

Gig Harbor City Council Meeting

**September 26, 2005
7:00 p.m.**



"THE MARITIME CITY"

**AGENDA FOR
GIG HARBOR CITY COUNCIL MEETING
September 26, 2005 - 7:00 p.m.**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of City Council Meeting of September 12, 2005.
2. Correspondence / Proclamations: a) Letter from Pierce County re: Senior Services b) Letter from Almar re: fireboats c) Proclamation: Walk Across Washington Day.
3. Liquor License Renewals: Thai Hut, Central 76, Fred Meyer #601, Harvester Restaurant, QFC #864, QFC #886.
4. Special Occasion Liquor License: Knights of Columbus.
5. Approval of Payment of Bills for September 26, 2005:
Checks #48179 through #48330 in the amount of \$521,491.96.

OLD BUSINESS:

1. Second Reading of Ordinance – Amending the Meeting Dates for Friends of the Parks Commission.
2. Second Reading of Ordinance – Amendment to Title 15 Incorporating EHB 1848 Requirements for Weatherproofing.
3. Second Reading of Ordinance – UTGO Bonds - Permanent Funding for Eddon Boatyard.

NEW BUSINESS:

1. First Reading of Ordinance – Revising School Impact Fees.
2. Resolution – Historic Street Names.
3. Friends of the Parks Commission Appointments.

STAFF REPORT:

1. Dick Bower, Building Official/Fire Marshal – Building Permit Application Enhancements.
2. Mark Hoppen, City Administrator – St. Anthony's Hospital Update.

PUBLIC COMMENT:

COUNCIL COMMENTS / MAYOR'S REPORT:

ANNOUNCEMENT OF OTHER MEETINGS:

1. GHN Traffic Committee – September 28, 2005 at 9:30 a.m. Community Rooms A & B, Gig Harbor Civic Center.

ADJOURN:

GIG HARBOR CITY COUNCIL MEETING OF SEPTEMBER 12, 2005

PRESENT: Councilmembers Ekberg, Young, Franich, Conan, Dick, Picinich, Ruffo and Mayor Wilbert.

CALL TO ORDER: 7:01 p.m.

PLEDGE OF ALLEGIANCE:

SPECIAL PRESENTATION: Gig Harbor Kayak Club.

Mayor Wilbert introduced members of the Gig Harbor Kayak Club.

Katrina Batina gave a brief presentation on the success of the Gig Harbor Kayak Racing Team and recent win at the national championships. She ask team members Kelsey Baker, Emily Winskill and Annie Truscott to assist her in presenting the Bantam Championship Trophy, National Team photograph, a plaque with the history and team mission statement, and articles of clothing to be put on display in the Civic Center. Ms. Batina then presented Mayor Wilbert with the gift of a team sweatshirt in appreciation of her support of the kayak team. She then introduced Emily Winskill.

Ms. Winskill gave a brief history of the kayaking sport, the team's successes, and future plans. She said that the team is committed to compete in the Olympic Games in 2012 to be held in London. She asked for support from the city and community on a vision to reach this goal and for a facility to serve not only the kayak racing team, but to allow others to explore the harbor. She said that the team seeks approval to make this a possibility and thanked Council for the opportunity to present this information.

Mayor Wilbert introduced the team leader, Alan Anderson and thanked him for assisting these young people in attaining their goals.

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of City Council Meeting of August 22, 2005.
2. Correspondence / Proclamations: a) Letter from AWC b) Letter from WFOA c) Letter from PSRC d) Proclamation – Constitution Week.
3. Liquor License Change of LLC: Water to Wine.
4. Liquor License Assumption: Olympic Village 76 Station.
5. Approval of Payment of Bills for September 12, 2005:
Checks #48062 through #48178 in the amount of \$202,555.58.
6. Approval of Payroll for the Month of August:
Checks # 3887 through #3934 and direct deposits in the amount of \$263,571.12.

MOTION: Move to approve the Consent Agenda as amended.
Picinich / Ruffo – unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance – Changing the Equivalent Residential Unit Assignment (ERU) for Laundromats. John Vodopich presented information on this ordinance that would change the sewer connection fee for laundromats. He explained that the sewer connection fee would be changed based upon actual or projected flow calculations and verified after one year of operation.

MOTION: Move to adopt Ordinance No. 1012 as presented.
Picinich / Ruffo – unanimously approved.

2. Second Reading of Ordinance – Prentice Street Vacation – Boyd. John Vodopich presented information on this request to vacate a portion of Prentice Street. He said that an easement has been retained for the existing sewer line and recommended approval.

MOTION: Move to adopt Ordinance No. 1013 as presented.
Picinich / Ruffo – unanimously approved.

3. Public Art Contract Authorization – Rotary Pavilion at Skansie Brothers Park. Mark Hoppen introduced Lita Dawn Stanton, Gig Harbor Arts Commission member, to speak to this issue.

Ms. Stanton explained that the PowerPoint list describes the background information on how the art was chosen, adding that it was unanimously agreed by the Gig Harbor Arts Commission to get a recommendation from the Gig Harbor Fisherman's Club on what to label the medallion. The recommendation came back "Skansie Brothers Park." Comments were made to put a plaque or marker somewhere on or around the house itself that would credit the rest of the family members. Ms. Stanton explained that the next picture is another artwork that illustrates the technical ability of the artist, Mardie Rees. Ms. Rees was present to answer any questions.

Councilmember Franich stressed that the plaque should not be too large or imposing.

Councilmember Ekberg thanked the Gig Harbor Arts Commission for doing such a wonderful job selecting a piece for the Rotary Pavilion.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich voiced concern over a rumor that there are plans to change the name of the Skansie Brothers Park. Councilmembers assured him that this is not the case.

MOTION: Move to accept the Arts Commission recommendation to put "Skansie Brothers Park" on the medallion and to authorize the execution of the Artist Services Contract with Mardie Rees in the total amount not to exceed Five Thousand Dollars (\$5,000.00).
Young / Ekberg – unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance – Clarifying the Requirements for Sewer Hook-ups. John Vodopich said that this draft ordinance would clarify when newly annexed areas would require hook up to the sewer system and would outline provision for exceptions. He explained that this issue came about during the Hazen Annexation several years ago, and that after reviewing the minutes this afternoon, he said that the ordinance does not clearly capture the intent of what Council had intended. He recommended that this be remanded back to the Community Development Committee for further review, adding that the ordinance would return in October. Council agreed.

2. First Reading of Ordinance – Amending the Meeting Dates for Friends of the Parks Commission. John Vodopich explained that this ordinance changes one of the meeting dates from September to October to avoid conflict with the Labor Day holiday. This will return for a second reading at the next meeting.

3. First Reading of Ordinance – Amendment to Title 15 Incorporating EHB 1848 Requirements for Weatherproofing. John Vodopich presented this ordinance that amends Title 15 of the city code to reflect amendments to the State building code adopted by reference. Mr. Vodopich addressed questions regarding the impact on developers, clarifying that this ruling only impacts multi-family dwellings.

4. First Reading of Ordinance – UTGO Bonds - Permanent Funding for Eddon Boatyard. David Rodenbach, Finance Director, explained that this ordinance would allow for the issuance and sale of bonds to provide permanent financing to pay off the UTGO Bond Anticipation Note issued in February for the purchase of the Eddon Boat Property. He explained that the final interest rate will be set on September 23 in anticipation of Council approval of the ordinance on September 26th. Mr. Rodenbach answered Council questions regarding the estimated timeline for property tax increase and the amount.

STAFF REPORT:

1. Mark Hoppen, City Administrator - St. Anthony's Update. Mark Hoppen, City Administrator, reported that after the Traffic Committee meeting on Thursday, they expect to have an engineering scenario that will suffice for the near-term, six-year, and twenty-year perspective.

2. Mike Davis, Chief of Police – GHPD July / August Stats. Chief Davis explained that there is an increase in activity and the seriousness of the offenses. He offered to answer any questions regarding the report.

PUBLIC COMMENT:

John Rose – Olympic Property Group, 19245 10th Ave. NE, Poulsbo, WA 98370. Mr. Rose gave an update on the progress of the Harbor Hill project stressing that it is important to them to keep the city informed. He invited Councilmembers, the Planning Commission members, and Design Review Board members to come to the site on September 28th at 3:00 p.m. for a tour of the site. He said that another tour would be scheduled for those who couldn't attend.

Mr. Rose addressed questions regarding Harbor Hill road that some day will connect with Burnham Drive. He explained that OPG had been working with members of the Gig Harbor Sportsman's Club and offered to submit their letter of agreement. He then introduced John Chadwell who answered questions regarding the traffic concerns.

Mr. Chadwell explained that all traffic reports show that a one-lane roundabout is adequate at the Peacock Hill intersection. He then said that the improvements at the Borgen Boulevard intersection should be more than adequate for the proposed project.

Mr. Rose talked about the surprised success of Gig Harbor North, and stressed that traffic improvements will require public and private funding. He said that his company is on record as saying they will pay for their fair share. He then addressed questions regarding support for the hospital project. He said that OPG is an active participant in the Gig Harbor North Traffic Committee to help find solutions. He explained that OPG is open to discussion. He said that OPG had offered an alternate site to St. Anthony's, but they could not transfer traffic capacity. After 20 years of planning and the associated development costs it wouldn't be feasible to stop their own projects.

Councilmember Young thanked them for attending the GHN Traffic Committee meetings as their technical expertise is valuable. He then asked Mark Hoppen to review the reasons that the transfer of credits was not adopted and report back to the committee before the GHN Traffic Committee meeting.

Lita Dawn Stanton – 111 Raft Island. Ms. Stanton utilized a PowerPoint presentation to illustrate her concerns that the proposed Steele / Burton project located at 3600 block of Harborview Drive does not meet the intent of the Design Manual standards for Historic District Preservation. Responding to a question from Councilmember Young, Ms. Stanton said that she is unsure of the status of the permit, and stated that she would recuse herself from any Design Review process on this project due to her family ownership of the adjacent property. Ms. Stanton specifically cited the flat roof and lack of historic window patterns which are elements of the Design Standards for this historic district. She said that new residential structures in the historic district must maintain the existing width and height proportions of adjacent structures. She showed pictures of existing structures and an overlay of the proposed Steele and Burton projects illustrating how the buildings would appear from both the water and street views. She stressed that due to the configuration of the buildings on the property, you would have very little site-line view of the water. Ms. Stanton said that she is not opposed to mixed-uses in this zone, but wants the projects to comply with the historic standards. She asked for clarification on whether these structures can be converted to office space after they are built. She also asked if the plans had been accepted as complete.

John Vodopich clarified that if the use were to be converted from residential to commercial it would require a site-plan review. Mr. Vodopich continued to explain that the application has been deemed complete by the Building Department, but has not been deemed compliant as the compliance review has yet to be done. He said that Kristen Moerler, Planning Associate, is aware of the Design Review concerns in regards

to window treatments and flat roofs. There is still an outstanding issue regarding the administrative interpretation of the allowance of underground parking lots within side-yard setbacks. The appeal period has not yet expired on that and until this is resolved, the compliance review will not be completed.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich voiced concern that the city is processing incomplete, "piece-meal" applications. He said that this project will affect his view. He explained that the original application submitted by Mr. Steele, which was later withdrawn, shows 35 moorage slips with parking, adding that there has never been an overall plan showing parking for all the uses or plans for the old dock. Mr. Bujacich then talked about the City Attorney's finding that the city has to allow an underground garage from lot line to lot line, or the setbacks would be considered a taking. If this were the case, then the requirements for setbacks in other zones would also be considered a taking. He then said that the plans for this project indicate that it is not single-family residences because each floor has three bedrooms, office space, bathrooms, and fireplaces. He said that this will eventually be converted to duplexes or part commercial. This project is bigger than anything else in the area and affects the view from both the water and from the land. If the Planning Staff were to look at the overall plan, it would be considered a commercial development, and which would have fallen under the moratorium, adding that it seems obvious that this is a commercial marina with all the underground parking. Mr. Bujacich stressed that Council has to pass an ordinance stating that a project cannot be reviewed in pieces; that the plan must be complete.

John Vodopich clarified that the project has not yet gone through the compliance review and has not gone before the Planning Commission as they have no review authority over building permits. The issue that went to the Hearing Examiner was an appeal of the administrative interpretation of underground parking structures in side-yard setbacks.

Bob Frisbie – 9720 Woodworth Avenue. Mr. Frisbie used a handout to illustrate the proposed plan for underground parking for the proposed Burton/Steele projects. He said that the Hearing Examiner's decision has ramifications throughout the entire city and asked Council to consider if this is what they intended. He recommended that Council look at the decision and if this is not the desired outcome, to change some of the definitions so that you have to abide by the setbacks. He said that he disagrees with the interpretation, but as of this time, they are not going to appeal the decision. He added that it is up to Council to decide what needs to be done, and to do this as soon as possible. Mr. Frisbie then asked Council to refer to the colored illustration, citing the Hearing Examiner's definition of underground parking: parking is allowed as long as it doesn't block any lines of site. He said that in this case, this means that it has to be totally underground as it exists today. In this project, some portions of the structures that are located in the setback are out of the ground. In the Hearing Examiner's findings, these pieces have to be fixed before the project can move forward.

Councilmember Ekberg asked for clarification on the width of the area above ground on the Burton Residence. Mr. Frisbie explained that a grand total of 25' of setback is the

required width on this particular property. On the Steele property, the 20' setback requirement has been used for a driveway.

Councilmember Young pointed out that if this information is correct, then the proposed project would be deemed non-compliant. Mr. Frisbie agreed, and said that it took him, a Registered Professional Engineer, several days of review to determine this. He summarized by saying that the applicant has asked to not go before the Design Review Board, but to complete an application that would be compliant with the Design Review Manual. The pictures used by Lita Dawn Stanton show that the project does not comply with the manual. He suggested that Council consider taking a close look at these concerns and return the application as non-compliant with no grandfather rights.

Mayor Wilbert asked if the application has a marina and how many boats would be moored there. Mr. Frisbie said that the original application, which was withdrawn, was a complete development of the property, but it did not have accumulative parking for the entire project. Mr. Burton's son indicated to him that they believed that they would get an exemption from that requirement. It would have required approximately 72 parking spaces to accommodate the mixed uses and marina originally planned. Now, what is proposed are 31 parking spaces specific to the code to avoid going to the DRB.

Chuck Hunter 8829 Franklin Avenue. Mr. Hunter said that the people he has spoken to are concerned about two things: the hospital and how to keep the character of Gig Harbor. He said that the Steele project is an attack on the character of Gig Harbor and as stewards of the community, the City Council has a responsibility to step up to bat when something gets off course concerning city business and on this project, the city is forewarned. Mr. Hunter compared this project to the Luengen Building, adding that it will look like one big building from a distance. He then compared the structures to the Russell Building, which although built low from the street side, also blocks the view. He asked Council to review this information and to direct staff to reject the applications based on the fact that it doesn't meet the criteria that the Hearing Examiner came up with for underground garages. He said that the other thing that needs to be addressed is that if permitted, there will be no more public input. He said that everyone knows this project will be changed to some other use, making this a sham which shouldn't be allowed. Mr. Hunter asked Council to look at the information presented by Lita Dawn Stanton and Mr. Frisbie and make the right decision.

Councilmember Young asked if Mr. Hunter was recommending that Council review the project. Mr. Hunter responded no, that he is asking them to tell staff to send it back until the design meets the criteria. Councilmember Ekberg said that this implies that Council has reviewed the application. Mr. Hunter said that enough information has been given to Council that they do not need to review the project to make that decision.

Councilmember Young said that he agreed that as the legislative body, the Council cannot ask staff to send this back. Mr. Hunter then said that they should ask the Mayor to do so.

Mayor Wilbert asked if there was a way to get the project before the Design Review Board. Councilmember Dick explained that the applicants have specifically avoided the design review process and are asking for an administrative determination.

Councilmember Young stressed that staff will look at the proposal for compliance and the applicant will have the choice to amend the project or they can send it to the DRB for the public process. He asked for clarification for when gross non-compliance equals a rejection as being an incomplete application. Mr. Vodopich responded that this is what is being determined now.

Mr. Hunter said that the garage structure on this project encroaches into the open space, and therefore, it needs to be sent back. Councilmember Young asked if they should be given an opportunity to correct the deficiencies. Mr. Hunter responded that yes, by rejecting the application and making them resubmit. Councilmember Young once again asked if he meant this should be sent back each time it doesn't comply. Mr. Hunter said yes.

Councilmember Ruffo said that Council needs to deliberate over this to figure out what Council's rights are. Councilmember Franich thanked those who put together the presentation. He asked for clarification from staff on the threshold of compliance before the next meeting. John Vodopich explained that this would depend upon whether or not the Hearing Examiner's decision is appealed.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Young said that he discovered that every other jurisdiction in the state does something that Gig Harbor has not, and that is to allow property owners with adjoining properties to permit applications as if they are one parcel. A recommendation from the Community Development Committee to take a look at this went to the Planning Commission for consideration, but they did not act on it as that they believed that it was an applicant driven project. Councilmember Young said that most properties downtown, as well as others throughout the city, are plagued by this problem. He asked support for a Council initiated recommendation for the Planning Commission to review this issue.

Councilmember Conan commented that now there is a building size limitation, it would be to the advantage of the city to do this. After further discussion the following motion was made.

MOTION: Move to direct staff to draft language for the Planning Commission to review that would allow adjoining properties to be treated as one in terms of land use permitting when owned by the same person.
Young / Conan – unanimously approved.

Councilmember Ekberg reported on the results of the meeting of the Parks Committee and Eddon Boat Ad Hoc Committee. Staff brought them up to date on the clean-up process and evaluation of the buildings. After public comment, there was clear

consensus that the city should move ahead to separate the upland part of the property from the Eddon Boat building and provide safe public access to that site. Two of the buildings were deemed unworthy of improvements and would be demolished. The terrain issues would be addressed and trees would be identified for saving. One more meeting will be held to review the comments and staff will have a visual presentation to show what the site would look like with these improvements. The Tudor home was deemed to be so far out of compliance that it would be too expensive to bring up to code. They are checking on its historical value and whether the site could be used for a gathering area. The Eddon Boatyard itself needs minor roof repairs and touchup boards. The decision was made to do the minimal repairs necessary before discussion could be held for long-term use plans.

Open Memo – Emergency Preparedness. Mayor Wilbert said that recent events are a wake-up call for everyone to prepare for unexpected emergencies and the need for a local plan. She stressed that everyone needs to be self-sufficient for 72 hours.

ANNOUNCEMENT OF OTHER MEETINGS:

1. GHN Traffic Committee – September 15th at 9:30 a.m.

EXECUTIVE SESSION: For the purpose of discussing potential litigation per RCW 42.30.100(1)(i).

Mark Hoppen pointed out that the city attorney was not present. Councilmember Franich and Ruffo said that they needed to go into Executive Session anyway.

MOTION: Move to adjourn to Executive Session at 9:03 p.m. to discuss potential litigation for approximately 20 minutes.
Picinich / Franich – unanimously approved.

MOTION: Move to return to regular session at 9:25 p.m.
Dick / Ruffo – unanimously approved.

MOTION: Move to adjourn back to Executive Session for approximately another five minutes.
Dick / Ruffo – unanimously approved.

MOTION: Move to return to regular session at 9:35 p.m.
Ruffo / Ekberg – unanimously approved.

MOTION: Move to authorize staff to appeal the Hearing Examiner's Decision to Superior Court and to hire outside Counsel to advise us on this matter and that this be filed in a timely manner.
Franich / Picinich – roll call vote: Ekberg – no; Young – no; Franich – yes; Conan – yes; Dick – no; Picinich – yes; Ruffo – no. The motion failed, four to three.

ADJOURN:

MOTION: Move to adjourn at 9:35 p.m.
Ekberg /Young – unanimously approved.

CD recorder utilized:
Disc #1 Tracks 1 – 19.
Disc #2 Tracks 1 – 13.

Gretchen A. Wilbert, Mayor

Molly Towslee, City Clerk



Pierce County

Human Services Department
3580 Pacific Avenue
Tacoma, Washington 98418-7915

FRANCES I. LEWIS
Director

September 7, 2005

Mayor Gretchen Wilbert
City of Gig Harbor
3510 Grandview St.
Gig Harbor, WA 98335

SEP 19 2005

Dear Mayor Wilbert:

Pierce County Aging and Long Term Care is helping make seniors' lives better. Access to prescription drugs is a major hurdle these days. Huge changes to Medicare will involve every older adult this fall. They will have to make a crucial choice about a new Medicare prescription drug benefit. Making the right choice can **save hundreds** of out-of-pocket dollars annually. Making the wrong choice can result in **drastic penalties** for life. We will provide information that will help seniors choose wisely.

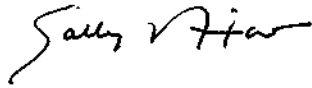
Aging and Long Term Care is hosting the "**Medicare Rx Info Day**," a free, day-long symposium for seniors, family members, caregivers, and providers. This event will be held on Monday, October 24, at the Tacoma Elks Lodge, 1965 S. Union, from 9:30 a.m. to 7:30 p.m. It's a come-when-you-want and leave-when-you-want kind of event. We will offer repeated presentations on the new drug benefit, informative workshops on key topics, flu and pneumonia shots, and complimentary services for participants. The bloodmobile will be available between 11 a.m. and 3 p.m. to help ease local shortages too.

We invite you to **be with our community elders**. This would be a fine opportunity for you to meet participants and talk with them about their experience of living here in Pierce County. If you choose to attend, we would like to formally recognize you at the beginning of the keynote presentations that will be repeated at 10 a.m., 12 noon, 2 p.m., 4 p.m., and 6:30 p.m. **Keynotes will begin precisely on time**. After each keynote presentation seniors will have a short break followed by Q&A or related workshops. Please identify yourself at our registration table 5 minutes prior to the talks so that our MC can introduce you.



We look forward to welcoming you to the “**Medicare Rx Info Day**” on October 24. We hope you can join us and learn about this new prescription drug program, its benefits and its shortcomings. And please share information about this event with your constituents!

Sincerely,



Sally Nixon, Manager
Aging and Long Term Care
(253) 798-3787

P.S. Do you and your staff want to stay in touch with news and issues of concern to older adults and individuals with disabilities? Senior Information and Assistance produces Senior I&A E-News – a free, monthly update on happenings of concern in Pierce County. Sent as an e-mail text with no attachments, it’s a great way to keep up. To subscribe to the mailing, contact Bob Riler at briler@co.pierce.wa.us or call (253) 798-7384.



www.almarboats.com

September 22, 2005

City of Gig Harbor
Mayor Gretchen
3510 Grandview St.
Gig Harbor, WA 98335

Dear Mayor Gretchen, City Council Members and Interested Parties,

Thank you for your interest in what Almar Boats may be able to do for you, in the way of an Almar Fireboat; for the future needs of the City of Gig Harbor, and the surrounding waterfront communities.

We, at Almar, would like to extend to the City of Gig Harbor our internationally recognized professionalism, in our products; Police Patrol Vessels, Fire and Rescue Vessels and more.

We have had long standing business contracts with the Pierce County Sheriff's Department, Tacoma Police Department Marine Division, Department of Natural Resources, National Oceanic and Atmospheric Administration, U.S. Navy, many national county contracts, international concerns, Homeland Security issues and private accounts.

Presently, we have at our facility the new Anderson Island Fire and Rescue Vessel, along with the new Wheeling West Virginia Fire and Rescue boat.

We would at this time extend an invitation to the City of Gig Harbor to visit Almar Boats for a tour of our facilities and an up close look at what we at Almar can do for Gig Harbor and its community.

As my duties are not directly in marketing, I would like you to contact our General Manager, Mike Sandeman, to schedule a tour of Almar Boats, and any logistics he may provide.

We empathize with your recent loss of Harborview Marina and hope that we can help Gig Harbor in the prevention of such catastrophes in the future.

Sincerely,

A handwritten signature in black ink that reads "Michael A. Marvik". The signature is written in a cursive style with a large, prominent initial "M".

Michael A. Marvik
Almar Boats

ALUMINUM MARINE CONSTRUCTION, INC.

PO Box 1460, Roseburg, OR 97470 | TEL 253.572.2877 fax 253.572.0065 | 1.800.430.1520

Accounting Office: TEL 541.679-4638 fax 541.673.3073

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

Whereas, the 2005 Dietary Guidelines for Americans recommends 30 minutes of moderate physical activity most days of the week to reduce the risk of chronic disease in adulthood, and that children and adolescents engage in 60 minutes on most, preferably all, days of the week; and

Whereas, Only 27 percent of adults in Washington state meet the recommendations for physical activity; and

Whereas, the prevalence of obesity in Washington state has doubled in the last decade, and the percent of young people who are overweight has more than doubled in the last 20 years, posing a major health threat; and

Whereas, the percent of the population over 65 is increasing faster in Washington state than most other states and that 70% of the physical decline with aging is preventable; and

Whereas, regular physical activity lowers your risk of developing or dying from heart disease, diabetes, high blood pressure, stroke, and cancer. It reduces feelings of depression, anxiety, and stress. It helps build and maintain healthy bones, muscles, and joints and helps control weight; and

Whereas, the Centers for Disease Control's – National Healthy People 2010 objectives call for an increase in worksites offering employer-sponsored physical activity and fitness programs; and

Whereas, recreation sites and facilities are important parts of public infrastructure and essential to the health and wellbeing of Washington state residents.

NOW, THEREFORE, I, Gretchen A. Wilbert, Mayor of the City of Gig Harbor, do hereby proclaim that the **Walk Across Washington**, October 9 – 15, is taking important steps towards creating healthy communities, and **October 11** as

Walk Across Washington Day

in the City of Gig Harbor, and I urge all citizens of the community to join me in this endeavor to promote physical activity for individuals and communities. In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this twenty-sixth day of September, 2005.

Gretchen A. Wilbert, Mayor

Date

C091080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 9/06/05

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
(BY ZIP CODE) FOR EXPIRATION DATE OF 20051231

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1 THAI HUT INC.	THAI HUT THAI & ASIAN CUISINE 4116 HARBORVIEW DR GIG HARBOR WA 98332 1080	078469	BEER/WINE REST - BEER/WINE
2 GIG HARBOR GASOLINE LLC	CENTRAL 76 5501 38TH AVE NW GIG HARBOR WA 98335 0000	081604	GROCERY STORE - BEER/WINE
3 FRED MEYER STORES, INC.	FRED MEYER #601 5500 OLYMPIC DR BLDG B GIG HARBOR WA 98335 0000	076448	GROCERY STORE - BEER/WINE
4 HARVESTER GIG HARBOR, INC.	HARVESTER RESTAURANT 5601 SOUNDVIEW DR GIG HARBOR WA 98335 0000	366707	SPIRITS/BR/WN REST LOUNGE +
5 FRED MEYER STORES, INC.	QUALITY FOOD CENTER / QFC #864 5010 PT FOSDICK DR NW GIG HARBOR WA 98335 0000	070236	GROCERY STORE - BEER/WINE
6 FRED MEYER STORES, INC.	QUALITY FOOD CENTER / QFC #886 3110 JUDSON AVE GIG HARBOR WA 98335 0000	362719	GROCERY STORE - BEER/WINE

SEP 9 2005

WASHINGTON STATE LIQUOR CONTROL BOARD-License Services
1025 E Union - P O Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

September 12, 2005

SPECIAL OCCASION # 090826

SEP 11 2005

KNIGHTS OF COLUMBUS
3510 ROSEDALE ST NW
GIG HARBOR WA 98335

DATE: OCTOBER 30, 2005

TIME: NOON TO 7 PM

PLACE: ST. NICHOLAS CHURCH, 3510 ROSEDALE ST NW, GIG HARBOR

CONTACT: JACK MICHEL

253-857-9123

SPECIAL OCCASION LICENSES

- * License to sell beer on a specified date for consumption at specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine in unopened bottle or package in limited quantity for off premises consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objection to the issuance of the license. If additional time is required please advise.

- 1. Do you approve of applicant? YES___ NO___
- 2. Do you approve of location? YES___ NO___
- 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? YES___ NO___

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES___	NO___
LAW ENFORCEMENT	_____	YES___	NO___
HEALTH & SANITATION	_____	YES___	NO___
FIRE, BUILDING, ZONING	_____	YES___	NO___
OTHER:	_____	YES___	NO___

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DAVID BRERETON *David*
DIRECTOR OF OPERATIONS
SUBJECT: SECOND READING OF ORDINANCE - AMENDING THE
MEETING DATES FOR FRIENDS OF THE PARKS COMMISSION
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

Attached for the City Council's approval is an ordinance that changes the Friends of the Parks Commission Meeting date from September 6th to October 4th. This date is on page 3 of Ordinance No. 1002.

POLICY CONSIDERATIONS

The date will be changed so it does not interfere with Labor Day.

FISCAL IMPACTS

None.

RECOMMENDATION

The staff recommends approval of the Ordinance as presented at this second reading.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON,
AMENDING ORDINANCE NO. 1002 TO CHANGE THE MEETING
DATE FOR THE FRIENDS OF THE PARKS COMMISSION.**

WHEREAS, the City Council of the City of Gig Harbor, Washington adopted Ordinance No. 1002 on May 23, 2005 to establish a City of Gig Harbor Friends of the Parks Commission; and

WHEREAS, the second meeting date was established as the 1st Tuesday in September; and

WHEREAS, the close proximity of Labor Day and the first day of school to this date would make it difficult to meet; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AS FOLLOWS:

Section 1. Gig Harbor Municipal Code Section 2.50.060, as last amended by Ordinance 1002, is hereby amended to read as follows:

2.50.060 Meetings and Staff Services.

A. The Friends of the Parks Commission shall hold regular meetings on the 1st Tuesday in March and the 1st Tuesday in ~~September~~ October. Meetings shall be held at the City of Gig Harbor Civic Center and shall begin at 7:00 pm unless otherwise publicly noticed.

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this ___ day of _____, 2005.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:

By: _____
CAROL A. MORRIS, CITY ATTORNEY

FILED WITH THE CITY CLERK: 9/7/05
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO:

**BYLAWS OF THE FRIENDS OF THE PARKS
COMMISSION OF THE
CITY OF GIG HARBOR**

**ARTICLE I
ORGANIZATION OF THE COMMISSION**

1. A new Chairperson and Vice Chairperson shall be selected by and from the members of the Commission at the beginning of each term, or as soon thereafter as feasible.
2. In the event of the resignation of the Chairperson, the Vice-Chairperson shall assume the office of Interim Chairperson until the Commission elects a new chairperson. In the event of the resignation of the Vice-Chairperson the Commission shall expeditiously appoint a new officer to fill the position. In the absence of the Chairperson, the Vice-Chairperson shall conduct the meeting.
3. The Chairperson shall preside at all Commission meetings and have the powers generally assigned such office in conducting the meetings. It shall be the Chairperson's duty to see that the transaction of Commission business is in accord with law and with these Bylaws.
4. The Director of Operations, or a designee, shall serve as Executive Secretary of the Commission. The Executive Secretary shall keep the minutes of all regular, recessed and special meetings of the Commission; such minutes shall be approved by the Commission. The Executive Secretary shall give notice of all regular and special meetings to Friends of The Parks Commission members, shall prepare the agenda of regular and special meetings, and shall serve notice of all meetings and public hearings through the City Clerk or Assistant City Clerk. The City Clerk or Assistant City Clerk shall maintain a file of all studies, plans, reports, recommendations and official records of the Commission.

**ARTICLE II
MEETINGS**

1. Special meetings of the Commission may be called by the Chairperson and must be called upon written request of any three members of the Commission. Written notice of such a meeting and its purpose shall be given to all members not less than twenty-four hours in advance thereof, and the same notice shall be posted in City and at the city's regular posting locations and on the city website.

2. Any regular meeting may be recessed to a definite time and place by a majority vote of the Parks and Recreation Commission members present at the meeting.
3. To provide a fair and efficient forum for the conduct of business at Friends of The Parks Commission meetings, meeting will be conducted in accordance with Robert's Rules of Order, and shall include the following rules:
 - a. No person shall address the Commission without first obtaining recognition from the Chairperson.
 - b. The order of business shall be as prescribed on the agenda. Changes to the agenda order shall be approved by majority vote of Commissioners present.
 - c. In instances where a written staff report has been prepared, the staff representative upon recognition by the Chairperson shall present the report for the record.
 - d. Following the presentation of the staff report the Commission shall be afforded to question the staff regarding the material in the report.
 - e. After questioning of the staff is completed the Chairperson may recognize the applicant or proponent of that item of business to speak. Following the proponents remarks, any other person wishing to speak on the matter may be recognized by the chairperson.
 - f. Once any person has spoken in regard to a specific matter before the Commission, he/she shall not be recognized to speak again until all persons wishing to speak have been given the first opportunity to do so.
 - g. Following the presentation by each speaker, the Friends of The Parks Commission shall be afforded the opportunity to question the speaker regarding the information presented by the speaker.

ARTICLE III
VOTING AND ACTIONS OF THE COMMISSION

1. At all meetings of the Commission, each member shall have one vote on each motion. The Chairperson shall have one vote and shall enjoy the same opportunity to vote as afforded to all other Commission members. Voting shall be by a simple majority. There shall be no

voting by proxy. No matter may be voted upon unless the matter has been discussed at a previous meeting of the Commission.

2. Each formal action of the Commission shall be written in a formal motion which will be entered verbatim into the Minutes. The Chairperson shall, at the Chairperson's discretion or at the request of any Commission member, read the motion before the motion is voted on, as provided for in Section 1 above.

ARTICLE IV **COMMITTEES**

1. The Friends of the Parks Commission may establish from time to time such standing or special committees as it deems advisable and assign each committee specific duties or functions. Each standing committee shall consist of a maximum of four members. Each special committee shall consist of a minimum of four members, the members can not be a current commissioner, and all members of the commission shall be residents of the City of Gig Harbor at the time of appointment and throughout their time in office. No standing or special committee shall have the power to commit the Friends of The Parks Commission to the endorsement of any plan or program without its submission to, and the approval of, the body of the Commission.

ARTICLE V **AMENDMENTS**

1. These Bylaws may be amended, from time to time, at the discretion the City Council. The commission may recommend revisions to the by-laws subsequent any regular March or ~~September~~ October meeting.

CERTIFICATION

The undersigned Secretary of the City of Gig Harbor Friends of The Parks Commission does hereby certify that the above and foregoing Bylaws have been duly adopted by the members of said Commission as the Bylaws of said Commission, said Bylaws having been amended on _____, 2005.

Secretary of City of Gig Harbor
Friends of the Parks Commission



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DICK J. BOWER, CBO DB
BUILDING OFFICIAL/FIRE MARSHAL
SUBJECT: SECOND READING OF AN ORDINANCE - AMENDMENT TO TITLE 15
INCORPORATING EHB 1848 REQUIREMENTS FOR
WEATHERPROOFING FOR MULTI-UNIT RESIDENTIAL
CONSTRUCTION
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

The 2005 session of the legislature passed EHB1848 establishing additional requirements for weatherproofing of building envelopes for multi-unit residential construction. The bill sets out requirements for weatherproofing details on plans and for third party inspection of weatherproofing during construction. While the bill requires that plan details and a certification letter be submitted to the building official prior to issuance of a building permit and an inspection certification letter be submitted prior to issuance of a Certificate of Occupancy, the bill specifically relieves the building department of responsibility for review and approval of weatherproofing requirements of the bill.

Because the City adopts the State building code by reference and EHB 1848 essentially amends the State building code, the City Attorney recommends that we amend Title 15 to accommodate the new requirements and clarify how those requirements relate to the requirements of Title 15. Toward that end she authored the ordinance under consideration.

POLICY CONSIDERATIONS

This is a housekeeping ordinance necessary to maintain Title 15's compliance with State law.

FISCAL CONSIDERATIONS

Additional staff time will be required to work with contractors and designers to assure that the submittal requirements of EHB 1848 are met, to monitor compliance with the submittal requirements and to file the submittals when they are received. While the City does not see a great deal of multi-unit dwelling construction, assuring compliance with the bill will result in some additional personnel time and expense.

RECOMMENDATION

Staff recommends that the Council approve this Ordinance and this second reading thereby keeping GHMC Title 15 in conformance with State law.

ORDINANCE NO. __

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BUILDING PERMIT APPLICATION REQUIREMENTS FOR MULTI UNIT RESIDENTIAL STRUCTURES OR REHABILITATIVE CONSTRUCTION, ADOPTING THE NEW REQUIREMENTS IMPOSED BY EHB 1848, AMENDING SECTIONS 15.08.020, 15.08.040 AND 15.08.050, ADOPTING A NEW SECTION 15.08.021 AND 15.08.041 TO THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the Washington State Legislature adopted EHB 1848, which imposed new requirements on City permitting of multiunit residential structures and rehabilitative construction; and

WHEREAS, state law requires that the City list all of the materials necessary for a complete project permit application, including building permit applications (RCW 36.70B.080); and

WHEREAS, EHB 1848 has established new requirements for the materials that must be submitted to the City in order for the City to issue a building permit for multiunit residential structures and rehabilitative construction; and

WHEREAS, the City's Building Code must be amended to reflect the new requirements imposed by EHB 1848; Now, therefore:

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,
ORDAINS AS FOLLOWS:

Section 1. Section 15.08.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.08.020 Amendment to IBC Section 105. Section 105 of the International Building Code is amended as follows:

* * *

105.3.1.1 Applications for multiunit residential buildings. The building official shall not issue a building permit for construction of the building enclosure of a multiunit residential building or for rehabilitative construction unless the building enclosure design documents contain a stamped statement by the person stamping the building enclosure design documents in substantially the following form: "The undersigned has provided building enclosure documents that are in my professional judgment are appropriate to satisfy the requirements of EHB 1848."

* * *

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents or other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

Multiunit residential buildings: The building official is not charged with determining whether building enclosure design documents are adequate or appropriate to satisfy the requirements of EHB 1848. Nothing in EHB 1848 or this code requires the building official to review, approve or disapprove enclosure documents.

* * *

Section 2. A new Section 15.08.021 is hereby adopted, which shall read as follows:

15.08.021 Amendment to IBC Section 106.1. Section 106.1 of the IBC is amended to read as follows:

106.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or

more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction where the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Multiunit residential structures and rehabilitative construction. Any person applying for a building permit for construction of a multiunit residential building or rehabilitative construction shall submit building enclosure design documents to the appropriate building department prior to the start of construction or rehabilitative construction of the building enclosure. If construction work on a building enclosure is not rehabilitative construction because the cost thereof is not more than five percent of the assessed value of the building, then the person applying for the building permit shall submit to the building department a letter so certifying. Any changes to the building enclosure design documents that alter the manner in which the building or its components is waterproofed, weatherproofed, and otherwise protected from water or moisture intrusion shall be stamped by an architect or engineer and shall be provided to the building department and to the person conducting the course of construction inspection in a timely manner to permit such person to inspect for compliance therewith, and may be provided through individual updates, cumulative updates, or as-built updates.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

* * *

106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Multiunit residential structures or rehabilitative construction. The building official is not charged with determining whether the building enclosure design documents are adequate or appropriate to satisfy the requirements of EHB 1848. Nothing in EHB 1848 requires a building department to review, approve or disapprove enclosure design documents.

* * *

Section 4. Section 15.08.050 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

15.08.041 Amendment to IBC Section 109.3.8. Section 109.3.8 of the IBC is hereby amended to read as follows:

109.3.8 Other Inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

It is the applicant's responsibility to provide the "qualified inspector" and assure that the building envelope inspections required under EHB 1848 are performed. The Department of Building Safety is not responsible for approving the qualifications of the inspector or for performing these inspections.

Section 5. Section 15.08.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.08.050 Amendment to IBC Section 110. Section 110 of the IBC is hereby amended to read as follows:

110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Upon completion of the inspection required by EHB 1848 by a qualified inspector, the qualified inspector shall prepare and submit to the appropriate building official a signed letter certifying that the building enclosure has been inspected during the course of construction or rehabilitative construction and that it has been constructed or reconstructed in substantial compliance with the building enclosure design documents, as updated pursuant to Section 3 of EHB 1848. The building department shall not issue a final certificate of occupancy or other equivalent final acceptance until the letter required by this section has been submitted. The building department and/or building official is not charged with and has no responsibility for determining whether the building enclosure inspection is adequate or appropriate to satisfy the requirements of EHB 1848.

* * *

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent

jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this ___ day of _____, 2005.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By _____
Molly Towslee, City Clerk

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY

By _____
Carol A. Morris

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

SUMMARY OF ORDINANCE NO. _____
of the City of Gig Harbor, Washington

On _____, 2005, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. _____, the summary of text of which is as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BUILDING PERMIT APPLICATION REQUIREMENTS FOR MULTI UNIT RESIDENTIAL STRUCTURES OR REHABILITATIVE CONSTRUCTION, ADOPTING THE NEW REQUIREMENTS IMPOSED BY EHB 1848, AMENDING SECTIONS 15.08.020, 15.08.040 AND 15.08.050, ADOPTING A NEW SECTION 15.08.021 AND 15.08.041 TO THE GIG HARBOR MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

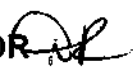
The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of September ____, 2005.

MOLLY TOWSLEE, City Clerk



ADMINISTRATION

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DAVID RODENBACH, FINANCE DIRECTOR 
DATE: SEPTEMBER 26, 2005
**SUBJECT: SECOND READING OF ORDINANCE – PROVIDING FOR THE
ISSUANCE AND SALE OF UNLIMITED TAX GENERAL OBLIGATION
(UTGO) BONDS FOR THE PURPOSE OF PROVIDING PERMANENT
FINANCING FOR FUNDS REQUIRED TO ACQUIRE WATERFRONT
SPACE AND LAND AND INITIATE RESTORATION OF THE EDDON
BOATYARD**

BACKGROUND

This is the second reading of an ordinance providing permanent financing for the purchase of Eddon Boatyard.

The proceeds of this note will be used to pay off the Unlimited Tax General Obligation Bond Anticipation Note issued on February 11, 2005 in the principal amount of \$3,500,000. This note was sold to Bank of America, N.A., Seattle, Washington (the "Bank") and remains outstanding in the principal amount of \$3,500,000. The note has a due date of February 1, 2006.

FISCAL CONSIDERATIONS

The proposed bonds will have a 20-year term. The average annual debt service over the 20-year life of the note is approximately \$262,000 based upon a 3.8% interest rate quoted by Bank of America as of August 22, 2005. The actual interest rate will be set September 23 in anticipation of Council approval on September 26.

RECOMMENDATION

Staff recommends adoption of this ordinance.

CITY OF GIG HARBOR, WASHINGTON

UNLIMITED GENERAL OBLIGATION BOND, 2005

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF A BOND OF THE CITY IN THE PRINCIPAL AMOUNT OF \$3,500,000 FOR THE PURPOSE OF PROVIDING PERMANENT FINANCING FOR FUNDS REQUIRED TO ACQUIRE WATERFRONT SPACE AND LAND AND INITIATE RESTORATION OF THE EDDON BOATYARD, AS AUTHORIZED BY ORDINANCE OF THE CITY COUNCIL AND APPROVED BY THE QUALIFIED ELECTORS OF THE CITY; PROVIDING THE DATE, FORM, TERMS AND MATURITY OF SAID BOND; PROVIDING THE METHOD OF REPAYMENT; AND APPROVING THE SALE OF SUCH BOND.

PASSED ON SEPTEMBER 26, 2005

PREPARED BY:

PRESTON GATES & ELLIS LLP
Seattle, Washington

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* This Table of Contents is provided for convenience only and is not a part of this ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF A BOND OF THE CITY IN THE PRINCIPAL AMOUNT OF \$3,500,000 FOR THE PURPOSE OF PROVIDING PERMANENT FINANCING FUNDS REQUIRED TO ACQUIRE WATERFRONT SPACE AND LAND AND INITIATE RESTORATION OF THE EDDON BOATYARD, AS AUTHORIZED BY ORDINANCE OF THE CITY COUNCIL AND APPROVED BY THE QUALIFIED ELECTORS OF THE CITY; PROVIDING THE DATE, FORM, TERMS AND MATURITY OF SAID BOND; PROVIDING THE METHOD OF REPAYMENT; AND APPROVING THE SALE OF SUCH BOND.

WHEREAS, at an election held in the City of Gig Harbor, Washington (the "City") on November 2, 2002, the number and proportion of the qualified electors of the City required by law for the adoption thereof voted in favor of a proposition authorizing the issuance of bonds of the City in the aggregate principal amount of \$3,500,000 ("Bond Authorization") to acquire waterfront space and land and initiate restoration of the Eddon Boatyard (the "Projects") as authorized by Ordinance No. 970, passed on September 13, 2004 (the "Election Ordinance") by the City Council; and

WHEREAS, pursuant to Ordinance No. 987, the City issued its Unlimited Tax General Obligation Bond Anticipation Note, 2005 on February 11, 2005 in the principal amount of \$3,500,000, which was sold to Bank of America, N.A., Seattle, Washington (the "Bank") and remains outstanding in the principal amount of \$ _____; and

WHEREAS, the City Council deems it necessary and in the best

interest of the citizens of the City to issue a bond to provide permanent financing for the Projects; and

WHEREAS, the Bank has proposed to purchase a bond to provide such permanent financing under the terms and conditions set forth in this ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN as follows:

Section 1. Definitions. As used in this ordinance, the following words shall have the following meanings:

Bank means Bank of America, N.A., Seattle, Washington.

Bond means the City of Gig Harbor, Washington, Unlimited General Obligation Bond, 2005, issued pursuant to this ordinance.

Bond Fund means the City of Gig Harbor Bond Redemption Fund, 2005, created in the office of the Treasurer of the City pursuant to Section 8 of this ordinance.

Bond Register means the books or records maintained by the Registrar containing the name and mailing address of the owner of the Bond or nominee of such owner and the principal amount outstanding.

City means the City of Gig Harbor, Washington, a political subdivision duly organized and existing under and by virtue of the laws of the State of Washington.

Code means the Internal Revenue Code of 1986, as amended, and shall include all applicable regulations and rulings relating thereto.

Council means the City Council, as the general legislative body of the City.

Note means the City of Gig Harbor, Washington, Unlimited General Obligation Note, 2005, issued pursuant to Ordinance No. 987 on February 11, 2005 in the principal amount of \$3,500,000.

Projects means the acquisition of waterfront space and land and the initiation of restoration of the Eddon Boatyard.

Proposal Letter means the proposal from the Bank dated August 22, 2005.

Registrar means the Treasurer.

Treasurer means the Finance Director of the City or any successor to the functions of the Finance Director.

Rules of Interpretation. In this ordinance, unless the context otherwise requires:

(a) The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before, the date of this ordinance;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships

(including unlimited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and Sections of this ordinance, and any table of contents or marginal bonds appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect;

(e) All references herein to "articles," "sections" and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

Section 2. Authorization of the Bond. In order to provide permanent funding for the Projects, the City hereby authorizes the issuance and sale of a general obligation bond in the principal amount of \$3,500,000 (the "Bond").

Section 3. Description of the Bond.

The Bond shall be designated as the "City of Gig Harbor, Washington Unlimited General Obligation Bond, 2005," shall be dated as of the date of its original issuance, shall be issued as a single instrument, fully registered as to both principal and interest, shall be in the denomination of \$3,500,000, shall be numbered R-1 and shall bear interest at the rate of ____% per annum on the unpaid principal balance (computed on the basis of a 360-day year of twelve 30-day months), payable semiannually on each June 1 and December 1, commencing December 1, 2005 and shall mature on December 1, 2024. The principal of the Bond shall be repaid on

December 1 of the following years and in the following amounts.

<u>Year</u> <u>(December 1)</u>	<u>Principal</u> <u>Amount</u>
2006	\$130,000
2007	135,000
2008	140,000
2009	145,000
2010	150,000
2011	155,000
2012	160,000
2013	170,000
2014	175,000
2015	180,000
2016	185,000
2017	195,000
2018	200,000
2019	210,000
2020	215,000
2021	225,000
2022	235,000
2023	245,000
2024	250,000

If principal amounts are prepaid (at the option of the City or otherwise) a prepayment fee shall be payable. The prepayment fee shall be in an amount sufficient to compensate the Bank for any loss, cost or expense incurred by it as a result of the prepayment, including any loss of anticipated profits and any loss or expense arising from the liquidation or reemployment of funds obtained by it to maintain the purchase price of the Bond or from fees payable to terminate the deposits from which such funds were obtained. The City shall also pay any customary administrative fees charged by the Bank in connection with the foregoing. For purposes of this paragraph, the Bank shall be deemed to have funded the purchase of the Bond by a matching deposit or other borrowing in the applicable interbank market, whether or not the purchase of the Bond was in

fact so funded.

If there occurs (a) any nonpayment of principal, interest, fees or other amounts when due, or (b) any failure to maintain the tax-exempt status of the Bond, the Bank may increase the interest rate payable on the Bond by two (2.0) percentage points.

Section 4. Registration.

(a) *Appointment of Registrar.* The City hereby appoints the Treasurer to act as Registrar. The Registrar is authorized, on behalf of the City, to authenticate and deliver the Bond in accordance with the provisions of the Bond and this ordinance and to carry out all of the Registrar's powers and duties under this ordinance.

(b) *Bond Register.* The Bond shall be in registered form as to both principal and interest.

(c) *Registered Ownership.* The City may deem and treat the Bank as the absolute owner thereof for all purposes, and the City shall not be affected by any notice to the contrary. Payment of the Bond shall be made only as described in Sections 3 and 8 hereof. All such payments made as described in Sections 3 and 8 shall be valid and shall satisfy and discharge the liability of the City upon such Bond to the extent of the amount or amounts so paid.

The Bond is not transferable, except to a successor to the business and assets of the Bank.

Section 5. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. N-1

\$3,500,000

STATE OF WASHINGTON

CITY OF GIG HARBOR
UNLIMITED GENERAL OBLIGATION BOND, 2005

Registered Owner: Bank of America, N.A.
Seattle, Washington

Interest Rate: ___%

Maturity Date: DECEMBER 1, 2024

Taxpayer ID: 94-1687665

Principal Amount: THREE MILLION FIVE HUNDRED THOUSAND AND
NO/100 DOLLARS

The City of Gig Harbor, Washington, a municipal corporation organized and existing under and by virtue of the laws of the State of Washington (herein called the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount above, plus interest at the Interest Rate set forth above, pursuant to Ordinance No. ___ of the City (the "Bond Ordinance").

The Bond shall bear interest at a rate of ___% per annum on the unpaid principal balance (computed on the basis of a 360-day year of twelve 30-day months), payable semiannually on each June 1 and December 1, commencing December 1, 2005 and shall mature on December 1, 2024. The principal of the Bond shall be repaid on December 1 of the following years and in the following amounts.

<u>Year</u> <u>(December 1)</u>	<u>Principal</u> <u>Amount</u>
2006	\$130,000
2007	135,000
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2009	145,000
2010	150,000
2011	155,000
2012	160,000
2013	170,000
2014	175,000
2015	180,000
2016	185,000
2017	195,000

2018	200,000
2019	210,000
2020	215,000
2021	225,000
2022	235,000
2023	245,000
2024	250,000

Both principal of and interest on this bond are payable in lawful money of the United States of America. Upon the final payment of principal and interest of this Bond, the Bank shall present and surrender this bond to the Treasurer of the City, as "Registrar". This bond may be prepaid at the option of the City, subject to a prepayment fee in accordance with the terms of the Bond Ordinance.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by the Registrar.

This bond is issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Washington and Ordinances of the City, including the Bond Ordinance. This bond is issued pursuant to the Bond Ordinance for the purpose of providing the permanent financing for certain capital improvements to property and facilities within the City.

This bond is a general obligation of the City and is payable from a special fund of the City, designated as the City of Gig Harbor Bond Redemption Fund, 2005. The City has pledged and is obligated to deposit amounts, from the proceeds of Bonds or other sources, amounts sufficient to pay and redeem this bond upon maturity. The full faith, credit and resources of the City are pledged, and the City shall levy taxes, if necessary, without limitation as to rate or amount, to pay the principal of and interest on this bond.

THIS BOND IS NOT TRANSFERABLE, except to a successor to the business and assets of the Bank.

This bond is not a "private activity bond" as such term is defined in the Internal Revenue Code of 1986, as amended (the "Code"). The City has designated this bond as a "qualified tax-exempt obligation" under Section 265(b) of the Code for investment by financial institutions.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been

done and performed and that the issuance of this bond does not violate any constitutional, statutory or other limitation upon the amount of indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Gig Harbor, Washington has caused this bond to be signed with the manual or facsimile signature of the Mayor, to be attested by the manual or facsimile signature of the City Clerk and the seal of the City impressed or otherwise reproduced hereon, all as of this _____ day of _____, 2005.

CITY OF GIG HARBOR, WASHINGTON

By /s/ facsimile or manual

Mayor

ATTEST:

By /s/ facsimile or manual
City Clerk

The Registrar's Certificate of Authentication on the Bond shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____, 2005

This bond is described in the within-mentioned Ordinance and is the General Obligation Bond, 2005 of the City of Gig Harbor, Washington, dated _____, 2005.

FINANCE DIRECTOR OF THE CITY
OF GIG HARBOR, as Registrar

By _____
Authorized Signer

Section 6. Execution of Bond. The Bond shall be signed by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk and the seal of the City impressed or otherwise reproduced thereon. The Bond shall not be valid for any purpose until the Certificate

of Authentication on the Bond shall have been signed by the Registrar.

Section 7. Tax Covenants. The City hereby covenants that it will not make any use of the proceeds of the sale of the Bond or any other funds of the City which may be deemed to be proceeds of such Bond pursuant to Section 148 of the Code which will cause the Bond to be an "arbitrage bond" within the meaning of said section.

The City will comply with the requirements of Section 148 of the Code (or any successor provision thereof applicable to the Bond) and the applicable regulations thereunder throughout the term of the Bond.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a "private activity bond" under Section 141 of the Code.

The City hereby designates the Bond as a "qualified tax-exempt obligation" for purchase by financial institutions pursuant to Section 265(b)(3) of the Code. The City does not anticipate that it will issue more than \$10,000,000 in qualified tax-exempt obligations during 2005.

Section 8. Bond Fund. A special fund of the City known as the "City of Gig Harbor Bond Redemption Fund, 2005" (the "Bond Fund") is hereby authorized to be created in the office of the Treasurer. The Bond Fund shall be drawn upon for the sole purpose of paying the principal of and interest on the Bond.

The City hereby irrevocably covenants that, unless the principal of and interest on the Bonds are paid from other sources,

it will make annual levies of taxes without limitation as to rate or amount upon all of the property in the City subject to taxation in amounts sufficient to pay such principal and interest as the same shall become due and will pay the same into the Bond Fund. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

Section 9. Sale of Bond. The Bond shall be sold to the Bank at a price of par in accordance with the terms of this ordinance. Upon delivery of the Bond, the City (a) shall pay Banc of America Securities LLC, as structuring agent, a fee of .50% of the par amount of the Bond, (b) shall pay the Bank an origination fee of \$3,500 and (c) shall pay the Bank's legal fees in the amount of \$500, which payments shall be made by check, wire transfer or other mutually acceptable means to the respective payee.

The proper officials of the City are hereby authorized and directed to do all things necessary for the prompt execution and delivery of the Bond and the items required to be delivered to the Bank and for the proper use and application of the proceeds of sale thereof.

Section 10. Application of Bond Proceeds. Proceeds of the Bond shall be used immediately upon receipt to refund the Note. Any remaining proceeds of the Bond shall be deposited into a fund as designated by the Treasurer and shall be expended solely to pay the costs of the Projects.

Section 11. Lost, Stolen or Destroyed Bond. In case the

Bond shall be lost, stolen or destroyed, the City may execute and the Registrar may deliver a new Bond of like date and tenor to the Bank and upon its filing with the Registrar evidence satisfactory to said Registrar that the Bond was actually lost, stolen or destroyed, and upon furnishing the Registrar with indemnity satisfactory to the Registrar.

Section 12. Information Provided to the Bank. The City will provide the following information to the Bank:

- (1) The City's annual budget, within 90 days of commencement of each new fiscal year;
- (2) Internally-prepared annual financial statements for the City, within 240 days of the City's fiscal year end; and
- (3) The City's annual State Audit Report within 10 days of receipt from the State Auditor.

Section 13. Severability. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 14 Effective Date. This ordinance shall be effective five days from its passage and publication as required by law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of said Council held this 26th day of September, 2005.

CITY OF GIG HARBOR, WASHINGTON

Mayor

ATTEST:

City Clerk

First Reading: September
12, 2005

Date Approved: September 26,
2005

Date of Publication:
_____ __, 2005

Effective Date: _____
__, 2005

CERTIFICATE

I, the undersigned, City Clerk of the City of Gig Harbor, Washington (the "City") and keeper of the records of the City Council (the "City Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance is a true and correct copy of Ordinance No. ____ of the City Council (the "Ordinance"), duly passed at a regular meeting thereof held on the 26th day of September, 2005.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of September, 2005.

City Clerk



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: FIRST READING OF AN ORDINANCE REVISING SCHOOL
IMPACT FEES
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

The Peninsula School District has requested a revision to the current impact fee Ordinance. The fee schedule presented in the Ordinance is based on the Peninsula School District's proposal that it considers consistent with its capital facility plan and growth projection needs. The proposed fees are identical in fee schedule to fees currently collected in Pierce County. A public hearing will be scheduled for the second reading.

POLICY CONSIDERATIONS

School impact fees will provide mitigation for the effects of new residential growth and attendant school capacity needs.

FISCAL CONSIDERATIONS

The proposed fee levels are equal to the currently adopted Pierce County fee levels.

	Current Fee	Proposed 2005	Proposed January 1, 2006
Single Family Dwelling:	\$1,711.00	\$2,140.00	\$2,675.00
Multi-Family Dwelling:	\$901.00	\$1,130.00	\$1,410.00 x number of units

RECOMMENDATION

I recommend that the City Council pass the attached Ordinance as presented at the second reading following the public hearing.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE FEE SCHEDULE FOR SCHOOL IMPACT FEES, ADOPTED AS APPENDIX D TO ORDINANCE NO. 963, AS CONTEMPLATED BY GIG HARBOR MUNICIPAL CODE SECTIONS 19.12.070 AND 19.12.080.

WHEREAS, with the adoption of Ordinance No. 963 on July 12, 2004, the City amended 19.12 of the Gig Harbor Municipal Code to provide for the imposition and collection of school impact fees; and

WHEREAS, the City has the authority to adopt impact fees to address the impact on school facilities caused by new development, pursuant to RCW 82.02.050 through 82.02.100; and

WHEREAS, Pierce County recently amended school impact fees for 2005 and 2006, with a provision for annual adjustments thereafter, with the adoption of Pierce County Ordinance No. 2004-94; and

WHEREAS, the Peninsula School District has requested that the City amend the school impact fee scheduled to be consistent with the changes made by Pierce County; and

WHEREAS, the Peninsula School District SEPA Responsible Official issued a determination of non-significance on August 17, 2005, with a comment and appeal deadline of August 31, 2005, and no appeals were filed; and

WHEREAS, the City Council held a public hearing and considered this Ordinance during its regular City Council meeting of September 26 and October 10, 2005; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,
ORDAINS AS FOLLOWS:

Section 1. The impact fee schedule for schools, adopted as appendix D to Ordinance No. 963, as contemplated by Gig Harbor Municipal Code sections 19.12.070 and 19.12.080 is hereby repealed.

Section 2. The following impact fee schedule for schools, identified as Appendix D in Gig Harbor Municipal Code sections 19.12.070 and 19.12.080 is hereby adopted to read as follows:

Appendix 'D'

**City of Gig Harbor
School Impact Fee Schedule**

	<u>(Effective Date of Ord)</u> /2005	1/01/2006
Single Family Dwelling:	\$2,140.00	\$2,675.00
Multi-Family Dwelling:	\$1,130.00	\$1,410.00 x number of units

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this _____ day of _____, 2005.

CITY OF GIG HARBOR

Gretchen A. Wilbert, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

SUMMARY OF ORDINANCE NO.

of the City of Gig Harbor, Washington

On _____, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. _____, the main points of which are summarized by its title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE FEE SCHEDULE FOR SCHOOL IMPACT FEES, ADOPTED AS APPENDIX D TO ORDINANCE NO. 963, AS CONTEMPLATED BY GIG HARBOR MUNICIPAL CODE SECTIONS 19.12.070 AND 19.12.080.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting of _____, 2005.

MOLLY TOWSLEE, CITY CLERK



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: RESOLUTION - HISTORIC STREET NAMES
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

Vicki Blackwell, Curator, of the Gig Harbor Peninsula Historical Society has compiled a 'Priority List' for the Historic Street Names list. This compilation is based on the current list as compared with previous lists from Historical Society files.

POLICY

The Gig Harbor Municipal Code provides for the addition of names to the list of street names for the "historical name area" by the City Council, (GHMC Section 12.12.030 K.).

FISCAL IMPACTS

None

RECOMMENDATION

I recommend that the Council adopt the attached resolution identifying the list of historical street names as proposed by the Gig Harbor Peninsula Historical Society.

**CITY OF GIG HARBOR
RESOLUTION NO.**

**A RESOLUTION PRIORITIZING THE LIST OF
HISTORICAL STREET NAMES**

WHEREAS, the City of Gig Harbor has an approved list of street names to be applied within the "historical name area"; and

WHEREAS, the Gig Harbor Municipal Code provides for the addition of names to the list of street names for the "historical name area" by City Council (GHMC Section 12.12.030 K.); and

WHEREAS, the City Council is desirous of listing the names according to sections: Priority, Recommended, and Additional as these sub-sections will help the city select the appropriate name when needed;

NOW THEREFORE BE IT RESOLVED that the Gig Harbor City Council hereby adopts the List of Historical Names for New Streets as recommended by the Gig Harbor Peninsula Historical Society as identified in Exhibit A.

PASSED by the City Council this 26th day of September 2005.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

MOLLY M. TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 9/21/05
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

EXHIBIT A HISTORICAL STREET NAMES PRIORITY LIST

To: Mark Hoppen, City Administrator, City of Gig Harbor
From: Vicki Blackwell, Curator, Gig Harbor Peninsula Historical Society
Re: List of Historical Names for New Streets
Date: July 28, 2005

We commend the City of Gig Harbor for its continuing efforts in recognizing the contributions of early harbor pioneers and residents through the Historic Street Name program. We also appreciate the city's trust in the Gig Harbor Peninsula Historical Society to partner with the city to create, monitor, and add to this list.

With additions to and deletions from the list, we are asking the city to consider listing the names according to sections: Priority, Recommended, and Additional. These sub-sections will help city personnel select the appropriate name when needed.

"Priority" list: names that have been on the list the longest and retain their importance to the heritage of the harbor. There is documentation by the historical society on the significance of these names. "Priority" names should be selected for the very next available street within the specified area.

"Recommended" list: names that have some documentation in the records of the historical society.

"Additional" list: names that appear on the list but have no documentation at this time in the society's records or were included on the list by a group or individual other than the historical society and the historic significance was not provided to the society.

We recognize that naming streets is at the discretion of the city. We offer the following as our recommendations for the Priority, Recommended, and Additional lists on the current List of Historical Names:

PRIORITY (in order of priority)

- 1) Shaw (north end of the harbor)
(See past lists for historical information)

The city has received numerous requests for the naming of a street after the Shaw family. Shaw was on the original list submitted in 1978 (although it was listed as "Rooster" for Shaw's famous rooster races). The family asked that the name on the list be changed to Shaw. In addition to the society placing Shaw on the early lists, individual requests were submitted to the city in April 1992, December 1992, May 1993, and August 1996.

The Shaw family contributed enormously to preserve and share the heritage of Gig Harbor. Not only have they donated early Shaw documents, photographs, and artifacts to the society's collections, the Shaw family also saved and donated a wealth of artifacts and documents from the Burnham family – one of the first pioneer families in the harbor.

Jane Shaw Karlson is the last of the C.E. Shaw's children. Jane turned 90 years old this past February.

2) Makovich (west side of bay)
(See past lists for historical information)

Added to list Oct. 3, 1991. A prominent businessman and philanthropic leader of the community. (Letter in file and copy of presentation by Makovich family member appears to show that a street was assigned the Makovich name but that the family asked that the council reconsider the location).

3) Sweeney (north end of harbor)
(See past lists for historical information)

We are unable to determine when Sweeney was added to the list (although we feel it was an oversight that it was not on the 1978 list). Teresa Sweeney was a successful businesswoman, postmistress, and justice of the peace.

4) Hall (north end of harbor, or Millville)*

Hall was on the 1978 list but is not on the current list. Hall came to Gig Harbor in the 1880s. In 1886 he was a partner in the Gig Harbor Mill Co. with A.M. Burnham. The mill was located at today's Pleasurecraft Marina and included a shipyard and shingle mill. Hall also operated a grocery store close to the mill. Hall was instrumental in opening up the two military reservations for settlement.

* There is a Hall Road on Key Peninsula – possibly why Hall was removed from the Gig Harbor list.

5) Young (north end of harbor)
(See past lists for historical information)

Young was also on the 1978 list. Young's Landing was the site of today's county boat ramp on the east side of the harbor. The first post office for the area surrounding the bay was in the Young home, which was also a hotel and boarding house.

RECOMMENDED (alpha order)

Ancich (west side)
Carlson (east side)

Cruver (west side)
Farrague/Farragut (west side): on 1978 list
Goldsmith (west side): on 1978 list
Hammerland (west side)
Monzingo (west side)
Patrick (head of bay)
Peyran (west side)
Sandin (west side)
Scott (north end of harbor): on 1978 list
Sund (east side)
Tollfeson (north end)

ADDITIONAL (alpha order)

Atkinson (west side)
Cundiff
Hopkins (top of Stinson)
Howe (peninsula)
Magoon (head of bay)
McDaniel (head of bay)
McKee (head of bay)
Proctor
Simerson (Kimball Drive)
Simpson (east side)
Skarponi
Vinkenes (head of bay)
Watson (top of Stinson)
Weeks (west side of bay)
Wroten (east side of bay, Crescent Valley)

We also ask that any individuals or groups requesting the addition of a name to the list provide the Gig Harbor Peninsula Historical Society with any historical information relevant to that name and/or family. The society will add the information to its research files.

Thank you.



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DAVID BRERETON, DIRECTOR OF OPERATIONS *Dave*
SUBJECT: FRIENDS OF THE PARKS COMMISSION APPOINTMENTS
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

On August 19, 2005, a second notice was placed in the Peninsula Gateway and on the City's website seeking letters of interest from individuals who wished to serve on the Friends of the Park Commission. After a second notice was published, the Mayor received four applications. Mayor Wilbert has offered to fill the fifth position until other interested City residents' requests can be considered.

Staff recommends that these residents, as listed below, be appointed to the Friends of the Parks Commission for one, two and three year staggered terms, consistent with the Friends of the Parks bylaws. The Commission members will decide their term's of one, two or three years at the first meeting on October 4, 2005.

Recommendation for Friends of the Parks Commission:

Steve Derebey
Jacquie Goodwill
John Moist
Michael Perrow
Gretchen Wilbert

POLICY CONSIDERATIONS

None.

FISCAL IMPACTS

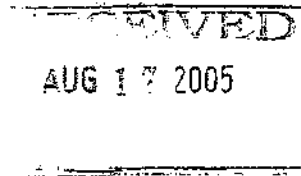
None.

RECOMMENDATION

Staff recommends that the City Council appoint Steve Derebey, Jacquie Goodwill, John Moist, Michael Perrow and Gretchen Wilbert to the Friends of the Parks Commission.

August 16, 2005

Mayor Gretchen Wilbert
City of Gig Harbor
3510 Grandview St.
Gig Harbor, WA 98335



Dear Mayor Wilbert:

I would like to be considered to serve on the Friends of the Parks Commission.

I have a strong interest in quality of life issues and our community's parks are vitally important to maintaining our quality of life here in Gig Harbor. I have a strong background in budgeting and finance as President of the Air Line Pilots Association Federal Credit Union. I served as a volunteer on the Friends of Eddon Boatyard Committee and have a keen interest in the development of that property.

I am a pilot for United Airlines and own and also operate a Communications and Public Relations firm here in Gig Harbor and would like to contribute a portion my time and energy to the betterment of our community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Derebey".

Steve Derebey
9221 Peacock Hill Ave. NW
Gig Harbor, WA 98332

Ph. 253-279-8260
e-mail: derebeyS@aol.com

Jacquie Goodwill

PO Box 2685
Gig Harbor, WA 98335
Cell: (253) 549-6339

September 9, 2005

Mayor Gretchen Wilbert
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

Dear Mayor Wilbert,

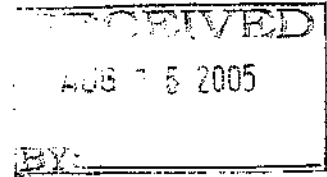
I am writing you today to respectfully request your consideration for my appointment to the Gig Harbor "Friends of the Parks" commission. As a resident of the city of Gig Harbor, as well one who has worked on behalf of local business for more than five years, I am keenly interested in the quality of life associated with a vibrant parks program.

If my skills in team-building, communications and community relations can be of use, I am eager to support and help in any way that you and the City Council members see fit. Please contact me at your convenience regarding my request. I thank you for your thoughtful consideration of my application.

Sincerely,


Jacquie Goodwill

John R. Moist
3323 Harborview Drive
Gig Harbor, WA 98332
253-255-5050



August 10, 2005

The Mayor
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

Subj; Letter of Interest re; GH#101/33,34; Gig Harbor Friends of the Park Commission.

Dear Madam Mayor,

I am requesting an appointment to the Gig Harbor Friends of the Parks Commission. My experience in the field of parks and recreation is varied. I am a design Engineer. I served on the Richmond, California YMCA Board of Directors; I am a former employee of the Richmond, California Parks and Recreation Department; I was a Special Services officer in various United States Marine Corps squadrons; and currently I am the Harbor Master for a major Gig Harbor marina, as well as the secretary for the Gig Harbor Waterfront Retail & Restaurant Association. I have experience working with City Staff members on various projects. In addition I have a great deal of managerial experience having served as a Marine Corps officer, the owner of an environmental engineering firm, and a business manager. I feel that I am qualified and would make an excellent choice as a commissioner.

Gig Harbor is my home, and the quality of life the city ensures it's citizens is of paramount importance. Maintenance and controlled growth of our recreational facilities is an essential element to ensuring that quality of life. So far the City has done a wonderful job. The acquisition of Wilkinson Farm, Skansie Brother's Park, the Eddon Boat Yard, and Joint City/County Cushman Trail serve as examples of the City's commitment to it's citizens.

But this is just the beginning. The City was successful in obtaining a crucial grant to improve the Skansie Brother's net shed. We still need the funds to build the Eddon Boat Yard Park, to restore the Wilkinson Farm barn and beyond. If we hope to attract the Generation Xers to our city we must provide the hiking, biking, and jogging trails to make this a liveable community for them. We must take a look at our 30 year growth projections and work towards filling the recreational needs of our future citizens. The "plans" to construct a maritime pier need to move forward as well as shoreline walking trails.

As a commissioner I would remain committed to progress through planning and managed growth. What a wonderful opportunity for the average citizen to get involved with such a worthwhile civic endeavor, and to serve the community in which he lives and works.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

John R. Moist

RECEIVED

JUN 24 2005

CITY OF GIG HARBOR

Michael Perrow
PO Box 1266
Gig Harbor, WA 98335
253-853-2318
June 24, 2005

Mayor Wilbert
City of Gig Harbor
3510 Grandview St.
Gig Harbor, WA 98335

Dear Mayor Wilbert:

This letter is to express interest in the Friends of the Parks Commission. I regularly recreate within Gig Harbor, which gives me a good perspective to share. Please let me know if you have any questions. Thanks for your consideration.

Sincerely,



Michael Perrow

Home address
3022 Grandview St.
GH, 98335



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DICK J. BOWER, CBO *DB*
BUILDING OFFICIAL/FIRE MARSHAL
SUBJECT: STAFF REPORT - BUILDING PERMIT APPLICATION
ENHANCEMENTS
DATE: SEPTEMBER 26, 2005

INFORMATION/BACKGROUND

The use of electronic media for construction permitting, inspections and permit management is rapidly growing in popularity. E-permitting, as it has been dubbed, has proven to be an efficient, user-friendly, and effective augmentation to paper permit programs. In its most refined form, e-permitting allows applicants to complete and submit application forms and construction plans on-line; allows plan review comments to be returned to applicants and revisions to be submitted electronically; enables inspectors to enter inspection results in real-time from the field, and applicants to access that information in a timely manner; and allows both property owners and government staff to access parcel specific information regarding land use, permit history, project status, enforcement actions etc.

Examples of e-permitting programs in the State include the mybuildingpermit.com program being run by the E-City.Gov consortium of east King County cities (Kirkland, Bellevue, Redmond, Sammamish, etc.) and the electronic permit application and review services being offered by the Pierce Co. PALS Building Division.

Over the past couple of years, your Building and Fire Safety Division (BFSD) has been looking at ways to incorporate e-permitting into our operations within the confines of the City's current information technology capabilities. Toward that end we've implemented the following enhancements to our permitting program:

1. Building and Fire Safety Division web page – We've developed a web page linked to the City's web site that offers on-line information on the divisions programs, links to standard construction details and permitting information, e-mail links to division personnel, and other useful information including limited e-permit applications.
2. E-Permits – The division has begun offering a limited e-permitting program for minor plumbing and mechanical permits such as water heater and furnace replacements, and fireplace inserts. Under this program applicants can go to the BFSD web site, complete a form-fillable

application for their project, e-mail the application back to the division, call with a credit card number for payment and receive an approved permit and inspection record via e-mail within a day of our receipt of the application.

In the coming year we hope to expand our e-permit capability to include minor tenant improvement projects, residential decks, and similar uncomplicated projects that can be managed through our existing information technology capabilities. Some of these permits will require additional review time to process and approve so a one-day turnaround time will not be feasible, however the e-permitting program may save the applicant a trip to the counter to apply for the permit and a return trip to pick it up.

3. Complete application packets – The division has recently made available to applicants a folder containing all of the necessary forms, instructions, checklists, and general assistance memos necessary for completing most single-family residential building permit applications. Similar packets are in the works for tenant improvements and commercial construction.

These packets of information will also be made available as downloadable files from the BFSD web site as we get them put together. This will allow applicants to download the forms (an additional enhancement is in the works that will make the forms "fillable" on the computer, this will be implemented as staff work load allows us to work on the form conversions), complete them and have them ready to go when they come in to apply for their permit, eliminating a trip to the Civic Center to pick up the forms prior to submittal.

As the e-permitting program is evaluated, we will continue to look at ways to use our existing technology resources to further introduce technological enhancements to our permitting programs. As the City's IT capabilities mature, we will be working with Kay and Alon to maximize our use of technology to improve our efficiency, effectiveness and customer service in general.



'THE MARITIME CITY'

ADMINISTRATION

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR
SUBJECT: ST. ANTHONY'S UPDATE
DATE: SEPTEMBER 26, 2005

As the City of Gig Harbor plans to move forward with significant transportation requests for the Hwy 16 corridor, I would recommend considering an aggressive Governmental Affairs program. First, I would recommend hiring Dale Learn of Smith Alling Lane's DC office to secure federal transportation earmarks for City of Gig Harbor projects. Dale ran Senator Patty Murray's Transportation Appropriations prior to joining Smith Alling Lane. He is considered the top Washington States Congressional delegation transportation lobbyist because of his experience in Senator Murray's office. Senator Murray is one of the most senior members on the Transportation Committee. To give an example of his abilities, he recently secured a \$5 million congressional budget earmark for the City of Federal Way.

Fees to hire a federal transportation lobbyist are not cheap, but the returns are high. Here are examples of what medium sized cities pay federal lobbyists on an annual basis and their 2006 Transportation budget benefit: Tukwila —\$120,000 Benefit (\$2.55 million), Burien — \$160,000 — Benefit (\$4 million), Auburn — \$90,000 — Benefit (\$400,000) Federal Way — \$48,000 — Benefit (\$5.6 million).

To secure funds for Gig Harbor, Dale would likely charge between \$60,000 - \$80,000 annually.

In addition to the federal lobbyist, Tim Schellberg and his Smith Alling Lane office could step up the city's efforts in Olympia to secure State funds. Both Congress and the State Legislature like projects that have a clear state/federal partnership. If the city wants an aggressive proactive lobbying effort in Olympia, Smith Alling Lane would likely request between \$30,000 — \$ 40,000 annually.

I would suggest that the City Council consider the above expenditure for the 2006 budget, if not sooner. I see the priorities for development of a future \$40 million-plus Swede Hill Interchange project as follows: 1) receive the David Evans and Associates EIS and traffic report which identifies the potential benefit area for the project (December, 2005); 2) complete a benefit study in coordination with advice from Cynthia Weed, Preston Gates and Ellis, the city's Bond Counsel, to clarify the amount of benefit area contribution to the project (May, 2006); 3) initiate the process of obtaining commitments for planning (underway) and funding for the

project (June, 2006); and 4) hire a project lead for the interchange project (January, 2006). The project lead would entail a flexible scope based on an hourly billing scheme that would experience minimal costs in 2006, to be discussed and defined in principle during the 2006 budget process.

The City Engineer has requested a meeting with WSDOT engineers to discuss the need for inclusion of the Borgen Boulevard/SR-16 interchange and its surrounding transportation facilities with the environmental elements of study for the SR-16 widening project (September 20, 2005).

As requested at the September 15 committee meeting, the following outlines the schedule for the completion of the EIS for the SEPA DS process that relates to St. Anthony's Hospital (the traffic study will be complete by December 31):

Step 1 – Issuance of DS/Scoping Notice **July 2005**

Step 2 – Comment Period for DS/Scoping

Step 3 – preparing the EIS document. **August – December 2005**

The following are the steps required within the EIS document

Determine the Scope of the DS

Describing the Proposal

Identify Alternatives

Identify a Preferred Alternative

Identify Significant Impacts and Mitigation Measures

EIS Summary

Once the above is complete, a DRAFT EIS may be issued. **January 2006**

Step 4 – Draft EIS issued (accompanied by the staff's recommendation, or in this case the consultant)
February - March 2006

Step 5 – Public Comment Period for Draft EIS (30 to 45 days)

Step 6 – Respond to all comments submitted and modify EIS and mitigation if necessary

Once the above is completed, a Final EIS may be issued **March 2006**

7 days following the issuance of the Final EIS, the City may act upon it. **April 2006**

GHMC 18.04.145 states that the time for preparation of an EIS shall not exceed one year unless agreed upon by the applicant.

Once the SEIS is completed, the Comp Plan amendment process can begin which includes:

A **MINIMUM** of one work session and one public hearing with the Planning Commission. The Planning Commission meets at 6pm on the 1st and 3rd Thursday of each month. **May - June 2006**

Once the Planning Commission is ready to forward a recommendation of approval the amendments are then taken to City Council where they must hold a 1st and 2nd reading of the ordinance. **July - August 2006**