

RESOLUTION NO. 2009-19

A RESOLUTION of the City Council of the City of Bainbridge Island, Washington, relating to the Winslow Way Reconstruction Project; declaring its intention to order the construction of utility and street improvements and to create a local improvement district to assess the cost and expense of carrying out those improvements against the properties specially benefited thereby; and, notifying all persons who desire to object to the improvements to appear and present their objections at a hearing before the City Council to be held on November 23, 2009.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, as follows:

Section 1. It is the intention of the City Council of the City of Bainbridge Island, Washington, to order the improvement of the properties within the area described in Exhibit A, attached and incorporated by this reference, by the construction of the Winslow Way Reconstruction Project. The Winslow Way Reconstruction Project is to provide a complete replacement of below and above-ground utility and transportation infrastructure between State Route 305 and Grow Avenue. Elements of the project include: replacement of water, sewer and stormwater facilities; street improvements, including paving, curbs, gutters, sidewalks, street lighting, street trees and other landscaping; retention of angled parking and addition of bicycle facilities; and, undergrounding of electrical power, cable and telephone, and appurtenances, between Ericksen Avenue and Madison Avenue all as more fully described in Exhibit B, attached and incorporated by this reference (the "Improvements".)

All of the Improvements shall be in accordance with the plans and specifications prepared for the City by the SVR Design Company and Puget Sound Energy and may be modified by the City as long as modifications do not affect the purpose of the Improvements.

Section 2. The total estimated cost and expense of the Improvements is declared to be an amount not to exceed \$1,000,000.01, only \$1,000,000.01 of that cost and expense shall be borne by and assessed against the property specially benefited by the Improvements. Such property is to be included in a local improvement district to be established; the local improvement district embracing as nearly as practicable all the property specially benefited by the Improvements. The balance of the cost and expense of the Improvements shall be paid by the City. None of the amount to be assessed against the property within the local improvement district is to be paid by the City. Actual assessments may vary from estimated assessments as long as they do not exceed a figure equal to the increased true and fair value the improvements add to the property.

Section 3. All persons who may desire to object to the Improvements are notified to appear and present those objections at a hearing before the City Council to be held in the Bainbridge Island City Hall Council Chambers at 280 Madison Avenue North Bainbridge Island, Washington, at 7:45 p.m. on November 23, 2009 which time and place are fixed for hearing all matters relating to the Improvements and all objections thereto and for determining the method of payment for the Improvements. All persons who may desire to object thereto should appear and present their objections at that hearing. Any person who may desire to file a written protest with the City Council may do so within 30 days after the date of passage of the ordinance ordering the Improvements in the event the local improvement district is formed. The written protest should be signed by the property owner and should include the legal description of the property for which the protest is filed and that protest should be delivered to the City Clerk.

Section 4. The city clerk is authorized and directed to give notice of the adoption of this resolution and of the date, time, and place fixed for the public hearing to each owner or reputed owner of any lot, tract, parcel of land, or other property within the proposed local improvement district by mailing such notice at least fifteen (15) days before the date fixed for public hearing to the owner or reputed owner of the property as shown on the rolls of the Kitsap County Assessor at the address shown thereon, as required by law.

This resolution also shall be published in its entirety in at least two consecutive issues of the official newspaper of the City, the date of the first publication to be at least fifteen (15) days prior to the date fixed for the public hearing.

Section 5. The City's Public Works Department will submit to the City Council on or prior to October 28, 2009 all data and information required by law to be submitted.

Section 6. If any section, subsection, paragraph, sentence, clause or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

Section 7. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

Section 8. This resolution shall take effect and be in force immediately upon its passage.

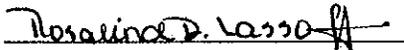
PASSED by the City Council this 28th day of October, 2009.

APPROVED by the Mayor this 30th day of October, 2009.



Chris Snow, Mayor

ATTEST/AUTHENTICATE:

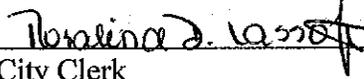


Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	October 21, 2009
PASSED BY THE CITY COUNCIL:	October 28, 2009
RESOLUTION NO.	2009-19

I, Rosalind D. Lassoff, City Clerk of the City of Bainbridge Island, Washington, certify that the attached copy of Resolution No. 2009-19 is a true and correct copy of the original resolution passed on the 28th day of October, 2009 as such resolution appears on the Minute Book of the City.

DATED this 30th day of October, 2009.



City Clerk