



STUDY SESSION

TUESDAY, FEBRUARY 21, 2017

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

AGENDA (TIMES LISTED ON THE AGENDA ARE APPROXIMATE)

1. CALL TO ORDER / ROLL CALL - 7:00 PM

Mayor: Val Tollefson

Deputy Mayor: Ron Peltier

Councilmembers: Sarah Blossom Michael Scott
Kol Medina Roger Townsend
Wayne Roth

2. ACCEPTANCE OR MODIFICATION OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE

3. PUBLIC COMMENT ON AGENDA ITEMS - 7:05 PM

4. PRESENTATIONS

- A.** 7:15 PM Overview of Emergency Management Strategic Plan, AB 17-034 - Executive (Pg. 3)

5. NEW BUSINESS

- A.** 7:45 PM Review of City's 2016 Workplan Results and 2017 City-Wide Workplan Priorities, AB 17-035 - Executive (Pg. 12)
- B.** 8:00 PM Preliminary 2016 Year-End Financial Report, AB 17-036 - Finance (Pg. 81)

6. UNFINISHED BUSINESS

- A.** 8:10 PM Ordinance No. 2017-02 (formerly Ordinance No. 2016-30), Amending Bainbridge Island Municipal Code to Adopt Changes Related to Comprehensive Plan Update, AB 15-108 - Planning (Pg. 86)
- B.** 8:40 PM Ordinance No. 2017-06, Relating to Community Policing, AB 17-024 - Councilmember Scott (Pg. 114)
- C.** 8:55 PM Ordinance No. 2017-05, Amending BIMC 12.28 to Reference Current Planned Facilities Maps in the Non-Motorized Chapter of the 2017 Island-Wide Transportation Plan, AB 17- 027 - Mayor Tollefson (Pg. 118)

7. CITY COUNCIL DISCUSSION

- A.** 9:10 PM Discussion of Transportation Bond Issue, AB 17-032 - Council (Pg. 119)
- B.** 9:25 PM Discussion of Alternatives for Green Power, AB 17-033 - Deputy Mayor Peltier (Pg. 122)
- C.** 9:40 PM Discussion of Developer's Extension Agreement for Roost Land Company, LLC, AB 17-039 - Public Works (Pg. 123)

8. FOR THE GOOD OF THE ORDER - 9:55 PM

9. ADJOURNMENT - 10:00 PM



Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations, please contact the City Clerk at 206-842-2545 (cityclerk@bainbridgewa.gov) by noon on the day preceding the Meeting.

City of Bainbridge Island City Council Agenda Bill



PROCESS INFORMATION

Subject: 7:15 PM Overview of Emergency Management Strategic Plan, AB 17-034 - Executive (Pg. 3)	Date: 2/21/2017
Agenda Item: PRESENTATIONS	Bill No.: 17-034
Proposed By: Executive	Referrals(s):

BUDGET INFORMATION

Department: City Clerk	Fund:	
Expenditure Req:	Budgeted?	Budget Amend. Req?

REFERRALS/REVIEW

:	Recommendation:	
City Manager: Yes	Legal: No	Finance: No

DESCRIPTION/BACKGROUND

The City Council formally adopted the following strategic vision for Emergency Management in September, 2016: The City of Bainbridge Island will be a recognized leader in preparedness in Washington State.

Over the last several months, a significant effort has been under way to develop supporting materials, a work plan, and a team for successfully achieving this vision by the end of 2018. The purpose of this presentation is to provide an overview of our strategic planning efforts to-date.

RECOMMENDED ACTION/MOTION

N/A

ATTACHMENTS:

Description	Type
❑ EM Overarching Principles	Backup Material
❑ EM Needs by Category	Backup Material
❑ EM Org Chart	Backup Material



EMERGENCY MANAGEMENT PROGRAM

VISION

The City of Bainbridge Island will be a recognized leader in preparedness in Washington State

OVERARCHING PRINCIPLES

- Active practice
- Embedded in island culture
- Institutionalized in response agencies
- Flexible
- Inclusive
- Positive
- Collaborative

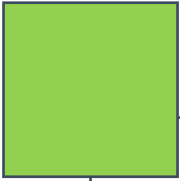
GOALS

In alignment with the above vision, we will strive to achieve the following:

- All households will equip themselves to survive without access to electricity, running water, or access to the grocery store for 14 days' minimum
- All neighborhoods will be covered by a neighborhood plan
- All businesses will be covered by a continuity plan
- All non-profit and faith-based organizations will be covered by an emergency plan
- The City will update the Emergency Operations Plan (EOP) to ensure:
 - Memorandum of Agreement/Understanding are in place with strategic businesses and response agencies
 - Authority is clearly defined
 - Role of Volunteer Organizations Active in Disaster (VOAD) is clearly defined
- Every agency, organization, business and individual will know what is expected of them at such time an Emergency Proclamation is made
- The City will supply and maintain an Emergency Operations Center (EOC) which will be fully functional within 30 minutes of an Emergency Declaration and capable of sustained 24 hour operations for a minimum of 4 weeks

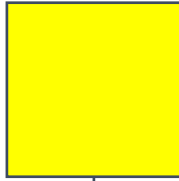
CORE TEAM

- Amber Richards, Emergency Management Coordinator – City of Bainbridge Island
- Jeff Horn, Deputy Chief – City of Bainbridge Island Police Department
- Luke Carpenter, Assistant Chief – Bainbridge Island Fire Department
- Mike Gordon, Director – Kitsap County Department of Emergency Management
- Tom McCloskey, Citizen Volunteer
- Scott James, Citizen Volunteer



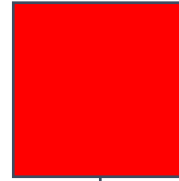
Mitigation

- Retrofitting
- Policy
- Investments in sustainable infrastructure



Preparedness

- Outreach
- Individual
- Neighborhood
- Ward
- Business
- Non-Profit and FBO
- Response Agency



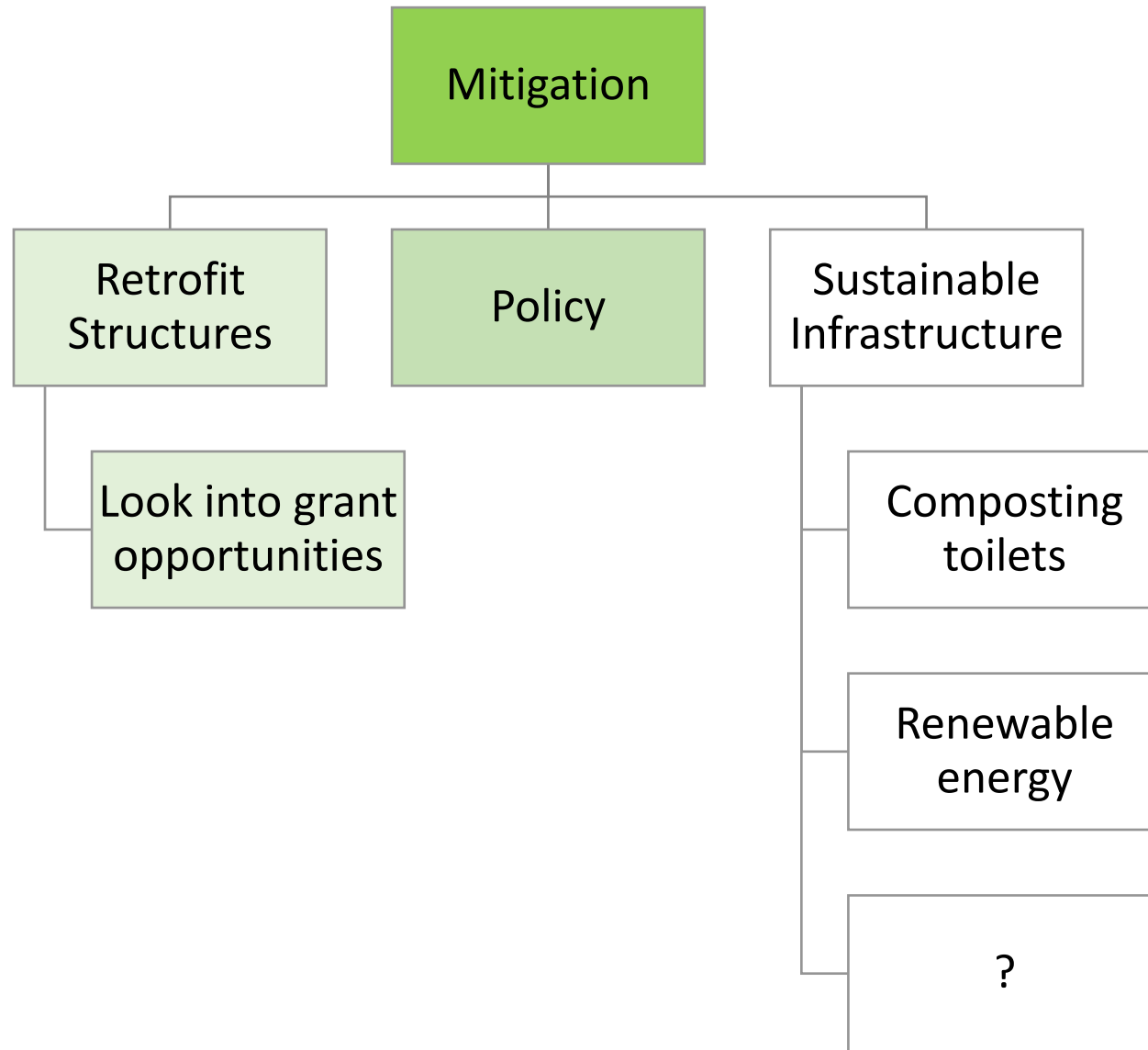
Response

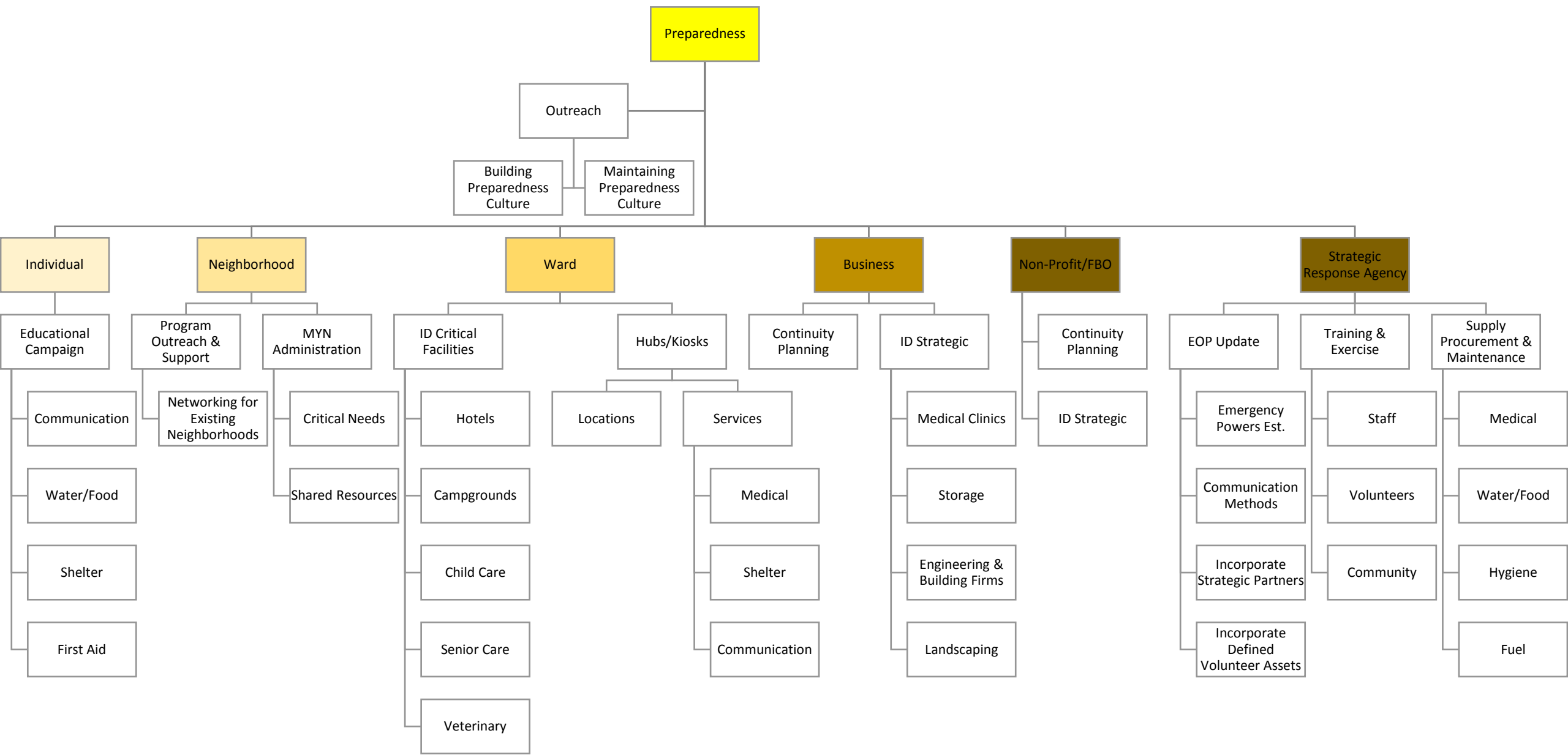
- Communication
- Operations
- Logistics
- Finance

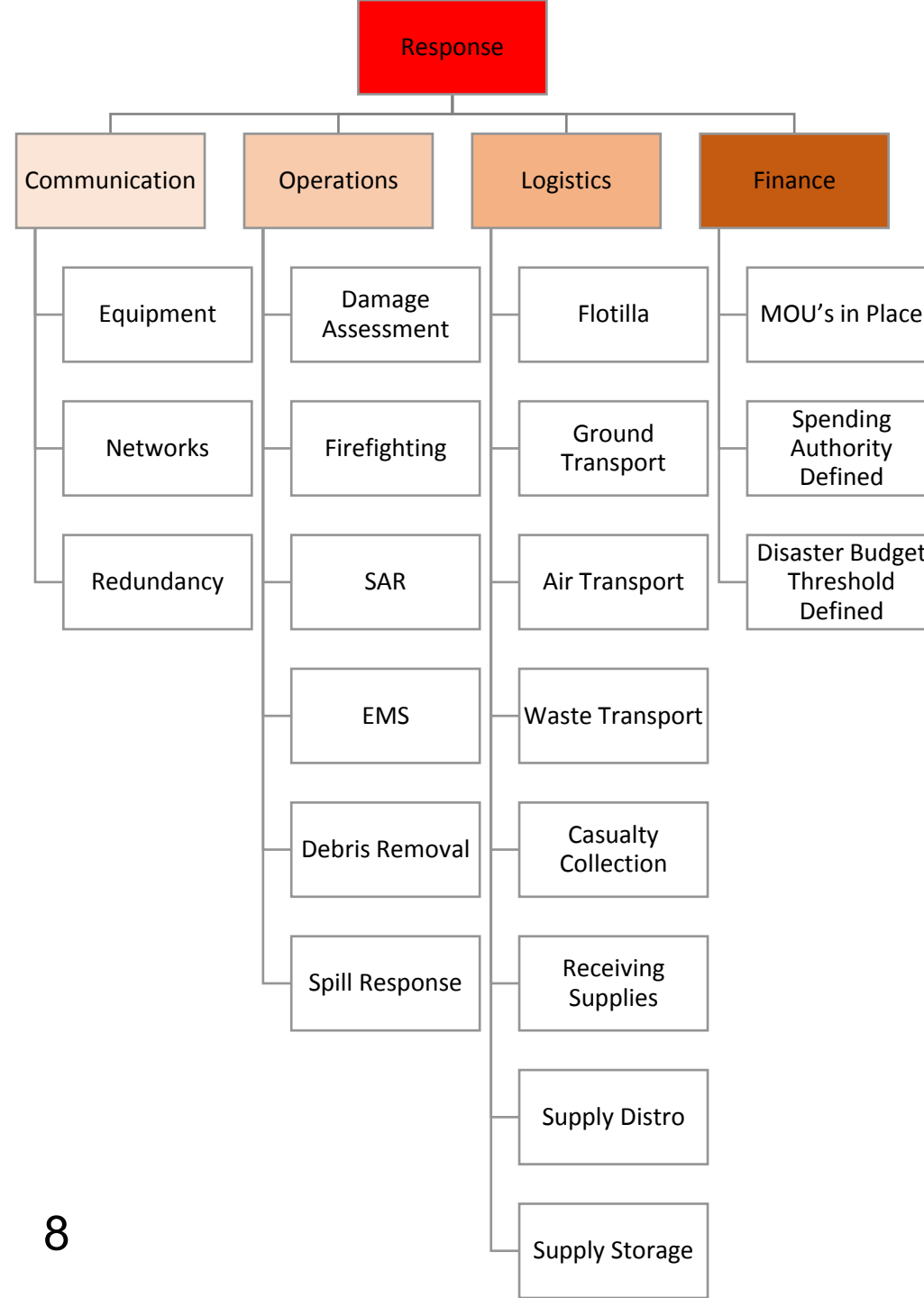


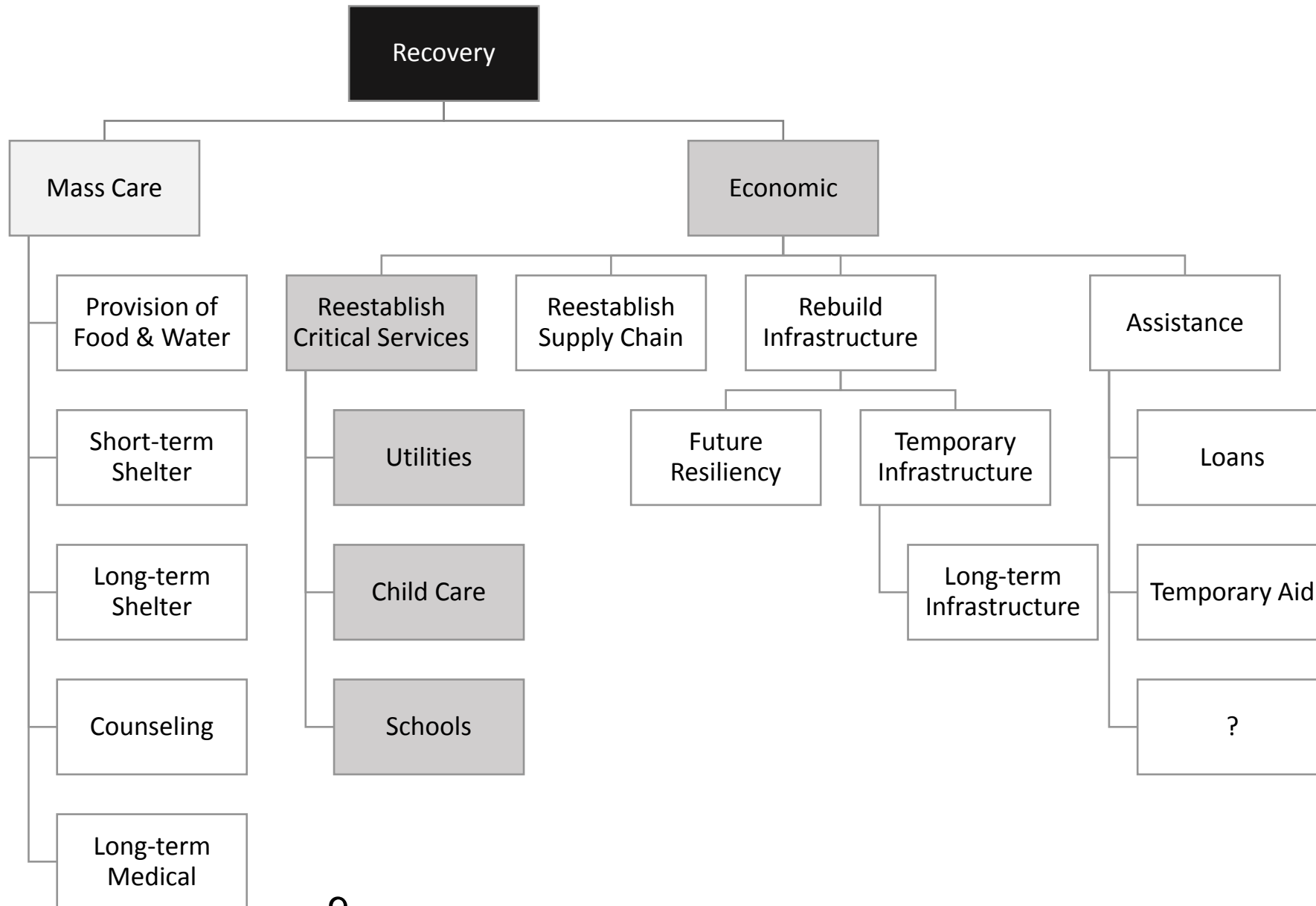
Recovery

- Mass Care
- Economic
- Assistance

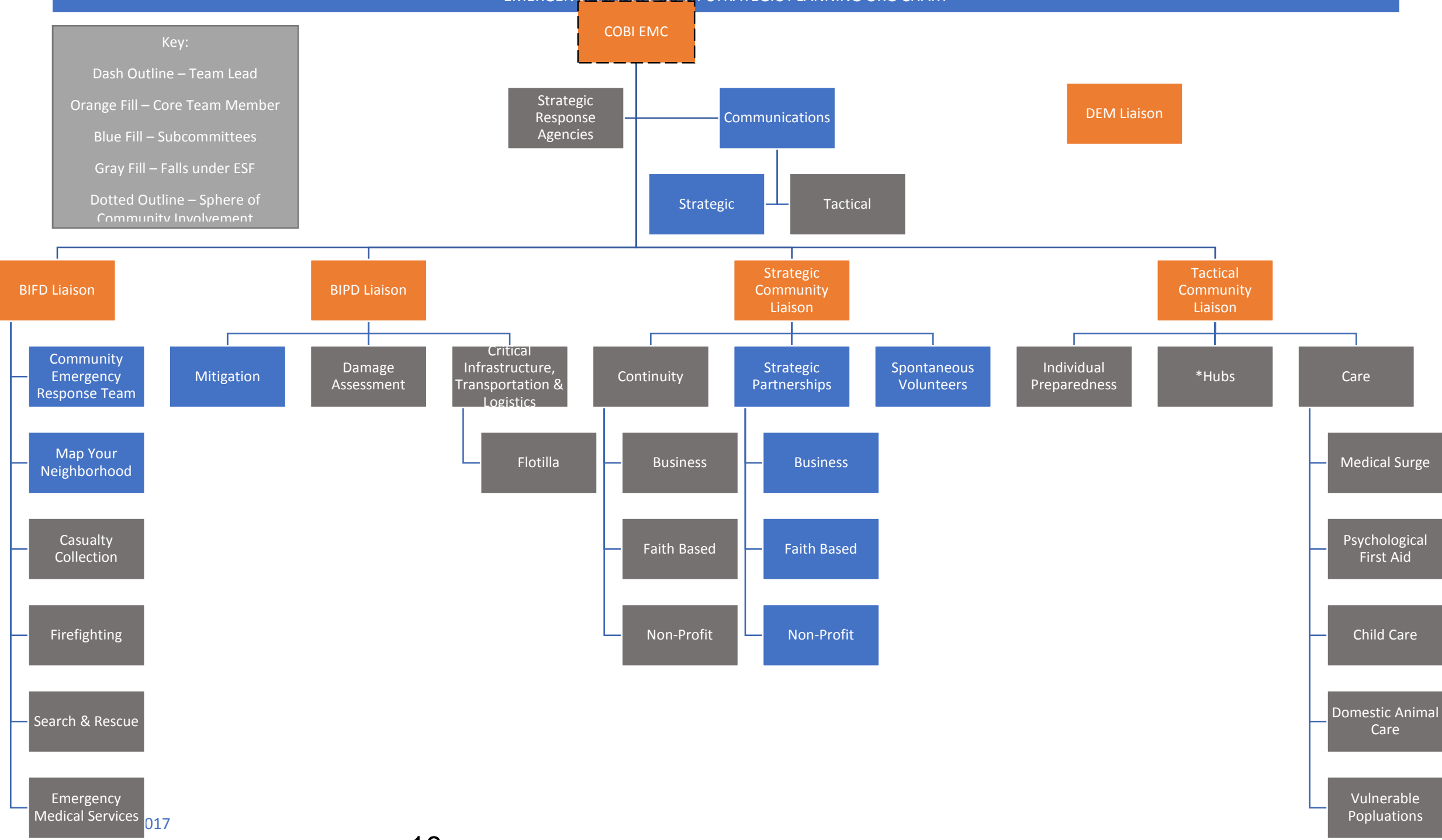








EMERGENCY MANAGEMENT STRATEGIC PLANNING ORG CHART



Core Team Contact Info:

COBI EMC: Amber Richards

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DEM Liaison: Mike Gordon

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Full ESF List:

- 1: Transportation
- 2: Communications
- 3: Public Works & Engineering
- 4: Firefighting
- 5: Emergency Management
- 6: Mass Care, Emergency Assistance, Housing & Human Services
- 7: Logistics
- 8: Public Health and Medical Services
- 9: Search & Rescue
- 10: Oil & Hazardous Materials Response
- 11: Agriculture and Natural Resources
- 12: Energy
- 13: Public Safety & Security
- 14: Long Term Community Recovery
- 15: External Affairs
- 20: Defense Support to Civil Authorities
- 21: Damage Assessment
- 22: State and Federal Support

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 7:45 PM Review of City's 2016 Workplan Results and 2017 City-Wide Workplan Priorities, AB 17-035 - Executive (Pg. 12)	Date: 2/21/2017
Agenda Item: NEW BUSINESS	Bill No.: 17-035
Proposed By: City Manager Doug Schulze	Referrals(s):

BUDGET INFORMATION

Department: Executive	Fund: Not Applicable	
Expenditure Req:	Budgeted? No	Budget Amend. Req? No

REFERRALS/REVIEW

:	Recommendation:	
City Manager: Yes	Legal:	Finance:

DESCRIPTION/BACKGROUND

In January of each year, City staff and the City Council review progress on key initiatives and identify priority tasks for the coming year. The following reports provide results at year-end on the City's priorities for 2016, as well as departmental workplans for the coming year (2017).

The results from 2016 indicate that many key tasks were completed or moved forward as planned. Support for the Comprehensive Plan Update was extensive, as was work on a range of capital projects. Items that were delayed are indicated, and will generally carryforward as part of 2017 workplans.

The City's 2017 workplans identify an extensive range of priority projects, and reflect the organization's commitment to continue significant effort in the area of capital planning and construction. These department priorities were reviewed and refined at the City Council's annual retreat on January 26, 2017.

The annual process to identify workplan priorities helps to improve accountability in City operations, to organize the use of limited resources, and to highlight areas for improvement. As we move ahead with plans for the coming year, this review of prior year efforts and upcoming goals provides a useful reference for City staff, City Council, and the community as a whole.

The City Council's priority initiatives for 2017 were also discussed at the annual retreat and are attached here.

RECOMMENDED ACTION/MOTION

Information.

ATTACHMENTS:

Description	Type
▣ 2016 YE Workplan Results	Backup Material
▣ 2017 Priorities & Dept Workplans	Backup Material
▣ 2017 City Council Initiatives	Backup Material



CITY OF BAINBRIDGE ISLAND

2016 Department Workplans & Priorities:
Year-End Results

Doug Schulze, City Manager
As of December 31, 2016

OVERVIEW

The following report provides a year end update on City activities and progress on key projects. This report reflects status as of December 31, 2016 for the priority work plan items that were identified in January, 2016 through review and discussion with the City Council. Work plan items are grouped by department, and are designated as “high” or “medium” priority. In addition, each department has identified some priority tasks for 2016 that are associated with best management practices (“BMP”).

This results presented in this report indicate that the majority of our highest priority projects are either completed or in progress. City staff and City Council continue to demonstrate significant progress on priority tasks. Workplans for 2016 were ambitious, particularly given the effort required for the Comprehensive Plan Update and development of the 2017-18 Biennial Budget.

Goals for 2017 will be similarly ambitious, as the City turns towards planning and construction of several significant capital projects, implementation tasks for the Comprehensive Plan, other departmental

SUMMARY BY DEPARTMENT

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Municipal Court	10 - 11
Planning & Community Development	12 - 19
Public Safety	20 - 24
Public Works	26 – 31

EXECUTIVE

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Status as of Year End
Support completion of Comprehensive Plan Update.	High/ Mandatory	Carryforward Planning Commission review completed Q4. City Council review will complete in Q1-2017.
Support Council 2017-18 Biennial Budget development, including review of revenue options and long-term financial planning.	High	Complete 2017-18 Biennial Budget approved by City Council in Nov.
Support Council consideration of proposals for Suzuki property.	High	Carryforward <ul style="list-style-type: none"> • Q2: Council requested ETAC to prepare an RFP for an ecological assessment for the property. • Q4: ESA retained to perform assessment. • ESA results expected in Q1/Q2-2017
Support planning process to replace public safety facilities: Police Station and Municipal Court.	High	Carryforward <ul style="list-style-type: none"> • Q2: RFP issued for design services • Q3: contract awarded to Coates/MCL team • Q4: design team reviewed program; briefing scheduled for City Council in Q1-2017.
Support consideration of options for a municipal electric utility.	High	Carryforward <ul style="list-style-type: none"> • Q2: Selected consultant to perform feasibility study. • Report expected in Q1-2017
Planning for new Sewer capital projects.	High	Complete Projects identified in system plan update were incorporated into CIP within 2017-18 Budget.
Transportation Benefit District: <ul style="list-style-type: none"> • Program 2016 revenue • Evaluate options for newly authorized rates 	High	Carryforward <ul style="list-style-type: none"> • Council discussed within budget development during Q4. • Additional discussion on revenue options scheduled for City Council in Q1-2017.

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Status as of Year End
Complete hiring for Director – Planning and Community Development.	High	Completed New director hired in Q1.
Continue work to review Downtown parking options.	High	Carryforward <ul style="list-style-type: none"> Community task force met throughout 2016. Presentation to City Council in Q4. Additional discussion scheduled with City Council in Q1-2017.
Expand Emergency Preparedness: <ul style="list-style-type: none"> AM radio project Relocate EOC to City Hall Update plans for emergency flotilla Participate in regional exercise (“Cascadia Rising” – June, 2016) 	High	Carryforward EOC relocated and training exercises held in Q1/Q2. 2017-18 Budget provides support for AM Radio Project and expanded Emergency Preparedness staffing and training.
Support long-range planning for Ferry District redevelopment.	High	Deferred
Support SR 305/regional transportation planning.	High	Ongoing Staff and elected officials participate in regional discussions on SR 305 improvements. \$33M in State funding provided for planning and construction within SR305 corridor.
Negotiate new labor agreement for Guild (expired 12/31/15).	High	Complete Approved three-year agreement in Q4.
Negotiate new labor agreement for IAM (will expire 12/31/16).	High	Complete Approved two-year agreement in Q4.

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Status as of Year End
Establish franchise agreements with utilities located in City right-of-way.	Medium	Deferred Work delayed due to City Attorney transition. Will address in 2017.
Support Council consideration of potential changes to annual award process for Lodging Tax (Civic Improvement) funds.	Medium	Complete Council reviewed options in Q2 and incorporated changes within process for 2017 funding.
Amend procurement and purchasing policies, including City Manager's contracting authority (BIMC 3.70 and 3.72).	Medium	Complete Updated policies approved in Q2.
Support Council consideration of multi-year process to award human services funding.	Medium	Complete Council approved two-year awards for 2017-18 activities in Q4.
Support Council consideration of initiatives to improve telecommunications service and connectivity island-wide: <ul style="list-style-type: none"> Consider options for municipal broadband Recruit wireless service providers 	Medium	Ongoing Updated ordinance related to wireless facilities adopted in Q1.
Negotiate cable franchise agreement/develop plans for PEG funding.	Medium	Complete New franchise agreement approved with Comcast in Q2.
National Citizen Survey – conduct focus groups on key findings from 2015 survey results.	Medium	Deferred Staff focused on community engagement and listening sessions to support Comprehensive Plan Update.
Continue work to support economic development and community identity efforts.	Medium	Ongoing Comprehensive Plan Update activities provided venue for community engagement on economic development and related topics.



2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Status as of Year End
Continue to pursue disposition of designated surplus property (Meigs, Pritchard, IMHP, HOB).	Medium	Ongoing Completed transfer of Meigs and three of five remaining IMHP shares. Work to transfer Pritchard property is underway.
Human Resources: <ul style="list-style-type: none">Finalize and implement onboarding program for new employees	Medium	Complete Supervisors use a common checklist to ensure standard and comprehensive process for new employee startup.

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Status as of Year End
Continue to expand environmental sustainability initiatives.	BMP	Ongoing Staff “Green Team” identified and implemented expanded recycling opportunities at both City Hall and O&M.
Continue citywide HPO initiatives: <ul style="list-style-type: none"> Complete pilot session of new leadership program 	BMP	Ongoing Pilot session of Leadership Program met throughout the year with 7 employees participating. Will offer program every other year going forward, with next session scheduled for 2018.
Expand Code Enforcement Officer jurisdiction.	BMP	Deferred Work delayed due to City Attorney transition. Topic will be addressed in 2017.
Amend animal control Code per Hearing Examiner findings.	BMP	Deferred Work delayed due to City Attorney transition. Topic will be addressed in 2017.
Review options for criminal prosecution services.	BMP	Deferred Work delayed due to City Attorney transition. Topic will be addressed in 2017.
Continue initiatives to standardize and expand performance measurement.	BMP	In Progress Staff have selected software tool Envisio and implementation will complete in Q1-2017



FINANCE AND ADMINISTRATIVE SERVICES

2016 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Status as of Year End
Support Council review of revenue options and long-term financial planning.	High	Ongoing Briefings were provided mid-year and as part of biennial budget development. Additional discussion with City Council is scheduled for Q1-2017.
Lead biennial budget process. Develop, propose and adopt two-year budget for 2017-2018.	High	Completed Biennial Budget adopted in November.
Complete biennial review of financial policies and cost allocation policies with City Council.	High	Completed Q2/Q3.
Support Council planning for Transportation Benefit District (TBD) revenues and rate options.	High	Ongoing Topic is part of revenue discussion scheduled for Q1-2017.
Support Council consideration of municipal electric utility.	High	Ongoing
Support Council consideration of utility tax options.	High	Completed Ordinance adopted Q4.
Support planning for new Sewer utility capital projects.	High	Ongoing Identified projects are included in current CIP.

2016 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Status as of Year End
Evaluate options for payroll processing.	Medium	In Progress Vendor is selected; implementation is expected in Q1/Q2-2017.
Implement new Equipment Replacement and Reserve fund.	Medium	In Progress Funding included within biennial budget. Planned implementation on 1/1/2017.
Complete planning and reporting for new requirements related to the Affordable Care Act (ACA).	Medium/ Mandatory	Completed New requirements adopted in Q1.
Consider ongoing approach to City implementation of Priority Based Budgeting programs.	Medium	Ongoing 2016 update completed.
Support requirements for AM Radio initiative.	Medium	Ongoing AM Radio project scheduled for 2017.
Evaluate and begin implementation of cloud-based GIS system.	Medium	Completed Public City GIS data available on cloud-based system as of Q3.
Support requirements for new EOC location within City Hall.	Medium	Ongoing Implemented new phone and network connectivity in City Hall EOC as of Q2.
Support equipment upgrades related to new CENCOM hardware.	Medium	Completed Equipment installed Q2/Q3.
Support work to negotiate new labor agreement with Guild.	Medium	Completed Two-year agreement approved in Q4.
Support work to negotiate new labor agreement with IAM.	Medium	Completed Three-year agreement approved in Q4.

2016 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Status as of Year End
Develop improved internal reporting with Public Works to monitor capital project status.	BMP	Deferred Deferred due to staff time limitations.
Support updates related to Public Works, contract authority and procurement (3.70 and 3.72).	BMP	Completed Procurement policy adopted by Council in Q2.
Consider participation in State business license program.	BMP	Ongoing
Evaluate SharePoint functionality and applicability to City functions.	BMP	Ongoing Pilot projects completed in PCD and Finance.
Receive Certificate of Achievement for Excellence in Financial Reporting from GFOA.	BMP	Completed Award received for 2015 Reporting.
Receive Distinguished Budget Award from GFOA.	BMP	In Progress Award application to be submitted 90 days after budget approval; award would be issued in 2017.
Support citizen advisory committees: <ul style="list-style-type: none"> Salary Commission 	BMP	Ongoing



MUNICIPAL COURT

2016 WORK PLAN PRIORITIES – MUNICIPAL COURT

Task	Priority	Status as of Year End
Complete court wide form update.	Medium	Completed The Judge and Court administrator continue to update forms as changes in law and policy occur. Most forms have been revised and updated over the last two years.
Complete additional content for Court website.	Medium	Completed The Court offers a complete website that allows individuals to get up-to date, accurate information about parking tickets, infractions, criminal cases, protection orders, and any needed forms at a time and place that is convenient to them.
Complete program to computerize Court forms: <ul style="list-style-type: none"> • Protection order forms • Sentencing forms 	Medium	Completed The judge prefers to use paper forms in protection order hearings.
Complete debt write-off process: <ul style="list-style-type: none"> • Infractions • Criminal cases 	Medium	Completed The Court has completed a write-off of all Infraction and Criminal Case fines over 10 years old. Going forward, this process will be incorporated into a regular annual process.

ADDITIONAL INFORMATION – MUNICIPAL COURT

The Municipal Court is also now able to provide the initial court hearing for a request for an **Extreme Risk Protection Order** (the final hearing is transferred to Superior Court per statute). This follows a law passed by initiative (I-1491) that allows a family member or law enforcement to request that a person's fire arm rights be temporarily removed, if the court finds that the person is at high risk to harm themselves or others. The other types of protection orders the court regularly hears requests for are: Domestic Violence, Stalking, Sexual Assault, and Anti-Harassment Protection Orders.



PLANNING & COMMUNITY DEVELOPMENT

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
The following tasks all pertain to the 2016 update of the Comprehensive Plan.	High	In Progress
Request extension of deadline to 12/31/16 from State Department of Commerce, Q1 .		Completed Department provided notice to the State in Q1.
Complete review of Transportation Element & Island-wide Transportation Plan, Q1 .		In Progress The City Council has reviewed the Planning Commission recommendations on the Comprehensive Plan Transportation Element & Island-wide Transportation Plan (IWTP), and has held public hearings on further revisions. The Comprehensive Plan and IWTP are expected to be adopted in Q1-2017.
Planning Commission conducts workshops and reviews remaining Elements--Water Resources Q1 , Utilities Q2 , Capital Facilities Q2 , Human Services Q3 and Cultural Q3 .		Completed The Planning Commission completed their review and recommendation and forwarded a draft Comprehensive Plan (including Elements) to the City Council in October, 2016.
Planning Commission review of Aquifer Conservation regulations, Q1 , Q2 .		Not Started Aquifer Conservation regulations deferred until Q1/Q2 2017.
Planning Commission conducts public hearings on entire Comp Plan, Aquifer Conservation regulations and Island-Wide Transportation Plan and transmits recommendation to City Council, Q3 .		Completed Planning Commission held public hearings on a draft Comprehensive Plan on September 17 and 22 and recommended a DRAFT Plan to the City Council in October, 2016. The Island-Wide Transportation Plan (IWTP) has been referred to the City Council for review and action. Comprehensive Plan and IWTP adoption are expected in Q1-2017.
Council reviews and adopts updates to Comp Plan, regulations and Island-Wide Transportation Plan, Q4 .		In Progress City Council adoption for Comprehensive Plan and IWTP expected in Q1-2017.

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
The following tasks all pertain to the Shoreline Master Program (SMP).	High	In Progress
Support City response to SMP appeals.		Ongoing Resources have been dedicated to support City response to SMP appeals.
Process amendments to policies and regulations related to aquaculture. Requires review by Planning Commission, Council and Dept. of Ecology, Q1-4.		In Progress Planning Commission review of aquaculture limited amendment complete. City Council adopted SMP amendments regarding aquaculture policies and regulations in October, 2016. Transmittal package will be provided to Ecology in Q1-2017 for their review and action.
Process limited amendment to improve clarity and consistency within the SMP. Requires review by Planning Commission, City Council and Dept. of Ecology, Q1-4.		In Progress Planning Commission review of limited amendment began Q1. Will resume in Q1-2017 with Council/Ecology review and approval anticipated by end of Q4.
Continue implementation of shoreline monitoring program including ongoing implementation monitoring improvements using SmartGov, refine standard mitigation conditions, establish baseline conditions from LULC map developed through Puget Sound Marine and Nearshore Grant, staff training on use/application of new LiDAR and LULC map, initiate volunteer monitoring using established data plots, Q1-4.		In Progress SmartGov implementation; monitoring fields were added, and the first of the monitoring reports were received in December, 2016. Refining standard mitigation conditions complete . Puget Sound Marine and Nearshore grant completed end of April, including establishing baseline conditions and staff training on use/application of LiDAR and LULC map complete.

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
Shoreline Master Program - Continued	High	
Improve shoreline land use application review turn-around time.		Ongoing Several tools have been developed to expedite review but turn-around time remains slow due to the volume of permits, land use applications and other work program priorities. New exemption worksheet developed to replace time-consuming staff report.
Develop outreach/education materials for general public, including FAQ and permit pathway(s) and guidance (sample) documents for required studies, Q1-4.		Not Started No outreach/education materials developed. To be developed in 2017 Q1-Q2.
Seek funding for (partial) implementation of shoreline restoration plan, Q1-4.		In Progress Applied for and received DNR Urban Forestry Restoration Program crew assistance for maintenance of two shoreline restoration sites in Q2-2016. Applied for and received same crew assistance for Q2-2017.

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
Low impact development (LID) regulations required by Dept. of Ecology (due by Dec. 31, 2016) <ul style="list-style-type: none"> Interdepartmental workgroup reviews current regulations and develops necessary revisions, Q1, Q2. Planning Commission review and City Council review/adoption of revised regulations, Q3, Q4. 	High/Mandatory	Completed City Council approved Phase I LID regulations in December, 2016.
Update critical areas ordinance (CAO) (due June 30, 2017) <ul style="list-style-type: none"> Planning Commission review of Aquifer Conservation regulations as part of Comp Plan Update, Q1, Q2. Begin review of other sections, Q3. 	High/Mandatory	In Progress <ul style="list-style-type: none"> Introduced CAO to ETAC. Completed initial mapping inventory and clean-up of database. Developing scope of work. Planning Commission review of aquifer conservation regulations not completed; revised strategy to review CAO as a whole with Planning Commission review in Q1/Q2-2017. Council review in Q2-2017 and approval anticipated Q3-2017.
Suzuki Property Planning <ul style="list-style-type: none"> Council decision on process for reviewing RFP submittals, Q1. Community workshop on RFP submittals, Q1. Council selection of submittal, Q1/Q2. 	High	In Progress <ul style="list-style-type: none"> PSA for ecological assessment awarded to ESA in Q4. Kick-off site visit conducted in Q4.

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
Development regulations for public institutions in residential zones <ul style="list-style-type: none"> First reading of Ordinance 2016-04 addressing lot coverage limitations for public institutions in residential zones scheduled for Jan. 5, 2016. Adoption of ordinance scheduled for Jan 19, 2016. 	High	Completed Ordinance 2016-04 adopted Q1.
Develop Tree/Vegetation Management Ordinance <ul style="list-style-type: none"> Planning Commission conducts study sessions and public hearing on Ordinance 2016-01, Tree and Landscaping Maintenance Phase 2, and transmits recommendation to City Council, Q1. City Council reviews and adopts Ordinance 2016-01, Q2. 	High	In Progress <ul style="list-style-type: none"> Ordinance 2016-01 adopted Q1. Ongoing Ad Hoc Committee work on tree and vegetation regulations.

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
Adopt Historic Preservation Ordinance <ul style="list-style-type: none"> Planning Commission study sessions & public hearing, Q1/Q2. City Council review and adoption, Q3. 	Medium	Completed City Council adopted Ordinance 2016-11 on August 23, 2016.
Suyematsu Property Planning <ul style="list-style-type: none"> Facilitate Historic Preservation Commission (HPC) and Friends of Farm (FOF) meeting to plan for Council Workshop, Q1. Support Council workshop with HPC & FOF to present feasibility study, nomination to local Historic Register, master plan for the property and prioritization of capital projects, Q1. 	Medium	Ongoing <ul style="list-style-type: none"> Joint HPC & FOF Meeting: January 4, 2016 City Council Study Session: March 15, 2016 City Council Business Meeting: April 11, 2016 adoption of historic structure report & feasibility study & nomination of Suyematsu Farm to the Local Register 2017 Budget includes funding for project to develop implementation plan for preservation priorities
Support Executive Department/City Council in developing process for Council decision on private use of public tidelands.	Medium	In Progress City Council to review options for policies for City-owned tidelands in Q1-2017.
Amend SEPA Ordinance to reflect updates approved by State in 2014.	Medium	Not Started
Create process for citizen requests for zoning code amendments.	Medium	Not Started

2016 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Status as of Year End
Continue to improve permit review timelines by maximizing SmartGov capabilities.	BMP	Ongoing SmartGov is helping to improve timelines by lessening time needed to prepare notices, respond to public records requests and provide coordination between work groups (i.e., Health, Development Engineering, Fire and Public Works). Initiated the Development Review Process Improvement project in Q4 to make the process more predictable and efficient, and to improve City service. Recommendations to improve efficiency expected in Q1-2017.
Continue work on transitioning to online permit submittal process for citizen convenience.	BMP	Ongoing Electronic submittals are now requested for all current planning permit and land use applications, the next step will to become an electronically certified jurisdiction. Anticipate becoming certified in Q1-2017.
Process all land use permit applications within state-mandated timelines.	BMP	Ongoing Currently meeting mandated timelines for most permits. Challenges include limited resources, the Code's complexity, and increasing applications. Permit intake process has been streamlined by bringing a computer to front counter and insisting on complete applications.
Improve process for project acceptance for private development.	BMP	Ongoing This issue is improved by moving Development Engineering to Public Works.
Continue emphasis on staff training and certifications.	BMP	Ongoing Staff are encouraged to become AICP certified; on-going opportunities are supported for all staff.
Support citizen advisory committees: <ul style="list-style-type: none"> Planning Commission Design Review Board Historic Preservation Commission Environmental Technical Advisory Committee Ad Hoc Tree LID Committee 	BMP	Ongoing Staff attend meetings on a monthly/twice-monthly basis to support the work of these committees.



PUBLIC SAFETY

2016 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Status as of Year End
<p>Continue to pursue Washington Association of Sheriffs and Police Chiefs (WASPC) department accreditation</p> <p>WASPC Accreditation is in 8 phases. In 2016, BIPD's goal is to complete phases 2, 3, 4:</p> <ul style="list-style-type: none"> • 2: self-assessment • 3: file maintenance • 4: on-site assessment and evaluation <p>These tasks will prepare the department for the official accreditation review process (phase 5).</p>	High	<p>In Progress</p> <p>A mock accreditation review was held in August. The mock accreditation review helped identify weak areas in the department's processes. Over the final months of 2016, the identified issues were resolved. Anticipate the official accreditation review from WASPC in Q1-2017.</p>
<p>Complete implementation of LEXIPOL Manual, including department-wide training</p> <p>The Lexipol Policy Manual was adopted in Jan. 2015. During the transition some policy from the previous General Orders Manual were imported. In 2016, those policies will be reviewed and updated to ensure best management practices. Going forward, Lexipol offers updates throughout the year as well as Daily Training Bulletins. Shift briefing training on essential policies is also planned for 2016.</p>	High	<p>In Progress</p> <p>This task is constantly being updated and remains a high priority.</p> <p>Ongoing policy review and development is now a standard part of the department's best management practices.</p> <p>The mock accreditation review assisted with finding opportunities to improve the department's policies. The department's use of daily training bulletins helps officers by providing an application-based approach to the department's policies.</p>
<p>Complete implementation for LEMAP recommendations</p> <p>The LEMAP review by members of WASPC focus on issues that are in the accreditation process. Those deficiencies have been addressed and a report detailing the changes will be completed in Q2-2016.</p>	High	<p>Replaced by Accreditation</p> <p>The LEMAP recommendations were based on the WASPC accreditation process. The issues raised in the 2013 LEMAP are remedied through the accreditation process and through personnel changes made in the past three and a half years.</p>



2016 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Status as of Year End
Support planning for Police Station replacement project.	High	Ongoing The department continues to support efforts by the City Council towards planning for a replacement building. In Q4, representatives from the department participated in the Coates/MWL review of facility programming, to specify space needs and functional layout.
Negotiate Guild labor agreement (expired Dec. 2015).	High	Completed Three-year agreement (2016-18) approved in Q4.

2016 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Status as of Year End
Complete transition to new CENCOM hardware The communications unit for Kitsap County, CENCOM, is upgrading the CAD (computer aided dispatch) system and requires each department in Kitsap upgrade their MCT's (Mobile Communication Terminal). Several different versions are being tested with implementation near the end of Q2.	Medium	Completed The transition to a new organizational structure (Kitsap 911) was completed . Kitsap 911 completed the upgrades to infrastructure and hardware.
Identify automation opportunities/IT initiatives <ul style="list-style-type: none"> Review options for file storage. The SharePoint system is being reviewed for a transition to a cloud based system of file retrieval. Implement a Crime Analytics Program to track Crime Data (Q1). 	Medium	Ongoing Lumen, a crime analytics program, was adopted in Q2 and is being utilized throughout Kitsap County. The program will launch a 2017 mobile version that each officer can operate from their assigned phones. The department adopted Paladin Data (ASMI) as the training monitoring platform. ASMI also has inventory functions that will be utilized.
Review options to re-establish a K9 program and acquire a new dog.	Medium	Deferred Department will review options in 2017.

2016 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Status as of Year End
Continue to emphasize Crisis Intervention Training (CIT) for all officers Designated CIO's will continue to receive additional training for contact with people in crisis. All officers receive annual 8-hour refresher course.	BMP	Ongoing All officers on BIPD attend the 8-hour refresher course with designated Crisis Intervention Officers (CIO's) receiving an additional 24-hours of training. Going forward, all BIPD officers will complete the required Crisis Intervention Training.
Support City Council Public Safety Committee.	BMP	Ongoing Four meetings were held in 2016. The Department will continue to fully support the City Council Public Safety Committee in 2017.
Develop strategic plan for department.	BMP	In Progress
Continue expanded monthly and annual reporting on department activities and objectives.	BMP	Ongoing Department provides standard monthly and annual reporting.
Hiring Process/Background Checks Complete transition to use of outside agencies to conduct background investigations for potential hires.	BMP	In Progress Recruitment efforts continue to be a priority due to ongoing staffing turnover. Four officers left the department in 2016 and one officer was hired. An ongoing recruitment drive includes a new signing bonus to encourage lateral hires. The background investigations are currently being conducted by the BIPD Detective Unit. The potential transition to an outside agency completing background investigations is under review.
Improve and expand information provided via department section of City website.	BMP	Ongoing New information is being updated to the Police section of the City website.





PUBLIC WORKS

2016 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Status as of Year End
Public Safety facility replacement: <ul style="list-style-type: none"> Site selection Co-locate with Municipal Court? Funding plan Initiate project design 	High	In Progress <ul style="list-style-type: none"> Design team selected in Q4. Coates Design/MWL, Inc. completed review of facility programming requirements in Q4. City Council briefing scheduled for January, 2017. Site selection and other project planning will be ongoing in 2017.
Complete construction for Waterfront Park redevelopment.	High	In Progress Construction began Q2. Expected to complete Q1-2017.
Complete design and permitting, and develop funding plan for City Dock replacement.	High	In Progress <ul style="list-style-type: none"> 90% design completed Q2. City notified of RCO/USFWS grant to complete funding in Q2. Permitting and final design expected in Q1-2017. Project bids expected Q2-2017; construction in Q2/Q3-2017.
Review and update prioritized Non-Motorized Transportation projects.	High	Completed List of NMTAC priorities presented to Council in Q1.
Complete construction for Phases 1, 2 and 4 of Sound-to-Olympics (STO) Trail Project.	High	In Progress <ul style="list-style-type: none"> Phase 1: redesign requested by City Council. Final approval of redesign is under review by WSDOT and FHWA. Phase 2 & 4: will award in Q1-2017, construction to follow.
Complete Wing Pt. Way Improvements.	High	Completed Construction completed Q2/Q3.

2016 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Status as of Year End
Identify uses for 2016 Transportation Benefit District (TBD) funds.	High	Deferred Approved 2017-18 Budget identifies uses for 2017-18 funds. 2016 funds have not yet been programmed. Will be discussed within Council review of revenue options scheduled for Q1-2017.
Complete Island-wide Transportation Plan (IWTP).	High	In Progress City Council review/adoption planned for Q1-2017. IWTP will be incorporated into Comprehensive Plan Update.
Complete planning for new Sewer capital projects: funding plan, design, and permitting.	High	Completed Identified projects are reflected in CIP that was adopted with the 2017-18 Biennial Budget.
Complete Water System Plan and implement any changes to capital plans, service delivery and/or rate structure.	High/ Mandatory	In Progress City Council approved revisions to System Plan in Q3. Revised System Plan is under review with DOH.
Review capital planning and financial capacity for Stormwater (SSWM) utility.	High	Ongoing Current plans for capital and operations are identified in the CIP and 2017-18 Biennial Budget. City Council approved a rate increase in Q4 as part of budget development.

2016 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Status as of Year End
Develop and adopt Low Impact Development Regulations per Dept. of Ecology (due Dec. 31, 2016).	High/ Mandatory	Completed <ul style="list-style-type: none"> Consultant hired to assist with the review of LID requirements and code development in Q3. Planning Commission approved in Q4. City Council adopted LID code in Q4.
Complete 2 nd Edition <i>State of the Island's Waters</i> Report.	High	Deferred Report completion delayed to 2017 due to constraints on staff resources.
Support Comprehensive Plan Update <ul style="list-style-type: none"> Complete Water Resources Element. Complete modeling of groundwater system carrying capacity and Sea Level vs Fletcher Bay Aquifer production test. Complete <i>A Community Conversation about Water Supply</i> workshop series. 	High/ Mandatory	In Progress <ul style="list-style-type: none"> Water Resources Element approved by PC. Basic modeling - completed Fletcher testing in Q3 with second testing scheduled for Q1-2017. Workshop series held Q1/Q2.

2016 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Status as of Year End
Complete LED retrofit of street lighting.	Medium	Completed Replaced 71 fixtures in Q2.
Complete Mountain View construction project.	Medium	Completed Contract awarded Q3; construction completed Q4.
Complete Fletcher Landing road end improvement.	Medium	Completed Construction contract awarded Q2, construction completed Q3.
Complete Manitou Beach Road parking project.	Medium	In Progress Construction contract awarded Q3; construction will complete Q1-2017.
Support Rolling Bay neighborhood improvements.	Medium	In Progress Q2 changes included crosswalk striping and signage and additional “No Parking” signage.
Adopt ordinance to regulation Fats, Oil and Grease (FOG).	Medium	Deferred Draft ordinance in legal review. City Council expected in 2017.
Support initiatives to expand use of GIS for City asset management.	Medium	Ongoing

2016 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Status as of Year End
Pursue Satellite Management Authority for Water Utility. Implement identified Best Management Practices.	BMP	Ongoing
Complete Annual Roads Preservation Projects.	BMP	Completed Projects were completed in Q3.
Update City Engineer designation and related Code references.	BMP	Resolved Decision to move Development Engineering function to Public Works resolves issues related to Code.
Code updates related to Public Works, contract authority and procurement (3.70 and 3.72).	BMP	Completed Updates approved Q2.
Develop improved internal reporting with Finance to monitor capital project status.	BMP	Ongoing
Continue water resources status and trends monitoring (surface, storm, and groundwater).	BMP	Ongoing
Improve procedures with PCD for acceptance of private development projects.	BMP	Ongoing Change in Development Engineering function should help to address.
Support citizen advisory committees: <ul style="list-style-type: none"> • Utility Advisory Committee • NonMotorized Transportation Advisory Committee 	BMP	Ongoing PW staff support monthly committee meetings.





CITY OF BAINBRIDGE ISLAND

2017 Department Workplans & Priorities

Doug Schulze, City Manager
February 1, 2017

OVERVIEW

The following report identifies key City activities and priority projects for the coming year. These priorities were identified by City staff and City Council as part of the annual planning retreat held in late-January. This Citywide workplan will be used throughout the year to guide the allocation of City resources and to provide accountability on high priority tasks.

Work plan items are grouped by department, and are identified as “high” or “medium” priority. In addition, each department has identified some priority tasks for 2017 that are associated with best management practices (“BMP”).

City staff and City Council will review progress towards these priorities throughout the year, with formal reporting planned at mid-year and year-end 2017.

EXECUTIVE

2017 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Timing
Support completion of Comprehensive Plan Update.	High/ Mandatory	Q1
Develop citywide workplan for Implementing Items from Comprehensive Plan Update	High	Q1
Support consideration of options for a municipal electric utility.	High	Q1 – Q4
Support planning process for Police and Municipal Court Building Project.	High	Q1 – Q4
Support Council consideration of proposals for Suzuki property.	High	Q1 – Q4
Transportation Benefit District: <ul style="list-style-type: none"> • Review options to program existing revenue • Evaluate options for newly authorized rates 	High	Q1
Support Council consideration of potential bond measure to support capital projects.	High	Q1 – Q4

2017 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Timing
Provide briefing to City Council on legal issues for ADU's/condominiums	High	Q1
Continue work to review Downtown parking options.	High	Q1 – Q4
Expand Emergency Preparedness: <ul style="list-style-type: none"> • Install AM radio tower • Continue EOC staff training initiatives • Complete EOC upgrades • Expand pool of CERT trained citizens • Establish network of neighborhood HUBS • Implement plans for medical surge infrastructure • Adopt new Emergency Operations Plan 	High	Q1 – Q4
Support SR 305/regional transportation planning.	High	Q1 – Q4
Consider options for Business/Industrial zoning prior to expiration of moratorium	High	Q1/Q2
Support Council Consideration of Affordable Housing initiatives: <ul style="list-style-type: none"> • Create Affordable Housing Task Force/90-day project • Consider options to regulate short-term rentals • Consider options related to ADU's/condominiums 	High	Q3 - Q4

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Timing
Support Marine Access Committee requests related to encroachments and other site issues	Medium	Q2 – Q4
Establish franchise agreements with Bainbridge Disposal and utilities located in City right-of-way.	Medium	Q2 – Q4
Support Council consideration of annual funding for Cultural Element Implementation	Medium	Q1 – Q4
Review options for criminal prosecution services and assistant city attorney.	Medium	Q1 – Q2
Code Enforcement – support consideration of enforcement options	Medium	Q1 – Q2
Review sign ordinance	Medium	Q1 – Q4
Implement Envisio software for project tracking/performance metrics <ul style="list-style-type: none"> • Implement 2017 projects and data • Establish standard reports • User training 	Medium	Q1 – Q4
Continue to pursue disposition of designated surplus property (Pritchard, Islandwood Easement, Manitou, Head-of-the-Bay).	Medium	Q1 – Q4
Long-range planning for Ferry District	Medium	Ongoing
Complete study for Preservation Projects at Suyematsu Farm property	Medium	Q2 – Q3
National Citizen Survey – conduct community 2017 survey.	Medium	Q2 – Q3

2016 WORK PLAN PRIORITIES – EXECUTIVE

Task	Priority	Timing
Expand Code Enforcement Officer jurisdiction.	BMP	Q2
Amend animal control Code per Hearing Examiner findings.	BMP	Q3 – Q4
Continue to expand environmental sustainability initiatives.	BMP	Q1 – Q4
Human Resources: <ul style="list-style-type: none"> • Implement online tracking system for job applicants • Consider options for automated employee performance management • Continue to consider options for expanded employee professional development • Transition some benefits administration tasks to Finance 	BMP	Q1 – Q4

FINANCE & ADMINISTRATIVE SERVICES

2017 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Timing
Transportation Benefit District (TBD): <ul style="list-style-type: none"> Identify spending priorities for existing TBD funds Support Council consideration of potential rate increase 	High	Q1
Consider Municipal Electric Utility: <ul style="list-style-type: none"> provide analytical support 	High	Q1 – Q4
Plan for and issue debt for Police and Municipal Court Building	High	Q1 – Q4
Support rate study for Sewer Utility	High	Q1 – Q4
Support assessment of SSWM Utility	High	Q1 – Q4

2017 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Timing
Utility tax – implementation and revenue review	Medium	Q1 – Q4
PBB – update information and build into reporting	Medium	Q1 – Q4
Project Tracking/Performance Measures: <ul style="list-style-type: none"> • support software implementation • support report development • support user training 	Medium	Q2
Support AM Radio Initiative	Medium	Q1 – Q4
Improve internal reporting with Public Works to monitor capital project status	Medium	Q1 – Q4
Business license program review and update: <ul style="list-style-type: none"> • State program or FileLocal • Compliance • Airbnb 	Medium	Q1 – Q4

2017 WORK PLAN PRIORITIES – FINANCE & ADMINISTRATIVE SERVICES

Task	Priority	Timing
Implement Payroll Initiatives: <ul style="list-style-type: none"> • move to biweekly pay; • move to online timesheets 	BMP	Q1 – Q4
ER&R Fund - implementation	BMP	Q1 – Q4
Implement Citywide training for IT security awareness	BMP	Q2 – Q4
Receive GFOA reporting award for 2016	BMP	Q2
Receive GFOA budget award for 2017-18 Budget	BMP	Q2
Support Salary Commission	BMP	As Needed

MUNICIPAL COURT

2017 WORK PLAN PRIORITIES – MUNICIPAL COURT

Task	Priority	Timing
Passport processing <ul style="list-style-type: none"> • Receive final Federal approval • Complete staff training and certification • Provide services 3x weekly 	Medium	Q1 – Q4
Mental Health/ Behavioral Health Pilot Program	Medium	Q1 – Q4
Continue Improvements in Court Technology (headsets, etc.)	Medium	Q1 – Q4

PLANNING & COMMUNITY DEVELOPMENT

2017 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Timing
Adopt Comprehensive Plan Update	High	Q1
Improve Department Administrative Functions	High	Q1 – Q4
Respond to Latimore review of development process	High	Q1 – Q4
SMP items: <ul style="list-style-type: none"> • Submit limited amendment (aquaculture) to DOE; • Complete general limited amendments to SMP; • Monitoring program 	High	Q1 – Q4
Update Critical Areas Ordinance: <ul style="list-style-type: none"> • Planning Commission review Q1/Q2 • Council review in Q2 • Council approval in Q3 	High/Mandatory	Q1 – Q3 Due June 30, 2017
Support Suzuki property planning	High	Q1 – Q4
Consider options for Business/Industrial zoning prior to expiration of moratorium	High	Q1/Q2

2017 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Timing
Support additional LID effort (led by PW, PCD to assist)	Medium	Q1 – Q4
Implement policy on use of City-owned tidelands	Medium	Q2
Amend SEPA Ordinance to reflect updates approved by State in 2014.	Medium	Q2
Develop process for citizen requests for zoning code amendments	Medium	Q1 – Q4
Expand/improve SmartGov functionality	Medium	Q1 – Q4
Complete rewrite/consolidation of code enforcement regulations (in collaboration with City attorney)	Medium	Q1 – Q4
Review sign ordinance (in collaboration with City attorney)	Medium	Q1 – Q4

2017 WORK PLAN PRIORITIES – PLANNING & COMMUNITY DEVELOPMENT

Task	Priority	Timing
Continue work on transitioning to online permit submittal process for improved citizen convenience.	BMP	Q1 – Q4
Conduct surveys on PCD department performance	BMP	Q1 – Q4
Transition development engineering staff to Public Works	BMP	Q2 – Q4
Support citizen advisory committees: <ul style="list-style-type: none"> • Planning Commission • Design Review Board • Historic Preservation Commission • Environmental Technical Advisory Committee • Ad Hoc Tree LID Committee 	BMP	Q1 – Q4

PUBLIC SAFETY

2017 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Timing
Complete Washington Association of Sheriffs and Police Chiefs (WASPC) department accreditation	High	Q2
Support planning for Police Station replacement project.	High	Q1 – Q4
Continue Hiring Initiative to Fill Remaining Vacancies	High	Q1 – Q4
Implement Coordinated Training Approach	High	Q1 – Q4

2017 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Timing
Community/Healthy Youth Leadership Initiative/CRO	Medium	Q1 – Q4
Identify automation opportunities/IT initiatives	Medium	Q1 – Q4
Review options to re-establish a K9 program and acquire a new dog.	Medium	Q2

2017 WORK PLAN PRIORITIES – PUBLIC SAFETY

Task	Priority	Timing
Continue to emphasize Crisis Intervention Training (CIT) for all officers Designated CIO's will continue to receive additional training for contact with people in crisis. All officers receive annual 8-hour refresher course.	BMP	Q1 – Q4
Hiring Process/Background Checks Continue to consider options to use outside agencies to conduct background investigations for potential hires.	BMP	Q2
Improve and expand information provided via department section of City website.	BMP	Q1 – Q4
Support Public Safety Committee	BMP	Q1 – Q4

PUBLIC WORKS

2017 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Timing
Police and Municipal Court Building Project: <ul style="list-style-type: none"> • Site selection • Funding plan • Initiate project design 	High	Q1 – Q4
Complete construction for City Dock replacement.	High	Q2 – Q4
Complete construction for Phases 2 and 4 of Sound-to-Olympics (STO) Trail Project.	High	Q2 – Q4
Complete design for STO Phase 3.	High	Q2
Complete re-design and construction for Phase 1/Olympic Dr. of Sound-to-Olympics (STO) Trail Project.	High	Q2 – Q4
Issue RFQ for downtown parking study	High	Q2-Q3
Complete assessment for SSWM utility	High	Q2 – Q4
Complete rate study for Sewer Utility	High	Q2 – Q4
Develop options for City Hall renovations/retrofit	High	Q1 – Q4
Identify uses for 2016 Transportation Benefit District (TBD) funds.	High	Q1
Pursue Satellite Management Authority for Water Utility. Implement identified Best Management Practices.	High	Q1 – Q4

2017 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Timing
Support Council consideration of additional Low Impact Development Regulations	Medium	Q1 – Q4
Complete construction for Waterfront Park redevelopment.	Medium	Q2
Complete construction for Manitou Beach Rd. project	Medium	Q1
Complete Island-wide Transportation Plan (IWTP).	Medium	Q1
Complete Water System Plan and implement any changes to capital plans, service delivery and/or rate structure.	Medium	Q1
Complete Wyatt Way – Phase 1 design	Medium	Q1 – Q4
Adopt ordinance to regulate Fats, Oil and Grease (FOG).	Medium	Q2
Complete 2 nd Edition <i>State of the Island's Waters</i> Report.	Medium	Q2

2017 WORK PLAN PRIORITIES – PUBLIC WORKS

Task	Priority	Timing
Support initiatives to expand use of GIS for City asset management.	BMP	Q1 – Q4
Develop improved internal reporting with Finance to monitor capital project status.	BMP	Q1 – Q4
Support citizen advisory committees: <ul style="list-style-type: none"> • Utility Advisory Committee • NonMotorized Transportation Advisory Committee 	BMP	Q1 – Q4

DRAFT - 2017 City Council Priorities:

ITEM	TIMING	NOTES
Complete Comprehensive Plan Update	Q1	
Identify Workplan/Priorities for Implementing Actions from Comprehensive Plan	Q1	
Consider options for municipal electric utility		
Planning for Police and Municipal Court Building Project		
Planning for Suzuki property		
Transportation Benefit District (TBD): determine use of existing funds, consider potential rate increase	Q1	
Consider bond measure for capital project funding		
Consider options for downtown parking		
SR 305/Regional Transportation planning	Q2/Q3	
Determine use of annual Cultural Element Implementation funding	Q1/Q2	
Consider options for Code Enforcement		
Consider SMP general limited amendments		
Consider Critical Areas Ordinance Update	Q1/Q2	
Consider additional LID/Tree Committee recommendations		
Consider results of Latimore/PCD process review		Whether Council input is required will depend on the study results; TBD
Consider results of rate study for Sewer Utility	TBD	Council requested UAC review of study results prior to Council consideration
Consider results of assessment for SSWM Utility	TBD	Council requested UAC feedback on the benefits from proposed assessment before staff proceeds with assessment

ADDITIONAL ITEMS PROPOSED AT ADVANCE:

DRAFT - 2017 City Council Priorities:

ITEM	TIMING	NOTES
Affordable Housing: <ul style="list-style-type: none"> • Create Affordable Housing Task Force/90-day project • Consider options to regulate short-term rentals • Consider options related to ADU's/condominiums 		Council agreed to delay Task Force until Q3 and to seek Task Force input on potential "tools." When Comp Plan implementing items are reviewed in Q1, tasks related to Affordable Housing may be identified that can move forward ahead of Task Force
Consider options for Business/Industrial zoning prior to expiration of moratorium	Q1	Current moratorium expires in March, 2017
Review sign ordinance		
Planning for Ferry District		Council suggested the City Manager continue to work on this task and that this item be represented as a medium priority within the Executive Dept. workplan
Coordinate community debt/bond plans for other taxing jurisdictions		Role of the Council?

City of Bainbridge Island City Council Agenda Bill



PROCESS INFORMATION

Subject: 8:00 PM Preliminary 2016 Year-End Financial Report, AB 17-036 - Finance (Pg. 81)	Date: 2/21/2017
Agenda Item: NEW BUSINESS	Bill No.: 17-036
Proposed By: Ellen Schroer, Director of Finance and Administrative Services	Referrals(s):

BUDGET INFORMATION

Department: Finance	Fund:	
Expenditure Req:	Budgeted?	Budget Amend. Req?

REFERRALS/REVIEW

:	Recommendation:	
City Manager:	Legal: Yes	Finance:

DESCRIPTION/BACKGROUND

The City's Finance Department staff is working to prepare 2016 year-end required financial reporting, which is due to the State Auditor by the end of May.

City staff have not yet completed the 2016 financial statements, and expect that the final numbers will be somewhat different from what we discuss at this Council meeting. However, in the interest of providing timely financial information, we are sharing the preliminary data.

RECOMMENDED ACTION/MOTION

Information only.

ATTACHMENTS:

Description	Type
□ Preliminary 2016 financial results memo	Backup Material

CITY OF
BAINBRIDGE ISLAND

Date: February 21, 2017
To: City Council
Doug Schulze, City Manager
From: Ellen Schroer, Director of Finance and Administrative Services
Subject: 2016 preliminary financial information

As the Finance and Administrative Services Department continues to work to complete the City's financial reporting for 2016, I'd like to provide you with a brief update on 2016 financial results. This memo and update focus first on the City's tax-supported funds, in particular the General Fund, and provide information for the City's utility funds, as well.

City staff have not yet completed the 2016 financial statements, and expect that the final numbers will show additional spending as we continue to process transactions for 2016. However, in the interest of providing timely financial information, we are sharing the preliminary data.

[2016 Preliminary Financial Results \(Tax-Supported Funds\)](#)

Preliminary financial information shows that the City's General Fund ended 2016, and thus began 2017, with a balance that is higher than the \$12.6 million budgeted as the starting point for 2017. As detailed below, we estimate approximately \$400,000 in revenue over estimates, and approximately \$600,000 in spending less than estimates. This totals to roughly \$1.0 million in additional resources available to the City for the tax-supported funds.

While the current year-end balance is \$15.9 million, we estimate that this balance will decrease by roughly \$2.3 million as 2016 year-end and 2017 carryforward processing continues.

- Expenses incurred in 2016, but for which the City had not paid when the preliminary reports were prepared. We estimate a total of \$1.1 million in accrued expenses for goods and services received in 2016, which will reduce the current balance.
- Expenses we expect to carryforward into 2017 for work started and budgeted in 2016. We estimate a total of \$450,000 of requests for items including repair and maintenance work, and professional services contracts such as the Suzuki project

and the ongoing work on the Comp Plan. These items will further reduce the current balance.

- Expenses for certain capital projects budgeted in the General Fund, such as public art, public safety vehicles and a lighting upgrade for City Hall. We estimate a total of \$270,000 for ongoing projects. These items will further reduce the current balance.
- Operating transfers to Streets and Building and Development Services Funds are now expected to be about \$500,000 less than estimated.

The expected spending described above totals to \$2.3 million dollars and reduces the estimated fund balance to \$13.6 million. This is roughly \$1.0 million higher than estimated. Further factors contributing to this higher balance include:

- Revenue higher than estimate in the General Fund - \$400,000 or roughly 2% of total General Fund revenue. The primary contributors to the higher than estimated revenue were surplus property sales which occurred in the second half of the year. Significant revenue sources such as property tax and sales tax were within 1% of mid-year estimates.
- Underspending as compared to estimates of approximately \$630,000, or roughly 4% of General Fund expenditures. The primary contributors to the underspending were personnel vacancies, less than budgeted expenditures for outside legal counsel, and lower than estimated charges for the Police Mobile Computer Terminals.

Street Fund

The Streets Fund is supported by a combination of operating support from the General Fund and fund-specific revenues, such as the commercial parking tax and state-shared revenue from the motor vehicle fuel tax. We estimate that the Streets Fund required about \$210,000 or 17% less than estimated in operating support, due to a combination of revenue and expenditure factors. Revenues were roughly \$110,000 higher than estimated for the commercial parking tax and the state shared revenue for multimodal transportation. Preliminary expense numbers are \$275,000 lower than estimated, but we expect about \$170,000 of these expenses to be processed through the last invoice run in January.

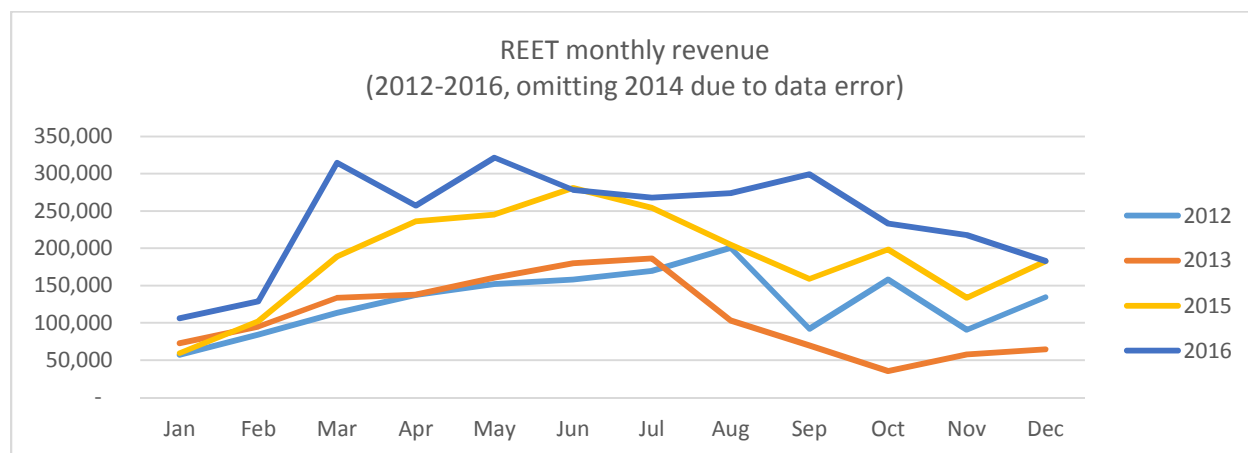
Building and Development Services Fund

The Building and Development Services Fund is supported by a combination of operating support from the General Fund and fund-specific revenues. Revenues were

roughly a total of \$290,000, or 20%, higher than estimated, primarily due to revenue from building inspections and zoning/subdivisions. Spending was within 1% of estimates.

Real Estate Excise Tax

The Real Estate Excise Tax fund receives revenue from real estate transactions which occur on Bainbridge Island. The 2016 REET revenue at a total of \$2.9 million was roughly \$280,000 higher than estimated during the midyear review. REET revenue received in the late summer and early fall was much higher than in previous years, but returned to prior years' levels in December.



2016 Preliminary Financial Results (Utility Funds)

The City's three utility funds' financial performance tracked estimates in most cases for 2016. The differences from predicted performance are shown below.

Water Fund

Preliminary 2016 ending balance is \$6.7 million, as compared to the estimated balance of \$6.5 million. Revenue was higher than estimated for participation fees, consistent with the stronger than estimated development activity in the second half of the year. Operating expenses were in alignment with estimates, while capital expenses were less than estimated, particularly for the Wing Point Way and State Route 305/Olympic Drive projects. The SR 305/Olympic project, budgeted at \$100,000, is expected to be constructed in coming years.

Sewer Fund

Preliminary 2016 ending balance is \$6.3 million, as compared to the estimated balance of \$4.3 million. Of the total ending balance, roughly \$1.5 million is pre-paid LID payments, and will not be available for other uses. Revenue was roughly \$230,000 higher than estimated for participation fees, consistent with the stronger than estimated development activity in the second half of the year. Operating expenses were in alignment with estimates, while capital expenses were less than estimated, particularly for the Lynwood Pump Station, North Town Woods and Madrone Lane projects. These three projects represent \$1.4 million in spending which we expect to complete in coming years.

Surface and Storm Water Management Fund

Preliminary 2016 ending balance is \$1.1 million, as compared to the estimated balance of \$910,000. Revenues were less than 1% higher than the estimated levels. Expenses were roughly \$180,000 lower than estimated, with underspending in professional services and costs to dispose of spoils accounting for most of the underspending.

Conclusion

The preliminary 2016 financial results show that the City's 2016 financial performance continued to build on recent stability. Estimates citywide on both the revenue and expenditure side are within 5% of current actuals. Finance staff continue to process transactions; final information will be available in late April or early May.

This report does not discuss capital projects, for which we will present information in the second quarter at the conclusion of the financial close process. The City has an ambitious capital program which spans many years. The 2017 Adopted Budget includes over \$3.9 million of new capital spending in the tax-supported funds, as well as \$1.6 million of new capital spending in the utility funds.

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 8:10 PM Ordinance No. 2017-02 (formerly Ordinance No. 2016-30), Amending Bainbridge Island Municipal Code to Adopt Changes Related to Comprehensive Plan Update, AB 15-108 - Planning (Pg. 86)	Date: 2/21/2017
Agenda Item: UNFINISHED BUSINESS	Bill No.: 15-108
Proposed By:	Referrals(s):

BUDGET INFORMATION

Department: Planning	Fund:
Expenditure Req:	Budgeted? Budget Amend. Req?

REFERRALS/REVIEW

:	Recommendation:
City Manager:	Legal: Yes Finance:

DESCRIPTION/BACKGROUND

The City Council held a public hearing on the DRAFT Comprehensive Plan (December 16 version) and Ordinance 2017-02, accompanying Bainbridge Island Municipal Code changes, on January 10, 2017. The written public comment period ended on Tuesday, January 17, at 4:00 pm. **No further public comment will be accepted.**

RECOMMENDED ACTION/MOTION

Staff recommends that the City Council deliberate on Ordinance 2017-02, relating to Bainbridge Island Municipal Code changes regarding the 2016 Comprehensive Plan Update, and amend the ordinance if needed. Mayor Tollefson has submitted comments on the ordinance ahead of time for Council discussion.

ATTACHMENTS:

Description	Type
☐ Tollefson Comments on Ord 2017-02	Backup Material
☐ Ord 2017-02	Ordinance
☐ Ord 2017-02 Exhibit A	Ordinance
☐ Ord 2017-02 Exhibit B	Ordinance
☐ Ord 2017-02 Exhibit C	Ordinance

**COUNCILMEMBER TOLLEFSON COMMENTS
ON DRAFT ORDINANCE 2017-02
PREPARED FOR 2/7/2017 MEETING**

1. P. 1, 6th “Whereas” – “....Planning Commission meetingss included...”
2. Section 9:
 - a. Change Title of Ch. 2.32 to Multi-Modal Transportation Advisory Committee
 - b. 2.32.010.A – Insert after second sentence: “The membership of the Committee should reflect the many interests impacted by transportation decisions, including without limitation motorists, pedestrians, bicyclists and public transportation users.”
 - c. 2.32.030 – Change to read:
Title: “Purpose”
Text: “The purpose of the Committee is to advise the City Council, other City committees and commissions, and City staff on transportation issues affecting the people of Bainbridge Island. The Committee will respond to requests for study, information and guidance, and will generally function according to a Work Plan approved annually by the City Council.”
3. New Section 10: “Chapter 2.42 *Arts and Humanities Council* Of the Bainbridge Island Municipal Code is hereby repealed in its entirety.”
 - a. Rationale: . Designation of an agency, if any, to handle certain functions related to Arts funds should be the purview of the City Council and should be a contractual relationship with the City.
4. New Section 11: “Chapter 2.50 *Health, Housing and Human Services Council* of the Bainbridge Island Municipal Code is hereby repealed in its entirety.”
 - a. Rationale: Organization no longer exists and Council has adopted a new model for managing support of funds for this purpose.
5. New Section 12: BIMC 3.80.040 should be changed:
 - a. Title: “Management”
 - b. Text: “The City’s Public Art Works Program shall be managed as directed from time to time by the City Council. To the extent that any portion of the management is delegated to a private entity, such management shall be in accordance with a written agreement approved by the City Council.”
 - c. Rationale: The City Council does not want to bind itself to any particular method for managing and disbursing support for the Arts in the future. Each Council should be free to modify its approach as it deems in the best interest of the Community, without needing to resort to an amendment of the Municipal Code.

6. Current "Section 10" gets renumbered "Section 13", and subsequent sections renumbered accordingly.
7. Current Section 20: Should be revised as follows:
 16. "Affordable housing" or "affordable dwelling unit" (~~formerly "HUD-defined affordable housing"~~) means a dwelling unit for use as a primary residence ~~by a household in any of the income groups described below~~, which may be rented..."
 - a. Rationale: (1) the parenthetical adds nothing to the meaning of the current section. (2) there are no descriptions of income groups in the remainder of this section of the Code, so the reference is misleading and meaningless.

ORDINANCE NO. 2017-02
(FORMERLY ORDINANCE NO. 2016-30)

AN ORDINANCE of the City of Bainbridge Island, Washington,
amending Titles 2, 3, 17, and 18 of the Bainbridge Island
Municipal Code to ensure consistency with the updated 2016
Comprehensive Plan.

WHEREAS, the City is required by the Growth Management Act (GMA), RCW 36.70A.130, to conduct a periodic review and update of its comprehensive plan and development regulations to ensure consistency with updated state laws and population and employment projections; and

WHEREAS, June 30, 2016, was the deadline to update to the City's Comprehensive Plan; and

WHEREAS, the City notified the Department of Commerce that although the City had been making progress on the review and update to its Comprehensive Plan, it would not meet the June 30, 2016, deadline; and

WHEREAS, the Department of Commerce accepted the City's delayed action, requesting to be kept abreast of the City's progress; and

WHEREAS, in August 2014, the City began working on the 2016 periodic update of the Comprehensive Plan; and

WHEREAS, the Planning Commission began the review of each of the Comprehensive Plan's ten elements by holding a public workshop, at which the Commission accepted both written and verbal comments on each of the elements; and

WHEREAS, between January 2015 and August 2016, the Planning Commission met 38 times to review and discuss the 2016 Comprehensive Plan Update *Introduction* and each element one at a time, completing their preliminary review of all the elements on August 18, 2016; and

WHEREAS, each of the 38 Planning Commission meetings included an agenda item providing specific opportunity for public comment on the 2016 Comprehensive Plan Update; and

WHEREAS, on August 26, 2016, the City issued a Determination of Non-Significance regarding Ordinances No. 2016-29 and No. 2016-30 in compliance with the requirements of the State Environmental Policy Act, and

WHEREAS, the Comprehensive Plan is consistent with the Kitsap County Countywide Planning Policies, including the year 2036 population and employment allocations for the City of Bainbridge Island, and the Puget Sound Regional Council Multicounty Planning Policies, and the Growth Management Act; and

WHEREAS, the City must adopt development regulations that implement the Comprehensive Plan; and

WHEREAS, each Comprehensive Plan element has an implementation section that calls for further actions such as budget allocations, department work program additions, and community partnerships in order to fully implement the Comprehensive Plan; and

WHEREAS, the changes to the Bainbridge Island Municipal Code (BIMC) executed through this ordinance are generally the simple procedural or clarifying changes to the code that can be made without further study, and additional BIMC amendments will be made in the future to implement the Comprehensive Plan Update policy directives and implementing actions; and

WHEREAS, Ordinance 2017-01 (formerly Ordinance 2016-29) adopts the update to the City's Comprehensive Plan, and is being processes concurrently with this ordinance; and

WHEREAS, on October 18, 2016, notice was given to the Office of Community Development at the Washington State Department of Commerce in conformance with RCW 36.70A.106; and

WHEREAS, on September 17 and 22, 2016, the Planning Commission conducted public hearings on both Ordinance No. 2016-29 and Ordinance No. 2016-30; and

WHEREAS, on October 5 and October 13, 2016, after closing the public hearing, the Planning Commission deliberated on both Ordinance No. 2016-29 and Ordinance No. 2016-30, and on October 13, 2016, voted unanimously to recommend approval; and

WHEREAS, beginning on October 18, 2016, and throughout November and December, 2016, the City Council held study sessions on both Ordinance No. 2016-29 and Ordinance No. 2016-30; and

WHEREAS, on January 10, 2017, the City Council conducted public hearings on both Ordinance No. 2017-01 (formerly Ordinance 2016-29) and Ordinance No. 2017-02 (formerly Ord. No. 2016-30), and closed the public hearing and allowed written correspondence through January 17, 2016; and

WHEREAS, on February 21, 2017, the City Council deliberated on Ordinance 2017-02;

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

Section 1: The Bainbridge Island Municipal Code is amended to change the name of the "Neighborhood Service Center" (NSC) zoning district to "Neighborhood Center" (NC) zoning district throughout the municipal code.

Section 2: Section 2.16.040.E, *Site Plans and Design Review - Decision Criteria*, of the Bainbridge Island Municipal Code is amended to read as follows:

2. The locations of the buildings and structures, open spaces, landscaping, pedestrian, bicycle and vehicular circulation systems are adequate, safe, efficient and in conformance with the Island-wide Transportation Plan ~~nonmotorized transportation plan~~;

Section 3: Section 2.16.050.D *Nonagricultural Minor Conditional Use Decision Criteria*, of the Bainbridge Island Municipal Code is amended to read as follows:

4. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the Island-wide Transportation Plan ~~nonmotorized transportation plan~~;

Section 4: Section 2.16.050.E *Agricultural Minor Conditional Use Decision Criteria*, of the Bainbridge Island Municipal Code is amended to read as follows:

1. As agriculture is a preferred use, conditional uses that are listed as agricultural uses in Table 18.09.020 (except for agricultural research facilities) may be approved if:
 - a. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
 - b. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the Island-wide Transportation Plan ~~nonmotorized transportation plan~~; and
 - c. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewage disposal facilities and storm drainage facilities; and
 - d. The conditional use complies with all other provisions of the BIMC.

Section 5: Section 2.16.070 *Short Subdivisions* of the Bainbridge Island Municipal Code is amended to read as follows:

- E. Preapplication Conference. The applicant shall provide copies of one or more proposed or “first draft” composite site plans prepared in accordance with flexible lot design standards of Title 17 and Chapter 18.12 ~~methodology as described in the Flexible Lot Design Handbook~~ for the preapplication conference.

Section 6: Section 2.16.110.D *Major Conditional Use Permit- Decision Criteria* of the Bainbridge Island Municipal Code is amended to read as follows:

1. A conditional use may be approved or approved with conditions if:
 - a. The conditional use is harmonious and compatible in design, character and appearance with the intended character and quality of development in the vicinity of the subject property and with the physical characteristics of the subject property; provided, that in the case of a housing design demonstration project any differences in design, character or appearance that are in furtherance of the

purpose and decision criteria of BIMC [2.16.020.Q](#) shall not result in denial of a conditional use permit for the project; and

- b. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewage disposal facilities and storm drainage facilities; and
- c. The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and
- d. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the Island-wide Transportation Plan ~~nonmotorized transportation plan~~; and
- e. The conditional use complies with all other provisions of the BIMC, unless a provision has been modified as a housing design demonstration project pursuant to BIMC [2.16.020.Q](#); and
- f. All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use may have on the immediate vicinity of the subject property; and
- g. Noise levels shall be in compliance with BIMC [16.16.020](#) and [16.16.040.A](#); and
- h. The vehicular, pedestrian, and bicycle circulation meets all applicable city standards, unless the city engineer has modified the requirements of BIMC [18.15.020.B.4](#) and B.5, allows alternate driveway and parking area surfaces, and confirmed that those surfaces meet city requirements for handling surface water and pollutants in accordance with Chapters [15.20](#) and [15.21](#) BIMC; and
- i. The city engineer has determined that the conditional use meets the following decision criteria:
 - i. The conditional use conforms to regulations concerning drainage in Chapters [15.20](#) and [15.21](#) BIMC; and
 - ii. The conditional use will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use and enjoyment of properties downstream; and
 - iii. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties; and
 - iv. The streets and pedestrian ways as proposed are adequate to accommodate anticipated traffic; and
 - v. If the conditional use will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the conditional use, and the applicable service(s) can be made available at the site; and
 - vi. The conditional use conforms to the “City of Bainbridge Island Engineering Design and Development Standards Manual,” unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title [17](#).
- j. If a major conditional use is processed as a housing design demonstration project pursuant to BIMC [2.16.020.Q](#), the above criteria will be considered in conjunction with the purpose, goals, policies, and decision criteria of BIMC [2.16.020.Q](#).

Section 7: Section 2.16.125 *Preliminary Long Subdivisions* of the Bainbridge Island Municipal Code is amended to read as follows:

- E. Preapplication Conference. The applicant shall provide copies of one or more proposed or “first draft” composite site plans prepared in accordance with flexible lot design standards of Title 17 and Chapter 18.12 methodology as described in the Flexible Lot Design Handbook for the preapplication conference. Applicants are required to participate in a community meeting through the city’s public participation program outlined in Resolution No. 2010-32. The meeting will be held during the preapplication conference phase of the project.

Section 8: Section 2.16.210 *Special area plan process* of the Bainbridge Island Municipal Code is amended as shown in Exhibit A:

Section 9: Section 2.32.030 *Nonmotorized Transportation Advisory Committee* of the Bainbridge Island Municipal Code is amended to read as follows:

2.32.030 Duties and responsibilities.

The goal of the committee is to work with neighborhood groups and city staff to implement the Island-wide Transportation Plan nonmotorized transportation plan and advocate for nonmotorized transportation facilities, including the funding for such facilities and promotional or educational programs encouraging nonmotorized transportation. The committee will advocate for and ensure implementation of the Island-wide Transportation Plan nonmotorized transportation plan, including but not limited to the recognition and integration of the federal, state and local emphasis on active recreation, the reduction of greenhouse gas emissions and the linkage of communities through regional connectivity.

Section 10: Chapter 3.82 *Bainbridge Island Arts and Humanities Account* of the Bainbridge Island Municipal Code is hereby repealed in its entirety.

Section 11: Chapter 3.86 *Health, Housing, and Human Services Account* of the Bainbridge Island Municipal Code is hereby repealed in its entirety.

Section 12: Section 17.12.020 *Flexible Lot Design Requirement for Single-family Subdivisions* of the Bainbridge Island Municipal Code is amended to read as follows:

A. Requirement.

1. All single-family residential short and long subdivisions within the city shall be designed in accordance with the city’s adopted flexible lot (flexlot) design requirements. If, due to site or design constraints, no homesite with supporting infrastructure can be located on a subject property, no division of land is permitted.
2. Some of the flexible lot design requirements are outlined in this title and in BIMC Title 18, and additional guidance is provided in the city’s flexible lot design handbook, which has been prepared and shall be maintained by the director, and

~~made available to the public, to assist applicants in the preparation of flexible subdivision designs and applications for residential subdivisions.~~

- B. Pre-Existing Lots. Lots that have previously received final approval from the city, or that have previously received final approval from Kitsap County prior to inclusion within the city boundaries, and that do not comply with the adopted flexible lot design requirements shall be considered existing nonconforming lots, but any future resubdivision of any such lots shall comply with adopted flexible lot design requirements.
- C. Two Types of Flexible Lot Design Available. Applicants for a short or long subdivision or resubdivision shall comply with the standards in this title applicable to open space design or the standards applicable to cluster design. If an applicant does not notify the city of his or her intention to submit a cluster design, the open space design standards shall apply. In some cases, however, site constraints such as the size and shape of the parcel or the presence of areas subject to Chapter [16.12](#) BIMC (Shoreline Master Program) or Chapter [16.20](#) BIMC (Critical Areas) result in only one of the options being feasible. The cluster design option is not available to properties located in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8 and R-14 zoning districts.
- D. Large Lot Subdivisions. As authorized by RCW [58.17.040](#)(2) or its successors, the city regulates the division of land into large lots. Large lot subdivisions shall comply with the requirements of BIMC [17.12.040](#) (General residential subdivision standards), the requirements of BIMC [17.12.060](#) (Special requirements for sensitive areas), if applicable, and the requirements of BIMC Title [18](#) for the zone district in which the property is located. Large lot subdivisions are not a form of flexlot and therefore are not subject to cluster or open space design requirements.

Section 13: Section 17.12.030.A.4 *Open space/Cluster Standards and Homesite Locations for Single-family Residential Subdivisions* of the Bainbridge Island Municipal Code is amended to read as follows:

- 4. Amount of Open Space Required.
 - a. Basis. In determining the open space area requirement stated in subsection A.4.b of this section, the city has relied on the “Analysis of Open Space Report” dated July 15, 2003, and amended April 30, 2004, and the other reports, statutes and documents referenced in the recitals to the ordinance codified in this section (“open space documentation”). The open space documentation shall be incorporated into the record of every short or long subdivision application. In reviewing a short or long subdivision application, the city shall consider the open space documentation as presumptively valid and applicable to the short or long subdivision application.
 - b. Amount Required.
 - i. The area provided for open space shall be based on and consistent with the existing valued open space features (listed in Table 17.12.030-2) on the

subject property, up to a maximum of 25 percent of the area of the property being subdivided, unless additional open space area is otherwise provided pursuant to subsection A.5 of this section.

- ii. All lands subject to critical area regulations by Chapter [16.20](#) BIMC shall remain subject to those regulations regardless of whether they are included in the required open space designation.
- iii. If a property being subdivided contains valued open space features as described in Table 17.12.030-2 that exceed 25 percent of the gross land area, the maximum required area for open space designation is still 25 percent, unless it includes protected critical area as regulated by Chapter [16.20](#) BIMC.
- iv. If the gross land area contains less than 25 percent in open space features, then the designated open space is identified accordingly. ~~The flexible lot design handbook provides assistance on the methodology for designating open space areas.~~ Designated open space areas shall not be required to be dedicated to the public, and the owner shall not be required to permit public access to designated open space areas. Landscape buffers may be included in the open space calculation as specified in Tables 18.15.010-3 and 18.15.010-45.

Section 14: Section 17.12.030.B *Open space/Cluster Standards and Homesite Locations for Single-family Residential Subdivisions* of the Bainbridge Island Municipal Code is amended to read as follows:

- B. Cluster Short and Long Subdivisions. If an applicant chooses to apply for a cluster short or long subdivision, the open space provisions of subsection A of this section shall not apply. Clustering shall be accomplished through the design standards of Title 17 and Chapter [18.12](#) ~~process specified in the flexible lot design handbook.~~ The cluster design option is not available to properties located in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8 and R-14 zoning districts. The following requirements shall apply to cluster short and long subdivisions:
 1. Homesite Clustering. The purpose of clustering is to facilitate the efficient use of land by reducing disturbed areas, impervious surfaces, utility extensions and roadways. Homesites shall be located in cluster groupings and the efficient location of infrastructure shall be used to maximize the undeveloped area. Four or more homesites shall constitute a cluster grouping in a long subdivision, and two or more homesites shall constitute a cluster grouping in a short subdivision.
 - a. All homesites in a cluster grouping shall adjoin or be located a maximum of 25 feet apart from another homesite.
 - b. The city encourages design of homesite cluster groups that create open areas large enough to accommodate crop agriculture, when such areas are created. The applicant shall record covenants making it clear to lot buyers that crop agriculture may take place on the open areas.
 - c. The location of homesite cluster groups is not required to be located near any existing home on the property.
 2. Homesite Area.
 - a. The homesite area is for development of the primary residential dwelling and accessory buildings for each lot within the subdivision.

- b. In the R-0.4 ~~and R-1 R-2, and R-2.9~~ zoning districts, a homesite area with a maximum area of 10,000 square feet shall be provided for each lot and shall be depicted on the face of the plat. In the R-2 zoning district, a homesite area with a maximum area of 7,500 square feet shall be provided for each lot and shall be depicted on the face of the plat
- c. ~~In the R-3.5 and R-4.3 zoning districts, a homesite area with a maximum homesite area of 7,600 square feet shall be provided for each lot and shall be depicted on the face of the plat.~~
- d. ~~In the R-5, R-6, R-8, and R-14 zoning districts, a homesite area with a maximum area of 5,000 square feet shall be provided for each lot and shall be depicted on the face of the plat.~~
- e. Other allowed uses and structures, including well houses, may be located within the lot and outside the homesite area; provided, that all other applicable requirements of the BIMC are satisfied.
- f. Designated homesites shall not include designated critical areas or their buffers.
- g. Fencing or signage of designated critical areas shall be required pursuant to subsection A.8.a of this section.

Section 15: Section 17.12.040 *General Residential Subdivision Standards* of the Bainbridge Island Municipal Code is amended to read as follows:

- B. Homesites. Residential homesites shall be located consistent with the design standards of Title 17 and Chapter 18.12 methodology prescribed in the flexible lot design handbook.
- E. Roads and Pedestrian Access.
 - 1. Roads and access complying with the “City of Bainbridge Island Design and Construction Standards and Specifications,” and all applicable requirements of the BIMC, shall be provided to all proposed lots consistent with the standards contained within this subsection.
 - 2. A variation from the road requirements and standards contained within the “City of Bainbridge Island Design and Construction Standards and Specifications” may be approved by the city engineer through the minor variance process described in BIMC Title 2.
 - 3. Existing roadway character shall be maintained where practical. This may be accomplished through the reduction of roadway width consistent with subsection E.2 of this section, the minimization of curb cuts, and the preservation of roadside vegetation. To minimize impervious surfaces, public rights-of-way, access easements and roadways shall not be greater than the minimum required to meet standards unless the city engineer agrees that the additional size is justified.
 - 4. Connections to existing off-site roads that abut the subject property shall be required where practicable, except through critical areas and/or their buffers.
 - 5. Street names and traffic regulatory signs shall be provided, and their locations shall be indicated on the plat/plan. The location of mailboxes and traffic regulatory signs is only required to be indicated on the plat/plan when other public improvements are required.
 - 6. Transit stops shall be provided as recommended by Kitsap Transit.

7. Pedestrian and bicycle circulation and access within a subdivision and onto the site shall be provided through walkways, paths, sidewalks, or trails and shall be consistent with the Island-wide Transportation Plan ~~nonmotorized transportation plan~~. Pursuant to RCW 58.17.110(1) sidewalks shall be provided, where necessary, to assure safe walking conditions for students who walk to and from school. Special emphasis shall be placed on providing pedestrian access to proposed recreational and/or open space areas.

Section 16: Section 17.28.020 *Definitions* of the Bainbridge Island Municipal Code is amended to read as follows:

19. “Flexible lot design” is the design process the city uses that permits flexibility in lot development and encourages a more creative approach than traditional lot-by-lot subdivision. The flexible lot design process includes lot design standards, ~~guidance on~~ for the placement of buildings, use of open spaces and circulation that best addresses site characteristics. This design process permits clustering of lots, with a variety of lot sizes, to provide open space, maintain Island character and protect the island’s natural systems.

Section 17: Table 18.12.020-1 *Flexlot Dimensional Standards for Residential Zone Districts* of the Bainbridge Island Municipal Code is amended as shown in Exhibit B:

Section 18: Table 18.15.010-3 *Perimeter Landscaping Requirements by Land Use and Zoning District* of the Bainbridge Island Municipal Code is amended as shown in Exhibit C.

Section 19: Section 18.27.020 *Transfer of Development Rights* of the Bainbridge Island Municipal Code is amended to read as follows:

18.27.020 Development rights sending areas.

- A. ~~Critical Areas Overlay District. All properties located outside of designated centers within the critical areas overlay district (CAOD)-as designated on the land use map of the city comprehensive plan are established as development rights sending areas. A copy of the critical areas overlay district is available from the department.~~
- B. Agricultural Land. Any owner of agricultural land as defined by BIMC 16.26.020, ~~whether located in or outside of the CAOD,~~ may elect to have the agricultural land designated as a development rights sending area through the sale or transfer of the development rights of the property.
- C. Donation of Development Rights. Any owner of real property may donate all or a portion of their development rights to the city.
- D. Property Already Restricted from Development Not Eligible. Development rights are not available for real property ~~in the CAOD or agricultural land outside of the CAOD~~ that is subject to easements or covenants preventing further development of the real property.

Section 20: Section 18.36.030 *Definitions* of the Bainbridge Island Municipal Code is amended to read as follows:

16. “Affordable housing” or “affordable dwelling unit” (formerly “HUD-defined affordable housing”) means a dwelling unit for use as primary residence by a household in any of the income groups described below, which may be rented or purchased (including utilities other than telephone and cable TV) without spending more than 30 percent of monthly household income. Income level eligibility threshold levels shall be set using HUD levels for the Bremerton-Silverdale ~~Seattle~~ metropolitan statistical area.

Section 21: The Official Zoning Map of the Bainbridge Island Municipal Code is amended for consistency with the Future Land Use Map of the 2016 Comprehensive Plan, as shown in Exhibit D:

Section 22. This ordinance shall take effect and be in force on and after five days from its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL this _____, 2017.

APPROVED BY THE MAYOR this _____, 2017.

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	XXXX, 2016
PASSED BY THE CITY COUNCIL:	XXXX, 2017
PUBLISHED:	_____
EFFECTIVE DATE:	_____
ORDINANCE NUMBER:	2017-02 (formerly 2016-30)

2.16.210 ~~Special area~~ Subarea planning process.

A. Purpose. The purpose of this section is to provide a ~~special planning area~~ Subarea planning process that enhances the livability of the city by recognizing the unique characteristics of the city's ~~designated centers and neighborhoods special planning areas~~ and by providing opportunities to accomplish the goals of the city's comprehensive plan in a way unique to each ~~designated center or neighborhood special planning area~~.

B. Applicability. This chapter ~~only~~ applies to:

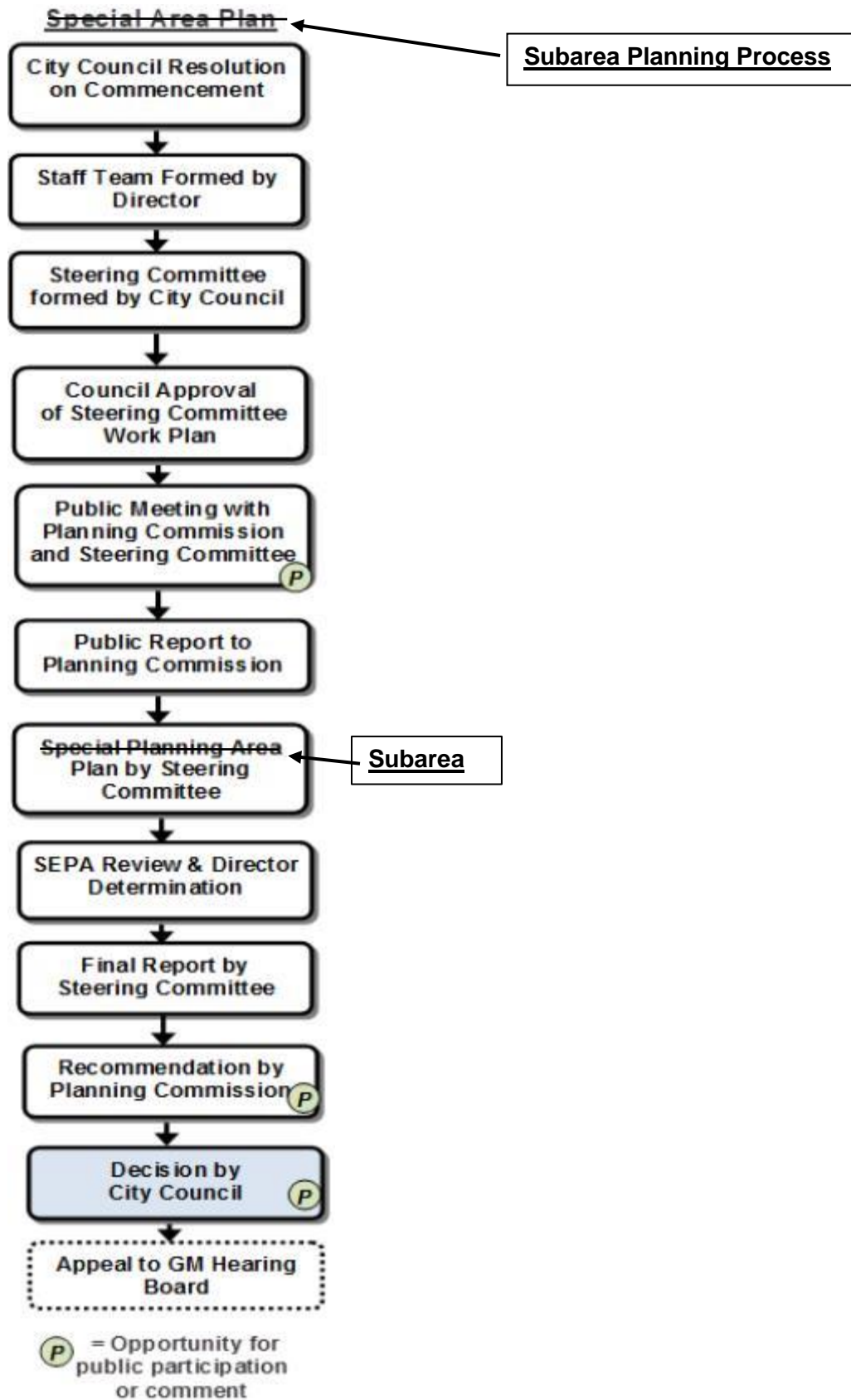
1. A ~~designated center special planning area~~ that has been identified ~~designated~~ in the adopted comprehensive plan; and
2. Discrete neighborhoods outside of designated centers.

C. Beginning the Process. The subarea planning process may be started in tow different ways:

1. The City Council may begin the process through the annual development of department work programs or biennial budget process; or
2. Upon the written request of at least one owner of property located within a ~~designated center or neighborhood special planning area~~, the city council by resolution may approve the commencement of the ~~special subarea planning area~~ process for that ~~special planning area~~. Neighborhoods outside of designated centers must demonstrate to the City Council that subarea planning is generally desired by the neighborhood.

D. Interdepartmental Staff Team.

1. Upon the city council's approval to commence the ~~special~~ subarea planning area process, the director of planning and community development shall establish an interdepartmental staff team.
2. At the director of planning and community development's request, the director of each city department shall assign a representative to the interdepartmental staff team. The Bainbridge Island fire district, the Bainbridge Island school district, the Bainbridge Island metropolitan park and recreation district, and the Kitsap ~~County~~ public health district shall each be invited to participate on the interdepartmental staff team.



3. The interdepartmental staff team shall:
 - a. Compile the city's existing data and materials relating to the ~~special planning area~~ designated center or neighborhood (including comprehensive plan text and map); and
 - b. Identify in writing issues raised by the public during the comprehensive planning process and issues identified by staff relating to the ~~special planning area~~ designated center or neighborhood; and
 - c. Identify interested persons and groups, including all property owners within the designated center or neighborhood ~~special planning area~~ according to the Kitsap County auditor's records, and notify the interested persons and groups in writing by regular mail of the commencement of the ~~special~~ subarea ~~planning area~~ process ~~for the special planning area~~; and
 - d. Provide expertise and guidance to the ~~special-subarea~~ planning area steering committee.

E. Special Subarea Planning Area Steering Committee.

1. Upon the city council's approval to commence the ~~special-subarea~~ planning area process for a designated center or neighborhood ~~special planning area~~, the mayor, with confirmation by the city council, shall appoint a ~~special subarea~~ planning area steering committee for that designated center or neighborhood ~~special planning area~~. The steering committee shall be comprised of an odd number of members, totaling no more than nine, with the total number of members to be determined by the city council. The majority of the committee shall be comprised of representatives from categories in subsections E.2.a and E.2.b of this section. The term of the steering committee members shall be until the completion of the ~~special-subarea~~ planning area process under this chapter.
2. The steering committee shall represent a wide spectrum of interests and expertise and shall include at least one representative from each of the following groups:
 - a. Residents living within and/or owners of property or businesses within the designated center or neighborhood ~~special planning area~~; and
 - b. Residents and owners of property located adjacent to the designated center or neighborhood ~~special planning area~~; and
 - c. Residents of and/or business owners in the city, not residing within or adjacent to the designated center or neighborhood ~~special planning area~~.
3. The steering committee shall:

- a. Establish a planning process consistent with this chapter for developing the ~~special planning-area~~ subarea plan, which shall include a work plan, timeline, and budget, and which shall be submitted to the city council for approval;
- b. With the advice and assistance of the interdepartmental staff team, develop a ~~special planning-area~~ subarea plan consisting of a report and a proposed comprehensive plan amendment, if appropriate, for the designated center or neighborhood ~~special planning-area~~;
- c. As a part of the work plan, establish a public participation process that includes public meetings in addition to the initial public meeting conducted under subsection F of this section, and work with city staff to ensure outreach to the community during the subarea planning process; and
- d. Ensure that the subarea planning process provides adequate opportunity for participation by property owners and residents who live in or near the ~~special planning-area~~ designated center or neighborhood.

F. Initial Public Meeting.

1. After approval of the subarea planning process by the city council, the steering committee shall conduct an initial public meeting.
2. At the initial public meeting, the following shall occur:
 - a. The interdepartmental staff team shall provide an overview of the comprehensive plan and review citywide goals and policies that must be addressed in the ~~special subarea~~ subarea planning process.
 - b. The steering committee, with input from the interdepartmental staff team, shall discuss the purpose of the subarea planning process for the designated center or neighborhood ~~special planning-area~~ and the city's existing data and materials for the area.
 - c. The steering committee shall provide opportunity for the public to comment on the vision and goals for the subarea plan ~~special planning-area~~, the boundaries of the ~~special planning-area~~ designated center or neighborhood that may be included within a subarea plan, and issues relevant to the designated center or neighborhood ~~special planning-area~~, including mix and type of land uses, density of development, surface water, greenways, open space, fish and wildlife habitat, drinking water, sewage disposal, and nonmotorized transportation.

3. The interdepartmental staff team shall prepare a report setting forth the results of the meeting. Upon the steering committee's approval of the report, the interdepartmental staff team shall transmit the report to the planning commission for review and comment.
- G. Plan Development. Upon receiving the planning commission's comments on the report prepared under subsection F.3 of this section, the steering committee shall develop the ~~special planning area~~ subarea plan in accordance with the steering committee's work plan. In developing the ~~special planning area~~ subarea plan, the steering committee shall:
1. Develop a profile of characteristics or attributes of the designated center or neighborhood ~~special planning area~~ (including boundaries) and of issues to be addressed during the ~~special~~ subarea planning area process; and
 2. Develop goals for the ~~special planning area~~ subarea plan; and
 3. Consider and utilize the following criteria, and any other criteria developed by the steering committee, in preparing and selecting alternatives for the ~~special planning area~~ designated center or neighborhood:
 - a. The citywide goals and policies of the city's comprehensive plan; and
 - b. The goals and policies for the ~~special planning area~~ subarea plan developed by the steering committee; and
 - c. Relevant criteria specified in the Washington State Environmental Policy Act, Chapter [43.21C](#) RCW, and the applicable Washington Administrative Code, Chapter [197-11](#) WAC;
 4. Prepare a report setting forth the profiles, goals, and criteria developed by the steering committee pursuant to subsections G.3.a through c of this section, and transmit the report to the planning commission for review and comment; and
 5. After receiving the planning commission's comments on the report prepared under subsection G.4 of this section, develop alternatives for the designated center or neighborhood ~~special planning area~~ that include policies, strategies and programs to implement the vision and goals for the ~~special planning area~~ subarea plan; and
 6. Review the alternatives for the ~~special planning area~~ designated center or neighborhood against the criteria developed for the area, and select an alternative for the designated center or neighborhood to be incorporated into a subarea plan ~~special planning area~~.
- H. Incorporation of SEPA Review. An owner of property in a ~~special planning area~~ designated center or neighborhood may elect, at the owner's expense, to have a SEPA review sufficient in scope and depth of inquiry to be legally adequate for a specific project incorporated into the city's SEPA process for the subarea plan ~~special planning area~~. The SEPA official for

the city shall establish the scope, depth and method of the SEPA review pursuant to Chapter [16.04](#) BIMC.

- I. Final Plan. The steering committee shall prepare a final report containing the ~~special planning area~~ subarea plan for the designated center or neighborhood ~~special planning area~~. The ~~final report~~ subarea plan shall include the profile and characteristics of the designated center or neighborhood, the goals of the subarea plan ~~special planning area~~, the policies, strategies, or programs recommended by the steering committee ~~for the special planning area~~, and a proposed comprehensive plan amendments or changes to the municipal code for the designated center or neighborhood ~~special planning area~~, if appropriate. The steering committee shall forward its final report and proposed subarea plan ~~comprehensive plan amendment~~, if any, to the planning commission for action. The planning commission will review the subarea plan and proposed comprehensive plan and municipal code amendments and make recommendations to the City Council, as required by Sections 2.16.180 and 2.16.190.

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
MINIMUM LOT AREA Note: Additional regulations on lot dimensions may apply pursuant to: (a) BIMC 17.12.030.A , flexible lot subdivision open space development option; or (b) BIMC 17.12.030.B , flexible lot subdivision cluster development option. <u>Cluster option not available for properties in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zoning districts.</u>										
Open Space Short and Long Subdivision	If the parcel is served by a public sewer system or the septic drainfield is located outside of the lot: 5,000 sq. ft. located outside of critical areas and their buffers (see BIMC Title 16) in every zone district except R-14. Parcels containing liquefaction hazard critical areas are exempt from the 5,000 sq. ft. requirement. If the septic drainfield is located within the lot: 12,500 sq. ft., of which 5,000 sq. ft. must be located outside of critical areas and their buffers. Parcels containing liquefaction hazard critical areas are exempt from the 5,000 sq. ft. requirement. The health district may require a larger lot size. In the R-14 district, the minimum lot area is 3,100 sq. ft. For all zone districts, the minimum lot size can be reduced below 5,000 sq. ft. as an incentive for providing additional open space pursuant to BIMC 17.12.030.A.5 .									
Short and Long Cluster Subdivision	Lot size flexible as long as minimum homesite area met per BIMC 17.12.030.B .									
	Homesite max. 10,000 sq. ft.	<u>Homesite max.</u> <u>7,500 sq. ft.</u>	<u>NA</u> Homesite max. 7,600 sq. ft.				<u>NA</u> Homesite max. 5,000 sq. ft.			
Large Lot Subdivision	5 ac or 1/128th of a section, whichever is smaller									

Exhibit B

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
MAXIMUM DENSITY (Minimum lot area per dwelling unit) Note: Subdivisions containing irregularly shaped lots and lots containing critical areas may not be permitted to achieve maximum density. Additional regulations on density may apply pursuant to: (a) BIMC 16.20.160 .F.5.a, Additional Development Standards for Regulated Uses, Land Divisions and Land Use Permits, Density Calculation										
Short, Long, and Large Lot Subdivisions	The maximum number of lots permitted shall be calculated by dividing the total lot area of the property (without deducting areas to be dedicated as public rights-of-way or areas to be encumbered by private road easements) by the minimum lot area for standard lots in the zone district.									
Base Density	100,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft. [1]	15,000 sq. ft. [2]	12,500 sq. ft. [2]	10,000 sq. ft. [2]	8,500 sq. ft.	7,260 sq. ft.	5,400 sq. ft.	3,100 sq. ft.
Bonus Density pursuant to BIMC 18.12.030 .A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,630 sq. ft.	2,074 sq. ft.
MINIMUM LOT DIMENSIONS Note: Additional regulations on lot dimensions may apply pursuant to: (a) BIMC 17.12.030 .A, flexible lot subdivision open space development option, or										

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT										
DIMENSIONAL STANDARD	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
(b) BIMC 17.12.030 .B, flexible lot subdivision cluster development option. <u>Cluster option not available for properties in the R-2.9, R-3.5, R-4.3, R-5, R-6, R-8, and R-14 zoning districts.</u>										
Short, Long, and Large Lot Subdivisions	Minimum lot width shall be 50 ft. unless the shoreline master program requires a larger width. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. The size, shape, and orientation of lots shall be appropriate for the type of development and use contemplated. Corner lots may be required to be platted with additional width to allow for the additional side yard requirements. When consistent with neighborhood character, subdivision lots situated along public streets should be configured to allow future houses to face the street, but this requirement does not apply to short plats or large lots.									
MAXIMUM LOT COVERAGE [3]										
Short and Long Subdivision	Same as applied to the entire property that is the subject of the subdivision application, a portion of which shall be assigned to each lot at the time of preliminary plat approval.									
Large Lot Subdivision	10%	15%	20%	25%	25%	25%	25%	N/A	25%	40%
MINIMUM SETBACKS										
Note: Landscaped areas may serve as setbacks (i.e., setbacks are not in addition to landscaped areas), and some encroachments into setback areas are permitted pursuant to BIMC 18.12.040 .										
Note: Additional setbacks may be required by:										
(a) Chapter 16.08 or 16.12 BIMC, or										
(b) Chapter 16.20 BIMC, Critical Areas, or										

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
(c) BIMC 16.28.040 , mining regulations, or										
(d) BIMC 18.09.030 , Use-specific standards, or										
(e) BIMC 18.12.030 .F, Shoreline Structure Setbacks, or										
(f) BIMC 18.15.010 , landscaping and screening.										
Short, Long, and Large Lot Subdivisions [4]										
Bldg. to bldg.	0 ft. 10 ft., or minimum required by the fire code, whichever is greater									
Building to exterior plat boundary line	25 ft.	15 ft.								
Building to SR 305 right-of-way	75 ft.									
Building to other arterial and collector rights-of-way	50 ft.				40 ft.					
Building to other streets	15 ft.									
Building to trail, open space or access easement (except for open space areas that are also roadside or landscape buffers)	10 ft.									

Exhibit B

Table 18.12.020-1 Flexlot Subdivision Dimensional Standards for Residential Zone Districts

[Numbers in brackets indicate additional requirements listed at the end of the table.]

ZONING DISTRICT	R-0.4	R-1	R-2	R-2.9	R-3.5	R-4.3	R-5	R-6	R-8	R-14
DIMENSIONAL STANDARD										
Cluster Subdivisions: Homesite clustering	All homesites in a cluster grouping shall adjoin or be located a maximum of 25 feet apart from another homesite.		NA							
Shoreline Jurisdiction	See Table 16.12.030-2, Dimensional Standards Table, and BIMC 18.12.030.F , Shoreline Structure Setbacks. For properties abutting the shoreline, the native vegetation zone required by BIMC 16.12.030 and Table 16.12.030-3 replaces the zoning setbacks along the water.									
MAXIMUM BUILDING HEIGHT										
Note: Bonus may not be available in the shoreline jurisdiction										
Short, Long, and Large Lot Subdivisions	Height requirements for standard lots apply (see end of table)									

[1] The base density for that parcel in the Lynwood Center special planning area designated as R-2 is one unit per 20,000 sq. ft., but may be increased up to 3 units per acre; provided, that a public access easement is granted for that portion of the parcel that lies to the south of Point White Drive along the waters of Rich Passage. The base density of some parcels in the Fort Ward historic overlay district may be increased as shown in BIMC [18.24.070](#).

[2] Pursuant to Chapters [18.18](#) and [18.27](#) BIMC the minimum lot area for a dwelling unit shall be 5,400 square feet for that area designated on the official land use map as the urban single-family overlay district (R-8SF). All other requirements of this chapter shall apply.

[3] Educational, governmental, cultural, religious, and health care, within residential zone districts must be processed as major conditional use permits pursuant to BIMC [2.16.110.E](#).

[4] For flexlot subdivisions and short plats, setbacks from rights-of-way may be reduced to maintain neighborhood character by establishing building setbacks equal to or greater than the existing building setbacks on the adjacent properties. Where there are no developed properties adjacent to the property being subdivided, the setbacks in Table 18.12.020-1 shall apply.

Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
Multifamily in R-2, R-1 and R-0.4 Districts			
Single-family residential	Full Screen	25	25
R-8 and R-14 Multifamily Districts			
R-4.3 (urban residential)	Partial Screen	20	15
Short Plats and Subdivisions in Residential Zoning Districts [1]			
Residential subdivision in the R-0.4, R-1, <u>and</u> R-2, <u>and</u> R-2.9 districts (cluster option only)	Edge Planting Standard	25	25
Residential subdivision in the R-3.5, R-4.3, R-5, R-6, R-8, and R-14 districts (cluster option only)	Edge Planting Standard	40	40
Multifamily subdivision in the R-2, R-1, and R-0.4 zoning districts (cluster option only)	Full Screen	25	25
Park and conservation land buffer: applies to all single-family subdivisions (OS) [2]	Edge Planting Standard	25	25
Nonresidential Uses in Areas Outside Winslow Mixed Use, HSR, NSC, B/I, WD-I Districts			
Residential including multifamily	Full Screen	25	25
Nonindustrial uses	Partial Screen	20	10
Winslow Town Center Mixed Use District [3]			
Single-family residential	Full Screen	20	15
HSR I and II Districts			
Single-family residential	Full Screen	20	15

Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District

Abutting Zoning or Land Use District	Perimeter Landscape Type	Perimeter Width (ft.)	Minimum Perimeter Width (ft.)
NSC Districts			
Residential including multifamily	Full Screen	20	15
B/I Districts			
Non-B/I	Full Screen [4]	50	35
WD-I Districts			
Residential including multifamily	Full Screen	40	30
Nonindustrial uses	Full Screen	25	15
<p>[1] Properties with less than one acre being subdivided are not subject to perimeter buffer requirements.</p> <p>[2] (OS) indicates that the buffer may be calculated in the required open space area for the subdivision.</p> <p>[3] For perimeter landscaping requirements in the ferry terminal district transition area, north of Winslow Way, reference BMC 18.12.030.C.</p> <p>[4] This perimeter buffer applies even when a private access road separates a B/I property from non-B/I property.</p>			



City of Bainbridge Island Future Land Use Map

December 16, 2016

Legend

Shoreline Designations

- Island Conservancy
- Natural
- Shoreline Residential
- Shoreline Residential Conservancy
- Urban

Designations

- Business/Industrial
- CORE
- Contract Zoning Districts
- Erickson Ave District
- Ferry Terminal District
- Gateway District
- High School Rd 1 District
- High School Rd 2 District
- Madison Ave District
- NC Neighborhood Center
- NC/R-12
- Open Space Residential-0.4
- Open Space Residential-1
- Open Space Residential-2
- Semi-Urban -2.9
- Semi-Urban-3.5
- Urban Multi-Family R-14
- Urban Multi-Family R-8
- Urban Residential -4.3
- Urban Residential-5
- Urban Residential-6
- Water Dependent Industrial

This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of the City of Bainbridge Island. Hereafter, any changes made in zoning district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map promptly after the amendment has been adopted, together with an entry on, or attached to, the Official Zoning map, as follows:

Val Tollefson, Mayor Ron Pellet, Council Member

Sarah Blossom, Council Member Roger Townsend, Council Member

Kol Medina, Council Member Michael Scott, Council Member

Wayne Roth, Council Member

Attest:
Rosaling D. Lassofo, City Clerk

Mixed Use Town Center						
	Central Core	Madison Avenue	Erickson Avenue	Gateway District	Ferry Terminal District	High School Rd District 1 & 2
Floor Area Ratio (FAR)						
Commercial	0.6	0.4	0.3	0.15	0.1	0.3
Residential	0.4	0.4	0.3	0.5	0.4	0.3
Mixed Use	1.0	0.5	0.5	0.5	0.5	0.3
Maximum FAR with Bonus						
Commercial	1.0	0.6	0.6	0.3	0.2	0.6
Residential	1.0	0.6	0.6	1.0	1.1	0.6
Mixed Use	1.5	1.0	1.0	1.0	1.3 (1.5)	1.0

Effective Date	Ordinance	Description
June 1, 2005	Ordinance 2005-02	WSF Maintenance Yard & Ravine Creek Estuary

DATE	ORDINANCE	DESCRIPTION
April 4, 1996	Ordinance 95-08	Window Mixed Use Town Center (MUTC)
March 23, 1999	Ordinance 97-61	Changes to LM and NEC created WSD-1
September 8, 1997	Ordinance 97-28	Zoning changes per Lynwood Center SPA
August 6, 1998	Ordinance 98-38	Corrected mapping errors in Winslow
April 28, 1999	Ordinance 98-12	Corrected mapping errors at Rockaway Beach
September 8, 1999	Ordinance 98-17	Implemented Winslow Master Plan (WMP) adopted FARs for MUTC
December 31, 1999	Ordinance 99-64	Amended Ferry Terminal District boundaries
February 23, 2000	Ordinance 2000-03	LM Rezone
February 23, 2000	Ordinance 2000-04	LM Rezone
February 23, 2000	Ordinance 2000-05	LM Rezone
May 25, 2005	Ordinance 2005-12	R-8 Rezone, MAD Rezone, LM Rezone
March 23, 2006	Ordinance 2006-03	Rezone of parcel 26252204/2004
August 15, 2010	Ordinance 2010-21	Rezone of parcel 10252200/2001
November 27, 2013	Ordinance 2013-19	Corrected mapping errors at Lynwood Center
November 27, 2013	Ordinance 2013-20	Light Manufacturing District changed to Business/Industrial District
October 14, 2014	Ordinance 2014-39	Change R-2 designation to WSD for a priority on the north shore of Eagle Harbor

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 8:40 PM Ordinance No. 2017-06, Relating to Community Policing, AB 17-024 - Councilmember Scott (Pg. 114)	Date: 2/21/2017
Agenda Item: UNFINISHED BUSINESS	Bill No.: 17-024
Proposed By: Councilmember Scott	Referrals(s):

BUDGET INFORMATION

Department: Council	Fund:
Expenditure Req:	Budgeted? Budget Amend. Req?

REFERRALS/REVIEW

Business Meeting: 2/14/2017	Recommendation: Forward to 2/21/17 agenda
City Manager:	Legal: Finance:

DESCRIPTION/BACKGROUND

The term “sanctuary city” is often used incorrectly to describe trust acts or community policing policies that limit entanglement between local police and federal immigration authorities. These policies make communities safer and increase communication between police and their residents without imposing any restrictions on federal law enforcement activities.

Currently there are over 326 counties, 32 cities, and four states that limit local law enforcement's involvement in federal immigration enforcement.

Community policing policies encourage all members of the community, including immigrants, to work with the police to prevent and solve crime. As Tom Manger, Chief of Police for Montgomery County and President of the Major Cities Chiefs Association, said, "To do our job we must have the trust and respect of the communities we serve. We fail if the public fears their police and will not come forward when we need them. Whether we seek to stop child predators, drug dealers, rapists or robbers—we need the full cooperation of victims and witness. Cooperation is not forthcoming from persons who see their police as immigration agents. When immigrants come to view their local police and sheriffs with distrust because they fear deportation, it creates conditions that encourage criminals to prey upon victims and witnesses alike."

Law enforcement agencies and associations from across the country have echoed this sentiment by supporting community policing policies and opposing attempts by the federal government to mandate immigration enforcement cooperation.

- The Law Enforcement Immigration Task Force, comprised of more than 30 police chiefs, sheriffs, commissioners, and lieutenants from across the country, explained, “Immigration enforcement at the

state and local levels diverts limited resources from public safety. State and local law enforcement agencies face tight budgets and should not be charged with the federal government's role in enforcing federal immigration laws.”

- According to Dayton Police Chief Richard Biehl, Dayton's community policing policies “have been successful in building trust and making our city safer,” and have led to a nearly 22 percent reduction in serious violent crime and a 15 percent reduction in serious property crime in Dayton since the adoption of those policies.

Immigration enforcement is a federal responsibility:

- There is no local or state community policing policy that prevents the federal department of the federal Department of Homeland Security's division of Immigration and Customs Enforcement (ICE) from enforcing federal immigration laws.

When a law enforcement agency takes a suspect into custody and books him or her, the person's fingerprints are sent automatically to ICE, which has ample resources to investigate and initiate enforcement actions against noncitizens who fit within the agency's enforcement priorities.

See also article in The Olympian: <http://www.theolympian.com/news/politics-government/article129947119.html>

RECOMMENDED ACTION/MOTION

I move that City Council approve Ordinance No. 2017-06, relating to Community Policing.

ATTACHMENTS:

Description	Type
▣ Ordinance No. 2017-06	Backup Material

ORDINANCE NO. 2017-06

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to Community Policing.

WHEREAS, on February 14, 2017, the City Council adopted Resolution No. 2017-09, affirming that the City of Bainbridge Island is a Welcoming and Inclusive City that respects the fundamental human dignity of all people; now, therefore,

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

Section 1. Immigrant Status Information.

A. Unless required by law or court order, no City of Bainbridge Island officer or employee shall inquire into the immigration status or nationality of any person, or engage in activities designed to ascertain the immigration status or nationality of any person.

B. The Bainbridge Island Police Department shall not investigate, arrest, or detain any person based solely on immigration status or nationality.

C. The Bainbridge Island Police Department shall maintain policies consistent with this section.

Section 2. Effective Date. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of February, 2017.

APPROVED BY THE MAYOR this _____ day of February, 2017.

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK: February 3, 2017

PASSED BY THE CITY COUNCIL:	February ___, 2017
PUBLISHED:	February ___, 2017
EFFECTIVE DATE:	February ___, 2017
ORDINANCE NUMBER:	2017-06

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 8:55 PM Ordinance No. 2017-05, Amending BIMC 12.28 to Reference Current Planned Facilities Maps in the Non-Motorized Chapter of the 2017 Island-Wide Transportation Plan, AB 17- 027 - Mayor Tollefson (Pg. 118)	Date: 2/21/2017
Agenda Item: UNFINISHED BUSINESS	Bill No.: 17-027
Proposed By: City Council	Referrals(s):

BUDGET INFORMATION

Department: Executive	Fund:
Expenditure Req:	Budgeted? Budget Amend. Req?

REFERRALS/REVIEW

Business Meeting: 2/14/2017	Recommendation: Forward to 2/28/17 Consent Agenda
City Manager:	Legal: Yes Finance:

DESCRIPTION/BACKGROUND

As approved at its first reading on February 14, Ordinance No. 2017-05 has language that is arguably ambiguous, and can be read as inconsistent with the prior expressed intent of the City Council to remove from the Island-Wide Transportation Plan language that would have supported requiring trail easements as a condition to granting of development approval in some cases.

RECOMMENDED ACTION/MOTION

I move that Ordinance No. 2017-05 be amended by changing the opening of BIMC 12.28.020 to read as follows, and that the amended Ordinance be forwarded to the February 28, 2017, Consent Agenda: "All projects requiring a building permit and located on property abutting a **street in which non-motorized facilities are proposed** ~~any proposed non-motorized facilities~~, including sidewalks and shoulders, shall provide the designated facilities along the street front, . . ."

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 9:10 PM Discussion of Transportation Bond Issue, AB 17-032 - Council (Pg. 119)	Date: 2/21/2017
Agenda Item: COUNCIL DISCUSSION	Bill No.: 17-032
Proposed By: City Council	Referrals(s):

BUDGET INFORMATION

Department: Executive	Fund: Not Applicable	
Expenditure Req:	Budgeted? No	Budget Amend. Req? No

REFERRALS/REVIEW

:	Recommendation:	
City Manager: Yes	Legal:	Finance:

DESCRIPTION/BACKGROUND

The City Council is asked to discuss options for a transportation bond measure, which could potentially be put on the ballot in November 2017. The attached project list is proposed for Council consideration. This list is from the Non-motorized Transportation Advisory Committee's project prioritization.

If a proposition is going to be placed on the November 2017 General Election ballot, City Council action should be taken as soon as possible, but no later than the July 25, 2017, meeting.

RECOMMENDED ACTION/MOTION

Discussion and provide direction to City Manager for next step(s).

ATTACHMENTS:

Description	Type
□ NMTAC Priority Projects-2016	Backup Material

**NonMotorized Transportation
Advisory Committee (NMTAC)
Priority Projects
2016**

<u>Shoulder Improvement Projects:</u>	<u>Scoring</u>
C40 Eagle Harbor, Phase 1 (Wyatt to Bucklin Hill)- Paved shoulders both sides	142
C40 Bucklin, Phase 2 (Blakely to Lynwood)	128
C40 Blakely - Paved shoulders for climbing Lanes	125
C40 New Brooklyn (Sportsman Club Road to Miller) - Paved climbing lanes	119
C40 Fletcher Bay (Lost Valley to New Brooklyn) - Paved shoulders both sides	109
N. Madison Gravel Shoulder Improvements	104
C40 Valley (N. Madison to Sunrise) - Paved climbing lane	103
C40 Eagle Harbor, Phase 2 (Bucklin Hill to McDonnald) Paved shoulders both sides	101
Valley Road Gravel Shoulder Improvements	97
<u>Sidewalk Improvement Projects:</u>	
Madison Avenue (Wyatt to High School)	146
Madison Avenue (Winslow Way to Wyatt)	145
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**NonMotorized Transportation
Advisory Committee (NMTAC)
Priority Projects
2016**

	NMTAC
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City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 9:25 PM Discussion of Alternatives for Green Power, AB 17-033 - Deputy Mayor Peltier (Pg. 122)	Date: 2/21/2017
Agenda Item: COUNCIL DISCUSSION	Bill No.: 17-033
Proposed By: City Council	Referrals(s):

BUDGET INFORMATION

Department: Executive	Fund: Not Applicable	
Expenditure Req:	Budgeted? No	Budget Amend. Req? No

REFERRALS/REVIEW

:	Recommendation:	
City Manager: Yes	Legal:	Finance:

DESCRIPTION/BACKGROUND

The City Council is asked to discuss opportunities to increase the use of green power alternatives by island consumers. Currently, Puget Sound Energy offers the simplest option, which is their Green Power program. The Green Power program gives PSE customers an option of voluntarily contributing to green power by paying a higher rate for electric consumption.

In 2013, Bainbridge Island competed in the Green Power Challenge Program, which resulted in a \$20,000 grant to fund a solar project on the Island. Residential customers can participate in the program for as little as \$4.00 per month and business customers can participate for as little as \$20.00 per month.

Other green power alternatives available on Bainbridge Island include solar, geothermal, and biofuels. During the past two years, PSE representatives and City staff have been discussing the feasibility of a bio-digester program, which would have the potential of generating enough power to reduce peak load stress on a substation. Based on information gathered, it appears that with food waste from Island grocery stores, restaurants, and the Clearwater Casino, a bio-digester is a feasibility alternative. Additional meetings with PSE and others are being planned and a project proposal may come before the City Council in 2017.

RECOMMENDED ACTION/MOTION

Discussion item - no action necessary.

City of Bainbridge Island

City Council Agenda Bill



PROCESS INFORMATION

Subject: 9:40 PM Discussion of Developer's Extension Agreement for Roost Land Company, LLC, AB 17-039 - Public Works (Pg. 123)	Date: 2/21/2017
Agenda Item: COUNCIL DISCUSSION	Bill No.: 17-039
Proposed By: Barry Loveless	Referrals(s):

BUDGET INFORMATION

Department: Public Works	Fund:	
Expenditure Req:	Budgeted?	Budget Amend. Req?

REFERRALS/REVIEW

:	Recommendation:	
City Manager:	Legal: Yes	Finance:

DESCRIPTION/BACKGROUND

Roost Land Company, LLC, is proposing to construct an extension of the City's sewer collection system to be routed through the adjacent Lynwood Commons, LLC, property. The new sewer line will be dedicated to the City and connect to an existing line that will also be dedicated to the City, and both lines will be within an easement granted to the City for maintenance and operation of the lines. As part of an expected agreement between Roost, LLC, and the owners of Lynwood Commons, LLC, the existing reimbursement amount for future reduced latecomer's fees that was agreed to for Lynwood Commons in a prior sewer connection agreement is expected to be purchased by Roost, LLC. The bulk of that reimbursement amount (\$103,500) will be made available to Roost, LLC, under this Developer's Extension Agreement, and the remaining amount (\$12,000) related to the original \$115,500 of the reimbursement amount will be available to Lynwood Commons, LLC.

RECOMMENDED ACTION/MOTION

For discussion. Based on that discussion, it is recommended that the item be forwarded to the next Council meeting for consideration and possible adoption.

ATTACHMENTS:

Description	Type
□ DRAFT Developer's Extension Agreement	Backup Material

CITY OF BAINBRIDGE ISLAND
PUBLIC WORKS DEPARTMENT
280 Madison Avenue N.
Bainbridge Island, WA 98110
(206) 842-2016

DEVELOPER EXTENSION AGREEMENT MANUAL

<input type="checkbox"/>	WATER
<input checked="" type="checkbox"/>	SEWER
<input checked="" type="checkbox"/>	STORM AND SURFACE WATER

EXTENSION: Roost

DEVELOPER: Roost Land Company, LLC

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Developer Extension Checklist

Developer Extension Agreement

Forms: Restoration Performance Bond (Non-City Right-of-Way)
 Easement
 Warranty Bill of Sale
 Maintenance Bond
 Latecomer Reimbursement Agreement (Delayed Benefit Charge)

CITY OF BAINBRIDGE ISLAND

APPLICATION FOR STANDARD DEVELOPER EXTENSION AGREEMENT

1. Developer's Name Roost Land Company, LLC
Address/City/State/Zip PO Box 10549
Telephone No. (206) 855-9399
2. Project Name: Roost
3. Project Location 4569 Point White Drive NE
(Include common street address:)
4. Legal Owner's Name _____
(if different from developer):
Address/City/State/Zip _____
5. Name of Developer's Engineer: Adam Wheeler (Browne/Wheeler Eng., Inc.)
Address/City/State/Zip 241 Ericksen Ave NE, Bainbridge Island,
Washington 98110
Telephone No. (206) 842-0605
6. Attached, as Exhibit "A", is the legal description for this proposed project.
7. Tax Parcel Number(s): 042402-1-046-206, 042402-1-56-2003, 042402-1-057-2002,
042402-1-058-2001, 042402-1-059-2000
8. This parcel contains 6 lots.
Type of Lot:
☒ Single Family
☐ Duplex/Multiplex No. of Units: _____
☐ Commercial Type of Commercial Use: _____
☒ Other Lot 6 is NSC/Mixed Use, Lots 1-5 are R2/SFR

9. Latecomer Reimbursement – (If applicable): Attached, as Exhibit “B” is the legal description for all properties that the applicant proposes for latecomer reimbursement (delayed benefit charge). ☐ \$250 for Standard Developer Extension Agreement Application. ☐ \$250 for Latecomer’s Agreement.
10. A processing fee of \$ _____ payable to the City of Bainbridge Island, is enclosed per the current City of Bainbridge Island fee schedule, (Resolution 95-01, as amended). This is a **non-refundable** fee which covers review of the application and initial services of the City’s Engineer to determine the feasibility of the proposed project.
11. Enclosed is a preliminary plan showing the proposed project, including boundaries, lot lines, facilities, roads and structures.
12. The estimated start date of the construction of the proposed facilities will be _____ and will be completed on or before _____.
13. Have you previously submitted to the Bainbridge Island Department of Planning and Community Development an application for a building permit, rezone, subdivision approval, planned residential development, or other land use action, for this proposed project or any part thereof? Yes X No _____
- If yes, list the name of the applicant, the date of application, the type of action required and the file number. PLN50076 SUB, PU50076 SUB
14. The developer understands that the City will not approve the plans for the proposed facilities until both parties have executed a Developer Extension Agreement.

I have read and fully understand the foregoing conditions and agree to adhere to policies and procedures of the Developer Extension Agreement and the ordinances and regulations of the City of Bainbridge Island, such as in the Standard Design and Construction Manual.

Belinda Thornburg
Developer - Print Name
Roost Land Company, LLC
Company

Signature Manager
Title

Date

FOR CITY OF BAINBRIGE ISLAND USE ONLY:	
Application for Developers Extension Agreement	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
City Engineer_____	
Dated: _____	

DEVELOPER EXTENSION AGREEMENT

THIS AGREEMENT is to be effective as of the _____ day of _____ 2017, by

and between Roost Land Company, LLC, ("Owner") and CITY OF BAINBRIDGE ISLAND, Washington, a municipal corporation of the State of Washington ("City").

RECITALS

A. The City operates a system of:

- ☐ Water
- ☒ Sewer
- ☒ Storm and Surface Water facilities

B. The Owner owns certain real property legally described in "Exhibit A", attached hereto and by this reference made a part hereof ("Property"). The Owner desires to have the Property furnished with ☐ water, ☒ sewer, ☒ storm and surface water service by the City.

C. In order to connect the Property to the City's system of facilities, the Owner must construct such facilities and appurtenances at its own expense. The Owner desires to construct the facilities and appurtenances and convey them to the City for ownership, maintenance and operation pursuant to this Agreement, Chapter 35.91 RCW and Sections 13.10.050 and 13.16.020 of Bainbridge Island Municipal Code and City's Standard Design and Construction manual.

TERMS AND CONDITIONS

IN CONSIDERATION of the mutual promises and performance provided herein, the parties for themselves, their assigns and successors in interest, agree as follows:

1. Permission to Construct Project; Ownership of Property. The Owner warrants that it owns the Property. The City authorizes the Owner to construct and install ☐ water, ☒ sewer, ☒ storm and surface water facilities and appurtenances to serve the Property in accordance with City requirements ("Project").
2. Standards of Construction. Design, construction and installation of the Project shall be in accordance with City standards, ordinances, rules, regulations and franchises, as now in effect and as the same hereafter may be amended.
3. Submission of Schedule. Promptly after execution of this Agreement, the Owner shall submit to the City a schedule regarding design and construction of the Project. When the Owner makes changes in the schedule, the Owner shall submit updates of the schedule to the City.

4. Preparation and Review of Plans and Specifications. The City Engineer or designee (including consulting engineers) ("Engineer") shall review and approve in writing the plans, specifications and drawings of the Project before work is commenced. The plans, specifications, and drawings shall be prepared by a qualified licensed professional engineer selected by the Owner.
5. Engineering, Construction Oversight, Legal and Administrative Costs; Proceedings Under Agreement. The Owner has paid to the City a \$_____ non-refundable processing fee for review of the application for developer extension and initial services of the Engineer to determine the feasibility and scope of the Project. The Owner shall pay for construction oversight in the amount of three percent (3%) of the construction and installation costs of the Project.

During the period of design, construction and installation of the Project, the City shall submit to the Owner statements of charges for construction oversight, for additional services of the Engineer and for services of the City's Attorneys ("Attorneys") which may be performed pursuant to this Agreement, including, but not limited to, participation in any pertinent administrative or court proceedings to which the City may become a party. These statements shall include:

Construction oversight charges, the charge of the Engineer and charges of the Attorneys pursuant to the retainer letter between the City and the Attorneys;

An amount equal to 10 percent of the charges of any consulting engineers and the Attorneys for the administrative cost to the City of handling their invoices; and, out-of-pocket costs the City incurred under this Agreement.

The Owner shall pay a statement within ten days of receipt. Any statement not paid in full within 14 days shall be deemed delinquent and shall accrue interest at the rate of twelve percent (12%) per annum from the date of delinquency. If any statement is not paid when due, the City may stop work on the Project without incurring liability therefor.

The City shall have the right to commence, appear in or defend any action or proceeding affecting the rights of the parties under this Agreement, and shall have the right to pay necessary expenses, including the costs of engineering and legal services, subject to reimbursement by the Owner.

6. Connection Charges and Fees. Before connection of the Project to the City's facilities, the Owner shall pay all connection, latecomer reimbursement (delayed benefit) and permit fees and charges which may be due for the Project and the Property.

In consideration of a separate agreement between the Owner and Lynwood Commons, LLC, by which the Owner purchased from Lynwood Commons, LLC, latecomer fee credits in the amount of \$115,500 that were previously available to the Blossom Property based on the additional contribution the Blossom Property paid toward the cost of sewer facilities constructed and installed by Harley and Sharon Unruh in the Lynwood Center

area (“Facilities”), which Facilities were later purchased by the City, the City will reimburse the Owner \$1,500 for each paid and binding sewer commitment that includes payment of the latecomer’s charge of \$2,200 per equivalent residential unit (“ERU”).

In addition to the twenty-three (23) ERUs that the Blossom Property previously purchased through other agreements, Lynwood Commons, LLC, will purchase an additional eight (8) ERUs from the City, subject to the \$1,500 latecomer’s credit per ERU, and will pay connection fees for those additional ERUs, which results in 69 remaining ERUs for the Owner that are subject to the credit of \$1,500 per ERU (resulting in a total credit to the Owner in the amount of \$103,500). The Owner can use those credits for ERUs it may purchase in the future.

Further, during the Credit Term (defined below), the City shall collect from owners of real property subject to the existing Latecomer’s Agreement (“Subject Owners”) the latecomer charge of \$2,200 per ERU for each paid and binding sewer commitment granted to the Subject Owners and shall reimburse Owner \$1,500 from each \$2,200 payment. The City shall credit/reimburse the \$1,500 per ERU to Owner until the remaining number of 69 ERUs are credited and/or reimbursed to Owner, or for a period of ten (10) years, whichever comes first (the “Credit Term”).

To clarify, the original \$115,500 that the Blossom Property paid for the ERU credits equates to 77 ERUs subject to a credit of \$1,500 per ERU ($\$115,500 \div \$1,500 = 77$ ERUs subject to the credit). Eight (8) of those ERU credits will be purchased from the City by the Blossom Property’s successor in interest, Lynwood Commons, LLC, and the remaining 69 ERU credits will be available/reimbursable to Owner for a period of ten (10) years following the execution of this agreement.

7. Commencement of the Project. In addition to any other requirements of this Agreement, and before construction of the Project is commenced, the Owner shall fulfill each of the following requirements:

- a) The Owner shall obtain and file evidence acceptable to the City of a policy of comprehensive general liability **insurance** for the work being performed under this Agreement. The comprehensive general liability policy must provide minimum coverage as follows:

Bodily injury, each person	\$1,000,000
Bodily injury, each occurrence	\$2,000,000
Property damage	\$1,000,000
Property damage, each occurrence	\$2,000,000
OR	
Combined single limit for bodily injury and property damage, each occurrence or general aggregate	\$2,000,000

The City shall be named as an insured under the policy, which shall be maintained in full force and effect during the period of construction and installation of the Project and until the Project is accepted by the City. The policy shall be placed with an insurance company having an A.M. Best & Co. rating of no less than A:VII, unless a company with a lower rating is approved by the City's Public Works Director. Each insurance policy shall state that coverage shall not be suspended, voided, canceled or reduced in coverage except after 30 days written notice to the City by certified mail, return receipt requested.

b) The Owner shall obtain or cause to be obtained all applicable permits and approvals, at Owner's expense.

c) The Owner shall give the Engineer one-week's written notice before commencing construction of the Project.

e) If construction or installation of any part of the project will occur in a City street or right-of-way, the Owner shall provide a bond or other security in accordance with Chapter 15.12 of the Bainbridge Island Municipal Code.

f) If construction or installation of any part of the Project will occur in a non-City right-of-way under franchises or permits obtained by the City or for which the City is responsible, the Owner shall provide to the City a restoration performance bond executed by the Owner and a surety company in a form acceptable to the City, in the sum of (1) \$10,000, (2) 50 percent (50%) of the estimated cost of that part of the Project to be constructed or installed in the right-of-way, or (3) the amount required by the owner of the right-of-way, whichever is greater. The restoration performance bond shall be conditioned upon (1) replacement, repair and restoration of the right-of-way in as good a condition as it was immediately before the right-of-way was entered upon for construction of the Project; (2) correction and repair of any defects appearing or developing in the materials of workmanship provided in such replacement, repair and restoration within a period of one year after the date of acceptance of the Project by the City; and (3) **indemnification** of the City from any damage or expense by reason of the failure to act.

g) Without cost to the City and as required by the City, the Owner shall convey easements for the Project, in forms acceptable to the City, with the right of ingress and egress for maintenance operation, repair and replacement.

h) The Owner shall obtain for the City such other easements, in forms acceptable to the City, as are required to gain access to the Project.

8. Inspection. The Owner shall permit the City and the Engineer, or the Engineer's designees, to inspect the construction and installation of the Project at any time before

connection is made to the City's facilities. The Engineer shall have authority to reject any construction and installation not conforming to the approved design of the Project and the requirements of this Agreement.

9. Completion of the Project. Subject to any applicable state or local requirements, and before the Project is connected to the City's facilities, the Owner shall fulfill the following requirements:

—Comply with all terms and conditions of this Agreement and the approved design of the Project.

—Pay for all engineering, construction oversight and legal services and all administrative, out-of-pocket and applicable fees and charges.

—Obtain written approval and acceptance of the construction and installation of the Project by the City.

—Satisfy and obtain release of all liens and encumbrances, including but not limited to liens and lien rights for labor, materials and taxes relating to the Project.

—By warranty bill of sale, in a form acceptable to the City, convey the Project to the City under the following warranties and terms:

- The Owner is the lawful owner of the Project, has the good right and authority to convey the Project to the City, and will defend the title of the City to the Project against the claims and demands of all persons.
- The Project is in proper working condition, order and repair, has been constructed and installed in accordance with the conditions and standards of the City and this Agreement, and is adequate and fit for use as an integral part of the City's facilities.
- The Project is free from all liens and encumbrances.

—For a period of one year after the date of acceptance of the Project the City, the Owner shall correct and repair any by defects appearing of developing in the workmanship or materials furnished in respect to the Project.

—The Owner shall hold harmless and indemnify the City from all claims and demands relating to the construction and installation of the Project and from failure to act during the one-year warranty period.

- Upon request of the City, the Owner shall provide (1) a title report concerning any easement or right-of-way that will be conveyed to the City and (2) a certificate of a licensed land surveyor as to the location of any facility within any easement.
 - Prior to acceptance of the Project by the City, the Owner shall submit a maintenance bond executed by the Owner and a surety company acceptable to the City on City provided form, in an amount prescribed by the City but not to exceed 50 percent (50%) of the actual cost of the Project. The maintenance bond shall be conditioned upon (1) repair and correction on any defects appearing or developing in the materials or workmanship acceptance of the Project by the City, and (2) indemnification of the City from any damages or expenses by reason of the failure to act.
 - The Owner shall deliver an original mylar as-built set including all service connections.
10. City Authority; Delinquencies. The Owner and the Property shall be subject to all City ordinances, standards, rules and regulations, as now in effect and as the same hereafter may be amended. In the event of delinquency in the payment of any rates, charges or assessments imposed by the City, the Owner and the Property shall be subject to the lien provisions of statutes, ordinances, rules, standards and regulations pertaining to property served by the City.
11. Indemnification. The Owner shall indemnify, defend and hold harmless the City, its officers, agents and employees from any and all suits, claims or liabilities of any nature, including attorney's fees, costs and expenses, for or on account of injuries or damages sustained by any persons or property resulting from the negligent (sole or concurrent) acts or omissions of the Owner, its agents, contractors, material, men or employees under this Agreement or in connection with work performed under this Agreement. If suit in respect to the above is filed, the Owner shall appear and defend the suit at its own cost and expense, and if judgment is rendered or settlement made requiring payment of damages by the City, its officers, agents or employees, the Owner shall pay the same.
12. Risk of Loss. The Owner shall bear the risk of loss for or damage to all finished or partially finished work on the Project until the Project is accepted by the City.
13. Contractual Relationships; Assignment. This Agreement does not constitute the Owner as the agent or legal representative of the City for any purpose whatsoever. The Owner is not granted any express or implied right or authority to assume or create any obligation or responsibility on behalf of or in the name of the City or to bind the City on any manner or thing whatsoever. The Owner shall not assign this Agreement or sell or contract to sell all or any portion of the Property without notifying the City prior to the sale or assignment.
14. Time of Essence; Termination for Nonpayment; Notices. Time is of the essence of this Agreement. If any payment is not timely made by the Owner, then this Agreement or, any

performance related to the payment, may be terminated by the City at its option upon ten days' written notice to the Owner. All notices and payments shall be made at the following addresses, unless otherwise provided for in writing:

City:

Attention: Barry Loveless, Director of Public Works
City of Bainbridge Island
280 Madison Avenue
Bainbridge Island, WA 98110

Owner:

Name: Roost Land Company, LLC
Address: PO Box 10549, BI, WA 98110

15. Period for Completion. The Project shall be completed and accepted on or before September 1, 2018. If the Project is not completed and accepted on or before that date, the Owner's rights under this Agreement shall cease, work on the Project shall cease, and no services shall be connected to the Project unless and until the Owner executes a new agreement with the City or the City consents to a renewal of this Agreement. Any new agreement or renewal of this Agreement shall be subject to City ordinances, rules, regulations and policies in effect the time of such new agreement or renewal.
16. Applicable Law; Venue. This Agreement shall be construed and interpreted in accordance with the laws of the State of Washington. The venue of any action brought under this Agreement shall be in the Superior Court of Kitsap County.
17. Recordation; Binding Effect. This Agreement (1) shall be recorded in the Kitsap County Auditor's Office at the expense of the Owner, (2) shall constitute an easement and servitude upon the Property, and (3) shall be binding upon the parties, their heirs, representatives, assigns and successors in interest.
18. Amendments. The parties expressly reserve the right to modify this Agreement through a written amendment that is signed by authorized representatives of each party.
19. Remedies Cumulative. Rights under this Agreement are cumulative. The failure to exercise a right shall not operate to forfeit the right on another occasion. The use of a remedy shall not exclude or waive the right to use another.
20. Invalidity of Particular Provisions. If any term, provision, condition or other portion of this Agreement or application thereof is held to be inoperative, invalid or unenforceable, the remainder of this Agreement or the application of the term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected and shall continue in full force and effect.

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

CITY OF BAINBRIDGE ISLAND

By _____
Its Public Works Director

STATE OF WASHINGTON)
)ss:
COUNTY OF)

I certify that I know or have satisfactory evidence that Barry Loveless signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Public Works Director of the City of Bainbridge Island to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

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

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF WASHINGTON)
 ss.
COUNTY OF _____)

I, _____, Notary public in and for the State
of Washington, residing at _____, do hereby certify that on this
_____ day of _____, _____, personally appeared before
me _____ to known to be the individual (s)
described in and who executed the within instrument and acknowledged that _____ signed
the same as _____ free and voluntary act and deed for the uses and purposes herein
mentioned.

Given Under My Hand and Official Seal this _____ day of _____, _____

Notary Public in and for the State of Washington

Name Printed

My Appointment Expires: _____

CORPORATE ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____

is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they

signed this instrument, on oath stated that he/she/they was/were authorized to execute the

instrument and acknowledged it as the _____ of

_____, to be the free and

voluntary act of such party for the uses and purposes mentioned in the instrument.

Given Under My Hand and Official Seal this _____ day of _____, _____

Notary Public in and for the State of Washington

Name Printed

My Appointment Expires:_____

RESTORATION PERFORMANCE BOND
(Non-City Right-of-Way)

WHEREAS, City of Bainbridge Island, Washington, Owner and _____, Principal (Property Owner), have entered into a Developer Extension Agreement dated, _____, for the construction of facilities; and

WHEREAS, the Principal is required under the terms of the Developer Extension Agreement to furnish a bond for the replacement, repair and restoration of non-city right-of-way for purposes of constructing and installing the facilities;

NOW, THEREFORE, the Principal and _____, Surety, are held and firmly bound unto the Owner in the penal sum of _____ dollars (\$ _____), for the payment of which sum the Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH that is the Principal, its heirs, executors, administrators, successors or assigns shall replace, repair and restore the non-city right-of-way entered upon for construction of the facilities to as good a condition as it was immediately before the entry, and shall correct and repair any defects in the materials or workmanship provided in the replacement, repair and restoration of the non-city right-of-way within a period of one year after the date of acceptance of the facilities by the Owner, and shall indemnify and hold harmless the Owner from any damage or expense by reason of the failure of such performance, then this obligation shall become null and void; otherwise, it shall remain in full force and effect, and if suit is brought on this bond, the Principal and Surety will pay to the Owner such reasonable attorneys' fees as shall be fixed by the court.

SIGNED, SEALED AND DATED this _____ day of _____, _____

Surety

Principal

Signature for Surety

Signature for Principal

Title of Signatory

Title for Signatory

EASEMENT

The Grantor, _____, grants, conveys and warrants to the Grantee, CITY OF BAINBRIDGE ISLAND, WASHINGTON, a municipal corporation of the State of Washington, a perpetual easement for _____ with necessary appurtenances ("_____") under through, Kitsap County, Washington, more particularly described as follows:

Grantee shall have the right, without prior institution of any suit or proceeding at law, and at such times as may be necessary, to enter upon the above-described property for the purpose of constructing, repairing, altering, reconstructing, making any connections thereto. The construction, repair, alteration, reconstruction, maintenance and operating the _____ or making any connections thereto. The construction, repair, alteration, reconstruction, maintenance and operation of the _____ shall be accomplished in such a manner that the property shall not be damaged or destroyed, it will be restored, as nearly as practicable, in as good a condition as it was immediately before it was entered upon by the Grantee.

The grantor shall retain the right to use the surface for the property, so long as the use does not unduly interfere with the installation, maintenance and operation of the _____ and so long as no building or other structures, except fences, are erected on the property.

This easement shall be a covenant running with the land and shall be binding on the successors, heirs and assigns of the Grantor.

Dated this _____ day of _____, _____

STATE OF WASHINGTON

ss.

COUNTY OF _____

I certify that I know or have satisfactory evidence that _____
_____ signed this instrument and acknowledged it to be _____ free and
voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____.

Notary Public in and for the State of Washington

My appointment expires: _____

STATE OF WASHINGTON

ss.

COUNTY OF _____

I certify that I know or have satisfactory evidence that _____ signed
this instrument and acknowledged it to be _____ free and voluntary act for the
uses and purposes mentioned in the instrument.

Dated: _____.

Notary Public in and for the State of Washington

My appointment expires: _____

MAINTENANCE BOND

WHEREAS, City of Bainbridge Island, Washington, Owner, and _____, Principal, (Property Owner), have entered into a Developer Extension Agreement dated _____, _____, for the construction of _____ facilities; and

WHEREAS, on _____, _____, the Owner accepted the _____ facilities and by warranty bill of sale dated _____, _____ the Principal conveyed the _____ facilities to the Owner; and

WHEREAS, the Principal is required under the terms of the Developer Extension Agreement to furnish a maintenance bond for the repair and correction of any defects appearing or developing in the materials or workmanship of the _____ facilities within one year after the date of acceptance of the _____ facilities by the Owner;

NOW, THEREFORE, the Principal and _____, Surety, are held and firmly bound unto the Owner in the penal sum of _____ dollars (\$_____), for the payment of which sum the Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH that if the Principal, its heirs, executors, administrators, successors or assigns shall repair and correct any defects appearing or developing in the materials or workmanship provided in the construction and installation of the _____ facilities within a period of one year after the date of acceptance of the _____ facilities by the Owner, and shall indemnify and hold harmless the Owner from any damages or expenses by reason of the failure of such performance, then this obligation shall become null and void; otherwise, it shall remain in full force and effect, and if suit is brought on this bond, the Principal and Surety will pay to the Owner such reasonable attorneys' fees as shall be fixed by the court.

SIGNED, SEALED AND DATED this _____ day of _____, _____

Surety

Principal

Signature for Surety

Signature for Principal

Title of Signatory

Title of Signatory

WARRANTY BILL OF SALE

_____, ("Owner") and
CITY OF BAINBRIDGE ISLAND, WASHINGTON, ("City") are parties to a Developer
Extension Agreement dated _____, _____, concerning the provision of
☐ water, ☐ sewer, ☐ storm and surface water by the City to the Owner. In consideration of
the right to connect to the facilities of the City and other good and valuable consideration, the
receipt of which is hereby acknowledged, the Owner does grant, sell, transfer and deliver to the
City all right and title to the facilities and appurtenances (not including services) described in
Exhibit A, attached hereto and incorporated herein by this reference ("Facilities").

The Owner warrants that it is the lawful owner of the Facilities, that it has good right and
authority to convey the Facilities, to the City, and that it will promptly defend the right of the
City to the Facilities against claims and demands of all persons. The Owner also warrants that
the Facilities are free and clear from all liens and encumbrances. The Owner shall hold harmless
and indemnify the City from any claims and demands relating to the construction and installation
of the Facilities.

The Owner guarantees that the Facilities have been constructed and installed in
accordance with conditions and standards of the City and the Developer Extension Agreement,
are in proper working condition, order and repair and are adequate and fit for use as an integral
part of the city's system. The owner also guarantees that it will correct and repair any defects
appearing or developing in the workmanship or materials furnished in respect to the Facilities
within a period of one year after the date of acceptance of the Facilities by the City, and will hold
harmless and indemnify the city from any damage and expense incurred by reason of failure of
such performance.

DATED this _____ day of _____, _____

OWNER

By _____

Its _____

ACCEPTED BY CITY OF BAINBRIDGE ISLAND:

By _____

MAYOR

EXHIBIT A TO WARRANTY BILL OF SALE

On	From	To	Length	Size	Approved Cost, Including Tax
<hr/>					\$ <hr/>
<hr/>					\$ <hr/>
Other: <hr/>					\$ <hr/>
<hr/>					\$ <hr/>
Total Cost					\$ <hr/>

**LATECOMER REIMBURSEMENT AGREEMENT
(DELAYED BENEFIT CHARGE)**

THIS AGREEMENT is to be effective as of the _____ day of _____,
by and between _____, ("Owner") and CITY OF BAINBRIDGE
ISLAND, WASHINGTON, a municipal corporation of the State of Washington ("City").

RECITALS

- A. The Owner and the City have entered into a Developer Extension Agreement ("Extension Agreement") for the construction and installation of facilities in order to provide service to the Owner's property.
- B. In Accordance with the Extension Agreement, the Owner has installed and constructed the ☐ water, ☐ sewer, ☐ storm and surface water facilities described in Exhibit A, attached hereto and made a part hereof ("Facilities").
- C. The Owner has requested the City to collect a portion of the total cost of the Facilities from property owners who subsequently connect to or use the Facilities and who did not contribute to the original cost of the Facilities and to reimburse that amount to the Owner.
- D. The City has reviewed documents submitted by the Owner regarding the cost of the Facilities and has determined the total cost of the Facilities for purposes of providing reimbursement to the Owner.
- E. Pursuant to notice and a public hearing, the City has established a reimbursement area for purposes of providing reimbursement to the Owner.
- F. The parties desire to enter into an agreement to provide reimbursement to the Owner pursuant to Chapter 35.91 RCW and Sections 13.10.050 and 13.16.020 of the Bainbridge Island Municipal Code.

TERMS AND CONDITIONS

IN CONSIDERATION of the following terms and conditions, the parties agree as follows:

1. Reimbursement Authorized. Within a 15 year period following the effective date of this Reimbursement Agreement, the City shall collect from the owners of real property described in Exhibit B, attached hereto and made a part hereof, and reimburse to the Owner, the reimbursement amounts (delayed benefit charges) described in Section 2.
2. Cost of Water Facilities; Amount of Reimbursement. The approved total cost of the Facilities is \$_____, of which \$_____ is subject to reimbursement from the owners of real property described in Exhibit B. The formula for determining the amount of reimbursement to be paid by such owners is set forth on Exhibit C, attached hereto and made a part hereof. The reimbursement amounts shall not accrue interest.
3. Method of Reimbursement. The City shall collect the reimbursement amounts from the owners of real property described in Exhibit B in accordance with Exhibit C prior to the connection of the property to the City's system. Before transmitting the reimbursement amount to the Owner, the City shall deduct an amount equal to ten percent thereof to cover the administrative costs to the City of handling such reimbursement. The remaining amount shall be paid to the Owner within sixty (60) days of receipt at the following address:

OWNER:

The City shall pay the reimbursement to the Owner unless the City determines, upon written proof satisfactory to the City, that another person requesting payment is legally entitled to receive the reimbursement by contract or operation of law. If payment cannot be made to the address listed above or to any new address for the Owner provided to the City in writing, the City shall not be responsible for locating the Owner or its assigns or successors in interest. If any reimbursement amount remains unclaimed within three years of receipt by the City, such amount shall become the property of the City. If any dispute arises prior to payment as to the proper person to receive payment, the City may interplead the funds into the Kitsap County Superior Court and be relieved of any further obligation or liability under this Reimbursement Agreement or for making such payment.

4. Liens; Satisfaction. The reimbursement amounts due and owing to the Owner from owners of real property described in Exhibit B shall be a lien and servitude upon that real property. Upon payment, the City shall discharge and satisfy the lien of record.

By _____
Its City Engineer

STATE OF WASHINGTON)
)ss:
COUNTY OF)

I certify that I know or have satisfactory evidence that _____
signed this instrument, on oath stated that he/she was authorized to execute the instrument and
acknowledged it as the _____ of _____ to be the free and
voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

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

CITY OF BAINBRIDGE ISLAND
By _____
Its Mayor

STATE OF WASHINGTON)
)ss:
COUNTY OF)

I certify that I know or have satisfactory evidence that _____
signed this instrument, on oath stated that he/she was authorized to execute the instrument and
acknowledged it as the _____ of _____ to be the free and
voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

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

EXHIBIT A TO REIMBURSEMENT AGREEMENT

<u>Approved Reimbursable Item</u>	<u>Approved Reimbursable Cost</u>
Facilities	\$ _____
Appurtenances	\$ _____
Other	\$ _____
Design	\$ _____
Engineering	\$ _____
Legal	\$ _____
Restoration	\$ _____
Total Reimbursable Cost	\$ _____

EXHIBIT B TO REIMBURSEMENT AGREEMENT

No.	Tax Lot Number	Ownership Name
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

EXHIBIT C TO REIMBURSEMENT AGREEMENT

Formula for determining reimbursement amount due from property owners who subsequently connect to or use the Facilities and who did not contribute to the original cost of the Facilities:

Total Improvements = _____ divided by total
front footage, _____ = _____ per front foot of
each lot.

EXHIBIT D TO REIMBURSEMENT AGREEMENT

Cost Allocation for UTILITIES

[illegible]