



**CITY COUNCIL** 345 6<sup>th</sup> Street, Suite 100, Bremerton, WA 98337 ☐ Phone (360) 473-5280

**\*\*\* AMENDED \*\*\***

**WEDNESDAY, AUGUST 23, 2023**  
**CITY COUNCIL HYBRID STUDY SESSION AGENDA**  
**Starting at 5:00 PM in Council Conference Room 603**

*The Council Conference Room 603 will be open to the public to attend the Study Session in-person, but there will be no opportunities for input. However, public questions or comments may be submitted at any time to [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us). Please remember that the content of the Agenda Bill items is subject to change; and no action at the Study Session is anticipated. If approved by the Council, these items will be placed on the **September 6, 2023** City Council Meeting Agenda, or as indicated...*

- *Members of the public may click the link below to join the webinar:*  
<https://us02web.zoom.us/j/87318266756?pwd=ZWlMVnVYbFBHYjY5U1RJUmFreDFXUT09>
- *Or One tap mobile:*  
US: +12532050468,,87318266756#,,,,\*857582# or +12532158782,,87318266756#,,,,\*857582#
- *Or Telephone: Dial (for higher quality, dial a number based on your current location):* US: +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 6833  
  
*Webinar ID: 873 1826 6756*  
*Passcode: 857582*

**A. BRIEFINGS ON AGENDA BILL ITEMS**

1. Confirm Appointment of Ken Riley to the Bremerton Parks & Recreation Commission
2. Confirm Appointment of Law Offices of Alex Sidles PLLC as the City of Bremerton's Administrative Hearing Examiner; and Approve associated Professional Services Agreement
3. Contract Modification Agreement No. 2 with Merchant Patrol Security Services, Inc.
4. Resolution to authorize Local Parks Maintenance Grant Application with State of WA Recreation & Conservation Office to fund the Evergreen Rotary Park Accessible Playground Surfacing Replacement
5. Proposal for the City to Apply for \$12,000 in LTAC Funds to Hire a Consultant to Study Lodging Tax Fund's Economic Impact and Provide Recommendations for Future LTAC Distribution – Information only by LTAC Chair Denise Frey *Item added...*
6. Ordinance to update BMC Chapter 9.32 entitled "Unauthorized Camping"
7. Resolution to repeal Resolution No. 3349; and adopt updated Council Rules & Procedures

**B. GENERAL COUNCIL BUSINESS**

1. Public Works Committee Briefing (*Last Meeting 8/15/2023*) – Chair Anna Mockler
2. Finance, Investment & Parking Committee Briefing (*Last Meeting 8/22/2023*) – Chair Jennifer Chamberlin
3. Regional and Other Committee/Board Briefings
4. Other General Council Business (*As necessary, and as time allows...*)

**C. ADJOURNMENT OF STUDY SESSION**



*Americans with Disabilities Act accommodations provided upon request. Those requiring special accommodations should contact the City Clerk's Office at (360) 473-5323 at least 24 hours prior to the meeting.*

**AGENDA BILL**  
CITY OF BREMERTON  
CITY COUNCIL

**A1**

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**SUBJECT:**

Confirm Appointment of Ken Riley to the  
Bremerton Parks & Recreation Commission

Study Session Date: August 23, 2023

COUNCIL MEETING Date: September 6, 2023

Department: Executive

Presenter: Mayor Wheeler

Phone: (360) 473-5266

**SUMMARY:**

The Mayor is seeking confirmation for the appointment of Ken Riley to the Bremerton Parks & Recreation Commission. The term expires September 29, 2024.

**ATTACHMENTS:** Application to the commission is available in the Mayor's office.

**FISCAL IMPACTS (Include Budgeted Amount):** None.

**STUDY SESSION AGENDA:**

Limited Presentation

Full Presentation

**STUDY SESSION ACTION:**

Consent Agenda

General Business

Public Hearing

**RECOMMENDED MOTION:**

Move to confirm the appointment of Ken Riley to the Bremerton Parks & Recreation Commission for the term expiring September 29, 2024.

**COUNCIL ACTION:**

Approve

Deny

Table

Continue

No Action



**AGENDA BILL**  
CITY OF BREMERTON  
CITY COUNCIL

**A2**

**SUBJECT:** Confirm Appointment of Law Offices of Alex Sidles PLLC as the City of Bremerton’s Administrative Hearing Examiner; and Approve associated Professional Services Agreement

Study Session Date:	<u>August 23, 2023</u>
COUNCIL MEETING Date:	<u>September 6, 2023</u>
Department:	<u>DCD</u>
Presenter:	<u>Andrea Spencer</u>
Phone:	<u>(360) 473-5283</u>

**SUMMARY:**

The Bremerton Municipal Code (BMC) Chapter 2.13 establishes that the City will have an Administrative Hearing Examiner (“Examiner”) to review and interpret land use regulations, conduct hearings, render decisions, and hear other matters as provided for in the BMC and other ordinances. Sound Law Center, f/k/a Driscoll and Hunter, has been the City’s Administrative Hearing Examiner since 2002. The City was notified on June 20, 2023 that Sound Law Center would no longer be providing hearing examiner services.

The Department of Community Development sent out a Request for Quotes (RFQ) which closed on August 4, 2023. Based on the RFQ responses, a review of the applicant’s qualifications and consideration of cost, Law Offices of Alex Sidles, PLLC was selected to serve as the City’s new Examiner.

The BMC requires that the selection of the Examiner be confirmed by the City Council. The Mayor proposes the appointment of Law Offices of Alex Sidles, PLLC as the Administrative Hearing Examiner pursuant to the terms of the attached Professional Services Agreement. The annual cost for this contract will be less than \$40,000, which is the same expense as the prior contracted Examiner.

**ATTACHMENTS:**

Professional Services Agreement  
Bremerton Municipal Code 2.13 – Administrative Hearing Examiner

**FISCAL IMPACTS** (Include Budgeted Amount): This annual expenditure is budgeted

**STUDY SESSION AGENDA:**             Limited Presentation         Briefing/Full Presentation

**STUDY SESSION ACTION:**     Consent Agenda         General Business         Public Hearing

**RECOMMENDED MOTION:**

Move to approve the appointment of Law Offices of Alex Sidles, PLLC as the City’s Administrative Hearing Examiner and authorize the Mayor finalize and execute the agreement with substantially the same terms and conditions as presented.

**COUNCIL ACTION:**     Approve         Deny         Table         Continue         No Action

**PROFESSIONAL SERVICES AGREEMENT  
CITY OF BREMERTON ADMINISTRATIVE HEARING EXAMINER**

The City of Bremerton (“City”) and Law Office of Alex Sidles, PLLC (“Consultant”), referred to collectively as the “Parties,” enter into the following Agreement for professional services:

**I. Scope:** The Consultant agrees to perform the services more specifically described in the Scope of Work, dated August 7, 2023, including any attachments thereto, attached hereto as Exhibit A, which is incorporated by reference herein. The Scope of Work may be modified only pursuant to Section VII.H of this Agreement. If the Scope of Work provides for unspecified additional services such services shall only be performed upon the express written request of the City. Consultant further represents that the services furnished under this Agreement will be performed in accordance with generally accepted professional practices in effect at the time such services are performed.

**II. Term:** The City and the Consultant agree that work will begin on the tasks described in Exhibit A immediately upon execution of this Agreement. The parties agree that the work described in Exhibit A is to be completed as provided for in the work schedule attached hereto as Exhibit A; provided however, that additional time shall be granted by the City for excusable delays or extra work as provided for in Section X.A of this agreement.

**III. Compensation:** In consideration of the services provided pursuant to this Agreement, the City shall pay Consultant in an amount not to exceed \$3,000.00 per month plus \$170.00 per hour for services provided in excess of twelve hearings per year. Consultant’s charges and bills shall conform to the fee schedule attached hereto as Exhibit A and incorporated herein by this reference.

The Consultant shall submit regular billing statements detailing work performed and amount charged on each task or portion thereof. The descriptions shall conform to and fall within the categories set out in the Scope of Work and/or Fee Schedule. Upon receipt of a conforming billing statement, the City shall promptly process payment. PROVIDED, HOWEVER, the City reserves the right to prioritize scoped work and accelerate and/or delay work tasks under the time frame set forth in Section II herein. The Consultant's labor rates and billing fees shall be as delineated in Exhibit A.

Consultant shall not perform work beyond the Scope of Work, nor shall be compensated for such work, unless the Scope of Work or amount of compensation is modified pursuant to this Agreement. Consultant shall only be compensated for additional services if requested pursuant to Section I and, if not otherwise provided, such compensation shall be in accordance with Exhibit A.

If a billing statement does not conform to this Agreement, the City may withhold payment until the statement is brought into compliance. Such withholding does not relieve Consultant of its obligations under this Agreement.

**IV. Relationship of Parties:** Consultant represents that it is skilled in the matters addressed in the Scope of Work and is performing independent functions and responsibilities within its field of expertise. Consultant and its personnel are independent Consultants and not employees of the City. Consultant and its personnel have no authority to bind the City or to control the City’s employees and

other Consultants. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. Consultant will be solely and entirely responsible for its acts and for the acts of Consultant's agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent Consultants to perform the same or similar work.

As an independent Consultant, Consultant is responsible for its own management. The City's administration and enforcement of this Agreement shall not be deemed an exercise of managerial control over Consultant or its personnel.

As an independent Consultant, Consultant is responsible for payment of all taxes and licensing fees necessary to perform its obligations under this Agreement. These taxes and fees include but are not limited to State industrial insurance, Business & Occupation, State professional licensing, and City business licensing. If any taxes or fees due the City have been declared delinquent, the City may withhold the delinquent amount, plus any additional charges arising from the delinquency, from any payments due Consultant.

**V. Indemnification:**

A. Consultant shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and attorney fees, arising out of or in connection with the performance of this Agreement except for that portion of the injuries and damages caused by the City's sole negligence, unless Consultant is conducting work pursuant to Subsection B below.

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

B. Architects, Engineers and Any Other Professional Listed In and Performing Services Defined in RCW 4.24.115. Should a court of competent jurisdiction determine that Consultant's services provided pursuant to this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, agents and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER.

The provisions of this section shall survive the expiration or termination of this Agreement.

**VI. Insurance:** The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, employees, sub-consultants or sub-Consultants.

Before beginning work on the project described in this Agreement, the Consultant shall provide a Certificate of Insurance evidencing:

1. **Commercial General Liability** insurance written on an occurrence basis with limits no less than \$1,000,000 combined single limit per occurrence and general aggregate for personal injury, bodily injury and property damage. Coverage shall include but not be limited to: blanket contractual; products/completed operations/broad form property damage; explosion, collapse and underground (XCU) if applicable; and
2. **Excess Liability** insurance with limits not less than \$1,000,000 limit per occurrence and aggregate; and
3. **Professional Liability** insurance with limits no less than \$1,000,000 limit per occurrence/claim; and
4. **Workers Compensation** insurance as statutorily required by the Industrial Insurance Act of the State of Washington, Title 51, Revised Code of Washington and employer's liability with limits not less than \$1,000,000.

Any payment of deductible or self-insured retention shall be the sole responsibility of the Consultant.

All required policies shall be provided on an “occurrence” basis except professional liability insurance (if required), which may be provided on a “claims-made” basis.

The City shall be named as an additional insured on the Commercial General Liability insurance policy, as respects work performed by or on behalf of the Consultant and a copy of an endorsement that is acceptable to the City, which names the City as an additional insured shall be attached to the Certificate of Insurance. The City reserves the right to receive a certified copy of all the required insurance policies and endorsements. The City further reserves the right to reject any unacceptable policies and/or endorsements.

The Consultant's Commercial General Liability insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer's liability.

The Consultant's insurance shall be primary and non-contributory insurance as respects the City and shall contain a waiver of subrogation against the City for claims arising out of any operations, liabilities and obligations to which coverage applies. It shall be an affirmative obligation upon Consultant to advise the City’s Risk Manager by fax at (360) 473-5161, or by certified mail, return receipt requested to City of Bremerton, Attn: Risk Management, 345 6<sup>th</sup> Street, Suite 100, Bremerton, WA 98337 within two days of the cancellation, suspension or substantive change of any insurance policy set out herein, and failure to do so shall be construed to be a breach of this Agreement.

The City also reserves its unqualified right to require at any time and for any reason, proof of coverage in the form of a duplicate of the insurance policy with all endorsements as evidence of coverage.

In the event that the Consultant employs other consultants or Consultants (sub-consultants or sub-Consultants) as part of the work covered by this Agreement, it shall be the Consultant's responsibility to require and confirm that each sub-consultant or sub-Consultant meets the minimum insurance requirements specified above. The Consultant shall, upon demand of the City, deliver to the City copies of such policy or policies of insurance and the receipts for payment of premiums thereon.

## **VII. General Conditions:**

A. Reports and Information: When requested by the City, Consultant shall furnish periodic reports and documents on matters covered by this Agreement. The reports and documents shall be furnished in the time and form requested. Consultant shall maintain accounting records in accordance with Generally Accepted Accounting Principles ("GAAP") to substantiate all billed amounts.

B. Ownership and Use of Records and Documents: Original documents, drawings, designs and reports, including those in electronic format, developed under this Agreement are the property of the City. All written information submitted by the City to the Consultant in connection with the services performed by the Consultant under this Agreement will be safeguarded by the Consultant to at least the same extent as the Consultant safeguards like information relating to its own business. If such information is publicly available or is already in Consultant's possession or known to it, or is rightfully obtained by the Consultant from third parties, Consultant shall bear no responsibility for its disclosure, inadvertent or otherwise.

All data, documents and files created by Consultant under this Agreement may be stored at Consultant's office in Seattle, Washington. Consultant shall make such data, documents, and files available to the City upon its request at all reasonable times for the purpose of editing, modifying and updating as necessary until such time as the City is capable of storing such information in the City's offices. Duplicate copies of this information shall be provided to the City upon its request, and at reasonable cost.

All documents, including all reports, drawings, specifications, computer software or other items prepared or furnished by Consultant pursuant to this Agreement, are instruments of service with respect to the project and are the property of the City. Any reuse by the City for other than the specific purpose intended will be at City's sole risk.

C. Use of Photographs and Images. Consultant shall not use or distribute photographs or images depicting City officials, personnel, property, or equipment whether prepared by Consultant or provided by City without prior written consent of the City. The City will not unreasonably withhold its consent.

D. Work Performed at Consultant's Risk: Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and sub-consultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at Consultant's own risk, and Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held for use in connection with the work.

E. Place of Work: The Consultant shall perform the work authorized under this Agreement at its offices in Seattle, Washington. Meetings with the City staff as described in Exhibit A, Scope of Work, shall take place at the City's offices, or at locations mutually agreed upon by the parties.

F. Entire Agreement: This Agreement and its Exhibits constitutes the entire agreement between the Parties, and the Parties acknowledge that there are no other agreements, written or oral, that have not been set forth in the text of this Agreement.

G. Severability: Should any part of this Agreement be found void, the balance of the Agreement shall remain in full force and effect.

H. Modification: This Agreement may only be modified by written instrument signed by both Parties.

I. Written Notices: All communications regarding this Agreement shall be sent to the parties at the addresses listed below by registered or 1st class mail, or by personal service, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

Notices to be sent to:

Notices to be sent to:

CITY:

CONSULTANT:

Attn: ANDREA SPENCER  
City of Bremerton  
345 6<sup>th</sup> Street, Suite 100  
Bremerton, WA 98337-1891

Attn: ALEXANDER SIDLES  
LAW OFFICES OF ALEX SIDLES, PLLC  
2400 NW 80<sup>th</sup> Street, # 146  
Seattle, WA 98117

J. Waiver: Failure to enforce any provision of this Agreement shall not be deemed a waiver of that provision. Waiver of any right or power arising out of this Agreement shall not be deemed waiver of any other right or power.

K. Non-Waiver of Breach: The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements or options, and the same shall be and remain in full force and effect.

L. Compliance with Laws: Consultant shall comply with all applicable Federal, State, and local laws in performing its obligations under this Agreement.

M. Choice of Law and Venue: This Agreement shall be interpreted according to the laws of the State of Washington. Any judicial action to resolve disputes arising out of this Agreement shall be brought in Kitsap County Superior Court.

N. Attorneys' Fees: In the event of litigation to enforce any of the terms or provisions herein, each party shall pay all its own costs and attorney's fees.

O. Assignment: Any assignment of this agreement by the Consultant without the written consent of the City shall be void.

**VIII. Equal Employment Opportunity Statement:** In the hiring of employees for the performance of work under this Agreement, the Consultant, its subConsultants, or any person acting on behalf of Consultant shall not discriminate in any employment practice on the basis of age (40+), sex, race, creed, color, national origin, sexual orientation/gender identity, marital status, military status, or the presence of any physical, mental or sensory disability.

**IX. ADA Statement:** The City of Bremerton does not discriminate on the basis of disability in programs and activities, which it operates pursuant to the requirements of the Americans with Disabilities Act of 1990, and ADA Amendments Act. This policy extends to both employment and admission to participation in the programs, services and activities of the City of Bremerton. Reasonable accommodation for employees or applicants for employment will be provided.

**X. Termination:** This Agreement shall remain in force until completion and acceptance of the services. This Agreement can be terminated by either party providing 60 days' notice of termination. This Agreement may be immediately terminated for cause by a Party if the other Party substantially fails to perform through no fault of the terminating Party, and the non-performing Party does not commence correction of the failure of performance within thirty (30) days of the terminating Party's sending notice to the non-performing Party. Any Notice by Consultant shall include a report showing the status of all items listed in the Scope of Work current through the termination date.

If the City receives reimbursement by any federal, state, or other source for work described in Section I herein, and that funding is withdrawn, reduced or limited in any way, or the project is cancelled or substantially reduced after the execution date of this Agreement and prior to the completion of the work, the City may summarily terminate this Agreement.

A. Excusable Delays: The right of Consultant to proceed shall not be terminated nor shall Consultant be charged with liquidated damages for any delays in the completion of the work due to: 1) any acts of the federal government in controlling, restricting, or requisitioning materials, equipment, tools, or labor by reason of war, national defense, or other national emergency; 2) any acts of the City, its consultants, or other public agencies causing such delay; and 3) causes not reasonably foreseeable by the parties at the time of the execution of the Agreement that are beyond the control and without the fault or negligence of the Consultant, including, but not restricted to, acts of God, fires, floods, strikes, or weather of unusual severity. PROVIDED, HOWEVER, that the Consultant must promptly notify the City within ten (10) calendar days in writing of the cause of the

delay. If, on the basis of the facts and the terms of this Agreement, the delay is properly excusable, the City shall, in writing, extend the time for completing the work for a period of time commensurate with the period of excusable delay.

B. Rights Upon Termination: In the event of termination, the City shall pay for all services performed by the Consultant to the effective date of termination, as described on a final invoice submitted to the City. After termination, the City may take possession of all records and data within the Consultant's possession pertaining to this project which may be used by the City without restriction. Any such use not related to the project which Consultant was contracted to perform shall be without liability or legal exposure to the Consultant.

**XI. Suspension & Debarment.** For contracts involving Washington State and Federal funding, Consultant hereby certifies, by signing this agreement, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any State or Federal department or agency. Consultant shall provide immediate written notice to the City if at any time it learns that it is or has become ineligible for certification. Should Consultant enter into a covered transaction with another firm, Consultant agrees by signing this agreement that it will verify that the firm with whom it intends to do business is not debarred, suspended, ineligible, excluded or disqualified.

IN WITNESS WHEREOF, the parties below have executed this Agreement.

CITY:

CONSULTANT:

CITY OF BREMERTON

LAW OFFICES OF ALEX SIDLES, PLLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

ATTEST:

By: \_\_\_\_\_

By: \_\_\_\_\_

Kylie J. Finnell, Bremerton City Attorney

Angela Hoover, City Clerk



## **SCOPE OF WORK**

**ESTABLISHMENT OF ADMINISTRATIVE HEARING EXAMINER.** The City of Bremerton Establishes Alexander (Alex) Sidles and the Law Offices of Alex Sidles, a Professional Limited Liability Company (PLLC), to serve as the City's Administrative Hearing Examiner pursuant to Bremerton Municipal Code (BMC) 2.13.

**JURISDICTION.** The Law Offices of Alex Sidles, PLLC will have the jurisdiction established in BMC 2.13.070.

**DUTIES.** The Law Offices of Alex Sidles, PLLC will fulfill the duties as established in BMC 2.13.080.

**CONDUCT, PROCEDURES, AND DECISIONS.** The Law Offices of Alex Sidles, PLLC will follow the provisions outlined in BMC 2.13 that allows the establishment organizational rules for conducting hearings and agrees to render decisions, recommendations, and reconsiderations pursuant to the provisions contained in the subsections of BMC 2.13.

## **TERM**

This Agreement will continue in full force and effect until terminated. The parties agree that this contract can be terminated by either party giving 60-day written notice of termination.

## **COMPENSATION**

Compensation for the Administrative Hearing Examiner shall be a flat fee of \$3,000.00 per month. In a calendar year, this rate will include twelve days of hearings and all duties and activities set forth above. In the event the City of Bremerton needs to schedule additional hearing days, these hearing will be billed at the rate of \$170.00 per hour. Any hearing scheduled outside of the regular hearing date should be held on a mutually agreed upon date and time. Invoices shall be payable 30 days upon receipt.

Upon termination of this Agreement, matters pending shall be completed and compensated pursuant to this compensation schedule. Final payment shall be withheld until all Findings of Fact and Conclusions of Law have been received.

## **Chapter 2.13 ADMINISTRATIVE HEARING EXAMINER**

Sections:

- 2.13.010 PURPOSE.**
- 2.13.020 CREATION.**
- 2.13.030 APPOINTMENT AND REMOVAL.**
- 2.13.040 QUALIFICATION AND REMOVAL.**
- 2.13.050 IMPROPER INFLUENCE, CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS.**
- 2.13.060 ORGANIZATION, RULES.**
- 2.13.070 JURISDICTION.**
- 2.13.080 DUTIES.**
- 2.13.090 FILING OF APPLICATIONS AND APPEALS.**
- 2.13.100 OPEN RECORD PUBLIC HEARING.**
- 2.13.110 DECISIONS AND RECOMMENDATION.**
- 2.13.120 RECONSIDERATION.**
- 2.13.130 APPEAL OF DECISION.**
- 2.13.140 CITY COUNCIL ACTION.**
- 2.13.150 CITY ADMINISTRATIVE STAFF ARE TO BE CONSIDERED A PERSON OR PARTY.**

### **2.13.010 PURPOSE.**

The purpose of this chapter is to:

- (1) Separate the land use regulatory function from the land use planning process;
- (2) Ensure procedural due process and appearance of fairness in regulatory hearings and decisions;
- (3) Provide an efficient and effective land use regulatory system which integrates the public hearing and decision-making processes for land use matters;
- (4) Provide for consistency and predictability in decision making and the application of policies and regulations adopted by the city;
- (5) Provide a forum for conducting public hearings required by the Bremerton Municipal Code; and
- (6) Provide a forum for hearing appeals of administrative decisions and other matters as established by the Bremerton Municipal Code. (Ord. 4798, Amended, 05/10/2002; Ord. 4778, Added, 11/05/2001)

### **2.13.020 CREATION.**

The position of the Administrative Hearing Examiner (also referred to in this chapter as "Hearing Examiner" or "examiner") is hereby created. The Administrative Hearing Examiner shall review and interpret land use regulations; conduct hearings, render decisions, and make recommendations on land use applications; hear appeals from administrative orders,

recommendations, permits, decisions or determinations made by a city official as set forth in this chapter, and review and hear other matters as provided for in the Bremerton Municipal Code and other ordinances. The term "Administrative Hearing Examiner" shall likewise include the examiner pro tem. (Ord. 4798, Added, 05/10/2002)

#### **2.13.030 APPOINTMENT AND REMOVAL.**

The Administrative Hearing Examiner shall be appointed by the Mayor subject to confirmation by the City Council. The appointment may be made as a contract employee or as an independent contractor for a term and on conditions determined appropriate by the City Council. The Examiner(s) pro tem shall be selected by and serve at the pleasure of the Mayor. In the absence or the inability of the Administrative Hearing Examiner to act, or when expertise is needed to hear a particular matter, the examiner pro tem shall serve in place of the Administrative Hearing Examiner and shall have all the duties and powers of the Administrative Hearing Examiner. The Administrative Hearing Examiner may be terminated in accordance with the contract terms. An examiner pro tem may be terminated by the Mayor at will. (Ord. 4798, Amended, 05/10/2002; Ord. 4778, Added, 11/05/2001)

#### **2.13.040 QUALIFICATION AND REMOVAL.**

Examiners shall be appointed solely with regard to their qualifications for the duties of their office and will have such training and experience as will qualify them to conduct administrative or quasi-judicial hearings on regulatory enactments and to discharge the other functions conferred upon them. Examiners shall hold no other elective or appointive office or position with the City of Bremerton. (Ord. 4798, Amended, 05/10/2002; Ord. 4778, Added, 11/05/2001)

#### **2.13.050 IMPROPER INFLUENCE, CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS.**

No city official, elective or appointive, shall attempt to influence the Administrative Hearing Examiner in any matter officially before him so as to constitute misconduct of a public office under Chapter [42.20](#) RCW or a violation of the appearance of fairness doctrine. No member of the council shall participate in any proceedings on appeal from the Administrative Hearing Examiner's decision if to do so will constitute a conflict of interest or violation of the appearance of fairness doctrine. The Administrative Hearing Examiner shall conduct all proceedings in a manner to avoid conflicts of interest or other misconduct and to avoid violations of the appearance of fairness doctrine. If such conflicts or violations cannot be avoided in a particular case, the examiner shall assign an examiner pro tem to act in his absence. (Ord. 4778, Added, 11/05/2001)

#### **2.13.060 ORGANIZATION, RULES.**

The Administrative Hearings Examiner is empowered to adopt rules for the scheduling and conduct of hearings and other procedural matters related to the duties he is required to perform. The rules shall include any procedural rules for conducting hearings as set forth in the Bremerton Municipal Code. The rules shall provide for the process to be effective and efficient while assuring that the participants are afforded an opportunity to present their case without unnecessary emphasis upon formal procedure. The examiner shall have the authority to subpoena witnesses, and to the extent necessary to assure a fair hearing and to afford each party the opportunity to present their case, may allow limited discovery if it is not unduly burdensome, will not unnecessarily delay the proceedings, and the information is not otherwise available. (Ord. 4798, Amended, 05/10/2002; Ord. 4778, Added, 11/05/2001)

#### **2.13.070 JURISDICTION.**

- (1) The Administrative Hearing Examiner shall have jurisdiction to:
  - (a) Conduct hearings, render decisions, make recommendations and to hear appeals of administrative decisions on land use applications as specified in BMC Title [20](#), as amended.
  - (b) Conduct public hearings on all local improvement districts and utility local improvement districts.
  - (c) Hear an appeal of a department director's administrative decision when provided in the Bremerton Municipal Code.
  - (d) Hear code enforcement matters pursuant to provisions of the Bremerton Municipal Code.
  - (e) Conduct public hearings when required under the provisions of the State Environmental Policy Act; conduct open-record public hearings or closed-record appeals in accordance with the provisions of the Bremerton Municipal Code; conduct such other hearings as the city council may from time to time deem appropriate.
  - (f) Hear such other matters as may be designated by the Bremerton Municipal Code and/or the City Council.
- (2) It is the intent that all quasi-judicial appeals of land use decisions, which have prior to the enactment of this chapter been heard by the city council and/or the planning commission, now be heard by the Administrative Hearing Examiner pursuant to this chapter, and to the extent other provisions of the Bremerton Municipal Code are inconsistent, jurisdiction for such quasi-judicial appeals will be with the Administrative Hearing Examiner unless otherwise required by state or federal law.
- (3) Unless otherwise indicated, all other references in the Bremerton Municipal Code to "Hearing Examiner" shall not mean the Municipal Court Hearing Examiner except for those matters established pursuant to Chapter [2.62](#) of the Bremerton Municipal Code over which the Municipal Court Hearing Examiner will have jurisdiction. (Ord. 4970 §1, 2006: Ord. 4798, Amended, 05/10/2002; Ord. 4778, Added, 11/05/2001)

#### **2.13.080 DUTIES.**

The Administrative Hearing Examiner shall have the following duties with respect to applications of matters submitted before him or her.

- (1) Appeals of Administrative Decisions/Determinations. The Administrative Hearing Examiner shall hear open-record appeals of administrative decisions/determinations submitted before him or her, prepare a record thereof, and enter findings of fact and conclusions based upon these facts, which findings and conclusions shall represent final action unless appealed as specified in BMC [2.13.130](#), for the following:
  - (a) Appeals of all Type I and Type II project permit decisions identified in BMC [20.02.040](#) and appealed pursuant to BMC [20.02.140\(a\)\(3\)](#).
  - (b) Appeals of business license denials, revocations and regulations as authorized pursuant to BMC Title [5](#).
  - (c) Appeals of right-of-way use permit application decisions made pursuant to Chapter [11.02](#) BMC.

- (d) Appeals of administrative decisions on shoreline substantial developmental permits pursuant to BMC [20.02.140](#)(b) and Chapter 7(c)(4) of the City of Bremerton Shoreline Master Program.
- (e) Appeals of administrative decisions on short subdivisions and plats pursuant to BMC [20.12.100](#).
- (f) Appeals of administrative determinations applying the City Building Code pursuant to BMC [17.04.140](#).
- (g) Appeals of administrative determinations applying the Uniform Fire Code pursuant to BMC [18.02.180](#).

(2) Decisions of the Administrative Hearing Examiner. The Administrative Hearing Examiner shall receive and examine available information, conduct open-record public hearings, prepare a record thereof, enter findings of fact and conclusions based upon these facts, and render a decision, which decision shall represent the final action on the application, unless appealed, as specified in BMC [2.13.130](#) for all Type III project permit applications identified in BMC [20.02.040](#).

(3) Recommendations of the Administrative Hearing Examiner. The Administrative Hearing Examiner shall receive and examine available information, conduct open predecision public hearings, prepare a record thereof and enter findings of fact and conclusions based upon those facts, together with a recommendation to the city council, for the following:

- (a) All Type IV project permit applications identified in BMC [20.02.040](#).
- (b) Local Improvement districts and utility local improvement district formation and assessments pursuant to Chapter [11.04](#) BMC and Chapters [35.43](#) and [35.44](#) RCW. (Ord. 4970 §2, 2006; Ord. 4798, Added, 05/10/2002)

### **2.13.090 FILING OF APPLICATIONS AND APPEALS.**

Applications to the Administrative Hearing Examiner for a decision, recommendation or an appeal shall be filed with the Department of Community Development. Applications shall be filed with the applicable filing fee as set forth in Chapter [3.01](#) BMC. When it is found an application or appeal meets the filing requirements of the affected City Code, rule or regulation, the application shall be accepted. The Administrative Hearing Examiner shall be responsible for assigning a date for the public hearing for each application or appeal. Hearings on project permit applications are subject to the notice and hearing requirements set forth in the Bremerton Municipal Code. (Ord. 4894 §1, 2004; Ord. 4836, Amended, 12/20/2002; Ord. 4798, Added, 05/10/2002)

### **2.13.100 OPEN RECORD PUBLIC HEARING.**

- (1) Before rendering a decision or recommendation on any land use application, the Administrative Hearing Examiner shall hold one (1) open-record public hearing thereon.
- (2) For all applications, notice of the time and place of the public hearing shall be given as provided in the ordinance governing the application. If none is specifically set forth, such notice shall be given at least ten (10) working days prior to such hearing.
- (3) The Administrative Hearing Examiner shall have the power to prescribe rules and regulations for the conduct of hearings under this chapter and also to administer oaths, and preserve order. (Ord. 4798, Added, 05/10/2002)

### **2.13.110 DECISIONS AND RECOMMENDATION.**

(1) The Administrative Hearing Examiner's recommendation or decision may be to grant or deny the application, or the Administrative Hearing Examiner may recommend or require of the applicant such conditions, modifications and restrictions as the Administrative Hearing Examiner finds necessary to make the application compatible with its environment, with applicable State laws, and to carry out the objectives and goals of the comprehensive plan, the zoning code, the subdivision code, and other codes and ordinances of the City. Conditions, modifications and restrictions which may be imposed are, but are not limited to, additional setbacks, screenings in the form of landscaping and fencing, covenants, easements and dedications of additional road rights-of-way. Performance bonds or other financial assurances may be required to ensure compliance with conditions, modifications and restrictions.

(2) In regard to all Type IV project permit applications identified in BMC [20.02.040](#), the Administrative Hearing Examiner's findings and conclusions and recommendation shall be submitted to the City Council, which shall have the final authority to act on such applications. The hearing by the Administrative Hearing Examiner shall constitute an open-record predecision hearing before the final decision is made by the City Council. The Administrative Hearing Examiner shall file its recommendation with the City Council at the expiration of the period provided for reconsideration, or if reconsideration is accepted, within ten (10) working days after the decision on reconsideration.

(3) When the Administrative Hearing Examiner renders a decision or recommendation, the Administrative Hearing Examiner shall make and enter written findings from the record and conclusions therefrom which support such decision. The decision shall be rendered within ten (10) working days following conclusion of all testimony and hearings, unless a longer period is mutually agreed to on the record by the applicant and the Administrative Hearing Examiner. The copy of such decision, including findings and conclusions, shall be transmitted by first class mail to the applicant and other parties of record in the case requesting the same.

(4) In the case of shoreline substantial development permits, pursuant to RCW [90.58.140](#)(11)(a)(iii), appeals shall be decided within thirty (30) calendar days of filing of the appeal.

(5) The filing fee as set forth in Chapter [3.01](#) BMC paid by the appellant for any appeal to the Administrative Hearing Examiner shall be refunded to the appellant if the appellant is the substantially prevailing party. (Ord. 4970 §3, 2006; Ord. 4894 §2, 2004; Ord. 4798, Added, 05/10/2002)

### **2.13.120 RECONSIDERATION.**

A party of record believing that a decision or recommendation of the Administrative Hearing Examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the prior hearing may make a written request for reconsideration by the Administrative Hearing Examiner within fourteen (14) calendar days of the date the decision or recommendation is rendered. This request shall set forth the specific errors or new information relied upon by such appellant, and the Administrative Hearing Examiner may, after review of the record, take further action as he or she deems proper. If a request for reconsideration is accepted, a decision is not final until after a decision on reconsideration is issued. (Ord. 5148 §2, 2011; Ord. 4798, Added, 05/10/2002)

### **2.13.130 APPEAL OF DECISION.**

(1) Any party who feels aggrieved by the decision or other final action of the Administrative Hearing Examiner may submit an appeal within twenty-one (21) calendar days from the date the final decision of the Administrative Hearing Examiner is rendered to the Superior Court or to another designated forum.

(2) No appeal may be made from a recommendation of the Administrative Hearing Examiner. (Ord. 4798, Added, 05/10/2002)

#### **2.13.140 CITY COUNCIL ACTION.**

(1) Any application requiring action by the City Council shall be taken by the adoption of a motion, resolution or ordinance by the City Council. When taking any such final action, the City Council shall make and enter findings of fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the findings and conclusions from the Administrative Hearing Examiner's recommendation.

(2) The action of the City Council, approving, modifying, or rejecting a recommendation of the Administrative Hearing Examiner, shall be final and conclusive. Appellants have twenty-one (21) calendar days from the date of City Council action to file an appeal with the superior court. (Ord. 4798, Added, 05/10/2002)

#### **2.13.150 CITY ADMINISTRATIVE STAFF ARE TO BE CONSIDERED A PERSON OR PARTY.**

For the purpose of BMC [2.13.130](#) and [2.13.140](#), the City's administrative staff shall be considered a "person" and/or "party" and shall have the same rights as any other person or party to make requests for reconsideration to the Administrative Hearing Examiner or to appeal decisions of the Administrative Hearing Examiner to Superior Court or to another designated forum. (Ord. 4970 §4, 2006: Ord. 4798, Added, 05/10/2002)

**AGENDA BILL**  
CITY OF BREMERTON  
CITY COUNCIL

**A3**

**SUBJECT:**

Contract Modification Agreement No. 2 with  
Merchant Patrol Security Services, Inc.

Study Session Date:	<u>August 23, 2023</u>
COUNCIL MEETING Date:	<u>September 6, 2023</u>
Department:	<u>PW &amp; U</u>
Presenter:	<u>Chris Mottner</u>
Phone:	<u>(360) 473-2316</u>

**SUMMARY:**

The City executed a Goods and Services Agreement with Merchant Patrol Security Services, Inc. for security services and patrols to various City buildings and properties on May 6, 2020. This Contract Modification No. 02 (CM2) provides for an additional two-year term with a new expiration date of January 24, 2026, and a negotiated rate increase for (COLA) cost of living adjustment for security officer labor and associated service operational costs. This includes increases of 3.5% for 2024 and 2025 to cover operational expenses. Bringing the total cost of the contract to \$195,776.83 in 2024 and \$202,629.19 for 2025.

**ATTACHMENTS:**

- 1.) Contract Modification Agreement No. 02

**FISCAL IMPACTS (Include Budgeted Amount):** Total increase in costs is 2024 - \$6,620.47 and 2025 - \$6,852.36 with this Contract Modification and are available within the City budgets.

**STUDY SESSION AGENDA:**

Limited Presentation       Full Presentation

**STUDY SESSION ACTION:**

Consent Agenda       General Business       Public Hearing

**RECOMMENDED MOTION:**

Move to approve Contract Modification Agreement No. 02 with Merchant Patrol Security Services, Inc. and authorize the Mayor to finalize and execute the agreement with substantially the same terms and conditions as presented.

**COUNCIL ACTION:**

Approve       Deny       Table       Continue       No Action



**CONTRACT MODIFICATION AGREEMENT NO. 02  
BETWEEN THE CITY OF BREMERTON AND MERCHANT PATROL  
SECURITY SERVICES, INC.**

**PROJECT : Security Services and Patrols**

**CONTRACTOR : Merchant Patrol Security Services, Inc. Contract # 6106**

**DATE : July 31, 2023**

**THIS CONTRACT MODIFICATION AGREEMENT SPECIFICALLY AMENDS THE**

**AGREEMENT (the "Contract") entered into between the City of Bremerton and Merchant Patrol Security Services, Inc. on May 6, 2020, and Contract Modification Agreement No. 01 on February 23, 2022.**

All provisions in the Contract shall remain in full force and effect except as expressly modified by this document.

For valuable consideration and by mutual consent of the parties, the modifications to the Contract are as follows:

**I.**

Section     **I. Vendor Services**    , is modified as follows:  
NO CHANGE

Section     **II. Time of Completion**    , is modified as follows:  
II. TIME OF COMPLETION will be modified under Exhibit "A" TERM: B. to extend the contract for two (2) additional years beginning January 24, 2024 through January 24, 2026.

Section     **III. Compensation**    , is modified as follows:  
The original contract amount was     **\$ 92,187.60 Dollars.**     Contract Modification No. 01 resulted in a total annual contract amount of     **\$ 189,156.36.**     This Contract Modification No. 02 includes negotiated increases of 3.5% for 2024 and 2025 to cover increases to Security Patrol labor rates, required insurance coverage, vehicle fuel costs and operational expenses. The resulting total annual contract amounts are therefore     **\$ 195,776.83 for 2024 and \$202,629.19 for 2025.**     including this Contract Modification.

**II.**

**Contractor accepts all requirements of this Contract Modification by endorsing below. Contractor further agrees that this Contract Modification constitutes full and final settlement of all of the Contractor's claims for contract time and for all costs of any kind, including without limitation, costs of delays related to any work either covered or affected by this Contract Modification, claims related to on-site or home office overhead, or lost profits. This Contract Modification does not limit the City's right to bring a claim for past performance.**

**The undersigned contractor approves the foregoing Contract Modification as to the changes, if any, in the contract price specified for each item, including any and all supervision costs and other miscellaneous costs relating to the change in work, and as to the extension of time allowed, if any, for completion of the entire work due to said Contract Modification.**

**This document will become a supplement of the contract and all provisions will apply hereto. It is understood that this Contract Modification shall be effective when approved by the City of Bremerton.**

**The parties whose names appear below warrant that they are authorized to enter into a contract modification that is binding on the parties of this contract. In addition, Contractor warrants that it has or will inform the surety of this change, and shall take appropriate action to modify any bonds required under the contract to address this change.**

**IN WITNESS WHEREOF, the parties have executed this Contract Modification on the day and year first written above.**

**Public Works Director** approved to process \_\_\_\_\_ (Initials and Date)

**CONTRACTOR**

By: \_\_\_\_\_  
Print Name: Dan Larson \_\_\_\_\_  
Its: President \_\_\_\_\_  
Date: \_\_\_\_\_

**THE CITY OF BREMERTON**

By: \_\_\_\_\_  
Print Name: Greg Wheeler \_\_\_\_\_  
Its: Mayor \_\_\_\_\_  
Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
KYLIE J. FINNELL, Bremerton City Attorney

**ATTEST:**

By: \_\_\_\_\_  
ANGELA HOOVER, City Clerk

**NOTICES TO BE SENT TO:**

Dan Larson  
Merchant Patrol Security Services, Inc  
PO Box 964  
Olalla, WA 98359  
360-377-8500

**NOTICES TO BE SENT TO:**

Mr. Chris Mottner  
Title: Internal Services Manager  
City of Bremerton Public Works.  
Address: 100 Oyster Bay Avenue N.  
Bremerton, WA 98312  
Phone: 360-473-2316

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**AGENDA BILL**  
CITY OF BREMERTON  
CITY COUNCIL

**A4**

**SUBJECT:**

Resolution to authorize Local Parks Maintenance Grant Application with State of WA Recreation & Conservation Office to fund the Evergreen Rotary Park Accessible Playground Surfacing Replacement

Study Session Date:	<u>August 23, 2023</u>
COUNCIL MEETING Date:	<u>September 6, 2023</u>
Department:	<u>Parks &amp; Recreation</u>
Presenter:	<u>Jeff Elevado</u>
Phone:	<u>(360) 473-5428</u>

**SUMMARY:** The Evergreen Rotary Park Accessible Playground became the first “Beyond Accessible” playground in Kitsap County when it opened in 2014. One of the playground’s key inclusive features is the use of artificial turf safety surfacing. While engineered wood chips are considered ADA compliant, artificial turf surfacing is truly accessible for everyone at all abilities.

Artificial turf playground surfacing typically lasts 10-12 years with normal use. However, due to the popularity of the playground, high volume of use, and recent vandalism, the surfacing has reached the end of its useful life.

The RCO is offering a one-time, no-match grant opportunity for park maintenance projects. The City is requesting authorization to apply for this funding to support replacement of the accessible playground surfacing at Evergreen Rotary Park.

**ATTACHMENTS:** 1) Resolution No. \_\_\_\_\_ to authorize grant application; 2) Project Estimate Worksheet; 3) Evergreen Rotary Park Accessible Playground Surfacing Photos

**FISCAL IMPACTS (Include Budgeted Amount):**

Project Cost Estimate: \$227,484  
Project Funding: \$100,000 (RCO/Local Parks Maintenance Grant)  
Project Balance: \$127,484 (Parks Capital Construction Fund Balance, REET, Donations)

**STUDY SESSION AGENDA:**                     Limited Presentation             Full Presentation

**STUDY SESSION ACTION:**     Consent Agenda             General Business             Public Hearing

**RECOMMENDED MOTION:**

Move to approve Resolution No. \_\_\_\_\_ to authorize staff to submit for a Local Parks Maintenance Grant Application with the State of WA Recreation & Conservation Office; and authorize the Mayor to finalize and execute the agreement with substantially the same terms and conditions as presented.

**COUNCIL ACTION:**     Approve             Deny             Table             Continue             No Action



## Local Parks Maintenance Program Applicant Authorization and Electronic Signature

Organization Name (sponsor) City of Bremerton Parks & Recreation Department

Resolution No. or Document Name \_\_\_\_\_

Project Number and Name Evergreen Rotary Park Accessible Playground Surfacing Replacement

This resolution/authorization authorizes the person(s) identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS grant assistance is requested by our organization to aid in financing the cost of the Project referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project."
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Routing Order	Name of Signatory and Title of Person Authorized to Sign	Email Address
Grant application (submission thereof)			
Project contact (day-to-day administering of the grant and communicating with the RCO)		Colette Berna, Parks Preservation & Development Manager	colette.berna@ci.bremerton.wa.us
Agreement/amendment approver <sup>1</sup>	1		
Agreement/amendment approver	2		
Agreement/amendment approver	3		
Agreement/amendment approver	4		
RCO Grant Agreement signer <sup>2</sup>		Greg Wheeler, Mayor	greg.wheeler@ci.bremerton.wa.us
Agreement amendments signer <sup>2</sup>			

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide updated documentation of authorized signers, if needed.

3. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
4. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
5. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
6. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
7. Our organization acknowledges that the grant will only be used for maintenance of local park property owned by our organization.
8. This resolution/authorization is deemed to be part of the formal grant application to the Office.
9. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises, and obligations set forth herein.

This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s):

Signed \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

On File at: \_\_\_\_\_

This Applicant Resolution/Authorization was adopted by our organization during the meeting held:

Location: \_\_\_\_\_ Date: \_\_\_\_\_

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<sup>1</sup> **Agreement/Amendment Approver:** refers to an individual or several individuals who review and approve the electronic document and contacts RCO if corrections are needed. The approver does not sign the document. You may add more than one approver but please designate the order for routing purposes.

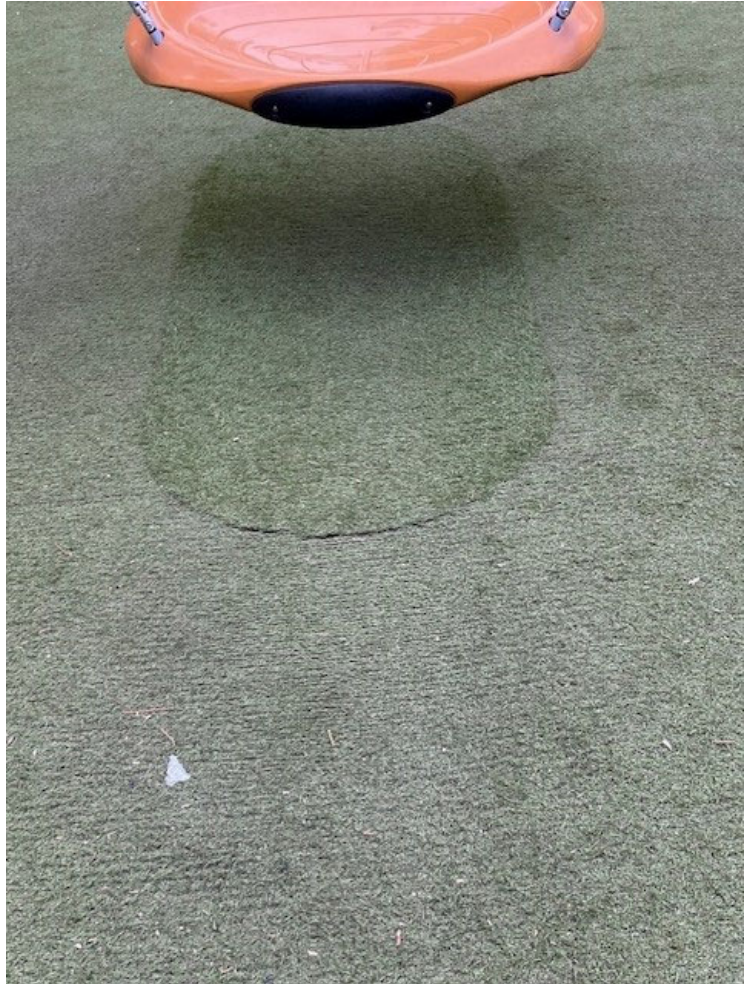
<sup>2</sup> **RCO Grant Agreement/Agreement Amendments Signer:** refers to the individual who must officially sign the document with an electronic signature and may be required to enter data such as title, date, agency name, etc. into fields. The signer of Agreements may differ from the individual who is delegated to sign Amendment documents, but we can only accept one signature per document.

**EVERGREEN ROTARY PARK  
ACCESSIBLE PLAYGROUND SAFETY SURFACING REPLACEMENT ESTIMATE**

ITEM NO.	DESCRIPTION	UNIT COST	TOTAL COST
1	SITE PREP: REMOVAL AND DISPOSAL (RECYCLED) OF EXISTING TURF (APPROX. 7900 SF)	\$12,100.00	\$12,100.00
2	MATERIAL COST: PLAYGROUND GRASS, ENVIROFILL, 2" FOAM PAD	\$129,937.50	\$129,937.50
3	INSTALLATION OF MATERIALS	\$36,845.60	\$36,845.60
4	FREIGHT	\$8,000.00	\$8,000.00
			<b>\$186,883.10</b>
		WSST (9.2%)	\$17,193.25
		<b>SUBTOTAL</b>	<b>\$204,076.35</b>
		PERMIT	\$3,000.00
		CONTINGENCY (10%)	\$20,407.63
		<b>TOTAL PROJECT COST</b>	<b>\$227,483.98</b>



**Evergreen Rotary Park**  
**Accessible Playground Surfacing**













INFORMATION ONLY ITEM  
CITY OF BREMERTON  
CITY COUNCIL

**A5**

*Item added...*

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**SUBJECT:** Proposal for the City to Apply for \$12,000 in LTAC Funds to Hire a Consultant to Study Lodging Tax Fund's Economic Impact and Provide Recommendations for Future LTAC Distribution

Study Session Date: August 23, 2023

Presenter: Denise Frey,  
LTAC Chair

Phone: (360) 473-5280

**SUMMARY:** The Council will consider a proposal for the City to submit an application to the Lodging Tax Advisory Committee for \$12,000 in Fiscal Year 2024. The intent of this request will be to hire a consultant to study the Lodging Tax Fund's economic impact and provide recommendations for future distribution.

**HANDOUTS:** 1) Memo; and 2) Power Point

Date: August 22, 2023

To: City Council

From: Denise Frey, Councilmember and Chair of the Lodging Tax Advisory Committee

Re: Need for Analysis of LTAC Investments

I am respectfully requesting that City Council consider identifying up to \$12,000 in LTAC funding this year for the hiring of a consultant to conduct an analysis of the impact of our current efforts and make recommendations as to whether or how to create greater impact with those investments.

Bremerton currently runs its LTAC program under its Financial Services Department, with support from its City Attorney's Office. Neither of these departments, or any other to my knowledge, has expertise in tourism-related economic development. As with much of its economic development investment, the City partners with Kitsap Economic Development Association, Greater Kitsap Chamber of Commerce and other organizations to oversee more regional efforts.

Through the LTAC, The City also supports historical and art museums, special events and other efforts to attract visitors to Bremerton for overnight stays. Depending on the internal capacity of individual organizations or events to collect and manage data, the impacts of some of these investments are unidentified and therefore can't be used in analysis.

There was a 2019 audit of our LTAC process that included relevant information. While this information is interesting and useful to Council members, it would be best used in a professional analysis of that data.

I believe the next step is the hiring of a professional to conduct such an assessment and analysis designed to measure **the economic impact of the City's LTAC funds and some recommendations as to how to maximize the impact of those funds.**

As Chair of the Lodging Tax Committee, I respectfully request support for the hiring of a professional consultant to provide the services outlined here:

- Analyze the impact of the City of Bremerton's Lodging Tax revenue
  - Identify the tourism/economic impact of current LTAC awards
  - Identify actual direct/indirect costs to the City for the current LTAC process and awards
  - Provide to City Council an impact analysis of current LTAC program
  
- Analyze the impact of comparative City/County Lodging Tax revenue

- Identify actual tourism/economic impact of their current processes and awards
- Identify actual direct/indirect costs related to their processes and awards
- Provide to City Council an impact analysis of other LTACs
- Make recommendations to the City as to how it can maximize the impact of its LTAC funds, including key data points to increase accuracy

The process will include interviews and meetings with current and former LTAC members, current and former LTAC grantees, City Council Members, the Mayor, key City staff and other community leaders and stakeholders.

As mentioned, there is a large amount of data contained in the 2019 Audit of the LTAC program which could be used in the analysis and development of recommendations.

It is anticipated that this work will take approximately 120 hours over 2-3 months. Estimated cost: \$100 per hour resulting in a total expense of \$12,000.

Recommended qualifications:

5 years of high-level tourism or destination management experience

Prior experience leading strategic planning in the tourism/destination management industry

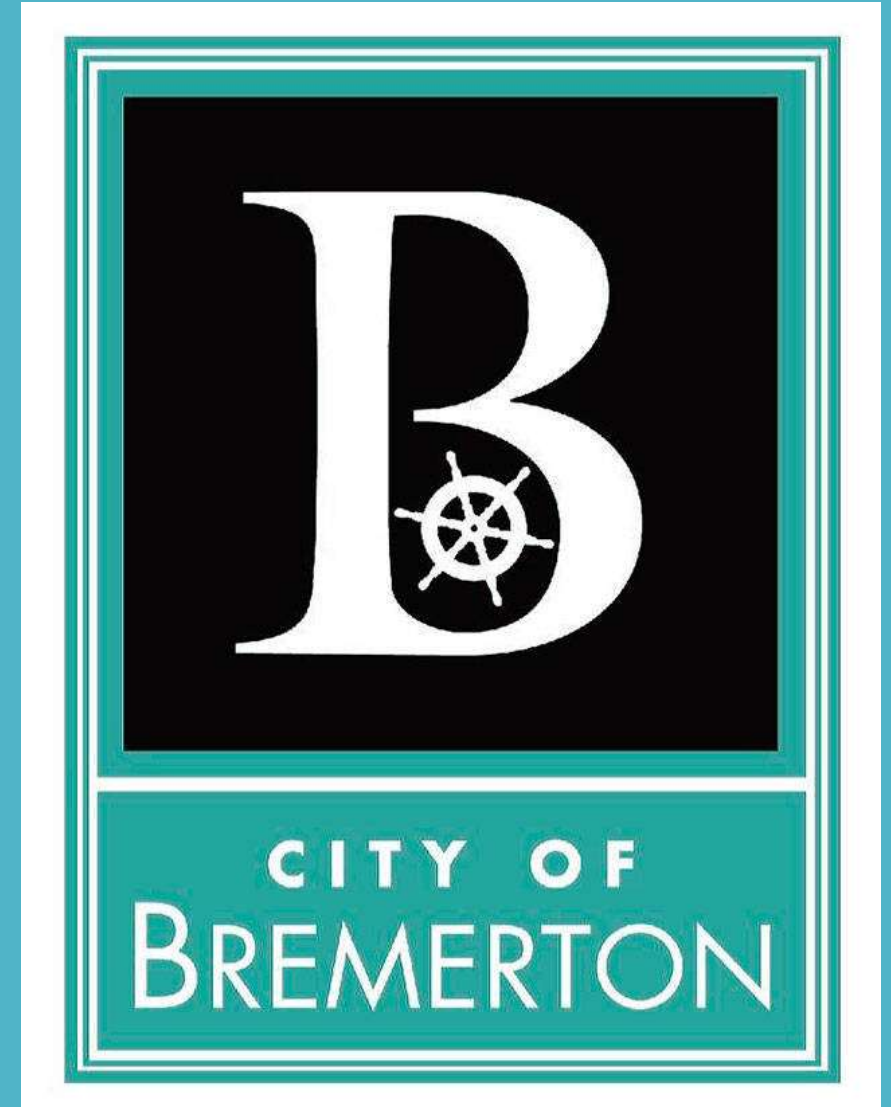
Prior success in community engagement and coalition building

# Request from LTAC Chair

*Denise Frey*

Councilmember, District 2

August 23, 2023



# The Need for LTAC Consultant

- Lack of internal expertise in tourism and its social and economic impacts.
- Internal awareness that current process and awards are difficult to manage and even more difficult to report related impact
- Growing LTAC fund - \$355,000 in 2024, a 77.5% increase since 2022 in available funding for non-City or City related projects
- Anticipated capital investment in Gold Mountain Golf Club (GMGC)
- Are we maximizing economic impacts through both GMGC and Kitsap Conference Center?



# Proposed Scope of Work

## **Analyze the community impact of the City of Bremerton's Lodging Tax program**

- Identify the tourism/economic impact of current LTAC awards
- Identify actual direct/indirect costs to the City for the current LTAC process and awards
- Provide to City Council a comprehensive impact analysis of current LTAC program

## **Analyze the community impact of comparative City/County Lodging Tax programs**

- Identify the tourism/economic impact of their current processes and awards
- Identify actual direct/indirect costs related to their processes and awards
- Provide to City Council a comprehensive impact analysis of other LTAC programs

## **Make recommendations to City Council to maximize the comprehensive impact of its LTAC funds, including key data points for collection and future analysis**

# Proposed Qualifications

5 years of high-level tourism or destination management experience

Prior experience leading strategic planning in the tourism/destination management industry

Prior success in community engagement and coalition building

## Other Details

It is anticipated that completion of the proposed Scope of Work will take **120 hours**

It is also anticipated that the rate will be **\$100 per hour**

Anticipated timeline is **8-12 weeks, beginning in early 2024**

## Questions?

AGENDA BILL  
CITY OF BREMERTON  
CITY COUNCIL

**A6**

*Updated*

**SUBJECT:**

Ordinance to update BMC Chapter 9.32  
entitled "Unauthorized Camping"

Study Session Date: August 23, 2023  
COUNCIL MEETING Date: September 6, 2023  
Department: Legal  
Presenter: Kylie Finnell, City  
Attorney  
Phone: (360) 473-2345

**SUMMARY:**

The City Council included an update to BMC Chapter 9.32 "Unauthorized Camping" in the Council's 2023 Goals and Priorities.

Council discussed this issue at the Study Sessions on June 26, July 12, July 26, and August 9. Public comment was received at the Council Meetings on July 5, July 19, and August 2. Council has also received numerous written comments related to this issue.

The August 23 Study Session will continue the discussion regarding how the Council would like to amend the ordinance.

**ATTACHMENTS:** Draft Ordinance *Added 8/23/23 3:55 PM*

**FISCAL IMPACTS (Include Budgeted Amount):**

**STUDY SESSION AGENDA:**  Limited Presentation  Full Presentation

**STUDY SESSION ACTION:**  Consent Agenda  General Business  Public Hearing

**RECOMMENDED MOTION:**

Move to pass Ordinance No. \_\_\_\_\_ to update Bremerton Municipal Code Chapter 9.32 entitled "Unauthorized Camping."

**COUNCIL ACTION:**  Approve  Deny  Table  Continue  No Action

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE** of the City Council of the City of Bremerton, Washington, amending Chapter 9.32 of the Bremerton Municipal Code entitled "Unauthorized Camping," to set forth the circumstances under which unauthorized camping is enforced.

WHEREAS, pursuant to Article XI, Section 11 of the Washington Constitution and RCW 35A.11.020, the City of Bremerton is authorized to regulate public property; and

WHEREAS, \_\_\_\_\_ <insert additional language regarding City's response to affordable housing/homelessness crisis here as directed by Council > \_\_\_\_\_ ; and

WHEREAS, public property is intended to be used by the public for public purposes, including daily City operations, park recreational use, pedestrian, bicycle and vehicular transportation and other public uses; and

WHEREAS, in *Martin v City of Boise*, 920 F. 3d 584 (9th Cir. 2019), the Ninth Circuit Court of Appeals held that the Eighth Amendment to the United States Constitution prohibits cities from enforcing ordinances criminalizing camping on public property when there is no available shelter; and

WHEREAS, in *Johnson v City of Grants Pass, United States Court of Appeals, Ninth Circuit, Nos. 20-35752, 20-35881 decided September 28, 2022, amended July 5, 2023* the Ninth Circuit Court of Appeals held that ordinances that operate to make it "nearly impossible" to sleep outside with any form of bedding or shelter, or in a vehicle, on public land violate the Cruel and Unusual Punishment clause of the constitution; and

WHEREAS, the City Council finds that the regulatory requirements within this ordinance are necessary to promote public health, safety and welfare by preserving public use of public spaces for which they are intended; and

WHEREAS, \_\_\_\_\_ <insert additional language regarding ordinance here once complete> \_\_\_\_\_ . NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Chapter 9.32 of the Bremerton Municipal Code entitled "Unauthorized Camping" is hereby amended to read as follows:

**Chapter 9.32  
UNAUTHORIZED CAMPING**

**9.32.010 DEFINITIONS.**

The following definitions are applicable in this chapter unless the context otherwise requires:

(a) "Available overnight shelter" means public or private shelter or city designated camping area located within the city of Bremerton that offers overnight shelter or camping space to persons experiencing homelessness and confirms to a city employee that it has an available overnight space at no cost for that person; or if no such shelter or city designated camping area is available within the city of Bremerton, a shelter or designated camping area located within Kitsap County that offers overnight shelter or camping space to persons experiencing homelessness and confirms to a city employee that it has an available overnight space at no cost for that person and that it is accessible to the person by public transportation or vehicle for hire at no cost for that person.

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If an individual or family unit cannot use an available accommodation because of the individual or family member's sex, familial or marital status, religious beliefs, disability, or length-of-stay restrictions, the accommodation is not considered available.

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(ba) "Camp" means (1) to dwell, reside within or use camping facilities for temporary or permanent habitation or housing; and/or (2) to use camping paraphernalia.

(cb) "Camping facilities" include, but are not limited to, recreational vehicles, motor vehicles, trailers, tents, huts, or temporary shelters.

(de) "Camping paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-City-designated cooking facilities and similar equipment.

(ed) "Director" means any Director of a City of Bremerton department having authority over a public place or any other person authorized by the Mayor to exercise such authority or his or her designee.

(fe) "Park" means and includes all City parks, public squares, park drives, parkways, boulevards, golf courses, park museums, zoos, bathing beaches, and play and recreation grounds under the jurisdiction of the City of Bremerton Parks and Recreation Department.

(gf) "Public place" means and includes streets, ways, boulevards, sidewalks, planting or parking strips, shoulders, squares, triangles, rights-of-way, publicly owned parking lot or publicly owned area, improved or unimproved, and other public places appropriated to the public for public use, including buildings, structures and appurtenances situated thereon.

(hg) "Recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient and is not immobilized or permanently affixed to a mobile home lot.

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(i) "Sidewalk" means any and all pedestrian structures or forms of improvement for pedestrians included in the space between the street margin, as defined by a curb or the edge of the traveled road surface, and the line where the public right-of-way meets the abutting property, as set forth in RCW 35.69.010. The term "sidewalk" includes but is not limited to curbs, gutters, and portions of driveways that cross sidewalks.

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(jh) "Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

(k) "Street" means any highway, avenue, lane, road, street, drive, place, boulevard, alley, right-of-way, and every way or place in the City of Bremerton open as a matter of right to public vehicular travel.

### 9.32.020 UNAUTHORIZED CAMPING IN PUBLIC PLACES.

(a) Unlawful camping. Except as permitted by permit pursuant to BMC 9.32.040 or as otherwise provided by City Code or ordinance, it shall be unlawful for any person to camp in any park or other public place.

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(b) Public places where camping is prohibited at all times. The prohibition on camping shall apply at all times within public places with the uses listed in this subsection:

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(1) Any park, unless permitted by permit pursuant to BMC 9.32.040. This prohibition does not include the use of camping paraphernalia and camping facilities consistent with park rules established by the Parks Director at times parks are open to the public pursuant to BMC 13.04.150.

(2) Streets, sidewalks and the space between streets and sidewalks.

(3) City-owned buildings, parking lots, and appurtenances used to conduct the business of the city, including, but not limited to, City Hall, Bremerton Police Station, Bremerton Municipal Court, Bremerton Fire Stations, Bremerton Senior Center, Sheridan Park Community Center, and Gold Mountain Golf Course.

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(4) Properties owned by the city that are not open to the public and which are posted with signs prohibiting trespass.

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(c) Enforcement Suspended. Except within public places with uses set forth in subsection (b), the authority to issue a citation or arrest and file charges for a violation of BMC 9.32.020(a) shall be suspended any time there is no available overnight shelter for the individual camping.

#### **9.32.030 UNAUTHORIZED STORAGE IN PUBLIC PLACES.**

(a) Except as permitted by permit pursuant to BMC 9.32.040, BMC 10.10, or as otherwise provided by City Code or ordinance, it shall be unlawful for any person to store, pitch or park camping facilities or to store or pitch camping paraphernalia in any park or other public place.

(b) Enforcement Suspended. Except within public places with uses set forth in subsection BMC 9.32.020(b), the authority to issue a citation or arrest and file charges for a violation of BMC 9.32.030(a) shall be suspended any time there is no available overnight shelter for the individual camping.

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#### **9.32.040 PERMIT.**

(a) The Director is authorized, by permit, to allow persons to camp, occupy camping facilities, or use or store camping paraphernalia within or on any park or other public place that may be designated by the City for such use in the City of Bremerton subject to other applicable codes or ordinances.

(b) The Director may approve a permit as provided under this section if the Director determines that:

(1) Adequate trash receptacles, trash collection and sanitary facilities are available;

(2) The camping activity will not unreasonably disturb or interfere with the peace, comfort, and repose of property owners in the area; and

(3) The camping activity is not reasonably likely to provoke disorderly conduct or create a disturbance.

(c) The Director may place terms and conditions on any permit as he or she finds appropriate for the conditions considering the use and impacts of such use. (Ord. 4898 §1, 2004)

**9.32.050 PENALTY FOR VIOLATIONS.**

(a) Civil Infraction. A violation of any provision of this chapter shall constitute a civil infraction subject to a monetary penalty of one hundred five dollars (\$105.00). Each day, or a portion thereof, during which a violation occurs shall constitute a separate violation.

(b) Habitual Violators - Misdemeanor. Any person, after receiving three or more infractions, singularly or in combination, for prior violations of this chapter within a two (2) year period found to be committed by the Municipal Court shall be guilty of a misdemeanor pursuant to BMC 1.12.020(2) upon a subsequent violation within said two (2) year period. A conviction of a misdemeanor under this subsection shall be considered and counted as an infraction for the purpose of determining whether or not a violator is a habitual violator.

**9.32.060 RULES AND REGULATIONS.**

The Director may promulgate rules and regulations he or she deems necessary and appropriate to implement, administer and enforce this chapter.

SECTION 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener, clerical, typographical, and spelling errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 3. Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 4. Effective Date. This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
JEFF COUGHLIN, Council President

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
GREG WHEELER, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
ANGELA HOOVER, City Clerk

\_\_\_\_\_  
KYLIE J. FINNELL, City Attorney

PUBLISHED the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
EFFECTIVE the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
ORDINANCE NO. \_\_\_\_\_.



## **SHELTER SPACE DEFINITIONS FROM OTHER JURISDICTIONS:**

### **CITY OF AUBURN (ACC 9.50.030(D)(1))**

“Available overnight shelter” means:

- a. A public or private shelter located within the city of Auburn that offers overnight shelter to persons experiencing homelessness and confirms to a city employee that it has an available overnight space at no cost for that person; or
  - b. If no shelter described in subsection [\(D\)\(1\)\(a\)](#) of this section has available space, a shelter located within King or Pierce County that offers overnight shelter to persons experiencing homelessness and confirms to a city employee:
    - i. That it has an available overnight space at no cost for that person; and
    - ii. That it is accessible to the person by public transportation or vehicle for hire at no cost for that person.
  - c. An overnight shelter is available if an individual is prevented from using an otherwise available shelter space because of their past or present voluntary actions such as unlawful drug use or possession, criminal act(s), unruly behavior or willful violation of shelter rules or restrictions pertaining to such activity.
  - d. An overnight shelter is unavailable if:
    - i. An individual or family cannot use the shelter’s available space because of shelter-imposed restrictions on its use (other than any restrictions the shelter has imposed pursuant to subsection [\(D\)\(1\)\(c\)](#) of this section); or
    - ii. A city employee, an individual or family attempts to secure a space at the shelter for the day and is denied due to lack of available space.
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### **CITY OF KENT (KCC 8.09.020(A))**

- A. *Available overnight shelter* means a public or private shelter, with an overnight space available and open to the individual experiencing homelessness at no charge.
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### **CITY OF LAKEWOOD (LMC 9.15.030)**

“Available overnight shelter” means a public or private facility, with an available overnight space, open to person(s) experiencing homelessness at no charge, which must be located within a 15-mile radius with the starting point of Lakewood City Hall, and to which the City facilitates transport.

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### **CITY OF PORT ORCHARD (POMC 9.60.130(5))**

“Available overnight shelter” means a public or private shelter, with available overnight space, open to individuals experiencing homelessness, at no charge, located within the city of Port Orchard. If the person is unable to utilize an available overnight shelter due to voluntary actions such as intoxication, drug use, unruly or assaultive behavior, or violation of shelter rules, the overnight shelter space shall still be considered available for the purposes of this section.

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### **CITY OF POULSBORO (PMC 9.90.040(B))**

Defined as “alternative accommodations:”

B. Law enforcement officers shall not enforce the unauthorized camping provisions of Section [9.90.020](#) when no alternative accommodations are available. As used in this section, an alternative accommodation is available if (1) a community service organization has available vouchers that allow an individual or family unit experiencing homelessness to stay overnight at a hotel or motel without charge; or (2) space is available without charge at a temporary transitory accommodation as defined in Chapter [18.190](#) for an individual or family unit experiencing homelessness; or (3) space is available for an overnight stay without charge at a public or private shelter open to an individual or family unit experiencing homelessness. If an individual or family unit cannot use an available accommodation because of the individual or family member’s sex, familial or marital status, religious beliefs, disability, or length-of-stay restrictions, the accommodation is not considered available. The accommodation is considered available if the individual could not use the accommodation due to voluntary actions such as intoxication, drug use, unruly behavior or violation of shelter rules.

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### **CITY OF REDMOND (RMC 9.33.020(B))**

“Available overnight shelter” means a public or private shelter, with an available overnight space, open to an individual or family unit experiencing homelessness at no charge. If an individual or family unit cannot use available space because of the individual or family member’s sex, familial or marital status, religious beliefs, disability, or a shelter’s length-of-stay restrictions, the space is not considered to be available. The space is also not considered to be available if an individual has attempted to secure a bed at the shelter by lining up in advance of the shelter opening for the day and has denied entry due to lack of available space. The space is considered available if the individual could not use the space due to voluntary actions such as intoxication, drug use or unruly behavior.

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**CITY OF SEATAC (SMC 8.25.020)**

“Available overnight shelter” means a public or private shelter, with an available overnight space, open to an individual experiencing homelessness at no charge. “Available overnight shelter” also includes a hotel or motel that is made available to an individual experiencing homelessness at no charge.

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# **City of Vancouver**

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**Examples of restrictions within a certain distance from specific locations & examples of manner/structure restrictions - (With comments and highlights for the convenience of the reader):**

**Vancouver Municipal Code**  
**Chapter 8.22**  
**CAMPING AND OUTSIDE HABITATION**

Sections:

- 8.22.010 Findings.**
- 8.22.020 Purpose.**
- 8.22.030 Definitions.**
- 8.22.040 Unlawful camping and outside habitation.**
- 8.22.050 Unlawful storage of personal property in public places.**
- 8.22.060 Penalty for violations.**
- 8.22.070 Permit.**
- 8.22.080 Public duty created.**

**8.22.010 Findings.**

It is the purpose of this chapter to address:

A. *Adverse Public Impacts of Camping and Outside Habitation.* People camping and habitating outside on public property and on public right-of-way create a public health and safety hazard due to the lack of proper food storage, cooking, electrical and/or sanitary facilities. People without proper sanitary facilities have openly urinated, defecated, and littered on private and public property and on the public right-of-way. Use of public property for purposes of camping, outside habitation, or storage of personal property interferes with the rights of others to use the areas for the purposes for which they were intended and creates public health and safety dangers to the city's sensitive ecological areas, including the city's water sources, through illegal

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dumping and improper disposal of human waste. People cooking with open flames while camping or habitating outside endanger the lives and property of those nearby through uncontrolled fire. There is an increased risk of a dangerous wildfire event in certain areas along the Burnt Bridge Creek due to the existence of one or more of the following characteristics: steep slopes, typical afternoon onshore winds, heavy vegetation, limited vehicle access, limited water supply, and the presence of nearby residences.

B. *Adverse Impacts of Camping and Outside Habitation on the Poor and Infirm.* Many individuals who habitate outside on public property do so not by choice but due to a lack of financial means to afford adequate shelter. These individuals are also adversely mentally and physically impacted by being unsheltered. Single females who habitate outside experience a disproportionately high incidence of violent crime as compared to other people. Families with children who habitate outside as a result of a lack of adequate shelter are also disproportionately adversely impacted through risk of physical danger and impediments to childhood education.

C. *Constitutional Limitations on Available Remedies.* The [Eighth Amendment](#) to the United States Constitution prohibits “cruel and unusual punishment”; the Ninth Circuit Court of Appeals has interpreted this prohibition to forbid cities from criminalizing camping and outside habitation in all places, at all times, by those who lack the financial means to pay for adequate shelter unless adequate shelter is available to such person free of charge.

D. *Safe Stay Communities.* The establishment of safe stay communities creates a means of connecting individuals to services that reduce barriers to obtaining shelter and housing while providing options for lawful camping which are incidental to the receipt of such services.

E. *Need for Specific Population Safe Stay Communities.* The city has an important government interest in protecting the physical safety and emotional well-being of residents of safe stay communities occupied by single-occupant females, and families with children. The establishment of specific population safe stay communities as defined herein reserved for members of these groups serves that important government interest and is substantially related to accomplishing those objectives. (Ord. M-4379 § 2, 2022; Ord. M-4348 § 2, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

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**Commented [MR1]:** As noted in the draft ordinance, camping is allowed in "Safe Stay Communities" in Vancouver, WA. Further details re: requirements below.

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### **8.22.020 Purpose.**

It is the purpose of this chapter to:

- A. Prevent harm to the health and safety of individuals who habitate outside due to a lack of financial means to afford adequate shelter by establishing safe stay communities where adequate shelter is provided to the poor or infirm at no cost.
- B. Prevent harm to the health and safety of the public and to promote the public health, safety and general welfare by prohibiting camping within all camping and outside habitation impact areas at all times, except as allowed within a safe stay community.
- C. Prevent harm to the health or safety of the public and to promote the public health, safety and general welfare by making public streets and other areas readily accessible to the public and to prevent use of public property for camping and outside habitation purposes or storage of personal property which interferes with the rights of others to use the areas for which they were intended. (Ord. M-4379 § 3, 2022; Ord. M-4348 § 3, 2021; Ord. M-3323, 1997)

### **8.22.030 Definitions.**

The following definitions are applicable in this chapter unless the context otherwise requires:

“Camp” or “camping” means to pitch, create, use, or occupy camp and outside habitation facilities for recreational purposes.

“Camp and outside habitation facilities” include, but are not limited to, tents, huts, temporary shelters, or vehicles.

“Camp and outside habitation paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or noncity-designated cooking facilities and similar equipment.

“Camping and outside habitation impact area” means the areas specified within VMC [8.22.040\(B\)](#).

“Family” means two or more “family or household members” as defined by RCW [26.52.010](#).

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“Outside habitation” means to pitch, create, use, or occupy camp and outside habitation facilities for purposes of shelter for habitation.

“Park” means the same as defined in VMC [15.04.020](#).

“Safe stay community” means a camp and outside habitation facility for which a permit has been sought and obtained from the Vancouver city manager, or their designee, pursuant to VMC [8.22.070\(B\)](#), and/or a city-sponsored safe stay community established under VMC [8.22.070\(F\)](#).

**Commented [MR2]:** Definition of "Safe stay community."

“Safe stay community operator” means a person, firm, corporation, or municipal corporation with a valid safe stay community operator permit issued pursuant to VMC [8.22.070](#) or, in the case of a city-sponsored safe stay community, an approved safe stay community facility operator as designated by the city manager or their designee.

“Specific population safe stay community” means a safe stay community with spaces reserved for either (a) a single occupant identifying as female; or (b) a family with one or more children under 18 years of age at the time of admission to the safe stay community.

“Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

“Street” means any highway, lane, road, street, right-of-way, boulevard, alley, and every way or place in the city of Vancouver that is publicly owned or maintained for public vehicular travel.

“Vehicle” means the same as defined in RCW [46.04.670](#), as adopted by Ordinance [M-3276](#). (Ord. M-4379 § 4, 2022; Ord. M-4348 § 4, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

## **8.22.040 Unlawful camping and outside habitation.**

**A. *Safe Stay Communities.*** Outside habitation shall be allowed at all times within safe stay communities by those residing therein. Residence in a safe stay community shall be at the approval of the safe stay community operator.

**B. *Camping and Outside Habitation Impact Areas.*** Except to the extent expressly allowed pursuant to subsection [A](#) of this section, it shall be unlawful to camp or habitate outside at any

**Commented [MR3]:** This section contains distance restrictions.

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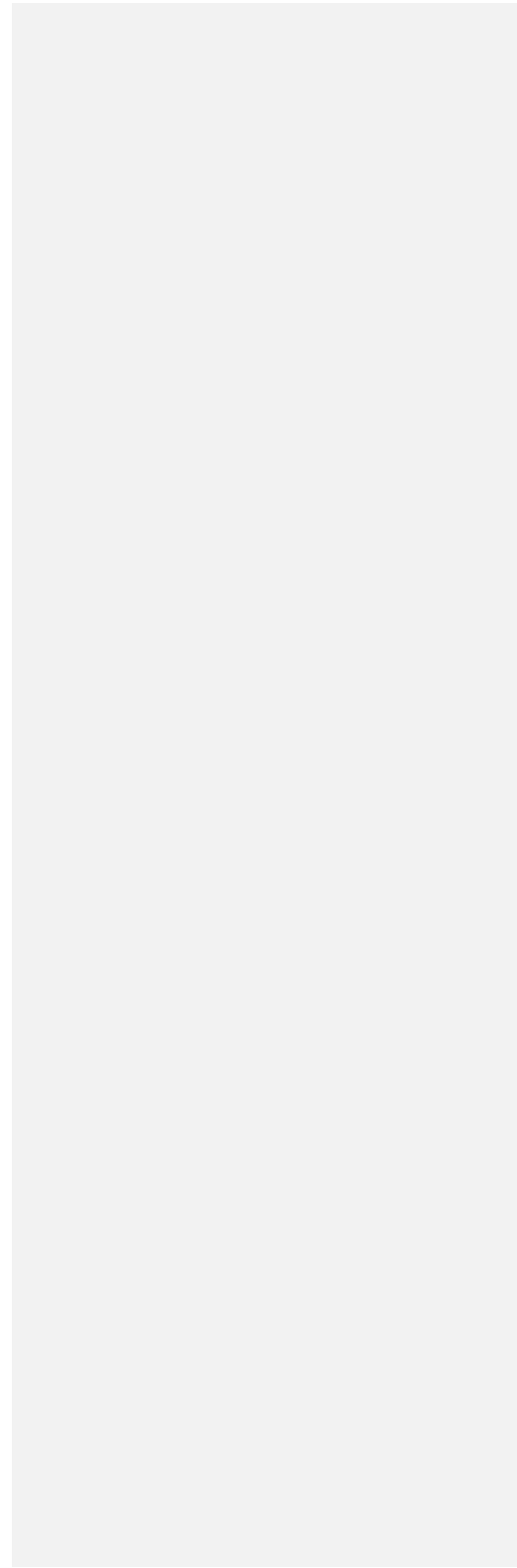


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time within a camping and outside habitation impact area. The following locations are camping and outside habitation impact areas:

1. Within 1,000 feet of the nearest point of any safe stay community;
2. Upon any land used to operate a public water station, wastewater or stormwater facility;
3. Within 200 feet of the nearest edge of the Columbia River, Vancouver Lake, Burton Channel, Peterson Channel, Fisher's Creek, or Burnt Bridge Creek;
4. Upon the following land:
  - a. All the Burnt Bridge Creek drainage area from Vancouver Lake to East Fourth Plain Boulevard, as depicted in Figure 8.22-1; and
  - b. Portions of the southern slope of the Burnt Bridge Creek drainage area, from the ridgeline north to the paved trail of the Burnt Bridge Creek drainage, between East Fourth Plain Boulevard and Northeast Burton Road, as depicted in Figure 8.22-2.

**Figure 8.22-1.**



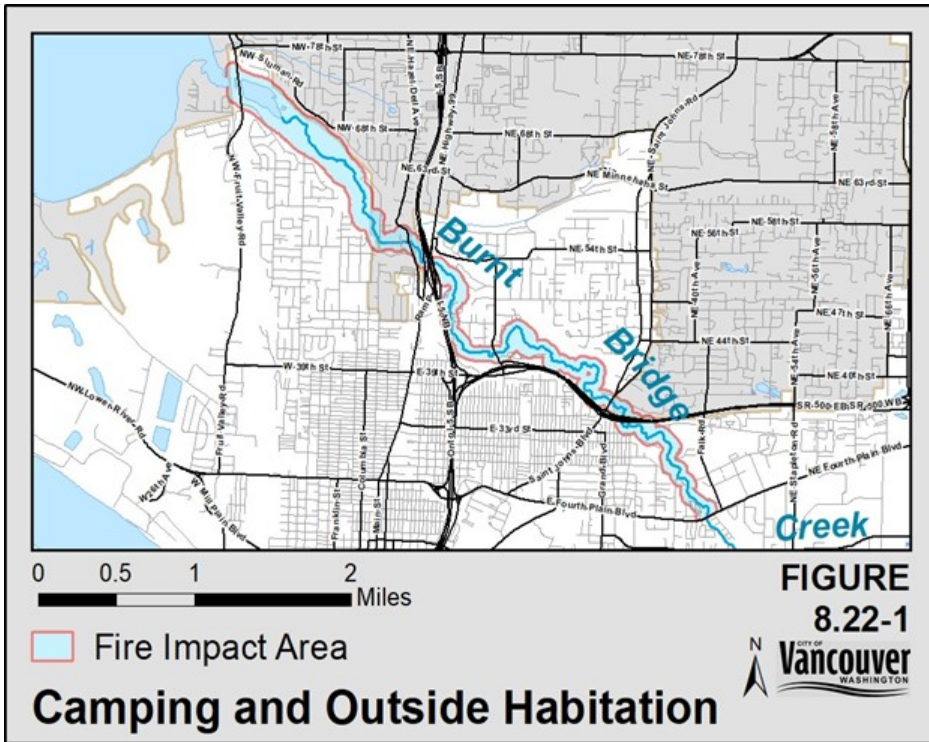
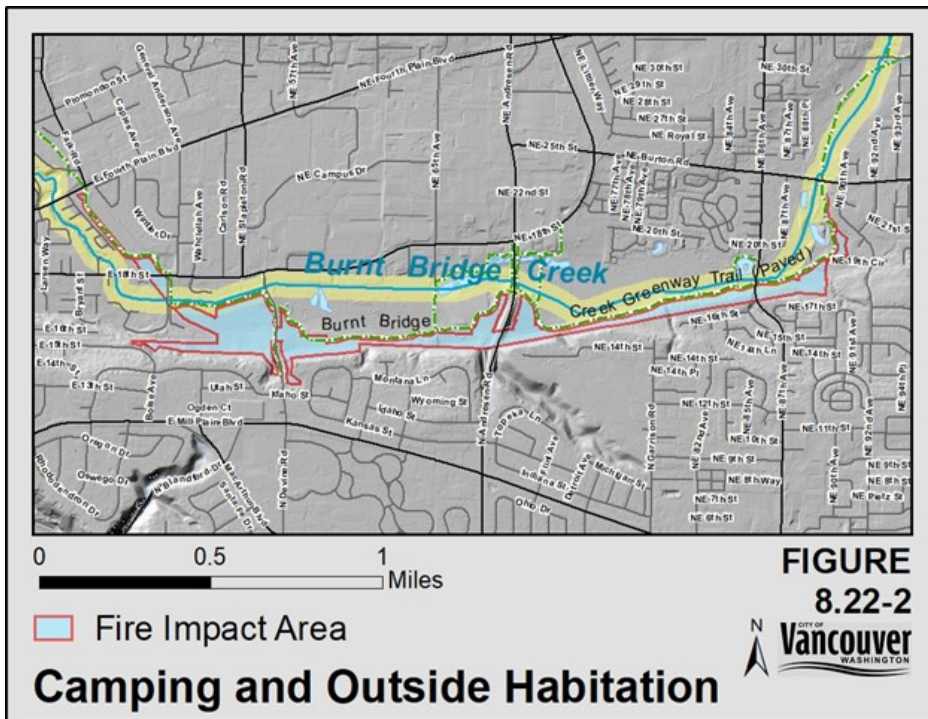


Figure 8.22-2.



C. *Daytime Camping and Outside Habitation Prohibited.* Except as otherwise provided within this chapter, during the hours of 6:30 a.m. to 9:30 p.m., it shall be unlawful for any person to camp, occupy camp and outside habitation facilities for purposes of habitation, or use camp and outside habitation paraphernalia in the following areas:

1. Any park;
2. Any street; or
3. Any publicly owned or maintained parking lot or other publicly owned or maintained area, improved or unimproved.

D. *Daytime Camping and Habitation in Vehicles Prohibited.* Except as otherwise provided within this chapter, during the hours of 6:30 a.m. to 9:30 p.m., it shall be unlawful for any person to occupy a vehicle for the purpose of camping or habitating while that vehicle is parked in the following areas:

- 
1. Any park;
  2. Any street; or
  3. Any publicly owned or maintained parking lot or other publicly owned or maintained area, improved or unimproved. (Ord. M-4379 § 5, 2022; Ord. M-4348 § 5, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

#### **8.22.050 Unlawful storage of personal property in public places.**

Except as otherwise provided within this chapter, during the hours of 6:30 a.m. to 9:30 p.m., it shall be unlawful for any person to store personal property, including camp and outside habitation facilities (other than vehicles) and camp and outside habitation paraphernalia, in the following areas:

1. Any park;
2. Any street; or
3. Any publicly owned or maintained parking lot or publicly owned or maintained area, improved or unimproved. (Ord. M-4379 § 6, 2022; Ord. M-4348 § 6, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

#### **8.22.060 Penalty for violations.**

Violation of any of the provisions of this chapter is a misdemeanor. Any person violating any of the provisions of this chapter shall, upon conviction of such violation, be punished by a fine of not more than one thousand dollars or by imprisonment not to exceed ninety days, or by both such fine and imprisonment. (Ord. M-3323, 1997)

#### **8.22.070 Permit.**

A. *Authority of the City Manager.* The city manager is authorized to:

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1. Promulgate procedures and policies necessary for the acceptance of applications, investigation, issuance, denial, and revocation of all camping permits of the types specified in this chapter and the establishment of city-sponsored safe stay communities;
  2. Issue, deny, and revoke outside habitation permits and safe stay community operator permits in furtherance of the purposes of this chapter;
  3. Delegate any or all functions under this chapter; and
  4. Request the assistance of other city departments to investigate, administer, and enforce the provisions of this chapter.

B. *Types of Outside Habitation Permits.* The following types of outside habitation permits are established and may be issued by the city manager, or their designee, pursuant to procedures and policies promulgated under this chapter:

1. *Nighttime Employment Outside Habitation Permit.* The city manager, or their designee, is authorized to permit persons who present satisfactory evidence of nighttime employment to camp, occupy camp and outside habitation facilities, use camp and outside habitation paraphernalia, or store personal property in parks, streets, or any publicly owned parking lot or publicly owned area, improved or unimproved, in the city of Vancouver, except within camping and outside habitation impact areas as prohibited by VMC [8.22.040\(B\)](#).

2. *Safe Stay Community Operator Permit.* The city manager, or their designee, is authorized to issue a safe stay community operator permit to a person, firm, corporation, or municipal corporation upon receipt of satisfactory evidence that the applicant possesses suitable qualifications to operate a safe stay community in compliance with the provisions of this chapter. The duration of a safe stay community operator permit shall be for an initial period of not more than one year. A safe stay community operator permit may be renewed no more than twice by the city manager for a period not to exceed one year each. The request for an extension shall be processed in the same manner as an initial safe stay community operator permit application.

- a. Upon receipt of an application for a safe stay community operator permit under this chapter, the city manager, or their designee, shall provide notice to all owners and residents of record of property, as shown on the most recent property tax assessment roll, located within 1,200 feet of the proposed supportive campsite and shall send a

**Commented [MR4]:** Further details regarding what is required of a "Stay Safe Community."

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copy of the application to the city departments of police, parks, public works, community development, and fire. Each of these departments shall inspect the application and each such department shall report to the city manager, or their designee, any problems which the proposed activity is expected to pose for the public. Such reports shall make any necessary recommendations for protecting the public peace, health, safety, life, property, and welfare in the event a permit is, or was, issued.

b. In evaluating whether to grant or deny an application for a safe stay community operator permit, the city manager, or their designee, shall evaluate whether the resulting safe stay community will be (i) equitably dispersed throughout the city in relation to other existing safe stay communities; (ii) located where the safe stay community will avoid areas of highest economic vulnerability within surrounding residential areas in the city; (iii) afford accessibility in compliance with the Americans with Disabilities Act; (iv) be located within one-half mile of public transit; and (v) comply with all requirements of the State Environmental Policy Act.

c. The city manager, or their designee, shall review and approve rules and regulations regarding the admission to, and operation of, all safe stay communities.

C. The city manager, or their designee, may approve a permit as provided under this section when, from a consideration of the application, reports from other city departments, and from such other information as may otherwise be obtained, the city manager, or their designee, finds that:

1. Adequate sanitary facilities are provided and accessible at or near the proposed safe stay community site;
2. Adequate trash receptacles and trash collection are provided; and
3. The outdoor habitation activity will not unreasonably disturb or interfere with the safety, peace, comfort and repose of private property owners.

D. The city manager, or their designee, is authorized to revoke a permit that has been issued if the city manager, or their designee, finds lack of compliance with any requirement of subsection C of this section, or evidence that a safe stay community operator has failed or refused to require community residents to comply with any rule or regulation promulgated under subsection (B)(2)(c) of this section, or of any ordinance or statute.

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E. Any person who is denied a permit, or had their permit revoked, may appeal the denial/revocation to a hearings examiner appointed by the city manager, or their designee. Notice of appeal must be in writing, and filed with the city clerk within seven working days from the date of the denial or revocation.

F. City staff may propose city-sponsored safe stay communities. Such proposals will be evaluated for approval by the city manager, or their designee, applying the criteria under subsections (B)(2) and C of this section and the availability of city resources. (Ord. M-4379 § 7, 2022; Ord. M-4348 § 7, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

#### **8.22.080 Public duty created.**

A. It is expressly the purpose of this ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individual who will or should be especially protected or benefited by the terms of this ordinance.

B. Nothing contained in this ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this ordinance by its officers, employees or agents. (Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

**The Vancouver Municipal Code is current through Ordinance M-4404, passed January 23, 2023.**

Disclaimer: The city clerk's office has the official version of the Vancouver Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.cityofvancouver.us](http://www.cityofvancouver.us)

[City Telephone: \(360\) 487-8711](tel:(360)487-8711)

[Code Publishing Company, A General Code Company](#)

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# **City of Portland**



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**Relevant portion of Portland Municipal Code:**

## **14A.50.020 Camping Prohibited on Public Property and Public Rights-of-Way.**

City Code Section

(Amended by Ordinance 191311, effective July 7, 2023.)

1. **A.** As used in this Section:
  1. **1.** "To camp" means to set up, or to remain in or at a campsite.
  2. **2.** "Campsite" means any place where any tent, lean-to, shack, or other structure, any vehicle or part thereof, or any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained for the purpose of establishing or maintaining a temporary place to live.
  3. **3.** "Involuntarily homeless" means having no means to acquire one's own shelter and not otherwise having access to shelter or other alternative options for housing.
2. **B.** It is unlawful for any person to camp in or upon any public property or public right-of-way, unless otherwise specifically authorized by this Code or by declaration by the Mayor in emergency circumstances.
3. **C.** Subsection 14A.50.020 B. does not apply to a person who is involuntarily homeless **provided** that such person complies with the following restrictions on the time, place, and manner with respect to their campsite.
  1. **1.** Time regulations. An involuntarily homeless person may camp between the hours of 8 p.m. and 8 a.m. After 8 a.m., an involuntarily homeless person must dismantle the campsite and remove all personal property from the campsite until 8 p.m.
  2. **2.** **Place regulations.** An involuntarily homeless person may not camp in the following places **at any time**:

**Commented [MR5]:** The following place and manner restrictions apply at all times.

**Commented [MR6]:** Here are examples of distance/place restrictions for Council discussion.

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- 
1. **a.** On a Pedestrian Plaza regulated under Chapter 17.43 of Portland Code.
  2. **b.** Upon public docks regulated under Portland City Code Section 19.16.290.
  3. **c.** In the pedestrian use zone, which is the area of the sidewalk corridor on City sidewalks intended for pedestrian travel or access to public transit, as defined in Subsection 14A.50.030 A.3.
  4. **d.** In a Park regulated under Chapter 20.12 of Portland Code.
  5. **e.** Within 250 feet from a preschool, kindergarten, elementary or secondary school, or a childcare center licensed, certified or authorized under ORS 329A.250 through 329A.460, ORS 418.205 to 418.970; OAR 419-410- 0010 to OAR 419-490-0170.
  6. **f.** Within 250 feet from a safe parking site, safe rest village, or sanctioned camping location designated by the Mayor.
  7. **g.** Within 250 feet of lot or parcel containing a construction site governed by a building permit reviewed by the Major Projects Group of the Bureau of Development Services.
  8. **h.** In the public right-of-way along “High Crash Network Streets and Intersections” identified by the Portland Bureau of Transportation.
  9. **i.** Within 250 feet of an Environmental overlay zone, River Natural overlay zone, River Environmental overlay zone, Pleasant Valley Natural Resource overlay zone, or a special flood hazard area.
  10. **j.** Areas posted no-trespassing by City bureaus.
3. **3. Manner regulations.** An involuntarily homeless person camping in the public right-of-way or on public property may not:
1. **a.** Obstruct access to private property or businesses adjacent to the public right-of-way.
  2. **b.** Start or maintain any fire for the purposes of burning any combustible material in or around the campsite.
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**Commented [MR7]:** Council asked for examples of manner/structure regulations. Here are some examples from Portland but a few other will follow from the Kent, WA municipal code.

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3. **c.** Use a gas heater in or around a campsite.
  4. **d.** Erect, install, place, leave, or set up any type of permanent or temporary fixture or structure of any material(s) in or upon public property or public right-of-way. Items such as tents and similar items used for shelter that are readily portable are not structures for purposes of this section.
  5. **e.** Dig, excavate, terrace soil, alter the ground or infrastructure, cause environmental damage, or damage vegetations or trees in or around a campsite.
  6. **f.** Place or store personal belongings, or other objects, in a total area encompassing more than ten square feet outside the tent or readily portable shelter.
  7. **g.** Accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, sewage, drug paraphernalia, improperly disposed of syringes, or other evidence of conspicuous drug use in the public rights-of-way, on City property, or on any adjacent public or private property.
  8. **h.** Assemble, disassemble, sell, offer to sell, distribute, offer to distribute, or store three or more bicycles or two or more automobiles, a bicycle frame with the gear cables or brake cables cut or an automobile with the battery or one or more tires removed, two or more bicycles or automobiles with missing parts, or five or more bicycle or automobile parts.
4. **D.** Any camp, camp materials, or personal property in violation of any of the standards in this Chapter may be removed or cleaned up by the City or its designated contractors.

## Upcoming and Recent Changes

### Ordinance 191311

#### Effective Date

July 7, 2023

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# **City of Kent**

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**Kent, WA Municipal Code (Examples of manner restrictions along with section 8.09.070 for Council's consideration):**

**8.09.050 Unlawful use of fires.**

It shall be unlawful for any person to build any fire or maintain open flames for any purpose on public property except in designated areas in parks when parks are open.

(Ord. No. [4443](#), § 2, 10-18-22)

**8.09.060 Unlawful environmental damage to public property.**

It shall be unlawful for any person to do the following on public property, unless expressly permitted or otherwise authorized by the city:

1. Dump, throw, deposit or discharge any pollutant;
2. Deposit urine or feces into or onto a place other than a receptacle intended for the deposit of urine or feces;
3. Destroy or alter vegetation through cutting, clearing, grading, or harvesting;
4. Construct or create trails not expressly authorized by the city, or damage existing city trails;
5. Remove or excavate soil, sand, gravel, minerals, or organic matter of any kind; provided it shall not be unlawful to do so at a public park in areas intended for digging as a form of recreation;
6. Drain or increase the water level of a body of water, river, creek or stream, or divert or impede water flow of any river, creek or stream; or
7. Disturb wildlife dens, burrows, or nests.

(Ord. No. [4443](#), § 2, 10-18-22)

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### **8.09.070 Unlawful camp – Removal.**

Upon a determination by the city that a camp has been established on public property in violation of this chapter, camp facilities, and all other personal property, contraband, and pollutants shall be removed subject to the following provisions:

*A. Immediate removal of unlawful camp.* If an unlawful camp is on public property described in KCC [8.09.030\(B\)](#), the city may immediately remove any personal property, camp facilities, and all other property, contraband, pollutants, and waste and store it or dispose of it as set forth in subsection (C) of this section; provided, the owner shall be provided an opportunity to immediately remove the property if present or if they arrive during the removal of the property.

*B. Removal of unlawful camp following posted notice.* For all other unlawful camps on public property, the following shall occur:

1. At least 48 hours before the removal of the camp facilities and personal property, the city will post a notice to remove property containing:

- a. The requirement to remove the camp facilities and personal property within the designated time period.
- b. Information on the process individuals camping or storing personal property within the camp area may use to petition for a reasonable amount of additional time to leave the camp area and remove their property.
- c. Information regarding the availability of assistance from social services and available overnight shelter options.

2. If the camp facilities and personal property, contraband, pollutants, and waste remain at the end of the notice period set forth in subsection (B)(1) of this section, it may be removed by the city; provided, the owner shall be provided an opportunity to immediately remove the property if they arrive during the city's removal of the property and do not unreasonably delay the city's removal of the property.

*C. Storage of property associated with an unlawful camp.*

1. In the event the city removes the camp facilities and personal property in accordance with this section, the city will attempt to determine the owner of any property of obvious value (e.g., items needed for

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**Commented [MR8]:** Council may consider adopting a section similar to this so that if any individual is camping in a zone that is restricted at all times or a zone that is not designated for camping when shelter is unavailable, there is an equitable procedure for removal of the camp.



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survival such as blankets and clothing, legal documents, personal papers, government identification, labeled medications), will arrange for storage of the property, and will attempt to provide notice to the owner of the property as to how they may claim the property.

2. The city will not store property that it has reasonable grounds to believe is stolen or illegal to own or possess, nor shall the city be required to store property that is hazardous to health or safety, perishable, or of no apparent value.

(Ord. No. [4443](#), § 2, 10-18-22)

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Notes re: camping ordinances in other WA jurisdictions: What public property locations various jurisdictions restrict versus what is sometimes (or at all times) ok. Answer is often dependent on availability of shelter space.

What is prohibited at all times (always off limits):

**Redmond** – Any park (ordinance seems to indicate any area of the park rather than developed or improved park areas), publicly-owned property to which the public is not allowed access (e.g. public buildings, water storage tank sites, well sites, storm water ponds, other secured facilities), portion of street/sidewalk expressly reserved for vehicular or pedestrian travel, publicly-owned parking lot or publicly-owned property, improved or unimproved.

**SeaTac** – Any street located within 1,000 feet east or west of International Blvd S right-of-way. At all times at Angle Lake Park, Angle Lake Trail, City Hall.

**Sunnyside** – Nothing prohibited at all times.

**Spokane** – If camping activity is a “substantial danger to any person, an immediate threat to public health or safety, disruption to vital government services.” OR underneath or within 50 feet of any railroad viaduct located within the Spokane PD’s Downtown Precinct boundary OR within 3 blocks of any congregate shelter (provided signs are posted prohibiting camping).

**Kent** – “Sensitive” or “incompatible” areas such as developed parks (play fields, recreational structures, maintained grassy areas), water supply properties (e.g. watershed), city-owned buildings, appurtenances and parking lots used to conduct city business, streets and sidewalks.

**Port Orchard** – None. Camping only prohibited in parks when no overnight shelter available.

**Poulsbo** – All enforcement of camping ordinance suspended when no “alternative accommodations” are available.

**Auburn** – Auburn Municipal Airport, city utility property.

**Vancouver** – Prohibited at all times on/at environmentally sensitive areas such as within 200 feet of edge of Columbia River, Vancouver Lake, other waterways OR on wastewater/stormwater facility land and public water station (as well as drainage area from Vancouver Lake to 4<sup>th</sup> Plain). Map depicting prohibited area(s) can be found within Code.

**Longview** – City Hall grounds and parking lots “closed to public” during certain hours but practical effect is a ban on camping on these areas altogether. No “temporary or permanent structure” allowed to be erected in right-of-way or on public property.

**Lakewood** – Various waterways and critical areas.

What is prohibited only sometimes – in other words it is “sometimes ok” to camp in these locations:

**Redmond** – Portions of street right-of-way that is not expressly reserved for vehicular or pedestrian travel (enforcement suspended when “no available overnight shelter”).

**SeaTac** – Park, street, public property (improved or unimproved). Enforcement suspended if no “available overnight shelter.”

**Sunnyside** – Any right-of-way, any trail, park, or park facility, any publicly owned parking lot or publicly owned area, any public area where camping obstructs or interferes with intended use of property. Enforcement suspended when “there is no space or beds available in reasonably accessible homeless shelters.”

**Spokane** – Any public property, conservation lands and natural areas abutting Spokane River or Latah Creek. Suspended when no available overnight shelter. If person causing harm to Spokane River or Latah Creek, may enforce even if no shelter space.

**Kent** – All public property. Enforcement suspended when there is no “available overnight shelter.”

**Port Orchard** – Camping unlawful in parks unless there is no available overnight shelter.

**Poulsbo** – Camping prohibited in any park or playfield, sidewalk, street, alley, lane, public right-of-way, under any bridge or viaduct, or any other public place the general public has access to. Essentially an outright camping ban but suspended if no “available alternatives” e.g. shelter space available.

**Auburn** – Camping prohibited on all other city property but enforcement suspended when no overnight shelter is available.

**Vancouver** – Other than exceptions above, camping is allowed on most publicly-owned property between 9:30 pm and 6:30 am but that does not include public parks which close nightly from 10 pm to 5 am.

**Longview** – Camping allowed between 9:30 pm and 6:30 am at parks, publicly owned or maintained land, parking lots, publicly owned or maintained area. Streets/rights-of-way designed for pedestrian travel cannot be blocked.

**Lakewood** – Camping prohibited on all public property but enforcement suspended when “no available overnight shelter that can be used by that particular person.”

Definition of “available overnight shelter” varies by jurisdiction.

PROHIBITED AT ALL TIMES								
	Parks	Right-of-Way	Parking Lots	Streets/Sidewalks - Reserved for Vehicular or Pedestrian Travel	Certain Publicly Owned Property	Environmentally Sensitive Areas	Public Health/Safety Issue	None
Auburn					X			
Kent	X		X	X	X	X		
Longview			X		X			
Port Orchard								X
Poulsbo								X
Redmond	X		X	X	X	X		
Seatac	Angle Lake Park & Trail Only			Prohibited within 1000 feet of International Blvd	X			
Spokane							X	
Sunnyside								X
Vancouver	Prohibited from 10 p.m. to 5 a.m. only				X	X		
Lakewood					X	X	X	

KEY	
Publicly Owned Property	
Airport	X
City Hall	X
Public Buildings	X
Water	X

PROHIBITED WHEN SHELTER SPACE IS AVAILABLE *					
<i>(See chart above for exceptions)</i>					
	All Public Property	Parking Lots	Streets/Sidewalks - Not Reserved for Vehicular or Pedestrian Travel	Parks	Camping ALLOWED between 9:30 p.m. and 6:30 a.m.
Auburn	X				
Kent	X				
Longview					X
Port Orchard				X	
Poulsbo	X				
Redmond			X		
Seatac	X				
Spokane	X				
Sunnyside	X				
Vancouver					X
Lakewood	X				

\* Subject to shelter space available. The specific definition of "available shelter space" varies by jurisdiction.



- critical areas & Parks

- Designate Spaces Only when No Shelter ✓

- X feet from ~~Buildings~~ Schools, rooms, <sup>rooms, by</sup> <sup>center</sup> <sup>of</sup> <sup>the</sup> <sup>building</sup> <sup>or</sup> <sup>other</sup> <sup>structure</sup> ✓  
at all times ✓

~~Time? Law view~~

- Manner / Structure ✓

- Definition of Available Shelter ✓

- Distance



**Published for**  
**August 23**  
**Council Study Session**  
**A5 – Public Comments**



**From:** Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)  
**Sent:** Wednesday, August 9, 2023 7:09 PM  
**To:** Glen Henrickson [lewischapel.1909@gmail.com](mailto:lewischapel.1909@gmail.com)  
**Cc:** Gunnar Fridriksson [Gunnar.Fridriksson@ci.bremerton.wa.us](mailto:Gunnar.Fridriksson@ci.bremerton.wa.us); City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Steven Forbragd [Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us); Rodney Rauback [Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us); Aaron Elton [Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us); Mike Davis [Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us); Tom Wolfe [Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us); Public Works & Utilities Customer Response [bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us); Hillary Hamilton [Hillary.Hamilton@ci.bremerton.wa.us](mailto:Hillary.Hamilton@ci.bremerton.wa.us); Thomas Knuckey [Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us); Ned Lever [Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us); Dave Carter [Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Brett Jette [Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us); Mychael Raya [Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us); Jennifer Hayes [Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us)  
**Subject:** RE: Klitsap Way culvert campers

Good evening Chris,

I just wanted to take a moment to let you know that I am tracking your email correspondence with Public Works and to provide some insight into your last question about homelessness. The city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9th Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. The actions you do see taken by police and public works are those permitted by law. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

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**From:** Glen Henrickson <[lewischapel.1909@gmail.com](mailto:lewischapel.1909@gmail.com)>  
**Sent:** Wednesday, August 9, 2023 6:23 PM  
**To:** Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>  
**Cc:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>; Gunnar Fridriksson <[Gunnar.Fridriksson@ci.bremerton.wa.us](mailto:Gunnar.Fridriksson@ci.bremerton.wa.us)>  
**Subject:** Re: Klitsap Way culvert campers

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Customer Response Associate,

Today I had the opportunity to walk around the area of Forest Lawn Cemetery that rests next to the Kitsap Way culvert. There was no activity; however, I took notice of the massive amount of trash that has accumulated. The photo I took of this is attached.

Definitely an interesting time in our area of the city and I do not envy the position the City of Bremerton finds itself in. I've worked 23 years in our family business, 22 years of which, as its president. It is unfortunate to see a city that has worked so hard to rejuvenate, to draw people to live and/or visit, be dragged down.

I did not agree with the forced installation of this culvert, and feel it is sad our city had to raise money to pay for a project to service a seasonal run-off stream. But now we are here. When Gunnar first reached out to me about the culvert work, and I had a chance to see the size and scope of work, I immediately knew there would be an issue with homeless dwellers. Time to choose.....homeless or environment?

It is my hope that the trash will be removed to the dump immediately. Real or fake cameras need to be installed and signage posted that the Bremerton Police will be actively monitoring the area. I know Gunnar mentioned posting signage, but I did not see this on my side of Kitsap Way. Please note, that I will always welcome our Bremerton Police to park at Forest Lawn Cemetery or Lewis Funeral Chapel to assist them with enforcement.

The current situation at the Kitsap culvert now begs the question, what can the city do to move homeless out of the city? I went banking at the Kitsap Bank on 6th and Warren this week and there is now a row of tents on the side street running behind the bank and in a residential area. Not a good look!

As always, thank you for your prompt attention to my concerns.

Sincerely,  
Glen C. "Chris" Henrickson  
President  
Lewis Funeral Chapel & Forest Lawn Cemetery  
The Stone Chapel Poulsbo Mortuary &  
Cherry Grove Memorial Park

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On Wed, Aug 2, 2023 at 7:30 AM Gunnar Fridriksson <[Gunnar.Fridriksson@ci.bremerton.wa.us](mailto:Gunnar.Fridriksson@ci.bremerton.wa.us)> wrote:

Morning Chris-

We have had your neighbor across the street contact us about some campers that are using the culvert. Just to let you know, we are signing the area for no trespassing and having our police department enforce. Camping here is a safety concern as well as an environmental one. We will also be signing the east side of Kitsap Way from the culvert up to the Baymont for 8-hour parking.

If you are seeing issues on your side of the culvert with campers or vehicles in City ROW – would you please let us know. You can email our customer response staff at [bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us). They will contact BPD and/or Impark depending on what you are seeing.

Thanks, g.

**Gunnar  
Fridriksson**  
Managing Engineer



345 6<sup>th</sup> Street, Suite 100  
Bremerton WA 98337-1891

📞 360-473-5758

✉ [gunnar.fridriksson@ci.bremerton.wa.us](mailto:gunnar.fridriksson@ci.bremerton.wa.us)

🌐 [www.bremertonwa.gov](http://www.bremertonwa.gov)

**From:** [Greg Wheeler](mailto:Greg.Wheeler@ci.bremerton.wa.us)  
**To:** [<rwat1964@gmail.com>](mailto:rwat1964@gmail.com)  
**Cc:** [City Council](#); [Steven Forbragd](#); [Rodney Rauback](#); [Aaron Elton](#); [Mike Davis](#); [Tom Wolfe](#); [Public Works & Utilities Customer Response](#); [Hillary Hamilton](#); [Thomas Knuckey](#); [Ned Lever](#); [Dave Carter](#); [Kylie Finnell](#); [Brett Jette](#); [Mychael Raya](#); [Jennifer Hayes](#)  
**Subject:** RE: Homeless camp on MLK and next to Burger King  
**Date:** Thursday, August 10, 2023 11:24:03 PM

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Good evening Ricky,

Thank you for your email and for taking the time to share your comments, questions, and concerns with me. Please continue to call 911 when individuals trespass and vandalize your property. Regarding the camping you are seeing, the city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9th Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information. One note I would like to share regarding your concern over winter months and homelessness, the Salvation Army will reopen their cold weather shelter November 1<sup>st</sup>. Take care Ricky, I hope you are able to have a peaceful evening.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

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**From:** <rwat1964@gmail.com>  
**Sent:** Thursday, August 10, 2023 9:49 PM  
**To:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Subject:** Homeless camp on MLK and next to Burger King

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler

I live on 5<sup>th</sup> street, not far from Wheaton Way. I have had several transients come onto my property and use the water faucets to take a bath/shower. They leave garbage in my yard, ignore the fact that I have children in my home, use foul language, even use the bathroom in my yard. This

is getting very bad and the police will not do anything about it. I have security camera's in my yard, a fence in the my front yard and I plan on putting one up in my backyard as soon as I have the resources to. Recently, I put locks on my outside water speakets. This only upset them, I guess, because they still urinate on the wall of my home. My outside camera's have even picked them up trying to open doors on cars parked on the street. This has gotten worse the past few months and, with fall/winter approaching, it can't get much better. I have even put up no trespassing signs but that doesn't deter them at all. MLK smells bad and is very unsafe. When the kids and I take our dog out for a walk, we avoid that area but still see a lot of people with boxes in front of buildings. Something needs to be done to protect everyone. I know this is a very sensitive subject, but the people that bought houses near this are the one's that have to take extra precautions to protect their family and property. The homeless tents just outside of the Burger King on Wheaton Way is nothing but an accident to happen. Please, can you look into this and see what else can be done? Downtown Bremerton has a lot of beauty to it that is being brought back down.

Thanks

Ricky Watkins  
1014 5<sup>th</sup> Street,  
Bremerton, WA 98337  
360-286-9438

Sent from [Mail](#) for Windows

**From:** Anita Quinn <[blingslinger@comcast.net](mailto:blingslinger@comcast.net)>  
**Sent:** Saturday, August 12, 2023 7:04 PM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Subject:** Encampment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Mayor Wheeler,

This encampment has been there for a couple of weeks (at least). It is located on the east side of the Warren Ave bridge between the bridge and the Parks department. Please let me know what the plan is for this issue.

Thank you, Anita Quinn

Sent from my iPhone

**From:** Anthony Soapguy <[anthonythesoapguy@gmail.com](mailto:anthonythesoapguy@gmail.com)>  
**Sent:** Monday, August 14, 2023 2:28 PM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Subject:** Re: Homeless

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

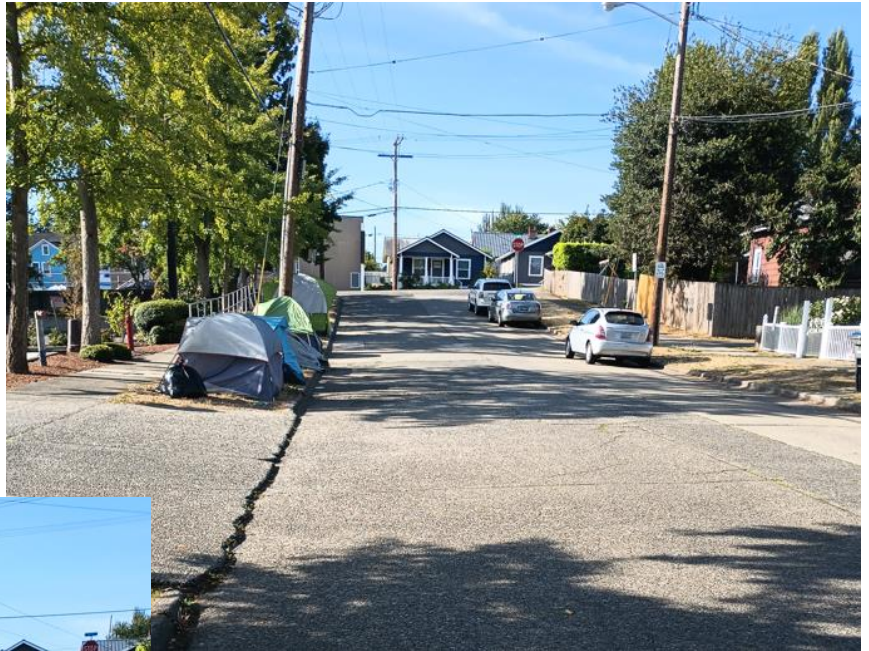
I am writing you this message because seriously enough is enough. There are now 12 tents and 1 portable outhouse on Broadway between 6th Street and 8th Street. I know you probably have lots of people messaging you and I thought I would have a little grace and see if some fruit came forth. I do know one thing I was taught in every area of life "TALK IS CHEAP" you need to take action, no more excuses, no more we are working on it. If this problem is not handled soon I will be going to the newspaper and posting on Facebook and talking to bloggers and anyone else who will listen . I was hoping to raise my family here but all I want to do now is move..Do not contact me with another excuse. I want action not words.

On Wed, Jul 19, 2023, 2:29 PM Anthony Soapguy <[anthonythesoapguy@gmail.com](mailto:anthonythesoapguy@gmail.com)> wrote:  
I have been doing some research and it is perfectly legal for you to ask a homeless person to vacate a location. There are multiple options. The fact that they are in the vicinity of not one but two businesses. There are squatting laws also which the city can enforce. There is also a health risk and sanitation requirements One of those requirements is running water and electricity and there is at times feces on the sidewalks. I will not even let my nine year old sister play outside and that is simply not fair to me or her.



**From:** Anthony <homelessdisaster98337@gmail.com>  
**Sent:** Saturday, August 12, 2023 10:58 AM  
**To:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Subject:**

We the citizens of Bremerton Washington have had enough it is time to take action as our mayor and clean up .



**From:** [A Clark](#)  
**To:** [City Council](#)  
**Subject:** Request for plan to address homeless crisis  
**Date:** Monday, August 14, 2023 4:00:58 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to see a copy of any plans the city has to address the growing homeless and drug problems in downtown Bremerton. Will you please direct me to where I can locate that on the city website or send me a copy?

Thank you,  
Amanda Clark  
425-941-1936

**From:** Robert Shaffer <robertjshaffer@yahoo.com>  
**Sent:** Monday, August 14, 2023 4:38 PM  
**To:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Cc:** Rodney Rauback <Rodney.Rauback@ci.bremerton.wa.us>; Steven Forbragd <Steven.Forbragd@ci.bremerton.wa.us>; Aaron Elton <Aaron.Elton@ci.bremerton.wa.us>; Mike Davis <Mike.Davis@ci.bremerton.wa.us>; Tom Wolfe <Tom.Wolfe@ci.bremerton.wa.us>; Jennifer Hayes <Jennifer.Hayes@ci.bremerton.wa.us>; Kylie Finnell <Kylie.Finnell@ci.bremerton.wa.us>; Brett Jette <Brett.Jette@ci.bremerton.wa.us>; Mychael Raya <Mychael.Raya@ci.bremerton.wa.us>; City Council <City.Council@ci.bremerton.wa.us>; want2x4@gmail.com; A Clark <cotedazure1986@gmail.com>  
**Subject:** MLK homeless man just took a dump on my neighbor's porch

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Mayor, Council, Chief Wolfe, staff-

First of all, thank you for the work you put into the city, I know you have difficult choices to make now. I appreciate it.

I'm writing for myself and several of my neighbors. We urge you pass legislation that allows you to clear the homeless encampment on MLK. We could write you every day, but today was a new low.

I found a man in my neighbor's McKenzie Ave. yard, looking for something to steal. I told him to leave, he did, but when I left my house 30 minutes later, he was in another neighbor's yard. I called 911, and while on the phone with him, the man rounded the corner, sat on my neighbor's porch on 9th and took a shit. I apologize for my language, but we've had it. Something like this happens every day in our neighborhood.

We beg you, pass an ordinance that allows you to immediately clear the camp. You've put so much into making downtown livable. You've done a great job, and now all your- and previous council's- work is in jeopardy.

Bathrooms for these campers is NOT the answer- it just allows the camp, and the problem, to grow. Homeless "advocates" have been out there for months now, and the problem only gets worse. It seems the more they advocate, the more people live on the street. This is NOT a metric of success.

The only answer is clearing of the camp.

I talked to the man who defecated on the porch to see if he needed medical attention. He said no, he was just high. I asked him where he got his "blues" (cheap fentanyl pills)- he told me his camp on MLK. This must stop.

Here are some pictures of this man and what he left on my neighbor's porch.

Bremerton does not need to be the county's dumping ground- it's a choice we've made.

Regards,  
Robert Shaffer  
820 McKenzie Ave.





**From:** A Clark [cotedazure1986@gmail.com](mailto:cotedazure1986@gmail.com)

**Sent:** Monday, August 14, 2023 4:58 PM

**To:** Robert Shaffer [robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)

**Cc:** Aaron Elton [Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us); Brett Jette [Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us); City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us); Jennifer Hayes [Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Mike Davis [Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us); Mychael Raya [Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us); Rodney Rauback [Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us); Steven Forbragd [Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us); Tom Wolfe [Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us); [want2x4@gmail.com](mailto:want2x4@gmail.com)

**Subject:** Re: MLK homeless man just took a dump on my neighbor's porch

Hello Mr. Mayor and all,

I would like to add to Robert's sentiments. I am a single mother who owns a home on McKenzie. This street is where my two year old runs and plays. There are at least three other toddlers just on our street who play here. I've had things stolen from my porch, had to call the police multiple times due to trespassing, and I regularly find drug foil in my garden. We do not walk along or cross Park. Our neighborhood feels less and less safe by the day.

We need quick action and a humane plan to remove the camp on MLK.

Sincerely,  
Amanda Clark  
809 McKenzie Ave

**From:** [Neal Foley](#)  
**To:** [City Council](#); [Greg Wheeler](#)  
**Subject:** Bremerton City Council/For your consideration.  
**Date:** Tuesday, August 15, 2023 5:22:26 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Housing/Homeless - There should be ZERO laws making homelessness or mental illness a crime. I am VERY much in favor of the wording that was brought up by council member Younger in regards to a designated place to camp in Bremerton. The discussion about this between the council and mayor Wheeler was great. I suggest we adopt these words and rename the ordinance the "Camping Ordinance". After all the ordinance will tell people where they CAN camp if they need to yes?  
Please don't give up on tiny homes! A roof, a locking door and an address. A place to store things. Tukwilla is doing it and so are others. I attached a picture of a tiny home complex next to I-5 by Centralia.

Financial support for ongoing services that "work NOW"- I bring this topic up with apprehension and trepidation due to the propensity of some to prosecute or harass rather than support efforts that support our homeless persons. I would like to see a resolution to provide the funds that were allocated previously for the bathrooms, to the persons providing those exact services in places now. I have personally inspected several while passing and what a wonderful thing. A place to use the bathroom and hand sanitizer. A closed/zipped door. A simple process to handle the waste. These folks are also providing on the spot nursing, wound care, counseling, friendship, direction to appropriate help and many other services. I think it would be a wonderful thing if Bremerton could be a part of supporting their efforts. I would gladly support paying for supplies and would encourage the city to consider hiring some people like these to work directly with our law enforcement and fire department personnel.

Dark Fiber and WIFI service for the entire city – DO THIS. What a great way to level the field for all of Bremerton's citizens including our students and homeless!! I for one would be HAPPY to pay for internet on a monthly basis. Those that cannot afford it should have free access from this city.

Thank you all for the hard work you are doing. I'm pretty impressed with our city government.

Neal Foley





**From:** [Daniel Maxwell](#)  
**To:** [City Council](#)  
**Subject:** Camp city's popping up all over town  
**Date:** Thursday, August 17, 2023 7:02:54 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

I am a taxpaying home owner in West Bremerton and I am extremely concerned of the tent cities that are popping up in our city. I left Seattle several years ago to get away from this epidemic and major problem. I cannot believe it's happening here.

Is there anything being done to control the drug usage and and private properties. Do the police do anything? For example, I am speaking of the tent, city at Broadway Avenue between 6th and 8th Street.

This is despicable, and I can't believe this is happening here. I want to know is there going to be a city Council meeting or public speaking event for homeowners to share their concerns.

This is not a homeless problem. This is a drug use and mental disorder problem. I am so sick and tired of seeing these tents pop up all over town.

I would like to know who I can write to, or speak to directly, and if there is going to be an open forum to approach the council.

Thank you

**From:** City Council

**Sent:** Tuesday, August 22, 2023 9:34 AM

**To:** Carma Foley <carmafoley@hotmail.com>

**Cc:** City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>; Kylie Finnell <Kylie.Finnell@ci.bremerton.wa.us>

**Subject:** FW: Public Comments (Follow-Up) - Unhoused Questions (Carma L. Foley)

Hi Ms. Foley,

Thank you so much for writing in and for the great ideas, and for your patience in my reply. I'm honored to be in a community that is coming together to help with such a difficult issue.

The Council in the 2023 budget allocated \$10,000 for "professional services - public restrooms" with the intent for the city to contract with a portable toilet provider. This proposal was brought forward to Council by a citizen-led group. Once Council approves a budget, the money is available to spend Jan. 1 of that year, and the Mayor and their administration are responsible for execution and implementation. The Administration and Legal determined that it is not viable for the city to place a portable toilet on city property or in the right-of-way, even with self-monitoring.

On your second suggestion, I do believe this is viable and it has been mentioned previously in Council as a possibility --- either to help existing providers expand bathroom access or for a third party to place a portable toilet on their property. I've met with members of the group that originally brought forth the proposal, and they agreed to reach out to organizations like Salvation Army and PCHS to see what is feasible from their end.

I defer to the Mayor to respond on if the Administration has pursued any such partnerships to spend this money.

Thanks again for speaking up,



*This e-mail and further communication may be subject to public disclosure, if requested under the Washington Public Records Act (RCW 42.56).*

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**From:** Carma Foley [carmafoley@hotmail.com](mailto:carmafoley@hotmail.com)  
**Sent:** Friday, August 18, 2023 5:04 PM  
**To:** Denise Frey [Denise.Frey@ci.bremerton.wa.us](mailto:Denise.Frey@ci.bremerton.wa.us)  
**Cc:** Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us);  
City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)  
**Subject:** Re: Public Comments (Follow-Up) - Unhoused Questions (Carma L. Foley)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your response.

If we continue bring new ideas to the table and make sure that the unhoused are part of this process, I am hopeful.

I also feel that the mental /medical health professionals, police, firefighters/EMT's, business leaders voices should be at the forefront of the discussion.

Criminal activity should not be tolerated. This sends the wrong message to everyone in our community. We need a just system that is focused on what is good for the whole community.

Allowing criminals to not be held accountable hurts not only their victims but also the perpetrators. Teachable moments and often times their sober awakening can lead to accepting the help they desperately need.

Thank you again for your service. I know this is a complex and difficult situation.

Carma Foley

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**From:** Denise Frey <[Denise.Frey@ci.bremerton.wa.us](mailto:Denise.Frey@ci.bremerton.wa.us)>  
**Sent:** Friday, August 18, 2023 2:25:50 PM  
**To:** Carma Foley <[carmafoley@hotmail.com](mailto:carmafoley@hotmail.com)>  
**Cc:** Kylie Finnell <[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)>; Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>; City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
**Subject:** Re: Public Comments (Follow-Up) - Unhoused Questions (Carma L. Foley)

Hi Carma,

Just a note to let you know how much I appreciated reading your email that included such great suggestions.

I share your perspectives and believe we could make those resources available very quickly to have immediate impact.

I'm cc'ing Jeff Coughlin, President of the City Council, and Mayor Wheeler, each of whom could be helpful in support of that endeavor.

Denise

*Denise Frey*

Council Member, District 2  
Bremerton City Council  
(360) 473-5280

[denise.frey@ci.bremerton.wa.us](mailto:denise.frey@ci.bremerton.wa.us)

[www.BremertonWA.gov](http://www.BremertonWA.gov)



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**From:** Carma Foley [carmafoley@hotmail.com](mailto:carmafoley@hotmail.com)

**Sent:** Thursday, August 17, 2023 6:52 PM

**To:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)

**Cc:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)

**Subject:** Re: Public Comments - Unhoused Questions (Carma L. Foley)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening City Council Members,

I await your response to the above forementioned email.

Carma

**From:** [Stephen Bezruchka](#)  
**To:** [City Council](#); [mayor@ci.bremerton.wa.us](mailto:mayor@ci.bremerton.wa.us)  
**Subject:** Call to Action regarding Homeless in Bremerton  
**Date:** Wednesday, August 23, 2023 2:22:32 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council and Mayor Greg Wheeler,

I am writing to express my deep concern about the growing number of unhoused individuals in your city and the proposed laws that aim to criminalize their circumstances. Instead of focusing on punitive measures, I strongly urge you to prioritize increasing services, support, and affordable housing options for this vulnerable population.

Homelessness is a complex issue that often stems from a variety of factors such as poverty, lack of affordable housing, mental health challenges, and addiction. By creating laws that criminalize the unhoused, we not only exacerbate their struggles but also perpetuate a cycle of poverty and marginalization. It is crucial to adopt a compassionate and holistic approach that addresses the root causes of homelessness and offers viable solutions.

One essential intervention that must be prioritized is the provision of affordable housing. The lack of affordable housing options in our city is a significant contributor to the growing homelessness crisis. By investing in affordable housing initiatives, we can provide stable and secure housing for individuals experiencing homelessness, giving them an opportunity to rebuild their lives and regain their independence.

In addition to affordable housing, it is imperative to create safe spaces where individuals can reside while living in survival mode or struggling with addiction or mental health issues. These spaces should not only offer shelter but also be surrounded by a comprehensive range of services that cater to their specific needs. This could include access to healthcare, mental health counseling, addiction treatment, vocational training, and educational opportunities.

By investing in these services and affordable housing options, we can help unhoused individuals regain their sense of dignity, rebuild their lives, and ultimately reach their highest potential. It is important to remember that homelessness is not a permanent state; it is a condition that can be overcome with the right support and resources. As a caring and progressive city, we must ensure that everyone, regardless of their circumstances, has equal access to safe and affordable housing.

I understand that implementing such initiatives may require additional funding and resources. However, I firmly believe that the long-term benefits outweigh the costs. Not only will increasing services and affordable housing options for the unhoused alleviate the strain on emergency services, law enforcement, and the criminal justice system, but it will also contribute to a safer, healthier, and more inclusive community.

for all residents.

I kindly request that you reconsider the proposed laws that criminalize the unhoused and instead redirect our collective efforts towards expanding services, support, and affordable housing options. Let us work together to create an inclusive city where everyone, regardless of their circumstances, can thrive and contribute positively to society.

Thank you for your attention to this matter. I hope you will give thoughtful consideration to my concerns and take the necessary steps to prioritize increasing services and affordable housing for the unhoused.

Sincerely,

Stephen Bezruchka MD, MPH  
Departments of Health Systems and Population Health & of Global Health  
School of Public Health  
Box 357660  
University of Washington  
Seattle, Washington 98195-7660



From: Greg Wheeler

Sent: Tuesday, August 22, 2023 2:48 PM

To: Cheryl Gillespie

Cc: Steven Forbrag; Rodney Rauback; Aaron Elton; Mike Davis; Tom Wolfe; Joseph Sexton; Public Works & Utilities Customer Response; Hillary Hamilton; Thomas Knuckey; Ned Lever; Dave Carter; Kylie Finnell; Brett Jette; Mychael Raya; City Council; Jennifer Hayes

Subject: RE: Homelessness

Dear Cheryl,

Thank you for your email and for taking the time to share your comments, questions, and concerns with me. Included in my reply are officials from the City of Bremerton Police Department for their information and follow up regarding potential criminal activity. Hopefully, you and your neighbors are calling 911 when you suspect or witness a crime being committed. Regarding the camping you are witnessing, you may not be aware, but the city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9th Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, besides officials from the City of Bremerton Police Department, I am including officials from the Public Works, and Legal Departments in my reply for their information. One last resource I would like to share, regarding what you and your neighbors can do, is contact information for the City of Bremerton (COB) Police Department Community Resource Officer, Joe Sexton, who manages the COB Block Watch (BW) program. BW's are a great way for neighborhood groups to organize, share resources, and speak with one voice, regarding concerns about safety. This communication channel is a direct link to the city and may be something you are interested in forming. Take care Cheryl, I hope you enjoy the rest of your week.

Sincerely,

Greg Wheeler

Mayor, City of Bremerton

(360) 473-5266

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From: Cheryl Gillespie

Sent: Tuesday, August 22, 2023 2:28 PM

To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>

Subject: Homelessness

**CAUTION:** This email originated from outside of the organization.

Dear Greg,

I hope summer has been good to you and you've had special times with friends and family.

Many of our friends and neighbors are up in arms over the expanding homeless camp by and surrounding 6th Street Starbucks. They went there and left due to the impact of driving through the tents on either side of the driveway. It was my favorite Starbucks, but I am rethinking that. They removed tables, etc. due to issues with bathrooms ,etc. I was receiving medical care on 5th Street and was startled by the sound of a person making loud choking noises outside the window. My practitioner said she had to call 911 the week prior as a homeless person was right under the window yelling and screaming. How is the homeless issue being addressed? I have been told that vehicles can be moved but that people can stay on public property. How sad to be a homeowner with tents outside your front door. What is being done and how may we help?

Best,

John and Cheryl Gillespie

**From:** Abby Bennett <[ybbabennett@gmail.com](mailto:ybbabennett@gmail.com)>  
**Sent:** Thursday, August 17, 2023 2:21 PM  
**To:** Barbara Forbes <[Barbara.Forbes@ci.bremerton.wa.us](mailto:Barbara.Forbes@ci.bremerton.wa.us)>  
**Cc:** Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>  
**Subject:** Re: Encampment

Thank you so much for looking into this and responding so quickly as well as sending public works department to follow up.

We have been picking up trash in the area and forests around the boys and girls club/ library/ school for years as needed being we live a stones throw from there. more so for a teaching aspect for the kids of contributing to the solution but I typically steer clear of doing that near anyone for safety reasons but we and other frequently use the school play ground when available. Immensely appreciate your help.

***And that is a interesting topic of discussion, the main concern I have for it being that it's near kids/ schools/ high traffic parks/ play zones. We actually chose to try a new Montessori school this year based on encampments and wandering individuals getting closer and closer to our previous school.***

I don't believe these individuals have dogs but in the past there have been dogs running off leash, some not so friendly. it's a common parking zone we have learned over the years so that is something to consider I'm sure they enjoy the community amenities. ***Relocating a zone to somewhere where kids are not frequently visiting and playing would be greatly appreciated if there is any input left on the conversation.***

Thank for your time,  
Appreciate you.  
Abby bennett  
Get [Outlook for iOS](#)

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**From:** Barbara Forbes <[Barbara.Forbes@ci.bremerton.wa.us](mailto:Barbara.Forbes@ci.bremerton.wa.us)>  
**Sent:** Thursday, August 17, 2023 8:30:14 AM  
**To:** [Ybbabennett@gmail.com](mailto:Ybbabennett@gmail.com) <[Ybbabennett@gmail.com](mailto:Ybbabennett@gmail.com)>  
**Cc:** Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>  
**Subject:** FW: Encampment

Good morning,

Thank you for reporting an encampment on East 33<sup>rd</sup> Street.

Due to restrictive legislation, persons using vehicles or tents as housing are allowed to remain in public spaces or parked on public rights-of-way. An officer can ask the camper to move, but the officer can't force the removal. If campers encroach onto private properties, they can be served with a trespass notice. Essentially, they will be arrested if they return.

Since the area of the school and library are public property, we are unable to force the campers to vacate. However, officers will continue to monitor this area. As for the garbage, I will ask the Public Works Department to respond.

The City Council and Mayor discussed options last night during their meeting to address encampments in the city. One option was to locate a lot to allow overnight camping but disperse during daylight hours.

If you have any questions or comments, please feel free to contact me.

Thank you,

Barbara Forbes  
Bremerton Police  
(360) 473-5227

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**From:** Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>  
**Sent:** Thursday, August 17, 2023 7:43 AM  
**To:** Barbara Forbes <[Barbara.Forbes@ci.bremerton.wa.us](mailto:Barbara.Forbes@ci.bremerton.wa.us)>  
**Cc:** Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>  
**Subject:** FW: Encampment

Hello Barbara:

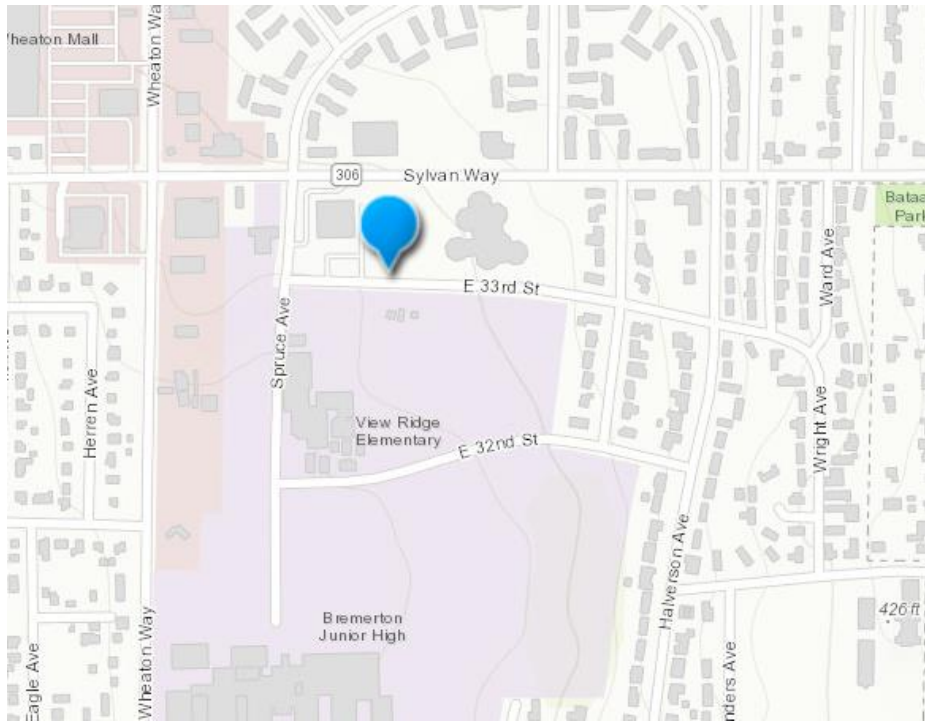
This was submitted through our Bremerton1App.

**Comments:**

Hello, I submitted a previous complaint about a growing homeless encampment that's been present for multiple months - nearly all summer but wanted to attach a photo- photo is a bit blurry but you get a sense of the area. As of the last two weeks the garbage has become more prevalent and wide spread.

**Contact info:**

[Ybbabennett@gmail.com](mailto:Ybbabennett@gmail.com)



Thanks,



**Liliana Foster**

Office Assistant Senior

Direct (360) 473-2326

Customer Response (360) 473-5920

Email: [Liliana.Foster@ci.bremerton.wa.us](mailto:Liliana.Foster@ci.bremerton.wa.us)

**From:** [Buck, Patrick G CIV USN NAVSHIPYDIMF PGS WA \(USA\)](#)  
**To:** [City Council](#)  
**Subject:** Encampment 6th & Broadway  
**Date:** Tuesday, August 22, 2023 9:53:48 AM

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Concerning the encampment at 6<sup>th</sup> and Broadway, what is being done to resolve this issue? I have a co-worker who lives on Broadway, has 3 children and has an encampment of 17 tents directly across the street from her house. She has observed drug use, public nudity, public defecation/urination, has had items stolen from her yard as well as people so high on drugs that they strip off their clothes and run in front of oncoming traffic. She has repeatedly called the police who tell her that their hands are tied and they cannot do anything about it. I have gone to the Starbucks there and personally observed the growing tent city as well as open air drug use. Why is the city council allowing this to happen and why are you not empowering our police department, that our tax dollars pay for, to resolve the situation? I have lived in Bremerton for over 20 years and over the last couple of years it has steadily been going downhill after what was a promising improvement over the previous 18 or so years. I've seen tents blowing in the street on 11<sup>th</sup>, the recent incident of someone breaking windows all down Callow, people high on drugs standing and screaming in the middle of 11<sup>th</sup> and Callow, topless women walking down Kitsap Way and now the growing encampment on Broadway as well as on Park/MLK way. Taxpayers deserve better, our city deserves better.

Patrick Buck  
1910 N. Wycoff Ave  
Bremerton WA.  
[Patrick.Buck@comcast.net](mailto:Patrick.Buck@comcast.net)

**From:** Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)

**Sent:** Tuesday, August 22, 2023 12:34 PM

**To:** Hadley Tillson [hadleytillson8248@gmail.com](mailto:hadleytillson8248@gmail.com)

**Cc:** City Council; Jill Stanton; Andi Reed; Joseph Sexton; Steven Forbrag; Rodney Rauback; Aaron Elton; Mike Davis; Jennifer Hayes

**Subject:** RE: Unsafe neighborhood

Hi Hadley,

Thank you for your email and for taking the time to share your comments, questions, and concerns with me. I am including the Bremerton City Council and officials from the Bremerton Housing Authority (BHA) in my reply for their information and follow up regarding your request to be connected with them directly. Also included in my reply are officials from the City of Bremerton Police Department for their information and follow up regarding potential criminal activity. Hopefully, you and your neighbors are calling 911 when you suspect or witness a crime being committed. Regarding the camping you are witnessing, you may not be aware, but the city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9th Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton (COB) Police, Public Works, and Legal Departments for their information. One last resource I would like to share regarding what you and your neighbors can do is contact information for the City of Bremerton Community Resource Officer, Joe Sexton, who manages the COB Block Watch (BW) program. BW's are a great way for neighborhood groups to organize, share resources, and speak with one voice. This communication channel is a direct link to the city and may be something you are interested in forming. Take care, I hope you a great week.

Sincerely,

Greg Wheeler

Mayor, City of Bremerton

(360) 473-5266

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**From:** Hadley Tillson

**Sent:** Tuesday, August 22, 2023 10:37 AM

**To:** Greg Wheeler

**Subject:** Unsafe neighborhood

**CAUTION:** This email originated from outside of the organization.

Hey Greg,

This is Hadley Tillson. I am a previous Salvation Army employee and now work at Kitsap Rescue Mission. I live on the corner of Driftwood St and Bay Vista BLVD over by Winco. I am reaching out in hopes you can forward this to our city councilman as the beginning of documentation and effort towards cleaning up the neighborhoods in our community. Over just the last few months the crime and disturbance has gotten really bad along with RVs and tents and constant all night activity that wakes us up more than not during the week in the middle of the night. I understand it's a problem everywhere, however this area wasn't so bad before and now I cannot even let my kids play outside. Everybody deserves a solution but I am a home owner and follow HOA yet the whole Bay Vista road is covered in chaos. I would like to know how I can make a difference in my neighborhood and also if you could contact Bremerton Housing Authorities which is in charge of the low income apartments, where all this is going on, and the HOA. There has to be something we can do! I'll be looking forward to your response. I hope all is well and Godbless. Lets make a difference!

Hadley Tillson

**From:** [Neal Foley](#)  
**To:** [City Council](#)  
**Subject:** 08/23/23 Study Session  
**Date:** Tuesday, August 22, 2023 3:28:16 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

At the last study session wording was used by council member Eric Younger regarding a designated place (or places) to camp in Bremerton. This has my total support. I would encourage the council to move forward as rapidly as possible with this.

Neighbors around the homeless are becoming increasingly frustrated and some are turning their anger toward those on our streets and people administering help. I had an angry man tell me he could cure the whole thing himself with just a baseball bat. Our citizens on both sides of this issue need your help!

At this study session please make it a priority to move this to a vote at the next council meeting!

Thank you,

Neal



**From:** Mike Altman [mike@waaccidentlaw.com](mailto:mike@waaccidentlaw.com)  
**Sent:** Wednesday, August 16, 2023 12:26 PM  
**To:** Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)  
**Cc:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Steven Forbragd [Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us); Rodney Rauback [Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us); Aaron Elton [Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us); Mike Davis [Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us); Tom Wolfe [Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us); Public Works & Utilities Customer Response [bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us); Hillary Hamilton [Hillary.Hamilton@ci.bremerton.wa.us](mailto:Hillary.Hamilton@ci.bremerton.wa.us); Thomas Knuckey [Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us); Ned Lever [Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us); Dave Carter [Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Brett Jette [Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us); Mychael Raya [Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us); Jennifer Hayes [Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us); Kelsie Donleycott [Kelsie.Donleycott@ci.bremerton.wa.us](mailto:Kelsie.Donleycott@ci.bremerton.wa.us)  
**Subject:** RE: 1000 6th Street

The situation on Broadway has only gotten worse since my initial email. See the attached photo taken today, August 16, 2023.

**This email shall serve as formal notice to the City of Bremerton of a dangerous condition on Broadway Avenue.**

The City of Bremerton was made aware of this issue last week and the City of Bremerton has made no effort to fix this problem. Any injury or death that occurs to individuals residing in the tents, customers of local businesses, employees, residents or any other individual that may be harmed by this dangerous condition shall have a civil claim for damages against the City of Bremerton.

As you can see in the photo, the tents on Broadway are an inch away from the street or hanging into the street. There are many laws/codes that are being violated, but the City of Bremerton is looking solely at a judicial opinion regarding anti-camping statutes. **This is not camping, this is dangerous to everyone involved.** If a large vehicle drives down this narrow roadway there is a good chance of a tent being struck and any inhabitants suffering severe injury or death. There is a "No Parking This Side" sign posted by the City of Bremerton presumably because of the narrow nature of this roadway. Now, you have tents parked on this same side of the street. Many of these individuals are under the influence of drugs or alcohol, which makes them even more vulnerable to harm. Their front door is not even an inch away from a busy street. This morning, one of the individuals was sleeping on the street. Does the City of Bremerton allow houses to be built where the front door opens inches away from the roadway? A grass buffer between the curb and sidewalk is typically built for safety reasons. Now, we have people living on those strips of grass and the City of Bremerton is allowing them to risk their life living in this space.

**In addition to the dangerous condition of the location of the tents, there is also a major concern about sanitation.** There are no public restrooms and many of the individuals in the tents are defecating and urinating on public streets or in our parking lot. Given the failure of the City of Bremerton to fix this problem an increase in disease is also highly likely. Typhoid, dysentery, cholera and many other diseases can be spread when basic sanitation is not available.

**Again, this email is a formal notice of an actual dangerous condition. To date, the City of Bremerton has failed to take any corrective action and the dangerous condition continues to exist.**

Michael Altman

**Altman Law Offices**

1000 6<sup>th</sup> Street, Suite 110  
Bremerton, WA 98337  
(360) 377-7100 (Phone)  
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(360) 377-7200 (Fax)

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**From:** Mike Altman

**Sent:** Tuesday, August 8, 2023 11:10 AM

**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>

**Cc:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>; Steven Forbragd <[Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us)>; Rodney Rauback <[Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us)>; Aaron Elton <[Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us)>; Mike Davis <[Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us)>; Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)>; Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>; Hillary Hamilton <[Hillary.Hamilton@ci.bremerton.wa.us](mailto:Hillary.Hamilton@ci.bremerton.wa.us)>; Thomas Knuckey <[Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us)>; Ned Lever <[Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us)>; Dave Carter <[Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us)>; Kylie Finnell <[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)>; Brett Jette <[Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us)>; Mychael Raya <[Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us)>; Jennifer Hayes <[Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us)>; Kelsie Donleycott <[Kelsie.Donleycott@ci.bremerton.wa.us](mailto:Kelsie.Donleycott@ci.bremerton.wa.us)>

**Subject:** RE: 1000 6th Street

Thank you, I hope we can get this issue resolved as soon as possible.

I just had a client come to the office today and ask about the tents and if it was safe to park her car in our parking lot. I also witnessed a number of local homeowners get into a heated conversation with one of the tent dwellers. I can only imagine how angry the people who reside on this street must be at this point. As someone who has owned a business in Bremerton for nearly 20 years, this is not an ideal economic environment and I hope new policies can be put in place soon to clean up these streets.

Michael Altman

**Altman Law Offices**

1000 6<sup>th</sup> Street, Suite 110  
Bremerton, WA 98337  
(360) 377-7100 (Phone)  
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4301 S. Pine Street, Ste. 30-06  
Tacoma, WA 98409  
(253) 761-1000 (Phone)  
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[www.waaccidentlaw.com](http://www.waaccidentlaw.com)

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**From:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>

**Sent:** Monday, August 7, 2023 11:10 AM

**To:** Mike Altman <[mike@waaccidentlaw.com](mailto:mike@waaccidentlaw.com)>

**Cc:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>; Steven Forbragd <[Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us)>; Rodney Rauback <[Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us)>; Aaron Elton <[Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us)>; Mike Davis <[Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us)>; Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)>; Public Works & Utilities Customer Response <[bremerton1@ci.bremerton.wa.us](mailto:bremerton1@ci.bremerton.wa.us)>; Hillary Hamilton <[Hillary.Hamilton@ci.bremerton.wa.us](mailto:Hillary.Hamilton@ci.bremerton.wa.us)>; Thomas Knuckey <[Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us)>; Ned Lever <[Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us)>; Dave Carter <[Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us)>; Kylie Finnell <[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)>; Brett Jette <[Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us)>; Mychael Raya <[Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us)>; Jennifer Hayes <[Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us)>; Kelsie Donleycott <[Kelsie.Donleycott@ci.bremerton.wa.us](mailto:Kelsie.Donleycott@ci.bremerton.wa.us)>

**Subject:** RE: 1000 6th Street

Good morning Mike,

Thank you for following up on our conversation this morning with an email and for taking the time to share your comments, questions, and concerns with me. The city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9<sup>th</sup> Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information and follow up. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

**From:** Mike Altman <[mike@waaccidentlaw.com](mailto:mike@waaccidentlaw.com)>  
**Sent:** Monday, August 7, 2023 10:26 AM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Subject:** 1000 6th Street

Mr. Wheeler,

I appreciate our walk and talk this morning.

The tents on Broadway next to our parking lot need to be removed. I cannot put my employees and clients at risk by having a homeless encampment blocking the sidewalk. As I mentioned to you, we have had many of the people living in these tents defecate in our dumpsters, in our parking lot or on our sidewalk leading into the building. Many of them smoke and inject drugs in our parking lot as well. It is not uncommon to get into the office and see needles and larges amount of trash littered throughout our parking lot and sidewalks. The stench is horrible and this has only gotten worse as the tents have tripled or more on Broadway. As I mentioned, over the weekend, the tent are now directly in front of our parking lot covering the sidewalks.

Finally, I represent victims of automobile accidents and my local clients often walk to our office. Some of them who have suffered leg injuries require the use of a scooter or wheelchair while they recover from their injuries. With these tents, there is no way for them to even navigate down the sidewalks. It is not safe.

I ask that whatever resources you have can be used to clean this area up immediately. If you have questions please feel free to contact me.

Thanks,

Michael Altman

**Altman Law Offices**  
1000 6<sup>th</sup> Street, Suite 110  
Bremerton, WA 98337  
(360) 377-7100 (Phone)  
(360) 377-7200 (Fax)

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**Published for**  
**August 9**  
**Council Study Session**  
**A7 – Public Comments**

**From:** [Greg Wheeler](#)  
**To:** [Jeff Coughlin](#); [Alison Loris](#)  
**Cc:** [Denise Frey](#); [Quinn Dennehy](#); [Michael Goodnow](#); [Eric Younger](#); [Anna Mockler](#); [Jennifer Chamberlin](#); [City Council](#); [Kylie Finnell](#); [Thomas Knuckey](#); [Jennifer Hayes](#)  
**Subject:** FW: Response to Question - Kitsap Sun Op-Ed on status of Portable Toilets  
**Date:** Thursday, July 27, 2023 5:13:42 PM

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Council,

I want to provide background on what the Administration has done regarding Council's budget allocation for portable toilets on MLK Way. The Administration began assessing the feasibility of this budget allocation immediately after the first of this year. This review primarily involved Facilities, Engineering, and the City Attorney's Office. Issues identified from PW included limited space on MLK (any facility would have to be in the parking area of the street, there is no room on the sidewalk/planter strip), and safety concerns about placement in and along the street (need for ADA accessibility, clear zone/barrier installation for protection from vehicles). The City Attorney's Office's identified concerns about liability related to placing the portable toilet in the street as well as premises liability related to placing a public portable toilet in a high crime area without security. Based on the input from staff, I decided to defer making the expenditure until a better alternative could be identified.

The City Attorney and I shared our concerns and my decision to defer the expenditure with President Coughlin in a meeting at my office in mid-March. Shortly after that meeting I understand the City Attorney forwarded an email summarizing the liability concerns to President Coughlin and had a brief conversation explaining the liability concerns to Jo Walters, who you know of course had advocated for the budget allocation.

Recently emails and public comments about the placement of a portable toilet on MLK have resumed stating the City's liability concerns are insufficient and I asked staff to review the issue again. Additional legal issues were identified and my determination to defer this expenditure is unchanged. I urge you to review BMC 20.46.090 to see the City's standards for permitting temporary outdoor encampments. Council passed this ordinance in 2019 and the considerations outlined in our code address the legal and safety issues identified by our staff. I cannot ignore these issues and make this expenditure for the unauthorized encampment on MLK.

There is also a practical consideration that weighs against taking this action until after the Council has amended the unauthorized camping code. The Council's discussion last night included possible restrictions on camping near community centers. If such a restriction is included in a final ordinance, camping on MLK could be prohibited due to its proximity to the Marvin Williams Center.

We all agree the situation on MLK is not good for any of our community members. I look forward to working with the Council on bringing Bremerton a better solution in the near future.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266



**From:** City Council <City.Council@ci.bremerton.wa.us>  
**Sent:** Wednesday, July 26, 2023 6:44 PM  
**To:** City Council <City.Council@ci.bremerton.wa.us>  
**Cc:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Subject:** FW: Response to Question - Kitsap Sun Op-Ed on status of Portable Toilets

---

Attn: Council Members

**\*\*For informational purposes only. Do not reply to this email\*\***

---

**From:** Jeff Coughlin  
**Sent:** Wednesday, July 26, 2023 3:30 PM  
**To:** Alison Loris [asloris@gmail.com](mailto:asloris@gmail.com)  
**Cc:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)  
**Subject:** Re: question, especially for Jeff Coughlin and Quinn Dennehy

Hi Alison,

Thanks for reaching out on this.

The Council in the 2023 budget allocated \$10,000 for "professional services - public restrooms" with the intent for the city to contract with a portable toilet provider to be placed and serviced near the MLK Way area. This proposal was brought forward to Council by a citizen-led group.

Once Council approves a budget, the money is available to spend Jan. 1 of that year, and the Mayor and their administration are responsible for execution and implementation. I would reach out to the Mayor for the status on this and any roadblocks and avenues regarding implementation, as well as if any alternative uses for this money related to its intent have been explored or are under consideration.

Cheers,  
Jeff

**Jeff Coughlin, Phd**  
**Councilmember, Dist. 3**  
**2023 Council President**

**From:** Alison Loris <[asloris@gmail.com](mailto:asloris@gmail.com)>

**Date:** July 25, 2023 at 9:34:29 PM PDT

**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>

**Subject:** question, especially for Jeff Coughlin and Quinn Dennehy

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, folks.

I am writing an op-ed for the Kitsap Sun about the lack of basic hygiene facilities for the *de facto* tent village on Martin Luther King Way. The primary thrust of my article will be why Bremerton needs an Urban Rest Stop (as in Seattle and other cities) where unhoused people can use restrooms and showers and get laundry done.

I have heard from multiple vague sources that the City has the money for portable toilets, but I have not heard anything clear about **why** toilets cannot be placed there where they are needed, or what needs to happen to make it possible. I'd really appreciate current information on that.

Thank you!  
Alison

Alison Slow Loris  
Writer & Adventuress  
Bremerton, WA

~~~~~  
"All we ever have is here, now."

~ Ursula K. Le Guin ~~~~~

**From:** [GLENN CAHOON](#)  
**To:** [City Council](#)  
**Subject:** Homeless camp on MLK Way  
**Date:** Friday, July 28, 2023 1:32:02 PM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please align your votes to deal with the permanent elimination of this festering and dangerous eyesore, we the people have had enough.

Thank You,  
Glenn Cahoon

**From:** Joanna Hayes <joanna.s.hayes@gmail.com>  
**Sent:** Tuesday, August 1, 2023 6:29 PM  
**To:** City Council <City.Council@ci.bremerton.wa.us>  
**Subject:** Anti-camping Legislation

Dear Bremerton City Council and Mayor Wheeler,

I am a social work student and local resident. I am also a member of Kitsap ERACE's Housing Systems Team. I have been following the discussion about potential anti-camping legislation since the July 5th public comment opportunity. I have also been attending the study sessions.

I was prepared to be angry about what was happening and, instead, I have been heartened by some of the discussion. I still stand strongly against any type of anti-camping legislation. I have been pleased to see that the discussion has focused more on the humanitarian aspect than on the punitive aspect. I was pleased to see time limits eliminated as a possibility. I am especially pleased to hear the discussion about potential emergency shelter options and a safe area for camping with security and appropriate sanitation facilities.

While I have been pleased about the discussion of emergency shelter options, I want to remind you that shelters don't cure homelessness. We need a robust approach to helping our unhoused neighbors find permanent homes, not just transitional housing. We need more affordable units and we need more low-barrier units. We need to expand the case management that is currently available to be able to aid more people. It seems that, currently, everyone has a waitlist for services. There are people who have the desire to help and many people waiting for that help, but we need more funding and more infrastructure.

While we need a solution to safely house our unsheltered neighbors as soon as possible we cannot stop there. We must create more opportunities to have a home and support to keep our neighbors housed once they have begun to live in that home. There is abundant research on how to do this. I hope we can turn talk into action together.

Respectfully,  
Joie Hayes

**From:** [Neal Foley](#)  
**To:** [City Council](#)  
**Subject:** Input on Homeless and bridge.  
**Date:** Monday, July 31, 2023 6:50:30 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bremerton City Council and Mayor Wheeler,

Recently I began regularly attending City Council meetings here in Bremerton. I want to say that I have been very impressed with the compassion, insight, and ideas that many of you have expressed IRT the homeless issue and others. I would like to encourage you not to hurry and to please not give up on this very hard issue particularly as you frame city ordinances around our homeless populations. You are the ones who can plant the seeds for something positive and long lasting. Homelessness is a not a new norm, it has always been pervasive in our society and will be an ongoing issue. I would like to see the citizens, city, county, state etc., work together and establish the best programs we can for those that need our help the most.

Imagine living in a tent on the streets, no really, take a minute and try to even imagine yourself there. This is not Camping. This is not fun. It's a constant struggle for these folks to just to exist. This is the last place you would want to find yourself. The very last place. But hey, we are going to make you pick up all your stuff everyday and pack it out? Citing a homeless person for having camping paraphernalia - are you kidding me!?! Are we going to start a war on camping? Have the courage to "Just say no to Camping!"?

Now imagine being given a small roof over your head and a place to LOCK YOUR OWN DOOR. A secure environment. Help with addiction, mental and physical health, and other personal issues. A place to do laundry, an address, a place to shower, and A PLACE TO GO TO THE BATHROOM.

A place to go to the bathroom.....

Stability, personal security, and actual help have been shown to be the bedrock of all successful programs.

Several council members mentioned the possibility of actual structures/communities for our homeless citizens. I STRONGLY support this approach.

I wanted to share these articles with you to show that these approaches can work and are working. Please take a few moments to read these articles. They provide a significant amount of information concerning cooperation of different entities, services provided, operation and management, etc.. Could the Bremerton Council invite members of the City Councils involved and see if someone can come and talk or Zoom with us ?

<https://myemail.constantcontact.com/New-Riverton-Park-Village-opens--Tulalip-Tribes--TERO-grads-build-tiny-house--Sand-Point-Cottages-on-Seattle-Channel-.html?soid=1103692006784&aid=SWjksfVCR3Q>

<https://komonews.com/news/local/tent-campers-at-tukwila-church-fill-two-new-tiny-house-villages-homeless-addicts-housing-lihi-krha-unhoused>



I think much of this road is already paved and blueprints are waiting for ordinances, community support involved, as well as for structural units. I am thinking of someone like Kitsap Lumber (I have not spoken to them), that builds docks, picnic tables, obtains lumber packages for businesses and homeowners, and much more, working to kit units. We have a trade school (I have not spoken to them) right on National Avenue that might really love to get involved in this to teach young people several different trades. What a great opportunity for those in our community. This would surely benefit local businesses and our communities. Some of our current homeless may even be able to become part of the solution.

I strongly urge the City Council to repeal, in its entirety, the current no camping ordinance. It is not enforced and paints homelessness with unwarranted criminality. I oppose criminalizing homelessness and/or mental illnesses!

Protect sensitive areas in a separate code. It is apparent that no one is against this. Is it only camping we are concerned about in these sensitive areas? NO! For instance I would like Bremerton to say we will no longer allow the spraying weed killer in these areas as well.

I want to sincerely thank Mayor Wheeler for being proactive in his efforts to obtain shelter space and wish him the best in doing so. But this is only a beginning for homeless people. Shelters keep people alive long enough so they can be helped. Real progress starts with secure housing for all of our citizens that need it. What a great second tier it would be to move folks from shelters into tiny home villages as a next step and from there on to more permanent housing.

I agree that the site on Oyster Bay Ave looks very attractive as far as a location for action. The site would need work to be flattened to provide areas big enough for people to stay.

Lastly, I really like the 10ft with lookouts bridge option. it blends the best with the other projects.

Thank you,

Neal

**From:** [kim siebens](#)  
**To:** [City Council](#); [Greg Wheeler](#)  
**Subject:** supportive solutions for the unhoused  
**Date:** Sunday, July 30, 2023 12:56:08 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bremerton City Council, Mayor,

I wanted to share some ways community can come together to help support their unhoused population while waiting for longer term solutions like affordable housing or a shelter. Currently I am one of many community members coming together to offer support and navigation, in a coordinated effort, to our unhoused neighbors. By keeping more of a presence at the most affected areas, for example- MLK Way, we hope to promote an improvement in conditions for housed and unhoused neighbors alike.

Lately, I have been removing human waste from MLK tent residents with my portable septic tank that I take to the water treatment plant where this waste is properly disposed of. I have been removing 36 gallons a week and could do much more with more man power. I have also been taking large items to the garbage dump as needed and purchased large garbage containers, bags, brooms and dustpans that residents are using frequently to keep the area much cleaner.

There are ways we can provide supportive services to people that will not only help them but the greater community at large during this time of crisis. We understand that many others in professional positions have hands that are always tied or policies preventing a simple solution or intervention. I am hoping that by increasing community engagement - we can help minimize damage done by not acting fast enough to prevent these issue from spiraling even further out of control.

The drug dealers depend on the community not caring about these people in order to gain control of the street which provides them with a perfect place to hide in plain site and access to many customers and cheap labor. This doesn't happen as prevalently in areas where there is a large community presence with supportive services and many eyes on the street.

<https://www.urban.org/urban-wire/three-ways-communities-can-promote-inclusive-public-space-and-better-support-people-forced-live-outside>

Kimmy Siebens RN  
Economic Inequity and Health Task Force Member, Washington Physicians for Social Responsibility, [www.wpsr.org](http://www.wpsr.org)

President, Their Voice <http://www.their-voice.org>

[Founder, Bremerton Homeless Community Coalition https://www.facebook.com/groups/bremertonhomeless](https://www.facebook.com/groups/bremertonhomeless)



### Camping on city property

City officials are looking at this problem from the wrong angle. What do I see? Property owners are being denied the safe and peaceful enjoyment of their property. Is the city truly impotent to deal with tent dwellers on public property? Creating a dangerous environment where children are not safe in the streets or in their own back yards is wrong. Bremerton's BMC chapter 9.32 has been deemed unconstitutional and yet it has stood for years. Simply because recently the drug culture liberals got the ninth circuit court, known for being extremely liberal, has judged it so. Without it being appealed to the supreme court and possibly overturned why would the city find it necessary to change our BMC now. Many of the ninth circuit court judgements have been reversed in higher courts. As a prime recent example, Coach Joe Kennedy vs. Bremerton School district.

The removal of "No camping on city property" being considered by city council leaves taxpayers at odds with the city. Defecation in the streets and sidewalks, garbage and rat infestation are serious health hazards. Those camping have no plumbing to even wash off the sidewalks. Is the City responsible for sanitizing and washing off these areas? Picking up the trash? If threats of bodily harm to children and mothers is not enough to remove drug addled mentally ill from our streets, then what is? Must we wait for real harm to come to one of our women, children or fathers protecting them? Tent sidewalk dwellers pay no taxes. They pay no water service fees. They pay no Property taxes. They pay nothing for Police and fire services and yet they are getting all this free. The property owners are required to pay for all these things. Property owners pay for the Narcan that the police have been administering regularly to these street people. The police Chief at his last meeting stated that the department has been using Narcan more frequently and in larger numbers than last year in just the past few months. We the taxpayers are having to pay for that too. Washington State is the national leader in the use of fentanyl. Police are called recurringly. Theft of property owned by tax paying residents has been blatant. Saying the cause of street people is homelessness is a mislabeling of the problem. Limited housing or high rents is not a problem. The vast majority of residents have been able to find ways to own and rent shelter. FAMILIES HAVE PITCHED IN TO SUPPORT THOSE THAT SEEK REAL HELP AND SOLUTIONS. People who pitch a tent in the city thoroughfare are not looking for a solution to their problems. There is a reluctance by many emotional and empathetic hearts to state the glaring obvious cause, these people



have chosen drugs over civil behavior. Mental health issues erupt from this activity. The health department has fallen down on its job and so has the police department, and now the city council and Mayor are trying to put a Band-Aid on a hemorrhaging wound. Having the city attorney massage words on a piece of paper and changing the rule of law and order is not the right way to address this problem.

I would think that there are many violations on the books these anti-social street squatters could be cited for. If we did any of the things the street people have done, we would be fined and imprisoned. The city requires building permits and inspections to allow people to occupy a house. There is no requirement for occupying the street. Could we or should we all be treated equally? Consider if we had no property taxes being collected annually to allow continued enjoyment of a roof over our family's heads. We might be able to eat dinner out every day if we wanted or buy that new car. If the city is going to treat the street people one way and then all property owners exactly the opposite, then do we have a protected class? I would say that is the only conclusion one can come to. Shall we strip all references to fees and taxes from the Bremerton Municipal code to rectify the injustice and failure to treat people equally? The sanitation pick-up should be free as it is for the street people. We should all have free water to water our lawns. The street squatters are being treated like a protected class with special privileges. Homelessness is a problem that is the result of anti-social behavior by enslaved drug victims. Let's not forget the people that are victims are victims of their personal choices. Drug use is at the bottom of this new phenomenon together with the illogical and dispirit rules and regulations in place by liberal cities across the STATES. Are liberal minds blind to freedom without responsibility? Who is enjoying the drug culture and the profits from this industry. ARE OUR CITY LEADERS TRYING TO DEVALUE THE PROPERTY OF SELECT PROPERTIES TO ALLOW DEVELOPER FRIENDS TO PICK UP THE PROPERTY AT A DISCOUNT TO BUILD LARGE MULTI UNIT APARTMENTS AT A HIGHER PROFIT AND INCREASE TAX INCOME? IT ALMOST SEEMS AS THOUGH THIS IS THE CASE. The city must go after the root cause of this problem and that is drugs in our city. If a tent community were to plant itself in front of the mayor's home or a city council person's home how long do you think it would last there? Everywhere tent cities are allowed they grow and become more dangerous and problematic to the resident homeowners. I suggest that the city attorney start drawing up BMC regulations that put health care in the forefront of this problem. We must try harder to get people off drugs to get them off the streets. If the state says it is legal to do drugs, then we must send a strong message to the state that we oppose legalization. Helping people get off drugs should be our first priority. We could say using drugs may be legal, but we will be bringing all those who use or sell to a helping center/Jail to give them counseling and treatment for a month or two. There they will have a shower, a meal and a roof over their head.

**From:** [kim siebens](mailto:kim.siebens@kitsappublichealth.org)  
**To:** [Greg Wheeler](mailto:Greg.Wheeler@cityofbremertonwa.gov); [City Council](mailto:pio@kitsappublichealth.org); [pio@kitsappublichealth.org](mailto:pio@kitsappublichealth.org); [Gib.morrow@kitsappublichealth.org](mailto:Gib.morrow@kitsappublichealth.org)  
**Subject:** Kitsap Public Health District involvement??  
**Date:** Friday, August 4, 2023 11:32:29 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding all of the public health language I see in your draft ordinance (anti camping) - have you reached out to the Kitsap Public Health District at all for their suggestions? I am sending this email to their Public Information Officer and the Public Health Officer as well to make sure they are aware of what you are proposing.

This is a link to the issue I am bringing to your attention (starting on page 51 of 163) <https://lpublic.bremertonwa.gov/weblinkpublic/0/doc/640282/Page1.aspx?fbclid=IwAR0hrxk-kd8-qaPZKRa93xiUCoaJfsGU9FCNAf1r7wkDtIzsUgk2LhseNY>

The public health concerns, cited repeatedly throughout these ordinance amendments, are connected to stigmatizing language, essentially legitimizing punitive action toward our most vulnerable. You are using public health language in very inappropriate ways here. If they have not been consulted, it seems imperative that they are, to ensure they agree with the statements in the draft ordinance amendments that are being linked to "public health."

They may also be able to offer suggestions, appropriate language, and potential solutions to address the "public health" issues" as I am not sure the current verbiage is in line with their recently revised Mission which states that "Kitsap Public Health District prevents disease and protects and promotes the health of all people in Kitsap County".

"All people" includes those experiencing homelessness. This ordinance does not help prevent disease, protect, or promote health for those experiencing homelessness.

They really should be involved here. Are they??

Kimmy Siebens RN

Economic Inequity and Health Task Force Member, Washington Physicians for Social Responsibility, [www.wpsr.org](http://www.wpsr.org)

President, Their Voice  
<http://www.their-voice.org>

Founder, Bremerton Homeless Community Coalition  
<https://www.facebook.com/groups/bremertonhomeless>



**From:** [Mike Altman](#)  
**To:** [Greg Wheeler](#)  
**Cc:** [City Council](#); [Steven Forbragd](#); [Rodney Rauback](#); [Aaron Elton](#); [Mike Davis](#); [Tom Wolfe](#); [Public Works & Utilities Customer Response](#); [Hillary Hamilton](#); [Thomas Knuckey](#); [Ned Lever](#); [Dave Carter](#); [Kylie Finnell](#); [Brett Jette](#); [Mychael Raya](#); [Jennifer Hayes](#); [Kelsie Donleycott](#)  
**Subject:** RE: 1000 6th Street  
**Date:** Tuesday, August 8, 2023 11:10:21 AM

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Thank you, I hope we can get this issue resolved as soon as possible.

I just had a client come to the office today and ask about the tents and if it was safe to park her car in our parking lot. I also witnessed a number of local homeowners get into a heated conversation with one of the tent dwellers. I can only imagine how angry the people who reside on this street must be at this point. As someone who has owned a business in Bremerton for nearly 20 years, this is not an ideal economic environment and I hope new policies can be put in place soon to clean up these streets.

Michael Altman

#### **Altman Law Offices**

1000 6<sup>th</sup> Street, Suite 110  
Bremerton, WA 98337  
(360) 377-7100 (Phone)  
(360) 377-7200 (Fax)

4301 S. Pine Street, Ste. 30-06  
Tacoma, WA 98409  
(253) 761-1000 (Phone)  
(360) 377-7200 (Fax)

[www.waaccidentlaw.com](http://www.waaccidentlaw.com)

---

**From:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Sent:** Monday, August 7, 2023 11:10 AM  
**To:** Mike Altman <mike@waaccidentlaw.com>  
**Cc:** City Council <City.Council@ci.bremerton.wa.us>; Steven Forbragd <Steven.Forbragd@ci.bremerton.wa.us>; Rodney Rauback <Rodney.Rauback@ci.bremerton.wa.us>; Aaron Elton <Aaron.Elton@ci.bremerton.wa.us>; Mike Davis <Mike.Davis@ci.bremerton.wa.us>; Tom Wolfe <Tom.Wolfe@ci.bremerton.wa.us>; Public Works & Utilities Customer Response <bremerton1@ci.bremerton.wa.us>; Hillary Hamilton <Hillary.Hamilton@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; Ned Lever <Ned.Lever@ci.bremerton.wa.us>; Dave Carter <Dave.Carter@ci.bremerton.wa.us>; Kylie Finnell <Kylie.Finnell@ci.bremerton.wa.us>; Brett Jette <Brett.Jette@ci.bremerton.wa.us>; Mychael Raya

<Mychael.Raya@ci.bremerton.wa.us>; Jennifer Hayes <Jennifer.Hayes@ci.bremerton.wa.us>; Kelsie Donleycott <Kelsie.Donleycott@ci.bremerton.wa.us>

**Subject:** RE: 1000 6th Street

Good morning Mike,

Thank you for following up on our conversation this morning with an email and for taking the time to share your comments, questions, and concerns with me. The city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9<sup>th</sup> Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information and follow up. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

**From:** Mike Altman <[mike@waaccidentlaw.com](mailto:mike@waaccidentlaw.com)>  
**Sent:** Monday, August 7, 2023 10:26 AM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Subject:** 1000 6th Street

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Wheeler,

I appreciate our walk and talk this morning.

The tents on Broadway next to our parking lot need to be removed. I cannot put my employees and clients at risk by having a homeless encampment blocking the sidewalk. As I mentioned to you, we have had many of the people living in these tents defecate in our dumpsters, in our parking lot or on our sidewalk leading into the building. Many of them smoke and inject drugs in our parking lot as well. It is not uncommon to get into the office and see needles and large amount of trash littered throughout our parking lot and sidewalks. The stench is horrible and this has only gotten worse as

the tents have tripled or more on Broadway. As I mentioned, over the weekend, the tent are now directly in front of our parking lot covering the sidewalks.

Finally, I represent victims of automobile accidents and my local clients often walk to our office. Some of them who have suffered leg injuries require the use of a scooter or wheelchair while they recover from their injuries. With these tents, there is no way for them to even navigate down the sidewalks. It is not safe.

I ask that whatever resources you have can be used to clean this area up immediately. If you have questions please feel free to contact me.

Thanks,

Michael Altman

**Altman Law Offices**

1000 6<sup>th</sup> Street, Suite 110  
Bremerton, WA 98337  
(360) 377-7100 (Phone)  
(360) 377-7200 (Fax)

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(360) 377-7200 (Fax)

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**From:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>

**Sent:** Monday, August 7, 2023 8:19 PM

**To:** Jamie Payne <jamiepayne007@aol.com>

**Cc:** City Council; Steven Forbragd; Rodney Rauback; Aaron Elton; Mike Davis; Tom Wolfe; Public Works & Utilities Customer Response <bremerton1@ci.bremerton.wa.us>; Hillary Hamilton; Thomas Knuckey; Ned Lever; Dave Carter; Kylie Finnell; Brett Jette; Mychael Raya; Jennifer Hayes; Kelsie Donleycott

**Subject:** RE: Homeless camping in front of my house.

Good evening Jamie,

Thank you for your email and for taking the time to share your comments, questions, and concerns with me. The city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9<sup>th</sup> Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information and follow up. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

**From:** Jamie Payne <[jamiepayne007@aol.com](mailto:jamiepayne007@aol.com)>

**Sent:** Monday, August 7, 2023 7:49 PM

**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>

**Subject:** Homeless camping in front of my house.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Homeless people are camping in front of my house at 620 Broadway and they won't leave. They police need to get them out now. Send them to the park, or anywhere. They have been there for 2 months now. The police tell them to leave but they just come back. It started with 2 tents. Now there are five tents. They poop and pee where ever they want. They are on drugs. They are harassing my tenants. They are camping on the little strip of what used to be grass that I have maintained for 19 years. They have ruined the strip of grass that the city requires me to maintain. This is a residential neighborhood. How can I charge my tenants to live there when your police can't stop them from tread passing on the property and drinking water. From the hose? What are you going to do about this?

How about you hire a construction crew to place large rocks on the grass strip so that no one can put a tent there. Or better yet instruct the police to treat our neighborhood at least as good as you treat the park and don't let them put all this garbage in front of our houses.

Jamie Payne  
(360) 434-1090







**From:** [Carma Foley](#)  
**To:** [City Council](#)  
**Subject:** Unhoused question  
**Date:** Tuesday, August 8, 2023 2:57:39 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings City Councilmembers,

Thank you first of all for your continued service to our community.

I have recently been to a board meeting and just had a few questions.

1. If there is \$ for a bathroom how about having the unhoused persons self monitoring its usage and realize that they are responsible for it being clean and useable. I would think meeting with them to discuss this is an important first step. If they are agreeable, maybe a portable unit could be tried first. The parks have pit style toilets that are used by various members in our community and seem to be well built and sturdy. It may be worthwhile to ask the county what it would take to provide something like this closeby.
2. If the Salvation Army is providing such great services such as meals, showers, bathrooms, laundry. Wifi, etc., why not support this organization for longer hours with funding and staff, instead of spreading limited funding and resources around to various organizations.

I would appreciate your thoughts on these questions. These may have already been considered but it doesn't hurt to bring ideas to the table for this complicated and important issue.

Carma L. Foley  
Retired Human Service worker  
360-509-7225

Sent from [Mail](#) for Windows

From: Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
Sent: Wednesday, August 9, 2023 8:20 AM  
To: Brian Balfe <brian.balfe1@gmail.com>  
Cc: City Council <City.Council@ci.bremerton.wa.us>; Steven Forbragd <Steven.Forbragd@ci.bremerton.wa.us>; Rodney Rauback <Rodney.Rauback@ci.bremerton.wa.us>; Aaron Elton <Aaron.Elton@ci.bremerton.wa.us>; Mike Davis <Mike.Davis@ci.bremerton.wa.us>; Tom Wolfe <Tom.Wolfe@ci.bremerton.wa.us>; Public Works & Utilities Customer Response <bremerton1@ci.bremerton.wa.us>; Hillary Hamilton <Hillary.Hamilton@ci.bremerton.wa.us>; Thomas Knuckey <Thomas.Knuckey@ci.bremerton.wa.us>; Ned Lever <Ned.Lever@ci.bremerton.wa.us>; Dave Carter <Dave.Carter@ci.bremerton.wa.us>; Kylie Finnell <Kylie.Finnell@ci.bremerton.wa.us>; Brett Jette <Brett.Jette@ci.bremerton.wa.us>; Mychael Raya <Mychael.Raya@ci.bremerton.wa.us>; Jennifer Hayes <Jennifer.Hayes@ci.bremerton.wa.us>  
Subject: RE: Concerned

Good morning Brian,

Thank you for your email and for taking the time to share your comments, questions, and concerns with me. The city is now down to one shelter (which is full) since the Salvation Army closed. I am working with regional partners including Kitsap County to stand up another homeless shelter. We are working through multiple options and hope to have more information to share soon. This will remain a high priority until completed. City Council is also working on updating the city's camping ordinance as the current one has been determined to be illegal by court rulings (9th Circuit). They are currently considering options for regulating time, place, and manner for camping and have been included in my reply. This is a high priority for them also. I realize this response does not make things immediately better, so I understand your frustration. You have my commitment to stay on this. In the meantime, I am including officials from the City of Bremerton Police, Public Works, and Legal Departments for their information. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

-----Original Message-----

From: Brian Balfe <[brian.balfe1@gmail.com](mailto:brian.balfe1@gmail.com)>  
Sent: Tuesday, August 8, 2023 8:06 PM  
To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
Subject: Concerned

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello I would say first that I'm happy to live in Bremerton. It's a great place for my wife and I to raise my two children. We like the community. However I have noticed more and more of the homeless community establishing more permanent housing in the public areas of our community. This is very

concerning to my family and I as to how the government plans to deal with this issue. I understand that there isn't an easy solution to this problem. However an entire city block now occupied in downtown with other area popping up. Just down the road there is a Motorhome that has been parked within walking distance from a children's park. I'm not saying that that person would do anything. Just on how easy it would be to bring a child into it. I would like to know what the city's plan is to handle the situation.

Brian Balfe

**Published for**  
**July 26 Study Session**  
**A3 – Public Comments**

**From:** [charles mayer](#)  
**To:** [City Council](#)  
**Cc:** [Kim](#)  
**Subject:** Harms done by criminalizing homelessness  
**Date:** Thursday, July 13, 2023 8:49:34 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council Members,

As a physician and co-chair of the Economic Inequity Task Force and Health for the Washington Physicians for Social Responsibility, we take a hard look at what improves the health and well-being of our communities. Though we understand the concerns of community members when homeless people live unsheltered in parks, near schools and near other public spaces, it has become clear that ordinances against encampments and criminalizing homelessness leads to much more harm than good.

The major causes of homelessness are unaffordable and limited housing availability, low wages and large increases in rent with no rental protections in place. Though mental health and drug use disorders can sometimes contribute, more often becoming homeless leads to mental health illness and drug use even to crisis levels.

Based on what we know leads to better outcomes, we at WPSR strongly support the community health approach to government both local and state policy. We recommend focusing on creating urgent and affordable housing, renter protections and supporting livable wages. This is the best way to prevent and care for people who suffer from being homeless. Criminalizing people and or decampments leads to serious life disruptions and ill-health. Harms that often if not sometimes impossible to repair. It also leads to higher costs for all.

By taking the public health approach, you can build your community's strength and become state leaders in compassionate AND practical policy.

Sincerely,

Charles Mayer MD MPH

Family Physician

Co-chair, Economic Inequity and Health Task Force

Washington Physicians for Social Responsibility (WPSR)





**From:** [Greg Wheeler](#)  
**To:** [charles mayer](#)  
**Cc:** [Kim](#); [City Council](#); [Kylie Finnell](#); [Kelsie Donleycott](#); [Jennifer Hayes](#)  
**Subject:** RE: Harms done by criminalizing people who are homeless  
**Date:** Thursday, July 13, 2023 9:47:59 AM

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Dear Dr. Mayer,

Thank you for your email! The city has prioritized creating urgent and affordable housing, renter protections and supporting livable wages. I am forwarding your email to the City Council for their consideration as they deliberate on a camping ordinance. I appreciate you taking the time to share your thoughts with me. Take care.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

**From:** charles mayer <charlesmayer411@gmail.com>  
**Sent:** Thursday, July 13, 2023 8:52 AM  
**To:** Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Cc:** Kim <kimmysiebens@yahoo.com>  
**Subject:** Harms done by criminalizing people who are homeless

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Wheeler,

Thank you for all your service for Bremerton!

As a physician and co-chair of the Economic Inequity Task Force and Health for the Washington Physicians for Social Responsibility, we take a hard look at what improves the health and well-being of our communities. Though we understand the concerns of community members when homeless people live unsheltered in parks, near schools and near other public spaces, it has become clear that ordinances against encampments and criminalizing homelessness leads to much more harm than good.

The major causes of homelessness are unaffordable and limited housing availability, low wages and large increases in rent with no rental protections in place. Though mental health and drug use disorders can sometimes contribute, more often becoming homeless leads to mental health illness and drug use even to crisis levels.

Based on what we know leads to better outcomes, we at WPSR strongly support the community health approach to government both local and state policy. We recommend focusing on creating urgent and affordable housing, renter protections and supporting livable wages. This is the best way to prevent and care for people who suffer from being homeless. Criminalizing people and or decampments leads to serious life disruptions and ill-health. Harms that often if not sometimes impossible to repair. It also leads to higher costs for all.

By taking the public health approach, you can build your community's strength and become state leaders in compassionate AND practical policy.

Sincerely,

Charles Mayer MD MPH

Family Physician

Co-chair, Economic Inequity and Health Task Force

Washington Physicians for Social Responsibility (WPSR)

I acknowledge the land I occupy today as the traditional home of the Duwamish tribal nation who are still living here today.

**From:** [Neal Foley](#)  
**To:** [City Council](#)  
**Cc:** [Greg Wheeler](#)  
**Subject:** ML King Way/Camping  
**Date:** Tuesday, July 11, 2023 11:09:45 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bremerton City Council,

Feedback from the people on ML King Way is that it is very hard to leave their tent area for anytime at all as their things disappear. Hard to work, obtain services, go to the bathroom, or basically do anything to improve their current condition when they cannot leave. Crime follows and preys on the weak and impoverished. These people are citizens of Bremerton and victims of continual crime. Why is there no security here? Prosecute the criminals and provide a safe place for those who find themselves here!

I still see feces on the ground in a few spots and still no place for those on ML King Way to use a bathroom? I am surprised there is not more human waste. Try an experiment yourself and see how long you can hold it.

Tents can be killers. Both rain/cold and high temperatures can kill. Some people do not have or do not have the ability to set up a satisfactory dry tent. A gentleman died 6/18/2023 on ML King Way primarily of Hypothermia. He was not breathing and had no heartbeat when found. After CPR they obtained a heartbeat but he never regained consciousness but officially "lived" until 2:30PM on 6/19/2023. It had been raining for 2 days, his tent was set up over another tent that was already collapsed and wet. The entry on the top tent had several rips and there was no rain cover. Summertime right? His body was 77 degrees when they picked him up off of ML King Way. His tents and belongings were wet clear through and VERY heavy. A bag of his wet clothes were returned at the hospital after his death. Just another drug related death? Not so fast. There was absolutely no evidence of drug use in any of his personal things, zero. Word on the street from several that knew him close was he was not using. Mentally Ill yes. He had no where else to live after the shelter closed. His family did not know his whereabouts after the shelter closed until after his death.

Bremerton needs a shelter ASAP. This is how we keep these folks alive to be able to help them the best ways we can. They need a secure safe place. Let's get The Salvation Army shelter open or something equivalent ASAP!

Related -

A federal judge just found Washington state in contempt and ordered it to pay more than \$100 million in fines for failing to provide timely psychiatric services to mentally ill people who are forced to wait in jails for weeks or months. In the recent Washington State DSHS ordered to pay 100 million.

In the article .....

Christopher Carney, representing Disability Rights Washington, said prosecuting vulnerable people accomplishes little. Instead, the funds should be spent on supportive housing with staffing and medication.

"We just keep throwing away resources and causing harm trying the wrong solutions," Carney said in a release. "If what we want is to save lives and improve public safety, we know arrest and competency services are not the way to get there. Our clients need homes and help, not

more punishment.”

One last thing on a personal note. I notice an air of contempt that permeates many individuals views concerning these people who have found themselves on ML King Way. It is easy to look from afar and throw stones based on misconceived personal biases. I would recommend that anyone involved in making decisions concerning this population go and meet them. Take a walk with the prayer walk group or other organizations who are actively helping these people. Learn their names, hear their stories and understand their conditions and needs. THEN make informed decisions.

Thank you,

Neal Foley

**From:** [Neal Foley](#)  
**To:** [City Council](#)  
**Subject:** No camping ordinance  
**Date:** Tuesday, July 18, 2023 8:00:13 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,

I am still a resident of the City of Bremerton in District 5.

I am still adamantly opposed to criminalizing homelessness and/or mental illnesses.

I continue to strongly urge the City Council to repeal, in its entirety, the current no camping ordinance. It is non enforceable, useless as is, and taints homelessness with unwarranted criminality.

Please signal a new beginning in our city with an entirely new code dealing with homelessness and mental illness in a positive educated way.

Consider protecting sensitive areas in a "Sensitive Area Code". We absolutely need to protect our sensitive areas.

I would ask our City Council and Mayor to be proactive and support our local experts in homelessness 100%. Move forward with THEIR knowledge as our guide. We can become leaders in this regard rather than sit on our hands.

I would also like a clear explanation at the next public meeting as to EXACTLY why a porta-potty has been funded by council and not provided. A clear concise explanation as to where the inaction resides? There is a porta-potty in Manette that sits partially on the sidewalk and within inches of the handicap ramp??? If a porta-potty cannot be provided what other options are available NOW? Fire Station? These are Bremerton residents.

I continue to urge our local law enforcement to use existing laws to curb criminality that follows homelessness on ML King Way. It not only affects our local residents, it affects our homeless even more.

Thank you,

Neal Foley



**From:** [G2 Housing](#)  
**To:** [City Council](#); [Greg Wheeler](#); [Kylie Finnell](#)  
**Cc:** [molly.rose.brooks42@gmail.com](mailto:molly.rose.brooks42@gmail.com); [peggi.erickson@comcast.net](mailto:peggi.erickson@comcast.net)  
**Subject:** Camping and Toilets  
**Date:** Thursday, July 20, 2023 8:37:52 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Councilmembers and Mr. Mayor,

Thanks for your ongoing work in support of our community's most vulnerable neighbors. We were especially glad to hear that the Mayor has prioritized establishing an emergency shelter in Bremerton.

In the meantime, We know you are working on the camping issue. Members of G2 Housing and Kitsap Equity, Race, And Community Engagement Coalition spoke at the last Council meeting. I am sending this message so that you will have a document version of our words.

G2 Housing stands with Kitsap ERACE Coalition on these points:

- We stand against any anti-camping legislation due to the negative impact on our unhoused neighbors.
- We support providing an area for camping to our unhoused neighbors, with access to clean water and sanitation, to include restroom facilities and showers.
- We are in favor of the City increasing funding for housing and shelter services for our unhoused neighbors.
- We are in favor of immediately funding an increase in the number of shelter beds in Bremerton.
- We are opposed to any fines and fees that might be levied against unhoused people for being in public spaces.
- We are opposed to “sweeps” of homeless camps that lead to the total loss of our neighbor’s belongings.

G2 Housing adds:

Any ordinance that is passed will not be not enforced until the city's new designated space has been secured, and folks have been given a reasonable amount of time to make the transition. They will be provided with transportation to enable them to move their belongings.

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And separately, regarding the \$10, 000 allocation for porta-potties:

We would like to know why the \$10,000 allocation for porta potties has not been used to install portable toilets. Many have asked at council meetings with no formal response. We have been told informally that liability concerns are stopping the installation. The city's liability concerns are just not a good enough reason to deny these folks the most basic sanitation needs, Like has been done at many other locations, it is time to install toilets on or near MLK Way

Thank you,

Jo Walter  
on behalf of G2 Housing

**From:** [amanda reynolds](#)  
**To:** [City Council](#)  
**Subject:** Unauthorized Camping Amendment opinion  
**Date:** Monday, July 10, 2023 9:43:18 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Amanda and I live in Downtown Bremerton. I'm just adding my thoughts on the proposal to amend BMC Chapter 9.32 entitled "Unauthorized Camping."

I'm proud of the work Bremerton is doing to help the homeless population; from mental health support to housing opportunities.

I don't believe that the people in tents on MLK comprise the majority of homeless who want the support Bremerton has to offer. This is based on my conversations with law enforcement and the Salvation Army.

For 30 years I have watched Downtown Bremerton claw it's way back from being a place you wouldn't be caught in after dark to becoming a creative and fun place to spend time in. I volunteer downtown a few days every week and i've noticed over the past year the tone has become more sinister; with the smell of human waste, used needles and people in crisis on full display.

There are so many citizens from all walks of life that are actively working to make Bremerton succeed, are they not as important as those who are indifferent or don't care if they destroy it? Bremerton already supports its homeless population, the people who live in tents on MLK and refuse assistance should not be encouraged to remain there. I oppose a portable restroom being installed there as it will only encourage the situation to be permanent. The Salvation Army already offers hygiene and restroom facilities for use.

My family will be moving in the next year if the situation stays the same. We have seen the writing on the wall with Seattle and Portland. There has literally been nothing positive about allowing tent cities to exist.

Thank you for letting me add my opinion.

Sincerely,

Amanda

**From:** [kim.siebens](mailto:kim.siebens)  
**To:** [City Council](#); [Greg Wheeler](#); [Lance Walters](#); [Cnjadrian@comcast.net](mailto:Cnjadrian@comcast.net); [Tom Wolfe](#); [Rodney Rauback](#); [Robin O'Grady](#); [Dawn Michele Wilson](#); [Chuck Svac](#); [Anton Preisinger](#); [DFA.Public.Affairs@dea.gov](mailto:DFA.Public.Affairs@dea.gov); [community.outreach@dea.gov](mailto:community.outreach@dea.gov); [ODLL@dea.gov](mailto:ODLL@dea.gov); [ODLP@dea.gov](mailto:ODLP@dea.gov); [Legal](#); [Kari Mann](#); [Anthony Ives](#); [monicab@kmhs.org](mailto:monicab@kmhs.org)  
**Subject:** SAD NEWS TO ANNOUNCE: URGENT CONCERNS REGARDING MLK STREET AND THE UNHOUSED POPULATION  
**Date:** Monday, July 17, 2023 10:47:34 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Community Leaders,

I am writing to bring to your attention a concerning issue that has been affecting our community, specifically the homeless population in our area, particularly on MLK Street. It saddens me to share this news, but it is crucial that we address it to work towards finding a solution and making things better for those who are unhoused.

In recent times, there has been a significant increase in criminal activities targeting the homeless, with MLK Street being a focal point. We have become aware of an alarming prevalence of drug sales and distribution taking place on the street, perpetrated by individuals who do not need to reside in tents or live on the streets.

Unfortunately, the presence of homeless individuals in tents provides an ideal hiding place for criminals. As the community extends its support by offering free water, meals, and other necessary items meant for the unhoused, it inadvertently creates an environment that attracts high-profit drug dealers instead. They can hide in plain site.

Despite our concerns, the police chief has informed us that they can only take action within the confines of the existing laws. This has left me puzzled as to why acts such as disorderly conduct, trespassing, and high-level drug distribution are not illegal on MLK Street. The police chief mentioned that once drug possession becomes illegal again in Washington State, they will be able to take more decisive action. However, I am uncertain when this change will occur, and if there are no longer laws against selling substantial amounts of fentanyl or possessing weapons without proper authorization.

Given the presence of significant drug dealers and distributors, it is imperative to acknowledge that MLK Street is no longer a safe place for individuals to reside. Many people are seeking a safer environment where rules and order can be established.

Today, I will be meeting with others to brainstorm potential temporary locations for those who wish to live in a secure environment. However, it has come to our attention that criminals, particularly those involved in managing prostitution and drug sales, tend to follow public camps, taking advantage of the vulnerable and seeking control over cheap labor through addiction and intimidation.

Police Chief Tom Wolfe stated that "many of the issues are not criminal in nature and therefore fall to the community to decide how best to move forward." However, we are witnessing criminal acts that go unreported due to the fear of retaliation from the non-homeless criminals who are preying on the vulnerable. It is disheartening to recall the incident on July 12, where a homeless man was found dead and burned inside his tent at Evergreen Park.

Moreover, within a span of two days, three women were physically assaulted on MLK Street, with only one aggressor being apprehended by the police. The fear of retaliation prevented the reporting of the third incident.

Just last week, I personally witnessed 2 women physically assaulted and I called 911. Nobody else would call for help and remained hiding in their tents. I personally witnessed a man attempting to provoke his dog into attacking an elderly homeless man, likely with the intention to cause harm or even death. I intervened to ensure the safety of the elderly man and the dog, but in doing so, I became the target of verbal abuse and intimidation by a criminal who sought to scare me. He even instigated others to attack me.

These incidents are emblematic of the dangerous environment prevailing on MLK Street, where many long-term unhoused individuals live in constant fear, undeserving of such treatment.

It is important to note that MLK Street's location is ideal for the unhoused population due to its proximity to the limited services our community provides for the most impoverished and vulnerable individuals. Moving them further away without a safe place to go will only move them away from the few services that sustain them.

Unfortunately, the influx of drugs, dealers, and criminal activities has transformed it into a place devoid of law and order.

Furthermore, it is disheartening that the city has chosen this time to consider an ordinance that would effectively criminalize homelessness. (Amending the currently unconstitutional "anti camping ordinance", creating loop holes around the 2018 9th circuit court ruling)

There are real criminals hiding among the unhoused, participating in high level crimes, that should be criminalized. I am not talking about just a small/personal sized amount of drugs, but thousands of blue fentanyl pills are being funneled through that area for major distribution. This is a major operation in plain site.

Why is the city council focusing on making it even harder for the unhoused and most vulnerable people in our community? An anti camping ordinance will help reduce the issue on MLK but at what cost? It will also push the true unhoused to the margins of our community and lead to even more suffering. Those large drug sellers will just go home or go to some other poor neighborhood and keep selling. It won't even get close to solving this re-occurring problem.

Why not focus on the crimes being committed, using laws that are already in place, and then take action to make our community a healthier and safer place?

The Chief said the community has to figure out how to move forward. NOW is a great time to act!

More articles about this:

<https://www.npr.org/.../24/1074577305/homeless-crime-experts>

<https://homelessness.ucsf.edu/.../violence-against-people...>

I will attach a copy of basic homeless encampment rules as an example of what could

be implemented when managing a law abiding and safe encampment. We can provide a safe place for people to be while waiting for affordable housing or treatment, etc. When there is no place for so many to go we have to start thinking outside the box and helping our unhoused neighbors in more meaningful and safe ways.

Thank you,

Kimmy Siebens RN

Economic Inequity and Health Task Force Member, Washington Physicians for Social Responsibility, [www.wpsr.org](http://www.wpsr.org)

President, Their Voice

<http://www.their-voice.org>

Founder, Bremerton Homeless Community Coalition

<https://www.facebook.com/groups/bremertonhomeless>

**From:** [Judy Arbogast](#)  
**To:** [City Council](#)  
**Subject:** Stop attacking the homeless - provide solutions NOW  
**Date:** Wednesday, July 19, 2023 2:07:06 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council Members:

The homeless in our area should not be targets of actions in the city. Instead the city should be trying to find positive solutions to affordable housing availability.

- I stand against any anti-camping legislation due to the negative impact on our unhoused neighbors.
- I support providing an area for camping to our unhoused neighbors, with access to clean water and sanitation, to include restroom facilities and showers.
- I am in favor of the City increasing funding for housing and shelter services for our unhoused neighbors.
- I am in favor of immediately funding an increase in the number of shelter beds in Bremerton.
- I am opposed to any fines and fees that might be levied against unhoused people for being in public spaces.
- I am opposed to "sweeps" of homeless camps that lead to the total loss of our neighbor's belongings.

The homeless people are NOT the cause of the lack of affordable housing. They are victims! Do not 'punish' them further with your policies. They need HELP, not fines [which they cannot afford], not being moved from place to place [while also taking their few possessions], not legislation against camping [further creating problems for them].

Your policies should reflect caring and concern for all the people of Bremerton.

Sincerely,  
Judy Arbogast  
[judy.arbogast@gmail.com](mailto:judy.arbogast@gmail.com)  
253 225 1977



**From:** [Ed & Maureen Heuss](#)  
**To:** [City Council](#)  
**Subject:** Eric Younger Council District 7  
**Date:** Monday, July 17, 2023 1:48:36 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Younger,

I am writing to you to address a vagrancy problem of drug users and thieves living and frequenting an area that borders our property on Kitsap Way. This problem has come about since the underground large culvert was installed for the future fish passage going under Kitsap Way and into Forest Lawn Cemetery. We are frequently witnessing drug users going in and out of the culvert at various times. We are also experiencing a lot of recent thefts occurring at our property at 5420 Kitsap Way and also at our tenant's business at 5418 Kitsap Way ( Strait Floors ). We plan to attend the upcoming City Council meeting this Wed. evening July 19th, and hopefully will have an opportunity to voice our concerns. We strongly feel that installing a fence around this area, would help immensely. We also have been finding drug needles and human waste on our properties.

Another issue that we have regarding this area, is the abandon vehicles that are filled with people's belongings and parked in the City ROW for months on end. Some without even wheels or tires. Why is this allowed and the vehicles are not towed to an impound yard. They appear to be storage facilities for some people. They started appearing after Pendleton Place was built. This issue has been ignored by the city for too long. We had truly hoped that Pendleton Place would somehow be a good neighbor. Though that has yet to be seen. The shopping carts from Winco somehow end up on our property every week and the transient traffic have certainly increased since .

We cannot continue to enable these wrong doers at the expense of the hard-working businesses, their customers and their employees. Or the taxpayers that pay to be represented by their elected officials. At this point I believe we can curtail the issues that I have mentioned with the suggestions of towing the cars in the ROW and installing fencing around the areas that I have mentioned, leading to the culvert. As far as the shopping carts, we and our tenants have returned several to the Winco store. Though we shouldn't have to. I believe this issue is also related to the bus stop that is in this same area.

Our neighbor Forest Lawn Cemetery and Lewis Funeral Chapel are aware of these issues and agree that something needs to be done.

I look forward to meeting you at the council meeting Wed. evening.

Thank you,  
Maureen Heuss  
heusscompany@msn.com

**From:** Tom Wolfe [Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)  
**Sent:** Friday, July 14, 2023 10:57 AM  
**To:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Allen Sweet [allen.sweet@sbcglobal.net](mailto:allen.sweet@sbcglobal.net)  
**Cc:** Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)  
**Subject:** RE: Public Comment - Homeless People (Allen Sweet)

Mr. Sweet,

We rely on property owners to let us know they have persons trespassing on their property. If that is happening we will come out and trespass them off the property for you and if they refuse and you are willing to press charges we will arrest and remove them. We do not have the resources for 24 hr surveillance so I would recommend a security system and or hiring private security for commercial properties.

As to “stronger police action” we can operate within the law only and do so regularly, but we do not represent private interests so we need your cooperation to accomplish serving the over 45 thousand citizens and their public safety needs each day.

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From: Allen Sweet <[allen.sweet@sbcglobal.net](mailto:allen.sweet@sbcglobal.net)>  
Sent: Wednesday, July 12, 2023 4:50 PM  
To: City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
Subject: Homeless people

I am a property owner in East Bremerton- specifically at 2625 Wheaton Way. Our commercial property is vacant due to losing the hospital. It has now become a place that the homeless people find attractive.

It would help if there was more police presence in the area. Even more important would be stronger police action. We have even had homeless people tell us they do not fear police action as the police never do anything. What can you do about this?

Allen Sweet  
Owner  
858-735-6168

**From:** Robert Shaffer [robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)

**Sent:** Monday, July 10, 2023 2:20 PM

**To:** Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us); City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)

**Cc:** Rodney Rauback [Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us); Steven Forbragd

[Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us); Aaron Elton [Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us); Mike Davis

[Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us); Jennifer Hayes [Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us); Kylie Finnell

[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us); Brett Jette [Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us); Mychael Raya

[Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us)

**Subject:** MLK homeless tents blocking the sidewalk- please have them removed

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, members of the Council-

Homeless tent campers are blocking sidewalks downtown on MLK. This is illegal and a violation of the Americans with Disabilities Act. Please have them removed.

Recently, Portland, Oregon agreed to move tents after handicapped Portlanders sued because they had no ability to use the city's sidewalks. I don't want the city of Bremerton to be sued, but if that's what it takes for the city to comply with the law (and remove this illegal tent camp), so be it.

Here's the story:



[Portland, Oregon, to clear sidewalk tents to settle suit with people with disabilities  
apnews.com](https://www.apnews.com)

I'm deeply frustrated the city can solve these problems. It's your jobs.

Regards,  
Robert Shaffer (and many neighbors)  
820 Mckenzie Ave

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On Jun 8, 2023, at 4:00 PM, Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good afternoon Robert,

Thank you for your email. I just wanted to take a moment to acknowledge that it has been received and read. Take care, I hope you have a great rest of your day!

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

**From:** Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>  
**Sent:** Thursday, June 8, 2023 7:44 AM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Cc:** Rodney Rauback <[Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us)>; Steven Forbragd <[Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us)>; Aaron Elton <[Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us)>; Mike Davis <[Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us)>; Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)>; Jennifer Hayes <[Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us)>; Kylie Finnell <[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)>; Brett Jette <[Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us)>; Mychael Raya <[Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us)>  
**Subject:** Porland, OR just banned daytime camping

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We can do it in Bremerton, too.

## Portland City Council bans daytime camping

- Updated: Jun. 07, 2023, 7:18 p.m. |
- Published: Jun. 07, 2023, 5:37 p.m.

By [Nicole Hayden | The Oregonian/OregonLive](#)

The Portland City Council voted 3 to 1 on Wednesday to [ban people from camping](#) on public land during daytime hours within the city and to prohibit camping at all times near schools and other specific locations. The ordinance, put forth by [Mayor Ted Wheeler](#), comes as the city is seeking to comply by July 1 with a state law that requires local governments to write “objectively reasonable” rules to allow people to sit, lie, sleep and keep warm and dry on public property in places like Portland that don’t have enough shelter beds to serve all unhoused individuals.

Under the ordinance, people considered involuntarily homeless will only be allowed to camp from 8 p.m. to 8 a.m. in certain areas and will be required to dismantle their campsites during the day. They will be restricted from pitching tents at any time near schools, day care centers, pedestrian plazas, shelter and construction sites, high-speed roads, parks, greenways and numerous other locations.

People who violate the rules more than two times — or more than twice build fires, obstruct private property or leave trash around campsites — could face fines of up to \$100 or up to 30 days in jail, according to the ordinance.

The new rules will go into effect in 30 days, but the city doesn’t plan to begin enforcement until mid-July. Mayor Ted Wheeler said the city will spend the next few months focused on reaching out to unhoused individuals to educate them about the new rules.

“These reasonable restrictions, coupled with our work on increasing shelter availability along with access to services, are a step in the right direction toward a revitalized Portland,” Wheeler said prior to voting in favor of the ordinance.

The City Council’s approval of the new rules comes a week after more than 100 people testified during a five-hour hearing on the ordinance, with most speakers urging the city to not move forward with what many described as inhumane regulations.

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On Jun 7, 2023, at 10:21 AM, Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good morning Robert,

Thank you for your email. I appreciate you taking the time to follow up on your prior communication with me regarding your ability to enjoy your house, property, and neighborhood due to disruptive behavior on MLK Way and Park Ave. Included in my reply are officials from the City of Bremerton Police and Legal Departments for their review and follow up. Please know that city staff and I take your concerns very seriously and we will do everything we can, within the law with the resources available, to maintain a safe and healthy environment for you and your neighbors to live in. Take care Robert, I hope you have a nice day.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

---

From: Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>  
Sent: Wednesday, June 7, 2023 8:14 AM  
To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
Subject: Re: Homeless camping at MLK and Park downtown

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, what are you doing to get rid of the homeless camp (now more than 20 tents) in downtown Bremerton?

It’s a public safety hazard for the surrounding neighborhoods.

Please help us.

Robert and Michele Shaffer, Mckenzie Ave  
Amanda and Aidan Clark, Mckenzie Ave  
Tyler and Maxine Larsen, 9th  
Cisco, Cogean Ave.

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On Apr 25, 2023, at 3:28 PM, Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good afternoon Robert,

Thank you so much for taking the time to inform us of your concerns regarding unacceptable behavior in your neighborhood. Please know that I totally understand where you are coming from, and I appreciate the thoughtful way you let us know this is happening. The fact that you mentioned some of these individuals appear to be emboldened is not lost on me, and I am including in my response officials from the City of Bremerton (COB) Police Department for their review and follow up, and the COB Legal Department for their information. Thank you again Robert for your email, I hope you and your family (and your neighbors) get to enjoy some of this recent sunny weather.

Sincerely,  
Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

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From: Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>  
Sent: Tuesday, April 25, 2023 3:14 PM  
To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
Cc: Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)>  
Subject: Homeless camping at MLK and Park downtown

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, Chief Wolfe-

First, let me thank you both for all you do for the city. Bremerton is a really great place to live, and it's because of the work you and others do.

My neighbors and I are concerned about the homeless camp starting to form at MLK and Park. It's acceptable to us when it's just people hanging out during the day, but when people start to camp, we see more homeless and mentally ill in the neighborhood, wandering into our yards and onto porches, mostly after dark (the Ring doorbells pick them up in the middle of the night).

We live on McKenzie, and last night, a man ripped up my neighbor's flowers and placed them (inside a fence) on another neighbor's porch, along with a steel pipe. Not violent, not the end of the world, but a bit unnerving- both have two-year-old children. Last week, I yelled at a guy in my backyard in the middle of the night- I think he was just looking for something to steal. Again, not necessarily dangerous, but certainly a quality of life issue.

We also notice when this group hits a critical mass- the dynamics change from a few generally friendly people hanging around to a group that thinks this is their property, and will stare me down when Michele and I are out for a walk. The families on our street with kids avoid the area. It makes the neighborhood much less friendly.

You've done a great job in the past taking action when it reaches the level where it becomes more than a nuisance- can we do that again?

Thanks again,  
Robert and Michele Shaffer, 820 Mckenzie Amanda and Aidan (he's 2) Clark, 809 Mckenzie Tyler and Maxine Larsen and Rowan (also age 2), 702 8th Ave.



**From:** Jo Walter [msjowalter@gmail.com](mailto:msjowalter@gmail.com)

**Sent:** Friday, July 14, 2023 11:01 PM

**To:** Thomas Knuckey [Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us)

**Cc:** Ned Lever [Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us); Dave Carter [Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us); City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)

**Subject:** Re: Public Comment - MLK Way (Jo Walter)

Thanks for this information. That's a lot of dump trucks being filled with loose trash! I believe the reason folks are buying cans and plastic bags is to have receptacles available to avoid loose trash laying about.

At various times there have been dumpsters in the area which seemed a good idea if it was regularly emptied. On one occasion we filled my pickup truck with just the overflow.

Would it be possible for a dumpster to return, with a regular schedule for emptying it?

I know there was talk about housed people abusing dumpster privileges. Even so, if having a dumpster in the neighborhood could help with the loose trash problem, dumping trash from visitors might be a price worth paying.

Sounds like a lot of resources are being used with workers picking up from the ground every day, and twice weekly heavy equipment runs. I'm hoping that maintaining a dumpster might require fewer worker hours, or at least no more than the work that is done now.

Hoping your weekend was a good one. Best regards,

Jo Walter  
360-551-6944

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**From:** Thomas Knuckey [Thomas.Knuckey@ci.bremerton.wa.us](mailto:Thomas.Knuckey@ci.bremerton.wa.us)

**Sent:** Friday, July 14, 2023 12:00 PM

**To:** [msjowalter@gmail.com](mailto:msjowalter@gmail.com)

**Cc:** Ned Lever [Ned.Lever@ci.bremerton.wa.us](mailto:Ned.Lever@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us); Dave Carter [Dave.Carter@ci.bremerton.wa.us](mailto:Dave.Carter@ci.bremerton.wa.us); City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)

**Subject:** RE: Public Comment - MLK Way (Jo Walter)

Good afternoon Ms. Walter – I thought I'd provide a little additional information regarding how Public Works is managing trash collection/dumping on ML King Way. The volume of trash has evolved over time, and so our response has likewise evolved. Currently we drive through the street every weekday and collect any loose trash we find. Twice each week we go to the site with heavy equipment to collect and dump. This week was pretty typical of our recent efforts - today we filled a 5-cubic yard dump truck, and earlier this week we filled two F550 trucks which combined have about the same (or maybe a little greater) capacity than a 5-cubic yard dump truck. We intend to continue adapting as necessary to address this issue until a better solution is in place.

Take care and I hope you have a very nice weekend.

**Tom Knuckey, P.E.**

Director of Public Works & Utilities

City of Bremerton

Desk (360) 473-2376/Cell (360) 710-0039

[thomas.knuckey@ci.bremerton.wa.us](mailto:thomas.knuckey@ci.bremerton.wa.us)

**From:** Jo Walter <[msjowalter@gmail.com](mailto:msjowalter@gmail.com)>  
**Sent:** Thursday, July 13, 2023 9:58 AM  
**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
**Subject:** MLK Way

Good morning,

Thank you for your work on the anti camping ordinance. I appreciated everyone's work at the study session last night, particularly the words of Eric Younger and Jennifer Chamberlin. You are grappling with such a complex and challenging issue, and thank you for sticking with it.

I didn't hear anyone following up on Eric's suggestion that we find an appropriate location for camping, making basic services available, and addressing transportation. If not sooner, I hope you will revisit that idea at the next study session.

And Jennifer's request to include Chief Wolfe in these discussions is right on. I hope you can bring him to the next study session to describe what is happening to address the criminal threats to both the housed and unhoused on MLK Way.

I'm sure you are following Kimmie's recent activity on MLK, documented on Facebook. She is fundraising for trash cans and plastic bags. I remember hearing at a council meeting that Public Works is collecting trash there every day, so where is the disconnect?

<https://m.facebook.com/groups/bremertonhomeless/permalink/1724689211318391/?ref=share&mibextid=DcJ9fc>

She is also dramatically collecting human waste, and disposing of it at a dump station. Obviously this highlights the need for installing a porta potty. And as this tent city is growing, one is not enough. I hope you will discuss this issue directly at an upcoming study session. At this point the city's liability concerns are just not a good enough reason to deny these folks the most basic sanitation needs. It is another issue that needs grappling with, and given that it has been in discussion for so long, I suggest that the toilets should be prioritized over the camping ordinance!

Also, Kimmie has posted that the man who brought the compelling testimony about his young daughter being sexually propositioned, is suspect himself. I know I was moved when he spoke, but I will investigate a bit more. I can't imagine him showing up only to lie, so I will learn more about Kimmie's suspicions.

Thank you,  
Jo Walter

**From:** [Greg Wheeler](#)  
**To:** [City Council](#); [spirosbremerton@gmail.com](mailto:spirosbremerton@gmail.com)  
**Cc:** [Tom Wolfe](#); [Kylie Finnell](#); [Steven Forbraqd](#); [Rodney Rauback](#); [Aaron Elton](#); [Mike Davis](#); [Brett Jette](#); [Jennifer Hayes](#); [Kelsie Donleycott](#)  
**Subject:** RE: Public Comment - Homeless Problem (Lesleigh Blackstock, Spiro's Pizza)  
**Date:** Monday, July 17, 2023 4:13:36 PM

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Good afternoon Lesleigh,

Thank you for your email. Please do not hesitate to call 911 the next time this happens and encourage your employees to do the same. We (the city) have made significant investments in eviction prevention, rental assistance, transitional and permanent supportive housing, shelters, addiction and mental health counseling and treatment, deeply affordable and low-income housing, food & supplies distribution, trash pickup, behavior health and housing navigator services, and many other programs. We are fully aware that there is a greater need for everything I just mentioned, and the work will continue to increase services. The city currently has a shelter, but there is no availability. I am currently working on a location for another shelter in Bremerton and met recently on site to discuss feasibility with the property/building owner. To learn more about all the work going on to address homelessness and/or initiatives and challenges that are directly or indirectly associated because of homelessness, please attend upcoming Wednesday City Council Meetings and Study Sessions, in person or zoom, as this topic receives a lot of attention. The Council will also be discussing a camping ordinance in upcoming meetings. You may not be aware, but the City of Bremerton (COB) does not have an enforceable camping ordinance as it stands today. The city's ordinance is outdated and out of compliance with state law. The city's only homeless shelter with capacity, The Salvation Army, closed on May 1<sup>st</sup> which exacerbated an already tenuous situation. As a side note, I would also like to provide you information regarding recent Washington State drug law changes and what has happened over the last few years. I feel it is important for you and others to know about this as every individual who lives, works, plays, or invests in Bremerton probably has a slightly different opinion on the impacts that drug addiction, drug laws, and drug enforcement have on this crisis. The State Legislature essentially legalized drugs (from an enforcement standpoint) approximately 2 years ago. Through recent legislation, drug use, to a certain extent, has now been recriminalized (beginning August 14th) although the punishment is less punitive than it was pre decriminalization. The legislature has indicated that with recriminalization of drugs there should be emphasis on deferrals or behavior courts as sentencing alternatives. How this will work remains to be seen. With all this being said, we (myself and officials from the COB Police Department (PD)) will do the best we can, within the law and resources available, to keep your neighborhood, business, employees, patrons and property safe. Included in my reply are officials from the COB PD and Legal Departments for their awareness. An important side note, the City Council will continue taking testimony during public comment at their July 19th meeting beginning at 5:30pm. It will be important for you to weigh in with your testimony as your experiences and observations should be heard.

Take care Lesleigh, I hope you enjoy the rest of your day. Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

**From:** customer was charged 4 times for the same order [spirosbremerton@gmail.com](mailto:spirosbremerton@gmail.com)  
**Sent:** Saturday, July 15, 2023 12:14 PM  
**To:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)  
**Subject:** Homeless Problem

Dear Councilwoman/man,

I am the manager at the Bremerton Spiros on Kitsap Way. We have been apart of this city since 2014, and we love our location and all of our customers. However, I would like to express my concern and frustration towards the homelessness situation that we have been experiencing. I came into the restaurant this morning and we had, and this is not the first time, a group of people camped out in our outdoor patio. I felt comfortable enough to walk out there and let them know that they cannot stay here and they were fine with packing up and leaving. But I do have younger employees that may not feel comfortable in this situation being able to do that. This time, they were not confrontational, but in a situation where someone may be under the influence of drugs or not mentally stable, I feel that it is not safe for my employees to have to deal with this. I don't know if you are working on trying to figure how to deal with all of this, but I feel like it is getting out of hand. For the safety of myself and all of my employees, I would like to know what will be done about all of this.

Lesleigh Blackstock

**From:** [City Council](#)  
**To:** [City Council](#)  
**Subject:** FW: Response to Citizen Concerns - Rota Vista Park (Jacob Bullon)  
**Date:** Wednesday, July 19, 2023 12:16:55 PM  
**Attachments:** [Outlook-hd0kmhys.png](#)

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Attn: Council Members

**\*\*For informational purposes only. Do not reply to this email\*\***

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**From:** Jeff Coughlin [Jeff.Coughlin@ci.bremerton.wa.us](mailto:Jeff.Coughlin@ci.bremerton.wa.us)  
**Sent:** Wednesday, July 19, 2023 12:04 AM  
**To:** jacob bullon [kingbocaj@yahoo.com](mailto:kingbocaj@yahoo.com)  
**Cc:** City Council [City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us); Greg Wheeler [Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us); Jeff Elevado [Jeff.Elevado@ci.bremerton.wa.us](mailto:Jeff.Elevado@ci.bremerton.wa.us); Tom Wolfe [Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us); Kylie Finnell [Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)  
**Subject:** Re: Citizen Concerns - Rota Vista Park (Jacob Bullon)

Hi Jacob,

Thanks for writing in about Rota Vista Park, and my apologies for my delay in responding to you. I also want to thank you for your exceptional level of volunteerism and dedication to maintaining the neighborhood and local parks.

I agree that Roto Vista Park has the potential to be a shining gem of a waterfront park in the city, similar to the many other excellently maintained Parks in our city. I've highlighted this in past Council reports.

I think you have several excellent questions regarding Parks maintenance that I am requesting Mayor Wheeler and Parks Director Elevado answer as part of this years' budget cycle, as Council has on it's 2023 Goals and Priorities to secure additional funding for Parks.

- How much would it cost (or is it possible to adjust current staffing) to perform more routine vegetation control in Roto Vista park, including maintenance of the trail, for visibility and safety?
- How much would it cost (or is it possible to adjust current staffing) to perform daily checks of Roto Vista park?
- How much would it cost to replace and maintain the stairs in Roto Vista park?
- How much would it cost to restore and maintain the horseshoe pits in Evergreen park?

I'm also CC-ing Police Chief Wolfe and City Attorney Kylie Finnell for awareness of the response you received in regards to the enforcement of camping in city parks. While Council is presently in the middle of updating the city-wide camping ordinance, my current understanding is that camping in parks is already prohibited and enforceable by other ordinances.

I will note that Gold Mountain golf course is a net source of revenue for the city, the profit from which goes into the Parks budget, but I understand the appearance and frustration.

In the long run, I am hopeful that as part of the Warren Bridge Multimodal Project that the city will be able to secure funding to establish a multimodal connector through Roto Vista and in the process complete numerous improvements in the park. However, in the short run I again agree that this park is in dire need of more regular upkeep and city presence. The more we could maintain it, the more it would be used by the neighborhood and others, with more volunteers working with the city to help maintain landscaping and safety.

Cheers,  
Jeff

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**Jeff Coughlin, PhD**  
**Councilmember, Dist. 3**  
**2023 Council President**

*This e-mail and further communication may be subject to public disclosure, if requested under the Washington Public Records Act (RCW 42.56).*

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**From:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
**Sent:** Wednesday, July 12, 2023 12:24 AM  
**To:** Jeff Coughlin <[Jeff.Coughlin@ci.bremerton.wa.us](mailto:Jeff.Coughlin@ci.bremerton.wa.us)>  
**Subject:** RE: Citizen Concerns - Rota Vista Park (Jacob Bullon)

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**From:** jacob bullon <[kingbocaj@yahoo.com](mailto:kingbocaj@yahoo.com)>  
**Sent:** Monday, July 10, 2023 4:15 PM  
**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
**Subject:** Jeff Coughlin

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello - I wanted to send this email to share not only my disappointment but also of some of my neighbors. For years Rota Vista has been a known problem area and yet even with Citizens willing to chip in to help we haven't seen any respectful level of help back from the City. Instead just excuses- really the main thing that park would need is for park workers to actually stop by daily for a 15 minute Audit. I've suggested this in the past and again just Recently when I was told that Due to Safety it's required that two park workers go together and this is hard to arrange. Public safety in the parks should be number one. This response is a blow off. There are workers in Evergreen every day and a 15 minute stop by Vista to notify and work together with BPD is not a lot to ask. It would also make it easier to maintain. It's current shape is disgusting and I suggest ea of you stop by unannounced and imagine that your taking your family to visit and check out what should be a decent



pocket park.

I would like to see a list of days visited and time spent at the parks- but I'm sure they don't keep these records otherwise we would be able to show the lack of response and that there is no transparency. How often is Bachman park - whitey Domstead visited in comparison. Maybe gold mountain shouldn't be owned by the City if any of our parks look like this.

Also to have to ask every year to have the trail area cut down - this needs to be just part of up keep. It's was originally cut back as I was told by being Requested by BPD for visibility and safety and ea year we shouldn't have to ask to have this done since it has actually become more unsafe dud to neglect.

Also the island in upper vista should be removed ( picture attached ) or dropped to ground level. And other bushes and trees opened for line of sight. All in all disappointed by the Parks performance. From unable-unwilling to maintain lights - to hand rails and stairs rotting away.

Horse shoe pits that are more of a safety issue from neglect. On and on.











**PET WASTE**  
TRANSMITS DISEASE  
LEASH AND CLEAN  
UP AFTER  
YOUR PET



**PLEASE KEEP  
THIS AREA  
CLEAN**

NO WAR



Good afternoon, sir:

Thank you for contacting the City regarding your concerns at Roto Vista Park. Regarding the marijuana plants, I requested an officer to check for the MJ debris, and the tent. I have also asked Patrol sergeants to keep this park on their radar for patrols.

The officer will ask the camper in the red/white tent to move along. If the camper is using the tent as housing, we are unable to force them to leave due to legislative restrictions. However, I have messaged the Parks Manager to check for signage at the top. If there is a sign indicating the park hours (sunrise to sunset), we can notify them that they are violating the ordinance regarding hours. They can be removed at that point.

If you witness illegal activity at the park, please don't hesitate to call 9-1-1. You may also report it as an anonymous report.

If you have any questions, feel free to contact me.

Sincerely,





**From:** Mary Lou Long <[maryloulong2515@gmail.com](mailto:maryloulong2515@gmail.com)>  
**Sent:** Thursday, July 20, 2023 12:03 PM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Subject:**

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

**From:** **Mary Lou Long** <[maryloulong2515@gmail.com](mailto:maryloulong2515@gmail.com)>  
**Date:** Thu, Jul 13, 2023, 11:18 AM  
**Subject:**  
**To:** <[maryloulong2515@gmail.com](mailto:maryloulong2515@gmail.com)>

The ninth circuit Court is not the last word in law. Is this case going to the Supreme Court? If so, we can wait till it is settled. Why the big rush to change our rules for camping on city property? In the mean time to resolve the dangerous activity of those living in city limits on public land causing nuisances and health issues we need to use these tools to remove dangerous people from our neighborhoods. Drug usage will not be tolerated on city property. Go to jail directly. Anyone creating health hazards of human waste on public thoroughfares will be sent to jail. Anyone selling drugs on the streets will be sent to jail. Any children in a tented community where there are drugs being used will be removed from their parents control and placed in foster homes. If people don't want to find themselves going to jail or losing the children will be finding ways to get off the streets and drugs. All social services and charitable groups need to unit their efforts to help those who really want to get help to get out of their situation.

We property owners pay property taxes the campers pay nothing.



From: jane Rebelowski <janerebelowski@yahoo.com>

Sent: Tuesday, July 25, 2023 8:07 PM

To: City Council <City.Council@ci.bremerton.wa.us>

Subject: repeal "unauthorized camping" ordinance. Distribute to ALL Councilors

The proposed Unauthorized Camping ordinance is lacking in compassion. As we all know there is no existing shelter space to house those currently living on the streets of Bremerton. Pretending to care by shuffling them off to Port Orchard is not a solution.

The City of Bremerton's Audit Committee has identified over 30 surplus properties. Please consider allowing houseless residents to live in an authorized camp on surplus property until real shelter space or permanent affordable housing is available.

Please implore staff to use the \$10,000 Council authorized for portable toilets.

Jane Rebelowski

1445 17th St

98337

Sent from my iPhone

**From:** [Kitsap ERACE Coalition](#)  
**To:** [Greg Wheeler](#); [City Council](#); [Kitsap ERACE Coalition](#)  
**Cc:** [Nelson, David](#)  
**Subject:** We stand against any anti-camping legislation. We stand with our unhoused neighbors.  
**Date:** Wednesday, July 26, 2023 4:24:04 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council and Mayor,

Kitsap ERACE (Equity, Race, And Community Engagement) Coalition acknowledges the work that the Bremerton City Council members are doing on behalf of our unhoused neighbors to provide spaces for camping and parking that are free from harassment and constant disruption.

In advance of your next study session, we would like to reiterate the points made by members of the Kitsap ERACE Coalition Housing Systems Team at the last Bremerton City Council meeting.

The Housing Systems Team has clarified our stand on the anti-camping ordinance under consideration by the council. Our stand is as follows:

- We stand against any anti-camping legislation due to the negative impact on our unhoused neighbors.
- We support providing an area for camping to our unhoused neighbors, with access to clean water and sanitation, to include restroom facilities and showers.
- We are in favor of the City of Bremerton increasing funding for housing and shelter services for our unhoused neighbors.
- We are in favor of an immediate increase in the number of shelter beds in Bremerton.
- We are opposed to any fines and fees that might be levied against unhoused people for being in public spaces.
- We are opposed to “sweeps” of homeless camps that lead to the total loss of our neighbors’ belongings.

We are encouraged to hear that the City of Bremerton is working with the Salvation Army to ensure they can open a severe weather shelter to keep unhoused community members safe and warm during inclement weather.

The City of Seattle is providing sanitation facilities to Seattle community members living on the streets, and we encourage the City of Bremerton to be the first city in Kitsap County to provide such sanitation facilities for unhoused community members.

As housing costs have skyrocketed and wages stagnated the population of unhoused community members in Kitsap has grown and may continue to grow. All community members have the right to be treated with dignity, to be securely sheltered, and to have their belongings protected from confiscation. All community members have the right to sanitation facilities, housing services, and other needed services. We encourage the City of Bremerton to ensure that all its community members’ rights to housing and services are fulfilled and protected.

Respectfully,

Kitsap ERACE Coalition  
[KitsapERACEcoalition@gmail.com](mailto:KitsapERACEcoalition@gmail.com)  
@KitsapERACEcoalition

cc: Kitsap Sun Editor, David Nelson

--

**Kitsap Equity, Race, And Community Engagement Coalition** is part of a local legacy of people-powered change, of years of Black, Indigenous, People Of Color (BIPOC), and allies engaging neighbors in the *hard* work, the *heart* work, the *collective* work of building beloved community. Kitsap ERACE Coalition is a coming together of groups and individuals boosting interconnected race equity work. Rooted in relationships, collaboration, and commitment to racial justice, Kitsap ERACE Coalition tenaciously organizes for thriving community and for profound, accountable, and liberatory institutional change. Let us know if you'd like to check out an upcoming Kitsap ERACE Coalition meeting by emailing [KitsapERACEcoalition@gmail.com](mailto:KitsapERACEcoalition@gmail.com). Follow Kitsap ERACE Coalition on [Facebook](#) and on [Instagram](#) to stay tuned to actions, collaborations, and more in which the Coalition is involved.

#KitsapERACEcoalition

#KitsapEquityRaceAndCommunityEngagementCoalition

**Published for  
July 12, 2023  
Study Session**

**B5 – Public Comments**

**From:** [Eric Kneebone](#)  
**To:** [City Council](#)  
**Cc:** [Greg Wheeler](#)  
**Subject:** Camping ordinance  
**Date:** Thursday, July 6, 2023 5:00:17 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Esteemed City Council Members:

After hearing the city attorneys presentation last night and the public comments, many of which focused on the clear danger associated with the MLK way homeless encampment, as a resident of MLK Way I support the following in regards the camping ordinance issue:

1. Amending the current ordinance to meet constitutionality.
2. Restrict camping to 10pm to 6 am in the downtown area and surrounding neighborhoods - perhaps the entire proposed creative district. Tents must be taken down daily and people must be mobile.
3. Sleeping/living in a vehicle is permissible provided the vehicle is in an operable condition, and is properly licensed, insured, and registered. Vehicles must move every 14 days maximum to a new location 2 miles or more away from the previous location.
4. Tents, vehicles and property may not obstruct any street, sidewalk, right of way, fire lane or fire hydrant at any time.
5. Designate an authorized camping area for long term needs outside of the downtown area and provide restrooms.
6. No open fires at any campsite.
7. Suspend enforcement of ordinance in extreme cold weather with no shelters available.

I heard a lot of impassioned pleas from the folks with nonprofit outreach groups that seemed to oppose any action. They ask for repeal without any alternative. I feel they are thinking of their personal convenience for their personal missions. This does not seem to be a course of action that will result in positive results.

The MLK way encampment must go and not be allowed to return. It simply has concentrated the crime and prostitution in a convenient location for patronage. Clear it and set up ecoblocks along the parking to prevent tents and rvs from being driven onto the sidewalks. Do not allow a recolonization of the area by street people.

I heard many comments by residents asking for relief from this blight on our community. Businesses that are closing because of the behavior of the street people. Folks being threatened. Parking being unavailable due to the encampment vehicles and vandalism. This is untenable. I have heard gunshots from this camp. I've heard explosions well outside of the usual 4th of July chaos. I have witnessed street people attempting to gain access to houses and vehicles. What happens when the unthinkable occurs?

Sometimes you can't cure a disease, but you can treat the symptoms. Please amend the ordinance so MLK way and the surrounding neighborhood and the city of Bremerton can be made safe.

Eric Kneebone



**From:** amanda reynolds <strongamanda@hotmail.com>  
**Sent:** Monday, July 10, 2023 9:43 PM  
**To:** City Council <City.Council@ci.bremerton.wa.us>  
**Subject:** Unauthorized Camping Amendment opinion

Hello,

My name is Amanda and I live in Downtown Bremerton. I'm just adding my thoughts on the proposal to amend BMC Chapter 9.32 entitled "Unauthorized Camping."

I'm proud of the work Bremerton is doing to help the homeless population; from mental health support to housing opportunities.

I don't believe that the people in tents on MLK comprise the majority of homeless who want the support Bremerton has to offer. This is based on my conversations with law enforcement and the Salvation Army.

For 30 years I have watched Downtown Bremerton claw it's way back from being a place you wouldn't be caught in after dark to becoming a creative and fun place to spend time in. I volunteer downtown a few days every week and i've noticed over the past year the tone has become more sinister; with the smell of human waste, used needles and people in crisis on full display.

There are so many citizens from all walks of life that are actively working to make Bremerton succeed, are they not as important as those who are indifferent or don't care if they destroy it? Bremerton already supports its homeless population, the people who live in tents on MLK and refuse assistance should not be encouraged to remain there. I oppose a portable restroom being installed there as it will only encourage the situation to be permanent. The Salvation Army already offers hygiene and restroom facilities for use.

My family will be moving in the next year if the situation stays the same. We have seen the writing on the wall with Seattle and Portland. There has literally been nothing positive about allowing tent cities to exist.

Thank you for letting me add my opinion.

Sincerely,  
Amanda

**From:** [Mike Fairchild](#)  
**To:** [City Council](#)  
**Subject:** Housing and the lack of help  
**Date:** Monday, July 10, 2023 1:41:29 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Charles Fairchild and I am a resident of Kitsap county and have been for over 30 years. I am not a drug addict I am not an alcoholic and I am not being heard by the city council. I am currently homeless because I became disabled and I have been on lists for over 6 years now waiting for housing. I was in the hospital fighting for my life when they sent an email to me wanting me to fill out papers so I could get affordable housing. I was not able to leave the hospital to get the papers turned in as I was not healthy enough to leave the hospital. Bremerton housing then gave away the apartment I had been waiting for for over 5 years at that time. I was told I would be the next person housed which also was changed for some reason to now I am the second in line to be housed. I fortunately do not reside on Martin Luther King Road like many of my fellow homeless friends are forced to do. I am blessed enough to have a better hiding place and so I don't go through alot of the harassment they go through. You and city hall are supposed to be listening to the voices of the people and carrying out the needs of the people. I don't feel like people are hearing all the voices that are screaming for help. Please do not choke out my voice by limiting the public from commenting on the topics of housing and how wrong it is to criminalize being homeless. Putting us in jail and causing more issues for already traumatized people is far more expensive than creating housing. It is more humane to help the people. I also have no criminal record and don't feel I should have one because I became disabled and then could not afford my home any more. Thank you for your time.

Charles Fairchild

**From:** [Neal Foley](#)  
**To:** [City Council](#)  
**Cc:** [Greg Wheeler](#)  
**Subject:** ML King Way/Camping  
**Date:** Tuesday, July 11, 2023 11:09:45 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bremerton City Council,

Feedback from the people on ML King Way is that it is very hard to leave their tent area for anytime at all as their things disappear. Hard to work, obtain services, go to the bathroom, or basically do anything to improve their current condition when they cannot leave. Crime follows and preys on the weak and impoverished. These people are citizens of Bremerton and victims of continual crime. Why is there no security here? Prosecute the criminals and provide a safe place for those who find themselves here!

I still see feces on the ground in a few spots and still no place for those on ML King Way to use a bathroom? I am surprised there is not more human waste. Try an experiment yourself and see how long you can hold it.

Tents can be killers. Both rain/cold and high temperatures can kill. Some people do not have or do not have the ability to set up a satisfactory dry tent. A gentleman died 6/18/2023 on ML King Way primarily of Hypothermia. He was not breathing and had no heartbeat when found. After CPR they obtained a heartbeat but he never regained consciousness but officially “lived” until 2:30PM on 6/19/2023. It had been raining for 2 days, his tent was set up over another tent that was already collapsed and wet. The entry on the top tent had several rips and there was no rain cover. Summertime right? His body was 77 degrees when they picked him up off of ML King Way. His tents and belongings were wet clear through and VERY heavy. A bag of his wet clothes were returned at the hospital after his death. Just another drug related death? Not so fast. There was absolutely no evidence of drug use in any of his personal things, zero. Word on the street from several that knew him close was he was not using. Mentally Ill yes. He had no where else to live after the shelter closed. His family did not know his whereabouts after the shelter closed until after his death.

Bremerton needs a shelter ASAP. This is how we keep these folks alive to be able to help them the best ways we can. They need a secure safe place. Let’s get The Salvation Army shelter open or something equivalent ASAP!

Related -

A federal judge just found Washington state in contempt and ordered it to pay more than \$100 million in fines for failing to provide timely psychiatric services to mentally ill people who are forced to wait in jails for weeks or months. In the recent Washington State DSHS ordered to pay 100 million.

In the article .....

Christopher Carney, representing Disability Rights Washington, said prosecuting vulnerable people accomplishes little. Instead, the funds should be spent on supportive housing with staffing and medication.

“We just keep throwing away resources and causing harm trying the wrong solutions,” Carney said in a release. “If what we want is to save lives and improve public safety, we know arrest and competency services are not the way to get there. Our clients need homes and help, not

more punishment.”

One last thing on a personal note. I notice an air of contempt that permeates many individuals views concerning these people who have found themselves on ML King Way. It is easy to look from afar and throw stones based on misconceived personal biases. I would recommend that anyone involved in making decisions concerning this population go and meet them. Take a walk with the prayer walk group or other organizations who are actively helping these people. Learn their names, hear their stories and understand their conditions and needs. THEN make informed decisions.

Thank you,

Neal Foley

**From:** [Robert Shaffer](#)  
**To:** [Greg Wheeler](#); [City Council](#)  
**Cc:** [Rodney Rauback](#); [Steven Forbraqg](#); [Aaron Elton](#); [Mike Davis](#); [Jennifer Hayes](#); [Kylie Finnell](#); [Brett Jette](#); [Mychael Raya](#)  
**Subject:** MLK homeless tents blocking the sidewalk- please have them removed  
**Date:** Monday, July 10, 2023 2:20:11 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, members of the Council-

Homeless tent campers are blocking sidewalks downtown on MLK. This is illegal and a violation of the Americans with Disabilities Act. Please have them removed.

Recently, Portland, Oregon agreed to move tents after handicapped Portlanders sued because they had no ability to use the city's sidewalks. I don't want the city of Bremerton to be sued, but if that's what it takes for the city to comply with the law (and remove this illegal tent camp), so be it.

Here's the story:



Portland, Oregon, to clear sidewalk tents to settle suit with people with disabilities  
apnews.com

I'm deeply frustrated the city can solve these problems. It's your jobs.

Regards,  
Robert Shaffer (and many neighbors)  
820 Mckenzie Ave

On Jun 8, 2023, at 4:00 PM, Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good afternoon Robert,

Thank you for your email. I just wanted to take a moment to acknowledge that it has

been received and read. Take care, I hope you have a great rest of your day!

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

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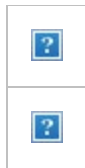
**From:** Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>  
**Sent:** Thursday, June 8, 2023 7:44 AM  
**To:** Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>  
**Cc:** Rodney Rauback <[Rodney.Rauback@ci.bremerton.wa.us](mailto:Rodney.Rauback@ci.bremerton.wa.us)>; Steven Forbragd <[Steven.Forbragd@ci.bremerton.wa.us](mailto:Steven.Forbragd@ci.bremerton.wa.us)>; Aaron Elton <[Aaron.Elton@ci.bremerton.wa.us](mailto:Aaron.Elton@ci.bremerton.wa.us)>; Mike Davis <[Mike.Davis@ci.bremerton.wa.us](mailto:Mike.Davis@ci.bremerton.wa.us)>; Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)>; Jennifer Hayes <[Jennifer.Hayes@ci.bremerton.wa.us](mailto:Jennifer.Hayes@ci.bremerton.wa.us)>; Kylie Finnell <[Kylie.Finnell@ci.bremerton.wa.us](mailto:Kylie.Finnell@ci.bremerton.wa.us)>; Brett Jette <[Brett.Jette@ci.bremerton.wa.us](mailto:Brett.Jette@ci.bremerton.wa.us)>; Mychael Raya <[Mychael.Raya@ci.bremerton.wa.us](mailto:Mychael.Raya@ci.bremerton.wa.us)>  
**Subject:** Portland, OR just banned daytime camping

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We can do it in Bremerton, too.

## Portland City Council bans daytime camping

- Updated: Jun. 07, 2023, 7:18 p.m. |
- Published: Jun. 07, 2023, 5:37 p.m.



134  
shares

By

- [Nicole Hayden | The Oregonian/OregonLive](#)

The Portland City Council voted 3 to 1 on Wednesday to [ban people from camping](#) on public land during daytime hours within the city and to prohibit



camping at all times near schools and other specific locations.

The ordinance, put forth by [Mayor Ted Wheeler](#), comes as the city is seeking to comply by July 1 with a state law that requires local governments to write “objectively reasonable” rules to allow people to sit, lie, sleep and keep warm and dry on public property in places like Portland that don’t have enough shelter beds to serve all unhoused individuals.

Under the ordinance, people considered involuntarily homeless will only be allowed to camp from 8 p.m. to 8 a.m. in certain areas and will be required to dismantle their campsites during the day. They will be restricted from pitching tents at any time near schools, day care centers, pedestrian plazas, shelter and construction sites, high-speed roads, parks, greenways and numerous other locations.

People who violate the rules more than two times — or more than twice build fires, obstruct private property or leave trash around campsites— could face fines of up to \$100 or up to 30 days in jail, according to the ordinance.

The new rules will go into effect in 30 days, but the city doesn’t plan to begin enforcement until mid-July. Mayor Ted Wheeler said the city will spend the next few months focused on reaching out to unhoused individuals to educate them about the new rules.

“These reasonable restrictions, coupled with our work on increasing shelter availability along with access to services, are a step in the right direction toward a revitalized Portland,” Wheeler said prior to voting in favor of the ordinance.

The City Council’s approval of the new rules comes a week after more than 100 people testified during a five-hour hearing on the ordinance, with most speakers urging the city to not move forward with what many described as inhumane regulations.

On Jun 7, 2023, at 10:21 AM, Greg Wheeler  
<[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good morning Robert,

Thank you for your email. I appreciate you taking the time to follow up on your prior communication with me regarding your ability to enjoy your house, property, and neighborhood due to disruptive behavior on MLK Way and Park Ave. Included in my reply are officials from the City of Bremerton Police and Legal Departments for their review and follow up. Please know that city staff and I take your concerns very seriously and we will do everything we can, within the law with the resources available, to maintain a safe and healthy environment for you and your neighbors to live in. Take care Robert, I hope you have a nice day.

Sincerely,

Greg Wheeler  
Mayor  
City of Bremerton  
(360) 473-5266

-----Original Message-----

From: Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>

Sent: Wednesday, June 7, 2023 8:14 AM

To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)>

Subject: Re: Homeless camping at MLK and Park downtown

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, what are you doing to get rid of the homeless camp (now more than 20 tents) in downtown Bremerton?

It's a public safety hazard for the surrounding neighborhoods.

Please help us.

Robert and Michele Shaffer, Mckenzie Ave

Amanda and Aidan Clark, Mckenzie Ave

Tyler and Maxine Larsen, 9th

Cisco, Cogean Ave.

On Apr 25, 2023, at 3:28 PM, Greg Wheeler  
<[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> wrote:

Good afternoon Robert,

Thank you so much for taking the time to inform us of your concerns regarding unacceptable behavior in your neighborhood. Please know that I totally understand where you are coming from, and I appreciate the thoughtful way you let us know this is happening. The fact that you mentioned some of these individuals appear to be emboldened is not lost on me, and I am including in my response officials from the City of Bremerton (COB) Police Department for their review and follow up, and the COB Legal Department for their information. Thank you again Robert for your email, I hope you and your family (and your neighbors) get to enjoy some of this recent sunny weather.

Sincerely,

Greg Wheeler

Mayor

City of Bremerton

(360) 473-5266

-----Original Message-----

From: Robert Shaffer <[robertjshaffer@yahoo.com](mailto:robertjshaffer@yahoo.com)>

Sent: Tuesday, April 25, 2023 3:14 PM

To: Greg Wheeler <[Greg.Wheeler@ci.bremerton.wa.us](mailto:Greg.Wheeler@ci.bremerton.wa.us)> Cc: Tom Wolfe <[Tom.Wolfe@ci.bremerton.wa.us](mailto:Tom.Wolfe@ci.bremerton.wa.us)> Subject: Homeless camping at MLK and Park downtown

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Wheeler, Chief Wolfe-

First, let me thank you both for all you do for the city. Bremerton is a really great place to live, and it's because of the work you and others do.

My neighbors and I are concerned about the homeless camp starting to form at MLK and Park. It's acceptable to us when it's just people hanging out during the day, but when people start to camp, we see more homeless and mentally ill in the neighborhood, wandering into our yards and onto porches, mostly after dark (the Ring doorbells pick them up in the middle of the night).

We live on McKenzie, and last night, a man ripped up my neighbor's flowers and placed them (Inside a fence) on another neighbor's porch, along with a steel pipe. Not violent, not the end of the world, but a bit unnerving- both have two-year-old children. Last week, I yelled at a guy in my backyard in the middle of the night- I think he was just looking for something to steal. Again, not necessarily dangerous, but certainly a quality of life issue.

We also notice when this group hits a critical mass- the dynamics change from a few generally friendly people hanging around to a group that thinks this is their property, and will stare me down when Michele and I are out for a walk. The families on our street with kids avoid the area. It makes the neighborhood much less friendly.

You've done a great job in the past taking action when it reaches the level where it becomes more than a nuisance-can we do that again?

Thanks again,

Robert and Michele Shaffer, 820 Mckenzie Amanda and Aidan (he's 2) Clark, 809 Mckenzie Tyler and Maxine Larsen and Rowan (also age 2), 702 8th Ave.

**From:** [City Council](#)  
**To:** [City Council](#)  
**Cc:** [Greg Wheeler](#); [Kylie Finnell](#)  
**Subject:** FW: July 12 - Item B5 Public Comment (Justin Gurley)  
**Date:** Wednesday, July 12, 2023 3:17:44 PM  
**Attachments:** [IKE6WDK1U.wav](#)

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Attn: Council Members (FYI)

\*\*For informational purposes only. Do not reply to this email\*\*

The attached message received today from Tristan Gurley (District 3 Resident) included comments for Item B5 "Ordinance to amend BMC Chapter 9.32 entitled "Unauthorized Camping".

-----Original Message-----

From: Mitel Voice Mail <[shoretel@ci.bremerton.wa.us](mailto:shoretel@ci.bremerton.wa.us)>  
Sent: Wednesday, July 12, 2023 2:37 PM  
To: Lori Smith <[Lori.Smith@ci.bremerton.wa.us](mailto:Lori.Smith@ci.bremerton.wa.us)>  
Subject: Mitel voice message from +13606495943 for mailbox 5280

You have received a voice mail message from +13606495943 for mailbox 5280.  
Message length is 00:03:39. Message size is 1713 KB.

**Published for  
July 5, 2023  
Council Meeting**

**6B – Public Comments**

**From:** [Bonnie Thane](#)  
**To:** [City Council](#)  
**Subject:** Anti-Camping Bans...  
**Date:** Thursday, June 29, 2023 12:50:17 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council,

A 2018 decision from the Ninth Circuit Court of Appeals (*Martin v. Boise*) found it unconstitutional for cities to enforce anti-camping ordinances if they do not have shelter beds for all unhoused individuals. We know that there are currently not enough shelter beds in Bremerton to meet the needs of all unhoused and housing insecure individuals and families.

This lifelong Bremerton resident is against anti camping bans that would affect our most vulnerable. Please brainstorm solutions that are proven to actually help end homelessness in a humane way, such as affordable housing, public restrooms, a homeless shelter, etc.

Respectfully,

Bonnie Thane



**From:** [Caroline Evergreen](#)  
**To:** [City Council](#)  
**Subject:** Anti-Camping Ordinance  
**Date:** Monday, July 3, 2023 2:28:40 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council,

As a citizen who moved to Bremerton last year, I have been keeping an eye on local community events and issues in my new hometown. I saw the most recent article in the Kitsap Sun about the anti-camping ordinance and I felt it was my responsibility as a conscientious citizen to let you know where I (and many of your constituents) stand. Obviously, homelessness is not a new problem in our community or many others across the country. The struggles the homeless citizens in our community face are numerous and while it is not possible for the city council alone to change or end homelessness- I do believe the work you do can and does have a profound impact on the lives of our homeless and housed residents here in Bremerton. While I am not a business owner, I am an educator with several degrees and many years of experience in community outreach so I recognize the difficult position that the council is currently in with trying to balance community and economic safety for business owners, alongside compassion and empathy for the unhoused citizens of Bremerton. I do not believe that those two goals have to be mutually exclusive.

I wanted to reach out and state that I support a full repeal of the existing anti-camping ordinance - however, I would support investment into measures like public restrooms, a designated camping zone, and further community outreach to address the struggles of our homeless population. While I completely understand the desire to help our community look and feel safe, I think anti-camping ordinances are often just bandaid solutions that fix the "look" of a problem, rather than creating long lasting change. Many major cities including our neighbors in Tacoma and Seattle have seen how little anti-camping ordinances do to help our homeless citizens - in fact, these ordinances routinely make it much MUCH harder for social workers and community aid organizers to find homeless citizens and help them get off of the streets and into housing and receive medical care and other much needed services. When an anti-camping ordinance is enacted, it is often followed by an increased amount of death and crime in the area (from homeless citizens being forcibly removed and ending up in worse areas or with fewer resources, among other things).

I would like to implore you to connect with existing community groups and aid networks like the Bremerton Homeless Community Coalition, the WA Physicians for Social Responsibility, and engage the community itself to look for immediate solutions to this problem that do not involve criminalizing a terrible and unfortunate time in people's lives.

I respectfully thank you for your consideration,

Caroline Askew

**From:** [Chris Berg](#)  
**To:** [City Council](#)  
**Subject:** Proposed Camping Ban on MLK Way  
**Date:** Monday, July 3, 2023 6:30:58 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I was recently informed by a neighbor that there is a camping ban (either for the whole city, or MLK Way, I am unclear on that point) to be discussed at your upcoming meeting on July 5th. I will not be able to attend said meeting, but would like to offer my thoughts as a long time resident.

First off, I have no issue with homeless folks in general, as there are a large number who genuinely fell on hard times and just need a hand. HOWEVER, a quick walk down my street (I live at the South Court Apartments at 834 MLK Way) will show you that these are NOT those type of individuals. They are openly smoking methamphetamine and other drugs, conducting drug transactions and engaging in prostitution openly and in broad daylight. This occurs in front of homes where children play. I have even come home to find one of them highly intoxicated in the stairwell my building after urinating and defecating in said stairwell. This is in addition to the constant screaming, yelling, and fighting at all hours of the night. There was once last summer when I almost tripped over a gentleman lounging on the front stoop, and when I informed him rather politely "I'm sorry man, but you can't hang out here" he became agitated and attempted to aggressively follow me to my girlfriends car until I showed him that I had a knife and was willing to defend myself if he elected to push the issue any further. There are many elderly folks and single women in my building and the surrounding neighborhood, and if these "campers" will become violent and aggressive with an armed 250lb man, I shudder to think at what might happen to my neighbor who is in his 80's, or the 90lb college girl in the next building if they catch one of these people in the middle of an episode or in need of drug money.

I pay a good amount of money for rent (probably more than I should in this part of town TBH, but that's a different issue), not to mention taxes, as do my neighbors, and I feel that we all deserve to be able to take the trash out or go check the mail without wondering if we're going to get into a violent altercation w/ a drug addict.

Lastly, I know there will most likely be several community groups that are against this measure, and while I absolutely believe that their hearts are in the right place and they want to help, I would urge them to walk the block a few times over the course of a normal day, NOT while working with their organization and handing out food and such, but "undercover" as it were, and then ask themselves if they would want this campground next to THEIR house...or their mother's house? If the answer is "no", then why should my neighbors and I have to put up with it; and if the answer is "yes", then feel free to move them in.

Thank you for your time.

Sincerely,

Christopher A. Berg

**From:** [Havalah Noble](#)  
**To:** [City Council](#)  
**Subject:** No Camping Ordinance  
**Date:** Thursday, June 29, 2023 12:26:13 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

Please do not introduce penalties for the unhoused community for simply trying to live by creating laws that prohibit camping. Instead, create a shelter and support ways affordable housing, especially with pets can be attained.

Thank you,

Havalah Noble

**From:** [Jacob Nau](#)  
**To:** [City Council](#)  
**Cc:** [kim siebens](#)  
**Subject:** Regarding Camping Ban  
**Date:** Sunday, July 2, 2023 2:54:13 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello esteemed Bremerton City Council folk

My name's Jake Nau. I am a homeless Outreach worker with Comprehensive Life Resources in Tacoma Washington. I'm writing to share with you what an embarrassing hindrance Tacoma's recently passed camping ban has been to my work and the general existence of people experiencing homelessness in Tacoma.

The job of homeless outreach is basically three fold, 1) we keep folks experiencing homelessness from dying, we find them and make sure they have enough food, water, clothing and medical supplies to stay alive another day 2) we get to know people experiencing homelessness, we learn their names and stories, build rapport and relationships built on trust 3) we accompany them toward hope, reconnect them to solutions; we use that trusting relationship we've built to help them accomplish their goals, which usually include employment, MH and SUD services and housing.

# 3 rarely happens without # 2. #2 has become ridiculously hard, far more difficult since our city started sweeping folks all over the city, which has led to #1, homeless folks dying.

It's actually that simple. I could give example after example after example but I won't because I'm really tired because my city has made my job way more difficult and the life's of their homeless citizens way more dangerous.

Please choose differently.

Jake Nau

**From:** [Jennifer Adams](#)  
**To:** [City Council](#)  
**Subject:** Homelessness  
**Date:** Thursday, June 29, 2023 4:52:05 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please decriminalize homelessness. Stop making it harder on these individuals and come up with some helpful solutions. My daughter and I were homeless back in 2017/2018. It's very difficult and humiliating. Where do you expect people to go? Times are hard around here.

I have a good job now and can still barely afford to live. Rent prices are literally insane for the average person. Solutions! Not more problems! Please help.

Jennifer Adams

**From:** [Jolinda Eckard](#)  
**To:** [City Council](#)  
**Subject:** camping ban  
**Date:** Thursday, June 29, 2023 12:48:07 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On top of everything else like high housing costs, making illegal drugs ok now you want to put a ban on camps for those who can not afford the ridiculous amount of rent this county charges. We have working families who can not afford housing and I am one of them who is in that category due to counties greed!!! Mayor wheeler I met you about 3 years ago and you told me at that you were working on “affordable housing” and the high cost of rent. And that was a lie. All I have seen since that time is more housing going up all over making our once beautiful city look a mini Seattle!!! I hope none of you on this council and Mayor wheeler ever have to face homelessness because of this city and counties greed. How about focusing on some real issues and not trying to make us Seattle!! Shame on you mayor wheeler!!!!

Sent from my iPhone



**From:** [Guyt, Juliana](#)  
**To:** [City Council](#)  
**Subject:** Anti-camping  
**Date:** Friday, June 30, 2023 9:05:57 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I was recently made aware that there is an effort to ban camping in Bremerton in an attempt to hide or displace homeless folks. What is the proposed solution if this action is taken? Where are these individuals supposed to go if they cannot camp?

I hope to hear back about the solutions being pursued.

Best,  
Juliana

**From:** [Kelsey Stedman](#)  
**To:** [City Council](#)  
**Subject:** Opposition to new anti-camping ordinance  
**Date:** Monday, July 3, 2023 9:06:28 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council,

I am writing to oppose amendments to the current ordinance to make it align with the Martin ruling but continue to penalize people who have no other options. Only allowing camping at night would lead to loss of belongings and lack of safety. As a nurse who has worked with many of the folks downtown, I know they look out for each other, sleep during the day or in shifts for safety, and many of them have chronic physical health issues that limit their ability to walk more than a short distance. There are no shelter beds available and some even qualify for long term care facilities due to their disabilities but nowhere will accept them due to their homelessness and/or histories. As the weather warms, and we head into wildfire season, forcing people to move and pack around all their personal belongings is unhealthy and unsafe for these community members.

Any changes to the ordinance would be more punitive than the current options because the current ordinance cannot be enforced.

I am supportive of finding options for port-o-potties, access to sharps containers and clean syringes, and naloxone. Until there are additional shelter options, it is inhumane to deny people a place to sleep and rest in the safest place they can find.

Best,

Kelsey Stedman, RN, MSN

**From:** [Lindsey Gearllach](#)  
**To:** [City Council](#)  
**Subject:** Homeless ordinance  
**Date:** Monday, July 3, 2023 10:11:54 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council,

I am a lifelong Kitsap County resident. I will keep this short and sweet.

Why are we criminalizing people that already facing inequity? Find ways to help the homeless community and stop treating them like subhuman beings. Just remember, each one of us is a paycheck away from becoming just like them. And how would you want to be treated if that was the case?

Lindsey Gearllach  
Poulsbo, WA

**From:** [Matt Frost](#)  
**To:** [City Council](#)  
**Subject:** Homeless  
**Date:** Sunday, July 2, 2023 9:48:33 PM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Matt Frost and I am a resident on DR ML KING WAY. I have live here for over two years now and it has gotten worst. Last October I took a job as a night shelter worker at the Salvation Army. In that time I was able to build a lot of relationships with all of our clients. We had clients that were drug addicts, mentally unstable and people that just fell on bad times.

As the closing 2 months came Salvation Army was finding housing for everyone that wanted it. And most of them got housing. What we have here on my street are drug addicts that didn't want housing. They don't care about anyone but them self's. They throw trash in front of the complex And all over the street! You can't even walk on the side walk because they have taken over that. We have sex offenders living in those tents when we have children living on our street.

Like I said the homeless that are on ML KING way was given the chance to find housing through The Salvation Army and they chose the streets. Where does the community have a voice? People are moving out from where I live and not moving in, because of those tents on the street. I love Bremerton and it is a great town and community. But it's not fair to tax payers and people that pay a lot of money to live here.

I am tired of watching people doing there drugs in the open. Watching them sell there drugs in the open. Watching BPD driving bye like it's no big deal. This is a big deal! I am 100 %for the camping band! People overdose not once not twice and still don't get it. There is only so many times you can go and help them.

I know people are writing the city to stop from removing them from the street. The ones that are being a voice for this only come down here for like 30 mins at a time. Try asking people that live 24-7 on this street. There has to be a solution to this madness. The BPD aren't design to deal with intervention strategy dealing with people in crisis. We need to have other systems in place to deal with the homeless. What is the solution? It's not going to get better. Let's make Bremerton great again!

Thank for your time  
Resident of Bremerton  
Matt Frost

**From:** [Mike Fairchild](#)  
**To:** [City Council](#)  
**Subject:** Anti camping laws  
**Date:** Thursday, June 29, 2023 2:56:29 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I once again find myself very surprised by the actions or proposed actions of our city council. I am a homeless person in Kitsap county. I do not do drugs or drink alcohol I don't have a criminal record and until I became disabled I was a housed tax paying resident in Kitsap county. Now that I am disabled I can't afford to rent anywhere and I have been on a wait list for over five years. My name got called as I was in the hospital hooked up to life support and when I was in good enough condition to respond and do the required paperwork for my affordable rent place it was to late and I was told I would be the very next person to get housed. This was over three months ago and somehow I am now the second name on the list. I lost a spot and my place no fault of my own. The housing situation is horrible and I guess lucky for me I am not camping where you can find me and throw out all my things then not offer me any real solutions. Criminalizing homelessness with no solutions available is not the way to help people. Where are the shelters and where are the places those in my situation can live? If I become a criminal because I became disabled and now can't afford my rent what do I do while waiting for Bremerton housings wait list to re open or have a place where I can rent? This making camping illegal is not fixing the problem and the cost of paying for someone's stay in jail to taxpayers is not cheap at all. Besides the fact that the homeless person who gets all their belongings thrown away by the state when they get arrested. It is the worst possible way to treat a person who is already feeling like less than a human from all the other crap our community puts us homeless people through. How about you try and do what you would want someone to do to you if you found yourself in their situation.

Thank you

Mike Fairchild

**From:** [molly.rose.brooks42@gmail.com](mailto:molly.rose.brooks42@gmail.com)  
**To:** [City Council](#)  
**Subject:** no anti camping ordinances  
**Date:** Friday, June 30, 2023 4:44:29 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please do not enact anti camping ordinances. Our unhoused neighbors have no where to go. They need services and to get services service providers need to be able to find them. It is inhumane to kick them out of where they are living. When camps are cleared out people lose all their belongings and they have precious few belongings. This can result in people losing their only tent and therefor the roof over their head. Getting arrested for camping can give unhoused people a record which can be detrimental for them later on when they apply for a job or in other situations where they need a background check. We have plenty of public spaces we can make available for people to camp.

Sincerely,

Molly Brooks



**From:** [Robin Henderson](#)  
**To:** [City Council](#)  
**Subject:** Camping ordinance  
**Date:** Friday, June 30, 2023 2:55:54 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will confess that I'm not fully up to speed on this issue. But I would like to let our mayor and city council know that I support the efforts of Kimmy Siebens and oppose , an anti camping ordinance.

Robin Henderson.

Sent from my iPhone

**From:** [Robin Hills](#)  
**To:** [City Council](#); [Greg Wheeler](#)  
**Subject:** Anti-Camping Ordinance  
**Date:** Friday, June 30, 2023 10:27:43 AM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council and Mayor Wheeler,

I am a medical student and a resident of Lake Forest Park in King County, Washington. I am writing with my concern regarding the anti-camping ordinance in Bremerton. Although I understand the challenges that must come with having unhoused people in Bremerton, creating and upholding anti-camping laws only forces unhoused people into the surrounding areas that also do not have enough infrastructure to support them. This tactic also penalizes these individuals creating yet another barrier to getting back on their feet.

I urge you to consider alternatives to aid this vulnerable population rather than forcing them out of the area. I would also ask that you consider the strong military presence in Bremerton and think of the unhoused veterans, who no longer serve us, but who still need our continued support.

As a future physician I dream of a Washington where no person goes without a stable place to live, access to basic needs, or to preventative healthcare measures. I hope that you are able to act with compassion on this matter and work to come up with an equitable solution to support stable housing for individuals without enacting an anti-camping ordinance in the interim.

Best,  
Robin

**Robin Hills Von Davies**  
Master of Medical Science, 2020  
Master of Reproductive Clinical Sciences, 2022  
MD, 2026 (expected)  
206.920.6144 | [robinvondavies@gmail.com](mailto:robinvondavies@gmail.com) | [robinhills@gmail.com](mailto:robinhills@gmail.com)

**From:** [Tina Mari Fox](#)  
**To:** [City Council](#)  
**Subject:** Consideration  
**Date:** Saturday, July 1, 2023 4:59:56 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As you consider a ban on camping as a solution to turning your back on our homeless population, I remind you every.single.human. is a single poor decision or a single life changing event away from being homeless. How we treat or care for our society's most vulnerable is a reflection of our inner heart. Let's find another solution...homelessness is NOT a crime, it is a tragedy. Wouldn't it be less expensive to focus on mental health and addiction services, education and job training...and by expensive, I don't just mean monetary cost. I would like to believe that I live in a community that looks for solutions, rather than trying to exterminate/eliminate/shut out those whose only crime may be not having a place to shelter that we deem acceptable.

Tina Fox  
2058 E 16th St  
Bremerton, WA

Sent from Samsung Galaxy smartphone.  
Get [Outlook for Android](#)

**From:** [Patricia Morris](#)  
**To:** [City Council](#)  
**Subject:** Anti-camping Letters  
**Date:** Friday, June 30, 2023 4:31:39 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please do not enact anti-camping ordinances. They are inhumane, ineffective and counter-productive. Instead establish research based policies that provide services and appropriate housing solutions. This will benefit our unhoused neighbors as well as the whole community of Bremerton.

Patricia Morris

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From: Patricia Morris <pmorris1015@yahoo.com>  
Sent: Friday, June 30, 2023 4:53 PM  
To: City Council <City.Council@ci.bremerton.wa.us>  
Subject: Homelessness

As a community member I strongly am opposed to anti-camping ordinances. They are inhumane, I effective, and counter-productive. Research demonstrates that these draconian approaches exacerbate the problem by discouraging this vulnerable population from seeking services. Anti-camping policies are detrimental to the whole community.

Patricia Morris

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From: Patricia Morris <pmorris1015@yahoo.com>  
Sent: Friday, June 30, 2023 5:55 PM  
To: City Council <City.Council@ci.bremerton.wa.us>  
Subject: Anti-camping ord

I am in strong opposition to anti-camping ordinances. They are inhumane, ineffective, and counter-productive. Research supports the fact that such policies exacerbate the homelessness by further marginalizing this vulnerable population making services less accessible. Let's find real solutions such as affordable housing, better health-care and substance abuse treatment. Anti-camping ordinances are destructive to our entire community.

Patricia Morris

**From:** [Patricia Morris](#)  
**To:** [City Council](#)  
**Subject:** Anti-camping Letters  
**Date:** Friday, June 30, 2023 4:31:39 PM

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Patricia Morris

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From: Patricia Morris <pmorris1015@gmail.com>  
Sent: Monday, July 3, 2023 9:21 PM  
To: City Council <City.Council@ci.bremerton.wa.us>  
Subject: Anti-camping ordinances and sanitation facilities

I am strongly opposed to anti-camping ordinances. They are inhumane and counterproductive. It further marginalizes this vulnerable population and prevents them from seeking services. Real solutions such as mental health services and affordable housing need to be established. As a temporary solution, bathroom facilities need to be provided for the currently unhoused members of our community.

Thank you.  
Patricia Morris

**From:** Eric Kneebone <edkneebone@gmail.com>  
**Sent:** Wednesday, July 5, 2023 7:30 AM  
**To:** City Council <City.Council@ci.bremerton.wa.us>  
**Subject:** Encampments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To members of the city council:

As a resident of MLK Way, I wish to state my support for a no camping ordinance.

The street people on MLK way have made walking down the street a hazardous undertaking at all hours of the day or night. The sidewalks are impossible to walk due to the debris, collection of wheelchairs and bicycles, and occasionally people laying across the route. I've never seen so many rats on the street as I have since the shantytown was reestablished this latest time.

Every time people choosing street living have been helped or removed, no action has been taken to address the unsafe conditions of camping on MLK way - namely encouraging people to camp where facilities are available to support them. Placing of eco blocks, Requiring vehicles to be licensed and registered to park on the street, and not allowing tents or makeshift shelters to be constructed are means to prevent this once the street people have been helped.

I do not wish to see sleeping on the streets criminalized. Erecting shanties and establishing tent residences should be.

Please pass an ordinance to address the tents and trash and rats and mess.

Eric Kneebone



**From:** [georgiagatzke@comcast.net](mailto:georgiagatzke@comcast.net) <[georgiagatzke@comcast.net](mailto:georgiagatzke@comcast.net)>

**Sent:** Tuesday, July 4, 2023 4:17 PM

**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>

**Subject:** Upcoming Meeting About Encampments as shown in Kitsap Sun on Monday 7/3/23.

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I just heard about this meeting to be held on 7/5/23 but I will be out of town. I wanted my thoughts on record.

I acknowledge that I am no expert on the homeless situation in Kitsap County and City of Bremerton. However, I believe every one of us needs to voice concerns and what we would like to see happen.

I definitely want homeless people to have a safe place to go. I want it to be supervised and monitored so that wherever it is does not become “just another problem place.”

I do not want people to be allowed to camp/park/etc on public or private property.

I want anyone who wants to take advantage of any housing or safe-monitored camping space that the city/county/state provides to have to undergo an evaluation for mental health, drugs, (notice I did not say anything bad about their possible drug addiction – the provider should simply have ALL the info), job skills, and also people who take advantage of such places should not be allowed to move to Washington from other states just to take advantage of those provisions. So some kind of proof of having already lived in the state for some period of time needs to be in effect. I am not saying this to be punitive. It is simply not possible for Washington to be everything to every homeless person in the nation. We must draw the line to be able to deal with the number we CAN deal with. I also would want to see firm limits on the amount of time a person can live in such a space before they would be required to meet certain standards – such as having achieved a job, regular attendance at counseling with documented progress, etc. This would be what I call cooperation on both sides and create a situation where the previously homeless person would have to be part of the solution.

I do not wish to be heartless nor unhelpful. However, I also think that this business of having people camping wherever they want and making messes and creating dangerous situations CANNOT CONTINUE OR BE ALLOWED.

I also apologize that I do not have a solution to put forward. I realize that complaining without proposing concrete solutions is not morally acceptable.

Please have my thoughts recorded as part of the meeting.

Thank you,  
Georgia Gatzke

**From:** Lilly Deerwater <lilly@wpsr.org>  
**Sent:** Wednesday, July 5, 2023 10:44 AM  
**To:** City Council <City.Council@ci.bremerton.wa.us>; Greg Wheeler <Greg.Wheeler@ci.bremerton.wa.us>  
**Subject:** Washington Physicians for Social Responsibility Urges You Not to Criminalize Camping

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Bremerton City Council & Mayor Wheeler,

We at Washington Physicians for Social Responsibility urge you to decide against criminalizing camping in Bremerton. Anti-camping ordinances worsen homelessness. By criminalizing people who are unhoused, you make it more difficult for people experiencing homelessness to secure housing. By adding the barrier of a criminal record, you ensure people will remain homeless for longer, adding to the problems of your city and those who live in it.

Please decide against perpetuating homelessness in your city simply for the sake of appearances. By focusing on solutions such as housing and services instead, you have the opportunity to address homelessness, rather than prolong this crisis and cause damage to the health and wellbeing of people who are already struggling.

Thank you,  
Lilly Deerwater, Economic Inequity & Health Program Manager  
On Behalf of Washington Physicians for Social Responsibility

--

**Lilly Deerwater** (she/her/hers)  
Economic Inequity & Health Program Manager  
Washington Physicians for Social Responsibility  
**Email:** [lilly@wpsr.org](mailto:lilly@wpsr.org) | **Phone:** 206.547.2630  
**Visit us:** [wpsr.org](http://wpsr.org) | **Join us:** [Become a member](#)  
**Donate:** [Support our work](#) | **Learn more:** [Sign up for emails](#)



**From:** Neal Foley <[nealfoley1021@gmail.com](mailto:nealfoley1021@gmail.com)>  
**Sent:** Tuesday, July 4, 2023 7:01 PM  
**To:** City Council <[City.Council@ci.bremerton.wa.us](mailto:City.Council@ci.bremerton.wa.us)>  
**Cc:** [nealfoley1021@gmail.com](mailto:nealfoley1021@gmail.com)  
**Subject:** Please no Anti Camping Ordinances

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Neal, I am a resident of the City of Bremerton in District 5.

I am adamantly opposed to criminalizing homelessness and/or mental illness.

I strongly urge the City Council to repeal, in its entirety, the current no camping ordinance. It is non enforceable and useless.

Please signal a new beginning with an entirely new code dealing with homelessness and mental illness in this community in a positive educated way.

Let's deal with this problem instead of sweeping it off our streets with no action because it is ugly and hard. This is not a temporary problem it is here to stay.

We have VERY highly educated experts like those in the Bremerton Homeless Community Coalition right in our midst. Let's stand behind these people and let them guide us with facts and knowledge rather than making decisions based on biases and hearsay.

I would ask our City Council and Mayor to be proactive and support the experts in this field 100%. Move forward with THEIR knowledge as our guide.

**From:** Susan Brooks-Young <sjbrooksyoun@gmail.com>

**Sent:** Wednesday, July 5, 2023 11:17 AM

**To:** City Council <City.Council@ci.bremerton.wa.us>; Susan Brooks-Young <sjbrooksyoun@gmail.com>

**Subject:** Addressing the need for shelter in Bremerton

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I am aware that the subject of a new city ordinance related to where and when people may (or may not) sleep is on the agenda for this evening's city council meeting. I find it very disconcerting that the mayor would apparently suggest circumventing *Martin vs. Boise* and that council would consider doing this **(Bremerton won't clear encampments, so council opens discussion on changes to current law**, Kitsap Sun, July 3, 2023).

As a resident of downtown Bremerton, I am well aware of the concerns raised when unhoused people are forced to resort to living outdoors. However, I am also aware that every society will always have a segment of its population who, for whatever reason, needs assistance accessing the most basic needs - food, clothing, and shelter. Part of the social contract is establishing systems to ensure that these people's basic needs are met. We can either acknowledge that reality and actually take steps to do something about it or we can continue to blame the unhoused for their life circumstances and punish them by refusing to ensure they have access to basics. For example, one frequently cited issue with the encampment on MLK Way is that human waste is everywhere. The city funded installation of a portable toilet months ago. Where is it? And where are these people supposed to relieve themselves when there are no public restrooms and they are locked out of the Marvin Williams Center?

I would hazard a guess that it is less expensive overall to ensure that everyone has access to food, clothing, and shelter than it is to mitigate all the negative outcomes of refusing to do so including crime, spread of disease, the cost of shuffling people from one location to another, etc.

As such, I encourage city council and the mayor to quit spending time and resources trying to figure out how to punish the unhoused and start spending that time and those resources to figuring out systemic ways to identify and implement humane solutions. These are human beings and deserve much better treatment than they are currently receiving.

Thank you,

Susan Young  
Bremerton

--

SJ Brooks-Young Consulting

Telephone: 951-202-2042

Web site: [www.sjbrooks-young.org](http://www.sjbrooks-young.org)

Twitter: @sjbrooksyoun

Facebook Business Page: [www.facebook.com/SjBrooksYoungConsulting](https://www.facebook.com/SjBrooksYoungConsulting)

"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."

Maya Angelou

# Bremerton won't clear encampments, so council opens discussion on changes to current law



**Phillip Chin**  
Kitsap Sun

Published 8:57 a.m. PT July 3, 2023



A person with a guitar heads toward a tent pitched in front of the forest mural on the MLK Way facing side of the vacant building planned as a new medical respite facility for Peninsula Community Health Services, in Bremerton on Thursday. The city acknowledges its ordinance that prohibits unauthorized camping is not being enforced, and now the city council is opening a discussion over revisions and other needs that may help address the number of people living unsheltered. *MEEGAN M. REID/KITSAP SUN*

“It’s getting worse,” said Reuben Wilkins, a barbershop owner and cook for the Marvin Williams Recreation Center. “Garbage, poop, piss. They get butt naked behind the building.”

Wilkins does not blame the people who live in the large encampment on the MLK Way sidewalk, just feet away from the Marvin Williams Recreation Center, a gleaming facility that opened in 2018. Instead, most of his anger is directed toward Bremerton’s city government.

“The city is definitely inactive on this ... They’re not talking to us,” said Wilkins.

“These kids should be able to grow up and have some protection,” added Tovi Wilkins, who runs a summer program for children at the center. Staff usually keep most of the doors locked. They had to turn off the fountain in front of the building because people were washing themselves in it. Reuben Wilkins has found needles nearby.

Parents still bring their children for summer camp, but the one question that they want to know is “What is the city doing?” said Wilkins. She reemphasized the question: “What is the city doing?”

When the Salvation Army closed its overnight shelter on May 1, the city was left without any emergency shelter beds. According to the city's reading of a Ninth Circuit Court ruling from 2019 known as *Martin v. Boise*, a lack of shelter availability makes it illegal to clear encampments. Over the past two months, the encampment on MLK Way, just a block behind the Salvation Army and near where the former Kitsap Rescue Mission was located, has grown. On Friday, approximately a dozen tents could be seen on the sidewalk between Park Avenue and Warren Avenue, along with shopping carts and assorted personal items.

“[T]o clear an encampment is not legal,” said Bremerton Mayor Greg Wheeler. Although Bremerton has a municipal code for “unauthorized camping,” which bans camping “in any park or other public place,” the ordinance can no longer be enforced now that there are no available shelter beds. When asked whether the Bremerton Police Department



cites residents for unauthorized camping, Wheeler replied, “As a rule, no.”

When the Kitsap Rescue Mission or the Salvation Army's temporary shelter were open, officers could direct people who are homeless there. “Now we don’t have a place for them to go anymore,” said Wheeler.

Right now, Wheeler identifies two projects for Bremerton’s government which could address the MLK Way encampment. First, Bremerton must create a new shelter. Wheeler said the city has picked a location and partners, but he must get funding from the state before he can share a timeline for opening.

Second, Wheeler urged the Bremerton City Council to create a new ordinance which would not violate *Martin*. The new ordinance could ban camping on MLK Way or restrict camping to nighttime hours, so that the street would have to be clear during the day.

Last Wednesday, the City Council discussed the possibility of changing the current ordinance. On July 5, the council will hold a public hearing on the issue during its regular meeting, scheduled for 5:30 p.m. at the Norm Dicks Government Center.

Initially, council members were hesitant to even discuss the issue, because they were afraid that the public could perceive them as being too punitive without offering any housing solutions.

“Before we get any more aggressive ... we better know what we’re doing as far as providing adequate support,” said Councilmember Denise Frey.

Frey also raised concerns about the optics of spending time changing an ordinance while a portable toilet that the council allocated \$10,000 for has still not been installed on MLK Way. "This is for the administration," Frey said. "Fix it!"

City attorneys have reassured the council that any change to current ordinance would be less punitive, as the current code is a blanket prohibition on camping.

Councilmember Eric Younger began to understand why Wheeler and the lawyers were pushing for the change. "I have a sinking feeling that we don't enforce it at all," said Younger.

Even if the language of the new ordinance is less punitive, in practice it will be more punitive than an ordinance which is rarely enforced.

Kimmy Siebens, founder of the Bremerton Homeless Community Coalition and a nurse on the task force with Washington Physicians for Social Responsibility, argued against any new law which would allow the city to criminalize and move people who are homeless.

"They're focusing on hiding people, pushing them to the margins of society," said Siebens, "... every single person on MLK Way has no place to go."

Siebens pointed to other cities that have passed new ordinances where people who are homeless hide from police and no longer trust social workers, which makes it more difficult to connect them with any resources that could help.

Siebens argued that any kind of criminal penalty is short-sighted and distracts from the need to address more complex issues that lead people to become unhoused.

“The mayor wants to get rid of this unsightly thing,” she said.

According to Siebens, new ordinances have been created without real knowledge of what it means to be homeless. For example, Longview and Portland ban daytime camping, but Siebens said that many people who are homeless sleep during the day because they need to be alert at night to protect themselves from the increased risk of assault.

“They do keep each other safe,” said Siebens, “This camp is no different than a neighborhood.”

Siebens does understand the concerns of parents and staff from the Marvin Williams Center. “If we’re going to put a Band-Aid on it, let’s give them a toilet,” she said in an interview. Many in the community agree and are frustrated that money has already been set aside, but nothing has been done.

According to Wheeler, the city had not determined a safe way to install the port-a-potty without blocking the street or the public right-of-way.

“This talk about the port-a-potty is serious, but almost comical,” said Younger.

7/5/2023

To whom it may concern:

This letter is in response to the proposed ordinance regulating the time place and manner of tents being used on public property to protect individuals experiencing involuntary homelessness.

My name is Joslyn and I am with the Bremerton Prayer Walk. During the past 3.5 years, we have consistently been fellowshipping with many of the individuals this ordinance will have a devastating effect.

There are numerous issues with the course of action, but the most important is that we are going to lose many individuals, the majority are involuntarily homeless or fleeing violent and dangerous situations.

Furthermore, this type of ordinance is incredibly erroneous in many of the assumptions utilized in identifying this type of ordinance. First, many individuals who survive on the streets do not sleep during the evening hours as they stay awake for protection and sleep in intervals to protect themselves. By requiring they sleep during the most dangerous time so they can pack up by early dawn, they are suggesting they put themselves even more at risk.

Additionally, they assume individuals residing on the street have the means to pack up and move their belongings. This is absolutely absurd. Many individuals who face these current conditions have physical and mental restrictions preventing compliance. Our most vulnerable will become even more vulnerable

There are incredulous constitutional concerns, substantial mental health and addiction concerns, and it may be the most blatant attempt to hide one of the most pressing concerns facing this city...the growing homelessness crisis. This is not a unique problem, however, the solution being presented before this committee is taking this city down an incredibly dangerous path.

First, the time place and manner restrictions proposed will fail any type of judicial scrutiny. First, the courts have indicated that homelessness is protected as political speech under the 1st amendment. This means that any ordinance restricting the time place or manner restriction to be strictly scrutinized and in order to be upheld it requires the government to show the following:

1. content neutral (that the government does not outlaw content specific viewpoints)
  - a. **(are we requiring mothers with sunshades protecting children to move, are we requiring organizations that place sun covers as booths etc. to be moved?) ... the answer is clearly NO...this is only for homeless individuals.**

2. (2) narrowly tailored to serve a governmental interest (i.e., cannot be overly broad to regulate more than what is necessary to achieve government interest like, for example, public safety),
  - a. **I completely understand there are substantial concerns for businesses and the public, but placing additional burdens on our most fragile and vulnerable population is not the answer.**
3. (3) ample alternative means to express ideas.
  - a. **THERE ARE NO ALTERNATIVES!!!**

The right to remain in public space is both a universal right that all Americans value dearly and a bulwark against deprivations that have starkly affected homeless people throughout history and, to a particularly dire extent, today. We treat refugees with more compassion than we do our own citizens.

We are well aware there is strong precedence indicating that criminalizing homelessness violates the 8th amendment of the united states constitution. In *Jones v. City of Los Angeles*, the leading case decided in favor of this view, the Ninth Circuit stated that “we understood *Robinson* to stand for the proposition that the Eighth Amendment prohibits the state from punishing an involuntary act or condition if it is the unavoidable consequence of one’s status or being.”

The unavoidable consequence of this particular ordinance is that people are going to die if we cannot find them to help find the appropriate services to help them. We will be unable to bring food to them, much needed living supplies, water, first aid supplies, etc. We know there is safety in numbers and those live on the streets and if people are constantly getting dispersed, more people will become isolated and even more vulnerable resulting in an increase in violent assaults, rapes and death.

I hope and pray this committee and this city can take a different approach to solving this problem and look for solutions instead of trying to find loopholes in existing laws to make life more difficult. To treat all with dignity is what this city should be striving for, instead isolating and hurting the vulnerable.

Joslyn Snow

From: sggriffith@fastmail.com <sggriffith@fastmail.com>  
Sent: Wednesday, July 5, 2023 4:28 PM  
To: City Council <City.Council@ci.bremerton.wa.us>  
Subject: Anti-camping

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Council:

I believe part of your mission is to care for the health and well being of the people of Bremerton. Were we to experience a natural disaster, I know you would all be out there doing your best to save us from the fire, flood, or wind. Afterwards, you would help us construct temporary housing and preparing food and gathering blankets to care for us until we could start living normal lives again.

The homeless disaster has gone on too long, and our humanitarian impulses have diminished. Imagine how the homeless must feel -- for some of them, it's been a very long time indeed. To help them, we need to move through the morass of funding, social policy, urban planning, and all the other wearing practices of modern life.

Solving homelessness is really hard! But that's a big part of your job at the moment.

A lot of solutions have been proposed, and some of them are pretty good. Find the money -- people are making money from real estate; they have to share it. It wouldn't hurt that bad. Tiny homes are cheap. We can detox and clean up the old Harrison Hospital -- my goodness, what a view!

Don't give up on kindness and good works. And fix the darn public toilet!

Suzanne Griffith, District 1  
[sggriffith@fastmail.com](mailto:sggriffith@fastmail.com)



**From:** [kim\\_siebens](#)  
**To:** [City Council](#)  
**Subject:** Public Comment on Anti-Camping Ordinance July 5 2023  
**Date:** Wednesday, July 5, 2023 6:10:07 PM

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bremerton City Council Members,

My name is Kimmy Siebens. I am a 17 year resident of Bremerton, a Registered Nurse, a non profit founder, a community organizer, and a task force member representing Washington State Physicians for Social Responsibility.

Today, I am speaking to shed light on a decision that is not only morally bankrupt but also displays a complete lack of compassion by many of our city council. We are facing a proposal that would amend an already unconstitutional anti-camping ordinance, effectively criminalizing the most vulnerable citizens of our town. I am appalled, disgusted, and deeply saddened by the council's decision to consider turning their backs, even more, on those who need our help the most.

Let me be unequivocally clear: this revised ordinance will not be a solution; it will be a heartless attack on those who already face immense challenges in their lives. Instead of offering support, the council would be punishing individuals who have fallen on hard times, pushing them further into the dark. Do we truly believe that criminalizing poverty and medical issues is the answer?

Homelessness is not a choice; it is a complex issue rooted in a multitude of societal problems such as lack of affordable housing, unemployment, mental health, and addiction. Our city council should be addressing these root causes rather than exacerbating the suffering of those who already endure unimaginable hardships.

By creating an amendment to this ordinance, the council would be sending a message that it is acceptable to turn a blind eye to the suffering of our fellow citizens. This would show a complete disregard for human dignity and basic human rights. We cannot claim to be a compassionate community if we allow this to pass, unchallenged.

Let us not forget that homelessness affects people from all walks of life - These are not faceless statistics; they are our neighbors, friends, and community members. Criminalizing homelessness does not magically make it disappear. It shifts the problem from sight, sweeping it under the rug and perpetuating a cycle of poverty and despair.

Instead of investing in punitive measures, the council should be investing in affordable housing, mental health services, or, to start, a simple porta potty so people can use the restroom in a law abiding way. These are the true solutions that will uplift our community and save us more financially in the long run.

I am urging this council to reconsider this cruel and misguided idea.

Your duty is to represent all citizens, not just those who are privileged and fortunate or can make the city council meetings.

In closing, I implore each and every one of you to join me in opposing this ordinance and any amendments. Demand that this be repealed like it should have in 2018 when it was deemed to be unconstitutional. We have to stop all of these distractions and focus on the real issues at hand.

Kimmy Siebens RN

Economic Inequity and Health Task Force Member, Washington Physicians for Social Responsibility, [www.wpsr.org](http://www.wpsr.org)

President, Their Voice  
<http://www.their-voice.org>

Founder, Bremerton Homeless Community Coalition  
<https://www.facebook.com/groups/bremertonhomeless>

**AGENDA BILL**  
CITY OF BREMERTON  
CITY COUNCIL

**A7**

**SUBJECT:**

Resolution to repeal Resolution No. 3349;  
and adopt updated Council Rules &  
Procedures

Study Session Date: August 23, 2023

COUNCIL MEETING Date: September 6, 2023

Department: City Council

Presenter: Council President  
Jeff Coughlin

Phone: (360) 473-5280

**SUMMARY:**

The Council Rules & Procedures were last updated by Resolution No. 3349 on May 18, 2022.

Discussion on this item has been continued from Study Sessions held previously on June 28, July 12, and July 26.

**ATTACHMENTS:**

- 1) Resolution No. \_\_\_\_\_ with Exhibit A Council Rules & Procedures
- 2) Proposed Updates
- 3) Agenda Control Information Compiled by Jeff Coughlin

**FISCAL IMPACTS (Include Budgeted Amount):** None.

**STUDY SESSION AGENDA:**

Limited Presentation       Full Presentation

**STUDY SESSION ACTION:**

Consent Agenda       General Business       Public Hearing

**RECOMMENDED MOTION:**

Move to approve Resolution No. \_\_\_\_\_ to repeal Resolution No. 3349; and adopt new Bremerton City Council Rules & Procedures.

**COUNCIL ACTION:**

Approve       Deny       Table       Continue       No Action

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION** of the City Council of the City of Bremerton, Washington, repealing Resolution No. 3349 and adopting new Rules & Procedures for the City Council to conduct its business.

WHEREAS, the City Council adopted Resolution No. 3349 on May 18, 2022, which adopted Rules & Procedures for the City Council to conduct its business; and

WHEREAS, the City Council desires to update the Rules & Procedures for the City Council; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

**SECTION 1.** Resolution No. 3349 is hereby repealed in its entirety.

**SECTION 2.** The Bremerton City Council Rules & Procedures attached hereto as Exhibit A are hereby adopted and shall become effective upon passage of this resolution.

**SECTION 3. Severability.** If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

**SECTION 4. Effective Date.** This Resolution shall take effect and be in force immediately upon its passage.

PASSED by the City Council of the City of Bremerton, Washington this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JEFF COUGHLIN, Council President

APPROVED AS TO FORM:

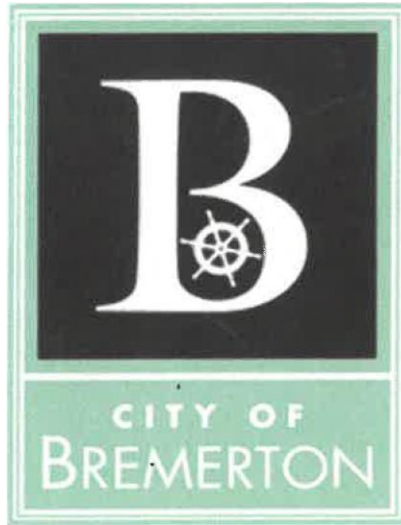
ATTEST:

\_\_\_\_\_  
KYLIE FINNELL, City Attorney

\_\_\_\_\_  
ANGELA HOOVER, City Clerk

# Bremerton City Council

## Rules & Procedures



CONTENTS

**RULE 1 - MEETINGS .....3**

**RULE 2 - PRESIDING OFFICER - DUTIES.....5**

**RULE 3 - COUNCIL MEMBERS .....6**

**RULE 4 - AGENDA CONTROL .....6**

**RULE 5 - REGULAR COUNCIL MEETINGS - ITEMS OF BUSINESS .....7**

**RULE 6 - DEBATES .....8**

**RULE 7 - PARLIAMENTARY PROCEDURE .....8**

**RULE 8 - ORDINANCES - RESOLUTIONS .....8**

**RULE 9 - MISCELLANEOUS .....9**

**RULE 10 - COUNCIL EXPENSE REIMBURSEMENT .....11**

**RULE 11 - QUASI-JUDICIAL HEARINGS.....11**

**RULE 12 - CLOSED RECORD HEARINGS .....12**

## **RULE 1 - MEETINGS**

**1. Regular Meetings:** The City Council shall meet in accordance with Rule 5, except as follows:

- (a) There shall be no regular meeting of the City Council during the week of Thanksgiving.
- (b) If at any time any regular meeting of the City Council falls on a legal holiday, then pursuant to RCW 42.30.070 such regular meeting shall be held on the next business day.
  - i. Upon a motion, and majority vote, the Council may recess from a meeting to a certain time and place set forth in the motion.
  - ii. Meetings may be relocated to accommodate special needs or circumstances.

**2. Special Meetings:** Special Meetings or any change in the time or location of a regular meeting shall be called by the Council President, or a majority of the members of the City Council, by delivering personally or by mail or e-mail, written notice to each member of the Council; and to each local newspaper of general circulation, and to each local radio or television station which has on file with the City a written request to be notified of such Special Meeting or of all Special Meetings. The notice must be delivered personally or by mail, or e-mail at least twenty-four hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the Special Meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings. Written notice may be dispensed with:

- (a) If a member, prior to the convening of the meeting, files waiver of notice with the City Clerk, either written or by e-mail; or
- (b) If a member is actually present at the time the meeting convenes; or
- (c) If the Special Meeting is called to deal with an emergency involving injury or damage to persons or property, or the likelihood of such, where these requirements would increase the likelihood of such injury or damage. (RCW 42.30.080).

**3. Quorum:** Four Council Members shall constitute a quorum for the transaction of business and in the absence of a quorum the members present may adjourn the meeting to a later date.

**4. Open Public Meetings Act:** All Council meetings shall be conducted in conformity with the Open Public Meetings Act (RCW 42.30).

**5. Appearance of Fairness/Conflict of Interest:** In all its dealings, the Council and its individual members shall be governed by RCW 42.36 (Appearance of Fairness Doctrine); RCW 42.20 (Misconduct of Public Officers) and RCW 42.52 (Ethics in Public Service) and Chapter 2.96 BMC (Code of Ethics).

**6. Executive Sessions:** The Council may hold Executive Sessions during a regular or Special Meeting to consider matters allowed under RCW 42.30.110 as it now exists or is hereafter amended including:



- (a) consideration of acquisition or sale of real property if public knowledge would adversely affect the price;
- (b) discussion with legal counsel of City enforcement actions or potential or pending litigation in which the City is, or is likely to become, a party;
- (c) to receive and evaluate complaints against a public employee, unless the employee requests the consideration to be held in an open meeting;
- (d) evaluate the performance of an employee or qualifications of an applicant for City employment, so long *as* the final decision to hire and terms of employment, and decisions to terminate or discipline, are taken in an open meeting;
- (e) to review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs; and
- (f) to evaluate the qualifications of a candidate for appointment to elective office.

See RCW 42.30.110 for complete itemization of Executive Session topics.

Before convening in Executive Session, the presiding officer shall announce the purpose of the session and the anticipated length of such session, and whether further action is anticipated. Should the session require more time, a public announcement shall be made that the session will be extended. The Council will return to the open meeting, as applicable, for Adjournment of the meeting. Confidential discussions during Executive Sessions shall not be disclosed by any Council Member or City official in attendance to any person unless confidentiality is waived by a majority of the Council. Violation of confidentiality may result in a censure motion by the Council during a regular meeting.

**7. Remote Appearance:** Council Members may appear remotely at a Council Meeting under limited circumstances. Remote appearances are for the benefit of the City of Bremerton and not for the benefit of an individual Council Member. Remote appearances may occur as follows:

- (a) The Council President may approve a Council Member's remote appearance at a Council Meeting when one or more of the following circumstances exists:
  - i. Due to fire, flood, earthquake, or other emergency, there is a need for action by a governing body to meet the emergency; or
  - ii. A vote of the council of the whole is required for action; or
  - iii. A unanimous vote of the whole council is required for passage of a measure; or
  - iv. On a case-by-case basis.

(b) In the event that subsection 7(a) of Rule 1 of the Bremerton City Council Rules & Procedures has been satisfied and more than one Council Member is absent, reasonable efforts shall be given to provide all absent members an opportunity to appear remotely. In no event shall the Council President approve a Council Member's remote appearance unless satisfactory equipment is available. Satisfactory equipment shall at a minimum, mean equipment that allows all participants and attendees to hear each other simultaneously and allows the remote Council Members to participate to the same extent as if they were present.

(c) During any meeting that a Council Member is attending remotely, the Council President or presiding Council Member shall state for the record that a particular Council Member is attending remotely and the reasons for such attendance.

(d) Council members appearing remotely may participate and vote during the meeting as if they were physically present at the meeting.

(e) Council Members appearing remotely shall comply with all rules and procedures as if they were physically present at the meeting.

## **RULE 2 - PRESIDING OFFICER - DUTIES**

**1. Conduct of Meeting:** The presiding officer at all meetings of the Council will be the President of the Council, or in the absence of the President, the Vice President of the Council, who shall conduct the business and deliberations of the Council under these rules. Reference herein to Council President shall also apply to the Council Member acting in the Council President's place as presiding officer. The *President/mayor pro tempore* and Vice President shall be elected by a majority of the Council Members at the start of the first meeting of each year, or at the next Council Meeting following a vacancy. If both the President and Vice President are absent and a quorum is present, the Chair of the **Finance, Investment, & Parking Committee** shall act as Presiding Officer. If the Chair of that Committee is unavailable, the Chair of the **Public Works Committee** shall act as presiding officer.

The Council President shall:

(a) Preserve order and decorum during meetings; and

(b) Observe and enforce all rules adopted by the Council for its government; and

(c) Decide all questions on order, in accordance with these rules, subject to a challenge as provided in Rule 6 Subsection 4, below; and

(d) Recognize members of the Council in the order in which they request the floor except priority may be given to Committee Chairs to which the item under discussion originated. No member shall be recognized and given the floor to speak on the same matter more than once until all other members of the Council have had an opportunity to be recognized and be heard; and

(e) The presiding officer, as a member of the Council, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Council Members.

**2. Check Register:** The Council President shall be assigned the responsibility for signing off on the Check Register, following Council approval.

**3. Council Committees:** The Council President shall make all committee assignments, as well as Intergovernmental Representative assignments. To the degree possible, assignments will be consistent with special skills, interests, and time constraints. Assignments will be made to the following:

(a) Standing Committees:

~~i. Committee of the Whole consisting of the full council membership, with the Council President as chair, to serve the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday as a regularly scheduled Study Session in the Council Conference Room, or other times and locations as designated, to hear matters to be placed on the regular Council Meeting agendas and other council business; and~~

~~ii. Finance, Investment & Parking Committee to serve as directed by~~

the Council President; and

~~iii~~.ii. Public Works Committee to serve as directed by the Council President; and

~~iv~~.iii. Public Safety Committee to serve as directed by the Council President; and

~~v~~.iv. Audit Committee per the City Charter and Chapter 2.18 BMC; and

~~vi~~.v. Lodging Tax Advisory Committee per Chapter 67.28 RCW and Chapter 3.64 BMC.

The above listed standing committees may be restructured or reorganized as authorized and approved by the City Council without formal amendment of these rules and procedures.

(b) *Special and Ad Hoc Committees* - May be established for a specific purpose or a specific time frame to serve as authorized by the Council President.

(c) *Intergovernmental Committees, Commissions, and Boards* - Established committees, e.g., Kitsap Regional Coordinating Council.

### RULE 3 - COUNCIL MEMBERS

- 1. Comments:** Council members shall address all comments to the Council President, except when a member moves to adopt a resolution, or when a member seconds a motion.
- 2. Leaving Place:** No member shall leave his or her place while a question is being put or a count is being taken.
- 3. Voting:** A vote on any matter shall be taken by roll call and any member may abstain from voting.
- 4. Questioning:** Any member of the Council, including the Council President, shall have the right to question any individual, or staff member, on matters germane to the issue before the Council. Such questioning shall not be conducted so as to ridicule or denigrate the individual being questioned.
- 5. Information Requests:** A Council member may seek clarification or additional information before voting on an issue. If such request delays consideration to another date, approval of a majority of the Council is required.

### RULE 4 - AGENDA CONTROL

**1. Agenda Control:** Consideration of any subject, matter, or communication by the Council may be initiated by the Mayor, Judge, or any Council Member in accordance with the Agenda Bill Policy. ~~All written materials supplementing an agenda bill should be filed with the City Clerk and presented to the Council Legislative Office Manager for distribution to the Council Members.~~ The Council President may

reject any agenda item not complying with this procedure, or allow items to be added to Study Session or Regular Business meetings with exceptions granted on a case-by-case basis. Upon presentation at a Study Session, the Council as a whole may (a) decline further consideration, ~~or~~ (b) request information or changes before further consideration, or (c) place the item on a Regular Business meeting Consent Agenda, or under Public Hearing or General Business.

**2. Removing Items:** At the Briefing, or at any time prior to the start of a meeting, any item may be removed from the Agenda for any reason upon the request of any Council Member. However, two Council Members may demand the item be reinstated to the Agenda. The item shall be brought before the Council as regular business on the Agenda and only tabled, continued, or rejected by majority vote.

## **RULE 5 - REGULAR COUNCIL MEETINGS - ITEMS OF BUSINESS**

**1. Regular Business Meeting:** A Council Briefing to discuss the Agenda and/or General Council Business may be held at 5:00 PM in the Council Conference Room unless a different location is designated. The Council Meeting shall meet in the designated First Floor Meeting Chambers, unless a different location is so designated, on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at 5:30 PM or at such other day and time as designated by ordinance. The Council Meeting may consist of the following items with the sequence and any other items added or removed as determined by the Council President:

- (a) Call to Order  
-Pledge of Allegiance (*for special occasions*)
- (b) Mayor's Report (per §19(5) of City Charter)
- (c) Consent Agenda
- (d) Public Recognition (30 minutes max; may continue after General Business)
- ~~(d)(e)~~ Response to Public Recognition (2 minutes max per Councilmember)
- ~~(e)(f)~~ Public Hearings
- (g) General Business
- ~~(f)(h)~~ Continuation of Public Recognition (if needed and as time allows)
- ~~(g)(i)~~ Council Member Reports (5 minutes max per Councilmember)
- ~~(h)(j)~~ Adjournment

**2. Study Session:** The Study Session shall meet in the designated Council Conference Room, unless a different location is so designated, on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month at 5:00 PM or at such other day and time as designated by ordinance. The Study Session shall consist of the following items with the sequence and any other added items as determined by the Council President:

- (a) Briefings on Agenda Items
- (b) Other General Council Business as authorized by the Council President
- (c) Adjournment

**3. Executive Session/Recess:** The agenda may be interrupted for a stated time to adjourn to Executive Session or recess at the prerogative of the Council President, unless overruled by Council majority.

4. **Consent Agenda Items:** Any Council member may request a Consent Agenda Item be moved to the regular agenda, for which no second is required.
5. **Agenda Rearrangement:** The Council President may rearrange, change the sequence, or add to or remove items from the Agendas outlined in Rule 5, Subsections (1) and (2) above.
6. **Regular Council Meetings Televised:** The Regular Council meetings shall be televised unless otherwise directed by Council.

## **RULE 6 - DEBATES**

1. **Interruption:** No member, including the Council President, shall interrupt or argue with any other member while such member has the floor.
2. **Courtesy:** All speakers, including Council Members, during comments, discussion, or debate of any issue, shall address their comments to the Council President with courtesy and proper deportment. Comments shall not contain personalities, derogatory remarks, or insinuations toward any member of the Council, Staff, or ~~and~~ Public, but shall be confined to facts that are germane and relevant to the issue.
3. **Transgression:** Upon transgression of these rules, the Council President shall call such person to order, in which case that person shall be silent except to continue in order. If the Council President transgresses these rules, or fails to call a transgressor to order, any other member of the Council may, under a point of order, call the transgressor to order.
4. **Challenge to Ruling:** Any member of the Council shall have the right to challenge any action or ruling of the Council President, or member, as the case may be, in which case the decision of the majority of the members of the Council present, including the Council President, shall govern.

## **RULE 7 - PARLIAMENTARY PROCEDURE**

**Procedure Guide:** Robert's Rules of Order shall be used as a guide to govern the conduct of business of the City Council while in Legislative session. However, the Council President shall have the authority to make a final ruling on all issues of procedure, subject to Rule 6, Subsection 4 of these Rules.

## **RULE 8 - ORDINANCES - RESOLUTIONS**

1. **Actions:** Any action of the Council shall be by ordinance, resolution or motion and shall be conducted only in open public meetings unless otherwise provided by law. Such action shall be deemed approved by an affirmative vote of a majority of those Council members present, unless

otherwise provided by law. Any such action shall contain only a single subject matter and may not be amended to include a different subject.

- 2. Submittal:** No ordinance shall be submitted to the Council for consideration until approved as to form and legality by the City Attorney and copies have been furnished to Council Members and the City Clerk. No such ordinance shall contain any interlineations or marginal notes.
- 3. Presentations:** Reading of ordinances and resolutions at all Council meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or the purpose of the resolution. The full text of an ordinance or resolution under consideration by the Council will be provided to any member of the public upon request.
- 4. Reading of Ordinances:** Every ordinance shall have one reading except that, upon a request of a Council Member, an ordinance shall have two or more readings unless otherwise directed by the Council.

## **RULE 9 - MISCELLANEOUS**

- 1. Agenda:** By direction of the Council President, the Legislative Office Manager shall prepare the Agenda for each session of the Council in regular order in accordance with these rules, which order shall not be departed from, except as provided in these rules. Such Agenda shall include all resolutions, ordinances and matters requested by any Council Member, or the Mayor, with no items deleted from the Agenda except as provided in Rule 4 of these rules.
- 2. Public Comment on Agenda Items:** Any person is provided an opportunity to comment on any Agenda-Public Hearing or General Business item at the time the item is discussed and prior to a vote by the Council. Public Comment may also be accepted when an amending motion is made by a member of Council and seconded, at the discretion of the Council President. Such remarks must be confined to those that are germane and relevant to the item being discussed and shall be subject to a time limit. If numerous speakers are addressing the issue, the Council President may further restrict speaker time. Written comments shall, to all intents and purposes, be considered the same as oral comments. Comments on Consent Agenda items must be submitted in writing and received by noon on the day of the meeting.
- 3. Public Recognition:** Any member of the public is provided an opportunity to address the Council and the Mayor on issues not on the Agenda. No member of the public shall engage in discussion or comment which a) is obscene, indecent, or libelous; b) promotes the sale of products or services; c) promotes any lottery or contest which offers prizes dependent in whole or in part upon lot or chance. It is suggested that questions from the public posed to the Council that cannot be answered at the Council meeting should be put in writing in order to receive a written response from the appropriate party or parties within a reasonable time. Letters addressed to City officials will not be read in Public Recognition unless an exception is granted by Council President based upon exceptional circumstances. Argumentative Rebuttal is not permitted during Public Recognition.



**4. Ballot Issues:** During the election period, beginning on the deadline for elective office or ballot issues, or from the time an individual announces candidacy, whichever comes first, through the November General Election, all announcements or advertising concerning candidates are prohibited. Discussion of ballot issues is prohibited after the issue has qualified for the ballot. Meetings for political parties may be announced, with the exception of fundraising events (e.g., dinners, drawings, etc.) or meetings where the title of the function expresses support or opposition for any candidate, political party, or issue.

**5. Public Hearings:** The Council President may allocate the time allotted to Public Hearing equally among the members of the public who wish to speak.

**6. Complaints:** Personal complaints, especially those of a derogatory nature against any official or employee of the City shall not be discussed at a Council meeting. Citizens wishing to make such complaints shall be instructed that the same should be first processed and handled through the Mayor's office. Then, if the citizen feels appropriate action has not been taken, it shall be proper for the complaint to be communicated in writing to the members of the Council. Complaints against a Council Member shall be submitted to the Council President. If the complaint is against the Council President, the complaint shall be submitted to the Vice-President. Acceptance by the Council of a written complaint shall not, however, give rise to public discussion thereon. The City Attorney should be consulted regarding confidentiality, rights to privacy and other legal concerns.

**7. Amendments to Rules & Procedures:** Amendments to these rules shall be made by resolution of the Council.

**8. The City Clerk:** The City Clerk, or duly authorized representative, shall attend all business meetings of the City Council and maintain a permanent journal of its proceedings. All votes shall be recorded by calling the names of each member on a positional rotation basis with Council President's vote called last.

**9. Maintain Record:** All of the regular and special meetings of the City Council and each and every part thereof shall be recorded electronically. These records shall be maintained for a period in conformance with Chapter 40.14 RCW.

**10. Prepare Minutes:** Subsequent to each meeting, the Legislative Office Manager shall prepare brief and concise action minutes of all Council meetings and submit the same to the Council for approval. Such minutes shall contain an accurate resume of official Council actions, with reference to all matters before it.

**11. Verbatim Transcript:** No member of the Council, nor any member of the administrative staff of the City, shall be empowered or authorized to require the Legislative Office Manager to insert in said official minutes any verbatim transcript of all or any part of the proceedings. Verbatim transcripts shall be made a part of the minutes only when authorized by a majority vote of the entire Council, made at the meeting wherein such verbatim request is made.

**12. Non-Compliance with rules and Waiver:** Failure of a Council member to challenge the non-compliance of Council proceedings with any rule or procedure herein, prior to the vote or other action taken on the item under consideration, shall constitute a waiver and such non-compliance shall not affect the outcome of any action taken by the Council unless such compliance is required by law.

**13. Council Comments:** No Council Member may advertise or promote a private business or enterprise during Council meetings except that Council Members may make announcements to welcome a new business or announce special events regarding a private business or enterprise.

## **RULE 10 - COUNCIL EXPENSE REIMBURSEMENT**

Members of the City Council shall observe the Expense Reimbursement Claim Policies that have been established by ordinance or resolution. Reimbursement for travel by any member of the Council outside the State of Washington shall be made only with the prior approval of the majority of the Council. All Council Member expenses shall be subject to approval by the Council President.

## **RULE 11 - QUASI-JUDICIAL HEARINGS**

**1. Quasi-Judicial Body:** In hearing matters requiring application of law and determination of facts which predominantly affect particular parties rather than the public generally or a class or group, the Council sits as a Quasi-Judicial body. It will conduct the hearing in accordance with Rule 11 and 12.

- (a) Council President convenes hearing.
- (b) Item is introduced by City Clerk.
- (c) Council President inquires:

i. "All Council Members should now give consideration as to whether they have: 1) a demonstrated bias or prejudice for or against any party to the proceedings; 2) a direct or indirect monetary interest in the outcome of the proceedings; 3) a prejudgment of the issue prior to hearing the facts on the record; or 4) *ex parte* contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. If any Council member should answer in the affirmative, then the Council member should state the reason for their answer at this time so that the Chair may inquire of the City Attorney as to whether a violation of the Appearance of Fairness Doctrine or a Conflict of Interest exists."

ii. "If any member of the public believes any Council member should excuse themselves due to a conflict with the Appearance of Fairness doctrine, or for another concern, please state the reasons now."

(d) Council President calls upon Administrative Staff to present the recommendation or decision of the Administrative Hearing Examiner, or other applicable commission or board, to provide a general background and to answer Council questions.

(e\*) Council President designates the length of argument to afford a fair hearing of the issues. Correspondence is read and testimony taken from proponents, then opponents and those neutral. Council may ask questions of those testifying.

(f\*) Limited questioning of opposing witnesses on technical matters by either side may be allowed in the discretion of the Council President. The City Attorney will advise the Council President when such questioning may be a lawful requirement of the hearing.

(g\*) President closes the public testimony portion of the hearing. Council deliberates and may ask questions of the presenters.

(h) A decision by motion is made. The Council may accept, reject, or modify a recommendation or decision based upon its application of code criteria and appropriate findings.

(i) No motion to rescind or reconsider the initial quasi-judicial decision may be brought by any Council member following close of the meeting.

\* Not applicable to closed record hearing.

## **RULE 12 - CLOSED RECORD HEARINGS**

### **1. Hearing Procedure:**

(a) Closed record hearings on land use applications shall be conducted in accordance with this rule. The provisions of Rule 11 are applicable to closed record hearings except as otherwise noted therein. After the appearance of fairness inquiry, the President or staff will announce that the decision will be based on materials received in evidence at the previous open record hearing of the Administrative Hearing Examiner or other applicable commission or board; minutes of the prior hearing; and the recommendation or decision from the open record hearing.

(b) The Council may consider the following limited evidence not set forth in the record:

i. The Council may take official notice of information such as any law, ordinance, resolution, rule or other fact generally known and verifiable from reliable sources.

ii. Council Members may view the area in dispute, but shall note the time, manner and circumstances of such view on the record.

iii. Council deliberates and may ask questions of the staff.

iv. A motion incorporating the decision is made. The Council may accept, reject, or modify the Administrative Hearing Examiner's recommendation based upon its application of code criteria and appropriate findings.

Dated this ~~XX~~18<sup>th</sup> day of ~~May~~July, ~~2022~~2023

~~Michael Goodnow~~Jeff Coughlin  
~~2022-2023~~ City Council President

## Agenda Control Information

Research by President Coughlin

MRSC Resources:

<https://mrsc.org/stay-informed/mrsc-insight/april-2021/setting-the-agenda-less-control-more-cooperation>

<https://mrsc.org/explore-topics/governance/meetings/agendas>

Selected passage:

“Agencies can help resolve conflicts around agenda management by remembering four ground rules:

1. the meeting belongs to the governing body, and not to the agency executive;
2. the meeting belongs to the governing body *as a whole*, and not to one individual member (even if that individual member is the presiding officer),
3. an individual member can *request*, but only a majority of the governing body can *direct*, and,
4. if a new agenda item requires unplanned staff time or resources, then the agency will need to figure out how to allocate those resources.

There is no state law directing how the agenda is prepared or modified. [RCW 42.30.077](#) only requires that agendas be made publicly available. So, every agency’s rules can be tailored to its specific needs. One constant is that the clerk is an integral part of this process.

[Benton County](#) has delegated preparation of its agenda to its county administrator, and the chair may (but is not required to) review the agenda before it is finalized. In [Clallam County](#), items are submitted to the clerk, who prepares a proposed agenda for the county administrator and the board to review. Any commissioner may submit an item, and the board chair approves the final agenda. In [King County](#), matters are submitted to the clerk by a specific deadline, but this deadline can also be waived by the chair of the council.

In some mayor-council cities and towns, such as [Davenport](#), the mayor is involved in the preparation of the agenda. [Mukilteo](#) uses a planning committee consisting of the mayor, council president, and city administrator to prepare the agenda.

In council-manager cities, the city manager is involved in preparation of the agenda. In [Sequim](#), the clerk and city manager prepare the draft agenda but it is approved by the mayor and deputy mayor. The [Puyallup](#) city manager prepares the council’s draft agenda. Two or more councilmembers can request an item be added to the preliminary agenda and council (as a whole) will vote during the meeting on whether to add these items.”

| City                              | Government                  | Agenda Control Requests by Councilmembers<br>(Summary by Jeff, except where direct quotes given.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bremerton<br>(Current as written) | First Class Mayor-Council   | <p>RULE 4 - AGENDA CONTROL</p> <p>1. Agenda Control: Consideration of any subject, matter, or communication by the Council may be initiated by the Mayor or any Council Member. All written materials supplementing an agenda bill should be filed with the City Clerk and presented to the Council Legislative Office Manager or Legislative Assistant for distribution to the Council Members. The Council President may reject any agenda item not complying with this procedure. Upon presentation, the Council as a whole may decline further consideration or request information before further consideration.</p> <p>2. Committee or Study Session Review: Each Agenda Bill item shall be presented to a Council Committee or the City Council at a Study Session.</p> <p>3. Removing Items: At the Briefing, any item may be removed from the agenda for any reason upon the request of any Council Member. However, two Council Members may demand the item be reinstated to the agenda. The item shall be brought before the Council as regular business on the agenda and only tabled, continued or rejected by majority vote.</p> |
| Spokane                           | First Class Mayor-Council   | There is a sheet to fill out. All items require at least one Council Member to sponsor. Resolutions and Ordinance require two.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Tacoma                            | First Class Council-Manager | Any Council Member or City Manager may put any matter, resolution, or ordinance on agenda.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Bellingham and Aberdeen           | First Class Mayor-Council   | Unclear.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Everett                           | First Class Mayor-Council   | <p>"PROCEDURE FOR COUNCIL INITIATED LEGISLATION</p> <p>To promote the orderly development and consideration of proposed legislation and the efficient use of staff time, Council will initiate legislation as follows: Council members may seek confidential legal advice from the City Attorney to draft an outline of their proposed legislation for consideration at a Council meeting. Following Council discussion, the City Attorney will prepare a draft ordinance or resolution if a request is made by two or more members at a council meeting. Once the legislation has been prepared, the Council President/presiding officer will place it on the Council agenda for discussion. Provided, however, the obligations of this section shall be consistent with the Washington Court Rules for Rules of Professional Conduct, State law, the Charter and City Ordinances."</p>                                                                                                                                                                                                                                                       |

# Proposed Council Rules & Procedures Update

- Update Public Recognition to be 30 minutes with additional time allocated, if needed, before Council Reports.
- Add 2-minute response to Public Comment.
- Update for Consent Agenda Public Comment to be written only.
  - Allows for Council to get comments ahead of time and pull any item to General Business if desired.
- Update to allow public comment on amending motions, at CP's discretion, per Robert's Rules and OPMA.



# Proposed Council Rules & Procedures Update

- Clarify use of Agenda Setting Process for Mayor, Judge, or Council Members to all use same Agenda Bill Policy.
  - Same requirements and procedure to put an item on the Study Session Agenda.
- Clarifying language that CP may authorize exceptions to Agenda Bill Policy (but still only deny an item if it violates policy.)
- Clarifying language of actions that Council may take at Study Session regarding an item.
- Removed confusing language regarding "Committee of the Whole".

# For consideration, but not yet included

- Members may abstain only for specific conflict. Poulsbo Example:
  - "VOTES ON MOTIONS: Each member present shall vote on all questions put to the Council except on matters in which he or she has been disqualified for a conflict of interest or under the appearance of fairness doctrine, or in which he or she has been granted leave to abstain by the City Council in advance and for a stated reason. Such member shall disqualify himself or herself prior to any discussion of the matter and shall leave the Council Chambers."
  - "FAILURE TO VOTE ON A MOTION: Any Councilmember present who fails to vote without a valid disqualification or without having otherwise received the Council's permission to abstain shall be declared to have voted in the affirmative on the question."
- Require a second to move an item from Consent Agenda to General Business.

**Published for  
July 12, 2023  
Study Session**

**Item B6 – Public Comments**

**From:** [Jeff Coughlin](#)  
**To:** [Robin Henderson](#)  
**Cc:** [City Council](#); [Kylie Finnell](#)  
**Subject:** Re: Limiting public comments  
**Date:** Monday, July 10, 2023 2:10:11 PM

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Hi Robin,

That is not accurate.

Study sessions have been and will continue to be available to the public to attend in-person or view remotely via Zoom or the recording. I have not heard nor seen any proposal to change this. While not legally required, Council and IT staff worked hard this past year to set up Zoom/remote capability in our conference room because the Council wanted to expand access and transparency.

Public comment is not only continually encouraged, but legally required via the WA Open Public Meetings Act, on any action the Council considers during general meetings.

The only possibly related proposals up for discussion are:

- 1) To add clarifying language (it's already allowed) that in the rare case we have a large number of folks who want to speak at Public Recognition --- which are comments on things not on the agenda --- we can take a break after say 30 minutes and then continue it at the end of the meeting, to ensure we are able to get to the items on the agenda in a timely manner.
- 2) Make public comments to items on the consent agenda (routine, non-controversial items that have unanimous Council support at a Study Session) due by Noon the day of the general meeting they are to be voted on. This would be to ensure that if there is any substantial public comment on any consent agenda item, Council has the ability to pull it to general business for extra discussion and public input.

Thanks for checking in and helping combat misinformation.

I'm CC-ing Councilmembers and our City Attorney for awareness.

Cheers,  
Jeff

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**Jeff Coughlin, PhD**  
**Councilmember, Dist. 3**  
**2023 Council President**

*This e-mail and further communication may be subject to public disclosure, if requested under the Washington Public Records Act (RCW 42.56).*

**From:** Robin Henderson

**Sent:** Monday, July 10, 2023 1:21 PM

**To:** Jeff Coughlin

**Subject:** Limiting public comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jeff,

I just watched a Facebook video from Kimmy Siebens where she references a letter from city Council and says that you intend to propose changes to council rules limiting remote access to study sessions and public comment during meetings. Is this accurate?

Robin

Sent from my iPhone