

Office of the City Attorney  
Kylie Finnell, City Attorney

# Memorandum

**To:** Bremerton City Council

**From:** Kylie Finnell, City Attorney  
Mike Riley, Director of Finance and Administration

**Re:** Executive Order Impacts to City operations

**Date:** February 12, 2025

## Timeline – Last Three Weeks

- Week of January 20 – 24: President Trump was inaugurated on January 20 and began issuing Executive Orders some of which related to Diversity, Equity and Inclusion practices. The City was in process of filling the Diversity and Community Engagement Manager position. Candidate interviews with the Mayor, staff and Councilmembers Chamberlin and Goodnow occurred on January 23 and 24.
- Week of January 27 – 31: City staff continued to work towards filling the position while monitoring activity at the federal level with growing concern. On January 28 the web portals for federal funding were closed. Mike Riley and I advised the Mayor to pause filling the position so we could advise the City Council of the potential risks to federal funding. On January 28 we provided a briefing to the Finance Committee and Council President Eric Younger. On January 29 the access to federal funds were restored but emphasis on the federal government reviewing programs remained. Mike Riley contacted Finance Committee Chair Jeff Coughlin and Council President Eric Younger with an update.
- Week of February 3 – Present: The Mayor and City staff have continued to gather information, and we are sharing an overview of what we are learning with Council tonight.

## Targeted Practices

- Use of protected characteristics in any employment action. This includes but is not limited to hiring quotas, tiebreaker decision-making, specific group internships or other opportunities, and tying manager compensation or evaluations to meeting diversity quotas. The City has not engaged in these practices.

Practices that do not appear to be Targeted

- Actions that are identity-neutral that remove bias from the workplace and create equal opportunity. Think “level” not “lift”.

Bremerton Human Resources practices support equal opportunity

- In 2021, to protect civil rights and eliminate opportunities for discrimination the City expanded recruitment distribution lists to a wider audience, redacted employment applications, and standardized interview processes.
- In 2024, the Washington Cities Insurance Authority reviewed the City’s personnel policies and procedures as a part of a voluntary audit and the City received a stellar review.
- No current practices in Human Resources appear to be in violation of any interpretations of federal or state law.
- We will continue to monitor relevant legal authority and update our practices as necessary so they continue to identify and eliminate discrimination, support equal opportunity, and protect civil rights.

Funding that is threatened

- The most immediate issue is likely to be answering grant certifications. 2025 awards contracts are already including language that require grant recipients to agree that they comply in all respects with all applicable Federal anti-discrimination laws and certify that they “do not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.”
- The attached table shows funding that might be at risk.

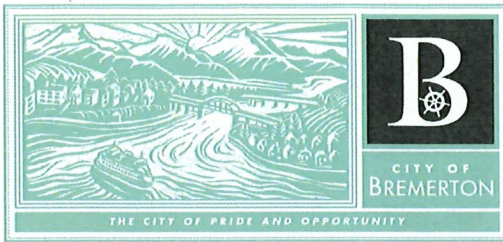
Mayor and Council Roles under the City Charter

- As the chief executive and administrative officer of the City, the Mayor is vested by Article IV (19)(1) with general supervision of the administrative forces of the city “and all city interests.” Article IV (19)(3).
- In situations where the Mayor ascertains changes in circumstances or new concerns, such as these threats to the federal funding the City receives, it is appropriate for the Mayor to pause and report his concerns to the City Council for its consideration.
- The City Council is vested by virtue of Article III, Section 12 of the Charter with the power to adopt and enforce ordinances relating “to...and regulating its local or municipal affairs and appropriate to the good government of the city...”
- The Charter also authorizes the City Council “to define the functions, power, and duties of the City’s officers and employees.” *Ibid.*

- These broad powers authorize the City Council to adopt an ordinance directing the Mayor to fill the Diversity and Community Engagement Manager position.
- While the ordinance would be subject to Mayoral veto, a supermajority of the Council could require the administration to take such an action.

Next Steps

- City Administration will continue to collaborate with our partners at the local, state, and federal levels and keep Council up to date on developments through communication with the Council President and the Finance Committee Chair.



**FOR IMMEDIATE RELEASE**

Revision of release dated January 29, 2025

January 30, 2025

The memo issued by the Office of Management and Budget dated January 27, 2025 requires Federal agencies to identify and review all Federal financial assistance programs.

“To implement these orders, each agency must complete a comprehensive analysis of all of their Federal financial assistance programs to identify programs, projects, and activities that may be implicated by any of the President’s executive orders. In the interim, to the extent permissible under applicable law, Federal agencies must temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders...”<sup>1</sup>

This freeze may impact various programs, including those designed to support local governments that may have already incurred eligible expenses but have not yet submitted claims for reimbursement.

The federal funds awarded to the City of Bremerton that could be affected by this memorandum are detailed below:

|                                      |           |
|--------------------------------------|-----------|
| West Kitsap Way Planning Study       | 12,388    |
| Edward Byrne Memorial Justice Grant  | 30,503    |
| Pedestrian Priority 2023             | 60,138    |
| Rectangular Rapid Flashing Beacons   | 76,378    |
| Pedestrian Priority 2024             | 149,450   |
| Bremerton Parrish Creek Fish Passage | 389,600   |
| SR 303 Adaptive Signals              | 428,195   |
| SR 303 Corridor Improvements         | 1,600,000 |
| 6 <sup>th</sup> Street Phase III     | 1,617,026 |
| Naval Avenue                         | 2,495,275 |
| Quincy Square                        | 2,500,000 |
| Central Bremerton Force Main         | 7,145,000 |
| *CDBG Haddon Park                    | 132,000   |
| *CDBG KCR BEST                       | 80,385    |
| *CDBG KCR Weatherization             | 96,484    |
| *2025 CDBG ADA Curb Ramps            | 10,000    |
| *2025 CDBG Marvin Williams Center    | 53,000    |
| *2025 CDBG Boost Microenterprise     | 64,000    |

---

|                              |         |
|------------------------------|---------|
| *2025 CDBG Admin             | 73,000  |
| *HOME KOR Manette            | 582,972 |
| *HOME Community Frameworks   | 200,000 |
| *HOME Evergreen Brightstart  | 575,303 |
| *BHA Housing Navigator       | 161,537 |
| *Wheaton Landing             | 579,922 |
| *Wheaton Landing Acquisition | 141,949 |

\*Revised from original release dated 01/19/2025

At the time of preparation of this release, OMB Memorandum M-25-13 was rescinded per OMB Memorandum M-25-14.

<sup>1</sup> OMB Memorandum M-25-13

###

#### 10 Year Community Development Block Grant Funded Projects

| Project                                     | Year                  | Amount              |
|---|-----------------------|---------------------|
| Evergreen Accessible Playground Project     | 2014                  | 159,100             |
| ADA Curbscuts                               | 2014                  | 23,300              |
| Teen Center                                 | 2014                  | 42,635              |
| Lillian Walker Park                         | 2015-2017             | 167,500             |
| Weatherization                              | 2014-2024             | 705,193             |
| WestHills Pre-School                        | 2017                  | 129,300             |
| Boys & Girls Club Teen Initiative           | 2014-2015             | 24,700              |
| Bremerton Food line                         | 2014-2015             | 25,000              |
| BEST Program                                | 2014-2024             | 446,200             |
| Educational Transition                      | 2014                  | 10,700              |
| Dental Clinic for Children                  | 2014                  | 10,700              |
| Alive Legal Advocacy                        | 2014                  | 17,350              |
| West Hills Stem                             | 2016                  | 76,800              |
| Meals on Wheels                             | 2015-2016             | 30,000              |
| Holly Ridge Baby Steps to Play              | 2015-2016             | 50,200              |
| Down Payment Assistance                     | 2015                  | 15,000              |
| Sound West 4th Street                       | 2016-2018             | 44,000              |
| Sound West 4 Street North                   | 2016-2017             | 196,600             |
| Evergreen Park ADA Improvement              | 2016; 2019-2020       | 56,500              |
| 1010 Housing Project Demo                   | 2017-2018             | 178,362             |
| Kitsap Preschool Equipment                  | 2017-2018             | 91,000              |
| Marvin Williams New Life Coding             | 2018                  | 24,400              |
| Coffee Oasis HOPE                           | 2018-2022             | 219,788             |
| Affordable Housing Market Analysis          | 2019                  | 23,625              |
| ADA Sidewalks and Curbscuts                 | 2019-2024             | 731,754             |
| Kitsap Mental Health Housing                | 2019-2020             | 135,000             |
| YWCA Alive Shelter                          | 2020-2021 & 2023-2024 | 451,135             |
| Rental Assistance                           | 2020-2024             | 563,282             |
| Lions Park ADA Upgrade                      | 2021-2022             | 67,891              |
| <b>Total CDBG Funded Projects (10 Year)</b> | <b>2014-2024</b>      | <b>\$ 4,717,015</b> |