by reference subject to the amendments set forth in BIMC 15.04.021 through 15.04.050 and Resolution 99-31:

A. The International Building Code, 2015 2018 Edition, published by the International Code Council, and amended by the State Building Code Council in Chapter 51-50 WAC, together with ICC A117.1 2009, Appendix C (Agricultural Buildings), Appendix E (Supplementary Accessibility Requirements), Appendix J (Grading), and the 2015-2018 International Existing Building Code;

- B. The International Residential Code, 2015 2018 Edition, published by the International Code Council, and amended by the State Building Code Council in Chapter 51-51 WAC together with Appendix F (Radon Control Measures), and Appendix J (Existing Buildings and Structures), and Appendix Q (Tiny Homes);
- C. The Uniform Plumbing Code, 2015-2018 Edition, published by the International Association of Plumbing and Mechanical Officials, and amended by the State Building Code Council in Chapter 51-56 WAC including Appendices A, B and I;
- D. The International Mechanical Code, 2015 2018 Edition, published by the International Code Council, and amended by the State Building Code Council in Chapter 51-52 WAC; except that the standards for handling liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code);
- E. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Conference of Building Officials:
- F. The International Energy Conservation Code, 2015 2018 Edition, published by the State Building Code Council, and amended in Chapters 51-11C and 51-11R WAC;
- G. The Uniform Administrative Code, 1997 Edition, published by the International Conference of Building Officials;
- H. The International Fuel Gas Code, 2015 2018 Edition, published by the International Code Council;
- <u>I</u>. The Uniform Building Code, 1997 Edition, Table 1-A only, published by the International Conference of Building Officials;
- J. The International Green Construction Code (IGCC), 2015 2018 Edition, is adopted by reference as an optional alternative to the 2015 2018 IBC and/or 2015 2018 IRC;
- K. The International Swimming Pool and Spa Code, <u>2015-2018</u> Edition, published by the International Code Council;
- L. The International Property Maintenance Code, <u>2015</u> <u>2018</u> Edition, published by the International Code Council.

In case of conflict among the BIMC and codes adopted in subsections A, B, C, D, E, F, G, H, I, J, K, and L of this section, the BIMC shall govern.

**Section 2. Severability**. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 3**. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED by the City Council this 9<sup>th</sup> day of February, 2021.

APPROVED by the Mayor this 9<sup>th</sup> day of February, 2021.

	Rasham Nassar, Mayor
ATTEST/AUTHENTICATE	
Christine Brown, CMC, City Clerk	
FILED WITH THE CITY CLERK:	January 8, 2021
PASSED BY THE CITY COUNCIL:	February 9, 2021
PUBLISHED:	February, 2021
EFFECTIVE DATE:	February, 2021
ORDINANCE NUMBER:	2021-04



## City Council Regular Business Meeting Agenda Bill

**ESTIMATED TIME:** 5 Minutes

**MEETING DATE:** February 9, 2021

AGENDA ITEM: Climate Change Advisory Committee 2021 Workplan,

**SUMMARY:** The Climate Change Advisory Committee gave a brief presentation on recommendations on carbon reduction for the Police and Court Facility on February 2, 2021.

They also provided a status update on actions in the Climate Action Plan, a progress report on 2020 workplan items, and a 2021 workplan for review and approval.

AGENDA CATEGORY: Discussion	PROPOSED BY: City Council	
RECOMMENDED MOTION: Approve the 2021 workplan with the Consent Agenda.		
STRATEGIC PRIORITY: Green, Well-Planned Community		
FISCAL IMPACT:		
Amount:		
Ongoing Cost:		
One-Time Cost:		
Included in Current Budget?		

**BACKGROUND:** A Climate Action Plan (CAP) was the highest priority item of the Climate Change Advisory Committee's work plan as set by the City Council for 2020. After several meetings in 2020, the Council approved the CAP as drafted by the CCAC.

The CAP includes recommended actions and strategies to move the City toward three goals:

- 1. Mitigation Reduce greenhouse gas emissions by 90% by 2045 compared to 2014 levels with interim milestones of 25% reduction by 2025 and 60% by 2035 compared to 2014 levels.
- 2. Adaption Bainbridge Island is climate savvy and can withstand the impacts of climate change.
- 3. Community Engagement COBI inspires community action and partners with local and regional organizations to take meaningful and equitable climate change mitigation and adaptation actions.

At the February 2, 2021 study session, CCAC gave a brief presentation on recommendations on carbon
reduction for the Police and Court Facility, a progress report on 2020 workplan items, and a 2021 workplan for
review and approval with the February 9th Consent Agenda.

## ATTACHMENTS:

CCAC 2020 Progress Report and 2021 Workplan January 27th 2021.docx

Status of immediate actions January 27th 2021.docx

FISCAL DETAILS:

Fund Name(s):

**Coding:** 

# Climate Change Advisory Committee: 2020 Progress Report and 2021 Workplan (January 27<sup>th</sup>, 2021)

## 2020 Progress Report

- Developed first-ever Climate Action Plan (CAP) for the City of Bainbridge Island (COBI) that was approved by City Council.
- Had over 10 meetings with City staff in the development of the CAP to receive their input.
- Developed "roadmaps" for eight of the 18 immediate actions identified in the CAP.
- Collaborated with the Green Building Task Force (GBTF) and Sustainable Transportation Task Force (STTF) to ensure we were consistent in our approach to addressing climate change and had several meetings with the Chair of the Race Equity Advisory Committee (REAC).
- Worked with the Utilities Advisory Committee (UAC) to develop recommendations for the City regarding the PSE Franchise.
- Provide presentations to several local groups on climate change and the CAP (e.g., District, Senior Center, Oatmeal Club, and Rotary).

## 2021 Workplan

Participate in Community meetings and general outreach on the CAP and climate change

- CCAC members facilitated two Community meetings in January on the contents of the CAP and answered questions from the Community.
- CCAC members will provide presentations to other Community groups as requested and work with COBI to provide information to the public on the CAP and climate change in general.

### Support COBI in the implementation of the CAP

- CCAC members will work in collaboration with COBI to implement the actions identified in the CAP.
- CCAC members will meet with COBI staff when requested to provide information and support in implementation of specific actions.

Complete roadmaps for the 18 immediate actions identified in the CAP and propose additional actions

- CCAC members will complete roadmaps for all 18 immediate actions identified in the CAP.
- CCAC members will identify the next set of actions in the implementation of the CAP and present to the City Council for their review.

## Collaborate with other advisory and task forces on the Island

- CCAC members will collaborate with the GBTF and STTF as they develop their strategies.
- CCAC members will work with the REAC to develop a racial equity lens for the Island.
- CCAC members will work with the UAC on the PSE Franchise.

### Respond to requests from City Council

• CCAC members will respond to requests by the City Council for specific analysis or advice on issues related to climate change.

If you have questions please contact either Michael Cox or David McCaughey.

## Climate Action Plan: Status of 18 Immediate Actions (January 27<sup>th</sup>, 2020)

Area	Immediate Action	Status	CCAC Lead
Implementation	5.A.1.b/6.A.1.c/7.D.1.a: Use the EcoAdapt Climate Change Adaptation Certification Tool in COBI decision making.	Proposal submitted to City to identify a pilot project to test tool	Lara
	9.B.1.a: Equity implications are addressed in all actions	Proposed a joint meeting with REAC/CCAC to evaluate Portland and Seattle Equity Tool Kit.	Mike
	8.C.1.b/8.C.1.a: Hire City staff to coordinate and lead climate efforts and review existing authorities.	Working with City on job description. City hopes to advertise in 2 <sup>nd</sup> quarter.	Mike
	9.D.1.a: Develop cost estimates and staffing needs for priority actions.	TBD	All
GHG Inventory	2.A.1.a: Improve accuracy of GHG Inventory.	City staff have been revising municipal contributions. Trying to set up meeting to discuss Community inventory and next steps.	Gary
Energy	3.A.1.b: Work with PSE to reduce our energy demand.	PSE put out a request for proposal for demand reduction programs on Bainbridge Island. Several CCAC members working with PSE on DOE Connected Communities grant.	David
	3.B.1.a: Work collaboratively with PSE, via the PSE Franchise to green our energy supply.	CCAC/UAC discussing recommendations at February 2 <sup>nd</sup> City Council meeting.	Mike
	3.B.1.c: Prohibit propane, fuel oil, and wood stoves for primary heating in new buildings.	TBD	Mike
	3.A.2.a: Initiate discussions on establishing a Green Building and Energy Fund	CCAC submitted proposal to City for their consideration. Have not heard back.	David
Transportation	4.A.1.a: Support the recommendations from the Sustainable Transportation Task Force and ensure potential GHG emission reductions are considered in all options considered by Task Force.	Working with Mark Epstein and STTF.	Derik

Area	Immediate Action	Status	CCAC Lead
	4.B.1.a. Transition COBI's fleets to primarily electric vehicles, use biofuels where not an option, and encourage other Bainbridge Island taxing districts to also develop a plan.	CCAC submitted proposal to City for their consideration. Have not heard back.	Derik
	4.B.2.a. Evaluate current code to see if a need to increase the number of EV-charge-ready for all new development/major renovations and multifamily units/commercial development include EV charging infrastructure.	TBD	Derik
Buildings	5.A.1.a: Support the recommendations from the Green Building Task Force.	Coordinating with Peter Best and GBTF.	Mike
	5.B.1.a., b., and c: Build on preliminary sea-level rise assessment endorsed by CCAC.	TBD	Mike
Natural Environment	6.A.2.a: Create list of tree and plant species expected to be favored by climate change that can be used for forest management and restoration actions.	TBD	Deb
Waste	7.A.2.a: Pass an ordinance to reduce single-use plastics.	Former and current CCAC members working with City Council members.	Deb
Community Engagement	8.A.1.a. and b: Develop a web presence for climate change on City website and make climate information widely and easily available to all community members.	Submitted proposal to City for consideration. Have not heard back.	Julie
	8.C.2.a: Establish equitable access to recharging generators and cell phones during outages, and provide emergency food/water/filtered air during poor air quality due to wildfires.	TBD	Lara



## **City Council Regular Business Meeting Agenda Bill**

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes

**AGENDA ITEM:** Resolution No. 2021-06 Proclaiming and Declaring an Emergency at NE Yeomalt Point Drive and Approving Emergency Work - Public Works,

**SUMMARY:** Resolution No. 2021-06 is needed to declare the proposed emergency work to replace an existing deteriorated storm drain pipe on Yeomalt Point Drive as emergency work and to waive competitive bidding requirements to obtain services for immediate repairs. The resolution authorizes a budget amendment of approximately \$35,000 to complete the work.

AGENDA CATEGORY: Resolution PROPOSED BY: Public Works

**RECOMMENDED MOTION:** I move to approve with the consent agenda Resolution No. 2021-06 proclaiming and declaring an emergency related to NE Yeomalt Point Drive and drainage repair work that is required, and thereby waiving competitive bidding requirements and authorizing an associated budget amendment of approximately \$35,000 to obtain services and work for immediate repairs.

**STRATEGIC PRIORITY:** Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:	
Amount:	\$35,000.00
Ongoing Cost:	N/A
One-Time Cost:	\$35,000.000
Included in Current Budget?	No

**BACKGROUND:** Pursuant to RCW 39.04.280, competitive bidding requirements may be waived for a public works project in the event of an emergency.

Recent winter storms (intense rains in conjunction with high tides) have accelerated the deteriorating storm drain conditions on NE Yeomalt Point Drive. To prevent further storm drain damage and flooding, the Public Works Department is preparing to contract with a contractor to replace and enhance a portion of the existing drainage system.

As additional damaging winter weather is expected, the Interim City Manager is declaring this work on NE Yeomalt Point as an emergency and has waived competitive bidding requirements to contract out the work.

Resolution No. 2021-06 declares this proposed work an emergency and authorizes an associated budget amendment of approximately \$35,000 and the waiver of bidding requirements and contract out the emergency repair work.

## ATTACHMENTS:

Resolution No. 2021 06 Proclaiming an Emergency at NE Yeomalt Drive.docx

FISCAL DETAILS: A budget amendment is requested in the amount of \$35,000.

Fund Name(s): SSWM Fund

Coding:

#### **RESOLUTION NO. 2021-06**

**A RESOLUTION** of the City of Bainbridge Island, Washington, proclaiming and declaring an emergency related to NE Yeomalt Point Drive and authorizing the waiver of competitive bidding requirements to immediately respond to the emergency; and confirming the authority of the Interim City Manager to respond to the emergency.

**WHEREAS**, recent winter storms (heavy rains in conjunction with high tides) have accelerated the deterioration of existing drainage facilities in NE Yeomalt Point Drive; and

**WHEREAS**, the deteriorating drainage facilities are causing localized flooding of the public road and adjacent private property and homes; and

**WHEREAS**, the deteriorating drainage facilities caused a sink hole in the public road causing a safety hazard, and there is evidence that additional sink holes could become a hazard if the repairs are not made in a timely fashion; and

**WHEREAS**, City Operations and Maintenance crews provided 24-hour pumping operations during the last major storm event in order to mitigate the flooding impacts, and could be required to perform similar work during the next major storm event, which reduces staff capacity for other emergencies; and

**WHEREAS**, an associated budget amendment of approximately \$35,000 is required to pay for the required repairs; and

**WHEREAS**, the circumstances at issue indicate to the Interim City Manager and the City Council that an emergency, or imminent threat thereof, exists that has resulted in, or threatens to result in, the death or injury of persons or the destruction of or damage to property to such an extent as to require, in the judgment of the Interim City Manager, extraordinary and immediate measures to protect the public health, safety, and welfare; and

**WHEREAS**, under BIMC 2.44.050, the City Council has designated the Interim City Manager as the executive head of the City for purposes of emergency management; and

**WHEREAS**, under BIMC 2.44.080, the Interim City Manager is authorized to proclaim the existence or threatened existence of an emergency; and

**WHEREAS**, under RCW 39.04.280, Chapter 2.44 BIMC, and the City's Procurement Policy, the Interim City Manager is authorized to proclaim and declare that an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the City to address the emergency situation; and

**WHEREAS**, on February 9, 2021, the Interim City Manager made a declaration of the existence of an emergency related to NE Yeomalt Point Drive, in accordance with Chapter 2.44 BIMC and RCW 39.04.280; and

**WHEREAS**, at the February 9, 2021 City Council Meeting, the Interim City Manager notified the City Council of the existence of the emergency and of the Interim City Manager's written finding related to the existence of the emergency at NE Yeomalt Point Drive.

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

**Section 1.** Findings of Fact. The recitals set forth above are hereby adopted as findings of fact in support of this proclamation and declaration of emergency related to NE Yeomalt Point Drive.

- **Section 2.** The City Council hereby ratifies and confirms the City Manager's declaration of emergency related to the accelerated shoreline erosion at NE Yeomalt Point Drive.
- **Section 3.** The City Council hereby ratifies and confirms the emergency procurement of services and work to respond to the emergency at NE Yeomalt Point Drive.
- **Section 4.** The City Council hereby authorizes the Interim City Manager to prepare an associated budget amendment in the amount of approximately \$35,000 from the Surface and Stormwater Management fund to pay for the required repairs.
- **Section 5.** The City Council hereby confirms the authority of the Interim City Manager to execute all agreements and obtain all permissions needed to respond to the emergency.

PASSED by the City Council this \_\_\_\_\_\_ day of February 2021.

APPROVED by the Mayor this \_\_\_\_\_\_ day of February 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

**Section 6.** This resolution will take effect immediately upon passage.

FILED WITH THE CITY CLERK: February 5, 2021
PASSED BY THE CITY COUNCIL: \_\_\_\_\_\_, 2021
RESOLUTION NO. 2021-06



Fund Name(s):

Coding:

## City Council Regular Business Meeting Agenda Bill

BAINBRIDGE ISLAND **MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes AGENDA ITEM: Extension of Salary Commission Review Period - Executive, **SUMMARY:** The Salary Commission held its first meeting on October 27, 2020. BIMC 2.74.040 states that the commission "shall complete its review within 120 days of the first meeting of the commission. The city council may approve a request from the commission for an extension of the 120-day review period." The commission has requested an extension of an additional 120 days, largely due to the holiday period impacting their ability to complete their work. They anticipate this additional time will be sufficient. AGENDA CATEGORY: Review and **PROPOSED BY: Executive** Recommendation **RECOMMENDED MOTION:** Approve an extension of the review period for the Salary Commission for an additional 120 days with the Consent Agenda. STRATEGIC PRIORITY: Good Governance FISCAL IMPACT: Amount: **Ongoing Cost:** One-Time Cost: **Included in Current Budget?** BACKGROUND: ATTACHMENTS: **FISCAL DETAILS:** 



## City Council Regular Business Meeting Agenda Bill

**ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (7:05 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?

**MEETING DATE:** February 9, 2021

#### **BACKGROUND:**

#### ATTACHMENTS:

February 10 Community Open House to Meet City Manager Finalist Blair King.pdf

February 10 Special City Council Meeting - Executive Session.pdf

February 16 City Council Study Session.pdf

February 23 City Council Regular Business Meeting.pdf

March 2 City Council Study Session.pdf

March 9 City Council Regular Business Meeting.pdf

2021 List of Proposed Future Council Topics.docx

#### **FISCAL DETAILS:**

### Fund Name(s):

Coding:



## SPECIAL CITY COUNCIL MEETING WEDNESDAY, FEBRUARY 10, 2021

#### COMMUNITY OPEN HOUSE TO MEET CITY MANAGER FINALIST BLAIR KING

#### REMOTE MEETING ON ZOOM

PLEASE CLICK THE LINK TO JOIN THE MEETING: HTTPS://BAINBRIDGEWA.ZOOM.US/J/98722595482 JOIN BY TELEPHONE: DIAL +1 (253) 215-8782 MEETING ID 987 2259 5482

#### **AGENDA**

- 1. MEET CITY MANAGER FINALIST BLAIR KING 6:00 PM
- 2. ADJOURNMENT 7:30 PM

#### **GUIDING PRINCIPLES**

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

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

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

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

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

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

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

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

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## SPECIAL CITY COUNCIL MEETING WEDNESDAY, FEBRUARY 10, 2021

#### REMOTE MEETING ON ZOOM

#### **AGENDA**

- 1. CALL TO ORDER/ROLL CALL 7:30 PM
- 2. EXECUTIVE SESSION
  - 2.A Pursuant RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee. 60 Minutes
- 3. ADJOURNMENT 8:30 PM

#### **GUIDING PRINCIPLES**

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

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## CITY COUNCIL STUDY SESSION TUESDAY, FEBRUARY 16, 2021

#### REMOTE MEETING ON ZOOM

#### **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, 30 Minutes
- 3. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE
- 4. FUTURE COUNCIL AGENDAS
- 5. PRESENTATIONS
  - 5.A Public Art Committee Update and Budget Request Public Art Committee, 10 Minutes
  - **5.B** Proposed Expansion to Bainbridge Performing Arts Facility Bainbridge Performing Arts, 15 Minutes
- 6. UNFINISHED BUSINESS
- 7. NEW BUSINESS
  - **7.A** Puget Sound Energy (PSE) Franchise Agreement Process Public Works 10 Minutes PSE Franschise Memo Update 021621.docx
- 8. CITY COUNCIL DISCUSSION
  - 8.A Status and Next Steps for Council/Planning Commission Joint Land Use Subcommittee Council, 30 Minutes

#### 9. FOR THE GOOD OF THE ORDER

#### 10. ADJOURNMENT

#### **GUIDING PRINCIPLES**

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

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### CITY COUNCIL REGULAR BUSINESS MEETING TUESDAY, FEBRUARY 23, 2021

#### REMOTE MEETING ON ZOOM

#### **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, 30 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** Chlorine Generator Replacement Contract Public Works, 5 Minutes Contract ProForma.docx
  - **6.D Police Vehicles Procurement** 5 Minutes
  - 6.E Resolution 2021-04 Designation of General Fund balance \$500,000 Climate Action Plan Implementation Finance, 5 Minutes

#### 7. FUTURE COUNCIL AGENDAS

#### 8. **PRESENTATION(S)**

#### 9. **PUBLIC HEARING(S)**

## 9.A Ordinance 2021-03 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes, Public Hearing 20 Minutes

Ordinance No 2021-03 Triage Code Updates.docx

Ord 2021-03 Exhibit A.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 Conduct Public Hearing on Ordinance No. 2021-09, Bonus FAR Interim Control, 6 Month Extension - Planning, 10 Minutes

Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density.docx Ordinance No. 2020-20 Extending Interim Zoning Control Related to Bonus Density Approved 082520.pdf

20201117 City Council Mtg Minutes.pdf

DRAFT Ordinance No. 2021-10 formerly 2020-16.docx

Exhibit A Ord. 2021-10.docx

#### 10. UNFINISHED BUSINESS

#### 10.A Economic Recovery Grants - Finance, 10 Minutes

Resolution\_No.\_2021-05\_Establishing\_Small Business Relief Grant Program.docx KEDA - COBI Grant Program Contract - DRAFT.docx

Web and Applicant Text for Bainbridge Grant Program.docx

Bainbridge Business Grants - draft grant application v3.pdf

## 10.B 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 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 Rechage Areas) DRAFT 01212021.docx

ORD 2021-07 Exhibit E-Community Forest Best Management Practices Manual DRAFT 12112020.docx

Ordinance No. 2021-07 01212021 DRAFT.docx

SEPA DNS for 2021-07.pdf

Ord 2021-07 SEPA checklist.pdf

PC Public Hearing 2021-07 (2020-28)- submitted written comments and staff response.docx

#### 11. NEW BUSINESS

- 11.A Ordinance No. 2021-08, Amending the 2021 Budget to Carry Forward Funding for Work Funded in 2020 but to be Performed in 2021 Finance, 10 Minutes

  Ordinance No. 2021-08 Amending the 2021 Budget to Carry Forward 2020 Items.docx
- 11.B Race Equity Welcoming Sign Approval and Budget Amendment Public Works, 10 Minutes
- 11.C (xx PM) Farm Housing Proposal at Morales Property Friends of the Farms 10 Minutes Transmittal memo Morales housing proposal 10202020 FotF Morales Farm Background 10-20-20 Study Session.pdf ReHome Flyer.pdf FotF-ReHome 10-20-20 Council Presenters.pdf
- 12. CITY COUNCIL DISCUSSION
  - 12.A Review of Position Qualifications, Policy Goals and Job Description for Climate Action Officer and Natural Resource Planner, 15 Minutes
- 13. COMMITTEE REPORTS
- 14. FOR THE GOOD OF THE ORDER
- 15. ADJOURNMENT

#### **GUIDING PRINCIPLES**

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## CITY COUNCIL STUDY SESSION TUESDAY, MARCH 02, 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. FUTURE COUNCIL AGENDAS
- 5. PRESENTATIONS
  - **5.A Winslow Wastewater Treatment Plant Influent/Effluent Study Results** 20 Minutes
- 6. UNFINISHED BUSINESS
  - 6.A (PM) Update on the Development Moratorium Planning, 5 Minutes Moratorium Work Program Status Report Development Moratorium Summary Effective 20201104.pdf Ordinance No. 2020-29 Further Narrowing the Development Moratorium to Shoreline Properties within the WMPSA Approved 102720.pdf Ordinance No. 2020-29 Exhibit B Winslow Master Plan Study Area Approved 102720.pdf ORD NO. 2020-24 EXTENDING THE DEVELOPMENT MORATORIUM.pdf
  - 6.B Multifamily Tax Exemption (MFTE) Update 30 Minutes
- 7. NEW BUSINESS
- 8. CITY COUNCIL DISCUSSION
  - **8.A** Workplan Discussion City Council, 2 Hours
- 9. FOR THE GOOD OF THE ORDER

#### 10. 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.

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## CITY COUNCIL REGULAR BUSINESS MEETING TUESDAY, MARCH 09, 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 (6:10 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** Sportsman Club/New Brooklyn Intersection Improvements Contract Award Public Works 10 Minutes
  - 6.D Eagle Harbor Phase II Non-Motorized Improvements Contract Award Public Works, 10 Minutes
- 7. FUTURE COUNCIL AGENDAS
- 8. **PRESENTATION(S)**
- 9. **PUBLIC HEARING(S)**
- 10. UNFINISHED BUSINESS

#### 11. NEW BUSINESS

- 11.A Lodging Tax Advisory Committee (LTAC) 2021 Funding Recommendations Executive 10 Minutes
- 11.B (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, 60 Public Heaving Draft

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.C (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.
- 11.D Transportation Benefits District Fee Resolution and Process Discussion Public Works, 10 Minutes
- 11.E Capital Improvement Plan Grant Update Public Works 10 Minutes
- 12. COMMITTEE REPORTS
- 13. FOR THE GOOD OF THE ORDER
- 14. ADJOURNMENT

#### **GUIDING PRINCIPLES**

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# Memorandum

Date: February 9, 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**

- Ethics Program
- Start recruitment for Ethics Board vacancies



# City Council Regular Business Meeting Agenda Bill

**ESTIMATED TIME:** 20 Minutes **MEETING DATE:** February 9, 2021 **AGENDA ITEM:** (7:15 PM) Discussion of Potential Future Council Agenda Items - Police/Court Facility Costs, **SUMMARY:** The following items have been previously approved by the Council for a discussion on whether to add the agenda item to a future Council meeting: 1. Discussion of Police/Court Facility costs The Council will also have the opportunity to bring forward new agenda items for Council consideration. **AGENDA CATEGORY:** Discussion PROPOSED BY: City Council **RECOMMENDED MOTION:** Discussion. Potential motion: I move to schedule \_\_\_\_\_ for the \_\_\_\_ City Council business meeting/study session. STRATEGIC PRIORITY: Green, Well-Planned Community FISCAL IMPACT: Amount: **Ongoing Cost: One-Time Cost: Included in Current Budget?** BACKGROUND:

# ATTACHMENTS:

Proposal from Councilmember Pollock.docx

Police Facilities Comparison Chart.pdf

**FISCAL DETAILS:** 

Fund Name(s):

Coding:

# Proposal from Councilmember Pollock

# Synopsis of Problem:

There is growing concern among Bainbridge Island taxpayers over the exceptionally high cost of the proposed new Police Station/Court Facility.

The City purchased Harrison Medical Center (HMC) for \$8.975 million in 2018 for the purposes of remodeling into a new police station, paying \$511/sf, when according to City documents, at the time, average office space costs were \$189/sf (5-yr average) to \$227/sf (1-yr

average). <a href="https://www.bainbridgewa.gov/DocumentCenter/View/11727/Jan-2019-Appraisal---Harrison-Bldg---Kidder-Mathews">https://www.bainbridgewa.gov/DocumentCenter/View/11727/Jan-2019-Appraisal---Harrison-Bldg---Kidder-Mathews</a>.

When the total projected \$20 million cost when the necessary and extensive remodels are included, the City is projected to pay over \$1,100/sf for a new police station and court facility, likely making it the most expensive police facility in the U.S. on a square foot basis. <a href="https://www.bainbridgewa.gov/528/Police-Station-and-Municipal-Court-Build">https://www.bainbridgewa.gov/528/Police-Station-and-Municipal-Court-Build</a>

For comparison, typical 2017-2020 costs for public safety buildings were \$500-\$600/sf, (see attached figure), while in 2014, consultants provided the City estimates of <\$400/sf as cost estimates for public facilities buildings (June 18, 2014 Cost Facility Forecast and Police Report Final and Police Mackenzie Final Report\_201408071238393018). In 2018, costs estimates provided to the City for various public safety building options jumped to >\$1,000/sf (inclusive of land costs), and approximately double typical public safety building square foot costs (see attached figure).

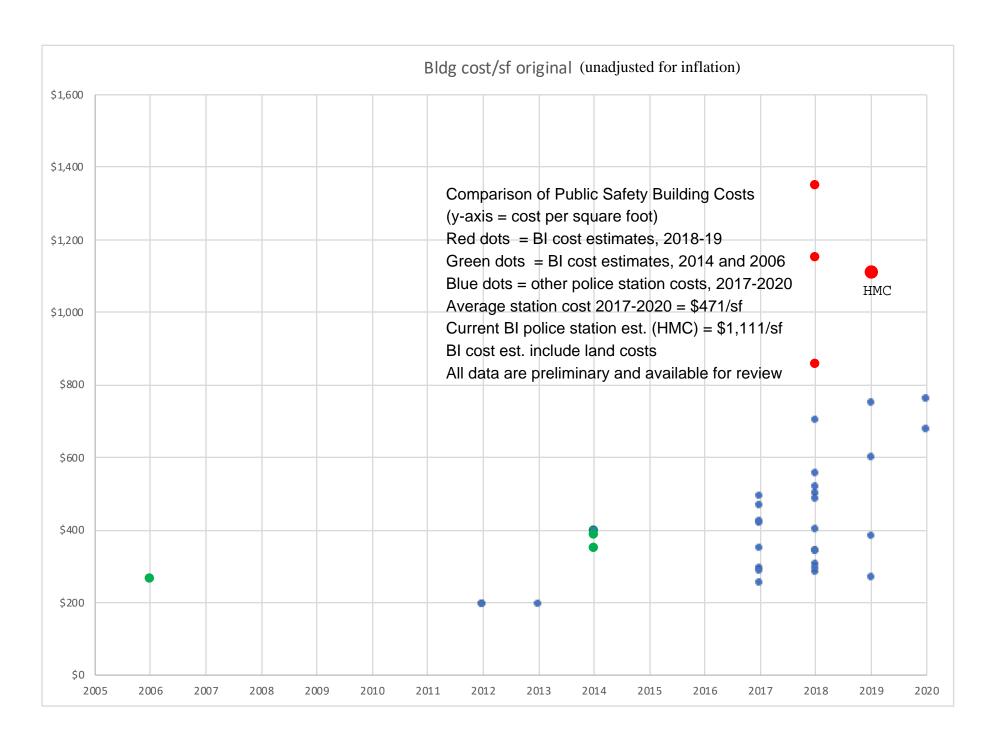
# **Proposed Solution:**

We are proposing stopping work on the police station project for a brief, 30-day period and that Council form a 30-day citizens' blue ribbon panel to answer the following questions surrounding the police station project:

1. Did the City grossly overpay for HMC relative to its value to the City, and if so, by how much? If it is a substantial overpayment (e.g. \$5 million), is it possible for the City to recover any of the millions in overpayments for HMC? Is an independent

- investigation(s), including a request to the Office of the Attorney General for an investigation, advisable for the purposes of determining the recoverability of funds?
- 2. Given that the City has determined that an 18,000 sf combined police station/court facility will meet its needs, is HMC the best location in terms of costs and benefits, or are there better locations to place an 18,000 sf facility? Specifically, would the existing police station or the Yaquina triangle property make more sense than HMC in terms of public benefits and costs? Is \$20 million a realistic estimate for HMC remodel project or are their likely to be cost overruns? Is a project review warranted? What are the pros and cons of these three sites and are there other sites that should be considered?
- 3. If it is determined that HMC is not the best location for a police station in terms of public benefits and costs, what is the best alternative public benefit use of HMC? Suggested alternatives by citizens so far include office space for the Parks District, a community center, affordable housing, flexible live/work space, or selling to recover costs. Are their other alternatives?
- 4. Finally, given the controversy surrounding the high police station costs, should the question of where to build a police station and what to do with HMC be put to a vote of the people?

We recommend a blue ribbon panel of professionals who have been monitoring the police station project and have expressed concern over the high cost. Specifically we recommend: Tad Fairbank (builder), Rich Mitchell (public facilities architect), Kim Brackett (former council member, paralegal, financial analyst), David Lindsey (building manager), Marilyn Mclaughlin (real estate).





**AGENDA CATEGORY:** Ordinance

Included in Current Budget?

# City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 15 Minutes

**PROPOSED BY:** Planning & Community Development

**AGENDA ITEM:** (7:35 PM) Schedule Public Hearing on Ordinance No. 2021-09, Bonus FAR Interim Control, 6 Month Extension - Planning,

**SUMMARY:** The interim control, originally passed on March 10, 2020 (Ordinance Nos. 2020-10 and 2020-20), is set to expire on March 10, 2021 without this extension.

On March 10, 2020, the City Council approved an interim zoning control ordinance related to Floor Area Ratio ("FAR") density bonus options (Ordinance No. 2020-10). The interim control became effective immediately and paused the use of bonus FAR (which increases density) for some types of projects in some instances. On August 25, 2020, the interim control was extended for an additional six months (Ordinance No. 2020-20). The current interim control ordinance is set to expire on March 10, 2021. This ordinance, Ordinance No. 2021-09, would extend the interim control for six months to September 10, 2021.

	The state of the s
	ne public hearing on Ordinance No. 2021-09 for February 23, a ratio interim regulations to September 10, 2021.
STRATEGIC PRIORITY: Green, Well-Planne	ed Community
FISCAL IMPACT:	
Amount:	
Ongoing Cost:	
One-Time Cost:	

**BACKGROUND:** The interim control, which was approved by the City Council on March 10, 2020, suspends the applicability and use of bonus floor area ratio as provided in BIMC 18.12.030.E. (dimensional standards) and the related provisions described in the ordinance, except for subsections E.1. (related to Optional Affordable Housing) and E.6. (related to Historic Structure Preservation). The interim control also suspends the applicability and use of BIMC 18.27.080 and footnote three of Table 18.12.020-3 because those provisions relate directly to the provisions that are otherwise suspended in BIMC 18.12.030 by Ordinance No. 2020-10 (see Exhibit A to Ordinance No. 2020-10).

The interim control excludes development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of Ordinance No. 2020-10 (March 10, 2020). As a result of the Council's March 10, 2020 action, FAR bonus density, which is currently available in the Mixed Use Town Center and High School Road Districts, can only be obtained or used at this time under the following circumstances:

\*providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a;

\*transferring unused FAR from the Islander Mobile Home Park to another parcel in the Mixed Use Town Center in accordance with BIMC 18.12.030.E.1.b; or

\*preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

Since the passage of this interim zoning control, the Planning Commission has met multiple times to discuss revisions to the Bonus FAR program, including the formation of a subcommittee. The Planning Commission formed a subcommittee of 3 members (Chester, Paar, and Quitslund) to begin working on a revised FAR ordinance. The Planning Commission discussed the subcommittee's information and recommendations on changes to bonus FAR regulations at their May meetings and on June 11, 2020. City staff integrated the June 11 recommendations into DRAFT Ordinance No. 2020-16 (now DRAFT Ordinance No. 2021-10, attached). Those changes were discussed and refined by the Commission on June 11, 25, July 9, August 27, September 10 and 24, and October 8, 2020. The Planning Commission recommendation proposes to eliminate most ways of achieving Bonus FAR. The recommendation includes a recommendation for the City to pursue buying out the remaining residential FAR from the Islander Mobile Home Park, and to eliminate that option from BIMC 18.12.030.E.1.b.

The Planning Commission checked in with the City Council about their recommendations on November 17, 2020 (see attached meeting minutes). The outcome of that meeting was that the City Council directed the City Manager to contact the Islander Mobile Home Park regarding potential purchase of floor area ratio by the City. Discussion between the City Manager and the Mobile Home Park was initiated and is ongoing.

On November 19, 2020, the Planning Commission debriefed from the November 17 City Council meeting, and indicated that DRAFT Ordinance No. 2021-10 (formerly 2020-16) could be moved forward without any changes to BIMC 18.12.030.E.1.b related to residential FAR from the Islander Mobile Home Park while the discussions between the City and the Islander Mobile Home Park continue.

City staff also proposes continuing conversations with the City Council on a potential legislative path before pursuing the adoption of permanent Bonus FAR regulations. Staff wants to utilize the time provided by the extension to develop a work plan, continue discussions with the Islander Mobile Home Park, analyze the elimination of Bonus FAR and determine if it requires an amendment to the City's Comprehensive Plan, and perform public outreach before conducting a public hearing with the Planning Commission (see Memo to the

City Council below for further details, and background documents from Jennifer Sutton and the Planning Commission).

#### **ATTACHMENTS**:

Memo City Council re Draft Ordinance Bonus FAR

Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density

BACKGROUND 20200924 PC Staff Memo from Jennifer Sutton

BACKGROUND 20201008 PC Cover Letter to CC on Bonus FAR

Ordinance No. 2020-20 Extending Interim Zoning Control Related to Bonus Density Approved 082520.pdf

20201117 City Council Mtg Minutes.pdf

DRAFT Ordinance No. 2021-10 formerly 2020-16.docx

Exhibit A Ord. 2021-10.docx

**FISCAL DETAILS:** 

Fund Name(s):

Coding:



## Department of Planning and Community Development

# Memorandum

Date: February 6, 2021

To: City Council

From: Heather Wright, Planning Director

Subject: Update on Planning Commission Recommendation to Amend Bonus FAR Program

#### I. BACKGROUND

As directed by the City Council on February 25, 2020, the Planning Commission has been tasked to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR program (BIMC 18.12.030.E) so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. The City Council subsequently approved Interim Control Ordinance No. 2020-10 to suspend BIMC 18.12.030.E except for bonus FAR in exchange for Affordable Housing (subsection E.1) and Historic Preservation (subsection E.2). At their August 25, 2020 meeting, the City Council held a public hearing on Ordinance No. 2020-20 and approved extending the Interim Zoning Control until March 10, 2021.

The Planning Commission began their discussion on revising the Bonus FAR program on March 12, 2020, and it continued on May 14 and 28, June 11, June 25, July 9, August 27, September 10 and 24, and October 8, 2020. The Planning Commission had formed a subcommittee that came back with recommendations on revising the Bonus FAR program on June 11. The Commission affirmed and refined the subcommittee's recommendations for revising the Bonus FAR program, and those recommendations were integrated into DRAFT Ordinance No. 2020-16.

The October 20, 2020 the Planning Commission checked in with the City Council regarding DRAFT Ordinance No. 2020-16 as an opportunity to preview the suggested revisions to <u>BIMC 18.12.030.E</u> and receive City Council feedback prior to the Planning Commission holding a public hearing and completing their recommendation on the ordinance.

#### II. DRAFT Ordinance No. 2020-16

DRAFT Ordinance No. 2020-16 removes all bonus FAR provisions of BIMC 18.12.030.E except the <u>Subsection E.1.a and Subsection E.7</u>, related to affordable housing and relocating surface ferry parking under a building or below ground, respectively. The proposed corresponding changes also have been made to Table 18.12.020-3, which is part of BIMC 18.12.030.E (see Exhibit A to Ordinance 2020-16). The Planning Commission recommends retaining the FAR provisions related to preserving historic buildings (Subsection E.6) but relocating them to the zoning code relief section of the <u>BIMC Chapter 18.24</u> <u>Historic Preservation Program</u> and to the definition of FAR (<u>BIMC 18.12.050.G</u>). The Planning Commission also recommends deleting the provisions for earning Bonus FAR through a Transfer of

Development Rights (TDR) program (Subsection E.2) until the City has updated its TDR program (see Whereas on page 2 of DRAFT Ordinance No. 2020-16).

- III. Policy Questions Generated by DRAFT Ordinance 2020-16 On its face, the Council policy direction to the Planning Commission on February 25, 2020 and through the passage of Ordinance 2020-10 seemed straightforward: reform the City's current Bonus FAR program. However, planning staff has raised some policy questions that may result from making the proposed changes, as set forth in the attached staff memo dated September 24, 2020.
- A. The Planning Commission currently recommends retaining BIMC 18.12.030.E.1.a. This section establishes an optional inclusionary zoning program that awards Bonus FAR in exchange for providing affordable housing. The Planning Commission acknowledges that the affordable housing Bonus FAR provisions in subsection E.1.a and Table 18.12.030 should be revised since the current provisions have not produced any affordable housing units. However, revising subsection E.1.a and Table 18.12.030 were not part of the direct City Council policy direction to the Planning Commission and the Planning Commission believes such a revision should be part of the overall Inclusionary Zoning policy discussion. The Planning Commission seeks confirmation from Council that subsection E.1.a and Table 18.12.030 should remain the same at this time, to be taken up soon as part of the overall Inclusionary Zoning policy discussion.
- B. The Planning Commission recommends eliminating remaining Bonus FAR provisions related to the Islander Mobile Home Park, if legally and economically feasible. On principle, the Planning Commission was opposed to the practice of treating Bonus FAR, which is an incentive in our development regulations, as a financial transaction. Although the Planning Commission requested legal guidance regarding the feasibility of the City's purchase of the balance of the IMHP FAR from Islander Mobile Home Park (IMHP) Association, this guidance has not yet been received. The Planning Commission therefore makes this recommendation acknowledging that legal review and budget analysis is required to inform any City Council decision.
- C. Planning staff has advised the Planning Commission that removing all of the ways of achieving Bonus FAR, except through the affordable housing provision, may eliminate ways to achieve Bonus FAR for commercial-only developments (except for those properties with historic buildings). This would result in a single FAR standard for commercial development, as illustrated in the proposed changes to BIMC Table 18.12.020-3 (Exhibit A to Draft Ordinance No. 2020-16). The approach recommended by the Planning Commission in EXHIBIT A sets the commercial FAR standard at the level of the current base commercial FAR, because the Bonus FAR for Commercial and Other Nonresidential Uses would be eliminated. This change would decrease the amount of FAR available for potential future commercial development by eliminating the availability of Bonus FAR.

Planning staff noted in its September 24, 2020 memo that the City used the Maximum FAR with Bonus amount of commercial FAR for the MUTC and HSR zones in Table 18.12.030-3, rather than base FAR, to calculate employment growth capacity in the Kitsap County 2014 Buildable Lands Report. The Planning Commission believes this may raise a policy issue for the City Council to consider – whether the City should use maximum FAR, including Bonus FAR, to calculate employment growth capacity and plan for future commercial development under the Growth Management Act, or whether it is more appropriate to use base FAR. Because the purpose of Bonus FAR is to obtain community benefits above and beyond what is required in the BIMC, it is only available to commercial projects that propose to provide those types of benefits. The Planning Commission recommends that a better and more transparent approach would be to revisit, and if necessary, revise, base FAR for commercial projects in these zones to determine whether base FAR should be changed to support planned commercial development.

#### IV. NEXT STEPS & PUBLIC OUTREACH

It should be noted that the Planning Commission recommended adoption of Ordinance No. 2020-16 as an interim measure while the City Council, the Planning Commission and Planning Staff address broader revisions to the zoning code, including base FAR and whether to replace it with other measures such as form-based zoning. Once that broader work is completed, it was acknowledged that Ordinance No. 2020-16 would likely need to be revised.

Conversations with the Islander Mobile Home Park are still in their infancy stage. Since debriefing the City Council and receiving direction from the Council to proceed with contacting the Islander Mobile Home Park, the Executive Department has sent a letter to the Mobile Home Park and received an informational response with further discussions forthcoming.

Before returning to the Planning Commission to hold a public hearing, Staff would like the City Council to confirm that, in addition to pursuing the purchase from the Islander Mobile Home park, that Staff analyze the commercial FAR standard because the Bonus FAR for Commercial and Other Nonresidential Uses would be eliminated. This change would decrease the amount of FAR available for potential future commercial development by eliminating the availability of Bonus FAR. Staff has identified this as a conflict with our Comprehensive Plan and per the proposed work plan, recommends further legal analysis before holding a public hearing at the Planning Commission.

#### PUBLIC HEARING DRAFT

#### **ORDINANCE NO. 2021-09**

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance Nos. 2020-10 and 2020-20 that imposed an interim zoning control on the use or applicability of certain bonus density options as provided in BIMC 18.12.030.E. and the related provisions described in Ordinance Nos. 2020-10 and 2020-20; continuing the basis for the emergency interim zoning control; recognizing that public hearings have been conducted; updating the adopted work plan; stating the effect on vested rights; authorizing interpretive authority; providing for severability; leaving the effective date of the interim zoning control unchanged; and extending the duration of the interim control for six months until September 10, 2021.

**WHEREAS**, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim zoning controls related to land uses; and

**WHEREAS**, the City Council of the City of Bainbridge Island ("City") updated the City's Comprehensive Plan in February of 2017; and

**WHEREAS**, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

**WHEREAS**, the City has encouraged affordable housing construction by adopting "bonus density" programs that allow for increases in density above the underlying zoning if the additional density creates affordable homes; and

**WHEREAS**, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

**WHEREAS**, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

**WHEREAS**, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. that are being suspended by this interim zoning control, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

- **WHEREAS**, an emergency exists necessitating the continuation of this interim zoning control to suspend the use and applicability of certain bonus density options in order to preserve and protect public health, safety, and welfare; and
- **WHEREAS**, interim zoning controls enacted under RCW 36.70A.390 and RCW 35A.63.200 are methods by which local governments may preserve the status quo so that new policies and regulations will not be rendered moot by intervening development; and
- **WHEREAS**, this interim zoning control will provide the City with additional time to review and potentially revise its public health, safety, and welfare requirements and zoning and land use regulations related to providing density bonuses above and beyond the underlying zoning; and
- **WHEREAS**, the City Council concludes that it must continue this interim zoning control based on concerns as expressed in this ordinance regarding the awarding of density bonuses that are unrelated to affordable housing and historic structure preservation; and
- **WHEREAS**, the City Council has significant concerns regarding whether the use of certain density bonus options is accomplishing the vision and goals of the City's Comprehensive Plan; and
- **WHEREAS**, based on these and related concerns, the City Council requires additional time to review the regulations and policies at issue to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and
- **WHEREAS**, due to the COVID-19 public health emergency and pandemic, tens of thousands of persons in Washington State have contracted the virus and thousands of persons in the state have died due to the virus thus far and during the time period that this interim zoning control has been in effect, and the public health emergency is ongoing and is expected to continue for many months, and likely much longer; and
- **WHEREAS**, due to the COVID-19 public health emergency and pandemic, the City has been engaged in essential work on a highest-priority basis related to the public health emergency, and as a result City staff and the City Council have had to significantly adjust work priorities accordingly to address the public health crisis, including related to work that the Council has been able to consider at modified Council meetings during this time period; and
- **WHEREAS**, as a result of the public health emergency, City staff and the City Council have not had sufficient time to complete the ongoing substantial review of the regulations and policies at issue related to this interim zoning control to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and
- **WHEREAS**, on April 28, 2020, the City Council conducted a public hearing on Ordinance No. 2020-10 in accordance with state law; and

- **WHEREAS**, in spite of this public health emergency, the Planning Commission has met multiple times to discuss revised regulations related to bonus density, as proposed in draft Ordinance No. 2020-16, including on February 27, 2020, and continuing on March 12, May 14 and 28, June 11 and 25, July 9, August 27, September 10 and 24, and October 8, 2020; and
- **WHEREAS**, the City Council has considered the applicability and use of bonus density options at multiple Council meetings, including on February 4, February 11, February 25, March 3, March 10, and April 14 and 28, 2020; and
- **WHEREAS**, on August 11, 2020, the City Council set a public hearing for August 25, 2020 to accept public comment and consider Ordinance No. 2020-20 to extend the interim zoning control for another six months; and
- **WHEREAS**, on August 25, 2020, the City Council conducted a public hearing on Ordinance No. 2020-20 and the Council received and considered public comment related to the ordinance, and after considering such public comment, the Council adopted Ordinance No. 2020-20 to extend this interim zoning control for six months to March 10, 2021; and
- WHEREAS, on November 17, 2020, the City Council discussed another ordinance, Ordinance No. 2020-16 (as referenced above), which relates to proposed amendments to the City's bonus floor area ratio program recommended by the Planning Commission, together with representatives from the Planning Commission, and the City Council provided policy guidance to the Planning Commission on outstanding policy questions, including directing the City Manager to contact the Islander Mobile Home Park regarding potential purchase of its floor area ratio by the City; and
- **WHEREAS**, on November 19, 2020, the Planning Commission discussed the City Council feedback from November 17 and indicated that the City could move forward with Ordinance No. 2020-16 without any changes to BIMC 18.12.030.E.1.b. related to the Islander Mobile Home Park floor area ratio; and
- **WHEREAS**, the Planning Commission review and recommendation on Ordinance No. 2020-16, including holding a public hearing, is not yet complete; and
- **WHEREAS**, based upon a motion passed by the City Council at their November 17, 2020 meeting regarding the Planning Commission's recommendation on draft Ordinance No. 2021-10 (formerly Ordinance No. 2020-16), City staff is continuing conversations with the Islander Mobile Home Park; and
- **WHEREAS**, City staff is continuing their analysis and will perform outreach on draft Ordinance No. 2021-10 before holding a public hearing with the Planning Commission on that ordinance; and
- **WHEREAS**, on February 9, 2021, the City Council set a public hearing for February 23, 2021 to accept public comment and consider this Ordinance No. 2021-09 to extend the interim zoning control for another six months; and

- **WHEREAS**, on February 23, 2021, the City Council conducted a public hearing on this ordinance and the Council received and considered public comment related to this ordinance; and
- **WHEREAS**, on February 23, 2021, after considering such public comment, the City Council adopted this ordinance to extend this interim zoning control for six months to September 10, 2021, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and
- **WHEREAS**, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and
- **WHEREAS**, the interim zoning control imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and
- **WHEREAS**, the public emergency that the City Council determined to exist requiring that this interim control become effective immediately upon adoption on March 10, 2020 continues to exist, requiring that this interim control continue to be in effect for an additional six months as set forth in this ordinance.

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

- **Section 1. Findings of Fact**. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim zoning control established in Ordinance Nos. 2020-10 and 2020-20.
- **Section 2. Public Hearing**. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim zoning control at its meeting on February 23, 2021 and took public testimony and considered further findings of fact.
- **Section 3. Interim Zoning Control Amended**. This interim control is hereby amended, as also stated in Section 9 below, to extend the interim zoning control in its current form as described in Ordinance No. 2020-10, Ordinance No. 2020-20, and herein for six months until September 10, 2021.
- **Section 4. Interim Zoning Control Work Plan**. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim zoning control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinances related to this interim zoning control, Ordinance Nos. 2020-10 and 2020-20, the City is hereby extending the interim zoning control for an additional six months based on the updated work plan as incorporated herein as Exhibit A to this ordinance.

Section 5. Effect on Vested Rights. The interim zoning control imposed by Ordinance No. 2020-10 and extended by Ordinance No. 2020-20 and this ordinance shall operate, as of the effective date of Ordinance No. 2020-10 (March 10, 2020), to suspend the applicability or use of BIMC 18.12.030.E. and the related provisions described in Ordinance No. 2020-10, subject to the exclusions stated in Ordinance No. 2020-10, for all properties and development in the Mixed Use Town Center and High School Road Districts. However, nothing in Ordinance No. 2020-10, Ordinance No. 2020-20, or this Ordinance No. 2021-09 shall be construed to extinguish, limit, or otherwise infringe on any property owner's or property leaseholder's vested development rights as defined by state law and City of Bainbridge Island regulations.

**Section 6. Interpretive Authority**. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

**Section 7. Severability**. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim zoning control which preceded this ordinance, Ordinance Nos. 2020-10 and 2020-20, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim zoning were included in the "Whereas" clauses of Ordinance Nos. 2020-10 and 2020-20, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim zoning control, which is March 10, 2020.

Section 9. Change in Duration to September 10, 2021. This ordinance amends Ordinance Nos. 2020-10 and 2020-20 and hereby extends the current interim zoning control, and this ordinance shall cause the interim control to remain effective in its current form until September 10, 2021, unless terminated earlier by the City Council. This ordinance does not change the effective date of the interim control, which is March 10, 2020. The Council may, at its sole discretion, renew the interim control for one or more six (6) month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

day of February, 2021.
day of February, 2021.
Rasham Nassar, Mayor
_
February 5, 2021 February, 2021 February, 2021 February, 2021 2021-09

Exhibit A: Work Plan

Attached:

# EXHIBIT A TO ORDINANCE No. 2021-09



# BONUS FAR INTERIM ZONING CONTROL

#### **UPDATED WORK PLAN (February 23, 2021)**

#### BONUS FAR INTERIM ZONING CONTROL:

On March 10, 2020, the City Council imposed a six-month interim zoning control via Ordinance No. 2020-10 to suspend the use and applicability of certain bonus density options related to land use on Bainbridge Island. The initial term of the interim control was for six months, or until September 10, 2020, and Ordinance No. 2020-20 extended the term for six months to March 10, 2021. Ordinance No. 2021-09 extends the term for an additional six months to September 10, 2021.

Based on direction from the City Council at the February 25, 2020 Council meeting, the Planning Commission, beginning on February 27, 2020, engaged in multiple discussions throughout 2020 regarding a proposed ordinance to amend the bonus floor area ratio ("FAR") program, as well as formed a subcommittee dedicated to the subject. However, the ordinance requires additional analysis by City planning, legal, and finance staff before it is ready for consideration by the City Council. This extension in the duration of the interim zoning control will provide time to complete the analysis and to hold the necessary public hearing(s).

The City is hereby updating the previous work plan for this interim zoning control with the following Updated Work Plan described below:

#### 1) February 2021 to March 2021

Staff continues discussion with the City Council on a potential legislative path and requests direction from the Council to address permanent Bonus FAR regulations; which could include adding Inclusionary Zoning as top work plan priority.

#### 2) February to Unknown, 2021

The Executive Department continues discussions with the Islander Mobile Home Park regarding the potential to purchase remaining development rights.

#### 3) March to April 2021

Communicate legislative work plan by performing targeted outreach to the property owners so they can be engaged in policy discussions before a public hearing.

#### 4) April to July 2021

Provide the Planning Commission and the City Council with an update on the research performed to date and the Islander Mobile Home Park conversations.

#### 5) August to September 2021

Continue working with the Planning Commission and the City Council on a draft Ordinance (2021-10) and prepare to hold a public hearing at the Planning Commission for adoption by the City Council.



### DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

# MEMORANDUM

Date: September 24, 2020

To: Planning Commission

From: Jennifer Sutton, AICP

Senior Planner

Subject: Planning Commission Review of DRAFT Ordinance No. 202-16 Re: Bonus FAR Program

#### I. BACKGROUND

On March 10, 2020, the City Council approved an <u>interim zoning control ordinance</u> related to Floor Area Ratio ("FAR") bonus options (<u>Ordinance No. 2020-10</u>). The interim control became effective immediately and paused the use of bonus FAR, which increases the amount of residential, commercial, or mixed-use development that can be built for some types of projects in some instances. At their <u>August 25, 2020 meeting</u>, the City Council will held a public hearing on Ordinance No. 2020-20 and voted to extend the Interim Zoning Control until March 10, 2021.

The FAR and Bonus FAR development provisions only apply within the Mixed Use Town Center (MUTC) and High School Road zoning districts, otherwise known as downtown Winslow or Winslow. See attached map and excerpt of <u>BIMC Table 18.12.020-3</u>. See definitions of *Floor Area* and *Floor Area Ratio* below (BIMC 18.12.050).

F. Floor Area. Floor area is measured as the total area of all floors within the exterior vertical walls of a building. If any room has a sloping ceiling, no portion of the room measuring less than five vertical feet from the finished floor to the finished ceiling shall be included in the computation of total area.

G. Floor Area Ratio (FAR). "Floor area ratio" is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations.

The City's Bonus FAR program was created in the late 1990's as part of implementing the <u>Winslow Master Plan (WMP)</u>; as described in the <u>WMP</u>, bonus FAR incentivizes developers to provide or integrate a variety of community benefits as a way to earn bonus FAR. Each district has different FAR standards for residential, commercial, and mixed-use FAR, and in several districts, the program has a "built-in" incentive for mixed-use development by having a higher mixed-use FAR standard than straight commercial or residential development.

In addition, the Bonus FAR could be purchased from the City to support public farmland and improved amenities downtown. As a result of the interim zoning control, Bonus FAR choices were limited and can now only be obtained or used currently under the following circumstances:

- Providing affordable housing as defined in Chapter 18.36 BIMC in accordance with BIMC 18.12.030.E.1.a;
- Transferring unused FAR from the Islander Mobile Home Park to another parcel or parcels in the Mixed Use Town Center District for residential development in accordance with BIMC 18.12.030.E.1.b; or
- Preserving an historic structure located on a state, local, or federal register in accordance with BIMC 18.12.030.E.6. such that, when an historic structure is preserved, the square footage of that structure will not count toward the FAR calculation.

Ordinance No. 2020-10 includes an exclusion recognizing development rights that were purchased from the City or otherwise acquired prior to the effective date of the ordinance, as well as a provision recognizing vested rights. On August 25, 2020, the City Council voted to extend the interim control March 10, 2021.

#### II. DRAFT ORDINANCE NO. 2020-16

As directed by the City Council on February 25, 2020, the Planning Commission has been tasked to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR program so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. The Planning Commission began their discussion on March 12, 2020, and it continued on May 14 and 28, June 11, June 25, July 9, August 27, and September 10, 2020. The Planning Commission had formed a subcommittee that came back with recommendations on revising the Bonus FAR program on June 11. The Commission affirmed the committee's recommendations for revising the Bonus FAR program, and those recommendations were integrated into DRAFT Ordinance No. 2020-16.

DRAFT Ordinance No. 2020-16 removes all the bonus FAR provisions of BIMC 18.12.030.E except the <u>Subsection E.1.a and Subsection E.7</u>, related to affordable housing and relocating surface ferry parking under a building or below ground, respectively. The Planning Commission recommends relocated the FAR provisions related to preserving historic buildings to the <u>BIMC Chapter 18.24 Historic Preservation Program</u>. By removing all of the ways of achieving bonus FAR except through the provisions of affordable housing, DRAFT Ordinance No. 2020-16 de facto eliminates all of the ways to achieve bonus FAR for commercial-only developments (except for those properties with historic buildings- see above).

This change means that there would not be a base AND bonus FAR for commercial development, only a FAR standard for commercial development. This change would be made BIMC Table 18.12.020-3- see EXHIBIT A to DRAFT Ordinance No. 2020-16. Staff included two options for EXHIBIT A for the Planning Commission to consider. EXHIBIT A Option 1 sets the commercial FAR standard at the level of the current maximum commercial FAR. Staff recommended this Option as best supported by the Comprehensive Plan (see discussion below). EXHIBIT A Option 2 set the commercial FAR standard at the level of the current base commercial FAR. The Commission recommended to move forward with Option 2 at their September 24 meeting (see current Exhibit A to Ordinance 2020-16).

#### III. COMPREHENSIVE PLAN

As mentioned above, the bonus FAR program was originally added in the late 1990's as part of implementing the Winslow Master Plan (WMP), which was originally approved in 1998 and substantially updated in 2006. The WMP went into the details about how Winslow could grow and change to support the broader smart growth principles of the City's Comprehensive Plan. Those smart growth principles

were reaffirmed in the recent Comprehensive Plan Update, including the <u>Land Use Vision 2036</u> and the City's growth plan, the Island-wide Conservation and Development Strategy.

#### ISLAND-WIDE CONSERVATION AND DEVELOPMENT STRATEGY GOAL LU-4

As part of a long-term Island-wide Conservation and Development Strategy, focus residential and commercial development in designated centers, increase a network of conservation lands, maximize public access while protecting the shoreline, minimize impacts from the SR 305 corridor and conserve the Island's ecosystems and the green and open character of its landscape.

The Island-wide Conservation and Development Strategy, Land Use Element Goals LU-5 through LU-8 and supporting policies promote housing and commerce in designated centers including downtown Winslow and describe the positive benefits of that growth pattern.

**Policy LU 5.1** Winslow is the urban core of the Island while the Neighborhood Centers are smaller-scale mixed-use centers. In order to achieve the goals of the GMA this Plan:

- Encourages development in areas where public facilities and services exist or can be provided in an efficient and effective manner.
- Provides a vibrant, pedestrian-oriented core.
- Reduces sprawl.
- Provides choice of housing location and lifestyle.
- Maintains and protects environmentally sensitive and resource lands.
- Encourages the retention of open space.
- Maintains and enhances fish and wildlife habitat.

**GOAL LU-6** Ensure a development pattern that is true to the Vision for Bainbridge Island by reducing the conversion of undeveloped land into sprawling development. Encourage improvement of aging or underutilized developments over development of previously undeveloped property.

**Policy LU 6.1** Land use designations reflect the priority of Bainbridge Island to remain primarily residential and agricultural with nonresidential development concentrated in the designated centers.

**Policy LU 6.2** Promote dense residential and commercial development and encourage human activity within Winslow, the heart of Bainbridge Island. In order to create a vibrant city center direct growth where infrastructure exists, reduce reliance on the automobile, provide opportunities for affordable housing and absorb growth that would otherwise be scattered in outlying areas. Plan for adequate parking in Winslow to accommodate residents and visitors who drive downtown for shopping, participation in local government, attendance at cultural events and centers, and to use other resources in Winslow.

**GOAL LU-7** The Winslow mixed use and commercial districts are designed to strengthen the vitality of downtown Winslow as a place for people to live, shop and work. The Winslow Mixed Use Town Center (MUTC) is intended to have a strong residential component to encourage a lively community during the day and at night. The high residential density of Winslow requires the Central Core Overlay District to provide services and products that meet the needs of residents as well as visitors. Policy

**LU 7.1** The Island's major center for new commercial development is the Mixed Use Town Center (MUTC) and the other commercial districts in Winslow. Development within the MUTC and High School Road Districts shall be consistent with the Winslow Master Plan. The level of development is

determined using Floor Area Ratio (FAR) rather than dwelling units per acre. The use of FAR may result in an increase in the base level of development (density) over the existing zoning, but will provide greater flexibility in type and size of housing units that will further the goals of this Plan.

The above Land Use Element policies are merely a smattering that support the City's <u>Comprehensive</u> <u>Plan</u> anti-sprawl land use strategy. Additional support can be found in the Comprehensive Plan Elements hyperlinked below.

Introduction
Land Use Element
Economic Element
Housing Element
Transportation Element

#### **Winslow Master Plan**

As mentioned above, the <u>Winslow Master Plan (WMP)</u> describes a Winslow that is a major component of the City's overall land use strategy as the Island's primary center for commerce and housing. The "bonus FAR tool" is described in the <u>WMP</u> as a way to achieve community benefits above and beyond what is required by the BIMC. See attached document of <u>WMP</u> goals, policies and information specifically related directly to the bonus FAR program. The very first page of the <u>WMP</u> distills these community goals (below):

#### WHY A MASTER PLAN FOR WINSLOW?

The Comprehensive Plan establishes the vision and overall framework for the future of Winslow. It is designated as the major area of urban concentration — the commercial, cultural and commuter hub of the Island.

Higher intensity of residential and commercial activity is recommended for Winslow to 1) encourage development where public facilities and services exist or can be efficiently expanded, 2) provide choice of housing for all economic segments of the population, 3) reduce sprawl elsewhere on the Island, 4) encourage efficient multimodal transportation, and 5) encourage economic development within Winslow.

WMP Chapter 1 Introduction & Summary

#### **BONUS FAR Changes Reduces New Commercial Development**

As seen above, the <u>Comprehensive Plan</u> and <u>WMP</u> identify and promote Winslow as the commercial center for Bainbridge Island. The Planning Commission recommendation to modify the bonus FAR provisions, DRAFT Ordinance No. 2020-16, eliminates the ability to purchase FAR from the City would limit the ability of commercial development to achieve bonus FAR to 1) projects that can integrate preserving a historic building and 2) mixed-use developments that provides affordable housing pursuant to <u>BIMC 18.12.030.E.1.a</u>. To summarize, the changes currently contemplated by the Planning Commission de facto limit most commercial development to the base FAR levels of <u>BIMC Table 18.12.020-3</u>.

In addition to supporting the goals and policies that put Winslow as the center of Bainbridge Island commerce and public life, the Growth Management Act requires that that comprehensive plans and zoning plan for future jobs, not just future residences. It is well known that the City's 2016 Comprehensive Plan needed to plan for or accommodate a future population of 28,660 persons. Lesser known is that comprehensive plans need to accommodate enough land with commercial development potential to accommodate future jobs. Kitsap County and its cities coordinated on the 2014 Buildable Lands Report (see Chapter 5 and Appendix C for more information on commercial capacity analysis) in

advance of the comprehensive plan update. Page 18 of <u>Introduction</u> to the Comprehensive Plan summarizes this work and is excerpted below:

The Plan has been updated based on residential and employment targets that align with <u>Vision 2040</u>, as demonstrated through the population and employment capacity analysis in the <u>Kitsap County 2014 Buildable Lands Report</u>. The City's existing residential and commercial zoning accommodates those target- see tables below.

Table IN-1: City of Bainbridge Island Population Capacity and Demand		
2036 Residential Population Forecast/Target	28,660	
Population Capacity Under Existing Zoning	6,814	
2010-2036 Allocated Population Growth	5,635	
Net 20-Year Population Capacity (+ or -)	+1,179	
Population Capacity/Demand Ratio	1.21	

Table IN-2: City of Bainbridge Island Employment Capacity and Demand		
Employment Capacity Under Existing Commercial Zoning	2,941 jobs	
2036 Employment Growth Forecast/Target	2,808 jobs	
Net 20-Year Population Capacity (+ or -)	+133 jobs	
Employment Capacity/Demand Ratio	1.04	

Table IN-2 shows that the City has *just enough* land with commercial development capacity to accommodate 2,808 future jobs. The 2014 Buildable Lands Report commercial capacity analysis for the MUTC and HS road zones utilized the *bonus* commercial FAR standard to calculate employment growth capacity. The Growth Management Act requirement to plan for future commercial development is another reason to not reduce the availability of commercial FAR, and instead, to consider other options for bonus FAR. An option presented by staff at the August 13 and September 10 Planning Commission meeting would be to make the current *bonus* commercial FAR as maximum FAR. Another option would be for the Planning Commission to recommend an alternative bonus FAR option, such as amenities or consideration of an increased fee for community benefits.

#### **Affordable Housing**

Increasing the amount of affordable housing and improving housing affordability generally are goals that permeate several elements of the <u>Comprehensive Plan</u>, notably the <u>Land Use</u>, <u>Housing</u> and <u>Economic</u> Elements. To achieve the affordable housing goals and policies in the <u>Comprehensive Plan</u>, City Council created a short-term Affordable Housing Task Force (AHTF) in 2017 to assist the City in prioritizing a variety of affordable housing actions.

The City changed its mandatory affordable housing requirement to voluntary in 2005 (BIMC 18.21), and developers have opted not to use it, including in downtown Winslow (BIMC 18.12.030.E.1.a). Although the City has succeeded in building a high proportion of new residences in Winslow in the last 20 years, few of the units have been designated as "Affordable Housing". Despite the aspirational goals of the Comprehensive Plan and WMP, the City's development code is not producing affordable units.

The City has hired firm ECONorthwest to provide economic analysis and feasibility study regarding a new Inclusionary Zoning program and adoption of a Multifamily Tax Exemption (MFTE). Council discussed

these issues on June 19, October 2 and December 4, 2018. On February 19, 2019. ECONorthwest presented a final report to City Council. The final analysis indicated that the City's FAR (too low), building height (too low) and parking standards (too high) are outdated, and need to be changed in order to create an inclusionary zoning program that relies on the private market to produce affordable housing. Council has considered adoption of an MFTE and/or an inclusionary zoning program and continued to make progress on these complex issues at their September 17, 2019 and February 4, 2020 meetings, however the Council has not finalized a policy direction to design a inclusionary zoning program that could be successful.

Although limiting bonus FAR to those projects that include affordable housing as required by <u>BIMC</u> <u>18.12.030.E.1.a</u> seems a likely way to ensure that affordable housing is constructed in lieu of market rate and commercial development, it is unlikely that any private development project would utilize this section, because it hasn't been utilized for 15 years. The City's base and bonus FAR levels have not been updated since the WMP was originally implemented- more than 20 years ago.

The February 2019 Final Report on Inclusionary Zoning by ECONorthwest indicates that the current available FAR is too low, and the affordability requirement too high (requiring the entirety of any bonus FAR to be designated affordable housing) to produce any private development projects. The modeling done by ECONorthwest was utilizing a 10% affordable housing requirement. Given that building and implementing designated affordable housing is expensive, the lower the income targeted, the higher the number of market-rate units needed to support those affordable units. Add in the incredible low vacancy for rental units at this time, and for these reasons, City Planning staff suggests making the other changes to FAR, building height and parking that are described in February 2019 Final Report on Inclusionary Zoning by ECONorthwest. As described above, the Comprehensive Plan and WMP describe a Winslow where both commerce and diverse housing types are appropriate.

#### IV. ISLANDER MOBILE HOME PARK RESIDENTIAL FAR

In 2004, the residents of the Islander Mobile Home Park (IMHP) succeeded in their multi-year effort to purchase their mobile home park property to prevent it from being sold and likely, redeveloped. This purchase was the result of a wide-scale community effort to raise money to preserve the IMHP to preserve this pocket of affordability in downtown Winslow. The City was an integral partner in the preservation of the IMHP. The IMHP is in the MUTC/Central Core District in the center of downtown Winslow, which allows the most intense development. Preserving the IMHP as a mobile home park with a relatively low level of development left the IMHP with more than 137,000 square feet of unused "Residential" FAR.

The City is party to a 2004 Covenant with the then newly formed IMHP Residents Association that outlines the ability of the IMHP to "sell" or "transfer" the unused residential FAR with City oversight. Most of the IMHP residential FAR has been sold and used in development throughout Winslow, however some of the IMHP residential FAR remains unsold or unused.

On July 9, the Planning Commission recommended eliminating BIMC 18.12.030.E.1.b, the IMHP bonus FAR provision, and that the City should purchase the balance of IMHP FAR. In making this recommendation, the Commission acknowledged that to do so would require legal review and budget analysis to inform a City Council decision on this task. Eliminating this provision would also require amending that 2004 Covenant in coordination with the other parties. Part of the Commission's rationale for eliminating the IMHP FAR is because the City doesn't otherwise have mandatory affordable housing provisions, such as mandatory inclusionary zoning, that the residential bonus FAR could be used to build only market-rate housing in downtown Winslow. This provision is in the *Affordable Housing* portion of Section E because of the affordable units MAINTAINED by preserving the IMHP.

#### V. Next Steps & Public Outreach

Staff has scheduled a Planning Commission check-in with the City Council regarding the Planning Commission regarding the entire Planning Commission proposal for updating the Bonus FAR program, including the proposal to pursue eliminate the Mobile Home Park bonus FAR provisions, for October 20, 2020, prior to the Planning Commission holding a public hearing and completing their recommendation on Ordinance No. 2020-16.

City staff will collaborate with the City's Communications Coordinator to improve outreach about the proposed changes to the Bonus FAR program, to ensure that the Winslow community, including the business community, is informed about this effort prior to the Planning Commission holding a public hearing on Ordinance No. 2020-16.



## Department of Planning and Community Development

# Memorandum

Date: October 8, 2020

To: City Council

From: Planning Commission

Subject: Planning Commission Recommendation to Amend Bonus FAR Program

#### I. BACKGROUND

As directed by the City Council on February 25, 2020, the Planning Commission has been tasked to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR program (BIMC 18.12.030.E) so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights. The City Council subsequently approved Interim Control Ordinance No. 2020-10 to suspend BIMC 18.12.030.E except for bonus FAR in exchange for Affordable Housing (subsection E.1) and Historic Preservation (subsection E.2). At their August 25, 2020 meeting, the City Council held a public hearing on Ordinance No. 2020-20 and approved extending the Interim Zoning Control until March 10, 2021.

The Planning Commission began their discussion on revising the Bonus FAR program on March 12, 2020, and it continued on May 14 and 28, June 11, June 25, July 9, August 27, September 10 and 24, and October 8, 2020. The Planning Commission had formed a subcommittee that came back with recommendations on revising the Bonus FAR program on June 11. The Commission affirmed and refined the subcommittee's recommendations for revising the Bonus FAR program, and those recommendations were integrated into DRAFT Ordinance No. 2020-16.

The October 20, 2020 Planning Commission check-in with the City Council regarding DRAFT Ordinance No. 2020-16 is a chance to preview the suggested revisions to <u>BIMC 18.12.030.E</u> and receive City Council feedback prior to the Planning Commission holding a public hearing and completing their recommendation on the ordinance.

It should be noted that the Planning Commission recommends adoption of Ordinance No. 2020-16 as an interim measure while the City Council, the Planning Commission and Planning Staff address broader revisions to the zoning code, including base FAR and whether to replace it with other measures such as form-based zoning. Once that broader work is completed, it is likely that Ordinance No. 2020-16 will need to be revised.

#### II. DRAFT Ordinance No. 2020-16

DRAFT Ordinance No. 2020-16 removes all bonus FAR provisions of BIMC 18.12.030.E except the <u>Subsection E.1.a and Subsection E.7</u>, related to affordable housing and relocating surface ferry parking under a building or below ground, respectively. The proposed corresponding changes also have been

made to Table 18.12.020-3, which is part of BIMC 18.12.030.E (see Exhibit A to Ordinance 2020-16). The Planning Commission recommends retaining the FAR provisions related to preserving historic buildings (Subsection E.6) but relocating them to the zoning code relief section of the <a href="BIMC Chapter 18.24">BIMC Chapter 18.24</a> Historic Preservation Program and to the definition of FAR (BIMC 18.12.050.G). The Planning Commission also recommends deleting the provisions for earning Bonus FAR through a Transfer of Development Rights (TDR) program (Subsection E.2) until the City has updated its TDR program (see Whereas on page 2 of DRAFT Ordinance No. 2020-16).

- III. Policy Questions Generated by DRAFT Ordinance 2020-16
  On its face, the Council policy direction to the Planning Commission on February 25, 2020 and through the passage of Ordinance 2020-10 seemed straightforward: reform the City's current Bonus FAR program. However, planning staff has raised some policy questions that may result from making the proposed changes, as set forth in the attached staff memo dated September 24, 2020.
- A. The Planning Commission currently recommends retaining BIMC 18.12.030.E.1.a. This section establishes an optional inclusionary zoning program that awards Bonus FAR in exchange for providing affordable housing. The Planning Commission acknowledges that the affordable housing Bonus FAR provisions in subsection E.1.a and Table 18.12.030 should be revised since the current provisions have not produced any affordable housing units. However, revising subsection E.1.a and Table 18.12.030 were not part of the direct City Council policy direction to the Planning Commission and the Planning Commission believes such a revision should be part of the overall Inclusionary Zoning policy discussion. The Planning Commission seeks confirmation from Council that subsection E.1.a and Table 18.12.030 should remain the same at this time, to be taken up soon as part of the overall Inclusionary Zoning policy discussion.
- B. The Planning Commission recommends eliminating remaining Bonus FAR provisions related to the Islander Mobile Home Park, if legally and economically feasible. On principle, the Planning Commission was opposed to the practice of treating Bonus FAR, which is an incentive in our development regulations, as a financial transaction. Although the Planning Commission requested legal guidance regarding the feasibility of the City's purchase of the balance of the IMHP FAR from Islander Mobile Home Park (IMHP) Association, this guidance has not yet been received. The Planning Commission therefore makes this recommendation acknowledging that legal review and budget analysis is required to inform any City Council decision.
- C. Planning staff has advised the Planning Commission that removing all of the ways of achieving Bonus FAR, except through the affordable housing provision, may eliminate ways to achieve Bonus FAR for commercial-only developments (except for those properties with historic buildings). This would result in a single FAR standard for commercial development, as illustrated in the proposed changes to BIMC Table 18.12.020-3 (Exhibit A to Draft Ordinance No. 2020-16). The approach recommended by the Planning Commission in EXHIBIT A sets the commercial FAR standard at the level of the current base commercial FAR, because the Bonus FAR for Commercial and Other Nonresidential Uses would be eliminated. This change would decrease the amount of FAR available for potential future commercial development by eliminating the availability of Bonus FAR.

Planning staff noted in its September 24, 2020 memo that the City used the Maximum FAR with Bonus amount of commercial FAR for the MUTC and HSR zones in Table 18.12.030-3, rather than base FAR, to calculate employment growth capacity in the Kitsap County 2014 Buildable Lands Report. The Planning Commission believes this may raise a policy issue for the City Council to consider – whether the City should use maximum FAR, including Bonus FAR, to calculate employment growth capacity and plan for future commercial development under the Growth Management Act, or whether it is more appropriate

to use base FAR. Because the purpose of Bonus FAR is to obtain community benefits above and beyond what is required in the BIMC, it is only available to commercial projects that propose to provide those types of benefits. The Planning Commission recommends that a better and more transparent approach would be to revisit, and if necessary, revise, base FAR for commercial projects in these zones to determine whether base FAR should be changed to support planned commercial development.

#### IV. NEXT STEPS & PUBLIC OUTREACH

The Planning Commission will debrief from the City Council check in at their meeting on October 29 and discuss what changes, if any, the Commission would like to make to DRAFT Ordinance 2020-16 as a result of any October 20 City Council policy direction. The Commission will then schedule a public hearing, or possibly schedule another study session prior to holding a public hearing, in November. After the Commission holds a public hearing on Ordinance 2020-16, it will make a recommendation to the City Council. Ordinance 2020-16 will then go to the City Council for consideration.

#### **ORDINANCE NO. 2020-20**

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance No. 2020-10 that imposed a six-month interim zoning control on the use or applicability of certain bonus density options as provided in BIMC 18.12.030.E. and the related provisions described in Ordinance No. 2020-10; continuing the basis for the emergency interim zoning control; recognizing that public hearings have been conducted; adopting a work plan; stating the effect on vested rights; authorizing interpretive authority; providing for severability; leaving the effective date of the interim zoning control unchanged; and extending the duration of the interim control for six months until March 10, 2021.

**WHEREAS**, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim zoning controls related to land uses; and

**WHEREAS**, the City Council of the City of Bainbridge Island ("City") updated the City's Comprehensive Plan in February of 2017; and

**WHEREAS**, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

**WHEREAS**, the City has encouraged affordable housing construction by adopting "bonus density" programs that allow for increases in density above the underlying zoning if the additional density creates affordable homes; and

**WHEREAS**, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

**WHEREAS**, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

**WHEREAS**, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. that are being suspended by this interim zoning control, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

- **WHEREAS**, an emergency exists necessitating the continuation of this interim zoning control to suspend the use and applicability of certain bonus density options in order to preserve and protect public health, safety, and welfare; and
- **WHEREAS**, interim zoning controls enacted under RCW 36.70A.390 and RCW 35A.63.200 are methods by which local governments may preserve the status quo so that new policies and regulations will not be rendered moot by intervening development; and
- **WHEREAS**, this interim zoning control will provide the City with additional time to review and potentially revise its public health, safety, and welfare requirements and zoning and land use regulations related to providing density bonuses above and beyond the underlying zoning; and
- **WHEREAS**, the City Council concludes that it must continue this interim zoning control based on concerns as expressed in this ordinance regarding the awarding of density bonuses that are unrelated to affordable housing and historic structure preservation; and
- **WHEREAS**, the City Council has significant concerns regarding whether the use of certain density bonus options is accomplishing the vision and goals of the City's Comprehensive Plan; and
- **WHEREAS**, based on these and related concerns, the City Council requires additional time to review the regulations and policies at issue to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and
- **WHEREAS**, due to the COVID-19 public health emergency and pandemic, tens of thousands of persons in Washington State have contracted the virus and more than a thousand persons in the state have died due to the virus thus far and during the time period that this interim zoning control has been in effect, and the public health emergency is ongoing and is expected to continue for many months, and likely much longer; and
- **WHEREAS**, due to the COVID-19 public health emergency and pandemic, the City has been engaged in essential work on a highest-priority basis related to the public health emergency, and as a result City staff and the City Council have had to significantly adjust work priorities accordingly to address the public health crisis, including related to work that the Council has been able to consider at modified Council meetings during this time period; and
- **WHEREAS**, as a result of the public health emergency, City staff and the City Council have not had a meaningful opportunity to substantially review the regulations and policies at issue related to this interim zoning control to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and
- **WHEREAS**, in spite of this public health emergency, the Planning Commission has met multiple times to discuss revised regulations related to bonus density, including on February 27, 2020, and continuing on March 12, May 14 and 28, June 11 and 25, and July 9, 2020; and

- **WHEREAS**, the City Council has considered the applicability and use of bonus density options at multiple Council meetings, including on February 4, February 11, February 25, March 3, March 10, April 14, and April 28, 2020; and
- **WHEREAS**, on April 28, 2020, the City Council conducted a public hearing on Ordinance No. 2020-10 in accordance with state law; and
- **WHEREAS**, on August 11, 2020, the City Council set a public hearing for August 25, 2020 to accept public comment and consider this Ordinance No. 2020-20 to extend the interim zoning control for another six months; and
- **WHEREAS**, on August 25, 2020, the City Council conducted a public hearing on this ordinance and the Council received and considered public comment related to this ordinance; and
- **WHEREAS**, on August 25, 2020, after considering such public comment, the City Council adopted this ordinance to extend this interim zoning control for six months to March 10, 2021, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and
- **WHEREAS**, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and
- **WHEREAS**, the interim zoning control imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and
- **WHEREAS**, the public emergency that the City Council determined to exist requiring that this interim control become effective immediately upon adoption on March 10, 2020 continues to exist, requiring that this interim control continue to be in effect for an additional six months as set forth in this ordinance.

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

- **Section 1. Findings of Fact**. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim zoning control established in Ordinance No. 2020-10.
- **Section 2. Public Hearing**. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim zoning control at its meeting on August 25, 2020, and took public testimony and considered further findings of fact.
- **Section 3. Interim Zoning Control Amended**. This interim control is hereby amended, as also stated in Section 9 below, to extend the interim zoning control in its current form as described in Ordinance No. 2020-10 for six months until March 10, 2021.

**Section 4. Interim Zoning Control Work Plan**. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim zoning control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinance related to this interim zoning control, Ordinance No. 2020-10, the City is hereby extending the interim zoning control for an additional six months based on the work plan as incorporated herein as Exhibit A to this ordinance.

**Section 5. Effect on Vested Rights**. The interim zoning control imposed by Ordinance No. 2020-10 and extended by this ordinance shall operate, as of the effective date of Ordinance No. 2020-10 (March 10, 2020), to suspend the applicability or use of BIMC 18.12.030.E. and the related provisions described in Ordinance No. 2020-10, subject to the exclusions stated in Ordinance No. 2020-10, for all properties and development in the Mixed Use Town Center and High School Road Districts. However, nothing in Ordinance No. 2020-10 or this Ordinance No. 2020-20 shall be construed to extinguish, limit, or otherwise infringe on any property owner's or property leaseholder's vested development rights as defined by state law and City of Bainbridge Island regulations.

**Section 6. Interpretive Authority**. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

**Section 7. Severability**. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim zoning control which preceded this ordinance, Ordinance No. 2020-10, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim zoning were included in the "Whereas" clauses of Ordinance No. 2020-10, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim zoning control, which is March 10, 2020.

Section 9. Change in Duration to March 10, 2021. This ordinance amends Ordinance No. 2020-10 and hereby extends the current interim zoning control, and this ordinance shall cause the interim control to remain effective in its current form until March 10, 2021, unless terminated earlier by the City Council. This ordinance does not change the effective date of the interim control, which is March 10, 2020. The Council may, at its sole discretion, renew the

interim control for one or more six (6) month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council this 25th day of August, 2020.

APPROVED by the Mayor this 25th day of August, 2020.

Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK: August 7, 2020
PASSED BY THE CITY COUNCIL: August 25, 2020
PUBLISHED: August 28, 2020
EFFECTIVE DATE: September 2, 2020

ORDINANCE NUMBER: 2020-20

Attached: Exhibit A: Work Plan

# EXHIBIT A TO ORDINANCE No. 2020-20



### BONUS FAR INTERIM ZONING CONTROL

WORK PLAN (August 11, 2020)

#### **BONUS FAR INTERIM ZONING CONTROL:**

On **March 10, 2020,** the City Council imposed a six-month interim zoning control via Ordinance No. 2020-10 to suspend the use and applicability of certain bonus density options related to land use on Bainbridge Island. The initial term of the interim control was for six months, or until **September 10, 2020**, and Ordinance No. 2020-20 extends the term for six months to **March 10, 2021**.

Based on direction from the City Council at the February 25, 2020 Council meeting, the Planning Commission, beginning on February 27, 2020, engaged in multiple discussions regarding a proposed ordinance to amend the bonus floor area ratio ("FAR") program, as well as formed a subcommittee dedicated to the subject. At the Planning Commission's meeting on July 9, 2020, the Commission indicated that it is ready to hold a public hearing on an ordinance to amend the bonus FAR program. However, the ordinance requires analysis by City planning, legal, and finance staff before it is ready for consideration by the City Council. This extension in the duration of the interim zoning control will provide time to complete the analysis and to hold the necessary public hearing(s).

After holding a public hearing on the interim zoning control on August 25, 2020, the City Council voted to extend the interim control in its current form for an additional six months to **March 10, 2021**, via adoption of this current ordinance, Ordinance No. 2020-20, unless terminated earlier or extended further by the Council. Based on the amount of work completed to date by the Planning Commission, it is anticipated that an ordinance will be adopted prior to the end of this six-month extension.

The City has developed the following **Work Plan** described below:

#### September - November 2020

Complete analysis by City planning, legal, and financial staff of a draft ordinance to amend the bonus FAR program in anticipation of a public hearing with the Planning Commission.

Hold a public hearing with the Planning Commission on a revised bonus FAR ordinance.

#### November 2020- March 2021

City Council review and consideration of a revised bonus FAR ordinance. After such review and consideration, the Council could take action to approve a revised bonus FAR program via the adoption of an ordinance.



## CITY COUNCIL STUDY SESSION TUESDAY, NOVEMBER 17, 2020

#### MEETING MINUTES

#### 1) CALL TO ORDER / ROLL CALL

Deputy Mayor Deets called the meeting to order at 6:01 p.m. on the Zoom webinar platform.

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

#### 2) APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE

Mayor Schneider moved and Deputy Mayor Deets seconded to remove item 7.B, COVID-19 Emergency Economic Recovery Funding Request. The motion carried unanimously, 6-0. Councilmember Pollock moved and Councilmember Carr seconded to approve the agenda as amended. The motion carried unanimously, 6-0.

There were no conflicts of interest disclosed.

#### 3) MAYOR'S REPORT

Mayor Schneider mentioned the November 16, 2020 special City Council meeting, the appointment of Deputy City Manager Schroer as Interim City Manager, the inappropriate comment made at last week's meeting, and the placement of future council agendas on the agenda.

#### 4) FUTURE COUNCIL AGENDAS

#### **4.A Future Council Agendas**

Cover Page

November 24 City Council Regular Business Meeting.pdf

December I City Council Study Session.pdf

December 8 City Council Regular Business Meeting.pdf

City Manager Smith reviewed future Council agendas. Council agreed to hold special meetings for interviewing City Manager candidates on December 2 and 3, 2020. Council discussed the December meetings and potential additions to future agendas.

Councilmember Nassar requested the addition of a letter of support requested by the Race Equity Task Force to a future agenda.

Councilmember Pollock requested the addition of an agenda item to discuss whether to add a discussion of the Police Station costs to an agenda.

#### 5) BUDGET DELIBERATIONS

## 5.A Ordinance No. 2020-25 Adopting the 2021-2026 Capital Improvement Plan (CIP) - Public Works

Cover Page

Ordinance No. 2020-25 Adopting the 2021-2026 Update of the Six-Year CIP \_FINAL.docx 2021-26\_Revised\_CIP\_Summary\_Memo\_I 11720 FINAL.docx Exhibit A - 2021-2026 CIP.pdf

Public Works Director Wierzbicki introduced the agenda item.

**MOTION:** I move to approve Ordinance No. 2020-25. **Carr/Nassar:** The motion carried unanimously, 6 - 0.

AYES: Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider

NOES: None ABSENT: None ABSTAIN: None

#### **5.B** Budget Discussion #9

Cover Page 2021-22 Budget Memo and Materials for 11172020.pdf Budget Deliberations for CC 11172020 Draft.pdf

Finance Director Pitts introduced the agenda item, and Council discussed next steps.

#### 6) UNFINISHED BUSINESS

### 6.A Sustainable Transportation Plan Update - Decision-Making Framework Discussion

Cover Page

BAINBRIDGE STP\_Evaluation Framework Council Presentation\_20201117.pdf BAINBRIDGE STP\_Evaluation Framework Approach\_20201109.pdf

Public Works Director Wierzbicki introduced the agenda item. Engineering Project Manager Epstein and Jennifer Wieland of Nelson/Nygaard provided a presentation on the project.

Council's consensus was to streamline Council participation in the process and to have the task force review project elements prior to the Council.

#### 6.B Green Building Code - Update and Next Steps - Planning

Cover Page

Green Building Staff Memo Attachment 1 - History Log Attachment 2 - GBTF Roster Attachment 3 - City Policies

Attachment 4 - GHG Inventory Fact Sheet

Attachment 5 - GHG Charts

Attachment 6 - Energy Demand and Conservation Attachment 7 - GBTF Road Map Recommendation Attachment 8 - GBTF First Steps Recommendation

Senior Planner Best provided an update on the green building code and next steps.

# 6.C Consider Planning Commission Recommendations Prior to Scheduling a Public Hearing on Bonus Floor Area Ratio Options, BIMC 18.12.030.E. - Planning

Cover Page

20201008 PC Cover Letter to CC on Bonus FAR Revisions.docx

DRAFT Ordinance No. 2020-16.docx

Exhibit A Excerpt BIMC Table 18.12.020-3.docx

20200924 PC Staff Memo.pdf

MUTC and HS Rd Map.pdf

WMP Goals & Policies Related to FAR.pdf

ORD NO. 2020-20 EXTENDING INTERIM ZONING CONTROL RELATED TO BONUS

DENSITY.pdf

June 11 2020 Planning Commission Meeting Minutes.pdf

July 9 2020 Planning Commission Meeting.pdf

August 27 2020 PLANNING COMMISSION MINUTES.pdf

September 10 2020 PLANNING COMMISSION MINUTES.pdf

September 24 2020 PLANNING COMMISSION MINUTES.pdf

Planning Commission Chair Chester introduced the agenda item. Planning Commissioner Quitslund, Planning Director Wright, and Senior Planner Sutton also joined the meeting and discussed the recommendations with Council.

Council directed the City Manager to contact Islander Mobile Home Park regarding potential purchase of floor area ratio by the City.

# 6.D Update from Joint City Council and Planning Commission Land Use Subcommittee - Councilmembers Carr, Hytopoulos, and Pollock

Cover Page

Councilmember Carr provided an update on the work of the subcommittee.

#### 7) NEW BUSINESS

# 7.A Council Direction to Design Review Board on Flexibility for Affordable Housing Projects - Mayor Schneider

Cover Page

Mayor Schneider introduced the agenda item. Planning Manager Greetham and Design Review Board Chair Joseph Dunstan joined the discussion.

#### 7.B COVID-19 Emergency Economic Recovery Funding Request - Deputy Mayor Deets

Cover Page

COVID-19 Emergency Economic Recovery Funding Memorandum.pdf

November 5, 2020 Bl Chamber of Commerce E-Mail - Requesting Emergency Economic Recovery Funding.pdf

Digital General Store & Island Online Hub Prototypes - Visuals.pdf

### Emergency Economic Recovery Project Scope, Features and Timeline Summary.pdf

This agenda item was removed from the agenda.

#### 8) CITY COUNCIL DISCUSSION

# 8.A Options for Land Use Regulations related to the Triangle Property and Specific Standards for Composting Facilities - Mayor Schneider Cover Page

Mayor Schneider introduced the agenda item, and Council discussed the topic.

**MOTION:** I move that we add consideration of specific standards for composting facilities to the Council and Planning subcommittee for recommendations to the 2021 work plan discussion. **Schneider/Pollock:** The motion carried unanimously, 6 - 0.

AYES: Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider

NOES: None ABSENT: None ABSTAIN: None

Council directed staff to return with an agenda item for November 24, 2020 for the Council to consider the option of not further pursuing Aveterra's proposed code amendment for the Triangle property.

#### 9) FOR THE GOOD OF THE ORDER

Deputy Mayor Deets mentioned the length of the discussions regarding future council agendas.

#### 10) ADJOURNMENT

Deputy Mayor Deets adjourned the meeting at 9:28 p.m.

	<u>/s/</u>	
	Leslie Schneider, Mayor	
's/		
Christine Brown, CMC, City Clerk		

# ORDINANCE NO. 2021-10 (formerly Ordinance No. 2020-16)

**AN ORDINANCE** of the City of Bainbridge Island, Washington, relating to bonus floor area ratio and amending Section 18.12.030.E of the Bainbridge Island Municipal Code.

**WHEREAS**, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim zoning controls related to land uses; and

**WHEREAS**, the City Council of the City of Bainbridge Island ("City") updated the City's Comprehensive Plan in February of 2017; and

**WHEREAS**, balancing affordable housing, historic preservation, growth management, and sustainable development continues to be a local, regional, and national challenge due to many social and economic factors; and

**WHEREAS**, the City has encouraged affordable housing construction by adopting "bonus density" programs that allow for increases in density above the underlying zoning if the additional density creates affordable homes; and

**WHEREAS**, the intent of the Comprehensive Plan is to place residential density, inclusive of affordable housing, in the Winslow core area near infrastructure such as transportation hubs (e.g., ferry service, bus service, highway access), sewer, water, reliable electrical power, and retail stores; and

**WHEREAS**, the intent of such policies is to manage growth consistent with the Growth Management Act, reduce infrastructure costs, and follow general principles of sustainable community development; and

WHEREAS, the City Council is interested in evaluating the applicability, use, and effectiveness of the bonus density options provided for and as described in BIMC 18.12.030.E. and Table 18.12.020-3, including related to the purchase of development rights, the provision of public amenities and/or infrastructure, the provision of community open space, floor area ratio transfers related to the Mixed Use Town Center and High School Road districts, and ferry-related parking; and

**WHEREAS**, on February 25, 2020, the Council passed unanimously the following motion: I move to direct the City Manager to work with the Planning Commission and any other appropriate City committees or commissions to bring back to Council as quickly as possible an ordinance that will reform the City's bonus FAR programs so as to only allow bonus FAR in relation to Affordable Housing, Historic Preservation, and Transfer of Development Rights; and

**WHEREAS**, on March 10, the City Council approved an interim zoning control ordinance related to Floor Area Ratio ("FAR") density bonus options (Ordinance No. 2020-10);

and

- **WHEREAS**, the Planning Commission discussed these policies on February 27 and March 12, 2020 and formed a subcommittee of Commissioners Chester, Paar and Quitslund to work on this topic; and
- **WHEREAS**, the subcommittee brought back their recommendations to the full Planning Commission for discussion on May 14 and 28, 2020 met again, and brought back revised recommendations for the June 11, 2020 Commission meeting and the full Planning Commission came to consensus on a set of amendments to bonus FAR regulations; and
- **WHEREAS**, the Planning Commission and City Council held a joint meeting on June 22, 2020 to discuss the bonus FAR regulations and how they are interrelated with other land use issues such as improving affordable housing and transfer of development rights programs; and
- **WHEREAS**, the Planning Commission discussed Ordinance No. 2020-16 on June 25 and July 9, 2020 and made additional recommendations on revising BIMC 18.12.030.E; and
- **WHEREAS**, the Planning Commission recommends retaining and revising Subsection E.1.a and eliminating all other provisions related to obtaining Bonus FAR; and
- **WHEREAS**, the Planning Commission recommends that Subsection E.2, related to obtaining Bonus FAR through the City's Transfer of Development Rights (TDR) program, be deleted at this time and reconsidered at a later date as part of updating the TDR program; and
- **WHEREAS**, the Planning Commission recommends moving Subsection E.6 Historic Structure provisions to BIMC 18.24 Historic Preservation and to BIMC 18.12.050; and
- **WHEREAS**, the Planning Commission recommends that the City pursue eliminating the Bonus FAR provisions related to the Islander Mobile Home Park and selling its unused residential FAR, if legally and economically feasible; and
- **WHEREAS**, on August 25, 2020 the City Council approved Ordinance No. 2020-20 extending the interim zoning control on the City's bonus FAR program for six additional months; and
- **WHEREAS**, the Planning Commission continued discussion of, Ordinance No. 2020-16 revising the Bonus FAR Program on September 10, 24, and October 8, 2020; and
- **WHEREAS**, the Planning Commission recommends adoption of Ordinance No. 2020-16 as an interim measure while the City Council, the Planning Commission and Planning Staff address broader revisions to the zoning code, including base FAR and whether to replace it with other measures such as form-based zoning; and
- **WHEREAS**, in recommending Ordinance No. 2020-16 as an interim ordinance, the Planning Commission recommends that the ordinance should sunset or end after 2 years; and

**WHEREAS**, on November 17, 2020 the City Council discussed Ordinance No. 2020-16, the current amendments to the City's bonus FAR program recommended by Planning Commission together with representatives from the Planning Commission, and the City Council provided policy guidance to the Planning Commission on outstanding policy questions, including directing the City Manager to contact Islander Mobile Home Park regarding potential purchase of its floor area ratio by the City; and

**WHEREAS**, on November 19, 2020, the Planning Commission discussed the City Council feedback from November 17 and indicated that the City could move forward with Ordinance No. 2020-16 without any changes to BIMC 18.12.030.E.1.b related to Islander Mobile Home Park FAR; and

**WHEREAS**, on February 23, 2021, the City Council approved Ordinance No. 2021-09 extending the interim zoning control ordinance related to Floor Area Ratio ("FAR") density bonus options (Ordinance Nos. 2020-10 and 2020-20) for six additional months, to allow time to complete work on Ordinance No. 2021-10 (formerly Ordinance No. 2020-16); and

**WHEREAS**, after holding and closing a public hearing on XXXX, 2021, the Commission recommended of approval of Ordinance No. 2021-10 to the City Council; and

**WHEREAS**, notice was given on XXXX, 2021, to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

**WHEREAS**, the City Council considered Ordinance No. 2021-10 at its meeting on XXXX, 2021; and

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

**Section 1.** Table 18.12.020-3 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

**Section 2.** Section 18.12.030.E of the Bainbridge Island Municipal Code is hereby amended to read as follows:

#### BIMC 18.12.030

E. Bonus Density to incentivize affordable housing in Winslow Mixed Use and High School Road Districts. Eligible properties that include affordable housing may increase FAR achieve a maximum level of development above the base FAR, as provided for in Table 18.12.020-3, by using one, or a combination of, the following FAR bonus provisions. The FAR bonus provisions may be combined to achieve the maximum level of development established for each district. In no case shall the total commercial, residential or mixed use FAR exceed the maximum FAR as provided for in Table 18.12.020-3.

#### 1. Optional Affordable Housing.

FAR Bonus. Up to 100 percent of the maximum residential FAR bonus <u>must may</u> come from providing affordable housing as defined in Chapter 18.36 BIMC; provided, that the difference between the base residential FAR and the maximum residential FAR shall be dedicated to affordable housing. A portion of the total floor area that is of common use and benefit to the entire residential development (for example, interior halls, stairwells, laundry rooms, exercise rooms) may be included in the calculation of the affordable housing component. This portion shall be the same percentage as the affordable housing provided. For example, if 20 percent of the living unit floor area is for affordable housing, then 20 percent of the common floor area may be included in the total affordable housing calculation. Development of the optional affordable housing shall be in accordance with Chapter 18.21 BIMC and Table 18.12.030.

**Table 18.12.030: Optional Affordable Housing Bonus Summary Table** 

Size of Development	Residential development less than 10,000 sq. ft.	Residential development of 10,000 sq. ft. but less than 60,000 sq. ft.	Residential development more than 60,000 sq. ft.
Affordable Housing FAR Bonus	Must provide 100 percent of bonus square footage for extremely low, very low, or moderate income groups.	Must comply with following ratios:  (a) 100 percent of bonus for all moderate; OR  (b) 0.2 of bonus for extremely low, very low, or low income groups;  0.5 of bonus for moderate income group; and  0.3 of bonus for middle income group.	Must comply with following ratios:  0.1 of bonus for extremely low, very low or low income groups;  0.6 of bonus for moderate income group; and  0.3 of bonus for middle income group.

- b. Preservation of the Islander Mobile Home Park. Preservation of the Islander Mobile Home Park as an existing park site for manufactured homes shall be encouraged through the following provisions.
  - i. Unused FAR from the parcel on which the mobile home park is located may be transferred to another parcel or parcels within the Mixed Use Town Center. For example, the base FAR for the mobile home park would be calculated, less the FAR of the mobile homes. In exchange for permanently preserving the mobile home park, the owner of the property may transfer the unused FAR to another parcel or parcels in the Mixed Use Town Center, where it may be used as bonus FAR above the base FAR for that district.
- ii. Permanent preservation of the mobile home park may be used as an affordable housing bonus on another parcel or parcels within the Mixed Use Town Center. For example, in exchange for preserving the mobile home park, the owner of the property would be deemed to have met the affordable housing bonus provisions of subsection A.1 of this section, and could achieve the maximum FAR bonus for residential development on another parcel or parcels in the Mixed Use Town Center. The owner of the mobile home park may either apply the FAR bonus to another parcel(s) he or she owns, or transfer or sell the bonus to another property owner in the Mixed Use Town Center.
- 2. Purchase of Development Rights. Up to 100 percent of the maximum residential, commercial or mixed use FAR bonus may come from the purchase of development rights asprovided for in Chapter 18.27 BIMC. The cost of development rights shall be established by resolution of the city council.
- 3. Public Amenities and/or Infrastructure. At the applicant's option, a portion of the bonus may be earned through the provision of public amenities, infrastructure, and/or preservation of a heritage tree(s) on site, pursuant to an adopted city council resolution clarifying the amount of credit awarded for different provision of different public amenities and/or infrastructure, as follows:
  - a. Up to 40 percent of the maximum residential, commercial or mixed use FAR bonus may come from monetary contributions toward public amenities and/or infrastructure beyond that required for SEPA mitigation. The amount of the contribution shall be established by resolution of the city council. Funds contributed to the public amenities and/or infrastructure shall be used exclusively in the Mixed Use Town Center or High School

Road districts, for projects identified in the six-year capital facilities program, or approved by the city.

b. In lieu of the contribution of funds as provided for in subsection E.3.a of this section, and subject to approval by the director or designee, the public amenities FAR bonus may be achieved by the preservation of a heritage tree(s) on site, construction of public amenities and/or infrastructure beyond that required to mitigate the impacts of development. Public amenities and/or infrastructure projects shall be located in the Mixed Use Town Center or High School Road districts, and shall be chosen from projects identified in the six year capital facilities program, or approved by the city.

4. Community Open Space. In the ferry terminal district, up to 60 percent of the maximum residential, commercial or mixed use FAR bonus may be achieved by providing community open space of one acre, or 20 percent of the parcel area, whichever is greater. The community open space shall be located in or in the immediate vicinity of locations identified in Figure 4.1 of the Winslow master plan. The open space must be located on the same parcel that is being developed, and must be on land that would be otherwise buildable. Adequate public access to the community open space must be provided. The city shall consider approving the bonus, taking into consideration the configuration, public use and accessibility of the proposed open space. In cases where a development project utilizes the community open space bonus provision in conjunction with the purchase of development rights bonus provision, all funds collected from the purchase of development rights shall go toward the preservation of agricultural lands fund.

5. Winslow Town Center Mixed Use/High School Road FAR Transfers. Up to 20 percent of the maximum residential, commercial or mixed use FAR bonus may come from transfers of FAR from parcels within the Mixed Use Town Center and the High School Road districts. The transfer shall create permanent open space through open space preservation covenants on sending parcels that contain critical areas as defined in Chapter 16.20 BIMC. For example, development potential in the ravine of the gateway district may be shifted to the upland area; provided, that the requirements of Chapter 16.20 BIMC are satisfied.

6. Historic Structure Preservation. When an historic structure is preserved on site, the FAR of that historic structure shall not be included in the calculation of total FAR for the site. The historic structure must be included on a state, local or federal register.

27. Ferry-Related Parking. In the ferry terminal district, an additional 0.2 FAR may be

achieved by relocating existing legal surface ferry commuter parking on site (as shown on Figure 6.2 of the Winslow master plan) to under-building or below-grade parking. The percentage of the additional FAR that is achieved shall be dependent upon the percentage of parking that is relocated. For example, if 50 percent of existing surface ferry commuter parking on site is relocated under-building or below grade, then 50 percent of the total additional FAR (or 0.1 FAR) may be achieved.

**Section 3.** Section 18.12.050 of the Bainbridge Island Municipal Code is hereby amended to read as follows:



G. Floor Area Ratio (FAR). "Floor area ratio" is a figure that expresses the total floor area as a multiple of the lot area. This figure is determined by dividing the floor area of all buildings on a lot by the lot area prior to removal of lot area for dedication. Portions of parking located underneath a building footprint are not counted in floor area ratio calculations. When an historic structure is preserved on site, the FAR of that historic structure shall not be included in the calculation of total FAR for the site. The historic structure must be included on a state, local or federal register.

**Section 4.** Section 18.24.010 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

C. Zoning Code Relief. Designated local register properties may be authorized for a use not otherwise permitted in a certain zone. The planning director may approve said use through an administrative conditional use (BIMC <u>2.16.050</u>). The planning director may also waive or modify development standards such as: setbacks, open space, lot coverage, landscape buffers and parking requirements. When an historic structure is preserved on site, the FAR of that historic structure shall not be included in the calculation of total FAR for the site. The historic structure must be included on a state, local or federal register.

**Section 5.** Section 18.27.040 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

18.27.040 Receiving areas for development rights.

A. Winslow Mixed Use Town Center and High School Road Districts. Developments in the Mixed Use Town Center (MUTC) and the High School Road districts are eligible for increases in floor area ratio as provided for in BIMC 18.12.030.E.1.

B. NC Districts. The neighborhood centers (NC) are eligible for increased density through the purchase or transfer of development rights in accordance with BIMC 18.12.030.D.1 and D.3, as amended.

C. R 8 Districts. The urban single family overlay district (R-8SF) is eligible for increased density through the purchase or transfer of development rights for specified lots in the R-2.9, R-3.5, and R-4.3 zone districts.

**Section 6.** Section 18.27.080 of the Bainbridge Island Municipal Code is hereby repealed as follows:

18.27.080 Use of development rights in Mixed Use and High School Road districts.

A. In order to use development rights to increase floor area ratio within the Mixed Use Town Center or High School Road districts as provided in BIMC 18.12.030.E, an applicant must\_out an application in a form approved by the city. The application shall include the amount of the requested increase in floor area ratio, and the fee, if any, of the increased floor area ratio. The fee for development rights to increase floor area ratio shall be established by resolution of the city council.

B. The approved application to utilize development rights to increase floor area ratio within the receiving area must be part of a site plan and design review application under BIMC Title 2. The site plan must indicate the increase in floor area ratio (FAR).

C. The use of development rights shall be reviewed for conformance with <u>the</u> design review provisions of BIMC 18.18.030.

day of

2020

**Section 7.** the amendments to the Bainbridge Island Municipal Code approved by Ordinance 2020-16 on [INSERT DATE] will sunset or end after 2 years, [INSERT SUNSET DATE].

**Section 8.** 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

THEOLE BY THE CITY COCYCII		, 2020.
APPROVED BY THE MAYOR this	day of	, 2020.
	Leslie Schneider, Mayor	
ATTEST/AUTHENTICATE:		
Christine Brown, City Clerk		
FILED WITH THE CITY CLERK:	XXX, 2020	
PASSED BY THE CITY COUNCIL:		
PUBLISHED:		
EFFECTIVE DATE:		
ORDINANCE NUMBER:	2020-16	

ZONING DISTRICT	Winslow Mixed Use Town Center					
DIMENSIONAL STANDARD	Central Core Overlay	Madison Avenue Overlay	Ericksen Avenue Overlay	Gateway Overlay	Ferry Terminal Overlay [See BIMC <u>18.12.030</u> .C]	HSR I and II
Basic Maximum						
Commercial and Other Nonresidential Uses	0.6	0.4	0.3	0.15	0.1	0.3
Residential	0.4	0.4	0.3	0.5	0.4	0.3
Mixed Use [2]	1.0	0.5	0.5	0.5	0.5	0.3
Maximum with Bonus	Bonus densities require compliance with BIMC 18.12.030.E					
Commercial and Other Nonresidential Uses	1.0	0.6	0.6	0.3	0.2	0.6
Residential	1.0	0.6	0.6	1.0	1.1	0.6
Mixed Use [2]	1.5	1.0	1.0	1.0	1.3 (1.5 pursuant to note [3])	1.0

- [1] If the existing FAR for a developed property as of May 21, 1998, is higher than the base FAR for that district, then the existing FAR will be considered the base FAR for that developed property. Total FAR may not be exceeded.
- [2] In mixed use development, the established FAR in the residential and commercial components shall not be exceeded. For the residential FAR bonus provisions for qualifying housing design demonstration project, refer to the bonus density provisions in BIMC <u>2.16.020</u>.S.8.
- [3] In mixed use development in the ferry terminal district, an additional 0.2 FAR is permitted in accordance with BIMC <u>18.12.030</u>.E.7. The additional FAR may be applied to either the residential or commercial component of the mixed use development.



### City Council Regular Business Meeting Agenda Bill

BAINBRIDGE ISLAND MEETING DAT	<b>E:</b> February 9, 2021	ESTIMATED TIME: 20 Minutes		
AGENDA ITEM: (7:50 PM) Revise Governance Manual - Mayor Nassar,				
SUMMARY: The City Council will discuss Mayor's Nassar's proposed revisions to the Governance Manual.				
AGENDA CATEGORY: Discussion PROPOSED BY: City Council				
<b>RECOMMENDED MOTION:</b> I move to approve the changes to the Governance Manual as described in Mayor Nassar's proposal.				
STRATEGIC PRIORITY: Good Governance				
FISCAL IMPACT:				
Amount:				
Ongoing Cost:				
One-Time Cost:				
Included in Current Budget?				
BACKGROUND:				

### BACKGROUND:

### ATTACHMENTS:

**Proposed Changes to GM246.docx** 

<u>Duties of the Chair .docx</u>

**FISCAL DETAILS:** 

Fund Name(s):

Coding:

### 2.4.6 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.

The council agenda belongs to the council and it is their responsibility for preparing the agenda. For practical reasons, much of this responsibility may be delegated to the city manager or their designee.

The mayor, deputy mayor and up to one other councilmember should meet regularly to develop a preliminary agenda, in consultation with the city manager. The two non-mayor members should be regularly rotated through the remaining six council members so as to maximize equitability in agenda-setting duties. The position of deputy mayor shall be rotated on a six month basis, and the third member rotated more frequently, and with an emphasis on providing an opportunity for those who have not yet served as deputy mayor or mayor an opportunity to learn about and participate in agenda-setting, and also to achieve accountability and follow-through on items of particular importance to (e.g., sponsored by) individual councilmembers.

The city manager shall maintain a running list of time-sensitive agenda items requiring council action, and identifying which proposed agenda items have a time-sensitive legal requirement (e.g. a public hearing), which have administrative time-sensitivity and which can be deferred to a later date.

Items not requiring council action, such as presentations, updates, and items of general interest to the public shall be held at administrative debriefing meetings that council members have the option of attending and asking questions. These meetings will be communicated to the public through live streaming and video recordings that are posted to the City's website so they can be viewed in a timely manner by councilmembers and members of the public unable to attend in real time.

Agenda items for study sessions shall generally be reserved for subjects that have been determined by the agenda-setting team to require extended council deliberation and input.

The agenda-setting team shall work to limit expected meeting lengths to no more than two hours, with a maximum of three hours for exceptional circumstances.

Items may be added to an agenda as described below:

- The agenda-setting team shall maintain a list of agenda items proposed by councilmembers. That list shall be included as an item in the "Future Council Agendas" section of council meetings. During this point in the meeting, the councilmember(s) proposing the item may ask the council to consider additional action on the item, such as referring to committee, placing on a future council agenda, discussing during "good of the order", etc.
- 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.

#### 2021 Duties of the Council Chair ("Mayor")

#### **Duties of chair**

It is the duty of the chair to:

- Follow Robert's Rules of Order (latest edition) except as modified through council rules (suggestion for Council: simplify Governance Manual).
  - o For additional guidance, the chair shall refer to Jurassic Parliament website, the MRSC website and the November, 2020 city council study session on parliamentary procedure.
  - o Maintain civil debate at all times, consistent with Robert's Rules of Order.
    - § Focus council discussion on policies, not personalities.
    - § Prevent ad hominin or personal attacks.
      - · Personal attacks are statements that refer to the character, motives or personal feelings a council member may have about another council member.
      - If personal attacks occur, the meeting chair shall immediately intervene and redirect discussion to policy matters. If that is unsuccessful, the chair shall call for a 5-minute recess. If that is unsuccessful in stopping personal attacks, the meeting shall be adjourned.
  - o Frame debates around motions.
    - § Discussion of items prior to the making and seconding of a motion shall be minimized, except for the introduction of the motion by the sponsor.
- Designate a parliamentarian who is a member of the council. Otherwise, the Chair (mayor/deputy mayor) is the parliamentarian. The City Attorney is not the parliamentarian.
- · Model ethical standards established by the Ethics Program by disclosing all potential conflicts of interest.
  - o All council members shall disclose any potential conflicts of interest on matters coming before the council and shall do so publicly, consistent with the Ethics Program.
- Ensure equal access to information by all council members.
  - o To the extent possible, all agendas items shall describe the point of origin or sponsor, and legislative history and supporting documentation.

#### **Distribution of Council Chair Powers**

- The mayor shall have a term-limit of no longer than one year, shall preside over business meetings and may delegate such authority to another council member.
- The deputy mayor shall have a term-limit of no longer than six months, shall preside over all non-business meetings and may delegate such authority to another council member.
- The mayor shall be referred to as the "council chair" and the deputy mayor as "deputy chair" except where state law requires the use of the term mayor or deputy mayor. In general, the use of the term "mayor" or "deputy mayor" should be avoided except when necessary.

- Mayoral powers shall be distributed to the rest of the council whenever possible. In practice, this means:
  - o The philosophy of the chair shall be one of inclusion and collaboration in decision-making at all levels; exclusivity and hierarchical decision-making practices should be avoided
  - o Distributing responsibility for the selection of citizen committee members,
  - o Serving on committees and representing the City for ceremonial purposes,
  - o Setting council agendas
- Items on council agendas should be approved by the council at an earlier meeting.
- Up to 3 council members including the mayor and/or the deputy mayor or their designees shall work in coordination with the city manager to finalize council agendas TBD.

#### Efficient use of council time

- The council agenda committee shall design council business meeting agendas so that meetings last no longer than 3 hours and adjourn no later than 9 pm.
  - o Council meetings should average between two-three hours, consistent with typical averages of other governments in Kitsap County.
  - o Unfinished business items at the end of a meeting, shall carry forward to the next regularly scheduled business meeting, or by vote of the council, to a special meeting prior to the next regularly scheduled business meeting.
  - o Time-consuming agenda items shall be referred to an ad hoc committee TBD.
  - o Council agenda shall not include a Mayor's Report.
  - o Clarify purpose of study session and business meeting and adhere to those purposes in setting of agendas.
- Council debriefing meetings established TBD.
  - o For example, staff presentations shall be confined to council debriefing sessions that shall occur outside the council business meetings, preferably on the day of or day prior to council business meetings, similar to the city of Seattle.
  - o With consent of the council, staff presentations may also occur during study sessions, but shall generally be brief.
- · City Manager works for council (and the people they represent), not vice-versa.
  - o The primary purpose is to focus on council policy discussion and required administrative approvals, and to provide direction to staff.
  - o Meetings are centered around council debate with staff available to answer questions, not to present.
  - o The council shall set their agenda, with advice from the City Manager.
- The origination or sponsorship of all Ordinances, Resolutions and Motions shall be stated in council agendas.
  - o Council members are encouraged to develop ordinances and resolutions and may request staff support, subject to approval of the council.



### City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes

**AGENDA ITEM:** (8:10 PM) Ordinance No. 2021-01 Amending Chapter 20.04 BIMC Relating to City Fire Code - Public Works,

**SUMMARY:** Ordinance No. 2021-01 amending Chapter 20.04 BIMC is necessary to be in compliance with recent changes to the Washington State Fire Code. Those changes include updating certain provisions and implementing other provisions that address recommendations made by the Utility Advisory Committee on fire flow and fire hydrants.

AGENDA CATEGORY: Ordinance PROPOSED BY: Public Works

**RECOMMENDED MOTION:** I move to forward Ordinance No. 2021-01 for consideration of approval with the February 23, 2021 consent agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:	
Amount:	N/A
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

**BACKGROUND:** Every 3 to 5 years, the State of Washington updates the State-adopted Fire Code. The updated code is required to be reflected at the local level as well as providing an opportunity for localities to include modified local code updates. During this adoption cycle, a number of minor grammatical changes as well as several language clarifications and general clean-up are being proposed to provide for clarity and ease of use.

In addition, the Bainbridge Island Fire Department, City Public Works Department, and the Utility Advisory Committee (UAC) have agreed on a number of revisions pertaining to fire flow and fire hydrants. These provisions address the recommendations made by the UAC in their memo to the City Council dated May 9, 2018 (attached) and represent the substantive changes being proposed in this ordinance. A brief summary of those changes are as follows:

- Clarification of fire flow requirements for one and two-family dwellings;
- A simplified method of applying the fire flow requirements for new development and standards that are sensitive to the limitations of small water systems, and that where possible, match the standards applied in the remainder of Kitsap County;
- Clarification of water line requirements for City-owned and other public or private water systems; and
- Initiating a map of water infrastructure (public and private).

### ATTACHMENTS:

Fire Code 2021 Slides 020921.pptx

UAC Fire Code Memo 050918.pdf

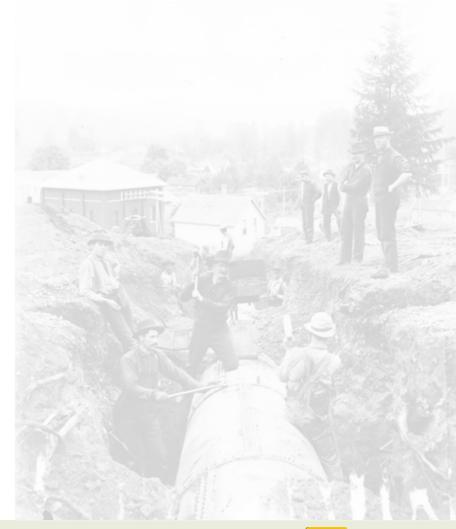
Ordinance No 2021-01 Updating City Fire Code.docx

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

City Fire Code Update Ordinance No. 2021-01 February 9, 2021





City Fire Code located in BIMC Title 20

Updated in conjunction with State Building Code Council adoption of State Fire Code ~ every 3 years

Washington State adopts latest edition of International Fire Code published by the International Code Council

Previous recent updates by City Council to correspond with State adoptions:

- 2010 (IFC 2009 ed.)
- 2013 (IFC 2012 ed.)
- 2016 (IFC 2015 ed.)



### City Fire Code Update Objective 1:

- Reflect new edition (2018) adopted by the State of Washington (goes into effect February 1<sup>st</sup>, 2021)
- Correlate, clarifications, and clean up of existing language
- Provide new section to allow fire protection system maintenance companies to submit annual inspection reports directly to Fire Marshal's Office

### City Fire Code Update Objective 2:

- Address Utility Advisory Committee recommendations on fire flow and fire hydrants
- Significant modifications to provide clarity and ease of use
- Changes reviewed and supported by Utility Advisory Committee

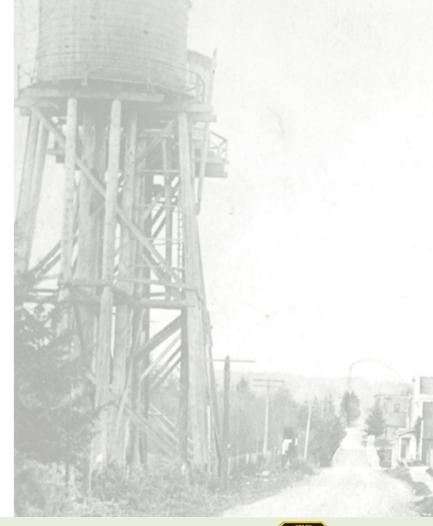


### City Fire Code Update Objective 2 (cont'd):

- Clarifies differences between City-owned water systems and other public and/or private-owned water systems providing fire flow
- Standardizes basic system requirements for fire flow delivery
- Clarifies and simplifies application of fire flow requirements.



# **Questions / Discussion**







# CITY OF BAINBRIDGE ISLAND MEMORANDUM

TO:

City Council

FROM:

**Utility Advisory Committee** 

DATE:

May 9, 2018

SUBJECT:

Recommendations on Fire and Other Municipal Codes Impacting Island Water

Systems

### Background

The COBI municipal code sections applicable to water systems understandably focuses on the City owned systems. Today's code is likely a holdover from when Winslow was the City. Today, there are 28 Class A<sup>1</sup>water systems on the island (two are owned by COBI and four owned by Kitsap Public Utility District) and approximately 155 Class B<sup>2</sup> water systems.

In 2016 the Utility Advisory Committee responded to concerns that small rural water systems were forestalled from upgrading due to interpretation of the BIMC and construction requirements by recommending the inclusion of a policy in the Utility Element of the Comprehensive Plan to encourage cost effective upgrades of water systems to improve both water quality and possibly fire flow.

The City Council thereafter adopted the following Policy as part of the Utilities Element of the Comprehensive Plan:

Policy U11.5: Adopt standards that differentiate between urban and non-urban density fire flow requirements. A differential policy is needed to promote cost effective water system upgrades by the many small water systems on the island.

In 2017, the City Council added implementation of this policy to the UAC's work plan. Accordingly, a subcommittee of the UAC began research on governmental regulations of upgrades of water systems serving single family residences in an effort to develop the standards and /or policy that would accomplish the goals of Policy U11.5.

The subcommittee's research included review of the current COBI Fire Code and other relevant City codes, review of fire codes from other jurisdictions, meetings with Bainbridge Island Fire Marshal Luke Carpenter, the Fire Marshal of Kitsap County, KPUD, City staff, and managers of various small water systems, and discussions with the Public Works Department regarding the City's Design and Construction Standards.

The subcommittee's research uncovered the following findings:

1) Water systems upgrades and improvements are subject to COBI's Fire Code, The City's Right of

<sup>&</sup>lt;sup>1</sup> Having 15 or more connections or serving public schools.

<sup>&</sup>lt;sup>2</sup> Having 3 to 14 connections.

Way Design and Construction Standards, and regulations contained in the Washington Administrative Code and promulgated by the Department of Ecology and the Department of Health's Office of Drinking Water.

- 2) There appears to be a differential review process by the City of Bainbridge Island with regard to water system projects. What governs the review process seems to be determined by:
  - a) Whether the system is owned by the City or one of the independent water purveyors such as KPUD,
  - b) Whether the water system construction/extension is in response to a building permit for new or remodeled structures, and
  - c) Whether the work will be performed in the City's right-of-way or private property.
- 3) BIMC sections that address water systems are:
  - a) BIMC Title 13, chapters 13.08, 13.10, 13.18, and 13.20 Public Services –Water Codifies the policies and procedures of presumably the City owned water systems.
  - b) BIMC Title 20 Fire Code Codifies requirements for buildings not water systems
  - e) BIMC Design and Construction Standards, sections 10-15 Codifies construction practices and specifies materials for water system infrastructure in the city right-of-way.
- 4) BIMC Title 13 appears to apply to only City-owned water systems while Title 20 of the Fire Code applies to the entire Island. However, there are 11 references in Title 20 to Title 13. It is therefore unclear whether specific chapters of 13 that are referenced in Title 20 of the code apply to non-city systems.
- 5) Amendment B 105.1 of the COBI Fire Code,<sup>3</sup> section 20.04.110, provides the foundation for fire flow requirements for one and two family dwellings of 3600 square feet or smaller at a rate of 1,000 gallons per minute. The section then provides various exceptions which are intended for construction where the mandated flow is not available. While the section does not provide for a required time period, the IFC code as adopted specifies one hour. Thus, this Code, by reference, implies a requirement that water systems have a fire flow storage capacity of 60,000 gallons.
  - In Addition to fire flow storage, the Department Health's Office of Drinking Water requires a water system to have sufficient water storage to provide for peak day service during an event.
- 6) The Design and Construction standards outlined in section 10-15 for the installation of water systems in the City Right-of-Way are extensive and appear to have been originally written for extensions to the Winslow system. However, as currently written, these standards can be construed to apply to independent water systems creating an undue burden on smaller systems outside of the City's Winslow core.

<sup>&</sup>lt;sup>3</sup> Based on the International Fire Code

- 7) Achieving the requirements of the fire code and the right-of-way code, as written, along with other jurisdictional codes may result in water system upgrade designs that are cost prohibitive for many of the water systems on the island. As a result, aging water systems may find the financial and physical requirements beyond their capacity. The unintended consequence of the current regulations may actually be impeding implementation of water quality and fire flow improvements and disaster preparedness.
- 8) Kitsap County's Fire Code amends the International Fire Code, the basis for all fire codes including COBI's Fire Code, to reduce the required fire flow requirements to 500 gallons per minute for 30 minutes. Apparently, many other communities do the same, and this standard is also contained in the Washington Survey and Ratings Bureau standards. This standard reduces the required fire flow storage to 15,000 gallons.
- 9) Based on discussions with the Fire Marshal and Public Works director, there is not currently an expectation that independent water systems comply with the standards as strictly interpreted.
- 10) While the current COBI Fire Code does not on its face provide for water systems to depart from the 1000 GPM fire flow standard based on size or capacity, former Fire Marshal Luke Carpenter used his discretion, as authorized under section B 103.1 of the IFC, to provide a more pragmatic and reasonable approach for single family residences under 5000 square feet. He permits construction of such a structure if the serving water system can provide 500 gallons per minute and further requires sprinklers for houses over 5000 square feet.
- 11) The Fire Department estimates that 40% of homes on Bainbridge island do not have access to a fire hydrant.
- 12) Pragmatically, the current governmental review process for water systems is different depending on whether the system is new, is connected to City, KPUD, or smaller preexisting water systems, or is served by an individual well. The level of City review is also affected by whether the water system work is to be performed in a City right of way.
- 13) When a water systems seeks to upgrade its facilities, there needs to be greater clarity and certainty about the review by the Planning Department, Public Works Department, and the Fire Marshal.

After drafting an initial proposal, the subcommittee had several meetings with the Utility Advisory Committee at large and with the Fire Marshals Carpenter and Moravec.

At these meetings the UAC and the Fire Marshals agreed that it would be useful to create a working group of various interested parties including representatives of Group A and B water systems and the Fire Marshal to focus on these issues so as to encourage better fire safety on the island. Also, there was a recommendation that a member of the City Public Works Department attend these meetings to assist with any questions regarding the City's Design and Construction Standards.

Fire Marshal Carpenter also noted that the International Fire Code is due to be revised in 2018 and by the City in 2019, and the working group could provide input about any and all issues that smaller water systems were encountering in following the fire and other municipal codes when upgrading their systems.

The objective of these meetings would be to work with the Fire Marshal and the Public Works

systems to improve water quality and fire flow where possible.

#### **UAC Recommendations:**

- 1. Assemble a working group of Group A and B representatives to discuss their concerns with the Fire Marshal and the city's Public Works department.
- 2. Clarify Code section BIMC 20.04.110 to reflect the Fire Marshal's actual current approach for residential construction. See Background #13 above.
- 3. Review and update the fire code standards that to provide clarity for both new developments and water systems seeking to upgrade their facilities.
- 4. Review and clarify Utilities and Right of Way uses section 10-15 water line requirements.
- 5. Review and provide clarity regarding BIMC 13 sections on water as to its impact, if any, on non-city owned systems.
- 6. Revise and map current and projected infrastructure to determine areas that can be upgraded.
- 7. Work with City staff, major water systems and the fire marshal to develop uniform water system standards for design, construction, and fire flow for island water systems. These standards need to be sensitive to the limitations of small water systems

Approved unanimously at the Utility Advisory Meeting of May 9, 2018

Co-Chair Andrew Maron

Jim Thrash

Nancy Nolan

**Emily Sato** 

Steve Johnson

**Ted Jones** 

Attachments: Excepts from Bainbridge Island Comprehensive Plan and Code sections of other jurisdictions

### Additional Comprehensive Plan Policies -

Policy U 11.6 - "Encourage and support water utilities to enter into cooperative activities, such as jointly managed operations, shared storage, and construction of interties, to manage water resources and systems more efficiently, economically, and safely."

And,

**Policy U 11.7** - "Encourage and facilitate consolidation of water systems, with particular emphasis on mergers of contiguous and small systems, to manage water resources and systems more efficiently, economically, and safely."

#### **Kitsap County**

Municipal Code B105.1 One – and two-family dwellings. The minimum fire-flow requirements for one- and two – family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.

Developments of 6 homes or less, not exceeding 3,600 sq. ft. are not required to provide fire flow.—(based on discussion with Morgan Johnson, general manager of Silverdale Water District)

# Mason County Interim Fire Flow Standards for Group A Public Water Systems, Existing Residential Development -

- Fire suppression storage shall based on a minimum of 500 gallons per minute (gpm) flow for 30 minutes duration, which equates to 15,000 gallons for fire protection, and is also consistent with stipulations in the State Water System Coordination Act. The minimum dedicated fire suppression storage volume at any time shall not be less than 15,000 gallons. This minimum would be in addition to other storage volumes required for public water systems under the state drinking water rules and design requirements.
- If water is provided from other sources for fire control purposes, the gallon requirements for fire storage requirement may be reduced by 25%.

King County recognizes a differential requirement based on the following:

17.08.030 Exemptions.

A. The following permits and approvals are exempt from the water flow and fire hydrant requirements of this chapter. These exemptions do not exempt any development from compliance with the requirements of state law.

1. Subdivisions and short subdivisions located outside an Urban Growth Area designated by the King County comprehensive Plan and that do not contain a lot less than thirty-five thousand square feet in size.

4. Building permits for structures that:

- a. do not exceed two-thousand-five hundred square feet in floor area (excluding garage);
  - b. are served by a Group B water system; and

c. are located outside an Urban Growth Area.

- 5. Building permits for structures that exceed the two-thousand-five hundred square feet limit provided for in subsection A.4.a. of this section, but comply with subsection A.4.b. and c. of this section, shall be exempt from this chapter if the fire marshal determines that the project will not create a substantial fire hazard.
- B. The fire marshal shall have the authority to impose conditions including, but not limited to, increased setbacks, use of fire retardant materials or sprinkler system requirements on permits exempt under subsection A. of this section where necessary to mitigate identified fire hazards.

Thurston County exempts private water systems from meeting the code as flows:

Thurston County 14.32.110 - Section 507 amended—Fire protection water supplies.

International Fire Code sections 507.1, 507.2, 507.3 and 507.5.1 are amended, and section 507.6 is added to read as follows:

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed, or are converted from a single/two family dwelling or townhome to a non-residential use, or are substantially improved or moved into or within the jurisdiction. Exceptions:

1, Group U Occupancies.

2. Private residences, townhouses and their accessory structures not served by a municipal water supply. However, if a municipal water system supplies hydrants for group R-3 and U occupancies, the hydrants shall comply with Appendix C as amended by Thurston County. (Group A and B water systems are not considered municipal water supplies)

#### ORDINANCE NO. 2021-01

**AN ORDINANCE** of the City of Bainbridge Island, Washington, relating to the fire code; amending Sections 20.04.010, 20.04.030, 20.04.040, 20.04.050, 20.04.080, 20.04.090, 20.04.100, 20.04.110, 20.04.140; adding a new Section 20.04.095; and repealing Section 20.04.120 of the Bainbridge Island Municipal Code.

**WHEREAS**, the Washington State Building Code Council amended and adopted the 2018 International Fire Code; and

**WHEREAS**, the City of Bainbridge Island is required by Chapter 19.27 RCW to adopt provisions of the fire code and related regulations as adopted by the Washington State Building Code Council; and

**WHEREAS**, pursuant to Chapter 51-50 WAC, this new code becomes effective February 1, 2021; and

**WHEREAS**, the Bainbridge Island Fire Department has worked with the City's Public Works Department and the Utility Advisory Committee to address recommendations related to fire flow and fire hydrant requirements; and

**WHEREAS**, the City Council desires to further amend the City's fire code provisions in Chapter 20.04 of the Bainbridge Island Municipal Code, as recommended by the Bainbridge Island Fire Department.

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

**Section 1**. Section 20.04.010 of the Bainbridge Island Municipal Code ("BIMC") is hereby amended to read as follows:

#### 20.04.010 Code adopted by reference.

The following codes are adopted by reference subject to the amendments set forth in BIMC 20.04.010 through 20.04.140:

A. The International Fire Code, 2015 2018 Edition, published by the International Code Council, and as amended as set forth in Chapter 51-54A WAC, and adopted by the State Building Code Council, with the addition of the following appendices:

Appendix B (Fire Flow Requirements) as amended in BIMC 20.04.110, Appendix C (Fire Hydrant Locations and Distribution) as amended in BIMC 20.04.120, Appendix D (Fire Apparatus Access Roads) as amended in BIMC 20.04.130, Appendix E (Hazard Categories), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids –

Weight and Volume Equivalents), Appendix H (Hazardous Materials Management Plan (HMMP), and Appendix N (2015 Wildland and Urban Interface Code) as amended in BIMC 20.04.140, and Hazardous Materials Inventory Statement (HMIS) Instructions), and Appendix I (Fire Protection Systems-Noncompliant Conditions) (the "International Fire Code").

B. The International Wildland Urban Interface Code, 2018 Edition, as published by the International Code Council, and as amended as set forth in Chapter 51-54A WAC, and adopted by the State Building Code Council, as amended in BIMC 20.04.140.

**Section 2.** BIMC 20.04.030 is hereby amended to read as follows:

#### 20.04.030 Amendments to Section 108 109.

Section 108 109 of the International Fire Code is amended to read as follows:

SECTION <del>108</del> 109

108.1 109.1 Appeals.

- A. General. Except for civil infractions, misdemeanors and civil penalties imposed pursuant to BIMC 20.04.040, the fire chief of the Bainbridge Island Fire Department and city hearing examiner shall have the authority to hear and decide appeals of orders, decisions and/or determinations made by the fire code official relative to the application and interpretation of the city fire code.
- B. Review by Fire Chief. A person or entity that is directly affected by an order, decision and/or determination made by the fire code official may request that the fire chief review said order, decision and/or determination. Any request for review must be submitted to the fire chief within 14 calendar days of issuance of the order, decision and/or determination. The request shall state the grounds for the review and shall be filed with the fire chief. If no such request for review is filed within the required timeline, the order, decision and/or determination of the fire code official shall be final.
- C. Appeal. The decision of the fire chief regarding any request for review may be appealed to the city hearing examiner within 14 calendar days of issuance of said decision. The appeal must be filed with the city clerk and in accordance with

BIMC 2.16.020R. The appeal shall be considered in accordance with the process set forth in BIMC 2.16.020R. If no such appeal is filed within the required timeline, the decision of the fire chief shall be final.

- D. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of the city fire code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the city fire code do not fully apply or an equally good or better form of construction is proposed. The fire chief and/or hearing examiner shall have no authority to waive requirements of this code.
- E. Conflict. In the event and to the extent the language of this section conflicts with language of the codes and/or appendices adopted by reference in BIMC 20.04.010, the language of this section shall prevail over the language it conflicts with in any said code and/or appendix.

**Section 3.** BIMC 20.04.040 is hereby amended to read as follows:

### 20.04.040 Amendments to Section 109 110.

Section 109 110 of the International Fire Code is amended to read as follows:

SECTION 109 110

# **VIOLATIONS**

109.1 110.1 Unlawful aActs. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 110.2 Owner/Occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner or the owner's authorized agent. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

 $109.3 \ \underline{110.3}$  Notice of  $\underline{\underline{v}}\underline{V}$  iolation. When the fire code official (or designee) finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official (or designee) is authorized to prepare a written notice of violation

describing the conditions deemed unsafe and where compliance is not immediate, specifying a time for reinspection.

109.3.1 110.3.1 Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

109.3.2 110.3.2 Compliance with ΘOrders and nNotices. A notice of violation issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

109.3.3 Prosecution of vViolations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the city code enforcement official or prosecutor to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of the city fire code or of the order or direction made pursuant hereto.

109.3.4 110.3.4 Unauthorized <u>\*Tampering.</u> Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official. Any mutilation, destruction, tampering or removal of said signs, tags, and/or seals is unlawful and a violation of the city fire code.

### 109.4 110.4 Violation pPenalties.

A. Civil Infraction. Except as provided in subsection B of this section, conduct made unlawful by the city fire code shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC 1.26.035, including payment of a fine of not more than five hundred dollars (\$500.00) per violation for each day of noncompliance and payment of court costs. A civil infraction under this section shall be processed in the manner set forth in BIMC Chapter 1.26. Enforcement of this code and the imposition of penalties for violations of this code shall be by the Fire Code Official as provided for in BIMC Chapter 1.26.

- B. Misdemeanor. Any person who again violates this section within twelve (12) months after receiving a notice of infraction pursuant to subsection A of this section, commits a misdemeanor and any person who is convicted thereof shall be punished as provided in BIMC 1.24.010.A.
- C. Civil Penalty. In addition to any civil infraction fine, criminal penalty, and or other available sanction or remedial procedure, any person engaging in conduct made unlawful by the city fire code shall be subject to a cumulative civil penalty in the amount of \$1,000 per day for each violation from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC 1.26.090.
- D. Additional Remedies. In addition to any other remedy provided by this chapter or under the Bainbridge Island Municipal Code, the city may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply with any provision of this chapter to prevent, enjoin, abate, and/or terminate violations of this chapter and/or to restore a condition which existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of the city building code shall be liable for the costs and reasonable attorney's fees incurred by the city in bringing, maintaining and/or prosecuting such action.
- E. In the event and to the extent the language of this section conflicts with language of the codes and/or appendices adopted by reference in BIMC 20.04.010, the language of this section shall prevail over the language it conflicts with in any said code and/or appendix.
- F. 109.4.1 110.4.1 Abatement of \*Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

# **Section 4.** BIMC 20.04.050 is hereby amended to read as follows:

### 20.04.050 Amendments to Section 111.4 112.4.

Section 111.4 112.4 of the International Fire Code is amended to read as follows:

111.4 112.4 Failure to eComply. It is a violation of this code for any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

**Section 5.** BIMC 20.04.080 is hereby amended to read as follows:

### 20.04.080 Amendments to Section 503.

Section 503 of the International Fire Code is hereby amended to read as follows:

SECTION 503

### FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and <u>fF</u>acilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet where:

- 1. The building is equipped throughout with an approved automatic <u>fire</u> sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
- 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- 3. There are not more than two Group R-3 or Group U occupancies.

- 503.1.2 Additional <u>aA</u>ccess. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.
- 503.1.3 High-piled <u>sS</u>torage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter <del>23</del> 32.
- 503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.
- 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches, unless otherwise approved by the fire marshal of the Bainbridge Island Fire Department.

### Exceptions:

- 1. The width may be reduced in residential areas consisting of only single-family homes, providing the width is consistent with <u>pPublic wWorks Department</u> street standards and not less than a 12-foot-wide drivable surface.
- 2. Public streets shall be in accordance with Public Works Department street standards.
  - 503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.
  - 503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. (See also Appendix D Section D102.1.)
  - 503.2.4 Turning  $\pm \underline{R}$  adius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and eElevated sSurfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specification for Highway Bridges HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade of the fire apparatus access road shall be based on the fire department apparatus and be within the limits established by the fire code official.

503.2.7.1 Public Fire Apparatus Access Roadways. The grade of public fire apparatus access roads shall be in accordance with Public Works Department street Standards but shall not exceed the limits set forth in 503.2.7.2.

503.2.7.2 Private Fire Apparatus Access Roadways. The grade of existing private fire apparatus access roads shall not exceed 12%.

Exception: Private fire apparatus access roads where grades are greater than 12% but not exceeding 15% shall be paved, or in lieu of paving, shall have an automatic fire sprinkler system installed in any new structure. Grades exceeding 15% will require the fire apparatus access road to be paved, all new structures to be equipped with <u>an</u> automatic fire sprinkler systems, and special approval by the fire code official.

503.2.8 Angles of Approach and Departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE – TOW AWAY ZONE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are

designated shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. The property owner(s) of the designated fire lane shall have sole responsibility to install and maintain the required signs and markings. Where required, signs shall be 12 inches by 18 inches in size with white background and red lettering, securely attached to a fixed object or post. Signs shall be placed not less than four feet nor more than six feet above grade level. Where required, curbs shall be painted red on the sides and top with white lettering not less than four inches high at 30-foot intervals and read "No Parking Fire Lane – Tow Away Zone" if signs are not provided.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL325. Gatesintended

for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**Section 6.** BIMC 20.04.090 is hereby amended to read as follows:

20.04.090 Amendments to Section 507.3.

Repealed by Ord. 2016-13.

Section 507.2 of the International Fire Code is hereby amended to read as follows:

- 507.2 Type of Water Supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains, or other fixed systems capable of providing the required fire flow.
- 507.2.1 City-Owned Water Systems. City-owned water systems providing fire protection water supplies shall comply with the applicable requirements of this Code, and the applicable requirements of Title 13 of the Bainbridge Island Municipal Code.
- 507.2.2 Other Publicly-Owned or Privately-Owned Water Systems. All other publicly-owned or privately-owned water systems providing fire protection water supplies shall comply with the applicable requirements of this Code and requirements set forth by that respective water purveyor.
- 507.2.3 Water System Improvements. For all water systems providing fire protection water supplies, any alterations to the system shall not reduce the capability or capacity of the system as it is currently designed and installed.
- 507.2.4 Approvals Required. For all water systems providing fire protection water supplies, any alterations that result in changes to fire flow delivery and capacity shall be submitted to the Fire Department for review and approval prior to installation. Such alterations include but are not limited to tanks, pumps, water distribution lines, new pressure reducing valves, and fire hydrants and their locations.

Section 507.5 of the International Fire Code is hereby amended to read as follows:

- 507.5 Fire Hydrants. Fire hydrants shall comply with Sections 507.5.1 through 507.5.8
- 507.5.1 Where required. Fire hydrant locations and spacing shall conform to the following:
- 507.5.1.1 For new single-family dwellings and new subdivisions of land that are limited to single-family dwelling construction, a fire hydrant shall be within 1,000 feet of each structure located on a fire apparatus access road, as measured along an approved access roadway required for the fire department to lay fire hose or as required by the Fire Marshal.

### EXCEPTIONS:

- 1. <u>Single-family dwellings equipped throughout with an approved automatic fire sprinkler system.</u>
  - 507.5.1.2 For hydrants that supply fire flow for multi-family dwellings and commercial structures, the distance from a dwelling or structure to a hydrant shall be 400 feet; for dwellings or structures equipped with an approved fire sprinkler system, the distance shall be 600 feet to a hydrant.
  - 507.5.2 Outlets. Fire hydrants shall have a minimum five inch (5") main valve opening, two (2) two and one half-inch (2 1/2") outlets, and a four and one-half inch (4 1/2") steamer/pumper port with a four inch (4") one-quarter turn quick connect Storz adapter; such outlets and port shall have National Standard Threads.
  - 507.5.3 Installation. Fire hydrants shall stand plumb and be set to finished grade; the center of the lowest outlet shall be no less than eighteen inches (18") nor more than twenty-eight inches (28") above grade; there shall not be less than thirty-six inches (36") radius of clear area surrounding the outlets and control valve to permit the operation of a hydrant wrench; the steamer/pumper port shall face the street or, if there is no street, the most likely route of emergency approach.
    - 507.5.4 Hydrant painting. Fire hydrants shall be painted as follows:
    - A. Barrel: Any bright, highly visible color.
    - B. Tops: The required color for the tops of hydrants are as follows:

# **Top of Hydrant Color**

Gallons per minute of flow (gpm)	Color of top
<u>1,500 or more gpm</u>	<u>Blue</u>
<u>1,000 – 1,499 gpm</u>	<u>Green</u>
<u>500 – 999 gpm</u>	<b>Orange</b>
499 or less gpm	Red

507.5.5 Type. Flush-type hydrants are not allowed except under unusual circumstances, and then only with the specific approval of the Fire Marshal.

507.5.6 Roadway markers. Reflectorized standard blue hydrant identification markers shall be placed on any paved access roadway to identify each hydrant. Markers shall be placed on the side nearest the hydrant, six inches (6") from the center line of the access roadway.

507.5.7 Parking. No person shall park any vehicle within fifteen feet (15') of a fire hydrant, without specific approval from the Fire Marshal.

507.5.8 Water mains. New or replacement water mains which do or are intended to serve fire hydrants shall be not less than six inches (6") nominal diameter, provided minimum fire flow requirements are met.

**Section 7**. A new section is hereby added to Chapter 20.04 BIMC to read as follows:

# **20.04.095 Amendments to Section 901.6.3**

Section 901.6.3 of the International Fire Code is hereby amended to read as follows:

901.6.3 Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained and copies of such records shall be required to be submitted to the Fire Code Official by either the property owner or the entity performing the inspection.

**Section 8.** BIMC 20.04.100 is hereby amended to read as follows:

### 20.04.100 Amendments to Section 903.

Section 903 of the International Fire Code is hereby amended to read as follows:

903.2.13 Other automatic <u>fire</u> sprinkler system requirements. <del>Buildings within the city used for assembly, educational, industrial, institutional, mercantile, storage, office and multifamily dwelling purposes shall be equipped with fire protection systems. The plans for all such systems must be approved in advance of construction by the fire marshal. All sprinkler systems must meet the following minimum requirements:</del>

A. Sprinkler Systems Required.

- 1. A fully automatic <u>fire</u> sprinkler system designed, installed and tested pursuant to the current edition of NFPA 13, NFPA 13R, or NFPA 13D, as determined by the fire marshal, shall be installed in all new buildings in excess of <u>5,000</u> <u>3,600</u> square feet total floor area.
- 2. A fully automatic <u>fire</u> sprinkler system meeting the standards set forth in subsection A.1 of this section may be required by the chief of the fire district for any new

building in the city, when, in the judgment of the fire code official, any of the following conditions exist: hazardous operations, hazardous contents, critical exposure problems, limited accessibility to the buildings, or other items which may contribute to definite fire hazards.

- 3. All <u>fire</u> sprinkler systems installed after the effective date of the ordinance codified in this subsection shall be equipped with a leak detector meter which includes a double check valve assembly.
  - B. Conflicts. In the event that any provision of this section conflicts with any provision of the Building Code or the Fire Code as adopted by the city, the more stringent (greatest protection) provision shall apply.
  - C. Exceptions. The chief of the fire district and the city building official shall have the authority to grant exceptions to the provisions of this section. All such exceptions must be in writing and shall be granted only where the required installation of a <u>fire</u> sprinkler system or hose station would create a safety hazard. or cause damage to the building's contents.

# D. Existing Buildings.

- 1. Existing fully sprinklered buildings equipped with an automatic fire sprinkler system, when remodeled or added onto, shall retain the feature of being sprinklered equipped with an automatic fire sprinkler system in the remodeled or added on portion.
- 2. If, by expanding an existing building, the resulting total structure falls within the coverage of subsection A of this section, the entire structure shall be <u>fully sprinklered</u> <u>equipped with an automatic fire sprinkler system</u> as required in subsection A.1 or A.2 of this section, whichever may apply.
- 3. If a building permit is required in the remodeling of an existing structure of 5,000 3,600 or more square feet total floor area as described in 903.2.14, the entire structure shall be fully sprinklered equipped with an automatic fire sprinkler system as required in subsection A.1 or A.2 of this section, whichever may apply.

# **Section 9.** BIMC 20.04.110 is hereby amended to read as follows:

# 20.04.110 Amendments to Appendix B Section B105.1 and B105.2.

Section B105.1 of Appendix B to the International Fire Code is hereby amended to read as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings shall be not less than 500 gallons per minute (g.p.m.) for a minimum of 30 minutes from a fire hydrant within 1,000 feet as measured along an approved access roadway from the structure. having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1,000 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m²) shall not be less than that specified in Table B105.1.

# Exceptions:

- 1. When the structure complies with NFPA 1142. Areas zoned R 0.4 to R 1. If water is available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and is >500 GPM then the water line must be extended with hydrants consistent with Chapters 13.10 and 13.18 of the Bainbridge Island Municipal Code; or a fire sprinkler system must be installed in new dwellings. If water is not available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and/or is <500 GPM then a sprinkler system must be installed in new dwellings.
- 2. When the structure is equipped with an approved automatic fire sprinkler system. Areas zoned R-2. If water is available for fire fighting within 600 feet of the property line of the plat or P.U. D. and is >1000 GPM, the water line shall be extended with hydrants consistent with Chapters 13.10 and 13.18 of the Bainbridge Island Municipal Code. If water is available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and is 500—999 GPM then the water line must be extended with hydrants consistent with Chapters 13.10 and 13.18 of the Bainbridge Island Municipal Code; or a fire sprinkler system must be installed in new dwellings. If water is not available for fire fighting within 1000 feet of the property line of the plat or P.U.D.and/or is <500 GPM then a sprinkler system must be installed in new dwellings.
- 3. Areas zoned R2.9 to R-14 and all Commercial and Industrial Zones. If water is available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and is >1000 GPM, the water main shall be extended with hydrants consistent with

Chapters 13.10 and 13.18 of the Bainbridge Island Municipal Code. If water is available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and is 500—999 GPM, the water main shall be extended with hydrants consistent with Chapters 13.10 and 13.18 of the Bainbridge Island Municipal Code and a sprinkler system shall be installed in all new dwellings. If water is not available for fire fighting within 1000 feet of the property line of the plat or P.U.D. and/or is <500 GPM, then no development may take place until the previous protection requirements are met.

Section B105.2 of Appendix B to the International Fire Code is hereby amended to read as follows:

B105.2 Structures other than one- and two-family dwellings. The minimum fire flow requirements for structures other than one- and two-family dwellings shall be not less than 1,000 gallons per minute (g.p.m.) for not less than 1 hour from a fire hydrant within 400 feet as measured along an approved access roadway from the structure. Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.2 and B105.1(2).

### **Exception:**

1. Fire flow between 500-999 g.p.m. from a fire hydrant within 600 feet as measured along an approved access roadway and the installation of an approved automatic fire sprinkler system. If available fire flow is less than 500 g.p.m., then no development may take place until the applicable fire flow requirements are met in B105.2.

**Section 10.** BIMC 20.04.120 is hereby deleted in its entirety.

Repealed by Ord. 2021-01.

20.04.120 Amendments to Appendix C.

Appendix C of the International Fire Code is amended to read as follows:

SECTION C101 GENERAL

C101.1 Scope. Fire hydrants shall be provided in accordance with this appendix and BIMC 13.10 for the protection of buildings, or portions of buildings, hereafter constructed.

### **SECTION C102 LOCATION**

C102.1 Fire hydrant locations. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.

### SECTION C103 NUMBER OF FIRE HYDRANTS

C103.1 Fire hydrants available. The minimum number of fire hydrants available to a building shall not be less than that listed in Table C105.1. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.

### SECTION C104 CONSIDERATION OF EXISTING FIRE HYDRANTS

C104.1 Existing fire hydrants. Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads.

### SECTION C105 DISTRIBUTION OF FIRE HYDRANTS

C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in BIMC 13.10.060.

TABLE C105.1

NUMBER OF FIRE HYDRANTS

FIRE FLOW	MINIMUM NUMBER OF
REQUIREMENT (gpm)	HYDRANTS
<del>1,750 or less</del>	1
2,000 2,250	2
2,500	3

### **TABLE C105.1**

### **NUMBER OF FIRE HYDRANTS**

FIRE FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS
3,000	3
3,500 4,000	4
4,500 5,000	5
5,500	6
6,000	6
6,500 7,000	7
7,500 or more	8 or more <sup>a</sup>

For S1: 1 foot = 304.8mm, 1 gallon per minute = 3.785 L/m.

<sup>a</sup>One hydrant for each 1,000 gallons per minute or fraction thereof.

**Section 11.** BIMC 20.04.140 is hereby amended to read as follows:

# 20.04.140 Amendments to Appendix N Chapter 5 of the International Wildland Urban Interface Code.

Section 501 of the International Wildland Urban Interface Code is adopted, and Section 501.1 is amended to read as follows:

501.1 Scope. The installation of new or replacement wood shake roof coverings on any building or structure shall comply with the relevant provisions of the City's Building Code and BIMC 20.04.140.

**Exceptions:** 

- 1. Accessory structures not exceeding 12 square feet (11 m2) in floor area where located not less than 50 feet (15.24 m) from buildings containing habitable spaces.
- 2. Agricultural buildings not less than 50 feet (15.24 m) from buildings containing habitable spaces.

Sections 502, 503, 504.2, 505.2, and 506.2 of the International Wildland Urban Interface Code are adopted.

Section 503 of the Wildland Urban Interface Code is adopted and amended to read as follows:

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within wildland urban interface areas shall have an approved noncombustible roof covering.

Section 507 of the International Wildland Urban Interface Code is amended to read as follows:

507.1 General. The Wood shake roof covering on buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall be replaced with an approved roof covering in accordance with BIMC 20.04.140 of noncombustible material.

**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 after its passage, approval, and publication as provided by law.

PASSED BY THE CITY COUNCIL	this day of, 2021.
APPROVED BY THE MAYOR	_ day of, 2021.
	Rasham Nassar, Mayor
ATTEST/AUTHENTICATE:	
Christine Brown, City Clerk	-
FILED WITH THE CITY CLERK: PASSED BY THE CITY COUNCIL PUBLISHED: EFFECTIVE DATE:	<i>y</i> - <i>y</i> - <i>y</i>
ORDINANCE NUMBER:	2021-01



# City Council Regular Business Meeting Agenda Bill

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 5 Minutes

**AGENDA ITEM:** (8:15 PM) Ordinance No. 2021-02 Amending Chapter 13.10 BIMC Relating to Regulation of Fire Hydrants & Water Mains - Public Works,

**SUMMARY:** Amendments to Chapter 13.10 BIMC, Fire Hydrants and Water Mains, are needed to remove any duplication or conflicts with concurrent amendments to the Fire Code via another new and related ordinance, Ordinance No. 2021-01.

AGENDA CATEGORY: Ordinance PROPOSED BY: Public Works

**RECOMMENDED MOTION:** I move to forward Ordinance No. 2021-02 for consideration of approval with the February 23, 2021 consent agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

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

**BACKGROUND:** Ordinance No. 2021-02 amending Chapter 13.10 BIMC (Fire Hydrants and Water Mains) is necessary to fully comply with recent changes to the Washington State Fire Code. The proposed Fire Code amendments will be implemented in conjunction with Ordinance No. 2021-01. These proposed changes will remove conflicts and redundancies which currently exist between the two BIMC chapters and clarify how these regulations apply to City-owned and non-City-owned water systems.

### ATTACHMENTS:

Ordinance No. 2021-02

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

### **ORDINANCE NO. 2021-02**

**AN ORDINANCE** of the City of Bainbridge Island, Washington, amending Chapter 13.10, *Regulation of Fire Hydrants and Water Mains*, of the Bainbridge Island Municipal Code to align that chapter with Title 20 of the Bainbridge Island Municipal Code as amended by Ordinance No. 2020-01.

**WHEREAS**, the City of Bainbridge Island is concurrently adopting state-required updates to the Washington State Fire Code through amendments to Title 20 of the Bainbridge Island Municipal Code ("BIMC"); and

**WHEREAS**, in order to fully implement those changes and remove any duplication, confusion, or conflicts between the changes to Title 20 BIMC and Chapter 13.10 BIMC, amendments to Chapter 13.10 BIMC are necessary.

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

**Section 1.** Chapter 13.10 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A.

**Section 2.** Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 3.** This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCI	L this, 2021
APPROVED BY THE MAYOR	day of, 2021.
	Rasham Nassar, Mayor
ATTEST/AUTHENTICATE:	
Christine Brown, City Clerk	_
FILED WITH THE CITY CLERK:	3 - y -
PASSED BY THE CITY COUNCI PUBLISHED:	<i></i> ,
EFFECTIVE DATE:	February, 2021 , 2021
ORDINANCE NUMBER:	2021-02

# EXHIBIT A Ordinance No. 2021-02

# Chapter 13.10

# REGULATIONS OF RELATING TO FIRE HYDRANTS AND WATER MAINS PUBLIC WATER SYSTEMS

Sections:	
13.10.010	Definitions.
13.10.020	Applicability.
13.10.030	Building permits and plats.
13.10.040	Variance.
13.10.045	New installation procedures.
13.10.050	Financial responsibility for water mains.
13.10.060	Fire Hydrant Location.
13.10.065	Fire flow.
13.10.070	Mains and service lines.
13.10.080	Private hydrants.
13.10.090	Repealed Flush-type hydrants.
13.10.100	Construction standards Repealed.
13.10.110	Repealed.
13.10.120	<u>Repealed</u> Surrounding vegetation prohibited.
13.10.130	Repealed Occupancy of building.
13.10.140	Repealed Unlawful conduct.
13.10.150	Inspection required.
13.10.160	Approval not deemed acceptance.
13.10.170	Penalties.

### **13.10.010 Definitions.**

For the purpose of this chapter certain words and terms used herein are defined as set forth below. Unless the natural construction of the word indicates otherwise, all words used in the present tense include the future tense; all words in the plural include the singular number; and all words in the singular number include the plural number.

- A. Repealed by Ord. 2003-22: "BIMC" is the Bainbridge Island Municipal Code.
- B. "DCSS" is the current version of the City of Bainbridge Island Design and Construction Standards and Specifications as promulgated by the public works department.
- <u>CB</u>. "Fire <u>chief Marshal</u>" is the <u>fire chief designated member</u> of the Bainbridge Island fire department or <u>histheir</u> authorized agent <u>responsible for implementation of BIMC Title 20</u>.

- <u>DC.</u> "Fire department" means the Bainbridge Island fire department.
- ED. "Fire flow" means water flow required for fire protection purposes.
- <u>F</u>E. "Flush-type hydrant" means a hydrant installed entirely below grade.
- <u>GF</u>. "Private hydrant" means a fire hydrant so situated and maintained on private property to <u>which</u> provides water with limitations as to use by the fire and public works department as set forth in BIMC 13.10.080.
- <u>HG</u>. "Public hydrant" means a fire hydrant so situated and maintained on public right-of-way or public easements <u>and owned by the city of Bainbridge Island</u>, or other water <u>purveyor</u>, to <u>which</u> provides water without restriction as to use by the fire and public works departments.
- I. "Public water supply system" means any system providing water for human consumption as defined in WAC 246-290 and WAC 246-291. This definition also includes similar terms such as "water system," "public water system," and "public water supply."
- <u>JH</u>. "Public works department" means the public works department of the city of Bainbridge Island.
- <u>KI</u>. "Single-family residential area" is as set forth in BIMC Title 18.
- L. "Water Purveyor" or "Purveyor" is any entity operating a public water system for the supply of potable water for domestic uses under the regulations and authority of the Washington State Department of Health through WAC 246-290 or WAC 246-291. (Ord. 2003-22 § 17, 2003; Ord. 85-03 § 1, 1985)

# 13.10.020 Applicability.

This chapter shall apply to all public water supply systems now existing or constructed in the future, where fire flow is provided or is required by Chapter 20.04 BIMC. All water mains and fire hydrants hereinafter installed shall meet the provisions of this chapter as well as all other applicable plans, standards and ordinances adopted by the city of Bainbridge Island In addition, existing hydrants not conforming with the requirements of this chapter shall, when replaced, be brought into conformance. (Ord. 85-03 § 1, 1985)

### 13.10.030 Building permits and plats.

A. Fire hydrants, water mains, and appurtenances shall be installed as required by this chapter as a condition of approval of short plats, subdivisions, planned unit developments, and mobile home parks.

B. No building permits shall be issued for erection of any building or structure until adequate provision is made to assure that the provisions of this chapter will be met, including financial responsibility, provided, this section shall not apply to the reconstruction, repair, rebuilding or remodeling of a single-family dwelling. (Ord. 85-03 § 1, 1985)

### 13.10.040 Variance.

In specific cases, a variance from the terms but within the spirit of this chapter as will not be contrary to the public interest may be granted by the hearing examiner upon written application of the property owner or developer, or their agent as set out in BIMC 2.14.0302.16.020 and

- <u>2.16.120</u>, within 30 days of the notification to comply with this chapter. In determining to grant a variance from the terms of this chapter, including consideration of reasonable alternatives, the hearing examiner shall be guided by the following standards and criteria:
  - A. Special conditions and circumstances exist which are peculiar to the property or structure such as size, shape, topography or location and that strict enforcement of the provisions of this chapter would deprive the property owner of rights commonly enjoyed by other properties similarly situated.
  - B. The special conditions and circumstances are not primarily the result of the actions of the applicant such as structure design necessitating greater fire protection especially, as it may relate to commercial and multiple residential property development.
  - C. Unnecessary hardships and practical difficulties which make it difficult to carry out the provisions of this chapter.
  - D. Granting of the application, or providing alternatives to this chapter, will not be materially detrimental to the public health, safety, morals or welfare, or injurious to the property or improvement in the vicinity of the applicant's property with particular emphasis on fire protection.
  - E. The variance is necessary to make possible the reasonable development of the property. (Ord. 85-03 § 1, 1985)

# 13.10.045 New installation procedures.

All <u>hydrants and water mains</u> <u>water system components</u> newly installed or replaced shall meet the following requirements:

- A. All proposed expansion, improvements, or replacements of water system components, on City owned or operated public water systems, shall be submitted to the public works department for review and approval, in accordance with Chapter 13.32 BIMC, and to the Fire Department, in accordance with BIMC 20.04.090, prior to construction of said improvements. The Public Works Department, at its sole discretion, may waive this requirement where the expansion, improvement, or replacement is considered de minimis and adequate conditions to protect the public interest can be imposed through other mechanisms such as the issuance of a right-of-way permit in conformance with chapter 15.12 BIMC. In areas already platted operational hydrants and water mains may be required to be installed in accordance with this chapter prior to the beginning of building construction.
- B. All proposed expansion, improvements, or replacements of water system components, on non-City owned and operated public water systems, shall comply with the water purveyor's requirements and applicable requirements of Chapter 20.04 BIMC, and shall provide documentation of such at the time of application for land use or building permits. Five copies of engineered plans or drawings, accurately indicating main size, the location of all valves, hydrants and thrust blocks to be installed, shall be submitted to the engineering department with utility drawings at least 15 working days prior to the beginning of any construction.

- C. In areas already platted, installation of operational hydrants and water mains may be required in accordance with this chapter prior to the beginning of building construction. In such case, an application as noted in subsection A or documentation as noted in subsection B above shall be required. All construction shall conform to the city of Bainbridge Island street and utility standards in effect at the time of construction. A public works construction permit shall be obtained prior to commencement of construction.
- D. The city engineer and the fire department shall be notified in writing by the permit holder when the hydrant(s) and water mains will be available for use and when they are placed in service.
- <u>D</u> E. Building construction shall not commence until plans required under this chapter have the requirements of subsections A or B above have been submitted and approved completed in accordance with the provisions of this and all other applicable chapters of the BIMC and the applicable section of the DCSS or applicable design standards. When water mains and hydrants are to be installed by the developer, such facilities and access roadways serving same shall be installed and made serviceable prior to and during the time of construction. No building shall be occupied until hydrants and mains for its protection are placed in service and accepted by the purveyor.
- E F. With respect to commercial, and industrial and/or multifamily construction only, no conventional or stick construction shall be permitted to start until all hydrants required for such improvements are placed in service and tested by the fire department. At the sole discretion of the Fire Marshal, this condition may be waived or modified as a condition of any permit for construction issued by the city.
- G. When any new hydrant is installed in the vicinity of a ditch which would hinder fire suppression operations, the hydrant must be centered near a 10-foot section of culvert for purposes of ready access to equipment. (Ord. 89-14 § 1, 1989; Ord. 85-03 § 1, 1985)

### 13.10.050 Financial responsibility for water mains.

- A. The installation of water mains to properties not previously served shall be at the benefited property owner's or developer's expense and in accordance with Chapter 13.32 BIMC.
- B. Oversized water mains required for special use demands shall be installed at the developer's or property owner's expense in accordance with Chapter 13.32 BIMC.
- C. If the water mains installed pursuant to subsections A and B of this section provide service or benefits to properties other than those owned by the water main installer, such installer shallmay receive latecomer reimbursement from the owners of such properties in accordance with Chapter 13.32 BIMC.
- D. If the city requires a developer to install water mains larger than eight inches in diameter or larger than a diameter required for special use the minimum size required by the DCSS or the demands of the developer's property, whichever is larger, then the developer shall may be entitled to oversizing reimbursement in accordance with Chapter BIMC 13.18.030BIMC.

E. When the city requires a developer to extend a water main along or through property in accordance with BIMC 13.18.010, the developer shall not be required to install fire hydrants outside of the developer's property. However, the developer shall be required to install tees in the water main extension at appropriate intervals to facilitate the future installation of fire hydrants. (Ord. 2002-02 § 2, 2002: Ord. 86-05 §§ 1, 2, 1986; Ord. 85-03 § 1, 1985).

# 13.10.060 Fire Hydrant Location.

The City of Bainbridge Island has adopted, with amendments, the International Fire Code in Title 20 BIMC. The installation of fire hydrants and related water system infrastructure for fire protection shall conform to Title 20 BIMC and the current version of the Bainbridge Island Design and Construction Standards and Specifications as promulgated by the public works department. In addition to the requirements referenced here, the following conditions shall apply to the installation of fire hydrants within the city of Bainbridge Island:

- A. Where potable water mains are extended along streets where hydrants are not currently needed, but where future need for the protection of structures exists, hydrants shall be provided at spacing not to exceed 1,000 feet. In cases where a system does not provide fire protection, spacing of valves and appurtenances related to isolation and line flushing shall be done in accordance with the purveyor's design and construction standards.
- B. An auxiliary gate valve shall be installed at the main line tee to permit the repair and replacement of the hydrant, or appurtenance installed for flushing purposes, without disruption of water service.

A. All fire hydrant location requirements are subject to approval by the Bainbridge Island fire department.

B. All public fire hydrants shall be installed at street intersections where possible. Hydrants located mid-block shall be aligned with the extension of a property line, where possible. Public hydrant spacing shall be measured along approved vehicular access routes.

### C. Hydrant Spacing.

- 1. Residential structures shall be no further than 300 feet, as measured along an approved route, from a fire hydrant. This distance may be doubled if the structures are equipped with an automatic fire sprinkler system.
- 2. All structures, other than residential, shall be no further than 250 feet, as measured along an approved route, from a fire hydrant.
- 3. For one- and two-family residential structures, fire hydrant spacing shall be no further than 600 feet measured along the centerline of the fire apparatus access roadway. This distance may be increased to 1,000 feet if the structures are served by the fire hydrants are equipped with automatic fire sprinkler systems.
- 4. For all structures, other than one—and two family residential, fire hydrant spacing shall be no further than 300 feet measured along the centerline of the fire apparatus access roadway.
- 5. Where potable water mains are extended along streets where hydrants are not needed for the protection of structures, hydrants shall be provided at spacing not to exceed 1,000 feet.

- 6. Minor deviations to these distances may be allowed subject to the approval of the fire marshal and city engineer if it is deemed that such deviations would not jeopardize the safety of building occupants or the ability to provide adequate fire protection.
- D. Fire hydrants may be required to be served by a main which loops around the building or complex of buildings and reconnects back into a distribution supply main. Location for the installation of fire hydrants shall be mutually acceptable to the fire department and the city.
- E. The number of fire hydrants shall be determined in accordance with BIMC 20.04.120.
- F. Fire hydrant installations shall be adequately protected against vehicular damage, in accordance with the standards and specifications promulgated herein.
- G. An auxiliary gate valve shall be installed at the main line tee to permit the repair and replacement of the hydrant without disruption of water service. (Ord. 2008-23 § 1, 2008: Ord. 89-14 §§ 2, 3, 1989; Ord. 85-03 § 1, 1985)

### 13.10.065 Fire flow.

Minimum fire flow requirements shall be as stated in Appendix B of the currently adopted fire code adopted in BIMC Chapter 20.04 BIMC-110. (Ord. 2008-23 § 2, 2008: Ord. 2007-17 § 5, 2007: Ord. 2004-14 § 6, 2004: Ord. 98-30 § 3, 1998; Ord. 85-03 § 1, 1985)

### 13.10.070 Mains and service lines.

- A. All public hydrants in single-family residential zoned areas shall be supplied by not less than six-inch circulating water mains. All hydrants in areas other than single-family residential shall be supplied by not less than eight inches circulating water mains. Dead-end water mains supplying fire hydrants must be at least six inches in diameter per subsection C below. Mains 50 feet long or longer, shall be no less than six inches in diameter and shall not have a flow velocity greater than 10 feet per second during fire flow conditions.
- B. The service line from the water main to the hydrant shall be no less than six inches in diameter. Any service lines over 50 feet in length from water main to hydrant shall be designed as a water main. The provisions of this section shall apply without exception and regardless of the size of the service main.
- C. All water mains serving or intended to serve fire protection systems, installed or replaced in the city of Bainbridge Island hereinafter shall have a minimum diameter of six inches <u>in</u> conformance with WAC 246-290-230 or WAC 246-291-210.
- D. Provisions shall be made wherever appropriate in any project for looping all dead-end or temporarily dead-end mains. A minimum <u>1520</u>-foot easement shall be required, in addition to a temporary 10-foot construction easement on each side of the permanent easement. Construction plans must be approved by the city engineer prior to the commencement of construction.
- E. The minimum water main easement width shall be 20 feet in width. No permanent structures shall be built in the water main easement area.
- F. A minimum of 10 feet of horizontal clearance must be maintained between a water main and any parallel sewer main. Separation between water mains and other utilities shall conform with the other utility's standards and the *Pipeline Separation Design & Installation Reference Guide*

(Pub #06-10-029 or as amended or replaced) promulgated by the Washington State Department of Ecology.

- G. Water main extensions will be required when the property does not front on a water main or when the existing water main is not adequate for the increased use proposed. The minimum extension shall be to a point at least five feet inside the prolongation of the property line.
- H. Due to the complexities of many water mains and their interface with other underground structures, all water main construction shall be staked to insure placement within designated easements. Any deviation from this requirement shall be approved by the city engineer.
- I. Every effort shall be made to incorporate "looped" water mains into a project. In cases where it is not possible to "loop" a new main installation, a minimum of a two-inch blow off shall be required at all line ends.
- J. All hook-ups to fire hydrants for temporary water for whatever purpose shall be approved by the department of public works department, shall be metered, and will require a "temporary hydrant valve." In addition, double check valves may also be required if a potential for contamination exists. (Ord. 94-29 §§ 13, 14, 1995; Ord. 85-03 § 1, 1985)

# 13.10.080 Private hydrants.

The installation of private hydrants as defined herein shall meet the requirements for public hydrants and shall be located in accordance with this chapter to provide adequate fire protection. The fire and public works departments shall have the right to go upon the premises and to use the private hydrant for testing, flushing and public emergency uses. When private hydrants are proposed, prior to project acceptance, the responsible party shall record a covenant in a form acceptable to the City stipulating inspection, maintenance, repair, and other conditions necessary and incumbent on the owner to assure continued operation and availability of the fire hydrant for public safety use in perpetuity. (Ord. 2008-23 § 3, 2008: Ord. 85-03 § 1, 1985)

# 13.10.090 Flush-type hydrants.

<u>Repealed by Ord. 2021-02.</u> The installation of flush-type hydrants is prohibited unless determined by the city engineer that undue practical hardship would otherwise be created without relative increase in fire protection. (Ord. 85-03 § 1, 1985)

### 13.10.100 Construction standards.

Construction shall be completed in accordance with approved plans and specifications. For City owned and operated public water systems, in addition to the approved plans and specifications, construction shall comply with the DCSS. *Repealed by Ord. 94-29.* (Ord. 85-03 § 1, 1985)

# 13.10.110 Street grade and hydrant clearance.

Repealed by Ord. 94-29. (Ord. 85-03 § 1, 1985)

# 13.10.120 Surrounding vegetation prohibited.

Repealed by Ord. 2021-02 A three-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, fire sprinkler system indicator valves, and fire department connections. Access along the normal route of travel shall not be impeded except as otherwise required or approved. (Ord. 2016-13 § 1, 2016: Ord. 2008-23 § 4, 2008: Ord. 85-03 § 1, 1985)

# 13.10.130 Occupancy of building.

<u>Repealed by Ord. 2021-02</u> No building or structure shall be occupied or used prior to installation and approval of required hydrants and mains as set forth in this chapter. (Ord. 85-03 § 1, 1985)

### 13.10.140 Unlawful conduct.

<u>Repealed by Ord. 2021-02</u> It is unlawful for any person, firm or corporation to occupy or use any building used for a school, church, rest home, hospital, residential apartments or place of assembly, in whatever use district located, unless such building is within 150 feet of a fire hydrant. (Ord. 85-03 § 1, 1985)

# 13.10.150 Inspection required.

All improvements shall be subject to inspection by a duly authorized representative of the city, both during the course of construction and after construction is complete. The inspector shall have the authority to determine whether or not materials of construction, methods of construction and workmanship comply with working drawings and specifications. The contractor shall provide for reasonable tests and proof of quality of materials as requested by the inspector. The inspector may require that work be suspended for due cause. For purposes of this section, "due cause" includes adverse weather conditions, poor workmanship, the use of questionable materials or methods of construction, and nonadherence to specifications and drawings. (Ord. 85-03 § 1, 1985)

# 13.10.160 Approval not deemed acceptance.

Approval by the inspector shall not be deemed acceptance of the improvement by the city. Acceptance shall be only by action of the Bainbridge Island city council. (Ord. 85-03 § 1, 1985)

### 13.10.170 Penalties.

Any person violating any provision or term of this chapter shall, upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment. (Ord. 85-03 § 1, 1985)



# **City Council Regular Business Meeting Agenda Bill**

**MEETING DATE:** February 9, 2021 **ESTIMATED TIME:** 20 Minutes

**AGENDAITEM:** (8:20 PM) Schedule the Public Hearing on Ordinance No. 2021-03 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes,

**SUMMARY:** The Planning Commission discussed the code changes forwarded from the City 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):

- 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 or 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. Representatives from the Commission have been discussing these issues with representatives from Design Review Board and staff. This work would then be integrated into a 2nd "triage" ordinance. The Commission discussed the two-phase workplan again at the November 12 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, 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.

AGENDA CATEGORY: Ordinance	PROPOSED BY: Planning & Community Development
<b>RECOMMENDED MOTION:</b> I move to set the public hearing on Ordinance No. 2021-03 for February 23, 2021 relating to Phase I "Triage" code changes.	
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 (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 list of recommended priority code changes from the Joint City Council/Planning Commission land use 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 Land Use Subcommittee Recommendations). The subcommittee requested, with the Council's approval, that the Planning Commission 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

#### ATTACHMENTS:

Ordinance No 2021-03 Triage Code Updates.docx

Ord 2021-03 Exhibit A.docx

ORD 2020-40 Planning Commission Recorded Motion 121020

Background Planning Commission Workplan for Joint Land Use Subcommittee Recommendations

Background Joint Land Use Subcommittee Memorandum Initial Recommendations

Background Joint Land Use Subcommittee Attachment A Table

FISCAL DETAILS:	
Fund Name(s):	
Coding:	

### PUBLIC HEARING DRAFT

### 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, Table 18.09.020, 18.09.030.G, and 18.21.020 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 ("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 subcommittee's first phase of work included identifying urgent land use code changes; and
- **WHEREAS**, the City Council endorsed the Planning Commission beginning work on this 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 referenced 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 considered this Ordinance No. 2021-03 (formerly Ordinance No. 2020-40) and scheduled a public hearing on the ordinance for February 23, 2021; and
- **WHEREAS**, on February 23, 2021, the City Council conducted a public hearing on Ordinance No. 2021-03 and the Council received and considered public comment related to this ordinance; and
- **WHEREAS**, on February 23, 2021, after considering such public comment, the City Council adopted this ordinance.
- NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

**Section 1.** Section 2.16.030.D.3 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

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
- <u>6</u>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
- <u>7.9</u>. 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
- <u>8</u> <u>10</u>. 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
- <u>9</u> <u>11</u>. 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
- <u>11</u> <u>13</u>. 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 2.110.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:

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 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.** Section 18.21.020.B of the Bainbridge Island Municipal Code is hereby amended to read as follows:

- B. Duration of Affordability.
  - 1. Rental Units. Affordable rental housing units created as a result of the provisions of this chapter shall remain affordable for a period of 30-at least 50 years from the time of first occupancy and shall be secured by a recorded agreement and covenant running with the land, binding all the assigns, heirs and successors of the applicant.
  - 2. Home Ownership Units. All affordable home ownership units created as a result of the provisions of this chapter shall be initially sold to income-qualified

households and thereafter subject to a mechanism that is specified in an appropriate administrative procedure adopted by resolution by the city council allowing the city to capture a share of the appreciation when the unit is sold at market rate, shall remain affordable for a period of 99 years from the time of first occupancy and shall be secured by a recorded agreement and covenant running with the land, binding all the assigns, heirs and successors of the applicant. The city's share of the proceeds shall be placed in its housing trust fund.

3. A unit that is owned or sponsored by a public or private nonprofit agency that already restricts benefit and resale is exempt from the provisions of subsections B.1 and B.2 of this section.

**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 23rd day of February, 2021.

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

	Rasham Nassar, Mayor
ATTEST/AUTHENTICATE:	
Christine Brown, CMC, City Clerk	
FILED WITH THE CITY CLERK: PASSED BY THE CITY COUNCIL:	February 5, 2021, 2021
PUBLISHED:	, 2021
EFFECTIVE DATE: ORDINANCE NUMBER:	

## Exhibit A to Ordinance No. 2021-03

## Table 18.09.020 Use Table

"P" = Permitted Use		"A"	= A	ccess	sory	Use					Additional use restrictions for Chapters 16.12 and 16.20 BIMC may apply to shoreline or critical area.									
"C" = Conditional Use		"CA	<u>'</u> " = (	Conc	litior	nal A	cces	sory	/ Use	_		perti		illay d	арріу	10 311	OI CII	i ie oi	CITTI	ai ai ca
Blank = Prohibited Use		"T"	= Te	empo	orary	/ Use	9													
ZONING DISTRICT	R-	D 1	D 2	R-	R-	R-	D E	D 4	D O	R-	Winslow Mixed Use Town Center  HSR  NC B/I		1//// 1 )-	Use- Specific WD-						
USE CATEGORY/TYPE	0.4 R-		R-1 R-2	2 2.9 3	3.5 4.	4.3 K-5	3 IX-0	0 11-0	14	CC	MA	EA	Gate	Ferry [1]	and II	INC	D/I	III .	Standards BIMC 18.09.030	
COMMERCIAL SALES AND SERVICE Note: Commercial Sales and Service uses may be	sub	ject	to a	dditi	iona	l req	uire	mer	ıts ir	ı BIN	/IC 1	6.12	.040	.D, C	omme	ercial	Dev	elopi	ment.	
Accommodation	Accommodation																			
Bed and Breakfast (3+ bedrooms)	С	С	С	С	С	С	С	С	С	С	Р	Р	Р	Р	Р	Р	Р			
Inn											Р	Р	Р	Р	Р	Р	Р			
Hotel											C			C	Ç	Р				<del>D-1</del>



## 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:

- 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.
- 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 Plann	ing Commission recommends the City Council:
	Approve the ordinance as amended.

Planning Commission Recorded Motion **Ordinance 2020-40 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes** 



# PLANNING COMMISSION RECORDED MOTION

D				
Deny the o	rainance.			

### 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	<b>Absent</b>	Abstain
Chester	X			
McCormick Osmond	×			
Quitslund	×			
Macchio	×			
Paar	×			
Blossom	×			
Mathews	×			
Total	7		****	

#### CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION

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						
**Not	*Note: If specific new/revised language is being proposed, it is underlined.								
ISSUE		Revisions to Chapter 2.16 regarding Land Use Review Process							
GOAL		Provide comprehensive early review of proposed projects to identify potential Compr and provide clarity to role of PC in review and weight given to PC recommendations b	y decisionmakers						
RATIO	NALE	nts at an early stage of project ucing the amount of time and as. The intent of proposed changes with respect to those							
1	2.16.020.1.5	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.	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						
2	2.16.020.1.6	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.  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	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.  These changes will be combined into a 2 <sup>nd</sup> "Triage" ordinance once the DRB and PC are done with their review/discussion.						

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes				
**Not	*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 <sup>nd</sup> "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 and shall be given substantial weight by the director in making a decision."	Consider for 1 <sup>st</sup> 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 <sup>nd</sup> "Triage" ordinance, see #1 and #2 above				
7	2.16.040.E.5.e	Review procedures – application stage. Review and Recommendation by PC – add "The planning commission's recommendation shall be given substantial weight by the director in making a decision."	Consider for 1 <sup>st</sup> Triage Ordinance				
8	2.16.040.E.6	Review and Approval by the Director – add the following subsection 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."  Background: This proposed new language is same as existing code language for approval/approval with conditions; this adds same standard for denial.	Consider for 1 <sup>st</sup> Triage Ordinance				

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes					
**Not	*Note: If specific new/revised language is being proposed, it is underlined.							
9	2.16.040.F.1	Decision Criteria – revise to read as follows: "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."  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.	Consider for 1 <sup>st</sup> Triage Ordinance. In adding reference to the design guidelines, comprehensive plan and other applicable plans to section F.1, the same reference to consisitency 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: "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."	Consider for 1 <sup>st</sup> Triage Ordinance; additional legal review necessary.  Section D or E may have to be updated again in 2 <sup>nd</sup> round.					
11	2.16.110.E.5	Review and public hearing with Hearing Examiner: Add: "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."	Consider for 1 <sup>st</sup> Triage Ordinance, additional legal review necessary					

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes					
**Not	*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: "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,	Consider for 1 <sup>st</sup> Triage Ordinance, additional legal review necessary.  Section D or E may have to be updated again in 2 <sup>nd</sup> round.					
13	2.16.140.C	state or federal law."  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 1st Triage Ordinance PC to Review Decision Criteria on 11/12					
I								
ISSUE		Hearing Examiner rules do not specify when the HEX is required or authorized to remand a decision						
GOAL		Clarify Hearing Examiner remand						
RATIO	NALE	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 <sup>st</sup> 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					
**Not	*Note: If specific new/revised language is being proposed, it is underlined.							
RATIO	NALE	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 <sup>st</sup> 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?)						
RATIO	NALE	Period of affordability needed to justify the added density						
		Device and leaveners to availe direction of affordability for borne accompanying units						
17	18.21.020.B.2	Revise code language to specify duration of affordability for home ownership units. Ensure consistency with BIMC 18.12 cross-references.  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?  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.	Consider for 1 <sup>st</sup> Triage Ordinance					

Item	Code Reference	Joint City Council/Planning Commission Recommendation	10/29/20 Planning Commission Workplan Discussion & Staff Notes						
**Not	*Note: If specific new/revised language is being proposed, it is underlined.								
18	18.21.020.B	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.	Consider for 1 <sup>st</sup> Triage Ordinance.						
		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?)							



# 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:

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	
**Nc	ote: If specific new/	revised language is being proposed, <u>it is underlined</u> .	
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	2.16.020.1.5	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	2.16.020.1.6	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.  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	
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		
**Not	**Note: If specific new/revised language is being proposed, it is underlined.			
		based shall be immediately transmitted to the director and shall be given substantial weight by the director in making a decision."		
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 "The planning commission's recommendation shall be given substantial weight by the director in making a decision."		
8	2.16.040.E.6	Review and Approval by the Director – add the following subsection 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."  Background: This proposed new language is same as existing code language for approval/approval with conditions; this adds same standard for denial.		
9	2.16.040.F.1	Decision Criteria – revise to read as follows: "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."  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.		
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: "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."		
11	2.16.110.E.5	Review and public hearing with Hearing Examiner: Add: "The hearing examiner shall adopt a planning commission recommendation of denial of an application unless the hearing examiner concludes that the		

Item	Code Reference	Recommendation			
**Note	**Note: If specific new/revised language is being proposed, it is underlined.				
		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."			
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: "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."			
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	In the short-term, hotels should be prohibited in these zoning districts while review of definition and use-specific			
	18.09.020	standards is completed to determine if/how hotels within these zoning districts is a use consistent with the			
	Definition	Comprehensive Plan.			

Item	Code Reference	Recommendation		
**Not	**Note: If specific new/revised language is being proposed, it is underlined.			
	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?)		
RATIO	NALE	Period of affordability needed to justify the added density		
17	18.21.020.B.2	Revise code language to specify duration of affordability for home ownership units. Ensure consistency with BIMC 18.12 cross-references.  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?		
		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.		
18	18.21.020.B	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.		
		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?)		