



CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL STUDY SESSION
TUESDAY, FEBRUARY 05, 2019**

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

AGENDA

- 1. CALL TO ORDER / ROLL CALL - 6:00 PM**
- 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, 45 Minutes
 - 2.B Pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the City matters relating to City enforcement actions, or to discuss with legal counsel representing the City litigation or potential litigation to which the City, the City Council, 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 City, 15 Minutes
- 3. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE - 7:00 PM**
- 4. MAYOR'S REPORT - 7:05 PM**
- 5. CITY COUNCIL DISCUSSION**
 - 5.A (7:10 PM) Discussion of Process for Article I Ethics Complaints - Mayor Medina, 30 Minutes
[Resolution No. 2018-10, Adopting the City's Current Ethics Program](#)
- 6. PRESENTATIONS**
 - 6.A (7:40 PM) Design Guidelines Update Briefing by Consultant, Framework - Planning, 30 Minutes
[Design Guidelines Scope of Work.pdf](#)
[Public Engagement Plan.pdf](#)

[Focus Group Summary.docx](#)

[Card_Poster.docx](#)

7. UNFINISHED BUSINESS

- 7.A (8:10 PM) Update on City's Suzuki Property Development Project - Council, 30 Minutes
[Suzuki - HRB Memo to Council 201901.pdf](#)
[RES NO. 2018-03 ESTABLISH GOALS FOR THE CITY-OWNED SUZUKI PROPERTY.pdf](#)
- 7.B (8:40 PM) Project Options for Dave Ullin Open Water Marina - Public Works, 30 Minutes
[Staff Memo](#)
[Option 1](#)
[Rough Draft of Option A Proposed Layout](#)
[Marine Access Committe Memo to Council_DUOWM Recommendations](#)
[Public Comments Received by the MAC](#)
- 7.C (9:10 PM) Olympic Drive Non-Motorized Improvements Project - Public Works, 10 Minutes
[Olympic Drive Non-Motorized Improvements Project Presentation - Feb 2019](#)
- 7.D (9:20 PM) Shoreline Master Program (SMP) Limited Amendment on Aquaculture - Planning, 30 Minutes
[20190122_CC_Staff_Memo_Ecology_Informal_Response_Updated.docx](#)
[Ecology comments_7.16.2018.pdf](#)
[Draft_Submittal Package_Overview Final 021717.docx](#)
- 7.E (9:50 PM) Update on Moratorium - Planning, 10 Minutes
[20190125 Moratorium work program status report.docx](#)
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)
[Development Moratorium Summary Effective 20181121.pdf](#)
- 7.F Appointments to the Race Equity Task Force - Mayor Medina
[Albright - Race Equity Task Force \(Redacted\).pdf](#)
[Anderson - Race Equity Task Force \(Redacted\).pdf](#)
[Ashabi - Race Equity Task Force \(Redacted\).pdf](#)
[Brownalenoir - Race Equity Task Force \(Redacted\).pdf](#)
[Butler - Race Equity Task Force \(Redacted\).pdf](#)
[Cash - Race Equity Task Force \(Redacted\).pdf](#)
[Chan - Race Equity Task Force \(Redacted\).pdf](#)
[De Quintero - Race Equity Task Force \(Redacted\).pdf](#)
[DeRosalia - Race Equity Task Force \(Redacted\).pdf](#)
[Epanchin - Race Equity Task Force \(Redacted\).pdf](#)
[Erickson - Race Equity Task Force \(Redacted\).pdf](#)
[Fantroy-Johnson - Race Equity Task Force \(Redacted\).pdf](#)
[Friday - Race Equity Task Force \(Redacted\).pdf](#)
[Frobe - Race Equity Task Force \(Redacted\).pdf](#)
[Golden - Race Equity Task Force \(Redacted\).pdf](#)
[Hersey - Race Equity Task Force \(Redacted\).pdf](#)
[Lyman - Race Equity Task Force \(Redacted\).pdf](#)
[Malatesta - Race Equity Task Force \(Redacted\).pdf](#)

[Montroy - Race Equity Task Force \(Redacted\).pdf](#)
[Peterson - Race Equity Task Force \(Redacted\).pdf](#)
[Phillips - Race Equity Task Force \(Redacted\).pdf](#)
[Rauktis - Race Equity Task Force \(Redacted\).pdf](#)
[Rovelstad - Race Equity Task Force \(Redacted\).pdf](#)
[Tollefson - Race Equity Task Force \(Redacted\).pdf](#)
[Velez - Race Equity Task Force \(Redacted\).pdf](#)
[Wilmot - Race Equity Task Force \(Redacted\).pdf](#)

8. FUTURE COUNCIL AGENDAS

8.A (10:00 PM) Future Council Agendas, 10 Minutes
[City Council Regular Business Meeting 021219](#)
[City Council Study Session 021919](#)
[City Council Regular Business Meeting 022619](#)
[City Council Study Session 030519](#)

9. FOR THE GOOD OF THE ORDER - 10:10 PM

10. ADJOURNMENT - 10:20 PM

GUIDING PRINCIPLES

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

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

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

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

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

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

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

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



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



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 45 Minutes

AGENDA ITEM: 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,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION:

Executive session discussion.

SUMMARY:

Executive session.

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 15 Minutes

AGENDA ITEM: Pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the City matters relating to City enforcement actions, or to discuss with legal counsel representing the City litigation or potential litigation to which the City, the City Council, 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 City,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION:

Discussion only.

SUMMARY:

Executive session discussion.

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (7:10 PM) Discussion of Process for Article I Ethics Complaints - Mayor Medina,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: City Council

RECOMMENDED MOTION:

Possible Motion 1: I move to modify the Ethics Program to clearly state in Article III of the Program that the Ethics Board only has the authority to consider alleged violations of Article I as set forth explicitly in Article III, Section A., of the Program, and that to the extent that any other provision in the Program is unclear regarding such authority, or conflicts with such authority, this statement of authority governs.

Possible Motion 2: I move to modify the Ethics Program to clearly state in Article I of the Program that the Ethics Board has the authority to consider all requests and complaints referred to the Board and submitted by any person related to alleged violations of Article I involving City Councilmembers or members of City Committees and Commissions, and to consider such requests and complaints as requests for advisory opinions for which the Board will issue such an opinion, and that to the extent that any other provision in the Program is unclear regarding such authority, or conflicts with such authority, this statement of authority governs.

Possible Motion 3: I move to direct the Ethics Board to revise the Ethics Program to reflect the Council's intent related to the Council's answers to the questions included in the Background section below, and to work with staff to bring back at a future Council meeting for the Council's consideration proposed revisions to the Program to effectuate the Council's intent.

SUMMARY:

Discussion and possible decisions related to clarifying the Ethics Program to address the scope of authority of the Ethics Board and the process under which Article I requests or complaints are to be considered by the Board.

FISCAL IMPACT:

Amount:

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

BACKGROUND:

As the Council discussed at its meeting on January 22, 2019, the Ethics Program contains two sets of standards that govern the conduct of Councilmembers. Article I contains the City’s Core Values and Ethics Principles, which specify general guidelines to promote and maintain the highest standards of personal and professional conduct. Article II sets out the City’s Code of Ethics, which contains specific limitations on certain specified conduct.

Article I and Article II are enforced differently. For Article I, the Ethics Program does not contain an explicit enforcement mechanism. Instead, the purpose of Article I appears to be advisory, including related to direction in the Ethics Program for the Ethics Board to interpret and apply Article II (Code of Ethics) in favor of promoting the Core Values and Ethics Principles contained in Article I. A practice of the Ethics Board has been to consider requests and complaints involving alleged violations of Article I (Core Values and Ethics Principles) via “Advisory Opinions,” whereas the Board’s general practice has been to address alleged violations under Article II (Code of Ethics) via the issuance of “Determinations” related to complaints and via the issuance of Advisory Opinions in some other situations, depending on the facts alleged.

The Ethics Program is clear about the enforcement mechanism for Article II matters, and that mechanism is described in detail in Articles III and IV. However, the Program lacks clarity regarding the enforcement mechanism for requests and complaints related to alleged violations of Article I.

A past practice of the Ethics Board has been to only consider in limited circumstances requests or complaints regarding alleged violations of Article I. This is based on provisions in the Ethics Program, including Article III, Section A.2.b., which provides that the Board "shall handle ... [a]dvisory opinions concerning the application of the Core Values and Ethics Principles, City policies and practices, or the applicability of the Code of Ethics to the requestor’s own behavior." A past practice of the Board has been to interpret this provision to mean that the Board will consider requests for an advisory opinion related to alleged Article I violations based on a request from a Councilmember regarding their own behavior, but not to consider such requests or complaints regarding alleged Article I violations if the request is from someone other than that Councilmember.

More recently, the Ethics Board has interpreted its authority under the Ethics Program differently, based on questions in this regard that the Board asked the City Attorney to consider. In considering the Ethics Program as a whole, the City Attorney noted that there are various, unclear provisions in the Ethics Program related to the Board’s authority to consider requests and complaints related to alleged violations of Article I. The City Attorney indicated, given that lack of clarity, that presumably the Board has reasonable discretion to determine whether it thinks it has the authority to address a request or complaint that has been referred to the Board related to Article I concerns. The City Attorney also recommended that the Board work with the City Council to clarify the Ethics Program related to Article I matters.

Although, as noted above, Article III, Section A.2., of the Program describes particular types of matters that the Ethics Board “shall handle,” other provisions of Article III seem to imply a broader scope for the Board. The following are some specific examples related to such a lack of clarity in the Ethics Program:

1. Article III, Section E.5., states explicitly: “The Ethics Board, on its own initiative may prepare and publish its own advisory opinion.”

2. Article III, Section E.1., very broadly states: "Any person may request an opinion from the Ethics Board as to whether their own behavior has violated or might in the future violate the Code of Ethics or shared values and principles." What is particularly unclear in that sentence is the reference to "or shared values and principles." Presumably, the reference is to the Core Values and Ethics Principles in Article I because no other "shared values and principles" are defined in the Ethics Program, but that reading isn't clear due to the reference to "Any person," which is a very broad statement, so this provision is difficult to interpret.

3. Similarly, Article III, Section D.7., includes a broad statement about the Board having the option of publishing an advisory opinion if the Board finds "that City processes or policies could better reflect ethical shared values and principles." Again, presumably, the reference to "ethical shared values and principles" is in reference to the Core Values and Ethical Principles in Article I, which would mean that this provision gives the Board rather broad authority to consider some Article I matters.

4. Article III, Section D.1., refers to the Board reviewing “any complaint forwarded to it by the City Clerk.” Presumably, this would allow the Board to determine, based on the facts and allegations presented, the extent of the Board’s jurisdiction related to a complaint, consistent with the Program.

5. Article III, Sections D.3.d. and D.5.d. related to complaints refer to the Board’s authority to “[i]ssue an advisory opinion if the subject of the complaint is more appropriate for such action,” as applicable.

6. Article III, Section A.1., refers to the Board’s consideration of “any matter brought to its attention for action,” and to the Board interpreting and applying the Code of Ethics (i.e., Article II) “in favor of promoting the City’s Core Values and Ethics Principles ... ,” which are in Article I.

In the context of the lack of clarity that exists currently in the Ethics Program regarding Article I matters, staff’s recommendation is that the Council discuss and make decisions related to the following questions:

- (1) Does the Ethics Board have jurisdiction over requests or complaints alleging violations of Article I involving Councilmembers or members of City Committees and Commissions in situations in which the requestor or complainant is not a Councilmember who is requesting an advisory opinion regarding their own behavior? As described above, the Ethics Program is clear currently that a Councilmember can request from the Board an advisory opinion related to whether particular behavior by that Councilmember is in violation of Article I.

(2) If the answer to question (1) is "yes," is the Council's direction to the Ethics Board that all such requests or complaints are to be considered by the Board as a request for an advisory opinion?

(3) If the answer to question (1) is "yes" and the answer to question (2) is "no," is the Council's direction to the Ethics Board that the Board will consider such requests and complaints related to alleged Article I violations, and that requests for advisory opinions will result in advisory opinions, and complaints will follow the complaint process that is set forth in Articles III and IV of the Ethics Program?

(4) If the Ethics Board issues an advisory opinion and determines that an Article I violation has occurred, what is the remedy? Article IV, Section C., is clear about the remedies that apply in the event that the Council concludes, based on the process in Article IV, that a violation of the Code of Ethics (i.e., Article II) has occurred (i.e., admonition, reprimand, censure, and "other sanctions"), but the Ethics Program could be clearer regarding the remedies available if an Article I violation is found.

From a more general perspective regarding remedies that are available to the Council under state law, and in reference to the "Other sanctions" option that is included in Article IV of the Ethics Program, the Council has authority under state law to censure one of its members by motion adopted by a majority vote of the Council. If the Council opts to take such an action in a situation involving, for example, an Article I violation by a Councilmember, the Council could move to censure that member for that violation, and in so doing the Council would state in that motion that it was also waiving any provision of the Ethics Program that could potentially conflict with the Council's authority to conduct such a censure in that manner. Such a waiver would be advisable because one of the four options set forth in Article IV includes a censure, and the censure described as part of the Ethics Program includes specific requirements that are part of the Ethics Program but aren't required by state law.

ATTACHMENTS:

[Resolution No. 2018-10, Adopting the City's Current Ethics Program](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

RESOLUTION NO. 2018-10

A RESOLUTION of the City Council of Bainbridge Island, Washington, approving an amendment to the Ethics Program for the City of Bainbridge Island in accordance with Chapter 2.07 BIMC.

WHEREAS, Chapter 2.07 BIMC provides that the City Council shall establish by resolution or ordinance an ethics program for the City of Bainbridge Island; and

WHEREAS, on May 10, 2006, the City Council passed Resolution No. 2006-25, adopting an ethics program for the City of Bainbridge Island; and

WHEREAS, on March 23, 2011, the City Council passed Resolution No. 2011-07, adopting a revised ethics program for the City of Bainbridge Island; and

WHEREAS, on May 18, 2011, the City Council passed Resolution No. 2011-13, amending the City's ethics program; and

WHEREAS, on August 22, 2012, the City Council passed Resolution No. 2012-11, amending the City's ethics program; and

WHEREAS, Article V.C of the ethics program requires the Ethics Board to submit an annual report to the Mayor and the City Council summarizing its activities during the previous calendar year and making recommendations for modifying the City's ethics program; and

WHEREAS, on March 20, 2018, the Ethics Board submitted its annual report to the City Council and made recommendations for modifying the City's ethics program; and

WHEREAS, the City Council finds that it is in the best interest of the City of Bainbridge Island to adopt the Ethics Board's recommendations modifying the City's ethics program.

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

Section 1. The ethics programs adopted or amended by Resolution No. 2006-25, Resolution No. 2011-07, Resolution No. 2011-13, and Resolution No. 2012-11 are hereby repealed in their entirety.

Section 2. Pursuant to BIMC 2.07.010, the City of Bainbridge Island Ethics Program attached hereto and made a part hereof by this reference is hereby approved and adopted as the Ethics Program for the City of Bainbridge Island.

PASSED by the City Council this 27th day of March, 2018.

APPROVED by the Mayor this 27th day of March, 2018.

By: 
Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: 
Christine Brown, City Clerk

FILED WITH THE CITY CLERK: March 16, 2018
PASSED BY THE CITY COUNCIL: March 27, 2018
RESOLUTION NO. 2018-10

Ethics Program

**CITY OF BAINBRIDGE ISLAND
ETHICS PROGRAM**

Updated 3/27/18
Resolution No. 2018-10

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CITY OF BAINBRIDGE ISLAND ETHICS PROGRAM

ARTICLE I - INTRODUCTION, PURPOSE, AND ADMINISTRATION OF PROGRAM

A. Preamble

The City of Bainbridge Island has adopted the following Core Values and Ethics Principles to promote and maintain the highest standards of personal and professional conduct among all the people who comprise the City's government. The optimal operation of democratic government requires that all of its decision-makers be fair and accountable to the people they serve.

All elected and appointed officials, City employees, volunteers, members of Commissions and Committees, and all others who participate in the City's government are expected to adhere to these Core Values and Ethics Principles, apply them to their specific responsibilities, and make them a common aspect of their work.

B. Core Values (adopted by Resolution 97-25)

1. Service, Helpfulness, Innovation

We are committed to providing service to the people of Bainbridge Island and to each other that is courteous, cost effective and continuously improving.

2. Integrity

We will treat one another and the citizens of Bainbridge Island with honesty and integrity, recognizing that the trust that results is hard won and easily lost. We pledge to promote balanced, consistent, lawful policies and directives, in keeping with that integrity and the highest standards of this community.

3. Equality, Fairness, Mutual Respect

We pledge to act with the standard of fairness and impartiality in the application of policies and directives and that of equality and mutual respect with regard to interpersonal conduct.

4. Responsibility, Stewardship, Recognition

We accept our responsibility for the stewardship of public resources, and our accountability for the results of our efforts, and we pledge to give recognition for the exemplary work.

C. Ethics Principles

1. Obligations to the Public

Following the highest standards of public service, all those associated with the government of the City of Bainbridge Island will act to promote the public good and preserve the public's trust. In practice, this principle looks like:

- a. Public meetings and other proceedings conducted in accordance with the Best Practices articulated and issued by the City's Ethics Board (http://www.ci.bainbridge-isl.wa.us/ethics_board.aspx)
- b. Transparency and honesty in all public statements and written communications.

2. Obligations to Others

In order to sustain a culture of ethical integrity, all those associated with the government of the City of Bainbridge Island will treat each other and the public with respect and be guided by applicable codes of ethics, labor agreements, and professional codes. In practice, this principle looks like:

- a. Elected and appointed officials, all City employees, and members of citizen Committees and Commissions shall familiarize themselves with the ethical rules governing them (including Washington State statute RCW 42.23 and this Code of Ethics) and obtain annual education regarding such rules.
- b. All those associated with the government of the City of Bainbridge Island shall, in all their interactions, conduct themselves in a manner that demonstrates civility and respect for others.

3. Obligations Regarding the Use of Public Resources

In recognition of the importance of stewardship, all those associated with the government of the City of Bainbridge Island will use and allocate public monies, property, and other resources in a responsible manner that takes into consideration both present and future needs of the community. In practice, this principle looks like:

- a. All those associated with the government of the City of Bainbridge Island shall, to the extent possible, seek advice regarding the use of public resources from citizens and staff experts in order to ensure that public resources are used and conserved for the public good.
- b. All those associated with the government of the City of Bainbridge Island shall ensure that paid experts and consultants who provide advice regarding the use of public resources shall be impartial and free of conflicts of interest.

D. Ethics Program

1. Purpose of the Ethics Program

All those associated with City government, including elected officials, employees, members of City Committees and Commissions, seek to earn and maintain confidence in the City's services and the public's trust in its decision-makers. Our decisions and our work must meet the most rigorous ethical standards and demonstrate the highest levels of achievement in following the Core Values and Ethics Principles. It is therefore the purpose of this program to:

- a. Articulate the Core Values and Ethics Principles that will guide the conduct of City affairs and of all people associated with City government;
- b. Establish standards of ethical conduct in a Code of Ethics for elected officials and members of City Committees and Commissions;
- c. Provide training and clarification concerning the Core Values, Ethics Principles, and the Code of Ethics;
- d. Establish a system that enables all citizens, including members of City government, to seek advice and assistance regarding possible ethical violations;
- e. Provide a process to review possible violations of the Code of Ethics by elected officials and members of City Committees and Commissions;
- f. Maintain an Ethics Board to assist with the administration of the program; and
- g. Provide a comprehensive Ethics Program for the City, ensuring that the ethics standards and the procedures for enforcing them that apply to City employees, including policies and collective bargaining agreements, are consistent with the Core Values and Ethics Principles which apply to all persons associated with City government.

2. Administration of the Ethics Program

The Core Values and Ethics Principles apply to all persons associated with City government. However, there are two sets of rule-based standards, which are separately enforced. The Code of Ethics (Article II of this document) applies to elected and appointed officials, and members of City Committees and Commissions.

The Code of Ethics is enforced by the City Council (as detailed in Article III of this document). A set of guidelines and ethical standards included in the *City of Bainbridge Island Employee Manual* applies to all City employees and is enforced by City administration.

ARTICLE II - CODE OF ETHICS

Except where specifically stated, the rules articulated in Article II apply to elected officials, and citizens serving on City Committees and Commissions.

A. Gifts and Compensation

1. Limitations on City-Related Gifts and Outside Compensation

Except as permitted under subsections (2) and (3) below, no elected official or member of a City Committee or Commission, or any member of their immediate families shall, directly or indirectly, accept any gift (as defined below) for a matter connected with or related to his or her services or duties with the City of Bainbridge Island or accept any non-City compensation for the performance or non-performance of those services or duties.

2. Exceptions to Gift Limitations

The following are exceptions to the limitation on gifts and may be accepted by those subject to subsection (1) above:

- a. Unsolicited items of trivial value. "Items of trivial value" means items or services with a value of fifty dollars (\$50.00) or less, such as promotional tee shirts, pens, calendars, books, or other similar items.
- b. Gifts from other City officers, officials, or employees, or their family members on appropriate occasions.
- c. Gifts appropriate to the occasion and reasonable and customary in light of a familial, social or official relationship of the giver and recipient, such as weddings, funerals, illnesses, holidays and ground-breaking ceremonies.
- d. Campaign contributions as permitted and reported in accordance with law.
- e. Awards that are publicly presented by a non-profit organization in recognition for public service if the award is not extraordinary when viewed in light of the position held by the recipient.
- f. Gifts offered while visiting other cities, counties, states, or countries or hosting visitors from other cities, counties, states, or countries, when it would be a breach of protocol to refuse the gift, provided that any such gifts received shall become property of the City.
- g. Reasonable and necessary costs to attend a conference or meeting that is directly related to the official or ceremonial duties of the elected official, *provided* that any payment of substantial travel or lodging expenses by any person or entity regulated by

the City or doing or seeking to do business with City must be approved in advance by the Mayor or, if the Mayor is the recipient, by the Mayor Pro Tem.

3. Immediate Family Gift Exception

It shall not be a violation of this section for a member of an official's immediate family to accept a gift which arises from an independent relationship, if the official does not significantly benefit from the gift, and it cannot reasonably be inferred that the gift was intended to influence the official in the performance of his or her duties.

B. Use of City Property by Elected Officials

1. Except for limited incidental personal use or emergency circumstances, no elected official shall request, permit, or use City vehicles, equipment, materials, or property for personal use, personal convenience or profit.

2. From the time that an elected official declares or publicly states that he or she intends to run for re-election until the conclusion of the respective general election, that elected official shall not request or direct that City funds be used to purchase any media (including newspaper, radio, television or bulk mailing) that contains the name or image of that elected official unless the names or images of all City elected officials appear in the media being purchased.

C. Confidentiality

Except as required by law, an elected official, former elected official, or current or former member of a City Committee or Commission shall not disclose or use privileged, confidential or proprietary information obtained in executive session or otherwise in the course of their duties as a result of their position.

D. Conflict of Interest - General

1. Applications of Conflict of Interest

Except as permitted in subsection (b) below, an elected official or member of a City Committee or Commission shall not directly, or indirectly through a subordinate or fellow officer, official or employee, take any direct official action on a matter on behalf of the City if he or she, or a member of the immediate family:

- a. Has any substantial direct or indirect contractual employment related to the matter;
- b. Has other financial or private interest in that matter (which includes serving on a Board of Directors for any organization); or
- c. Is a party to a contract or the owner of an interest in real or personal property that would be significantly affected by the action.

2. Conflict of Interest Exceptions for Elected Officials

Subsection (1) above shall not apply when the elected official:

- a. Is required to take or participate in an action based upon the rule of necessity;
- b. Decides to represent himself or herself before the City Council, Hearing Examiner or any other City board, commission or agency, provided that the individual does not also participate in any way in that board's deliberations or decision in an official capacity;
- c. Acquires an interest in bonds or other evidences of indebtedness issued by the City if acquired and held on the same terms available to the general public;
- d. Officially participates in the development and adoption of the City's budget; or establishes the pay or benefit plan of City officers, officials, or employees; or
- e. Makes decisions on any other legislative or regulatory action of general applicability, unless these actions directly affect, or appear to affect the official's or immediate family member's employment.
- f. Serves on the governing body of an organization or entity as part of their official duties as an elected official of the City.

3. Conflict of Interest Exceptions for Members of City Committees and Commissions

Subsection (1) above shall not apply to a member of a City Committee or Commission provided that the member fully discloses the financial interest on the public record of the City Committee or Commission and the Committee or Commission votes to allow the person to participate in discussion or the vote.

4. Disclosure for Elected Officials

All elected officials are required to comply with the Washington State Public Disclosure Commission requirements for financial disclosure. In addition, all elected officials shall publicly disclose their financial interest in any matter that comes before them. All elected officials shall annually complete a conflict of interest statement to be submitted to the City Clerk by April 15th.

E. Conflict of Interest—After Leaving Elected City Office

1. For two (2) years after leaving elected City office, no former elected official shall obtain employment in which he or she will take direct or indirect advantage of matters on which he or she took direct official action during his or her service with the City. This includes contractual negotiations or solicitation of business unavailable to others.
2. For two (2) years after leaving elected City office, no former elected official shall engage in any action or litigation in which the City is involved, on behalf of any other person or

entity, when the action or litigation involves an issue on which the person took direct official action while in elected City office.

F. Conflict of Interest - Family Members of Elected Officials

1. Appointment of Family Members

Unless he or she obtains a waiver from the Ethics Board, no elected official shall appoint or hire a member of his or her immediate family for any type of employment with the City. This includes, but is not limited to, full time employment, part time employment, permanent employment, temporary employment, and contract employment.

2. Supervision of Family Members

No elected official shall supervise or be in a direct line of supervision over a member of his or her immediate family. If an elected official is placed in a direct line of supervision of a member of his or her immediate family, he or she shall have three (3) months to come into compliance or to obtain a waiver pursuant to section (3) below.

3. Waivers

Waivers from this section may be sought from the Ethics Board to allow a member of the immediate family to be hired or to be in the direct line of supervision of a member of the immediate family. Procedures to consider such a waiver are set forth in Article III, Section G (Waivers).

G. Conflict of Interest - Contractors

Every major contractor submitting bids to the City shall include a statement affirming that he or she has read the Code of Ethics and agrees to abide by its guiding principles and rules. Further, the contractor affirms that neither the contractor nor any agent of the contractor has made any prohibited gift to an elected official who is involved in direct official action on the bid or has a relationship to such an official that would create a conflict of interest for that official.

H. Conflict of Interest - Citizens serving on City Committees and Commissions

Citizens serving on City Committees and Commissions shall sign a conflict of interest statement upon appointment and reappointment.

I. Conduct of Public Meetings

1. Meetings involving elected officials or City Committees and Commissions should be conducted in a manner that maximizes transparency of relationships among individuals or groups that could affect decision-making.

2. Meetings of the City Council and City Committees and Commissions shall have a standing agenda item for disclosure of possible conflicts of interest. Members are

encouraged to disclose relationships with persons and issues on the agenda, including potential conflicts of interests. If necessary, discussion among the members may be undertaken to judge the significance of these relationships and whether a possible conflict of interest exists.

ARTICLE III - ENFORCEMENT OF THE ETHICS PROGRAM

A. Responsibilities of the Ethics Board

1. In considering any matter brought to its attention for action, the Ethics Board shall interpret and apply the Code of Ethics in favor of promoting the City's Core Values and Ethics Principles, protecting the public's interest in full disclosure of conflicts of interest, and promoting ethical behavior.

2. The Ethics Board shall handle the following matters:

- a. Complaints involving alleged violations of the Code of Ethics, Article II, by elected officials, members of City Committees and Commissions, and persons who contract with the City;
- b. Advisory opinions concerning the application of the Core Values and Ethics Principles, City policies and practices, or the applicability of the Code of Ethics to the requestor's own behavior; and
- c. Waivers of certain restrictions, as provided in the Code of Ethics.

B. Submission of Ethics Complaints

Any person may submit to the City Clerk an ethics complaint alleging violations of the Code of Ethics, Article II, or the ethics standards contained in the City of Bainbridge Island Employee Manual. Complaints concerning an elected official, a member of a City Committee or Commission, or a major contractor will be referred to the Ethics Board. Complaints concerning the conduct of City staff will be referred to the City Manager. The Ethics Board may on its own initiative identify a possible violation and initiate its own complaint.

Complaints must include the name and address of the complainant, along with a detailed statement of facts, supported by a declaration in compliance with RCW 9A.72.085, on a form supplied by the Ethics Board (available through the City Clerk's office or on the City website: http://www.ci.bainbridge-isl.wa.us/ethics_board.aspx).

C. Review of Complaints Concerning City Employees

1. The City Manager will review any ethics complaint forwarded by the City Clerk and authorize such investigations as may be necessary to determine whether a violation has occurred, consistent with relevant policies and procedures.
2. The City Manager may request advice from the Ethics Board.
3. If the City Manager determines that no violation has occurred, a written response will be made to the complainant.
4. If a violation of ethics rules has occurred, the City Manager or other appropriate City officer will take action as guided by state law, and relevant policies and procedures.
5. In the event of a violation, the City Manager will provide a response to the complainant and to the Ethics Board outlining the substance of the violation and the action taken, subject to governing rules regarding confidentiality articulated in state law, City policy, and collective bargaining agreements.
6. Apparent violations of law will be reported to the appropriate authorities.

D. Review of Complaints by Ethics Board

1. The Ethics Board will review any complaint forwarded to it by the City Clerk.
2. In the course of reviewing a complaint, the Ethics Board may request clarification of the complaint or other additional information from the complainant.
3. After reviewing a complaint, the Ethics Board may take any of the following actions and inform the complainant, the respondent, and the City Clerk:
 - a. Determine that the complaint lacks reasonable credibility;
 - b. Determine that the facts stated in the complaint, even if true, would not constitute a violation of the Code of Ethics;
 - c. Determine that facts stated in the complaint, even if true, would not constitute a material violation of the Code of Ethics because any potential violation was inadvertent or minor or has been adequately cured, such that further proceedings on the complaint would not serve the purposes of the Code of Ethics;
 - d. Issue an advisory opinion if the subject of the complaint is more appropriate for such action;
 - e. Hold the complaint for action at a future time if the matter is the subject of litigation;
or

- f. Make a preliminary determination that the facts stated in the complaint, if true, could potentially constitute a violation of the Code of Ethics such that further proceedings are warranted.
4. If the Ethics Board makes a preliminary determination that the facts stated in the complaint, if true, could potentially constitute a violation of the Code of Ethics such that further proceedings are warranted, the Board will inform the respondent of its preliminary determination and provide the respondent with a reasonable period of time to submit a written response in which the respondent may provide a statement of facts, supported by a declaration in compliance with RCW 9A.72.085, in opposition to the complaint and any further explanation of the respondent's position on the complaint.
 5. After receiving the written response from the respondent, the Ethics Board may take any of the following actions and inform the complainant, the respondent, and the City Clerk:
 - a. Determine that the complaint lacks reasonable credibility;
 - b. Determine that the facts stated in the complaint, even if true, would not constitute a violation of the Code of Ethics;
 - c. Determine that facts stated in the complaint, even if true, would not constitute a material violation of the Code of Ethics because any possible violation was inadvertent or minor or has been adequately cured, such that further proceedings on the complaint would not serve the purposes of the Code of Ethics;
 - d. Issue an advisory opinion if the subject of the complaint is more appropriate for such action;
 - e. Hold the complaint for action at a future time if the matter is the subject of litigation; or
 - f. Determine that the existence of a violation of the Code of Ethics would depend on whether the facts are as stated by the complaint or as stated by the respondent.
 - g. Determine that, based on the submissions of the complainant and the respondent, a material violation of the Code of Ethics has likely occurred.
 6. If the Board determines either: (1) that the existence of a violation of the Code of Ethics would depend on whether the facts are as stated by the complaint or as stated by the respondent, or (2) that a material violation of the Code of Ethics has likely occurred, the Board will forward its determination, along with the complaint, response and relevant supporting materials, to the complainant and respondent. The Board may also, on its own initiative, forward such a determination to the City Council for its review.
 7. Regardless of whether a particular violation of the Code of Ethics has occurred, the Ethics Board may find that City processes or policies could better reflect ethical shared values and principles, and may publish an advisory opinion to this effect.

8. In the course of reviewing any complaint, the Board shall report any apparent violation of law to the appropriate authorities.

E. Advisory Opinions

1. Any person may request an opinion from the Ethics Board as to whether their own behavior has violated or might in the future violate the Code of Ethics or shared values and principles.

2. The City Manager or City Council or any citizen may request an advisory opinion from the Ethics Board regarding City policies or practices in relation to the Code of Ethics.

3. Citizen Committees and Commissions may request an advisory opinion from the Ethics Board regarding operating rules or practices in relation to the Code of Ethics.

4. Any person may request an advisory opinion from the Ethics Board regarding operating policies of the City Council or Citizen Committees and Commissions in relation to the Code of Ethics.

5. The Ethics Board, on its own initiative may prepare and publish its own advisory opinion.

6. The Ethics Board will inform the requestor and publish its advisory opinions.

F. Waivers

Elected officials and members of City Committees and Commissions may apply to the Ethics Board for a waiver from provisions of the Code of Ethics. The Board will publish both the request and its response.

G. Effect of Advisory Opinion or Waiver

An individual who receives a waiver, or who acts in reliance on an advisory opinion, shall not later be found to have violated the Code if the individual acts in a manner consistent with that advisory opinion or waiver.

H. Reporting

1. The City Manager will meet with the Ethics Board annually to discuss the function of the Ethics Program as it applies to City employees.

2. The Ethics Board will report annually on the function of the Ethics Program.

**ARTICLE IV -
FOLLOW-UP TO ETHICS COMPLAINTS**

A. City Council Review of Complaints

1. If, after reviewing a complaint, the Ethics Board has determined: (1) that the existence of a violation of the Code of Ethics would depend on whether the facts are as stated by the complaint or as stated by the respondent, or (2) that a material violation of the Code of Ethics has likely occurred, either the complainant or the Board may submit the determination to the City Council so that the Council may decide whether further action is warranted. The City Clerk shall provide written notification to the complainant and the respondent of the time, date, and place of any City Council meeting at which the complaint will be discussed.

2. The Council shall initially review the complaint, response, and relevant supporting materials in executive session to determine whether there appears to be a sufficient factual basis to prove one or more Code of Ethics violations by clear and convincing evidence; provided, however, and consistent with RCW 42.30.110(1)(f), upon request of the respondent, the review shall be open to the public. The respondent shall have an opportunity to respond to the complaint. If Council determines that the complaint and attachments do not provide a sufficient factual basis to prove one or more Code of Ethics violations by clear and convincing evidence, the Council shall dismiss the complaint, and the complainant and the respondent shall be so informed. The action to dismiss the complaint shall be done by a majority vote of the Council in open public session; provided, that the respondent shall not participate in such a vote.

3. If the Council finds that the complaint and attachments appear to provide a sufficient factual basis to prove one or more Code of Ethics violations by clear and convincing evidence, the respondent shall be so informed. Such a finding shall be done by a majority vote of the Council present in open public session; provided, that the respondent shall not participate in such a vote. At that point, the respondent may:
 - a. Admit the one or more of the Code of Ethics violations alleged in the complaint.
 - b. Not admit the alleged Code of Ethics violations but expressly forego and waive any right to a hearing to contest the violations and any resulting sanction(s) imposed by City Council.
 - c. Request a hearing before the City Hearing Examiner to present evidence to dispute, rebut, mitigate, explain or otherwise defend against any or all of the Code of Ethics violations alleged in the complaint.
 - d. Remain silent.

4. If the respondent admits the Code of Ethics violations or remains silent, the City Council shall schedule and hold an executive session to hear from the respondent, and deliberate upon the appropriate level of civil sanctions to be imposed, except to the extent that the

respondent requests that he or she be heard in open public session. The written findings, conclusions, and sanctions shall be approved by a majority vote of the Council in open public session; provided, that the respondent shall not participate in such a vote. A copy of the findings, conclusions and sanctions shall be forwarded by registered mail to the complainant and to the respondent at addresses as given by both persons to the City Clerk.

B. Hearing before City Hearing Examiner

1. Hearings conducted by the Hearing Examiner shall be informal. The respondent may be represented by legal counsel. The City Attorney shall designate special counsel to present the Code of Ethics violations charges and case. The respondent and special counsel may present and cross examine witnesses and give evidence before the Hearing Examiner. The Hearing Examiner may also call witnesses and compel the production of books, records, papers, or other evidence needed. To that end, the Hearing Examiner may issue subpoenas and subpoenas duces tecum at the request of the respondent, special counsel, or on his or her own initiative. All testimony shall be under oath administered by the Hearing Examiner. The Hearing Examiner may adjourn the hearing from time to time in order to allow for the orderly presentation of evidence.

The Hearing Examiner or designee shall prepare an official record of the hearing, including all testimony, which shall be recorded by mechanical device, and exhibits; provided that the Hearing Examiner or designee shall not be required to transcribe such records unless presented with a request accompanied by payment of the cost of transcription.

2. Within 30 days after the conclusion of the hearing, the Hearing Examiner shall, based upon a standard of proof of clear and convincing evidence, make findings of fact and conclusions of law. If the Hearing Examiner determines that the alleged Code of Ethics violation(s) have not been proven, the Hearing Examiner shall dismiss the complaint. If the Hearing Examiner determines that one or more Code of Ethics violation are proven, the Hearing Examiner shall forward the matter to City Council for a determination regarding the appropriate level of sanctions to be imposed for the Code of Ethics violations. In either event, a copy of the findings and conclusions shall be forwarded to the City Council, by registered mail to the person who made the complaint, and to the respondent at addresses as given by both persons to the Hearing Examiner.

C. Action by City Council upon Hearing Examiner's Findings and Conclusion

1. Upon receipt of the Hearing Examiner's findings and conclusions that sustain a Code of Ethics violation, the City Council shall schedule an executive session to consider the findings and conclusions, hear from the respondent, and deliberate upon the appropriate level of civil sanction(s) to be imposed, except to the extent that the respondent requests that he or she be heard in open public session. The written findings, conclusions, and sanctions shall be approved by a majority vote of the Council in open public session; provided, that the respondent shall not participate in said vote. A copy of the findings, conclusions and sanctions shall be forwarded by registered mail to the person who made the complaint and to the respondent at addresses as given by both persons to the City Clerk.

2. In the event that the City Council concludes that a Code of Ethics violation(s) has occurred, the Council may impose any of the following sanctions:

a. Admonition: An admonition shall be a verbal non-public statement made by the Mayor or Mayor Pro Tem to the official who has violated the Code.

b. Reprimand: A reprimand shall be a letter prepared by the City Council, signed by the Mayor or Mayor Pro Tem, and directed to the official who has violated the Code.

c. Censure: A censure shall be a written statement administered personally by the Mayor or Mayor Pro Tem to the official who has violated the Code violation. The individual shall appear at a time and place directed by the City Council to receive the censure. The censure shall be given publicly and the official who has violated the Code shall not make any statement in support or opposition thereto or in mitigation. A censure shall be deemed administered at the time it is scheduled whether or not the member appears as required.

d. Other sanctions: Any sanction imposed under this Ethics Program is in addition to and not in lieu of any other penalty, sanction or remedy which may be imposed or sought according to law or equity.

ARTICLE V - ETHICS BOARD

A. Purpose of the Ethics Board

Maintaining an Ethics Board will help to ensure that City government adheres to the highest standards of public service. The Board is responsible for:

1. Training all elected officials, and members of City Committees and Commissions covered by the Code of Ethics.
2. Working with City Administration so that major contractors and employees (even though they are not covered by this document) read and are familiar with the Code of Ethics in this document and other applicable City documents regarding ethical behavior.
3. Providing responses to complaints, advisory opinions and requests for waivers regarding the Code of Ethics.

The Ethics Board shall promote an understanding of ethical standards for City officials, officers, and contractors working with the City, and the general public. Respect for all citizens, including elected officials, will be one of the highest priorities of the Ethics Board. The Board's responsibilities are described below, along with a description of the membership of the Ethics Board.

B. Training

The Ethics Board shall perform the following training related duties:

1. At least biannually, the Ethics Board shall prepare and distribute a pamphlet describing this Code of Ethics to all covered persons, after obtaining the City Attorney's review.
2. The Ethics Board shall disseminate any change in policy that results from a finding of the Board.
3. The Ethics Board shall ensure that all new elected officials and members of City Committees and Commissions receive a pamphlet on this Code of Ethics.
4. The Ethics Board shall develop and present a training course on the Code of Ethics to be presented to all elected officials and members of City Committees and Commissions on a biannual basis.

C. Annual Report

By February 15 of each year, the Ethics Board shall submit an annual report to the Mayor and the City Council summarizing its activities during the previous calendar year. The report shall include any recommendations for modifying the Code of Ethics.

D. Creation, Terms, and Appointments

1. Membership of Ethics Board

The Ethics Board consists of five members appointed in accordance with this section.

2. Qualifications of Board Members

- a. Members of the Board shall represent a diverse set of backgrounds and interests.
- b. No more than one officer or official of the City may serve on the Board.
- c. At least one member of the Ethics Board shall be a former judicial officer or have expertise in ethics acquired through education or experience.

3. Method of Appointment

- a. The Mayor shall nominate Board members for confirmation by the City Council. Members shall be nominated individually, not in groups of two or more persons. Confirmation of each member shall require a unanimous vote of the City Council.
- b. The Mayor and City Council shall work cooperatively to ensure that any person who is nominated enjoys the required support of the City Council. Nominations shall be presented at meetings of the City Council where all seven Councilmembers are present.

4. Terms of Appointment

- a. Board members shall be appointed to terms of three years; however, the first two members nominated by the Mayor and confirmed by the City Council shall initially serve one year terms to achieve staggered ending dates.
- b. If a member is appointed to fill an unexpired term, that member's term shall end at the same time as the term of the person being replaced.
- c. Each member shall continue to serve until a successor has been appointed, unless the member is removed or resigns.

5. Removal of Board Members

- a. The absence of any member of the Board from three (3) official consecutive meetings, unless the Board has excused the absence for good and sufficient reasons as determined by the Board, shall constitute a resignation from the Board.
- b. The appointing authority may remove a member for inappropriate conduct before the expiration of the member's term. Before removing a member, the appointing authority shall specify the cause for removal and shall give the member the opportunity to make a personal explanation. Before removing the member who is jointly appointed, either the Mayor or the Council shall specify the cause for removal and shall give the member the opportunity to make a personal explanation.

6. Compensation

Members of the Ethics Board shall serve without compensation. A member who is an officer or employee of the City shall not receive any additional compensation for serving on the Ethics Board. Members may be reimbursed for reasonable expenses pursuant to the rules of the City.

7. Rules

The City Council shall approve all rules, which have been adopted by the Ethics Board, by resolution.

8. Consultation with City Attorney

The Ethics Board may consult with the City Attorney or special counsel appointed by the City Attorney regarding legal issues which may arise in connection with the Board's duties and functions under this Ethics Program.

ARTICLE VI - DEFINITIONS

For purposes of the Ethics Program, the following definitions shall apply.

"Confidential Information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

"Direct official action" means any action which involves:

1. Negotiating, approving, disapproving, administering, enforcing, or recommending for or against a contract, purchase order, lease, concession, franchise, grant, or other similar instrument in which the City is a party. With regard to "recommending," direct official action occurs only if the person making the recommendation is in the formal line of decision-making;
2. Enforcing laws or regulations or issuing, enforcing, or regulating permits;
3. Selecting or recommending vendors, concessionaires, or other types of entities to do business with the city;
4. Appointing and terminating employees, temporary workers, and independent contractors.
5. Doing research for, representing, or scheduling appointments for an officer, official, or employee, provided that these activities are provided in connection with that officer's, official's, or employee's performance of 1 through 4 above.

Direct official action does not include acts that are purely ministerial (that is, acts which do not affect the disposition or decision with respect to the matter). With regard to the approval of contracts, direct official action does not include the signing by the Mayor, City Manager, or other official as required by law, unless the official initiated the contract or is involved in selecting the contractor or negotiating or administering the contract. A person who abstains from a vote is not exercising direct official action.

"Direct line of supervision" means the supervisor of an employee and the supervisor of an employee's supervisor.

"Elected Official" means a member of the City Council.

"Gift" means any favor, reward, or gratuity and any money, good, service, travel, event ticket lodging, dispensation, or other thing of value that is given, sold, rented or loaned to a person without reasonable compensation and that is not available to the general public on the same terms and conditions. Any honoraria or payment for participation in an event will be considered a gift.

“Immediate family” means husband, wife, son, daughter, mother, father, grandmother, grandfather, grandchildren, brother, sister, domestic partner and spouse of the above. The term includes any minor children for whom the person, or his or her domestic partner, provides day-to-day care and financial support. A "domestic partner" is an unmarried adult, unrelated by blood, with whom an unmarried officer, official, or employee has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.

“Major Contractor” means any person, corporation, company, firm, business or other entity doing business over \$5,000 with the City under one contract or annually.

“Rule of Necessity” shall be interpreted and defined in accordance with RCW 42.36.090, which provides: In the event of a challenge to a member or members of a decision-making body which would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any such challenged member(s) shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision. Such participation shall not subject the decision to a challenge by reason of violation of the appearance of fairness doctrine.



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (7:40 PM) Design Guidelines Update Briefing by Consultant, Framework - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Presentation

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

Discussion.

SUMMARY:

The City's design consultant, Framework, will provide the City Council with a briefing on the Design Guidelines Update project.

FISCAL IMPACT:

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

BACKGROUND:

The City kicked off the Design Guidelines Update project in December 2018. During December, staff and the City's design consultant, Framework, met with the Design Review Board and hosted two focus group meetings. The first of two planned public meetings was held January 30th. To brief the City Council, the consultant will provide a summary of input and feedback gathered at the meetings date, will describe existing conditions and initial gap analysis, and will respond to questions from Council.

Background materials include:

Scope of work

Public Engagement Plan

Focus Group Summary

Poster/Flyer advertising first public meeting

Additional background information is available on the Design Guidelines Update project page on the City's website: <https://www.bainbridgewa.gov/1125/Design-Guidelines-Update>.

ATTACHMENTS:

[Design Guidelines Scope of Work.pdf](#)

[Public Engagement Plan.pdf](#)

[Focus Group Summary.docx](#)

[Card Poster.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

BAINBRIDGE ISLAND DESIGN GUIDELINES UPDATE

SCOPE OF WORK

October 11, 2018

PROJECT OVERVIEW

The City of Bainbridge Island desires to update the City's Design Guidelines to improve the quality of design in the community and support the City's vision for Bainbridge as a sustainable and thriving place. This scope of work addresses the project tasks, timeline, public engagement events, and project milestones and deliverables. Highlights of the scope of work including:

- > Gap Analysis and Existing Conditions Report
- > Public Open House
- > Review and Update Administrative Procedures
- > Design Review Board and City Council Meetings
- > Draft and Final Design Guideline Updates
- > Web-based Design Guidelines (Optional Task)

SCOPE OF WORK

Task 1 - Kick-off and Project Management

1.1 PROJECT KICK-OFF + SITE TOUR

A project kick-off meeting will be held in Bainbridge with the consultant team and City staff to review the project scope, schedule, and major project milestones and deliverables. The consultant team will provide an outline for the public engagement plan and a schedule of events for review and discussion prior to the meeting. Staff and consultant team will also tour recent developments and other sites to understand the key issues to be addressed in the guidelines update and obtain site photos.

1.2 PROJECT MANAGEMENT (ONGOING)

Ongoing project management includes regular updates to the City, the coordination of project tasks for team members and subconsultants, project billing, and coordination with City staff.

1.3 CITY STAFF MEETINGS

Up to four meetings with staff are anticipated during the course of the project to review interim deliverables, plan for public engagement events and discuss the results, review the project schedule, and other project coordination tasks.

Task 2 - Existing Conditions Assessment

2.1 GAP ANALYSIS OF EXISTING GUIDELINES + CODE

The consultant team will review all existing guidelines and the relative sections of development regulations in the COBI Municipal Code. The review and analysis will identify existing gaps in information and recommendations for the design guidelines update including new guidelines, standards, graphics, policies, administration, and the overall design process. In addition, the gap analysis will include a best practices review of plans and design guidelines from other cities. The gap analysis will inform the development of an outline for the design guidelines update with a unified structure and framework.

2.2 STAKEHOLDER INTERVIEWS/FOCUS GROUPS

As part of our baseline assessment of existing conditions it would be beneficial to interview key stakeholders that have been involved in using the design guidelines and the design review process including members of the Design Review Board (DRB), designers, engineers, developers,

and residents. The input received during the stakeholder interviews and/or focus groups will be summarized with the key themes to inform the gap analysis and existing conditions analysis.

Deliverable: Stakeholder Interview/Focus Group Summary

2.3 EXISTING CONDITIONS REPORT

The information compiled under 2.1 and 2.2 will be summarized in an existing conditions report for review and input from City staff, the DRB, and other stakeholders. This input will inform the final existing conditions report and the next phase of work.

2.4 FINAL EXISTING CONDITIONS REPORT

Based on input received under 2.3 the consultant team will finalize the existing conditions report.

Deliverable: Existing Conditions Report

Task 3 - Public Engagement

3.1 PUBLIC ENGAGEMENT PLAN

The consultant team will work with the City to develop a more detailed public engagement plan including details on objectives, engagement methods, key stakeholder groups, public engagement events, meeting dates and locations, public surveys, and deliverables.

Deliverable: Public Engagement Plan

3.2 PUBLIC MEETINGS (2)

The consultant team will lead two public meetings. The first meeting will be to present the findings of the existing conditions analysis, best practices, and opportunities for the design guidelines update. The second public meeting will be focused on presenting recommendations and design guideline concepts for feedback from the public. The meetings will include a combination of informational and interactive boards, a public presentation, Q&A, workshop exercises, and may include live polling and other methods to obtain input. The program for the meetings will be included in the public engagement plan under 3.1.

Deliverable: Public Meeting Materials, Public Meeting Summaries

3.3 DESIGN REVIEW MEETINGS

The consultant team will attend up to four meetings with the Design Review Board (DRB) to get input from the board early on, to review the existing conditions assessment, and to review draft and final design guidelines.

3.4 CITY COUNCIL MEETINGS (2)

The consultant team will attend two City Council Meetings. The first meeting will be to present the findings from the existing conditions analysis and public engagement. The second meeting will be to present the draft design guidelines for input from the City Council.

Task 4 - Design Guidelines

4.1 DOCUMENT DESIGN + OUTLINE

The current guidelines are in multiple separate documents specific to each overlay district and do not follow a unified format or structure. One of the goals for this project is to develop a unified set of guidelines with general guidance and specific focus on the overlay districts. The document design will be high-quality and user friendly with a consistent look and feel throughout. The final document can be adapted to a web-based version using the City's website or a standalone website under 4.5. The document template will include an outline and list of graphics for 4.2. The document template will be provided to the City in the native format for future use.

Deliverable: Document Template and Outline

4.2 GRAPHIC PRODUCTION

Design guidelines should be simple to use and easy to understand including strong graphic communication. Graphics are anticipated to include diagrams and annotated photographs. Graphics will be developed to communicate design concepts and examples in a consistent format for use in print and on the web. The consultant team will provide all final graphics to the City in the preferred format.

Deliverable: Final Graphics

4.3 DRAFT DESIGN GUIDELINES

Based on the final document template, outline, and figure list the draft guidelines will be developed for review and input from City staff, the DRB, and other stakeholders including at the public open house under 3.4. The draft guidelines will pull together all of the existing overlay

districts and design guidelines into a unified format and document structure. The draft guidelines will address the overall design review process and administration including design review checklists.

Deliverable: Draft Design Guidelines

4.4 FINAL DESIGN GUIDELINES

The draft design guidelines will be revised and finalized based on input received on the draft guidelines including at the public open house.

Deliverable: Final Design Guidelines

4.5 WEB-BASED GUIDELINES (OPTIONAL TASK)

If desired by the City the consultant team has the capabilities to develop a web-based version of the design guidelines either using the City’s website or as a standalone website with design for mobile devices. Web-based guidelines have the potential to be more accessible and user friendly as opposed to the standard practice of posting PDF documents for most cities. However, there are good examples of web-based plans and design guidelines that can inform the development web-based guidelines for the City.



Framework

Coates
Design

Berger
Partnership

Total Hours and
Estimated Cost
by Task

2018 Hourly Rate

Lesley Bain,
Project Manager

Jeff Arango, Lead
Planner

Daniel Harris,
Planner

Project
Support

Matthew Coates,
Architect

Jonathan Morley,
Landscape Architect

\$175

\$175

\$125

\$60

\$180

\$195

Task 1: Project Management

1.1 Kick-off Meeting	6	6	0	0	0	0	0	12
1.2 Project Management (Ongoing)	10	0	0	0	0	0	0	10
1.3 Staff Meetings	10	10	0	0	6	6	6	32
Subtotal	26	16	0	0	6	6	6	54

\$9,600

Task 2: Existing Conditions Assessment

2.1 Gap Analysis of Existing Guidelines + Codes	12	10	10	0	8	8	8	48
2.2 Stakeholder Interviews/Focus Groups	14	14	0	0	0	0	0	28
2.3 Draft Existing Conditions Assessment Report	12	8	12	0	0	0	0	32
2.4 Final Existing Conditions Assessment Report	8	6	8	0	0	0	0	22
Subtotal	46	38	30	0	8	8	8	130

\$21,450

Task 3: Public Engagement

3.1 Public Engagement Plan	4	2	0	0	0	0	0	6
3.2 Public Meetings (2)	14	14	16	0	0	0	0	44
3.3 Design Review Board Meetings (4)	20	14	0	0	0	0	0	34
3.4 City Council Meetings (2)	12	6	0	0	0	0	0	18
Subtotal	50	36	16	0	0	0	0	102

\$17,050

Task 4: Design Guidelines

4.1 Document Design + Outline	14	10	20	0	0	0	0	44
4.2 Graphic Production	20	16	20	60	0	0	0	116
4.3 Draft Design Guidelines	40	30	24	0	18	24	24	136
4.4 Final Guidelines	14	10	14	0	0	0	0	38
4.5 Web-based Guidelines (Optional Task)	10	24	50	20	0	0	0	104
Subtotal	98	90	128	80	18	24	24	438

\$61,620

Total Estimated Hours

220

180

174

80

32

38

724

Cost (Hours*Rate)

\$38,500

\$31,500

\$30,450

\$10,000

\$5,760

\$7,410

\$109,720

Project Cost Subtotal

\$96,320

Expenses (2% of Project Cost)

\$3,853

Estimated Total Costs

\$100,173

Optional Web-Based Guidelines

\$13,400

Total Project Cost with All Options

\$113,573

BAINBRIDGE ISLAND DESIGN GUIDELINES UPDATE

PUBLIC ENGAGEMENT PLAN

November 30, 2018

PROJECT OVERVIEW

The City of Bainbridge Island desires to update the City's Design Guidelines to improve the quality of design in the community and support the City's vision for Bainbridge as a sustainable and thriving place. Public engagement with the Bainbridge community is a key element for the development of the design guidelines. This public engagement plan outlines the goals for engagement, targeted stakeholder groups, and engagement activities and events.

The following are highlights of the overall project scope:

- > Gap Analysis and Existing Conditions Report
- > Public Open House
- > Review and Update Administrative Procedures
- > Design Review Board and City Council Meetings
- > Draft and Final Design Guideline Updates
- > Web-based Design Guidelines (Optional Task)

OBJECTIVES

The public engagement plan should meet the following objectives:

- 1. Build Awareness.** For the public and key stakeholders to meaningfully engage in the project they must be aware of the project and opportunities to learn more about the project and provide input.
- 2. Educate the Public.** The ultimate goal for the public engagement process is to obtain input from the public and key stakeholders, but engagement is more than asking people for their opinions on a particular topic. For this project, the public and stakeholders may not be familiar with the existing design review program, design guidelines, or have a sense of what the options are for improving the program and overall design in Bainbridge.
- 3. Provide a variety of opportunities for input.** Public engagement should always include a variety of ways for the public to provide input. Not everyone is available or has the desire to attend an evening public meeting, but many people will often fill out a survey or attend a focus group if personally invited.
- 4. Reflect the input received.** Public engagement should reflect the public input received. This does not require 100% consensus from the public and key stakeholders, but rather that public input is reflected in the plan or program in a meaningful way.

ENGAGEMENT ACTIVITIES

communications

To build awareness about the project and provide timely project updates and information the City will establish a project web-page on the City's website including a list serv for people to sign up to receive project updates. Additional notices about the project and engagement events will be posted on the City's social media sites.

Focus Groups

As part of the baseline assessment of existing conditions it will be beneficial to facilitate discussion amongst key stakeholders including residents, property owners, business owners, design professionals, and community groups. To maximize the amount of input received up to three focus groups will be held with input from the City on the attendees. The invitation list for focus groups will be done with the City, including property/business owners, design professionals and interest groups.

Deliverable: Stakeholder Interview/Focus Group Summary

Community Meetings (2)

Two public meetings will be held during the project. The first public meeting will be held after the existing conditions report is completed and the second meet will be focused on the draft design guidelines and program amendments.

Community Meeting #1

The first meeting will be to present the findings of the existing conditions analysis, best practices, and opportunities for the design guidelines update. The following is a preliminary agenda:

- Open House: Boards with project information and opportunities for input.
- Presentation: Project overview and Existing Conditions Analysis
- Presentation: Best Practices + Case Studies
- Live Polling + Moderated Q+A
- Small Group Exercise: Focused visual preference and specific to Bainbridge context.

Community Meeting #2

The second community meeting will be focused on presenting draft recommendations and design guidelines for feedback from the public. The following is a preliminary agenda:

- Open House: Boards with draft guidelines, recommendations, and opportunities for input
- Presentation: What we Heard, Draft Guidelines, Recommendations
- Live Polling + Moderated Q+A
- Open House: Continuation of open house and public input

Deliverable: Public Meeting Materials, Public Meeting Summaries

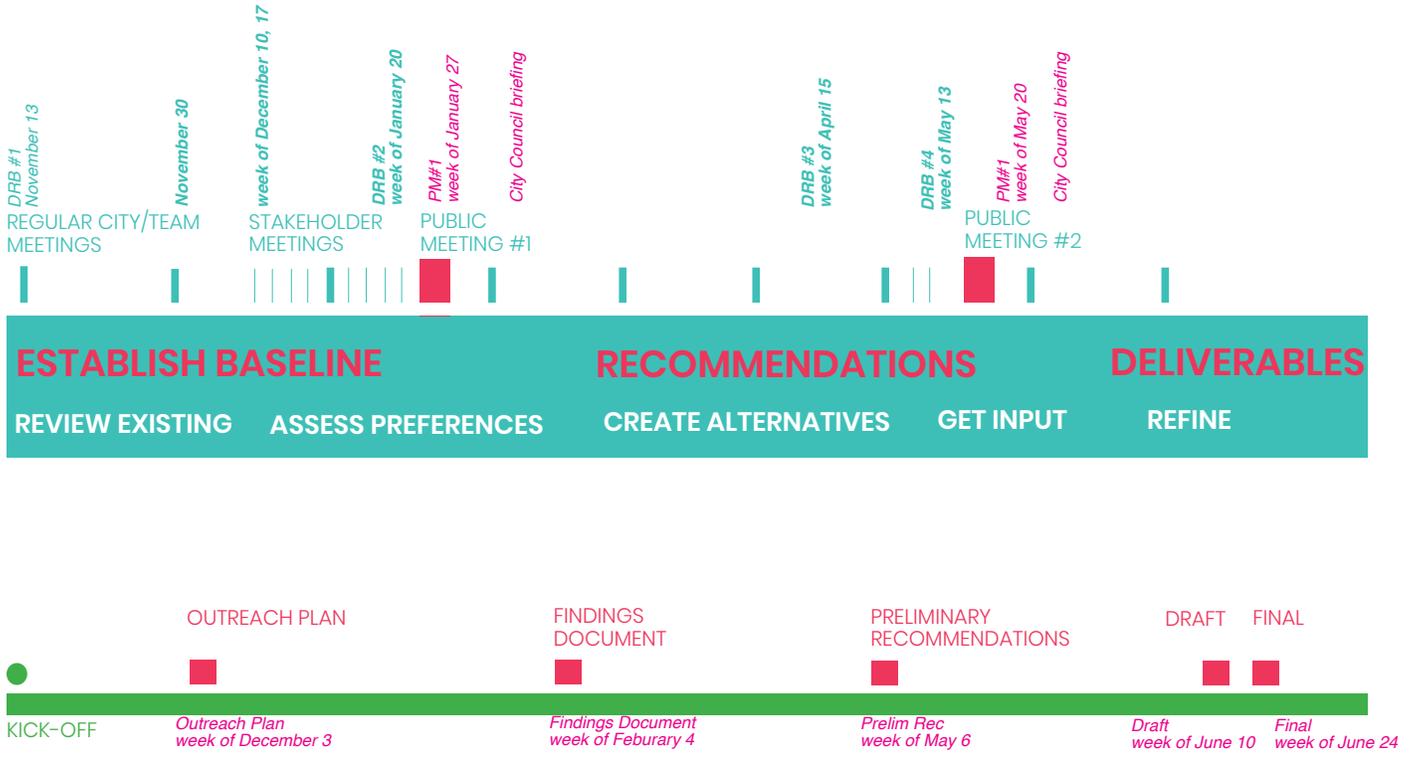
Design Review Board Meetings (4)

The consultant team will attend up to four meetings with the Design Review Board (DRB) to get input from the board early on, to review the existing conditions assessment, and to review draft and final design guidelines.

City Council Meetings (2)

The consultant team will attend two City Council Meetings. The first meeting will be to present the findings from the existing conditions analysis and public engagement. The second meeting will be to present the draft design guidelines for input from the City Council.

SCHEDULE



Focus Groups

Overview

Two focus group meetings were held on Wednesday December 19, 2018 from 10am to 12pm and 1pm to 3pm at Bainbridge Island City Hall. The following people participated in the focus groups in addition to City staff and consultants from Framework:

Focus Group Meeting #1 – 10am to 12pm

Belinda Thornberg
Jeb Thornberg
Charlie Wenzlau
Jonathan Davis
Russ Hamlet
Brandon Hogg
Jane Rein
Peter Brachvogel
Charles Schmid
Kelsey Laughlin
Eric Dieffenbach
Jared Moravec
Brian Wilkinson
Tim Spenser

Focus Group Meeting #2 – 1pm to 3pm

Hank Teran
Rick Blumenthal
LT Yoson

Key Themes

- A. **Site Planning.** There was general consensus among participants that much of the concern related to the design of new development is related to site planning issues that are not adequately addressed in the current guidelines.
- B. **Sustainability.** Sustainability is a core goal in the City's Comprehensive Plan that is being implemented in a variety of ways. Sustainability must be supported and incentivized where feasible in the update to the design guidelines. There was discussion of other related efforts such as the upcoming green building code. There was also discussion of the Living Building Challenge as a standard to aspire to in the green building code and discussion about the importance of building enclosures for reducing energy use.
- C. **Regionalism and its Adaptation to Bainbridge.** There was discussion of the "Northwest Style" and its application to Bainbridge as important elements for the design guidelines update.

- D. The Public Realm and Urban Design.** The design guidelines should focus on the public realm including the relationship between public spaces and private development such as along a street. The guidelines should focus on the human experience as a pedestrian within streets and public spaces.
- E. Regulating Architectural Style.** In general, there was consensus that regulating specific architectural styles is less important as a focus for the design guidelines update. There was discussion of improving standards for building and site materials.
- F. Density for Walkability and Human Scaled Design.** While participants acknowledged the design guidelines update will not change zoning or allowed density there was agreement among some that low-density development is contributing to some of the design challenges from larger house sizes and high land prices. Even if overall density doesn't change collocating sites and buildings allows for more sustainable and human scaled development.
- G. Current Design Guidelines are Generally Acceptable.** Participants generally felt that the current design guidelines are acceptable and support the right intent. However, there was also agreement that the structure, formatting, and communication of the design guidelines and review process should be improved in the update.
- H. Design must be Specific to Bainbridge.** The design guidelines and ultimately the design of new development should be unique to Bainbridge including the Island, the neighborhood, and the site. The design guidelines should prohibit or discourage stock designs for housing and architecture.
- I. Design Principles are Important.** Design principles are important to guide community discussions during the review process. While specific guidelines are important the participants felt strongly that community discussions during the design review process must be guided by clear design principles that illustrate what is important for any new design or project such as sustainability, regionalism, high-quality materials, human scale, and walkability.
- J. Neighborhood Centers are Unique.** The design guidelines should continue to include and expand the neighborhood specific design guidelines based on the understanding that each neighborhood center has a unique character and identity that all new development should contribute to.
- K. Design Review should include Subdivisions.** The new subdivision design guidelines are under development and must be integrated with the other design guidelines and overall review process.
- L. Public Art and Affordable Housing Opportunities.** Integrating public art and providing for more affordable housing should be supported in the design guidelines update. Opportunities to expand public art and affordable housing through incentives should be considered in the design guidelines update. Recent interactive public art projects have been highly used and regarded by the community such as in Lynwood Center.
- M. Guidance for Public Projects.** Currently public projects are often not required to go through design review. Some projects have been brought to the DRB for an advisory review. The participants discussed whether public projects should go through design review and if so, what guidelines should be developed to support the review.

Meeting Notes

Focus Group #1

- Design guidelines as collectively authored by the City are generally acceptable. Economic growth and a boom in the community has resulted in a communal concern that growth and bad design are affecting us.
- Create a pattern book, more information on detailing.
- Don't dictate style, people have different perceptions.
- Regionalism is important. It must look like Bainbridge Island.
- More on site planning is needed in the design guidelines.
- A perception that recent design has not been great. Off-island architects tend to be associated with poorer quality projects. Planning issues, site planning, perhaps quality.
- Ashbury project - water jail, houses are too big (scale), detention ponds are in the space. Stock house plans from national developers, on 7500 sq ft lot.
- Updated design guidelines, green building program, new subdivision standards are all connected projects.
- Sustainability: No solar access code exists. Put more effort on the front-end process, small town urbanism, and understanding basic urbanism. Modern townhomes aren't allowed in many of the districts. Standards in mixed use areas don't apply to single use residential projects. Guidelines don't address the area by the ferry.
- Bigger problem is the size of new homes and low-density development that isn't sustainable.
- Had some good outcomes, but bad experiences working with the design review board. It was improved by the process, but I would like to know the qualifications to be on the DRB. Requires both parties to respect the professionals that have been practicing.
- Site plan review is a challenge.
- Frustrating that the DRB has to check boxes and that's not the right approach. Design principles are important to guide discussions.
- Need more vision and principles to guide the discussion.
- More good examples in the guidelines are needed.
- Fire dept: Try to be problem solvers and work with designers and developers.
- Public works and fire dept need to be consistent on street standards and fire access.
- Disappointed there is not enough infrastructure in Rolling Bay and Island Center.
- Does each center have a different character or scale?
- Neighborhood centers could help address affordable housing through increased density. Opposition in the community to density.
- Culture and heritage are important and in a way that allows for an inclusive community. Generation priced out is a book that is worth reading and was mentioned on KUOW.
- Density is important and needs to be addressed in the code.
- Incorporate public art into the design guidelines.

Focus Group #2

- Public projects aren't required to go through the DRB. Some projects like the Waterfront park were brought to the DRB voluntarily.
- 70% of calls are EMT calls with smaller vehicles.
- Interactive art features in Lynnwood Center are highly regarded.
- New designs are very homogenous, not much variety, can't tell the difference between the two projects.
- National scale developers are doing projects on Bainbridge Island and there is a perception that the projects could be more sustainable.
- 41 years on the island. Development has been extremely poor and doesn't reflect anything on the island.
- 100% of building is controlled by the enclosure for sustainability.
- Fire sprinkler every building will give more flexibility regarding access requirements and site and building design. Maintenance is important for fire sprinklers.
- Offset the costs upfront to claim value on the back end. 2% for the arts for public projects on Bainbridge.
- Partner with PSE on discussion around energy conservation through new development.
- Support good design that's also sustainable (Passive house)
- Fire Station: More prominent #21 in the design and the building shifted on the site. Community space was incorporated in the fire station. There is no charge for use of the space by non-profits.



facade



roof



streetscape



Design Guidelines Update

Open House

Wednesday, January 30

6 - 7:30
pm

Help shape the Island's future

The City of Bainbridge Island is seeking input to support the update of its Design Guidelines to improve the quality of design in the community and support the vision for Bainbridge Island as a sustainable and thriving place.

JOIN US!

Open House
Wednesday, January 30
6 - 7:30 pm
City Hall
Council Chamber
280 Madison Avenue N

Learn more:
<https://www.bainbridgewa.gov/1125/Design-Guideline-Update>





CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (8:10 PM) Update on City's Suzuki Property Development Project - Council,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION:

To discuss options related to:

- approach to property development and project ownership
- whether and how to initiate a financing feasibility study
- what range of units should be used as input data for a feasibility study
- whether OPG's property development oversight should be paused for 60-90 days

SUMMARY:

In December, 2018, the City Council authorized an Ad Hoc Committee (Councilmembers Blossom, Nassar, and Tirman) to develop a recommendation to the full Council about how to move forward with property development given that Housing Kitsap was no longer available to serve as the project's development partner.

The Ad Hoc Committee met twice, and spoke with representatives from both Olympic Property Group-OPG (Jon Rose) and Housing Resources Bainbridge - HRB (Phedra Elliott). The Committee's recommendations are provided below, and also in the attached memo drafted by HRB.

FISCAL IMPACT:

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

BACKGROUND:

The City owns a 14-acre property at the intersection of New Brooklyn and Sportsman Club Road. The City intends to develop a 100% affordable housing project at this site, and has engaged Olympic Property Group

(OPG) to complete the initial phases of property development and site preparation. The City originally planned to have Housing Kitsap serve as the development partner for the project. However, in Fall 2018 Housing Kitsap indicated that they are no longer available to serve in that role.

An Ad Hoc Committee of Councilmembers was tasked with developing a recommendation on how the City should proceed with the project, given that Housing Kitsap will not serve as the development partner. Ad Hoc members met with OPG representatives and HRB Executive Director Phedra Elliott. A main topic of discussion was the potential decision to undertake a financing feasibility study to fully assess what financing mechanisms would be available to the project. This is work that would typically be done by a development partner, and is a step that HRB believes is necessary in order for the project to move forward in any event.

The recommendations of the Ad Hoc Committee are as follows:

Discussion Topic A - Project Management

Recommendation: The Council should consider options for project management as described in the attached memo draft by HRB.

1. One option entails City donation of the property to HRB, and HRB responsibility for a financing feasibility study. HRB would request City funding for the financing study (estimated cost range is \$20,000 - \$50,000).

2. A second option is for the City to task HRB with completion of a financing feasibility study, either ahead of or concurrent with Council consideration of whether to donate the property. HRB would request City funding for the financing study (estimated cost range is \$20,000 - \$50,000) and management fees to HRB (\$4,000).

3. Another option is for the City to work directly with a consultant to complete a financing feasibility study.

In all options, the financing feasibility study would be performed by a consultant, as neither HRB staff nor City staff have the expertise to complete this work. In many cases, the cost of a financing study is recouped from the developer as part of the project financing. An estimated timeline to complete this study is 3 – 5 months.

Discussion Topic B – Range of Project Units

Recommendation: The Council should confirm a range of project units as input data to a financing feasibility study.

HRB has indicated that 50 – 70 multifamily units is a viable range for this project to be successful in the marketplace. HRB has also indicated that the project could include an additional 9 - 18 units within a

homeownership program. Under current property zoning of R-2, the property could develop up to 30 single family units, and an additional 30 ADU's.

Discussion Topic C – Pause in OPG Project Oversight

Recommendation: The Council should consider whether to request a pause of 60 – 90 days in OPG's general project oversight.

OPG has indicated that they prefer to keep project momentum and to move forward as soon as possible on two key decisions: final site plan (unit count) and stormwater approach. If the Council determines to undertake a financing feasibility study, a final decision on site plan/unit count would not occur for several months. The opportunity to pause OPG's general oversight activities would allow for additional time later in the the project without additional cost to the City. Currently, the City pays OPG a flat rate of more than \$17,000 per month for their role as project manager.

Proposed Schedule/Next Steps:

Going forward, a potential schedule for upcoming Council discussions could be as follows:

Feb 5 Study Session:

- Review options from HRB memo
- Select whether to proceed with a financing feasibility study, and whether to task HRB with management of the study
- Indicate source of funds for the study
- Commit to a range of units as input for financing feasibility study
- Consider whether to have OPG "pause" project oversight for 60 – 90 days

March 20 Study Session:

- Receive detailed project status presentation from OPG
- Council makes "preliminary decision" on preferred number of units
- Council discusses options for full or partial property donation

March 27 Business Meeting:

- Council approves preliminary decision on number of units

April 17 Study Session:

- Council briefing from OPG on stormwater options

April 24 Business Meeting:

- Council approves decision stormwater options

June:

- Council receives Financing Feasibility Report results
- Council final decision on number of units

ATTACHMENTS:

[Suzuki - HRB Memo to Council 201901.pdf](#)

[RES NO. 2018-03 ESTABLISH GOALS FOR THE CITY-OWNED SUZUKI PROPERTY.pdf](#)

FISCAL DETAILS: Potential Cost for Financing Feasibility Study: \$20,000 - \$54,000* including \$4,000 for HRB management, no assumption for cost recovery from development.

Potential Cost for Property Donation: \$800,000 cost recovery is assumed within 2019-2020 Biennial Budget.

Fund Name(s): General Fund

Coding:



HOUSING RESOURCES BAINBRIDGE

730 Ericksen Ave. NE, Ste. 100
Post Office Box 11391
Bainbridge Island, WA 98110
(206) 842-1909
www.housingresourcesbi.org

January 15, 2019

Morgan Smith
City Manager
City of Bainbridge Island
280 Madison Ave North
Bainbridge Island, WA 98110

Dear Morgan:

Housing Resources Bainbridge was asked by a sub-committee of the City Council to outline options for determining the financial feasibility of affordable housing on the Suzuki property. Several years of excellent work and preparation have already gone into understanding the environmental attributes that exist there, what is best to retain as open space, and what area is best suited for development of housing. Under the leadership of Olympic Property Group, Davis Studio Architecture and Design, along with other development experts has created a site plan that fits the space and is flexible with regard to number of units and mix of unit size. This plan has been blessed by the City's Affordable Housing Task Force.

In January of 2018, Council passed Resolution 2018-03 that established goals for the conservation and development of affordable housing on the Suzuki property. This resolution sets policy for Suzuki on open space conservation, and on the housing development with regard to who will be served and the type and mix of housing built.

The stated goals are:

- 100% affordability for income levels from 30%-120% AMI
- Rental housing and homeownership housing
- Permanent affordable housing
- 50% donation of the land value by COBI
- Optimal number of affordable units consistent with Comprehensive Plan, Zoning Requirements, site assessment completed by ESA, characteristics, sustainable development, and financial considerations.
- Maintaining approximately 65% of the property in an undeveloped state
- Creating a 300-foot wildlife corridor

There are several options for COBI to proceed with this project.

Option 1 – Council could pass a resolution that surpluses the Suzuki property to HRB for housing that meets the stated criteria in the resolution. HRB would then move ahead to develop the housing that fits

these goals. Updates on progress can be provided to council as we move ahead. The language in the surplus resolution could contain a provision to the effect that if HRB is unable to develop the project per the stated goals the land will revert back to COBI.

Step one for HRB would be to complete a feasibility study as described in Option 2. HRB would hire a consultant to perform this study and request funds from the COBI Housing Trust Fund to pay for this study.

Option 2 – If COBI would like remain more actively involved in Suzuki for the present time and retain ownership of the land for the meantime, HRB recommends that COBI then enter into a contract with HRB to complete and deliver to council a complete feasibility study for a multifamily rental project and homeownership homes. This study would include an analysis of all possible financing options to include:

- WA Low Income Housing Tax Credit Program
- WA State Housing Trust Fund grants and loans
- Federal Home Loan Bank Grants and Loans
- Sources of HUD funding such as Community Development Block Grant and HOME
- Kitsap County funding such as Homeless Housing for All or the Affordable Housing Program
- COBI sources such as COBI Housing Trust Fund and donation/partial donation of Suzuki property
- Tax Exempt bonds
- Financing from lending institutions
- Financing with private sources such as impact investors or private lenders
- Program investments from Foundations
- Equity Equivalent Investments
- Community Fundraising

This study would include 2-3 high level proformas to illustrate program sources and costs under scenarios of different unit ranges and types.

It will also clearly describe the unit ranges needed in both number and type to be successful with the various funding sources.

Additionally, HRB would deliver a feasibility analysis on developing Community Land Trust Homeownership housing, to include housing built under the Self Help Housing Program operated by Housing Kitsap. This would include a high level proforma on cost, range of units and sizes.

HRB would hire a consultant to perform this study and funding for this study could come from the COBI Housing Trust Fund, similar to Option 1.

Option 3 – COBI could hire an affordable housing consultant directly to complete a feasibility study as described in Option 2. This would require some staff resources to work with and manage the consultant and the process.

All of the above options can encompass the work that COBI has contracted with OPG to provide. This work can continue in parallel as the proposed Preliminary Plat that will be presented to council has flexibility built into it that allows a varying number of units to be built.

Below is additional information that Council may find helpful.

Cost Estimate and Timeline for Feasibility Study – The approximate estimate for a feasibility study can range from \$20,000 - \$50,000 and a study would take 3-5 months to complete. It would take HRB approximately one month to engage a consultant for this work. Some affordable housing developers will waive or credit this fee, if they are chosen to actually develop the project. This information is based on feedback from 2 consultants and HRB’s past experience with similar contracts. If HRB were to contract with COBI as described in Option 2, HRB would request additional COBI HTF funding to cover our staffing costs of \$3100-\$3300 during the feasibility study.

Land Donation - Though COBI’s stated goal is to donate 50% of the land value, it is very clear from the preliminary conversations that I have had with funders and consultants that a full donation of the property by COBI will go a long way in making the project feasible and could make the difference in whether or not grants are awarded and whether or not the project will work financially. This is especially true when looking at public funding sources. Local commitment to projects like this is very important. It is my recommendation that Council consider a full donation of the land for this project.

Number of Units –

The Suzuki property is well located near other residences, schools and services and is an ideal location for this housing.

Council has stated a desire to have both rental and homeownership housing on this site. Practically, this would be achieved with two separate projects on this site:

- A multifamily project that is potentially to be financed through a variety of sources like bonds, tax credits, grants etc.;
- A homeownership project that would potentially be funded with public and private sources, such as Housing Kitsap’s Self Help Homeownership Program and HRB’s CLT Homeownership Program (which uses public and private funding).

For the multifamily housing project to be viable for funding with public sources, we need to build something that starts at 50 units. Having a range of multifamily units from 50 to some larger number of 70 or more will provide flexibility to work with in the feasibility study.

For homeownership housing, Housing Kitsap’s self-help program requires a minimum of 8 homes with 10 being ideal for each build they do. The self- help homeownership serves only households at 80% of AMI and below. In order to provide some homeownership for moderate income (80%-120%) as stated in Council’s resolution, HRB would need to build those homes under our CLT homeownership program. I can’t answer at this point how many homes HRB would need to build to make the project cost effective because we haven’t run numbers on this yet, but this is a number that would come out of the feasibility study. Having a range of 8-19 units (per the current site plan) would give maximum flexibility here.

HRB recommends and supports this project being developed to its full potential of 91 units in order to provide a maximum benefit for the citizens of Bainbridge Island. This community is in a housing crisis and this is an opportunity to add badly needed units of housing that will be affordable in perpetuity and will serve many who already live or work here.

I hope this helps to illustrate the different paths that Council can consider in order to move closer toward the goal of creating an affordable neighborhood on the Suzuki property.

HRB is committed to partnership with the City of Bainbridge Island on this project.

Best,



Phedra Elliott
Executive Director

RESOLUTION NO. 2018-03

A RESOLUTION of the City of Bainbridge Island, Washington, establishing goals for the conservation and development of affordable housing on the City-owned Suzuki property.

WHEREAS, the City of Bainbridge Island purchased the property known as the Suzuki property in 2000; and

WHEREAS, the property is located within the Winslow Sewer Service Area; and

WHEREAS, in 2015, the City invited development teams to participate in a competitive process to assist with the development of affordable housing on the Suzuki property; and

WHEREAS, the City Council selected a team comprised of Olympic Property Group, Housing Kitsap, and Jonathan Davis; and

WHEREAS, the 2016 Housing Needs Assessment identified a demand for affordable housing options on Bainbridge Island; and

WHEREAS, the 2016 Comprehensive Plan contains numerous goals related to affordable housing.

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

Section 1. The City Manager is directed to negotiate a development services agreement with Olympic Property Group for the purpose of completing all necessary work required for permits, approvals, and development of the site.

Section 2. The development services agreement shall incorporate the following goals:

- A. The project shall be 100% affordable with the goal of achieving affordable housing for income levels of 30 – 120% AMI.
- B. The project shall be a mix of rental and homeownership units.
- C. The project shall create permanent affordable housing.
- D. 50% of the land value related to the site will be contributed to the project by the City of Bainbridge Island.
- E. Ownership of the project after permit approvals have been obtained will be as follows:

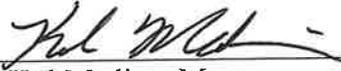
1. Green space will be held in a land trust administered by a nonprofit or governmental entity;
 2. Homes for sale will be held in a community land trust to be administered by Housing Resources Bainbridge or a similar nonprofit entity. If necessary to assure permanent affordability, there should be deed restrictions and/or covenants providing for permanent affordability of the homes; and
 3. Homes for rental will be held by a partnership of Housing Kitsap and tax credit investors. In addition, there shall be deed restrictions and/or covenants providing for permanent affordability of the homes.
- F. The project shall be designed to develop the optimal number of affordable housing units, consistent with the 2016 Comprehensive Plan, zoning requirements, the 2017 Environmental Assessment prepared by Environmental Science Associates (“ESA”), site characteristics, sustainable development practices, and financial considerations.

Section 3. The City Manager shall provide the development services agreement to the City Council for approval.

Section 4. If the development services agreement is approved, the City Manager shall provide status reports to the City Council during City Council Business meetings at project milestones when Preliminary Design is completed, when Preliminary Approval has been achieved, and prior to beginning site engineering, construction, and development. At each of these milestones, City Council action to proceed will be required prior to moving to the next phase.

PASSED by the City Council this 23rd day of January, 2018.

APPROVED by the Mayor this 23rd day of January, 2018.

By: 
 Kol Medina, Mayor

ATTEST/AUTHENTICATE:

By: 
 Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	January 19, 2018
PASSED BY THE CITY COUNCIL:	January 23, 2018
RESOLUTION NO.	2018-03



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (8:40 PM) Project Options for Dave Ullin Open Water Marina - Public Works,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION:

Two options:

1. I move to direct staff to proceed with the design option shown as Option 1, providing 16 residential spots in the Dave Ullin Open Water Marina.

or

2. I move to direct staff to proceed with providing the requested additional proposed layouts for the Marine Access Committee to consider in making its recommendation to the City Council.

SUMMARY:

Consideration of a request from the Marine Access Committee for two additional proposed layouts of 16 residential buoys within the Dave Ullin Open Water Marina. Additional layouts requested are outside the scope of the project consultants' contract and will cost an additional \$500 to \$1,000 per layout with a 5-10 working-day lead time.

FISCAL IMPACT:

Amount:	\$TBD
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: In 2010/2011, the City and the Washington State Department of Natural Resources (“DNR”) established an open water marina for residential use and the City installed 10 buoys within the open water marina for five residential vessels, which, together with the linear moorage system, provided for up to eleven residential vessels.

On August 8, 2017, the City, through Resolution No. 2017-15, renamed the open water marina as the “Dave Ullin Open Water Marina” (“DUOWM”)

In September 2018, the linear moorage system was removed due to deteriorated condition.

The DUOWM is currently full with 11 tenants. The demand for residential use of the DUOWM has increased and a waitlist has been established. Currently, there are six vessels on the waitlist.

In 2018, the City Council directed the Marine Access Committee (“MAC”) to provide a recommendation for the placement of 16 residential buoys within the DUOWM.

On December 10, 2018, the MAC received public comment on Option 1, showing 16 residential boats on a single point swing. For reference, attached is the proposed buoy layout for Option 1.

On January 14, 2019, the MAC reviewed the public comments to date and a staff memo showing seven options. A copy of the staff memo is attached below. The MAC made two motions asking staff to provide two additional layouts for the MAC to consider:

- Option A: Map 16 vessels on a single-point swing for those currently residing in the OWM along with 5 additional vessel lengths known to be on the wait list (rounded to the nearest 10'). In doing so, create a southern navigation fairway by shifting buoy positions to the North and Northeastern boundaries of the OWM.
- Option B: Map 16 vessels on a single-point swing for those currently residing in the OWM along with 5 60' vessel spaces. In doing so, create a southern navigation fairway by shifting buoy positions to the North and Northeastern boundaries of the OWM.

The City's consultant provided the attached rough draft of Option A. However, additional work will need to be authorized before the additional layouts can be finalized for consideration. Additional layouts requested are outside the scope of the project consultants' contract and will cost an additional \$500 to \$1,000 per layout with a 5-10 working-day lead time.

City staff are working to complete project plans in time to allow for construction during the Summer, 2019 fish window. To meet this timeline, the City must select a final layout no later than March 1. At that time, the proposed layout will be provide to DNR for formal review and approval.

ATTACHMENTS:

[Staff Memo](#)

[Option 1](#)

[Rough Draft of Option A Proposed Layout](#)

[Marine Access Committe Memo to Council DUOWM Recommendations](#)

[Public Comments Received by the MAC](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

Memorandum

Date: January 10, 2019
To: Marine Access Committee
From: *AC* Aaron Claiborne, Operations Project Manager
Tami Allen, Harbormaster
Ellen Schroer, Deputy City Manager
Subject: Dave Ullin Open Water Marina Project Comments and Options

City staff reviewed the public comments from the Dave Ullin Open Water Marina (DUOWM) public meeting on December 10th. Staff received over 30 comments, which are attached to this memo for your review.

In addition, staff has summarized information for seven potential options based on input from the community and the project consultant. The tables on the following pages portray these options in relationship to the lease agreement, cost, permitting, and timing. In order to maintain the current project timeline, staff requests that the Marine Access Committee (MAC) be prepared to make a recommendation for City Council after the February 11th MAC meeting. Then, Council can provide direction on a project option to staff before mid-March. If MAC chooses not to make a recommendation by mid-February, staff will present the seven options to Council for their review with a staff recommendation to pursue Option 1.

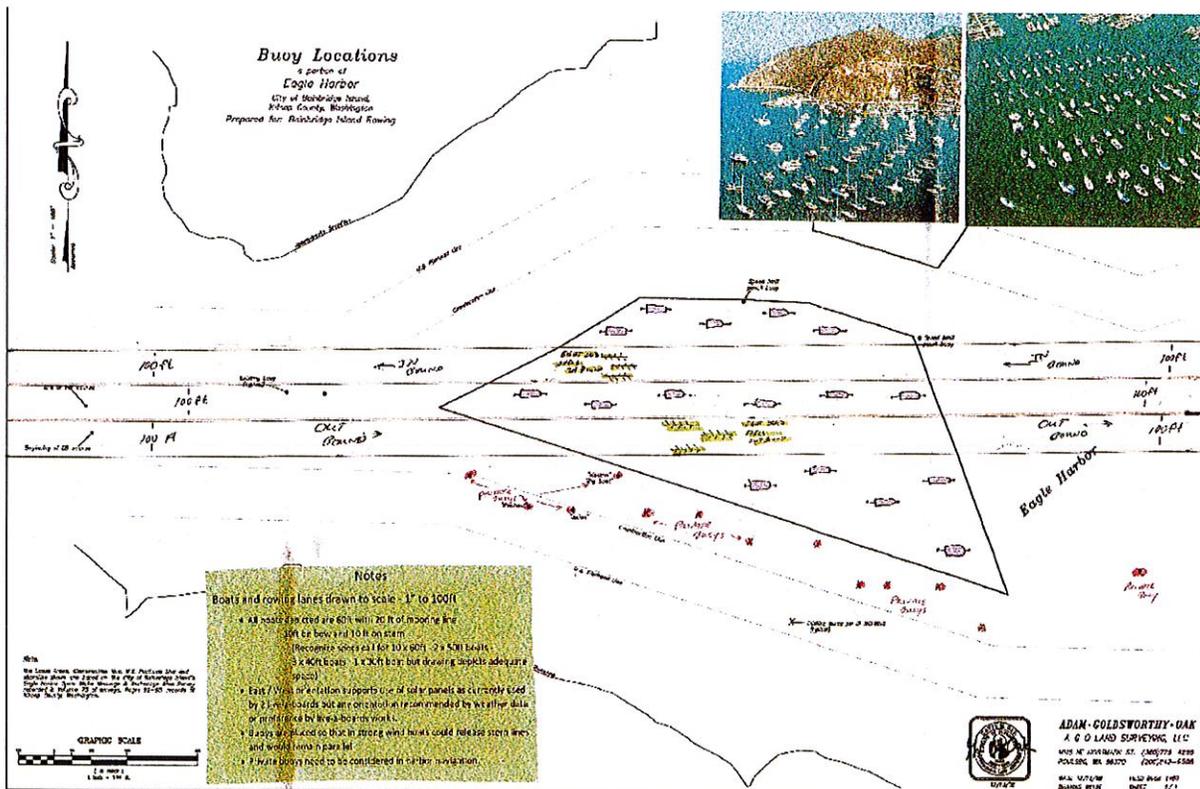
Additional points of information for all options under consideration include:

- Fore/aft moorage arrangements may create additional staff management as boats must swing from one buoy during wind conditions and restoring to double-point moorage is performed by tenants at timing not always under control of the City.
- The primary purpose of the DUOWM is to serve as a residential community. A potential lane through the DUOWM is not a lease criterion, but safe passage between boats and through the lease area is a requirement.
- Construction must be completed between August 1 and February 15 due to requirements related to the marine environment.
- Permits for this project must be obtained from federal, state, and local jurisdictions.
- Department of Natural Resources (DNR) shall review final layout and decide whether to provide work approval.

Thank you for your participation in the public process related to this project.

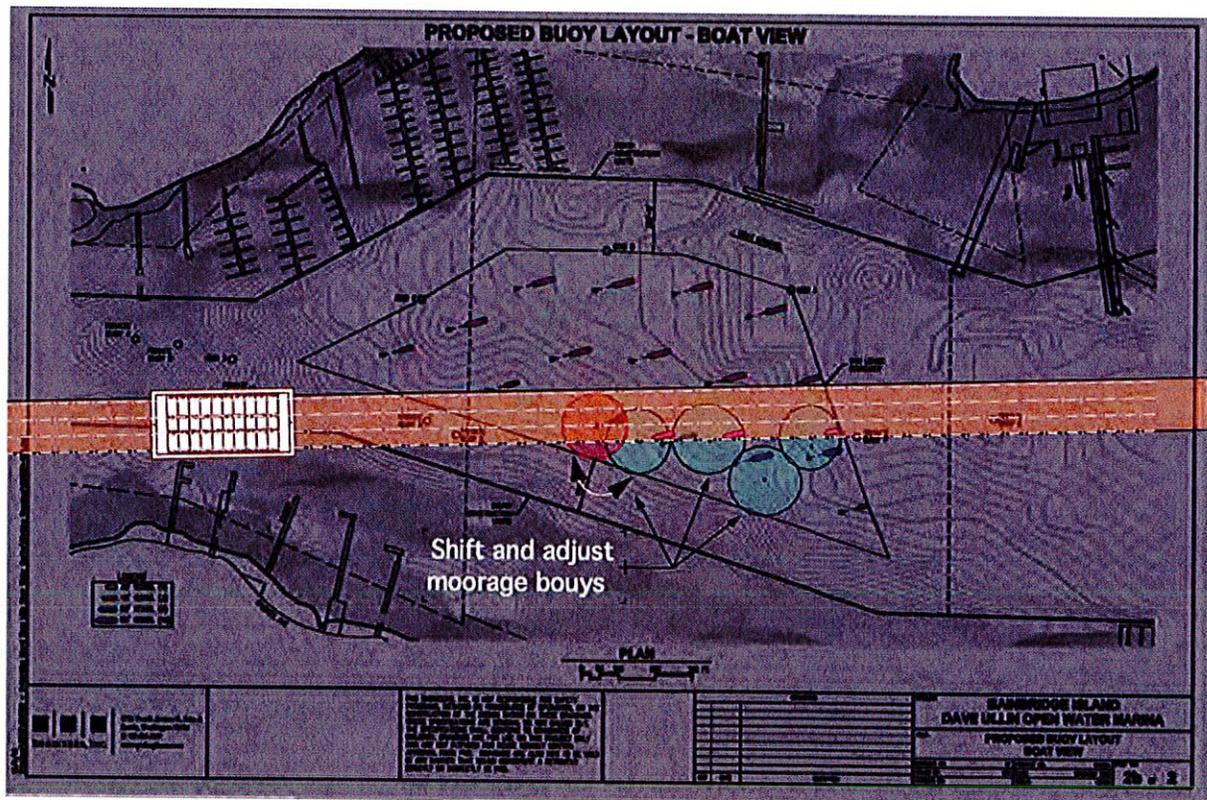
Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 2- 16 Boats tied fore/aft (2-point moorage)	32	\$140,000 (does not include design costs)	Requires permit revision-estimated at 4-8 months from submittal	November 2019-September 2020
<ul style="list-style-type: none"> • 2-Point moorage is not currently portrayed in the DNR lease agreement with the City, but staff believes that lease amendment may be possible for 2-point moorage. • This option requires 32 buoys for 16 boats. DNR has indicated they have a limit of 20 buoys in the DUOWM. The decision whether to allow more buoys would be made by DNR. • Allows for open space or boat channels through the DUOWM. • Increased operational costs to maintain additional buoys. • Boats would need to swing at single point during wind conditions. • Install timing assumes DNR will accept 32 buoys within the DUOWM. 				

Layout was submitted by Bruce Beall. A professional engineer would need to review prior to submittal to DNR.



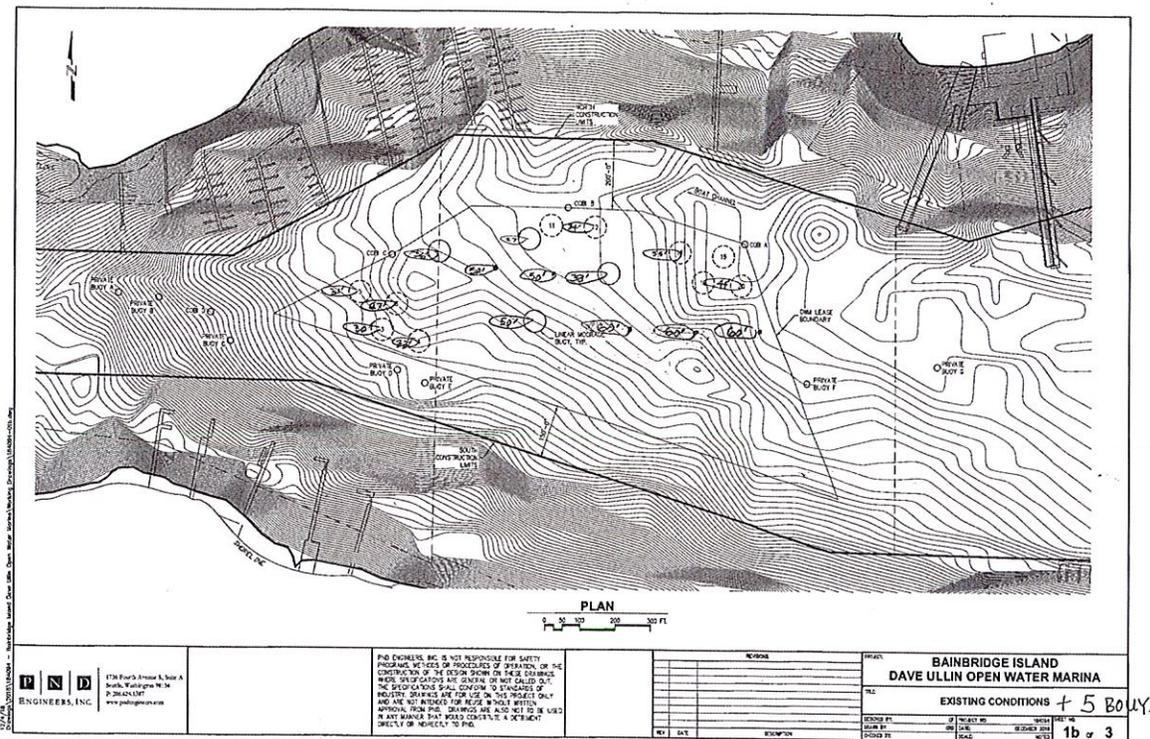
Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 3- Smaller boat sizes-16 boats on single point swing	16	\$70,000 (does not include design costs)	Consistent with current permit approvals	September-December 2019
<ul style="list-style-type: none"> • Meets DNR lease agreement with the City. Similar to option 1 but allows for more open space due to smaller boats and associated swing circles. • May allow for open space or a potential lane through the DUOWM with smaller swing circles. • Limits operational flexibility in accommodating larger boat sizes. 				

Layout was submitted by Andy Rovelstad. A professional engineer would need to review prior to submittal to DNR.



Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 4- Use existing layout with some added buoys. 12 to 16 boats using both single point swing and fore/aft	18	\$25,000 (does not include design costs)	Requires permit revision estimated at 4-8 months from submittal.	September 2019- September 2020
<ul style="list-style-type: none"> • 2-Point moorage is not currently portrayed in the DNR lease agreement with the City, but staff believes that lease amendment may be possible for 2-point moorage. • All boats would need to swing at single point during wind conditions. • May allow existing South open space and lane through the DUOWM. • Lower estimated installation costs and ongoing maintenance costs. • May not maximize number of boats to reach 16 residential boats within the DUOWM. 				

Layout developed by COBI staff. A professional engineer would need to review prior to submittal to DNR.

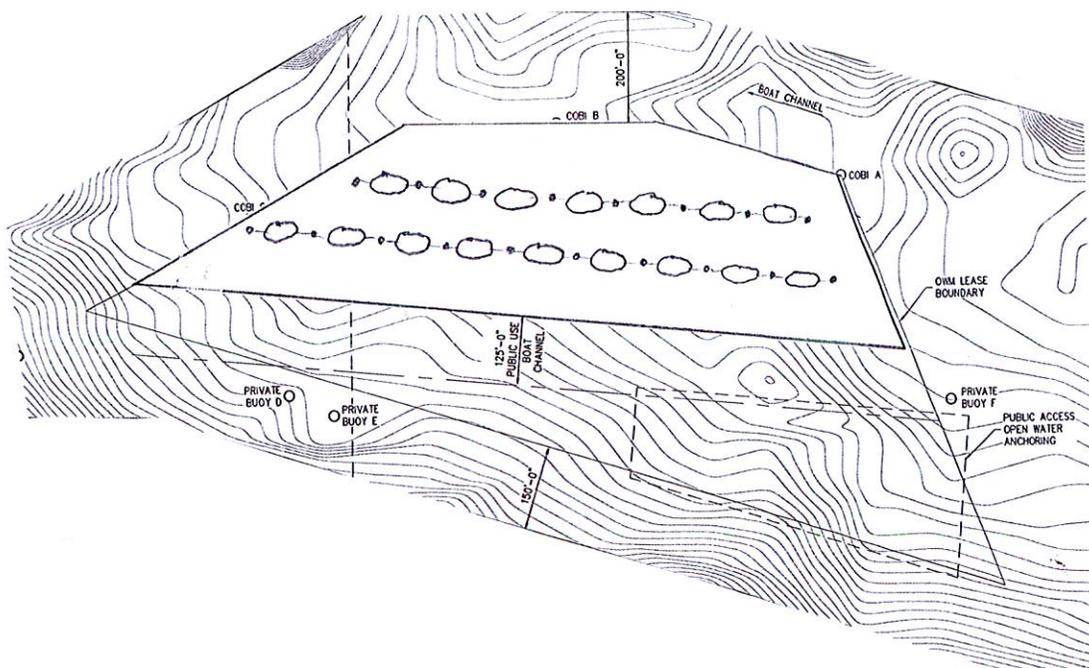


Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 5- Hybrid using both single point swing and fore/aft.	20	\$80,000 (does not include design costs)	Requires permit revision estimated at 4-8 months from submittal.	September 2019-September 2020
<ul style="list-style-type: none"> • 2-Point moorage is not currently portrayed in the DNR lease agreement with the City, but staff believes that lease amendment may be possible for 2-point moorage. • May allow for open space or a potential lane through the DUOWM with smaller swing circles. • All boats would need to swing at single point during wind conditions. 				

Various layouts are possible with a combination of boats on single point swing and fore/aft. The cost estimate assumes 4 boats fore/aft and 12 boats single point swing. A professional engineer would need to provide the layout options.

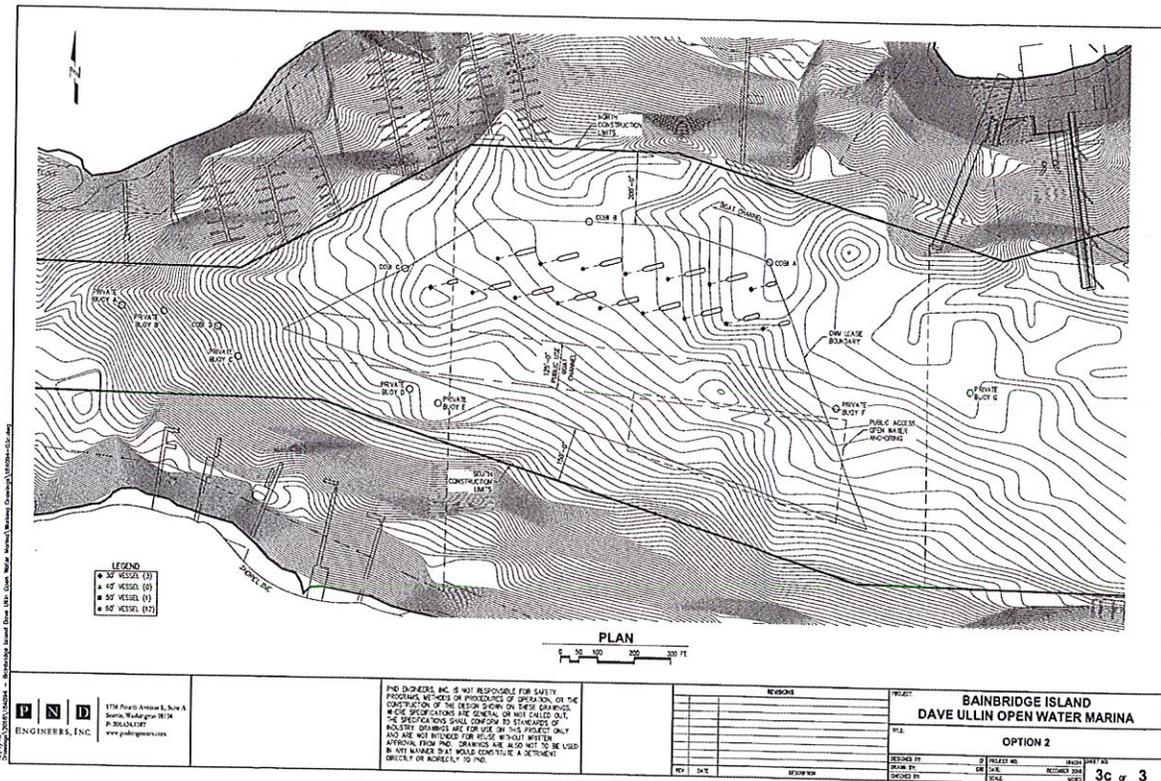
Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 6- Two boats sharing one buoy tied fore/aft with a total of 16 boats.	18	\$77,500 (does not include design costs)	Requires permit revision estimated at 4-8 months from submittal.	September 2019- September 2020.
<ul style="list-style-type: none"> • 2-Point moorage is not currently portrayed in the DNR lease agreement with the City, but staff believes that lease amendment may be possible for 2-point moorage. • May allow for open space or a potential lane through the DUOWM. • Depending on number of boats with shared buoys, may create barriers to travel within the DUOWM. • All boats would need to swing at single point during wind conditions. 				

Layout was provided by COBI staff. A professional engineer would need to review prior to submittal to DNR.

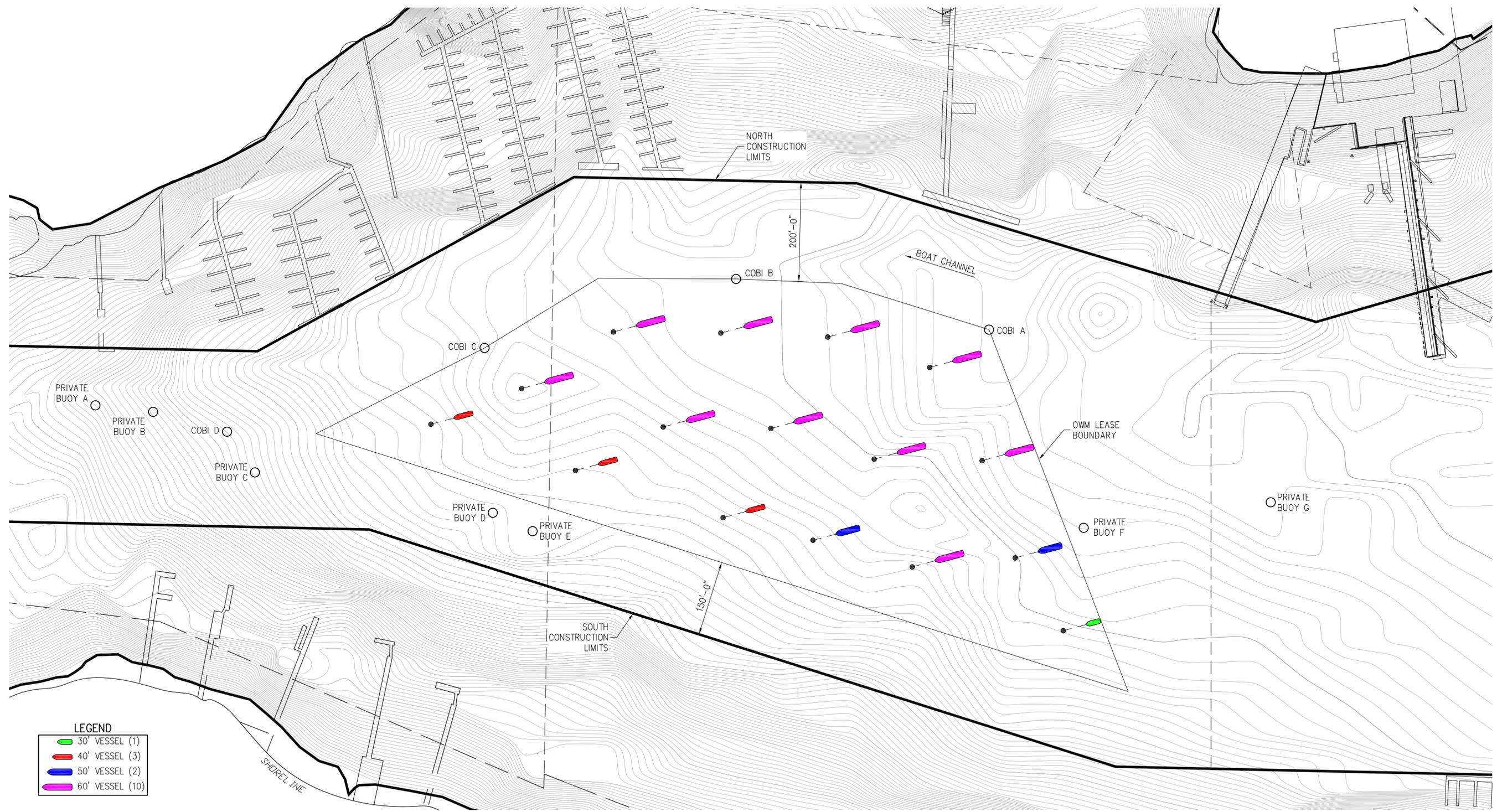


Options	Buoys	Estimated Construction Cost	Permitting	Install Timing
Option 7- Overlapping swing circles with 16 boats.	16	\$70,000 (does not include design costs)	Requires permit revision estimated at 4-8 months from submittal.	September 2019- September 2020
<ul style="list-style-type: none"> The City must demonstrate to DNR that overlapping swing circles meets the terms of the lease agreement with the City. The decision whether to allow overlapping swing circles would be made by DNR. May allow for open space or a potential lane through DUOWM with overlapping swing circles. May create barriers to travel within the DUOWM. Install timing assumes DNR will accept overlapping swing circles. 				

Preliminary layout provided by the project consultant. The layout was dropped as COBI staff could not prove it met the terms of the lease agreement with DNR.



PROPOSED BUOY LAYOUT - BOAT VIEW



LEGEND

█	30' VESSEL (1)
█	40' VESSEL (3)
█	50' VESSEL (2)
█	60' VESSEL (10)



12/5/18 Drawings\2018\184094 - Bainbridge Island Dove Ullin Open Water Marina\Working Drawings\184094-02b.dwg

P | N | D
ENGINEERS, INC.

1736 Fourth Avenue S., Suite A
Seattle, Washington 98134
P: 206.624.1387
www.pndengineers.com

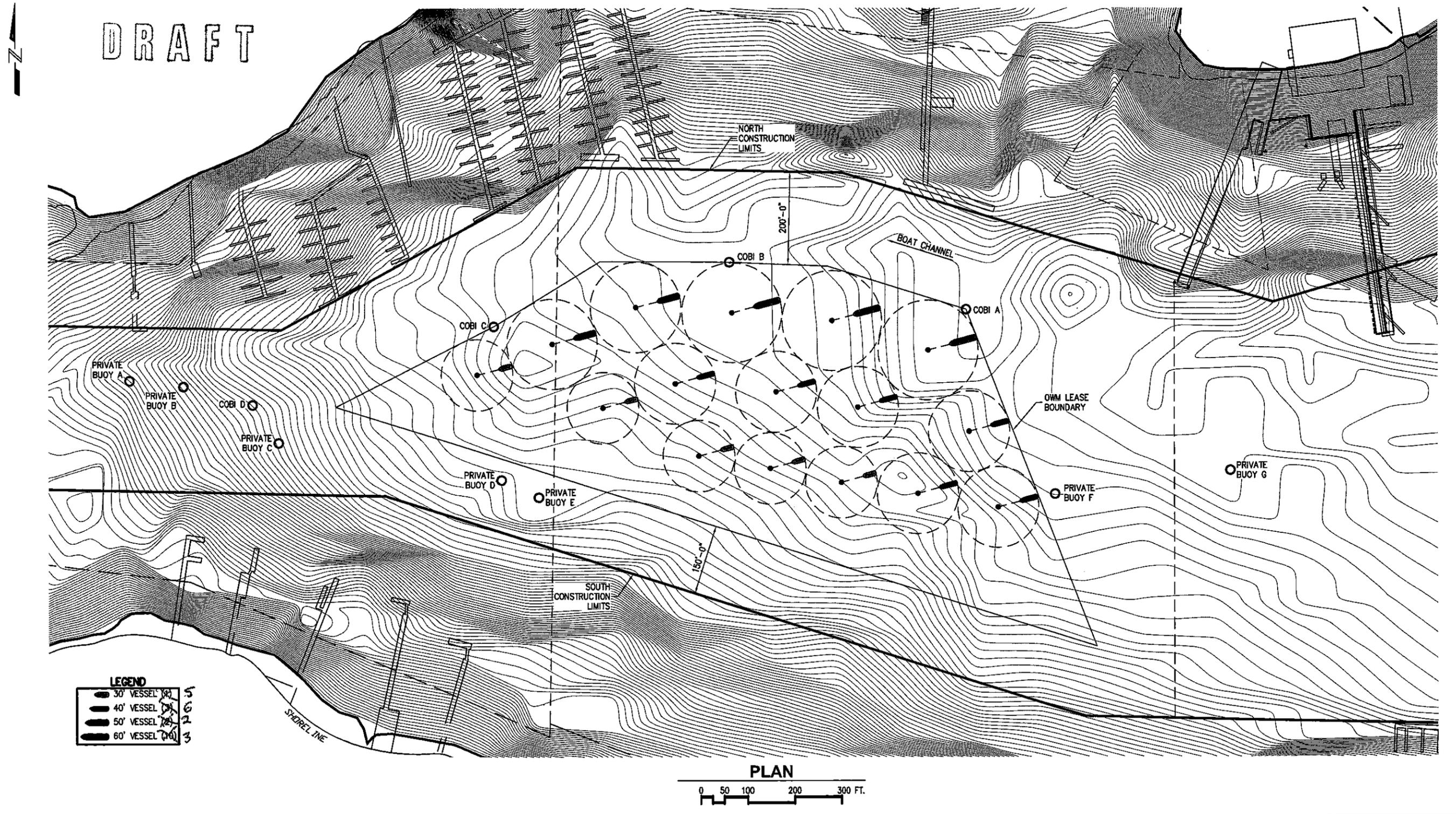
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REVISIONS		
REV	DATE	DESCRIPTION

PROJECT: BAINBRIDGE ISLAND DAVE ULLIN OPEN WATER MARINA			
TITLE: PROPOSED BUOY LAYOUT BOAT VIEW			
DESIGNED BY:	CF	PROJECT NO:	184094
DRAWN BY:	GRD	DATE:	DECEMBER 2018
CHECKED BY:		SCALE:	NOTED
			SHEET NO: 2b OF 2

PROPOSED BUOY LAYOUT - SWING CIRCLE

DRAFT



12/5/18 Drawings\2018\184094 - Bainbridge Island Dave Ullin Open Water Marina Working Drawings\184094-02a.dwg



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REV	DATE	DESCRIPTION

PROJECT:	BAINBRIDGE ISLAND DAVE ULLIN OPEN WATER MARINA		
TITLE:	PROPOSED BUOY LAYOUT - OPTION B SWING CIRCLE		
DESIGNED BY:	CF	PROJECT NO:	184094
DRAWN BY:	GRD	DATE:	JANUARY 2019
CHECKED BY:		SCALE:	NOTED
		SHEET NO:	
			CF

MEMORANDUM

Date: January 28, 2019

To: City Council

From: Marine Access Committee

Subject: Recommendations for the siting and planning of residential moorages in the Dave Ullin Open Water Marina in Eagle Harbor.

I. EXECUTIVE SUMMARY

The Marine Access Committee (MAC) recommends that the City Council adopt a moorage plan for the Dave Ullin Open Water Marina (DUOWM) that accommodates 16 residential vessels on a single-point swing. The space allotted for each vessel should be based on the 11 vessels currently in the DUOWM (as of January 2019), along with the next five vessels on the 2020 wait list. In addition, the design should increase the width of the safety fairway at the southern edge of the lease area in order to improve safe navigation for recreational uses of Eagle Harbor that include, but are not limited to, motor boating, kayaking, rowing, and sailing.

II. BACKGROUND

The City of Bainbridge Island and the Washington State Department of Natural Resources (DNR) entered into a Lease Agreement in 2010, which permits residential moorage in Eagle Harbor. The marina is the only open water residential marina in Washington State and is a unique part of the history of Bainbridge Island.

DNR manages the aquatic lands in Washington State, including those in Eagle Harbor and the DUOWM, as a public trust for the people of the State and as a steward of these public lands. The DNR manages the aquatic lands as a landlord, which then leases these lands for a variety of uses, including marinas and recreational mooring buoys. The DNR seeks to provide opportunities for recreation, support water-dependent uses, promote sustainable use of natural resources, and protect public navigational and fish access from obstructions.¹

In June 2018, the City Council voted to provide funding to increase the number of residential buoys from 9 to 16 as allowed under the terms of the Lease Agreement. This decision followed the July 11, 2018, Affordable Housing Task Force Report that stated that “residential vessels in the [DUOWM] . . . can be an economical housing choice on the island for a limited but important demographic.”

Following the vote by the Council, the MAC formed a subcommittee to study the issues surrounding the expansion of the number of vessels and to solicit feedback from members of the public regarding the project. Over time, it became clear that a public workshop would be the most appropriate forum for providing an overview of the project, receiving feedback, and answering the questions and concerns of the community.

¹ “Managed Lands.” Washington State Department of Natural Resources. Accessed January 23, 2019. <https://www.dnr.wa.gov/managed-lands>.

With the full support of City Staff, including Public Works, Police Department, and Executive, the MAC hosted a Public Workshop on December 10, 2018, in place of its regular business meeting. At the workshop, members of the MAC engaged the liveaboard community and other frequent users of Eagle Harbor, including Bainbridge Island Rowing (BIR), for input on developing a solution that would meet the needs of all users of Eagle Harbor. A preliminary plan was prepared by Public Works to serve as a starting place for discussion among members of the community and to establish a base line from which further recommendations could be developed.

The December 10th Public Workshop was well attended with most of the seats in the Council Chamber filled by members of the community. Committee members mostly heard frustration and anger about the process, with many in the liveaboard community concerned that the size of the DUOWM would shrink as a result of any modifications to accommodate other Eagle Harbor users. Harbormaster Tami Allen assured attendees that this was not the case: the boundaries of the DUOWM are fixed under the terms of the lease and not changing as part of the buoy layout project. Other community members noted concerns about safety and navigation within Eagle Harbor. In particular, the City is not able to restrict transient and/or temporary moorage within designated areas throughout Eagle Harbor, including the DUOWM.

Following the public workshop, the subcommittee continued to accept written feedback from members of the community. In total, 34 responses were submitted to Operations Project Manager Aaron Claiborne from a mix of stakeholders. Many commenters expressed opposition to the expansion of the DUOWM, while others shared their preference for the preliminary plan or encouraged the MAC to find a solution that pleased as many as possible. An additional theme among commenters was that Eagle Harbor is a shared resource and safe access for all should be a priority for the City Council.

On January 14, 2019, the MAC held its regular committee meeting and was joined by over 20 members of the public, including residents of the DUOWM and representatives from BIR. The committee reviewed the various options presented by Staff (*cf.* January 10, 2019 Memo to Marine Access Committee from Aaron Claiborne) as well as sketches presented by liveaboard supporters and BIR. The MAC members took the opportunity to address various concerns of both the liveaboards and BIR, and two motions passed the committee by unanimous consent. Our recommendation is analyzed and summarized below.

III. RECOMMENDATION

The MAC recommendation is informed by three criteria against which we analyzed various options. Each criterion is meant to be responsive to the direction provided to the MAC by the Council, as well as the purpose of the Marine Access Committee to “work to support awareness, management, and enhancement of public access to and from the island’s waters and water dependent activities.”²

The three criteria are:

- Accommodate 16 liveaboard vessels in the DUOWM;
- Improve the safety of Eagle Harbor for all users; and
- Develop a solution that is responsive to community members who offered public comment.

² “Marine Access Committee.” City of Bainbridge Island. Accessed January 23, 2019. <https://www.bainbridgewa.gov/706/Marine-Access-Committee>.

A. Marine Access Committee Recommendation to the City Council – Plan #1

The Marine Access Committee recommends the placement of 16 single-point buoys within the DUOWM. The vessel lengths accommodated in the DUOWM should be based on the 11 current tenants along with the vessel sizes of the next five households on the waiting list. The vessel length mix should accommodate:

- 5 vessels 30 feet or less
- 6 vessels 40 feet or less
- 2 vessels 50 feet or less
- 3 vessels 60 feet or less

We recommend that the 16 vessels be positioned at the northern and northeastern ends of the open water marina boundary in order to widen the adjacent navigation fairway to the south (see Figure 1). Some overlap of vessel swing circles may also be required in the proposed placement. We believe that this will provide safer transit of vessels around the moorage and promote less haphazard anchorage by visitors.³

Lastly, we recommend the following two minor modifications to improve the overall vessel traffic management of Eagle Harbor:

- Remove the City’s navigation buoy “D” located to the west of the DUOWM (circled in Figure 1)
- Install buoyed signage to guide Eagle Harbor users safe passage around and through the DUOWM (e.g., “Open Water Marina Ahead”).

Table 1 evaluates this recommendation against the three decision criteria and the other options considered by the MAC.

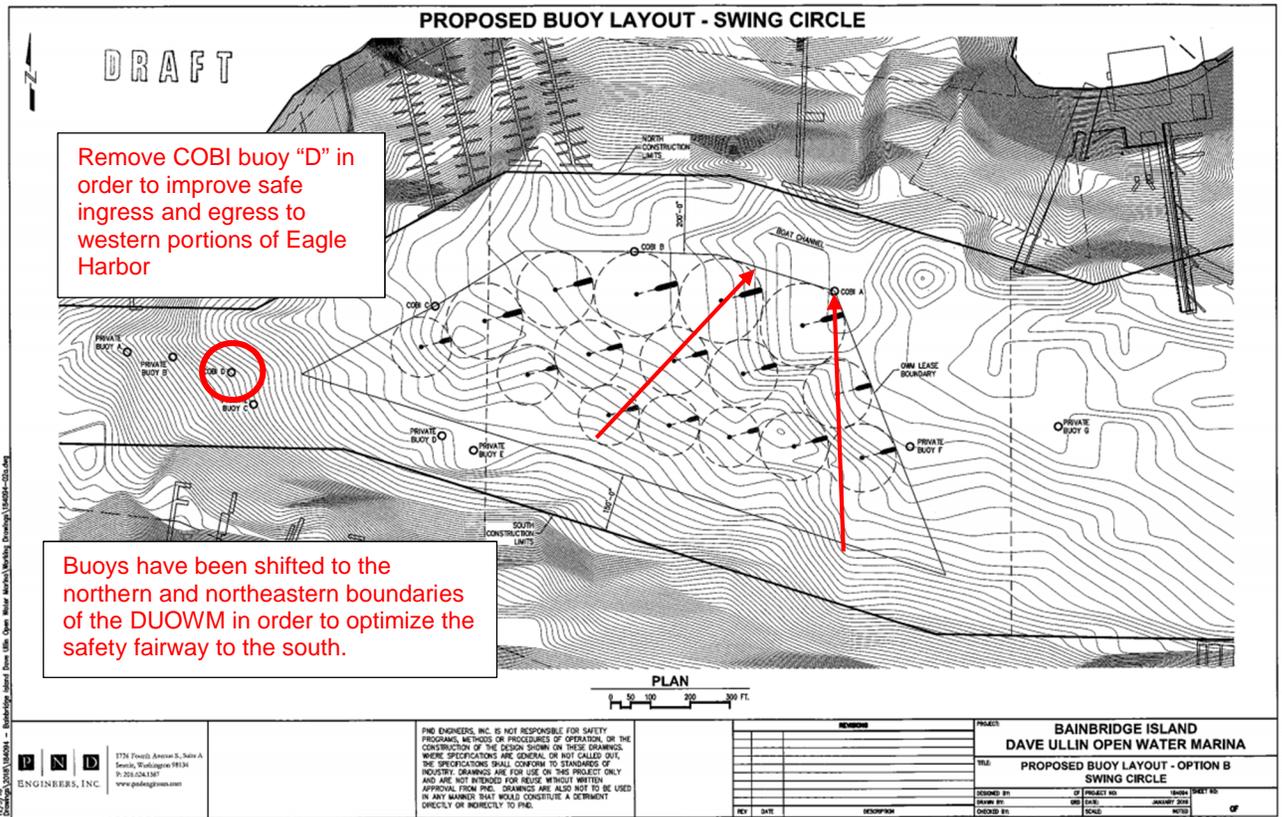
TABLE 1: RECOMMENDATION DECISION MATRIX

DUOWM LAYOUT/DESIGN PROJECT	Criterion 1: Accommodate 16 liveaboard vessels in the DUOWM	Criterion 2: Improve the safety of all users of Eagle Harbor	Criterion 3: Develop a solution that is responsive to public comment
Recommendation: Plan #1	Yes	Yes	Yes
Plan #2	Yes	Unknown	Yes
Plan #3	Yes	No	No

In addition, our recommendation has two benefits not associated with the other options evaluated by the MAC. First, a draft siting was prepared by PND at the request of Public Works following the January MAC meeting that closely aligns with Plan #1 (see Figure 1). Additionally, the DNR previously evaluated overlapping swing circles in a mooring plan elsewhere in Puget Sound (see Note 3).

³ The Washington State DNR performed an analysis for Quartermaster Harbor, Maury Island in April 2013 that addresses overlapping swing circles in a mooring buoy field. The *Quartermaster Harbor Mooring Buoy Management Plan* stated that “DNR will consider allowing some minor overlap of vessel swing in the buoy field to optimize the adjacent navigation channels and the number of mooring buoys for use by the boating community, while discouraging unsafe vessel traffic through the buoy field.” The DNR also noted that the “traditional recreation activity in Quartermaster Harbor includes fishing, crabbing, boating, [and] a rowing course for the Vashon Rowing Club . . .” (Available at http://www.dnr.wa.gov/publications/aqr_quartermaster_harbor_mooring_buoy_plan.pdf).

FIGURE 1: PRELIMINARY DRAFT PREPARED BY PND SHOWING BUOYS MOVED TO THE NORTH AND NORTHEAST (APPROXIMATION OF MAC PLAN #1)



B. Other Options – Plan #2 and Plan #3

The MAC considered two additional plans and weighed each against the evaluation criteria. Plan #2 is similar to our recommendation in Plan #1 with the exception of the size of the vessel moorage in the DUOWM. In addition to accommodating the 11 vessels currently in the DUOWM, Plan #2 seeks to maximize flexibility by substituting one 60’ buoy for on 40’ buoy in Plan #1:

- 5 vessels 30 feet or less
- 5 vessels 40 feet or less
- 2 vessels 50 feet or less
- 4 vessels 60 feet or less

While only slightly different from Plan #1, we believe that this option may result in a narrower safety fairway to the south. An engineering analysis would be required to adequately evaluate this plan, and therefore we are unable to evaluate it against Criterion #2. Lastly, this plan is responsive to public comment (Criteria #3) as it addresses liveaboard resident concerns by offering the greatest flexibility in siting various vessel sizes.

Finally, the MAC addressed Plan #3, which was the preliminary option presented during the December Public Workshop and prepared prior to public input. (Note: this is labeled as Option #1 in the Staff

Memo). The Plan does meet the Council's objective of increasing the number of liveaboard moorages to 16; however, it fails our analysis of the other two criteria.

IV. CONCLUSION

It is our hope that this recommendation for the Dave Ullin Open Water Marina Layout/Design Project meets the needs of a diverse group of citizens, all of whom call Bainbridge Island home. We thank the public for their thoughtful comments throughout this process along with the support of City Staff who supported the MAC in formulating this recommendation.



DAVE ULLIN OPEN WATER MARINA

Public Comments Received**

* Comments received from Marine Access Committee Meeting December 10, 2018 and during the comment period.
 Comments do not include those sent directly to Marine Access Committee members unless forwarded to staff.

1	11/28/2018	Kari & Joel Wright
2	12/2/2018	Tim Dore
3	12/10/2018	Jeff Adams
4	12/10/2018	Alex Schacht
5	12/10/2018	Barbara Trafton
6	12/10/2018	Philip Ohartigan
7	12/10/2018	Vicki Saunders
8	12/10/2018	Paul Svornich
9	12/10/2018	Karl Dight
10	12/10/2018	D. Spencer
11	12/10/2018	Sam Bloom
12	12/10/2018	Robert Herschberg
13	12/10/2018	Marie Pahlmeyer
14	12/10/2018	Sue Entress
15	12/10/2018	Ed Kushner
16	12/13/2018	Janette Ahrndt
17	12/13/2018	James & Jennie Sheldon
18	12/14/2018	Richard Seubert
19	12/14/2018	Andy Rovelstad
20	12/14/2018	Kurt Frost
21	12/14/2018	Jeff Kanter
22	12/14/2018	Jeff Adams
23	12/14/2018	Ken Fabert
24	12/14/2018	Sue Entress
25	12/14/2018	Ted Davis
26	12/14/2018	Barbara Trafton
27	12/14/2018	Susan Haines
28	12/14/2018	X
29	12/14/2018	Ted Davis
30	12/14/2018	Charlotte Rovelstand
31	12/14/2018	Haley & Rusty Lhamon
32	12/14/2018	Bruce Beall
33	12/16/2018	Andy Rovelstad
34	12/12/2018	Paul Svornich



DAVE ULLIN OPEN WATER MARINA

Public Comments Received**

* Comments received from Marine Access Committee Meeting December 10, 2018 and during the comment period.
Comments do not include those sent directly to Marine Access Committee members unless forwarded to staff.

Aaron Claiborne

From: Kari Wright <joelkari@aol.com>
Sent: Wednesday, November 28, 2018 12:43 PM
To: Aaron Claiborne
Subject: DUOWM

November 28, 2018

Aaron,

We are off island on the 12/10/18 and would like our opinions noted at the meeting in our absence.

- We are residents of Eagle Harbor and observe the daily happenings on the harbor.
-
- We are not in favor of expanding the liveaboard area. We are not in favor of it because we have seen the increase in visiting boaters and tourism now that the city has removed the derelict vessels from the harbor. We believe that all recreational opportunities for the general public should take precedence over anchored out housing. People living over water in the harbor take up space. This is a navigable area. Water that is navigable should be enjoyed by all. The proposed plan takes away space to be kayaked through and rowed through and to be available for temporary anchorage for visiting boaters. All summer long we have large rafts of anchored visiting boats, rowing, sailing and kayaking. There is simply limited space in Eagle Harbor that is coveted by all and many uses.
-
- We are not in favor of allowing the current or future liveaboard vessels to change to a full swing circle on a single point moorage buoy because it encumbers more usable harbor area. Double tied is our preference, it is just better space usage. Other high use harbors on the west coast use this type of moorage systems. (just one example is Newport Harbor, CA)
-
-
- We also feel very strongly that the liveaboard area stay on the (north side) public-dock side of the harbor as this is closest to the COBI dock and services. The boats should be clustered as tight as possible to allow space for other activities in this very popular part of the harbor.
-
- If the number of liveaboard moorage buoys increase, the *non waterfront owner* permitted buoys in the center of Eagle Harbor should be revoked as these occupy the center of the harbor and deter navigation as well. (one example is the Dight buoy in the harbor center)
-
- We also feel that the current area should have better monitoring and enforcement to ban plastic tarps on deck, proliferation of unsecured items on deck and gas powered generators on deck. There are 2 perpetual offenders in the harbor to date. Perhaps COBI needs to strengthen the existing rules and regulations governing the area so that the harbor master and BI police have the additional tools they need to take care of the harbor.
-
- Please note it is also important to tighten up or add COBI laws with regards to liveaboards skirting the COBI laws and living on their boats anchored in Eagle Harbor. Owner of vessel *Chan* lives on his boat with his large dog on various private moorings in Eagle harbor year round which is illegal per state law. This has been going on for over 2 years. Cobi has a permitted liveaboard area. Enforcement should be applied so that all liveaboards that are not in legal shore marinas, need to be in the legal open water area. They should not be allowed to move from private buoy to private buoy to anchor or just moving their anchor around the harbor for anytime over 30 days. There are individuals who are gaming our system and taking advantage of the situation.
-
- We are also not in favor of current or future vessels encumbering our city dock *in addition to* their moorage buoys which happens now on an average of 1-2 nights a week on a weekly basis. Not only do they have buoys which encumber the harbor, they also park at the dock and deter visitors from using that as well.
-
- Should COBI follow through and increase the liveaboard area and number, please plan to increase the paid harbor master staff time allocated to monitoring the area. While our harbormaster is responsive, the harbor

already requires more time than she is allocated and doubling the open water marina size will add to her load. This will be an additional expense for the city.

Thank you for your consideration.

Kari and Joel Wright

Aaron Claiborne

From: Tim Dore <twdore@gmail.com>
Sent: Tuesday, December 04, 2018 1:52 PM
To: Aaron Claiborne
Subject: Fwd: Open Water Marina, Waterfront Park

Aaron, I can't attend the meeting on Monday regarding the Open Air Marina so please see my comments below. A single point buoy system should be used for this project at all.

Sent from my iPhone

Begin forwarded message:

From: Kol Medina <kmedina@bainbridgewa.gov>
Date: December 4, 2018 at 10:15:02 AM PST
To: Tim Dore <twdore@gmail.com>, Matthew Tirman <mtirman@bainbridgewa.gov>, Sarah Blossom <sblossom@bainbridgewa.gov>
Cc: Barry Loveless <bloveless@bainbridgewa.gov>
Subject: RE: Open Water Marina, Waterfront Park

I appreciate you taking the time to write, Tim. Please don't ever be reluctant to write to any City representatives. We work for you.

At our meeting last week, the Council discussed this at some length. During that discussion, Barry Loveless provided an explanation for why the City was not able to build the dock with the low float that the rowing community desired. It was not an oversight or a mistake. I'd encourage you to listen to that discussion. It is during our budget discussion. You can find the video here: <http://www.ci.bainbridge-isl.wa.us/1101/City-Council-Agendas> .

You seem to know that the Council has approved some funding for this issue. In particular, if I remember correctly, the Council approved \$30K to be spent on determining whether there is actually a way, within the confines of the various applicable laws, to build this low float.

As for the open water marina issue. There are issues of fairness on both sides of this and various factors that need to be balanced, as I'm sure you understand. I'm looking forward to seeing what the Marine Access Committee recommends. I encourage you to make your voice heard as that Committee considers this.

Thanks.

Kol Medina
Bainbridge Island Mayor and Council Member
Position 2, North Ward
kmedina@bainbridgewa.gov
206-512-7155

From: Tim Dore [<mailto:twdore@gmail.com>]
Sent: Sunday, December 2, 2018 10:10 PM
To: Matthew Tirman <mtirman@bainbridgewa.gov>; Sarah Blossom <sblossom@bainbridgewa.gov>; Kol Medina <kmedina@bainbridgewa.gov>

Cc: Barry Loveless <bloveless@bainbridgewa.gov>

Subject: Open Water Marina, Waterfront Park

Dear Council Members:

My name is Tim W. Dore, and I reside at 10653 NE Seaborn Road, Bainbridge Island, WA. 98110. I have lived on Bainbridge Island since 1999 and full-time since 2011. I am reluctant to write this email, but the current state of affairs and comments regarding the dock and Open Air Marina require that I state the following. I am currently on the Board of Bainbridge Island Rowing ("BIR"), but do not row, Both of my kids rowed on the High School Rowing Team but both have gone onto to College,

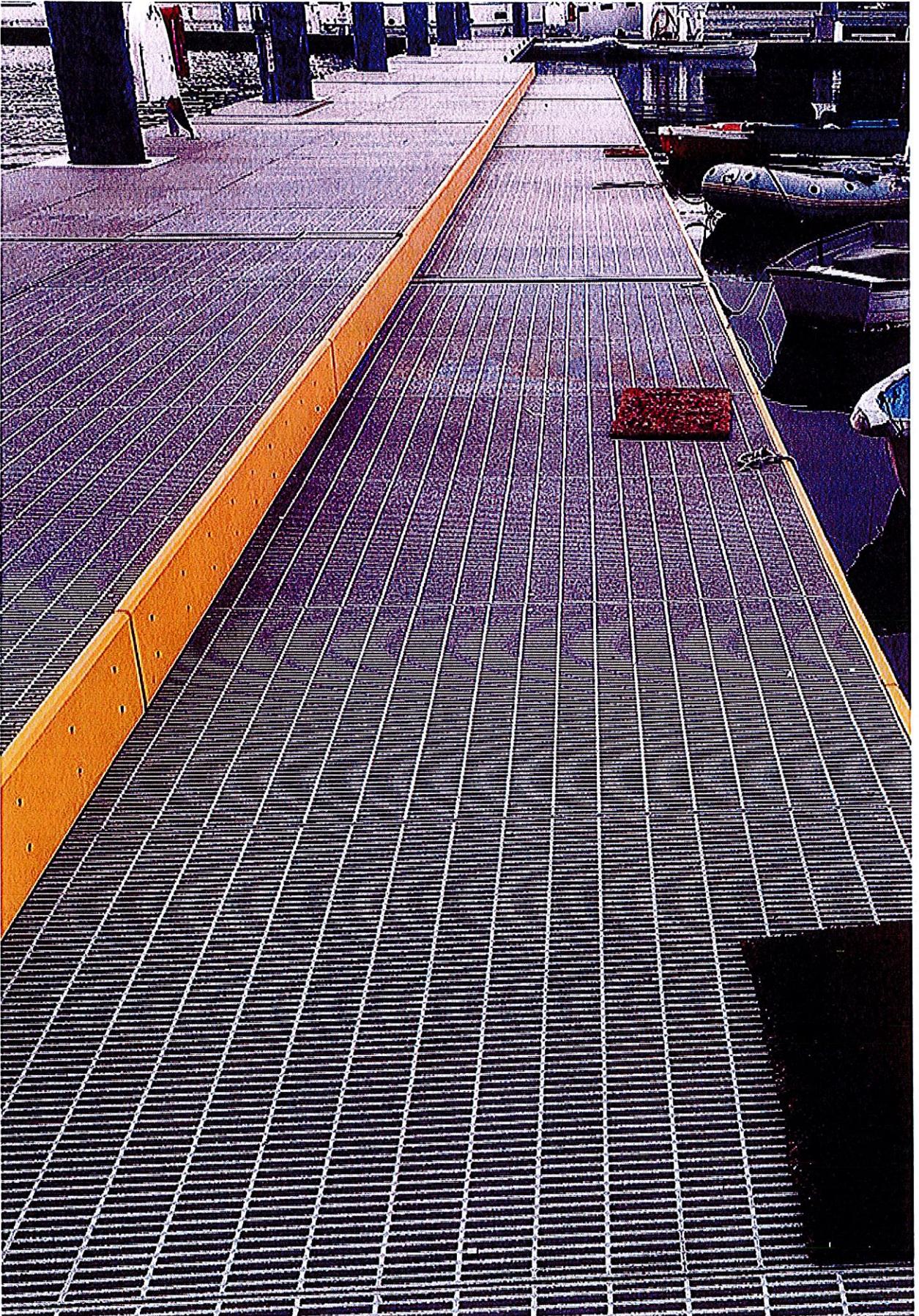
First and foremost, thank you for providing funding the repair of the existing dock in Waterfront Park as the current dock does not work for rowing shells. I personally attended in at least five (5) if not more, public outreach sessions throughout 2014-2016 as I have agreed to volunteer for BIR build the Rowing Center in Downtown Bainbridge Island. I personally provided the specifications, as well as Tom Coble from BIR, regarding the low float for the Rowing Center needed for shells which need to be low (no higher than 4", and must be at least 12' wide to accommodate a rowing oar). I simply do not know why the current dock is built at its current state. However, this was a large and complicated project. In private and public practice, I have worked on many projects and my experience is that these things happen and it is better to fix the problem than to point fingers as to the cause (look no further than the bathrooms at Waterfront Park). www.bainbridgereview.com/news/sweet-relief-waterfront-park-restroom-to-open).

I hope that is the practice employed here by starting talking to the contractor (Dave Barry) who built the dock and has a tremendous amount of experience in these matters, and might provide a cost effective solution which is needed here. As the below picture shows, the current dock certainly works fine for large boats such as Argosy boats, but is simply too high for kayaks, rowing shells and even little boats like my 17' Whaler. You can see that is current situation by the below photo simply does not work. That is why the smaller boats are not using the other portions of the dock but the low dock which is supposed to be for the rowing shells, and non-motorized boats.

Second, I am concerned that another mistake being considered with a single moorage point for the Open Water Marina. There are 15 acres of space for not only available for many uses but if a single point of moorage is used, this impact the entire harbor to the detriment of not only the Rowing team but also for small boats. A two moorage point design is allowed in the express terms of the lease for linear moorage and would everyone to use the Harbor which has been the case for over a decade. A single point of moorage would be a complete disaster for the High School Rowing team.

Third, I have personally volunteered over 1000 hours in building a legacy building in downtown Bainbridge since 2014. The Rowing team is the best thing going on in Waterfront Park, and at the end of the day, once the project is completed, a jewel for the City. There are many competing interests which with good planning can be accommodated. Currently, there are over 200 families associated with the Rowing team and since the creation of the team, over 500. Upon the completion of the multiple purpose room, this will be available for public use as well. I am a strong believer in public service having personally donated to this project, donation of public housing to Housing Resource Board (<http://216.119.109.49/default.asp?ID=30>) and many others on Bainbridge and Kitsap County. Please consider all interests in the consideration of this issue. Thank you.

Tim Dore
10653 NE Seaborn Road
Bainbridge Island, WA. 98110
(425) 503-8005



Aaron Claiborne

From: Jeff Adams <jeffatoms@gmail.com>
Sent: Monday, December 10, 2018 5:03 PM
To: Aaron Claiborne
Subject: Open Water Marina Liveaboard Leases

Dear Mr. Claiborne,

My name is Jeff Adams and I am writing to share with you my thoughts on the Eagle Harbor Open Marina liveaboard situation as it appears to exist today. I write this having called Bainbridge home my entire 50+ year life and as one who cares deeply about both the entire harbor's liveaboard community and also about the health and threats that appear to exist to Eagle Harbor from the Open Water Marina Liveaboards.

Specifically, I am concerned that Eagle Harbor is at risk from the threat of pollution, from both gradual human sewage dumped in the harbor, and the possible toxic and oily discharge from a potential Open Water Marina vessel sinking. Having lived here long enough, I have witnessed what appears to be the look-the-other-way attitude by our local city's open water enforcement team. We appear to either not be aware of the laws regarding discharge of human feces or the requirements enacted on all the rest of Eagle Harbor's marina liveaboards, which include requirements for insurance, regular and monitored sewage pump-outs of marine holding tanks, requirements for operating engines and closed waste seacocks and closed onboard sewage systems.

I understand that it is expensive to maintain insurance on a vessel, I also understand that it costs money to have an electrical generation system that will power a bilge pump in the owner's absence. I understand that maintaining a vessel with both State of Washington registration and an operating engine costs money but to ignore the fact that our local marinas are required to monitor and enforce such basic requirements whereas the city doesn't is, in my opinion, a risk the City of Bainbridge is taking without the well being of the greater community being properly considered. These costs are not meant to be a burden but to insure that the boats that locate in our harbors can be reasonably assumed to stay floating and not polluting.

I propose the following considerations be included in any future Open Water Marina leases:

- Requirement for \$250,000 of legitimate marine insurance, including a pollution clause, that names the City of Bainbridge as also insured.
- Vessel Registration with the State of Washington
- Regular inspection of all boats in Open Water Marina in conjunction with the US Coast Guard and/or Coast Guard Auxiliary, including impoundment clause for those tenants that never seem to make time for an inspection
- Inspection of bilges for the presence of waste oil
- Use of lock-out/sealed cables/cable ties installed by and identified as City of Bainbridge preventing overboard dumping of sewage into Eagle Harbor. These can be renewed if the boat notifies the city of its owner's intent to go offshore where overboard dumping of human waste is permitted.
- Proof of operability as demonstrated by vacating Eagle Harbor for a period one consecutive week a year.
- An operating bilge pump and power supply capable of keeping the boat afloat for at least 24 hours, unmonitored.

- Assistance for Open Water Marina Lessees obtaining the requirements as spelled out in the lease, possibly including contracting with a state sponsored open water and mobile pump-out contractor/provider.

I trust that the City will neither look the other way nor will it penalize those that call the Open Water Marina home and that it will find a way to treat everyone with compassion and respect. Call me at (206) 842-0123 if you have questions.

Kind Regards,

Jeff Adams

Aaron Claiborne

From: Alex Schacht <alex.schacht@gmail.com>
Sent: Monday, December 10, 2018 8:36 PM
To: Aaron Claiborne
Subject: DUOWM Layout/Design Project comment

Aaron,

I am writing to submit the following comment regarding the layout proposed at tonight's MAC meeting.

The proposal as drawn looks great. I appreciate the variety of slip sizes as well as the maximization of the number of larger slips as it provides the most flexibility for the future. I have little concern that on busy summer weekends visiting boats will find a place to anchor. As for concerns regarding safe navigation through the harbor, I do not believe this mooring field will pose any significant obstruction.

Thank you,

-Alex Schacht
S/V Tangent
303-829-1082

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Main body of faint, illegible text, possibly a list or a series of entries.



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME: Barbara Taffey

PHONE: 206.842.5447 E-MAIL: barbraffan@gmail.com

COMMENTS:

Please work to find a solution that pleases
as many as possible. A decade ago waterfront
Park was what high school kids called "Sketchy".
When kids left afternoon practice for Rowing,
coaches would stand along the road to meet
parents. The park didn't feel safe. There were

fun for visitors. Gradually, by populating
the place - it started to feel safe. Anyway,
I worked with Duke Wlin to clear invasive
weeds. He led in sponsorship of both park
& harbor. He urged people to care for
each other & care for place. Somewhat,
as seems to often in this crazy world these
days, we are once again in a place that feels
devoid. Let's look for common interests.
There is room for ~~war~~ uses in our shared
harbor. Take time, please - consider
safety & community & encouraging citizens into
our shared waters. Thank you - Barbara



MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING
DECEMBER 10, 2018

NAME: Philip Shartigan
PHONE: (206) 856-4641 E-MAIL: shartigan@gmail.com

COMMENTS:

LIFEBOARD COMMUNITY IS UNIQUE CONCEPT BUT SHOULD NOT BE EXPANDED. LIFEBOARDS MEANS RESIDENCE, INDICATING MORE PERMANENT THAN TRANSIENT. MOST LIFEBOARD VESSELS ARE NOT SUITABLE TO MONITORING FOR ENVIRONMENTAL COMPLIANCE, NOR HEALTH & SAFETY THAT HAS DIRECT IMPACT TO BAKESTOWN. REGULATIONS OF LIFEBOARDS AT PIER/DOCKSIDE/SLIP BEARING THAT BY EXPANSION OF SLIP SERVICES PROVIDES REGULATED WATER/POWER/SEWER SERVICES. ADDITIONAL MODERNA OF LIFEBOARDS @ PIER/DOCKSIDE/SWATHES/SLIPS (OVER REFERENCE)

(continued)

PAGES UP NAVIGATIONAL USE OF THE WATER CONSISTENT WITH THE REST OF THE STATE. WHERE LIVELAND COMMUNITY MARINAS ARE SITED IS ANOTHER THAN 6 FATHOMS & IS DOWNTOWN OF THE STATE (WATER REQUIRED TIDEGAGES) AS ITS PRIMARY USE & PURPOSE IS UNRESTRICTED NAVIGATION. WATER AVAILMENT W/ A ONE LEASE OF BOATS APPLIED. A BOATS CAN BE RECONFIGURED CHANGE BOAT LENGTH & RIGGING TO INCREASE WIDTH OF NAVIGATIONAL LANE. NAVIGATION LANE SHOULD HAVE PRIORITY OF USE (SENSES MGMT, NOT FUEL) ESPECIALLY FOR NON MOTORISED OR LOW IMPACT USES SUCH AS WAKING, ROWING & PADDLE BOARDING. NOT UNWIKING THE EXACT SURFACE AREA (100,000 FT²) SET ASIDE TO BENEFIT PROPOSED 16 BOATS = 250,000 FT² PER BOAT FOR CIVILIAN SPACE FOR A BOAT W/ LESS THAN 4 PERSONS SEEMS DISPROPORTIONATE IN FAVOR OF LIVELANDS THAN TO ANOTHER COMMUNITY. IN SUM: KEEP # OF BOATS, CONFIDENCE FOR BEST MESSINA ACIANT MENT TO RETURN NAVIGATIONAL AREA TO PUBLIC. PRIORITY USE PREFERENCES TO LOW IMPACT USE OF NAVIGATION & MINIMAL SUPPLY INCREASED USE OF SLIPS & DOCKS W/ SAFE INFRASTRUCTURE TO BENEFIT LIVE ANGLER COMMUNITY.

THANKS. V.L. PATTIP



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING
DECEMBER 10, 2018

NAME: Vicki Saunders

PHONE: (206) 954-6096 E-MAIL: vicki.saunders@gmail.com

COMMENTS:

Harbor space is a common resource -

the role of the city council should be to

mediate between public needs, not discounting

any of them, not favoring one opinion over

the other. It seems from this meeting, that

decisions have been made without taking into account

the needs & wishes of all harbor users.



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

NAME: KARL DICKER DECEMBER 10, 2018

PHONE: _____ E-MAIL: CAPT KARE@GMAIL.COM

COMMENTS: THANKS! GOOD JOB!



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME: Paul Sornich

PHONE: 206-842-6036 EMAIL: lsgg@bainbridge.net

COMMENTS:

I think your plan for 16

LA's is not only a good one

but it accommodates all requirements

of the lease agreement with

the DNR.



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING
DECEMBER 10, 2018

NAME: D. Spencer

PHONE: _____

E-MAIL: _____

COMMENTS:

I need to explain the 2 survey systems
that are used and incompatible in the harbor.



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME:

Sam Bloom

PHONE:

456-266-7967

E-MAIL: Sam.t.bloom@gmail.com

COMMENTS:

As a coxswain, easy navigat. in through
the harbor is key to making our crews go fast.
Talking from experience, easy navigation also adds
to the safety of our crews as it more bouys creates
more opportunity for our boats, and ~~our~~ our shells
to be damaged



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME: Robert Hershberg

PHONE: 206 919 7919 E-MAIL: Rhershberg_1@msn.com

COMMENTS:

1. Design own to accommodate other uses of water
2. Incorporate sewage & garbage into rent and contract for service



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME: Marie Palmeyer

PHONE: 503 927 5860

E-MAIL: mpalmeyer@gmail.com

COMMENTS:

The layout shown in this meeting seems like

a good solution to the optimization problem that is getting

16 liveboard buoys into the envelope given. I Rllly support

spacing the buoys (no overlapping swing at ALLW) and maximizing potential boat size (mostly 60' buoys).

Thanks for the well-crafted proposal!



CITY OF
BAINBRIDGE ISLAND

MARINE ACCESS COMMITTEE (MAC) BUOY PLACEMENT MEETING

DECEMBER 10, 2018

NAME: Sue Express

PHONE: 206 780 1627 E-MAIL: Sueexpress@gmail.com

COMMENTS:

I BELIEVE THERE ARE MULTIPLE DEPTHS

THAT WOULD PROVIDE SAFE USE OF THE TRAILER

FOR ALL. FOR/AFT OR LIGHT LAUNCH VESSELS

FOR OR A HURON OR FOR/AFT & FULL SAILED,

AS OUR HURON BOATS IN USE, SAFES

ADDITIONAL COMMENTS ARE CRUCIAL.

THANK
YOU

From: **Ed Kushner** kushner@bainbridge.net
Subject:
Date: December 10, 2018 at 4:20 PM
To:



December 10, 2018

Dear Members of the City of Bainbridge Island Marine Access Committee, City Council and City Staff,

The mariners currently living aboard their vessels moored on the waters of Eagle Harbor are the most recent members of a residential community which has existed on Bainbridge Island for some 120 plus years. The very existence of that community was challenged some twenty years or so ago and its integrity is being challenged now.

The previous challenge, mounted by a group of shore-living Islanders, claimed that the live aboard mariners were squatting on public property (the Harbor's surface) and polluting its waters. The pollution challenge was resolved by Health Department generated evidence that the primary source of pollution of the Harbor's waters was from the leaking drain fields of nearby waterfront residences. The squatting challenge was resolved by a legally binding agreement between the City of Bainbridge Island and the State of Washington which led to the establishment of the Dave Ullin Open Water Marina and the demarcation of its configuration and boundaries.

It is on the waters within those boundaries that live aboard mariners now have the legal right to moor their vessels. The current challenge, being mounted by a group of Islanders who, overwhelming, also live onshore and want to expand their use of the Harbor's surface. To do so would preempt the prior rights of the live aboard mariners to occupy the full extent of the Dave Ullin Open Water Marina. It is my opinion that any pre-emption of the live aboard mariners' rights to moor in the Open Water Marina would constitute an abrogation of the promises implicit in the agreement between the City and the State of Washington.

In closing, I want to share with you the attached copy of a "Guest Column" (of which I was the author) that appeared in the pages of the Bainbridge Island Review's edition of October 7, 1998 (or maybe 1999), during our community's efforts to resolve the conflicting opinions about use of the waters of Eagle Harbor by live aboard mariners before the agreement reached between the City and the State of Washington. In it, I wrote that . . . "Fundamentally I see the anchor-out live aboard debate as a struggle to decide how to allocate use of a scarce publicly owned resource: the surface of Eagle Harbor." I submit that what's going on in our community now is a variation on the same theme: how to resolve competing claims for access to the Harbor's waters.

That said, we are not now in the same place we were then, because the debates of twenty or or so years ago generated precedents which should be honored now. In my opinion, a very important one is that we don't get what we want just because we want it if others in the line are in front of us and have priority. The live aboard mariners and the Dave Ullin Open Water Marina have prior rights to a portion of the surface of the waters of Eagle Harbor and those rights should be honored and respected.

Respectfully,

Ed Kushner
West Port Madison

"said Craswell. "I expected to get 20. That's my goal. And I'll do better in the general

bly more liberal than Democrat instee because he has had to adapt his views to the 1st district,

Adele Ferguson can be reached at P.O. Box 69, Hansville, 98340.

Still room for liveaboards

we are deeply grateful. : all those who have s in celebrating the in- our fine telescope and on Oct. 24, from 7 p.m. : next a.m. ill be waxing crescent ome early; Saturn and sible all night (weather ase come and let us

MAC GARDINER
President
Battle Point
Astronomical Association

305

Turn lanes costly

interest the piece by n concerning the Sept. (highway 305 tie-up goes ;). ideed have a point. rovide a turn lane for ad-end road would be a en. a lower speed limit and s drivers?

MARY LICHTENBERG
Poulsbo

S welcomes submit-
ctronic mail, at
ainbridgelsland.net

Your self-confessed confusion in last Saturday's Review's editorial ("Free-floaters past their time," Sept. 26) about the anchor-out liveaboard issue is easy for me to understand because it is a difficult and multi-faceted issue and the passion and rhetoric some advocates bring to it makes staying focused more difficult.

However, your conclusion that "free-floaters (are) past their time" because "only a few can do it" is not easy for me to understand.

Here's why.

The allocation of access to, and use of, scarce publicly-owned resources has probably always been a tricky piece of work to do equitably. That has not, however, stopped us from making decisions about how to do it.

Some examples:

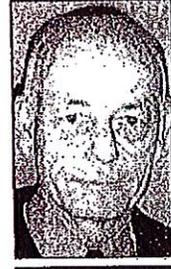
Cable television viewers are probably all familiar with this one. Access to national parks and wilderness areas, including some well known ones in the State of Washington, increasingly, is allocated on the basis of "first come, first served" permits.

Without one, you just don't get to commune with Mother Nature at the time and place of your choosing. Access to the bottom of Eagle Harbor is presently allocated on the basis of proximity: If you own uplands and tidelands, then you might be able to lease the harbor bottom.

I believe it is true that, without the leases they hold from the State of Washington for use of the bottom of

GUEST COLUMN

By ED KUSHNER



Eagle Harbor, every marina on Eagle Harbor would be substantially smaller and some might even cease to be economically viable entities.

No doubt there are other examples, but I

trust that these are sufficient to make my point and refute yours: that just because a public resource is scarce does not mean that if "only a few can do it," then no one should be allowed to do so.

Fundamentally, I see the anchor-out liveaboard debate as a struggle to decide how to allocate use of a scarce, publicly owned resource: the surface of Eagle Harbor.

Clearly, we can't all live on Eagle Harbor at the same time, but that doesn't mean it can't be used for that purpose by anyone.

The report of the Mayor's Ad Hoc Liveaboard Committee recognized this and offers a reasonable proposal for allocation of that resource: create a fixed number of "berths" and allocate them to members of the present group of anchor-out liveaboards who are willing to register with the city, pay

a fee for services and for use of the harbor in lieu of property taxes, and adhere to appropriate regulations about safety, sanitation, dinghy docking and navigation channels.

Further, the report proposes the creation of a waiting list for future hopeful harbor dwellers so that, if a family or individual ceases to be a member of this unique neighborhood, a replacement member can be added and, thus, the community of anchor-out liveaboard people remains a living part of our island heritage and our future.

Members of the existing liveaboard community are not asking the City Council to make the "nonsensical decision" to allow them "to remain while nobody else can join them" as you state.

Rather, they seek the council's approval for a community which can change without risk of extinction.

Contrary to your statement that a "revised liveaboard ordinance won't float," it most certainly can and will if the city council wants it to do so.

Indeed, it should, unless the council chooses to ignore our Comprehensive Plan.

You and I just have to get in line, Jack, just like we already do for the ferryboat and most of the other things in life which are desirable, because there are others in front of us.

Ed Kushner is a former member of the Bainbridge Island Housing Resources Board.

Are you getting ready for winter?



dig green manure
len, stacking and
wood and making
ids have warm

DARDEN BURNS
mother/plano teacher
Bainbridge Island



"We're getting ready for fall,
not winter. It doesn't seem
like winter yet."

LYNETTE RODGERS
with **MADDIE**
homemaker
Bainbridge Island



"Enjoying the fall days, har-
vesting the garden and finding
some good books to read."

EMILY MANSFIELD
researcher
Bainbridge Island



"Haven't even thought
about it yet, but I am look-
ing forward to skiing."

DAVE WAGNER
architect
Seattle

Aaron Claiborne

From: JANETTE AHRNDT <sourcebalancing@msn.com>
Sent: Thursday, December 13, 2018 3:10 PM
To: Anthony Oddo; Aaron Claiborne
Subject: Comments from 12/10/18 meeting

Dear Anthony and Aaron,

Thank you for taking my comments and questions. I'm posing them for thought, not necessarily a direct answer.

Under 'Purpose' for the MAC begins with "Work to support awareness, management, and enhancement of public access to and from the island's waters and water dependent activities." This statement helped guide my thoughts.

I'm curious how paths through the harbor could be created for safe and reasonably easy navigation for all (from the SUP to motorized traffic). I understand there are no 'official' channels currently. Might it be helpful to explore if this would assist safety and increased use of the Harbor?

What is the best way to support a vibrant liveaboard community? To me it would seem residents would need to live on their boats primarily through-out the year to participate in a 'vibrant' community. Are there guidelines as to how much time is required to be on the boat each month/year?

Is moorage for 16 the decision because that is the allowed amount per the DNR lease? Or did the COBI council have other reasons? I'm not versed in the history of this decision. Having some background in the rationale and discussion of placement might be helpful for those of us new to the topic.

I heard a comment Monday that affordable housing an element of this DUOWM plan. How does the treatment of these water based residences compare & contrast with how the COBI is focusing on/ planning for land based residences/ options for affordable housing. Is it helpful to link these elements for continuity in decision making and maximizing financial investment?

Are experts in the areas where differences of opinion, questions and uncertainties lie being consulted? With so many groups impacted, as well as the sustained health of the Harbor, it seems reasonable to me that more than a volunteer committee be involved in the process which will have very large and long-lasting impact.

The Marine Access Committee seems to have a big task to coordinate the many elements and perspectives involved. Thank you for volunteering to do this.

Best regards,

Janette Ahrndt

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Aaron Claiborne

From: Jennie Sheldon <jwoodsheldon@gmail.com>
Sent: Thursday, December 13, 2018 4:40 PM
To: Aaron Claiborne
Subject: Open Water Marina Proposal

Dear Mr. Claiborne,

As residents of Egleedale, parents of two former Junior rowers, owners of a small daysailer, a dinghy, and other paddle craft that allow us to get out on the waters of Eagle Harbor on a regular basis, we offer these comments on the open water marina proposal now being discussed by the Marine Access Committee.

1. Harbor Safety - Safe transit in and around Eagle Harbor must be a priority. The harbor is a busy and crowded space with many users. What are the current traffic patterns and who are the main user groups (OWM residents, visitors, dock tenants, ramp users, rowers (Juniors and Masters), sailors, etc.)? The city is obligated to do what it takes and pursue a more hands-on approach to managing different uses in the harbor for the safety of all who use it. **Bainbridge should not be hiding behind DNR or Coast Guard regulations in stating they're not allowed to create "no moorage" zones or safe ingress and egress channels.**
2. Decisions & Timelines - The current siting proposal for the new open water marina prioritizes the placement of 16 tenants in the new open water marina. This is an expansion from 9 tenants according to city documents. So, even before capacity has been assessed or a design settled on for the new OWM, the city has opened an application process for additional OWM tenants. This is putting the cart before the horse. Is there room for that many OWM tenants given competing uses of the harbor? Is this also prioritizing OWM tenants above the other lease uses? Those uses, as it states in the DNR agreement, include: "...public use and access open water moorage and anchorage space as well as a maximum of sixteen (16) residential use spaces" [emphasis added]. What happens to other "open water moorage and anchorage space" if the entire lease area is dedicated to an expanded group of 16 tenants? We suggest the city prioritize a plan that accommodates the current live-aboard community before seeking to expand it.
3. OWM Design - While we understand the linear mooring system previously in place was expensive to maintain as designed, we feel the city has not done enough to explore other options for more compact siting of Eagle Harbor live-aboards. What about a better linear design, a two-hook layout (perhaps even two boats per three hooks), or an anchored dock system? The expansive one-acre-per-boat layout presented at December's community hearing commits a disproportionate amount of space to a small number of users at the expense of many other users. We are strong supporters of the live-aboard community in Eagle Harbor but feel that if asked, they probably don't want to be responsible for monopolizing so much open water space in Eagle Harbor at the obvious expense of those they share the water with.
4. Accommodating On-The-Water Youth Activities - Most islanders would agree that connecting our youth to aquatic experiences and resources is a special obligation as we live on an island. There are lots of opportunities for doing this in Eagle Harbor with summer kayaking programs, year-round rowing, and competitive sailing. The Junior rowing and sailing programs put more people on Eagle Harbor every day than any other use (likely by far). This is a good thing that deserves the island's support. Before blocking off major areas of the harbor for a restricted use, we need to understand and do our best to accommodate the ongoing needs of these important groups.

We appreciate the opportunity to comment on what is certainly a challenging task for the city and the Marine Access Committee and would be happy to be part of finding a workable solution.



James & Jennie Sheldon
10257 Ronald Court NE

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PUBLIC MEETING DECEMBER 10TH

OPEN WATER MARINA

These are my thoughts and observations of the meeting sponsored by the Marine Access Committee (MAC) to obtain ideas and information on the locations of the Dave Ullin Open Water Marina (DUOWM) live aboard community's placements of buoys for the 16 vessels. A lease between the City of Bainbridge and the State of Washington Department of Natural Resources has defined and authorized this area for residential use. This meeting was mainly attended by members of the Bainbridge Island Rowing (BIR) and the DUOWM and it's the function of the MAC committee to present to the City Counsel a final concept of buoy placement.

The City's concept was on display with drawings showing the placement of the buoys to accommodate all 16 with different sizes for vessels from 20 to 60 feet. The live aboard community was supportive of the City's concept., There were no other designs submitted or disclosed. The MAC was asked directly more then once if there were any other concepts or designs to consider and we were told there was not. But we were informed that the city drawings might not be the final concept to be submitted to the City Counsel and that was main reason for the meeting was to obtain other input and ideas from the public.

There was a lot of shared information that I felt was informative and you could also write your ideas and put them in a box there or submit your ideas by Friday. But you could feel an under current of mistrust and lack of transparency, something was off.

Lo and behold after the meeting was ended a member the BIR said to a small group that he had drawings with the BIR concept of placement of the buoys and wanted to present them to the meeting, but he wasn't allowed to do that. Furthermore, the final drawings would be completed by Christmas. So, the BIR have been working on this for quite some time. Why all the deception they have been asked on several occasions for transparency, but they wanted to manipulate the issue behind the scene, convince the City Council that there concept of the DUOWM was the best and should be finalized. To accomplish one's goals with deception and lies really undermines the whole community.

I am aware the BIR has invested a large sum of money in infrastructure. Even though they do not have a proper area to race their shells. I don't understand the thinking here, it's like they put the cart before the horse. So now their desperate to get the changes they need to make BIR viable.

This whole issue has been so poorly executed it's understandable that all involved are on the defensive and the feeling of mistrust and animosity is thick. A good friend of mine had recommended to me that there should be a sub-committee between the DUOWM and Bir to brain storm, negotiate and work out a solution for the whole community. An agreement that would work for all then everyone wins. I wish that had been an option. Perhaps it still could be. Believing in your community and being a good neighbor benefits all.

Richard Seubert

Public Comment: DUOWM - COMMUNITY

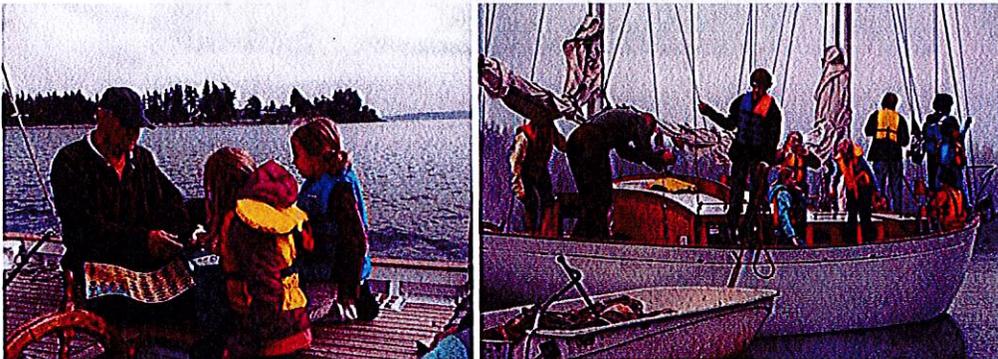
Bainbridge Islanders have historically bound to the earth and sea for their livelihood. We value the past yet we constantly grow further from our roots. For thousands of years people have paddled and sailed in and out of our island harbors, a few have chosen to stay, despite the chilly winds of winter, choosing a connection to the sea and sky, a priority over modern conveniences, taken for granted by so many. Those who stay are leaving the smallest environmental "footprint" that absolutely no one on the island can match.

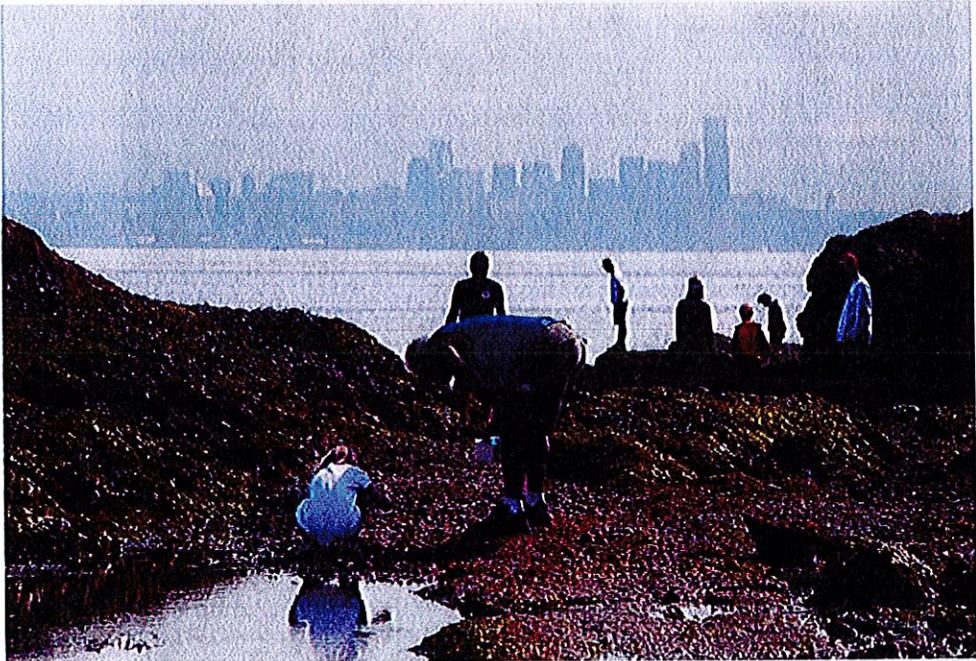
Today's liveboards are keepers of the harbor; working to keep it clean, protecting nature (and Scout who has joined the harbor), volunteering, teaching, learning; the more you know the less you need. That which you need is limited by space. Creativity is challenged by nature, who bites at you with superiority.

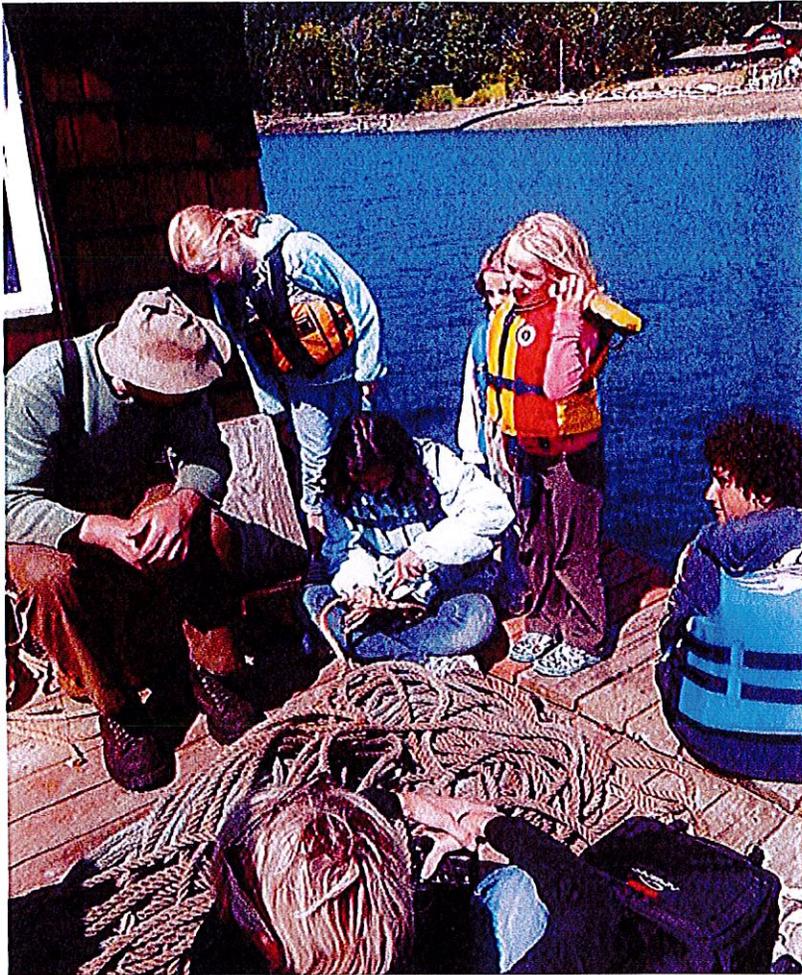
Community! A helping Hand! Knowledge shared!

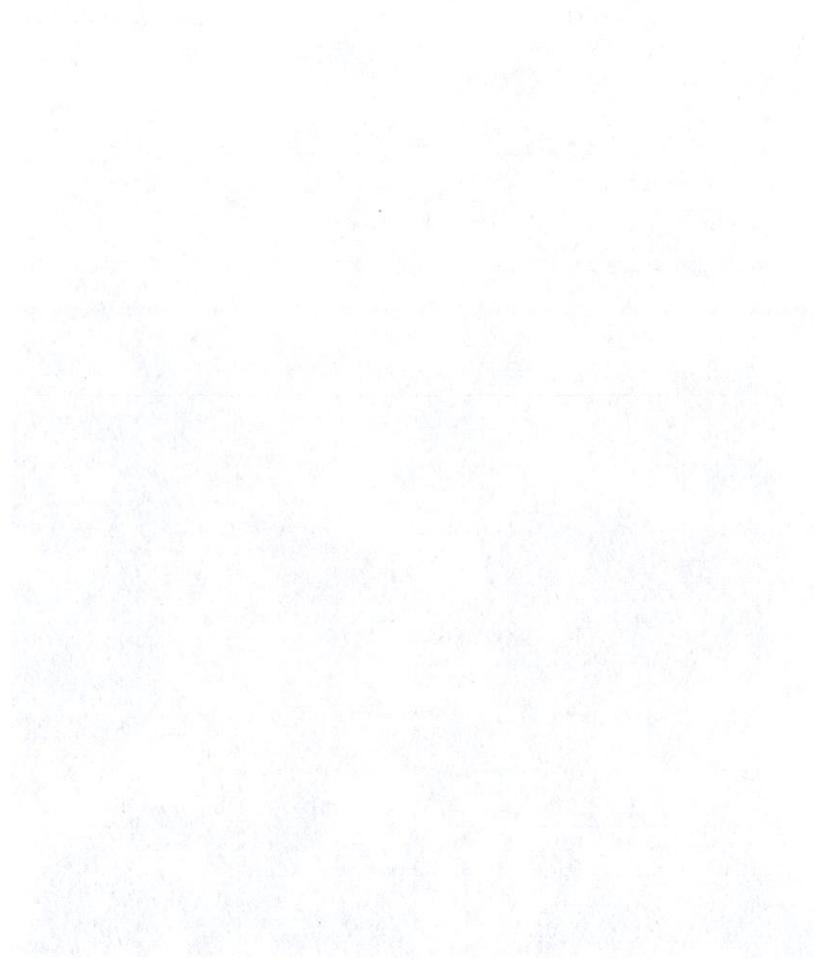
In recent years the liveboards has been active in many different community events including a 5 day summer camp for children on the Island, many had never been on a boat other than a ferry. We explored maritime history and traditional , marine biology, art, navigation, and traditional boating. Kids loved it!!! The following photos are from that wonderful week, celebrating our island life through nature and maritime tradition.

The DUOWM represents a very special place in our community. As the only Open Water Marina in the State of Washington, it is a place to celebrate our history and our culture. It is an important place to support and nourish. Envision a future where lives are enriched with the knowledge of where we fit into the continuum of history and experience. Please support our history. Please support the Dave Ullin Open Water Marina.









Aaron Claiborne

From: Kurt Frost <kwilsonfrost@gmail.com>
Sent: Friday, December 14, 2018 2:04 PM
To: Aaron Claiborne
Subject: Dave Ullin Open Water Marina

My name is Kurt Frost. My family has resided on Bainbridge Island for over 50 years. I am a 1979 graduate of Bainbridge Island High School and have been an active member of the Bainbridge Island Rowing (BIR) for the last 15 years.

I want to express my strong support for the City of Bainbridge Island, the residents of the Dave Ullin Open Water Marina and BIR to work together to ensure that Eagle Harbor remains a viable, enjoyable environment for all.

I want to acknowledge with extreme gratitude how appreciative BIR is to the City of Bainbridge Island for allowing us to make use of the roughly half a tennis court sized piece of property in Waterfront Park for our activities. On this third of an acre of property, hundreds of citizens of Bainbridge (young, middle-aged and senior) participate throughout the year in the majestic sport of rowing.

There is no other sport in the Pacific Northwest with as long or as proud a tradition. In fact rowing organizations are located and supported in over 20 communities spread throughout the greater Puget Sound area.

BIR is a non-profit organization that was founded in 2001 and for over 17 years has been an active and positive tenant at Waterfront Park. In those years our organization has been able to introduce this wonderful sport to over a thousand individuals. BIR receives no direct local, regional or state government financial support, but relies on the funds raised from our members and community to support our activities.

Through wide spread community support, our organization raised and spent over \$800,000 on the foundation of a new rowing center. We are in the latter phases of our efforts to raise an additional \$1.5M for the roof and walls of this facility.

While I support the mission and vision of the Dave Ullin Open Water Marina, I am concerned about the unavailability of designated navigable lanes through Eagle Harbor. If this issue is not adequately addressed, it could threaten the existence of our seventeen year old rowing organization.

Section 4.2.4.1 of the Bainbridge Island Shoreline Master Program outlines the City's principles with regard to public access to the shoreline and waters of Bainbridge Island (which are premised upon the Public Trust Doctrine). Below are the first two principles of this particular section:

1. Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
2. Protect the rights of navigation and space necessary for water-dependent uses.

Given the number of families and youths of our community that have benefited from our rowing programs, I believe that the City's support of BIR has greatly satisfied the first principle above with regard to Eagle Harbor.

It is my sincere hope that working in partnership with the City and the residents of the Dave Ullin Marina residents we can ensure the second principle enshrined in the City's Shoreline Master Program above is fully realized.

Thank you.

Kurt W. Frost
kwilsonfrost@gmail.com
(206) 369-6286

Aaron Claiborne

From: Jeff Kanter
Sent: Friday, December 14, 2018 3:04 PM
To: Aaron Claiborne
Subject: Public Comment Expansion of the Open Water Marina

As a resident of Bainbridge Island I oppose the expansion of the open water marina. As explained in the public meeting the expansion will reserve 15 acres of prime waters in Eagle Harbor for the exclusive use of a select few individuals. This expansion appears to be the antithesis of the goals of the Marine Access Committee.

Eagle Harbor is a prime boating destination for thousands of Washington boaters. Comments that suggest the new dock and available anchorage space are adequate to meet the greater public need are simply not supportable. I count at least six outstations owned or leased by yacht clubs. This is unprecedented without similar comparisons in other harbors in our state. Why so many outstations? The answer is obvious, the City of Bainbridge Island has never felt an obligation to serve the general boating public or benefit from the economic opportunities.

Claims by the Harbor Master that visiting boaters have ample anchorage are not apparent. The western most pier of the ferry terminal marks the beginning of the no anchorage zone to the east. The area between that sign and the OWM severely restricts opportunities for visiting boats to find overnight anchorage.

Winslow Wharf marina is the only other marina in Eagle Harbor that provides overnight facilities and then only when one is vacant.

So the message our City is sending, is that if you want to bring your boat to Eagle Harbor, your best option is to join a yacht club.

I don't know the B.I. rowing club's official position but this expansion of the OWM cannot but severely impact the use of the harbor for the large community of rowers. We are often told there are not enough activities available for our children on this island. Rowing has so many benefits from exercise to team building that to restrict this activity should come about only because of some other overarching need.

Finally, as a boater, one feels that the City does not respect the value of the resource that is Eagle Harbor. To turn over such a large portion of this resource for boater liveaboards is comparable to opening up Waterfront Park for liveboard RVers.

Faint, illegible text covering the majority of the page, likely bleed-through from the reverse side.

Aaron Claiborne

From: Jeff Adams <jeffatoms@gmail.com>
Sent: Friday, December 14, 2018 3:35 PM
To: Aaron Claiborne
Subject: Re: Open Water Marina Liveaboard Leases

Dear Mr. Claiborne,

My name is Jeff Adams and I am writing to share with you my thoughts on the future of the Eagle Harbor Open Water Marina liveaboard situation as it appears to exist today. I write this having called Bainbridge home my entire 50+ year life and as one who cares deeply about both the entire harbor's liveaboard community but also how that fits in balance with the rest of the greater island community and the potential pollution and related health and threats that appear to exist to Eagle Harbor from the Open Water Marina.

Specifically, I am concerned that the City of Bainbridge may be laying the groundwork to potentially harm Eagle Harbor and to degrade the peaceful beauty which the community treasures. I do understand that there is a desire create a lasting legacy to Dave Ulland, however I fear that the expansion of the existing open water liveaboard marina may come with unintended consequences and unanticipated risks.

Currently, we have a relatively clean harbor that is free of the over population of anchor-out liveaboards that we had in the past. I believe the reduction to the current levels, though not welcome by all, was a positive change and balanced the desire to have some open water liveaboards with the desire by all to maintain a scenic harbor that has space to welcome visiting boaters as well. I worry that to increase the capacity is simply an invitation for increased pollution and possible derelict sinking and it concerns me that it will create less vacancy for visitors.

The reality is that the spirit of Mr. Ulland's lifestyle is not the same as the that held by many of the current and anticipated future Open Water Marina liveaboards; his was for a simple life not bound to the land, theirs, in many cases, is a lifestyle of necessity to avoid or forestall a personal housing crisis by way of a derelict vessel or one close to it. The reality is that many of the Open Water Marina liveaboards live there because they have nowhere else to live. As a result, the harbor is at risk of filling with boats that are not recreational boats in the sense that they have plans to use away from the harbor for sailing and motoring but rather as a shelter of last resort. Given the limited means that many who chose the Open Water Marina have, Eagle Harbor is at risk from the threat of pollution, both from gradual and intentional daily human sewage being dumped in the harbor, and the possible toxic and oily discharge from a potential derelict Open Water Marina vessel sinking. Further, I am concerned that an expansion of the Open Water Marina may not serve our local community members (given that there are now vacancies in the marina) but only serve to attract others who see it as a low cost alternative to homelessness in the name of "Boating".

I am concerned that the city's open water enforcement team hasn't the will to properly enforce existing regulations designed to protect harbors such as ours from daily sewage discharge or the potential for a derelict vessel sinking. We appear to either not be aware of the laws regarding discharge of human feces or the requirements enacted on all the rest of Eagle Harbor's marina liveaboards, which include requirements for insurance, regular and monitored sewage pump-outs of marine holding tanks, requirements for operating engines and closed waste seacocks and closed onboard sewage systems. Given that the US Coast Guard is permitted to inspect any vessel on any public waterway at any time, I would suggest that the City explicitly spell out to all potential lessees that as part of this open water lease they will preserve the same inspection rights, which may include assistance from the US Coast Guard to inspect all participant

vessels at-will to insure that only seaworthy vessels that are properly maintained in a manner that protects our environment will be welcome to participate in the program.

Though I am unaware of the current terminology in the open water liveaboard lease agreement, I would hope that any change to the standard liveaboard lease include and have regular monitoring for:

- Annual vessel registration with the State of Washington
- Maintenance of WA State Boater ED ID
- Development of a Lease Compliance checklist for each boat that should be publicly available on the City's website
- Maintenance of insurance on a vessel, including bondage for abandonment, provision for insurance and regular boater's liability, naming the City of Bainbridge as Also Insured
- Provision for audible alarms that a high water threshold has been breached so that others in the harbor are loudly notified of a serious potential sinking before it occurs so that the City can be notified
- Provision to allow the city to board boat at any time, with or without cause (same as the Coast Guard has)
- Maintain a boat with an operable engine capable of leaving the harbor for a minimum number of days, regularly as scheduled in the lease agreement
- Establish minimum requirements that only seaworthy boats be allowed to participate in the Open Water Marina, possibly included in a checklist so that applicants know in advance what the city expects, will tolerate and how they will enforce the terms of the lease
- Requirement for bilge pump activation counters (how often does bilge pump self-activate)
- Requirements for fire suppression systems
- Notification of absence from vessel for more than 2 consecutive days and who will be responsible to monitor it (contact person)
- Provision that the vessel be maintained such that open water eyesores are discouraged or prohibited (including the accumulation of on-deck "junk", loud music systems, multiple dinghies, loud, on-deck gas operated generators, prohibited or that can only be operated during certain hours, and other unattractiveness that takes away from the beauty of the harbor and otherwise makes the harbor look like a homeless camp.
- Establish penalties for violations of each and all clauses, including forfeiture of bondage for failure to adhere to terms of the lease
- Eviction clause for participants that do not allow for or make time to participate in vessel inspections
- Previous Bainbridge Island residency requirement of 24 months with the past 5 years (why do we advertise space in this facility in local boating periodicals?)
- Other eviction and Impoundment provisions

Regular monitoring will be required by the City such as:

- Monitoring of said insurance by the City for lapses in coverage
- Copies of all lessees Boat ID cards
- Monitored pump-out services – possibly contracted boatside by the City Establishment of inspection criteria and schedules including development of remediation timetables with consequences up to and including eviction and/or forfeiture of bond
- Maintenance and inspection of electrical generation and storage systems that will power a bilge pump in the owner's absence (note just because a liveaboard has a wind generator, doesn't mean it works!)
- Engine inspection including actual usage
- Provide for inspection and compliance – possibly in conjunction with the US Coast Guard
- Testing of electrical storage system capacity

- Testing of bilge pumps including capacity to continuously operate and recording of activation counter intervals
- Testing of high water alarm activation
- Inspection for bilge pollutants

I propose the following considerations also be included in any future Open Water Marina leases:

- Explicit Non-perpetuity clause
- Requirement for \$250,000 of legitimate marine insurance, including a pollution clause, that names the City of Bainbridge as also insured
- Vessel Registration with the State of Washington
- The City should act as stewards not only of the harbor, but as trusted partners of the participants so that lessees have a means of notifying the city of lapse in insurance, maintenance issues, and other factors before little problems become big ones
- The City should have a budget for assistance to help participants maintain compliance
- Regularly scheduled Open Water Marina seaworthiness inspection in conjunction with the US Coast Guard and/or Coast Guard Auxiliary those tenants that never seem to make time for an inspection
- Inspection of bilges for the presence of waste oil
- Plan for lease termination of those tenants that never seem to make time for an inspection
- Use of lock-out/sealed cables/cable ties installed by and identified as City of Bainbridge preventing overboard dumping of sewage into Eagle Harbor. These can be renewed if the boat notifies the city of its owner's intent to go offshore where overboard dumping of human waste is permitted
- Proof of operability as demonstrated by vacating Eagle Harbor for a period one consecutive week a year
- An operating bilge pump and power supply capable of keeping the boat afloat for at least 24 hours, unmonitored
- Consider limiting the number of liveaboard spaces to 10% of moorage field which is the same that private marinas are encouraged to do
- Consider using the Washington State Clean Marina guidelines for how to establish an open water marina that focuses on the health of the environment (same as many marinas use)
- Assistance for existing Open Water Marina Lessees obtaining the requirements as spelled out in the lease, possibly including contracting with a state sponsored open water and mobile pump-out contractor/provider

All of the items listed above have costs; to the individual, to the City and to the greater community. These costs are not meant to be a burden but to insure that the boats that locate in our harbors can be reasonably assumed to stay floating and not polluting.

In the Spirit of the Open Water Marina, I understand that simplicity of a virtue, however, simplicity while forsaking the attraction of derelict vessels with no ties to our community is foolhardy and it isn't respectful to the rest of the community who expect the City to act in a way that preserves the health of the harbor and maintains it in a manner that doesn't degrade its current beauty, while also respecting our greater island community.

I trust that the City will neither look the other way nor will it penalize those that call the Open Water Marina home and that it will find a way to treat everyone with compassion and respect. Call me at (206) 842-0123 if you have questions.

Kind Regards,

Jeff Adams

On Mon, Dec 10, 2018 at 5:02 PM Jeff Adams <jeffatoms@gmail.com> wrote:

Dear Mr. Claiborne,

My name is Jeff Adams and I am writing to share with you my thoughts on the Eagle Harbor Open Marina liveboard situation as it appears to exist today. I write this having called Bainbridge home my entire 50+ year life and as one who cares deeply about both the entire harbor's liveboard community and also about the health and threats that appear to exist to Eagle Harbor from the Open Water Marina Liveboards.

Specifically, I am concerned that Eagle Harbor is at risk from the threat of pollution, from both gradual human sewage dumped in the harbor, and the possible toxic and oily discharge from a potential Open Water Marina vessel sinking. Having lived here long enough, I have witnessed what appears to be the look-the-other-way attitude by our local city's open water enforcement team. We appear to either not be aware of the laws regarding discharge of human feces or the requirements enacted on all the rest of Eagle Harbor's marina liveboards, which include requirements for insurance, regular and monitored sewage pump-outs of marine holding tanks, requirements for operating engines and closed waste seacocks and closed onboard sewage systems.

I understand that it is expensive to maintain insurance on a vessel, I also understand that it costs money to have an electrical generation system that will power a bilge pump in the owner's absence. I understand that maintaining a vessel with both State of Washington registration and an operating engine costs money but to ignore the fact that our local marinas are required to monitor and enforce such basic requirements whereas the city doesn't is, in my opinion, a risk the City of Bainbridge is taking without the well being of the greater community being properly considered. These costs are not meant to be a burden but to insure that the boats that locate in our harbors can be reasonably assumed to stay floating and not polluting.

I propose the following considerations be included in any future Open Water Marina leases:

- Requirement for \$250,000 of legitimate marine insurance, including a pollution clause, that names the City of Bainbridge as also insured.
- Vessel Registration with the State of Washington
- Regular inspection of all boats in Open Water Marina in conjunction with the US Coast Guard and/or Coast Guard Auxiliary, including impoundment clause for those tenants that never seem to make time for an inspection
- Inspection of bilges for the presence of waste oil
- Use of lock-out/sealed cables/cable ties installed by and identified as City of Bainbridge preventing overboard dumping of sewage into Eagle Harbor. These can be renewed if the boat notifies the city of its owner's intent to go offshore where overboard dumping of human waste is permitted.
- Proof of operability as demonstrated by vacating Eagle Harbor for a period one consecutive week a year.
- An operating bilge pump and power supply capable of keeping the boat afloat for at least 24 hours, unmonitored.

- Assistance for Open Water Marina Lessees obtaining the requirements as spelled out in the lease, possibly including contracting with a state sponsored open water and mobile pump-out contractor/provider.

I trust that the City will neither look the other way nor will it penalize those that call the Open Water Marina home and that it will find a way to treat everyone with compassion and respect. Call me at (206) 842-0123 if you have questions.

Kind Regards,

Jeff Adams

Aaron Claiborne

From: Ken Fabert <kenfabert@icloud.com>
Sent: Friday, December 14, 2018 3:48 PM
To: Aaron Claiborne
Subject: Eagle Harbor proposals

Follow Up Flag: FollowUp
Flag Status: Flagged

Dear Mr. Claiborne,

As a frequent user of EH, I'd thought I'd weigh in on the planning process. I understand that the deadline for comments is today.

I'm a sailor. I have both a 39' cruising boat and a 23' daysailer, which I sail frequently in both the inner and outer harbor. The daysailer is engineless.

At a minimum, there need to be clear fairways on the north and south margins of the harbor. The rowers need to be mindful of the need to share this access and maneuvering space. Occasionally they do not and some friction has resulted. There is a perception amongst the sailors that the rowers are trying to control more space in the harbor. In conversations with rowers, however, this seems to be unfounded.

Amongst the rowers, there is a perception that the live aboard anchorage is going to be expanded with further limitation of rowing room. My understanding is that the proposal at hand is to expand live aboard space without restriction of anchoring options for transients, but the mooring will be enlarged.

So, there are misperceptions all around.

I would propose the following:

1. Preserve the fairways as they are. This is probably required by the USCG anyway.

2. Go ahead and expand the live aboard mooring field but consider more efficient options like fore and aft balls, etc. I have heard rumors that the liveaboards want to maximize space for privacy. That should not be a priority in my view. The harbor footprint doesn't afford that luxury.

As an act of good faith, the rowers and the city should also consider converting the City Dock shell access feature back to more transient Moorage. They never use it anyway.

Finally, and this is not PC to say but I will: there need to be some sorts of standards and rules regarding those moored out long-term. I have observed many episodes of pollution and irresponsible discharges. Some of the living conditions are also nothing short of squalid. What standards are going to be enforced?

It seems to me that all "sides" need to communicate better and if need be, maybe the timelines should be extended. Finally a comment on the process: better transparency and information for stakeholders would have been helpful.

Best,

Ken Fabert

Sent from my iPhone

December 13th, 2018

Aaron Claiborne
Operations, Project Manager
City of Bainbridge Island

Dear Mr. Claiborne,

Thank you for your work on the Dave Ullin Open Water Marina design, and thank you for taking the time to tour the harbor by boat, to gain a better understanding of the complexity of this project.

Through tireless volunteer leadership, Bainbridge Island Rowing has been expanding our programs over the past 17 years. Through these programs, we were able to offer meaningful, consistent access to Eagle Harbor to over 108 high school students and 60 adults, in 2018 alone. Rowing is the largest sport at Bainbridge High School and the demand for our programs continues to grow.

Providing the opportunity for over 100 youths to continue to safely navigate Eagle Harbor, five days per week, nine months out of the year, requires community support. We ask that COBI take great care not to make permanent changes to the layout of the harbor which would create obstacles, restricting navigation options and creating unsafe navigational circumstances not only for rowers but all users of the harbor.

With an area of over 15 acres comprising the core of Eagle Harbor, we feel certain that accommodations can be made to offer 16 residential moorage opportunities to our liveaboard community, while also designating Northern and Southern Safety Fairways, allowing unobstructed ingress and egress to rowers, boaters, kayakers, service and emergency vessels. This process will preserve the intent of the DUOWM as well as upholding the Public Use Doctrine, which requires safe navigation to all users of our public waterways. As you can see by the attached survey, many private buoys abut the southern edge of the lease area. There is currently no safe navigation channel to the south of the DUOWM.

How can we offer an southern harbor Safety Fairway?

- limit to the amount of 60' vessels in the DUOWM. Vessels of this size have the largest impact on harbor navigation, yet the most recent COBI design offers moorage for ten 60' vessels. Instead, reflect the current useage, with the majority of allowed vessels at 20'-50'. The current makeup of the DUOWM is as follows:

<30': 1

30-40': 5

40-50': 1

50-60': 2

- Fore/aft moorage. Not only is this preferred by the DNR, it allows the greatest number of vessels to have the least impact on marine navigation. Several of the current liveaboards are using fore/aft to allow for solar power. Eagle Harbor is extremely well protected from strong winds, and fore/aft moorage is a widely accepted standard in many marinas. COBI should look to successful fields rather than trying to come up with a new design. Newport Harbor and Catalina Island are good examples.

- Hybrid of Fore/aft and full swing buoy designs: Need both options? Offer both options while still providing safe navigational channels.

Proper planning of the layout of the DUOWM and the resulting traffic flow will create a marine environment that is navigable for generations to come. Poor planning is a detriment to our entire community. COBI needs to properly address the complexity of this project from both legal and practical perspectives by engaging all Eagle Harbor stakeholders before finalizing the design.

Thank you,

Sue Entress
4224 Point White Drive
Bainbridge Island, WA

[The page contains several paragraphs of extremely faint, illegible text, likely bleed-through from the reverse side of the document. The text is too light to transcribe accurately.]

Aaron Claiborne

From: Ted Davis <12e3pi@gmail.com>
Sent: Friday, December 14, 2018 4:26 PM
To: Morgan Smith; Kol Medina; Ron Peltier; andy@rovelstad.net; Anthony Oddo; Tami Allen; Council; Charlotte Rovelstad; Mark; Elise Wright; Ian Macrae; Mark Davis; Ted Davis; Aaron Claiborne; Hilary Franz
Subject: Fwd: DAVE ULLIN OPEN WATER MARINA
Follow Up Flag: FollowUp
Flag Status: Flagged

----- Forwarded message -----

From: Ted Davis <12e3pi@gmail.com>
Date: Fri, Dec 14, 2018 at 4:14 PM
Subject: Re: DAVE ULLIN OPEN WATER MARINA
To: rich seubert <kellybree1@hotmail.com>

After end of Monday's MAC, I spoke with Bruce, BIR/RC head/director/coach/..? who also said he was told not to present the BIR plan. Totally suspicious and disingenuous of MAC-chair Anthony Otto(shill, affiliated with BIR) repeatedly requesting the present public for their `options'.

(Recall Anthony Otto mentioned at the previous MAC meeting the `challenge' of getting this done ..where I interrupted him and said the ""challenge' is you getting this done without telling us about it!")
So last Monday's kangaroo court meeting was Mister Otto's callow invention of satisfying `The Challenge'.

Also of note, after last Monday's Mac meeting, I said to Bruce(BIR) this threatens our mutual goodwill, and also brought up the necessary west-side DUOWM dinghy dock, and he agreed, he would also advocate it.

Ted

On Fri, Dec 14, 2018 at 5:10 AM rich seubert <kellybree1@hotmail.com> wrote:

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Aaron Claiborne

From: Barbara Trafton <barbtrafton@gmail.com>
Sent: Friday, December 14, 2018 4:44 PM
To: Aaron Claiborne
Subject: Dave Ullin Open Water Marina Layout/Design Project

Follow Up Flag: FollowUp
Flag Status: Flagged

Dear Aaron and DUOWM Committee:

These are my reactions to the DUOWM proposal:

1. **Great** to provide a place for liveaboards in Eagle Harbor: for historic, cultural and economic reasons
2. Please consider ALL uses of the harbor, even though you're tasked with only considering the layout for the DUOWM
3. If affordable living is the primary goal: why not more boats, in less space? why 60 ft boats which are hardly affordable?
4. Consider the fact that the existing proposal dedicates nearly one acre to every boat, (someone mentioned this on Dec10th meeting and questioned if anyone would ever advocate so much space per unit on land) to the detriment of other uses of the harbor: the space-demanding design simply leaves less functional use for people in sailboats, rowing shells, kayaks, visiting boats, etc.
5. Seriously consider two-point mooring systems or reconstructing a line system. DNR has reported a preference for two-point moorings. Discussions that I have had with various individuals with abundant experience and knowledge lead me to believe that citizens should be presented with more detailed information. Are these options too complicated or expensive or environmentally damaging? Why? Provide data.
6. Please provide several options for the community to consider: include your existing plan, a plan with two-point mooring, and a plan with a single-line system with costs, or a combination of two or more of these. Costs for installation, maintenance and projections for longevity must be included in the proposals.

Once COBI approves a plan we will all live with it for many years. PLEASE spend more time getting this right.

I understand that Bainbridge is unique in this quest to provide liveaboard moorage. Please take this time to create a stellar proposal that educates and informs so we can all be confident in the solution.

Your end-plan will have lasting repercussions.

As a former rowing coach, I wouldn't be surprised to see that the standing proposal, if approved, would require that the High School rowing program be cut by 40 to 50 percent, in order to run a safe program on available long waterways. Years ago we discussed the fact that navigable waterspace is limited and the program could include a maximum of not much more than 100 kids. Very few high school coxswains in the nation have such challenging obstacles. Close off a route for shells to travel east-west through mid-harbor and only the north channel remains, which is not wide enough to run two sets of shells in opposite directions. Condense your proposed area for liveaboards and 1) the people living aboard do not have to row their dinghies so far to the public dock, while 2) you allow many more students to engage in a healthy community-spirited, character-building activity. AND there is more space for visiting boaters and various other craft.

Thank you,
Barb

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and systems that can be used to ensure the accuracy and reliability of financial records.

The second part of the document provides a detailed overview of the accounting process, from the initial recording of transactions to the final preparation of financial statements. It covers the various steps involved in the accounting cycle, including the identification of transactions, the recording of those transactions in the accounting system, and the subsequent analysis and reporting of the results.

The third part of the document discusses the role of the accountant in the business and the various responsibilities that are associated with the profession. It highlights the importance of the accountant in providing accurate and timely financial information to the management of the business and to the external stakeholders.

The fourth part of the document provides a summary of the key points discussed in the document and offers some final thoughts on the importance of the accounting profession in the business world.

Aaron Claiborne

From: Tom & Sue Haines <sailvolcano@gmail.com>
Sent: Friday, December 14, 2018 4:42 PM
To: Aaron Claiborne
Subject: Open water residential marina

Follow Up Flag: FollowUp
Flag Status: Flagged

Hello Aaron,

I have the following comments regarding the proposed layout of the Open Water Residential Marina.

1. Please do not discontinue to provide safe navigation between the liveaboard community and the private buoys on the Eagledale side and Winslow side of Eagle Harbor. It might not show on charts but there is a long standing use of this buffer area. Instead please consider what you did in Port Madison some years ago. There is a safety fairway, from the entrance all the way back to Hidden Cove, that COBI established for safe passage of boats. No permanent buoys can be placed in the fairway.
2. When we put in a buoy, the swing radius we were granted was only to surrounding buoys. In the new liveaboard proposal, it shows swing radius to adjoining swing radius. This requires much more water area between boats for no benefit.
3. Why are there so many 60' sized buoys planned? The current liveaboard population does not have anywhere near that number size boats. Again, this takes up more space that is not necessary.
4. The most efficient use of our collective Island water resources demand 2 point mooring systems for residential use. To put in a single point mooring for residents who rarely leave the harbor is a complete waste of water area that belongs to us all.

Thanks for hearing my input.

Susan Haines

Aaron Claiborne

From: T WILLIAM & BEATRICE <bbbooth@msn.com>
Sent: Friday, December 14, 2018 6:49 PM
To: Aaron Claiborne
Subject: open water mooring

Follow Up Flag: FollowUp
Flag Status: Flagged

Attention COBI Council Person.

I invite each of you to read these comments.

First you must ask yourselves: I have I been on the water at the proposed site when BHS (Bainbridge High School) rower are at practice? or have I been on the water when the harbor is crowded with visiting yachtsperson? Do I have first hand knowledge of how much just buying and owning a livable costs? I have. and I can assure you the proposal makes no sense.

When visitors anchor out, as they must when the newly popular city dock is full, they come in town to shop. They spend money at groceries, restaurants, taverns. Live-a-boards do not. The proposal would occupy that very space that our visitors use now. Business activity would dwindle. Not good.

Well then would live-a boards really address low income housing. I think the reality is that if one could afford a seaworthy boat costing at least \$25,000 then that same person is capable of renting on land for less cost. Thinking live-a-board will address affordable housing is an economic joke.

But if you persist in this line of thinking, then any occupant must pass a "means tests" or the well to do will scam the system. And you must assure us that the rental rate will be high enough to amortize the investment of placing and maintaining the system. Would those vessels have their sewage overboard lines sealed? Does the Harbor Master want this policing job added to her job description? At What cost? Has anyone done a rigorous cost benefit analysis? Probably not. So what value is this to your public? To continue in this naïve way will be costly.

X

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Aaron Claiborne

From: Ted Davis <12e3pi@gmail.com>
Sent: Friday, December 14, 2018 11:12 PM
To: Elise Wright
Cc: Morgan Smith; Kol Medina; Ron Peltier; andy@rovelstad.net; Anthony Oddo; Tami Allen; Council; Charlotte Rovelstad; Mark; Ian Macrae; Mark Davis; Aaron Claiborne; Hilary Franz; Gelfenda@earthlink.net; Michael Graf
Subject: Re: DAVE ULLIN OPEN WATER MARINA

Follow Up Flag: FollowUp
Flag Status: Flagged

"..I.can assure you BIR was no more restricted in making comments than anyone else."

Bruce told me otherwise.

Rich, from what I understand, was also told otherwise.

This Monday's phoney bologna kangaroo court, I had the mic and said "There's a big silent elephant in the room.." and now we know why they were silent.

The only take away of us in the DUOWM is a silenced transparency due to a back-room heinous 'option' that Otto knows we would tear him a new pie-hole if we knew.

I have right now spent a hundred hours since the past week trying to get 14 tiny computers to talk together and they do not. The BIR has nothing better to do this time of year than fuck around with people who actually work for a living, steal their property, and further waste other people's money.

Should BIR Shill Otto and the BIR continue to interfere with our DUOWM existence and destroying my computer cluster progress, I will have to focus on a DUOWM --NOT-- otherwise out of sight out of mind.

TED

On Friday, December 14, 2018, Elise Wright <elise.wright@cobicommittee.email> wrote:

I'm very sorry you feel this way, Ted. I can assure you BIR was no more restricted in making comments than anyone else. We expected all groups to confine their comments and suggestions to written and verbal, rather than PowerPoint, presentations - perhaps BIR felt restricted by that request.

I can also assure you that while Anthony is a strong advocate of the rowing community, as I try to be for the Liveboard community, his goal has always been a solution that works for all community members.

I still believe that is possible. We will be reviewing all the public input at our January 14th meeting. While I cannot predict the outcome, I'm hoping for an "old Bainbridge" style solution - where folks just get together and work it out. Anything you can do toward that end is most welcome.

Sincerely,
Elise

From: Ted Davis <12e3pi@gmail.com>
Sent: Friday, December 14, 2018 4:25 PM

To: Morgan Smith; Kol Medina; Ron Peltier; andy@rovelstad.net; Anthony Oddo; Tami Allen; Council; Charlotte Rovelstad; Mark; Elise Wright; Ian Macrae; Mark Davis; Ted Davis; Aaron Claiborne; Hilary Franz
Subject: Fwd: DAVE ULLIN OPEN WATER MARINA

----- Forwarded message -----

From: Ted Davis <12e3pi@gmail.com>
Date: Fri, Dec 14, 2018 at 4:14 PM
Subject: Re: DAVE ULLIN OPEN WATER MARINA
To: rich seubert <kellybree1@hotmail.com>

After end of Monday's MAC, I spoke with Bruce, BIR/RC head/director/coach/..? who also said he was told not to present the BIR plan. Totally suspicious and disingenuous of MAC-chair Anthony Otto(shill, affiliated with BIR) repeatedly requesting the present public for their `options'.

(Recall Anthony Otto mentioned at the previous MAC meeting the `challenge' of getting this done ..where I interrupted him and said the ""challenge' is you getting this done without telling us about it!")
So last Monday's kangaroo court meeting was Mister Otto's callow invention of satisfying `The Challenge'.

Also of note, after last Monday's Mac meeting, I said to Bruce(BIR) this threatens our mutual goodwill, and also brought up the necessary west-side DUOWM dinghy dock, and he agreed, he would also advocate it.

Ted

On Fri, Dec 14, 2018 at 5:10 AM rich seubert <kellybree1@hotmail.com> wrote:

Get [Outlook for Android](#)

Aaron Claiborne

From: Charlotte Rovelstad <milagrosx2@comcast.net>
Sent: Friday, December 14, 2018 11:44 PM
To: Aaron Claiborne; Morgan Smith; Elise Wright; Kol Medina; Ron Peltier; Anthony Oddo; Tami Allen; Sarah Blossom; Rasham Nassar; Leslie Schneider; Matthew Tirman
Subject: Please support buoy placement plan as presented at MAC meeting

Follow Up Flag: FollowUp
Flag Status: Flagged

Dear members of the Marine Access Committee, City Council and City Staff,

I am writing in support of the buoy placement presented at the Marine Access Meeting last Monday.

It was however a little confusing that public comment was not taken given that the outreach effort suggested:



MARINE ACCESS COMMITTEE
PUBLIC MEETING
MONDAY, DECEMBER 10, 2013
5:30 PM
COUNCIL CHAMBER
280 MADISON AVENUE NORTH
BAINBRIDGE ISLAND, WA 98148

-
-
- Members:** Fred Grimm, Peter Hill, Anthony Oddo,
Frank Ostrander, Greg Spils, Elise Wright
- Co-Chairs:** Anthony Oddo, Peter Hill
- Council Liaison:** Ron Peltier
- Harbor Stewards:** Dave Kircher, Mark Leese

The City of Bainbridge Island's Marine Access Committee is hosting a public meeting to gather input from the community about the placement of new buoys in the Dave Ullir Open Water Marina (DUOWM) in Eagle Harbor.

The City of Bainbridge Island operates a residential marina within Eagle Harbor, under the terms of a lease with the Washington State Department of Natural Resources (DNR). The DNR lease allows the City to enter into subleases with 16 individual tenants in the DUOWM for the purpose of supporting a vibrant liveaboard community. Earlier this year, the City Council voted to provide funding to restore the number of moorage sites to 16, as allowed under the terms of the lease.

During the last few months, the Marine Access Committee has heard from a variety of community members regarding the location of the new buoys and safety concerns involved with navigation in Eagle Harbor. The Marine Access Committee is now hosting a public meeting at City Hall Monday, Dec. 10 at 5:30 p.m. to receive public comment on this project and provide an overview of the planned work. The Committee will use public input to develop recommendations for staff and Council to decide how and where the buoys should be located in Eagle Harbor.

Marine Access Committee members suggested that the recommendations to be made to the City Council may or may not be what was presented. Since only one plan was presented and no explanation was provided as to what additional information would be used for generating alternate options, it begs the question how the committee will proceed from here. Subsequently, for the sake of transparency we will be expecting another meeting in order to answer the above questions. Please inform the community as to when that will be.

I believe you are aware of the proposal by BIR and I suspect others have addressed the problematic aspect of that proposal. Hence, I would like to add the recent revelation by BIR board members, parents and coaches that suggested safety issues are a concern. Numerous instances of shells colliding with PARKED BOATS have been recorded and were shrugged off as "You know, teenagers". Since "The Rules of the Road" as reiterated by the harbor master reminds all that it is the responsibility of the sailor to navigate safely the only conclusion to be drawn is the fact that any harbor user including rowers must be competent and capable. It appears that that is not the case for the young rowers so I would like to suggest the solution to increasing safety lies elsewhere. Inquiry into other rowing clubs suggest that safety, skills and responsibility are of utmost priority. Hopefully, the MAC in conjunction with BIR will work to make the harbor safe for all.

Sincerely,
Charlotte Rovelstad

Aaron Claiborne

From: Haley Lhamon <haley.lhamon@gmail.com>
Sent: Friday, December 14, 2018 11:57 PM
To: Aaron Claiborne
Subject: Dave Ullin Open Water Marina

Follow Up Flag: FollowUp
Flag Status: Flagged

Hi Aaron,

Thank you for your recent help advising my husband Rusty about the water hook-up for our dock! Everything looks great, passed inspection, and works well (we just drained outside pipes for the winter).

I hope you didn't need the following comment about the Dave Ullin Open Water Marina by 5pm today and that you can still accept it with email dated Dec. 14th. I attended the presentation by the Public Water Access Committee on Monday, and I'm happy to hear that COBI City Council is interested in expanding the liveaboard community in Eagle Harbor. I'd like to share a few concerns and questions Rusty and I have related to the buoys, especially those that would have swing circles for boats up to 60 feet:

1. If the buoys for smaller boats/swing circles are already subleased, would smaller boats be assigned to buoys that are still available for 60-foot boats? How would priority for new applicants be defined? Since the city is paying substantially below market value for the DNR lease, there is likely to be a mad rush for moorage if the rental/lease rates are lower than market value. For example, DNR charges the following fees for commercial buoys: vessels up to 35' are currently \$3,750/year plus leasehold tax (LHT); vessels up to 40' are \$4,170/year plus LHT; and vessels up to 50' are \$5,055/year plus LHT. These do not represent the full cost of a buoy but could be considered the absolute minimum if a buoy were already purchased, installed, and we ignore maintenance. In reality, costs are higher.
2. Planning a live aboard moorage field as a "low cost" housing option could be a mistake if not done properly. Boats do require maintenance and do cost money. Encouraging a "bare bones" live aboard lifestyle has the potential to encourage unsafe practices including lower than necessary maintenance resulting in unintended sinking (including fuel spills) or worse. Eagle Harbor has seen this before, and we do not want to encourage it again. Providing market-rate liveaboard moorage with adequate rules and regulations can prevent this and still provide an affordable housing option.
3. People who can afford 60' boats typically do not need affordable housing options, and the liveaboard community would potentially be less diverse, less vibrant (60' boat owners would probably not continuously live on their boats or remain on their buoys year-round with warmer second homes and ports available), and less welcoming or accommodating to those in need of low cost housing if ten COBI buoys have large yachts on them. Low cost housing was mentioned as one of the purposes of the open water marina expansion in the introduction to the project at Monday's meeting. We recommend a re-layout of the open water marina to enable more boats in the 40' range as opposed to preferring larger boats. This will have several advantages such as providing more space/privacy between boats, reducing maintenance costs (which go up with the cube of the boat's length), and ensuring less crowding in the harbor overall.
4. Navigation: ten 60-foot boats will definitely make it more difficult for visitors, rowers, kayakers, sailors, and Eagle Harbor boat owners to safely pass through the open water marina if needed, especially when Eagle Harbor is crowded with traffic and anchored boats.
5. We believe the harbor could benefit from some short term rental/transient buoy moorage (ideally off the Pub and City dock). If we look forward 50 years, it is not impossible to imagine a time when the demand for moorage will far outpace the moorage available, like in Camden, Maine, and Martha's Vineyard. In these locations, mooring fields with a mix of permanent and transient moorage provide for an active hospitable harbor community. While this may seem a

long way off, it might be prudent to begin planning (and learning) what this type of future might look like, so we can all decide if it is what we want for our beautiful island, or not.

For the sake of affordability, diversity, safety, and navigation, please consider limiting the majority of the buoys to 30-40' boats with just a few for 50'-60' boats.

Thank you for considering! Please pass on our concerns and questions to the Public Water Access Committee and to the City Council.

Kind Regards,
Haley & Rusty Lhamon

To: Aaron Claiborne / Marine Access Committee
From: Bainbridge Island Rowing
Re: Buoy placement in Dave Ullin Open Water Marina

December 14, 2018

First of all I would like to state from the start that Bainbridge Island Rowing (BIR) is not against the Live-a-boards. We are not trying to get them removed from the harbor. I am not sure where this rumor started but it is false. BIR has been vilified in recent meetings and in posters posted in downtown Winslow as putting a sport ahead of the live-a-boards. This is not correct. We have peacefully co-existed with the vast majority of live-a-boards for 15 years. We are only asking to SHARE the harbor so that we can continue to offer rowing to those who would like to experience the joy of gliding on Eagle Harbor in a racing shell. The current plan would eliminate a major portion of the harbor from our use.

Are the city and the live-a-board community willing to compromise and explore other configurations for the DUOWM and allow BIR to survive? Or will the DUOWM be established to the exclusion of reasonable use of the harbor by BI residents?

The key to our being able to share the harbor with the live-a-boards (from the rowing perspective) is bow and stern mooring. By letting the boats swing on a 360 degree circle it would not be safe for our crews to row in the middle of the harbor. I recognize that the current lease specifies that all mooring be switched to single point. Are the city and the live-a-board community willing to compromise? Are you willing to explore this aspect of the DUOWM to help BIR survive? Does the lease stipulate that this body of water is for the exclusive use of 16+ individuals?

BIR, and rowing in general, are often viewed as elitist. This is not accurate. There is really nothing elitist about the sport. We specifically removed "Club" from our official name 7 or 8 years ago as one way to address this perception. Anyone can try rowing. We are open to the public for both adults and high school kids (juniors). For the last two summers we have experimented with a middle school program and will continue to refine this offering in the near future. We would also like to offer adaptive rowing sometime in the future. We offer financial aid to anyone (both adults and high school kids) interested in rowing.

For adults we offer Lean-to-row classes 3 or 4 times a year (primarily in the spring and summer) and have a wide range of individuals who use our equipment. We have introduced hundreds of people to rowing over the 15 years that BIR has existed.

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Currently we have adults that row at 5:15 am, two groups that row from 9:00 to 11:00 and additionally another group at 6:15pm when light allows. These range from those interested in competing regionally and nationally to those who row recreationally to enjoy the harbor and the exercise.

For the juniors (high school) we have from 85 to 110 kids rowing each year. They row from 3:30 to 6:00pm 5 days a week in three different seasons. The fall season is September through the first week in November. The spring season is from February through May and then there is a 6 week summer session (they workout indoors from the end of the fall season until the start of spring season in February).

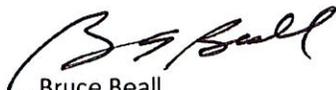
The sport of rowing teaches teamwork to a degree greater than all other sports. Each rower does exactly the same thing and they need to do it absolutely together - there are no "stars". It is physically challenging, teaches goal setting and that the group effort is greater than the sum of its parts. These are no doubt some of the reasons the so called elite colleges have supported the sport for over 125 years (the oldest intercollegiate completion in the United States is the Harvard-Yale crew race started in 1852 - that is before the civil war). Some of our rowers have qualified for the Youth National Championships. We have had a number of crews finish in the top 10 in the nation in their specific event. Over 10% of the kids are on some level of scholarship, provided by BIR. One of the live-a-board will be trying the High School rowing program this February.

We have also experimented with teaching corporations to row as a team building experience. I would invite each and every one of you to come to one of our learn-to-rows and try a sport that encompasses all major muscle groups, has both a strength and cardiovascular component, is weight supported (so not hard on knees /hips etc) and requires balance and rhythm with an emphasis on team work. The metaphors about rowers working together are exceedingly accurate. It is a magical experience when 8 rowers are working in complete synchrony, the boat is gliding across.

The current buoy plan would in effect grant the exclusive use of a 15.5acre major section of Eagle harbor to 16+ people and severely restrict the use of Eagle Harbor. We respectfully request that COBI consider alternate designs for the DUOWM to mutually accommodate live-a-boards and BIR. We are asking to SHARE the harbor so that we can continue to offer rowing to approximately 200 BI and Kitsap County residents.

Alternate configurations for the OWM could include a mix of mooring configurations, single point and two-point moorage. There might be an arrangement made for the winter months where the boats are attached to bow only mooring. Attached is a conceptual map of buoy placement that should be considered as a starting point for discussion.

Thank you for your consideration


Bruce Beall
Director of Rowing

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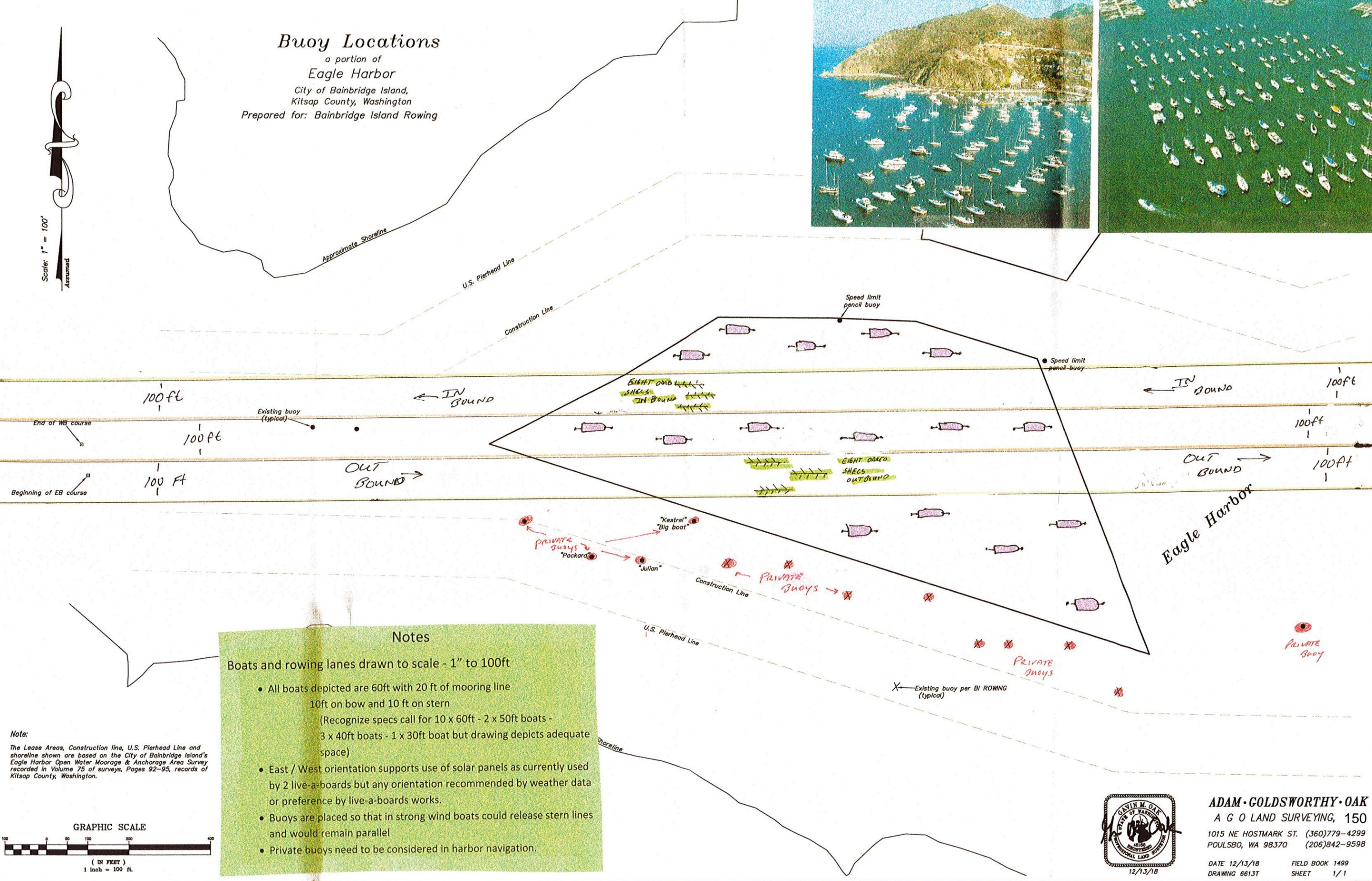
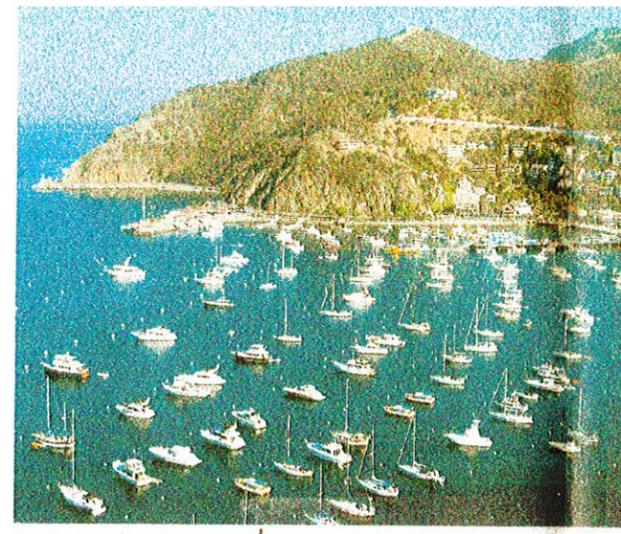
Buoy Locations

a portion of
Eagle Harbor

City of Bainbridge Island,
Kitsap County, Washington

Prepared for: Bainbridge Island Rowing

Scale: 1" = 100'
Assumed

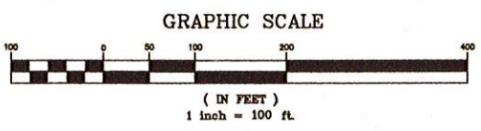


Notes

Boats and rowing lanes drawn to scale - 1" to 100ft

- All boats depicted are 60ft with 20 ft of mooring line 10ft on bow and 10 ft on stern (Recognize specs call for 10 x 60ft - 2 x 50ft boats - 3 x 40ft boats - 1 x 30ft boat but drawing depicts adequate space)
- East / West orientation supports use of solar panels as currently used by 2 live-a-boards but any orientation recommended by weather data or preference by live-a-boards works.
- Buoys are placed so that in strong wind boats could release stern lines and would remain parallel
- Private buoys need to be considered in harbor navigation.

Note:
The Lease Areas, Construction line, U.S. Pierhead Line and shoreline shown are based on the City of Bainbridge Island's Eagle Harbor Open Water Moorage & Anchorage Area Survey recorded in Volume 75 of surveys, Pages 92-95, records of Kitsap County, Washington.



ADAM • GOLDSWORTHY • OAK
A G O LAND SURVEYING, 150
1015 NE HOSTMARK ST. (360)779-4299
POULSBO, WA 98370 (206)842-9598

DATE 12/13/18 FIELD BOOK 1499
DRAWING 6613T SHEET 1/1

10-10-1964
A 3-5 CARD SYSTEM
10-10-1964



Notes
The following notes were taken from the field notes of the survey of the land in the vicinity of the site of the proposed dam. The notes are in the form of a list of items, each preceded by a number. The items are as follows:
1. The land is divided into several sections, each of which is approximately 100 feet wide and 200 feet long.
2. The sections are labeled with letters and numbers, as follows:
A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

Aaron Claiborne

From: Andy Rovelstad <andy@rovelstad.net>
Sent: Sunday, December 16, 2018 3:08 PM
To: Aaron Claiborne
Cc: Morgan Smith; Kol Medina; Ron Peltier; Anthony Oddo; Tami Allen; Elise Wright; Ian Macrae; Mark Davis; Hilary Franz
Subject: Re: Public Comment DAVE ULLIN OPEN WATER MARINA
Attachments: DUOWM Layout thoughts.pdf

Follow Up Flag: FollowUp
Flag Status: Flagged

Hi all,

I put together some thoughts on a revised organization of the buoy location which was inspired by the idea that the rowing club brought to the table (but did not present) and the presentation drawings uploaded to the city's website late this week. Anyhow, just some thoughts on nature, space and organization that hopefully works for everyone,

My other comment would be to eliminate (or minimize) the 20' boat moorage slips, but still achieve 16 spaces. That is the size of a automobile parking space and is pretty small - (They are just a lot easier to squeeze into tight corners).

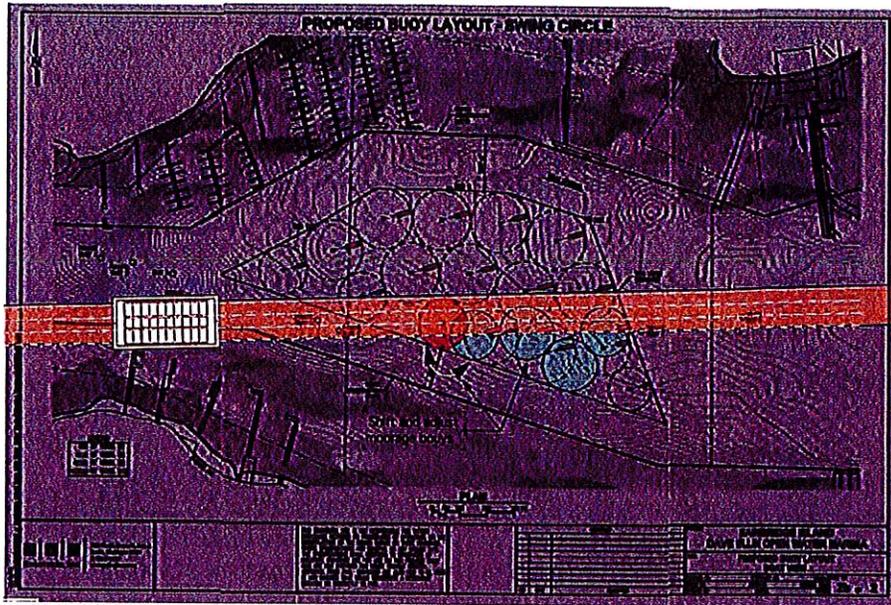
Thanks all,

Andy



Rovelstad Architects
andy@rovelstad.net
206-518-3678

DUOWM Thoughts



The image above shows a 8 lane Master Course in unobstructed waster according to the requirements of the World Rowing Championship & Rowing World Cup Regatta, with the proposed natural access in the DUOWM .

Sincerely,

Andy Rovelstad

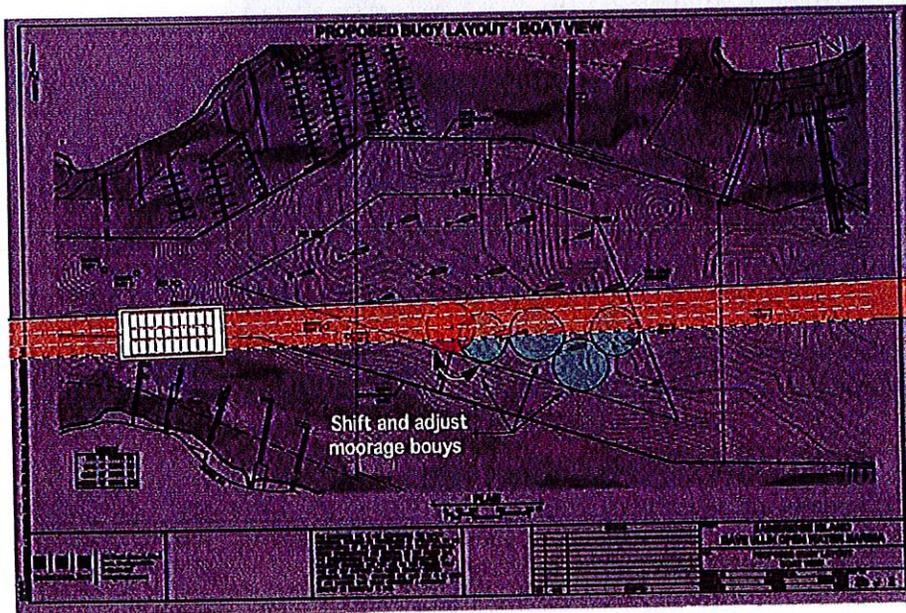
DUOWM Thoughts

Understanding Nature: The swing of a vessel on anchor or a single point mooring buoy is defined by the direction of the tide. In Eagle harbor tides are either coming in or going out, with the direction of vessels primarily being in an East- West direction. There is a brief and magical moment when nature swings the boat around offering new views and orientation. Most often this takes place in less than a matter of minutes. A cluster of boats on single point will swing with the same orientation providing the same distance between boats. During extreme low tide and high wind nature will break her own rules, and all mariners need to take responsibility for their drafts.

Distance: The swing radius for the single point mooring is defined by the depth of the water and size of the boat. The larger boats have a distance between mooring buoys of 210' (scaled off the drawings). The width of an American football field is 140', so the distance between buoys and the distance between boats is substantial wider than a football field.

Layout: Minor adjustment to the layout of the buoys could allow for a clear path with 3 rowing lanes (based on the width of an Olympic rowing course). The borders of the lane would shift with the tide but the consistency of nature will have boats aimed the right direction and a clear path for a shared harbor. It is, of course the responsibility of any boater to understand nature, tides and wind to finetune their course. Tides are predictable and can easily be included in the lessons of youth. Recognizing the dangerous condition of wind is the responsibility of all mariners.

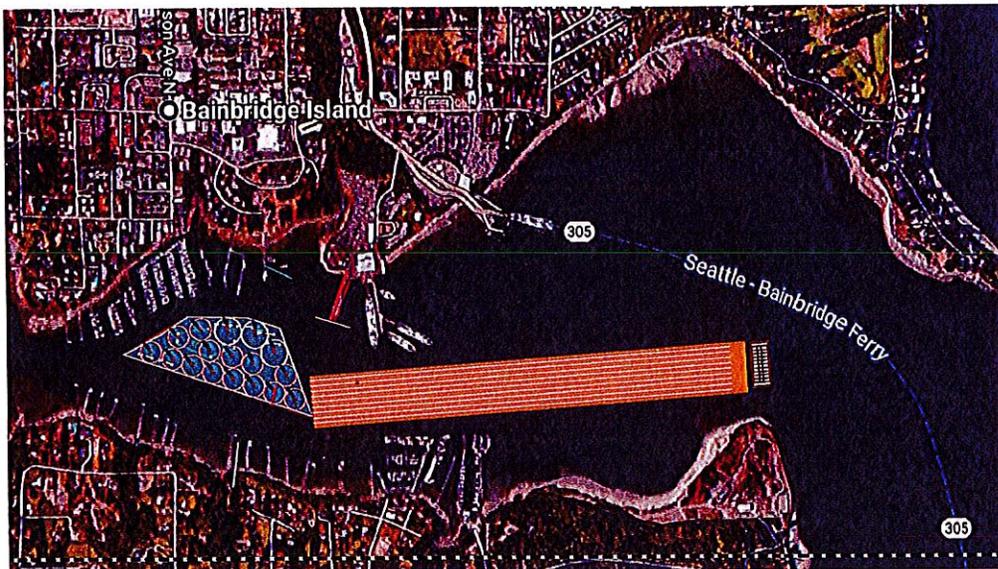
Application: The enclosed drawing show a minor shift in the city's proposed plan, with an adjustment to the location and size of 5 single point buoys. The buoy noted by a red outline is shifted to the East and the location and size of three buoys are adjusted to allow a clear straight path with a buoy separation of approximately 150'. This is wider than a football field and almost as wide as Lake Washington Shipping Canal at Montlake Bridge by UW. I've included an image of a football field on the drawing to help with scale. I have also included an image of the proposed area in relation to the open area North of Pritchard Park.



Public Comment: DUOWM

I want to commend Aaron Claiborne and Tami Allen for their work and presentation at the Marine Access Council meeting for the DUOWM. The plan that they put together for the harbor reflected a lot of hard work and it was clear to see that they had taken into consideration comments by both the Marine Access Committee as well as public comments by Community Members during the last few months. I totally support the proposal and the layout of the marina that was presented.

The World Rowing Championship & Rowing World Cup Regatta has established standards for the dimensions of a rowing course. It is recommended to have a minimum of 8 racing lanes, plus sufficient water width on both sides of the course to allow for both safe traffic patterns and for moving lanes in case of unequal conditions. The length for a 1,000 meter course with sufficient length at the ends of the course to slow down is 1,150 meters. The image below shows the layout of the "water requirements" of a World Cup Rowing Course in Eagle Harbor in the least congested area of the harbor. The square at the East end of the course is an American football field to give scale to the course in the harbor. There is a lot of space in Eagle Harbor for all of us to share.



A plan is being developed outside of the public process for the DUOWM that inserts two 100' wide navigation lanes extending through the marina, reducing its area by over 30%. This is problematic from several standpoints:

- Safety: Creating two navigation channels through the marina would be dangerous to small boaters, kayaks, and kids in sail boats who are transversing Eagle Harbor and could quickly be in the way and out of sight of a fast moving shell.
- Environmental: Having all of the residential slips on a dual point system increases the disruption to the bottom of the harbor and is against DNR requirements.
- Cost: Having all of the residential slips on a dual point system doubles the amount of infrastructure and will substantially increase cost to the city.

Sincerely,

Andy Rovelstad



...

...

To: Bainbridge Island City Council, Bainbridge Island Marine Access Committee

12/12/2018

In regards to the December 10th meeting at City Hall about installing 16 permanent, single point moorings in the Dave Ullin Open Water Marina I'd like to make a few comments. First off, I think your plan as described at the meeting is an excellent one. Given the parameters in the lease agreement with the DNR there is very little room for any significant alterations to this plan other than reducing the number of available spots for liveaboard use. I think this would be a grave mistake.

I had the wonderful opportunity to live, "On the hook" in Eagle Harbor periodically from 1976 to about 2003 in a variety of different boats. From the early 1980's through the early 2000's there was a thriving community there of rich diversity in character. Some 20 to 40 boats strong. All but a handful of disgruntled waterfront "liveashores" held this community in high regards. I think it was around 2004 that this handful of citizens managed to get the DNR to create new regulations that forbid any vessel in the state to remain anchored in one spot for more than 30 days at a time. It was because of this "Derelict and Abandoned Vessel" law that the wheels of creating the DUOWM began turning. As you know, it is the only OWM of its kind in the State. It is a Treasure! Only 16 citizens in the entire State of Washington are legally allowed to live on their boats out at anchor in one area! All the others that choose this lifestyle must live in a state of continuous migration, changing harbors every month. They are not allowed to settle into any one community for an extended period of time. Their kids can't settle into any one school, the parents can't settle into any one job, they are forbidden by law to become a part of any one community unless they choose to radically change their choice of lifestyle! This is wrong but its all we've got. 16 spots is all we've got in the entire State of Washington! Please don't squander them for appeasement to petty self interests of lessor importance!

This brings me to the alternative plan that is being presented to COBI by the Rowing Club. I have seen their proposal of preserving the 16 LA spots but crowding them into 3 tiny sections of fore and aft moorings inside the current DNR lease area with two 100' rowing lanes running through the middle of it. This is a bad idea for a number of reasons. The most important is safety. Nearly all, if not all, of the numerous collisions between boats in Eagle Harbor in the past decade has involved the rowing club. I personally have watched four man boats, without a coxyn, slowly overtaking my deep sea fishing vessel while maneuvering in Eagle Harbor and never once did any member of the rowing team ever look forward to see where they were going! My friend Mark Adams has had his boat moored on privately owned bottom lands in inner Eagle Harbor for decades. His boat and or his dinghy has been struck by rowing race boats 3 times! To even consider creating two channels for oar powered race boats, that are slow to turn, even slower to stop, have a long history of collisions and put these channels in the middle of an overcrowded, fore and aft moored, 100% residential use anchorage is absolutely nuts! Because of the overcrowding of fore and aft moorings, vision will be significantly impaired. Dinghys and Kyaks coming out of the 3 moorage area's will not be able to see the race boats until they are out in the channel and the race boats will not be able to see the small boats approaching the channels and that's if the rowers even bother to look!

Please don't get me wrong. I am a strong advocate of getting all people and especially young people out on the water. I have nothing against recreational rowing. I rowed across the strait of Juan de Fuca when I was 16. I do feel however that special channels for high speed, rowing race boats do not belong inside the DUOWM. And I can see that the day may come when rowing race boats might not belong anywhere inside Eagle Harbor. Please pass the proposed 16 moorings as described in the Dec. 10th meeting.

Sincerely,

Paul Svornich

[The page contains extremely faint, illegible text, likely bleed-through from the reverse side of the paper. The text is too light to transcribe accurately.]



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (9:10 PM) Olympic Drive Non-Motorized Improvements Project - Public Works,

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Contract

PROPOSED BY: Public Works

RECOMMENDED MOTION:

I move to forward consideration of the Olympic Drive Non-Motorized Improvements Project construction award to the February 26, 2019 Unfinished Business Agenda.

SUMMARY:

City Council to consider forwarding the Olympic Drive Non-Motorized Improvements Project construction award to the February 26, 2019 Unfinished Business Agenda.

FISCAL IMPACT:

Amount:	\$TBD
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: Construction bids for this project were solicited in 2017 with one bid received that was over the budgeted funding for the project and was therefore rejected by City Council. Since that time, City staff obtained additional grant funding and had to re-do the process of right-of-way acquisition in order to comply with Federal requirements, as was necessary due to new Federal grant funding received.

The extent of planned work on Olympic Drive includes the intersection at Winslow Way East south to Harborview Drive East. A portion of the project extends down Harborview Drive Southeast to replace the watermain to the waterfront trail head. This project includes widening the road to accommodate pedestrians and cyclists, including improved sidewalks and bike lanes on both sides, as well as an innovative uphill, left-turn bike lane. The work also includes a retaining wall on the west side of the street, installation of a watermain, abandonment of the existing asbestos main, traffic signal improvements, and associated drainage

improvements. The project also includes coordination with Puget Sound Energy to underground a portion of the existing powerlines

Bids were solicited through the area newspapers, Daily Journal of Commerce, and the City's Bids & Awards webpage and listserv. Following the February 12, 2019 bid opening, the bid results will be forwarded to the February 26, 2019 business meeting for the City Council's consideration. The engineer's estimate is \$2.06M to \$2.1M.

In March 2017, the City Council and City staff discussed potential uses of accumulated fund balance within the Transportation Benefit Fund. At that time, roughly \$750,000 had accumulated and had not been programmed for use. As part of the City Council discussion on March 21, 2017, City Council agreed with the City staff recommendation to retain those funds as a source to support to address potential cost escalation in eligible capital projects like Olympic Drive. Once the Olympic Drive bids are reviewed, City staff will assess whether additional funds are needed to complete the project, and will recommend to Council what amount – if any – could be provided from the Transportation Benefit funds. Remaining Transportation Benefit fund balance could then be programmed per Council direction for other eligible uses, or could be distributed according to the allocations described in the recent changes to the City's financial policies (two-thirds for preservation of the road network, and one-third for BI Ride marketing and traffic calming).

For the budget years of 2017 through 2020, the City Council has approved budgets that include an annual allocation of \$400,000 from the Transportation Benefit Fund to support the City's annual preservation program for the island's road network. Thus, revenue received in 2017 and following years has already been programmed towards eligible uses.

ATTACHMENTS:

[Olympic Drive Non-Motorized Improvements Project Presentation - Feb 2019](#)

FISCAL DETAILS: The total project budget is \$2,988,000 in the City's current CIP of which approximately \$500,000 has been spent or obligated through the end of 2018 leaving a remaining budget of approximately \$2,448,000. Of the total project budget, \$2,042,000 will be from grant sources (68%), another \$771,000 will be from the General Fund (26%), and \$175,000 will be from the Water Utility Fund (6%). The City has received both Federal and State grant funds for this project as follows: Federal Transportation Alternative funds in the amount of \$878,000; 2013 Pedestrian & Bicycle Safety State funding in the amount of \$764,000.00, and WSDOT State Transportation Improvement Board in the amount of \$400,000. To view project plans & specs and grant award letters, visit the project webpage link below: <http://www.bainbridgewa.gov/505/Olympic-Drive-Non-Motorized-Improvements>

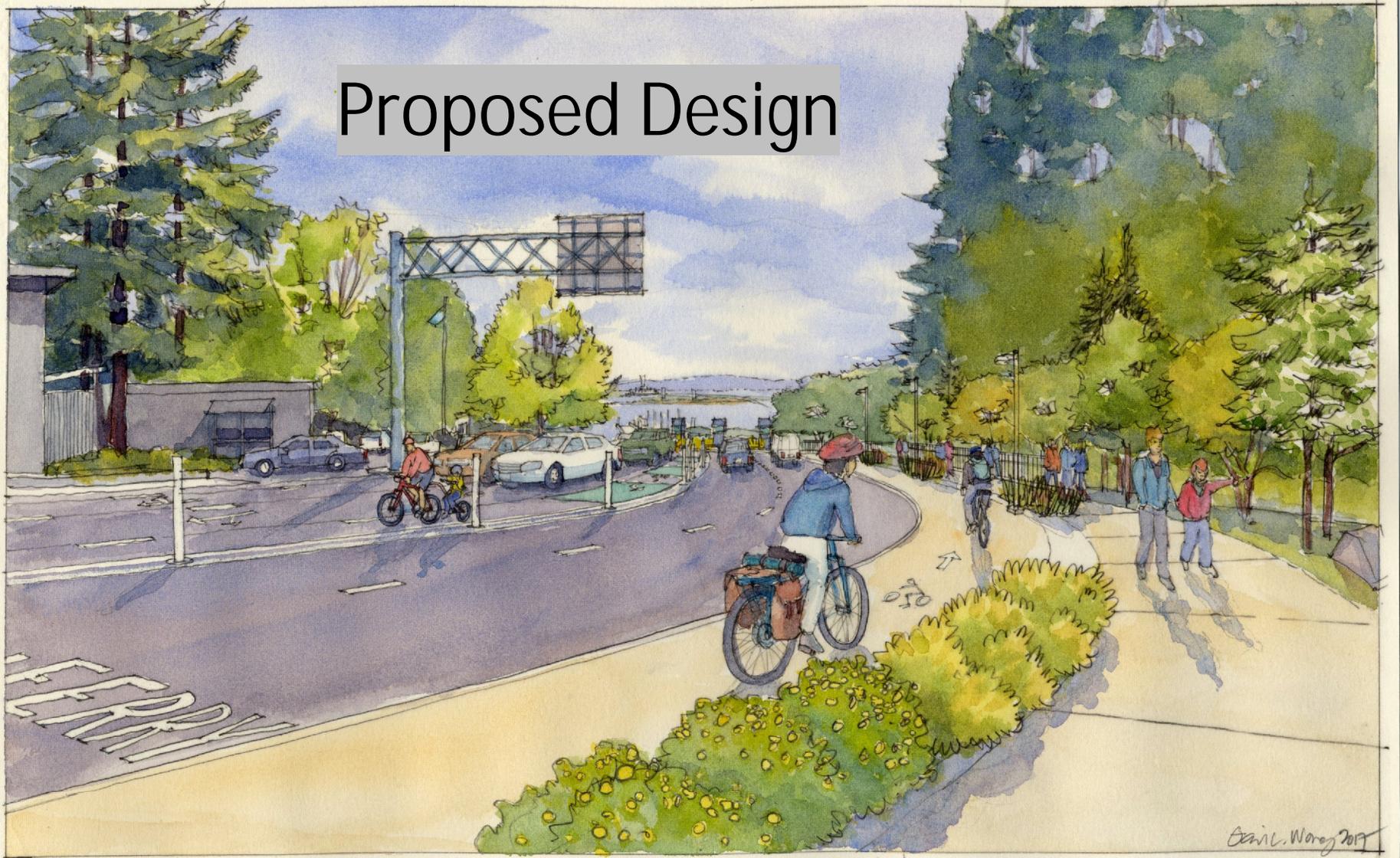
Fund Name(s): Capital Construction Fund

Coding:

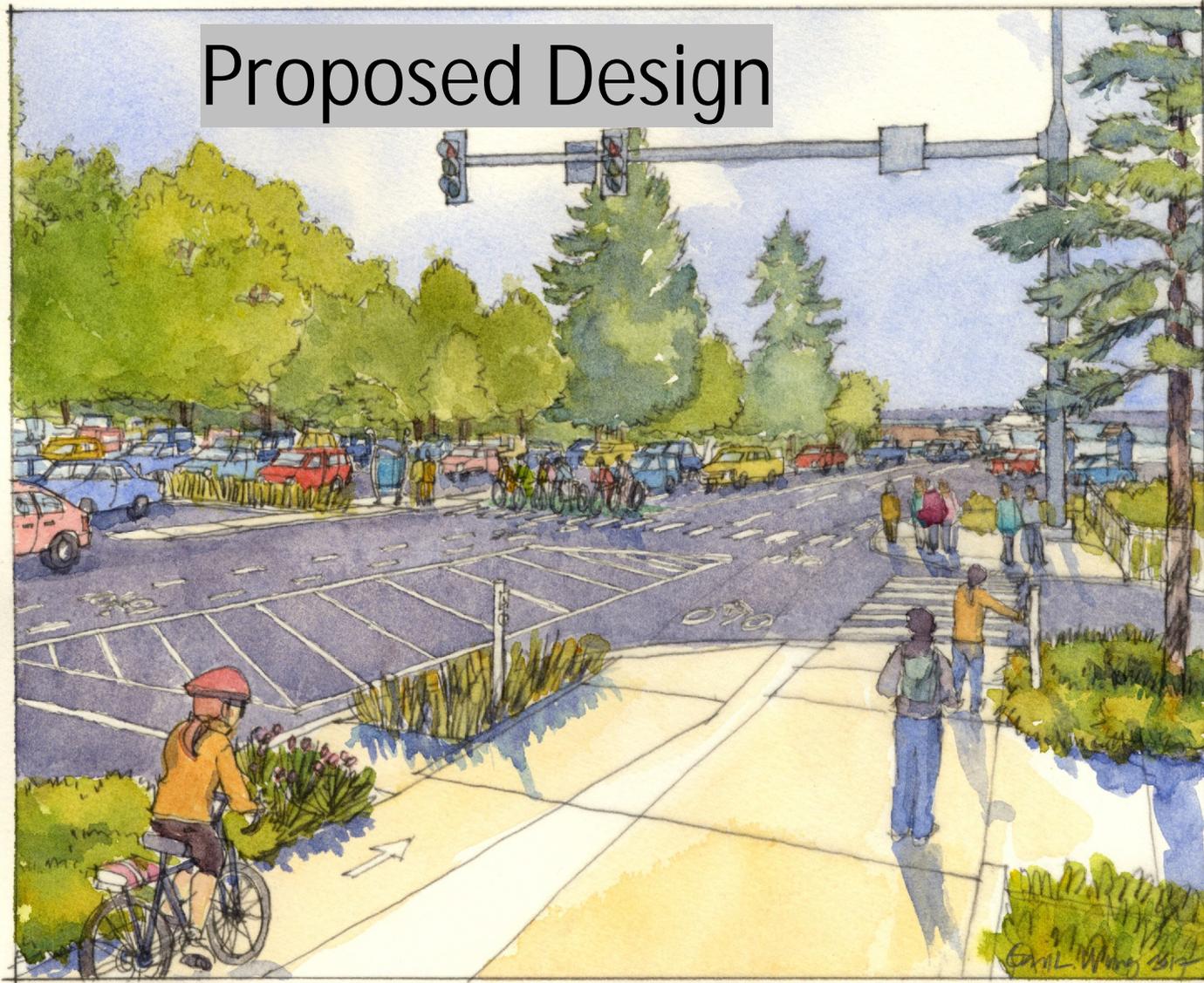
Olympic Drive Non-Motorized Improvement Project
City Council
February 5, 2019



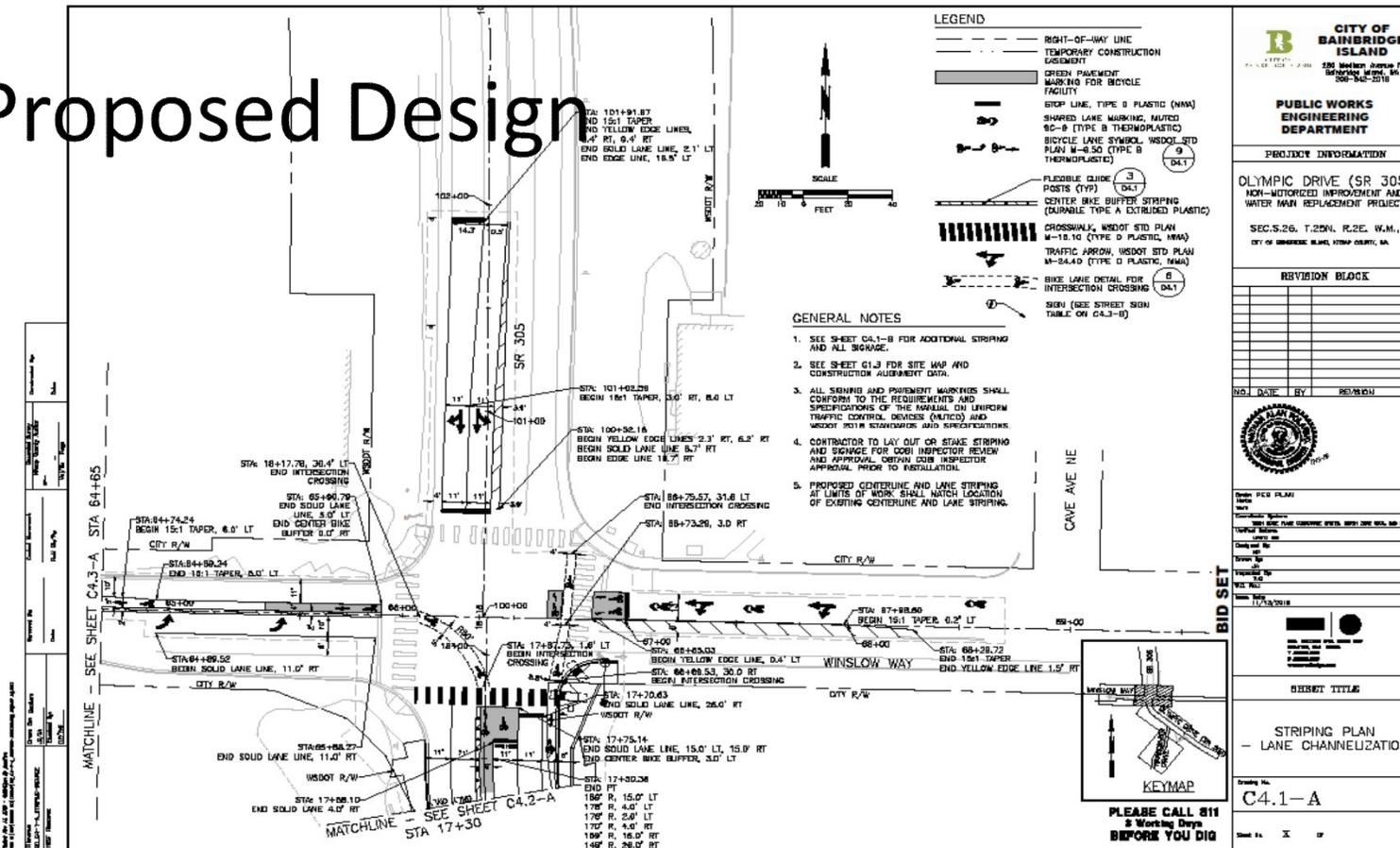
Proposed Design



Proposed Design



Proposed Design



LEGEND

- RIGHT-OF-WAY LINE
- TEMPORARY CONSTRUCTION EASEMENT
- GREEN PAVEMENT MARKING FOR BIKE FACILITY
- STOP LINE, TYPE B PLASTIC (NMA)
- SHAPED LAKE MARKING, MUTED 95-P (TYPE B THERMOPLASTIC)
- BICYCLE LAKE SYMBOL, WSDOT STD PLAN M-8-50 (TYPE B THERMOPLASTIC)
- FLEXIBLE GUIDE POSTS (TYP)
- CENTER BIKE BUFFER STRIP (DURABLE TYPE A EXTRUDED PLASTIC)
- CROSSWALK, WSDOT STD PLAN M-18.10 (TYPE D PLASTIC, NMA)
- TRAFFIC ARROW, WSDOT STD PLAN M-24.40 (TYPE D PLASTIC, NMA)
- BIKE LAKE DETAIL FOR INTERSECTION CROSSING
- SIGN (SEE STREET SIGN TABLE ON C4.3-B)

- GENERAL NOTES**
1. SEE SHEET C4.1-B FOR ADDITIONAL STRIPING AND ALL SIGNAGE.
 2. SEE SHEET C1.3 FOR SITE MAP AND CONSTRUCTION ALIGNMENT DATA.
 3. ALL SIGNING AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND WSDOT SIGN STANDARDS AND SPECIFICATIONS.
 4. CONTRACTOR TO LAY OUT OR STAKE STRIPING AND SIGNAGE FOR OGBI INSPECTOR REVIEW AND APPROVAL. OBTAIN OGBI INSPECTOR APPROVAL PRIOR TO INSTALLATION.
 5. PROPOSED CENTERLINE AND LAKE STRIPING AT LIMITS OF WORK SHALL MATCH LOCATION OF EXISTING CENTERLINE AND LAKE STRIPING.

CITY OF BAINBRIDGE ISLAND
 120 Western Avenue, N
 Bainbridge Island, WA
 98148-3518

PUBLIC WORKS ENGINEERING DEPARTMENT

PROJECT INFORMATION

OLYMPIC DRIVE (SR 305)
 NON-MOTORIZED IMPROVEMENT AND WATER MAIN REPLACEMENT PROJECT

SEC.S.26, T.20N, R.2E, W.M.,
 CITY OF BAINBRIDGE ISLAND, WASH. COUNTY, WA

REVISION BLOCK

NO.	DATE	BY	REVISION

BID SET

Drawn: PCD PLAN
 Title: SR 305
 Technical Review: [Signature]
 Title: [Title]
 Date: [Date]
 Checked By: [Signature]
 Title: [Title]
 Date: [Date]
 W.C. No.: [Number]
 Scale: [Scale]

SHEET TITLE

STRIPING PLAN
 - LANE CHANNELIZATION

Sheet No. **C4.1-A**
 Sheet 11 of 17



**PLEASE CALL 311
 8 Working Days
 BEFORE YOU DIG**

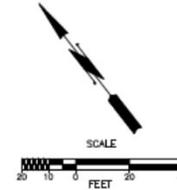
Proposed Design

LEGEND

- RIGHT-OF-WAY LINE
- - - TEMPORARY CONSTRUCTION EASEMENT
- GREEN PAVEMENT MARKING FOR BICYCLE FACILITY
- STOP LINE, TYPE D PLASTIC (MMA)
- SHARED LANE MARKING, MUTCD 9C-9 (TYPE B THERMOPLASTIC)
- BICYCLE LANE SYMBOL, WSDOT STD PLAN M-9.50 (TYPE B THERMOPLASTIC)
- FLEXIBLE GUIDE POSTS (TYP)
- CENTER BIKE BUFFER STRIPING (DURABLE TYPE A EXTRUDED PLASTIC)
- ▨ CROSSWALK, WSDOT STD PLAN M-15.10 (TYPE D PLASTIC, MMA)
- TRAFFIC ARROW, WSDOT STD PLAN M-24.40 (TYPE D PLASTIC, MMA)
- BIKE LANE DETAIL FOR INTERSECTION CROSSING
- Ⓣ SIGN (SEE STREET SIGN TABLE ON C4.3-B)

GENERAL NOTES

1. SEE SHEET C4.2-B FOR ADDITIONAL STRIPING AND ALL SIGNAGE.
2. SEE SHEET G1.3 FOR SITE MAP AND CONSTRUCTION ALIGNMENT DATA.
3. ALL SIGNING AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND WSDOT 2018 STANDARDS AND SPECIFICATIONS.
4. CONTRACTOR TO LAY OUT OR STAKE STRIPING AND SIGNAGE FOR COBI INSPECTOR REVIEW AND APPROVAL. OBTAIN COBI INSPECTOR APPROVAL PRIOR TO INSTALLATION.
5. PROPOSED CENTERLINE AND LANE STRIPING AT LIMITS OF WORK SHALL MATCH LOCATION OF EXISTING CENTERLINE AND LANE STRIPING.



CITY OF BAINBRIDGE ISLAND
 280 Madison Avenue N
 Bainbridge Island, WA
 206-842-2018

PUBLIC WORKS ENGINEERING DEPARTMENT

PROJECT INFORMATION

OLYMPIC DRIVE (SR 305)
 NON-MOTORIZED IMPROVEMENT AND WATER MAIN REPLACEMENT PROJECT

SEC. S.26, T.25N, R.2E, W.M.,
 CITY OF BAINBRIDGE ISLAND, WEDDO COUNTY, WA

REVISION BLOCK

NO.	DATE	BY	REVISION



Scale: PER PLAN
 Date: 11/13/2018
 Vertical Curve: SEE THE PLANS FOR CURVE DATA, VERTICAL CURVE DATA, AND DATA
 Design: J.S.
 Drawn: J.S.
 Checked: J.S.
 Title: STRIPING PLAN - LANE CHANNELIZATION
 Date: 11/13/2018



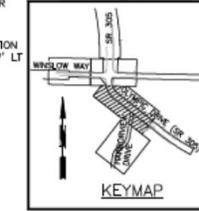
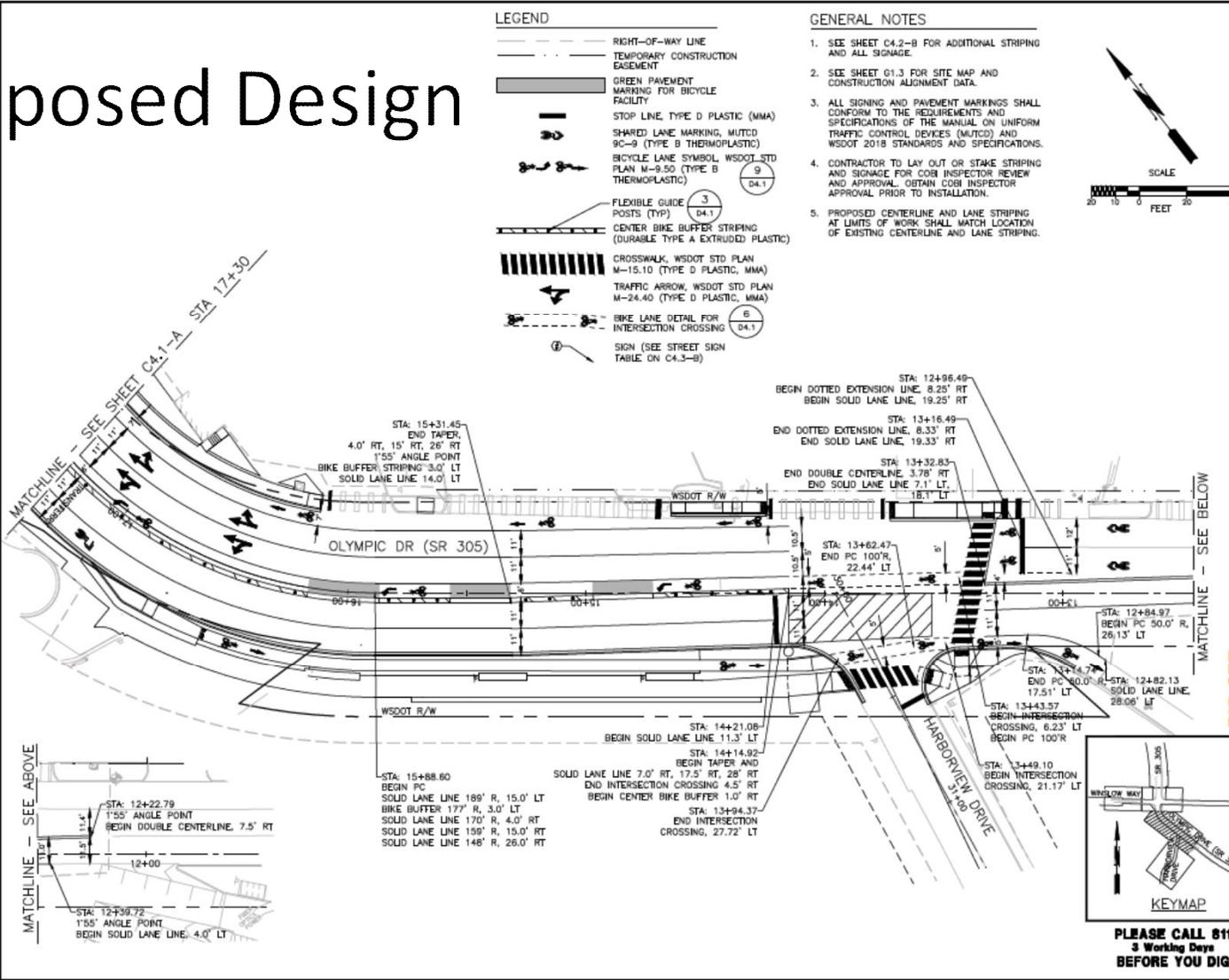
SHEET TITLE

STRIPING PLAN
 - LANE CHANNELIZATION

Sheet No: **C4.2-A**

Sheet No: X of

Prepared by: J.S.
 Checked by: J.S.
 Date: 11/13/2018



**PLEASE CALL 811
 3 Working Days
 BEFORE YOU DIG**

Project Budget and Sources of Funds

	Amount	Source	Description
Original budget	\$ 764,200	2013 CIP	Original State Grant
Budget Amendments	\$ 80,000	2015 CIP	Estimated Costs updated
	224,100	2015 BUA (General Fund)	Project redesign
	353,060	2016 CIP (General Fund)	Additional scope added
	100,000	2016 CIP (Water Fund)	Water component added
	75,000	2017 BUA (Water Fund)	Water component costs revised
	120,000	2017 BUA (General Fund)	Underground power, tree retention
	1,278,320	2018 CIP	Additional State and Federal Grants received
Total Project Budget	\$ 2,994,680		

Project Schedule

- Bid Opening: February 12, 2019
- City Council Authorize Contract Award: February 26, 2019
- Construction Period: 75 working days from NTP
 - Approximate timing: April – July
 - No Lane Closures:
 - Weekdays 5-8 AM and 4-7 PM
 - Holiday Weekends and day prior
 - May necessitate some night work

Questions?



Background Olympic Drive Non-Motorized Project

- Description of Proposed Work from grant

The project provides for pedestrian and bicycle improvement on Olympic Drive/SR305 from Winslow Way to Harborview Drive. The proposed design includes: shared-use path, and sidewalk widening, ADA accessibility improvements, bike lanes, painted bike boxes, center divider, signal modifications, bike loops, landscaping and other work necessary to achieve project goals.

2013

- 10/13 Public Meeting held to discuss project possibilities, defining the scope
- 11/13 NMTAC Meeting
- 12/13 Public Open House-project presentation

2014

- 1/14 Consultant selection
- Numerous committee meetings and council reports
- 5/14 steering committee presentation, 3 alternative options, Final alternative chosen by council

- 7/14 Public meeting discuss options obtain feedback, simultaneous online survey “survey monkey” for those unable to attend public meeting
- Three City Council meetings 9/16 and 9/23, through 10/14
- 12/14 water main replacement included

2015

- 3/15/15 Right of Way dedicated for expansion
- 3/15 SHPO approved
- 4/15 Traffic study (video) completed
- Requirements set for bringing sidewalks to ADA standard
- Set for water quality of existing impervious surfaces
- 8/15 Arborist report completed, 8/15 SEPA completed
- 11/15 PFA 90% approval, 12/15 PSE 60% WSDOT review, FHWA review experimental design
- 12/15/15 Meet with shareholders presentation

2016

- 2/16/16 Meet with parks intial, 4/16/16 presentation to parks for maintenance of new park addition

- Parks Department recommendation for plants, final design landscaping changed
- 4/16/16 FHWA rejects experimental aspect of center green lane
- 6/16 City Council presentation, 3 times designs were modified to meet community support
 - o Community expand project to include users of all abilities
 - o Eastside added to project
 - Project phasing eliminated, include improvements for pedestrians along eastside
- 11/16 Modified request for experimental design to FHWA

2017

- 2/17 FHWA Approved design
- 3/17 WSDOT approves design
- Final design, and bid documents preparation
- Bids Rejected
- Additional grants approved (\$400K TIB, \$878K TAP)

2018

- Right of Way certified (Federal process)
- WSDOT Approves revised design
- Final design, and bid documents preparation

2019

- Bids solicited again



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 30 Minutes

AGENDA ITEM: (9:20 PM) Shoreline Master Program (SMP) Limited Amendment on Aquaculture - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

Provide direction for next steps.

Potential Council options include:

1. Direct staff to delete or work with Ecology to modify the eight items so they are consistent with state laws and rules; or
2. Direct staff to not work with Ecology on any of the eight items and request that Ecology issue its formal response. It is likely the formal response would be denial of the entire amendment.

SUMMARY:

Discussion of SMP limited amendment related to aquaculture.

FISCAL IMPACT:

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

BACKGROUND:

In July 2018, the City received Ecology's informal response to the City's aquaculture SMP limited amendment, outlining eight proposed amendments that appear to be inconsistent with state laws and rules (i.e., the Shoreline Management Act and SMP Guidelines).

Ecology is requesting that the City respond by indicating that the City would like to either (a) discuss modifications to these eight items that could result in Ecology's conditional approval of the limited amendment, or (b) have Ecology proceed with their review of the full amendment package as was originally submitted.

Staff is requesting Council direction as to how to respond to Ecology.

Background material includes:

Staff memorandum

Department of Ecology's informal response to the City's SMP limited amendment

SMP limited amendment submittal package

ATTACHMENTS:

[20190122 CC Staff Memo Ecology Informal Response Updated.docx](#)

[Ecology comments 7.16.2018.pdf](#)

[Draft Submittal Package Overview Final 021717.docx](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

Department of Planning and Community Development

Memorandum

Date: January 7, 2019
To: City Council
From: Christy Carr, AICP
Senior Planner
Subject: SMP Aquaculture Limited Amendment
Ecology Informal Response to Proposed Amendments

I. INTRODUCTION

The City locally adopted a limited amendment to its Shoreline Master Program (SMP) related to aquaculture provisions in October 2016. The proposed amendment was transmitted to the Department of Ecology (Ecology) in February 2017. In July 2018, the City received Ecology's informal response to the City's aquaculture SMP amendment (included in the agenda packet), summarizing eight proposed amendments that appear to be inconsistent with state laws and rules (the Shoreline Management Act and SMP Guidelines).¹

Ecology is requesting that the City respond by indicating that the City would like to either (a) discuss modifications to these eight items that could result in Ecology's conditional approval of the limited amendment, or (b) have Ecology proceed with their review of the full amendment package as was originally submitted.

Staff is requesting Council direction as to how to respond to Ecology. This memo provides alternatives for responding to each of the eight items identified by Ecology (See Section III), as well as a staff recommendation.

Council Options:

1. Direct staff to delete or work with Ecology to modify the eight items so they are consistent with state laws and rules; or
2. Direct staff to not work with Ecology on any of the eight items and request that Ecology issue its formal response. It is likely the formal response would be denial of the entire amendment.

¹ Although Ecology's response refers to "7 specific provisions," that number is in error because the response sets forth and describes eight (8) "concerns and questions" about specific provisions.

Staff Recommendation:

Option 1 above is staff's recommended option. Under this option, the City would agree to delete four of the items and revise four of the items, as described in the table below. More detail is included in the table and explanations below.

II. Background

As background, local SMPs, and any amendments, must be approved by Ecology. When a locally adopted SMP, or amendment, is forwarded to Ecology, they review it for consistency with state laws and rules and respond to the local jurisdiction with either a conditional approval or denial of the amendment. The conditional approval comes with required and recommended changes that the local jurisdiction may choose to make to receive Ecology approval. If the required changes are not made, Ecology will not approve the SMP or amendment. The City may choose to appeal Ecology's denial of its SMP limited amendment.

Commercial aquaculture was a focus of much discussion during the City's SMP comprehensive update process. When Ecology provided the City with its conditional approval of the update in 2013, it included several required changes related to aquaculture. The City decided to make the required changes in order to receive Ecology approval of its SMP comprehensive update. In October 2014, the City's SMP was appealed. The petitioners' challenge focused largely on the allowance of commercial aquaculture in the Shoreline Residential Conservancy shoreline designation. Instead of responding to the appeal, the City decided to enter into settlement discussions with the petitioners. Subsequently, the Pacific Coast Shellfish Growers Association intervened and became part of those discussions. Settlement discussions covered a wide range of policies and regulations and resulted in a completely rewritten set of aquaculture policies and regulations. In February 2016, settlement discussions ended and the City began processing the limited amendment. While input was received from all parties during the settlement discussions, no settlement agreement was reached.

Staff informally consulted with Ecology throughout the limited amendment process. Ecology provided input on potential inconsistencies with state laws and rules, which staff conveyed to the City Council. The City's limited amendment was adopted by the City Council in October 2016 with the understanding that several proposed changes were inconsistent with state laws and rules. Staff transmitted the limited amendment to Ecology in February 2017. Ecology provided an informal response to the limited amendment highlighting inconsistencies with state laws and rules in July 2018.

For context, the City's limited amendment includes over 50 proposed changes, including policies, regulations, definitions, and submittal requirements. While the eight items identified by Ecology are significant, it is important to note that the City's limited amendment contains a considerable number of other proposed changes that have not, to date, been identified by Ecology as problematic. Implementation of these other proposed changes would represent meaningful difference in how the City's SMP regulates aquaculture.

Also worth noting, no applications for any type of new aquaculture activities have been submitted to the City since the effective date of its current SMP (July 30, 2014).

III. ALTERNATIVES AND RECOMMENDATIONS FOR RESPONSE

Overall, some modification to all of the eight items is needed, and one or more may need to be deleted altogether, in order for Ecology to consider a conditional approval of the City's limited amendment. In general, alternatives for response to each item fall into three broad categories:

Delete: Remove the language from the limited amendment; will achieve consistency with state laws and rules and allow for conditional approval.

Revise: Work with Ecology to modify the language to maintain the City's intent to the extent feasible and achieve consistency with state laws and rules.

Retain: Keep the language as-is with no modifications; cannot achieve consistency with state laws and rules. Staff is not recommending that any of the items be retained as-is.

This memo provides staff recommendations for responding to each of the eight items. (Please see Ecology's memo for their exact language which is only paraphrased below.) Staff used a number of qualitative criteria for evaluating each item, including:

- Reliability/Robustness: Level of certainty that change will generate anticipated effects
- Duration: How long decision will take to implement
- Feasibility: Likelihood of Ecology approval
- Cost: Staff and financial resources needed

Another issue for consideration is the timing of the City's limited amendment relative to the upcoming SMP periodic review. The periodic review addresses changes in state law and rules since the comprehensive update, changes for consistency with revised comprehensive plans and regulations, together with any changes deemed necessary to reflect changed circumstances, new information or improved data. Periodic reviews are focused on new laws or rules that were not in effect when the comprehensive update was adopted, or new information a local government finds warrants local amendments. Since the City initiated its limited amendment in 2015, the scientific and political landscape of commercial aquaculture has changed dramatically. In 2017, The Center for Food Safety sued the U.S. Army Corps of Engineers challenging the issuance of Nationwide Permit 48 (for commercial shellfish aquaculture activities) without considering or fully disclosing the environmental impacts of its approval and in early 2018, Washington State effectively ended the practice of nonnative fish farming with legislation banning future leases and ending current leases when they expire. Staff anticipates that these legislative and legal proceedings represent and include "changed circumstances, new information or improved data" that warrant local amendments. For those items staff recommends deleting, it also recommends they be revisited during the periodic review.

A recommendation for each item is provided in the table below, including a discussion of the recommendation and brief summary of the evaluation criteria considered. A more detailed summary of each item is provided following the table, with the recommendation and evaluation repeated for ease of reading.

Item	Recommendation	Discussion/Evaluation
1	Delete	Discussion: The intent of this policy is to reflect local choice in the SMA's articulated preferred uses and support stringent prohibitions on the siting of commercial shellfish aquaculture. Throughout the limited

Item	Recommendation	Discussion/Evaluation
		<p>amendment process, Ecology stipulated that the compatibility of uses and possible conflicts with uses should be addressed as required during the conditional use permit review. The conditional approval of the most recently approved SMP in which aquaculture regulations were at issue (Pierce County) found that the county's SMP record did not include scientific and technical information specific to support a prohibition on water dependent preferred uses and that uses that could result in adverse impacts could not be prohibited outright – only those that will as demonstrated through the conditional use permitting process.</p> <p>Evaluation: Overall, the policy articulates the City's local choice for preferred uses but would have relatively little effect on siting of commercial aquaculture. Since Ecology continues to insist that potential conflict of uses should be evaluated during the conditional use permitting process, it is unlikely they would approve this policy.</p>
2	Revise	<p>Discussion: Alternative language considered during the limited amendment process should be considered.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning non-biodegradable plastics from aquaculture activities; however, Ecology will not grant approval. Additional time and resources are needed to strengthen the City's record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>
3	Revise	<p>Discussion: The regulation can be revised to include specific parameters to limit motorized vehicle activity that would need to be considered during the permit review.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning motorized vehicle use in aquaculture activities; however, Ecology will most likely not grant approval as-is. It is also unknown what the impacts of alternatives to motorized vehicle use would be. Minimizing adverse impacts can be achieved through limiting use rather than prohibition.</p>
4	Delete	<p>Discussion: Ecology suggests that the City's limited amendment record did not include scientific and technical information specific to support a prohibition on water dependent preferred uses. The regulation could be revised with example language from the SMP Handbook, as considered during the limited amendment process.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning the siting of aquaculture in known forage fish spawning habitat; however, Ecology will most likely not grant approval as-is. Additional time and resources are needed to strengthen the City's record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>
5	Delete	<p>Discussion: Potential impacts of personal shellfish gardens are better addressed through outreach and stewardship efforts rather than</p>

Item	Recommendation	Discussion/Evaluation
		<p>regulations. Monitoring the size of personal shellfish gardens would be extremely challenging for both permitting and enforcement staff.</p> <p>Evaluation: It is not certain what this regulation would achieve since it would be challenging to implement and, as suggested by Ecology, the City's record does not contain adequate evidence to support a limit of 200 square feet. Ecology will most likely not grant approval as-is. Gathering sufficient evidence would delay approval of the limited amendment. Depending on the number of new and expanded personal shellfish gardens, the regulation could have significant staffing costs.</p>
6	Revise	<p>Discussion: Revise regulation to be consistent with WAC 173-27-100: Introduction of a new species, changing the species cultivated, expansion of the physical area cultivated, or relocation of the aquaculture operation shall require notification to the City. The City shall review the proposal consistent with permit revision criteria in BIMC 2.16.165. When found to be within the scope and intent of the original permit a revision may be authorized. Proposals that do not meet revision criteria shall require a new permit.</p> <p>Evaluation: The specifics re: new species and chemicals will achieve the intended effect but will most likely not be approved by Ecology. Revisions to require notification to the City will allow review of the "scope and intent" of the permit.</p>
7	Revise	<p>Discussion: Revise regulation to include submittal requirements in BIMC 16.12.</p> <p>Evaluation: The regulation will require additional project information to be submitted which will allow for more thorough review of potential adverse impacts. Relocating the submittal requirements appears to be a simple modification.</p>
8	Delete	<p>Discussion: The regulation would be challenging to implement consistently. An alternative may be to prohibit shellfish aquaculture in specific locations around the island where the Inventory & Characterization and/or the Cumulative Impacts Analysis completed for the comprehensive update provide scientific and technical information supporting an aquaculture prohibition in specific geographical areas.</p> <p>Evaluation: The regulation would significantly limit the siting of shellfish aquaculture; however, it is uncertain whether it would be prohibited in the most appropriate locations. Ecology will most likely not grant approval as-is. Additional time and resources are needed to strengthen the City's record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>

Item	Recommendation	Discussion/Evaluation
1	Delete	<p>Discussion: The intent of this policy is to reflect local choice in the SMA's articulated preferred uses and support stringent prohibitions on the siting of commercial shellfish aquaculture. Throughout the limited amendment process, Ecology stipulated that the compatibility of uses and possible conflicts with uses should be addressed as required during the conditional use permit review. The conditional approval of the most recently approved SMP in which aquaculture regulations were at issue (Pierce County) found that the county's SMP record did not include scientific and technical information specific to support a prohibition on water dependent preferred uses and that uses that could result in adverse impacts could not be prohibited outright – only those that will as demonstrated through the conditional use permitting process.</p> <p>Evaluation: Overall, the policy articulates the City's local choice for preferred uses but would have relatively little effect on siting of commercial aquaculture. Since Ecology continues to insist that potential conflict of uses should be evaluated during the conditional use permitting process, it is unlikely they would approve this policy.</p>

Before permitting commercial aquaculture, the City should first reserve appropriate areas for protecting and restoring ecological functions to the greatest extent feasible while planning for and fostering reasonable and appropriate water-dependent uses (RCW 90.58.020, WAC 173-26-201(2)(d), WAC 173-26-251(2)).

Ecology's point in its informal response is that the City's SMP was designed to achieve this state-articulated policy through the comprehensive update process, which included development of a shoreline use matrix, organized by shoreline designations, intended to resolve potential use conflicts. By stating that the policy "should not be construed as a permit review mechanism," Ecology is implying that the City intends to use this policy to support the prohibition of the siting of commercial aquaculture in order to first reserve appropriate areas for protecting and restoring ecological functions at the permit review level, which is the intent of the policy – to support the proposed location standards.

The City's proposed policy articulates RCW 90.58.020, WAC 173-26-201(2)(d), and WAC 173-26-251(2) and supports the City's proposed location standards for commercial aquaculture. RCW 90.58.020 requires that the qualities of natural shorelines be preserved to the greatest extent feasible with the requirement to plan for and foster all reasonable and appropriate uses. In WAC 173-26-201(2)(d), local jurisdictions are directed to first reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health and then reserve shoreline areas for water-dependent and associated water-related uses.

WAC 173-26-201(2)(d) continues, in part:

Evaluation pursuant to the above criteria, local economic and land use conditions, and policies and regulations that assure protection of shoreline resources, may result in determination that other uses are considered as necessary or appropriate and may be accommodated provided that the preferred uses are reasonably provided for in the jurisdiction (emphasis added).

The aquaculture definition in the SMP Guidelines applies to all types of aquaculture – including commercial; personal, non-commercial use; and recreational use. The SMA and SMP Guidelines are silent as to any required proportion of the different types of aquaculture that must be provided.

The City’s proposed limited amendment reasonably provides for aquaculture based on reasonable and foreseeable use in the jurisdiction. There are 250 existing personal shellfish gardens, one commercial shellfish garden, and 5.9 surface water acres of commercial finfish aquaculture (29 percent of all commercial Atlantic salmon net pen aquaculture within the entire state) within the jurisdiction. The proposed limited amendment allows for non-commercial aquaculture along over 75 percent of the shoreline and 5 acres of commercial shellfish aquaculture. The proposed limited amendment reasonably provides for the preferred use of aquaculture in the jurisdiction.

Item 2 – SMP 5.2.3(6), Regulations – Prohibited

Item	Recommendation	Discussion/Evaluation
2	Revise	<p>Discussion: Alternative language considered during the limited amendment process should be considered.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning non-biodegradable plastics from aquaculture activities; however, Ecology will not grant approval. Additional time and resources are needed to strengthen the City’s record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>

Use of non-biodegradable plastics commencing two years after the effective date of Ordinance 2016-06.

The marine grade plastics used in aquaculture are non-biodegradable. The rationale for this regulation is that: a) aquaculture “gear” breaks loose from facilities and becomes marine debris; and b) microplastics are released into the marine environment from aquaculture gear. Ecology’s position is that the City has not provided evidence of an impact related to marine grade plastics. The record supporting the City’s amendment includes a number of studies on the impact of marine debris and plastics; however, none is specific to marine grade plastics associated with aquaculture.

This prohibition would effectively ban all new aquaculture including personal, non-commercial aquaculture (shellfish gardens). The Planning Commission’s May 12, 2016, motion stated, in part: “our overall policy and direction is to the extent possible limit commercial aquaculture farming while encouraging individual aquaculture farming... .”

There are many types of aquaculture, most of which rely on some type of non-biodegradable material. The Council may want to consider alternative language that considers new technology as well as specific concerns related to non-biodegradable materials (e.g., debris, microplastics, leaching) so that the regulation does not result in a de facto ban on all types of aquaculture. For example, new technology in geoduck operations allows use of mesh tubes rather than the solid plastic tubes used to protect young geoducks from predators for the first 12 to 24 months. These tubes are less likely to be washed free by currents and storms, do not need netting to be banded on top of the tubes, and are removed once the clams dig deep enough to be safe from predators. An outright prohibition of non-biodegradable

materials would need to apply to all development, not just one water-dependent activity, and would preclude over- and in-water structures such as such as docks, piers, etc.

During the limited amendment process, dozens of public comments were received from residents who participate in personal (i.e., not commercial) aquaculture using marine grade plastic mesh oyster bags. The prohibition of non-biodegradable plastics would prohibit the use of these bags, and existing bags would be allowed to remain, but those existing bags could not be replaced.

Staff provided alternative language to an outright ban of plastics at the August 23, 2016, City Council meeting:

“In all cases where plastics are allowed, plastic use shall be limited to those types that are demonstrated as likely to result in the least possible damage to the environment based on current information. The applicant shall demonstrate that suitable non-plastic materials are not readily available or financially feasible for the proposed operation.” Demonstrated compliance with SMP 4.1.6.6.9 and this alternative language could be applicable to all types of aquaculture.

Subsequent input from the Council expanded the proposed alternative language [text in brackets provided by staff for internal consistency with SMP language]:

Notwithstanding anything else in this [Program] in all cases where plastics are otherwise allowed, plastic materials will only be allowed when viable non-plastic materials are not readily available; provided that, (A) the use of plastic materials shall be limited to those types of plastic that are demonstrated as likely to result in the least possible damage to the environment based on current information, and (B) when a viable non-plastic material does become readily available, all plastic materials being used in aquaculture operations that can be replaced by the non-plastic material shall be phased out and replaced with the non-plastic alternative in a reasonable time-frame, as determined by the [Administrator].

“Viable non-plastic material” means a material that is not made of petroleum products; that is not detrimental to the environment or is substantially less detrimental than plastic; that is reasonably effective at performing the same function as plastic materials; and that has a reasonably long lifespan, although not necessarily as long of a lifespan as plastic materials.

Item 3 – SMP 5.2.3(7) , Regulations – Prohibited

Item	Recommendation	Discussion/Evaluation
3	Revise	<p>Discussion: The regulation can be revised to include specific parameters to limit motorized vehicle activity that would need to be considered during the permit review.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning motorized vehicle use in aquaculture activities; however, Ecology will most likely not grant approval as-is. It is also unknown what the impacts of alternatives to motorized vehicle use would be. Minimizing adverse impacts can be achieved through limiting use rather than prohibition.</p>

Operating motorized vehicles, such as trucks, tractors and forklifts, on the shoreline and below the ordinary high water mark.

The City's proposed regulation prohibits operating motorized vehicles on the shoreline for aquaculture operations, which effectively prohibits commercial aquaculture, while the City's SMP allows for operating motorized vehicles. Ecology suggests that motorized vehicle use can be reviewed, and specific conditions applied, at the permit review stage.

Item 4 – SMP 5.2.3(8), Regulations – Prohibited

Item	Recommendation	Discussion/Evaluation
4	Delete	<p>Discussion: Ecology suggests that the City's limited amendment record did not include scientific and technical information specific to support a prohibition on water dependent preferred uses. The regulation could be revised with example language from the SMP Handbook, as considered during the limited amendment process.</p> <p>Evaluation: This regulation would achieve its anticipated effect – banning the siting of aquaculture in known forage fish spawning habitat; however, Ecology will most likely not grant approval as-is. Additional time and resources are needed to strengthen the City's record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>

New commercial aquaculture in or on known forage fish spawning sites and/or essential fish habitat.

Ecology states that the record does not include evidence that commercial aquaculture would adversely impact forage fish spawning and/or essential fish habitat and that fish windows can be used to manage activities to mitigate potential impacts.

Ecology and the Washington State Department of Fish and Wildlife (WDFW) allow siting of aquaculture operations (as well as other over- and in-water structures and uses) in spawning locations, although not during spawning seasons. The City's SMP allows for some level of private, non-commercial development (e.g., pier/dock, outfalls) over critical saltwater habitat (See SMP 4.1.5). Issues previously identified and discussed with the Council include: (a) Ecology's input is that critical saltwater habitat regulations need to be the same for all water-dependent uses, and that the regulations can't be different just for aquaculture; and (b) Should the City be able to prohibit siting of aquaculture operations in critical saltwater habitat?

Item 5 – SMP 5.2.4(1)(d) and 5.2.4(2)(g), Regulations – General

Item	Recommendation	Discussion/Evaluation
5	Delete	<p>Discussion: Potential impacts of personal shellfish gardens are better addressed through outreach and stewardship efforts rather than regulations. Monitoring the size of personal shellfish gardens would be extremely challenging for both permitting and enforcement staff.</p> <p>Evaluation: It is not certain what this regulation would achieve since it would be challenging to implement and, as suggested by Ecology, the City's record does not contain adequate evidence to support a limit of</p>

		200 square feet. Ecology will most likely not grant approval as-is. Gathering sufficient evidence would delay approval of the limited amendment. Depending on the number of new and expanded personal shellfish gardens, the regulation could have significant staffing costs.
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Non-commercial aquaculture is limited to a cultivation area of no greater than 200 square feet.

Ecology stated that it was unclear as to why the City would want to establish a specific limit on the size of non-commercial (personal, not for sale) aquaculture activities and that the regulation would be challenging to implement. The City has not documented that adverse impacts are occurring as the result of the ongoing personal shellfish aquaculture activities that are relatively common on the island.

Item 6 – SMP 5.2.4(5), Regulations – General

Item	Recommendation	Discussion/Evaluation
6	Revise	<p>Discussion: Revise regulation to be consistent with WAC 173-27-100: Introduction of a new species, changing the species cultivated, expansion of the physical area cultivated, or relocation of the aquaculture operation shall require notification to the City. The City shall review the proposal consistent with permit revision criteria in BIMC 2.16.165. When found to be within the scope and intent of the original permit a revision may be authorized. Proposals that do not meet revision criteria shall require a new permit.</p> <p>Evaluation: The specifics re: new species and chemicals will achieve the intended effect but will most likely not be approved by Ecology. Revisions to require notification to the City will allow review of the “scope and intent” of the permit.</p>

Permit revisions shall proceed in accordance with WAC 173-27-100. A new permit is required when any of the following occurs:

- a. The physical extent of the use or development or associated overwater coverage is expanded by more than ten percent compared to the permitted use or development. If the amount of expansion or change in overwater coverage exceeds ten percent, the revision or sum of the revision and any previously approved revisions shall require the applicant apply for a new permit;
- b. The applicant proposes to cultivate a species not included in the original permit; or
- c. New chemicals not previously approved as part of the existing permit are proposed for use.

Ecology states that this regulation is inconsistent with permit review criteria in WAC 173-27-100, which are included in BIMC 2.16.165. The intent of the proposed regulation is to require a new permit for new species or new chemicals (the 10 percent increase in overwater coverage is included in WAC 173-27-100). Pursuant to WAC 173-27-100, if new species or new chemicals are not within the “scope and intent of the original permit,” then the City can require a new permit. If new species or new chemicals are not found to be within the original scope and intent, then no new permit is required. A concern expressed during the amendment process is that once issued, aquaculture operations have “forever permits” and are allowed to continue indefinitely without City review.

Item 7 – SMP 5.2.4(7), Regulations – General

Item	Recommendation	Discussion/Evaluation
7	Revise	<p>Discussion: Revise regulation to include submittal requirements in BIMC 16.12.</p> <p>Evaluation: The regulation will require additional project information to be submitted which will allow for more thorough review of potential adverse impacts. Relocating the submittal requirements appears to be a simple modification.</p>

In addition to the minimum application requirements in BIMC 2.16.165, applications for commercial aquaculture operations shall include the submittal requirements provided in the City’s Administrative Manual. Some of these submittal requirements may be waived by the Administrator based on site-specific environmental and ecological conditions.

This should be relatively straightforward to revise. The City’s municipal code commonly refers to the Administrative Manual for submittal requirements. If the submittal requirements need to be in Chapter 16.12 BIMC (SMP) instead of Chapter 2.16 BIMC (land use review procedures), that can be done.

Item 8 – SMP 5.2.5(1)(a), Regulations -- Location and Design Standards

Item	Recommendation	Discussion/Evaluation
8	Delete	<p>Discussion: The regulation would be challenging to implement consistently. An alternative may be to prohibit shellfish aquaculture in specific locations around the island where the Inventory & Characterization and/or the Cumulative Impacts Analysis completed for the comprehensive update provide scientific and technical information supporting an aquaculture prohibition in specific geographical areas.</p> <p>Evaluation: The regulation would significantly limit the siting of shellfish aquaculture; however, it is uncertain whether it would be prohibited in the most appropriate locations. Ecology will most likely not grant approval as-is. Additional time and resources are needed to strengthen the City’s record and rationale to support the regulation, which would delay approval of the limited amendment. Alternatively, the issue can be revisited during the periodic review.</p>

The total area of all newly permitted commercial aquaculture operations on Bainbridge Island shall not exceed 5 acres. Acreage shall include the area of cultivation and harvest on the tidelands.

Ecology states that the City’s record does not provide “persuasive rationale” for this regulation and that it is unclear how it would be implemented. The City’s record provides extensive rationale for the proposed regulation.

Memo

To: Gary Christensen, AICP, Planning and Community Development Director

From: Misty Blair, Senior Regional Shoreline Planner

RE: Ecology concerns with City of Bainbridge Island Aquaculture amendments

Unlike other land use laws, the Legislature established the Shoreline Management Act as a cooperative program that involves both the state and local governments¹. The city has primary responsibility for the planning and administration of the regulatory program while Ecology is responsible for providing assistance to the city and ensuring compliance with the policies and provisions of the Act. Ecology values its partnership with the city and is striving to ensure your master program is consistent with the Act and the Shoreline Guidelines, while also recognizing local circumstances. We are committed to working with the city to ensure adoption of a legally defensible master program.

Ecology has conducted an initial review of the City's proposed aquaculture amendments (Ordinance 2016-6) for consistency with state approval criteria.² We have identified seven proposed amendments that appear to be inconsistent with state laws and rules that Ecology would like to discuss with the City before preparing a formal response. Please let us know if you would like to discuss modifications that could result in Conditional Approval or confirm that you would like us to continue with the full amendment package as was submitted.

[Overarching principles guiding Ecology's review](#)

It is the policy of the state to plan for and foster all reasonable and appropriate uses, while also protecting the environment.³ In determining whether SMP provisions meet the state policy to plan for both use and protection, Ecology is required to consider this policy in light of public comments. In both local and state comment periods on this SMP amendment, public comments were extremely polarized. Ultimately Ecology and the City must find a mutually agreeable approach that balances both interests.

We acknowledge the concerns expressed about potential impacts of aquaculture, including cumulative impacts, and the desire of the city to include more prescriptive application requirements, additional review criteria, and increased monitoring obligations. We also acknowledge the concerns of shellfish farmers, shellfish gardeners, and citizens interested in the potential commercial and recreational aquaculture use of private tidelands.

¹ RCW 90.58.050

² WAC 173-26-201(1)

³ See RCW 90.58.020

Ecology rules recognize that SMA policy goals harbor potential for conflict. “The act recognizes that the shorelines and the waters they encompass are “among the most valuable and fragile” of the state’s natural resources...Thus the policy goals of the act relate to both **utilization** and **protection** of the extremely valuable and vulnerable shoreline resources of the state.”⁴

The rules do not always provide a simple bright line for determining how local governments must balance these goals. However, aquaculture is classified as a water-dependent activity and a preferred use of the shoreline when consistent with the control of pollution and prevention of damage to the environment. Aquaculture is recognized as an activity of statewide interest.⁵ In many cases these activities are located within shorelines of statewide significance.

The Shoreline Guidelines (Chapter 173-26 WAC) allow local governments flexibility to tailor policies and regulations for aquaculture to address local circumstance. The rules grant authority to set limits on potential impacts, e.g., “aquaculture should not be permitted in areas where it would result in a net loss of ecological functions, adversely impact eelgrass or macroalgae, or significantly conflict with navigation and other water-dependent uses.”⁶

However, regulations must be supported by the most current, accurate, and complete scientific and technical information available.⁷ Ecology rules acknowledge potential locations for aquaculture are relatively restricted and the technology associated with some forms of aquaculture are experimental, therefore SMPs “should recognize the necessity to provide some latitude in the development of this use as well as its potential impact on existing uses and natural systems.”⁸

Concerns and questions about 7 specific provisions

BISMP 5.2.2(9) Proposed New Aquaculture Policy

Before permitting commercial aquaculture, the City should first reserve appropriate areas for protecting and restoring ecological functions to the greatest extent feasible while planning for and fostering reasonable and appropriate water-dependent uses (RCW 90.58.020, WAC 173-26-201(2)(d), WAC 173-26-251(2)).

This policy is derived directly from Ecology’s guidelines, but it is not clear how it is intended to be implemented. When developing SMPs and considering preferred uses, local governments are directed by the shoreline guidelines to apply a set a preferences and priorities when “determining allowable uses and resolving use conflicts on

⁴ WAC 173-26-176(2)

⁵ See RCW 90.58.020, WAC 173-26-201(2)(d) and WAC 173-26-241(3)(b)(i)(A)

⁶ WAC 173--26-241(3)(b)(i)(C)

⁷ WAC 173-26-201(2)(a)

⁸ WAC 173--26-241(3)(b)(i)(A) & (B)

shorelines”.⁹ The city completed this planning exercise during its SMP comprehensive update and documented consistency with the requirement to provide shoreline space for future water oriented uses in the record. This is reflected in the City’s Shoreline Use Matrix which prohibits commercial aquaculture in the Natural and Priority Aquatic SEDs. As such, this Ecology guideline should not be construed as a permit review mechanism.

The existing SMP allows commercial aquaculture with a conditional use permit which provides review and approval authority to condition or deny a project as necessary to achieve consistency with the SMA and this SMP.

BISMP 5.2.3(6) Proposed New Aquaculture Regulation

Use of non-biodegradable plastics commencing two years after the effective date of Ordinance 2016-06.

The marine grade plastics currently used are specifically designed to resist breaking down in the harsh marine environment. Without evidence of an impact related to marine grade plastics this prohibition is not supported by current science, data, or other technical information.

BISMP 5.2.3(7) Proposed New Aquaculture Regulation

Operating motorized vehicles, such as trucks, tractors and forklifts, on the shoreline and below the ordinary high water mark.

This provision prohibits an activity related to a water-dependent use while still allowing the activity for other uses including single family residential access, construction and maintenance. BISMP 4.2.6.5(1)(2) allows machinery operations for construction and maintenance within and along marine shorelines when completed in compliance with a hydraulics permit approval (HPA) issued by the Washington State Department of Fish and Wildlife or if no HPA is required, then the activity may be approved by the Administrator. The City could appropriately address motor vehicle operation as a condition of approval if site specific conditions and proposed operations warrant such a condition for consistency with the goals and policies of the SMA and SMP.

BISMP 5.2.3(8) Proposed New Aquaculture Regulation

New commercial aquaculture in or on known forage fish spawning sites and/or essential fish habitat.

The record does not include evidence that commercial aquaculture would adversely impact forage fish spawning and/or essential fish habitat. Pier and dock construction is permitted within this same area provided the project adheres to the fish windows found in WAC 220-100 (See BISMP 6.3.5(10)). Fish windows can be used to manage activities to mitigate potential impacts to forage fish and essential fish habitat. Under BISMP 4.1.5.5(1), water-dependent development and uses within fish and wildlife habitat conservation areas and critical saltwater habitat are allowed provided that in-

⁹ WAC 173-26-201(2)(d)

water activities that would affect herring, sand lance or surf smelt spawning only occur during approved WDFW work windows.

BISMP 4.1.5.5(1)(e) specifically provides that, *“For commercial aquaculture within WDFW documented sand lance and surf smelt spawning locations, no harvesting may occur during the surf smelt or sand lance spawning seasons until a spawning survey is conducted. If surf smelt or sand lance spawn are present in the growing area to be harvested or adjacent tidelands, then no harvest activities may occur until the eggs are hatched. Extreme caution should be taken to avoid impact and minimize disturbance of sand lance and surf smelt larvae that are present.”*

BISMP 5.2.4(1)(d) & BISMP 5.2.4(2)(f) Proposed New General Aquaculture Regulation

Non-commercial aquaculture is limited to a cultivation area of no greater than 200 square feet.

Non-commercial aquaculture is already limited to native or non-reproducing species. It is unclear why the City would want to establish this specific limit on the amount of private tidelands that can be utilized for non-commercial aquaculture using non-reproducing or native species. This traditional activity is relatively common on Bainbridge Island and is a preferred water-dependent use.

Furthermore, regulations must be sufficient in scope and detail to ensure the implementation of the SMA.¹⁰ It is unclear how this area is defined (per parcel, per acre, by ownership) and how the square footage will be calculated (cultivation area, area covered by bags, outer edge of all cultivation areas, direct seed area).

BISMP 5.2.4(5) Proposed New General Aquaculture Regulation

Permit revisions shall proceed in accordance with WAC 173-27-100. A new permit is required when any of the following occurs:

- a. The physical extent of the use or development or associated overwater coverage is expanded by more than ten percent compared to the permitted use or development. If the amount of expansion or change in overwater coverage exceeds ten percent, the revision or sum of the revision and any previously approved revisions shall require the applicant to apply for a new permit;*
- b. The applicant proposes to cultivate a species not included in the original permit; or*
- c. New chemicals not previously approved as part of the existing permit are proposed for use.*

This provision is inconsistent with the permit revision criteria of WAC 173-27-100 which applies to all shoreline permit approvals. The revision criteria are already included in BIMC 2.16.165 Shoreline Master Program Administration.

BISMP 5.2.4(7) Proposed New General Aquaculture Regulation

¹⁰ WAC 173-26-191(2)(ii)(A)

In addition to the minimum application requirements in BIMC 2.16.165, applications for commercial aquaculture operations shall include the submittal requirements provided in the Administrative Manual. Some of these submittal requirements may be waived by the Administrator based on site-specific environmental and ecological conditions.

An administrative manual not incorporated into the SMP should only illustrate submittal requirements included in the SMP or WAC 173-27. This manual cannot impose additional restrictions under the SMA authority if it is not included within the SMP.

BISMP 5.2.5(1)(a) Proposed New Location and Design Standard Aquaculture Regulation

The total area of all permitted commercial aquaculture operations shall not exceed 5 acres. Acreage shall include the area of cultivation and harvest on the tidelands.

The City's record does not include persuasive rationale for this regulation limiting the total area available for commercial aquaculture to 5 acres. Furthermore, it is not clear how the regulations is sufficient in scope and detail to ensure the implementation of the SMA. For example:

- How would the acreage area for each individual operation be calculated?
- Would this be calculated based on permits issued or actual cultivation?
- When would the City start and stop the "acreage" clock? What if an application were to be filed and determined to be complete, then before it was approved a final decision was subsequently issued on another project that pushed the total acreage to the City-wide 5-ac limit? Despite a complete application, would the last one in is denied?
- Is this city-wide cap intended to be a dimensional standard that an applicant can exceed provided they acquire a Variance?

Conclusion

Ecology would like the opportunity to discuss whether the City is amenable to eliminating or revising these seven provisions. Both the current and proposed Bainbridge Island SMP allows commercial aquaculture as a conditional use. The conditional use permit process is an effective way to address cumulative impacts and provides the opportunity to require specially tailored environmental analysis or design criteria to ensure consistency with the SMP or SMA.¹¹

Furthermore, the City has opted to extend most of the geoduck-specific provisions set forth in WAC 173-26-241(3)(b)(ii-iv) to all forms of aquaculture. As such, Ecology believes that the SMP can address many of Ecology's concerns by deleting or modifying the above proposed provisions and many of the city and public comment concerns can be addressed through the use of the existing conditional use permitting mechanism.

¹¹ WAC 173-26-241(2)(b)(i)



Department of Planning and Community Development

SHORELINE MASTER PROGRAM LIMITED AMENDMENT – AQUACULTURE

WAC 173-26-110 Submittal Package

February 17, 2017

I. Introduction

The City of Bainbridge Island (City) is preparing to submit to the Washington Department of Ecology (Ecology) for approval a limited Shoreline Master Program (SMP) amendment to comply with Shoreline Management Act (SMA) and SMP Guidelines requirements. This amendment addresses changes to aquaculture policies and regulations in response to an appeal before the Central Puget Sound Growth Management Hearings Board (Case No. 14-3-0011). The amendment also addresses, at Ecology's request, a scrivener's error in the City's adopted SMP regarding aquaculture use in the Shoreline Residential Conservancy environmental designation.

As required in WAC 173-26-110, this document provides a summary of proposed amendments to policy and regulatory language with explanatory text and other materials which document the necessity for the proposed changes to the City's SMP. Specifically, this document provides:

- A summary of SMP provisions to be changed by the amendment as proposed
- A summary of Need for Amendment – Compliance with WAC 173-26-201(1)
- A summary of Consistency with Shoreline Management Act (SMA) Policies (RCW 90.58) and Applicable SMP Guidelines (WAC 173-26)
- A summary of Scientific and Technical Information (RCW 90.58.100(1) and WAC 173-26-201)
- A summary of Public Participation Process

II. Summary of SMP provisions to be changed by the amendment as proposed

The following sections of the City's existing SMP are proposed for change as set forth in Ordinance 2016-06:

- That Subsection entitled "Aquaculture" within Table 16.12.030-1: Shoreline Use Modification Table of the Bainbridge Island Municipal Code.
- That Subsection entitled "Aquaculture" within Table 16.12.030-2: Dimensional Standards Table of the Bainbridge Island Municipal Code.
- That Subsection 5.2 entitled "Aquaculture" of Section 5.0 – Specific Shoreline Use and Development Policies and Regulations – is amended and the remaining portions of Section 5.0

shall remain unchanged. Pursuant to RCW 36.70A.480(1), use regulations shall be a part of the City's development regulations and shall be codified as an amended Chapter 16.12 of the Bainbridge Island Municipal Code, including an amended Section 16.12.040. The Director of Planning and Community Development shall work with the codifier of the Bainbridge Island Municipal Code in order to ensure that the regulations in the SMP are appropriately codified.

- Those Subsections within Section 16.12.080, Definitions, entitled "Aquaculture"; "Aquaculture, Shellfish Garden"; "Aquaculture, Commercial"; and "Aquaculture, Non-Commercial" of the Bainbridge Island Municipal Code.
- That Subsection entitled "1.3.4 Relationship to Other Plans and Regulations" to address tribal treaty rights.

III. Need for Amendment -- Compliance with WAC 173-26-201(1)

Proposed SMP amendments must comply with WAC 173-26-201, which establishes approval criteria for limited shoreline master program amendments. Subsection (c) of WAC 173-26-201(1) provides that limited master program amendments may be approved by Ecology if the department concludes:

- (i) The amendment is necessary to:
 - (A) Comply with state and federal laws and implementing rules applicable to shorelines of the state within the local government jurisdiction;
 - (B) Include a newly annexed shoreline of the state within the local government jurisdiction;
 - (C) Address the results of the periodic master program review required by RCW 90.58.080(4), following a comprehensive master program update;
 - (D) Improve consistency with the act's goals and policies and its implementing rules; or
 - (E) Correct errors or omissions.

The City's limited amendment is consistent with approval criteria A, D, and E as described below.

- (A) The limited amendment is necessary to comply with state and federal laws and implementing rules applicable to shorelines of the state within the local government jurisdiction.

The governing principals of the SMP Guidelines, specifically WAC 173-26-186(8)(d), provide that (emphasis added):

[I]ocal master programs shall evaluate and consider cumulative impacts of reasonably foreseeable future development on shoreline ecological functions and other shoreline functions fostered by the policy goals of the act.

WAC 173-26-186(8)(d) provides further that evaluation of such cumulative impacts should consider:

- (i) Current circumstances affecting the shorelines and relevant natural processes;
- (ii) Reasonably foreseeable future development and use of the shoreline; and
- (iii) Beneficial effects of any established regulatory programs under other local, state, and federal laws.

In providing conditional approval for the City's comprehensive SMP update in 2014, Ecology found that:

Bainbridge Island thoughtfully evaluated the existing and likely degree of expanding aquaculture uses in its jurisdiction. With Ecology's required changes, the SMP has appropriate regulatory constraints in its SMP to protect ecological resources while allowing this water-dependent industry to be conducted according to those criteria and regulations.

(See, Findings and Conclusions for Proposed Comprehensive Update of the City of Bainbridge Island Shoreline Master Program, page 12.) This finding was made only after the City agreed to numerous revisions to the SMP Aquaculture sections, including allowing for aquaculture in the Shoreline Residential Conservancy environmental designation, which represents 38 percent of the island's shoreline.

In evaluating the City's analysis of cumulative impacts, Ecology found that:

Bainbridge Island has realistically assessed the present condition and projected reasonably likely future development of various kinds in its shoreline areas, based on available information and has established appropriate measures to manage future development with minimum adverse impacts to achieve no net loss of ecological functions.

(See, Findings and Conclusions for Proposed Comprehensive Update of the City of Bainbridge Island Shoreline Master Program, page 15.)

The City's Cumulative Impact Analysis (CIA) does not include any analysis or consideration of foreseeable future commercial shellfish development. The CIA is entirely silent on shellfish aquaculture with the exception of a single mention of the one existing shellfish operation (Port Madison Community Shellfish Farm). The CIA did not consider cumulative impacts of future shellfish development because it did not anticipate any such impacts. Further, the City's CIA was completed in March 2012. The City's aquaculture regulations were changed – as part of Ecology's required changes – after completion of this document, including allowance of commercial aquaculture within the Shoreline Residential Conservancy shoreline designation.

The CIA did not adequately "evaluate and consider cumulative impacts of reasonably foreseeable future development" because: (a) it did not include any analysis or consideration of any future commercial shellfish development; and (b) its overall findings assumed that commercial aquaculture would not be allowed in the Shoreline Residential environmental designation.

Therefore, as described above, the City's limited amendment is necessary to adequately evaluate and consider cumulative impacts of reasonably foreseeable future aquaculture.

(D) The limited amendment is necessary to improve consistency with SMA goals and policies and its implementing rules, including:

1. RCW 90.58.020 and WAC 173-26-241(3)(b)(i)(A) – It is a fundamental goal of the SMA and its implementing rules to protect the shoreline environment from pollution and to preserve the shoreline ecology and ecological functions. RCW 90.58.020 provides in part that:

uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment or are unique to or dependent upon use of the state's shoreline.

Similarly, WAC 173-26-241(3)(b)(i)(A) provides in part that (emphasis added):

... Aquaculture is dependent on the use of the water area and, when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area.

Therefore, based on the applicable statutory and administrative code provisions, including those cited above and to follow, aquaculture is not a preferred use when it is inconsistent with control of pollution and prevention of damage to the environment.

RCW 90.58.100(1)(c) and WAC 173-26-186(10) both require that in preparing and amending shoreline master programs, local governments are to:

Consider all plans, studies, surveys, inventories, and systems of classification made or being made by federal, state, regional, or local agencies, by private individuals, or by organizations dealing with pertinent shorelines of the state.

In amending its master program, the City considered a large body of scientific and technical documents, many of which were not yet published during the comprehensive update process; specifically, the U.S. Army Corps of Engineer's Programmatic Biological Assessment (PBA) regarding the likely adverse effects of commercial aquaculture (see, Section IV for a discussion of these materials). Based on its review of the PBA and other materials, the City determined that commercial net pen aquaculture and any aquaculture that uses non-biodegradable plastic materials, disturbs existing substrate or is located in mapped or known forage fish spawning habitat is not "consistent with control of pollution and prevention of damage to the environment," and is therefore not a preferred use under WAC 173-26-241(3)(b)(i)(A).

Therefore, in order to make the City's regulations more consistent with the fundamental goals of the SMA, as stated in RCW 90.58.020 and WAC 173-26, to preserve the resources and ecology of the shoreline, to protect the shoreline environment, and to achieve no net loss of shoreline ecological functions, the City's limited amendment bans all commercial net pen aquaculture and any aquaculture that uses non-biodegradable plastic materials, disturbs existing substrate, or is located in mapped or known forage fish spawning habitat. These prohibitions are consistent with both the goals and policies cited, and the mitigation sequencing required by WAC 173-26-201(2)(e)(i), specifically (A) ("[a]voiding the impact altogether") and (B) ("[m]inimizing the impacts ... by using appropriate technology or by taking affirmative steps to avoid or reduce impacts"). Overall, the amendment makes the City's SMP more consistent with the policies of the SMA and the shoreline regulations.

2. WAC 173-26-201(3)(d)(ii): Jurisdictions are required to conduct an analysis to estimate the future demand for shoreline space and potential use conflicts. As summarized above, the City's land use analysis did not include an analysis of future demand for commercial shellfish aquaculture and potential use conflicts.

3. WAC 173-26-201(3)(d)(iii): The principle that regulation of development shall achieve no net loss of ecological function requires that master program policies and regulations address the cumulative impacts on shoreline ecological functions that would result from future shoreline development and uses that are reasonably foreseeable from proposed master programs. To comply with the general obligation to assure no net loss of shoreline ecological function, the process of developing the policies and regulations of a shoreline master program requires assessment of how proposed policies and regulations cause and avoid such cumulative impacts. Complying with the above guidelines is the way that master program policies and regulations should be developed to assure that the commonly occurring and foreseeable cumulative impacts do not cause a net loss of ecological functions of the shoreline. As summarized above, the City's CIA did not consider cumulative impacts of future shellfish aquaculture development.
4. WAC 173-26-211: WAC 173-26-211(2)(a) requires that the environmental designation system "shall be based on the existing use pattern, the biological and physical character of the shoreline, and the goals and aspirations of the community" The proposed limited amendment clarifies that commercial aquaculture is prohibited in the Island Conservancy designation. The Island Conservancy designation is limited largely to publically owned and managed parks, open spaces, and road ends (public rights-of-way managed for shoreline access). WAC 173-26-211(5)(e) and the City's management policies (SMP 3.2.4) support limiting uses and activities in the Island Conservancy designation to recreational uses. By prohibiting commercial aquaculture in the Island Conservancy designation, and limiting the overall area where it can occur, the proposed limited amendment will improve consistency with WAC 173-26-211.
5. WAC 173-26-191(2)(a)(ii) – Regulations shall "be sufficient in scope and detail to ensure the implementation of the Shoreline Management Act, statewide shoreline management policies of this chapter, and local master program policies." The proposed limited amendment provides additional detail and clarity to ensure implementation.

(E) The limited amendment is necessary to correct errors and omissions, including:

1. Inconsistency between the text (SMP Section 5.2.4.1) and Table 4-1, Shoreline Use and Modification Table. Aquaculture is shown as "C" (Conditional Use Permit) in the table, and is not included in the text as a shoreline designation where allowed as a conditional use.
2. Inconsistency between the text (SMP Section 5.2.3.1) and Table 4-1, Shoreline Use and Modification Table. Aquaculture is shown as "X" (Prohibited) in the table, and is not included in the text as a shoreline designation where aquaculture is prohibited.
3. Submittal requirements for commercial aquaculture permit applications were omitted from the SMP.

IV. Summary of Consistency with Shoreline Management Act (SMA) Policies (RCW 90.58.020) and Applicable SMP Guidelines (WAC 173-26)

Pursuant to RCW 90.58.020, "[i]t is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses." RCW 90.58.020 further provides in part that:

uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shoreline.

Therefore, aquaculture is a preferred, water-dependent use in the eyes of the state when consistent with control of pollution and prevention of damage to the natural environment, and the City is required to plan for and foster the reasonable and appropriate use of the shoreline for aquaculture.

In accordance with WAC 173-26-176, preference is to be given to uses that are unique to or dependent upon a shoreline location. When determining allowable uses and resolving use conflicts on shorelines within their jurisdiction, WAC 173-26-201, in part, directs local governments to apply the following preferences and priorities in the order listed below:

- (i) Reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health. ...
- (ii) Reserve shoreline areas for water-dependent and associated water-related uses. ...

Evaluation pursuant to the above criteria, local economic and land use conditions, and policies and regulations that assure protection of shoreline resources, may result in determination that other uses are considered as necessary or appropriate and may be accommodated provided that the preferred uses are reasonably provided for in the jurisdiction.

The City's proposed limited amendment includes a "cap," or limit, on the total area in which commercial aquaculture is permitted:

- The total area of all newly permitted commercial shellfish aquaculture operations on Bainbridge Island shall not exceed 5 acres. Acreage shall include the area of cultivation and harvest on the tidelands.
- No new commercial net pen aquaculture operations are allowed.

The cap is consistent with RCW 90.58.020, WAC 173-26-176, and WAC 173-26-201 because it prioritizes protection of shoreline resources while reasonably providing for aquaculture within the City's jurisdiction. A dictionary definition of "reasonable" is simply, "being in accordance with reason," with reason defined as "a sufficient ground of explanation or of logical defense." The City finds that aquaculture is being "reasonably provided for" with the cap and provides the following justification.

The City's proposed limited amendment recognizes and protects statewide interest over local interest.

RCW 90.58.020 directs local governments, in developing master programs for shorelines of statewide significance, to give preference to uses which "[r]ecognize and protect the statewide interest over local interest." Aquaculture is an activity of statewide interest; however, while aquaculture is a preferred, water-dependent use of statewide interest, the SMA and SMP Guidelines do not specify that a local jurisdiction must accommodate commercial aquaculture. The aquaculture definition in the SMP Guidelines applies to all types of aquaculture – including commercial; personal, non-commercial use, and recreational use. The SMP Handbook provides (see page 7) (emphasis added):

Aquaculture is a broad category of uses. Current aquaculture in Washington includes, but is not limited to, research on ecological impacts and new technologies; restoration and enhancement

of existing native stock; cultivating shellfish for personal use; and commercial ventures growing product for human consumption and sale.

“Commercial ventures” is only one of a broad category of uses of aquaculture.

The City’s proposed limited amendment recognizes and protects the statewide interest of aquaculture by:

- Allowing non-commercial aquaculture on over 75 percent of the shoreline.
- Allowing up to 5 acres of commercial shellfish on over 75 percent of the shoreline. Five acres represents an over 5-fold increase in commercial shellfish aquaculture within the City’s jurisdiction.
- Accommodating three key goals of the Phase II of the Governor’s Washington Shellfish Initiative:
 - Improve permitting process to maintain and increase sustainable aquaculture – The proposed limited amendment corrects errors, improves clarity, and provides increased scope and detail of regulations.
 - Restore native shellfish – The proposed limited amendment allows for approved native species recovery projects on 100 percent of the shoreline.
 - Enhance recreational shellfish harvest – The proposed limited amendment allows for cultivating shellfish for personal use on over 75 percent of the shoreline to “connect people with shellfish and harvest experiences.”
- Reserving appropriate areas for protecting and restoring ecological functions, including forage fish and juvenile salmonid habitat, which sustains statewide salmon recovery efforts and statewide recreational and commercial salmon fisheries. Recreational fishing alone generates an estimated \$851 million in related spending (WDFW 2001), which is far more than the estimated total economic contribution of \$184 million from commercial shellfish production (2010).

The City’s limited amendment is based on a shoreline use analysis.

WAC 173-26-201(3)(d)(ii) directs local jurisdictions to:

Conduct an analysis to estimate the future demand for shoreline space and potential use conflicts. Characterize current shoreline use patterns and projected trends to ensure appropriate uses consistent with chapter 90.58 RCW and WAC 173-26-201(2)(d) and 173-26-211(5).

Ecology’s SMP Handbook provides guidance for conducting this review, including collecting information from a variety of sources, including the City’s 2012 land use analysis, current development patterns, existing and projected future use on the island and surrounding jurisdictions, information from industry stakeholders, and state economic analyses.

2012 Land Use Analysis

The City completed a land use analysis as part of its comprehensive SMP update planning process. The land use analysis includes only a brief section on future land use demand, stating:

One of the goals of the shoreline analysis is to determine if there is need for additional land for water dependent uses. Since most of the Island is residential, the primary demand will be lots for single family residences. An increase in supply may run counter to goals for no net loss of ecological functions.

The Eagle Harbor management unit has the greatest potential demand for other uses. A location for a haul out facility for small boats is often mentioned. The urban part of Winslow may need to expand to allow for additional multi-family development.

“Provide for shellfish harvesting and growing” is listed as an identified need at a visioning workshop that the City held on September 30, 2010. A search of the survey responses from the visioning workshop shows that shellfish is mentioned just four times. Two of the responses were provided relative to identifying the nearshore functions of greatest concern (“fishery and shellfish habitats,” and keeping a “watchful eye” on shellfish farming to minimize water pollution). One response (“cooperative shellfish gardens”) was provided as a way to encourage ecological enhancement, and another expressed an interest in “areas with edible shellfish.” The community visioning workshop did not reveal a need or demand for commercial aquaculture operations.

Existing Use

The City’s shoreline is primarily residential in nature, with limited areas of recreational, commercial, and water-dependent industrial development. Based on the City’s CIA, there are a total of 2,193 shoreline lots on the island. Seventy-five percent of the shoreline is within a residential shoreline designation. There are currently 743 overwater structures along the City’s shoreline, including 15 commercial marinas/boating facilities. The island is also home to a Washington State Ferries terminal and in-water maintenance facility.

While the presence of residential neighborhoods is not an “automatic reason” to prohibit aquaculture (SMP Handbook, page 11), the limited amendment is intended to reflect current shoreline conditions as existing conditions, consistent with chapter 90.58 RCW. “Current shoreline conditions” refers to both the state of physical conditions and how shoreline lands are being used. Based on the Battelle Nearshore Assessment, along with GIS and aerial photography, the City shoreline is approximately 93 percent developed with 75 percent of that development being residential use. The majority of the island’s tideland parcels are narrow (many less than 100 feet in width), less than one acre (only 15 percent are greater than one acre), and contiguous with an upland residential parcel.

Commonly, people buy shoreline and water-view properties on Bainbridge Island with an investment-backed expectation that their shoreline access and marine views will remain largely intact and their home will not be subject to the nuisances of lights, noise, and odor largely absent from the rural-like residential neighborhoods found on the island. Tourism and real estate on Bainbridge Island depend upon the aesthetic and commercial value of its shorelines and water views.

A recent survey on the public perception of shellfish farming in the Pacific Northwest found that when asked if shellfish farms enhance or detract from the scenery of coastal areas, nearly 50 percent of Kitsap County respondents indicated that the presence of shellfish farms either “greatly detracts” or “somewhat detracts” from the scenery of coastal areas. Respondents were also asked to consider if a future purchase decision would be influenced by commercial shellfish activities. A “No effect” response was most frequent across all survey respondents, but the Washington survey population diverged from this trend with the highest percentage of responses (32.9 percent) indicating a “Somewhat negative”

effect, followed by “No effect” (29.6 percent). The Washington survey population also had the highest proportion of respondents anticipating a “Very negative” (14.0 percent) effect on their decision to purchase waterfront property if commercial shellfish harvest was within view of the home.

The commercial and industrial center of Bainbridge Island is located within Eagle Harbor, and includes almost all of the City’s Urban shoreline designation which, in total, is limited to just 2 percent of the island’s shoreline. Larger-scale water-dependent uses (e.g., boating facilities, marinas, commercial and industrial uses) are restricted to the Urban shoreline designation. This aligns with the City’s overall planning goal to concentrate growth, density, and higher intensity uses within the Winslow core (on the north shore of Eagle Harbor) and in neighborhood centers (Lynwood Center).

There are two existing, legally established commercial aquaculture operations on Bainbridge Island. One, the Port Madison Community Shellfish Farm (PMCSF), is a small-scale, community-based oyster farm on the Bloedel Reserve tidelands that supports a CSA program for 75 families and provides harvest experiences for hundreds of volunteers each year. Citizens have a strong interest in shellfish growing and harvest for personal consumption. A nonprofit organization, Puget Sound Restoration Fund (PSRF), runs a shellfish gardening program that provides seed and education to hundreds of shellfish gardeners around the island. Shellfish gardeners grow Pacific oysters in quantities sufficient to feed their family and friends. There are currently 250 shellfish gardens on the island (personal communication, PSRF, August 2016). Since the aquaculture definition in the SMP Guidelines applies to all types of aquaculture – including personal, non-commercial use – aquaculture is already an existing use on over 11 percent of the island’s shoreline.

The other existing commercial aquaculture operation is the Fort Ward and Orchard Rocks net pen facility with a total of 5.9 surface acres. Both of these Fort Ward area operations are located within residential zoning and shoreline environmental designations. There are currently 21 surface acres of net pen facilities within all of Washington state marine waters. With an existing 5.9 acres, nearly one-third (28 percent) of the entire state’s net pen facilities are currently located within the City’s jurisdiction.

Future Demand

Local demand

The City’s Cumulative Impacts Analysis did not forecast any foreseeable future commercial shellfish aquaculture use and development. The methodology used to project future development trends evaluated 1,091 permitted actions between the period beginning in 2002 and ending in 2011 (10 years) and used a “straight-line” extrapolation methodology – that is, the number of permits in the last 10 years were expected to double in the next 20 years. One commercial aquaculture operation – Port Madison Community Shellfish Farm (less than one acre in size) – was permitted in the last 10 years. As such, two new commercial shellfish operations would be anticipated over the next 20 years using the same methodology. No commercial net pens were permitted in the 10 year period. The analysis stated, “Fish pen aquaculture is expected to continue within the Rich Passage environment.” However, no demand for new or expanded net pen operations was noted.

The City has not received an application for new commercial aquaculture since the 2014 SMP update took effect. A 6-month moratorium was put in place in January 2015, extended in August 2015, and expired on January 14, 2016.

Regional demand

City staff requested permit information from Central Puget Sound jurisdictions including Kitsap, Snohomish, and Island Counties. Kitsap County staff indicated that two commercial aquaculture permits were issued in the last 10 years, but none since their 2014 SMP update. Snohomish County has received no applications since their 2012 SMP update. Island County staff did not respond; however, the Cumulative Impacts Analysis completed for their SMP update states, "There have been no recent permit applications for installing new shellfish aquaculture facilities in Island County."

The Pacific Coast Shellfish Growers Association (PCSGA) has provided general information on potential future demand for commercial shellfish aquaculture. Public comment provided by PCSGA notes, "PCSGA has evaluated the shorelines that are regulated under the SMP and concluded that there is significant potential for new shellfish aquaculture projects" (See, Plouche and Carr comment letter, Appendix A, p. 9-10.) However, no quantitative analysis or reasonably foreseeable future demand was provided. PCSGA provided comment throughout the City's comprehensive update process, but did not demonstrate an actual demand for commercial shellfish aquaculture within the jurisdiction of Bainbridge Island. Rather, their comments were restricted to the established policy language that:

aquaculture is a preferred water-dependent use in the Shoreline Residential and Shoreline Residential Conservancy designations. Given this, they argued that the SMP must contain policies to promote this preferred, water-dependent use and it must protect aquaculture from activities that threaten water quality and critical saltwater habitat. They argued that local governments cannot prohibit preferred, water-dependent shoreline uses outright.

(See, Ecology Response to Public Comments Received During 30-Day Public Comment Period for Proposed Comprehensive Update of the City of Bainbridge Island Shoreline Master Program, Topic 15, page 19.)

It is notable that PCSGA was the only commenter on this topic out of 112 individuals and organizations submitting comments on the proposed amendments during Ecology's review. While their membership currently includes 105 growers, only one is located on Bainbridge Island, and it is not currently a legally established operation. The only potentially relevant information available from PCSGA regarding foreseeable future demand is from their website, which states: "The vast majority of shellfish farms are 'mom and pop' operations on just a few acres of tideland (some as small as 100' feet of beach)."

A study of the historical trends in shellfish aquaculture in the Central Puget Sound (which includes Bainbridge Island) notes that production reached a peak in 1989 and dropped precipitously in 1995. The study found that, "Since 1995, only very small amounts of shellfish aquaculture have been attributed to Central Puget Sound" (See, Patterns in the Economic Contribution of Shellfish Aquaculture presented in Shellfish Aquaculture in Washington State Final Report to the Washington State Legislature December 2015 Washington Sea Grant, page 5.) The 2013 production of all shellfish species in the Central Puget Sound region accounted for less than one percent of state production and value. While a handful of Washington counties rely on shellfish aquaculture as an important economic driver (e.g., Pacific County is the most aquaculture-dependent county with almost 20 percent of its economy relying on aquaculture), the contribution in other counties – including Kitsap County – and the state as a whole was less than 5 percent in 2013. A second source (The Economic Impact of Shellfish Aquaculture in Washington, Oregon and California, Pacific Shellfish Institute, 2014) provides that Kitsap County represents less than 2 percent of the total permitted shellfish acres in the entire state (using 2008 Department of Health data).

State demand

Economic analyses conducted by Ecology as part of the update to the 2013 SMP Guidelines provide information from 22 commercial geoduck farms in Washington State. It assumes applications for new commercial geoduck operations will remain constant at a rate of 10 per year – in the entire state. Further, it uses the assumption of growers “planting an annual block of tubes comprised of 100 rows of 200 tubes, corresponding to 80,000 square feet or roughly 1.6 acres, which is currently the average parcel size of existing operations.” (See, Small Business Economic Impact Statement, Department of Ecology, July 2010, Publication No. 10-06-019, page 5.)

Summary

The City’s proposed cap on commercial aquaculture considers and accommodates reasonably foreseeable future aquaculture development on Bainbridge Island. While commercial aquaculture is rapidly expanding in other parts of the Puget Sound, it is not reasonably foreseeable that that same growth will occur on Bainbridge Island. WAC 173-26-186, provides (emphasis added):

It is recognized that methods of determining reasonably foreseeable future development may vary according to local circumstances, including demographic and economic characteristics and the nature and extent of local shorelines.

Additionally, given existing conditions on Bainbridge Island, including the proliferation of residential over-water structures, commercial marinas/boating facilities, and the state ferry facilities, limiting where new commercial aquaculture can occur is necessary to avoid potential use conflicts among water-dependent uses. The City’s proposed cap is also necessary to achieve a balance between utilization and protection of the shoreline. The SMP Handbook provides (see, page 20):

Many local jurisdictions assume that commercial aquaculture (e.g. oyster farms, net pens of Atlantic salmon) will have more significant impacts than non-commercial aquaculture (e.g. research studies, restoration and enhancement projects). However, this may not be the case given the broad array of aquaculture types and potential impacts.

The cap includes allowing for five (5) new acres of commercial shellfish aquaculture and unlimited new non-commercial (personal cultivation) under 200 square feet. The cap allows the City to limit where commercial aquaculture may occur based on local conditions and ecological considerations, estimated future demand for shoreline space, potential use conflicts, current shoreline use patterns, and projected trends. During its 2020 periodic review, the City will make amendments deemed necessary to reflect changing local circumstances, new information, or improved data, and relevant environmental and ecological conditions.

Using data gathered for the land use analysis, the proposed cap – 5 acres – could provide for dozens of newly permitted commercial shellfish operations. The proposed cap is sufficient to reserve shoreline space for reasonably foreseeable commercial shellfish aquaculture based on local circumstances and a number of regional and state economic and land use factors, including:

- Bainbridge Island is primarily a residential community. The island’s natural resource-based economy largely ceased at the end of the last century, with the closing of two paper mills. The City’s economy, and that of the greater Central Puget Sound, is not aquaculture-dependent.

- Community visioning as part of the City's SMP update process did not reveal a need or demand for commercial shellfish aquaculture.
- Communities throughout the Central Puget Sound region have seen little to no permit activity for commercial aquaculture in the recent past.
- Only a miniscule portion of the state's shellfish aquaculture (less than 1 percent by both weight and dollar value) is produced in the Central Puget Sound.
- There are currently 250 shellfish gardens on the island. Non-commercial shellfish aquaculture is an existing use on over 11 percent of the island's shoreline lots and is not restricted by the proposed cap.
- Bainbridge Island issued one permit for shellfish aquaculture in the last 10 years. While technically a commercial operation, the Port Madison Shellfish Community Shellfish Farm is a nonprofit, community supported agriculture (CSA) operation focused on stewardship and community engagement. The existing operation is less than one acre in size. The proposed cap would allow for at least 5 more new similar operations.
- The majority of existing commercial shellfish aquaculture operations in the region are small – less than a few acres or as small as 100 feet of beach. The proposed cap would allow for between one to over 100 new commercial shellfish operations.
- The state projects 10 new commercial geoduck operations per year for the entire state. The average size is 1.6 acres. The proposed cap would allow for up to three average-size new commercial geoduck operations.

V. Summary of Use of Scientific and Technical Information (RCW 90.58.100(1) and WAC 173-26-201)

The City's process to prepare this limited amendment satisfies the requirements for the use of scientific and technical information in RCW 90.58.100(1). An index of the information considered when developing the limited amendment is provided in Attachment B.

Review of the City's 2014 SMP Update Reference Documents

A number of scientific and technical documents were completed as part of the City's SMP update process, including:

- Bainbridge Island Nearshore Habitat Characterization and Assessment, Management Strategy Prioritization and Monitoring Recommendations (Williams, 2004)
- Cumulative Impacts Analysis (The Watershed Company, 2012)
- Bainbridge Island Current and Historic Coastal Geomorphic/Feeder Bluff Mapping (CGS, Inc., 2010)
- Bainbridge Island Nearshore Assessment Summary of Best Available Science (Batelle, 2003)
- Addendum to the Summary of Science Report (Herrera, 2011)
- Shoreline Restoration Plan (2012)

A discussion of aquaculture is almost entirely absent from these documents, with these exceptions (internal references are included in the documents listed above):

- Lists shellfish harvesting as a stressor to eelgrass meadow habitat (Batelle, 2003).
- It was not within the scope of this document to include aquaculture in the analysis of the effects of nearshore modifications. Nonetheless, it should be acknowledged that aquaculture-related development may also occupy or destroy nearshore habitat (NMFS 2010g). Therefore, to the extent that such use is allowed, modified or expanded, aquaculture development in areas like Eagle Harbor, Fletcher Bay, Manzanita Bay, and Rich Passage could potentially affect species by reducing habitat and foraging opportunities. This is because aquaculture can adversely affect habitat through alterations to water quality, occurrence and extent of aquatic vegetation, substrate composition, and associated food web interactions (Herrera, 2009a)(Herrera, 2011).
- Aquaculture development may also occupy or destroy humpback whale habitat (NMFS 2010g) by reducing habitat and foraging opportunities Herrera, 2011).

The scientific documents on record for the update process document adverse impacts of aquaculture.

Review of scientific and technical information

As noted earlier, the City's Cumulative Impact Analysis did not adequately "evaluate and consider cumulative impacts of reasonably foreseeable future development" because it did not include any analysis or consideration of any future commercial aquaculture development. The CIA did not consider cumulative impacts of future aquaculture because it did not anticipate any. Further, the City's CIA was completed in March 2012. The City's aquaculture regulations were changed – as part of Ecology's required changes – after completion of this document.

In developing the limited amendment, the City considered a wide body of research and technical information, much of which was not available during the update process. A review of this scientific and technical information revealed an unacceptable level of adverse impacts resulting from commercial aquaculture and prompted the City to propose changes to make the City's regulations more consistent with the fundamental goals of the SMA, including, as stated in RCW 90.58.020 and WAC 173-26, to preserve the resources and ecology of the shoreline, to protect the shoreline environment, and to achieve no net loss of shoreline ecological functions. A complete index of references is provided in Attachment A with a supplemental narrative provided below.

Virtually all of the island's shorelines have been shown to support forage fish and anadromous fish species at various life stages, documented through a beach seining program conducted around the island for a period of over seven years. Forage fish are an essential food source for larger fish, including most importantly, Puget Sound Chinook salmon, a threatened anadromous species under the Endangered Species Act. In addition to the local beach seining data, the shorelines of Bainbridge Island are mapped as designated critical habitat for Puget Sound Chinook salmon (70 FR 52630).

Given the presence of designated critical habitat for Puget Sound Chinook salmon along the Bainbridge Island shoreline, the City references Whidbey Environmental Action Network's comments to the Department of Ecology describing why commercial net pen operations cannot occur within the island's marine waters within the structure and requirements of the SMA. Specifically, in accordance with WAC 173-26-251(3), local jurisdictions must "... [e]nsure the long-term protection of ecological resources of statewide importance, such as anadromous fish habitats"

Additionally, WAC 173-26-251(3)(d), in describing "[e]cological resources of statewide importance," explicitly includes "anadromous fish habitats" as such a resource. The SMA and SMP Guidelines,

including WAC 173-26-201, require the long-term protection of these resources and direct local jurisdictions to first reserve appropriate areas for protecting and restoring ecological functions to control pollution and prevent damage to the natural environment and public health, then reserve shoreline areas for water-dependent and associated water-related uses. Therefore, water-dependent uses – including commercial aquaculture facilities – can be permitted only when they are consistent with the SMA's requirements to ensure the long-term protection of anadromous fish habitats. The scientific and technical information reviewed as part of the City's limited amendment process strongly demonstrates commercial aquaculture facilities cannot meet this standard.

Commercial net pen aquaculture

Several other Puget Sound jurisdictions (Island, Jefferson, Whatcom, and San Juan Counties) have documented the severe adverse impacts of commercial net pen operations during their SMP update process. Regarding Whatcom County, due to the fact that they have no existing net pens, that no local comments in support of net pens were received during the update process, and that the County provided scientific evidence documenting adverse environmental effects, Ecology approved the County's SMP in 2008 with a prohibition of commercial net pens. Jefferson County likewise included a net pen prohibition in their SMP update that was rejected by Ecology due to a lack of rationale and objections from the aquaculture industry. After years of study, Ecology approved Jefferson County's SMP allowing net pens in four potential suitable areas. Ecology subsequently approved Island County's SMP with a prohibition on commercial net pens due to a lack of foreseeable or anticipated uses. Similar to Whatcom County, there are no existing net pens in Island County and no comments in favor of commercial net pens were received during the local update process or state comment period.

The approach in Island County was to include a prohibition in their SMP and revisit anticipated net pen use based on updated state rules for addressing water-dependent uses during their 2020 periodic review. This is the same approach proposed by the City of Bainbridge Island (see, Policy 5.2.2.11), based on the strong evidence of adverse environmental effects of net pen aquaculture reviewed during the limited amendment process and the poor record of permit compliance, a recent (August 2016) permit violation, and a previous major outbreak of Infectious Hematopoietic Necrosis virus (IHNV) at the existing facilities within Bainbridge Island's waters.

On September 18, 1996, Ecology issued National Pollutant Discharge Elimination Permit (NPDES) permits to 12 marine salmon net pen operators which had existing facilities located in Puget Sound, including the Orchard Rocks and Fort Ward Net Pen Facilities in Bainbridge Island. At that time, Ecology determined that those facilities did not have a reasonable potential to exceed state water quality standards for dissolved oxygen and turbidity. Eight of these permits were administratively extended, without modification (other than to reflect the change in ownership), in 2007 and again in 2012. Ecology conducted review under the State Environmental Policy Act (SEPA) and issued Determinations of Non-Significance for the net pen permits issued in 1996. Ecology also concluded that the previously permitted facility had complied with SEPA requirements at the local level. Subsequently, the Pollution Control Hearings Board ruled (which ruling was affirmed by the Thurston County Superior Court) that these marine salmon net pen facilities are categorically exempt from the SEPA alternatives analysis.

Ecology has therefore determined that the reissuance of this permit is categorically exempt from SEPA pursuant to RCW 43.21C.0383. The NPDES permits for these facilities have not been updated, including Ecology's reasonable potential analysis to exceed state water quality standards, since 1996, and the environmental impacts of these facilities have never been reviewed at the local (City) level. This is a

critical lapse in regulatory oversight, particularly given the operator's poor record of permit compliance and its recent permit violation (see, Ecology ERTS number 666826).

The permit violation was caused by the discharge of accumulated solids and marine growth into waters of the state without prior treatment resulting from high pressure washing of nets at the Fort Ward facility. Although the violation resulted in a warning letter from Ecology, it is reflective of the operator's poor record of permit compliance, particularly related to monitoring. Between 2011-2014, the operator failed to submit discharge monitoring reports (DMR) – a requirement of the NPDES permit – over a dozen times (see, Ecology's PARIS website, permit number WA0031534). Given the operator's history of insufficient monitoring and permit violations related to water quality and the absence of any environmental review of the facilities in over two decades, there is limited evidence that the use is "consistent with control of pollution and prevention to the environment," and the use is therefore not a preferred use in accordance with WAC 173-26-241(3)(b)(i)(A).

In addition to serious concerns over documented water quality degradation and monitoring deficiencies, a major outbreak of IHN virus occurred at the net pen facilities in 2012 during prime juvenile salmon and steelhead outmigration. During the outbreak, the operator refused to allow access to the facility to monitor the effects of the outbreak, resulting in limited knowledge on the effects of the outbreak. The net pens and presence of this virus pose a serious threat to ESA-listed anadromous fish in Puget Sound because the crowded pens create an environment in which diseases, pathogens, and parasites can multiply rapidly and spread to wild fish (Wild Fish Conservancy, <http://wildfishconservancy.org>). As noted earlier, water-dependent uses – including commercial aquaculture facilities – can be permitted only when they are consistent with the SMA's requirements to ensure the long-term protection of anadromous fish habitats. Given the wide range of scientific evidence documenting the adverse environmental impacts of commercial net pen facilities, and the known harmful effects of the IHN virus on anadromous fish, it is most likely that the existing facilities are not meeting the SMA requirements.

In part, Ecology publication 15-06-006 states:

Ecology is committed to ensuring that commercial salmon net pens do not put Pacific salmon recovery at risk. Based on the current regulatory and permitting structure and our review of the science, Ecology has found that when commercial net pens are properly sited, operated and monitored to include all necessary safeguards, they are compatible with objectives of the state Shoreline Management Act.

Through the limited amendment process, the City determined that the existing net pen facilities within its jurisdiction are not properly operated and monitored to include all necessary safeguards with regard to water quality protection and the outbreak of the IHN virus. As such, the City finds that any new commercial net pen facilities, particularly if proposed by the same operator, would likely not be compatible with the SMA's objectives and requirements related to control of pollution and prevention to the environment and long-term protection of anadromous fish habitats. As such, the City proposes to prohibit any new commercial net pen operations and revisit the issue during its periodic review.

Based on a review of scientific and technical information, the City's limited amendment proposes changes that are necessary to improve consistency with SMA goals and policies and its implementing rules, including the requirement to ensure the long-term protection of anadromous fish (e.g.; Puget Sound Chinook) habitats and WAC 173-26-241(3)(b)(i)(A) which provides that aquaculture is a preferred use only when consistent with control of pollution and prevention of damage to the environment.

Commercial shellfish aquaculture

Forage fish spawning activity is an important ecological feature of a significant portion of the shoreline of Bainbridge Island and the greater Puget Sound basin and forage fish themselves are a critical prey species for Puget Sound Chinook salmon.

The City's shoreline area is unique. Unlike many other jurisdictions planning under the SMA and a local SMP, Bainbridge Island has local data collected through a seven-year beach seining program documenting the presence of forage fish and Puget Sound Chinook smolts, among other fish species. Additionally, all of the shorelines of Bainbridge Island are mapped by the National Marine Fisheries Service (NMFS) as critical habitat for Puget Sound Chinook salmon, which includes areas that are not presently occupied but are considered essential for the conservation of the species.

The City's beach seining data is important not only to document the location of these species, but also the timing of their presence. In addition to sampling results, the seining program concluded that regulatory work windows, set by the Washington Department of Fish and Wildlife (WDFW), do not adequately match the observed period of abundance of Chinook, coho, and forage fish. WDFW itself states:

Our knowledge of the location and temporal usage patterns of forage fish spawning sites is incomplete. Additional sites continue to be identified, and/or the spawning timeframe more completely described, in on-going surveys.

(See, WDFW Technical Report 2007-03 Marine Forage Fishes in Puget Sound, 2007.)

The technical report describes aquaculture as a forage fish habitat stressor:

Standard aquaculture practices may have profound effects on the benthic ecology of Washington state's tidelands and the conservation of forage fish spawning areas, especially for herring. In many areas, herring spawning grounds are now coincident with shellfish culture areas, particularly on tideflats occupied by beds of the native eelgrass. Pacific oyster beds intended for the ground-culture and dredge harvest of oysters commonly become devoid of native eelgrass, either due to the cumulative effects of periodic dredging activities over time or by intentional destruction of the eelgrass beds before the start of culture activities (West 1997). Dredging operations routinely take place on or near tideflat areas containing herring spawn.

(See, WDFW Technical Report 2007-03 Marine Forage Fishes in Puget Sound, 2007).

WDFW's technical report states that preservation of spawning, rearing, and seasonal/migratory habitats is essential for forage fish stock maintenance. The critical need to preserve forage fish habitat strongly implies that commercial shellfish aquaculture operations should avoid – that is, not be sited in or on – known forage fish spawning areas, rather than simply restricting the timing of aquaculture activities based on WDFW work windows or one-time spawning surveys. WDFW also notes in its technical report that forage fish spawning habitat restoration is not widely studied and has been largely unsuccessful.

Given the proliferation of forage fish habitat on the island, there are likely very few locations where restoration could occur if needed to mitigate for the siting of an aquaculture operation. Additionally,

given the importance of preserving existing forage fish spawning habitat and the limited success of restoration efforts, limiting commercial aquaculture activities based on WDFW work windows or one-time spawning surveys is insufficient to achieve the no net loss standard of spawning habitat required in Washington's Hydraulic Code Rules (WAC 220-110).

The report continues to recommend that regulatory agencies seek a coordinated approach to the management of the growing aquaculture industry, "with an eye toward modification of habitat-damaging culture practices and the mitigation of existing habitat degradation for which the industry has been responsible."

A number of other resources document the adverse effects of commercial shellfish aquaculture due to substrate modification and other habitat disturbance that are common industry practices. Most recently, the U.S. Army Corps of Engineers (Corps) published a Programmatic Biological Assessment (PBA) (Shellfish Activities in Washington State Inland Marine Waters, October 2015), which not only describes the adverse effects of shellfish aquaculture, but also provides a determination of effect on Puget Sound Chinook salmon of "may affect, likely to adversely affect" for both the species and its designated critical habitat.

Table 7-1 of the PBA succinctly lists the effects on habitat of various shellfish aquaculture activities, including:

- Decreased benthic species diversity and abundance
- Altered benthic habitat and species composition
- Disruption of fish travel patterns, foraging
- Removal, reduction or limiting growth of aquatic vegetation, e.g. eelgrass
- Increased sedimentation
- Loss of forage fish spawning habitat
- Contribution of plastic debris to the aquatic environment
- Substrate disturbance
- Creation of barriers to tidal flow; altered sedimentation/erosion patterns
- Smothering, compaction of incubating surf smelt and sand lance eggs

While the above impacts are not all expected to occur at any given site, the potential for any of these activities is there for every given site. These actions, which are part of shellfish aquaculture, are thus in direct opposition to the protection of habitat for forage fish and for Puget Sound Chinook salmon. This directly conflicts with the Endangered Species Act, which requires protection for the listed species, as well as the requirements articulated in WAC 173-26-251(3) to "[e]nsure the long-term protection of ecological resources of statewide importance, such as anadromous fish habitats, forage fish spawning and rearing areas... ."

Additionally, the PBA found that Pacific salmon essential fish habitat (EFH) would be adversely affected:

Groundfish and Pacific salmon EFH would be altered from the current relatively undisturbed condition to an aquaculture farm with corresponding effects on the habitat. This includes replacement of fine grained sediments with plastic materials, loss of

eelgrass, and regular disturbance of the benthic community which decreases prey availability. Other impacts include temporary increases in suspended sediments, noise and disturbance associated with vessel traffic and aquaculture operations.

Based on a review of scientific and technical information, the City's limited amendment proposes changes that are necessary to improve consistency with SMA goals and policies and its implementing rules, including the requirement to ensure the long-term protection of anadromous fish (e.g.; Puget Sound Chinook) habitats and forage fish spawning and rearing areas.

Use of plastics in aquaculture

There is a large and growing body of research documenting the dangers plastics and microplastics pose in the marine environment. The equipment used for aquaculture:

up until the 1960s consisted of metal, wood, and natural fibers, which would readily undergo oxidative decay and/or biodegrade in aquatic environments. This is no longer the case. Today growing and catching seafood demands nets, tubes, ropes and floats made of polyethylene (PE & PET), nylon, polypropylene (PP) and poly vinyl chloride (PVC), plastics that biodegrade exceptionally slowly, breaking into tiny fragments in a centuries-long process.

(See, Agalita, <http://www.algalita.org/plastic-pollution-and-the-aquaculture-industry/>). These plastics pose a threat to aquatic species and HDPE microplastics are a human health concern.

The City acknowledges that plastic materials are currently very widely used, no doubt because they are inexpensive and durable. In recognition of the fact that plastic oyster bags (and other plastic materials used in aquaculture) are so widely used and that substitute materials are not yet readily available, the City proposes a two-year phase-in period on the prohibition of non-biodegradable plastics. The intent of that two-year period is to allow the industry and home shellfish gardeners time to research, develop, and source non-plastic, environmentally sustainable materials and methods to be used in aquaculture. During the City's public participation process for the limited amendment, interested parties provided examples of alternatives for plastics, including coir, a natural fiber derived from coconuts, as a possible material for weaving oyster bags, and MATER-BI, an innovative family of biodegradable and compostable bioplastics (see, <http://www.novamont.com/eng/mater-bi>).

Based on a review of scientific and technical information, the City's limited amendment proposes changes that are necessary to improve consistency with SMA goals and policies and its implementing rules, including WAC 173-26-241(3)(b)(i)(A) which provides, "Aquaculture is dependent on the use of the water area and, when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area." Plastics used by the commercial aquaculture industry introduce debris into the marine environment and cause damage to the environment. Aquaculture is not a preferred use when it is inconsistent with control of pollution and prevention of damage to the environment.

Reasoned, Objective Evaluation of Data

The City recognizes that there is a large body of scientific and technical studies and information that demonstrates some ecological benefit and limited adverse impacts of shellfish aquaculture. On the other hand, there is a growing body of scientific and technical studies and information demonstrating adverse impacts of commercial aquaculture both locally and in other parts of the country.

WAC 173-26-201(2)(a) provides, in part:

The requirement to use scientific and technical information in these guidelines does not limit a local jurisdiction's authority to solicit and incorporate information, experience, and anecdotal evidence provided by interested parties as part of the master program amendment process. Such information should be solicited through the public participation process described in WAC 173-26-201(3)(b). Where information collected by or provided to local governments conflicts or is inconsistent, the local government shall base master program provisions on a reasoned, objective evaluation of the relative merits of the conflicting data.

The City's public participation process resulted in the gathering of a significant amount of information, experience, and anecdotal evidence provided by interested parties. These citations are included in Attachment A. In addition, the Coalition to Protect Puget Sound submitted a white paper to the City summarizing over 60 scientific studies addressing the adverse impacts of commercial aquaculture (Attachment B). The City relied on this information to process this limited amendment.

Most available studies are site-specific and few examine the cumulative impacts of multiple shellfish operations within a region or jurisdiction. Importantly, no studies have been conducted on or around the shorelines of Bainbridge Island and very few within the Central Puget Sound, so it is an overreach to assume that there is sufficient scientific basis to demonstrate a lack of adverse effects from commercial aquaculture on Bainbridge Island. The SMP Handbook states, in part (see, page 10) (emphasis added):

When aquaculture is a current use or is anticipated to be a future use, SMPs should identify where aquaculture may occur and where it should be excluded Ecology suggests using caution regarding studies and information from locations where the physical conditions, regulatory framework, and industry operations are different and the conclusions may not be relevant to Washington or a specific jurisdiction.

To this point, research conducted by Washington Sea Grant, the most-often cited body of work in support of commercial shellfish aquaculture, states explicitly (emphasis added):

As also noted in McDonald et al. (2015), it is cautioned that projection of the current study results to larger temporal or spatial scales may be inappropriate in the absence of additional studies. The sites for the current study were relatively isolated from other geoduck aquaculture plots, and were being used for aquaculture of geoducks for the first time. The data may not provide a sufficient basis for unequivocal extrapolation to cases when a given plot is exposed to a long series of successive geoduck aquaculture cycles. Likewise, it may not be appropriate to extend the findings of the current study to cases when a number of separate plots are adjacent to one another and encompass significantly larger surface areas than any single plot. Resolution of the questions of larger spatial and temporal scales will be a major challenge for geoduck farmers as they continue production on existing plots and expand into new areas, and will be an important research goal in the interests of informed management policies by natural resource agencies (VanBlaricom, et al., 2015).

A recent study prepared for the Pacific Shellfish Institute (Northern Economics, Inc., "Assessment of Benefits and Costs Associated with Shellfish Production and Restoration in Puget Sound," prepared for

the Pacific Shellfish Institute, April 2010) concisely summarizes the current lack of consensus regarding the benefits and adverse impacts (costs) of commercial aquaculture and points to numerous negative effects:

While non-native shellfish species that are brought into new environments may indeed provide such valuable services a water column filtration, habitat creation for non-shellfish species and stabilization of estuarine sediments, they may also compete with native species, negatively affect food webs and bring in new diseases and other undesirable species (Brumbaugh, et al., 2006). A recent non-peer reviewed Sierra Club Cascade Chapter (2009) memorandum suggests that based on recent research, Puget Sound native species are negatively affected by disturbance/alteration of the near shore habitat and aquatic vegetation, modifications of forage fish and rearing areas, removal of essential macrophytes (algae), ecological carrying capacity, accumulation of shellfish fecal deposits/organic matter in low flushing areas (like South Puget Sound), plastic pollution and the unlimited use of invasive species. The Sierra Club memorandum states that according to a Ruesink and Rowell Sea Grant presentation "eelgrass density is depressed in summer by space competition with geoducks. When geoduck are harvested, eelgrass shoot density drops by more than 70 percent" (pg. 10) and that Pentilla (2007) states that "standard aquaculture practices may have profound effects on the benthic community composition through a range of mechanisms, such as excessive partitioning of food resources, competition for space, and increased sediment deposition (Sequeira et al. 2008). Submerged and floating shellfish cultivation gear may also have negative impacts on essential marine habitats. For example, the physical disturbance caused by oyster cultivation gear may cause deterioration of eelgrass beds, and essential habitat for juvenile fish and shellfish (Getchis, 2005). In addition, physical alteration to prospective geoduck aquaculture sites through grading and rock removal may result in damage to ecological functions (Washington Department of Ecology 2009). Mechanical harvesters, commonly used for clams, can create significant environmental stress, harming benthic plant life and other wild species (Brumbaugh, et al., 2006; SeaChoice undated).

The same study also references a recent National Marine Fisheries Sciences (NMFS) Biological Opinion on commercial shellfish operations that concluded that while there were some adverse effects, they were offset by ecological services provided by shellfish. Water quality improvement and nutrient filtering is often touted by the shellfish industry as a beneficial impact that outweighs any number of adverse impacts. However, the Center for Food Safety's March 2016 Fact Sheet states:

While wild bivalves are known to clean water, the water quality impacts of intensive shellfish aquaculture may not always be beneficial; in fact, many aquaculture activities negatively affect water quality by the removal of eelgrass, the increase of wastes from concentrated production, and the disruption of sediments.

As noted previously, the 2015 Corps BPA made a finding of a determination of effect on Puget Sound Chinook salmon of "may affect, likely to adversely affect" for both Puget Sound Chinook and its designated critical habitat. This finding, in and of itself, supports the City's position on which it based proposed changes; that is, "likely to adversely affect" is defined as:

the appropriate finding in a biological assessment if any adverse effect to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent

actions, and the effect is not: discountable, insignificant, or beneficial. In the event the overall effect of the proposed action is beneficial to the listed species, but is also likely to cause some adverse effects, then the proposed action "is likely to adversely affect" the listed species.

In drafting the proposed limited amendment, the City also looked to the GMHB final decision in the appeal of its overall SMP (GMHB No. 14-3-0012) where the Board noted (emphasis added):

The SMA and Ecology's guidelines do not require local governments to referee disputes in the scientific community." The Board found [that] the City's incorporation of policy as well as science into its buffer width determination does not per se violate the SMA or the SMP Guidelines. The decision includes reference to *Lake Burien v. City of Burien* (GMHB No. 13-3-0012), where the Board recognized: "The SMA process does incorporate the use of scientific information, but it does so as part of the balancing of a range of considerations, such as public access, priority uses, and the development goals and aspirations of the community."

Summary

Clearly, there is disagreement within the scientific community regarding the overall benefits and impacts of commercial aquaculture. Since the appeal of the City's aquaculture regulations is strongly rooted in the dispute within the scientific community, the City's proposed limited amendment balances a range of considerations, including adequately providing for preferred, water-dependent uses, while expressing the goal of the local community to limit siting of commercial aquaculture until a greater understanding of the ecological benefits and adverse impacts are understood. Therefore, Ecology should approve this limited SMP amendment, which is needed to improve consistency with SMA and SMP Guidelines requirements.

VI. Summary of Public Participation Process

The City invited and actively encouraged public participation in the limited amendment process via the following means:

- Posting regular updates and documents for review on the Shoreline Master Program Project Page on the City's website
- Creating a "Notify Me" email listserv to keep interested citizens and stakeholders informed of project updates and timelines
- Posting updates and notices of public hearings on the City's website home page
- Including information about the limited amendment in the City Manager's Report
- Presenting working drafts of the proposed limited amendment at four (4) Planning Commission meetings on February 25, March 24, April 14 and May 12, 2016. Public comment was accepted at each meeting.
- Holding a public hearing before the Planning Commission on April 14, 2016.
- Presenting working drafts of the proposed limited amendment at seven (7) City Council meetings on June 14, June 28, July 26, August 28, September 13, September 27 and October 11, 2016. Public comment was accepted at each meeting. City Council adopted the limited amendment via Ordinance 2016-06 on October 11, 2016.
- Holding a public hearing before the City Council on July 26, 2016, which was continued until August 23, 2016.
- Accepting written comments until September 8, 2016.

- Providing a Response to Comments by Issue Matrix at the September 27, 2016 City Council meeting.

VII. Attachments

- A. Index of Resources Reviewed for Limited Amendment
- B. Coalition to Protect Sound Habitat White Paper



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (9:50 PM) Update on Moratorium - Planning,

STRATEGIC PRIORITY: Green, Well-Planned Community

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Report

PROPOSED BY: Planning & Community Development

RECOMMENDED MOTION:

Moratorium work program and status update. Respond to City Council questions and discussion.

SUMMARY:

City staff have been working to address the issues identified in the development moratorium (Ordinance No. 2018-02, amended by Ordinances Nos. 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41).

On November 13, 2018, the City Council adopted Ordinance No. 2018-43 (effective date November 21) which amended the development moratorium by further narrowing its scope and application. The development moratorium is scheduled to expire on April 8, 2019, unless the Council takes further action before such date.

See attached Work Program Status Report, Ordinance No. 2018-43, and summary.

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[20190125 Moratorium work program status report.docx](#)

[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)

[Development Moratorium Summary Effective 20181121.pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [January 25, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
<p>Critical Areas Ordinance (CAO)</p>	<p>The development moratorium was amended by the City Council on April 24, 2018 to continue to apply within the City’s shoreline jurisdiction areas (Ordinance 2018-14). This effectively applied the aquifer recharge protection area (ARPA) requirement in the shoreline, although the change did not apply other provisions of the CAO update within the shoreline. At its October 16, 2018 study session, the Council made the policy decision to not include the ARPA requirement in the shoreline area. This policy decision means that “Part B” of the moratorium could be removed. On November 13, 2018, the Council adopted Ordinance 2018-43 (effective date November 21) removing “Part B” (i.e., the ARPA requirement) from the moratorium.</p> <p>The City has a Shoreline Master Program (SMP) Amendment in process to integrate the updated critical areas regulations into the SMP.</p>	<p>On September 11, 2018, the City Council held a public hearing on the SMP amendment. The Council held study sessions on October 2 and 16, 2018, and is continuing to consider the amendment at subsequent Council meetings (see below). The Public Comment Period expired on November 9, 2018.</p> <p>The joint state/local review process requires that the draft amendment and a summary of response to comments be transmitted to the Department of Ecology within 30 days after the end of the Public Comment Period. City staff has requested an extension for this transmittal until January 31, 2019. In the meantime, comments are still being accepted and considered by staff and the Council as part of the Council’s ongoing consideration of the SMP amendment.</p> <p>On November 27, 2018, the Council discussed the SMP amendment relating to integration of critical area regulations and regarding nonconforming structures, uses, and lots. On December 11, 2018, the Council discussed this matter and instructed staff to prepare a resolution to transmit the SMP amendment to</p>

Moratorium on Accepting Certain Development Applications: Work Program Status Report – January 25, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

		<p>the Department of Ecology for its SMA consistency review.</p> <p>On January 8, 2019, the Council passed Resolution No. 2019-05 approving the draft amendment and authorizing staff to transmit the proposed SMP amendment to the Department of Ecology for initial review. The draft SMP amendment is expected to be transmitted to Ecology in late January, early February. Ecology then sends back the draft amendment with recommended changes and the Council locally adopts the amendment. It is then sent back to Ecology for final approval. The amendment process is expected to be completed in late spring/early summer 2019.</p>
<p>Status on January 25, 2019:</p>	<p>Complete: CAO update effective outside shoreline jurisdiction. Incomplete: Applicability of CAO update within shoreline jurisdiction.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – January 25, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

Moratorium Topic	Status	Timeline
Subdivisions	<p>The Planning Commission is reviewing three topics related to subdivisions:</p> <ul style="list-style-type: none"> • Creation of design guidelines • Revisions to subdivision standards • Revisions to review process, decision criteria, and decision-making authority <p>The Planning Commission completed its review of new subdivision design guidelines.</p> <p>The Planning Commission forwarded recommendations to the City Council related to the review process and decision-making authority. Additional recommendations to the Council are forthcoming.</p> <p>The Council accepted the Planning Commission recommendations related to the role of the Planning Commission and Design Review Board in reviewing and making recommendations on preliminary decisions on subdivisions. However, the Council did not agree to the Planning Commission’s recommendation that the Council be the decision-maker for preliminary decisions on subdivisions (i.e., preliminary plat approval).</p>	<p>On September 27, October 25, and November 8, 2018, the Planning Commission met to discuss subdivision standards and the review process. The Planning Commission continued its discussion in November and December 2018, and in January 2019. A Planning Commission public hearing is tentatively scheduled for the end of February 2019.</p> <p>On October 23, 2018, the City Council held a public hearing related to Planning Commission/DRB review and recommended roles. The Council deferred taking action until receiving all of the forthcoming Planning Commission recommendations on subdivision design guidelines, standards, review process, and decision criteria.</p> <p>On December 4, 2018, the Council discussed Ordinance 2018-20, related to revisions to land use review procedures for major projects, including subdivisions, and on December 11, 2018, held a public hearing and approved the ordinance.</p> <p>The Planning Commission continues to discuss subdivision standards.</p>

Moratorium on Accepting Certain Development Applications: Work Program Status Report – January 25, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

	<p>On September 25, 2018, the Council removed two-lot short subdivisions in which there is an existing single-family residence from the moratorium with the adoption of Ordinance 2018-41.</p>	<p>On January 8, 2019, the Council adopted Resolution No. 2019-02, updating the administrative manual to address development review process code amendments in Chapter 2.16, BIMC.</p>
<p>Status on January 25, 2019:</p>	<p>Complete: Ordinance 2018-20 approved by the Council on December 11, 2018, related to revisions to land use review procedures for major projects, including subdivisions. Incomplete: Planning Commission review of revised subdivision standards.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – January 25, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

Moratorium Topic	Status	Timeline
<p>Design Guidelines Update (related to Site Plan and Design Review and Conditional Use Permits).</p>	<p>A RFQ for professional services was published and closed on August 17, 2018. On October 23, 2018, the City Council authorized a professional services agreement with Framework to produce an updated set of design guidelines (Chapter 18.18 BIMC).</p>	<p>On November 13, 2018, a kick-off meeting with the consultant was held with the Design Review Board. On December 19, 2018, focus groups met to discuss design guideline perceptions, issues, problems, and ideas.</p> <p>On January 30, 2019, a Design Guideline Update Open House will be held. On February 5, 2019, the Design Guideline Update project consultant will brief the Council.</p> <p>The update to the City’s Design Guidelines is expected to be completed before mid-year 2019.</p>
<p>Status on January 25, 2019:</p>	<p>Complete: Consultant professional services agreement approved, kick-off meeting held with the DRB. Incomplete: Update design guidelines.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [January 25, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
<p>Review Process for Land Use Permits (related to Subdivisions, Site Plan and Design Review, and Conditional Use Permits).</p>	<p>The Planning Commission and Design Review Board discussed this topic at their meetings beginning in May and continuing through December 2018. A Planning Commission public hearing is tentatively scheduled for January 2019.</p> <p>The Planning Commission provided recommendations to the City Council related to roles and responsibilities for the Planning Commission, Design Review Board, and the Council and the legislative review process for amending the BIMC.</p>	<p>On October 23, 2018, the City Council held a public hearing related to the Planning Commission and Design Review Board’s land use review roles and responsibilities (Ordinance 2018-20). The Council deferred taking action until receiving all of the forthcoming Planning Commission recommendations on land use review procedures.</p> <p>At its December 4, 2018 meeting, the Council discussed Ordinance No. 2018-20, regarding revisions to BIMC Title 2 related to land use review approval bodies and procedures. On December 11, 2018, the Council held a public hearing and approved the ordinance.</p> <p>On January 8, 2019, the Council adopted Resolution No. 2019-02, updating the administrative manual to address development review process code amendments in Chapter 2.16, BIMC.</p> <p>Planning Commission review of decision criteria for site plan and design review and conditional use permits is scheduled for the end of February.</p>

Moratorium on Accepting Certain Development Applications: Work Program Status Report – January 25, 2019

Note: Substantive changes to this document since the last version to the City Council are included in blue text.

Status on January 25, 2019:	Complete: Ordinance 2018-20 approved by the Council on December 11, 2018, related to new roles and responsibilities for the Planning Commission and Design Review Board, review procedures for subdivisions, site plan and design review, and conditional use permits, and revisions to the legislative review process for amending the BIMC. Incomplete: Revisions to Chapter 2.16 BIMC related to decision criteria for site plan and design review and conditional use permits.	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [January 25, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
Affordable Housing	<p>The Affordable Housing Task Force completed review of its draft final report to the City Council at its meeting on July 11, 2018.</p> <p>On June 12, 2018, the Council approved a contract with ECONorthwest to conduct an economic market analysis and feasibility study regarding a new inclusionary zoning program and updates to the City's Transfer of Development Rights program.</p> <p>On November 13, 2018, the Council dissolved the Affordable Housing Task Force and created a Council Ad Hoc Committee for Affordable Housing.</p> <p>On January 22, 2019 the Council Ad Hoc Committee for Affordable Housing met. The Committee will review a draft of the ECONorthwest final report prior to Council review and action at a future agenda meeting.</p>	<p>The Affordable Housing Task Force Report with recommendations was presented to the City Council on July 24, 2018 and was discussed further at the August 21, 2018 Council Study Session.</p> <p>The economic market analysis and program feasibility study is expected to be completed in December 2018. A Council study session was held on October 2 and December 4, 2018, to receive a project update from ECONorthwest. The final report is expected in early 2019.</p>
Status on January 25, 2019:	<p>Complete: Council discussion and endorsement of Priority and Quick Wins recommendations from the AHTF Report.</p> <p>Incomplete: Implementation/approval of AHTF recommendations, including adoption of inclusionary zoning regulations.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [January 25, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
Business/Industrial (B/I) zoning district	<p>The Council revisited the inclusion of the B/I zoning district in the moratorium and determined that the results of the moratorium work plan would not have a significant impact on land use applications in that zoning district. On October 23, 2018, the Council made the policy decision to remove from the moratorium certain restrictions related to the B/I zoning district. On November 13, 2018, the Council adopted Ordinance 2018-43 (effective date November 21) exempting from the moratorium B/I zoning district Major Site Plan and Design Review and Major Conditional Use permit proposals.</p>	<p>During their November 13, 2018 discussion of Ordinance 2018-43, the Council discussed whether commercial subdivisions in the B/I zone should be subject to the moratorium. The Council will discuss at a future meeting whether B/I zoning district commercial subdivisions should also be exempt from the moratorium.</p>
Status on January 25, 2019:	<p>Complete: Ordinance 2018-43 adopted, thereby exempting B/I zoning district Major Site Plan and Design Review and Major Conditional Use permit proposals from the moratorium. Incomplete: Policy decision regarding whether B/I zoning district subdivisions should be exempt from moratorium.</p>	

Moratorium on Accepting Certain Development Applications: Work Program Status Report – [January 25, 2019](#)

Note: Substantive changes to this document since the last version to the City Council are included in [blue text](#).

Moratorium Topic	Status	Timeline
Accessory Dwelling Units	On October 23, 2018, the City Council considered whether the City can prohibit, regulate, or otherwise discourage property owners from making condominiums out of accessory dwelling units (ADUs) located on their property.	On October 23, 2018, the Council directed staff to prepare for the Council's consideration an ordinance to require common ownership of ADUs. This issue is scheduled to come back to the Council in Q1 2019.
Status on January 25, 2019:	Complete: Began discussions on ADU condominiums. Incomplete: Policy decision deferred to Q1 2019.	

ORDINANCE NO. 2018-43

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390; amending Ordinance No. 2018-41 to narrow the development moratorium; providing for severability; and leaving the effective date and duration of the moratorium unchanged.

WHEREAS, on January 9, 2018, the City Council enacted Ordinance No. 2018-02 and thereby established a temporary emergency moratorium on the acceptance and processing of certain Permit Applications, as defined in Section 2 of Ordinance No. 2018-02; and

WHEREAS, the City Council and City staff received feedback and comment from individuals related to the moratorium and, based partly on that feedback and comment, the Council determined that certain exclusions to the moratorium needed to be amended to clarify the Council's intent regarding such exclusions; and

WHEREAS, on January 16, 2018, the Council enacted Ordinance No. 2018-03, which amended Ordinance No. 2018-02 to clarify some of the exclusions; and

WHEREAS, the Council and City staff received additional feedback and comment from individuals related to the moratorium and, based partly on that feedback, the Council determined that further amendment was necessary to clarify which types of activities are subject to the moratorium, and which activities are excluded from the moratorium; and

WHEREAS, on February 15, 2018, the Council enacted Ordinance No. 2018-05, which amended and restated Ordinance No. 2018-02 and Ordinance No. 2018-03; and

WHEREAS, based on additional information and consideration related to educational facilities and preschools, as well as related to the applicability of the moratorium in the Mixed Use Town Center/Central Core Overlay District, on March 13, 2018, the Council approved Ordinance No. 2018-09 to further clarify which types of activities are subject to the moratorium, and which activities are excluded from the moratorium; and

WHEREAS, this moratorium was imposed, in part, to allow the City Council and City staff adequate time to complete the Critical Areas Ordinance Update process, and to address the Council's concerns about the City's development review process, standards, and guidelines, as well as regarding affordable housing related issues; and

WHEREAS, the Council adopted the Critical Areas Ordinance Update (Ordinance No. 2018-01) on February 27, 2018, and the updated Critical Areas Ordinance took effect on April 23, 2018; and

WHEREAS, critical areas within the City's shoreline jurisdiction are regulated by the City's shoreline master program (see, e.g., Chapter 16.12 BIMC, RCW 36.70A.480(3)(b)); and

WHEREAS, integration of applicable critical areas regulations into the shoreline master program is essential to ensuring adequate protection of critical areas within the shoreline jurisdiction and no net loss of shoreline ecological functions; and

WHEREAS, regulations for critical areas within the City’s shoreline jurisdiction are in the process of being updated through an amendment of the City’s shoreline master program consistent with the Shoreline Management Act and that amendment process was ongoing as of July 9, 2018, which was the original date that the moratorium was set to expire; and

WHEREAS, the City Council approved Ordinance 2018-14 on April 24, 2018, amending the development moratorium in order to have the provisions of Section 3.B. only apply within the City’s shoreline jurisdiction areas (Chapter 16.12 BIMC); and

WHEREAS, a number of moratorium priorities were identified at a joint meeting of the City’s Design Review Board and Planning Commission on February 22, 2018, including the following:

(1) Revise review procedures for preliminary subdivisions to include the Design Review Board and Planning Commission in process; and

(2) Analyze alternatives to decision-making authority for the Design Review Board, Planning Commission, and Hearing Examiner for subdivisions, conditional use permits, and site plan and design review; and

(3) Identify specific development standards to review/revise in Chapters 18.12 and 18.15 of the Bainbridge Island Municipal Code; and

(4) Initiate rewrite of subdivision design standards in Chapter 17.12 of the Bainbridge Island Municipal Code; and

WHEREAS, at the April 3, 2018, City Council study session, the City’s Department of Planning and Community Development provided a briefing on the Design Review Board and Planning Commission joint meeting wherein the Council authorized staff to proceed with a work plan addressing the priorities identified at the joint meeting; and

WHEREAS, on May 7 and 21, June 4 and 19, July 16, August 6 and 20, and on September 4, 2018, the City’s Design Review Board discussed alternatives for revisions to the City’s subdivision standards, dimensional standards, and land use review procedures; and

WHEREAS, during May through November 2018, the City’s Planning Commission discussed alternatives for revisions to the City’s subdivision guidelines, standards, dimensional standards, and land use review procedures; and

WHEREAS, the City’s Planning Commission has completed its review of land use review procedures and forwarded the recommendations on these issues to the City Council, but

has not completed its review of revisions to the City's subdivision guidelines, standards, and dimensional standards; and

WHEREAS, City staff, working with the Design Review Board, has selected a consultant team to provide professional services to update the City's Design Guidelines (BIMC 18.18.030), which is work that is not expected to be completed until the end of July 2019; and

WHEREAS, each of the multiple Design Review Board and Planning Commission meetings as described above included an opportunity for public comment on the alternatives for revisions to the City's subdivision guidelines, standards, dimensional standards, and land use review procedures; and

WHEREAS, the City provided legal background on the roles of land use bodies, presented in a memorandum from attorney James E. Haney (outside legal counsel for the City) entitled, "*Roles of City Council, Planning Commission, Design Review Board, and Hearing Examiner in Land Use Permits*," dated June 1, 2018, and the City Council had a special workshop related to land use review procedures on August 27, 2018; and

WHEREAS, on June 12, 2018, the City Council authorized the execution of a professional services agreement to conduct an economic market analysis and feasibility study regarding a new inclusionary zoning program and updates to the City's Transfer of Development Rights program, both of which address affordable housing related issues, and on October 2, 2018, the Council received a project update briefing, and a final report is expected to be presented to the Council in December 2018; and

WHEREAS, the Affordable Housing Task Force presented its final report to the City Council on July 24, 2018, and the Council discussed the recommendations more thoroughly on August 21, 2018; and

WHEREAS, on February 27, 2018, the City Council was provided with a moratorium work program; and

WHEREAS, on April 10, May 22, June 5, June 19, July 17, August 21, September 4 and 18, October 2 and 16, and November 6, 2018, the City Council was provided moratorium work program status report updates; and

WHEREAS, on June 26, 2018, the City Council held a public hearing and approved Ordinance 2018-23, extending the development moratorium for another 90 days until October 9, 2018; and

WHEREAS, on September 25, 2018, the City Council held a public hearing and approved Ordinance 2018-41, and thereby extended the development moratorium for another six (6) months until April 8, 2019, unless the Council takes further action before such date, and in so doing narrowed the moratorium to remove two-lot short subdivisions in which there is an existing single-family residence from the moratorium; and

WHEREAS, on October 16, 2018, the City Council discussed integrating critical area regulations into the Shoreline Master Program (Chapter 16.12 BIMC) and made the policy decision to not apply new *Aquifer Recharge Protection Area* regulations (BIMC 16.20.100) within the City's shoreline jurisdiction areas; and

WHEREAS, as a result of that policy decision, and the City Council's affirmation on October 23, 2018, that the moratorium should be narrowed in that manner, the Council directed staff to prepare an ordinance to entirely remove Section 3.B. (which, in effect, applied the Aquifer Recharge Protection Area regulations in the City's shoreline jurisdiction areas) from the moratorium; and

WHEREAS, on October 23, 2018, the City Council discussed additional revisions to the development moratorium, including excluding from the moratorium certain permit applications for development in the Business/Industrial zoning district, and the Council directed staff to prepare an ordinance to narrow the moratorium accordingly; and

WHEREAS, on October 23, 2018, the City Council also discussed potentially further narrowing provisions of the moratorium related to applications for new short subdivisions that the Council had previously narrowed, and the Council decided to not take such action at this time pending the Planning Commission's ongoing but not yet completed work related to subdivisions, including new subdivision design guidelines and revised subdivision standards and review procedures; and

WHEREAS, on October 23, 2018, the City Council also discussed issues related to making condominiums out of accessory dwelling units ("ADUs") and common ownership of ADUs, and the Council directed staff to work on possible revisions to the BIMC to allow the Council to further consider the common ownership issue related to ADUs; and

WHEREAS, although the City has been working to address the land use issues identified in the development moratorium, as described above, the work is ongoing and not yet completed; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, the moratorium promotes the public good and is necessary for the protection of public health, property, safety, and welfare, and the public emergency on which this moratorium was imposed continues to exist and this ordinance does not change the basis for that declaration of emergency, except as described above, nor the effective date of the moratorium, which is January 9, 2018.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO 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

moratorium, as established by Ordinance Nos. 2018-02, 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41.

Section 2. Moratorium Amended. Section 3 of Ordinance No. 2018-05, as amended by Ordinance Nos. 2018-09, 2018-14, and 2018-41, is hereby further amended as follows related to the activities to which the moratorium applies:

~~B. Structures, buildings, and land use permits and approvals in the R-1, R-2, and R-0.4 zones within the City's shoreline jurisdiction areas (see Chapter 16.12 BIMC):~~

- ~~(i) — That will result in less than 65% of the subject property being retained as native vegetation; or~~
- ~~(ii) — That will result in reducing the native vegetation on the subject property by any amount if that property had native vegetation existing on less than 65% of the property as of the effective date of the moratorium.~~
- ~~(iii) — Provided, that this Section B does not apply to complete land use applications (see BIMC Table 2.16.010-1) that were submitted prior to the effective date of the moratorium, and to the resultant site work and associated approvals related to such complete land use applications.~~

C. Major Site Plan and Design Review and Major Conditional Use Permit proposals that are not otherwise subject to this moratorium and that did not, before the effective date of the moratorium, have a pre-application conference on the Planning Department's calendar. Provided, that the moratorium does not apply to Major Site Plan and Design Review and Major Conditional Use Permit proposals for properties located in the Mixed Use Town Center/Central Core Overlay District or the Business/Industrial District.

Section 3. Moratorium Work Plan. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew a moratorium 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, and the City has thereby previously extended the moratorium as described herein based on the work plan that has been developed and the findings of fact that have been made in this ordinance and the previous ordinances related to this moratorium.

Section 4. 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 5. No Change to Basis for Declaration of Emergency; Effective Date; Duration. This ordinance shall take effect and be in 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 declarations stated in the seven moratorium ordinances which preceded

this ordinance, Ordinance Nos. 2018-02, 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, and 2018-41, 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 moratorium were included in the “Whereas” clauses of Ordinance No. 2018-02 and Ordinance No. 2018-03, and were restated and supplemented in Ordinance No. 2018-05 and Ordinance No. 2018-09, and Ordinance Nos. 2018-14, 2018-23, and 2018-41, as well as in this ordinance, and those “Whereas” clauses are adopted as findings of fact. This ordinance amending the moratorium shall remain effective for the period as established for the moratorium, which is currently scheduled to expire on April 8, 2019, unless terminated earlier by the City Council. This ordinance does not change the effective date of the moratorium, which is January 9, 2018. The Council may, at its sole discretion, renew the moratorium 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 13th day of November, 2018.

APPROVED by the Mayor this 13th day of November, 2018.



Kol Medina, Mayor

ATTEST/AUTHENTICATE:


Christine Brown, City Clerk

FILED WITH THE CITY CLERK	November 8, 2018
PASSED BY THE CITY COUNCIL	November 13, 2018
PUBLISHED:	November 16, 2018
EFFECTIVE DATE:	November 21, 2018
ORDINANCE NO:	2018-43

November 21, 2018

DEVELOPMENT MORATORIUM SUMMARY: Effective beginning January 9, 2018 until April 8, 2019. (Ordinance No. 2018-02, amended by Ordinance Nos. 2018-03, 2018-05, 2018-09, 2018-14, 2018-23, & 2018-41 & 2018-43)

Development Activity PROHIBITED During the Moratorium:

- A. All applications for new short subdivisions (BIMC 2.16.070), except two-lot short subdivisions in which there is an existing single-family residence, new preliminary long subdivisions (BIMC 2.16.125), and new large lot subdivisions (BIMC 2.16.080).
- B. Major Site Plan and Design Review and Major Conditional Use Permit proposals that are not otherwise subject to this moratorium and that did not, before the effective date of the moratorium, have a pre-application conference on the Planning Department's calendar. Provided, that the moratorium does not apply to Major Site Plan and Design Review and Major Conditional Use Permit proposals for properties located in the Mixed Use Town Center/Central Core Overlay District or the Business/Industrial District.

EXCEPTIONS to the Above Development Activities Prohibited During the Moratorium:

- A. Permits and approvals for affordable housing projects that qualify as Housing Design Demonstration Project (HDDP) Tier 3 projects pursuant to BIMC 2.16.020.Q. and Table 2.16.020.Q-1, and
- B. Permits and approvals for government facilities and structures; educational facilities and preschools; wireless communication facilities; and emergency medical and disaster relief facilities.



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME:

AGENDA ITEM: Appointments to the Race Equity Task Force - Mayor Medina

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Appointment

PROPOSED BY: Executive

RECOMMENDED MOTION:

I move to forward for approval with the Consent Agenda at the February 12, 2019, Council meeting appointment of Brenda Fantroy-Johnson, Kian Ashabi, Janna Chan, James Friday, Susan Wilmot, Savanna Rovelstad, and Yvette Bronalenior to serve on the Race Equity Task Force for a term lasting through June 2019.

SUMMARY:

A call for participation was issued for volunteers to serve on the Race Equity Task Force. 28 applications were received with two applicants withdrawing their names from consideration. Following three days of interviews, Mayor Medina has brought forward his recommended appointments listed above.

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[Albright - Race Equity Task Force \(Redacted\).pdf](#)

[Anderson - Race Equity Task Force \(Redacted\).pdf](#)

[Ashabi - Race Equity Task Force \(Redacted\).pdf](#)

[Brownalenoir - Race Equity Task Force \(Redacted\).pdf](#)

[Butler - Race Equity Task Force \(Redacted\).pdf](#)

[Cash - Race Equity Task Force \(Redacted\).pdf](#)

[Chan - Race Equity Task Force \(Redacted\).pdf](#)

[De Quintero - Race Equity Task Force \(Redacted\).pdf](#)

[DeRosalia - Race Equity Task Force \(Redacted\).pdf](#)

[Epanchin - Race Equity Task Force \(Redacted\).pdf](#)

[Erickson - Race Equity Task Force \(Redacted\).pdf](#)

[Fantroy-Johnson - Race Equity Task Force \(Redacted\).pdf](#)

[Friday - Race Equity Task Force \(Redacted\).pdf](#)

[Frobe - Race Equity Task Force \(Redacted\).pdf](#)

[Golden - Race Equity Task Force \(Redacted\).pdf](#)

[Hersey - Race Equity Task Force \(Redacted\).pdf](#)

[Lyman - Race Equity Task Force \(Redacted\).pdf](#)

[Malatesta - Race Equity Task Force \(Redacted\).pdf](#)

[Montroy - Race Equity Task Force \(Redacted\).pdf](#)

[Peterson - Race Equity Task Force \(Redacted\).pdf](#)

[Phillips - Race Equity Task Force \(Redacted\).pdf](#)

[Rauktis - Race Equity Task Force \(Redacted\).pdf](#)

[Rovelstad - Race Equity Task Force \(Redacted\).pdf](#)

[Tollefson - Race Equity Task Force \(Redacted\).pdf](#)

[Velez - Race Equity Task Force \(Redacted\).pdf](#)

[Wilmot - Race Equity Task Force \(Redacted\).pdf](#)

FISCAL DETAILS:

Fund Name(s):

Coding:

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Wednesday, January 23, 2019 1:10:30 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Chris Albright

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110-2339

Current Employer Leoona Inc dba Audiosocket

Current Position Licensing & Supervision

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I earned a BA in Arts, Entertainment, Media, Management at Columbia College Chicago. My current position is Licensing & Supervision at the music licensing company Audiosocket. I've

activities, training, education) if any:

lived on Bainbridge for two years and have been looking to get more involved in the community. This is an issue that is near and dear to my heart so I want to help in anyway that I can. I don't have experience in working with a task force, however, I am committed to ensuring that no one in this community feels marginalized by their race. Thank you for your consideration.
Cheers, Chris Albright

Please share your community interests (groups, committees, organizations) if any:

Bloedel Reserve and Island Fitness.

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Newspaper

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)



EXPERIENCE

AUDIOSOCKET/REVEL REVIVAL

LICENSING & SUPERVISION | AUGUST 2015 - PRESENT

- Liaison between artist roster and over 1,000 music supervisor, producers, editors and creative directors.
- Launched the exclusive music roster and increased the artist payments by 200% in the first year.
- Music placement highlights: Amazon, HP, eos, AMEX, Macy's, Progressive, Volvo, Snapchat and VICE.

VICTORY RECORDS/ANOTHER VICTORY PUBLISHING

MUSIC LICENSING/PUBLISHING SPECIALIST | APRIL 2011 - JULY 2015

- Negotiate contract terms and administer master and synchronization licenses.
- Music placement highlights: Nike, Hollister, Burton, Sony Pictures, MGM, CBS, Fox, NBC and Ubisoft.
- Oversee all PRO and copyright registration and administration.
- Coordinate with international sub-publishers on all new release registrations and marketing points.

REVOLUTION 9

HEAD OF A&R | MARCH 2010 - APRIL 2011

- Managed artist roster and increased library by 40%.
- Assisted Creative Director in new client target marketing meetings.
- Edited music to picture as well as created unique sync edits for over 11,000 songs using Pro Tools.
- Music placement highlights: Twentieth Century Fox, Lionsgate, Warner Bros, NBC, HBO, USA and MTV.

UNCOMMON TRAX

MUSIC LICENSING COORDINATOR | SEPTEMBER 2006 - MARCH 2010

- Pitched music for sync opportunities including selecting the signature song for Shoe Carnival's 2009 campaign.
- Edited and synced music to picture for client spots using Pro Tools.
- Assisted Creative Director in client contract negotiations.
- Expanded and strengthened music library catalog by 50%.



EDUCATION

COLUMBIA COLLEGE CHICAGO | SEPTEMBER 2002 - MAY 2006

- Bachelor of Arts: Arts, Entertainment, and Media Management - Music Business



SKILLS

- Music Licensing/Publishing/Supervision
- Sales
- Music Editing
- Copyrighting
- Record Label/Publishing Administration
- Contract Negotiation



SOFTWARE

- Pro Tools/Logic
- Salesforce
- iMovie/Quicktime Pro
- Filemaker
- Microsoft Office Suite
- Counterpoint

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 18, 2019 11:00:45 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Karen Anderson
Email	
Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Boeing Retired
Current Position	Consultant
I am interested in serving on one of the following advisory groups (select all that apply):	LEOFF 1 Disability Board, Race Equity Task Force
Experience & Qualifications	
Have you served on any city advisory groups in the past?	No
If so, please indicate which groups:	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills,	Experience in business management, process improvement and process re-engineering, training, event management. UW BA, plus post grad, English teacher at North Kitsao, basic computing

activities, training, education) if any:

skills instructor at Seattle CC.

Please share your community interests (groups, committees, organizations) if any:

Field not completed.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Other - See below

Other

City of BI online newsletter

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 3, 2019 1:03:39 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Kian Ashabi

Email

Phone

Address

City Bainbridge Island

State Washington

Zip 98110

Current Employer Bainbridge Cinema

Current Position Assistant Manager

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, Beginning in my freshman year at Cornell College, I became active in student affairs pertaining to racial justice and helped organize and facilitate dialogue between students of color and

activities, training, education) if any:

white students. I was active in discussions and spent considerable time discussing solutions in regards to racism and discrimination. After the Chapel Hill shooting in 2015, a Muslim friend and I organized a vigil and a public discussion about combating Islamophobia and religious hatred. I graduated with a bachelor's degree in history, which gave me a solid understanding of persecution, institutionalized racism, bias, and misconception about immigrants, religious minorities and racial minorities with a history of oppression in the United States. Growing up in a multicultural, religiously diverse family, my experience as a light-skinned Middle Eastern male on largely homogenous Bainbridge Island has given me a perspective few others have. I understand the unique struggles and obstacles that plague Bainbridge Island's, tiny, but growing minority population as I have lived here most of my life.

Please share your community interests (groups, committees, organizations) if any:

Prior to taking an unpaid internship at the United States Holocaust Memorial Museum, I volunteered with the Bainbridge Island Historical Society and worked bi-monthly with the Salaam Cultural Museum to put together relief packages for Syrian refugees in Greece. In the 9th grade, I privately raised money for the Japan earthquake and tsunami. During my senior year, I volunteered at Helpline House and spent much of the time unloading trucks full of donated food. I am a dedicated member of this community and want to continue serving.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

City Website

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 24, 2019 11:35:13 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Vyette Brownalenoir

Email

Phone

Address

City bainbridge island

State wa

Zip 98110

Current Employer Bailey Manor AFH

Current Position HCA Caregiver

I am interested in Race Equity Task Force
serving on one of the
following advisory
groups (select all that
apply):

Experience & Qualifications

Have you served on No
any city advisory
groups in the past?

If so, please indicate *Field not completed.*
which groups:

Please share your
qualifications for this
appointment (skills,

activities, training, education) if any:

Please share your community interests (groups, committees, organizations) if any:	Served on the Housing Resources Board committee, a long time volunteer with the homeless for Blessing Bags, host gatherings to bring community awareness with other Women of Color on Bainbridge since 2016, host monthly gatherings at Starbucks Bainbridge for ASL Sign Night Out.
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Feel free to attach your resume (optional):	<i>Field not completed.</i>
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Type the Year	2019
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How did you hear about the volunteer opportunity?	Social Media
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Other	<i>Field not completed.</i>
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Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Saturday, January 5, 2019 6:05:41 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name ElsaMarie Butler

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer self

Current Position teacher

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, Have worked with, taught and lived with persons of color. Have a B.A. in Communication Studies, Cal State University, Long Beach, Calif.

activities, training,
education) if any:

Please share your
community interests
(groups, committees,
organizations) if any:

Field not completed.

Feel free to attach your
resume (optional):

Field not completed.

Type the Year

2019

How did you hear
about the volunteer
opportunity?

City Website

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 3, 2019 12:57:19 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name James Cash

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer N/A

Current Position N/A

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? Yes

If so, please indicate which groups: Arts & Humanities Grant Advisory Cmtte -2017-2019;
Infrastructure Ballot Measure TF - 2017-2018

Please share your qualifications for this appointment (skills, Former Minority/Female/Disadvantaged Business liaison for -
City of Long Beach /Gas Department(CA); City of Santa Ana.
Operations Manager - Mama*s Kitchen, San Diego (CA) (AIDS

activities, training, education) if any:	Services Organization). Community Organizer - One in Long Beach (CA) Pride Parade/Festival; Bainbridge Pride Picnic.
Please share your community interests (groups, committees, organizations) if any:	Member - Kitsap County Human Rights Council - 2019 - pres. Volunteer Reviewer - Pride Foundation/GSBA Scholarship - 2007 - present; Pride Foundation - 2018; Thurgood Marshall Foundation Scholarship - 2018; 2019/20 Kitsap County Homeless Services Grant Review Committee (at large) - 2018 - 2020. Volunteer - Seattle Human Rights Campaign Banquet/Fundraiser - 2018
Feel free to attach your resume (optional):	<i>Field not completed.</i>
Type the Year	2019
How did you hear about the volunteer opportunity?	Social Media
Other	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Saturday, January 19, 2019 12:48:57 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Janna Chan

Email

Phone

Address

City Bainbridge Island

State Washington

Zip 98110

Current Employer EdReports.org

Current Position Director of Communications

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, Throughout my professional career I have worked for LGBTQ civil rights, women's reproductive rights, and education reform focused on equitable access to high quality education. The

activities, training, education) if any:

issues I care deeply about impact the rights of all people, but have an especially onerous impact on low income people and people of color. My focus on communications and marketing has required me to intimately understand policy implications on diverse communities and develop strategies to best influence leaders to consider how their decisions will impact constituents and future generations to come.

Please share your community interests (groups, committees, organizations) if any:

Field not completed.

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Newspaper

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Janna Chan

DIGITAL MARKETING + KNOWLEDGE MANAGEMENT

- ✓ **History of developing and executing multi-channel digital marketing strategies** designed to increase brand awareness, engagement, and retention.
- ✓ **Website redesign, CRM implementation, and staff training experience** with more than 10 years of progressive roles with large national non-profits and philanthropic organizations.
- ✓ **Extensive advocacy campaign development experience geared toward donor conversion** and diversifying streams of revenue.

PROFESSIONAL EXPERIENCE

DIRECTOR OF COMMUNICATIONS | EdReports.org

Remote Organization | April 2018 – Present

EdReports.org is an independent nonprofit that provides free reviews of instructional materials to ensure educators have what they need to support *all* students to be college and career-ready.

- Vision planning and oversight of the organization's website, including a **high level redesign** focusing on user experience and long term engagement;
- **Implementation and oversight of an API** to support broad dissemination of EdReports.org's free, independent reviews of instructional materials;
- Establishing **clear internal communications systems** to operationalize campaign development and execution, social media management, ads, customer support (internal and external), and rapid response;
- Directing the execution and **creative planning of the organization's annual marketing videos** to amplify brand awareness and value;
- Oversight and implementation of **online data collection strategies** including Google Analytics segment creation, Google Tag Manager events, and web forms and surveys for segmentation and web-specific integrations in collaboration with Salesforce and other systems.

PROGRAM OFFICER, KNOWLEDGE MANAGEMENT + DIGITAL CHANNELS

Bill & Melinda Gates Foundation | U.S. Program, K-12

Seattle, WA | June 2015 – April 2018

- Manage knowledge platforms, content strategy, research and analysis in support of K-12's online communications and web properties under the U.S. Program;
- Establish and **scale a best-in-class digital strategy** that interconnects BMGF's brand storytelling to build audience affinity among grantees and the education community;
- Institute a **comprehensive knowledge management strategy** to improve performance, innovation, the sharing of lessons learned, integration, and continuous improvement of the organization.

SKILLS

- Multi-Channel Campaign Strategy Planning and Execution (Direct Response, Telemarketing, Email Advocacy, Fundraising, Social Media)
- Knowledge Management Implementation and Sustainability
- Writing + Editing
- Content Development (Video production, blogs, GIFs, social media campaigns)
- Contract Management
- Project Management
- Client Management/Support
- Content Management Systems (CMS: Convio, Drupal, WordPress)
- Customer Relationship Management Systems (CRM: Pardot, Convio, Blue State Digital)
- Marketing Automation and Lead Generation
- Email Acquisition
- Paid Online Advertising
- Search Engine Marketing (SEM) + Optimization (SEO)
- Google Analytics
- Google AdWords and Grants
- SharePoint
- Adobe Suite (Photoshop, Acrobat, Dreamweaver)
- Microsoft Suite
- Basic HTML
- Associated Press Stylebook

Highlights:

- Securing the foundation's first Google Grant and leading an AdWords campaign resulting in a **200% increase in website traffic** and **35% increase in PDF downloads**;
- Partnering with education organizations to develop email chaperone and acquisition campaigns leading to a **25% increase in email subscriptions**;
- Shepherding the **redesign of the K-12 website**; developing a robust **Resource Library** showcasing grantee-funded research, white papers, and landscape analyses;
- Leading a **complete overhaul of K-12's internal intranet**, SharePoint, improving accuracy of search results, curation, and preservation of tacit and explicit knowledge;

NATIONAL DIRECTOR, EMAIL MARKETING + ENGAGEMENT | Teach For America Seattle, WA | January 2013 – May 2015

- Led a three-person team overseeing email marketing, user-experience, social media marketing, digital copywriting, and digital analytics;
- Responsible for resource planning, budget planning, and managing to KPIs;
- Developed user protocols for email marketing; **led organization-wide training sessions** to empower dozens of staff members across 50 nation-wide offices;
- **Created ongoing testing and learning strategies to scale online marketing initiatives** including email, search, social, retargeting, display, long-form content, website placements and other tools.

MANAGER OF ONLINE STRATEGY + RESPONSE | Center for Reproductive Rights New York, NY | May 2009 – May 2012

- **Directed content development, design, and implementation of all online communications and web properties** including website, blogs, email campaigns, social networking, videos, and advertising;
- **Established an online communications and fundraising program** including a monthly e-newsletter, quarterly integrated engagement campaigns (email, direct mail, telemarketing), and major donor communications. **Grew email list from 5k to 60k within two years**; In its first year, the **online program grossed more than \$500k**.
- Introduced and established social networking properties. **Recruited 3,200+ Facebook fans and 3k Twitter followers within first two years**.

CLIENT MANAGER | M+R Strategic Services New York, NY | November 2007 – January 2009

- Managed client teams to **create and implement effective online campaigns** for progressive, public-interest nonprofit organizations to recruit advocates, influence public policy, raise money, and deepen relationships with supporters;
- **Developed overall online strategies for clients**: drafted long and short-term plans for implementation, oversaw development of all creative content;
- Served as the point of contact for 3 – 4 nonprofit clients, **managed the day-to-day relationship with those clients and the internal team serving those clients**; Clients included AARP, the Wilderness Society, and the Smithsonian;
- Coordinated advertising campaigns and implemented other marketing efforts such as search engine registration and cross promotions.

ONLINE CONTENT MANAGER | Lambda Legal New York, NY | May 2005 – November 2007

- Created all original content on website including homepage features, breaking news, client profiles, and the creation of community education campaigns; Managed and produced monthly electronic newsletter;
- Optimized content for search engines and provided monthly statistical analysis, web usage reports and recommendations on new content creation.

FREELANCE JOURNALIST

Seattle, WA/New York, NY | August 2000 – August 2010

Regular contributor to *Seattle* magazine, *Seattle Bride*, the *Seattle Weekly*, *Northwest Home + Garden* magazine, *Village Voice*, *AsianAvenue.com* and other prominent publications.

EDUCATION

UNIVERSITY OF WASHINGTON | **Seattle, Washington**

B.A. Journalism | Dean's List

8 LIMBS YOGA CENTER | **Seattle, Washington**

200 Hour Yoga Teacher Training, Yoga in the Workplace

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 4, 2019 10:41:05 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name heide madden de quintero

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer self

Current Position farmer

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, bi-racial marriage for 7 years, raised bi-racial daughter, lived as a race minority for 2 years in another country , and actively studying the subject of race relations on my own time.

activities, training,
education) if any:

Please share your
community interests
(groups, committees,
organizations) if any:

Field not completed.

Feel free to attach your
resume (optional):

Field not completed.

Type the Year

2019

How did you hear
about the volunteer
opportunity?

Other - See below

Other

friend

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 4, 2019 12:44:12 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Salvatore DeRosalia

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer Bainbridge Strength

Current Position Owner/Trainer

I am interested in serving on one of the following advisory groups (select all that apply):

Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I have lived here nearly two decades and owned a business on Bainbridge for at least 15 of those. I am a founding member of the newly formed Race Equity Network of Bainbridge Island and

activities, training, education) if any:

have dedicated my personal and professional life to pursuing a diverse and inclusive Bainbridge Island for everyone. By serving on the task force, I would work to advance that cause.

Please share your community interests (groups, committees, organizations) if any:

I served as a volunteer FF/EMT for COBI for 7 years. I recently provided tech support and web development to the Bainbridge Island Sportsmen's Club. Before that I served on the boards of Make Some Noise, Cure for Cancer and Bainbridge Youth Services. As a life long volunteer, I have looked to serve the community I live in as part of my regular life.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Facebook post by COBI

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 17, 2019 5:01:53 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Tatiana Epanchin

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer School Leader Lab

Current Position Co-Founder, Head of Progam

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I have dedicated my life to working in service of Diversity, Equity and Inclusion. I am a veteran educator and social worker. I believe it is my job, my obligation, and my duty to stand

activities, training, education) if any:

alongside and amplify the voices of people who are systemically marginalized by systems and policies. I must leverage the package that I come in to be a true ally. As the superintendent of Aspire Public Schools in CA, I was charged with bringing DEI work to and through our organization at every level- Student, Staff, Home Office, and Senior Leadership. In founding the organization I currently work in, I hold DEI at the center of our organizational health and that of all our programming for school leaders. Currently, I am working to start a school in Bremerton in which we are working with and engaging with community to design a school that will keep all students and young people at the center by cultivating an environment where scholar critical consciousness can be developed, cultivated and leveraged to affect change.

Please share your community interests (groups, committees, organizations) if any:

Board Member for Impact Public Schools in Tukwilla, WA Co-Founder of Catalyst Public Schools in Bremerton Wilkes School Site Council (former)

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Tatiana Epanchin-Troyan

EDUCATION

- M.Ed. California State University, East Bay / New Leaders for New Schools
Educational Leadership
- M.S.W. California State University, Sacramento
Community Organizing, Planning, Administration
- B.A. University of California, Santa Barbara
Sociology

PROFESSIONAL EXPERIENCE

- 2017-
Present ***Co-Founder: Catalyst Public Schools***
Designer of Catalyst Public Schools, a new and innovative network of charter schools launching in Kitsap County in the fall of 2020.
- 2016-
Present ***Co-Founder and Head of Program: School Leader Lab***
Design, develop and deliver programming to school leaders across the school site leadership trajectory: teacher leader through principal manager to build leadership capacity and to create retention strategy across the DC charter sector
- Build and author business and content program from creation through launch
 - Design and develop the leadership program as it aligns to instructional leadership in partnership with Relay GSE
 - Construct and facilitate Learning Labs for deep and authentic practice opportunities for school leaders
 - Coach school leaders in instructional and adaptive leadership challenges bi-weekly
 - Own and codify learning for the organization as pertains to Diversity, Equity and Inclusiveness
- 2014-2015 ***Senior Vice President: Regional Operations, Teach For America***
Provided critical strategic and operations support on the fiscal, academic, teaching, and leadership outcomes of 8 regions across the United States to ensure that educational inequities are addressed
- Oversaw and approved development plans and fiscal year budgeting for the regions
 - Managed and coached executive directors and their regional leadership teams on culture, financials, adaptive leadership, data-driven decision making, action planning, work stream execution
 - Built relationships with local boards, community members, and TFA Alumni and Corps Members
 - Synthesized, analyzed, and managed data from multiple national teams ; collaborated with national team members in support of regions
Participated on TFA’s operating committee to develop the strategic plan for the organization

2010-2014

Superintendent: Bay Area, Aspire Public Schools

Responsible for the academic, logistic, and fiscal results of 10 schools in Oakland and East Palo Alto

- Member of Aspire Public Schools' Senior Leadership Team
- Created and disseminated professional development centered on equity for Senior Leadership Team, Principals, Directors, Lead Teachers and 37 schools. As Aspire's Equity Priority Owner, these efforts promoted and increased the retention of a diverse and culturally competent work force to better meet the needs of our diverse student body, and to more competently serve in the areas we have presence. Modeled and promoted using an equity lens when considering data, patterns, issues of access and equity for students.
- Selected, developed and evaluated 13 principals, 2-4 resident principals; developed and supported 45-50 lead teachers in their roles as instructional leaders and site managers to ensure high quality implementation of instruction and service.
- Determined cultural, staffing, financial and academic priorities for the 10 school regions and managed the regional office team to achieve deliverables.
- Managed the opening of new schools in the region including all operations, from charter petition to first day (procurement, hiring, contracts, student recruitment, and principal capacity building).
- Cultivated and maintained relationships with local district officials and community leaders to further Aspire and individual school goals within four charter authorizing districts including collaborations on literacy, best practices and teacher effectiveness.
- Collaborated with University of California faculty to provide strategic leadership to Cal Prep.
- Defended existing and new charter petitions through renewal/approval process at district and county levels: 100% success rate: 7 renewals; 2 new charters

2009-2010

Founding Principal: Aspire ERES Academy, Aspire Public Schools

Principal and instructional leader to ensure academic growth of 220 students grades K- 8 (100% students of color, 95% free/reduced lunch, 90% ELL)

- Academic Performance Index Point growth from 2009-2010: 101 points (state average in same time period: 13 points)
- Projected resource needs and hired 100% of staff and faculty for schools in partnership with families and the community; 90% of staff and faculty retained through year two.
- Planned and executed all professional development for staff and teaching faculty .
- Established school wide systems and traditions for culture including that of student, faculty, and family; 93% of families stated that they would give the school an A or B and 95% of families stated that they would recommend the school to family or friends.
- Partnered with departments within Aspire Public Schools, Dolores Huerta Learning Academy, and Oakland Unified School District to ensure smooth transition from the existing charter school to a new charter school.
- Fostered the practice of using various data to drive instruction and create a culture of continuous improvement.

- 2005-2009 ***Principal: Aspire Monarch Academy, Aspire Public Schools***
Principal and instructional leader at an Aspire Public School, located in East Oakland, serving 352 students (100% students of color, 95% free/reduced lunch, 80% ELL)
- Academic Performance Index Point growth from 2005 – 2008: 150 points (state average in same time period: 46 points)
 - Served as Mentor Principal for New Leaders for New Schools, 2008-2009
 - National Title 1 award recipient: strongest gains in closing the achievement gap in the state of California, 2007.
 - Planned and led all professional development for staff and teaching faculty
 - Developed and implemented interim assessments to ensure constant improvement
 - Designed and implemented systems to use data to drive instruction and a cycle of continuous improvement in the school.
- 2004-2005 ***New Leaders for New Schools Fellow and Principal Resident: Aspire Lionel Wilson College Preparatory Academy, Aspire Public Schools***
Administrator and instructional leader at Wilson Prep, located in East Oakland, serving approximately 450 Latino and African American students in grades 6 – 12
- Observed and coached teachers toward mastery across the grades in all areas of curriculum
 - Created and implemented professional development for high school literacy
 - Managed data collection and analysis for various metrics to inform improvement efforts developed in collaboration with staff, students, and families
 - Led math team and fulfilled lead educator responsibilities for team of mathematics educators
 - Modeled teaching strategies and Aspire Guidelines for teachers in their classes
 - Communicated with students and families about policy, college, discipline, and social pragmatics
 - Coordinated and scheduled school-wide testing, Saturday Schools, Exhibitions, 8th grade promotion, celebrations, and school events
- 2001-2004 ***Middle School Teacher and Founding Lead Teacher: Aspire Monarch Academy and Lionel Wilson College Preparatory Academy, Aspire Public Schools***
Founding Lead Teacher and model classroom in a new Aspire Public School, Lionel Wilson College Preparatory Academy serving students grades 6 – 12
- Facilitated the collaboration of the middle school Humanities teachers
 - Observed and coached teachers in middle school Humanities
 - Wrote policy, school-wide rubrics, and family communication for the school
 - Developed school-wide exhibitions protocols and implementation
 - Taught 6th & 7th grade Humanities, Challenge class, Entrepreneurship and Advisory
 - Modeled lessons providing examples of differentiation and EL strategy

- 1997-2001 ***Family Preservation Therapist: Families First, Inc.***
 Worked on intensive family preservation cases and provided in-home services to families involved with Probation and Social Services in Contra Costa County
- Provided in-home services to families
 - Supervised support counselors assigned to cases
 - Managed referrals of children and their families to non-profit agencies throughout Contra Costa and Alameda Counties
 - Created and implemented a variety of safety plans for members of client families
 - Provided crisis management to children and families, conducted needs assessment
 - Advocated for children and families in court, schools, and therapeutic institutions and oversaw reunification and visitation
 - Authored reports for Contra Costa County court and probation systems
-
- 1996- 1997 ***Coordinator: October 9th Organizing Committee***
 Coordinated activities and secured speakers, including Howard Zinn and Ronald Takaki, for a series of conferences, information sessions, and rallies created to stop Proposition 209 and to support continuation of Affirmative Action in California
- Organized and managed a series of conferences around Affirmative Action, gender, and diversity on the CSUS campus including set-up and maintenance of publicity
 - Created and managed database of event participants and public relations activities
 - Co-authored a procedure manual for organizing on the CSU campus
-
- 1993–1995 ***Teach for America Corps Member: Middle School Teacher (English, History, Special Education 6th, 7th, 8th grades): Orleans Parish and Jefferson Parish, LA***

CREDENTIALS

Residency Administrator Principal WA	527570F
Residency Elementary Teacher WA	527570F
Administrative Services CLEAR Credential CA	140060856
Multiple Subject CLEAR Teaching Credential CA	123206484

CONTRACTS and BOARD MEMBERSHIP

- 1/2017-present *Impact Public Schools- Founding Board Member*
- Advise and provide charter, school leadership, and academic program expertise
- 8/2017-present *LA College Ready Alliance- Leadership Coach*
- Mentor and coach 8 aspiring principals and principals for charter network in LA
- Relay Graduate School of Education: NPAF / NPSA Advisor*
- Evaluate and give feedback on instructional and school culture assessments for school leaders across the country enrolled in Relay’s programming
- 10/2016-5/2017 *Educate 78- Leadership Coach*
- Mentor and coach a School Design Fellow
- 8/2014 – 6/2017 *University of Washington, Danforth School of Education Advocate*
- Mentor and advocate for principal interns as they earn School Leadership Credentials
- 3/2013-6/2016 *One Purpose Charter School- Advisory Board Member*
- Consulted on educational program for charter petition as it is authored
- 3/2013-6/2014 *Startup:Education- Independent Contractor*
- Advised and provided expertise around the charter landscape in the Bay Area – and educational equity, school operation and impact
 - Shared expertise on vulnerable children / foster care, curriculum and instruction, political landscape of starting a charter, etc.
- 8/2010-6/2011 *School Leaders Network- Facilitator*
- Facilitated a School Leaders Network in Oakland, CA for principals serving students in Oakland Unified School District and in local charter schools

MEMBERSHIPS, AWARDS, PUBLICATIONS and PRESENTATIONS

- 2016-17
2015 **Relay Graduate School of Education:** Leverage Leadership Institute Fellow
Darwish, Elise and Epanchin, Tatiana: **Achieving College Dreams: The Face of Opportunity**; Oxford University Press (2016) Chapter 16 From Parallel Tracks to Intertwined Efforts.
- 2014 **Aspen Institute Faculty Contributor-**
Principled Leadership: Understanding the Work and Impact of Effective Public School Principals
- 2009 **Rainwater Leadership Alliance-**
A convergence of thought leaders examining principal preparation programs and the roles they play in reforming education across the country
EPIC Award

- 2009 Effective Practice Incentive Community Silver Gains grant recipient
- 2008 **ASCD Whole Child Pod Cast Participant-**
 “How Urban Schools Work Beyond the Boundaries of Social and Economic Conditions”
- 2008 **EPIC Award**
 Effective Practice Incentive Community Gold Gains grant recipient
- 2008 **NAESP: *Diverse Learning Communities Today-***
 “Monarch Academy, an Urban School Where All Students Achieve”
- 2007 **National Title I Award**
 Making the most progress in the state to decrease the achievement gap in California
- 2007 **Teach For America Alumni Summit Presenter-**
 “Leading the Bay Area's Best Schools: Lessons Learned From Some of the Top Performing Schools that Serve Low-income and Minority Children”
- 2007 **Title I National Conference Presenter-**
 “Distinguished School Leader Panel: Principal Leadership”

Spanish, *Proficient Speaker*

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Tuesday, January 22, 2019 12:08:32 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Peggi Erickson

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer Kitsap Regional Library

Current Position Substitute Library Assistant

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I have been educating myself and doing equity work since 2012. I graduated from the Organizing Institute of the Coalition of Anti-Racist Whites in Seattle in 2012. In 2012 I also took my first

activities, training, education) if any:

"Undoing Institutional Racism" workshop from the The People's Institute Northwest. Since then I have been a volunteer for them supporting their workshops and their work. I was on the planning committee that brought the 14th White Privilege Conference to Seattle in 2013. And was an active part of the Northwest Equity Coalition resulting from the conference. I have attended many other conferences on race and equity. I felt I could best help move equity forward by educating other white people in my community about racism, so I developed and gave workshops (such as 'Why White People Need to Talk About Race') at the OC Diversity Conference (several times), The Seattle Race Conference (several times), and the Raging Grannies Conference. I've also hosted the film 'Cracking the Codes: the system of racial inequity' and facilitated conversations about the film on Bainbridge several times and in several other Northwest communities. I developed and co-hosted a series called 'Conversations on Race' on Bainbridge Island in 2014 and also hosted it for the UU church in Bremerton in 2015. I will be co-facilitating that curriculum with Karen Vargas as a REN offering beginning at the end of February, 2019. I am also a retired Program Manager at Hewlett Packard and a former member of the Project Management Institute.

Please share your community interests (groups, committees, organizations) if any:

I am a member of the Race Equity Network of Bainbridge Island and the former co-chair of the Kitsap County Council of Human Rights (served on council for 2 years.) I am also a member of the anti-racist group Kitsap SURJ and a member of European Dissent, a group of white anti-racists supporting the work of the People's Institute. I served on the social justice committee for the Pachamama Alliance for five years also.

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Other - See below

Other

Karen Vargas

Email not displaying correctly? [View it in your browser.](#)

Peggi Erickson

Workshop Presenter – Conversations on Racism Facilitator – Volunteer – Community Organizer – Former HP Program/Project Manager

What Workshop Participants have said:

"This should be a course offered at colleges! Wonderful conversation."

"Peggi led a candid and courageous conversation and instructed with humility and passion."

"One of the best in the series!" "Amazing presentation! Thank you!"

"Great conversation about racism. I'm glad I had an opportunity to join this great workshop conversation as an Asian-American..."

Summary of Qualifications

- Passionate about bringing this critical and courageous conversation to our community
- Experienced workshop facilitator and co-facilitator
- Demonstrated skills developing workshops and conversation curriculum
- Connected/ connecting network of people and organizations doing anti-racism work in Puget Sound area
- Strengths include communication, interpersonal skills, training and facilitation, relationship building, leadership skills
- Professional consulting experience with all levels of organizations
- Distinguished Toastmaster, capable of delivering myriad presentations to a wide range of audiences
- Strong cross cultural relationships and a team player
- Recognized by my community: recipient of 2017 Kitsap County Human Rights Award

Relevant Experience (and contacts)

Workshop Developer & Presenter 2015 – 2018

How Can White People Create Alternative Anti-Racist Identity Development Pathways? (developed in 2018)

2018 – Olympic College Diversity Conference (Teresa Jones)

One is planned to present to Kitsap SURJ in Fall 2018 (Airen Lydick)

How White People Help Perpetuate or Undo Racism (developed in 2016)

2016 – Olympic College Diversity Conference (Teresa Jones)

Why White People Need to Talk about Racism (developed in 2015)

2017 – Kitsap SURJ (Airen Lydick)

Port Orchard Library (Tough Topics - youth program) (Siri Hiltz)

2016 – Raging Grannies Unconference (Karen Schneider)

Raging Grannies Retreat (Karen Schneider)

Mercer Island Library (Carrie Bowman)

2015 – Olympic College Diversity Conference (Teresa Jones)

Seattle Race Conference (Pamela Taylor or Rick Derksen)

Kitsap Human Rights Conference (Rebecca Pirtle)

Developer & Facilitator: Conversations on Racism Series 2015-2016

- October 2015 – November 2015 - Kitsap Universalist Unitarian Fellowship, Bremerton (Jo Walter)
- January 2014 – July 2014 – Bainbridge Island (co-presenters: Charlotte Rovelstad, Sharon Negri)

Film and Conversation Facilitator: **Cracking the Codes; The System of Racial Inequity: 2013 - 2015**

- January 2016 – Cedars Unitarian Universalist Church (Barbara Golden)
- November 2015 – Suquamish Congregational Church (for Free Range Films - Tina Gianoulis)
- June 2014 – Olympic College Diversity Conference (co-presented with Karen Vargas)
- April 2014 – Islandwood Ecological Learning Center (for staff) (co-presented with Karen Vargas)
- January 2014 – Whidbey Institute – Whidbey Island (co-presented with Barbie Danielle DiCarlo)
- October 2013 – Bainbridge Island – (co-presenters: Charlotte Rovelstad and Sharon Negri)

Project /Program Manager Hewlett Packard 1990-2012

- Responsible for consulting with centers and clients, developing project processes & standards, training & coaching project managers, monitoring project progress, tracking budgets, management reporting, QA and implementations.

Volunteer Experience (and contacts)

- 2015 – 2017 Kitsap County Council for Human Rights – 1 year member, 1 year co-chair, coordinated 2016 conference (Rebecca Pirtle)
- 2013 – 2018 NW Peoples Institute – Workshop logistics volunteer for countless workshops (Debbie Green)
- 2012 – 2013 NW Equity Coalition – Planning Team White Privilege Conference / Coordinated two follow-on retreats (Ilsa Govan)
- 2006 – 2012 Pachamama Alliance – Facilitator Trainer – Workshop Presenter – Social Justice Committee (Linda Secord)

Peggi Erickson – resumé (cont'd)

Education

Workshops/Courses/Conferences Attended

- 2018,2016,2015,2014 Olympic College Diversity Conference (took a workshop from Dr. Caprice Hollins!)
- 2017,2016,2015 Kitsap Human Rights Conference
- 2016 Robin DiAngelo – Seeing the Water, Whiteness in Daily Life & What Does it Mean to be White
- 2016 NW RJ Coalition - Restorative Justice Training
- 2016 Citizen University (Alicia Garza keynote/ Rinku Sen presenting)
- 2015 Cris Crass – Building Leadership to Stand with Black Lives Matter, Counter Oppression, and Act Against Racism
- 2015 City of Seattle – White Fragility: Building White Racial Stamina with Robin D’Angelo
- 2015 Seattle Race Conference
- 2015 Cultures Connecting – Internalized Sexism and White Privilege
- 2014 Puget Sound University Race and Pedagogy Conference
- 2013 Cultures Connecting – Facilitating Activities for Conversations on Race
- 2013 Cultures Connecting - Train the Trainer: Facilitating Conversations on Race
- 2013 Knapsack Institute – Knapsack Institute Conference
- 2013 Northwest Equity Coalition - White Privilege Conference
- 2012 People’s Institute Northwest - Undoing Institutional Racism (subsequently volunteered for many years)
- 2012 Anti-Racist Organizing Institute - Coalition of Anti-Racist Whites

B.S. in Computer and Information Science, University of Oregon, 1983

References:

Karen Vargas – 206-488-8225 karendvargas@gmail.com (email not advisable)

President, Bainbridge Island Multi-Cultural Advisory Committee / Founder-Coordinator Living Life Leadership (among many other roles)

Karen Vargas is an amazing community leader in Kitsap County. She has worked for years to build bridges between the Kitsap African-American community and our government, education, and community organizations. She also works to connect people in Kitsap working for justice. She and I have done a lot of work together in Kitsap County to bring the conversation about racism to the community.

Debbie Green – 206-687-3303 pinwseattle@yahoo.com debmarcus56@yahoo.com

Coordinator - Peoples’ Institute Northwest

Debbie Green is the heartbeat of The People’s Institute Northwest. She coordinates all of their local ‘Undoing Institutional Racism’ workshops as well as being the liaison for the Black Prisoners Caucus and for the community at large. I have been honored to be able to support Debbie in her work over the past five years.

Mary Flowers – 206-501-7859 flowersmary1@yahoo.com

Seattle Human Services Department - Leader @ Peoples’ Institute Northwest

Mary Flowers is an organizer and trainer with The People’s Institute Northwest as well as working in the Seattle Human Services Department. She is an awesome role-model. I have had the honor of supporting some of Mary’s workshops and being in community with her through the People’s Institute. She is a strong reminder to connect our talking and teaching to the work on the ground.

Karen Schneider – 206-353-8359 karenc2011@gmail.com

Karen Schneider is wonderful community activist and anti-racist organizer. She is currently involved in the Poor People’s Campaign (recently arrested in Olympia). She has presented a workshop I developed, as well as organizing many book groups in her Greenlake community to study Robin DiAngelo’s book. She participated in Project Pilgrimage in 2017. Karen has been both a mentee and a mentor to me.

Cheryl Nunez – (513) 317-5666 cnunez@olympic.edu

VP Equity & Inclusion, Olympic College

Cheryl is the first VP of Equity and Inclusion and Olympic College. I worked with Cheryl to kick off her ‘Equity for Excellence’ Campaign, by bringing a huge blow-up elephant (in the room) (=racism) to raise awareness and to engage students walking by in conversations about equity. She was also involved in coordinating the Olympic College Diversity Conference where I presented in June 2018. Cheryl is a powerful leader with whom I am building relationship.

Linda Secord – 206-229-8621 lsecord@comcast.net

Business Consultant - Former Co-community Leader NW Pachamama Alliance

Linda is a local business consultant. Linda and I worked for many years to bring Pachamama’s message of working together to create an environmentally sustainable, spiritually fulfilling and socially just world to people and organizations across the Northwest. This is the work that ignited my passion for social justice and started me on the journey of undoing my own racism. Linda and I both sat on the Pachamama Social Justice committee with leaders and activists from many different locations. 268

Contacts for Specific Activities :

Bowman, Carrie – Mercer Island Library Youth Librarian - clbowman@kcls.org 206-280-9142
Derksen, Rick – 2015 Seattle Race Conference/ European Dissent - richardjohnderksen@gmail.com 717-519-9282
Flood, Tracy – co-chair, Kitsap County Council for Human Rights - fltracylaw@gmail.com 360-271-3381
Gianoulis, Tina – Free Range Films - gianoulis@earthlink.net – 206-910-397
Golden, Barbara – Cedars Unitarian Universalist Social Justice Committee - b10golden@gmail.com 206-305-2871
Hiltz, Siri – Youth Services Librarian, Port Orchard Kitsap County Library - shiltz@krl.org 360-876-2224 x9406
Jones, Teresa – Olympic College Diversity Conference - tjones@olympic.edu – 360-475-7683
Walter, Jo – Kitsap Unitarian Universalist Fellowship - littlesproutsps@comcast.net 360-551-6944
Lydick, Airen – Kitsap SURJ - a.lydick@gmail.com 206-963-9653
Negri, Sharon – co-coordinator, Cracking the Codes/ Conversations (Bainbridge) snegri@igc.org 206-799-7372
Pirtle, Rebecca – Kitsap County Volunteer Coordinator - rpirtle@co.kitsap.wa.us 360-377-4650
Rovelstad, Charlotte – co-coordinator, Cracking the Codes / Conversations (Bainbridge) - milagrosx2@comcast.net - 206-780-0786
Secord, Linda – Co-community Coordinator NW Pachamama Alliance - lsecord@comcast.net 206-229-8621
Taylor, Pamela – Circle Works, Social Justice Consultants, (formerly) Seattle Race Conference coordinator circleworks4sj@gmail.com

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Sunday, January 6, 2019 10:41:06 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Brenda Fantroy-Johnson
----------------	------------------------

Email	
-------	--

Phone	
-------	--

Address	
---------	--

City	Bainbridge
------	------------

State	WA
-------	----

Zip	98110
-----	-------

Current Employer	AT&T
------------------	------

Current Position	Information Security Risk Manager
------------------	-----------------------------------

I am interested in serving on one of the following advisory groups (select all that apply):	Race Equity Task Force
---	------------------------

Experience & Qualifications

Have you served on any city advisory groups in the past?	No
--	----

If so, please indicate which groups:	<i>Field not completed.</i>
--------------------------------------	-----------------------------

Please share your qualifications for this appointment (skills,	I am a member of the Bainbridge Racial Equity Network. I am a graduate of the Seattle FBI Citizens Academy
--	--

activities, training,
education) if any:

Please share your
community interests
(groups, committees,
organizations) if any:

See above

Feel free to attach your
resume (optional):

Type the Year

2019

How did you hear
about the volunteer
opportunity?

Other - See below

Other

REN

Email not displaying correctly? [View it in your browser.](#)

Objective:

My aim as an experienced risk management professional is to execute corporate-wide and business specific risk assessments by applying mature and proven risk management methodologies to support tactical and strategic risk mitigation activities and initiatives. Driving compliance into new and existing support models by establishing relationships between Information Security and strategic business partners.

Work Experience:

Manager - Risk Management, February 2009 to Current, AT&T

After combing three merged companies into one we refined the risk management process using the NIST and ISO 27000 frameworks. I am the facilitator of the risk management front door process, the risk go to person, specializing in SOX, PCI and SPI. I am the CSO risk liaison between privacy and GRC teams. I created the vetting process and procedures to streamline the risk intake and assignment process, which I also manage. It is my responsibility to integrate information security into the enterprise and to link risk management to the business unit processes. This includes continuous monitoring and providing senior management with information to make informed risk based decisions.

CSO Audit Security Tech. Manager, April 30, 2008 – Feb. 2009, AT&T

In this role I was the Chief Security Officer's liaison for SOX, PCI and IBM audits. Responsibilities include overseeing and coordinating audits including IT, finance, and internal / external audit teams. I was responsible for managing a staff of three. My team provided advice and assistance relating to achieving compliance with AT&T security standards and other external security requirements to control owners and individuals responsible for remediating audit findings and other impacted areas.

Risk Management Lead, November 2006 to April 2008, Cingular Wireless

In this role I facilitated the risk management process from end to end by establishing and improving policy and standards, assessing risk using best practices model – threat, vulnerability, and impact ratings. Responsibilities included monitoring and reporting mitigations and metrics, through the lifecycle of the assessments. I had a key role in integrating Cingular processes into the AT&T mobility process. I facilitated the governance committee and I was instrumental in implementing governance into the risk management process. I provided risk management training and awareness for Business and IT staff.

Senior Security Analyst, November 2005 to November 2006, Nordstrom

I created the Nordstrom security awareness program, facilitating awareness training for 500+ IT employees, managers and C-Level executives. In this role I was also responsible for creating new standards and policy for compliance projects mainly Visa PCI and SOX compliance. I created the remote access standard, the media standard and the vendor security review process. I was responsible for building security best practices into the contract management process. This project was enhanced by my creation of checklists and security contract language, which was then embedded into the RFP Process.

IT System Administrator – Senior, January 2005 to October 2005, American Electric & Power

Performed the planning, evaluation, analysis, and recommendation of technical computing products on medium to large-scale projects. Provided advanced level technical product support including response to user questions, installation, and system monitoring, testing, program diagnosis, tracking, resolution and routine maintenance. Formulated and directed the preparation of technical procedures, documentation, manuals, and reports. Mentored and provided functional/technical leadership and work direction to staff. I was responsible for security related technologies including vulnerability assessment and policy management tools (Bindview, In-Trust), patch management (LAN Desk) anti-virus management (McAfee ePo), host-based intrusion detection. I led the risk management user ID & password standard project, quarterly patch management process, DMZ patch management process, handheld standard project and the SOX phase two compliance documentation process.

Education:

M.B.A., Computer Science, Minor: Accounting
Spring Arbor University
GPA: 3.7

May 2004
Spring Arbor, Michigan

B.A., Micro Computers and Network Management
Davenport University
GPA: 4.0 Graduated with high honors

June 2001
Lansing, Michigan

Professional Achievements:

- Certified Information Systems Security Professional (CISSP) #24013
- Certified in Cloud Security Knowledge (CCSK) 2/16/15
- Certified Information Security Manager (CISM) #0403741
- Certified Information Privacy Professional (CIPP) 2/13/2011
- Certified ISO-27001 Specialist # 967, Awarded 4/27/2012
- Past President Lansing Chapter Information Systems Security Association (ISSA)
- Member – Information Systems Security Association Puget Sound Chapter
- Member – Infragard Seattle Chapter
- Member – Information Systems Audit and Control (ISACA)

- NASCIO Security Award Winner 2003 – The [Secure Michigan Initiative](#).
 - Security Roles and Responsibilities
 - Awareness, Training, and Education
 - Security Incident Management
 - Computer Security Risk Management
 - Disaster Recovery
 - Certification and Accreditation of Applications and Computer Systems

- Knowledge of the following Security Policy Models and Regulations
 - ISO 17799 (27000)
 - HIPPA
 - GLBA
 - SOX
 - NIST
 - COBIT

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Tuesday, January 8, 2019 4:03:20 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name James Friday

Email

Phone

Address

City Bainbridge Island

State Washington

Zip 98110

Current Employer Friday's Computer Services

Current Position Owner

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, 21 year residency

activities, training,
education) if any:

Please share your
community interests
(groups, committees,
organizations) if any:

Field not completed.

Feel free to attach your
resume (optional):

Field not completed.

Type the Year

2019

How did you hear
about the volunteer
opportunity?

Other - See below

Other

Friends

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 10, 2019 3:40:10 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Ruth Frobe

Email

Phone

Address

City BAINBRIDGE ISLAND

State Washington

Zip 98110

Current Employer self

Current Position Personal Chef

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I have been a resident of Bainbridge for 7 years and have volunteered for several non profits on the island (Helpline House, Arms Around Bainbridge, and the Bainbridge Community

activities, training, education) if any:

Foundation). I have a bachelors and a masters degree in education and have studied social justice issues formally and informally. As a white lesbian, I know that I can never truly understand the experience of a person of color. However, I do understand experiencing oppression and I want this community to be open and welcoming to everyone.

Please share your community interests (groups, committees, organizations) if any:

I swim with the Bainbridge Masters (BAM) swim club, I am a member of Crossfit Outcome, and I have volunteered with Helpline House, Arms Around Bainbridge, and the Bainbridge Community Foundation. I'm also a member of a book club on the island.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Wednesday, January 16, 2019 1:55:02 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Barbara Golden

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer retired

Current Position retired

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I have extensive experience in creating and leading groups advocating for equity and fairness in education, government and other aspects of society.

activities, training, education) if any:

Please share your community interests (groups, committees, organizations) if any:

I am an active member of Cedars UU Church and involved with the Justice Network, the Cross Cultural Book Group, and Emergency Preparedness. My Emergency Preparedness work involves co-chairing the committee for the Wild Swan HOA.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 3, 2019 8:45:12 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Miranda Hersey
Email	
Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Pen and Press (self)
Current Position	Consulting writer/editor
I am interested in serving on one of the following advisory groups (select all that apply):	Race Equity Task Force
Experience & Qualifications	
Have you served on any city advisory groups in the past?	No
If so, please indicate which groups:	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills,	I am the author of three life-design workbooks published by St. Martin's Press, intentionally written to be broadly inclusive and non-assumptive. In two decades of writing and editing, I have

activities, training, education) if any:

provided communications consulting services to nonprofits that improve the lives of the underrepresented and underserved. For the past five years, addressing racial injustice and mass incarceration have been the primary focus of my personal activist efforts. At writers' conferences, I have taken several classes on increasing diversity in creative work. I have read broadly on the topic of race in America, including the work of James Baldwin, Michael Eric Dyson, Austin Channing Brown, Ijeoma Oluo, Catherine Hoke, Kiese Laymon, Maya Angelou, Toni Morrison, Zora Neale Hurston, Angie Thomas, Ernest Gaines, and Ta-Nehisi Coates, among others. For two years, I have proudly displayed a Black Lives Matter placard in the front window of my home on Wyatt Way. Ensuring inclusivity and encouraging diversity on Bainbridge Island is an area about which I am passionate and committed. While I do not maintain a resume, please see more about my work at www.penandpress.com and www.mirandahersey.com.

Please share your community interests (groups, committees, organizations) if any:

I provided pro bono writing and editorial services to the Bainbridge Healthy Youth Alliance for their first annual "report card" and related website content. I wrote a white paper (paid) for Housing Resources Bainbridge. Bainbridge Community Foundation is a current client. I am an active member of BARN. I have a child at Woodward and one at Sakai. Lastly, I am a temporarily "retired" member of the Bainbridge Island Rotary Club.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Notify Me

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 11, 2019 1:09:14 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Patty Lyman
Email	
Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Retired
Current Position	Retired. Vice Chair of Fellowship of Reconciliation National Council
I am interested in serving on one of the following advisory groups (select all that apply):	Race Equity Task Force
Experience & Qualifications	
Have you served on any city advisory groups in the past?	Yes
If so, please indicate which groups:	3 years with Non Motorized Transportation Advisory - now known as Multi modal
Please share your qualifications for this	Presently Vice Chair of Fellowship of Reconciliation National Council. Fellowship of Reconciliation (FOR) is an interfaith organization that is focusing this year on reparations for People

appointment (skills, activities, training, education) if any:

of Color. I am also on South Seattle Friends Meeting committee on "Undoing Racism". I am a retired Physician Assistant, previously the Chief PA at VA Puget Sound Health Care System. I was responsible for administrative issues for the PAs who worked there, as well as caring for a panel of spinal cord injured vets. I am interested in identifying what white supremacy aspects are ingrained in our Bainbridge Island culture which prevent us from being an open and welcoming culture for people of color. I am also interested in working with a committee that educational opportunities for citizens of Bainbridge around these issues. We are a very privileged community, and we have an opportunity to use our privilege to help those who are not as privileged.

Please share your community interests (groups, committees, organizations) if any:

Member South Seattle Friends Meeting. (SSFm) Member of Undoing Racism Committee of SSFM. Member of Finance Committee SSFM. Member Seattle Labor Chorus. Ride Leader for Cascade Bicycle Club. Also lead rides for Bainbridge Island Senior Center. As Vice Chair of FOR National Council, facilitate executive committee meetings.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

City Website

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 3, 2019 4:20:43 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Chasity J. Malatesta

Email

Phone

Address

City Bainbridge Island

State Wa

Zip 98110

Current Employer Saint Cecilia Catholic School

Current Position STEM Instructor/

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? Yes

If so, please indicate which groups: MAC Multicultural Advisory Comity

Please share your qualifications for this appointment (skills, 13 years as secondary science educator and multicultural adviser for student groups. Equity Advisory Salem Keizer School District 1998-2008 College Board Equity Commission for

activities, training, education) if any:

Advanced Placement 2005-2008

Please share your community interests (groups, committees, organizations) if any:

I currently serve on the MAC committee now and I support the cultural activities on Bainbridge island I have three young sons that are involved in places all over the community and I am committed to supporting equity education here in my community.

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

City Website

Other

I attended first city council meeting.

Email not displaying correctly? [View it in your browser.](#)

Education

M.A.T. Masters of Arts and Teaching George Fox University Secondary Science 2008

B.S. Bachelor of Sciences Biology Warner Pacific Christian College 1990-1995

Minor Teaching

Teaching Experience

- North Salem High School, Salem Oregon Aug 1997- June 2003
- West Salem High School Salem Oregon Aug 2003-2008
- South High School Minneapolis MN Aug 2008-June 2009
- Saint Cecilia Catholic School, Bainbridge Is. Aug 2017- Current

Teacher Licensure

- State of Oregon 1997-2010
- State of Minnesota 2008-2010
- State of Washington 2018- Current Secondary Science Biology

Subject and Research Experience

- Life Science –Biology 1997-2009
- Physical Science, Anatomy and Physiology, Environmental Science
- Inquiry curriculum development
- Problem Based Learning
- STEM Instructor /Curr. Development

Professional Development

- Advanced Placement Biology Inquiry Labs, Bellevue WA
- Advanced placement Biology exam grader
- College Board Equity Member
- Multicultural Advisory Committee BISD August 2017- Current
- Student Multicultural Advisor Students North Salem High School
- Equity Issues Committee 2003-2008

Professional Affiliations/Memberships

- Association of woman in science

References Current:

Melissa Bennet – Current Teacher South High School Science Dept. 612-770-4981
Minneapolis Minnesota

Susan Kilbain - Principal Saint Cecilia Catholic School

Karen Vargus - Racial Equity Network Bainbridge Island, Multicultural Advisory Committee

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Wednesday, January 23, 2019 10:33:54 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name HELENE M MONTROY

Email

Phone

Address

City Bainbridge Is

State WA

Zip 98110

Current Employer retired

Current Position retired

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, retired special education teacher; lived on island for 28 years; race- native american and Jewish; severely hard of hearing

activities, training,
education) if any:

Please share your
community interests
(groups, committees,
organizations) if any:

volunteer at the west sound wildlife center

Feel free to attach your
resume (optional):

Field not completed.

Type the Year

Field not completed.

How did you hear
about the volunteer
opportunity?

Field not completed.

Other

Police officer Tami Allen asked me to submit an a

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Wednesday, January 23, 2019 11:30:30 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Erik Peterson

Email

Phone

Address

City Poulsbo

State WA

Zip 98370

Current Employer Town and Country Market

Current Position Deli

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I grew up on Bainbridge Island, graduating from the public school system here. My awareness of racism on Bainbridge began in elementary school with my close friend's father, Frank Kitamoto,

activities, training, education) if any:

introducing me to the Japanese-American history during WWII. Before earning degrees in visual art I studied American Ethnic Studies at the University of Washington from 1990-92 where we had many of the same discussions that are currently happening across the country. Over the past 27 years, since those undergraduate courses, I have had many conversations with people of all kinds about race. My own ideas continue to evolve, but more importantly my ability to listen, and my interest in knowing the experience of another has only grown. Recently I have become increasingly interested in the island's more distant history with regards to race. Starting with the pushing out of the Suquamish tribe as Blakely Mill and Hall Brother's Shipyard boomed. Eventually leaving tribal members without their island territory the island became an unusually multinational, multi-ethnic community populated by seafaring immigrants.

Please share your community interests (groups, committees, organizations) if any:

Currently I am developing a personal chef business called Island Larder, which intends to provide customized meal plans and meal starts for clients, while encouraging support and engagement with regional farms and low waste activity. I also lead art activities at BIMA for adults and kids as a part of the museum's Art In Action series. In these activities I encourage participants to develop their perceptual skills with materials in hand. I believe by doing so we can begin to break down mental constructs that prevent us from truly seeing and relating to the people, places, and objects around us. In the past I have worked as an art teacher for colleges, universities, and community art centers on both coasts of the U.S.. For 6 years I volunteered as the director of a Seattle art co-op's panel of residents in the reviewing of artists' membership applications for co-op residency.

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Newspaper

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Erik Peterson

Education

- 2001 American University, Washington D.C.
Master of Fine Arts, Painting
- 1995 University of Washington, Seattle, Washington
Bachelor of Fine Arts, Painting
Bachelor of Arts, General Art
(Includes an incomplete degree in American Ethnic Studies)
- 1994 University of Washington's Rome Center
Rome, Italy

Teaching Experience

- 11/2015- Present Bainbridge Island Museum of Art, Bainbridge Island, WA
Drawing Instructor for "Looking +Drawing"
Drawing and Collage Facilitator for "Art In Action"
- 6/2008- 9/2008 Kirkland Art Center, Kirkland, WA
Painting Instructor
- 1/2008- 6/2008 Western Washington University, Bellingham, WA
Adjunct Professor of Painting
- 4/2007- 8/2007 Pratt Fine Art Center, Seattle, WA
Drawing/Painting Instructor
- 5/2006- 6/2006 Seattle Central Senior Center, Seattle, WA
Drawing Instructor
- 9/2001- 4/2002 Maude Kearns Art Center, Eugene, OR
Drawing Instructor
- 7/2000- 5/2001 Maryland College of Art and Design, Silver Spring, MD
Continuing Education Painting Instructor
Continuing Education Drawing Instructor
Undergraduate Color Theory Instructor-of-Record
Undergraduate Drawing Instructor-of Record
- 1/2000- 12/2000 American University, Washington D.C.
Undergraduate Drawing/Painting Teaching Assistant
- 7/1998- 9/1998 Northwest School Summer Program, Seattle, WA
Drawing and Painting Instructor

Exhibition Record

Solo Exhibitions

- 2015 Blur Gallery, Seattle, WA
Solo Show, "Standing Still"
- 2015 Joe Bar, Seattle, WA
Solo Show, "Soft Bricks"
- 2012 Caldera Arts Center, Sisters, OR
Artists in Residence Exhibition
- 2009 SOIL Gallery, Seattle, WA
Solo Show, "Watercolors"
- 2003 BPA Gallery, Bainbridge Island, WA
"Sailors"

Group Exhibitions

- 2011 Tashiro Kaplan Gallery, Seattle, WA
Resident Exhibition
- 2011 Collective Visions Gallery, Bremerton, WA
Juried Exhibition
- 2009 S.A.M. Rental/Sales Gallery, Seattle, WA
"Shelter"
- 2008 SOIL Gallery, Seattle, WA
"Escape or Reflect!?"
- 2007 Pratt Fine Art Center, TK Gallery, Seattle, WA
Faculty Exhibition
- 2004 Center On Contemporary Art, Seattle, WA
"Northwest Annual", Juror: *Ken Lum*
- 2002 Rainshadow Gallery, Bainbridge Island, WA
- 2001 The Maude Kearns Art Center, Eugene, OR
Faculty Exhibition
- 2001 Conner Contemporary Art Gallery, Washington D.C.
Invitational, "Best of M.F.A. Graduates in D.C."
Juror: Jamie L. Smith
- 2001 951 E Street Gallery, Washington D.C.
Invitational, "Regional Best of M.F.A. Graduates"
Juror: *Annie Gawlak*

Erik Peterson

Other Professional Activities

Artist-In-Residence

- 2012 Caldera Artist In Residence, Sisters, OR
- 2002 Museum of Glass; International Center for Contemporary Art, Tacoma, WA
Visiting Artist/Educator Residency

Awards

- 2012 The Medium's Artist Grant
- 2001 JoAnn Crisp-Ellert Graduate Purchase Prize
- 2001 Graduate Merit Award, American University
- 2000 Graduate Merit Award, American University

Auction Contributions

- 2008 Pioneer Square Community Association, Seattle, WA
- 2007 Pratt Fine Arts Center, Seattle, WA
- 2005 Tashiro Kaplan Artists Lofts, Seattle, WA

Volunteer Experience

- 2004-2012 Tashiro Kaplan Artists Lofts, Seattle, WA
Director of the Artist Portfolio & Community Review Committee
- 2003 Center On Contemporary Art, Seattle, WA
Art Packer and Mover
- 1997 Camp Jabberwocky, Martha's Vineyard, MA
Art Instructor/Counselor

Commercial Art

- 2015 "Bewellaby", Seattle WA. Designed Logo Art
- 2013 Private commission for painted portrait by Scilla Andreen, Seattle, WA

Collections

Watkins Collection, American University, Washington D.C.
Davis-Nearn Collection, London, U.K.

Publications

La Norda Especial, "Vol. 5", October 2009, Seattle, WA "In Defense of Painting"
Rivet, "R7: Illusion Issue", Vol.3 No. 2. Summer 2003, Seattle, WA

Symposium

- 2009 "Seattle Painters' Slide Show, Henry Art Museum, Seattle, WA
- 2004 "Contemporary Art", Western Washington University, Bellingham, WA

Technical Abilities

Adobe Photoshop	Various Wood Shop Tools
Excel/Word	Printmaking Tools

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 25, 2019 9:12:24 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Erin Nell Phillips

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer Microsoft

Current Position Event Project Manager

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, Though I am not an employee of a company that implements this type of program, I have done a considerable amount of research in preparation for this task force. I have been in contact with Nora

activities, training, education) if any:

Liu of the NW office of the Government Alliance on Race and Equity (or GARE) for guidance on how to attain our stated goals for this task force. This research has helped me to have a concrete idea of how we might move forward, including the potential costs. My research has revealed that we can first arrange a workshop with all City Council members and key staff that provides an introduction to the role, responsibilities and opportunities for government to advance racial equity. The training focuses on normalizing racial equity as a core value with clear definitions of key terminology, operationalizing racial equity via new policies and institutional practice, and organizing, both internally and in partnership with other institutions and the community. This will help participants gain awareness of the history of race and of implicit and explicit bias and individual, institutional, and structural racism and how it impacts the workplace; gain skill at identifying and addressing institutional and structural racism; and increase capacity to advance racial equity. The workshop will also introduce a racial equity tool that can be used in decisions relating to policies, practices, programs and budget and share effective communications strategies. Second, an organization like GARE can help us design a strategic plan for an outreach effort to our communities of color so we can learn their needs and desires and identify policies to help bring those needs and desires to fruition. Apart from the above, I am trained in bystander training. Moreover, through my work at Microsoft, I have learned how to operationalize diversity and training policies, as this is a key focus for Microsoft because they see better outcomes from having diverse perspectives on their teams. All of the content that we deliver at a bi-annual event that I help plan has to go through a Code of Conduct review, that includes both an HR and Diversity and Inclusion review. This includes all marketing and communications materials. As such, I can help ensure that anything that we put out from a marketing and branding standpoint is representative of the ethos of the task force. With regards to my education, I was a Spanish major. My coursework was mostly centered around Globalization and Latin American Studies. I also studied abroad and have since traveled a great deal through work and for pleasure. I believe this has helped me cultivate a worldview that sees diversity as the norm and a benefit to us all.

Please share your community interests (groups, committees, organizations) if any:

I am the Founder of We Live Here Too; established to learn about people of color on the island. As such, I created a survey form to capture their experiences as well as learn about their needs. Though I do not believe I have reached a critical mass of submissions, the information that I have received has given me insight into the areas that our communities of color are underserved. Further, I am a member of the Multi-Cultural Advisory Council that advises the school district on issues of diversity and inclusion. Every month, we hear from the schools on the issues they are seeing related to racism as well as what they are doing

in response. I have also come into contact with parents who joined MAC to improve the experience of their children in the schools. Through my membership with MAC, I believe that I have gained some important insight into the state of race equity work in the schools and further ways that we might better address the issues that administrators and teachers are seeing. I recently joined the board of directors at Arts and Humanities Bainbridge. One key reason for my joining was that we agreed to focus on diversity and inclusion in our public art projects and arts in education program. If this is successful, we will have a model that could be applied to art projects that the City supports. Last, I am the founder of the Race Equity Network, an organization that is dedicated to achieving race equity on Bainbridge Island through education and through strengthening the network of organizations in Kitsap County whose mission intersects with ours.

Feel free to attach your resume (optional):	<i>Field not completed.</i>
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Type the Year	2019
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How did you hear about the volunteer opportunity?	Other - See below
---	-------------------

Other	I helped spearhead its creation. :)
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Erin Phillips

Profile

Operations and Project/Client Management professional with 14 years of experience in various industries including creative design and marketing, non-profit, retail, and tech.

Skills

- Team player and effective leader with an optimistic attitude
- Strong project management skills on projects that range from small business to corporate
- Excellent verbal and written communication in both domestic and international settings
- Technical abilities include Office 365, Netsuite ERP, ADP, Basecamp, and Quickbooks
- Strategic and data-driven decision making and quick problem solving
- Fluent in English, proficient in Spanish, beginner in French

Work Experience

EVENT PROJECT MANAGER AND CONTENT OPERATIONS LEAD, MICROSOFT, SEATTLE, WA. – JULY 2014 TO PRESENT

- Serve as project manager for Coaching program, designed to train marketing/sales global staff
- Deliver projects aligned to timeline and within budget through effective resource allocation, risk mitigation, and cross-team communication

INTERNATIONAL FINANCE OFFICER, MERCY CORPS, PORTLAND OR. AND GAZIANTEP, TURKEY – OCTOBER 2010 TO NOVEMBER 2013

- Led monthly reporting effort to measure performance of highly varied revenue models under one department
- Managed annual business and strategic planning process for all departments of private fundraising and marketing arm of organization
- Oversaw Turkish finance staff and effectively managed \$85 million dollar emergency response project for internally displaced people in Syria

OPERATIONS ANALYST AND PURCHASING PLANNER, ZULILY, SEATTLE, WA. – JANUARY 2010 TO AUGUST 2010

- Designed foundational systems and processes as 12th employee of now publicly traded company
- Developed tool to forecast and measure performance of vendor partners

DIRECTOR OF OPERATIONS AND FINANCIAL CONTROLLER, SUPERBIG CREATIVE AND EVIL BIKES, SEATTLE, WA. – JANUARY 2007 TO JANUARY 2010

- Managed all functional areas of two companies under one roof, including Sales/Marketing Management, Project/Client Management, HR, Finance and Accounting, and Logistics
- Managed client projects in a variety of industries such as food and beverage, action sports, music, and retail
- Executed client contracts in InDesign
- Managed projects in a variety of creative disciplines including branding, marketing, interior design, web design and development, graphic design, industrial design, and fine art
- Effectively leveraged project management software to house documents, track communications with clients, track and meet deliverables on time, manage scope creep, and collaborate among team members
- Planned events, such as marketing events, gallery openings, studio tours, and trade shows

Education

Seattle Pacific University – Spanish/European Studies - 2000 to 2004

Other Experience

Race Equity Network - Executive Director - October 25th to Present

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Friday, January 25, 2019 6:26:00 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Robert Rauktis
Email	
Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Retired
Current Position	Boss
I am interested in serving on one of the following advisory groups (select all that apply):	Race Equity Task Force
Experience & Qualifications	
Have you served on any city advisory groups in the past?	No
If so, please indicate which groups:	<i>Field not completed.</i>
Please share your qualifications for this appointment (skills,	I have a close relationship with many of the employed up at the 4 Corners (305 & High School Road), seeing many of those businesses once a day or every other day. I am a retired MD who

activities, training, education) if any:

has worked in most parts of the country with every color and stripe. I likewise usually gets along better with the underlings. To that end I have attended Thanksgiving in Roxbury and Baptist Churches in Kansas City. I also played basketball against inner-city teams. I taught and observed on the rez. People trust me. My parents look over my shoulder.

Please share your community interests (groups, committees, organizations) if any:

For starters, the racial task force. I have a very bio intense household.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Newspaper

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Wednesday, January 23, 2019 8:39:18 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Savanna Rovelstad

Email

Phone

Address

City Bainbridge Island

State Washington

Zip 98110

Current Employer Michael Schore

Current Position Nanny

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I was born in Lima Peru in 1989 and was adopted by a danish woman and an American man. I grew up on this island and have been witness to racial inequity. I have a bachelors from Syracuse

activities, training, education) if any:

University and got to experience a lot of different culture there during college. I started working with children after college and found I had a passion for molding young minds. I worked at a preschool for almost 3 years and am now a nanny to a multiracial family on the island. My goal would be to help promote more people of color into positions that children can see everyday. We have to start with these little children and be the example for them because they are the ones responsible for the future.

Please share your community interests (groups, committees, organizations) if any:

I want to make this community a safer and more accepting place for young children who are of different backgrounds. I am a nanny on the island and I have recently join the Racial Equity Network.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Saturday, January 5, 2019 9:49:39 AM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Kristin Tollefson
Email	
Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Bainbridge Island Museum of Art
Current Position	Education Director
I am interested in serving on one of the following advisory groups (select all that apply):	Race Equity Task Force
Experience & Qualifications	
Have you served on any city advisory groups in the past?	Yes
If so, please indicate which groups:	Design Review Board, 2004-2009
Please share your qualifications for this appointment (skills,	Creative Facilitation Training, Partners for Youth Empowerment, 2018 Creative Advantage Race and Equity Training, 2018 heARTwork Collective Implicit Bias Training (facilitated bringing

activities, training, education) if any:

this to Bainbridge Island Museum of Art; also participated), 2018 First International Teaching Artist Conference, Oslo, Norway, 2012 ArtsWA Roster of Teaching Artists, 2009-present Teaching Artist Training Lab, 2010-2011 Longtime island resident, single mom and artist who has firsthand, invested and long-view experience this place. I also bring work experience with Seattle public schools, as former Education Director at Pratt Fine Arts Center, a practicing teaching artist and public artist with many years of community engagement, education and cultural investment.

Please share your community interests (groups, committees, organizations) if any:

Career and Technical Advisory Board, Bainbridge Island School District, 2014-present Art Docent Program, Bainbridge Island School District, 2005-2012 (former site coordinator Juror/Panelist for organizations including Seattle Office of Arts & Culture, 4 Culture, ArtsWA Bainbridge Island Public Library volunteer, 2005-present

Feel free to attach your resume (optional):

Type the Year

2019

How did you hear about the volunteer opportunity?

Other - See below

Other

activist colleagues within in the community

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KRISTIN L. TOLLEFSON

EDUCATION

- 1992 MFA, Metalsmithing, Cranbrook Academy of Art, Bloomfield Hills, MI
Icelandic for Foreign Students Program, Háskóli Islands, Reykjavík, Iceland
- 1989 BA, Cum Laude, Sociology/Anthropology & Art History, Carleton College, Northfield, MN
- 1987 Linguaviva Scuola Italiana per Stranieri, Florence, Italy
French & Italian language proficiency certificates

PROFESSIONAL EXPERIENCE

- Current Education Director, Bainbridge Island Museum of Art, Bainbridge Island, WA, since 2013
Owner, *flora/form*: art, education & curatorial consulting, Bainbridge Island, WA, since 2004
- Former Adjunct Faculty, Art Department, Cornish College of the Arts, Seattle, WA, 2009-2013
Lecturer, Integrated Arts & Sciences Program, University of Washington, Tacoma, WA, 2013
Program Coordinator, Arts in Education, Arts Humanities Bainbridge, 2010-2013
Design Review Board, Mayor's Office of the City of Bainbridge Island, WA, 2004-2009
Curator, *Collocation*, ArtSite 2005, Pritchard Park, Bainbridge Island, WA, 2005
Curator, *Transition & Transformation*, City Space Gallery, Seattle, WA, 2004
Lecturer, Listaskólinn og Verkmenntaskólinn í Akureyri, Akureyri, Iceland, 2003
Education Director, Pratt Fine Arts Center, Seattle, WA, 1995-1997

HONORS & AWARDS

- 2018 Finalist, Humanities Washington Speakers Bureau
Outstanding Educator Award, Delta Kappa Gamma
- 2012 Professional Development Grant, ArtsWA
First International Teaching Artist Conference, Oslo, Norway
- 2010 Arts Innovator Award Nominee, Artist Trust
- 2008 Island Treasure Award, Bainbridge Island Arts & Humanities Council
- 2007 Public Art Year in Review, Americans for the Arts, Juried by Miwon Kwon
- 2004 Portable Works Purchase Award, King County Courthouse, 4Culture
John Maul Juror's Honor Award, Oregon State University
New Media Gallery Program Grant, Jack Straw Productions
- 2002 Thor Thors Grant, Iceland, The American-Scandinavian Foundation
- 2001 Artist's Creative Fellowship, Pratt Fine Arts Center
- 1999 Jurors' Choice Award, Northwest Fine Arts Competition, Phinney Center Gallery
- 1997 Grant for Artists Projects (GAP), Artist Trust
Centrum Foundation Artist Residency, Port Townsend, WA
- 1995 Matthew Hansen Endowment, University of Montana
- 1992 Fulbright Travel Grant, Iceland
Thor Thors Fellowship, Iceland, The American-Scandinavian Foundation

PUBLIC ART

- Current Terminal 117 Design Team Artist, Public Access & Habitat Restoration, Port of Seattle, WA
Play Passage Sculptures, with Johnson|Southerland LA, Phinney Neighborhood Association, WA
- 2018 *Burgeon*, Batik Apartments at Yesler 2, Vulcan Properties, Seattle, WA
- 2017 *Ebb/Flow*, Snohomish High School, ArtsWA Art in Public Places Commission, WA

- Conduit*, Adjacent Streets Project at Terminal 117, Seattle City Light and Seattle Mayor's Office of Arts and Culture, WA
- 2016 *Dragonfly & Butterfly Benches*, Owen's Playground, Bainbridge Island, WA
- 2015 *Pod*, City of Bainbridge Island, with Duke Grenier, Bainbridge Island, WA
- 2013 *Butterfly Garden Family Terrace*, Maple Leaf Reservoir Park, Seattle, WA
- 2012 *Celestial Leaves*, Hidden Village, King County Housing Authority, Bellevue, WA
Playful Tree & Donor Wall, Tacoma Children's Museum, Tacoma, WA
- 2010 *Seward Park Playground*, with Johnson|Southerland, LA, Seattle, WA
Raintree, Cromwell Park, with Susan Black & Associates, LA, City of Shoreline, WA
Karmann Vortex Bridge & Birch Tree Mosaic, with Nakano Associates, LA, Birch Creek, King County Housing Authority, WA
Leaf/Boat Benches, Hiawatha Artists Lofts, Seattle, WA
Seed Benches, Ercolini Park, West Seattle, WA
- 2009 *Northeast Neighborhood Park Master Plan*, with Nakano Associates, LA, Redmond, WA
- 2008 *Catch + Release*, Magnolia Branch Library, with SHKS Architects, Seattle, WA
Lace Leaf Bicycle Racks, City of Kent and Kent Downtown Partnership, Kent, WA
- 2007 *WaterLogs + Leaf/Hull*, Montlake Community Center, with Carlson Architects, Seattle, WA
Leaf Boat Benches, Jackson Place Sculpture Park, Hiawatha Artists Lofts, Seattle, WA

INSTALLATIONS & PERFORMANCES

- 2017 *50:50*, Bainbridge Island Library, Bainbridge Island, WA
- 2015 *Affinities*, Vulcan Building Storefront Installation, Seattle, WA
- 2013 *Keepsake*, movement workshop, installation, video and sound collaboration with Christy Fisher, Amy Denio and Ryan Adams, Cancer Lifeline, Seattle, WA
- 2011 *Treasure*, Smoke Farm, Arlington, WA
NEPO House, Don't Walk, Seattle, WA
Pollinatrix, Seattle Storefronts Program, 409 Maynard Avenue, Seattle, WA
Out of Place, Museum of Sound, Camp Long, Art in Nature Festival, West Seattle, WA
- 2010 *Jar*, Bellwether Art Walk, Bellevue, WA
- 2009 *Eddy*, Herbert Bayer Earthworks at Mill Creek Park, Kent, WA, invitational installation
Abundants, Heaven & Earth, Carkeek Park, Seattle, WA
- 2007 *Bead/Flow*, Webster's Woods at Port Angeles Fine Arts Center, Port Angeles, WA
Refuge, Museum of Sound, Camp Long, Art in Nature Festival, West Seattle, WA
- 2006 *SqueezePower*, Art 44:46, invitational performance, Chicago, IL
Haven, In(n) & Out of Nowhere, Juror: Samantha diRosa, CougarLand Motel, Pullman, WA
- 2005 *Organic Plan*, Jack Straw New Media Gallery, solo installation, Seattle, WA

SOLO & TWO-PERSON EXHIBITIONS

- 2018 *Tumescant Cluster*, Featured Artwork, Bellevue Arts Museum, Bellevue, WA
- 2013 *Kristin Tollefson*, Bainbridge Arts & Crafts, Bainbridge Island, WA
- 2011 *Unravel*, Skagit Valley Community College, Mount Vernon, WA
- 2010 *Evidence*, Seward Park Audubon Center, solo exhibition, Seattle, WA
- 2009 *Kristin Tollefson & Joel Sackett*, Bainbridge Arts & Crafts, Bainbridge Island, WA
- 2008 *Two in the Flow*, Kristin Tollefson & David Eisenhour, Port Angeles Fine Arts Center, WA
- 2005 *Organic Plan*, Jack Straw New Media Gallery, Seattle, WA, solo exhibition
- 2003 *Gróandi Linan/The Growing Line*, Deiglan Art Gallery, Akureyri, Iceland
- 2002 *Norway/US:US/Iceland*, Thomas Pihl & Kristin Tollefson, Scandinavia House, NY, NY
- 2000 *Cut from Nature: Kristin Tollefson & Gary Groves*, Bainbridge Arts & Crafts, WA
- 1992 *Kristin Tollefson*, Galleri Portið, Hafnarfjörður, Iceland

SELECTED GROUP EXHIBITIONS

- 2018 *BIMA@5: Selected Works from the Permanent Collection*, Bainbridge Island Museum of Art, WA
- 2016 *Metalmorphosis: Metals Biennial Exhibition*, Bellevue Arts Museum, WA

- 2012 *Art Department Faculty Exhibit*, Cornish College of the Arts, Seattle, WA
 2011 *Seattle Collects*, Office of Arts & Cultural Affairs at the Seattle Art Museum, Seattle, WA
 2009 *Environ*s, Nightengale Gallery, Eastern Oregon University, La Grande, OR
 2007 *N'Djamena Embassy Invitational*, Art in Embassies Program, N'Djamena, Chad, Africa
 2006 *Critical Mass: Metalsmithing Under Gary Griffin*, Cranbrook Academy of Art, Bloomfield Hills, MI
 2005 *Biology-Chemistry-Physics*, Curator: Otto Youngers, Seattle-Tacoma International Airport
 2004 *Spatially Inspired*, Juror: Ilse Bolle, WomanMade Gallery, Chicago, IL
Art About Agriculture, Jurors: Harrison Branch, John Maul, Sue Lynn Thomas, Oregon State University, Corvallis, OR
 2003 *New Works in Metal*, William Traver Gallery, Seattle, WA
The Common Thread, Jurors: Rhonda Brown & Tom Grotta, Westport Art Center, CT
BigLITTLE, Jurors: DiAnne Love, Rachel Osajima & Donna Briskin, The Craft & Cultural Arts Gallery, Oakland, CA
 2001 *All That Blooms and Grows*, Jurors: Eleanor Moty & John Hays, Phoenix Center for the Arts, AZ
 1999 *Pacific Northwest Annual*, Juror: Jon Tupper, Bellevue Art Museum, Bellevue, WA
Metals: The Colorado Connection, Jurors: Reno Carollo & Mimi Moore, Denver International Airport, CO
 1998 *The View from Here: 100 Artists Mark the Centennial of Mt. Rainier National Park*, Seafirst Gallery, Seattle; Shimin Bunka Kaikan, Fujinoma, Japan; MONA, LaConner, WA

RESIDENCIES

- 2019 The Arctic Circle Residency, Svalbard & Longyearbyen, Norway
 2018 La Wayaka Current | Desert, Atacama, Chile
 2003 Gilfelagid Artist Residency, Akureyri, Iceland
 2001 PONCHO Artist Residency, Pratt Fine Arts Center
 1997 Centrum Foundation Artist Residency, Port Townsend, WA
 1992 Straumur Art Commune, Hafnarfjörður, Iceland

SELECTED BIBLIOGRAPHY

- "Bainbridge celebrates return of the Pod," *Bainbridge Review*, October 1, 2015
 "Weekly Art Hit: Catch + Release," Tamara Childress, *Art Beat Blog*, January 16, 2013
 "Students Turn Invasive Weeds Into Art," Tristan Baurick, *Kitsap Sun*, June 2, 2010
Heaven & Earth, Center on Contemporary Arts, Seattle, WA, 2009
 Jake Seniuk, "Two in the Flow," *On Center*, vol. XX, no. 4, July-September 2008
 John Forsen, "Public Art: Kristin Tollefson's WaterLogs + Leaf/Hull," *Seattle Channel Video*, 2007
 Tina Lieu, "Where Land, Art Merge," *Bainbridge Island Review*, Saturday, July 9, 2005, Cover
 Joel Sackett & Candace Jagel, "Kristin Tollefson," *An Island in Time*, Timely Publications, 2005
 Matthew Kangas, "New Works in Metal," *Metalsmith*, Spring 2004
Fiberarts Design Book Seven, edited by Susan Mowery Kieffer, Lark Books, 2003
 Matthew Kangas, "Sculpture Sprouts in Downtown Bellevue," *Seattle Times*, June 28, 2000
 Bragi Ásgeirsson, "Kristin L. Tollefson," *Morgunblaðid (Icelandic Daily News)*, 24 April 1993

From: noreply@civicplus.com
To: [City Admin](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Thursday, January 17, 2019 6:39:16 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Virginia Velez

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer Retired

Current Position Retired

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I'm Puertorican, multiracial by definition, family runs from black (from free and enslaved Africans) to blond to Native and everything in-between. Was the bilingual Hotline Supervisor at

activities, training, education) if any:

the SF AIDS Foundation, a deportation defense paralegal, and a Teaching Assistant at UW and Stanford, in courses dealing with race, gender, sexuality. MEChA VP at UW; Black Graduate Student Assoc VP at Stanford. Also spent time with Native American Assoc at Stanford, but our Taino tribe was deemed "extinct" (we're still here) ever since Spain owned our island, and we are not recognized by the US. Caribbean Tainos are recognized at the UN. We are descendants of the Arawaks in the Amazon.

Please share your community interests (groups, committees, organizations) if any:

I'm a disabled senior, I get wonderful assistance from IVC to get around. I'm also on fixed income so I've gotten wonderful assistance from HRB. I've done local voter registration and election organizing, was Precinct Captain for the 2016 caucus, and started a community garden since I moved here 10 yrs ago. I am now elected Treasurer for the 23rd LD Democrats. Attended a couple of potlucks for women of color here - in the 80s when the Native poet Chrystos lived in Fort Ward, recently when one of our few local black women, who is also deaf, hosted one. For over a decade, I was unable to walk far or long, don't drive anymore. It's taken years, but I'm more able to walk (and almost dance!) unassisted without falling now. Working on endurance. Use me, I'm finally "more able," and now that I live in town, I'm near enough to attend meetings without needing a ride or bus service, which doesn't exist at night anyway.

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Other - See below

Other

Friends told me and want me to be part of it.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Roz Lassoff](#)
Subject: Online Form Submittal: Citizen Advisory Group Application
Date: Sunday, January 6, 2019 9:45:09 PM

Citizen Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name Susan Wilmot

Email

Phone

Address

City Bainbridge Island

State WA

Zip 98110

Current Employer Safeway

Current Position Grocery Clerk

I am interested in serving on one of the following advisory groups (select all that apply): Race Equity Task Force

Experience & Qualifications

Have you served on any city advisory groups in the past? No

If so, please indicate which groups: *Field not completed.*

Please share your qualifications for this appointment (skills, I am am the shop steward for my workplace and elected executive board vice president of United Food and Commercial Workers (UFCW) Union Local 21. We are the largest private

activities, training, education) if any:

sector union in the state and represent the workers of both Safeway and Town and Country Market as well as some of the healthcare workers on the island. Currently I am part of my union's Kitsap division of Movement Builders which is a community partnership group. I have been trained as a trainer by Bill Fletcher Jr. and Washington State Labor Council's program "Race and Labor". I am a Democratic PCO for my precinct and was elected as a national delegate for our 6th Congressional District to the Democratic National Convention in 2016. Most recently I was elected to the Kitsap County Democrats Executive Board.

Please share your community interests (groups, committees, organizations) if any:

My union, UFCW 21 Kitsap Democrats Kitsap Movement Builders Kitsap Progressive Action Network (KPAN)

Feel free to attach your resume (optional):

Field not completed.

Type the Year

2019

How did you hear about the volunteer opportunity?

Social Media

Other

Field not completed.

Email not displaying correctly? [View it in your browser.](#)



CITY OF
BAINBRIDGE ISLAND

City Council Study Session Agenda Bill

MEETING DATE: February 5, 2019

ESTIMATED TIME: 10 Minutes

AGENDA ITEM: (10:00 PM) Future Council Agendas,

STRATEGIC PRIORITY: Good Governance

PRIORITY BASED BUDGETING PROGRAM:

AGENDA CATEGORY: Discussion

PROPOSED BY: Executive

RECOMMENDED MOTION:

Council will review future Council agendas.

SUMMARY:

Council will review future Council agendas.

FISCAL IMPACT:

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

BACKGROUND:

ATTACHMENTS:

[City Council Regular Business Meeting 021219](#)

[City Council Study Session 021919](#)

[City Council Regular Business Meeting 022619](#)

[City Council Study Session 030519](#)

FISCAL DETAILS:

Fund Name(s):

Coding:



CITY OF
BAINBRIDGE ISLAND

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

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

AGENDA

1. **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE - 6:00 PM**
Absences: Deputy Mayor Schneider and Councilmember Tirman. The Deputy Mayor may join by conference call.
2. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
3. **PUBLIC COMMENT**
4. **MAYOR'S REPORT**
5. **CITY MANAGER'S REPORT**
6. **PRESENTATION(S)**
 - 6.A Climate Change Advisory Committee 2018 Annual Report and 2019 Work Plan 10 Minutes
 - 6.B Utility Advisory Committee 2018 Annual Report and 2019 Work Plan 10 Minutes
[2018 Annual Report and 2019 Work Plan \(Utility Advisory Committee\).pdf](#)
[Recommendations on Fire and Other Municipal Codes Impacting Island Water Systems\(Approved by the Utility Advisory Committee - May 9, 2018\)](#)
[Recommendations for a Utility Review Process \(Approved by the Utility Advisory Committee - June 27, 2018\)](#)
7. **CLOSED RECORD PROCEEDING**
 - 7.A (PM) Bainbridge Landing Final Long Subdivision, Resolution No. 2019-10 - Planning, 15 Minutes
8. **UNFINISHED BUSINESS**

- 8.A Information Services Agreement for Local Update of Census Addresses (LUCA) Operations - Planning 5 Minutes
[Information Services Agreement for Local Update of Census Addresses \(LUCA\) Operations 5-22-18 LUCA Agenda Bill](#)
- 8.B (PM) Shoreline Master Program Periodic Review Process Public Participation Program and Work Plan - Planning, 10 Minutes
[20190212 SMP PPP and WP.docx](#)
- 8.C Sunset Council Ad Hoc Tree Committee - Mayor Medina, 5 Minutes
- 8.D Review 2018 Citywide Workplan Results and 2019 Citywide Workplan Priorities 30 Minutes
- 8.E Communications Plan and Initiatives 30 Minutes

9. NEW BUSINESS

- 9.A Amendment No. 1 to the Option and Water Tower Lease Agreement with Verizon Wireless 10 Minutes
[Amendment No. 1 to the Option and Water Tower Lease Agreement Coverage Plot of Upgraded Telecommunications Equipment October 13, 2011 Option and Water Tower Lease Agreement](#)
- 9.B Resolution No. 2019-11 Authorizing Emergency Repairs to a portion of Manitou Park Boulevard - Public Works, 10 Minutes
[Resolution No. 2019-11.docx](#)
[Manitou Park Blvd Emergency Shoreline Exemption.pdf](#)
[City of Bainbridge Island Rolling Bay Walk Road End Erosion Emergency \(17127\) Hydraulic Project Approval.pdf](#)
- 9.C Neighborhood Matching Grant Application for Moving the Blakely Elementary Japanese Maple Tree - Executive 10 Minutes
[Moving the Blakely Elementary Japanese Maple Tree - Application.pdf](#)
[Moving the Blakely Elementary Japanese Maple Tree - BISD Letter.pdf](#)
[Moving the Blakely Elementary Japanese Maple Tree - PPT.pptx](#)

10. CITY COUNCIL DISCUSSION

- 10.A Discuss Annual City Council Retreat and 2019 Council Priority Topics 20 Minutes

11. CONSENT AGENDA

- 11.A Agenda Bill for Consent Agenda 5 Minutes

11.B Accounts Payable and Payroll

11.C Special City Council Meeting Minutes, January 15, 2019

11.D City Council Study Session Minutes, January 15, 2019

11.E City Council Regular Business Meeting Minutes, January 22, 2018

11.F Resolution No. 2019-04, Updating the City's Procurement Policy - Finance, 5 Minutes
[Resolution No. 2019-04, Updating the City's Procurement Policy](#)
[Exhibit A to Resolution No. 2019-04, Updated City Procurement Policy](#)
[Exhibit A to Resolution No. 2019-04 - Redline](#)

12. COMMITTEE REPORTS

12.A Committee Reports 5 Minutes

13. FOR THE GOOD OF THE ORDER

14. ADJOURNMENT

GUIDING PRINCIPLES

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

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.

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

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



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



CITY OF
BAINBRIDGE ISLAND

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

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

AGENDA

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**
2. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
3. **MAYOR'S REPORT**
4. **PRESENTATIONS**
 - 4.A (PM) Final report from Team of Consulting Arborists - Planning, 45 Minutes
[COBI Tree Protection Code Review and Recommendations](#)
5. **UNFINISHED BUSINESS**
 - 5.A Update on Moratorium - Planning, 10 Minutes
[20190107 Moratorium work program status report](#)
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)
[Development Moratorium Summary Effective 20181121.pdf](#)
6. **NEW BUSINESS**
7. **CITY COUNCIL DISCUSSION**
 - 7.A (XXX PM) Affordable Housing Task Force Recommendations - Planning, 60 Minutes
[Affordable Housing Task Force Final Report and Appendices](#)
[Recommendation Action Table from AHTF Report](#)
8. **FUTURE COUNCIL AGENDAS**
 - 8.A Future Council Agendas 5 Minutes
9. **FOR THE GOOD OF THE ORDER**

10. ADJOURNMENT

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**CITY OF
BAINBRIDGE ISLAND**

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

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

AGENDA

- 1. CALL TO ORDER/ROLL CALL - 6:00 PM**
- 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, 30 Minutes
- 3. APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE / PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENT**
- 5. MAYOR'S REPORT**
- 6. CITY MANAGER'S REPORT**
- 7. PRESENTATION(S)**
 - 7.A (PM) Design Review Board 2018 Annual Report and 2019 Work Plan, 10 Minutes
 - 7.B (PM) Historic Preservation Commission 2018 Annual Report and 2019 Work Plan, 10 Minutes
- 8. PUBLIC HEARING(S)**
- 9. UNFINISHED BUSINESS**

- 9.A Ordinance No. 2019-XX, Updating the City's Sign Code - Planning 30 Minutes

- 9.B Olympic Drive Non-Motorized Improvements Project Construction Award (PLACEHOLDER FOR 19-13) 10 Minutes

10. NEW BUSINESS

- 10.A Resolution No. 2019-03 Updating the Investment Policy - Finance, 15 Minutes
[Resolution_No._2019-03_Updating_the_Investment_Policy_for_CC_02262019.docx](#)
[Investment policy update - Mar 2019 - for CC03122019.docx](#)
[RES 93-52 - Investment Policy.pdf](#)

- 10.B Youth Mental Health Workshop Update 10 Minutes

- 10.C Amendment to Rescind Interlocal Agreement With Kitsap Public Utility District for Community WiFi 15 Minutes

- 10.D Ordinance No. 2019-XX Revising the BIMC Sewer Code to allow a limited number of onsite systems in sewer service areas 20 Minutes

11. CITY COUNCIL DISCUSSION

12. CONSENT AGENDA

- 12.A Agenda Bill for Consent Agenda 5 Minutes

- 12.B Accounts Payable and Payroll

13. COMMITTEE REPORTS

- 13.A Committee Reports 5 Minutes

14. FOR THE GOOD OF THE ORDER

15. ADJOURNMENT

GUIDING PRINCIPLES

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**CITY OF
BAINBRIDGE ISLAND**

**CITY COUNCIL STUDY SESSION
TUESDAY, MARCH 05, 2019**

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

AGENDA

- 1. CALL TO ORDER / ROLL CALL - 6:00 PM**
- 2. APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**
- 3. MAYOR'S REPORT**
- 4. PRESENTATIONS**
- 5. UNFINISHED BUSINESS**
 - 5.A (PM) Update on Moratorium - Planning, 10 Minutes
[20190107 Moratorium work program status report](#)
[Ordinance No. 2018-43 Amending the Moratorium Approved 111318.pdf](#)
[Development Moratorium Summary Effective 20181121.pdf](#)
- 6. NEW BUSINESS**
 - 6.A Public Art Committee Proposal to Purchase Art, Executive 15 Minutes
 - 6.B Public Art Committee - Something New Phase 1 Report and Phase 2 Proposal, Executive 20 Minutes
 - 6.C Topiary Art Piece at City Hall 10 Minutes
 - 6.D Discuss Partnership Options with KPUD for Groundwater Management Plan 30 Minutes
- 7. CITY COUNCIL DISCUSSION**

8. FUTURE COUNCIL AGENDAS

8.A Future Council Agendas 5 Minutes

9. FOR THE GOOD OF THE ORDER

10. ADJOURNMENT

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