

# **Gig Harbor City Council Meeting**



**January 24, 2000**

# AGENDA FOR GIG HARBOR CITY COUNCIL MEETING

January 24, 2000

## CALL TO ORDER:

## PUBLIC HEARING:

First Amendment to the Pre-Annexation Agreement for Gig Harbor North.

## 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 the January 10, 2000, City Council Meeting.
2. Correspondence / Proclamations:
  - a. PCRC - Appointments to the Executive Board and Operations Committee.
  - b. ESA Workshop for Elected Officials.
  - c. P.C. Law Endorsement and Fire Fighters Disability Board Mayoral Appointment.
  - c. Proclamation - Census 2000.
3. Amendment to Consultant Services Contract to Update the Comprehensive Water Plan.
4. Amendment to Consultant Services Contract to 38<sup>th</sup> Ave. Improvement Project.
5. Addendum to Expert Witness Contract - SCA Engineering.
6. Rosedale Street and Harborview Drive Street Lights Purchase.
7. Award of Official Newspaper.
8. Approval of Payment of Bills for December, 1999 and January 24, 2000:  
Checks #24164 - 24207 for \$76,093.26. Checks #24208 - 24241 for \$120,007.37.

## OLD BUSINESS:

1. First Amendment to Pre-Annexation Agreement for Gig Harbor North.
2. Second Reading of Ordinance - Donation from the Morris Foundation.
3. Second Reading of Ordinance - Donation to Skateboard Park.
4. Second Reading of Ordinance - Burnham Drive Rezone.
5. Second Reading of Ordinance - Amendments to Chapter 17.07

## NEW BUSINESS:

1. Resolution - Establish an Ad Hoc Committee for Development of the Borgen Property.
2. Resolution - Support for Short Term Funding as a Result of I-695.
3. Election of Mayor Pro Tem.
4. Appointment to Planning Commission.
5. Appointments to Design Review Board.
6. Pro-Tem Hearing Examiner Contract.

## PUBLIC COMMENT/DISCUSSION:

COUNCIL COMMENTS / MAYOR'S REPORT: Council Advisory Committees.

## STAFF REPORTS:

1. Finance Department - Quarterly Report.
2. GHPD - December Statistics.

## ANNOUNCEMENT OF OTHER MEETINGS:

Special Council Meeting - January 31st, 6:00 p.m. - Open Public Meetings Act Requirements.

EXECUTIVE SESSION: For the purpose of discussing pending and potential litigation per RCW 42.30.110(i). Action may be taken after the session.

## ADJOURN:

**DRAFT**

**REGULAR GIG HARBOR CITY COUNCIL MEETING OF JANUARY 10, 2000**

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

**CALL TO ORDER:** 705: p.m.

**SWEARING IN CEREMONY:**

Mayor Wilbert performed the ceremony to swear in Councilmembers Marilyn Owel and Bob Dick. She then called Mark Robinson and Frank Ruffo from the audience and performed the ceremony for their new terms of service. The new Councilmembers introduced their family and friends in the audience.

**PUBLIC HEARING:** First Amendment to the Pre-Annexation Agreement for Gig Harbor North.

Mark Hoppen explained that the principal parties to the agreement were not present because negotiations had not been completed. He asked if anyone in the audience had come for the public hearing. One gentleman responded and Mr. Hoppen explained that it was premature to hold the public hearing until a meeting between the property owners could be finalized. He added that the public hearing and the agenda item would be rescheduled.

**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 the December 13, 1999, City Council Meeting.
2. Correspondence / Proclamations:
  - a. Tacoma P.C. Health Department - Budget Changes.
  - b. U.S. Census 2000.
  - c. Tacoma-Pierce County Solid Waste Management Plan.
3. Rosedale Street Improvements Project - Change Orders No. 2, 3, & 4.
4. Approval of Payment of Bills for December 27, 1999 through January 10, 2000 and :  
Checks #23928 - 24019 for \$451,215.88; Checks #24020 - 24131 for \$283,192.04;  
Checks #24132 - 24156 for \$163,503.31; Checks 24157-24163 for \$48,509.10.
5. Approval of Payroll for the month of December.
6. Liquor License Renewals - Harbor Arco AM/PM; Gourmet Essentials; and Harbor Inn.

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

**OLD BUSINESS:**

1. First Amendment to Pre-Annexation Agreement for Gig Harbor North. Mark Hoppen explained that this would be postponed until a later date.

2. Second Reading of Ordinance - Amendment to GHMC 12.02 - Encroachment Permit. Dave Skinner presented this ordinance to combine two separate permits, the right-of-way permit and the encroachment permit. He recommended approval of the ordinance as presented.

**MOTION:** Move to adopt Ordinance No. 836  
Dick/Ekberg - unanimously approved.

**NEW BUSINESS:**

- 1 Agreement for Dedication of Right-of-Way / Bingham. Mark Hoppen explained that no one from the Miller family was present to speak on this agreement and he asked that Council table the item until the next meeting.

**MOTION:** Move to table this agreement.  
Picinich/Ruffo - unanimously approved.

2. First Reading of Ordinance - Donation from the Morris Foundation. Dave Rodenbach, Finance Director, presented this ordinance accepting a donation of \$15,000 for the purpose of enhancing the Borgen Property. This will return at the next meeting for a second reading.
3. First Reading of Ordinance - Donation to Skateboard Park. Dave Rodenbach presented this ordinance accepting a donation of \$100 from Donald Douglas for aiding in the construction of the skateboard park. Dave Skinner, Public Works Director, gave an update on the progress of the bid for construction, and added that there is \$100,000 committed to the project to date. This will return at the next meeting for a second reading.
4. Resolution - Amendments to the Pierce County County-Wide Planning Policies. Mark Hoppen explained that the County-wide Planning Policies were the framework that will lead to adjustments in the Comprehensive Plan for various cities within Pierce County. He said that these amendments would affect the way the city's policies on the development of private roads and sewer interceptors outside the city. Councilmember Dick asked if adoption of these policies would affect any of the city's ordinances. Carol Morris, Legal Counsel, explained that she and Dave Skinner had discussed this issue and amendments to the ordinances that affect private roads and sewer extensions would be made.

**MOTION:** Move to adopt Resolution No. 542 adopting the Pierce County County-Wide Planning Policies.  
Picinich/Robinson - unanimously approved.

5. Resolution - Well Pump No. 5 - Emergency Declaration and Purchase Authorization. Dave Skinner explained that in December the pump on Well No. 5 experienced

mechanical failure and currently, Well No. 3 was handling the demand. He said that if something were to happen to Well No. 3, there would be no backup system to supply water and requested that Council approve the resolution declaring that an emergency exists to allow him to purchase a new pump and related equipment without utilizing the normal purchasing requirements.

**MOTION:** Move to approve Resolution No. 543 declaring that an emergency exists and authorizing the purchase of a new pump and related equipment without the need for compliance with the purchasing requirements of RCW 39.04.190, RCW 39.04.155 and City Resolution No. 411.  
Picinich/Ekberg - unanimously approved.

6. Survey - Consultant Services Contract. Dave Skinner explained that this scope of work was identified in the 2000 Budget to survey both the newly acquired Shop Property and the intersection of Franklin Avenue and Fuller Street. He added that the survey would allow the city to begin engineering pedestrian improvements in that area.

**MOTION:** Move to authorize the execution of the Consultant Services Contract with Skillings-Connolly, Inc. for survey work in the amount not to exceed twenty-eight thousand six hundred twenty-five dollars and sixty-five cents (\$28,625.65).  
Owel/Ruffo - unanimously approved.

7. Burnham Drive Watermain Extension - Zellman Easement Agreement. Dave Skinner explained that this was a budget objective to provide a sixteen-inch diameter watermain extension from Bujacich Drive to Burnham Drive and on to Gig Harbor North Annexation properties. He said that this easement acquisition from Mr. Zellman was the first phase in construction of this line. Carol Morris asked that language be added to Section 5, paragraph C to read "...Perpetual Easement for any purpose compatible with this easement."

**MOTION:** Move to authorize payment of \$5,000 for the required easement with the amendment to language as recommended by Legal Counsel.  
Dick/Picinich - unanimously approved.

8. First Reading of Ordinance - Burnham Drive Rezone. Ray Gilmore, Planning Director, presented this recommendation from the Planning Commission to rezone three parcels along the west side of Burnham Drive from R-1 to B-2. He answered Council's questions and explained that this would return for a second reading at the next meeting.
9. First Reading of Ordinance - Amendments to Chapter 17.07. Ray Gilmore presented this ordinance amending the enforcement procedures in the Zoning Code, eliminating the administrative appeal of a Notice of Violation which could subject the violator to criminal prosecution. This will return for a second reading.

10. Addendum to Expert Witness Contracts. Carol Morris presented these addendums to several expert witness contracts for the Wilkinson Property which are required because the amount budgeted for services had been exceeded. She said that the contracts would have to be adopted with separate motions. Councilmember Dick asked that in the future, that any contracts of this type be administered by Legal Counsel with Council's consent.

**MOTION:** Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Shannon & Wilson, Inc.  
Dick/Picinich - unanimously approved.

**MOTION:** Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Halsan Frey Associates LLC.  
Dick/Picinich - unanimously approved.

**MOTION:** Move to approve the Addendum to Expert Witness Contract between the City of Gig Harbor and Adolfson & Associates, Inc.  
Dick/Picinich - unanimously approved

At this time, Mark Hoppen explained that Mr. Scott Miller had arrived, and asked for a motion to bring the tabled agenda item back for discussion.

**MOTION:** Move to remove from the table New Business agenda item number one, Agreement for Dedication of Right-of-Way / Bingham, and bring back to Council for discussion.  
Picinich/Ruffo - unanimously approved.

Mr. Hoppen explained that his agreement exchanges 3.2 % of the capacity of the East-West Road for a piece of property necessary to construct the road. He described the location of the property and asked for approval of the agreement.

Scott Miller - 6602 Cromwell Beach Drive. Mr. Miller said that he appreciated the efforts to solve his problem with capacity issues.

**MOTION:** Move to authorize the Agreement for Dedication of Right-of-Way with the Bingham Family  
Owel/Picinich - unanimously approved.

**PUBLIC COMMENT/DISCUSSION:**

Walt Smith - 11302 Burnham Drive. Mr. Smith welcomed the new Councilmembers. He then said that he wished to clarify any misunderstandings about the efforts by the Chamber of Commerce to build consensus within the town, concentrating on downtown Gig Harbor. He added that the first meeting will be on the 13th in the Council Chambers. He said that he was hopeful that Councilmembers and staff could attend the meeting.

## **COUNCIL COMMENTS / MAYOR'S REPORT:**

Councilmember Dick announced the upcoming gathering at the Inn at Gig Harbor with Senator Patty Murray and Representative Norm Dicks on Wednesday, January 12th from 5:00 to 7:00 p.m. He encouraged everyone to attend the meeting and asked that it be advertised as a special meeting by the City Council so several Councilmembers could attend and not violate the Open Public Meetings Act. Mayor Wilbert read the Public Meeting Notice that had been prepared announcing this legislative meeting. She then announced that there would also be a Special Meeting of the Council at the Forward Together gathering in City Hall on Thursday, January 13th at 2:57 p.m.

Councilmember Ruffo asked for clarification of the Open Public Meetings Act requirements. Carol Morris gave a brief explanation and recommended that a special meeting be held so she could present a more in-depth presentation of information. This meeting was scheduled for Monday, January 31st at 6:00 p.m.

Mayor Wilbert asked Councilmembers to sign up to serve on the six available Council Committees for the year 2000. She added that the makeup of the committees will be announced at the next meeting.

**STAFF REPORT:** Mayor Wilbert introduced Lt. Bill Colberg and explained that he would be acting Chief of Police while Chief Mitch Barker was attending the FBI Academy at Quantico.

Mark Hoppen reported that the City had received the audit report from the State. He added that due to the efforts of the past Finance Director, Tom Enlow, and the current Finance Director, Dave Rodenbach, the city had received a clean audit with no findings for seven years in a row.

## **ANNOUNCEMENT OF OTHER MEETINGS:**

1. Legislative Reception - Wednesday, January 12th, 5:00 p.m. - Inn at Gig Harbor.
2. Forward Together - Thursday, January 13th, 2:57 p.m. - City Council Chambers.
3. Special Council Meeting - January 31st, 6:00 p.m. - Open Public Meetings Act Requirements.

**EXECUTIVE SESSION:** For the purpose of discussing pending and potential litigation per RCW 42.30.110(i).

**MOTION:** Move to adjourn to executive session at 8:30 p.m. for approximately 30 minutes.  
Ekberg/Ruffo - unanimously approved.

**MOTION:** Move to return to regular session at 8:57 p.m.  
Picinich/Ruffo - unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:57 p.m..  
Picinich/Ekberg – unanimously approved.

Cassette recorder utilized.  
Tape 554 Side A 000 - end.  
Tape 554 Side B 000 - end.  
Tape 555 Side A 000 - 323.

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Mayor

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City Clerk



Puget Sound Regional Council



RECEIVED

COPY

JAN 11 - 2000

CITY OF SEA TACOMA

January 4, 2000

The Honorable Kathy McVay, City of Fircrest  
Chair, Pierce County Regional Council  
115 Ramsdell  
Fircrest, Washington 98466

Dear Councilmember McVay:

As we start the new year, it's time once again for the members of the Puget Sound Regional Council to appoint their representatives to our Executive Board and Operations Committee. Members of the Executive Board are appointed or reappointed at the beginning of each calendar year, and Operations Committee members are selected from those appointed to the Board. Membership on the Regional Council's two policy boards was requested last summer, serving through the completion of the Metropolitan Transportation Plan update in Spring 2001.

It is very important for jurisdictions to appoint both members and alternates, to assure full representation when key regional decisions are made.

**Appointments and/or reappointments of Executive Board and Operations Committee members and alternates will be needed by January 19, in advance of our January 27 Executive Board meeting.**

**Executive Board**

The Executive Board meets monthly, generally on the fourth Thursday of each month, to make major Council decisions. Proportional representation on the 26-member Executive Board is stipulated in the Interlocal Agreement signed by member cities, counties, ports and state transportation agencies.

Overall, 50 percent of the members of the Executive Board need to be on transit boards, including Sound Transit; this helps ensure effective program coordination among the Council and transit agencies of the region.

**Pierce County cities, excluding Tacoma, have one representative on the Executive Board.**

Councilmember McVay  
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January 4, 2000

**Operations Committee**

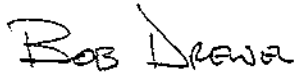
The Operations Committee usually meets prior to the Executive Board each month, and has primary responsibility for drafting a budget and work program for the agency, and making month-to-month financial and other recommendations to the Executive Board. Members of the Operations Committee are members of or alternates to the Executive Board.

**Pierce County cities, including Tacoma, have one representative on the Operations Committee.**

In thinking about who should represent your jurisdiction, please keep in mind that one of the reasons for our success so far has been the commitment of many current members to attend our meetings and participate in discussions and decisions. For your information I've enclosed a roster of the Regional Council's boards.

Thank you for your participation and assistance. If you have any questions, please call Sylvia Nelson at the Regional Council (206-464-7518).

Sincerely,



Bob Drewel, President  
Executive, Snohomish County

Enclosures

cc: Mayor Brian Ebersole, Tacoma  
Mayor John Williams, Milton; Mayor John Powers, Edgewood  
Mayors, Pierce County Cities and Towns  
Mary McCumber, Executive Director, Puget Sound Regional Council  
Vicky L. Lampman, Pierce County Regional Council

**EXECUTIVE BOARD\* (1999)**

County Executive Bob Drewel* President	Snohomish County	388-3460
Councilmember Bob Edwards, Renton Vice President	Other Cities in King County	(425) 235-2500
Councilmember Carol Arends, Bremerton*	Kitsap Cities	(360) 478-5280
Councilmember Wendell Brown*	Pierce County	(253) 798-6653
Councilmember Barbara Cothorn	Snohomish County	(425) 388-3494
Commissioner Aubrey Davis	WA State Trans. Commission	(206) 232-3170
Commissioner Patricia Davis	Port of Seattle	(206) 728-3034
Councilmember Sue Donaldson	Seattle	(206) 684-8888
Councilmember Jan Drago	Seattle	(206) 684-8801
Mayor Erselle Eade, Hunts Point	Other Cities in King County	(425) 455-1834
Commissioner Jack Fabulich	Port of Tacoma	(253) 838-0142/752-3870
Mayor Barb Fahey, Edmonds	Other Cities in Snohomish County	(425) 775-2525
Councilmember Maggi Fimia*	King County	(206) 296-1001
Commissioner Charlotte Garrido*	Kitsap County	(360) 876-7146
Mayor Ed Hansen*	Everett	(425) 259-8700
Commissioner Don Hopkins	Port of Everett	(425) 259-3164
Councilmember Richard McIver*	Seattle	(206) 684-8800
Councilmember Paul Miller*	Tacoma	(253) 591-5000
Secretary Sid Morrison*	WA State Dept of Transportation	(360) 705-7054
Councilmember David Russell*, Kirkland	Other Cities in King County	(206) 543-6224
Mayor Paul Schell*	Seattle	(206) 684-4000
Executive Ron Sims*	King County	(206) 296-4040
Councilmember Sue Singer, Auburn	Other Cities in King County	(253) 939-6180
County Executive Doug Sutherland*	Pierce County	(253) 798-7293
Councilmember Christopher Vance*	King County	(206) 296-1013
Mayor John Williams, Milton	Other Cities in Pierce County	(253) 922-8733

**Alternates**

Councilmember Karen Biskey	1 <sup>st</sup> Alt. for Pierce County	(253) 798-6654
Commissioner Tim Botkin*	Alt. for Kitsap County	(360) 876-7146
Councilmember Martha Choe	Alt. for Seattle	(206) 684-8802
Councilmember Lois Curtis*, Bainbridge Is.	Alt. for Kitsap County Cities	(206) 842-7633
Mayor Brian Ebersole*	Alt for Tacoma	(253) 591-5100
Councilmember Leonard Feind, Milton	1 <sup>st</sup> Alt. for Other Cities in Pierce Co.	(253) 922-8733
Councilmember Mary Gates*, Federal Way	Alt. for Other Cities in King County	(253) 661-4000
Commissioner Gary Grant	Alt. for Port of Seattle	(206) 728-3034
Councilmember Frank Hansen, SeaTac	Alt. for Other Cities in King County	(206) 878-3200
Mayor Laure Iddings, Maple Vailey	Alt, for Other Cities in King County	(effective 7/1/99)
Commissioner George Kargianis, Trans. Comm.	Alt, for WA State Trans. Comm.	(206) 624-5370
Councilmember Rick Larsen*	Alt. for Snohomish County	(425) 388-3494
Councilmember Nick Licata	Alt. for City of Seattle	(206) 684-8803
Councilmember Rob McKenna*	Alt. for King County	(206) 296-1006
Renee Montgelas	Alt, WA State Dept of Trans.	(206) 464-5878
Councilmember Pat O'Malley	2 <sup>nd</sup> Alt. for Pierce County	(253) 798-7777
Councilmember Robert Ostrom, Sultan	2 <sup>nd</sup> Alt., Other Cities in Sno. Co.	(360) 793-2231
Councilmember Bob Overstreet*	Alt. for City of Everett	(425) 259-8703
Commissioner Clare Petrich	Alt. for Port of Tacoma	(253) 383-5841
Mayor John Powers, Edgewood	2 <sup>nd</sup> Alt. for Other Cities in Pierce Co.	(253) 952-3299
Mayor Tina Roberts, Lynnwood	Alt. for Other Cities in Sno. Co.	(425) 775-1971
Helena Kennedy Smith	2 <sup>nd</sup> Alt. For WA State Dept. of Trans.	(206) 464-6017
Vacant	Alt. for Port of Everett	

\*Pursuant to RCW 47.80.060, 50 percent of the county and city local elected officials who serve on the Executive Board must also serve on transit agency boards or on a regional transit authority.

Tri-County Business Coalition  
Washington Association of REALTORS®  
PERKINS COIE LLP

*invite you to attend a half-day workshop*

**ESA Workshop for Elected Officials:  
What You Really Need to Know About the ESA**

7:30 a.m. to 12:30 p.m.

Friday, February 25, 2000  
Marriott Hotel at SeaTac

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**What the Workshop Will Cover**

This half-day workshop is directed to the elected officials of Washington, especially city council members, county council members and commissioners, and city and county attorneys who are, and will be, faced with difficult policy decisions about recovering Washington salmon runs. This workshop is intended to provide the elected official or policymaker with a clear understanding of the difference between the legal obligations faced by local governments under the Endangered Species Act and the policy choices that are available over and above those legal obligations. Attendance will be limited to 100 participants. CLE credits (4.5 hours) have been applied for with the Washington State Bar Association.

**Faculty**

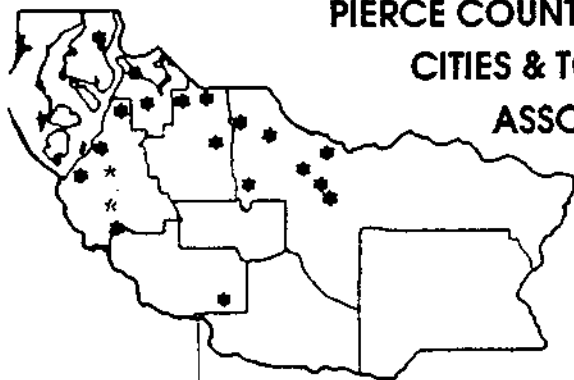
The workshop will be chaired by Perkins Coie lawyer Chuck Maduell. The faculty will also include Bill Derry of CH2M Hill and Perkins Coie lawyers Galen Schuler and Tom McDonald. Before joining Perkins Coie, Chuck Maduell spent over ten years with the King County Prosecutor's Office as a Senior Deputy Prosecuting Attorney and Chief of the Land Use and Environmental Law Section. Tom McDonald joined the firm in 1999 after spending ten years as an Assistant Attorney General and Water Section Chief for the Ecology Division. Bill Derry is a Senior Water Resources Project Manager with CH2M Hill's Bellevue office. Galen Schuler, a former economic development specialist and strategic planning consultant, has been in private practice for five years working on ESA issues.

**Workshop Site**

The workshop will be held at the Marriott Hotel at SeaTac, 3201 South 176th Street, SeaTac, Washington 98188, (206) 241-2000.

SL003671064

**PIERCE COUNTY  
CITIES & TOWNS  
ASSOCIATION**



**RECEIVED**

**JAN 13 2000**

CITY OF GIG HARBOR

Bonney Lake

Buckley

Carbonado

DuPont

Eatonville

Fife

Fircrest

Fort Lewis

Gig Harbor

McChord AFB

Milton

Orting

Puyallup

Roy

Ruston

South Prairie

Steilacoom

Sumner

Tacoma

Wilkeson

University  
Place

Lakewood

Edgewood

January 11, 2000

Pierce County Disability Board  
Risk Management & Insurance Department  
930 Tacoma Avenue South, Room 736  
Tacoma, WA 98402

ATTN: LINDA K. NOBLE, SECRETARY

RE: PIERCE COUNTY LAW ENFORCEMENT AND FIRE FIGHTERS DISABILITY  
BOARD MAYORAL APPOINTMENT

Dear Ms. Noble:

This is to advise you that at the January 6, 2000, regular meeting of the Pierce County Cities & Towns Association, the members by majority vote of those present, confirmed the appointment of Mayor Gretchen Wilbert to serve as the Association's representative on the Law Enforcement Officers & Fire Fighters Disability Board. The Association also appointed me as the alternate representative.

Should you have any questions regarding these appointments, please contact me at the Fircrest City Hall, 564-8901.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Viafore".

David M. Viafore  
President

cc: Mayor Gretchen Wilbert  
File

# PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

**WHEREAS, federal, state and local governments will rely on the 2000 U.S. Census data to allocate federal and state funding to communities for vital community services; and**

**WHEREAS, the U.S. Census provides information that is the cornerstone of knowledge about the American people and is used by educators, policy makers, business and community leaders to decide where to plan for our future; and**

**WHEREAS, Census data is used to reapportion Congressional seats and draw legislative districts; and**

**WHEREAS, in the City of Gig Harbor, we are committed to a full and accurate Census count and are placing a special emphasis on enumerating members of traditionally undercounted population groups; and**

***NOW, THEREFORE, I, Gretchen A. Wilbert, Mayor of the City of Gig Harbor, hereby proclaim Census 2000 as a top priority for stakeholders and leaders within our community and encourage participation in our jurisdiction's Complete Count Committee, dedicated to working in partnership with the U.S. Census Bureau to achieve an accurate and complete census count in 2000.***

**In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 24th day of January, 2000.**

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

\_\_\_\_\_  
Date



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:** DAVID R. SKINNER, P.E., PUBLIC WORKS DIRECTOR *DRS.*  
**SUBJECT:** COMPREHENSIVE WATER PLAN  
- CONSULTANT SERVICES CONTRACT, AMENDMENT NO. 1  
**DATE:** JANUARY 18, 2000

#### **INTRODUCTION/BACKGROUND**

On July 11, 1998 the Council approved the Consultant Services Contract with Gray & Osborne, Inc. for engineering services related to the preparation of the 1999 update to the comprehensive water plan. During the preparation of the plan it was discovered through correspondence and consultation with the Department of Ecology (DOE) that the City's ability to provide water for the projected growth of the City was approaching the limit of available water rights. Due to this fact, the City is requesting a change in water rights from supplemental to primary for Well No. 6 and requesting new water rights for a well to be located in the Gig Harbor North area.

The original scope of work did not include preparation of the applications to DOE or the research and consultation with the DOE for existing and proposed water rights. Additional consultant services are required to perform these items of work.

Council approval is being requested to execute a contract amendment to the engineering services contract with Gray & Osborne, Inc., for the additional engineering services.

#### **FISCAL CONSIDERATIONS**

The Consultant Service Contract with Gray and Osborne, Inc. for engineering services is in the amount of \$32,902.40. Amendment No. 1 for the additional engineering services is in the amount of \$2,500.00 for a total not to exceed amount of \$35,402.40. Sufficient funds are available for this work.

#### **RECOMMENDATION**

I recommend that the Council authorize execution of Amendment No. 1 to the Consultant Services Contract for engineering services between the City of Gig Harbor and Gray & Osborne, Inc., for the Comprehensive Water Plan in the not-to-exceed amount of two thousand five hundred dollars and no cents (\$2,500.00).

**AMENDMENT TO CONSULTANT SERVICES CONTRACT  
BETWEEN THE CITY OF GIG HARBOR AND  
GRAY AND OSBORNE, INC.**

THIS AMENDMENT is made to the AGREEMENT, dated July 11, 1998, by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and Gray and Osborne, Inc. organized under the laws of the State of Washington, located and doing business at 701 Dexter Avenue North, Suite 200, Seattle, Washington 98109 (hereinafter the "Consultant").

**RECITALS**

WHEREAS, the City is presently engaged in the updating of the Comprehensive Water Plan and desires that the Consultant perform services necessary to provide the following consultation services.

WHEREAS, the Consultant agreed to perform the services, and the parties executed an Agreement on July 23, 1998 (hereinafter the "Agreement"); and

WHEREAS, the existing Agreement requires the parties to execute an amendment to the Agreement in order to modify the scope of work to be performed by the Consultant, or to exceed the amount of compensation paid by the City;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties in this Amendment as follows:

**Section 1. Amendment to Scope of Work.** Section I of the Agreement is amended to require the Consultant to perform all work described in **Exhibit A – Scope of Services**, attached to this Amendment, which Exhibit is incorporated herein as if fully set forth.

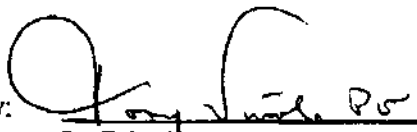
**Section 2. Amendment to Compensation.** Section II(A) of the Agreement is amended to require the City to pay compensation to the Consultant for the work described in **Exhibit A** to the Amendment in the amount of: two thousand five hundred dollars and no cents (\$2,500.00). This Amendment shall not modify any other of the remaining terms and conditions in Section II, which shall be in effect and fully enforceable.

**Section 3. Effectiveness of all Remaining Terms of Agreement.** All of the remaining terms and conditions of the Agreement between the parties shall be in effect and be fully enforceable by the parties. The Agreement shall be incorporated herein as if fully set forth, and become a part of the documents constituting the contract between the parties.



IN WITNESS WHEREOF, the parties have executed this Agreement on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

THE CITY OF GIG HARBOR

By:   
Its Principal

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

Notices to be sent to:

CONSULTANT  
Gray & Osborne, Inc.  
Attn: Tony Vivolo, P.E.  
701 Dexter Avenue, Suite 200  
Seattle, Washington 98109

David R. Skinner, P.E.  
Director of Public Works  
City of Gig Harbor  
3105 Judson Street  
Gig Harbor, Washington 98335

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

EXHIBIT A  
SCOPE OF SERVICES



**Gray & Osborne, Inc.**  
CONSULTING ENGINEERS

RECEIVED

JAN 14 2000

CITY OF GIG HARBOR  
PUBLIC WORKS DEPT.

January 12, 2000

Mr. David Skinner, P.E.  
Public Works Director  
3105 Judson Street  
Gig Harbor, Washington 98335

SUBJECT: SCOPE OF WORK AND FEE PROPOSAL, WATER RIGHTS  
EVALUATIONS AND APPLICATIONS  
CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON  
G&O #99999.18

Dear Mr. Skinner:

At your request, we are submitting this letter to you as a proposal for performing work associated with the City's water rights analysis and applications. A list of tasks to be completed under this scope of work is presented below.

- Attend scheduled meetings with DOE and DOC personnel at City request for discussions and negotiations regarding water right allocations, transfers, etc.
- Research and document existing City water right records
- Prepare water right applications for Well No. 6, Well No. 8, and the future well facility in Gig Harbor North

The scope of work for the services described above were not included in the existing scope of work under the existing Consultant Services Contract dated July 1998. The work outlined above will therefore be provided as a contract amendment in accordance with the terms of the July 1998 Consultant Services Contract for a total fee not-to-exceed \$2,500.00. Please provide us with written authorization to proceed with the tasks outlined above by signing below and returning this letter to Gary & Osborne. Do not hesitate to contact the undersigned if you have any questions or need further information.

Very truly yours,

GRAY & OSBORNE, INC.

  
Russell Porter, P.E.

RP/sn

cc: Mr. Dave Brereton, Assistant Public Works Director, City of Gig Harbor ✓

**EXHIBIT A  
SCOPE OF SERVICES**

**City of Gig Harbor Water Right Evaluations Proposal Task Estimates**

**Water Rights Evaluations**

Task	PM	Civil
Attend Meetings with Agencies at City's Request	4	4
Research and Document Existing Water Right Records	0	2
Prepare Water Right Application for Well No. 6	2	9
Prepare Water Right Change for Rushmore Well	0	4
Prepare Water Right Application for Future Well	0	6
Estimated Total Hours	6	25
Estimated Hourly Rates	\$39	\$26
Direct Labor	<b>\$234</b>	<b>\$650</b>
Total Direct Labor Cost.....		\$884.00
Indirect Labor Cost (140%).....		\$1,238.00
Total Labor Cost.....		\$2,122.00
Fee (15%).....		\$318.00
Subtotal.....		\$2,440.00
Expenses.....		\$60.00
Total Estimated Costs.....		<b>\$2,500.00</b>



*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: DAVID R. SKINNER, P.E., PUBLIC WORKS DIRECTOR**  
**SUBJECT: 38<sup>TH</sup> AVENUE IMPROVEMENT PROJECT**  
**- CONSULTANT SERVICES CONTRACT, AMENDMENT NO. 1**  
**DATE: JANUARY 18, 2000**

#### **INTRODUCTION/BACKGROUND**

On November 22, 1999 the Council approved the Consultant Services Contract with David Evans and Associates, Inc. (DEA) for survey services and wetland mapping along 38<sup>th</sup> Avenue. Phase one of the proposed improvements along 38<sup>th</sup> Avenue require the use of a consultant to provide surveying that will identify topography, wetland delineation, surface features and property boundaries that will be used to design the planned improvements. The limits of the survey identified in the current agreement includes surveying along 38<sup>th</sup> Avenue south of 56<sup>th</sup> Avenue to the City limits in anticipation of the 38<sup>th</sup> Avenue Improvement project presently scheduled for 2001 as set forth in the adopted 6-Year Transportation Improvement Program.

The existing agreement for survey services included the delineation of one large wetland at the south end of the project. This work has been completed; however, another wetland area was located just south of this wetland. Although the new wetland was not specifically identified in the scope of work, the consultant delineated this wetland as well.

However, during the survey and wetland work the consultant's biologist identified three more locations as wetland areas. These three areas are not easily identified as wetland areas, but under the strict definition of wetlands they qualify as such. To comply with existing wetland regulations, the wetlands must be delineated and mapped. Additional consultant survey and wetland biologist time are needed to complete the additional wetland delineation.

Council approval is being requested to execute a contract amendment to the survey services contract with DEA, for the additional survey and wetland delineation services.

#### **FISCAL CONSIDERATIONS**

The Consultant Service Contract with DEA for survey and wetland services is in the amount of \$31,904.30. Amendment No. 1 for the additional survey and wetland delineation services is in the amount of \$3,335.85, for a total not to exceed amount of \$35,240.15. Sufficient funds are available for this work.

#### **RECOMMENDATION**

I recommend that the Council authorize execution of Amendment No. 1 to the Consultant Services Contract for survey and wetland related services between the City of Gig Harbor and DEA, for the 38<sup>th</sup> Avenue Improvement Project in the not-to-exceed amount of three thousand three hundred thirty five dollars and eighty-five cents (\$3,335.85).

**AMENDMENT TO CONSULTANT SERVICES CONTRACT  
BETWEEN THE CITY OF GIG HARBOR AND  
DAVID EVANS AND ASSOCIATES, INC.**

THIS AMENDMENT is made to the AGREEMENT, dated \_\_\_\_\_, 2000, by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and David Evans and Associates, Inc. organized under the laws of the State of Washington, located and doing business at 3700 Pacific Highway East, Suite 311, Tacoma, Washington 98424 (hereinafter the "Consultant").

**RECITALS**

WHEREAS, the City is presently engaged in the design of the 38<sup>th</sup> Avenue Improvement Project and desired that the Consultant perform services necessary to provide the following consultation services.

WHEREAS, the Consultant agreed to perform the services, and the parties executed an Agreement on November 22, 1999 (hereinafter the "Agreement"); and

WHEREAS, the existing Agreement requires the parties to execute an amendment to the Agreement in order to modify the scope of work to be performed by the Consultant, or to exceed the amount of compensation paid by the City;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties in this Amendment as follows:

**Section 1. Amendment to Scope of Work.** Section I of the Agreement is amended to require the Consultant to perform all work described in **Exhibit A – Scope of Services**, attached to this Amendment, which Exhibit is incorporated herein as if fully set forth.

**Section 2. Amendment to Compensation.** Section II(A) of the Agreement is amended to require the City to pay compensation to the Consultant for the work described in **Exhibit A** to the Amendment in the amount of three thousand three hundred thirty-five dollars and no cents (\$3,335.00). This Amendment shall not modify any other of the remaining terms and conditions in Section II, which shall be in effect and fully enforceable.

**Section 3. Effectiveness of all Remaining Terms of Agreement.** All of the remaining terms and conditions of the Agreement between the parties shall be in effect and be fully enforceable by the parties. The Agreement shall be incorporated herein as if fully set forth, and become a part of the documents constituting the contract between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

THE CITY OF GIG HARBOR

By: [Signature]  
Its Principal

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

Notices to be sent to:

CONSULTANT  
DAVID EVANS AND ASSOCIATES, INC  
Attn: RANDY ANDERSON  
Address 3700 PACIFIC HWY E, SUITE 311  
City, State Zip TACOMA, WA 98424

David R. Skinner, P.E.  
Director of Public Works  
City of Gig Harbor  
3105 Judson Street  
Gig Harbor, Washington 98335

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT A  
SCOPE OF SERVICES**

**TASK 7 - ADDITIONAL WETLANDS DELINEATION**

- Wetland boundary determination work will be conducted at three additional locations along 38<sup>th</sup> Avenue N.W. as follows:
  - Location 1: Approximately 300 feet north of southerly end of the project on the east side of 38<sup>th</sup> Avenue N.W.
  - Location 2: Approximately 150 feet north of Briarwood Land N.W. on the east side of 38<sup>th</sup> Avenue N.W.
  - Location 3: Approximately 850 feet south of 56<sup>th</sup> Avenue N.W. on the east side of 38<sup>th</sup> Avenue N.W.
- The boundary determination will be conducted in the field following the Routine Determination Methods described in the 1997 *Washington State Wetlands Delineation Manual*. Where wetlands are present, the boundaries will be flagged approximately 100 feet from the road centerline. A sketch map will be prepared of the estimated wetland boundaries for use by DEA survey crews. The flagging information will be field surveyed and shown on the base mapping.
- A wetland determination letter report will present the findings of DEA's investigation. The report will include a characterization of site conditions; detailed description of on-site wetlands; function assessment based on Reppert et al. (1979); wetland classification and rating; buffer requirements and other regulatory implications' wetland survey map; and wetland field data forms. The report will be suitable for submittal to the Corps of Engineers and other regulatory agencies for review and approval. Five original reports will be submitted to the City of Gig Harbor.
- DEA will prepare two deliverables for services described above. A map showing the location of the wetland boundary (either as a separate map or combined with the project base map) and a wetland determination letter report.
- The costs to perform this work is:

<u>Time</u>	<u>Person</u>	<u>Rate</u>	<u>Cost</u>
10 hrs	John D. Macklin	\$ 24.50	\$ 245.00
12 hrs	Bob Emerson - Field	\$ 22.00	\$ 264.00
12 hrs	Victor Vaskelis - Field	\$ 17.00	\$ 204.00
4 hrs	Mark Christman	\$ 23.20	\$ 92.80
8 hrs	Darrell Plein	\$ 21.00	\$ 168.00
2 hrs	Dave Ironmonger	\$ 28.50	\$ 57.00
1 hrs	Randy Anderson	\$ 36.00	\$ 36.00
			<u>\$1,066.80</u>
	Total Direct Labor Salary Costs		\$1,066.80
	Indirect Labor Costs (1.7191)		<u>\$1,833.94</u>
	Total Labor Costs		<u>\$2,900.74</u>
	Fixed Fee @ 15%		<u>\$ 435.11</u>
	Total Cost		<u>\$3,335.85</u>
	Expenses (mileage @ \$.325/mile) Est.		<u>\$ 60.00</u>
			<u>\$3,395.85</u>



*City of Gig Harbor. The "Maritime City"*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: JEFF TARADAY, OGDEN MURPHY AND WALLACE**  
**SUBJECT: ADDENDA TO EXPERT WITNESS CONTRACT - SCA ENGINEERING**  
**DATE: JANUARY 18, 2000**

#### **INFORMATION/BACKGROUND**

At the last meeting, Council approved addendums to three contracts for expert witnesses in the condemnation of the Wilkenson Park property. Attached is another contract requiring an addendum. The Council approved the original contracts for these witnesses last summer. The original contracts were not intended to cover the period all the way up until trial, which is set for April 5, 2000. The addenda are necessary to update the duration of work clause so that our experts are under contract until the end of the trial. In some cases, the addenda are necessary because the expert witnesses have used up their initial budget amount. Remaining work to be performed by these experts includes deposition testimony, trial testimony, and related preparation.

#### **RECOMMENDATION**

It is recommended that the Council approve the attached addendum to the contract with SCA Engineering. Any questions about these addenda should be discussed in executive session as this material concerns pending litigation.



## ADDENDUM TO EXPERT WITNESS CONTRACT

THIS ADDENDUM modifies that certain agreement entered into on July 12, 1999, between the City of Gig Harbor (hereinafter referred to as the "City") and SCA Engineering (hereinafter referred to as the "Expert Witness").

WHEREAS, the City and the Expert Witness entered into the above-referenced agreement (hereinafter referred to as the "Agreement") in order for the Expert Witness to perform services in connection with the City's condemnation action to acquire property for the Wilkinson Park, and

WHEREAS, the initial Agreement was not intended to cover the full spectrum of deposition and/or trial testimony that would be required of the Expert Witness, and

WHEREAS, an Addendum should be entered into to extend the duration of work to cover the upcoming testimony and related services in preparation for the testimony, NOW, THEREFORE,

FOR AND IN CONSIDERATION OF THE TERMS AND CONDITIONS HEREINAFTER SET FORTH, THE PARTIES AGREE AS FOLLOWS:

1. Description of Work. The Scope of Services to be performed by the Expert Witness under Section I of the Agreement is hereby amended to add deposition and trial testimony and services related to the preparation for such testimony.
2. Duration of Work. The services contemplated by this Addendum shall be completed no later than April 30, 2000.
3. Payment. For completion of the services contemplated in this Addendum, it is not necessary to increase the original not to exceed amount of ten thousand dollars. That amount shall remain in effect. All other provisions of Section II of the Agreement shall remain in effect so long as they do not conflict with this Addendum.

4. Other Terms and Conditions. Except as expressly modified herein, all other terms and conditions of the Agreement shall remain in full force and effect and be binding upon the parties.

DATED this \_\_\_\_\_ day of January, 2000.

CITY OF GIG HARBOR

SCA ENGINEERING

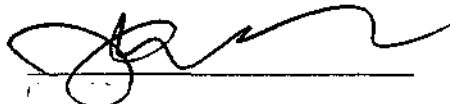
\_\_\_\_\_  
Mayor Gretchen Wilbert

*Kathleen D. Cassou*  
By: KATHLEEN D. CASSOU  
Title: LAND SURVEY MANAGER

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Molly Towslee, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff Taraday



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: DAVID R. SKINNER, P.E., PUBLIC WORKS DIRECTOR** *DRS*  
**SUBJECT: PURCHASE AUTHORIZATION - ROSEDALE STREET AND**  
**HARBORVIEW DRIVE STREET LIGHTS**  
**DATE: JANUARY 18, 2000**

**INTRODUCTION/BACKGROUND**

An identified Street Objective in the 2000 Budget was the purchase and installation of streetlights along the recently improved Rosedale Street and also along Harborview Drive.

Price quotations for the streetlights (delivered) were obtained from three vendors in accordance with the City's Small Works Roster process for the purchase of materials (Resolution 411). The price quotations are summarized below:

<u>Respondent</u>	<u>Rosedale Street</u>	<u>Harborview Drive</u>	<u>Total</u> (Including Sales Tax and Shipping)
Wesco Distributors, Inc.	\$ 14,553.00	\$ 14,553.00	\$ 29,106.00
Electrical Representatives West, Inc.	\$ 14,931.00	\$ 14,931.00	\$ 29,862.00
Consolidated Electric Distributors, Inc.	\$ 15,176.00	\$ 15,176.00	\$ 30,352.00

The lowest price quotation received was from Wesco Distributors, Inc., of Tacoma, in the amount of \$29,106.00, including state sales tax and shipping.

Work is expected to begin following delivery of the material in late March or early April.

**ISSUES/FISCAL IMPACT**

Budgeted funds are available for purchase of the materials, and to complete the work using City forces.

**RECOMMENDATION**

Staff recommends that Council authorize purchase of the streetlights for installation along Rosedale Street and Harborview Drive from Wesco Distributors, Inc., as the lowest responsible respondent, for their price quotation proposal amount of twenty-nine thousand one hundred six dollars and no cents (\$29,106.00), including state sales tax and shipping.



*City of Gig Harbor. The "Maritime City"*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: MARK HOPPEN, CITY ADMINISTRATOR**  
**SUBJECT: OFFICIAL NEWSPAPER BID**  
**DATE: JANUARY 19, 2000**

**INFORMATION/BACKGROUND**

In accordance with Gig Harbor City Municipal Code, Chapter 1.20, the City shall solicit bids for the City's "official newspaper."

We have received two bids. Both bids are attached.

**RECOMMENDATION**

Staff recommends a motion to award official newspaper status to the Peninsula Gateway for the year 2000.



*City of Gig Harbor. The "Maritime City"*

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

### **CALL FOR BIDS**

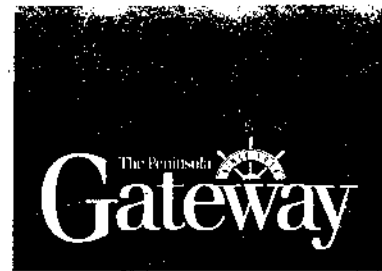
Bids are being requested by the City of Gig Harbor for the following services:

"Official newspaper" as designated under Chapter 65.16 RCW and which has a general circulation within the City of Gig Harbor.

The bids should contain the following: 1) Statement indicating the publication's qualification as a legal newspaper as provided under RCW 65.16.020 and general circulation within the boundaries of the City of Gig Harbor city limits, 2) type size and column size, 3) circulation distribution, includes subscriptions and newsstand sales per distribution, and 4) advertising representative.

Sealed bids must be received at City Hall by 4:30 p.m., Wednesday, January 19, 2000, 3105 Judson Street, Gig Harbor, WA 98335. Bids must be marked on the outside: "Bid - Official Newspaper." The City Council shall award the "official newspaper" services to the lowest responsible bidder in accordance with RCW 35.23.352, and further reserves the right to reject all bids received.

Molly Towslee  
City Clerk



The Nation's Number One  
Community Newspaper.

Mark E. Hoppen  
City Administrator  
3105 Judson Street  
Gig Harbor Wa 98335

January 6th, 2000

Dear Mr Hoppen,

This letter is the bid by The Peninsula Gateway , Inc to continue as the "official newspaper" for the City of Gig Harbor at no rate increase.

The current rate is .51 per agate inch there are 14 lines per inch which computes to \$7.15 per column inch. The rate will remain the same in the year 2000.

Rate .51¢ per agate inch

Type size 6 point

Column width: 2 inches

The Gateway is a newspaper of general circulation in the City of Gig Harbor. Over 11,500 households receive The Gateway each week through the U.S. Postal Service and news stand outlets in the immediate Gig Harbor area.

The Peninsula Gateway is a business located inside the city limits of Gig Harbor. We employ more than 40 full time and part-time employees and are fully self-contained including a 7 unit web press which prints the newspaper.

The advertising representatives for the city will be either Donna Natucci or Tom Taylor.

Sincerely,

Tom Taylor  
Publisher

# THE NEWS TRIBUNE

P.O. Box 11000 1950 South State Street Tacoma, Washington 98411-0008 (253) 597-8742

January 12, 2000

City of Gig Harbor  
3105 Judson Street  
Gig Harbor, Washington 98335

RE: BID – OFFICIAL NEWSPAPER

To the City Council:

1) The News Tribune is a major newspaper in the Peninsula area with a general circulation in the City of Gig Harbor of:

**7,242 Daily**

**8,867 Sunday**

(with an overall circulation in the Peninsula area of **8,057 daily** and **10,040 Sunday**, as per the attached circulation distribution list, which includes subscriptions and newsstand sales.

The News Tribune publishes legal advertising 7 days a week, 365 days a year.

2) Type size: 6 point  
Column width: 7 picas 6 points

3) Circulation distribution for Gig Harbor and Peninsula area, per attached list

4) Advertising Representative for legal advertising:

Terri Armour / Ellen Orr	Phone:	253-597-8605
	FAX:	253-597-8473 (NEW)
	E-mail:	legals@thenewstribune.com (NEW)

The News Tribune's legal advertising rates for 2000 are as follows:

\$1.85 per line, per insertion DAILY  
\$2.13 per line, per insertion SAT/SUN



**News Tribune Circulation**  
**Selected ZIP Codes**

<b>ZIP Code</b>	<b>City</b>	<b>Daily Circulation</b>	<b>Sunday Circulation</b>
98303	Anderson Island	170	206
98329	Gig Harbor	856	1,071
98332	Gig Harbor	1,078	1,441
98333	Fox Island	408	541
98335	Gig Harbor	4,949	5,966
98349	Lakebay/Longbranch	385	544
98351	Longbranch	121	160
98394	Vaughn	90	111
<b>Total</b>		<b>8,057</b>	<b>10,040</b>

Source: Audit Bureau of Circulation statement for 12 months ending 12/31/98.





City of Gig Harbor. The "Maritime City"

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

**TO:** MAYOR WILBERT AND CITY COUNCIL  
**FROM:** MARK HOPPEN, CITY ADMINISTRATOR *MH*  
**SUBJECT:** FIRST AMENDMENT TO PRE-ANNEXATION AGREEMENT  
FOR GIG HARBOR NORTH  
**DATE:** JANUARY 19, 2000

#### **INFORMATION/BACKGROUND**

Carol Morris has crafted this First Amendment to the Pre-annexation Agreement for Gig Harbor North in order to facilitate the connection to 25,000 gallons per day of existing city water storage for development attributable to properties owned by Logan International Corporation and identified on Exhibit 'B' of the attached agreement. This is the second reading of this amendment, which follows a public hearing held earlier in the Council Meeting.

#### **POLICY CONSIDERATIONS**

Logan will be responsible for building water transmission facilities in the area and will be assured by this agreement that 25,000 gallons per day of water storage capacity is available prior to construction of Gig Harbor North water storage facilities as required in the pre-annexation agreement.

#### **RECOMMENDATION**

Staff recommends that Council approve this amendment after this second reading of the amendment, provided that no substantial alterations are required.

**FIRST AMENDMENT TO PREANNEXATION AGREEMENT  
FOR GIG HARBOR NORTH**

THIS FIRST AMENDMENT to the Preannexation Agreement is made and entered into this \_\_\_ day of January, 2000, by and between the City of Gig Harbor, a non-charter, optional municipal code city organized under the laws of the State of Washington (hereinafter the "City"); Pope Resources, a Delaware Limited Partnership and Olympic Property Group, LLC, a Washington Limited Liability Company, a wholly owned subsidiary of and successor in interest to Pope Resources (collectively hereinafter "Pope"); Tucci & Sons, Inc., a Washington corporation (hereinafter "Tucci"); and Logan International Corporation, a Washington corporation (hereinafter "Logan"). Pope, Tucci and Logan are also referred to collectively as the "Owners."

WHEREAS, the parties entered into the Preannexation Agreement on September 23, 1996, which was recorded under Pierce County Auditor's Number 970404094, (hereinafter the "Preannexation Agreement"); and

WHEREAS, Logan agrees to pay an one time operational water storage commitment payment of \$ .02 dollar per gallon of storage requested for a total payment of \$500.00, and

NOW, THEREFORE, in consideration of the above promises and the mutual covenants and agreements contained herein, as well as other valuable consideration, receipt of which is hereby acknowledged, the parties hereby agree as follows:

**Section 1. Effect of this First Amendment.** This First Amendment modifies the Preannexation Agreement only as set forth in Section 2 herein. None of the remaining provisions of the Preannexation Agreement are affected or modified by this First Amendment, and the Preannexation Agreement shall remain in full force and effect.

**Section 2. Amendment to Section 3(A) of the Preannexation Agreement.** Section 3(A) of the Preannexation Agreement is amended by the addition of two new subparagraphs (iv) and (v) as follows (subparagraphs (i), (ii) and (iii) are restated herein without amendment):

3. Public Facilities

A. Water Transmission Main and Storage Tank.

(i) The Owners agree to provide water storage and transmission facilities sufficient in size and design to accommodate the demands of development of the Property. The City agrees to provide, consistent with its regulations and ordinances in place at the time of demand, water supply and water facilities which, in conjunction with these facilities provided by the Owner, will be sufficient to serve the Property. Construction of water transmission and storage facilities as necessary to serve the development on the

Property, or the portion of the Property actually proposed to be developed from time to time shall occur before issuance of any building permit for the Property, or portion thereof.

(ii) The facilities to serve the property are an effective 1,500,000-gallon water storage tank and major water transmission line 16 inches in diameter. This 1.5-million-gallon storage tank shall be capable of providing a maximum of 3,000 gallons per minute for a duration of 3 hours. If any development proposal necessitates a higher fire flow, building modifications will be made to offset the higher fire flow requirements. The water facilities as described in this Agreement are consistent with the City's Comprehensive Plan. The Owners agree to construct these facilities to be financed through Developer Extension Agreements pursuant to chapters 35.91 and/or 35.72 RCW, or in the alternative, the Owners agree not to protest the formation of one or more local improvement districts "LID's" for the facilities, which the City may create at the Owners' request as set forth in the City's codes, ordinances and applicable state law. The Owners shall be entitled to the capacity in the 1.5 million-gallon water storage tank, if constructed solely at the Owner's cost, and shall be permitted to develop their respective parcels to the extent that such capacity would support.

(iii) The Owners agree not to protest in the formation of an LID to finance construction of more expansive water facilities serving the Property and the surrounding area, which shall be defined as follows: a 2.5-million-gallon water storage tank, capable of providing a maximum of 3,000 gallons per minute for a duration of three (3) hours; provided that (1) the Owner's assessment for the LID is based upon the special benefit, if any, accruing to the Owner's property, as described in chapter 35.44 RCW; and (2) the LID is formed before they construct the facilities described in Section 3(A)(ii) above.

(iv) If Logan constructs the facilities described in Exhibit A as set forth in this subsection (iv) on or before the sixth year anniversary date of the execution of this Agreement, the City agrees to provide to the Logan property 25,000 gallons per day of existing City water storage under the terms of this First Amendment. This existing 25,000 gallons of water per day to be provided by the City is operational storage, as identified in the City's Comprehensive Plan. The City agrees that Logan can apply to the City for building permits requiring 25,000 per day of water storage prior to the time that the entire facilities described in subsection (i) through (iii) are constructed, but the City shall not issue the permit until the facilities described in Exhibit A are constructed. If Logan does not construct the facilities described in Exhibit A pursuant to this subsection (iv) then Logan's obligations shall remain as set forth in subsections (i) through (iii) hereinabove.

(v) If Logan constructs the facilities described in Exhibit A as set forth in subsection (iv) above, the City agrees to release and hold Logan harmless from any further obligation under the Preannexation Agreement to construct the facilities described in subsection 3(A)(i) through (iii), to the extent those obligations are assumed by Pope pursuant to an agreement between Pope and Logan subsequent hereto.

The remainder of Section 3(A) shall remain in full force and effect.

Section 3. The Property subject to the First Amendment is the Logan Property, legally described in Exhibit B, attached hereto and incorporated herein by this reference.

Section 4. This First Amendment, read together with the Preannexation Agreement (and all exhibits incorporated therein), represents the entire agreement of the parties with respect to the subject matter hereof. There are no other agreements, oral or written, except as expressly set fourth herein.

Section 5. This First Amendment shall be filed for recording with the Pierce County Auditor's Office at the expense of the Owners, and shall constitute a covenant running with the land described in Exhibit B. The First Amendment shall be binding on the parties, their heirs, assigns and legal representatives.

Section 6. If any provision of this First Amendment is determined to be invalid by a court of competent jurisdiction, the remainder of the First Amendment or the Preannexation Agreement shall not be affected.

**City of GIG HARBOR**

**OWNERS:**

By \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Olympic Property Group, LLC

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF PIERCE )

I certify that I know or have satisfactory evidence that Gretchen A. Wilbert 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 Mayor to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(print or type name)  
NOTARY PUBLIC in and for the  
State of Washington, residing at:

State of Washington, residing at:  
My Commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
  ) ss.  
COUNTY OF PIERCE )

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 Olympic Property Group,  
LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in  
the instrument.

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(print or type name)  
NOTARY PUBLIC in and for the  
State of Washington, residing at:  
My Commission expires: \_\_\_\_\_

**OWNERS:**

By: \_\_\_\_\_  
Tucci & Sons, Inc.

Dated: \_\_\_\_\_

STATE OF WASHINGTON     )  
                                  ) ss.  
COUNTY OF PIERCE        )

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 Tucci & Sons, Inc.,  
to be the free and voluntary act of such party for the uses and purposes mentioned in the  
instrument.

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(print or type name)  
**NOTARY PUBLIC** in and for the  
State of Washington, residing at:  
My Commission expires: \_\_\_\_\_

**OWNERS:**

By: \_\_\_\_\_  
Logan International Corporation

Dated: \_\_\_\_\_

STATE OF WASHINGTON     )  
                                  ) ss.  
COUNTY OF PIERCE     )

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(print or type name)  
**NOTARY PUBLIC** in and for the  
State of Washington, residing at:  
My Commission expires: \_\_\_\_\_

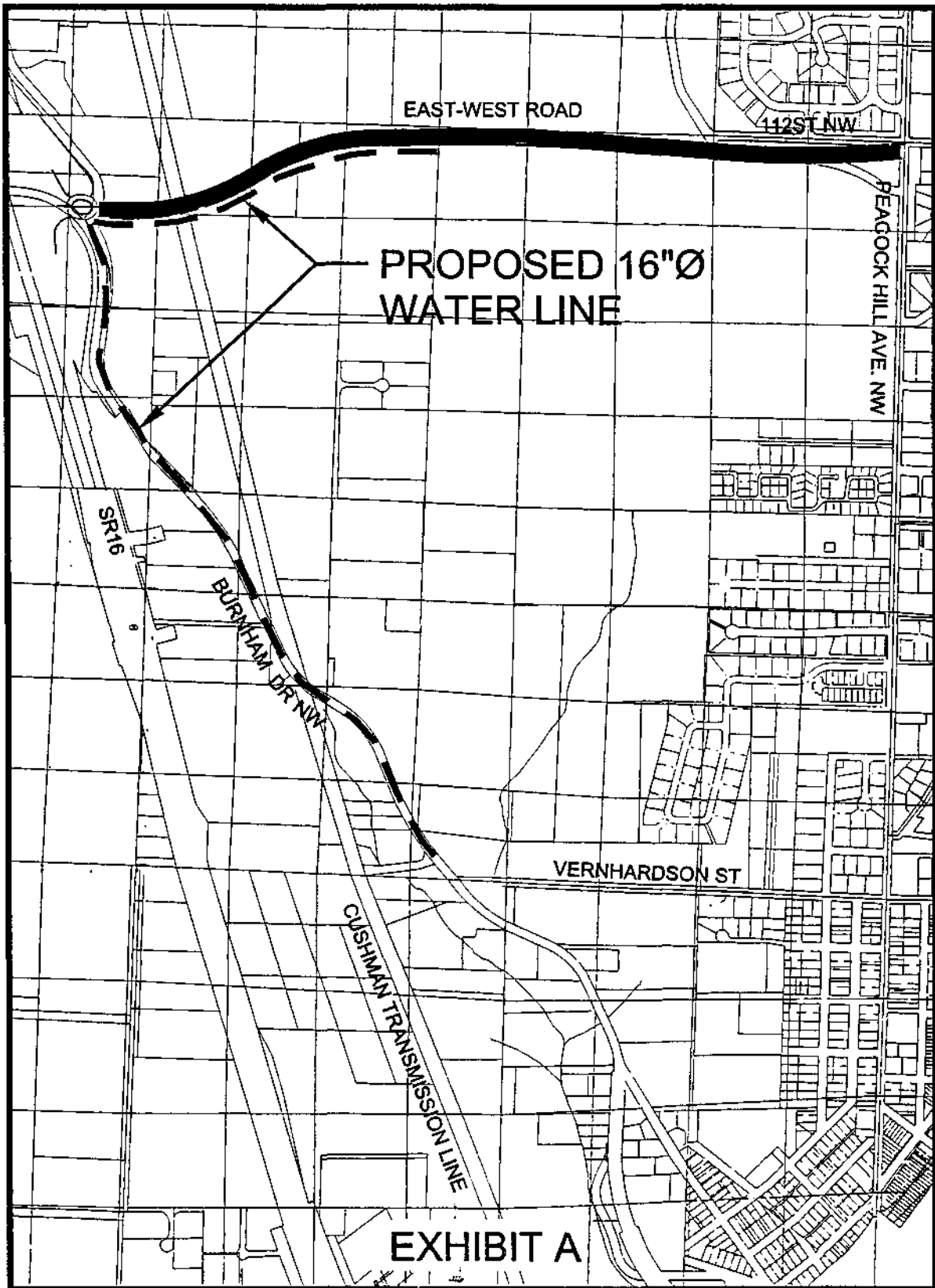




EXHIBIT 'B'

LEGAL DESCRIPTION FOR  
LOGAN INTERNATIONAL CORP.

GIG HARBOR 12 ACRES

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 22 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN  
PIERCE COUNTY, WASHINGTON.

EXCEPT PRIMARY STATE HIGHWAY NO 14.

ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON  
FOR STATE ROAD NO. 16 MP 8.34 TO MP 18.87 NARROWS BRIDGE TO  
OLYMPIC DRIVE, AS DESCRIBED IN DEED RECORDED UNDER AUDITOR'S  
NO. 2397369.

ALSO EXCEPT GIG HARBOR - LONG BRANCH - PURDY - KITSAP COUNTY  
ROAD. ALSO EXCEPT SEHMEL COUNTY ROAD.

IN PIERCE COUNTY, WASHINGTON.

GIG HARBOR 34 ACRES

The land referred to in this policy is situated in the State of Washington, County of Pierce  
and is described as follows:

PARCEL "A":

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST  
QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE  
WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF TACOMA  
FOR POWER TRANSMISSION LINE BY WARRANTY DEED RECORDED  
AUGUST 13, 1923 UNDER AUDITOR'S NO. 678953.

PARCEL "B":

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST  
QUARTER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE  
WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.

EXCEPT THE EAST HALF OF THE EAST HALF THEREOF.

ALSO EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; THENCE EAST ON THE NORTH LINE THEREOF, A DISTANCE OF 54 FEET; THENCE SOUTH 14 049' EAST ON THE EAST LINE OF THAT CERTAIN PROPERTY CONVEYED TO THE CITY OF TACOMA BY WARRANTY DEED RECORDED JULY 14, 1923 UNDER AUDITOR'S NO. 675775, A DISTANCE OF 679 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 238 FEET TO THE WEST LINE OF SAID SECTION 31; THENCE NORTH ON SAID WEST LINE 666 FEET TO THE POINT OF BEGINNING.

PARCEL "C":

THE EAST HALF OF THE NORTHEAST QUARTER OF GOVERNMENT LOT 1 IN SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.

GIG HARBOR 56.6 ACRES

PARCEL "A":

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, RUN THENCE NORTH ON SECTION LINE 792 FEET; THENCE SOUTH 14049'EAST 819 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30; THENCE WEST ALONG THE SAME, 209 FEET TO THE POINT OF BEGINNING, CONVEYED TO THE CITY OF TACOMA, BY DEED RECORDED UNDER AUDITOR'S NO. 675729, RECORDS OF PIERCE COUNTY, WASHINGTON.

PARCEL "B":

THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE  
SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2  
EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.

PARCEL "C":

THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE  
SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 2  
EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.



*City of Gig Harbor. The "Maritime City"*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: DAVID RODENBACH** *DR*  
**DATE: JANUARY 4, 2000**  
**SUBJECT: SECOND READING - ORDINANCE ACCEPTING A DONATION FROM  
THE MORRIS FOUNDATION FOR THE PURPOSE OF ENHANCING  
CITY PARKS**

#### **BACKGROUND**

The Morris Foundation has donated \$15,000 to the City. In order to accept a donation, the City must pass an ordinance accepting the donation and terms and conditions. This ordinance accepts the donation and accompanying terms. The Morris Foundation requests the donation be used for landscaping and/or capital improvements to the recently acquired Borgen property or in conjunction with any similar co-development or co-improvement between the City and the adjacent Historical Society property.

The donation has been receipted and placed in the General Fund. A reserve account for capital improvements as noted above has been established to account for this donation.

#### **RECOMMENDATION**

Staff recommends adoption of the ordinance.

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ACCEPTING A DONATION OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) FROM THE MORRIS FOUNDATION FOR THE PURPOSE OF ENHANCING THE NEWLY ACQUIRED BORGEN PROPERTY.**

---

WHEREAS, pursuant to RCW 35.21.100, the City of Gig Harbor may accept any donations of money by ordinance, and may carry out the terms of the donation, if the same are within the powers granted to the City by law; and

WHEREAS, the City has received a check in the amount of Fifteen Thousand Dollars (\$15,000.00) from the Morris Foundation, to be utilized for landscaping and/or capital improvements to the recently acquired "Borgen" property or in conjunction with any similar co-development or co-improvement between the City and the adjacent Historical Society property, as further described in the letter from David R. Morris, dated December 27, 1999, attached to this Ordinance as Exhibit A; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. **Acceptance of Donation.** The City Council hereby accepts the Fifteen Thousand Dollar (\$15,000.00) donation from the Morris Foundation, subject to the following terms of the donation, as expressed in Exhibit A: the donation is to be used for the enhancement of the newly acquired Borgen Property.

Section 2. **Finance Director to Acknowledge Acceptance in Letter.** As requested by the Morris Foundation, the Finance Director is hereby directed to send a copy of this Ordinance confirming the City's acceptance of the donation, for the uses described in the letter

attached hereto as Exhibit A. The Finance Director shall deposit the donation in the City's General Fund, and shall earmark the funds to be used for the purposes described in this ordinance.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

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

APPROVED:

\_\_\_\_\_  
MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, MOLLY TOWSLEE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK: 01/04/00  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:

EXHIBIT 'A'

**THE MORRIS FOUNDATION**

**P.O. Box 401  
Gig Harbor, WA 98335  
(253) 857-5555**

PAT  
DEC-30-1999/3:35 PM/+15000  
RDPT#:01-001  
ACCT:MORRIS FOUNDATION/DONATIO  
THE MORRIS FOUNDATIO

**RECEIVED**

DEC 30 1999

CITY OF GIG HARBOR

December 27, 1999

City of Gig Harbor  
ATTN: Mark Hoppen  
3105 Judson Street  
Gig Harbor, WA 98335

RE: The Morris Foundation--1999 Qualified Distribution

Dear Mark:

The Morris Foundation was formed in December of 1995, at the direction of Thomas G. Morris Sr. Its primary purpose is to receive and invest funds--and to distribute the earnings and/or appreciation on these funds to tax exempt organizations that qualify under Section 501(c) (3) of the Internal Revenue Code.

We have determined that for the year 1999 the City is eligible for a \$15,000 donation--to be utilized for landscaping and/or capital improvements to the recently acquired "Borgen" property or in conjunction with any similar co-development or co-improvement between the City and the adjacent Historical Society property. This donation is given in the spirit of appreciation for the decisive leadership the City has recently taken to consider long term future park, recreation, cultural, and other amenity benefits for its residents.

Enclosed is our check in the amount of \$15,000.00.

Please send us a letter confirming your acceptance of this donation, consistent with its intended use as described in paragraph two above.

Thank you.

Sincerely,

  
David R. Morris, Secretary/Director

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

On January \_\_\_\_, 2000, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. \_\_\_\_, the summary of text of which is as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR,  
WASHINGTON, ACCEPTING A DONATION OF FIFTEEN  
THOUSAND DOLLARS (\$15,000.00) FROM THE MORRIS  
FOUNDATION FOR THE PURPOSE OF ENHANCING THE  
NEWLY ACQUIRED BORGEN PROPERTY.**

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

DATED this \_\_<sup>th</sup> day of January, 2000.

MOLLY TOWSLEE, CITY CLERK





*City of Gig Harbor. The "Maritime City"*

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

January 5, 2000

Mr. David R. Morris, Secretary/Director  
The Morris Foundation  
P.O. Box 401  
Gig Harbor, WA 98335

Dear Dave:

The City of Gig Harbor wishes to thank The Morris Foundation for its gracious donation of \$15,000 toward landscaping and/or capital improvements to the recently acquired "Borgen" property, or in conjunction with any similar co-development or co-improvement between the City and the adjacent Historical Society property.

Consistent with the city's *Parks, Recreation and Open Space Plan*, the City of Gig Harbor will be initiating an exploration of options for the development or re-development of the property. Your donation will help actualize this process.

I look forward to the City Council's acceptance of this donation. Thank you once again for your community vision and generosity.

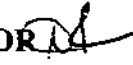
Sincerely,

Gretchen A. Wilbert  
Mayor, City of Gig Harbor



*City of Gig Harbor. The "Maritime City"*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: DAVID RODENBACH, FINANCE DIRECTOR**   
**SUBJECT: SECOND READING OF ORDINANCE - ACCEPTING A DONATION  
FROM DONALD DOUGLAS FOR THE SKATEBOARD PARK**  
**DATE: JANUARY 19, 2000**

**INFORMATION/BACKGROUND**

Donald Douglas, a local skateboard enthusiast, has donated \$100.00 to the City for the Skateboard Park. In order to accept a donation, the City must pass an ordinance accepting the donation and terms and conditions. This ordinance accepts the donation, with the condition that the funds be used toward the construction of the Skateboard Park.

The donation has been receipted and placed in the General Fund.

**RECOMMENDATION**

Staff recommends adoption of the ordinance at this reading.



*City of Gig Harbor. The "Maritime City"*

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

January 10, 2000

Mr. Donald Douglas  
1114 Aqua Vista Dr NW  
Gig Harbor, WA 98335

Dear Donald:

The City of Gig Harbor wishes to thank you for the gracious monetary donation of \$100.00 to benefit the completion of the Skateboard Park in Gig Harbor.

Your generous donation of time and treasures will help to bring the skateboard park to completion.

The City Council will accept your donation formally at their meeting on Monday, January 24th. We hope you can attend the meeting. Thank you once again for your community vision and generosity.

Sincerely,

Gretchen A. Wilbert  
Mayor, City of Gig Harbor

c: City Councilmembers

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ACCEPTING A DONATION OF ONE HUNDRED DOLLARS (\$100.00) FROM DONALD DOUGLAS AS A CONTRIBUTION FOR THE CONSTRUCTION OF THE SKATEBOARD PARK.**

---

WHEREAS, pursuant to RCW 35.21.100, the City of Gig Harbor may accept any donations of money by ordinance, and may carry out the terms of the donation, if the same are within the powers granted to the City by law; and

WHEREAS, the City has received cash in the amount of one hundred dollars (\$100.00) from Donald Douglas, to be used for the purpose of assisting with the construction costs of a skateboard park; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Acceptance of Donation. The City Council hereby accepts the one hundred dollars (\$100.00) donation from Donald Douglas.

Section 2. Finance Director to Receipt Funds. The Finance Director shall deposit the donation in the City's General Fund, and shall earmark the funds to be used for the purposes described in this ordinance.

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

APPROVED:

---

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

---

CITY CLERK, MOLLY TOWSLEE

FILED WITH THE CITY CLERK: 1/3/00  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:

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

On \_\_\_\_\_, 2000, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. \_\_\_\_\_, the summary of text of which is as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ACCEPTING A DONATION OF ONE HUNDRED DOLLARS (\$100.00) FROM DONALD DOUGLAS AS A CONTRIBUTION FOR THE CONSTRUCTION OF THE SKATEBOARD PARK.**

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

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

APPROVED by the City Council at their regular meeting of \_\_\_\_\_, 2000.

BY: \_\_\_\_\_

Molly M. 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**  
**FROM: RAY GILMORE, DIRECTOR, PLANNING AND BUILDING**  
**SUBJECT: PLANNING COMMISSION RECOMMENDATION – BURNHAM DRIVE**  
**REZONE (AMEND FROM R-1 TO B-2); SECOND READING OF**  
**ORDINANCE**  
**DATE: JANUARY 19, 2000**

#### **BACKGROUND/INTRODUCTION**

Attached for your review and consideration is the planning commission's recommendation on a proposed rezone of three parcels along the west side of Burnham Drive. The Planning Commission conducted a public hearing on the proposed rezone at its regular meeting of December 2, 1999. There was no public comment offered at the hearing.

#### **POLICY ISSUES**

The planning commission finds that the proposal is consistent with the city of Gig Harbor Comprehensive Plan in that:

- The comprehensive plan designates the property as commercial business;
- A rezone to B-2 would further the goals, policies and objectives of the comprehensive plan and is consistent with the Comprehensive Plan;
- The reclassification furthers the public's health, safety and general welfare as it provides for a contained commercial area that is readily accessible, small in scale and is adjacent to an existing commercial area;
- No substantial detrimental effect will be caused by the granting of the rezone due to its location, the limited scale of the commercial area, the availability of municipal services and the performance requirements of the City's design manual and zoning code to buffer adjacent residentially zoned properties.

Additional findings of the planning commission are stated in the ordinance, attached.

#### **FISCAL IMPACT**

There is no fiscal impact to the City from the adoption of an ordinance approving the rezone.

#### **RECOMMENDATION**

This is the second reading of the ordinance. Staff recommends adoption of the ordinance and approval of the rezone. Documents pertinent to Council's review are attached.

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

**AN ORDINANCE OF THE CITY OF GIG HARBOR, GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, REVISING TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE AMENDING THE ZONING DESIGNATION OF THREE PARCELS FROM R-1 TO B-2.**

WHEREAS, an application to amend the zoning on property currently zoned R-1 to B-2 has been submitted by Mr. Ronald Ray of Gig Harbor; and,

WHEREAS, the property subject to the rezone consists of three contiguous parcels on the west side of Burnham Drive, opposite an existing B-2 zoning district; and,

WHEREAS, no rezones have been proposed within the City limits since 1995; and,

WHEREAS, a copy of the official zoning district map dated 1996 shows the subject properties as B-2; and,

WHEREAS, the City's zoning district map was updated in July of 1998 to reflect changes to the City of Gig Harbor Comprehensive Plan Land Use Map for the unincorporated UGA; and,

WHEREAS, the zoning district map of 1998 shows the subject properties within the city limits along Burnham Drive designated as R-1; and,

WHEREAS, it is concluded that the 1998 map is in error for these three parcels; and,

WHEREAS, Section 17.100.035 adopts criteria for the approval of a zoning district amendment; and,

WHEREAS; the Planning Commission finds that the proposed rezone is consistent with the City of Gig Harbor Comprehensive Plan General Land Use Map as the map designates this area as Business-Commercial; the proposed rezone furthers the public's general health and welfare,

WHEREAS, the City of Gig Harbor Comprehensive Plan designates the property as commercial business. and that a rezone to B-2 would further the goals, policies and objectives of the comprehensive plan and is consistent with the Comprehensive Plan.

WHEREAS, the reclassification furthers the public's health, safety and general welfare as it provides for a contained commercial area that is readily accessible, small in scale and is adjacent to an existing commercial area.

WHEREAS, no substantial detrimental effect will be caused by the granting of the rezone due to its location, the limited scale of the commercial area, the availability of municipal services and



the performance requirements of the City's design manual and zoning code to buffer adjacent residentially zoned properties

WHEREAS, a SEPA threshold determination of a determination of non-significance (DNS) was issued on November 1, 1999, by the SEPA Responsible Official; and,

WHEREAS, a public hearing was conducted on December 2, 1999 by the Planning Commission to receive input from the community on proposed amendment to the zoning district map; and,

WHEREAS, on January 24, 2000 at a regularly scheduled City Council meeting, the Gig Harbor City Council considered the ordinance following its introduction on January 10, 2000; and

WHEREAS, the City sent copies of the proposed amendments to Chapter 17 to DCTED as per WAC 365-195-620(1) and RCW 36.70A.106.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. The official zoning map for the city of Gig Harbor is amended so that the following properties are amended from R-1 (single family residential) to B-2 (General Business-Commercial):

Pierce County Assessor's tax parcel numbers 0221061043; 0221061082; 0221061083; all parcels are generally described as being located on the west side of Burnham Drive, opposite the Puerto Vallarta Restaurant, Gig Harbor.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

\_\_\_\_\_  
MAYOR, Gretchen A. Wilbert

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, Molly Towslee

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK:

January 5, 2000

PASSED BY THE CITY COUNCIL:

January 24, 2000

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO.

**SUMMARY OF ORDINANCE NO. \_\_\_\_\_**

of the City of Gig Harbor, Washington

**AN ORDINANCE OF THE CITY OF GIG HARBOR, GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, REVISING TITLE 17 OF THE GIG HARBOR MUNICIPAL CODE AMENDING THE ZONING DESIGNATION OF THREE PARCELS FROM R-1 TO B-2.**

On the \_\_\_\_\_ day of \_\_\_\_\_, 1999\_\_\_\_, the City Council of the CITY OF GIG HARBOR, passed Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting of the title, provides as follows:

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_.



*City of Gig Harbor. The "Maritime City"*

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

**CITY OF GIG HARBOR PLANNING AND BUILDING SERVICES**

**REPORT TO THE CITY OF GIG HARBOR PLANNING COMMISSION**

**PROPOSED AMENDMENT TO THE CITY OF GIG HARBOR  
ZONING DISTRICT MAP**

**NOVEMBER 24, 1999**

**ZONING DISTRICT MAP AMENDMENT  
Burnham Drive Properties**

**Overview**

The proposal consists of amending the zoning district designation for three parcels along Burnham Drive from R-1 (Residential low density) to B-2 (General Business). These three parcels were previously designated B-2 commercial and were amended to R-1 in 1998. The maps changes in 1998 were applicable to the Urban Growth Area for Purdy and the newly annexed Westside area. No amendments have been proposed for any properties within the City during the past 5 years.

During a zoning district review in 1996, a map was developed which documented the location of churches and schools in the City. The base map used was a copy of the official zoning map for the city of Gig Harbor. This map shows the subject properties as B-2. In 1998, an updated zoning map for parcels outside of the City but within the UGA was adopted which reflected and implemented amendments/additions to the Comprehensive Plan General land use map. This map (dated 1998) shows the subject properties as R-1.

No zoning district map amendments have been proposed for parcels within the city limits since 1995. From what staff has found, there was no intent to change these parcels from B-2 to R-1 and that a mapping error is likely. Nonetheless, the amended zoning designation must be processed as a rezone, as there is no established procedure for correcting mapping errors.

#### **ADJACENT USES AND ZONING**

The property to the west of the subject site is within unincorporated Pierce County and is designated as MSF (medium density single family). The property to the east (across Burnham Drive) is zoned B-2 (General Business). The property to the north is designated as R-1 with a Mixed Use Overlay. Mixed Use overlay allows a variety of non-residential uses subject to meeting certain standards. The property to the south is zoned R-1 (low-density residential).

#### **APPLICABLE CODES**

Section 17.100.035GHMC (General criteria for zoning district map amendment) states as follows:

Requests for amending the zoning district designation of an area or the zoning code text shall be based upon the following criteria:

- A. That the request for the zoning district reclassification or zoning code text change is consistent with and furthers the goals, policies and objectives of the comprehensive plan;
- B. That the requested zoning district classification or zoning code text change will further the public's health, safety and general welfare;
- C. That no substantial detrimental effect shall be caused by the granting of the requested reclassification or amendment.

The comprehensive plan designates the property as commercial business. A rezone to B-2 would further the goals, policies and objectives of the comprehensive plan and is consistent with the Comprehensive Plan. The reclassification furthers the public's health, safety and general welfare as it provides for a contained commercial area that is readily accessible, small in scale and is adjacent to an existing commercial area. No substantial detrimental effect will be caused by the granting of the rezone due to its location, the limited scale of the commercial area, the availability of municipal services and the performance requirements of the City's design manual and zoning code to buffer adjacent residentially zoned properties.

#### **COMPLIANCE WITH THE STATE ENVIRONMENTAL POLICY ACT/CITY OF GIG HARBOR ENVIRONMENTAL POLICY ORDINANCE/GROWTH MANAGEMENT ACT**

On November 1, 1999, the SEPA Responsible Official issued a threshold determination, pursuant to WAC 197-11 340 (2), on a determination of non-significance (DNS). Copies of the proposed amendments were also submitted to twelve state agencies for review and comment. No adverse comments have been received as of this date.

### **AMENDMENT TO CHAPTER 17.07 Enforcement Provisions**

Approved by the City Council on 11/1/99  
11/1/99  
11/1/99

### **Overview**

Chapter 17.07 currently provides for the administrative appeal of criminal penalties. The City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code in which the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation. The City is not required to provide for administrative appeals of its code enforcement actions. Certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC' 17.07.018. A process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record.

### **Proposed Amendment**

The proposal is to amend Chapter 17.07.014 (Review by hearing examiner) to state that there is no administrative appeal of a notice of violation issued pursuant to GHMC 17.07.006 for violations described in GHMC 17.07.018, which subject the violator to criminal prosecution and/or the imposition of criminal penalties. Subsection "E" is amended to delete the provision for the administrative appeal of a criminal violation. A copy of the draft ordinance is attached.

### **STAFF RECOMMENDED FINDINGS**

Staff recommends that the proposed ordinance amending the zoning for the Burnham Drive properties and the proposed ordinance amending Chapter 17.07 be recommended for approval to the Gig Harbor City Council. Findings for approval are stated within the draft ordinances.



#### **Attachments:**

Ordinance To Amend Zoning District Map – Burnham Drive Properties  
Ordinance, Amending Chapter 17.07

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT, ELIMINATING THE ADMINISTRATIVE APPEAL OF ANY NOTICE OF VIOLATION WHICH COULD SUBJECT THE VIOLATOR TO CRIMINAL PROSECUTION AND RESULT IN THE IMPOSITION OF CRIMINAL PENALTIES; AMENDING SECTION 17.07.014 OF THE GIG HARBOR MUNICIPAL CODE.

---

WHEREAS, the City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code; and,

WHEREAS, the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation; and,

WHEREAS, the City is not required to provide for administrative appeals of its code enforcement actions; and,

WHEREAS, certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC § 17.07.018; and,

WHEREAS, a process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record; and,

WHEREAS, the City Council desires to eliminate any administrative appeal of a Notice of Violation for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and the imposition of criminal penalties; and,

WHEREAS, the City Council also desires to clarify the fact that there is no additional administrative appeal beyond the appeal to the Hearing Examiner of a Notice of Violation for violations described in GHMC § 17.07.018; Now, therefore,

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

Section 1. Section 17.07.014 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**17.07.014 Review by hearing examiner.**

A. Notice of Violation (criminal penalties). There is no administrative appeal of a notice of violation issued pursuant to GHMC § 17.07.006 for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and/or the imposition of criminal penalties.

B. Notice of Violation (civil penalties). Any person significantly affected by or interested in a notice of violation issued by the planning director pursuant to GHMC 17.07.006 for a violation of the codes in this Title which subject the violator to civil prosecution may obtain an appeal of the notice by requesting such appeal within fifteen (15) calendar days after service of the notice. When the last day of the period so computed is a Saturday, Sunday or federal or city holiday, the period shall run until 5:00 p.m. on the next business day. The request shall be in writing, and upon receipt of the appeal request, the building official shall forward the request to the office of the hearing examiner, pursuant to Chapter 17.10 GHMC.

B C. At or after the appeal hearing, the hearing examiner may:

1. Sustain the notice of violation;



2. Withdraw the notice of violation;
3. Continue the review to a date certain for receipt of additional information;
4. Modify the notice of violation, which may include an extension of the compliance date.

C.D. The hearing examiner shall issue a decision within ~~ten~~ (10) days of the date of the completion of the review and shall cause the same to be mailed by regular first class mail to the person(s) named on the notice of violation, mailed to the complainant, if possible, and filed with the department of records and elections of Pierce County.

~~D.E.~~ The decision of the hearing examiner shall be final and conclusive, and no further administrative appeal may be filed. ~~In order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing criminal penalties must appeal to the appropriate court with jurisdiction, and In order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing civil penalties must make application for a land use petition under Chapter 36.70C RCW within 21 days of the issuance of the examiner's decision. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.~~

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

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

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this \_\_th day of \_\_\_\_\_, 2000.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

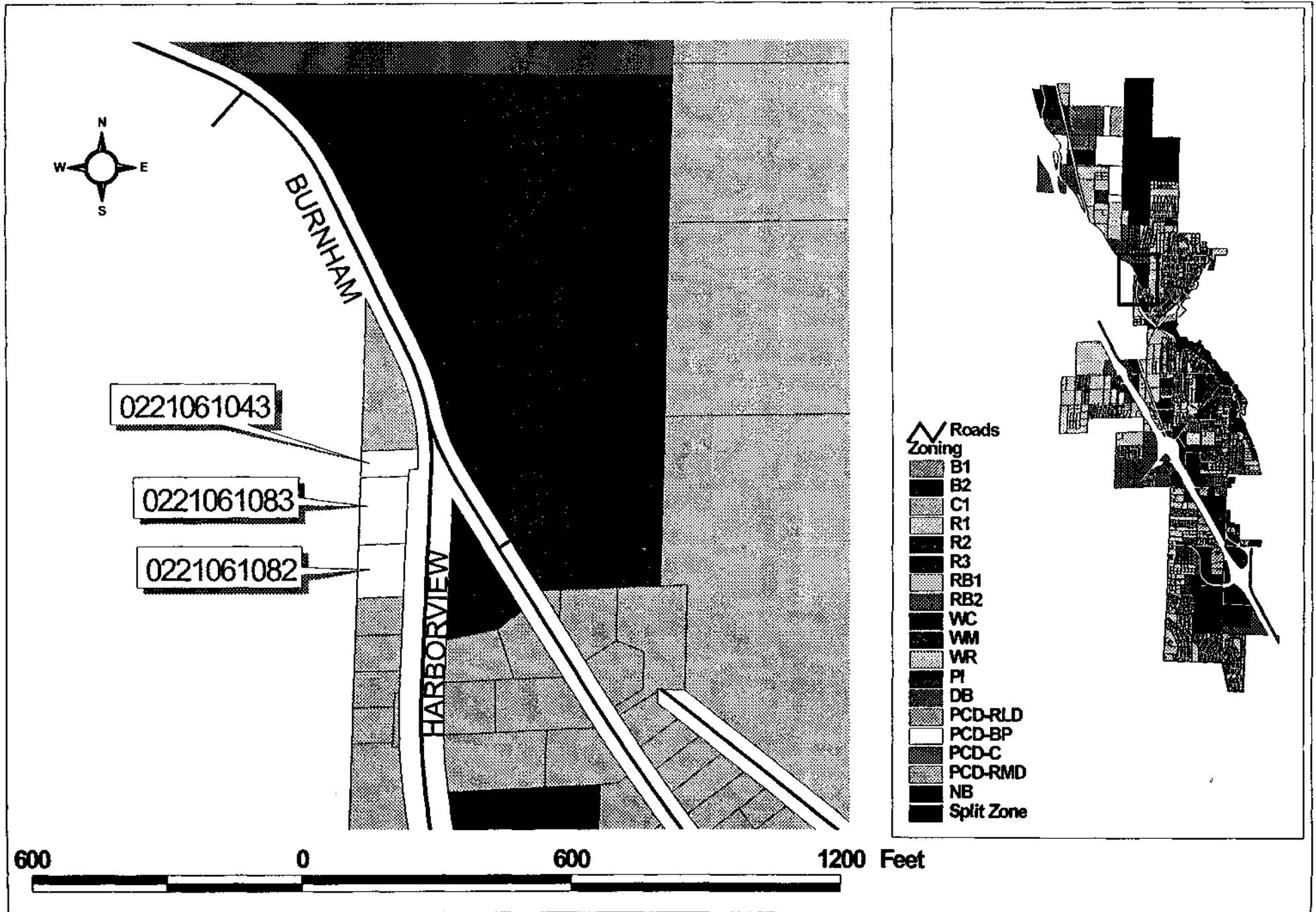
By: \_\_\_\_\_  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_  
CAROL A. MORRIS

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

# Burnham Drive Rezone (R1 to B2)



RECEIVED  
CITY OF GIG HARBOR

OCT 25 1999

PLANNING AND BUILDING  
SERVICES

October 19, 1999

Advance Copy  
FAX 858 6939

Mr. & Mrs. Ron Ray  
3519 Harborview Drive #3  
Gig Harbor, WA 98332

Re: Parcel 0221061082

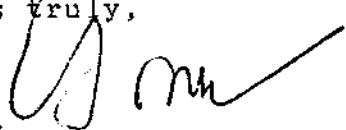
Dear Ron and Pearl,

This will confirm our recent discussions with respect to the above parcel in the city of Gig Harbor. We have had two recent sale opportunities for commercial usage that have resulted in an unpleasant surprise. According to Mr. Ray Gilmore, Director of Planning and Building Services, the parcel has been zoned for residential use only (R-1). This is contrary to the information we received when the property was listed and offered as commercial (B-2) per the enclosed zoning map.

As you are aware, one purchaser has withdrawn their interest as a result, but the other has agreed to continue a feasibility review pursuant to approval of a "Development Agreement" with the city of Gig Harbor. Mr. Gilmore indicates that this addresses both site usage and zoning issues. He recommends that you submit an application for a re-zone to B-2 as well. Neither the development agreement initiated by the buyer (Parker) or the re-zone initiated by you would require an amendment to the Comprehensive Plan because the parcel is commercial designated in the plan.

Please contact Mr. Gilmore at (253) 851-4278 to review the circumstances of the property's current zoning status and procedures above described. Then, respond to the addendum to the Purchase and Sale agreement between you and Mr. Parker. I am sending a copy of this letter to Mr. Gilmore for his advance notice in case I have overlooked anything or not properly described the circumstances.

Yours truly,

  
Ray Jones

cc: Ray Gilmore, City of Gig Harbor  
Thomas Lynch, John L. Scott Real Estate

96th STREET

SHORT PLAT	77-22
4116	520
L-4	L-3

RB-2 152

QUIET FIRS MOBILE HOME PARK

9515

4164	4144	4124
2	3	4
4198	SUTHER	

40033-00

HARBOR

MUD

9420

BRANCH  
L-1  
9418  
9415  
AT 84-09-28-0164

9421

B-2

9411

9409

9408

BURNHAM DR.

CITY OF GIG HARBO

4425

EAGLES

R-1

L-1 B-2 4309

SHORT PLAT

85-06-10-0285

4320

CITY OF GIG HARBOR CITY LIMITS

RB-

SHORT PLAT

83-03-22-020

4225

4227

4225

4213

4212

4206

4204

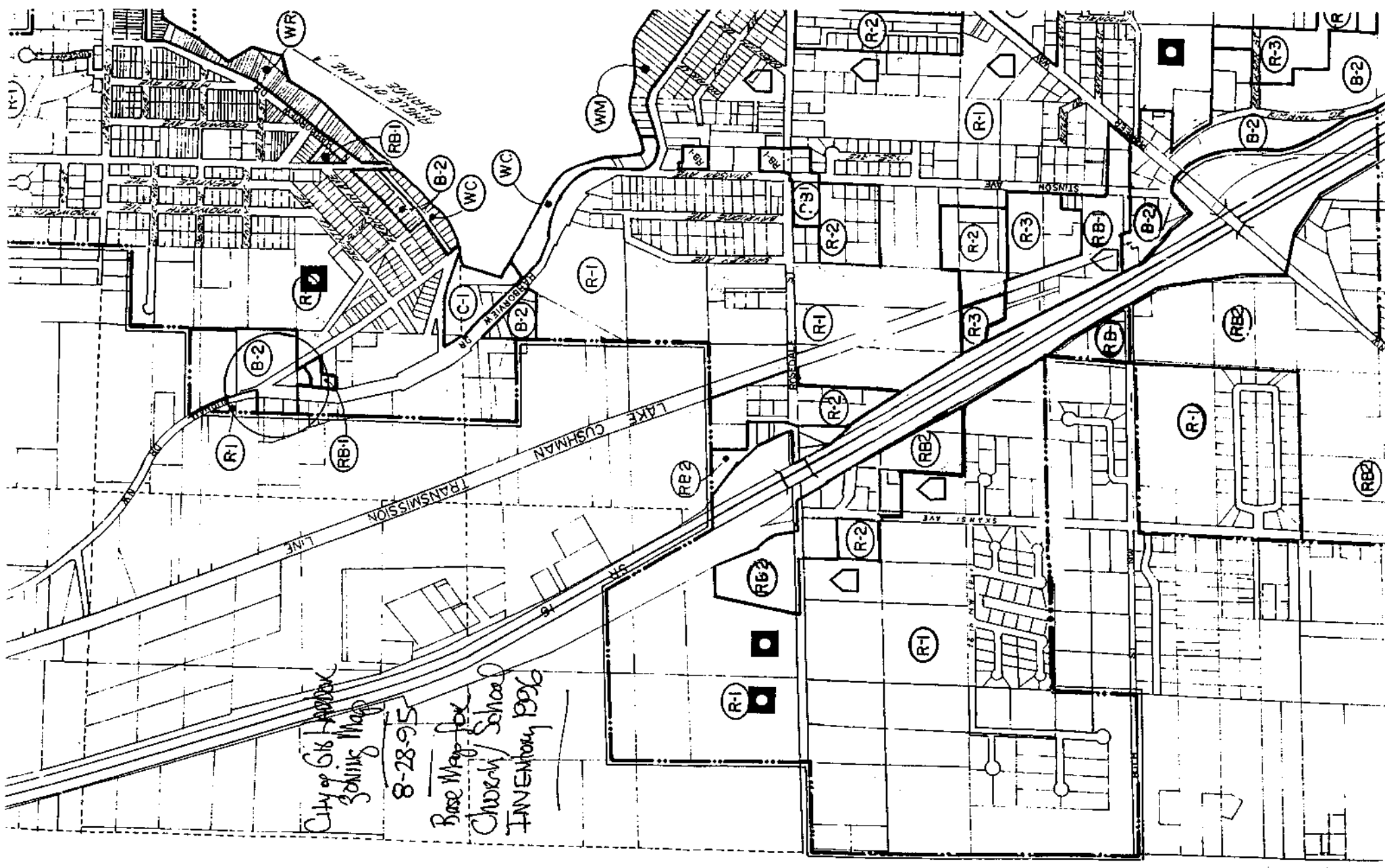
SCHOOL RD.

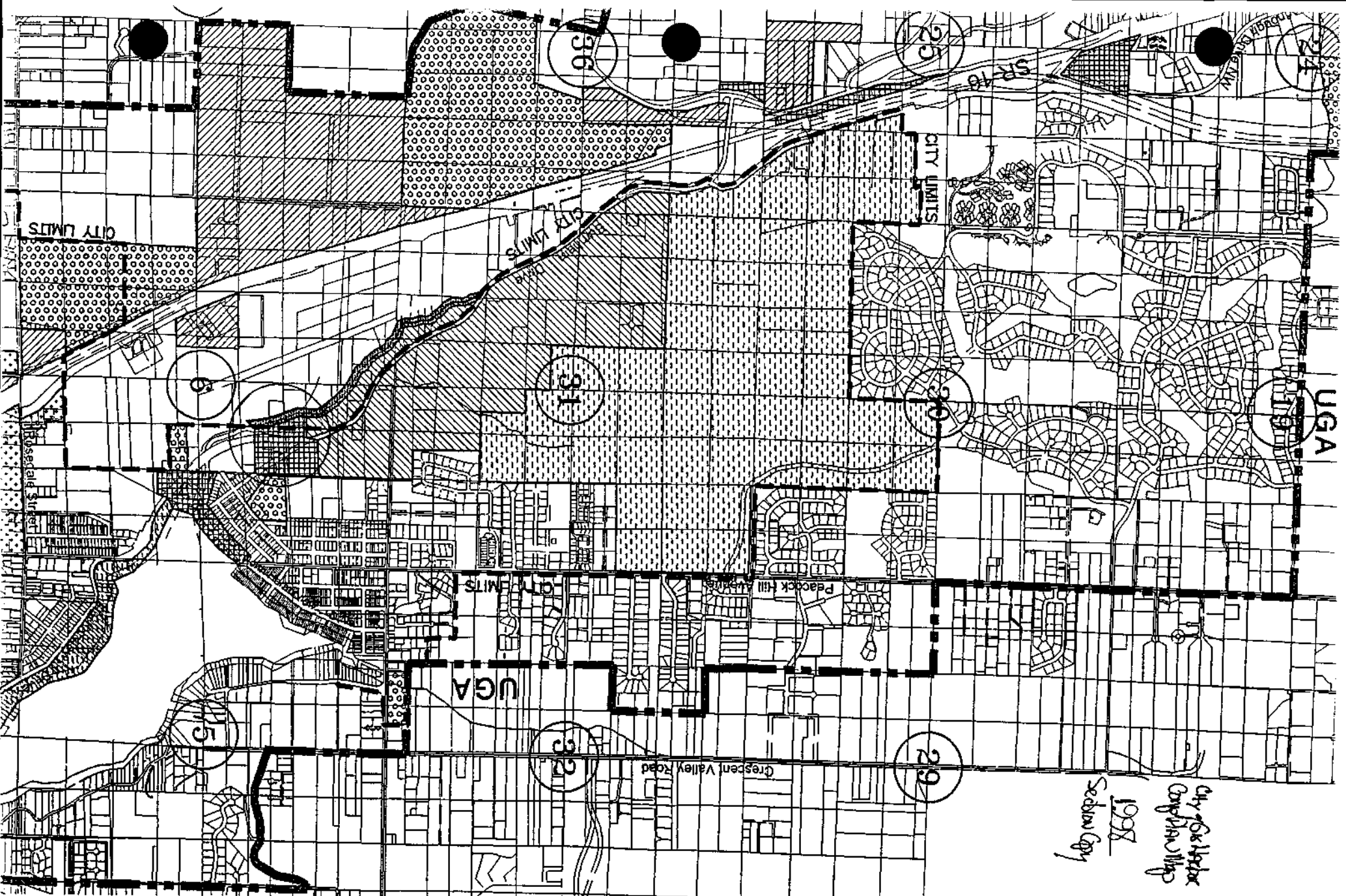
LOT

EW DR

4202

City of Gilsum  
Zoning Map  
8-28-95  
Base Map for  
Church/School  
Inventory 1996

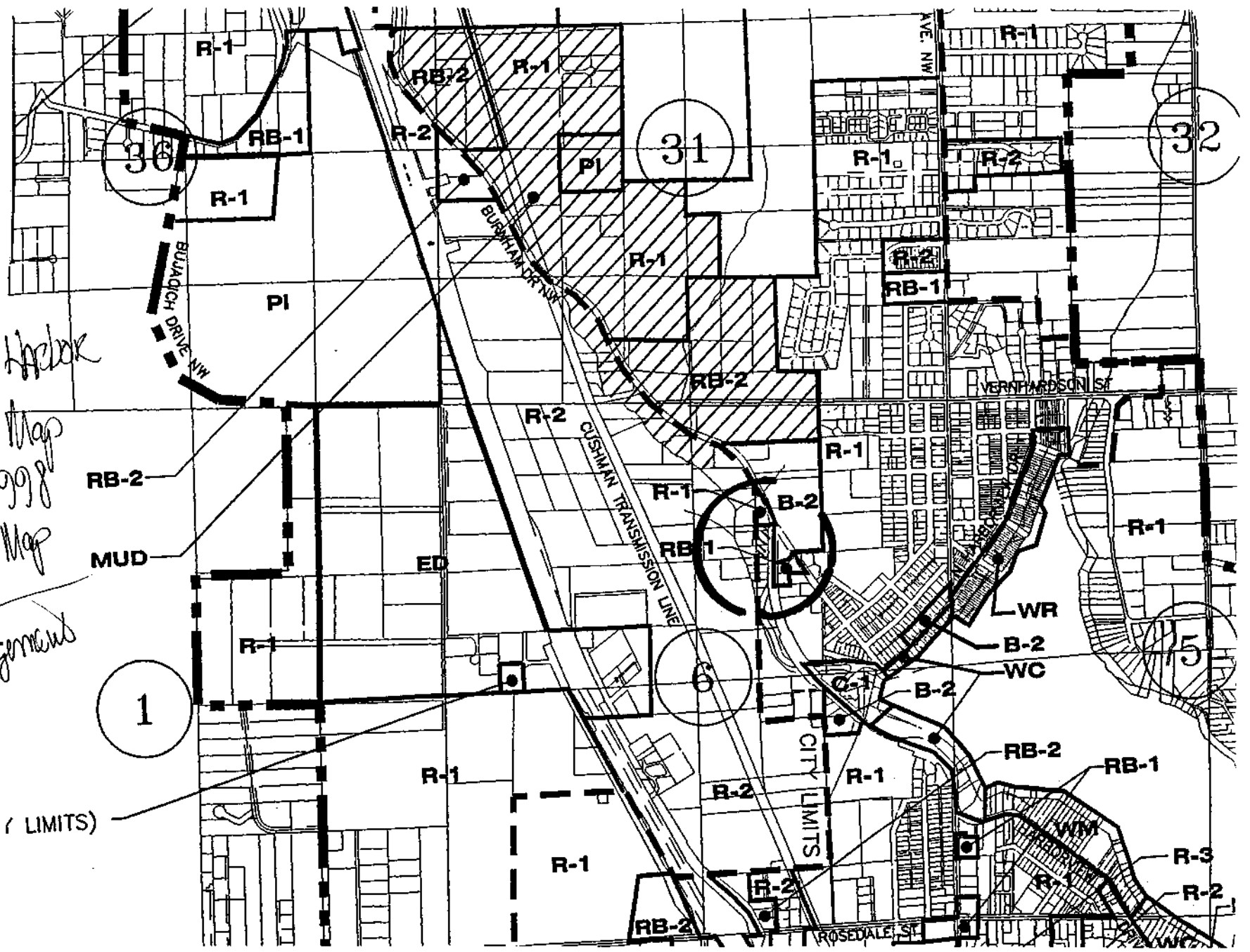




City of Lake Harbor  
Comprehensive  
1998  
Section Copy

*City of Six Hills  
Zoning Map  
1998  
Map*

*Enlargement*



(LIMITS)





*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: RAY GILMORE, DIRECTOR, PLANNING AND BUILDING**  
**SUBJECT: PLANNING COMMISSION RECOMMENDATION – AMENDMENTS TO**  
**CHAPTER 17.07; SECOND READING OF ORDINANCE**  
**DATE: JANUARY 19, 2000**

#### **BACKGROUND/INTRODUCTION**

Attached for your review and consideration is the planning commission's recommendation on a proposed to amend Chapter 17.07. Chapter 17.07 currently provides for the administrative appeal of criminal penalties. The City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code in which the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation. The City is not required to provide for administrative appeals of its code enforcement actions. Certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC' 17.07.018. A process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record.

#### **POLICY ISSUES**

The planning commission recommends approval based upon the findings established in the draft ordinance.

#### **FISCAL IMPACT**

There is no fiscal impact to the City from the adoption of an ordinance approving the rezone.

#### **RECOMMENDATION**

This is the second reading of the ordinance. Staff recommends adoption of the ordinance. Documents pertinent to Council's review are attached.



*City of Gig Harbor. The "Maritime City"*

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

**CITY OF GIG HARBOR PLANNING AND BUILDING SERVICES**

**REPORT TO THE CITY OF GIG HARBOR PLANNING COMMISSION**

**PROPOSED AMENDMENT TO THE CITY OF GIG HARBOR  
ZONING DISTRICT MAP**

**NOVEMBER 24, 1999**

**ZONING DISTRICT MAP AMENDMENT  
Burnham Drive Properties**

**Overview**

The proposal consists of amending the zoning district designation for three parcels along Burnham Drive from R-1 (Residential low density) to B-2 (General Business). These three parcels were previously designated B-2 commercial and were amended to R-1 in 1998. The maps changes in 1998 were applicable to the Urban Growth Area for Purdy and the newly annexed Westside area. No amendments have been proposed for any properties within the City during the past 5 years.

During a zoning district review in 1996, a map was developed which documented the location of churches and schools in the City. The base map used was a copy of the official zoning map for the city of Gig Harbor. This map shows the subject properties as B-2. In 1998, an updated zoning map for parcels outside of the City but within the UGA was adopted which reflected and implemented amendments/additions to the Comprehensive Plan General land use map. This map (dated 1998) shows the subject properties as R-1.

No zoning district map amendments have been proposed for parcels within the city limits since 1995. From what staff has found, there was no intent to change these parcels from B-2 to R-1 and that a mapping error is likely. Nonetheless, the amended zoning designation must be processed as a rezone, as there is no established procedure for correcting mapping errors.

#### **ADJACENT USES AND ZONING**

The property to the west of the subject site is within unincorporated Pierce County and is designated as MSF (medium density single family). The property to the east (across Burnham Drive) is zoned B-2 (General Business). The property to the north is designated as R-1 with a Mixed Use Overlay. Mixed Use overlay allows a variety of non-residential uses subject to meeting certain standards. The property to the south is zoned R-1 (low-density residential).

#### **APPLICABLE CODES**

Section 17.100.035GHMC (General criteria for zoning district map amendment) states as follows:

Requests for amending the zoning district designation of an area or the zoning code text shall be based upon the following criteria:

- A. That the request for the zoning district reclassification or zoning code text change is consistent with and furthers the goals, policies and objectives of the comprehensive plan;
- B. That the requested zoning district classification or zoning code text change will further the public's health, safety and general welfare;
- C. That no substantial detrimental effect shall be caused by the granting of the requested reclassification or amendment.

The comprehensive plan designates the property as commercial business. A rezone to B-2 would further the goals, policies and objectives of the comprehensive plan and is consistent with the Comprehensive Plan. The reclassification furthers the public's health, safety and general welfare as it provides for a contained commercial area that is readily accessible, small in scale and is adjacent to an existing commercial area. No substantial detrimental effect will be caused by the granting of the rezone due to its location, the limited scale of the commercial area, the availability of municipal services and the performance requirements of the City's design manual and zoning code to buffer adjacent residentially zoned properties.

#### **COMPLIANCE WITH THE STATE ENVIRONMENTAL POLICY ACT/CITY OF GIG HARBOR ENVIRONMENTAL POLICY ORDINANCE/GROWTH MANAGEMENT ACT**

On November 1, 1999, the SEPA Responsible Official issued a threshold determination, pursuant to WAC 197-11 340 (2), on a determination of non-significance (DNS). Copies of the proposed amendments were also submitted to twelve state agencies for review and comment. No adverse comments have been received as of this date.

### **AMENDMENT TO CHAPTER 17.07 Enforcement Provisions**

### **Overview**

Chapter 17.07 currently provides for the administrative appeal of criminal penalties. The City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code in which the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation. The City is not required to provide for administrative appeals of its code enforcement actions. Certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC' 17.07.018. A process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record.

### **Proposed Amendment**

The proposal is to amend Chapter 17.07.014 (Review by hearing examiner) to state that there is no administrative appeal of a notice of violation issued pursuant to GHMC 17.07.006 for violations described in GHMC 17.07.018, which subject the violator to criminal prosecution and/or the imposition of criminal penalties. Subsection "E" is amended to delete the provision for the administrative appeal of a criminal violation. A copy of the draft ordinance is attached.

### **STAFF RECOMMENDED FINDINGS**

Staff recommends that the proposed ordinance amending the zoning for the Burnham Drive properties and the proposed ordinance amending Chapter 17.07 be recommended for approval to the Gig Harbor City Council. Findings for approval are stated within the draft ordinances.



### **Attachments:**

Ordinance To Amend Zoning District Map – Burnham Drive Properties  
Ordinance, Amending Chapter 17.07

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT, ELIMINATING THE ADMINISTRATIVE APPEAL OF ANY NOTICE OF VIOLATION WHICH COULD SUBJECT THE VIOLATOR TO CRIMINAL PROSECUTION AND RESULT IN THE IMPOSITION OF CRIMINAL PENALTIES; AMENDING SECTION 17.07.014 OF THE GIG HARBOR MUNICIPAL CODE.

---

WHEREAS, the City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code; and,

WHEREAS, the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation; and,

WHEREAS, the City is not required to provide for administrative appeals of its code enforcement actions; and,

WHEREAS, certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC § 17.07.018; and,

WHEREAS, a process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record; and,

WHEREAS, the City Council desires to eliminate any administrative appeal of a Notice of Violation for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and the imposition of criminal penalties; and,

WHEREAS, the City Council also desires to clarify the fact that there is no additional administrative appeal beyond the appeal to the Hearing Examiner of a Notice of Violation for violations described in GHMC § 17.07.018; Now, therefore,

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

Section 1. Section 17.07.014 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**17.07.014 Review by hearing examiner.**

A. Notice of Violation (criminal penalties). There is no administrative appeal of a notice of violation issued pursuant to GHMC § 17.07.006 for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and/or the imposition of criminal penalties.

B. Notice of Violation (civil penalties). Any person significantly affected by or interested in a notice of violation issued by the planning director pursuant to GHMC 17.07.006 for a violation of the codes in this Title which subject the violator to civil prosecution may obtain an appeal of the notice by requesting such appeal within fifteen (15) calendar days after service of the notice. When the last day of the period so computed is a Saturday, Sunday or federal or city holiday, the period shall run until 5:00 p.m. on the next business day. The request shall be in writing, and upon receipt of the appeal request, the building official shall forward the request to the office of the hearing examiner, pursuant to Chapter 17.10 GHMC.

~~B~~ C. At or after the appeal hearing, the hearing examiner may:

1. Sustain the notice of violation;

2. Withdraw the notice of violation;
3. Continue the review to a date certain for receipt of additional information;
4. Modify the notice of violation, which may include an extension of the compliance date.

C.D. The hearing examiner shall issue a decision within ~~ten~~ (10) days of the date of the completion of the review and shall cause the same to be mailed by regular first class mail to the person(s) named on the notice of violation, mailed to the complainant, if possible, and filed with the department of records and elections of Pierce County.

D E. The decision of the hearing examiner shall be final ~~and conclusive, and no further administrative appeal may be filed.~~ ~~In order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing criminal penalties must appeal to the appropriate court with jurisdiction, and In order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing civil penalties must make application for a land use petition under Chapter 36.70C RCW within 21 days of the issuance of the examiner's decision. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.~~

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

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

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this \_\_\_th day of \_\_\_\_\_, 2000.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_  
CAROL A. MORRIS

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



ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT, ELIMINATING THE ADMINISTRATIVE APPEAL OF ANY NOTICE OF VIOLATION WHICH COULD SUBJECT THE VIOLATOR TO CRIMINAL PROSECUTION AND RESULT IN THE IMPOSITION OF CRIMINAL PENALTIES; AMENDING SECTION 17.07.014 OF THE GIG HARBOR MUNICIPAL CODE.

---

WHEREAS, the City has adopted an enforcement procedure in chapter 17.07 of the Gig Harbor Municipal Code; and,

WHEREAS, the first stage of an enforcement action brought under chapter 17.07 GHMC is the City's issuance of a Notice of Violation; and,

WHEREAS, the City is not required to provide for administrative appeals of its code enforcement actions; and,

WHEREAS, certain zoning code violations subject the violator to criminal prosecution and the imposition of criminal penalties, as set forth in GHMC § 17.07.018; and,

WHEREAS, a process for an administrative appeal of a Notice of Violation which subjects the violator to civil penalties is necessary because a judicial review of the City's decision will be based on the administrative record, while a judicial review relating to a decision on a Notice of Violation which subjects the violator to criminal penalties is not based on the administrative record; and,

WHEREAS, the City Council desires to eliminate any administrative appeal of a Notice of Violation for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and the imposition of criminal penalties; and,

WHEREAS, the City Council also desires to clarify the fact that there is no additional administrative appeal beyond the appeal to the Hearing Examiner of a Notice of Violation for violations described in GHMC § 17.07.018; Now, therefore,

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

Section 1. Section 17.07.014 of the Gig Harbor Municipal Code is hereby amended to read as

follows:

**17.07.014 Review by hearing examiner.**

A. Notice of Violation (criminal penalties). There is no administrative appeal of a notice of violation issued pursuant to GHMC § 17.07.006 for violations described in GHMC § 17.07.018, which subject the violator to criminal prosecution and/or the imposition of criminal penalties.

B. Notice of Violation (civil penalties). Any person significantly affected by or interested in a notice of violation issued by the planning director pursuant to GHMC 17.07.006 for a violation of the codes in this Title which subject the violator to civil prosecution may obtain an appeal of the notice by requesting such appeal within fifteen (15) calendar days after service of the notice. When the last day of the period so computed is a Saturday, Sunday or federal or city holiday, the period shall run until 5:00 p.m. on the next business day. The request shall be in writing, and upon receipt of the appeal request, the building official shall forward the request to the office of the hearing examiner, pursuant to Chapter 17.10 GHMC.

B C. At or after the appeal hearing, the hearing examiner may:

1. Sustain the notice of violation;

2. Withdraw the notice of violation;
3. Continue the review to a date certain for receipt of additional information;
4. Modify the notice of violation, which may include an extension of the compliance date.

~~C.D.~~ The hearing examiner shall issue a decision within ~~ten~~ (10) days of the date of the completion of the review and shall cause the same to be mailed by regular first class mail to the person(s) named on the notice of violation, mailed to the complainant, if possible, and filed with the department of records and elections of Pierce County.

~~D.E.~~ The decision of the hearing examiner shall be final and conclusive, and no further administrative appeal may be filed. ~~In order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing criminal penalties must appeal to the appropriate court with jurisdiction, and in order to appeal the decision of the hearing examiner, a person with standing to appeal a decision imposing civil penalties must make application for a land use petition under Chapter 36.70C RCW within 21 days of the issuance of the examiner's decision. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.~~

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be 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, sentence, clause or phrase of this ordinance.

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

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this \_\_\_th day of \_\_\_\_\_, 2000.

CITY OF GIG HARBOR

GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_  
CAROL A. MORRIS

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

SUMMARY OF ORDINANCE NO. \_\_\_\_

of the City of Gig Harbor, Washington

On \_\_\_\_\_, 2000, 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 CODE ENFORCEMENT, ELIMINATING THE ADMINISTRATIVE APPEAL OF ANY NOTICE OF VIOLATION WHICH COULD SUBJECT THE VIOLATOR TO CRIMINAL PROSECUTION AND RESULT IN THE IMPOSITION OF CRIMINAL PENALTIES; AMENDING SECTION 17.07.014 OF THE GIG HARBOR MUNICIPAL CODE.

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

APPROVED by the City Council at their meeting of \_\_\_\_\_, 2000.

MOLLY TOWSLEE, CITY CLERK



*City of Gig Harbor. The "Maritime City"*

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

**TO: PLANNING COMMISSION MEMBERS**  
**FROM: MAYOR GRETCHEN WILBERT** *GW*  
**SUBJECT: RESOLUTION FORMING AN AD HOC COMMITTEE FOR THE**  
**BORGEN PROPERTY**  
**DATE: JANUARY 24, 2000**

#### **INFORMATION/BACKGROUND**

Over the years the city has received requests for meeting space for citizen committees formed to provide volunteer public service. When word spread throughout the community about the city's purchase of the Borgen Property, the Borgen Building became the focal point of volunteer committees looking for a place to hold meetings.

The condition of the building needs to be reviewed. Cost considerations in satisfying safety requirements are being calculated. This resolution proposes the formation of an Ad Hoc Committee of volunteers to gather ideas for development of the park and present recommendations to Council.

#### **RECOMMENDATION**

Approval of the attached resolution establishing an Ad Hoc Planning Committee for the City Park at Borgens Corner.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF GIG HARBOR,  
WASHINGTON, ESTABLISHING AN AD HOC PLANNING  
COMMITTEE TO GATHER IDEAS FOR DEVELOPMENT AND  
USE OF THE CITY PARK AT BORGENS CORNER.**

---

WHEREAS, the City of Gig Harbor has purchased the Borgen Property located at Borgens Corner; and

WHEREAS, members of the community, young and old, have indicated an interest in sharing ideas for development of the park and the utilization of the existing street side structure; and

WHEREAS, on January 4, 2000, Chuck Hunter, Bill Reed, Dave Brereton and Steve Bowman walked through the main structure to access the safety issues relating to permitting volunteers to proceed with a clean-up effort to create meeting space for committees within the structure; and

WHEREAS, following their discussion, Bill Reed volunteered to produce suggested plans incorporating suggestions; and

WHEREAS, Steve Bowman wrote up suggested Phase I, Phase II, and Phase III improvements to be made to provide a safe and healthy place for volunteers to meet; and

WHEREAS, Chuck Hunter volunteered to put together a list of estimated costs to implement the improvements; and

WHEREAS, the Borgen Property presents an opportunity for volunteerism at its best; now, therefore,

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

That an Ad Hoc Committee of volunteers be assembled by the Mayor to participate in gathering ideas and making recommendations to the City Council for the development and use of the City Park at Borgens Corner.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR  
this \_\_\_\_\_ day of January , 2000.**

APPROVED:

GRETCHEN A. WILBERT, MAYOR

ATTEST/AUTHENTICATED:

MOLLY M. TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 1/19/00  
PASSED BY THE CITY COUNCIL:  
RESOLUTION NO.



## CITY PARK AT BORGENS CORNER

January 19, 2000

### GOALS

To provide meeting space for volunteer organizations.

### OBJECTIVES

To accommodate the following non-profit community committees: (not limited to this list)

<u>Organization</u>	<u>Use</u>
Park at Borgens Corner - Ad Hoc Planning Committee	Planning / Use of Property
Cultural Arts Commission	Scheduling of City Park Events
Peninsula Salmon, Inc.	Crescent Creek/Donkey Creek Habitat <i>restoration</i>
Gig Harbor Commercial Fisherman and Civic Club	Donkey Creek Hatchery <i>project</i>
American Association of Retired Persons	Volunteer Opportunities
Borgen Corner Neighborhood	Event Planning
Senior Citizens	Magazine Exchange
Sister City Planning	Showcase for Gifts
Altrusa / Kiwanis / Lions / Rotary Clubs	Fund Raisers
Leo Lion's Clubhouse	Volunteer Youth Activities
Gig Harbor Baykeepers	Bay Cleanup
Norwegian Knife Club	Annual Reunion
Gig Harbor Peninsula Historical Society	New Plans Display/History of Site Display
Peninsula Parks & Recreation	Planning
Citizens Against Litter	Organization Meeting



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  
**FROM:** Steve Bowman, Building Official/Fire Marshal  
**DATE:** January 5, 2000  
**RE:** **BORGAN PROPERTY / SITE INSPECTION 1-4-2000**

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Persons meeting at site: Bill Reed, FAIA ; Steve Bowman ; Dave Brereton ; Gretchen Wilbert ; and Chuck Hunter

We had a general discussion on possible uses for the main building and what would need to be accomplished prior to beginning each use.

- PHASE I:** Use of a portion of the existing building by a Planning Group (not to exceed 20 persons)
- a. Remove life safety hazards including:
    - 1. Exposed electrical wiring
    - 2. Damaged flooring (tripping hazards)
  - b. Install (1) type 2A:10BC fire extinguisher near the main exit
  - c. Patch roof leaks
  - d. Remove suspended items from the ceiling that are in danger of falling or subject to being hit by occupants.
  - e. Obtain an asbestos inspection and remove or contain asbestos.
  - f. Close off areas not to be accessed
    - 1. Second floor of the main building
    - 2. Storage rooms in back of main building fronting on N. Harborview Dr.
    - 3. Exterior storage buildings
- PHASE II:** Volunteer Group Meetings and Displays – Temporary use of existing building with existing restroom and/or sani-can restroom.
- a. Make the main entrance accessible to the handicapped
  - b. Provide male and female restrooms that are accessible to the handicapped and that will be part of the final site plan of PHASE III.
  - c. Identify areas of use
  - d. Provide maintenance of heating system
  - e. Remove damaged flooring and install new floor
  - f. A review of the parking facilities will be required by Planning to verify that the existing parking will be adequate for the floor area being used.
  - g. Public Hearings may be required if the site will be modified.
  - h. Permits will be required for construction and/or demolition
  - i. Repair and brace the existing foundation system

PHASE III: Volunteer Group Meetings and Displays – Construction of new building and/or remodeled building with new accessible restrooms Note: This phase will be considered by the planning team(s) and by the Gig Harbor City Council (budget process) in PHASE I.

- a. Public Hearings will be required.
- b. Building and other permits will be required.
- c. A cost analysis should be made to help way if the value of the existing building out ways the cost effectiveness of demolishing all existing structures and building new from the ground up at locations that would be
- d. If the existing building is to be remodeled, a complete review of the foundation, and lateral resisting frame system must be completed to determine what modifications may be required.

Bill Reed, FAIA volunteered to do a couple of sketches of possible long term uses of the site

Mayor Wilbert stated that she would contact the historical society and other parties to see what pictures could be found on the original structure (log building).

Chuck Hunter offered to provide cost estimates for budget purposes.

Dave Brereton stated that he would review what Public Works Department could do at the site to help eliminate any hazards and to see what would need to be contracted out.

During a discussion with Dave Skinner and Steve Bowman, Dave indicated that the State and DOE would have interest in any work that would be taking place on the site and that any use might need to be reviewed in consideration of what future requirements might be placed on the City by DOE and the State to assist in the restoration of Fish habitat.



INTER-OFFICE MEMORANDUM  
Gig Harbor Public Works



**Date:** 12/6/99

**To:** Mayor Wilbert

**Cc:**

**From:** David R. Skinner *DRS.*

**RE:** Discovery Elementary Student Comments

---

Dear Mayor,

Thank you for the opportunity to review the student's suggestions for the Borgen Property. It seemed there was a common theme: traffic, treatment plant aroma, and Donkey Creek. Most of the suggestions centered on a future park with many different features. I am pleased to see the students recognize the importance of preserving the history of the area as well as the importance of protecting environmentally sensitive areas from future development.

Hopefully these same students will continue to be involved in their community and the environment.



*City of Gig Harbor. The "Maritime City"*

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

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT** *GW*  
**SUBJECT: RESOLUTION - SUPPORT FOR SHORT TERM FUNDING AS A  
RESULT OF I-695**  
**DATE: JANUARY 19, 2000**

**INFORMATION/BACKGROUND**

At the regular meeting of the Pierce County Cities and Towns Association on January 6<sup>th</sup>, the losses being experienced by many of the cities as a result of the passage of I-695 were discussed at length. As a result of the discussion, all members present agreed to submit a unified proclamation to the legislative representatives of Pierce County focusing on three equally important issues: public health, public safety/criminal justice, and sales tax equalization.

**RECOMMENDATION**

A motion to approve the attached Resolution and forward same to the president of Pierce County Cities and Towns to be included with other Pierce County Cities resolutions to be delivered to the State Legislators for Pierce County.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF GIG HARBOR,  
WASHINGTON, SUPPORTING LEGISLATIVE EFFORTS TO  
ADDRESS GOVERNMENT FUNDING PROBLEMS CREATED BY  
PASSAGE OF I-695.**

---

WHEREAS, Initiative 695 was adopted by the voters of Washington; and

WHEREAS, the Initiative eliminated the motor vehicle excise tax which was the source of funding for basic services by cities and counties such as public safety and public health; and

WHEREAS, the motor vehicle excise tax also funded sales tax equalization, a program which provided revenue to the vast majority of Washington cities that do not generate sufficient sales tax revenue within their cities to provide basic services; and

WHEREAS, cities, counties, and public health agencies have all suffered significant revenue losses as a result of passage of the initiative; and

WHEREAS, the essential services that were funded from these revenues must continue; and

WHEREAS, the cities of Pierce County all believe the 2000 Washington Legislature must address the local government funding problems created by passage of the initiative; and

WHEREAS, the cities of Pierce County all believe the revenue lost to public health agencies, sales tax equalization and public safety/criminal justice are equally important, NOW THEREFORE

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

That all the cities in Pierce County respectfully urge the 2000 Washington Legislature to provide sufficient short term funding to cities and counties to replace the public health, sales tax equalization and public safety/criminal justice funds lost as a result of the passage of Initiative 695 and to begin the process of identifying stable long-term funding mechanisms to assure that local governments can continue to provide essential public services.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR  
this \_\_\_\_\_ day of January , 2000.

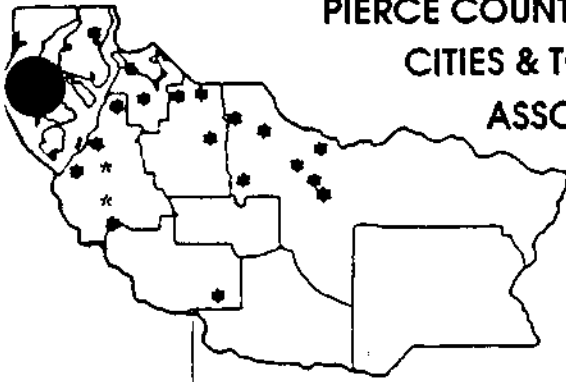
APPROVED:

\_\_\_\_\_  
GRETCHEN A. WILBERT, MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
MOLLY M. TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 1/19/00  
PASSED BY THE CITY COUNCIL:  
RESOLUTION NO.



PIERCE COUNTY  
CITIES & TOWNS  
ASSOCIATION

RECEIVED  
JAN 14 2000  
CITY OF GIG HARBOR

MEMORANDUM

- Bonney Lake
- Buckley
- Carbonado
- DuPont
- Eatonville
- Fife
- Fircrest
- Fort Lewis
- Gig Harbor
- McChord AFB
- Milton
- Orring
- Puyallup
- Roy
- Ruston
- South Prairie
- Steilacoom
- Sumner
- Tacoma
- Wilkerson
- University Place
- Lakewood
- Edgewood

**TO:** Pierce County Cities & Towns Association Members

**FROM:** President David M. Viafore

**RE:** Resolution Urging Legislative Action

**DATE:** January 12, 2000

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Enclosed please find a sample resolution urging the 2000 Washington Legislature to provide sufficient short term funding to cities and counties to replace the public health, sales tax equalization and public safety/criminal justice funds lost as a result of the passage of I-695. Also, Legislators are being asked to begin the process of identifying stable long term funding mechanisms to assure that local governments can continue to provide essential public services. For those members who were not able to attend the January 6 regular meeting of the Association, members present agreed to this unified presentation to Pierce County Legislators of the three equally important issues.

It is expected that your city or town will tailor the sample resolution to your individual resolution format.

*Please mail or FAX a copy of your adopted resolution to me at the Fircrest City Hall, 115 Ramsdell Street, Fircrest, WA. 98466, FAX 253-566-0762, by **Friday, February 4, 2000**. A packet of all resolutions will then be prepared and delivered to each Legislator representing Pierce County.*

Please feel free to contact me at the Fircrest City Hall, 564-8901, if you have questions. Thank you in advance for your assistance in this effort.



SAMPLE RESOLUTION FOR PIERCE COUNTY CITIES AND TOWNS

WHEREAS, Initiative 695 was adopted by the voters of Washington and,

WHEREAS, the Initiative eliminated the motor vehicle excise tax which was the source of funding for basic services by cities and counties such as public safety and public health and,

WHEREAS, the motor vehicle excise tax also funded sales tax equalization, a program which provided revenue to the vast majority of Washington cities that do not generate sufficient sales tax revenue within their cities to provide basic services and,

WHEREAS, cities, counties, and public health agencies have all suffered significant revenues losses as a result of passage of the initiative and,

WHEREAS, the essential services that were funded from these revenues must continue and,

WHEREAS, the cities of Pierce County all believe the 2000 Washington Legislature must address the local government funding problems created by passage of the initiative and,

WHEREAS, the cities of Pierce County all believe the revenue lost to public health agencies, sales tax equalization and public safety/criminal justice are equally important, NOW THEREFORE

BE IT RESOLVED that all of the cities in Pierce County respectfully urge the 2000 Washington Legislature to provide sufficient short term funding to cities and counties to replace the public health, sales tax equalization and public safety/criminal justice funds lost as a result of the passage of Initiative 695 and to begin the process of identifying stable long-term funding mechanisms to assure that local governments can continue to provide essential public services.

PIERCE COUNTY CITIES & TOWNS ASSOCIATION

MEETING MINUTES

JANUARY 6, 2000

**PRELIMINARY**

7:00 PM

Fife City Bar & Grill, Fife, WA.

**CALL TO ORDER** President David M. Viafore called the meeting to order and presided.

**ROLL CALL** Self introductions by 17 in attendance. Cities represented: Bonney Lake, Buckley, DuPont, Eatonville, Edgewood, Fife, Fircrest, Gig Harbor, Lakewood, Milton, Roy, Sumner, Tacoma, and University Place. Also in attendance was Tacoma Government Relations Officer Randy Lewis and Col. Darrell Jones, McChord Air Force Base.

**APPROVAL OF MINUTES** The minutes as published of the November 4, 1999 regular meeting were adopted. **MOVED BY MAYOR BARBARA SKINNER, SECONDED BY MAYOR CLIFF MURPHY WITH ALL MEMBERS PRESENT VOTING AYE. MOTION CARRIED.**

**TREASURER'S REPORT**

Secretary/Treasurer Clough noted with the action of the Association to waive dues again in 2000, since the last report no additional revenue has been received nor expenditures made resulting in a January 6, 2000 balance of \$1,819.67. A brief discussion was held on the use of funds for speakers' dinners and expenses. It was noted the account balance is adequate to cover estimated costs in 2000.

**NEW BUSINESS**

Viafore appointed the 2000 Nominating Committee as follows: Mayor William Harrison (Chair), Mayor Skinner, and Mayor Judy Krill. It was explained the Nominating Committee will present and place in nomination at the March meeting a slate of candidates for office for 2000. Additional nominations may also be made from the floor.

**MOVED BY VIAFORE, SECONDED BY HARRISON, THE ASSOCIATION APPOINT MAYOR GRETCHEN WILBERT AS THE LEOFF I DISABILITY BOARD REPRESENTATIVE TO SERVE A TWO-YEAR TERM. ALL MEMBERS PRESENT VOTED AYE. MOTION CARRIED.**

**MOVED BY MAYOR JOHN POWERS, SECONDED BY SKINNER, THE ASSOCIATION APPOINT MAYOR DAVID VIAFORE AS THE ALTERNATE REPRESENTATIVE ON THE LEOFF I DISABILITY BOARD TO SERVE A TWO-YEAR TERM. ALL MEMBERS PRESENT VOTED AYE. MOTION CARRIED.**

**MOVED BY VIAFORE, SECONDED BY POWERS, THE ASSOCIATION APPOINT MAYOR BARBARA SKINNER AS THE REPRESENTATIVE ON THE ESA TRI-COUNTY EXECUTIVE COMMITTEE AND GENERAL ASSEMBLY. ALL MEMBERS PRESENT VOTED AYE. MOTION CARRIED.**

**MOVED BY VIAFORE, SECONDED BY POWERS, THE ASSOCIATION APPOINT COUNCILMEMBER MIKE KELLEY AS THE ALTERNATE REPRESENTATIVE ON THE ESA TRI-COUNTY EXECUTIVE COMMITTEE AND GENERAL ASSEMBLY. ALL MEMBERS PRESENT VOTED AYE. MOTION CARRIED.**

Mayor Wilbert announced her resignation from the P.C. Commission Against Domestic Violence, noting she has served for over three years. She requested another appointment be made and explained meetings are held at noon on the third Thursday of each month in

the Olympic Room of the downtown Public Library. She stated her hope that the commission will continue to focus on prevention. Wilbert distributed copies of the commission's 1999 Annual Report. Viafore requested each Council be advised of this opportunity for representation and stated he would be contacting Councilmember Jean Brooks to see if she has interest in volunteering for this appointment.

#### **COMMITTEE REPORTS**

Harrison reported on recent activities of the P.C. Law & Justice Commission. Discussion was held on the need to fill the vacancy on the board previously held by former Mayor Will Shenkel. **MOVED BY VIAFORE, SECONDED BY POWERS, THE ASSOCIATION APPOINT MAYOR CLIFF MURPHY TO FILL THE VACANCY ON THE P.C. LAW AND JUSTICE COMMISSION. ALL MEMBERS PRESENT VOTED AYE. MOTION CARRIED.**

Councilmember Phil Deleo, the Association's representative on the Pierce Transit Board, reported the agency has made several cuts due to I-695, which will become effective February 1. He stated there will be a mid-year review of the service reductions. Viafore suggested another report be given at the Association's May meeting.

#### **PROGRAM**

Viafore requested continued round-table discussion from the previous meeting on working together to appear as a united front when dealing with Legislators on I-695 impacts and focusing the main areas for Legislative action on **sales tax equalization fix, criminal justice funding, and health department funding**. Viafore noted the Fircrest City Council wrote to Legislators expressing this request and will be looking to pass a resolution in the near future. It was agreed that a model resolution will be prepared by Randy Lewis and sent to each city to adopt and send to President Viafore by the first week in February. Viafore suggested that once collected, the adopted resolutions with a cover letter could be sent to all Pierce County Legislators. Harrison noted Lakewood, Tacoma, University Place, and Edgewood already have made this contact with their Legislators and suggested the packet of resolutions be sent to Randy Lewis to present to the Legislature. Brief discussion was held on the "son of I-695".

Skinner spoke to the importance of keeping members informed about the ESA Tri-County Executive Committee results and what they are deciding. She suggested the Association co-sponsor a meeting in March with the Watershed Council to examine the committee's report.

In response to questioning, Randy Lewis noted Tacoma is asking for a clarification on mini-casinos. He commented not to expect much Legislative action on I-695 transportation relief but noted the SR 16 project for bridge and approaches is still funded. Members were encouraged to attend the AWC 2000 City Legislative Action Conference, February 9-10, in Olympia.

#### **ADJOURNMENT**

Viafore adjourned the meeting at 8:45 p.m.

**NEXT MEETING: MARCH 2, 2000  
Fife City Bar & Grill, Fife  
6:30 p.m.**

PIERCE COUNTY CITIES & TOWNS ASSOCIATION BYLAWS

JANUARY 1984

REVISED September 19, 1991

ARTICLE I - NAME

The name of the organization shall be the PIERCE COUNTY CITIES & TOWNS ASSOCIATION which will operate as a private nonprofit corporation. The registered office of this association shall be 115 Ramsdell Street, Fircrest, WA. 98466.

ARTICLE II - PURPOSE

The PIERCE COUNTY CITIES & TOWNS ASSOCIATION shall be an organization comprised of cities and towns and military installations throughout Pierce County which meets to discuss items of common interest among members and related jurisdictions; obtains greater understanding and coordination of efforts among cities and towns; serves as a central source of information and educates the membership about governmental services and programs; encourages professional development among its members; and assists the Association of Washington Cities in its programs and activities.

ARTICLE III - MEMBERSHIP

Section 1. Members. The membership shall be in the name of the city or town with each city or town having one vote. The representative shall be the Mayor or the Mayor's delegate.

Section 2. Honorary Members. Honorary membership shall be open to military installations. Honorary members shall have no vote and will not be required to pay annual membership dues.

Section 3. Other Participants. Officials from other governmental agencies such as Pierce County, Puget Sound Regional Council, Tacoma-Pierce County Health Department, or representatives from other related organizations such as the Municipal Research and Services Center and Association of Washington Cities are encouraged and welcome to attend meetings but these agencies shall not have a vote.

#### ARTICLE IV - DUES

The annual dues of this association shall be \$50.00 per city or town payable on or before July 1 of each year.

#### ARTICLE V - MEETINGS

Section 1. Regular Meetings. The PIERCE COUNTY CITIES & TOWNS ASSOCIATION shall meet bimonthly on the first Thursday at a time and location as designated by the president of this association. The association, unless called, will not meet during the months of July, August and December.

Section 2. Special Meetings. Special meetings of the association may be held on the call of the president, accompanied by requests from any three (3) member jurisdictions. Written notice of a special meeting shall be mailed to member jurisdictions at least five (5) days prior to any such special meeting; provided, however, in an extraordinary or emergency situation, the president shall have the discretion of notifying jurisdictions of such special meeting by telephone providing at least twenty-four (24) hour advance notice.

Section 3. Rules Of Order. Robert's Rules of Order shall apply at any meeting of the association where parliamentary rules or procedures are involved.

ARTICLE VI - VOTING

Section 1. Voting. Each city or town shall have one vote which shall be cast by the Mayor or the Mayor's designee, provided the annual dues have been paid.

Section 2. Quorum. To constitute a quorum for the transaction of business at a special or regular meeting of this association, it shall be necessary to have six (6) of the member cities or towns represented at the meeting.

ARTICLE VII - OFFICERS AND TERMS

Section 1. Number of Officers/Election. The officers of this association shall consist of the president and vice president. Terms of office shall be for one (1) year. The president and vice-president shall be elected at the January meeting of this association and shall commence their terms of office effective following that meeting. Only an elected official of the member city or town shall be eligible to hold office of president or vice president and there shall be not more than one officer from any one city or town. The secretary/treasurer shall be appointed by the president.

Section 2. Nominations for Office. Not less than two months prior to the January meeting, the president shall appoint a Nominating Committee of three (3) officials from member cities. The Nominating Committee shall present and place in nomination at the January meeting a slate of candidates for office for the ensuing year. Nothing contained herein shall prevent additional nominations being made from the floor.

Section 3. Vacancies. Vacancies in the positions of officers of this association shall be filled by a vote of the membership on nominations submitted by the remaining officer and most recent past president. Nothing contained herein shall prevent additional nominations being made from the floor.

Section 4. Duties of Officers and Secretary/Treasurer. The respective duties of the officers of this association shall be:

President - To preside at regular and special meetings; to determine the location and program for each meeting; to appoint a Secretary/Treasurer; to appoint a program committee and special committees as necessary; approve and sign resolutions passed by the association; take such actions on behalf of the association as may be directed by vote of the membership at regular or special meetings.

Vice-President - To assist and act in the absence of the president and perform the duties of that office. In case of a permanent disability or resignation, shall succeed for the unexpired term of office.

Secretary/Treasurer - To record the minutes of regular and special meetings; to mail notices of meetings to members and receive reservations for such meetings; coordinate arrangements for the meetings, such as number of reservations, method of payment, facilities, etc.; make annual billing for dues to the members of the association; receive and deposit the monies therefrom into the checking account established by the Secretary/Treasurer; make disbursements therefrom for association expenditures, as necessary; and make an annual report as to the status of the treasury of the association at the March meeting.

ARTICLE VIII - AMENDMENT OF BYLAWS

These bylaws may be amended upon a majority vote of the member cities and towns of this association, provided that notice of any proposed amendment shall be mailed to the member cities and towns at least twenty (20) days prior to the meeting at which the vote on such proposed amendment(s) is to be taken.

PASSED AND ADOPTED this 19th day of September 1991.

PIERCE COUNTIES CITIES & TOWNS ASSOCIATION

Art Couduff  
PRESIDENT

Jason Clough  
Secretary/Treasurer

(ORIGINAL BYLAWS ADOPTION: 1/26/84)





*City of Gig Harbor. The "Maritime City"*

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

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT**  
**SUBJECT: MAYOR PRO TEM FOR 2000**  
**DATE: JANUARY 19, 2000**

**INFORMATION/BACKGROUND**

At the second regular meeting in January of each year, the GHMC calls upon the members of the City Council to elect a mayor pro tempore, who in case of the absence of the Mayor, performs the duties of Mayor.

I would like to thank Councilmember Nick Markovich for serving as Mayor Pro Tem during 1999, and recommend that John Picinich be elected to Mayor Pro Tem for this year.

**RECOMMENDATION**

A motion to approve the election of John Picinich to Mayor Pro Tempore for the year 2000.



*City of Gig Harbor. The "Maritime City"*

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

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT** *GW*  
**SUBJECT: APPOINTMENT OF PLANNING COMMISSION MEMBER**  
**DATE: JANUARY 20, 2000**

**INFORMATION/BACKGROUND**

A vacancy on the Gig Harbor Planning Commission became available with the recent election of Mark Robinson to City Council. We thank Mark for his dedicated service to the city. The remainder of the term for this position will run through June of 2005.

Two letters of interest were received and reviewed. The appointment of Jim Pasin is before you. Jim will bring the viewpoint of a business owner and resident of the Westside to the Planning Commission.

**RECOMMENDATION**

A motion for the appointment of Jim Pasin to complete the remainder of the six-year term on the Gig Harbor Planning Commission.



*City of Gig Harbor. The "Maritime City"*

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

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT** *GW*  
**SUBJECT: APPOINTMENTS TO THE DESIGN REVIEW BOARD**  
**DATE: JANUARY 20, 2000**

#### **INFORMATION/BACKGROUND**

Lita Dawn Ancich Stanton has served on the Design Review Board for two years, and has graciously offered to serve another term.

Architect and resident Bill Reed has indicated an interest in serving on the Board. Bill is a former member of the Planning Commission and over the years has been a partner in appropriate new development that fits the scale and perspective of the harbor environment.

Mr. Reed will fill the position previously held by Tyler MacDonald. A letter has been sent to Mr. MacDonald in appreciation of his service to the community.

#### **RECOMMENDATION**

A motion for the reappointment of Lita Dawn Stanton and the appointment of Bill Reed to serve two-year terms on the Gig Harbor Design Review Board.



*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:** RAY GILMORE, DIRECTOR, PLANNING AND BUILDING  
**SUBJECT:** CONTRACT FOR PRO-TEM HEARING EXAMINER SERVICES  
**DATE:** JANUARY 20, 1999

#### **INTRODUCTION/BACKGROUND**

There are several items subject to review by the City Hearing Examiner that present potential appearance of fairness conflicts with our regular hearing examiner, McConnell-Burke. In order to avoid the possibility of an appearance of fairness challenge, the City needs to retain a pro-tem hearing examiner to conduct the requisite public hearings.

John Wallace, of Ogden Murphy and Wallace, has the qualifications and experience to serve as hearing examiner pro-tem for the City of Gig Harbor. A contract for retaining Mr. Wallace as Hearing Examiner pro-tem is attached for Council's review.

#### **FISCAL IMPACT**

The department has budgeted for additional contractual services for the year 2000. There are sufficient funds available.

#### **RECOMMENDATION**

Staff recommends approval of the contract to retain John Wallace as hearing examiner pro-tem..

**CONTRACT FOR PRO TEM HEARING  
EXAMINER SERVICES FOR  
THE CITY OF GIG HARBOR**

THIS AGREEMENT is entered into on this date by and between the City of Gig Harbor (hereinafter the "City"), a Washington municipal corporation, and John Wallace, whose address is 24202 - 215<sup>th</sup> Avenue S.E., Monroe, WA 98272 (hereinafter the "Hearing Examiner Pro Tem").

**R E C I T A L S**

WHEREAS, there are instances when the City's Hearing Examiner has a conflict and cannot perform services; and

WHEREAS, there is a need to have additional Hearing Examiner Services available for these instances; and

WHEREAS, the Mayor has appointed and the City Council wishes to contract with the Hearing Examiner Pro Tem under the terms and conditions set forth herein; and

In consideration of the mutual benefits to be derived by the parties herein, the parties agree as follows:

**T E R M S**

1. Duties. The Hearing Examiner Pro Tem shall perform all of the duties set forth in Chapter 17.10 GHMC and all other actions reasonably necessary to fulfill the obligations of the position, as established by state statute or City ordinance. The provisions of RCW 35.63.130 are incorporated by this reference as if fully set forth herein.

2. Compensation.

A. The Hearing Examiner shall provide services to the City at an hourly rate of One Hundred and Eighty Dollars (\$180.00) for performance of the duties described herein.

B. The City shall reimburse the Examiner Pro Tem for the Examiner Pro Tem's travel between Gig Harbor and the Examiner Pro Tem's office at the rate of Thirty-One and One-Half Cents (\$.315) per mile. The City shall also reimburse the Examiner Pro Tem for the Examiner Pro

Tem's actual costs involved in photocopying, mailing, faxing and telephone expenses incurred in the performance of the Examiner Pro Tem's duties.

3. Term. This Agreement shall be effective upon execution, and continue until completion of all of the Hearing Examiner Pro Tem Pro Tem's responsibilities with respect to an Application.

4. Billing and Payment. The Hearing Examiner Pro Tem shall submit a final invoice to the City within thirty (30) days after the decision is rendered an Application. The City shall make payments to the Examiner Pro Tem, which payment shall be considered by the City Council at the regular meeting following receipt of the Examiner Pro Tem's invoice.

5. Ownership of Work Product. Any and all documents, drawings, reports, and other work product produced by the Examiner Pro Tem under this Agreement shall become the property of the City upon payment of the Examiner Pro Tem's fees and charges therefore. The City shall have the complete right to use and re-use such work product in any manner deemed appropriate by the City, provided, that use on any project other than that for which the work product is prepared shall be at the City's risk unless such use is agreed to by the Examiner Pro Tem.

6. Records. The Examiner Pro Tem shall keep all records related to this Agreement for a period of three years following completion of the work for which the Examiner Pro Tem is retained. The Examiner Pro Tem shall return the City's original records to the City. The Examiner Pro Tem shall permit any authorized representative of the City, and any person authorized by the City for audit purposes, to inspect such records at all reasonable times during regular business hours of the Examiner Pro Tem. Upon request, the Examiner Pro Tem will provide the City with reproducible copies of any such records. The copies will be provided without cost if required to substantiate any billing of the Examiner Pro Tem, but the Examiner Pro Tem may charge the City for copies requested for any other purpose.

7. Independent Contractor. The Examiner Pro Tem is an independent contractor for the performance of services under this Agreement. The Examiner Pro Tem is also an appointed City official for purposes of Chapter 2.19 GHMC. The City shall not be liable for, nor obligated to pay to the Examiner Pro Tem, or any employee of the Examiner Pro Tem, sick leave, vacation pay, overtime or any other benefit applicable to employees of the City, nor to pay or deduct any social security, income tax, or other tax from the payments made to the Examiner Pro Tem which may arise as an incident of the Examiner Pro Tem performing services for the City. The City shall not be obligated to pay industrial insurance for the services rendered by the Examiner Pro Tem.

8. Taxes. The Examiner Pro Tem will be solely responsible for the payment of any and all applicable taxes related to the services provided under this Agreement and if such taxes are required to be passed through to the City by law, the same shall be duly itemized on any billings submitted to the City by the Examiner Pro Tem.

9. Indemnity. The Hearing Examiner Pro Tem's indemnification by the City is covered by Chapter 2.19 of the Gig Harbor Municipal Code.

10. Nonexclusive Contract. This shall be a non-exclusive contract. The City reserves the right to appoint additional Hearing Examiner Pro Tems and to contract for additional services in the future. Nothing herein shall be interpreted to prohibit such future appointments nor to guarantee renewal of this Agreement, its level of payment, nor the level of cases forwarded to the Examiner Pro Tem in future years. The City reserves the right to renegotiate any and all provisions of this Agreement for future contract terms.

11. Integration. The written provisions and terms of this Agreement shall supersede all prior verbal statements of any officer or representative of the City, or any prior agreements between the parties, and such statement or prior agreements shall not be effective or be construed as entering into, forming a part of, or altering this Agreement in any way.

12. Termination. This Agreement may be terminated by the City or the Examiner Pro Tem for any reason upon thirty (30) days written notice. Any such notice shall be given by the terminating party to the other party at the address specified below. In the event of termination, the City shall pay for all services satisfactorily performed by the Examiner Pro Tem to the effective date of termination, as described in the Examiner Pro Tem's final report submitted to the City. No payment shall be made for any work completed after the termination date. In the event that services of the Examiner Pro Tem are terminated by the City for fault on part of the Examiner Pro Tem, the amount to be paid shall be determined by the City with consideration given to the actual cost incurred by the Examiner Pro Tem in performing the work to the date of termination, the amount of work originally required which would satisfactorily complete it to date of termination, whether that work is in a form or type which is usable to the City at the time of termination, the cost to the City of employing another individual to complete the work required, and the time which may be required to do so. Upon termination, the City may take possession of all records and documents in the Examiner Pro Tem's possession pertaining to or arising out of the Examiner Pro Tem's duties under this Agreement.

13. Resolution of Disputes. Any disputes, misunderstandings or conflicts except for those relating to chapter 2.19 GHMC, shall first be referred to the Mayor, and the Mayor shall determine the term or provision's true intent or meaning. The Mayor's decision shall be final.

14. Waiver. The failure of either party to insist upon strict performance of any of the provisions of this Agreement shall not be construed to be a waiver or relinquishment of said Agreement provision, and the same shall remain in full force and effect.

15. Severability. In the event that any provision of this Agreement shall be determined by a court of competent jurisdiction to be invalid, the remaining provisions shall remain in full force and effect.

16. Notice. Notice given pursuant to this Agreement shall be given in writing to the parties as follows:

**City of Gig Harbor:**

Mark Hoppen  
City Administrator  
City of Gig Harbor  
3105 Judson Street  
Gig Harbor, WA 98335

**Hearing Examiner Pro Tem:**

John Wallace  
24202 - 215<sup>th</sup> Avenue S.E.  
Monroe, WA 98272

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

**CITY OF GIG HARBOR**

**HEARING EXAMINER PRO TEM**

By:  
Mayor

By: \_\_\_\_\_  
John Wallace

APPROVED FOR FORM:

\_\_\_\_\_  
Carol A. Morris, City Attorney





City of Gig Harbor. The "Maritime City"

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

**TO: CITY COUNCIL**  
**FROM: MAYOR GRETCHEN WILBERT**  
**SUBJECT: ADVISORY COMMITTEES**  
**DATE: JANUARY 19, 2000**

**INFORMATION/BACKGROUND**

At the last meeting, I invited Councilmembers to self-select the committees that may be of interest to them for the upcoming year. The following list is a result of that invitation.

Finance Committee:	Councilmembers Dick, Ekberg and Robinson
Public Safety:	Councilmembers Ekberg, Picinich and Young.
Public Works:	Councilmembers Dick, Ekberg and Picinich
Economic Development:	Councilmembers Owel, Picinich and Ruffo (Councilmember Young as alternate)
Land Use Planning:	Councilmembers Dick, Owel and Ruffo
Parks:	Councilmembers Owel, Robinson and Young

The Public Safety Committee is required by OSHA to meet at least once a year. The others meet on an as-needed basis.



*City of Gig Harbor. The "Maritime City"*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: DAVID RODENBACH, FINANCE DIRECTOR** *DR*  
**DATE: JANUARY 20, 2000**  
**SUBJECT: 1999 FOURTH QUARTER FINANCE REPORT**

The quarterly financial reports for the fourth quarter of 1999 are attached.

Total resources, including all revenues and beginning cash balances, were 95% of the annual budget. Annual revenues (excluding beginning cash balances) were 79% and expenditures (excluding ending fund balances) were 60% of the annual budget.

General Fund revenues (excluding beginning balance) were 114% of annual budget. Taxes received in 1999 were 111 % of budget. This was due mostly to sales taxes, which exceeded budget by \$261,000 (113%). License and permit revenues, mostly due to building permits and plan checking fees, were 113% of budget. All other General Fund revenue categories (charges for services, fines and miscellaneous), except for intergovernmental revenues, exceeded budget by \$135,000 (169%).

General Fund expenditures (excluding ending fund balance) were 82% of budget. All departments are within budget.

Street revenues and expenditures (excluding beginning and ending fund balances) were 42% and 43% of budget. Reimbursements for the Rosedale grant totaled \$515,000. The balance of \$64,000 will be received in 2000. Street revenues also included transfers of \$125,000, \$660,000 and \$100,000 from the General, General Government Capital Assets and Capital Improvement Funds.

1999 Hotel-Motel taxes were nearly \$129,000. This exceeded budget by \$68,000. 1999 expenditures were \$27,000.

Water, Sewer and Storm revenues were 93%, 96% and 88% of budget (excluding beginning fund balances). Water, Sewer and Storm expenditures (excluding ending fund balances) were 70%, 81% and 57% of budget.

**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 1999**

	SPECIAL REVENUE FUNDS								TOTAL SPECIAL REVENUE
	001 GENERAL GOVERNMENT	101 STREET	105 DRUG INVESTIGATION	107 HOTEL - MOTEL	109 PARK ACQUISITION	301 GENERAL GOVT CAPITAL ASSETS	305 GENERAL GOVT CAPITAL IMP	605 LIGHTHOUSE MAINTENANCE	
CASH	\$77,796	\$2,297	\$483	\$4,810	\$40,516	\$4,137	\$16,077	\$53	\$68,373
INVESTMENTS	2,007,964	69,900	14,691	146,375	1,532,976	125,897	489,239	1,614	2,380,692
RECEIVABLES	34,803	23,604	-	-	-	-	-	-	23,604
FIXED ASSETS	-	-	-	-	-	-	-	-	-
OTHER	-	-	-	-	-	-	-	-	-
<b>TOTAL ASSETS</b>	<b>2,120,563</b>	<b>95,801</b>	<b>15,174</b>	<b>151,185</b>	<b>1,573,492</b>	<b>130,034</b>	<b>505,316</b>	<b>1,667</b>	<b>2,472,669</b>
<b>LIABILITIES</b>									
CURRENT	7,769	3,000	-	-	-	-	-	-	3,000
LONG TERM	20,640	20,640	-	-	-	-	-	-	20,640
<b>TOTAL LIABILITIES</b>	<b>28,408</b>	<b>23,640</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>23,640</b>
<b>FUND BALANCE:</b>									
BEGINNING OF YEAR	1,340,841	93,933	14,026	49,503	1,616,325	635,843	446,752	2,035	2,858,418
Y-T-D REVENUES	4,307,987	2,124,009	12,214	128,684	331,723	154,190	158,564	95	2,909,479
Y-T-D EXPENDITURES	(3,556,673)	(2,145,780)	(11,067)	(27,002)	(374,556)	(660,000)	(100,000)	(463)	(3,318,868)
<b>ENDING FUND BALANCE</b>	<b>2,092,154</b>	<b>72,162</b>	<b>15,174</b>	<b>151,185</b>	<b>1,573,492</b>	<b>130,034</b>	<b>505,316</b>	<b>1,667</b>	<b>2,449,029</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$2,120,563</b>	<b>\$95,801</b>	<b>\$15,174</b>	<b>\$151,185</b>	<b>\$1,573,492</b>	<b>\$130,034</b>	<b>\$505,316</b>	<b>\$1,667</b>	<b>\$2,472,669</b>

**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 1999**

	DEBT SERVICE		TOTAL DEBT SERVICE
	203 87 GO BONDS SEWER CONST	208 91 GO BONDS SOUNDVIEW DR	
CASH	\$7,239	\$809	\$8,048
INVESTMENTS	220,282	24,621	244,903
RECEIVABLES	7,054	-	7,054
FIXED ASSETS	-	-	-
OTHER	-	-	-
<b>TOTAL ASSETS</b>	<b>234,575</b>	<b>25,430</b>	<b>260,005</b>
<b>LIABILITIES</b>			
CURRENT	-	-	-
LONG TERM	6,168	-	6,168
<b>TOTAL LIABILITIES</b>	<b>6,168</b>	<b>-</b>	<b>6,168</b>
<b>FUND BALANCE:</b>			
BEGINNING OF YEAR	214,911	10,544	225,455
Y-T-D REVENUES	111,675	296,033	407,708
Y-T-D EXPENDITURES	(98,178)	(281,148)	(379,326)
<b>ENDING FUND BALANCE</b>	<b>228,407</b>	<b>25,430</b>	<b>253,837</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$234,575</b>	<b>\$25,430</b>	<b>\$260,005</b>

**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 1999**

	PROPRIETARY							TOTAL PROPRIETARY
	401 WATER OPERATING	402 SEWER OPERATING	407 UTILITY RESERVE	408 89 UTILITY BOND REDEMPTION	410 SEWER CAP. CONST.	411 STORM SEWER OPERATING	420 WATER CAP. ASSETS	
CASH	\$7,799	\$10,458	\$1,869	\$10,200	\$21,507	\$3,498	\$26,327	\$81,658
INVESTMENTS	234,288	315,204	556,889	310,407	654,492	106,457	801,167	2,978,905
RECEIVABLES	71,663	132,247	5,656	1,524,486	1,351	90,204	-	1,825,607
FIXED ASSETS	1,877,723	8,874,791	-	-	63	592,761	-	11,345,338
OTHER	-	-	-	12,573	-	-	-	12,573
<b>TOTAL ASSETS</b>	<b>2,191,473</b>	<b>9,332,700</b>	<b>564,415</b>	<b>1,857,666</b>	<b>677,413</b>	<b>792,920</b>	<b>827,494</b>	<b>16,244,080</b>
<b>LIABILITIES</b>								
CURRENT	(0)	782,804	-	396,353	-	-	-	1,179,157
LONG TERM	32,186	11,695	-	2,365,585	-	12,287	-	2,421,753
<b>TOTAL LIABILITIES</b>	<b>32,186</b>	<b>794,499</b>	<b>-</b>	<b>2,761,938</b>	<b>-</b>	<b>12,287</b>	<b>-</b>	<b>3,600,910</b>
<b>FUND BALANCE:</b>								
BEGINNING OF YEAR	2,080,378	8,281,236	537,866	(836,457)	766,358	645,605	913,085	12,388,072
Y-T-D REVENUES	678,685	980,762	28,099	425,745	348,801	392,760	135,608	2,990,460
Y-T-D EXPENDITURES	(599,777)	(723,797)	-	(493,561)	(437,747)	(257,732)	(221,199)	(2,733,812)
<b>ENDING FUND BALANCE</b>	<b>2,159,287</b>	<b>8,538,201</b>	<b>565,965</b>	<b>(904,273)</b>	<b>677,413</b>	<b>780,633</b>	<b>827,494</b>	<b>12,644,720</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$2,191,473</b>	<b>\$9,332,700</b>	<b>\$564,415</b>	<b>\$1,857,666</b>	<b>\$677,413</b>	<b>\$792,920</b>	<b>\$827,494</b>	<b>\$16,244,080</b>

CITY OF GIG HARBOR  
 STATEMENT OF FINANCIAL POSITION  
 AS OF DECEMBER 31, 1999

	FIDUCIARY			ACCOUNT GROUPS
	631 MUNICIPAL COURT	820 GENERAL FIXED ASSET GROUP	900 GENERAL L-T DEBT GROUP	TOTAL ACCOUNT GROUPS
CASH	\$225	-	-	-
INVESTMENTS	6,832	-	-	-
RECEIVABLES	-	-	-	-
FIXED ASSETS	-	7,001,954	-	7,001,954
OTHER	-	-	2,307,303	2,307,303
<b>TOTAL ASSETS</b>	<b>7,057</b>	<b>7,001,954</b>	<b>2,307,303</b>	<b>9,309,256</b>
<b>LIABILITIES</b>				
CURRENT	-	-	-	-
LONG TERM	-	-	2,307,303	2,307,303
<b>TOTAL LIABILITIES</b>	<b>-</b>	<b>-</b>	<b>2,307,303</b>	<b>2,307,303</b>
<b>FUND BALANCE:</b>				
BEGINNING OF YEAR	-	7,001,954	-	7,001,954
Y-T-D REVENUES	101,828	-	-	-
Y-T-D EXPENDITURES	(86,595)	-	-	-
<b>ENDING FUND BALANCE</b>	<b>7,057</b>	<b>7,001,954</b>	<b>-</b>	<b>7,001,954</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$7,057</b>	<b>\$7,001,954</b>	<b>\$2,307,303</b>	<b>\$9,309,256</b>

**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
BY FUND TYPE  
AS OF DECEMBER 31, 1999**

	GENERAL GOVERNMENT	SPECIAL REVENUE	DEBT SERVICE	TOTAL		FIDUCIARY	ACCOUNT GROUPS	TOTAL ALL FUND TYPES
				GOVERNMENTAL	PROPRIETARY			
<b>ASSETS</b>								
CASH	\$77,796	\$68,373	\$8,048	\$154,216	\$81,658	\$225	-	\$236,099
INVESTMENTS	2,007,964	2,380,692	244,903	4,633,559	2,978,905	6,832	-	7,619,296
RECEIVABLES	34,803	23,604	7,054	65,461	1,825,607	-	-	1,891,068
FIXED ASSETS	-	-	-	-	11,345,338	-	7,001,954	18,347,291
OTHER	-	-	-	-	12,573	-	2,307,303	2,319,875
<b>TOTAL ASSETS</b>	<b>2,120,563</b>	<b>2,472,669</b>	<b>260,005</b>	<b>4,853,237</b>	<b>16,244,080</b>	<b>7,057</b>	<b>9,309,256</b>	<b>30,413,630</b>
<b>LIABILITIES</b>								
CURRENT	7,769	3,000	-	10,769	1,179,157	-	-	1,189,926
LONG TERM	20,640	20,640	6,168	47,448	2,421,753	-	2,307,303	4,776,504
<b>TOTAL LIABILITIES</b>	<b>28,408</b>	<b>23,640</b>	<b>6,168</b>	<b>58,216</b>	<b>3,600,910</b>	<b>-</b>	<b>2,307,303</b>	<b>5,966,429</b>
<b>FUND BALANCE:</b>								
BEGINNING OF YEAR	1,340,841	2,858,418	225,455	4,424,714	12,388,072	-	7,001,954	23,814,739
Y-T-D REVENUES	4,307,987	2,909,479	407,708	7,625,174	2,990,460	101,828	-	10,717,462
Y-T-D EXPENDITURES	(3,556,673)	(3,318,868)	(379,326)	(7,254,867)	(2,733,812)	(86,595)	-	(10,075,274)
<b>ENDING FUND BALANCE</b>	<b>2,092,154</b>	<b>2,449,029</b>	<b>253,837</b>	<b>4,795,021</b>	<b>12,644,720</b>	<b>7,057</b>	<b>7,001,954</b>	<b>24,448,751</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$2,120,563</b>	<b>\$2,472,669</b>	<b>\$260,005</b>	<b>\$4,853,237</b>	<b>\$16,244,080</b>	<b>\$7,057</b>	<b>\$9,309,256</b>	<b>\$30,413,630</b>

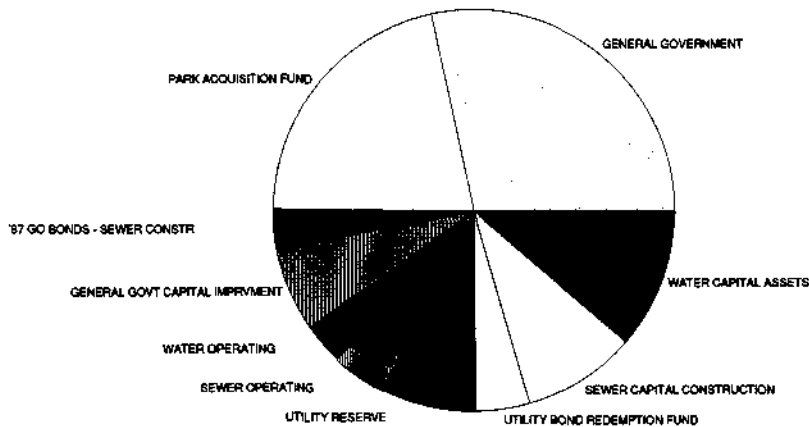
**CITY OF GIG HARBOR  
CASH AND INVESTMENTS  
YEAR TO DATE ACTIVITY  
AS OF DECEMBER 31, 1999**

FUND NO.	DESCRIPTION	BEGINNING BALANCE	REVENUES	EXPENDITURES	OTHER CHANGES	ENDING BALANCE
001	GENERAL GOVERNMENT	\$1,397,222	\$4,327,987	\$3,556,673	(\$82,776)	\$2,085,760
101	STREET FUND	137,590	2,124,009	2,145,780	(43,622)	72,197
105	DRUG INVESTIGATION FUND	14,089	12,214	11,067	(63)	15,174
107	HOTEL-MOTEL FUND	49,503	128,684	27,002	-	151,185
109	PARK ACQUISITION FUND	1,616,325	331,723	374,556	-	1,573,492
203	'87 GO BONDS - SEWER CONSTR	214,025	111,675	98,178	-	227,521
208	91 GO BONDS & 97 LTGO BONDS	10,544	296,033	281,148	-	25,430
301	GENERAL GOVT CAPITAL ASSETS	635,843	154,190	660,000	-	130,034
305	GENERAL GOVT CAPITAL IMPRVMENT	446,752	158,564	100,000	-	505,316
401	WATER OPERATING	159,414	678,685	599,777	3,764	242,086
402	SEWER OPERATING	115,080	980,762	723,797	(46,384)	325,662
407	UTILITY RESERVE	530,660	28,099	-	-	558,759
408	UTILITY BOND REDEMPTION FUND	388,422	425,745	493,561	-	320,607
410	SEWER CAPITAL CONSTRUCTION	748,364	348,801	437,747	16,581	675,999
411	STORM SEWER OPERATING	20,225	392,760	257,732	(45,297)	109,955
420	WATER CAPITAL ASSETS	961,698	135,608	221,199	(48,613)	827,494
605	LIGHTHOUSE MAINTENANCE TRUST	2,035	95	463	-	1,667
631	MUNICIPAL COURT	-	101,828	86,595	(8,176)	7,057
801	CLEARING CLAIMS	-	-	-	-	-
		<u>\$7,447,793</u>	<u>\$10,737,462</u>	<u>\$10,075,274</u>	<u>(\$254,586)</u>	<u>\$7,855,396</u>

**COMPOSITION OF CASH AND INVESTMENTS  
AS OF DECEMBER 31, 1999**

	MATURITY	RATE	BALANCE
CASH ON HAND			\$300
CASH IN BANK		1.490%	220,800
LOCAL GOVERNMENT INVESTMENT POOL		5.508%	6,719,296
RESTRICTED CASH FUND			15,000
FEDERAL HOME LOAN BANK	11/26/2002	5.755%	100,000
FEDERAL HOME LOAN BANK	09/10/2003	6.060%	300,000
FEDERAL HOME LOAN MTG CORP CPN	03/08/2004	6.300%	300,000
FEDERAL NATL MTG ASSN MED TERM NOTE	03/12/2004	6.000%	200,000
			<u>\$7,855,396</u>

**Ending Cash Balances By Fund**



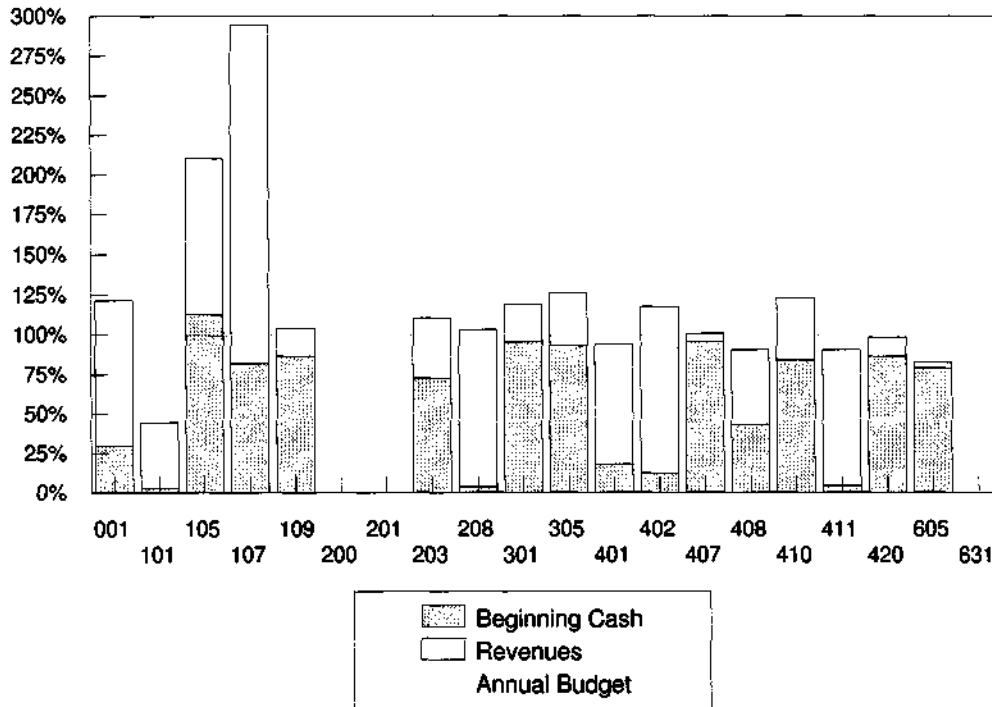
Smaller balances are excluded from chart



**CITY OF GIG HARBOR  
YEAR-TO-DATE RESOURCE SUMMARY  
AND COMPARISON TO BUDGET  
FOR PERIOD ENDING DECEMBER 31, 1999**

FUND NO.	DESCRIPTION	ESTIMATED RESOURCES	ACTUAL Y-T-D RESOURCES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
001	GENERAL GOVERNMENT	\$4,713,941	\$5,725,209	(\$1,011,268)	121.45%
101	STREET FUND	5,080,500	2,261,599	2,818,901	44.52%
105	DRUG INVESTIGATION FUND	12,500	26,304	(13,804)	210.43%
107	HOTEL-MOTEL FUND	60,500	178,187	(117,687)	294.52%
109	PARK ACQUISITION FUND	1,875,000	1,948,048	(73,048)	103.90%
203	'87 GO BONDS - SEWER CONSTR	295,000	325,699	(30,699)	110.41%
208	91 GO BONDS & 97 LTGO BONDS	297,500	306,578	(9,078)	103.05%
301	GENERAL GOVT CAPITAL ASSETS	665,000	790,034	(125,034)	118.80%
305	GENERAL GOVT CAPITAL IMPROVEMENT	480,000	605,316	(125,316)	126.11%
401	WATER OPERATING	891,500	838,100	53,400	94.01%
402	SEWER OPERATING	933,037	1,095,842	(162,805)	117.45%
407	UTILITY RESERVE	555,000	558,759	(3,759)	100.68%
408	UTILITY BOND REDEMPTION FUND	898,500	814,168	84,332	90.61%
410	SEWER CAPITAL CONSTRUCTION	893,500	1,097,165	(203,665)	122.79%
411	STORM SEWER OPERATING	456,448	412,985	43,463	90.48%
420	WATER CAPITAL ASSETS	1,115,000	1,097,306	17,694	98.41%
605	LIGHTHOUSE MAINTENANCE TRUST	2,575	2,130	445	82.72%
631	MUNICIPAL COURT	-	101,828	(101,828)	NA
		<b>\$19,225,501</b>	<b>\$18,185,256</b>	<b>\$1,040,245</b>	<b>94.59%</b>

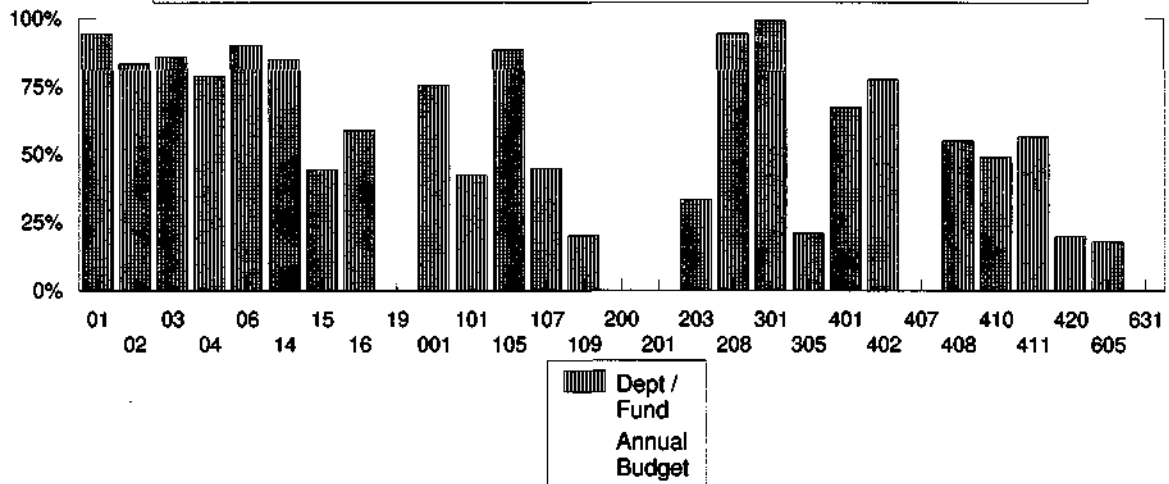
**Resources as a Percentage of Annual Budget**



**CITY OF GIG HARBOR  
YEAR-TO-DATE EXPENDITURE SUMMARY  
AND COMPARISON TO BUDGET  
FOR PERIOD ENDING DECEMBER 31, 1999**

FUND NO.	DESCRIPTION	ESTIMATED EXPENDITURES	ACTUAL Y-T-D EXPENDITURES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
001	GENERAL GOVERNMENT				
01	NON-DEPARTMENTAL	\$858,100	\$809,481	\$48,619	94.33%
02	LEGISLATIVE	30,150	25,155	4,995	83.43%
03	MUNICIPAL COURT	297,430	255,884	41,546	86.03%
04	ADMINISTRATIVE/FINANCIAL	550,988	434,742	116,246	78.90%
06	POLICE	1,367,918	1,234,594	133,324	90.25%
14	COMMUNITY DEVELOPMENT	521,850	443,868	77,982	85.06%
15	PARKS AND RECREATION	634,295	280,298	353,997	44.19%
16	BUILDING	123,770	72,651	51,119	58.70%
19	ENDING FUND BALANCE	329,440	-	329,440	-
001	TOTAL GENERAL FUND	4,713,941	3,556,673	1,157,268	75.45%
101	STREET FUND	5,080,500	2,145,780	2,934,720	42.24%
105	DRUG INVESTIGATION FUND	12,500	11,067	1,434	88.53%
107	HOTEL-MOTEL FUND	60,500	27,002	33,498	44.63%
109	PARK ACQUISITION FUND	1,875,000	374,556	1,500,444	19.98%
203	'87 GO BONDS - SEWER CONSTR	295,000	98,178	196,822	33.28%
208	91 GO BONDS & 97 LTGO BONDS	297,500	281,148	16,352	94.50%
301	GENERAL GOVT CAPITAL ASSETS	665,000	660,000	5,000	99.25%
305	GENERAL GOVT CAPITAL IMPROVEME	480,000	100,000	380,000	20.83%
401	WATER OPERATING	891,500	599,777	291,723	67.28%
402	SEWER OPERATING	933,037	723,797	209,240	77.57%
407	UTILITY RESERVE	555,000	-	555,000	-
408	UTILITY BOND REDEMPTION FUND	898,500	493,561	404,939	54.93%
410	SEWER CAPITAL CONSTRUCTION	893,500	437,747	455,753	48.99%
411	STORM SEWER OPERATING	456,448	257,732	198,716	56.46%
420	WATER CAPITAL ASSETS	1,115,000	221,199	893,801	19.84%
605	LIGHTHOUSE MAINTENANCE TRUST	2,575	463	2,112	17.99%
631	MUNICIPAL COURT	-	86,595	(86,595)	NA
		<b>\$19,225,501</b>	<b>\$10,075,274</b>	<b>\$9,150,227</b>	<b>52.41%</b>

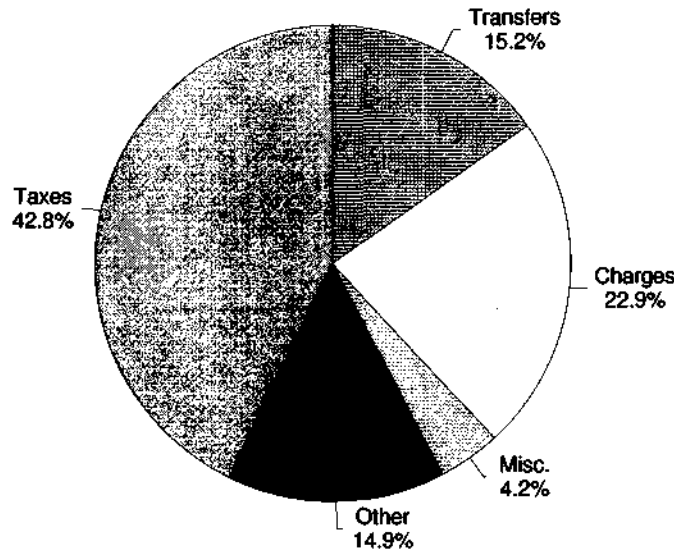
**Expenditures as a Percentage of Annual Budget**



**CITY OF GIG HARBOR  
YEAR-TO-DATE REVENUE SUMMARY  
BY TYPE  
FOR PERIOD ENDING DECEMBER 31, 1999**

<u>TYPE OF REVENUE</u>	<u>AMOUNT</u>
Taxes	\$4,599,779
Licenses and Permits	207,129
Intergovernmental	962,214
Charges for Services	2,453,979
Fines and Forfeits	125,835
Miscellaneous	453,440
Non-Revenues	299,415
Transfers and Other Sources of Funds	1,635,671
Total Revenues	<u>10,737,462</u>
Beginning Cash Balance	7,447,793
Total Resources	<u>\$18,185,256</u>

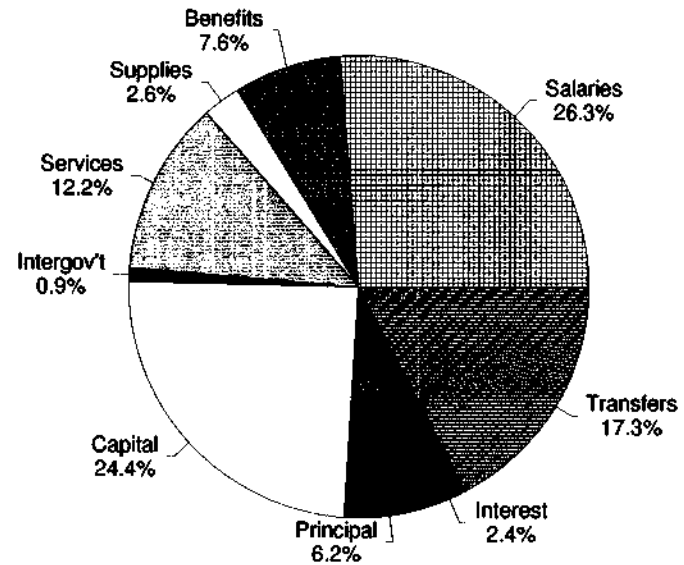
Revenues by Type - All Funds



**CITY OF GIG HARBOR  
YEAR-TO-DATE EXPENDITURE SUMMARY  
BY TYPE  
FOR PERIOD ENDING DECEMBER 31, 1999**

<u>TYPE OF EXPENDITURE</u>	<u>AMOUNT</u>
Wages and Salaries	\$2,648,132
Personnel Benefits	764,717
Supplies	262,588
Services and Other Charges	1,229,023
Intergovernmental Services and Charges	95,174
Capital Expenditures	2,457,101
Principal Portions of Debt Payments	629,471
Interest Expense	243,802
Transfers and Other Uses of Funds	1,745,266
Total Expenditures	<u>10,075,274</u>
Ending Cash Balance	7,855,396
Total Uses	<u>\$17,930,670</u>

Expenditures by Type - All Funds





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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: BILL COLBERG, ACTING CHIEF OF POLICE** *WC*  
**SUBJECT: DECEMBER INFORMATION FROM PD**  
**DATE: JANUARY 20, 2000**

The December 1999 activity statistics are attached for your review.

Unfortunately, December brought two bank robberies on the West side of the city.

Bike patrol officers spent several hours during Christmas walking throughout the business districts contacting business owners and citizens. Officers were also dispensing candy canes to the children.

The Reserve Police Officers provided 258 hours of service in December. The officers were involved working crowd and traffic control at the Christmas tree lighting ceremony.

The Marine Services Unit provided 14 hours of patrol time and 5 hours of maintenance. The officers were dispatched to 2 calls and assisted with 1 search and rescue operation. The patrol boat also assisted with the Special Peoples' Cruise and both nights of the Gig Harbor lighted boat parade.

The Police Explorers met twice in December for a total of 20 hours.



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**GIG HARBOR POLICE DEPARTMENT**

**MONTHLY ACTIVITY REPORT**

**December 1999**

	<u>DEC</u> <u>1999</u>	<u>YTD</u> <u>1999</u>	<u>YTD</u> <u>1998</u>	<u>%chg:</u> <u>1998</u>
CALLS FOR SERVICE	430	4906	5059	- 3
CRIMINAL TRAFFIC	13	226	253	-10
TRAFFIC INFRACTIONS	75	1032	1134	- 8
DUI ARRESTS	5	64	112	- 42
FELONY ARRESTS	13	79	97	- 18
MISDEMEANOR ARRESTS	16	255	222	+ 14
WARRANT ARRESTS	12	108	114	- 5
CASE REPORTS	113	1358	1452	- 6
REPORTABLE VEHICLE ACCIDENTS	32	218	206	+ 5