

Gig Harbor City Council Meeting



**March 11, 2002
7:00 p.m.**

**AGENDA FOR
GIG HARBOR CITY COUNCIL MEETING
March 11, 2002 - 7:00 p.m.**

CALL TO ORDER:

PUBLIC HEARING:

Amendment to Title 19 of the GHMC - Procedure for Closed Record Appeal Hearings.

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 Meetings of February 25, 2002.
2. Proclamations/Correspondence: none.
3. Special Occasion Liquor License – Navy League.
4. Approval of Payment of Bills for March 11, 2002.
Checks #35460 through #35600 in the amount of \$258,245.80.
5. Approval of Payroll for the month of February:
Checks #1304 through #1360 in the amount of \$202,087.75.

OLD BUSINESS:

1. Reintroduction and First Reading of Ordinance - Amendment to Title 19 of the GHMC - Procedure for Closed Record Appeal Hearings.

NEW BUSINESS:

1. Donkey Creek Park Presentation – J.A. Brennan, Landscape Architect.
2. Transportation Plan Presentation – The Shea Group.
3. Sanitary Sewer Facility Maintenance Agreement and Restrictive Covenant – Alastra Court.
4. Easement Agreement – Alastra Court.

STAFF REPORTS:

1. John Vodopich, Community Development Director, Update – Gig Harbor Sportsman's Club.
2. GHPD – February Stats.

PUBLIC COMMENT:

COUNCIL COMMENTS / MAYOR'S REPORT:

ANNOUNCEMENT OF OTHER MEETINGS:

EXECUTIVE SESSION: For the purpose of discussing pending litigation per RCW 42.3 1.110(i).

ADJOURN:

GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 25, 2002

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

CALL TO ORDER: 7:08 p.m.

Mayor Wilbert thanked Mark Hoppen, City Administrator, for the special presentation on current city projects preceding the Council Meeting.

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 Meetings of February 11, 2002.
2. Proclamations/Correspondence: a) Eagle Scout - Jackson Rohrbaugh.
3. Purchase Authorization - Upgrade of Telephone System.
4. Prosecuting Attorney Contract Renewal.
5. DNR - Aquatic Lands Enhancement Account - Grant Agreement Acceptance.
6. Escrow Agreement, Pape & Sons - Equipping Well No. 6 Project.
7. Liquor License Approval - The Harbor Kitchen.
8. Approval of Payment of Bills for February 28, 2002.
Checks #35329 through #35459 in the amount of \$872,039.11.

MOTION: Move to approve the Consent Agenda as presented.
Ekberg/Ruffo - unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance - Erickson Street Vacation. Mark Hoppen explained that at the last meeting, concerns about access and developmental rights came forward. Carol Morris, Legal Counsel, said that she had assured the representative for the property owner that the access would be adequate given the current regulations and the status of the property at this time. She added that she had explained to Mr. Daly that if there were any objections, he should bring them forward at this meeting. Mr. Daly was not present.

John Gorow - 6887 Mainsail Lane. Mr. Gorow, President of the Spinnaker Ridge Homeowners Association, said that the terms are acceptable.

MOTION: Move to adopt Ordinance No. 901 vacating a portion of Erickson Street. Picinich/Ruffo – five voted in favor. Councilmembers Ekberg and Franich voted no. The motion carried 5-2.

2. Second Reading of Ordinance - Amendment to Title 19 of the GHMC - Procedure for Closed Record Appeal Hearings. John Vodopich, Community Development Director, presented this second reading of an ordinance that would amend the administrative procedures so that the

Council no longer hears appeals on Type III Project Permit applications, except for Site Specific Rezones. Carol Morris gave a short explanation of the different applications and how they were to be processed, and then addressed Council's concerns. She offered to add a procedure that would allow reconsideration of the Hearing Examiner's decision to address errors of fact in an application. Carol stressed that Council would have the ability to appeal the Hearing Examiner's decision without being exposed to the type of liability that is present when acting in a quasi-judicial manner during a closed-record appeal.

MOTION: Move to table this agenda item and direct staff to draft an ordinance allowing reconsideration of a Hearing Examiner's decision to address errors of fact in an application.
Franich/Ekberg – unanimously approved.

3. Second Reading of Ordinance - Amendment to the Impact Fees Ordinance. John Vodopich presented this ordinance, which reflects a recent Washington Court Case decision as it relates to the vesting doctrine, and clarifies that impact fees would be calculated and collected at the time of building permit issuance.

MOTION: Move to adopt Ordinance No. 902 approving amendments to the Impact Fees Ordinance as presented.
Ruffo/Franich – unanimously approved.

4. Resolution - Amendment to Public Hearing Date for Rust Street Vacation - Barta. John Vodopich explained that Resolution No. 580 passed at the last meeting setting the hearing date did not allow adequate noticing time. He asked Council to rescind Resolution No. 582 and adopt a new resolution setting a hearing date of March 25th. He explained that this was true of the next agenda item as well. There was discussion on whether to clear title on several of these areas at the same time. It was recommended that this be discussed during the public hearing on the 25th.

MOTION: Move to rescind Resolution No. 580 and approve Resolution No. 583, setting the public hearing date for March 25th.
Ruffo/Young – unanimously approved.

5. Resolution - Amendment to Public Hearing Date for Rust Street Vacation - Rohwer.

MOTION: Move to rescind Resolution No. 581 and approve Resolution No. 584, setting the public hearing date for March 25th.
Ruffo/Picinich – unanimously approved.

NEW BUSINESS:

1. Latecomers Agreement for Reimbursement of Water and Sewer - Burnham Drive. John Vodopich explained that as part of the Gig Harbor North development, a 16" water main was extended up Burnham Drive to serve the development. He said that this latecomer's agreement would allow for reimbursement of some of the cost by property owners that may hook into the line for the next fifteen years. City Attorney Carol Morris indicated that notice of public hearing

was not provided and that proper notice was necessary. John Vodopich asked that this item be tabled until the proper notification requirements could be followed.

MOTION: Move to table this agenda item until the proper notification requirements could be met.
Owel/Ruffo – unanimously approved.

2. Resolution - Public Hearing for Street Vacation Sutherland Street and Prentice Ave. John Vodopich explained that this was another request for a street vacation and recommended that a hearing date be set for March 25th.

MOTION: Move to approve Resolution No. 585, setting the public hearing date for March 25th.
Ekberg/Ruffo – unanimously approved.

3. Resolution - Declaration of Surplus Property. John Vodopich presented this list of surplus property to be taken to auction.

MOTION: Move to adopt Resolution No. 586 declaring Surplus Property.
Ruffo/Young – unanimously approved.

STAFF REPORTS:

Pat Iolavera addressed questions on the status of the Design Review Manual Update. She explained a majority of the text changes had been made, but the illustrations remained to be completed. She added that this would be forwarded to the Planning Commission for public hearings within the next couple of months. Councilmember Young asked if Council could see a draft of the document before it is forwarded to the Planning Commission. Pat said she would make sure that a copy was given to each Councilmember. John Vodopich recommended a joint worksession with the members of the Planning Commission, Design Review Board and Council to enable staff to present the updates and to allow discussion.

PUBLIC COMMENT: None.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Franich asked for an update on the status of the Scofield Property. Pat Iolavera gave an overview of the process, and explained that she was working with an appraiser. She said that a contract for a geological survey would be coming before Council soon.

Mayor Wilbert explained that she had attended the Pierce County Regional Council meeting, adding that they had passed their work plan for the year. She said that she had also been attending the Tacoma Narrows Airport Planning meetings with the Pierce County Councilmembers. She said that the amended community plan would go to the County Council for approval soon.

ANNOUNCEMENT OF OTHER MEETINGS: None.

ADJOURN:

MOTION: Move to adjourn at 8:30 p.m.
Ekberg/Ruffo - unanimously approved.

Cassette recorder utilized.
Tape 644 - Side B 126 - end.
Tape 645 - Side A 000 - end.
Tape 645 - Side B 000 - 390.

Gretchen A. Wilbert, Mayor

City Clerk

RECEIVED

FEB 25 2002

CITY OF GIG HARBOR

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

TO: MAYOR OF GIG HARBOR

February 21, 2002

SPECIAL OCCASION # 090202

NAVY LEAGUE OF THE UNITED STATES, GIG HARBOR COUNCIL
P O BOX 791
GIG HARBOR, WA 98335

DATE: MARCH 22, 2002

TIME: 6PM TO 11:30PM

PLACE: GIG HARBOR YACHT CLUB - 8209 STINSON AVE, GIG HARBOR

CONTACT: WILLIAM LINDGREN - 253-265-1817

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___

OPTIONAL CHECK LIST

EXPLANATION

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



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: SANITARY SEWER FACILITIES MAINTENANCE AGREEMENT AND
RESTRICTIVE COVENANT
- ALASTRA COURT P.U.D/ RUSH CONSTRUCTION
DATE: MARCH 11, 2002

INTRODUCTION/BACKGROUND

The city has required, as a condition of the project approval and due to the nature of the development, that Rush Construction enter into a Maintenance Agreement and Restrictive Covenant, in order to ensure that the sanitary sewer system will be constructed, operated and maintained in accordance with the approved plans and all applicable rules and regulations. The sanitary sewer system is on private property, and the city will not be responsible for the operation and maintenance of this system. This allows the city a nonexclusive right of entry onto those portions of the property in order to access the sanitary sewer system for inspection and to reasonably monitor the system for performance, operational flows, defects, and conformance with all applicable rules and regulations.

The city's standard Sanitary Sewer Facilities Maintenance Agreement and Restrictive Covenant has been drafted and approved by Carol Morris, City Attorney. This covenant will be recorded with the property.

Council approval of this agreement is requested.

FISCAL CONSIDERATIONS

No funds will be expended for the acquisition of the described agreements.

RECOMMENDATION

I recommend that City Council approve this agreement.

AFTER RECORDING, RETURN TO:

**The City of Gig Harbor
Attn: City Clerk
3105 Judson Street
Gig Harbor, WA 98335**

Document Title: **SANITARY SEWER FACILITIES MAINTENANCE
AGREEMENT AND RESTRICTIVE COVENANT**

Grantor: Rush Construction Company Inc.

Grantee: City of Gig Harbor

Legal Description: The complete legal description may be found on pages 7 and 8 of the
document.

Property Tax Parcel No.: 02-21-07-1-158

Reference No. of Documents Assigned or Released: _____

**SANITARY SEWER FACILITIES MAINTENANCE
AGREEMENT AND RESTRICTIVE COVENANT**

This Sanitary Sewer Facilities Maintenance Agreement and Restrictive Covenant is made this _____ day of _____, 200__, by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and Rush Construction Company, 5715 Wollochet Drive NW, Gig Harbor, WA 98335 (hereinafter the "Declarant").

RECITALS

WHEREAS, Declarant is the owner of fee title or a substantial beneficial interest in certain real property located in Gig Harbor, Washington, commonly described as the Plat of Alastra Court, (hereinafter the "Property") and legally described in Exhibit A, which is attached hereto and incorporated herein by this reference; and

WHEREAS, in connection with the Declarant's proposed development of the Property, the City has required and the Declarant has constructed a private sanitary sewer system on the Property; and

WHEREAS, such sanitary sewer system is described by legal description shown on Exhibit B and shown on a construction drawings prepared by the engineering firm of North Pacific Design, dated

MARCH 23, 2001 (hereinafter the "Plans"), submitted to the City.

WHEREAS, as a condition of project approval, and/or due to the nature of the development, the sanitary sewer system on the Property is private, and will not be the responsibility of, nor owned, operated or maintained by the City; and

WHEREAS, as a result of said private ownership and responsibility for operation and maintenance, including repair, rehabilitation, replacement, alterations and/or modifications, the parties have entered in to this Maintenance Agreement and Restrictive Covenant, in order to ensure that the sanitary sewer system will be constructed, operated and maintained in accordance with the approved Plans and all applicable rules and regulations;

NOW, THEREFORE, in consideration of the mutual agreements contained herein, as well as other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and the City hereby agree as follows:

TERMS

Section 1. Property Subject to Covenants. The real property which is now subject to the provisions of this Covenant is the real property within the Plat of Alastra Court, as legally described in Exhibit A.

Section 2. Definitions. As used in this instrument:

- A. The word "plat" refers to the Plat of Alastra Court, and any other plat or plats, including

short plats, covering all real property which may hereafter be made subject to the provisions of this instrument by a written instrument signed by the Declarant, its successors and assigns, in accordance with Sections 6, 7, and 12 below.

B. The word "lot" refers to a lot shown on any plat defined herein, but shall not include any parcel designated as a "tract" on a plat. "Lot" shall include any parcel of land which is separately subjected to this instrument without having been subdivided into two or more parcels by a plat recorded subsequent to the recording of this instrument.

C. The word "Owner" or "Owners" refers to the entity, whether an individual, corporation, joint venture or partnership which is an owner in fee simple or of a substantial beneficial interest (except for mineral estate) in all or any portion of the property in the Plat. A "substantial beneficial interest" shall include both legal and equitable interests in the property.

D. The words "Owners' Association" refer to a nonprofit corporation which may be formed for the purpose of operating and maintaining the facilities described in Exhibit B, or other properties within the Plat which may be independently conveyed by the Declarant or its successors and assigns to an Owners' Association, and to which the Owners' Association may provide other services in order to benefit the owners of property within the plat.

Section 3. Maintenance Obligations. The Declarant, its successors, assigns and/or Owners of an after-acquired interest in the property hereby covenant and agree that they are jointly and severally responsible for the installation, operation, perpetual maintenance, of a sanitary sewer system on the Property, as shown on the Plans attached hereto as Exhibit B. The sanitary sewer system shall be operated, maintained and preserved by the Owner in accordance with the Plans and all applicable ordinances, codes, rules and regulations. The sanitary sewer system shall be preserved in conformance with the Plans until such time as all parties to this Covenant, including the City, agree in writing that the sanitary sewer system should be altered in some manner or eliminated. In the event the sanitary sewer system is eliminated as provided hereinabove, the Owner shall be relieved of operation and maintenance responsibilities. No such elimination of the sanitary sewer system will be allowed prior to the Public Works Director's written approval.

Section 4. Notice to City. The Declarant shall obtain written approval from the Director prior to performing any alterations or modifications to the sanitary sewer system. No part of the sanitary sewer system shall be dismantled, revised, altered or removed, except as necessary for maintenance, including repair, rehabilitation, replacement, alterations, and/or other modifications, except as provided hereinabove.

Section 5. Access. The City shall have the right to ingress and egress over those portions of the Property described in Exhibit A in order to access the sanitary sewer system for inspection and to reasonably monitor the system for performance, operational flows, defects, and/or conformance with applicable rules and regulations.

Section 6. Assignment to an Owners' Association. In the event that an Owners' Association is formed under a Declaration of Covenants, Conditions and Restrictions which includes all of the property in Exhibit A, the Declarant and/or Owners may assign responsibility for installation and perpetual maintenance of the sanitary sewer system to such Owners' Association for so long as the Owners' Association remains in existence and upon the conditions that the Owners' Association assumes all of the obligations, liabilities, covenants and agreements of the Declarant under this Covenant. Such assignment

of the Declarant's or Owner's obligations shall be in a duly executed instrument in recordable form, and for so long as such assignment remains effective, the Declarant shall have no further responsibility or liability under this Covenant.

Section 7. Conveyances. In the event the Declarant or any Owner shall convey its substantial beneficial or fee interest in any property contained in the Plat, the conveying Owner shall be free from all liabilities respecting the performance of the restrictions, covenants and conditions in this Covenant; PROVIDED, HOWEVER, that the conveying Declarant or Owner shall remain liable for any acts or omissions during such Declarant or Owner's period of ownership of any property in the Plat.

Section 8. Rights of the City of Gig Harbor.

A. Execution of this Covenant shall not affect the City of Gig Harbor's present or future interest or use of any public or private sanitary sewer system. If the City determines that maintenance is required for the sanitary sewer system, and/or there is/are illegal connection(s) to or discharges into the sanitary sewer system, the Public Works Director or his/her designee shall give notice to the Declarant or Owner(s) of the specific maintenance and/or changes required, and the basis for said required maintenance and/or changes. The Director shall also set a reasonable time in which the Declarant or Owner(s) shall perform such work. If the maintenance required by the Director is not completed within the time set by the Director, the City may perform the required maintenance. Written notice will be sent to the Owner and/or owner(s), stating the City's intention to perform such maintenance, and such work will not commence until at least five (5) days after such notice is mailed, except in situations of emergency. If, at the sole discretion of the Director, there exists an imminent or present danger to the sanitary sewer system, the City's facilities or the public health and safety, such five (5)-day period will be waived, and the necessary maintenance will begin immediately.

B. In order to assure the proper maintenance of the sanitary sewer system identified in Exhibit B, the City of Gig Harbor shall have the right as provided below, but not the obligation, to maintain the system, if the Declarant or Owner(s) fail to do so, and such failure continues for more than five (5)-days after written notice of the failure is sent to the responsible parties. However, no notice shall be required in the event that the City of Gig Harbor determines that an emergency situation exists in which damage to person or property may result if the situation is not remedied prior to the time required for notice.

C. If the City provides notice in writing, but the Declarant, Owner or Owners' Association fails or refuses to perform any maintenance or operational duties as requested by the City, the City's employees, officials, agents or representatives may enter the property and undertake the necessary maintenance, repair or operational duties to the City's satisfaction. The City's ability to enforce this provision is subject further to the City's right to impose materialmen's and/or laborer's liens and to foreclose upon any and all properties owned by the Declarant and Owner(s).

D. If the City exercises its rights under this Section, then the Declarant, Owner(s) or Owners' Association shall reimburse the City on demand for all reasonable and necessary expenses incurred incident thereto. In addition, the City is hereby given the right, power and authority acting in the name of the Owner's Association to exercise and enforce on behalf of the Association and at the Association's cost, the assessment of dues and charges for such costs and to enforce the Association's lien right for any assessments, due and charges as herein specified. The City shall also be permitted to collect the costs of administration and enforcement through the lien attachment and collection process as is permitted under RCW 35.67, or any other applicable law.

E. In addition to or in lieu of the remedies listed in this Section, if the Declarant, Owners or Owner's Association, after the written notice described in Section 8A above, fails or refuses to perform the necessary maintenance, repair, replacement or modifications, the City may enjoin, abate or remedy such breach or continuation of such breach by appropriate proceedings, and may bring an action against the violator for penalties under the Gig Harbor Municipal Code.

Section 9. Indemnification of City. The Declarant and/or Owners agree to defend, indemnify and hold harmless the City of Gig Harbor, its officials, officers, employees and agents, for any and all claims, demands, actions, injuries, losses, damages, costs or liabilities of any kind or amount whatsoever, whether known or unknown, foreseen or unforeseen, fixed or contingent, liquidated or unliquidated, arising from an alleged defect in the design of the sanitary sewer system as installed by the Declarant, or arising by reason of any omission or performance under this Agreement by the Declarant, its successors and assigns, and/or Owners or Owners' Association, of any of the obligations hereunder.

Section 10. Rights Subject to Permits and Approvals. The rights granted herein are subject to permits and approvals granted by the City affecting the Property subject to this Maintenance Agreement and Covenant.

Section 11. Terms Run with the Property. The promises, conditions, covenants and restrictions contained herein shall constitute a covenant or equitable servitude, the burden and benefit of which shall run with the land and bind successive owners with equitable or legal interests in the property. Accordingly, by its acceptance of a deed or other instrument vesting a substantial beneficial interest in all or any portion of the property of the Plat in such Owner, each Owner shall covenant to be bound by all the obligations incumbent upon an Owner as set forth herein, and shall be entitled to all rights and benefits accruing to an Owner hereunder. This Covenant shall be recorded in the Pierce County Assessor's Office, and shall serve as notice to holders of after-acquired interests in the Plat.

Section 12. Notice. All notices require or permitted hereunder shall be in writing and shall either be delivered in person or sent by certified U.S. Mail, return-receipt requested, and shall be deemed delivered on the sooner of actual receipt on three (3) days after deposit in the mail, postage prepaid, addressed to the City or the Owner at the addresses set forth below:

To the City:

Public Works Director
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

To the Declarant:

Rush Construction Company
5715 Wollochet Drive NW
Gig harbor, WA 98335

Section 13. Severability. Any invalidity, in whole or in part, of any provision of this Maintenance Agreement and Covenant shall not affect the validity of any other provision.

Section 14. Waiver. No term or provision herein shall be deemed waived and no breach excused unless such waiver or consent is in writing and signed by the party claimed to have waived or consented.

Section 15. Governing Law, Disputes. Jurisdiction of any dispute over this Maintenance Agreement and Covenant shall be solely with Pierce county Superior Court, Pierce County, Washington. This Maintenance Agreement and Covenant shall be interpreted under the laws of the State of Washington. The prevailing party in any litigation arising out of this Maintenance Agreement and covenant shall be entitled to its reasonable attorneys' fees, costs, expenses and expert witness fees.

Section 16. Integration. This Maintenance Agreement and Covenant constitutes the entire agreement between the parties on this subject matter, and supersedes all prior discussions, negotiations, and all other agreements on the same subject matter, whether oral or written.

IN WITNESS WHEREOF, the parties have caused this Maintenance Agreement and covenant to be executed this _____ day of _____, 200__.

THE CITY OF GIG HARBOR

DECLARANT

By: _____
Its

By: 
Its Vice-President

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

ACKNOWLEDGEMENTS

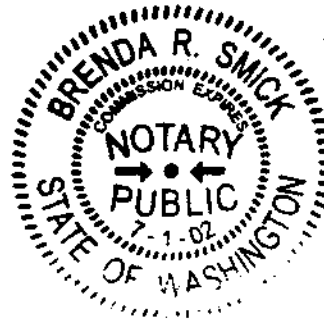
STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

I certify that I know or have satisfactory evidence that Robin Lerum is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Vice President of Rush Construction Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Brenda R. Smick
Notary Public in and for the State of Washington

My appointment expires: 7-1-02



STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

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

DATED: _____

Notary Public in and for the State of Washington

My appointment expires: _____

Exhibit A

The East 660 feet of the North Half of the Southwest Quarter of the Northeast Quarter of Section 7, Township 21 North, Range 2 East of the Willamette Meridian.

Except the South 280.00 feet, when measured along the East Line of said subdivision, of the East 380 feet, when measured along the South Line of said subdivision.

Also except SR-16, Right-of-Way as shown in Volume 2 of Plats, at Page 27, Records of Pierce County, Washington.

Exhibit B

Sewer Line Easement Legal Description across CenturyTel property:

A strip of land 15 feet in width, 7.50 feet on each side of the following described line:

Commencing at the North Quarter Corner of Section 7, Township 21 North, Range 2 East, W.M.; thence S 02°36'51" W, along the west line of the Northeast Quarter of said section, a distance of 1339.61 feet to the southwest corner of the northwest quarter of said Northeast Quarter; thence N 88°30'31" E along the south line of said northwest quarter, a distance of 701.99 feet to the TRUE POINT OF BEGINNING; thence N 44°27'12" E, 173.24 feet; thence N 29°33'57" W, 221.40 feet; thence N 86°11'09" W, 52.01 feet; thence N 16°05'20" W, 186.36 feet; thence N 29°33'57" W, 311.41 feet; thence S 60°26'03" W, 20.00 feet; thence N 29°33'57" W, 121.93 feet to the southerly right-of-way of Neil Court and the terminus of said line.

The sidelines of said easement are lengthened or shortened to intersect the southerly right-of-way line of Neil Court and the south line of the northwest quarter of the Northeast quarter of said section.

Except a triangular portion, BEGINNING at the northwest corner of said easement on the south right-of-way line of Neil Court; thence S 29°33'57" E, 6.41 feet; thence N 03°36'46" E, 5.36 feet; thence N 86°23'14" W, 3.51 feet to the POINT OF BEGINNING.

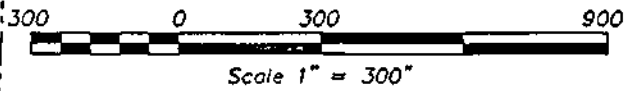
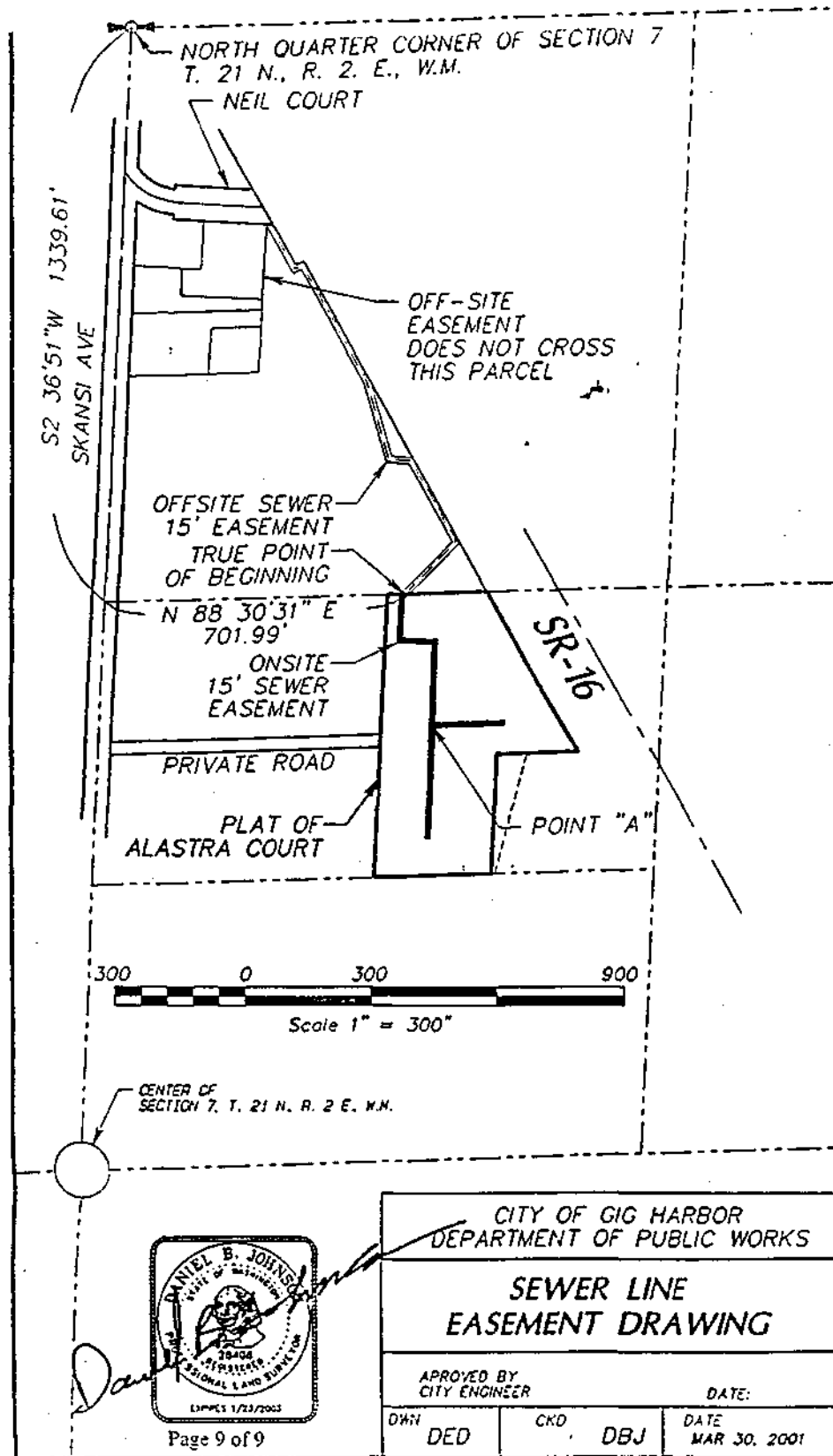
Sewer Line Easement Legal Description across Alastra Court Plat:

A strip of land 15 feet in width, 7.50 feet on each side of the following described line:

Commencing at the North Quarter Corner of Section 7, Township 21 North, Range 2 East, W.M.; thence S 02°36'51" W, along the west line of said the Northeast Quarter of said section, a distance of 1339.61 feet to the southwest corner of the northwest quarter of said Northeast Quarter; thence N 88°30'31" E along the south line of said northwest quarter, a distance of 701.99 feet to the TRUE POINT OF BEGINNING; thence S 44°27'12" W, 11.17 feet; thence S 02°59'12" W, 101.94 feet; thence S 87°38'47" E, 84.22 feet; thence S 01°29'57" W, 198.97 feet to Point "A"; thence N 88°18'17" E, a distance of 175.89 feet.

And together with a strip of land 15 feet width, 7.50 feet on each side of the following described line which begins at Point "A"; thence S 02°24'59" W, 267.04 feet, there terminating.

The sidelines of said easement are lengthened or shortened to intersect the south line of the northwest quarter of the Northeast quarter of said section.



CENTER OF SECTION 7, T. 21 N., R. 2 E., W.M.



CITY OF GIG HARBOR DEPARTMENT OF PUBLIC WORKS		
SEWER LINE EASEMENT DRAWING		
APPROVED BY CITY ENGINEER		DATE:
DWN DED	CKD DBJ	DATE MAR 30, 2001



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
RE: ALASTRA COURT P.U.D.
- EASEMENT AGREEMENT
DATE: MARCH 11, 2002

INTRODUCTION/BACKGROUND

As part of the Alastra Court Planned Unit Development project, a water main was constructed to serve the development on private property. The water main is connected to the city's water main in Skansie Avenue. In order to make this connection, the developer is required to grant the city an easement across a portion of property owned by Rush Construction Company. The easement shall be 15 feet wide and 7.5 feet on each side (see attached drawing) for the purpose of monitoring, inspecting, maintaining, improving, repairing, constructing and reconstructing a watermain.

The city's standard easement agreement has been drafted and approved by Carol Morris, City Attorney.

City Council approval of the easement agreement is being requested.

FISCAL CONSIDERATIONS

No funds will be expended for the acquisition of the described easement.

RECOMMENDATION

I recommend that City Council approve this agreement.

AFTER RECORDING, RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3105 Judson Street
Gig Harbor, WA 98335

Document Title: **EASEMENT AGREEMENT**

Grantor: **Rush Construction Company**

Grantee: **City of Gig Harbor**

Legal Description: **In the SW¼ of the NE¼, Sec. 7, T 21 N, R 2 E, W.M.**

 The complete legal description may be found on page 2 of the document.

Property Tax Parcel No.: **02-21-07-1-158**

Reference No. of Documents Assigned or Released: _____

EASEMENT AGREEMENT

THIS INSTRUMENT, executed this date by and between the City of Gig Harbor, a Washington municipal corporation (the "City" herein), and Rush Construction Company a corporation organized under the laws of the State of Washington, as the owners of the within-described property (the "Owners" herein):

WITNESSETH:

WHEREAS, Owners own a fee simple and/or have a substantial beneficial interest in the following real property, commonly known as the Plat of Alastra Court, and legally described as follows (the "Property" herein):

Parcel "A"

The East 660 feet of the North Half of the Southwest Quarter of the Northeast Quarter of Section 7, Township 21 North, Range 2 East of the Willamette Meridian, except the South 280.00 feet, when measured along the East Line of said subdivision, of the East 380 feet, when measured along the South Line of said subdivision. Also except SR-16, Right-of-Way as shown in Volume 2 of Plats, at Page 27, Records of Pierce County, Washington.

Parcel "B"

Together with an easement for private road and utilities across the north 30 feet of Short Plat No. 76-293 and as described in document under Auditor's No. 8712110358.

Situate in the County of Pierce, State of Washington.

WHEREAS, the City desires an easement for the purpose of monitoring, inspecting, maintaining, operating, improving, repairing, constructing, and reconstructing a water main serving the Property.

NOW, THEREFORE, the parties hereto agree as follows:

In consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, Owners hereby convey and warrant to the City, a perpetual, nonexclusive easement, under, over, through and across the Property, for the purposes of monitoring, inspecting, maintaining, improving, repairing, constructing, and reconstructing a water main, which easement (the "Easement" herein) is legally described as follows:

A strip of land 15 feet in width, 7.50 feet on each side of the following described lines:

Commencing at the North Quarter Corner of Section 7, Township 21 North, Range 2 East, W.M.; thence S 2°36'51" W, along the west line of said Northeast Quarter of said section, 1684.52 feet; thence N 88°26'39" E, 30.08 feet to the TRUE POINT OF BEGINNING; thence N 88°26'39" E, 764.22 feet to Point "A"; thence N 01°43'22" E, 42.50 feet to Point "B"; thence N 01°45'33" E, 191.43 feet; thence N 67°31'09" W, 13.11 feet to the terminus of said line.

Also, Beginning at Point "A", described above; thence S 02°37'02" W, 242.74 feet; thence S 27°12'44" W, 11.14 feet, to the terminus.

Also, Beginning at Point "B", described above; thence N 88°56'51" E, 180.47 feet, to the terminus.

The sidelines of said easement are lengthened or shortened to intersect the easterly right-of-way line of Skansi Avenue.

This Easement is subject to and conditioned upon the following terms and covenants, which both parties promise to faithfully and fully observe and perform:

1. **Responsibility to Repair Damage.** The City shall, upon completion of any work within the Property covered by the easement, restore the surface of the Easement, and any improvements on the Property not owned by the City, disturbed, damaged or destroyed during execution of the work, as nearly as practicable to the condition they were in immediately before commencement of the work or entry by the City. However, the City shall not be required to restore any such improvements installed and/or constructed on the Easement by the Owners subsequent to execution of this Easement Agreement, and as otherwise provided in paragraph "2" below.

2. **Limitations on Owners.** The Owners shall retain the right to use the surface of the Easement. However, the Owners shall not directly or indirectly have the right to:

- A. Erect or install, or cause to be erected or installed, any buildings, structures, pavement, or facilities within the Easement; or
- B. Plant, or cause to be planted, any additional trees, shrubs, or vegetation with deep root patterns which may cause damage to or interfere with the drainage system located within the Easement; or
- C. Develop, landscape, or beautify, or cause to be developed, landscaped, or beautified, the Easement area in any way that would unreasonably increase the costs to the City of restoring the Easement or restoring any Owner-caused or Owner authorized improvements therein; or
- D. Grant any additional or subsequent easement inconsistent with the rights of the City as granted herein. The City shall make the final determination whether any proposed subsequent easement is inconsistent with the City's Easement.

3. **Notice of Entry.** The Owners, their successors and assigns, shall allow access to the Easement by the City, without the City having to give prior notice of its intent to access the Easement.

4. **Indemnification, Hold Harmless.** The Owners hereby release, covenant not to bring suit and agree to indemnify, defend and hold harmless the City, its officers, officials, employees, agents and representatives from any and all claims, costs, judgments, losses or suits including attorneys' fees, awards or liabilities to any person arising out of or in connection with this Easement, except for injuries or damages caused by the sole negligence of the City.

In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Owners and the City, its officers, officials, employees, agents and representatives, the Owners' liability hereunder shall be only to the extent of the Owners' negligence.

The provisions of this section shall survive the termination of this Easement.

5. **Dispute Resolution and Attorneys Fees.** If any dispute arises between the Owners and the City under any of the provisions of this Easement which cannot be resolved by agreement of the parties, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington. This Easement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party of any such litigation shall be entitled to recover its reasonable attorneys' fees and costs, including any expert witness fees.

6. **Waiver.** No waiver by either party of any term or condition of this Easement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach, whether of the same or a different provision of this Easement.

7. **Merger.** This Easement contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Easement and no prior agreements shall be effective for any purpose.

8. **Severability.** If any of the provisions contained in this Easement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

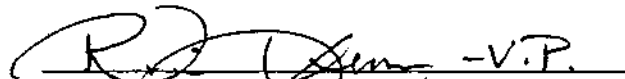
9. **Easement Binding on Successors and Assigns.** This instrument shall be recorded in the records of the Pierce County Auditor at the expense of the Owners and shall inure to the benefit of and be binding upon the Owners, its legal representatives, assigns, heirs and all owners of an after-acquired interest in the Property, and their successors and assigns.

Dated this _____ day of _____, 200__.

CITY OF GIG HARBOR

OWNERS:

By: _____

 -V.P.

Its _____

Print Name: Robin Lerum-V.P.

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

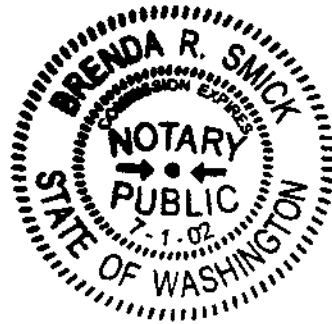
I certify that I know or have satisfactory evidence that Robin Lerum is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the

Vice President of Rush Construction Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument

DATED: _____

Brenda R. Smick
Notary Public in and for the State of Washington

My appointment expires: 7-1-02



STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

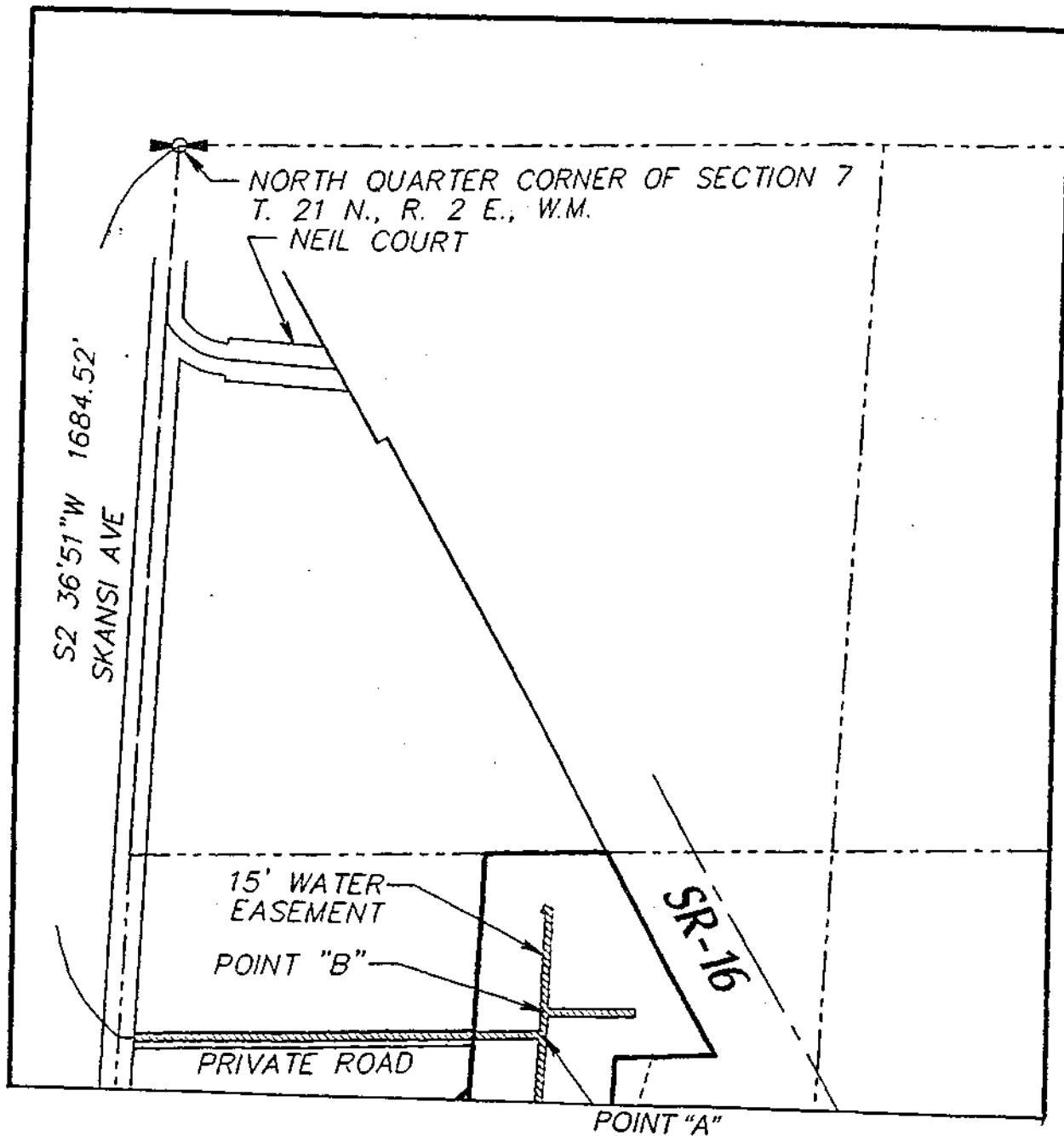
I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the

_____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Notary Public in and for the State of Washington

My appointment expires: _____





City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ORDINANCE AMENDING THE PROCEDURES FOR CLOSED RECORD
APPEAL HEARINGS ON PROJECT PERMIT APPLICATIONS
DATE: MARCH 11, 2002

INFORMATION/BACKGROUND

At the January 14, 2002 meeting, the Council voted to direct staff to prepare revisions to Title 19 of the Gig Harbor Municipal Code. Specific changes were to amend the appeal process of Type III project applications so that appeals were directed to the courts rather than to the Council. Type III project applications include plat vacations and alterations; site plans and major site plan amendments; conditional use permits, general variances; sign permit variances; site-specific rezones; shoreline substantial development permits; shoreline variances; major amendments to planned residential developments and planned unit developments; amendments to the height restriction area map; and mobile/manufactured home parks or subdivisions.

As presently drafted, with the exception of site-specific rezones, appeals of any Type III project application would go directly to the courts. Council may want to review the list of Type III applications and ensure that it is in the best interest of the City to remove the Council from the appeal process for all Type III applications, with the exception of site-specific rezones.

A public hearing and first reading of this proposed Ordinance was held on February 11, 2002. A second reading was held on February 25, 2002 at which time the Council directed staff to revise the Ordinance to include a process for reconsideration of a Hearing Examiner's decision. At the last meeting on this draft ordinance, the City Attorney stated that the procedure might have to be included in the Hearing Examiner procedure in Title 17, necessitating a public hearing before the Planning Commission. However, after reviewing the Hearing Examiner procedure in Title 17, she now believes that the reconsideration procedure is more appropriately added to Title 19, which does not require a hearing before the Planning Commission. Such changes have been incorporated in the Ordinance now before you. Given the changes that have been made, it is appropriate to hold an additional public hearing on this revised Ordinance.

RECOMMENDATION

I recommend that the Council approve the Ordinance amending Title 19 of the Gig Harbor Municipal Code as it pertains to the closed record appeal process and reconsideration process after a second reading.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE CITY'S PROCEDURES FOR CLOSED RECORD APPEAL HEARINGS ON PROJECT PERMIT APPLICATIONS, TO PROVIDE FOR A RECONSIDERATION PROCESS FOR HEARING EXAMINER DECISIONS, ELIMINATING ALL ADMINISTRATIVE APPEALS WHICH CURRENTLY ARE HEARD BY THE CITY COUNCIL, WITH THE EXCEPTION OF APPEALS OF SITE SPECIFIC REZONES, CLARIFYING THE BURDEN OF PROOF IN APPEALS AND THE STANDARD FOR REVIEW OF APPEALS, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS 19.01.003, 19.06.003, 19.06.004, 19.06.005; ADDING A NEW SECTION 19.06.045.

WHEREAS, RCW 36.70B.060(6) provides that a local government may provide an administrative appeal for some but not all project permit decisions; and

WHEREAS, the City Council desires to amend Title 19 to eliminate all closed record appeals that currently are held by the City Council, with the exception of site specific rezones, which are defined as "project permits" (RCW 36.70B.020(4)); and

WHEREAS, the City Council desires to add a process for reconsideration of Hearing Examiner decisions, to ensure that parties of record are allowed to raise certain issues prior to the time an appeal is filed in court; and

WHEREAS, the City's SEPA Responsible Official determined that this Ordinance is categorically exempt under WAC 197-11-800(20); and

WHEREAS, the Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Trade and Community Development on January 31, 2002 pursuant to RCW 36.70A.106; and

WHEREAS, the City Council initially held a public hearing and considered this Ordinance during its regular City Council meeting of February 11, 2002; and

WHEREAS, the City Council further considered this Ordinance during its regular City Council meeting of February 25, 2002;

WHEREAS, the City Council further considered this Ordinance and held a public hearing during its regular City Council meeting of March 11, 2002; Now, Therefore,

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

Section 1. Section 19.01.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.01.003 Project permit application framework.

19.01.003(A) Project permit application framework.

PROCEDURE FOR PROCESSING APPLICATIONS

	Project Permit Applications					Legislative Action
	Type I	Type II	Type III	Type IV	Type V	
Recommendation Made by:	N/A	N/A	N/A	N/A	N/A	Planning Comm.
Final Decision Made by:	Director	Director	Hearing Ex.	City Council	City Council	
Notice of Application:	No	No	Yes	Yes	Yes	No
Open record Public hearing or Open record Appeal hearing						

Of a final Decision:	No	Only if Appealed, Before Hearing Examiner	Yes, before Hearing Ex.	No	Yes, public hearing before Planning Comm.
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Closed Record Appeal/final Decision:	No	No	No	Yes ¹	Yes
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19.01.003(B) Decision types.

APPLICATION TYPES

Project Permit Applications				Legislative Action
Type I	Type II	Type III	Type IV	Type V
Permitted uses not Requiring site plan Review	Short plat	Preliminary plats	Final Plats	Comprehensive amendments
Boundary line Adjustments	Sign permits	Preliminary PRD/PUD	Final PUD/PRD	Development regulations
Minor amendments To PUD/PRD	Design Review	Plat vacations and alterations	Site-specific amendments	Zoning text amendments
Special use Permits	Land clearing permits	Site Plan Major Amendments To Site Plans		Area-wide Zoning map amendments
Temporary Construction Trailer permits	Grading permits	Conditional Use permits		Annexations
	Revisions to Shoreline Management Permits	General variances Sign Permit variances		
	Administrative Variances	Shoreline Substantial development permits		
	Administrative Interpretations	Shoreline Variances		
	Home occupation permit	Major amendments to PUD/PRD Amendment to height		

¹ An appeal of a site-specific amendment (rezone) is heard by the City Council in a closed record appeal hearing. The City Council's decision on a final plat and final PUD/PRD is made during a regular City Council meeting. See, RCW 58.17.170.

Hardship
Variance
Sign code
Modification
To landscape
Plans
Minor amend-
ments to PUD/PRD
Restriction map
Mobile/manufactured
Home park or subdivision

Section 2. Section 19.06.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.06.003 Standing to request reconsideration or initiate an administrative appeal.

A. Limited to Parties of Record. Only parties of record may request reconsideration or file an administrative appeal.

B. Definition. The term "parties of record," for purposes of this chapter, shall mean:

1. The applicant;
2. Any person who testified at the open record public hearing on the application;
3. Any person who submitted written comments concerning the application at the open record public hearing (excluding persons who have only signed petitions or mechanically produced form letters); and/or
4. The Gig Harbor City Council.

Section 3. Section 19.06.004 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.06.004 Request for Reconsideration and Appeals of Recommendations and Decisions.

A. Permit Decisions or Recommendations. Requests for reconsideration or appeals of a hearing body's recommendation or decision or ~~recommendation and project permit application~~ shall be governed by the following:

1. Standing. Only parties of record have standing to request reconsideration or to appeal the hearing body's decision.

2. Time to File.

a. A request for reconsideration must be filed within 10 working days of the issuance of the hearing body's written decision.

b. An appeal must be filed within 10- 15 working days of the issuance of the hearing body's written decision.

Requests for reconsideration and appeals shall be delivered to the Director by mail, by personal delivery or by fax before 5:00 p.m. on the last business day of the appeal period. Requests for reconsideration or appeals received by mail after 5:00 p.m. on the last day of the appeal period will not be accepted, no matter when such appeals were mailed or postmarked. Requests for reconsideration or appeals sent to the Director by fax will not be considered timely filed unless the person filing such request or appeal first calls the Department of Community Development to request permission to file the request or appeal by fax, and after transmission of such fax to the Department, the person immediately receives a fax back from the Department to acknowledge the Department's receipt of the request or appeal.

3. Computation of Time. For the purposes of computing the time for filing a request for reconsideration or an appeal, the day the hearing body's decision is issued shall not be counted. If the last day of the request for reconsideration or appeal deadline is a Saturday, Sunday or holiday designated by RCW 1.16.050 or by a city ordinance, then the request for reconsideration or appeal must be filed on the next business day.

4. Content of Request for Reconsideration or Appeal. Appeals shall be in writing, be accompanied by the required appeal fee, and contain the following information:

- a. Requestor or the appellant's name, address and phone number;
- b. A statement describing the requestor or appellant's standing to appeal or request reconsideration;
- c. Identification of the application which is the subject of the request for reconsideration or appeal;
- d. Requestor or the appellant's statement of grounds for requesting the reconsideration or appeal and the facts upon which the request or appeal is based with specific references to the facts in the record. A request for reconsideration must be accompanied by a statement which describes the manner in which the request satisfies one or all of the criteria for reconsideration, as set forth in GHMC Section 19.04.045;
- e. The specific relief sought;
- f. A statement that the requestor or appellant has read the request for reconsideration or the appeal, and believes the contents to be true, following by the requestor or the applicant's signature.

5. Effect. The timely filing of a request for reconsideration or an appeal shall stay the hearing body's decision until such time as the decision on the request for reconsideration or the appeal issues or is withdrawn. ~~Is concluded~~ A request for reconsideration is not a prerequisite to an administrative or a judicial appeal.

6. Notice of Reconsideration Decision or Appeal. The Director shall provide mailed notice of a request for reconsideration or appeal to all parties of record as provided in GHMC Section 19.06.003.

Section 4. A new section 19.06.045 is hereby added to the Gig Harbor Municipal Code, to read as follows:

19.06.045. Grounds for Requesting Reconsideration of Decision and Procedure.

A. Decisions that may be reconsidered. A request for reconsideration may only be filed for a decision that was rendered after an open record public hearing.

B. Grounds for Reconsideration. The hearing body/officer may modify a decision subject to this section upon receipt of a request for reconsideration by a party of record for any one of the following causes materially affecting the substantial rights of such parties:

1. Grounds for disqualification of a member of the body or the officer that made the decision, when such grounds were unknown by the party of record at the time of the open record hearing.

2. Matters that were improperly excluded from the record after being offered by a party of record prior to the close of the open record hearing;

3. Evidence of material facts that were not made part of the administrative record, either because:

a. Ministerial errors were made or inadvertent omissions occurred in the preparation of the administrative record; or

b. The party of record could not with reasonable diligence, have discovered and produced such facts prior to the close of the open record hearing.

C. Procedure. There shall be no hearing (either open record or closed record) on a request for reconsideration. The hearing body/officer shall issue a decision on

the request for reconsideration within __ working days after the request is received. The Director shall provide mailed notice of the decision to all parties of record as defined in GHMC 19.06.003.

Section 5. Section 19.06.005 of the Gig Harbor Municipal Code is hereby amended to read as follows:

19.06.005. Procedure for closed record decision/appeal.

A. Closed record appeals shall be on the record established at the hearing before the hearing body/officer whose decision is being appealed, which shall include the written decision of the hearing body/officer, a transcript or tape recording of the proceedings, and copies of any exhibits admitted into the record.

B. No new testimony or evidence will be accepted by the appeal body/officer except: (1) new information that was unknown to the parties at the time of the hearing which could not reasonably have been discovered by the parties and is necessary for a just resolution of the appeal; and (2) relevant information that, in the opinion of the appeal body/officer council, was improperly excluded by the hearing body/officer. Appellants who believe that information was improperly excluded must specifically request, in writing prior to the closed record appeal hearing, that the information be made part of the record. The request shall describe the information excluded, its relevance to the issues appealed, the reason(s) that the information was excluded by the hearing body, and why the hearing body erred in excluding the information. No reference to excluded information shall be made in any presentation to the appeal body/officer council on the merits, written or oral, until the appeal body/officer council has determined that the information should be admitted.

C. 1. Parties to the appeal may present written and/or oral arguments to the appeal body/officer council. Argument shall describe the particular errors committed by the hearing body/officer, with specific references to the appeal administrative record. The appellant shall bear the burden to demonstrate that substantial evidence does not exist in the administrative record to support the decision of the hearing body/officer.

D. 2. The hearing shall commence with a presentation by the director or the director's designee, of the general background of the proposed development and the issues in dispute. After the director's presentation, the appellants shall first present oral argument, and then the other parties of record shall make their arguments. Council members The appeal body/officer may question any party concerning disputed issues, but shall not request information not in the administrative record.

E. 3. The council appeal body/officer shall determine whether there is substantial evidence in the administrative record to support the decision of the hearing body/officer. The appeal body/officer may affirm, modify or reverse the decision of the hearing body/officer. Upon written agreement by the applicant to waive the statutory prohibition against more than one open record and one closed record hearing, and, if needed, to waive the requirement for a decision within the time periods set forth in RCW 36.70B.0980, as allowed by RCW 36.70B.080(3), remand the decision to the hearing body for additional information.

B. F. Open Record Appeal Hearings. An open record appeal hearing shall be conducted in the manner set forth in chapter 19.05 GHMC.

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 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 __th day of _____, 2002.

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: 3/6/02
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

SUMMARY OF ORDINANCE NO. ____

of the City of Gig Harbor, Washington

On _____, 2002, 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 CITY'S PROCEDURES FOR CLOSED RECORD APPEAL HEARINGS ON PROJECT PERMIT APPLICATIONS, TO PROVIDE FOR A RECONSIDERATION PROCESS FOR HEARING EXAMINER DECISIONS, ELIMINATING ALL ADMINISTRATIVE APPEALS WHICH CURRENTLY ARE HEARD BY THE CITY COUNCIL, WITH THE EXCEPTION OF APPEALS OF SITE SPECIFIC REZONES, CLARIFYING THE BURDEN OF PROOF IN APPEALS AND THE STANDARD FOR REVIEW OF APPEALS, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS 19.01.003, 19.06.003, 19.06.004, 19.06.005; ADDING A NEW SECTION 19.06.045.

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

APPROVED by the City Council at their meeting of _____, 2002.

MOLLY TOWSLEE, CITY CLERK



City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: TRANSPORTATION PLAN
DATE: MARCH 11, 2002

INTRODUCTION/BACKGROUND

In 1994, the City of Gig Harbor adopted a Transportation Element as part of the overall Comprehensive Plan developed in response to the Growth Management Act (GMA). Since 1994, the City has annexed portions of the unincorporated Urban Growth Area (UGA) and experienced an overall increase in population growth and associated economic development. The Shea Group has prepared an update to the City's Transportation Plan for Council's consideration. Ms. Susan Graham of the Shea Group will be presenting the revised plan to the Council.

Environmental review of the Transportation Plan still needs to be completed prior to a resolution for adoption is brought forward to the Council for consideration. At that time, a public hearing on the Transportation Plan will also be heard.

RECOMMENDATIONS

No Council action needed at this time.

Gig Harbor Transportation Plan Update

**City of Gig Harbor
Department of Public Works
Gig Harbor, WA**

November, 2001

City of Gig Harbor
Transportation Plan Update

City of Gig Harbor
Department of Public Works
3105 Judson Street
Gig Harbor, Washington 98335

November, 2001

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CHAPTER 1 . EXISTING CONDITIONS

The City of Gig Harbor is required, under the state Growth Management Act (GMA), to prepare a Transportation Element as part of its Comprehensive Plan. In 1994, the City completed an update of its comprehensive land use plan to comply with GMA requirements and help estimate future traffic growth within the city. Since then, Gig Harbor has annexed portions of unincorporated Pierce County surrounding it. This update reflects changes that have occurred since 1994, using 1998 as existing conditions and 2018 as the planning horizon.

The specific goal of the GMA, with regard to transportation, is to "encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans." The GMA requires that the local comprehensive plans, including the land use and transportation elements, be consistent and coordinated with required regional programs. In addition, the GMA requires that transportation facility and service improvements be made concurrent with development.

Figure 1-1 shows the Gig Harbor study area. The planning area includes the City of Gig Harbor and adjacent unincorporated areas included within the Gig Harbor Urban Growth Area (UGA). For consistency with the Pierce County Comprehensive Plan Transportation Element, additional portions of the unincorporated county were included within the study area.

EXISTING TRANSPORTATION SYSTEM

This section of the transportation plan describes the existing transportation system conditions in the study area, including a description of the roadway characteristics, functional classification, traffic volumes, level of service, accidents, and transit service. Planned transportation improvements from the Washington State Department of Transportation (WSDOT) Plan, Pierce County Capital Facilities Element of the Comprehensive Plan, the Pierce County Six-Year Transportation Improvement Program (TIP) and Gig Harbor Six-Year TIP are also described.

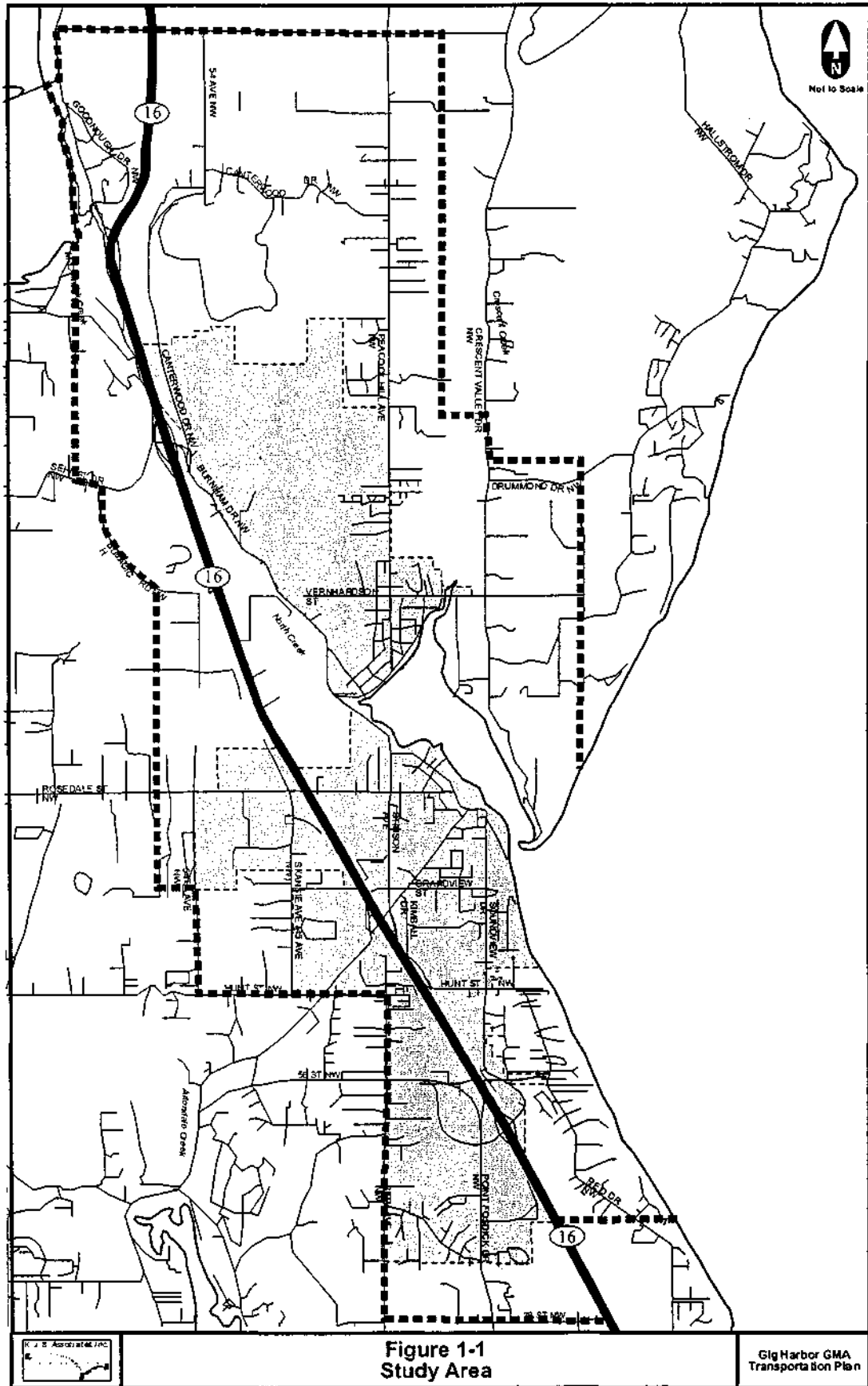


Figure 1-1
Study Area

Gig Harbor GMA
Transportation Plan

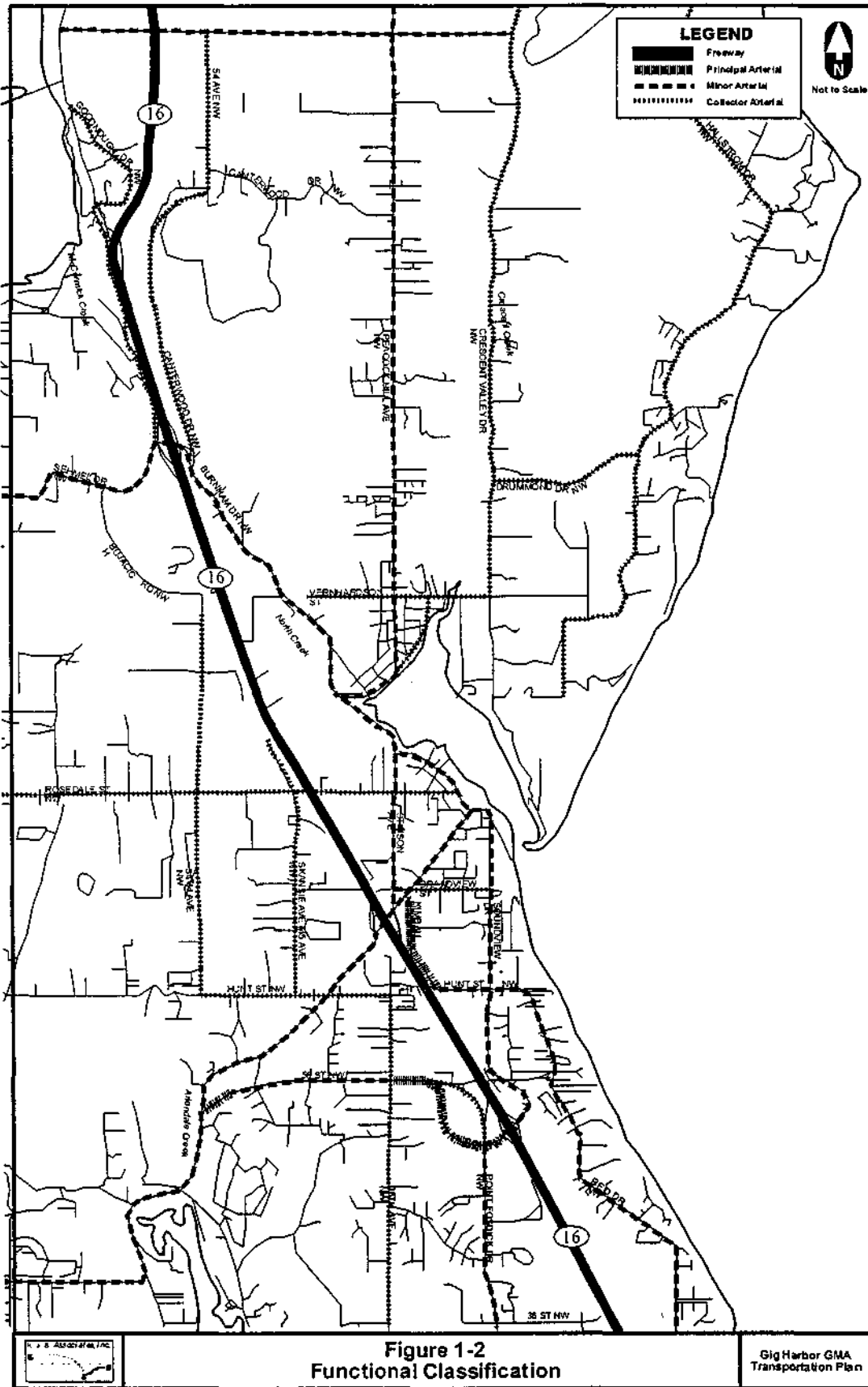
FUNCTIONAL CLASSIFICATION

Figure 1-2 depicts the functional classification of the arterial roadway system serving the study area, and **Figure 1-3** depicts the characteristics of these arterials. The roadway functional classifications were based on the circulation plan for the study area presented in the Gig Harbor Comprehensive Plan. Identification of the roadway functions is the basis for planning roadway improvements and the appropriate standard (right-of-way width, roadway width, design speed) that would apply to each roadway facility. The following definitions serve as a general guide in determining street classifications.

Principal Arterials - *Intercommunity* roadways connecting primary community centers with major facilities. Principal arterials are generally intended to serve through traffic. It is desirable to limit direct access to abutting properties.

Minor Arterials - *Intracommunity* roadways connecting community centers with principal arterials. In general, minor arterials serve trips of moderate length. Access is partially controlled with infrequent access to abutting properties.

Collector Arterials - Streets connecting residential neighborhoods with smaller community centers and facilities as well as access to the minor and principal arterial system. Property access is generally a higher priority for collector arterials; through-traffic movements are served as a lower priority.



State-owned transportation facilities and highways of statewide significance [See also Chapter 5]

In 1998, the Washington State Legislature enacted the "Level of Service Bill" (House Bill 1487) which amended the Growth Management Act (GMA) to include additional detail regarding state-owned transportation facilities in the transportation element of comprehensive plans. Within Gig Harbor, SR 16 has been designated as a Highway of Statewide Significance (HSS) in WSDOT's Highway System Plan (HSP). SR 16 provides the major regional connection between Tacoma, Bremerton, and the Olympic Peninsula. It connects to Interstate 5 in Tacoma and to SR 302 in Purdy. Through Gig Harbor, SR 16 is a full limited access four lane freeway with interchanges at Olympic Drive, Pioneer Way and Burnham Drive. It is classified as an urban principal arterial.

The only other state-owned facility within the planning area is SR 302 which connects SR 16 across the Key Peninsula with SR 3 to Shelton. It is a two-lane state highway with no access control.

Local transportation system

The downtown area of Gig Harbor and surrounding residences are served by the interchange with SR 16 at Pioneer Way. The southern portion of the city is served by the Olympic Drive NW interchange, and north of the existing city limits, access from SR 16 is provided by the Burnham Drive NW interchange.

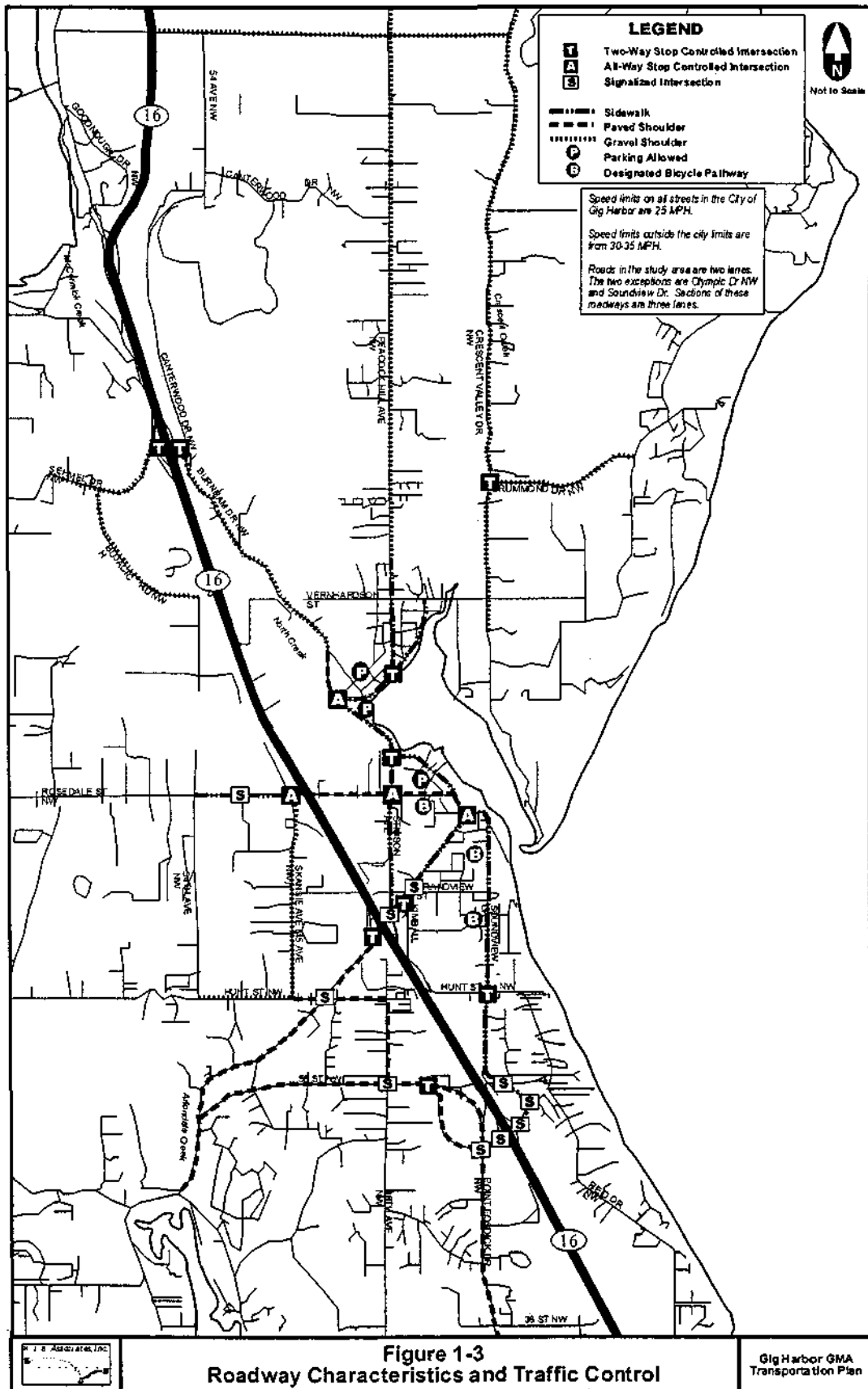
One of the key north-south arterials serving the city and local residences is Soundview Drive, which becomes Harborview Drive through downtown Gig Harbor. Pioneer Way also provides access to residences and downtown Gig Harbor. Access to the unincorporated areas north of the city is provided by Peacock Hill Road, Crescent Valley Drive, and Burnham Drive NW. Outside the city limits to the southwest, Olympic Drive NW and Wollochet Drive NW provide access to residential areas in unincorporated Pierce County.

The roadway characteristics of these arterials in the study area are shown in **Figure 1-3**. The majority of roadways within the city limits are two lanes with a speed limit of 25 mph. The speed is reduced to 20 mph along North Harborview Drive in the downtown area. There are retail shops on both sides of the street in this area, and the reduced speed provides increased safety for pedestrians crossing the street between shops. In addition, Soundview Drive has three lanes (one lane in each direction and a center, two-way, left-turn lane along portions of the roadway). Outside of the city limits, all roadways are also two lanes, with the exception of

Olympic Drive NW (56th Street NE) which has three lanes in some sections, and Point Fosdick Drive which has five lanes from Olympic to 44th Street NW. The speed limit on these roadways varies between 30 and 35 mph.

Pedestrian and bicycle facilities are an integral part of the transportation network, and the provision for these facilities will be incorporated in the transportation improvement program. Currently, sidewalks are provided at least on one side of the roadway on most city arterials. In addition, a separate bicycle lane is provided on Soundview Drive and on portions of Rosedale Street. Parking is allowed in the retail center on Harbor View Drive and North Harborview Drive.

Existing intersection traffic control devices also are indicated on **Figure 1-3**. Within the city, there are signalized intersections at Pioneer Way/Grandview Street, Olympic Drive /Point Fosdick Drive, Wollochet Drive/Hunt Street, Olympic Drive/Holycroft Street, Rosedale Street/Schoolhouse Avenue, and 38th Avenue/56th Street. In addition, the SR 16 northbound and southbound ramps at Olympic Drive, and the SR 16 northbound ramp at Pioneer Way, are signalized. All other major intersections and SR 16 ramp intersections are stop sign controlled.



TRAFFIC VOLUMES

A comprehensive set of street and intersection traffic counts was collected in 1997. Average weekday traffic volumes (AWDT) are summarized in **Figure 2-1** (See Page 20). AWDT volumes represent the number of vehicles traveling a roadway segment over a 24-hour period on an average weekday. P.M. peak hour traffic volumes represent the highest hourly volume of vehicles passing through an intersection during the 4-6 p.m. peak period. Since the p.m. peak period volumes usually represent the highest volumes of the average day, these volumes were used to evaluate the worst case traffic scenario that would occur as a result of the development.

INTERSECTION LEVEL OF SERVICE

The acknowledged method for determining intersection capacity is described in the current edition of the Highway Capacity Manual (*Transportation Research Board [TRB], Special Report 209*). Capacity analyses are described in terms of Level of Service (LOS). LOS is a qualitative term describing the operating conditions a driver will experience while driving on a particular street or highway during a specific time interval. It ranges from LOS A (little or no delay) to LOS F (long delays, congestion).

The methods used to calculate the levels of service are described in the *1994 Highway Capacity Manual* (Special Report 209, Transportation Research Board). The measure of effectiveness for signalized intersections is average stopped delay, which is defined as the total time vehicles are stopped in an intersection approach during a specified time period divided by the number of vehicles departing from the approach in the same time period.

For unsignalized intersections, level of service is based on an estimate of average stopped delay for each movement or approach group. The evaluation procedure is a sequential analysis based on prioritized use of gaps in the major traffic streams for stop controlled and yield controlled movements (i.e., left turns off of the major street); these two movement types at unsignalized intersections will be referred throughout the remainder of this report as "controlled movements". In most jurisdictions in the Puget Sound region, LOS D or better is defined as acceptable, LOS E as tolerable in certain areas, and LOS F as unacceptable.

The City of Gig Harbor has adopted LOS D as a standard, but accepts a level of service of F in the downtown area where capacity improvements would severely impact the character of the area. In this area of the City,

safety, circulation, parking and pedestrian connections rather than increased capacity are the goals.

TRAFFIC ACCIDENTS

Traffic accident records compiled by the Gig Harbor Police Department for the 17-month period from January, 1999, through and including May, 2000, were reviewed. The Police Department accident records included the date and location of each accident, and specified an accident type: "injury," "non-injury," "hit-and-run," "parking lot," or "pedestrian/cyclist."

During the 17-month period analysis period there were 308 accidents on the Gig Harbor street system, of which 72 (23%) were injury accidents. Only two accidents involved pedestrians or bicyclists, though both of these accidents involved injuries.

The streets with the greatest accident experience were Olympic Drive, along which 84 accidents occurred (five per month), and Point Fosdick Drive, along which 69 accidents occurred (four per month). Pioneer Way and Hunt Street each experienced 22 accidents, and Wollochet Drive and Harborview Drive each experienced 18. No other street experienced more than 15 accidents.

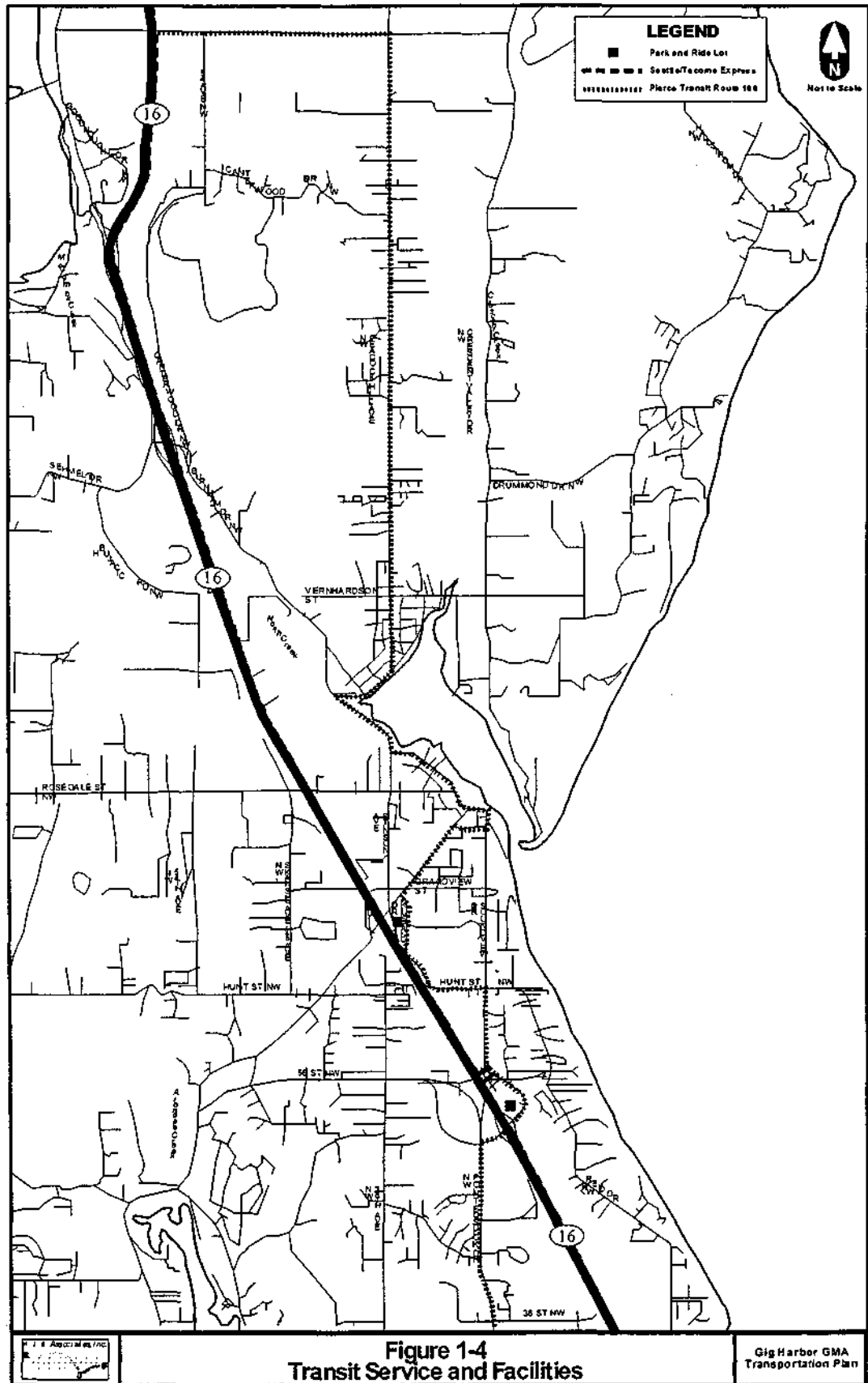
TRANSIT SERVICE AND FACILITIES

The service provider for Gig Harbor is Pierce Transit. The four transit routes that currently serve Gig Harbor are shown in **Figure 1-4**.

Route 100 extends from the Gig Harbor Park and Ride to the Tacoma Community College Transit Center. During weekdays, the route operates on half-hour headways, and on one-hour headways on the weekends. Route 102 provides express bus service from Purdy to Downtown Tacoma via the Gig Harbor Park and Ride. It operates during weekday peak hours only, with service being provided every 30 minutes.

Local bus service in Gig Harbor is provided by Routes 111 and 112. Route 111 runs from the Gig Harbor Park and Ride to the Gig Harbor Library at Point Fosdick. Hourly service from morning to evening is provided on this route seven days a week. Route 112 extends from the Purdy Park and Ride to the Gig Harbor Park and Ride via Peacock Hill Avenue. Transit service for this route also operates on one hour headways, seven days a week. Route 113 from Key Center connects with Routes 100, 102, and 112 at the Purdy Park and Ride.

Pierce Transit continues to look at ways to improve transit service to and from the peninsula area. Possible improvements include expansion of the Gig Harbor Park and Ride (6808 Kimball Drive) in partnership with the City of Gig Harbor as well as the creation of several entirely new park and rides. Based on discussions with Pierce Transit, there is the possibility of extending Route 601 (Olympia Express) to the Gig Harbor Park and Ride from its current terminus at Tacoma Community College. The creation of new transit routes will depend heavily on whether capacity on the Tacoma Narrows Bridge is increased.



PLANNED TRANSPORTATION IMPROVEMENTS

Based on projections by Pierce County, this area of the state, including the study area, will continue to grow. Specifically, it is expected that residential growth will occur on the Gig Harbor peninsula and job growth will occur in the area between the peninsula and Tacoma.

PIERCE COUNTY TRANSPORTATION PLAN

In order to adequately address the existing and future transportation issues, Pierce County completed the Pierce County Transportation Plan in 1992. Within the Plan, project priorities are identified as: Premier Priority, High Priority, Medium Priority, and Low Priority. Conservatively, Pierce County believes they will be able to fund all Premier and High Priority projects and half of the Medium Priority projects. Optimistically, they hope to be able to fund all projects on county roads. The projects that impact the study area are listed below.

Premier Priority

- P29. Wollochet Drive, 40th Street to Gig Harbor City Limits: Widen to four lanes; improve intersections and shoulders.
- P63. 38th Avenue, 36th Street to Gig Harbor City Limits: Improve intersection and shoulders.

The 2000 Gig Harbor Peninsula Community Plan also includes the following transportation project recommendations:

- P28. 56th Street, Wollochet Drive to Point Fosdick Drive: Widen to four lanes; provide pedestrian and drainage improvements.
- P65. 24th Street, Jahn Avenue to 14th Avenue: Improve channelization and traffic control.
- P73. Jahn Ave/32nd Street/22nd Avenue, Stone Drive to 36th Street: Realign and improve shoulders
- P77. Haven of Rest Vicinity Access Relocation: Haven of Rest to Rosedale Street or to Burnham Drive: construct new access road to Haven of Rest Cemetery as part of HOV widening project.
- P78. SR 16/Wollochet Drive: Improve southbound ramps and install traffic signal (This project is planned, but not currently funded).

High Priority

- P19. SR 16/Rosedale Street: Construct new, half-diamond interchange to/from the west. (not included in Statewide Multimodal Transportation Plan)
- P21. SR 16/36th Street and 24th Street: Construct split diamond interchange.
- P30. Point Fosdick Drive, 56th Street to Stone Drive: Provide pedestrian and drainage improvements; improve intersections.

PIERCE COUNTY SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The prioritization process for transportation projects in unincorporated Pierce County is implemented through the Six-Year Road Program and the Annual Road Program. The projects identified that impact the study area for 2001-2006 are summarized below; a complete description of project expenditure plans and funding sources is included in the Technical Appendix.

- Sunrise Beach Drive, Moller Drive to end: Widen and reconstruct to improve roadway.
- Rosedale Street, 66th Avenue to Lombard Drive NW: Reconstruct road to improve vertical alignment.
- Hunt Street, 46th Avenue to Lombard Drive NW: Reconstruct roadway to improve horizontal/vertical alignment.
- Wollochet Drive, 31st Street to 40th Street: Widen and reconstruct existing roadway.
- Swede Hill Roadway, Burnham Dr. NW to Peacock Hill Dr. NW: Construct new arterial roadway along new alignment. Joint project with City of Gig Harbor.

As future funds become available, the improvement projects from the Pierce County Comprehensive Transportation Plan will be added to the most recent six-year road program.

GIG HARBOR SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP)

The City is required to update its Transportation Improvement Plan (TIP) every year. The TIP is adopted by reference, and a copy of the current plan can be obtained from the City's Public Works Department.

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION HIGHWAY IMPROVEMENT PROGRAM

Although there are no Gig Harbor-area projects included in the WSDOT budget for the upcoming 2000-2002 biennium, several major projects are in various stages of planning. Some of these are WSDOT projects included in Pierce County's 2000 Gig Harbor Community Plan:

- (P65) 24th Street, Jahn Avenue to 14th Avenue, improve channelization and traffic control (included in Tacoma Narrows Bridge project).
- (P73) Jahn Ave/32nd Street/22nd Avenue, Stone Drive to 36th Street; realign and improve shoulders (portion of this improvement is included in the Tacoma Narrows Bridge project).
- (P77) Haven of Rest Vicinity Access Relocation (part of HOV widening project)
- (P78) SR 16/Wollochet Drive ramp improvements (this improvement is planned but not funded).
- WSDOT also is planning HOV lanes for SR 16 through the Gig Harbor area.

In addition, WSDOT is developing plans to build a new Tacoma Narrows Bridge to provide significantly increased capacity for the congested crossing on the existing bridge. An integral element of the new bridge project is construction of a split diamond interchange with half at 24th Street and half at 36th Street. The 24th Street improvements (P65 above) are integral to the Tacoma Narrows Bridge project, and a portion of the improvements in P73 will be included in the bridge project. Construction of a new Tacoma Narrows Bridge will significantly increase highway capacity and improve access between the Gig Harbor/Peninsula area and the "mainland" (Tacoma, I-5, etc.). These capacity and access improvements will have a significant effect on long-term growth and development in and around Gig Harbor, and will affect Gig Harbor area travel patterns, traffic volumes, and transportation improvement needs.

Because to date there has been no final official decision to proceed with construction of the new Tacoma Narrows Bridge, the population, employment, travel, and traffic forecasts for the Gig Harbor area – and the entire SR 16 Corridor – have not yet been revised to account for the growth, development, and transportation system effects of the new bridge. This Gig Harbor Transportation Plan Update, which is based on and developed for the current growth forecasts, therefore does not account for the transportation system needs and impacts associated with a new Tacoma Narrows Bridge. At such time as design and construction of a new bridge is officially and legally endorsed and initiated, the Gig Harbor Transportation Plan will need to be revised and updated to address the changed future transportation system needs.

CONCURRENCY POLICY

The City of Gig Harbor requires either a construction or financial commitment for necessary transportation improvements from the private or public sector within six years of a development. Methods for the City to monitor these commitments include:

- Annual monitoring of key transportation facilities within updates to the Six-Year Transportation Improvement Program (TIP);
- Assessing level of service;
- Identifying facility deficiencies;
- Reviewing comprehensive transportation plan and other related studies for necessary improvements;
- Making appropriate revisions to the Six-Year TIP; and
- Complying with HB 1487 and WSDOT for coordinated planning for transportation facilities and services of statewide significance.

CHAPTER 2 . TRAFFIC FORECASTING AND ANALYSIS

Traffic forecasting is a means of estimating future traffic volumes based on the expected growth in population and employment within an area. For the Gig Harbor area, traffic forecasts were prepared using current traffic counts, a travel demand forecasting computer model prepared for the Pierce County Transportation Plan, and estimates of population and employment developed for the City's Comprehensive Land Use Plan. As specified by the Growth Management Act (GMA), a 20 year horizon was used in the process to produce traffic forecasts for 2018.

This is essentially the same process as was followed in the 1994 Comprehensive Plan Transportation Element. **Table 2-1** below summarizes the population and employment growth assumptions that were used for the traffic forecasts.

Table 2-1. Growth Assumptions, 1998 - 2018

Year	Population	Employment
1998	6,900	5,230
2006	14,560	7,700
2018	21,370	10,900

METHODOLOGY

The growth in population and employment in an area provides a basis for estimating the growth in travel. Population growth generally results in more trips produced by residents of homes in the area, and employment growth generally results in more trips attracted to offices, retail shops, schools, and other employment or activity centers. To estimate future traffic volumes resulting from growth, computerized travel demand models are commonly used. In areas where travel corridors are limited, growth factors applied to existing traffic counts can be also an effective approach to traffic forecasting.

A combined approach was used for the City of Gig Harbor. The Pierce County Transportation Plan computer model developed by KJS provided information on area wide growth and was used as a tool in assigning traffic to various roads and intersections. For growth data, the 1998 Draft Gig Harbor Comprehensive Plan Update (prepared by the Beckwith Consulting

Group) was used. Traffic counts taken in 1996 and 1997 provided data on existing travel patterns.

Primary Sources Of Information

The primary sources of information used to forecast travel demand in Gig Harbor and the surrounding Urban Growth Area (UGA) were the Pierce County Transportation Model, the Gig Harbor Comprehensive Plan Update, and the Gig Harbor Travel Demand Model.

Pierce County Transportation Model

KJS Associates developed a 2010 travel demand model for Pierce County as a part of the county's GMA Transportation Planning program (the model has since been updated by Pierce County). The Pierce County transportation model is based on the Puget Sound Regional Council's (PSRC) regional model covering King, Pierce, Snohomish and Kitsap Counties. The model utilizes the standard transportation planning methodology: Trip Generation, Trip Distribution, Modal Choice and Trip Assignment.

For the Pierce County model, a system of traffic analysis zones (TAZs) was developed based on the same boundaries used by the PSRC in the regional model. This enabled KJSA to use the zonal demographic and street network data which PSRC provides, for the regional system, and to refine that information to provide more detail within Pierce County. The model was calibrated to 1990 conditions; 1990 traffic counts were used to calibrate the model's traffic flow patterns, and 1990 demographic/land use data provided the basis for the trip generation, trip distribution, mode choice, and traffic assignment assumptions. All forecasts from the model were based on 2000 and 2010 demographic/land use forecasts from PSRC.

Since the PSRC 20-year demographic forecasts appear to be consistent with the GMA forecasts for the City and IUGA, the PSRC 2010 database was used in the revised Pierce County model as the basis for travel demand forecasts.

Gig Harbor Comprehensive Plan Update

As a part of the Comprehensive Plan Update, the City used the existing and proposed comprehensive land use plans to estimate the residential and employment capacities of various areas of the Gig Harbor Interim Urban Growth Area (IUGA). In doing so, the IUGA was divided into 71 "units", or zones, for analysis purposes.

The existing land uses and an inventory of the number of platted lots within each zone were used to estimate the existing population of each zone. The size of commercial and employment/business areas on the Land Use plan was used to estimate the employment capacities within each zone.

Gig Harbor Travel Demand Model

The 71 land use zones from the Comprehensive Plan were used to create a more detailed traffic analysis zone structure within the Pierce County model. The 1998 population estimates and employment capacities for each of the 71 zones in the Comprehensive Plan Update were used to initially allocate the 1990 population and employment data from PSRC to each TAZ within the IUGA. The 1990 data were used since this is the most recent census which provides complete information for the area outside of the Gig Harbor IUGA. The 1990 data were then factored to 1998 estimates using the Comprehensive Plan information and 1998 traffic counts.

The growth in population and employment within each zone was converted into travel demand by the model. Since the base year was calibrated using 1998 traffic volumes, the 20-year growth in travel demand produced by the model resulted in 2018 travel demand estimates. This is consistent with the requirement of GMA.

Employment growth, unlike population growth, was assumed to occur around existing areas of high employment. Like the allocation of population, employment was allocated to each zone based on the capacities of the zone as calculated by Beckwith in the Comprehensive Plan Update.

To insure that the travel demand calculated by the model resulted in accurate estimates of traffic volumes on the road network, 1998 traffic counts on selected roads were used to calibrate the model. However, the model results are at best only a rough estimate of future traffic volumes. They provided a guide to general traffic trends and flow patterns, rather than exact traffic volumes on specific roadway links.

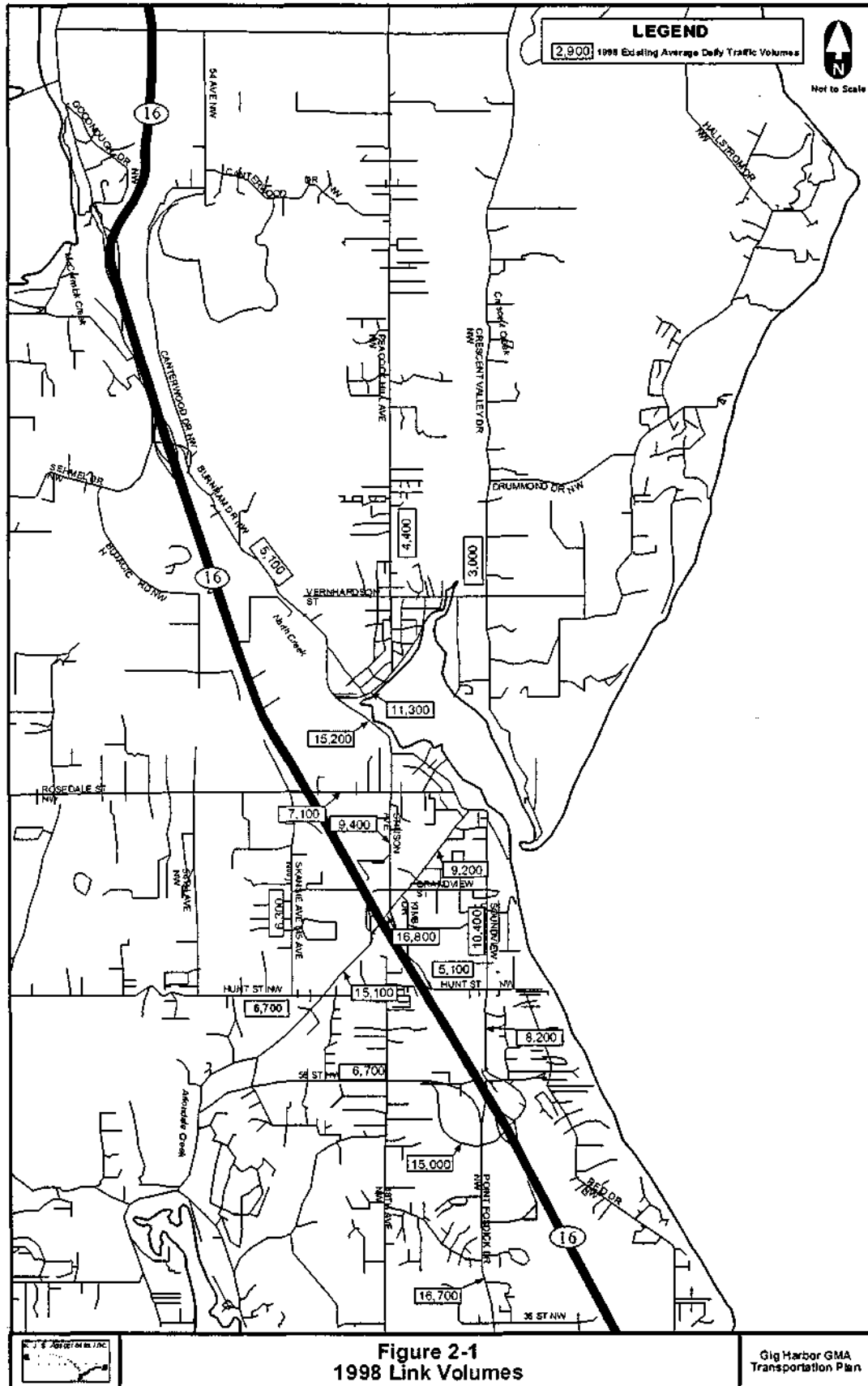
All trips were assigned to the City and County arterial system based on existing trip distribution and traffic assignment patterns. In addition to the population and employment forecast assumptions, specific assumptions were required to determine growth in external traffic volumes. For the Pierce County Peninsula Focus Area, the external connections in the south are the SR 16 highway crossing at the Tacoma Narrows Bridge and north to Kitsap County.

TRAFFIC ANALYSIS – EXISTING CONDITIONS (1998)

Existing (1998) daily traffic volumes on key roadway segments or links, and intersection levels of service are shown in **Figure 2-1**. The existing 1998 p.m. peak hour intersection levels of service are compiled in **Table 2-2**. As shown in **Table 2-3** below, there are significant delays at three stop-sign controlled intersections in 1998.

Table 2:2: 1998 Intersection Levels of Service

SIGNALIZED INTERSECTIONS	1998 LOS
38 th Ave E/56st NW	C
Olympic Dr/SR 16 NB ramps	C
Olympic Dr/SR 16 SB ramps	C
Pioneer Wy/Grandview St	A
Pioneer Wy/SR 16 NB ramps	D
Point Fosdick Dr/Olympic Dr	D
Rosedale/Schoolhouse	A
Wollochet Dr/Hunt St	B
UNSIGNALIZED INTERSECTIONS	1998 LOS
36th Ave/Pt Fosdick Dr	C
Crescent Valley Dr/Drummond Dr	B
Harborview Dr/North Harborview Dr	F
Harborview Dr/Pioneer Way	F
Harborview Dr/Stinson Ave	F
Hunt/Skansie	C
Olympic/Hollycroft	C
Peacock Hill Ave/North Harborview Dr	A
Rosedale St/Skansie Ave	B
Rosedale St/Stinson Ave	C
Soundview Dr/Hunt St	B
SR 16 NB ramps/Burnham Dr	A
SR 16 SB ramps/Burnham Dr	A
SR 16 SB ramps/Wollochet Dr	F



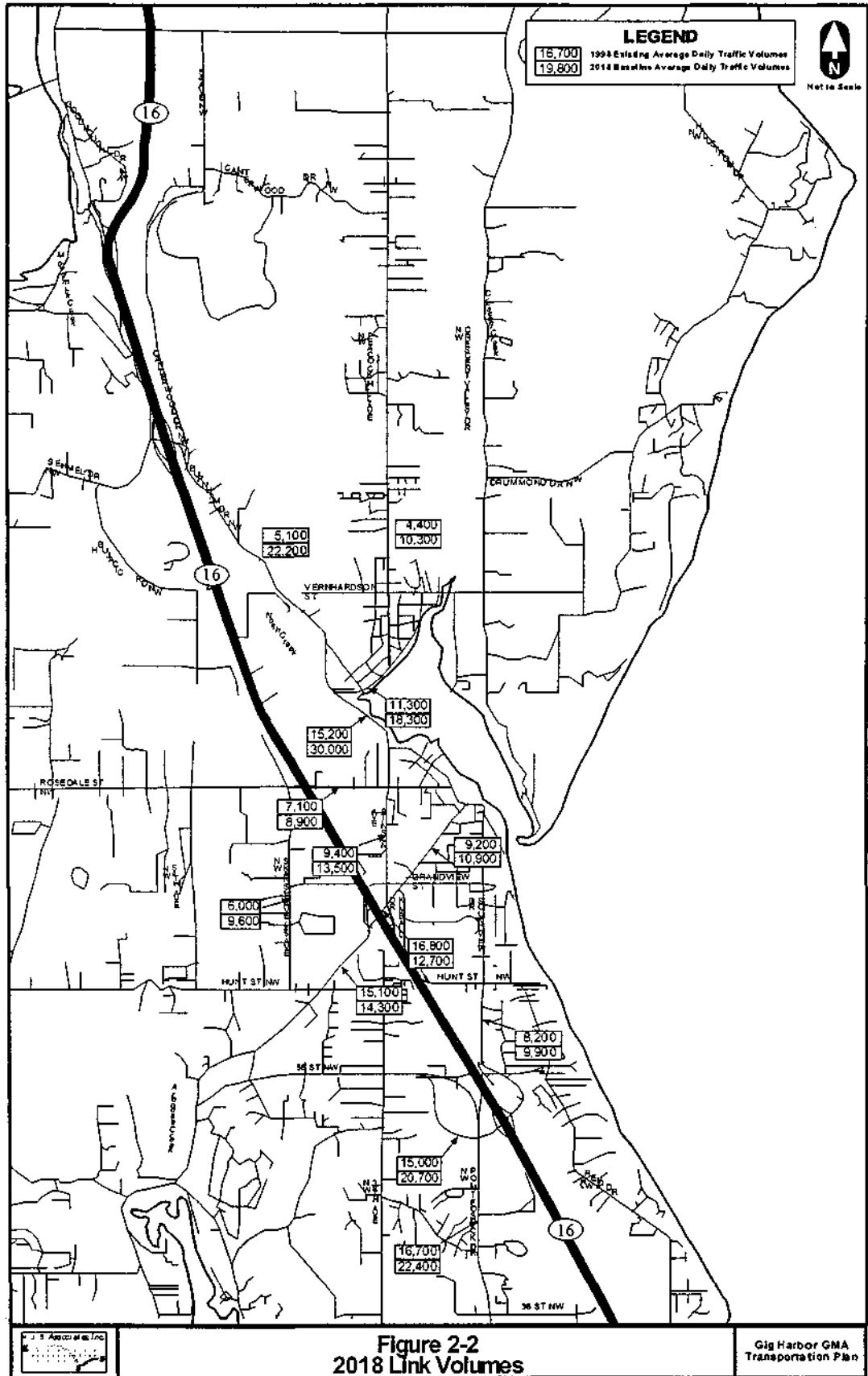
TRAFFIC ANALYSIS - 2018

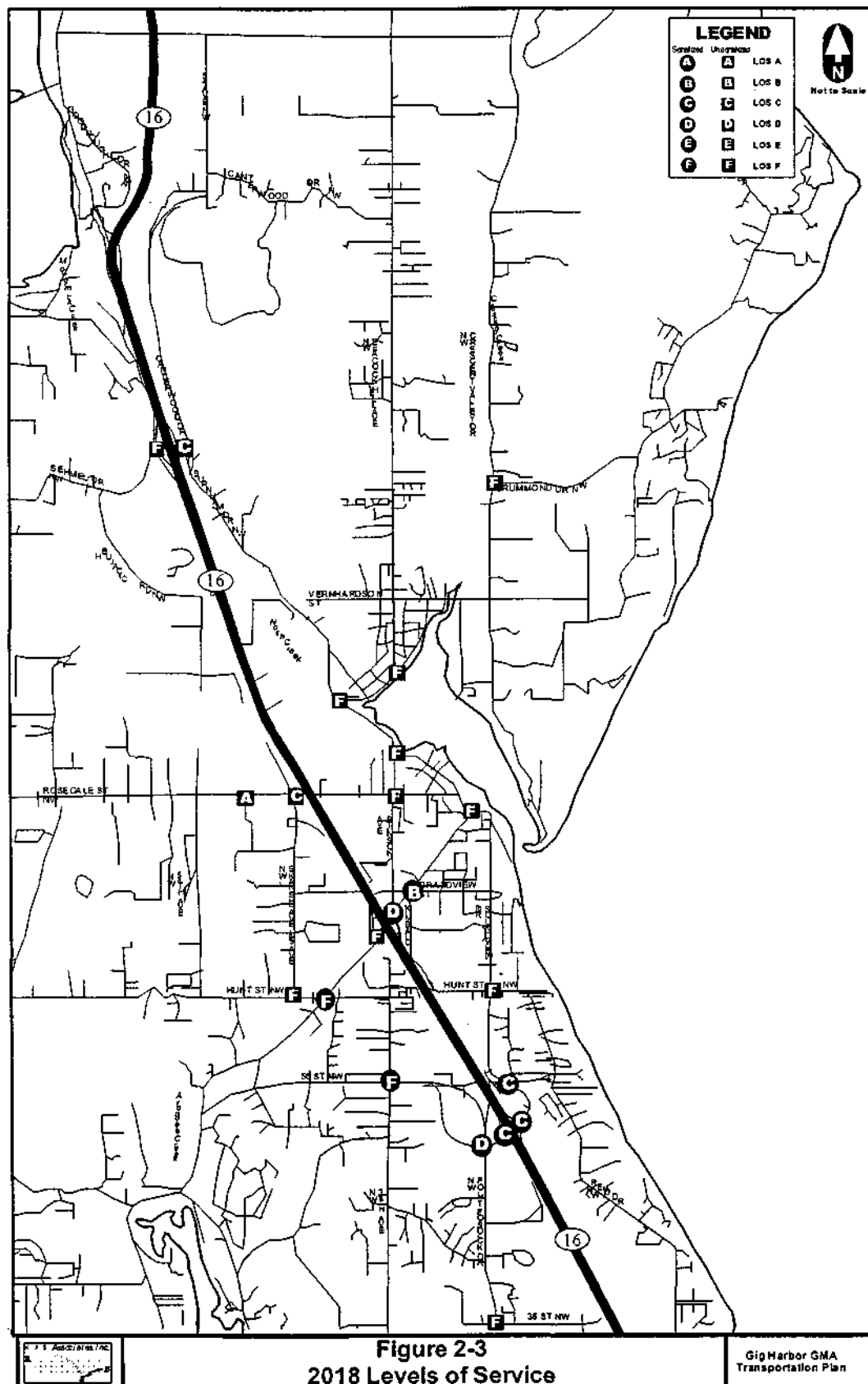
Once the model was calibrated to existing conditions, growth rates were applied to estimate traffic volumes for 2018. **Figure 2-2** shows roadway link volumes for 2018. **Figure 2-3** shows the intersection level of service for 2018, which is also summarized in **Table 2-3** below.

Table 2-3: PM Peak Hour Intersection Levels of Service

SIGNALIZED INTERSECTIONS	2018 LOS
38 th Ave E/56st NW	F
Olympic Dr/SR 16 NB ramps	C
Olympic Dr/SR 16 SB ramps	C
Olympic/Hollycroft	C
Pioneer Wy/Grandview St	B
Pioneer Wy/SR 16 NB ramps	D
Point Fosdick Dr/Olympic Dr	D
Rosedale/Schoolhouse	A
Wollochet Dr/Hunt St	F
UNSIGNALIZED INTERSECTIONS	2018 LOS
36th Ave/ Point Fosdick Dr	F
Crescent Valley Dr/Drummond Dr	F
Harborview Dr/North Harborview Dr	F*
Harborview Dr/Pioneer Wy	F*
Harborview Dr/Stinson Ave	F*
Hunt/Skansie	F
Peacock Hill Ave/North Harborview Dr	B
Rosedale St/Skansie Ave	C
Rosedale St/Stinson Ave	F
Soundview Dr/Hunt St	F
SR 16 NB ramps/Burnham Dr	C
SR 16 SB ramps/Burnham Dr	C
SR 16 SB ramps/Wollochet Dr	F
Stinson Ave/Grandview St	F

*LOS F is recognized as acceptable for the downtown strategy area.





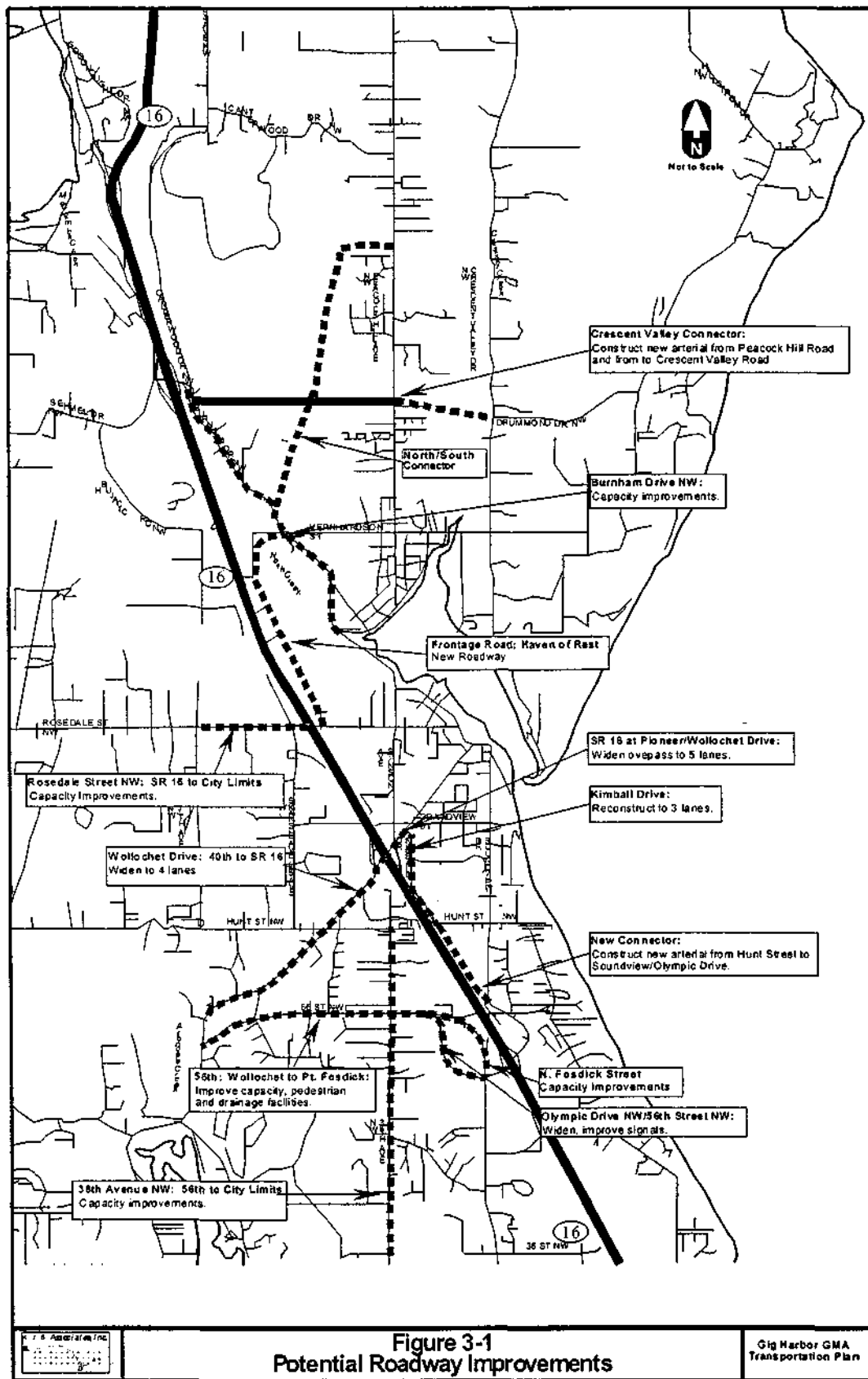
CHAPTER 3 . ALTERNATIVES ANALYSIS

This chapter discusses the major transportation system improvements necessary to address identified deficiencies in the 2018 analysis year.

The potential improvements are organized in three categories: 1) roadway improvements, 2) intersection improvements, and 3) other improvements and transportation strategies.

ROADWAYS

Figure 3-1 shows the potential roadway improvements, which include roadway widening, new arterial links, structures, and freeway and ramp improvements. Projects include a new north-south connector from Burnham Drive to Borgen Blvd. for circulation and access in the Gig Harbor north area, and a new east-west connector from Crescent Valley Road to Peacock Hill Avenue. Other improvements call for widening of several arterials, including Olympic Drive NW, Wollochet Drive, and Rosedale Street NW. Several other projects will take place only if design and construction of the new Tacoma Narrows Bridge is funded and moves forward.



INTERSECTIONS

By 2018, the most significant level of service problems would occur at intersections whose movements are controlled by stop signs rather than traffic signals. Stop signs are efficient under relatively low volume conditions, or where clear preference for through traffic movement is desired.

Most of the high-volume stop sign controlled intersections in Gig Harbor will deteriorate to LOS F for the worst movement by 2018. Typically, installation of traffic signals will resolve such conditions. However, in the downtown and other strategy areas, where capacity improvements such as widening or signalization would severely impact the character of quality of the area, a LOS F has been adopted. At such intersections, it is recommended that improvements for pedestrian safety and/or convenience be made in lieu of signalization.

Tables 3-1 and 3-2 summarize the options examined at each signalized and unsignalized intersection, and the recommended improvement is noted for each intersection. Additional discussion is contained in Chapter 6 under recommendations.

Table 3-1: Evaluation of Improvements at Signalized Intersections

SIGNALIZED INTERSECTIONS	2018 LOS	Discussion	Recommendations
Wollochet Drive/Hunt Street	B	No improvement needed	
Pioneer Way/SR 16 NB ramps	LOS F (high volumes on fwy overxing)	Widening overcrossing per WSDOT plans and constructing east/west road will improve LOS	Implement WSDOT plans for this interchange
Pioneer Way/Grandview Street	B	No improvement needed.	

Table 3-2: Evaluation of Improvements at Unsignalized Intersections

UNSIGNALIZED INTERSECTIONS	2018 LOS	Discussion	Recommendation
Harborview Dr/North Harborview	F*	The pedestrian character of the area, coupled with relatively low speeds in downtown, makes signalization of this intersection not advisable.	Improve pedestrian crossings, ensure adequate sight distances and maintain stop-sign control.
Harborview Drive/Stinson	F*	Same as above.	Save as above.
Rosedale/Skansie (46th)	F	Industrial area traffic along Skansie and growth west of SR 16 will create volumes too high for stop-sign control to handle.	Monitor and install traffic signal when warranted.
Harborview Drive/Pioneer Way	F*	The pedestrian character of the area, coupled with relatively low speeds in downtown, makes signalization of this intersection not advisable.	Improve pedestrian crossings, ensure adequate sight distances and maintain stop-sign control.
SR 16 SB ramps/Wollochet	F	These ramps would be signalized with WSDOT planned improvement.	Implement intersection improvement per WSDOT plans.
Soundview/Hunt Street	D	Kimball connector will improve conditions at this intersection	Monitor and install stop sign all way control when warranted
Crescent Valley/Drummond	C	Depending upon the alignment of the east/west road extension, left or right turn lanes may be needed	Install turn lanes as required
SR 16 SB ramps/Burnham Drive	F	Future high traffic volumes will require signalization of the ramp terminal intersection	Monitor and signalize when required.
Stinson/ Grandview	C	No deficiency	none
Stinson/ Rosedale	F	East/west road will reduce volumes sufficiently to level accommodated by stop-sign control	Maintain stop-sign control at this location.
Peacock Hill/North Harborview	E	East/west road will reduce volumes sufficiently to level accommodated by stop-sign control	Maintain stop-sign control at this intersection.
Hunt/Skansie	F	High volumes and increased left turns from Skansie require signal control and turn lanes	Monitor and signalize when required.

*These intersections are within the Downtown Strategy Area where LOS F is the adopted standard.

OTHER IMPROVEMENTS AND STRATEGIES

Over the next two decades, the City of Gig Harbor will experience a 40 percent increase in population and a 70 percent in employment within the City and its surrounding Urban Growth Area (UGA). This growth will also result in an increase in traffic volumes to, from, through and within the city. Transportation strategies must be implemented to accommodate this growth, including:

- Transportation Demand Management strategies such as: Commute Trip Reduction, High Occupancy Vehicles (HOV such as van pools, car pools, etc.), telecommuting and flexible work hours.
- Transportation System Management strategies such as integrated policies and planning, Intelligent Vehicle Highway Systems (IVHS), signal coordination, etc.
- Modal shift from private vehicles to transit and carpooling.
- Enhancements of non-motorized travel to encourage alternate modes of transportation such as walking, cycling and elimination of trips altogether through commute trip reduction.
- Upgrading of existing motorized facilities.
- Construction of new motorized facilities.

The above strategies will require close coordination of efforts with the Washington State Department of Transportation, Pierce Transit, Pierce County and Kitsap County. The development of TSM and TDM policies and procedures should be consistent with other surrounding jurisdictions programs and will require public involvement.

Transportation Demand Management goals should be integrated with the development review process and should be a part of any traffic impact assessment and mitigation program.

The City Council, Planning Commission and the residents of Gig Harbor value a balance between motorized and non-motorized alternatives to help solve transportation issues in Gig Harbor.

Specific Projects for Transportation Demand Management include:

- Comply with state commute trip reduction program for major employers.
- Develop a comprehensive transit information program with Pierce Transit.

- Work with Pierce Transit to develop a vanpooling and ridematch service.
- Work with the WSDOT to implement the High Occupancy Vehicle lanes on SR 16.
- Work with the WSDOT to integrate the SR 16 queue by-pass on ramps with City streets.
- Plan and design city arterial HOV lane on eastbound Olympic Drive from Point Fosdick Drive to SR 16. Plan and design a city arterial HOV lane on westbound Olympic Drive from the Olympic Village Shopping Center to SR 16.
- Plan and design city arterial HOV lane on westbound Pioneer Way from Grandview to SR 16. This may tie in to the Kimball Transit Center.
- Develop a comprehensive parking management strategy to integrate parking availability and pricing with any transportation demand management strategy.

Specific projects for Transportation Systems Management would include:

- Work with the WSDOT to coordinate the SR 16 HOV project, local-state signal coordination, driver information and Intelligent Vehicle Highway Systems with the local street network.
- Develop a signal re-timing and coordination project to reduce delay and congestion at the City's signalized intersections.

The recommendations for transportation improvements for the City of Gig Harbor address these concerns. The motorized improvements focus on intersections and roadways, while the recommendations for non-motorized travel consist primarily of ways to expand the bicycle facilities, complete the sidewalk network and evaluate other options. Recommendations for transit are mainly directed to Pierce Transit, which serves the City of Gig Harbor.

CHAPTER 4 . RECOMMENDED TRANSPORTATION PLAN

The Growth Management Act requires an assessment of how well a recommended transportation plan meets the requirements of the Act and how well the level of service goals are met. The City has a level of service goal of LOS D for intersections and arterials, except in the downtown core. The recommended improvements are summarized in Table 4-1.

Table 4-1 Recommended Transportation Plan

<i>Roadway Facility</i>	<i>Limits</i>	<i>Description</i>	<i>Lead Agency</i>	<i>Trigger Year</i>
Franklin Avenue	Burnham–Peacock Hill	pedestrian, drainage	Gig Harbor	2002
38th Avenue	56th St – city limits	reconstruct to 2/3 lanes	Gig Harbor	2003
Olympic Drive–56th Street	38th – Point Fosdick	widen to 5 lanes; add signal at 50th St	Gig Harbor	2003
Prentice Street	Burnham – Fenimore	minor widening, drainage	Gig Harbor	2002
Burnham Drive	Franklin – Harborview	minor widening, drainage	Gig Harbor	2003
Briarwood Lane	38th Ave – Pt Fosdick	pedestrian, drainage	Gig Harbor	2003
Vernhardson Street	Peacock Hill – city limit	minor widening, replacement	Gig Harbor	2004
Rosedale Street	SR 16 – city limit	widen to 2 thru lanes	Gig Harbor	2005
Grandview Street	Stinson – Soundview	minor widening, drainage	Gig Harbor	2002
56th Street–Point Fosdick Drive	Olympic – Olympic	reconstruct to 3 lanes	Gig Harbor	2003
Rosedale Street	SR 16 – Shirley	widen to 2 thru lanes	Gig Harbor	2006
Crescent Valley Connector	Peacock – Crescent Valley	new roadway	Pierce County	2006
North-South Connector	Borgen – Peacock Hill	corridor preservation	Gig Harbor	2006
Kimball Connector	Hunt – Soundview	new roadway	Gig Harbor	2006
Wollochet Drive	40 th St – SR 16	widen to 4 lanes	Pierce County	
<i>Intersection</i>	<i>Limits</i>	<i>Description</i>	<i>Lead Agency</i>	<i>Trigger Year</i>
38th Avenue	Hunt St - 36th St	improve intersection	Gig Harbor	2004
56th Street	Wollochet-Pt Fosdick	widen, ped & drainage	Gig Harbor	2004
Point Fosdick Drive	56th – Stone	pedestrian & intersection	Pierce County	2002
Hunt/Skansie	intersection	install signal	Gig Harbor	2006
SR 16	at Wollochet Drive	widen Wollochet to 5 lanes	WSDOT/Pierce	2004
SR 16	at Burnham Drive	install signals at ramps	WSDOT/Pierce	2006
<i>Other Improvements</i>				
Pedestrian improvements	Downtown	Sidewalks & paths	Gig Harbor	2002
Pedestrian improvements	Major arterials	Sidewalk on one side, min	Gig Harbor	2002
Bike path improvements	City wide	On street & bike paths	Gig Harbor	2002
Safety improvements	City wide	Traffic safety improvements	Gig Harbor	2002
Enhance downtown parking	Downtown area	Locate parking sites	Gig Harbor	2006
Additional park & ride site	SR 16/Olympic Drive	New site	Pierce Transit	2006
Additional park & ride site	SR 16/Burnham Drive	New site	Pierce Transit	2004
Harborview / N Harborview Dr	intersection	pedestrian improvements*	Gig Harbor	2004
Harborview Dr / Stinson Ave	intersection	pedestrian improvements*	Gig Harbor	2004
Harborview Dr / Pioneer Wy	intersection	pedestrian improvements*	Gig Harbor	2005

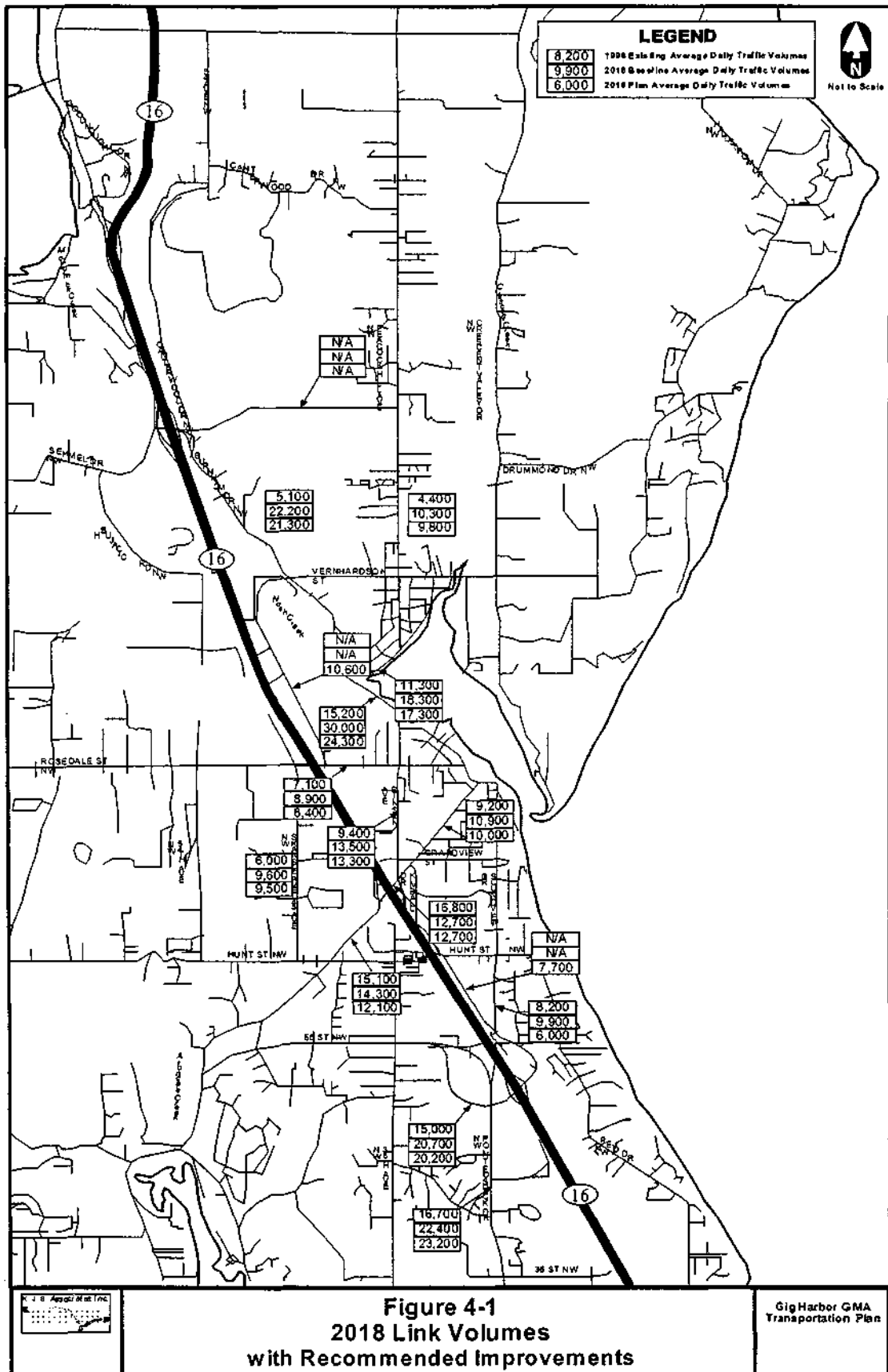
Figure 4-1 shows the estimated 2018 daily traffic volumes on selected links with the improvements listed in the recommend transportation plan.

ROADWAY IMPROVEMENTS

Due to the proposed Tacoma Narrows bridge project which is anticipated for construction in the near future, many transportation improvements may be required to either be modified or constructed. The City has included many of these projected improvements in an effort to identify costs and other constraints related to these major projects. All of the identified improvements have a major impact to the City and the underlying transportation infrastructure.

Because the Tacoma Narrows bridge project is not fully implemented, the City has decided to exclude those major projects related to the bridge and only include the projects directly related to the City's existing and projected growth and infrastructure needs. The projects that have been excluded from the revenue obligation requirements include:

- 1) Hunt Street Overcrossing
- 2) Crescent Valley Connector
- 3) Hunt/Kimball Connector
- 4) North-South Connector



INTERSECTION IMPROVEMENTS

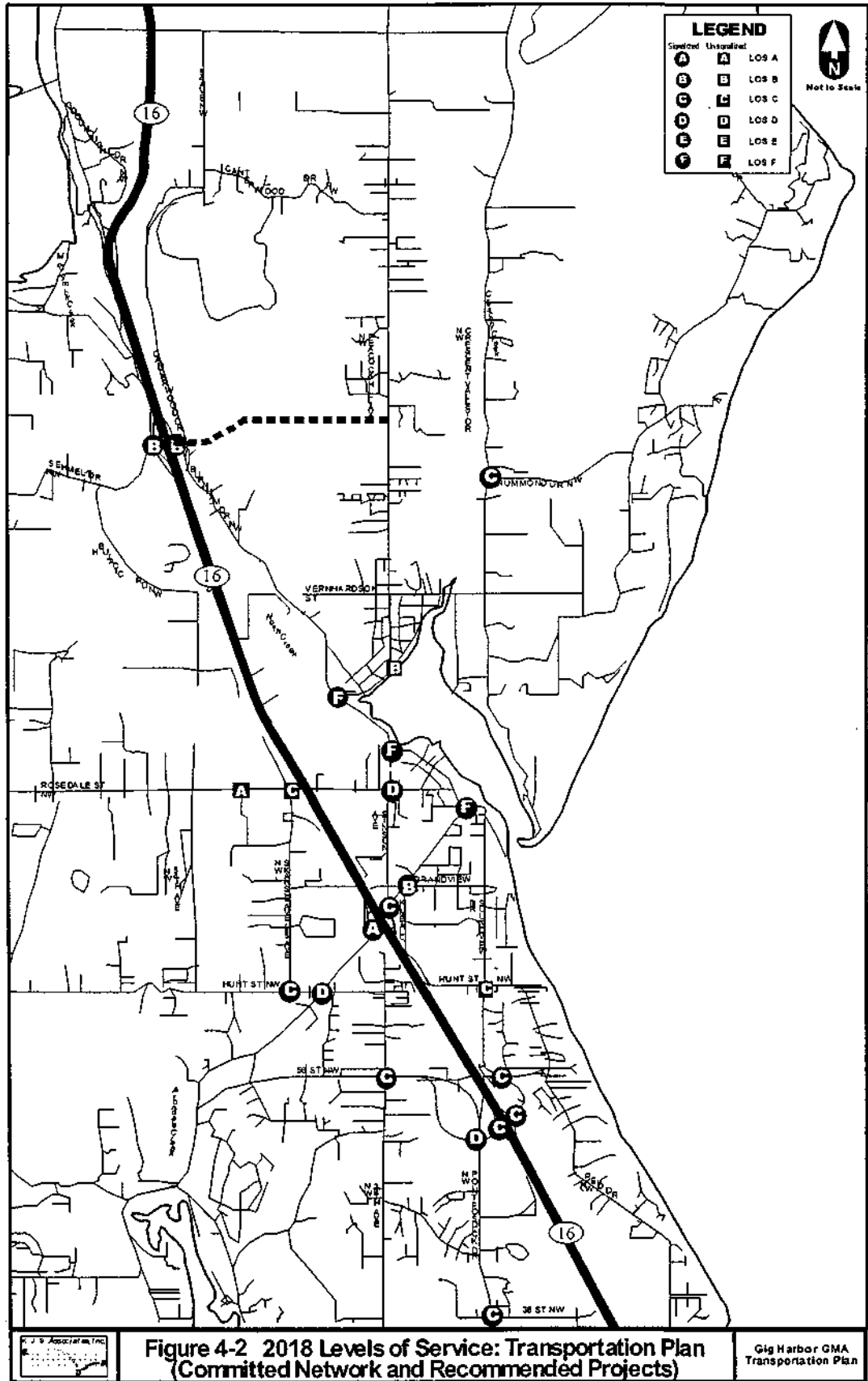
The 2018 levels of service at key intersections with the improvements in the Recommended Plan are shown in **Table 4-2**.

Table 4-2: 2018 Plan Intersection Levels of Service

INTERSECTION	No Improvements	With Recommended Improvements
36th St/Point Fosdick Dr ⁽¹⁾	F	C
Crescent Valley Dr/Drummond Dr	F	C
Harborview Dr/North Harborview Dr ⁽²⁾	F*	F*
Harborview Dr/Pioneer Wy ⁽²⁾	F*	F*
Harborview Dr/Stinson Ave ⁽²⁾	F*	F*
Hunt/Skansie	F	C
North Harborview Dr/Peacock Hill Ave	F	B
Olympic Dr/Hollycroft	C	C
Olympic Dr/SR 16 NB ramps	C	C
Olympic Dr/SR 16 SB ramps	C	C
Pioneer Wy/Grandview St	B	B
Pioneer Wy/SR 16 NB ramps	D	C
Point Fosdick Rd/Olympic Dr	D	D
Rosedale St/Skansie Ave ⁽¹⁾	C	C
Rosedale St/Stinson Ave	F	D
Soundview Dr/Hunt St	F	C
SR 16 SB ramps/Burnham Drive ⁽¹⁾	F	B
SR 16 SB ramps/Wollochet Dr ⁽¹⁾	F	A
Wollochet Dr/Hunt St	F	D

* recognized as acceptable in the downtown strategy area.

Figure 4-2 shows the 2018 Plan intersection levels of service. The levels of service are based on traffic volumes generated by growth in the area and implementation of the improvements listed in the Recommended Plan. The capacity analysis shows that most of the City's intersections will be able to meet the LOS D goal. The goal has been met, for the most part, by upgrading unsignalized intersections to signalized operation – or by making other improvements to increase capacity.



OTHER IMPROVEMENTS AND STRATEGIES

Transit

Gig Harbor participates with the local transit agency, Pierce Transit in a variety of projects. This cooperation has been in the planning and capital improvement projects. Pierce Transit has a System Plan to the year 2020. Long term improvement plans for the Peninsula area include:

- Construct the North Gig Harbor Transit Center and add bus routes to serve it.
- Establish more direct regional transit services to major destinations in the Tacoma, Bremerton, Olympia and Seattle areas.
- Increased paratransit services.
- Increase ridesharing (carpool and vanpool) programs.
- Construct capital projects listed in the 6-year Capital Improvement Plan.

Pierce Transit and the City of Gig Harbor have programmed improvements to the existing Kimball Drive Transit Center in 2000-2001; \$1.67 million has been programmed for these improvements. The improvements are necessary for the increased service to the transit center and include additional parking, landscaping, and street improvements.

Marine Transportation

The waterfront and harbor of Gig Harbor are a primary focus area for many of the City's activities including commercial, retail, industrial, tourism and recreation activities. These activities create generate traffic and parking demand which is concentrated around Harborview and North Harborview arterials.

There is demand for marine improvements in Gig Harbor. Access for public or private marine services should be provided at a central dock location near the downtown area. Continued upgrading and enhancement of the Jerisich Park dock area should be emphasized. The increased use of marine services would also place demands on downtown parking.

Possibilities of provision of recreational passenger ferry services should be coordinated with private providers. Some discussions have taken place regarding private ferry services to Gig Harbor, and the City should

continue to pursue these opportunities. Due to the high costs and parking impacts associated with commuter ferry services, it is not recommended that the city pursue passenger-only ferry services with Washington State Ferries.

Coordinating Transportation And Land Use Planning To Support Transit And Pedestrian Oriented Land Use Patterns

To ensure that this plan is consistent with evolving land use patterns, and to guide land use and new development with respect to transportation that promotes transportation-related goals, the City will work towards:

- Reducing vehicle trips and vehicle miles traveled during peak periods to minimize the demand for constructing costly road improvements;
- Providing effective public transportation services to help reduce car dependence in the region and serve the needs of people who rely on public transportation;
- Encouraging bicycle and pedestrian travel by providing inviting, safe, convenient and connected routes, education and incentive programs, and support services such as bike racks, showers and lockers;
- Maintaining and improving a network of highways, streets and roads that moves people, goods and services safely and efficiently, minimizes social and environmental impacts, and supports various modes of travel.
- Providing adequate connections and access among all transportation modes.

Non Motorized Travel

The residential character of Gig Harbor makes non-motorized travel an important aspect of the Transportation Element. A complete pedestrian and bicycle network would link neighborhoods with schools, parks, and retail activity, allowing residents and visitors to walk or bicycle to these areas rather than drive.

Outside of the downtown retail core, sidewalks have been constructed sporadically, resulting in an discontinuous system of walkways for pedestrians. There are even fewer facilities for bicyclists within Gig Harbor; bicyclists must share the traveled lane with motorists. While there are no facilities for equestrians within Gig Harbor, there is generally little demand for equestrian travel.

Recommended improvements for non motorized uses are shown in **Figure 4-3**. The plan outlines pedestrian, bicycle path, and marine service improvements.

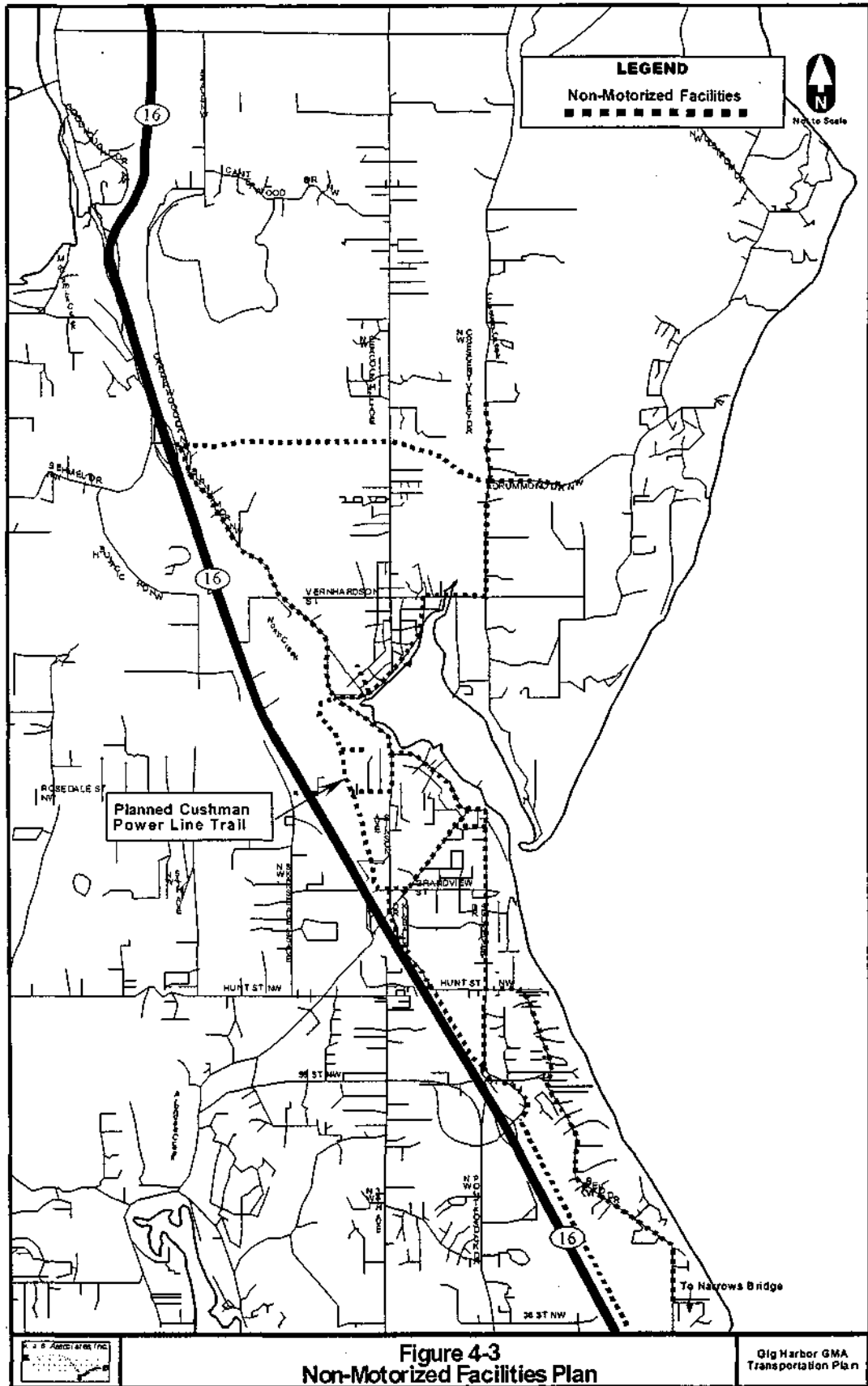
Downtown Strategy Area

Much of Gig Harbor's commercial, tourist and recreational facilities are located along the waterfront, creating congestion in the downtown area and generating demand for pedestrian amenities and additional parking. Any roadway or intersection capacity improvements here would destroy the unique character of the downtown.

Through public involvement with citizens and business owners within the downtown area, the City has created a downtown strategy area that will insure the preservation of the pedestrian character of the area. Within the downtown strategy area, the City has reclassified an acceptable LOS of F and restricted any transportation projects within this area to be oriented towards improved pedestrian safety and convenience.

The specific intersections that will be impacted by this new LOS classification are:

- Harborview Drive/North Harborview Drive
- Harborview Drive/Pioneer Way
- Harborview Drive/Stinson Avenue



CHAPTER 5 . HOUSE BILL 1487 COMPLIANCE

The 1998 legislation House Bill 1487 known as the “Level of Service” Bill, amended the Growth Management Act; Priority Programming for Highways; Statewide Transportation Planning, and Regional Planning Organizations. The combined amendments to these RCWs were provided to enhance the identification of, and coordinated planning for, “transportation facilities and services of statewide significance (TFSSS)” HB 1487 recognizes the importance of these transportation facilities from a state planning and programming perspective. It requires that local jurisdictions reflect these facilities and services within their comprehensive plan.

To assist in local compliance with HB 1487, the Washington State Department of Transportation (WSDOT), Transportation Planning Office and the Washington State Department of Community Trade and Development, Growth Management Program, (now Office of Community Development [OCD]) promulgated implementation guidelines in the form of a publication entitled “Coordinating Transportation and Growth Management Planning”.

Together with these entities, the City of Gig Harbor has worked to compile the best available information to include in the comprehensive plan amendment process.

- Inventory of state-owned transportation facilities within Gig Harbor: SR 16 provides the major regional connection between Tacoma, Bremerton and the Olympic Peninsula. It connects to Interstate 5 in Tacoma and to SR 302 in Purdy. SR 302 is the only other state-owned transportation facility within the planning area, connecting SR 16 with SR 3 to Shelton.
- Estimates of traffic impacts to state facilities resulting from local land use assumptions: **Figure 5-1** provides 20-year traffic volumes for SR-16, which is the only state facility within Gig Harbor. The volumes were generated by Pierce County model, which includes land use assumptions for 2018 for Gig Harbor.
- Transportation facilities and services of statewide significance (TFSSS) within Gig Harbor: SR 16 is included on the proposed list of TFSSS.
- Highways of statewide significance within Gig Harbor: The Transportation Commission List of Highways of Statewide

Significance lists SR 16 as an HSS within the City of Gig Harbor and its growth area.

The City of Gig Harbor asserts that proposed improvements to state-owned facilities will be consistent with the Regional Transportation Plan (RTP) and the State Highway System Plan within Washington's Transportation Plan (WTP).

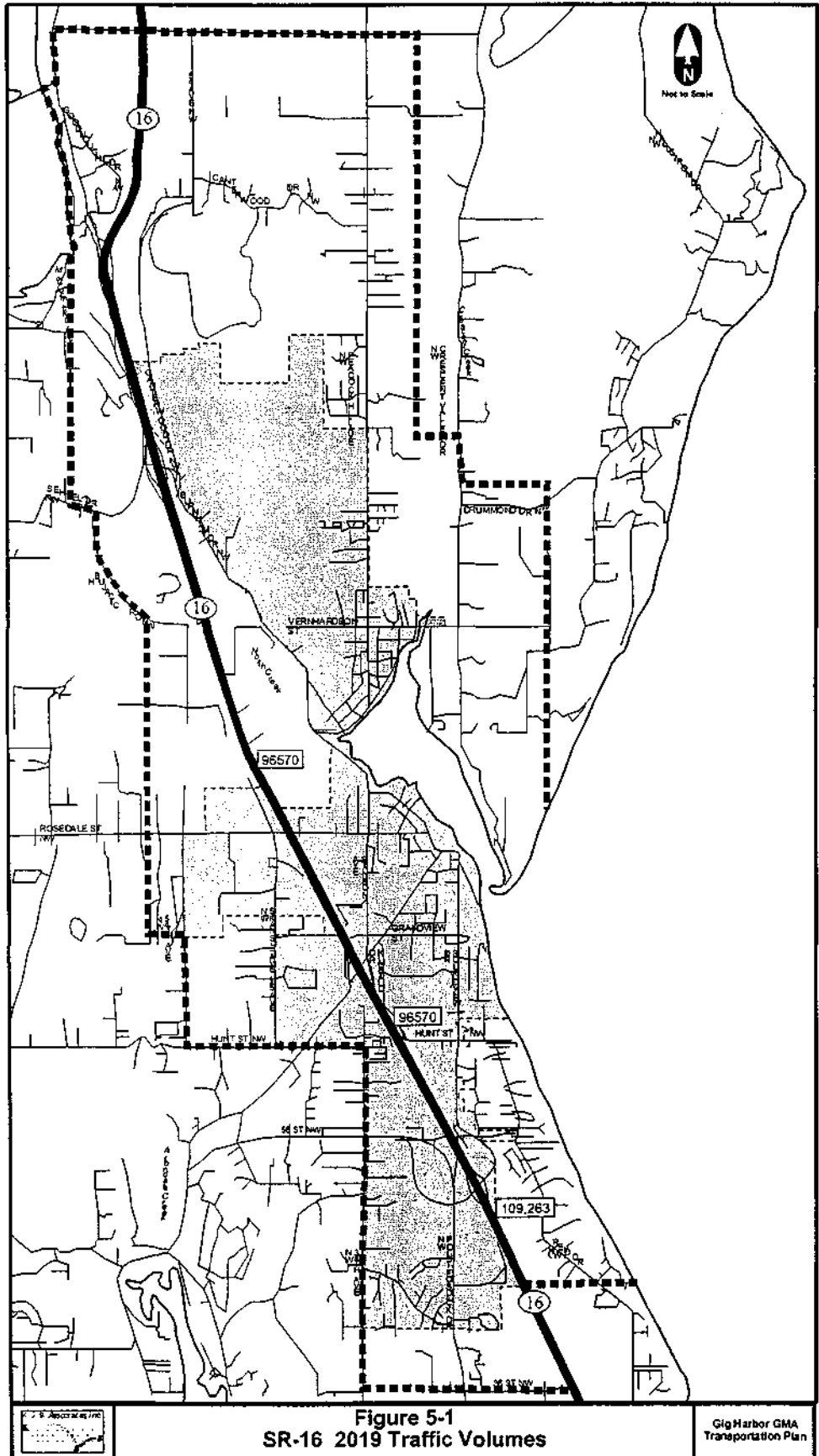
The City of Gig Harbor affirms the establishment of LOS C/D mitigated for Highways of Statewide Significance.

The City of Gig Harbor acknowledges that the concurrency requirement does not apply to transportation facilities and services of statewide significance in Pierce County.

WSDOT has several improvements planned in conjunction with the new Tacoma Narrows Bridge project, including a new interchange at 24th Street and 36th Street and SR16/Wollochet Drive ramp improvements. The increased capacity and access caused by the bridge construction will affect the Gig Harbor area transportation improvement needs and long-term growth and development in the area. Several major transportation improvements will be required within the City of Gig Harbor if the Tacoma Narrows Bridge project is implemented. These include:

- Hunt Street Overcrossing
- Crescent Valley Connector
- Hunt/Kimball Connector
- North-South Connector

Many other transportation improvements may either be modified or unconstructed if the proposed bridge project becomes a reality.



CHAPTER 6 . FINANCIAL ANALYSIS AND CONCURRENCY

The State of Washington's Growth Management Act (GMA) requires that a jurisdiction's transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs, funding resources, and it should include a multi-year financing plan. The purpose of this requirement is to insure that each jurisdiction's transportation plan is affordable and achievable. If a funding analysis reveals that a plan is not affordable or achievable, the plan must discuss how additional funds will be raised, or how land use assumptions will be reassessed.

FEDERAL REVENUE SOURCES

The 1991 federal Intermodal Surface Transportation Efficiency Act (ISTEA) reshaped transportation funding by integrating what had been a hodgepodge of mode- and category-specific programs into a more flexible system of multi-modal transportation financing. For highways, ISTEA combined the former four-part Federal Aid highway system (Interstate, Primary, Secondary, and Urban) into a two-part system consisting of the National Highway System (NHS) and the Interstate System. The National Highway System includes all roadways not functionally classified as local or rural minor collector. The Interstate System, while a component of the NHS, receives funding separate from the NHS funds.

In 1998, the Transportation Efficiently Act for the 21st Century (TEA-21) continued this integrated approach, although specific grants for operating subsidies for transit systems were reduced.

National Highway System funds are the most likely source of federal funding support available for projects in Gig Harbor. **Table 6-1**, taken from the Highway Users Federation of the Automotive Safety Foundation pamphlet *The Intermodal Surface Transportation Efficiency Act of 1991*, describes the types of projects that qualify for funding under NHS (the categories and definitions were virtually unchanged in TEA-21).

To receive TEA21 funds, cities must submit competing projects to their designated Regional Transportation Planning Organization (RTPO) or to the state DOT. Projects which best meet the specified criteria are most likely to receive funds. Projects which fund improvements for two or more transportation modes receive the highest priority for funding. (e.g., arterial improvements which includes transit facilities and reduces transit running times, and constructs pedestrian and bicycle facilities where none existed before).

Table 6-1. Projects Eligible for National Highway System Funding

-
- Construction, reconstruction, resurfacing, restoration and rehabilitation and operational improvements to NHS segments
 - Construction and operation improvements to non-NHS highway and transit projects in the same corridor if the improvement will improve service to the NHS, and if non-NHS improvements are more cost-effective than improving the NHS segment.
 - Safety improvements
 - Transportation planning
 - Highway research and planning
 - Highway-related technology transfer
 - Start-up funding for traffic management and control (up to two years)
 - Fringe and corridor parking facilities
 - Carpool and vanpool projects
 - Bicycle transportation and pedestrian walkways
 - Development and establishment of management systems
 - Wetland mitigation efforts
-

HISTORICAL TRANSPORTATION REVENUE SOURCES

The City of Gig Harbor historically has used three sources of funds for street improvements:

- Income from Taxes
 - Motor Vehicle Excise Tax (MVET)
 - Motor Vehicle Fuel Tax (MVFT)
- Income from Intergovernmental Sources:
 - HUD Block Grants
 - Federal Aid (FAUS, FAS, ISTEA, etc.)
 - Urban Arterial Board
 - TIB and STP Grants
- Miscellaneous Income:
 - Interest Earnings
 - Miscellaneous Income
 - Developer Contributions
 - Impact Fees (begun in 1996)

In the past, motor vehicle excise tax (MVET) and motor vehicle fuel tax (MVFT) allocations from the state have been the major sources of continuing funding for transportation capital improvements. Initiative 695, passed by the voters in 1999, removed MVET as a significant funding source, so the MVFT ("gas tax") funding appear to be the only reliable source of transportation funds for the future. MVET and MVFT also provided funds for state and federal grants which are awarded competitively on a project-by-project basis and from developer contributions which are also usually targeted towards the developer's share of specific road improvements.

REVENUE FORECAST

The projected revenues for Gig Harbor's recommended transportation capital improvements are shown in **Table 6-2**. According to these forecasts, approximately 32% of funding for transportation capital improvements for the next 20 years will come from LIDs, general funds and economic grants. Project-specific developer contributions and mitigation fees will provide 32% of road capital funds, and approximately 22% will come from project-specific state and federal funding grants.

Table 6-2. Gig Harbor Transportation Revenue Forecast, 2000 to 2018

Funding Source	Six-year		Twenty-year	
	2001-2006	Percent	2000-2018	Percent
MVFT ("gas tax")	\$400,000	8.7%	\$2,000,000	15.7%
State and federal grants	\$500,000*	10.80%	\$2,600,000*	20.5%
Developer contributions	\$2,000,000	43.5%	\$3,400,000	26.8%
Mitigation fees	\$100,000**	2.2%	\$700,000**	5.5%
Other funds (LIDs, general funds, economic grants, etc)	\$1,600,000	34.8%	\$4,000,000	31.5%
Totals	\$4,600,000	100.0%	\$12,700,000	100.00%

*Includes projected grants for projects whose completion would likely extend beyond 2006.

**In addition to developer contributions listed above.

CAPITAL COSTS FOR RECOMMENDED IMPROVEMENTS

As discussed in Chapter 4, there are several capacity-related improvements within the Gig Harbor UGA needed to achieve adequate levels of service by 2018.

The capacity-related improvements listed in **Table 6-3** will be necessary to meet GMA level of service standards in 2018. Most of these projects have already been included in the City's current *Six-Year Transportation Improvement Program*, along with project-specific identified funding sources.

Table 6-3. Capacity-related improvement costs, 2000 to 2018

<i>Facility</i>	<i>Description</i>	<i>Estimated Cost</i>	<i>Predictable (non-grant) Funding</i>
Borgen (East-West) Road	Phase II of new roadway	\$1,500,000	\$1,500,000
38th Avenue	reconstruct to 2/3 lanes	\$ 900,000	\$380,000
Olympic Drive-56th Street	widen to 5 lanes;	\$1,400,000	\$780,000
Prentice Street	add signal at 50th St	\$ 200,000	\$200,000
Burnham Drive	minor widening, drainage	\$ 300,000	\$300,000
Vernhardson Street	minor widening, replacement	\$ 200,000	\$200,000
Rosedale Street, Phase 2	widen to 2 thru lanes	\$ 600,000	\$300,000
Grandview Street	minor widening, drainage	\$ 400,000	\$400,000
56th Street-Point Fosdick Drive	reconstruct to 3 lanes	\$1,200,000	\$400,000
Rosedale Street, Phase 3	widen to 2 thru lanes	\$1,000,000	\$1,000,000
Crescent Valley Connector	new roadway	\$**	\$
North-South Connector	corridor preservation		
Hunt Street	new SR 16 under crossing	\$**	\$
Kimball Connector	new roadway	\$**	\$
Harborview / N Harborview Dr	pedestrian improvement	\$200,000	\$200,000
Harborview Dr / Stinson Ave	pedestrian improvement	\$200,000	\$200,000
Rosedale St / Skansie Ave	pedestrian improvement	\$200,000	\$200,000
Harborview Dr / Pioneer Wy	pedestrian improvement	\$200,000	\$200,000
Wollochet Drive	widen to 4 lanes	\$4,000,000	\$1,140,000
38th Avenue/Hunt	signal or other improvement	\$200,000	\$200,000
Total Costs		\$12,700,000	\$7,600,000

- engineering and studies only.
- **Major transportation projects directly related to the Tacoma Narrows Bridge project. (These projects have been removed from the total costs because of the uncertainty of the Bridge project.)

SUMMARY OF COSTS AND REVENUES

Based on the revenues and costs listed above, the proposed capacity-related transportation element improvements are affordable within the City's expected revenues for transportation capital costs. **Table 6-4** summarizes costs and revenues for the six and twenty year periods analyzed in the transportation element.

As shown in **Table 6-4**, the City expects to obtain a proportion of anticipated revenues from grants or other discretionary sources. The revenue estimate indicates the City will be able to pay for its share of the recommended improvements, however, none of the assumptions about existing sources are guaranteed. The proposed projects include several that could receive matching funds from state and federal grant programs, for which there is considerable competition and limited grant funding. Should the necessary grant funds not be available, the City has several other strategies it can employ to balance revenues and public facility needs. These strategies, listed below, range from the development of other funding sources to the revision of City land use and growth policies:

- Obtain funds from other sources (e.g., loans)
- Revise land use policy
- Pursue cost-sharing opportunities with other agencies (e.g., WSDOT or Pierce County) and/or the private sector

The proposed improvements over the next 20 years total \$12,700,000. Because the Tacoma Narrows Bridge project is not fully implemented, the City has excluded the major projects related to the bridge from its revenue obligations. By excluding these projects, the City can obtain a more accurate representation of the financing needs for the transportation projects that will be funded. Proposed improvements and expected revenues are therefore balanced as shown in the **Table 6-4** below. The projects that have been excluded from the revenue obligation requirements are the Hunt Street overcrossing, the Crescent Valley connector, the Hunt/Kimball connector and the North-South Connector.

Table 6-4. Summary of capacity-related project capital costs and revenues

Category	Six-year 2000-2005	Percent of Revenues	Twenty-year 2000-2018	Percent of Revenues
<u>Projected Revenues</u>	<u>\$4,600,000</u>	<u>100.0%</u>	<u>\$12,700,000</u>	<u>100%</u>
predictable sources	\$4,100,000	89%	\$7,600,000	60%
grant sources	\$500,000	11%	\$5,100,000	40%
Projected Expenditures	\$4,600,000	100%	\$12,700,000	100%
Net	\$-0-	0%	\$-0-	0%



City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: JOHN P. VODOPICH, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: UPDATE - GIG HARBOR SPORTSMAN'S CLUB
DATE: MARCH 11, 2002

BACKGROUND – HIRING OF EXPERTS

I have been in contact with Ms. Ioana Park, a Senior Acoustical Engineer with the firm of BRC Acoustics regarding the consultant services contract entered into on January 28, 2002 for the purpose of conducting an assessment of existing sound levels within the Avalon Woods subdivision. I am in the process of obtaining necessary background information for conducting the assessment. This has included contacting both the Gig Harbor Sportsman's Club as well as the Avalon Woods Homeowners Association.

As you will recall, the National Rifle Association (NRA) indicated that they were unable to enter into a contract with the City for the utilization of their Range Technical Advisor program. I have made two additional inquiry's regarding an evaluation of the physical configuration, use, and operation of the range. The two firms contacted were Dam, Inc. of Las Vegas, NV (with a Washington State office) and Kramerone, Inc. of Scottsdale, AZ. Both firms propose similar scopes of work for the evaluation of the safety of the facility, production of a written report, and a review of any draft ordinances we may develop. Karmarone, Inc. proposes fixed fee of \$6,490 plus reimbursable expenses. Dam, Inc. anticipates 40 - 60 hours of work at a cost of \$100 per hour plus a \$100 per day stipend for each individual while on-site not to exceed 3 days (\$4,000 - \$6,300). Dam, Inc. is also requesting indemnification from any suits arising from the opinions expressed in the report. It is unlikely that the City would agree to such a request for indemnification.

RECOMMENDATION

I recommend that the Council select firm the firm of Kramerone, Inc. and set a not to exceed limit of \$7,000. If acceptable, I will then pursue such a contract and then bring it forward at the next available opportunity.

February 25, 2002

RE: GIG HARBOR SPORTSMAN'S CLUB – GIG HARBOR, WASHINGTON

John P. Vodopich, Community Development Director
Department of Planning & Building Services
City of Gig Harbor
3125 Judson Street
Gig Harbor, Washington 98335

Dear Mr. Vodopich:

We are pleased to provide the shooting range evaluation services you have requested regarding the Gig Harbor Sportsman's Club located in Gig Harbor, Washington.

Kramer One, Inc. is an architecture firm with extensive nationwide experience in shooting range development. We have evaluated the safety of numerous shooting ranges, including several in northwest Washington. Kramer One is licensed to practice architecture in the State of Washington. I have enclosed our professional experience resume for you reference.

Following are the services we will provide for this project.

Assumptions:

- The City of Gig Harbor (GH) will provide Kramer One, Inc. (KO) with pertinent documents, including but not limited to an aerial photograph of the site and surrounding area, the GH draft shooting range ordinance, and any written safety materials provided by Gig Harbor Sportsman's Club (GHSC). The aerial photograph will be current and to a known scale.
- Communications will be directed between KO and GH, unless directed otherwise by GH.
- KO maintains professional liability, general liability and auto liability insurance policies, each with limits of one million Dollars (\$1,000,000.00). The cost for additional insurance or insurance limits requested by GH will be billed as Reimbursable Expenses.

kramer
ARCHITECTURE
& PLANNING **one** inc.

6839 E. Avalon Dr. • Scottsdale, AZ 85251
phone 480.941.9179 • fax 480.970.3830

Scope of Work:

1. Kramer One, Inc. will review the City of Gig Harbor's (GH) draft ordinance for outdoor shooting ranges.
2. On one (1) occasion, KO will meet with representatives of the GH and Gig Harbor Sportsman's Club (GHSC). During the site visit, KO will observe the existing shooting range facility.
3. KO will evaluate the safety of GHSC's facility in relationship to the GH draft ordinance, KO's professional experience, and industry standards as published by the National Rifle Association and the National Shooting Sports Foundation. If needed, KO will make recommendations for improvements necessary for GHSC to meet these standards.
4. KO will prepare a report documenting the safety evaluation and any recommendations. KO will provide CH with five (5) copies of the report.

Agreement Rates:

Fixed Fee:

Stipulated sum of six thousand four hundred ninety Dollars (\$6,490.00).

Reimbursable Expenses:

Actual cost incurred by Kramer One, Inc.

Reimbursable Expenses include:

Reproducing and shipping additional copies of the report.

Additional insurance coverage or limits requested by the City of Gig Harbor in excess of that normally carried by Kramer One, Inc.

Terms:

Billing will be through the last day of the month. All invoices are due and payable upon receipt of invoice. Invoices sixty days past due accrue interest at the rate of 1.5% per month. Check returned for insufficient funds will be assessed a \$35.00 fee.

This proposal expires if not signed within ninety days.

Sincerely,

Accepted for the City of Gig Harbor



Lorin D. Kramer
President

Signature

Print Name & Title

Date

PROFESSIONAL EXPERIENCE

Kramer One, Inc. is a respected architecture firm specializing in providing top quality professional services for shooting ranges. These services include full service architecture, land planning, site evaluation, cost estimation, safety evaluation, ventilation design evaluation, range equipment evaluation, and merchandising. Kramer One, Inc. has provided expert testimony regarding shooting range design, safety and operations. The firm has provided professional services for shooting range facilities in twenty-seven states.

Kramer One was formed in 1990 by Lorin D. Kramer. Mr. Kramer has over twenty years of architectural and planning experience. In 1993, Gerald M. Cook joined the firm. Mr. Cook has nearly twenty-five years of architectural, planning, and construction management experience. In 1994, Kramer One, Inc. was incorporated in Arizona. In 2001, Jack. J. Giordano joined the firm as a shooting range health and safety specialist. Kramer One, Inc. has numerous other staff members providing drafting and support services.

PROFESSIONAL REGISTRATION

Lorin D. Kramer - Architect: Arizona, Colorado, Delaware, Hawaii, Idaho, Illinois, Maryland, Missouri, Vermont, Virginia, Washington

Gerald M. Cook - Architect: National Council of Architectural Registration Boards (NCARB), Arizona, California, Wisconsin



6839 E. Avalon Dr. • Scottsdale, AZ 85251
phone 480.941.9179 • fax 480.970.3830

LORIN D. KRAMER

JOB DESCRIPTION

President, Senior Partner, Principal in Charge of Shooting Range Projects, Architect

PROFESSIONAL REGISTRATION

Architect: Arizona, Colorado, Delaware, Hawaii, Idaho, Illinois, Maryland, Missouri, Vermont, Virginia, Washington

PROFESSIONAL AFFILIATION

National Rifle Association of America (NRA): Member (1975), Life Member (1977), Golden Eagle Charter Member (1992), Benefactor Member (1994), Certified Firearms Education Instructor (1982), Training Counselor (1984), Certified Shooting Coach (1984), Range Technical Team Advisor (1991), Range Technical Team Supervisor (2000)

National Shooting Sports Foundation (NSSF): Corporate Member (2000)

Law Enforcement Alliance of America (LEAA): Life Member (1996)

International Shooting Coaches Association (ISCA): Charter Life Member (1985)

International Association of Law Enforcement Firearms Instructors (IALEFI): Associate Member (1996)

Arizona State Rifle & Pistol Association (ASRPA): Member (1981), Life Member (1983)

New Mexico Shooting Sports Association (NMSSA): Life Member (1988)

Colorado State Shooting Association (CSSA): Life Member (1999)

PROFESSIONAL ACTIVITIES

National Rifle Association of America

2000-Present Range Technical Team Advisor Supervisor

1993-Present Range Development Conference staff and speaker

1992 Training Counselor Workshop staff and speaker

1991-2000 Range Technical Team Advisor

1984-1994 Instructor Training Course staff and speaker

1982-1994 Basic Firearms Education Course staff and speaker

1975-Present Competitor: Smallbore Rifle, High Power Rifle, Rifle Silhouette, Pistol Silhouette, Practical Pistol, Submachinegun

Arizona State Rifle & Pistol Association

1985-1986 Junior Division Executive Officer

Rio Salado Sportsman's Club, Inc. - Mesa, Arizona (2000 member shooting club)

1989-1990 Secretary

1987-1989 President

1985-1987 Vice President

1983-1985 Chief Instructor

kramer
ARCHITECTURE
& PLANNING **one** inc.

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phone 480.941.9179 • fax 480.970.3830

JACK J. GIORDANO

JOB DESCRIPTION

Shooting Range Health & Safety Specialist

PREVIOUS OCCUPATION

Police Officer, Port Authority Police of New York and New Jersey (Retired)

EDUCATION

Bachelor of Science Degree, City University of New York, John Jay College of Criminal Justice

PROFESSIONAL CERTIFICATIONS

Investigators Training Course, Department of Investigations, City of New York

Crime Scene Investigations, John Jay College of Criminal Justice

Advanced Explosives and Terrorist Activities, International Association of Bomb Technicians and Investigators

Police Armorer, Smith & Wesson Revolvers

Police Armorer, Smith & Wesson Semi-Automatic Pistols

Police Armorer, Remington Rifles and Shotguns

Principals of Acoustics and Measurement of Sound, Bruel and Kjaer

PROFESSIONAL ACTIVITIES

National Rifle Association of America

2000-Present Range Technical Team Advisor Supervisor

1999-Present Range Development Conference staff and speaker

1999-Present Training Counselor Workshop staff and speaker

1998-Present Chief Range Safety Officer

1991-Present Range Technical Team Advisor

1990-Present Field Support Team

1985-Present Instructor Training Course staff and speaker

1978-Present Basic Firearms Education Course staff and speaker

Port Authority Police of New York and New Jersey

1983-1997 Police Firearms Instructor

Qualified as an expert witness in the field of firearms, firearm safety, and shooting range design, operation, and safety on numerous occasions by numerous jurisdictions.

REPRESENTATIVE SHOOTING RANGE PROJECTS

Outdoor:

Indiana Law Enforcement Academy Range - Plainfield, Indiana

Master plan, design, construction documents, and construction administration for 5 acre law enforcement training facility for Indiana Law Enforcement Academy, including outdoor pistol, rifle and shotgun ranges.

Mac J. Donnelly, Jr. Complex - Lansing, Michigan

Master plan, design, construction documents, and construction administration for 4 acre law enforcement training facility for Lansing Police Department, including outdoor pistol, rifle and shotgun ranges.

Eagle Creek Firearms Training Facility - Indianapolis, Indiana

Master plan, design, construction documents, and construction administration for 50 acre law enforcement training facility for Indianapolis Department of Public Safety, including outdoor pistol, rifle and shotgun ranges.

Kingsbury Fish & Wildlife Range - LaPorte, Indiana

Master plan, design, construction documents, and construction administration for regional public facility for Indiana Department of Natural Resources, including outdoor pistol, rifle and shotgun ranges.

Multipurpose Shooting Range - Bellemont, Arizona

Design, construction documents, and construction administration for 924 acre regional public facility for Arizona Game & Fish Department, including outdoor pistol, rifle, shotgun and archery ranges.

Pima County Southeast Regional Recreational Shooting Facility - Tucson, Arizona

Master plan for 480 acre facility in county park, including public outdoor pistol, rifle, and shotgun ranges. Design, construction documents, and construction administration for rifle and pistol ranges.

Escondido Police Range - Escondido, California

Master plan for 100 acre law enforcement training facility for Escondido Police Department, including outdoor pistol, rifle and shotgun ranges.

Central Park Shooting Range - Huntington Beach, California

Master plan for 7 acre public and law enforcement outdoor pistol and rifle range for City of Huntington Beach.

Ben Avery/Black Canyon Ranges - Phoenix, Arizona

Safety analysis for existing 1400 acre regional public facility for Arizona Game & Fish Department, including outdoor pistol, rifle, shotgun and archery ranges.

King County Ranges - Washington

Safety analysis for eight existing shooting facilities for King County Prosecutor's Office and King County Sheriff's Department, including outdoor pistol, rifle and shotgun ranges.

Sierra Conservation Center Range - Jamestown, California

Safety analysis for state correctional facility outdoor pistol range.

Huntington Beach Police Officer's Association Range - Huntington Beach, California

Safety analysis for city law enforcement outdoor pistol and rifle range.

REPRESENTATIVE SHOOTING RANGE PROJECTS

Indoor:

Alaska Department of Fish & Game Hunter Education Building - Fairbanks, Alaska

Design, construction documents, and construction administration for 10,000 s.f. public indoor range, including 10 pistol and rimfire rifle shooting positions and classrooms.

Veterans Administration Security Training Center - North Little Rock, Arkansas

Design, construction documents, and construction administration for 12,800 s.f. security police indoor range, including 15 pistol shooting positions, administrative offices, firearms cleaning and secure storage.

University of Texas Parking Garage and Shooting Range - Austin, Texas

Design documents for 13,000 s.f. ROTC, shooting team and university police indoor range, including 16 pistol, rimfire rifle and airgun shooting positions, classroom, offices, secure storage and shooting team headquarters.

High Noon Indoor Shooting Parlour - Prescott Valley, Arizona

Design and construction documents, and construction administration for 7,000 s.f. commercial indoor range, including 12 pistol shooting positions, retail sales, classroom, and office space.

North Site Intermediate/High School - Bushkill, Pennsylvania

Design, construction documents, and construction administration for public school indoor range, including 5 rimfire rifle shooting positions.

Thunder Mountain Gun - Hereford, Arizona

Design and construction documents for 8,000 s.f. commercial indoor range, including 8 pistol shooting positions, retail sales, classroom, gunsmithing, and office space.

Foothills Shooting Center - Lakewood, Colorado

Environmental analysis for existing commercial indoor range, including lead cleanup, ventilation redesign and OSHA compliance. Design documents for 10,600 sf remodel and addition, including 16 pistol and 6 rifle shooting positions and retail sales.

Action Sports - Slidell, Louisiana

Design documents for 16,700 s.f. commercial indoor range, including 22 pistol and 5 rifle shooting positions, retail sales, classroom, and offices.

Central Jersey Sportsman's Club - Jackson, New Jersey

Design documents for 12,500 s.f. club indoor range including 20 pistol and smallbore rifle positions, and classroom.

Indoor Shooting Range - Mesquite, Texas

Design documents for 40,000 s.f. commercial indoor range in existing department store, including 18 pistol, 6 rifle, 6 airgun, and 4 archery shooting positions, retail sales, classrooms, gunsmithing, and offices.

Indoor Shooting Range - Irvine, California

Design documents for 39,000 s.f. commercial indoor range, including 18 pistol and 5 rifle shooting positions, retail sales, classrooms, gunsmithing, and offices.

Shooter's World - Phoenix, Arizona

Various projects for 65,000 s.f. commercial indoor range.

CLIENT REFERENCES

Dave Willis
Range Services Manager

Range Department
National Rifle Association
11250 Waples Mill Road
Fairfax, Virginia 22030
703-267-1417

James E. Burton
Assistant Director

Arizona Game & Fish Department
2221 West Greenway Road
Phoenix, Arizona 85023
602-789-3440

Donald M. Turner
Project Leader
Statewide Shooting Ranges

Arizona Game & Fish Department
Ben Avery Shooting Facility
4044 West Black Canyon Boulevard
Phoenix, Arizona 85027
623-582-8313

Fred N. Luedtke
Deputy Director
Public Works

City of Escondido
201 North Broadway
Escondido, California 92025
760-839-4573

Schiller Liao
Project Manager

University of Texas System
Office of Facilities Planning & Construction
702 Colorado, Suite 400
Austin, Texas 78701
512-499-4697

Robert W. Allen

High Noon Indoor Shooting Parlour
6969 Highway 69
Prescott Valley, Arizona 86314
520-772-0750

David James

Alaska Department of Fish & Game
1300 College Road
Fairbanks, Alaska 99701
907-457-7222

Deputy Chief Helen L. Perry-Buse

Lansing Police Department
120 West Michigan Avenue
Lansing, Michigan 48933
517-483-6055

Lt. W.R Davis

Indiana Law Enforcement Academy
P.O. Box 313
Plainfield, Indiana 46168
317-839-5191

kramer
ARCHITECTURE
& PLANNING **One** inc.

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THE DAM INCORPORATED

Please reply to our Washington Office
P.O. Box 1690 Sequim WA 98382
(360) 683-3213 Fax: (360) 681-2010

PROPERTY MANAGEMENT AND RESOURCE CONSULTING

In Defense of Your Resources

March 4, 2002

PREPARED BY
PLANNING AND BUILDING SERVICES
MAR 06 2002

City of Gig Harbor
Department of Planning & Building Services
3125 Judson St.
Gig Harbor Washington, 98335

Attn: John P. Vodopich, AICP

Dear Mr. Vodopich:

Thank you for inquiring about The Dam Inc. providing you with a range evaluation of the Gig Harbor Sportsman's Club facility.

We are pleased to submit the following proposal:

Two of our associates, Mr. David J. Stanford, and Mr. Murray D. Gardner (short bio's attached) who are experts in the safe use of firearms at National and World level will be employed to provide the services requested. They will perform:

A Physical Range Safety Evaluation taking into consideration the current and anticipated use of the range.

An Evaluation of current range practices and operation in relation to existing safety practices and standards.

Review the draft of your proposed ordinance and issue their interpretation of the impact such ordinance would have relative to existing range operation..

A formal written opinion will be issued based on their knowledge and experience regarding the current safety level of the range. Such opinion will consider information provided by the city and the range personnel. It will take into consideration current use, and the training of range officers and shooters using the facility.

Mr. Stanford and Mr. Gardner, through The Dam Inc., will offer an opinion based on their knowledge of the shooting sports. If they feel changes in range use or configuration will enhance safety or correct discrepancies they will so state.

The anticipated cost of this work is \$100 per hour with an estimated 40-60 hours necessary to accomplish the work requested. Additionally a per-diem stipend of \$100 per day for each individual while actually on site, not to exceed 3 days. The gentlemen doing the evaluation anticipate that they will need to spend 2-3 days at the site, and if possible observe the various shooting activities at the range, particularly shooting events or competition actually in progress in order to issue an informed opinion relating to current range use.

Anticipated additional expenses include recent aerial photo's of the range and surrounding vicinity if none are available.

As is standard in such undertakings we ask that the City of Gig Harbor indemnify the individual(s) and The Dam Inc. who are providing these services from suits relating to the issuance of any opinion regarding the range in question, and in regard to actions taken or not taken relative to that opinion(s).

Thank you for giving us the opportunity to submit this proposal for your project. We anticipate that we would be able to issue our report/opinion approximately 30 days from commencement depending on activity at and availability to the range.

Sincerely,



David J. Stanford V.P.
for The Dam Inc.

David J. Stanford

Education:

Business and Public Administration degree from the University of Puget Sound.
Law Enforcement degree from North Seattle College.

Graduate of numerous Law Enforcement training classes including FBI advanced SWAT training.

Currently:

A principal of The Dam Inc. dealing with property and resource management and Security consulting.

Certified by the Washington State Criminal Justice Training Commission to Conduct and is Conducting Armed Private Detective and Security Guard certifications on a regular basis.

Primary Firearms Instructor for Security Services N.W. who provide security for certain Naval support vessels requiring personnel to be familiar and proficient in the use of fully automatic firearms in the performance of their duties.

Experience:

Retired Seattle Police Sergeant, Emergency Response Team (SWAT) training Sgt.

Graduate of numerous firearms training classes. Previously certified as NRA police firearms instructor.

Certified Range Master Instructor for the National Range Officers Institute.

Personally taught and certified over two thousand Range Officers in the skills necessary to run a range safely and successfully.

Past President of United States Practical Shooting Association. A national and international shooting association with over 400 affiliated shooting clubs both in the United States and abroad with over 15,000 members.

Selected and participated in site selection, development, and layout of the National Range complex in Barry Illinois where the United States National Pistol Championships, the NSSF (National Shooting Sports Federation) sponsored championships, and the Smith and Wesson Match are or have been held commencing in 1986 to present.

Produced and directed **two World Championship** shooting contests and **twelve National Championship** contests involving Pistol, or a combination of Rifle Shotgun and Pistol.

Evaluated and attended as participant, range officer, Range officer Instructor, or organizer in literally thousands of Shooting events and nearly that many ranges in the United States, Austria, Australia, Cayman Islands, Curacao, England, Equador, Singapore, Philippines, Papua New Guinea, and Venezuela.

NAME

MURRAY DALE GARDNER

CURRENTLY

- I am teaching firearms safety and firearms, specifically handgun, technical instruction on demand as required. Recently, at the end of 1998 and in 1999, I trained over 250 Canada Customs Officers in the Canadian Firearms and Canadian Restricted Firearms Safety Courses. Additionally, I teach both of the Canadian Firearms Safety Courses and compete regularly at approximately 20 handgun tournaments each year.
- I am conducting studies at a local shooting range relating to its safety standard relative to the new Federal/Provincial Guidelines for Range Approval.

OTHER

- I was a member of both the Content Advisory Panel and the Project Development Team for the development of the first official Canadian Firearms Safety Course for the Justice Department of the Federal Government where I trained over 200 Master Instructors throughout Canada. I have trained 39 Instructors in B.C. and over 2,000 Firearms Licence applicants.
- In 1995 I was on the Steering Committee to the Commonwealth Committee for Sport Development to determine the relocation of the Olympic shooting ranges in Victoria to another suitable venue in British Columbia.
- In 1997 I completed a short term consulting project for the Greater Vancouver Regional District Water Treatment and Research Department in Coquitlam and North Vancouver with relation to the safety of two different ranges near their proposed water treatment facilities. I have consulted for a United States lawyer regarding a similar situation in Seattle in 1994.
- Attended the Firearms Safety Education Service of Ontario's Annual General Meeting as the British Columbia representative of the Chief Provincial Firearms Officer June 15, 1997.
- I worked as the Head Technical Consultant and a Master Firearms Safety Instructor for Claymore Inc., the contractor to the Justice Department, in the development and delivery of the changes being made to both the Canadian Firearms Safety Course and the new Canadian Restricted Firearms Safety Course. In this capacity I :
 - wrote text for the student handbooks;
 - developed Lesson Plans for the courses;
 - acted as the Technical Consultant on the videos and participated in them;

- trained Claymore Inc. National Trainers to train Provincial Master Instructors;
- audited Pilot and Master Instructor Courses;
- any other matters directly related to that project.

EMPLOYMENT HISTORY

June 1991 to Present

SELF EMPLOYED FIREARMS SAFETY CONSULTANT

Over the last eleven years, I have been self-employed as a firearms safety consultant working with law enforcement, the mining industry, civilian, theatre and film employees as well as the general public, teaching the Canadian Firearms Safety Course and the Canadian Restricted Firearms Safety Course. I am active as a shooting sports athlete for both Provincial and National Teams. I coach and instruct as a specialist, training others in the use of handguns. Additionally, I offer instruction in the use of rifles and shotguns for general purposes such as target shooting and hunting.

September 1986 to May 1991

BC FEDERATION OF SHOOTING SPORTS EXECUTIVE DIRECTOR

- Developed Shooting Sports Festival to introduce shooting sports to the public.
 - Organized and participated in a firearms safety video for the BCFSS. Developed and had printed the manuals, "How To Develop A Successful Shooting Club", and Firearms Safety Training Manual for the Conservation and Outdoor Recreation Education (hunter education) program in British Columbia.
- Acted as financial consultant, fund raiser and bookkeeper in addition to preparing BC Government grant submissions and budgets

March 1983 to September 1986

BC FEDERATION OF SHOOTING SPORTS PROVINCIAL DEVELOPMENT COORDINATOR

- Involved in the National Coaching Certification Program; developed the Coaches' cards and certificates, plus kept their records.
- Achieved Level 1 Pistol Coach certification, Level Two Theory, and became a Course Conductor for Level 1 Technical
- Researched, developed, and had printed the "Shooting Clubs & Facilities Guide" for British Columbia.
- Was the primary administrator of the Firearms Safety Training Committee of the Government privatized Conservation & Outdoor Recreation Education (CORE) program for hunters throughout British Columbia.

- Responsible for all the training, certification, documentation, registration, and records-keeping of over 300 Firearms Instructors and up to 4,500 students each year for over four years.
- Was the liaison between Government, the Open Learning Institute (OLI), and the Federation.
- Developed the new Instructor/Student Firearms Safety Training Manual with a U. S. printing firm.
- Worked with the Chief Provincial Firearms Officer's office and the Attorney General's Office regarding range standards, permits, and related legislative matters.
- Participated in radio and television programs regarding the Federation's provincial Firearms Safety Training Program.



City of Gig Harbor Police Dept.
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-2236

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MITCH BARKER, CHIEF OF POLICE *MB*
SUBJECT: FEBRUARY INFORMATION FROM PD
DATE: MARCH 8, 2002

The February activity statistics are attached for your review. The 2001 year end crime statistics were distributed previously. Please let me know if you did not receive your copy or if you have any questions.

The Reserves volunteered 159 hours in February. This included patrol and court transports. Each Reserve Officer also completed 9 hours of in-service training. Reserve Officer Abell conducted some very late night surveillances in the area where we have had a high number of vehicle prowls and auto thefts. On the third night he arrested three individuals who were in possession of several stolen auto accessories and other stolen items. One of the individuals was also armed with a semi-automatic pistol. This extra detail was not something we could have done with normal staffing and shows again the value of our volunteer Reserve Officers.

The Marine Services Unit had no field activity and logged 10 hours of administrative time during February.

There were no bicycle patrols in February.



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GIG HARBOR, WASHINGTON 98335
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GIG HARBOR POLICE DEPARTMENT

MONTHLY ACTIVITY REPORT

February 2002

	<u>Feb</u> <u>2002</u>	<u>YTD</u> <u>2002</u>	<u>YTD</u> <u>2001</u>	<u>% chg</u>
CALLS FOR SERVICE	472	958	840	+14%
SECONDARY OFFICER ASSIST	55	166	----	N/A
CRIMINAL TRAFFIC	12	24	35	-31%
TRAFFIC INFRACTIONS	60	129	110	+17%
DUI ARRESTS	3	9	21	-57%
FELONY ARRESTS	11	15	5	+200%
WARRANT ARRESTS	7	10	7	+43%
CASE REPORTS	96	209	194	+8%
REPORTABLE VEHICLE ACCIDENTS	15	31	39	-21%