

# **Gig Harbor City Council Meeting**

**April 23, 2007  
6:00 p.m.**



**AGENDA FOR  
GIG HARBOR CITY COUNCIL MEETING  
April 23, 2007 - 6:00 p.m.**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF SILENCE IN REMEMBRANCE OF CRYSTAL JUDSON-BRAME AND RECENT VICTIMS OF DOMESTIC VIOLENCE:**

**SPECIAL PRESENTATION:** Peter Pitman's Senior Project – Waterfall at the Welcome Center

**CONSENT AGENDA:**

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

1. Approval of the Minutes of City Council Meeting of April 9, 2007.
2. Correspondence / Proclamations: Native Plant Appreciation Week.
3. Reappointment of Ken Malich to the Gig Harbor Parks Commission.
4. New Appointments to the Gig Harbor Arts Commission.
5. Water Comprehensive Plan – Contract Amendment No. 1.
6. Waste Water Comprehensive Plan – Contract Amendment No 3.
7. Boating Safety Agreement with Pierce County Sheriff's Department.
8. Estuary Park Name.
9. Agreement for Construction Services with Puget Sound Instrument (PSI).
10. Purchase Authorization for a High Efficiency Plant Blower Unit.
11. WSDOT Developer/Local Agency Agreement Authorization.
12. Liquor License Renewals: Anthony's at Gig Harbor; Olympic 76 Gas Station; Kelly's Café and Espresso; Tanglewood Grill; and Bistro Satsuma.
13. Approval of Payment of Bills for April 23, 2007:  
Checks #53378 through #53535 in the amount of \$618,222.92.

**OLD BUSINESS:**

1. Second Reading of Ordinance – Budget Amendment for Drug Investigation Fund.
2. Second Reading of Ordinance – To Allow Zoning Code Text Amendments by City Council.
3. Second Reading of Ordinance – Traffic Impact Fees Update.
4. Second Reading of Ordinance – Clarifying the Procedures to Determine Impact Fee Credits.
5. Second Reading of Ordinance – Contract with State Treasurer L.O.C.A.L.
6. Second Reading of Ordinance – Amendments to the City's Transportation Concurrency Management System.
7. Second Reading of Ordinance – Gig Harbor Arts Commission Amending GHMC Section 2.49.010.
8. St. Anthony's Hospital Project Management Services – Contract Amendment.

**NEW BUSINESS:**

1. Public Hearing and First Reading of Ordinance – RB-1 Text Amendment.
2. Public Hearing and First Reading of Three Ordinances – Adopting Text Amendments Recommended in Phase 1a of the Design Review Process Improvements Initiative (ZONE 07-0016, 07-0017 and 07-0018).
3. Resolution – Setting a Public Hearing Date for Butler Drive Street Vacation Request.

**STAFF REPORT:**

1. Update of Eddon Boat Park.
2. Legislative Update.
3. Quarterly Report – David Rodenbach, Finance Director.
4. Gig Harbor Police Department March Statistics.

**PUBLIC COMMENT:**

**MAYOR’S REPORT / COUNCIL COMMITTEE REPORTS / COUNCIL COMMENTS:**

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. GH North Traffic Options Committee – Wednesday, May 30<sup>th</sup>, at 9:00 a.m. in Community Rooms A & B.
2. Operations & Public Projects Committee Meeting – April 26<sup>th</sup>, at 3:00 p.m. in the Eng/Operations Conference Room.
3. Groundbreaking Ceremony for St. Anthony Hospital – April 26<sup>th</sup>.
4. Parks Appreciation Day Celebration – April 28<sup>th</sup>.

**EXECUTIVE SESSION:** For the purpose of discussing park property acquisition per RCW 42.30.110(1)(c).

**ADJOURN:**

## **GIG HARBOR CITY COUNCIL MEETING OF APRIL 9, 2007**

**PRESENT:** Councilmembers Ekberg, Young, Franich, Conan, Dick, Payne, Kadzik and Mayor Hunter.

**CALL TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE:**

### **CONSENT AGENDA:**

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

1. Approval of the Minutes of Council Retreat of February 28, 2007, Visioning Worksession on Gig Harbor North, March 24, 2007, Joint City Council and Planning Commission Meeting of March 19, 2007, and City Council Meeting of March 26, 2007.
2. Receive and File: Comcast Annual Report.
3. Proclamation: Parks Appreciation Day.
4. Escrow Agreement for Retainage - Rosedale Street – Tucci & Sons Construction.
5. Outdoor Concert Contracts: Don Miller, Swing Reunion Orchestra; Gary Dewhirst, Dewgrass; Michael Oneill; Tim Noah; Danny Smith; Billy Shew; Rebecca Sharrett, 133rd ARMY BAND; Linda Casperson, GHSNO; Dean Zelikovsky, Machine Entertainment; Dave Sederberg, Pacific Stage.
6. Resolution - Surplus Property.
7. Olympic/56<sup>th</sup> Street Improvement Project – Right-of-Way Dedication and Temporary Slope Easement.
8. Wilkinson Barn / Historic Structures Report - Consultant Services Contract.
9. Downtown Parking and Beautification Plan - Consultant Services Contract.
10. Gig Harbor Arts Commission - Re-appointment of Betty Willis for One Additional Year.
11. Resolution – Authorizing Grant Application Assistance – WA State Department of Archaeology and Historic Preservation.
12. Approval of Payment of Bills for April 9, 2007:  
Checks #53257 through #53377 in the amount of \$280,205.58.
13. Approval of Payment of Payroll for March:  
Checks #4608 through #4649 and direct deposit entries in the amount of \$459,838.45.

Mayor Hunter said that there had been a Council request to move items number nine and 10 to New Business.

**MOTION:** Move to approve the Consent Agenda as amended.  
**Franich / Conan** - unanimously approved.

**OLD BUSINESS:**

1. Second Reading of Ordinance – Comprehensive Plan Amendment Process. Carol Morris, City Attorney, presented this ordinance that describes the process for applicants to request Comprehensive Plan Amendments. She suggested an amendment to the submission deadline in 19.09.030 in order to accommodate the year 2007. It was discussed and decided that the amendment to the ordinance would read: “Applications received by August 15, 2007 will be considered during the current annual review period. Thereafter, applications received by the last working day in February will be considered during the current annual review period, subject to GHMC 19.09.010 and 19.09.020 above.”

**MOTION:** Move to approve Ordinance No. 1074 as amended.  
**Kadzik / Young** - unanimously approved.

**NEW BUSINESS:**

1. First Reading of Ordinance – Grease Interceptor/Trap Rules and Regulations. Rob Karlinsey, City Administrator, explained that this ordinance would provide additional criteria for when grease interceptors are required. He introduced Darrel Winans, Wastewater Treatment Plant Supervisor.

Mr. Winans explained that the last time a change was made in the City Code was in 1974. A common theme in inspection reports throughout the years is the need for re-inspections due to lack of maintenance or cleaning of the interceptors by those businesses that generate the grease. Since that time, there has been an increase in the numbers of generators, which has resulted in the amount of grease discharged into the collection system. This means higher disposal costs. He said that there is a need to reduce the amount of fats, oils and greases entering the treatment system. This ordinance is designed to help enforce that process.

Mr. Winans continued to explain that approximately 55% of the businesses who generate the problem show any concern with complying with the regulations to maintain their grease traps or interceptors. This ordinance is both informational and more stringent in an attempt to gain compliance. The impacts to the business will be negligible to those who are performing adequate maintenance. Mr. Winans then said that this ordinance will outline guidelines and imposes fees if the generators are not willing to comply. He said that if this is adopted, it will be a major undertaking and will require additional staff time.

Mr. Winans gave an overview of recommended amendments to the draft ordinance. The first would be to Section 13.30.040, paragraph A-1, to exempt Coffee Shops with three or less fixtures. The second amendment in the same Section, paragraph B, to insert “with occupancy of twelve or more” and the final amendment to Section 13.30.110 on page 19, paragraph A, to add: “Any facilities using five or more fixtures shall install a minimum 750 gallon grease interceptor.”

Councilmember Franich asked for the cost of a grease interceptor. Mr. Winans explained that they run about \$5000 - \$6000 dollars. The smaller grease traps are about \$2000. If two traps are required, then it is more cost effective, and better for the system to install the interceptor. He said that there were 83 businesses being inspected last year. He added that there should be no grandfathering of businesses because there is already existing language requiring an upgrade if necessary.

Mayor Hunter said that no one would be required to upgrade unless they are remodeling or if they are in violation of the discharge limits.

Mr. Winans answered questions on how this ordinance would be administered, explaining that the burden of proof of violation would be on city staff through follow-up inspections. The first inspection is no charge. If needed the business would be given a 30 day notice before re-inspection. If not clean, there would be a \$250 fine and another thirty day notice. After the re-inspection, if it is still not clean, there would be another \$250 fine and another thirty day notice. If the violation still exists, then an outside entity would be brought in to clean the interceptor which would be charged to the business. He stressed that the main focus is to educate the businesses to avoid these charges.

Councilmember Dick voiced support for this ordinance and encouraged placing a lien on the property to ensure compliance.

Councilmember Ekberg asked for clarification on how many inspections would be required in the future and if a new staff position is being created. Mr. Winans explained staff is behind already, and they do need additional staff. He then explained that the staff is willing to work with what they have if they know that there will be a way to ensure compliance. He said that the inspections are a necessity, adding that he doesn't believe it would require another full-time position. He said that they do need help in catching up.

Councilmember Young asked if there is a way to quantify the impact of the smaller businesses on the system. Mr. Winans said it would be tough, adding that for the most part, the small businesses are better at taking care of maintenance than the larger ones.

Councilmember Payne asked for an estimate of the cost if this process isn't put in place and the impact on the equipment. Mr. Winans responded that approximately \$10,000 annually. In addition to that, if there is property damage as a result of a sewer backup caused by grease, then that could result in clean-up costs and a possible increase in insurance premiums. He continued to explain that the grease content hinders the dewatering of the biosolids, resulting in a higher cost for disposal. He then said that maintenance is one of the biggest expenses that would be over and above the \$10,000 estimated cost he mentioned before. The grease residual causes foam that creates odor and so it has to be continually maintained by staff.

Councilmember Payne then asked for clarification on the frequency of maintenance to maintain a grease interceptor. Mr. Winans explained that this is defined in the draft ordinance. He said that the recommendation is to clean an interceptor every 120 days

and a grease trap weekly. He stressed that staff would work with each individual generator to adjust and establish a schedule which would be part of their grease permit. He then explained that basically, everyone has an ordinance similar to this.

Councilmember Kadzik commented on the readability and format of the ordinance. He recommended clarifying a definition of the term “entrepreneur.” He also recommended that the definition of nursing homes and convalescent homes is redundant, and that the same terms utilized by the Design Manual be used throughout. He asked where the exemptions would be listed. Mr. Winans responded that the exemptions would be listed in the exceptions section of the ordinance.

Mr. Karlinsey thanked Darrel Winans and recognized Joe Pominville, Wastewater Treatment Plant Operator, who accompanied Mr. Winans.

This will return for a second reading at the next meeting.

2. First Reading of Ordinance – Budget Amendment for Drug Investigation Fund. David Rodenbach, Finance Director, presented this ordinance that would allow expenditure of an unexpected distribution of \$76,653 from the Westsound Narcotics Enforcement Team as the city’s share of a drug investigation and enforcement action. He explained that the funds can be spent on any drug-connected enforcement.

Mayor Hunter recognized Chief Davis for his effort in going after the city’s share. Councilmember Young added that Detective Fred Douglas was very instrumental in his role on the Enforcement Team.

3. Public Hearing and First Reading of Ordinance – To Allow Zoning Code Text Amendments by City Council. Rob Karlinsey presented the background on this ordinance that allows certain text amendments and area-wide rezones to be considered by Council without being first sent to the Planning Commission. He said that the items that can be considered are limited to those listed in Section A-1 and A-2 of the ordinance.

Councilmember said that the language is broad and gives Council a lot of discretion. He asked if language could be added that the Planning Commission would have an opportunity to request that they be able to hear the issue first.

Mr. Karlinsey explained that this is the policy and Tom Dolan, Planning Director, is working on a procedure that will include notification of the Planning Commission when there is direct consideration by Council.

Councilmember Young said that the Planning Commission would be invited to give input, but ultimately, it is a Council decision. Councilmember Dick explained that in the Joint Worksession it was discussed and decided that if Council is to take direct action, the decision would be preceded by public notice, giving opportunity for anyone to come to Council and comment. He added that deference would be given to any concerns

voiced by the Planning Commission. In addition, they would be given notice of any proposal if they wish to comment.

Mayor Hunter opened the public hearing at 7:26 p.m. No one came forward to speak and so he closed the public hearing. This will return for a second reading at the next meeting.

4. Public Hearing and First Reading of Ordinance – Traffic Impact Fees Update. Steven Misiurak, City Engineer, presented this ordinance to update the city's Traffic Impact Fee schedule. He noted that this update is an interim update to consider growth over the next six years. He said that City Staff will do a twenty-year future analysis which will be brought back to Council as an amendment to the Impact Fees Ordinance by the end of the year. He added that representatives from David Evans and Associates are present to assist him in addressing questions.

Councilmember Ekberg commented that the Operations and Public Projects Committee has met many times on this subject and worked closely with Steve to bring this forward. He encouraged other Councilmembers to ask questions.

Councilmember Young said that this is more appropriate than the fee than was first presented adding that he appreciated the effort. Councilmember Kadzik asked to go through a couple of line items to help clarify how the fees are calculated.

Mr. Misiurak explained the calculation formula. He then addressed Council's questions by explaining how the ITE trip rates used in these calculations were developed. He added that these ITE Trip Rates are the industry standards, but they could be modified if someone brought in additional information.

Councilmember Franich voiced concern with the inequity of these numbers. He said that one superstore in an urban area would generate more traffic than one with nearby competitors.

Mr. Misiurak responded that it has to do with the surrounding area and the network of roads that serve the store. He said that it would have to be considered on an individual basis to determine any variation.

Councilmember Young stressed that you have to start with some numbers or else a traffic analysis would have to be done on every single project. Councilmember Ekberg said that this is an option for a business to present. He said that he would prefer to keep the ITE code intact and allow this option. Councilmember Kadzik agreed, adding that the burden of proof would lie with the applicant.

Councilmember Franich responded that our stores generate more trips than in other urban areas. Staff should be trying to investigate whether or not there is credence to the ITE Trip Rates.



Rob Karlinsey suggested that Victor Salemann, David Evans and Associates, may be able to address these concerns.

Mr. Salemann said that the figures reflect the p.m. peak hour trip rate and so the variation on trip generation is not nearly as big during the p.m. peak than during the daily trips. The other piece of data is a study that calibrates the current ground trips along Borgen Boulevard to the ITE trip rates being used. Mr. Salemann further explained that with regional retail centers, people tend to “cross-shop” with on trip, but you don’t seem to get the same amount of p.m. peak increase because they are in one store for the first hour, and the next hour is outside the time being adjusted for. He said that variations do occur on the data and that is why they recommend letting the applicant provide their own, unique information. He then addressed the regional center verses the isolated center concern. He explained that daily, the two behave differently, but during the p.m. peak hours, they are very similar.

Mayor Hunter opened the public hearing at 7:03 p.m. and asked those speaking to limit comments to three minutes.

John Alexander – Master Builders Association of Pierce County. Mr. Alexander said that he submitted written comments and wanted to touch on some of the points. He expressed appreciation for the city’s leadership in studying the issue and obtaining input from all concerns. He said they philosophically oppose impact fees, which have an accelerating affect on home prices. He said that this proposal, in its current form, is the result of careful planning and a good effort by the city to seek funding for needed improvements while minimizing the affect on housing costs. He said that they appreciate the effort to balance impact fees with other funding sources. Because of the high housing prices, a lower impact fee is in the best interest of those wishing to locate within the city. The low fee sends a positive message to the surrounding jurisdictions, to new home buyers and to the development community that you care about quality growth as well as providing for new facilities. Mr. Alexander then asked for clarification between the difference in fees for the six-year model and for the twenty-year model. He said that the City of Fife recently adopted a twenty-year model with the highest impact fee in the Pierce County area of just under \$7000 per single family residence. He also asked which projects from the improvement list have priority and what affect will they have on the areas they are meant to serve. He offered continued support in helping the city to facilitate future growth.

Steve Misiurak responded to the questions. He said that they do not know how much higher the impact fees will be with the twenty- year model until they do the analysis. He said that the projects with high priority are the Westside Projects as well as along Burnham Drive. He added that the city is working on a pro-rata share potential SEPA mitigation cost sharing, which will be in addition to the impact fees.

Mark Dorsey – North Pacific Design – 2727 Hollycroft. Mr. Dorsey said he appreciated the efforts in getting this document prepared. He suggested that an additional column or a few examples in which you could run typical square footages would help to clarify

the document. He said that many currently allowed uses will be restricted by the impact fees, and if you could readily identify these, you may be able to go back and change the rates to prevent this.

Councilmember Young said that he had that same concern. The problem is that if you use the ITE manual, you have to use the trips outlined in the manual. If you do, you can't discount any one category. He asked the city attorney if there is a way to give a discount for a zone or for different types of businesses.

Carol Morris responded that there is a procedure that allows someone to provide their own study. Councilmember Young then asked if it was an activity that would produce that level of traffic but it is an activity that the city wants to encourage such as a high income employer. Ms. Morris answered that state law allows us to give exemptions or reductions in fees for low-income housing, and for other projects of broad public import.

Mr. Dorsey said that this is his concern. There will be certain businesses driven away because they don't have the ability to pay the fees.

Warren Zimmerman – 2717 Ryan Lane. Mr. Zimmerman said that he is representing the Gig Harbor Chamber of Commerce, adding that at the November Board Meeting, the Chamber wrote a letter to the Mayor and City Council in support of impact fees. He distributed a copy of the letter.

No one else came forward to speak and the Mayor closed the public hearing at 7:13 p.m. This will return for a second reading at the next meeting.

5. Public Hearing and First Reading of Ordinance – Clarifying the Procedures to Determine Impact Fee Credits. Mr. Misiurak presented this ordinance and offered to answer questions.

Mayor Hunter opened the public hearing at 7:15 p.m.

John Chadwell – Olympic Property Group – 4423 Point Fosdick Drive, Suite 302. Mr. Chadwell said that he appreciates the intent of the ordinance, but said it contains details that are problematic. He said that his concern is on page six, Section B which sets the deadline for a request for credits at a time that has already passed for their project.

Steve Misiurak responded that their development is already in the queue, will follow the procedure currently in place. Carol Morris clarified that ordinances always operate prospectively unless they specifically say that it acts retrospectively.

Mr. Chadwell continued to say another problem that the ordinance doesn't address is the traffic improvements that OPG was required to construct. Now that they have been constructed, they are off the TIP, and so when their application is reviewed for credit, these projects don't appear.

Mr. Misiurak explained that the improvements only need to appear on the System Roadway Improvement Plan, in which Harbor Hill is included, so it meets the criterion.

Mayor Hunter closed the public hearing at 7:19 p.m.

6. Traffic Forecasting Model and Capacity Availability Report Presentation - David Evans and Associates, Inc. Victor Salemann, David Evans and Associates, presented a comprehensive overview of the summary that DEA has been working on for the past year to help the city to monitor traffic both currently and in the future. He said that the application used to do the traffic modeling is called Visum which has the capability to forecast how much traffic will be generated by new development activity. This will allow the city to plan for future improvements.

After the PowerPoint Presentation, Mr. Salemann addressed Council's questions regarding the report. He also answered questions on the software program and how it compares to what other jurisdictions use.

Mark Dorsey, North Pacific Design. Mr. Dorsey said that in general, everyone is please with the modeling that DEA is going to be doing, and that DEA is the keeper of the model. He voiced concern that the ordinance has DEA as the consultant for the model and also as the preparer of all traffic impact analysis. He said that there is an inherent danger in having them perform both duties, as the model may become myopic. There are a number of competent, qualified traffic consultants whose opinions are valuable. By allowing input from another consultant, you are allowing for a more dynamic, correct model. He suggested that the city not limit the preparation of an impact analysis to just one consultant.

7. First Reading of Ordinance – Contract with State Treasurer L.O.C.A.L. David Rodenbach presented this ordinance that would allow the city to execute the contracts and documents to allow the city to participate in the state's financing program for equipment purchases; in this case, for the police vehicles. This will return at the next meeting for a second reading.

8. Public Hearing and First Reading of Ordinance – Amendments to the City's Transportation Concurrency Management System. Steve Misiurak explained that currently, any required impact analyses are prepared by a private traffic engineering retained by the developer. This ordinance amends the process to require that the impact analysis be done by the city's on-call consultant, David Evans and Associates who would also provide a plan for mitigation for the proposed development and a concurrency test. This ordinance has been before the Operations and Public Projects Committee, who were supportive. He offered to answer questions.

Councilmember Franich asked when staff would begin to run the traffic model in-house, adding that he has some of the same concerns as voiced by Mr. Dorsey. He said that he has problems with the assumptions that go into these models.

Mr. Misiurak responded that due to the complexity and staffing, it would take approximately a year before this would occur. He added that staff will encourage developers to collaborate in developing the traffic model.

Councilmember Payne clarified that he has reservations on this ordinance, some of which are related to having the same consultant running the model and doing the analysis. He said he prefers city staff to run the model. He then said he would like more information on the software as the city is hanging its future on this traffic model. He said he wants to make sure we are choosing the right model, in case someone challenges the data.

Mr. Misiurak said that someone could challenge the results of the model with their own independent analysis. A CD of the database is currently available that has been given to traffic engineers who have requested the information. In addition, there is a written list of assumptions that were used when the model was created.

Mayor Hunter said that a main goal is to get staff up to speed to be able to run the models. Councilmember Ekberg suggested that Victor could supply information from other jurisdictions using the program. He then said that staff will be monitoring the model as it is used, and these tools allow more accuracy and an ability to make corrections than what we have done in the past.

Mayor Hunter stressed that you have to make every effort to keep on top of the traffic issue to prevent what is happening now, using the out of date impact fees as an example.

Councilmember Young asked if there would be a way to conduct a more extensive “back-testing” to determine if the modeling is accurate in predicting the city’s unique situation.

Mr. Misiurak responded that one of the calibration checks that Victor discussed is a comparison of the model results to existing traffic counts taken on the city streets. He said that city-wide traffic counts will be taken on a routine basis to compare with the output of the model.

Councilmember Dick asked if these traffic counts are a budgeted item. Mr. Misiurak explained that we are developing a system to routinely do traffic counts in-house.

Mayor Hunter opened the public hearing at 8:10 p.m.

John Chadwell – Olympic Property Group. Mr. Chadwell agreed that someone needs to be the keeper of the model, but it is problematic to tell the development community that they have to use the city’s consultant to do the traffic impact analysis. He explained that during the Gig Harbor North Traffic Options Committee meetings, his consultant came in with suggestions for different ways to fix the interchange that weren’t even considered until just recently. He said that it is healthy to have different

traffic consultants evaluating the model. Mr. Chadwell then said that a model that is consistent from one project to the next is great, but he cautioned against requiring the use of the same consultant contracted through the city. He explained that for a large project, this is problematic because a developer needs the traffic consultants with them during the design phase. He suggested the following solutions: Staff could create a common format for the report, clearing defining the format and content making it easy to review and to verify in the model. Another suggestion would be to allow profession design consultants to utilize the city's traffic model during their analysis, as Mr. Misiurak indicated is going to be done. He then suggested that the city should allow the option for developers to have the city prepare the traffic report, but also give the option to allow a developer to use their own traffic engineer to do the report using the city's model.

Mr. Chadwell stressed that there is more than one way to solve a problem, and with changes, this ordinance could give the same desired outcome without burdening the development community. He said that it might result in fewer arguments. Another benefit of allowing developers to do their own study would be a free traffic update every so often. He referred to the process used by the City of Lacey which allows you to submit a scoping memo for the city's traffic engineer to run through the model. Mr. Chadwell finalized by saying that the city may not want to stray this far into untested waters on an ordinance that strays so far from the norm.

Councilmember Young requested that Mr. Chadwell send him an e-mail with these bulleted comments so that he could follow up with staff.

Mayor Hunter closed the public hearing at 8:15 p.m.

9. Public Hearing and Resolution Authorizing a Utility Extension Capacity Agreement – Dorland. Rob Karlinsey presented this request for 1 ERU sewer hookup for property located near the intersection of 51<sup>st</sup> and Reid Road.

Councilmembers asked for clarification on the location of the property and the existing sewer line. Mr. Misiurak described the existing system and the neighborhood it serves, and future plans for improvements.

**MOTION:** Move to approve Resolution No. 707 authorizing an outside Utility Extension Capacity Agreement.  
**Payne / Kadzik** – unanimously approved.

10. First Reading of Ordinance – Gig Harbor Arts Commission Amending GHMC Section 2.49.010. Rob Karlinsey explained that currently the Arts Commission consists of nine members; a majority of which are required to live in the city. He said that the Mayor and he met with Betty Willis, Chair of the GHAC, and Robert Sullivan, Co-Chair, to discuss the difficulty in recruitment of city residents and the lack of a quorum to hold meetings. A recommendation was made to reduce the number of members to seven

and to have a majority of the members “preferred” to live in the city rather than being a requirement.

In addition, Betty Willis has served her term limits, and is requesting to serve for one more year in the current vacant position in order to allow continuity in the commission.

Councilmember Ekberg said that this came before the Council’s Interview Committee, and they struggled with these issues. He said that they were unaware that there would be an ordinance coming before Council at this meeting, or they would have gotten a report to the Council. He explained that this is the only committee that has nine members and they discussed the requirement to live in the city. He said that there were six applicants who applied for the five open positions and they were prepared to recommend five names to the Mayor to bring before Council. The Committee concurred that with that many new members, they should move forward with a recommendation to re-appoint Betty to serve the one-year term. There was no consensus on the other issues of the number of members or residency.

Councilmember Payne agreed with reducing the size of the commission at some point. He pointed out that the requirement is to either “live or work” in the city. He said that he understands the need for a quality Arts Commission. However, his vision for the group is more than simply approving the grant money for performing arts or art shows each year. He said he would also like them to commission art pieces for our public parks. He voiced a preference for an acknowledgement in the ordinance that a specific number either reside or work within the city.

Councilmember Young said the same concerns came about with the Design Review Board. He said that it is different with the lay committees in which you look for people interested in participating and not necessarily experts in a field. With the Arts Commission or Design Review Board, you are looking for those who know what they are doing. He said that he doesn’t care whether or not they live or work in town, stressing that if the requirement is eliminated, the whole section with the word “preferred” should be struck. Let the Council at the time decide what to do.

Councilmember Ekberg asked if the Interview Committee should forward the names of the five applicants and keep the nine members at this time. If the ordinance passes, then as two terms expire, the number would naturally be reduced to seven. The other option would be to pass the ordinance and only add two people. Councilmember Kadzik commented that there is the quorum issue with nine.

Councilmember Franich said that he would like all appointments to the Boards and Commissions be city residents if possible. Councilmember Ekberg responded that of the six applicants, only one lived in the city and one worked at an art gallery. There were a lot of good quality people, but not that would fit the requirement.

**MOTION:** Move to appoint Betty Willis for the remaining unexpired term of Kit Kuhn on the Arts Commission.  
**Ekberg / Young** – unanimously approved.

Rob Karlinsey asked for clarification on amendments to the ordinance before the second reading. Councilmembers continued discussion.

Bob Sullivan – Vice Chair of the Gig Harbor Arts Commission. Mr. Sullivan explained that he will be appointed Chair at the next meeting, but they are postponing their meeting until these issues are addressed. He agreed with the comment that no matter where the commission members live, the art work will be placed in the city and Council will have the final authority. He said that in 2008, three terms will expire, and at that point the number could be reduced to seven. He said that due to illness and family issues, they have had difficulty in obtaining a quorum and with seven members, they may have an even more difficult time. Nine members seem to be working and they have quality people who have applied.

Councilmember Ekberg said that Mr. Sullivan has gone out of his way to solicit quality people and this may be a good time to utilize the nine members; get them up to speed and then look at cutting the number later on or to change the quorum requirement.

Mayor Hunter suggested leaving the number at nine, and then remove the stipulation that they live in the city. The Council agreed to remove the language. Mr. Karlinsey was asked to consult the City Attorney about lower the quorum requirement.

11. Downtown Parking and Beautification Plan - Consultant Services Contract.  
(Moved from the Consent Agenda).

**MOTION:** Move to table this agenda item.  
**Dick / Franich** – unanimously approved.

12. Gig Harbor Arts Commission - Re-appointment of Betty Willis for One Additional Year. (Moved from the Consent Agenda) This was discussed and action taken under a previous agenda item.

**STAFF REPORT:**

1. 2006 Variance and Shoreline Permitting Activity. Rob Karlinsey explained that this report is provided to Council annually for review.

2. Estuary Park Name. Rob Karlinsey said that the Historical Society came up with some recommendations to consider for this new park. Councilmember Ekberg asked that this come back as a business item in order to take action.

Councilmembers asked if this had been given to the Parks Commission. Mr. Karlinsey explained that the commission was told that the recommendation would go directly from the Historical Society to Council. He did send a copy of this memo to that they would

know the suggested names and that it would come before Council, but their input was not requested. He offered to send any comments from the Parks Commission to Council.

Councilmember Franich asked if the public had been asked for input. The response was no. Mr. Karlinsey asked Council to send him any recommendations and he would put together an agenda bill and resolution for a future meeting. He was asked to pronounce the names.

**PUBLIC COMMENT:**

Councilmember Young suggested that the city begin negotiations on the park property identified in the meeting with OPG. He said that this would also free up trips that they could trade to another entity and would allow the opportunity to plan this area.

**MOTION:** Move to direct staff to begin negotiations for the park property identified next to the Little League fields as discussed in the meeting with OPG.  
**Young / Ekberg** – unanimously approved.

**MAYOR’S REPORT / COUNCIL COMMENTS / COUNCIL COMMITTEE REPORTS:**

Pierce Transit Request for Nomination. Mayor Hunter asked for a motion to nominate one of the representatives running for a position on the Pierce Transit Board of Commissioners. Councilmember Young spoke highly of Dave Enslow, as he has been active in transit issues, and has served on the Sound Transit Board and Pierce Transit Board.

**MOTION:** Move to authorize the Mayor to vote for Dave Enslow, City of Sumner, to serve as a member of the Board of Commissioners for Pierce Transit for a three-year term.  
**Young / Dick** – six voted in favor. Councilmember Franich voted no.

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. GH North Traffic Options Committee – Wednesday, April 18<sup>th</sup>, at 9:00 a.m. in Community Rooms A & B.
2. Operations & Public Projects Committee Meeting – Thursday, April 19<sup>th</sup>, at 3:00 p.m. in the Eng/Operations Conference Room.
3. Ribbon Cutting Ceremony – Donkey Creek Viewing Platform – April 19<sup>th</sup>, 4:00 p.m. at the corner of Harborview/North Harborview Drive at Donkey Creek Park.
4. Groundbreaking Ceremony for St. Anthony Hospital – April 26<sup>th</sup>.
5. Parks Appreciation Day Celebration – April 28<sup>th</sup>.



Due to the conflict on April 19<sup>th</sup>, the Operations and Public Projects Committee Meeting was moved to Friday, April 20<sup>th</sup>. Rob Karlinsey also asked that this committee hold a second meeting on April 26<sup>th</sup> in order to address the number of items on the agenda. Councilmembers agreed to meet on both dates.

Councilmember Kadzik mentioned a Planning / Building meeting at 5:00 p.m. on Monday.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:55 p.m.  
**Franich / Payne** – unanimously approved.

CD recorder utilized:  
Disk #1 Tracks 1- 26  
Disk #2 Tracks 1 – 16  
Disk #3 Tracks 1 - 6

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Charles L. Hunter, Mayor

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Molly Towslee, City Clerk



# Washington Native Plant Society

*Appreciate, Conserve, and Study Our Native Flora*

6310 NE 74<sup>th</sup> Street, Suite 215E, Seattle, WA 98115  
(206) 527-3210

March 14, 2007

Dear Council Members,

The Washington Native Plant Society is happy to announce Governor Christine Gregoire has declared **April 29<sup>th</sup> to May 5<sup>th</sup>, 2007** as Washington's fourth annual **Native Plant Appreciation Week**. Last year we were pleased by the many who joined in proclaiming Native Plant Appreciation Week, recognizing the value native plants have to Washington. We invite you to join us, once again, by proclaiming April 29<sup>th</sup> to May 5<sup>th</sup> as Native Plant Appreciation Week.

Last year the following cities and counties proclaimed Native Plant Appreciation Week locally:

Cities and Counties Proclaiming Native Plant Appreciation Week Last Year

Anacortes  
Bellevue  
Bellingham  
Chehalis  
Colville  
Gig Harbor  
Issaquah  
Kelso  
Kirkland  
Lynnwood

Monroe  
Olympia  
Port Orchard  
Port Townsend  
Puyallup  
Redmond  
Renton  
Richland  
SeaTac  
Seattle

Sedro-Woolley  
Sequim  
Shoreline  
Spokane  
Tacoma  
Tukwila  
University Place  
Woodinville  
Vancouver  
Woodinville

Background information on Native Plant Appreciation Week, a copy of the Governor's proclamation, and a generic proclamation that you may wish to use as a model are attached.

Thank you in advance for your participation, and please feel free to contact me if you have any questions. You may also learn more about the Washington Native Plant Society on our Web site at [www.wnps.org](http://www.wnps.org).

Sincerely,

Catherine E. Hovanic  
Administrator

RECEIVED  
MAR 16 2007  
CITY OF GIG HARBOR



# PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

**WHEREAS**, native plant species are an important part of Washington's heritage, providing important aesthetic, economic, and ecological contributions that make Washington a special place to live; and

**WHEREAS**, Washington enjoys an amazing biodiversity of over 3000 native plant species from rain forest plants on the Olympic peninsula to the desert species in Eastern Washington; and

**WHEREAS**, preserving native plant eco-systems is critical for the protection of birds, fish, and other wildlife, as well as water quality in Washington State; and

**WHEREAS**, over 350 of our native plant species are listed as rare by the state's Natural Heritage Program; and

**WHEREAS**, invasive species present a threat to sustaining of Washington's native plant ecosystems and the biodiversity that they enable;

**NOW, THEREFORE**, I, Charles L. Hunter, Mayor of the City of Gig Harbor, do proclaim the week of April 29<sup>th</sup> – May 5<sup>th</sup>, 2007 as

## ***Native Plant Appreciation Week***

in Gig Harbor, and I urge all citizens to join me in appreciating, enjoying, and celebrating our floral diversity by taking advantage of the opportunities of this week to learn more about our native plants, their habitats, and how to protect them. Take a native plant walk, visit a natural area, or become involved in a restoration project as we join together to celebrate this precious heritage.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 23<sup>rd</sup> day of April, 2007.

---

Charles L. Hunter, Mayor

---

Date



Business of the City Council
City of Gig Harbor, WA

Subject: Gig Harbor Parks Commission
Re-appointment of Ken Malich

Proposed Council Action:
Authorize Ken Malich to serve on Parks
Commission for a three-year term effective
Immediately.

Dept. Origin: Community Development

Prepared by: Dave Brereton
Director of Operations

For Agenda of: April 23, 2007

Exhibits: Re-appointment Request Letter
from Ken Malich

Concurred by Mayor: Initial & Date
Approved by City Administrator:
Approved as to form by City Atty:
Approved by Finance Director:
Approved by Department Head:

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required, and values (0, 0, 0, 0).

INFORMATION / BACKGROUND

The Gig Harbor Parks Commission consists of five volunteer members who are appointed by a vote of a majority of the City Council. GHMC Section 2.50.010 (C) states that Commission members are initially selected for staggered terms of one, two, or three years. Ken Malich was appointed to and served a one-year term which expired on March 31, 2007.

Ken Malich, outgoing Parks Commission Chair, submitted a request for re-appointment, dated February 16, 2007. Please see attached letter for additional background.

A "Call for Applicants" for the vacant position was advertised in the Peninsula Gateway, posted at the Civic Center public bulletin board and posted on the City's website on March 28, 2007. There were no letters of interest received for the position by the deadline of April 6, 2007.

FISCAL CONSIDERATION

None.

RECOMMENDATION

The Council Interview Committee supports and recommends that Council re-appoint Ken Malich to serve on the Parks Commission for an additional term.

RECOMMENDATION / MOTION

Move to: Authorize Ken Malich to serve on Parks Commission for a three-year term, effective immediately.

February 16, 2007

Mayor Chuck Hunter  
and the Gig Harbor City Council  
3510 Grandview Street  
Gig Harbor City Hall  
Gig Harbor, WA 98335

Subject: Request for Reappointment to the Gig Harbor Parks Commission

Dear Mr. Mayor and Council;

Please accept my request for reappointment to the Gig Harbor Parks Commission. I was appointed last year along with four other members. By the rules as explained by staff assistant Dave Brereton, each us drew lots to determine his or her term in office. I drew the shortest term of one year. My appointment will be over on March 31, 2007.

Our commission has accomplished many tasks throughout the year. We are still in the process of holding public hearings on the Cushman Trail development with the County and we have started public hearings on the Westside Park development. We discussed dog parks, the Skate Board Park, Crescent Creek Park and Donkey Creek day-lighting to name a few subjects that have been covered in our monthly meetings. We are going to participate in Parks Appreciation Day on April 28th.

I am sure many people within our community want us to do as much as we can for the future of parks. I believe we must continue to develop our parks to gain the utmost use for our people while still protecting the environment. I believe the park system needs to be as diverse as possible to accommodate different generations of people as well as the different special interest groups who use parks. We need to serve neighborhoods as well as organized activities. The city has done well over the past few years in its expansion of land for parks. I hope this will continue and that I will be a part of it. Thank you for your consideration of my reappointment request.

Sincerely,



Kenneth A. Malich  
3515 Ross Ave NW  
Gig Harbor, WA 98332  
253-851-5257  
[Email to [ken1barb@harbornet.com](mailto:ken1barb@harbornet.com)]

c: Parks Commission members  
Dave Brereton, Director of Operations  
Rob Karlinsey, City Administrator



Business of the City Council
City of Gig Harbor, WA

Subject: New Appointments to Gig Harbor Arts Commission

Proposed Council Action: Confirm new appointments to the Gig Harbor Arts Commission by the vote of a majority of the members of City Council

Dept. Origin: Community Development

Prepared by: Chuck Hunter, Mayor

For Agenda of: April 23, 2007

Exhibits: none

Initial & Date

Concurred by Mayor:

CH 4/19/07

Approved by City Administrator:

PK 4/17/07

Approved as to form by City Atty:

CAM 4/19/07

Approved by Finance Director:

CF 4/19/07

Approved by Department Head:

\_\_\_\_\_

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required. Values are 0, 0, 0.

INFORMATION / BACKGROUND

There are presently four vacancies on the Gig Harbor Arts Commission. My decision to appoint Michael Jones, Karen Peck, Ron Carson, and Dale Strickland was based on consideration of the six letters of interest received and the recommendation from the Council Board/Commission Candidate Review Committee. These appointments comply with the current ordinance as written.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

The Council Board/Commission Candidate Review Committee recommended the aforementioned people be appointed to the Gig Harbor Arts Commission for a three-year term.

RECOMMENDATION / MOTION

Confirm new appointments to the Gig Harbor Arts Commission by the vote of a majority of the members of City Council.



Business of the City Council
City of Gig Harbor, WA

Subject: Water Comprehensive Plan Amendment No. 1

Proposed Council Action: Authorize Amendment to Consultant Services Contract for Roth Hill Engineering Partners, LLC for the Water Comprehensive Plan

Dept. Origin: Community Development

Prepared by: Stephen Misiurak, P.E. [Signature]

For Agenda of: April 23, 2007

Exhibits: Amendment #1 to Consultant Services Contract

Initial & Date

Concurred by Mayor: [Signature]

Approved by City Administrator: [Signature]

Approved as to form by City Atty: CAM 4/19/07

Approved by Finance Director: [Signature]

Approved by Department Head: [Signature]

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required, and a value of 0.

INFORMATION / BACKGROUND

In August 2006, Council Awarded a Consultant Services Contract to Roth Hill Engineering for the completion of five draft planning chapters along with performing water model hydraulic development. This amendment provides for the completion of the water system comprehensive plan update, completion of the water hydraulic model, submittal to the appropriate State permitting agencies for review and approval.

FISCAL CONSIDERATION

This project was anticipated for funding in the 2007 budget cycle and sufficient funds exist within the Water Operating Fund, Objective Number 8 to fund this expenditure.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Move to: Authorize Amendment to Consultant Services Contract for Roth Hill Engineering Partners, LLC for the Phase 2 preparation and completion of the Water Comprehensive Plan in the not to exceed amount of one hundred twenty-nine thousand nine hundred ninety dollars (\$129,990.00).

**AMENDMENT #1 TO CONSULTANT SERVICES CONTRACT  
BETWEEN THE CITY OF GIG HARBOR AND  
ROTH HILL ENGINEERING PARTNERS, LLC**

THIS AMENDMENT is made to the AGREEMENT, dated August 14, 2006 by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and Roth Hill Engineering Partners, LLC a corporation organized under the laws of the State of Washington, located and doing business at 2600 116<sup>TH</sup> Avenue NE, Suite 100, Bellevue, Washington 98004, (hereinafter the "Consultant").

**RECITALS**

WHEREAS, the City is presently engaged in the updating of the Comprehensive Water System 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 August 14, 2006 (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 Services.** 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: One Hundred Twenty Nine Thousand Nine Hundred Ninety Dollars and No Cents (\$129,990.00). 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 \_\_\_\_\_, 2007.

THE CITY OF GIG HARBOR

By: \_\_\_\_\_  
Its Principal

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

Notices to be sent to:

CONSULTANT  
Lara Kammereck, P.E.  
Roth Hill Engineering Partners, LLC  
2600 116<sup>th</sup> Avenue NE, Ste. 100  
Bellevue, Washington 98044  
(425) 869-9948

Stephen Misiurak, P.E.  
City Engineer  
City of Gig Harbor  
3510 Grandview Street  
Gig Harbor, Washington 98335  
(253) 851-6170

APPROVED AS TO FORM:

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

ATTEST:

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

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

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 \_\_\_\_\_ 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: \_\_\_\_\_

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF PIERCE         )

I certify that I know or have satisfactory evidence that Charles L. Hunter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of Gig Harbor 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: \_\_\_\_\_

## SCOPE OF SERVICES

### CITY OF GIG HARBOR 2007 WATER COMPREHENSIVE PLAN PHASE 2 PROJECT NO. 0017.00002.000

#### ROTH HILL ENGINEERING PARTNERS, LLC

#### PROJECT DESCRIPTION AND PURPOSE

The following tasks under this Scope of Services are for the preparation of the City of Gig Harbor 2007 Water Comprehensive Plan:

#### SCOPE OF SERVICES AND TASKS

The scope of services for the above project is separated into two phases. The scope of services for Phase 1 remains unchanged, however, new schedule for those tasks is included. This scope consists of Phase 2 tasks and a new schedule for both Phase 1 and Phase 2. Phase 2 tasks consist of the following:

#### PHASE 2

##### Task 4b: Chapter 4 – System Analysis

The Chapter will utilize the information developed under Task 4a in Phase 1. The purpose of this Chapter includes ensuring adequate water is secured for existing and future needs, promoting system reliability, and describing existing and proposed facilities and interties. The storage facilities will be analyzed based on the recommended water policies and criteria in accordance with DOH regulations and guidelines. Additionally, the water quality will be analyzed by Kennedy/Jenks (see Attachment A) for both existing and future regulation. The Chapter will also summarize the analysis of the water system facilities. Statutory authority is included in WAC 246-290. Phase 2 tasks involved to develop this Chapter include:

- Kennedy/Jenks (See Attachment A) will perform water quality review and evaluation, see attached Scope of Services.
- **City to provide water quality information** such as monitoring locations and results.
- Perform a storage analysis of the system based on future demand conditions for 6, and 20 year scenarios.
- Evaluate additional level of effort necessary to update the base model such that the piping more closely represents the spatial layout of the actual system in relation to parcel maps, and summarize evaluation in memo to City. At this time, no additional model efforts will be performed to update the system configurations in the model.
- Perform an analysis of the system evaluating the fireflow and the system pressure per DOH regulations and guidelines based on recommended water system policies and criteria from Chapter 2. The hydraulic model calibrated and updated in Phase 1 will be used for the analysis. The analysis will include the projected 6-year, and 20-year scenarios, including a pressure analysis for peak-hour demands and a fire-flow analysis during maximum day demand conditions. The hydraulic analysis will focus on the distribution and transmission systems.
- Prepare summary of system analysis and identify deficiencies including, figures to clarify analysis, if necessary.
- Develop a map and 3D rendering of the existing system in 11 x 17-inch format. Create hydraulic profiles of the system.
- Chapter writing, formatting, and review.

### **Task 7: Chapter 5 – Conservation Program and Chapter 6 – Source Water Protection**

The task include the completion of Chapter 6 – Source Water Protection. The Wellhead protection plan will be updated for the submittal of the Comprehensive Plan.

This task also includes the development of a Conservation Program to protect, and if possible, improve, source waters used by public water systems. This is accomplished by identifying, monitoring, limiting and controlling (to the extent feasible), all facilities and activities within the watershed or zone of contribution which may adversely impact source water quality. Applicable state laws include RCW 43.20.235, RCW 43-70-310, RCW 90.46, as well as WAC 246-290-100. Tasks include:

- **Chapter 6 – Update Wellhead Protection Plan.** This task will be led by Robinson/Noble and Saltbush (RNS) (See Attachment C) with assistance from Roth Hill. RNS will include Well 6 on the susceptibility ratings, complete a Ground Water contamination Susceptibility Assessment Survey for a determination of its susceptibility. Additionally, the contaminant source inventory will be updated for 2007 and include those areas identified as being within the newly defined zone of contribution for each well. **The City will assist with the field verification of the contaminant inventory.** A summary report will be prepared. Roth Hill will prepare the maps and figures with drafts from RNS.
- **City to provide existing conservation plan.** Review and evaluate effectiveness of conservation program. Determine if Water Use Reporting requirements are being met, as required by Municipal Water Bill (2E2SHB 1338) Guidance Document.
- **City to confirm and develop conservation goals** for the next 6 years in accordance with state and local guidelines.
- Provide new water demand including charts/graphs as needed.
- **City to update conservation program** to meet new water demands for the six and 20 year planning horizons within the water service area and update budget for new program.
- **To be completed by City Staff:** Evaluation of sources of Reclaimed Water alternative supply, as required by Municipal Water Bill (2E2SHB 1338) Guidance Document. Roth Hill will incorporate Reclaimed Water Evaluation Summary and Worksheet prepared by City Staff for inclusion in the Comprehensive Plan.
- Chapter writing, formatting, and review.

### **Task 8: Chapter 7 – Operation and Maintenance Program**

This task will be led by Kennedy/Jenks (See Attachment A) with assistance from Roth Hill. The objective of the operation and maintenance program is to assure satisfactory management of water system operations in accordance with WAC 246-290-100, -300, -310, -320, -440, -480, and -490; WAC 246-292-020, -050 and -090. The Chapter will provide an overview of the water system responsibility and authority, system operation and maintenance plan, equipment supplies and inventory, water quality monitoring, emergency response, and cross-connection control. The City may need to update its existing cross-connection control plan or emergency response plan which will be included as appendices to the Plan. This task will include:

- **City to supply a copy** of the coliform monitoring plan, emergency response plan, cross-connection control program (or enabling ordinance), as these may be included as an Appendix.
- Coordination with Kennedy/Jenks (See Attachment A for Tasks).
- Chapter formatting and review.

### **Task 9: Chapter 8 – Improvement Program**

This Chapter will summarize the recommended improvements for the sources of supply, storage, distribution and transmission, and pressure zones in accordance with the DOH standards and City policies in Chapter 2. Total project costs will be developed for each recommended improvement and ranked by priority. WAC 246-290-100 requires that systems identify their planned improvements in the WSP. Additionally, improvements will be shown on maps. Tasks involved to develop this Chapter include:

- Develop and describe improvement prioritization methodology jointly with City.
- Summarize the recommended system improvements for the planning horizon (20 years).
- Review initial draft of improvements with City staff.
- Develop budget and schedule for recommended improvements for the short (six year), and long term (20 year).
- Prepare 11x17-inch capital improvement maps for inclusion in the Plan and one (1) large water map when Plan is finalized.
- Chapter writing, formatting, and review.

### **Task 10: Chapter 9 – Financial Program**

*This Chapter will be prepared by FCS GROUP (See Attachment B).* The objective of the financial program is to identify the total cost of providing water service, assure that the utility improvement schedule will be implemented, and assist in establishing adequate fees for service. Statutory authority for financial program is derived from Chapters 43.20, 70.116 and 70.119A RCW. Regulatory authorities include Chapters 246-293 and 246-294 WAC, plus WAC 246-290-100. The financial program will be coordinated with the Improvement Program. This task will include:

- Coordination with FCS GROUP (See Attachment B for Tasks).
- Chapter formatting and review.

### **Task 11: City Review Draft Development**

This task involves tasks necessary for the approval process of the Comprehensive Plan. Roth Hill will prepare the draft Plan and Executive Summary. **City to prepare the SEPA and lead the public review of the plan.** Any comments on the plan during the SEPA Process will be made by City Staff with review and concurrence by Roth Hill. Tasks involved include:

- Prepare the Executive Summary for SEPA distribution.
- Work with City to obtain other documents including, agreements, construction design standards, water sales data, etc. that will be included in the Appendices of Plan.
- Review Comments during City lead SEPA Process.

### **Task 12: Agency Review Draft Development**

The Plan is required to be approved by DOH and Pierce County. **City will send agency review draft** to DOH, Pierce County, adjacent purveyors, and other parties for review and comment. Additionally, this task will include document development which occurs in two stages, agency review draft and final document. Tasks involved include:

- Prepare and review draft document for City, two (2) staff copies. All comments from City will be submitted electronically and Roth Hill will incorporate into Final Agency Review Draft. Two copies and two CD versions containing electronic copy of Agency Review Draft will be prepared for **City to distribute**.
- The **City will lead the process to obtain Consistency Statements** from Pierce County and Tacoma/Pierce Health Department during the Agency Review period.
- City will prepare written comments by regulatory agencies, neighboring jurisdictions, and the public and Roth Hill will review.

#### **Task 13: Final Document Development**

The Plan is required to have final approval by the DOH, Pierce County and the City. This task will include final revisions based on agency comments.

- Roth Hill will incorporate final comments based on agency reviews.
- Provide City with two (2) Final Comprehensive Water Plans and two CD versions of Final containing electronic copy for the **City to distribute**.

#### **Task 14: Project Management**

- Project management includes production and implementation of the project plan, schedule, and budget. Assist the project team members in the implementation of the task items, reviewing the work-in-progress reports.
- Project coordination and communication with the City including; internal and external meetings, project file management, and status, budget, and schedule updates.
- Attend public or agency review meetings for the Plan throughout the planning process (not to exceed 16 hours with 4 meetings anticipated).

**PROJECT TIMELINE (Both Phase 1 and Phase 2):**

Water Comprehensive Plan Tasks	2007									
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
<b>Phase 1</b>										
Planning Data to be received from City	★									
1. Ch 1 – Description of Water Service	■									
2. Ch 2 – Policies, Criteria, and Standards	■									
3. Ch 3 – Basic Planning, Data, and Water Demand Forecasting	■	■								
4. Model Development	■	■								
5. Ch 6 – Source Water Protection	■									
<b>Phase 2</b>										
Calibration Data to be Received by City		☆								
4b. Ch 4 – System Analysis		■	■							
7. Ch 5 – Conservation Program		■	■							
Ch 6 – Source Water Protection		■	■	■						
8. Ch 7 – Operation and Maintenance Program		■	■							
9. Ch 8 – Improvement Program			■	■						
10. Ch 9 – Financial Program				■	■					
11. SEPA and City Review Draft Development					■	■				
12. Agency Review Draft Development						■	■	■	■	■
13. Final Document Development										■
6. and 14. Project Management	■	■	■	■	■	■	■	■	■	■



Phase 1 Gig Harbor North, Well 7 Tasks	2007					
	Jan	Feb	Mar	Apr	May	Jun
1. Project Meetings and Management						
2. Supply Analysis						
3. Groundwater Evaluation						
4. Water Rights/Ecology Authorization						
5. Technical Memorandum						

**PROBABLE PROJECT COSTS:**

<b>Probable Project Costs</b>					
<b>City of Gig Harbor</b>					
<b>2007 Water Comprehensive Plan – PHASE 2</b>					
<b>Task</b>	<b>Description</b>	<b>Total Labor</b>		<b>Reimb.</b>	<b>Total</b>
		<b>Planned Hours</b>	<b>Planned Bill</b>	<b>Planned Reimb.</b>	<b>Cost</b>
4.	Ch 4 – System Analysis	151	\$13,798	\$1,102	\$14,900
	Kennedy/Jenks		\$20,841		\$20,841
7.	Ch 5 – Conservation Program	66	\$6,507	\$280	\$6,787
	Ch 6 – Source Water Protection				
	Robinson, Noble & Saltbush		\$15,324		\$15,324
8.	Ch 7 – Maintenance and Operation	6	\$735	\$135	\$870
	Kennedy/Jenks		\$9,438		\$9,438
9.	Ch – 8 Recommended Improvement Program	111	\$10,073	\$907	\$10,980
10.	Ch 9 – Financial Program	8	\$1,005	\$45	\$1,050
	FCS Group		\$8,256		\$8,256
11.	City Review Draft Development	74	\$8,229	\$801	\$9,030
	Kennedy/Jenks		\$9,009		\$9,009
12.	Agency Review Draft	48	\$5,231	\$749	\$5,980
13.	Final Document Development	58	\$5,629	\$571	\$6,200
14.	Project Management	85	\$10,584	\$741	\$11,325
<b>Projected Project Total</b>					<b>\$129,990</b>

**END OF EXHIBIT A**

## ATTACHMENT A

### SCOPE OF SERVICES AND COST ESTIMATE

#### CITY OF GIG HARBOR 2007 WATER COMPREHENSIVE PLAN PHASE 2 PROJECT NO. 0017.00002.000

#### KENNEDY/JENKS CONSULTANTS

The City of Gig Harbor is proposing to complete a Water System Plan in accordance with the requirements of WAC 246-291, Revised, and Office of Drinking Water (ODW) Water System Planning Handbook (1997)

Kennedy/Jenks Consultants will be acting as a subconsultant to Roth Hill Engineering Partners, LLC, on this project. Kennedy/Jenks' services will include preparation of planning elements, including water quality, and operation and maintenance. Kennedy/Jenks will also supervise the Quality Assurance and Quality Control of the overall document.

#### TASK 1 - PROJECT MANAGEMENT

**Task 1.1 – Preparation of Project Plan** – The project plan will contain the following items:

- Project Narrative – a description of the different elements of the project.
- Project Management Forms – management system for project initiation and tracking.
- Preliminary Report Outline – a draft Table of Contents for the plan, complete with an anticipated list of tables and figures.
- List of Key Contacts – the list will contain names, telephone numbers, and addresses of the primary team members and key interested parties.

**Task 1.2 – Preparation of Subconsultant Contract** – Scope and budget.

**Task 1.3 – Communication with Roth Hill Project Manager** – Roth Hill Project Manager will be kept informed on the progress of the project by phone or e-mail communication on a weekly basis.

**Task 1.4 – Preparation of Status Report** – *Prepare monthly invoices per format as established by Roth Hill. One progress meeting is anticipated.*

**Task 1.4 – Report Preparation** – *Word processing requirements.*

**Task 1.5 – QA/QC Manager** – A Kennedy/Jenks Senior Engineer will review the document at the 90% completion levels for quality assurance. QA/QC of the document will be technical in nature, and not include a review of formatting or other word processing issues unless they are immediately evident to our reviewer. The sections that are prepared by KJ will receive QA/QC for both technical and document quality.

### **TASK 3 – WATER QUALITY**

The following task will be completed in order to develop the water portion of the WSP. One progress meeting is anticipated for this task.

**Task 3.1 – Obtain and Review Data** – Review relevant water quality data generated since the last WSP and Purveyors' reports. The primary focus of water quality data will be to assess the water quality characteristics of each well.

**Task 3.2 – Historical Water Quality Data** – Summarize changes in the Purveyors' historical water quality since the previous WSP pertaining to primary or secondary contaminants

**Task 3.3 – Evaluate Regulations and Compare to Existing Data** – Briefly summarize forthcoming regulations as a result of the Safe Drinking Water Act identified as relevant to the City will be provided. Potential noncompliant conditions will be identified. The review will be based on the current requirements of WAC 246-291 and the recently promulgated Ground Water Rule. It is anticipated that the following water regulations identified in WAC 246-291 may impact the following Purveyors' Rules:

1. *Lead and Copper Rule* – Incorporate current information from the Purveyor's sampling program.
2. *Total Coliform Rule*
3. *Ground Water Rule*
4. *Volatile Organic Contaminants Rule*
5. *Disinfection/Disinfection By-Products Rule*
6. *Synthetic Organic Contaminants (SOC) and Inorganic Contaminants (IOC) Rule*
7. *Secondary Contaminant (primarily Iron and Manganese)*
8. *Radionuclides Rule and impact of Radon, if applicable*
9. *Arsenic Rule*
10. *Unregulated Contaminants*
11. *Consumer Confidence*
12. *Fluoride Rule*

**Task 3.4 – Water Treatment** – The existing well water treatment systems will be described. Where practical, information from the last approved WSP will be used. The assessment of the well treatment systems will include the following.

- Maximum instantaneous treatment rate and the sustainable (maximum daily) rate for each facility.
- Disinfection requirements.
- Evaluation of performance vs. regulatory requirements.
- Summary of treatment objectives.
- Describe the recommended level of treatment required for existing and future sources necessary to meet primary and secondary MCLs.
- Identify planning level capital cost associated with treatment requirements.

## **TASK 4 - OPERATIONS AND MAINTENANCE PROGRAM**

The O&M program, which is now part of the existing WSP, will be updated. Kennedy/Jenks will review and update the current program information. One progress meetings are anticipated in order to complete the following tasks:

**Task 4.1 – Water System Management & Personnel** – Update and define the roles and responsibilities of key staff.

**Task 4.2 – Operator Certification** – Determine CEU requirements and identify needed training for key staff. Establish a budget for annual training.

**Task 4.3 – System Operation and Control** – Document current operating procedures for both normal and emergency conditions. In conjunction with City staff, develop additional written procedures as required to document required practices.

**Task 4.4 – Water Quality Monitoring** – Identify regulatory impacts, develop an appropriate sampling program, and establish budget and personal requirements.

**Task 4.5 – Emergency Response Program** – Document the current program, identify deferred maintenance practices, prioritize needed maintenance, and identify personal limitations.

**Task 4.6 – Safety Procedures** – Update as needed.

**Task 4.7 – Cross-Connection Control Program** – Provide a brief review of the City's current cross-connection program and comment as to compliance with changes in the applicable regulations since the previous WSP.

**Task 4.8 – Record-keeping and Reporting Requirements** – Review current record-keeping practices and compare to current state regulatory requirements

## **EXCLUSIONS AND LIMITATIONS**

- Water quality sampling or water quality testing and analysis
- Hydraulic or water quality modeling
- Tracer studies or other analysis required to establish current CT.
- Water quality data and other information required for Kennedy/Jenks to complete the work scope will be provided by Roth Hill
- Word processing template and required table formats are to be established by Roth Hill and provided to Kennedy/Jenks
- QA/QC is limited to technical review only, although we will identify format and word processing issues that are immediately evident.
- Kennedy/Jenks will make every effort to QA/QC the document in such a manner as to reduce the number of regulator comments. However, KJ assumes no responsibility for any extra cost incurred to Roth Hill as a result of excessive regulator comments.
- Draft or final document preparation beyond what is required to transmit our section to Roth Hill.

- One written response to regulator comments concerning the sections prepared by K/J is anticipated.
- In order to update the O&M program, Kennedy-Jenks will provide a written list of needed information to Roth Hill for completion by the City.
- Client review comments of the reports shall be consolidated as one set of comments for each set of submittal documents and will be non-contradictory in nature.

**Kennedy/Jenks Hours**

3.25 multiplier

Task 1 - \$8,190

Task 2.1 - 6 hr

Task 2.2 - 8 hr

Task 2.3 - 52 hr

Task 2.4 - 40 hr

\$18,946

Task 3.1 - 6hr

Task 3.2- 6hr

Task 3.3- 6hr

Task 3.4- 6hr

Task 3.5- 6hr

Task 3.6- 6hr

Task 3.7- 6hr

Task 3.8- 6hr

\$8,580

**\$ 35,716**

**END OF ATTACHMENT A**

City of Gig Harbor  
Water System Plan Update

Attachment A

	Peters		Larsen		Sander		Project Engineer Hours	Project Admin Hours	Direct Labor Subtotal	Total with Overhead and Profit 3.25
	Project Manager Hours	Water Quality Hours	O&M QA/QC Hours	Project Admin Hours						
<b>Task 1 Project Management &amp; QA/QC</b>										
Task 1.1 Preparation of Project Plan	4					1	2	\$ 308	\$ 1,001	
Task 1.2 Preparation of Subconsultant Contract	4					1	2	\$ 308	\$ 1,001	
Task 1.3 Communication with Roth Hill Project Manager	4					1	2	\$ 308	\$ 1,001	
Task 1.4 Preparation of Status Report	4					1	2	\$ 308	\$ 1,001	
Task 1.5 QA/QC Manager					24		1	\$ 1,225	\$ 3,981	
Reimburables									\$ 205	
<b>Subtotal</b>									<b>\$ 8,190</b>	
<b>Task 2 Water Quality</b>										
Task 2.1 Obtain and Review Data		6					1	\$ 367	\$ 1,193	
Task 2.2 Historical Water Quality Data		8				2	1	\$ 541	\$ 1,758	
Task 2.3 Evaluate Regulations and Compare to Existing Data	2	42				8	1	\$ 2,773	\$ 9,012	
Task 2.4 Water Treatment	1	32				8	1	\$ 2,146	\$ 6,975	
Reimburables									\$ 8	
<b>Subtotal</b>									<b>\$ 18,946</b>	
<b>Task 3 Operations and Maintenance Program</b>										
Task 3.1 Water System Management & Personnel					6		1	\$ 325	\$ 1,056	
Task 3.2 Operator Certification					6		1	\$ 325	\$ 1,056	
Task 3.3 System Operation and Control					6		1	\$ 325	\$ 1,056	
Task 3.4 Water Quality Monitoring					6		1	\$ 325	\$ 1,056	
Task 3.5 Emergency Response Program					6		1	\$ 325	\$ 1,056	
Task 3.6 Safety Procedures					6		1	\$ 325	\$ 1,056	
Task 3.7 Cross-Connection Control Program					6		1	\$ 325	\$ 1,056	
Task 3.8 Record-keeping and Reporting Requirements					6		1	\$ 325	\$ 1,056	
Reimburables									\$ 130	
<b>Subtotal</b>								<b>\$ 10,884</b>	<b>\$ 35,716</b>	
<b>Total All Tasks</b>								<b>\$ 10,884</b>	<b>\$ 35,716</b>	

Total Fee \$ 35,716



## ATTACHMENT B

### SCOPE OF SERVICES AND COST ESTIMATE

#### CITY OF GIG HARBOR 2007 WATER COMPREHENSIVE PLAN PHASE 2 FINANCIAL CHAPTER

PROJECT NO. 0017.00002.000

#### SCOPE OF SERVICES

The following scope of services provides for preparation of the Financial Chapter for the City of Gig Harbor's Water System Comprehensive Plan (WSCP). Washington Administrative Code (WAC) 246-290-100 defines the requirements for the water financial program (Financial Chapter) to include a demonstration of financial viability by providing: a summary of past income and expenses; a balanced budget; a funding plan; and consideration of a rate structure addressing affordability and conservation. The following tasks will be performed:

**Task 1: Data Collection/Review.** Prepare an initial data request identifying financial and operational documents pertinent to the performance of the study. (Roth Hill will provide the Capital Improvement Program, including annual replacement needs). Review, analyze, and validate data as necessary for use in formulating the technical analyses. Follow up with requests for any additional items or explanations as necessary.

**Task 2: Historical Financial Performance Review.** Review and document the financial operations (revenues and expenses) and financial condition (assets and liabilities) of the water utility for the previous six-year period.

**Task 3: Fiscal Policy Review.** Review the City's current fiscal policies for operating and capital reserves, system reinvestment funding, and debt service coverage. Recommend revised policies, as warranted, for incorporation into the capital financing plan (Task 4) and revenue needs assessment (Task 6).

**Task 4: Capital Financing Plan.** Evaluate capital funding options, and develop a capital financing plan for the 6-year and 20-year Capital Improvement Program. The analysis will include a forecast of capital funding needs, borrowing requirements, and associated cash flows and cash balances over the study period. We will evaluate and recommend an appropriate balance of funding from cash, connection charges, bonds, and other available revenue sources. Depending upon preliminary results of customer impacts, we will work closely with Roth Hill to perform sensitivity analyses for alternative scheduling of capital projects in order to smooth customer rate impacts. (The budget provides for two (2) scenarios). Note: connection charge revenues will be forecast based on the current level of charges. This scope does not include updating the City's current capital connection charge.



**Task 5: Operating Forecast.** Forecast ongoing operating and maintenance (O&M) costs, debt service, and other financial obligations of the water utility over the 6-year and 20-year study period. Establish economic factors for customer growth and cost escalation. Incorporate additional O&M expenses, if any, resulting from the CIP and any other known changes in operational requirements. The City's current budget will be used as the baseline.

**Task 6: Revenue Needs Assessment.** Integrate fiscal policies, capital financing impacts and operating forecasts, and develop an operating cash flow over the 6-year and 20-year study periods. Compare forecasted cash requirements against forecasted revenue under existing rates to determine annual rate revenue adjustments needed to ensure financial sustainability over time. The budget provides for two (2) scenarios to evaluate alternative levels of rate adjustments.

**Task 7: Rate Forecast & Affordability Test.** Apply annual rate adjustments (from Task 6) "across-the-board" to the City's existing rate structure and develop a rate forecast for the 6-year and 20-year study period. Note: this scope does not include changes to the City's existing water rate structure. The Financial Chapter will include narrative discussion of potential rate structure enhancements, if necessary, to further encourage water conservation.

Perform an affordability test as an indication of a residential customer's ability to pay the existing and forecasted rates. This includes a median household income index analysis and comparison of the system's existing and forecasted average residential bills to 1.5% of the median household income. If rates exceed 1.5% of the median household income in any year, it suggests that the system's rates might not be affordable. We will conduct the affordability test for the 6-year and 20-year period.

**Task 8: Meetings.** Attend one (1) meeting with City Staff and/or Roth Hill to review the draft or final Financial Chapter.

**Task 9: Documentation.** Prepare the draft Financial Chapter for Roth Hill/City staff review. Incorporate requested changes, as appropriate, and submit the final version of the Financial Chapter. The chapter will conform to content requirements and Roth Hill's WSCP format. Provide an electronic copy of the Chapter to Roth Hill.

**COST ESTIMATE**

Estimated project costs are summarized by task below.

Task	QA/QC Principal	Study Manager	Staff Consultant	Admin Support	Total Hours	Total Budget
<i>Hourly Billing Rates</i>	\$ 180	\$ 165	\$ 110	\$ 60		
Task 1 - Data Collection/Review			4		4	\$ 440
Task 2 - Historical Performance Review			4		4	\$ 440
Task 3 - Fiscal Policy Review		1	1		2	\$ 275
Task 4 - Capital Financing Plan		2	8		10	\$ 1,210
Task 5 - Operating Forecast			4		4	\$ 440
Task 6 - Revenue Needs Assessment		2	10		12	\$ 1,430
Task 7 - Rate Forecast/Affordability Test			2		2	\$ 220
Task 8 - Meetings		4		1	5	\$ 720
Task 9 - Documentation	1	2	16	1	20	\$ 2,330
<b>Total</b>	<b>1</b>	<b>11</b>	<b>49</b>	<b>2</b>	<b>63</b>	<b>\$ 7,505</b>

**SCHEDULE**

The schedule for the Financial Chapter will be coordinated with Roth Hill and the City. Approximately 45 to 60 days are needed to complete this analysis, with a minimum of 30 days from receipt of the final CIP. Immediately upon notice to proceed, we can begin preliminary work on data collection, historical review, operating forecast, etc. in advance of receipt of the CIP. However, since most of the analysis and evaluation requires the CIP, it is the critical component to meeting the schedule.

**END OF ATTACHMENT B**

## ATTACHMENT C

### SCOPE OF SERVICES AND COST ESTIMATE

#### CITY OF GIG HARBOR 2007 WATER COMPREHENSIVE PLAN PHASE 2 WELLHEAD PROTECTION PLAN UPDATE

PROJECT NO. 0017.00002.000

**Robinson, Noble & Saltbush, Inc.**

### SCOPE OF SERVICES

The Scope of Services below are for the preparation of the City of Gig Harbor Wellhead Protection Plan Update between Roth Hill Engineering Partners and the City of Gig Harbor with assistance from Robinson, Noble & Saltbush.

Robinson, Noble & Saltbush's scope of services for this task consists of the following:

#### 1. Project Management

Robinson, Noble & Saltbush will assist the project team members in the implementation of the task items as needed. One meeting with City staff is included to provide and discuss interim findings of the project, if needed.

#### 2. Susceptibility Assessment Form for Well 6

Well 6 was not previously included in the City's Wellhead Protection planning and therefore needs a completed Susceptibility Assessment to meet with Department of Health (Health) requirements. Robinson, Noble & Saltbush will complete the form for Well 6 and provide it to the City for their submittal to Health. Completion of the assessment will provide the calculated fixed radii wellhead protection areas (WHPA) for the well. These will be plotted on a regional figure, along with the previously delineated WHPAs for the City's wells. This figure will provide the areas of investigation for Task 3.

#### 3. Contaminant Source Inventory and Hazard Ranking

Once the WHPAs have been mapped, an inventory of land use within those areas will be compiled, based upon available City and County zoning maps. A review of existing computer databases (EPA, Ecology, Health) will be completed to identify known leaking underground storage tanks, confirmed and suspected contamination sites, independent clean-up listings, landfills, and regulated underground storage tanks. An on-line database search company, EDR Inc., will be contracted to perform the search of known and potential hazard sites. In our experience, using EDR has proven to be the most reliable and, by far, the most cost-effective method to accomplish these searches.

Field verification of any known or potential hazard sites within the WHPAs will be necessary. It is assumed that City staff will complete this step as they are more intimately familiar with the

businesses and history of the area. This field investigation will check the location and type of each potential or known hazard listed by the EDR results, as well as, checking for any sites that are not included but should be. This process is likely to require a meeting at the City office to define the field procedures. We will provide a field map of the hazard sites to use during the field verification process.

After field verification, each identified potential point-source of contamination will be mapped in relation to the wells and the wellhead protection areas. Non-point sources, such as generalized land-use categories, will also be evaluated.

Robinson, Noble and Saltbush will then rank all identified potential contamination sources in the hazard inventory according to the hazard potential of each site and in accordance with Health guidelines (Health publication 331-018; 1995). This ranking will allow a prioritization of the sites for future planning. The mapped and inventoried potential sources will be presented such that the inventory map can be cross-referenced to the prioritized list to determine the general nature and extent of the potential threat for each site. We will provide a final map of the prioritized hazard inventory along with related WHPAs and land-use coverage. The figure will be completed in AutoCAD format only, but suitable for conversion to a GIS product by Roth-Hill.

#### **4. Report of Findings**

At the conclusion of our effort, Robinson, Noble and Saltbush will provide a summary report of findings to include the Well 6 susceptibility assessment, the hazard inventory and our prioritized list of known or suspected sites. Any maps or figures discussed above will also be included. Additionally, we will provide appropriate conclusions or recommendations to the City for any sites or areas of concern identified during the project.

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#### **ESTIMATED COST OF SERVICES**

Based on our understanding of the project, we estimate the cost of our services at \$13,325 as shown on the attached estimate.

Robinson, Noble & Saltbush typically works on a time-and-expense basis according to the attached General Fee Schedule. As a cost-savings measure for our clients, each Robinson, Noble & Saltbush employee charges their time on a project according to the level of expertise required for a given task. This allows us to make use of our more experienced staff without unduly impacting project costs, but also means that our clients only pay for the level of expertise applied.

**PROJECT ESTIMATE**

**Estimated Labor Costs**

Task	Total Estimated Hours	Estimated Labor Cost
TASK 1: Project Management & 1 meeting w/ City	15.0	\$1,926.00
TASK 2: Susceptibility Assessment Form for Well 6	11.0	\$1,203.00
TASK 3: Contaminant Source Inventory & Hazard Ranking	44.0	\$4,785.50
TASK 4: Findings & Report	38.0	\$4,344.50
Labor Totals	108	<b>\$12,259.00</b>

**Estimated Direct Costs**

General Office Supplies/Misc. Costs		220	\$25.00
Travel Mileage	\$0.55		\$121.00

Direct Cost Subtotal **\$146.00**  
 Handling Fee **\$0.00**  
 Total Direct Costs **\$146.00**

**Estimated Subcontracted Costs**

EDR Hazard Database Search (estimated cost)	\$800.00	1	\$800.00
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Subcontracted Costs Subtotal **\$800.00**  
 Handling Fee **\$120.00**  
 Total Subcontracted Costs **\$920.00**  
  
**Total Estimated Project Costs \$13,325.00**

**END OF ATTACHMENT C**





**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Comprehensive Waste Water Plan Update

**Proposed Council Action:** Authorize an Amendment to Consultant Services Contract with HDR Engineering for the Wastewater Comprehensive Plan Update in the amount of Forty-nine Thousand and Fourteen Dollars

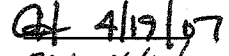
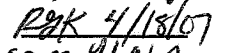
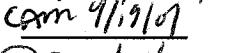
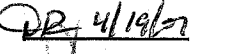

**Dept. Origin:** Community Development

**Prepared by:** Stephen Misiurak, P.E.  
City Engineer 

**For Agenda of:** April 23, 2007

**Exhibits:** Amendment #3 to Consultant Services Contract

Initial & Date

**Concurred by Mayor:**  4/19/07  
**Approved by City Administrator:**  4/18/07  
**Approved as to form by City Atty:**  4/19/07  
**Approved by Finance Director:**  4/19/07  
**Approved by Department Head:** 

Expenditure Required	\$49,014	Amount Budgeted	\$150,000	Appropriation Required	0
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**INFORMATION / BACKGROUND**

Previously, HDR has completed two phases of the Wastewater Comprehensive Plan Update. Specifically, Phase 1 completed a 20 year population forecast of growth within the City and UGA. Phase 2 completed the evaluation of and revisions to the City's wastewater drainage basins, estimation of wastewater demands within the City's sewage area and selection of a City wide sewer model.

This Phase 3A is the last of a two part phase that will include completion and creation of a City wide sewer hydraulic model. Using model outputs, HDR will also identify additional data needed to calibrate the model and predict wastewater flows.

Completion of the Comprehensive Plan will be accomplished in a future and final contract amendment, whose scope of services is briefly described in Phase 3B of the scope of services.

**FISCAL CONSIDERATION**

This work was anticipated in the adopted 2007 Budget and is within the 2007 Sewer Capital Fund allocation of \$150,000.00, Objective Number 8.

**BOARD OR COMMITTEE RECOMMENDATION**

N/A

**RECOMMENDATION / MOTION**

**Move to:** Authorize an amendment to Consultant Services Contract with HDR Engineering for the Phase 3A Preliminary Model Development of the Waste Water Comprehensive Plan Update in the amount of Forty-nine Thousand Fourteen Dollars.

**AMENDMENT #3 TO CONSULTANT SERVICES CONTRACT  
BETWEEN THE CITY OF GIG HARBOR AND  
HDR ENGINEERING, INC.**

THIS THIRD AMENDMENT is made to the AGREEMENT, dated March 28, 2005, and subsequent AMENDMENT #1, dated October 24, 2005, and subsequent AMENDMENT #2, dated August 14, 2006 by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and HDR Engineering, Inc., a corporation organized under the laws of the State of Washington, located and doing business at 626 Columbia Street NW, Suite 2-A, Olympia, Washington 98507, whose mailing address is PO Box 976, Olympia, Washington 98507, (hereinafter the "Consultant").

**RECITALS**

WHEREAS, the City is presently engaged in the updating of the Wastewater Comprehensive Plan – Phase 3 – Preliminary Model Development 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 March 28, 2005 (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 Services.** 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: Forty-nine Thousand Fourteen Dollars and No Cents (\$49,014.00). 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 \_\_\_\_\_, 2007.

THE CITY OF GIG HARBOR

By: John M Maxwell  
Its Principal

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

Notices to be sent to:

CONSULTANT  
HDR Engineering, Inc.  
Attn: Kevin Dragon, P.E.  
626 Columbia Street NW, Suite 2-A  
Olympia, Washington 98507  
(360) 352-5090

Stephen Misiurak, P.E.  
City Engineer  
City of Gig Harbor  
3510 Grandview Street  
Gig Harbor, Washington 98335  
(253) 851-6170

APPROVED AS TO FORM:

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

ATTEST:

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

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

I certify that I know or have satisfactory evidence that John M. Maxwell 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 Principal of HDR Engineering Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 4-18-2007

Ann Marie Frame

Ann Marie Frame

(print or type name)

NOTARY PUBLIC in and for the  
State of Washington, residing at:

Olympia, Washington

My Commission expires: 4-19-2010

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF PIERCE         )

I certify that I know or have satisfactory evidence that Charles L. Hunter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of Gig Harbor 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: \_\_\_\_\_



## **AMENDMENT NO. 3**

### **EXHIBIT A**

#### **Wastewater Comprehensive Plan Update Phase 3A - Preliminary Model Development**

Prepared by:

**HDR Engineering, Inc.**  
626 Columbia St NW, Suite 2A  
Olympia, Washington 98501

February 2007 (Revised)

## AMENDMENT NO. 3

### Wastewater Comprehensive Plan Update

#### I. Scope of Services

##### Introduction

The City of Gig Harbor retained HDR in January 2005 to update the 2002 Wastewater Comprehensive Plan. HDR's scope of services will be implemented in three phases; Phase 1- Population Projections; Phase 2- Drainage Basin Evaluation, Flow Projections and Model Selection, and Phase 3- Model Development, Refinement and Plan Preparation.

This integrated phased approach is intended to allow the City an opportunity to re-evaluate many of the 2002 plan elements and related assumptions, while remaining within the established budgets.

##### **Phase 1: Population Projections**

HDR completed Phase 1 in April 2006. This phase provided an updated 20-year forecast of population growth within the City and its Urban Growth Area (UGA). Existing data, forecasts of population, and expected changes in land use were assembled and analyzed. The population projections are based on the City's existing Buildable Lands Analysis, which was extended to incorporate the City's UGA boundary during this phase. The forecast was designed to be flexible and adaptable for future utility planning purposes over the coming years.

##### **Phase 2: Drainage Basin Evaluation, Flow Projections and Model Selection**

HDR completed Phase 2 on or about February 28, 2007. This phase included evaluating and revising existing drainage basins, estimating populations and wastewater demands within the service area, and offered guidance to the City in the selection of a hydraulic model. The primary deliverables for this phase included an updated drainage basin map, and wastewater flow projections.

##### **Phase 3: Preliminary Model Development, Refinement and Plan Preparation**

Phase 3 will expand on the previous phases. Generally, the major services provided will include developing a preliminary model of the existing system, identifying additional information necessary to complete the planning efforts, refining the computer model using additional field data, capital improvement planning, operation and maintenance planning and assessment, financial planning, and implementation strategy.

HDR and City acknowledge model calibration with observed wastewater flow data is important to improve model accuracy and its predictive nature. The City indicated previous hydraulic models used on its behalf have resulted in planned sewer improvements, which are unrealistic due to the gross assumptions made to avoid calibration. HDR therefore proposes to divide Phase 3 as follows:

**Phase 3A- Preliminary Model Development and Additional Data Collection.** HDR will assemble a preliminary Wastewater model using the City's preferred commercial hydraulic software and other information produced in Phases 1 and 2. This preliminary model will be used to identify additional wastewater system data, which may be necessary to calibrate the hydraulic model.

The primary deliverables for this sub-phase will include preliminary model outputs and a monitoring plan for the collection of additional data (if necessary).

**Phase 3B- Model Refinement and Comprehensive Wastewater Plan Update Preparation-** Due to limited operational information, HDR and the City recognize the scope of services necessary for

Phase 3B would be difficult to determine at this time. Therefore, a detailed scope and relative budget for Phase 3B will be negotiated in the future. It is anticipated the services for Phase 3B will include refining the computer model using additional field data, capital improvement planning, operation and maintenance planning and assessment, financial planning, public outreach and involvement assistance and implementation strategy.

## **Phase 3A: Preliminary Model Development**

### **Task 3.00 - Project Management**

**Objective:** HDR will manage, administer, and provide ongoing oversight of the project during the contract period. Specifically, HDR staff will render monitor work assignments and monitor progress based on agreed time and budget constraints, prepare monthly progress reports that identify budget status, progress status, major activities of the previous month, notify the City of any out of scope services provided, and highlight issues or complications that may affect the project schedule or upcoming activities.

#### **HDR Responsibilities:**

- 1) Provide written minutes of key issues discussed at meetings at HDR's discretion.
- 2) Prepare and provide monthly invoices and cost summary worksheets with a cover letter, which identifies the progress of each task described herein, outline any issues or concerns relating to budget, scope, or schedule and identify any extra professional services requested by the City.
- 3) Attend up to 3 meetings with the City.
- 4) Perform periodic reviews for quality control.
- 5) Prepare a progress schedule using MS Project or MS Excel.

#### **City Responsibilities:**

- 1) Review and provide comments to meeting minutes in relation to accuracy.
- 2) Remit payment of monthly invoices within 30 calendar days of receipt, unless otherwise defined by the terms and conditions of the written agreement between HDR and the City.
- 3) Identify one City representative (or project manager) to whom HDR will maintain direct communication during the life of this project.
- 4) Provide a comprehensive list of any issues and/or comments based on the review of deliverables.
- 5) Identify any known or foreseen critical project milestones and/or time-related constraints at the beginning of the project.

#### **Assumptions:**

- 1) The City representative will provide a comprehensive list of issues and comments based on the review of deliverables conducted by all City departments.
- 2) Review of deliverables will occur within 2 weeks upon the City's receipt, and the City representative will provide to HDR any comments within 3 weeks of receipt date.
- 3) The City representative will schedule meetings and coordinate the necessary activities with other City departments in relation to the defined services provided by HDR herein.
- 4) The duration of Phase 3A will be less than 4 months.
- 5) The Scope of Services and relative budget for Phase 3B has not been determined and will be determined following Phase 3A.

#### **Deliverables:**

- 1) Monthly invoices with related cover letter.
- 2) One progress schedule.

### **Task 3.10 Preliminary Hydraulic Model Development**

**Objective:** HDR will develop a preliminary computer model of the City's wastewater collection and conveyance system. The model will be prepared using the information prepared as part of Phase 2.

It is anticipated that the preliminary model will be enhanced and/or modified as services progress in Phase 3B. Using the preliminary model, HDR will identify specific monitoring and field activities necessary to improve the model for greater accuracy and confidence for predicting the wastewater system's performance.

#### **HDR Responsibilities:**

- 1) Prepare a preliminary model using the preferred model software, existing data provided by the City and the Sewer Drainage Basins defined under Phase 2.
- 2) Input the existing, 6-year and 20 year wastewater demands identified in Phase 2.
- 3) Calibrate the preliminary model using observed flows, where possible.
- 4) Perform up to 10 preliminary model runs: using the existing data, 6-year projected data, and 20-year projected data.
- 5) Identify deficiencies and inconsistencies, where additional information or data will be required to either calibrate the model or predict system performance with greater confidence.
- 6) Prepare one technical memorandum, which outlines the assumptions used, describes the input data used, documents deficiencies, and identifies the specific activities necessary to enhance or modify the model for greater accuracy.

#### **City Responsibilities:**

- 1) Provide any additional or updated data on the wastewater collection and conveyance system, including infrastructure descriptions and locations, pumping records, pump curves, operation and maintenance manuals or protocols, water quality data, flow data, etc. as requested by HDR.
- 2) Assist HDR with the development of the preliminary model by elucidating discrepancies in data, collecting on-going flow data and water quality data, providing up-to-date pump station and other system operational data, and conducting additional field work as necessary to prepare the preliminary model.
- 3) Review and provide written comments on the Technical Memorandum within 2 weeks of receipt.

#### **Assumptions:**

- 1) Resolutions to data conflicts and up-dated data requested by HDR will be readily available in the time frame established for this project.
- 2) The City will conduct the field work necessary to prepare the preliminary model within 2 weeks of HDR's request. The field work is intended to be minor in nature and not require significant tools, equipment or other resources.
- 3) Preliminary modeling efforts will be focused on the wastewater collection and conveyance system only. These systems are located upstream of the City's Wastewater Treatment Plant. The WWTP inlet pipe will act as the point of discharge for the wastewater model, and the inflow capacity and characteristics will be considered limiting factors.
- 4) HDR will rely on information contained in reports and studies, which were recently prepared by others, to determine the inflow capacity.
- 5) Only major interceptors, and other key collection and conveyance system components (e.g. major pump stations) will be included within the preliminary model. Inclusion of pipes and other components within the model will be at HDR's discretion.
- 6) The model may not include some of the sewer pipes located within the City's collection system. For example, individual sewer service connections, terminal lines and laterals will not be included.
- 7) Following completion of Phase 3B, HDR will transfer the commercial software license, and provide the City with the modeling software and related data files for the City's future use.

**Deliverables:**

- 1) Technical Memorandum (up to 10 pages in 8½" x 11" format), which outlines the assumptions used, describes the input data used, documents deficiencies, and identifies the specific activities necessary to enhance or modify the model for greater accuracy.

**Task 3.20 Additional Data Collection**

**Objective:** Using model outputs, HDR will identify additional data needed to calibrate the computer model and predict wastewater flows. Data collection may include flow monitoring within gravity sewer mains or pump stations, water quality monitoring, field surveying (where topographic information is unknown) and other operational testing.

**HDR Responsibilities:**

- 1) Prepare a monitoring plan for additional data collection using preliminary modeling results. The plan will identify the deficiencies and necessary actions along with related costs.
- 2) Provide up to 20 hours of technical assistance to the City in implementing the monitoring plan.

**City Responsibilities:**

- 1) Provide updated data on the wastewater collection and conveyance system, including infrastructure locations, pumping records, pump curves, operation and maintenance manuals or protocols, water quality data, flow data, etc. as requested by HDR.
- 2) Assist HDR with the development of the monitoring plan.
- 3) Review and offer comprehensive, consolidated written comments on the monitoring plan within 2 weeks of receipt.

**Assumptions:**

- 1) Resolutions to data conflicts and up-dated data requested by HDR will be readily available in the time frame established for this project.
- 2) The City will implement the monitoring plan within 3 weeks of its approval.

**Deliverables:**

- 1) Monitoring Plan in form of a Technical Memorandum (consisting of up to 25 pages in 8½" x 11" format, including maps and/or other graphics).

**Phase 3B: Model Refinement and Plan Preparation**

It is anticipated that HDR will develop a detailed scope of services and budget for Phase 3B- Model Refinement and Plan Preparation will be prepared at the conclusion of Phase 3A above.

The information provided below is for informational purposes and the anticipated tasks yet to be scoped and performed. It is therefore understood by both HDR and the City that the actual tasks and related services may vary from that shown below.

**Task 3.30 Model Refinement and Additional Model Simulations**

Using the information collected under Task 3.20, HDR will modify the computer model accordingly. Additional model simulations will be conducted for the existing conditions, as well as the 6-year and 20-year projected conditions to assess the performance of the wastewater collection and conveyance system. The anticipated services under this task may consist of the following:



- Model Refinement and Calibration
- Additional Model Simulations

**Task 3.40 Water Reclamation and Reuse**

Generally, HDR will assist the City in determining the potential for implementing a water reuse program. HDR will work closely with the City to define a suitable service area and forecast water demands for a reclaimed water system. Capital improvements to the City's Wastewater Treatment Plant as well as new improvements necessary for the construction of a reclaimed water distribution system will also be identified.

The anticipated services can vary widely depending on City's preferences and commitment for implementing a water reuse program. These services may include an overview of implementing a water reuse program to preparing a detailed study or evaluation of all aspects of implementing a program within 6 year or 20 year period.

**Task 3.50 Capital Facility Planning**

HDR will prepare a Capital Facility Plan based on modeling results. Together the City and HDR will work collaboratively to determine the level of service necessary to meet existing and future demands, develop criterion to rank improvements within each basin, and develop and priority array of prospective projects by functional category. Generally, the anticipated services will include preparing a narrative and related tables for the following elements:

- Functional Categories (e.g. Storage, Pumping Equipment, Pipeline, etc.)
- 6-year Capital Improvement Plan
- 20-year Capital Improvement Plan

**Task 3.60 Operation and Maintenance Planning**

It is anticipated that HDR will work collaboratively with City staff to assess the needs for operation and maintenance, and identify applicable best management practices associated with the existing sewer system and future improvements under this subtask. These services may generally include an assessment of the following:

- Gravity Collection and Conveyance System
- Pump Stations and Related Appurtenances

**Task 3.70 Financial Planning**

HDR anticipates the capital improvement plan, along with the operation and maintenance planning efforts will identify additional costs to the City's sewer utility. Therefore, HDR will develop a financial plan working with the City to fund existing and future utility activities. The services may include the following elements:

- Revenue Requirements
- Rate Revenue Assessment
- System Development Charge Assessment
- Funding strategies

**Task 3.80 Sewer Policy Assessment and Development**

As a part of Phase 3, the existing sewer policies will be evaluated. Some of the key elements will relate to management of drainage basins, water reclamation and reuse, capital planning, operation and maintenance objectives, system development charges, and defining the sewer utility's levels of service for different components of the wastewater collection and conveyance system. In addition, HDR will identify future policies relating to the wastewater system.

**Task 3.90 Preparation of Comprehensive Wastewater Plan Update**

HDR anticipates the information produced and collected as a part of Phase 3 tasks will be used to update the City's Comprehensive Wastewater Plan (General Sewer Plan). The plan will be consistent with Washington Administrative Code 173-240-050, and submitted to the Department of Ecology for review and approval. HDR also anticipates providing the City recommendations for other Growth Management Act planning activities relating to the wastewater system in association with this task.

Upon conclusion of this task, it is anticipated HDR will transfer the ownership and license for use of the wastewater model developed for Phase 3B along with all pertinent data files.

**II. Estimated Fees and Related Rate Schedule**

The estimated total contract amount to complete the professional services identified in Section I above is forty nine thousand one hundred dollars (\$49,100).

Professional services rendered in connection with this scope will be billed on a Time and Materials basis based on the 2007 rate schedule shown below for actual hours rendered by HDR employees to the estimated total contact amount in accordance with the terms and conditions outlined in the signed Agreement (attached hereto). In addition, HDR will apply a 10% fee to actual subconsultant and vendor invoices associated with this project.

2007 Hourly Rate Schedule		
Position Classification	Fully Burdened Hourly Rates <sup>1</sup>	
	Minimum	Maximum
Project Principal	\$170.00	\$240.00
Sr Project Manager	\$140.00	\$240.00
Sr Project Planner	\$140.00	\$220.00
Project Planner	\$100.00	\$140.00
Sr Project Engineer	\$140.00	\$240.00
Project Engineer	\$80.00	\$150.00
Sr CADD Tech	\$90.00	\$130.00
CADD Tech	\$70.00	\$110.00
Project Assistant	\$60.00	\$90.00
Project Controller	\$60.00	\$90.00

<sup>1</sup> Fully Burdened Hourly Rates include labor rate, allocated overhead rate and tech charges.

### III. Anticipated Project Schedule

The Preliminary project schedule key milestone dates are:

Major Project Milestones:	Estimated Time to Completion:
Execute Agreement Meet with City. Prepare Preliminary Model Prepare Tech Memo Prepare Monitoring Plan Develop Scope for Phase 3B	Start Date. Within 1 month of Start Date. Within 2.5 months of Start Date. Within 3 Months of Start Date. Within 4 months of Start Date. Within 4 months of Start Date.

Client: Gig Harbor, Washington Project Name: Wastewater Comprehensive Plan (Phase 3A) - Preliminary Model Development Prepared by: K. Drecon Created: 2/19/2007 Revised: NA Reviewed by: S. Voss & D. Skinner													
Description	Total Hours for Task	TOTAL HOURS/DOLLARS	Project Principal	Sr Project Manager	Sr Project Planner	Project Planner	Sr Project Engineer	Sr Project Engineer(2)	Project Engineer	Sr CADD Tech	CADD Tech	Project Assistant	Project Controller
<b>Phase 3A- Preliminary Model Development and Additional Data Collection</b>	<b>368 hours</b>												
<b>3.00 Project Management</b>	<b>61 hours</b>												
Project Initiation, Management Review, etc.		10	2	4									4
Project Guide		3		2									1
Invoicing and Processing		22		6								4	12
Project Status Meetings	4 invoices 3 meetings	20		12			4	4				2	2
Project Closeout		6		2									
<b>3.10 Preliminary Hydraulic Model Development</b>	<b>243 hours</b>												
Prepare Preliminary Model		90		8	16	40	8	16	40	4			
Input WW Demands		24		4			2	4	16				
Calibrate model using known data		28		4			4	4	20	4			
Perform model runs		10		2			2	4	4				
Identify data deficiencies and inconsistencies		19	1	8			8	4	4				
Prepare Tech Memo	Deliverable	12	2	8							2		
QA/QC Review		44		8			16	8	8	4			
Additional Data Collection	64 hours	20		8			20						
Prepare monitoring plan		10	2	6							2		
Technical assistance	20 hours												
QA/QC Review		378	7	60	16	40	66	36	104	16	4	8	19
<b>Subtotal HDR Labor Hours</b>													
<b>Total Labor Costs, Allocated Overhead Costs and Fees</b>		\$47,164											
<b>Total Direct Expenses</b>		\$1,850											
<b>Total Subconsultant Expenses and/or Other Services</b>		\$0											
<b>Total Anticipated Contract Amount</b>		\$49,014											



Business of the City Council
City of Gig Harbor, WA

Subject: Boating Safety Agreement with Pierce County Sheriff's Department

Proposed Council Action: Approval of Boating Safety Agreement as presented.

Dept. Origin: Police Department

Prepared by: Chief Mike Davis

For Agenda of: April 23, 2007

Exhibits: Boating Safety Agreement

Initial & Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

CA 4/11/07

RJK 4/11/07

4/11/07

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required, and values (0, 0, 0).

INFORMATION/BACKGROUND

Local jurisdictions, like the city of Gig Harbor, that offer boating safety services approved by the State of Washington must enter into a cooperative agreement with Pierce County in order to receive an equitable share of the vessel registration fees distributed to Pierce County each year.

RECOMMENDATION/MOTION

Move to: Approve the Boating Safety Agreement with the Pierce County Sheriff's Department.



Pierce County

Sheriff's Department

930 Tacoma Avenue South  
Tacoma, Washington 98402

April 6, 2007

City of Gig Harbor  
Police Chief Mike Davis  
3510 Grandview Street  
Gig Harbor, WA 98335

Re: Boating Safety Program Agreement

Enclosed are three copies of the agreement between the Pierce County Sheriff's Department and City of Gig Harbor. Please sign all three copies and return them to me. I will send you an original signed agreement when the Pierce County signature process is completed.

If you have any questions, please contact me at 253-798-3430 or [jwilli1@co.pierce.wa.us](mailto:jwilli1@co.pierce.wa.us).

Sincerely,

A handwritten signature in cursive script that reads "Julie Williams".

Julie Williams  
Contract Services Manager

JW:kc

Enclosures



**CITY OF GIG HARBOR  
BOATING SAFETY PROGRAM AGREEMENT**

This agreement entered into by the County of Pierce (COUNTY) and the City of Gig Harbor (CITY), witnesses that:

**WHEREAS**, pursuant to RCW 88.02.040, the Department of Licensing collects vessel registration fees on an annual basis, retains the first 1.1 million dollars of what was collected and then distributes the remainder to Washington Counties that have approved boating safety programs; and

**WHEREAS**, the County has an approved boating safety program; and

**WHEREAS**, the annual distribution of vessel registration fees in the amount of \$220,231.53 has been received by the County; and

**WHEREAS**, pursuant to WAC 325.65.30, the legislative authority of each County with an approved boating safety program will be responsible for equitable distribution of funds allocated by the State Treasurer to local jurisdictions with approved boating safety programs within the County; and

**WHEREAS**, local jurisdictions offering boating safety services and desiring to receive distribution of funds must enter into a cooperative agreement with the County and receive and maintain State Park's approval for the boating safety program; and

**WHEREAS**, the City has received State approval of its boating safety program and is eligible to receive an equitable share of the vessel registration fees distributed to the County; and

**WHEREAS**, the County and the City desire to enter into a cooperative agreement;

**NOW THEREFORE**, in consideration of the covenants, conditions, performances and promises hereinafter contained, the parties agree as follows:

1. The City agrees to use the funds made available under this agreement only for boating safety purposes as defined by WAC 356.65.040. The City further agrees to use the funds to increase boating safety education and enforcement efforts and to stimulate greater local participation in boating safety, but not to use the funds to supplant existing boating safety funding.
2. The City agrees to operate its boating safety programs in compliance with the State's program requirements and to comply with all applicable federal, state and local laws in performing any activities resulting from the use of the funds distributed under this agreement.

3. The City agrees to submit an annual report of activities performed and participate in state-wide boating surveys as required by State parks. Additionally, in accordance with WAC 352.65.060, an annual program assessment and report of activities of the local jurisdiction boating safety program will be made by State parks in order to insure the integrity of the program approval.
4. The County and the City agree that the City's equitable share of vessel registration fees is \$13,214. The County agrees to deliver to the City Treasurer a check in that amount.
5. No changes or additions shall be made to this agreement except as agreed to both parties and reduced to writing and executed with the same formalities as are required by the execution of this agreement.
6. The laws of the State of Washington shall govern this agreement. The parties stipulate that any lawsuit regarding this agreement must be brought in Pierce County Washington.
7. Should any clause, phrase, sentence or paragraph of this agreement be declared invalid or void, the remaining provision of this agreement shall remain in full force and effect.
8. This agreement shall take effect upon the signature of both parties and shall remain in effect until September 30, 2007 unless sooner extended by written agreement of the parties.

End of agreement. Signature page immediately following.



**PIERCE COUNTY  
CONTRACT SIGNATURE PAGE**

IN WITNESS WHEREOF, the parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CONTRACTOR:**

\_\_\_\_\_  
Contractor Signature \_\_\_\_\_ Date

\_\_\_\_\_  
Title of Signatory Authorized by Firm Bylaws

Name: City of Gig Harbor

UBI No. \_\_\_\_\_

Address:

Gig Harbor, WA 98335

Mailing  
Address:

same as above


Contact Name: Gig Harbor Police Chief

Phone:

Fax: \_\_\_\_\_

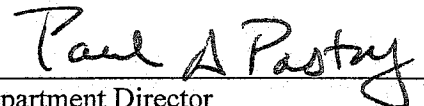
**PIERCE COUNTY:**

Reviewed:

  
\_\_\_\_\_  
Prosecuting Attorney (*as to form only*) \_\_\_\_\_ Date 3-30-07

\_\_\_\_\_  
Budget and Finance \_\_\_\_\_ Date

Approved:

  
\_\_\_\_\_  
Department Director \_\_\_\_\_ Date 4-3-07  
(*less than \$250,000*)

\_\_\_\_\_  
County Executive (*over \$250,000*) \_\_\_\_\_ Date



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Estuary Park Name

**Proposed Council Action:**

Council to select and adopt a name for the estuary park.

**Dept. Origin:** Community Development

**Prepared by:** Dave Brereton *Dave*  
Director of Operations

**For Agenda of:** April 23, 2007

**Exhibits:** None

**Concurred by Mayor:**

Initial & Date  
*CH 4/17/07*

**Approved by City Administrator:** *PK 4/17/07*

**Approved as to form by City Atty:** *CA 4/19/07*

**Approved by Finance Director:** N/A

**Approved by Department Head:** *JW 4/16/07*

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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**INFORMATION / BACKGROUND**

The estuary park next to the future site of the Harbor History Museum was recently purchased with Pierce County Conservation Futures funds and transferred over to the City of Gig Harbor. Now that the City owns the property, plans to improve it into an accessible park that the public can enjoy are just beginning.

This new park needs a name. The City Council has requested that the Gig Harbor Peninsula Historical Society provide name recommendations for parks located in the downtown view basin of the City. As a result, the Historical Society has provided the following suggestions for this particular park.

**Austin Estuary Park**

- The Austin Mill was located in the park area. Built in 1909, the mill supplied lumber for homes and boatbuilding. The mill also produced the logs used for the unique "Austin – Ericson" style of log cabin construction.

## **Shaw Park and Estuary**

- Would honor C.E. Shaw and Frank Shaw, two prominent Gig Harbor citizens. C.E. Shaw was the inventor of the Rooster Races, Round Rock contest, and many other unique Gig Harbor events. An artist and sign painter, Shaw helped shape our community in many ways. His son, Frank, was an amateur photographer who captured the essence of Gig Harbor through his 1940s and 50s era photos, many of which decorate businesses and homes throughout the harbor.
- The Park is adjacent to C.E. Shaw's original sign shop location.

## **S'Homamish Estuary Park**

- It would be the only reference to the fact that Native Americans lived in the harbor long before the pioneers.
- The estuary leads to Donkey Creek, where the Native American settlement was, where they came to fish the salmon, hunt, pick berries: historic significance
- S'Homamish is the name of the band of Native Americans who lived in the vicinity.

## **Twa-wal-kut Estuary Park**

- It would be the one and only reference to the fact that Native Americans lived in the harbor long before the pioneers
- The estuary leads to Donkey Creek, where the Native American settlement was, where they came to fish the salmon, hunt, pick berries: historic significance
- Twa-wal-kut was the Native American name for Gig Harbor.

## **Wilkes Estuary Park**

- Lieutenant Wilkes and his crew "discovered" and named Gig Harbor.

## **Harbor View Estuary Park (Suggested by Dawn Stanton)**

- Keeping "estuary" in the name creates stronger visuals/power for grants and for the general public: What it is, is in the name.
- It provides a "harbor view" and is in fact THE harbor view at the head of the bay.
- It's location is easy to find and remember: "on Harborview Drive"
- It's generic and minimally political.
- It keeps our Park Names simpler.

## **FISCAL CONSIDERATION**

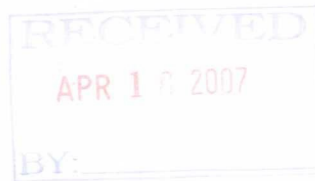
None.

## **RECOMMENDATION**

None.

## **RECOMMENDATION / MOTION**

**Move to:** Council to select and adopt a name for the estuary park.



Joy H. Herrmann  
5408 24<sup>th</sup> Ave NW  
Gig Harbor, Wa  
253-858-3003

April 17, 2007

Dear Mayor Hunter and City Council members:

An opportunity has arisen for the city of Gig Harbor to show its appreciation for the many accomplishments of historical value that were contributed by Clarence Elvin Shaw.

For many years the name Shaw has been suggested for a street name in Gig Harbor. It was promised by former Mayor Wilbert that this would be done. But now, a wonderful opportunity has presented itself to name a park after C. E. Shaw.

The new Estuary park, to be located close to the 76 station, would be ideal. For many years a small parcel near the station was the sign and printing shop of C.E. Shaw. He was a painter and for many years his colorful signs decorated the peninsula area. He was very community spirited. He was incidental in starting the first parade in Gig Harbor, and building a band stand at the Head of the Bay that stood for many years.

He is probably most remembered for his Racing Roosters which not only were raced in Gig Harbor and Pierce County but also were filmed by Movietone news and shown in national theaters in 1936. In 1939 he appeared with his roosters in Madison Square Garden for NewsTone's Hobby Lobby radio show as well as in many articles written in local and national papers and periodicals around the country. Although these events happened many years ago, they are a vital part of the history of Gig Harbor

He also started the Round Rock Contest which the local Historical Society still holds every year. Many more records of his accomplishments and community promotions are on file at the Gig Harbor Peninsula Historical Society.

The Shaw family came to Gig Harbor in 1919 to live in the home of Mrs. Shaw's grandparents, Sebra and Jane Inlay who had arrived years before and settled at the head of the bay. Many of their descendents still live in the Harbor area.

Sincerely

Joy H. Herrmann  
Granddaughter of C.E. Shaw

Copy: Community Development Services



Business of the City Council  
City of Gig Harbor, WA

**Subject:** Agreement for Construction Services With Puget Sound Instrument (PSI)

**Dept. Origin:** Police Department

**Prepared by:** Chief Mike Davis *[Signature]*

**Proposed Council Action:** Approval of a Agreement for Construction Services with Puget Sound Instrument to install surveillance camera systems at the city skate board park and in the temporary holding facility at the police department.

**For Agenda of:** April 23, 2007

**Exhibits:** Contract for Construction Services With Puget Sound Instrument (PSI) and bids

Initial & Date

**Concurred by Mayor:**

*CA 4/17/07*

**Approved by City Administrator:**

*LBK 4/13/07*

**Approved as to form by City Atty:**

**Approved by Finance Director:**

*DR 4/13/07*

**Approved by Department Head:**

Expenditure Required	\$14,871.87	Amount Budgeted	\$12,000.00	Appropriation Required	\$0	See fiscal note below
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**INFORMATION/BACKGROUND**

Within the 2007 budget, \$12,000.00 was budgeted to install a camera surveillance system around the perimeter of the City Skateboard Park and within the temporary booking area located in the police department. These two systems were designed to share a common PC-based digital recording system. Within the Police Department (department-06) budget \$5,000.00 was budgeted for the booking room system and within the Parks and Recreation (department-15) budget \$7,000.00 was budgeted for the skate board park system. Additionally, we received a grant from AWC for \$1,000.00 to assist with funding this capital project.

The following three bids were received:

Comp View (Renton)	\$22,622.04
Puget Sound Instrument (Tacoma)	\$14,871.87
Allied Security (Seattle)	\$14,995.48

Puget Sound Instrument was the low bid at \$14,871.87 and was subsequently selected to install the camera systems.

**FISCAL CONSIDERATION**

This bid is \$2,871.87 over our budgeted amount of \$12,000.00 for this project. With the \$1,000.00 grant from AWC, we will still need an additional \$1,871.87 to complete the project. The additional money will be provided within our current 2007 budget.

**RECOMMENDATION/MOTION**

**Move to:** Authorize the award and execution of the Agreement for Construction Services with Puget Sound Instrument to install cameras systems at the city Skate Board Park and in the temporary booking area in the police department in the amount of fourteen thousand eight hundred seventy one dollars and eighty seven cents (\$14,871.87).

**AGREEMENT FOR CONSTRUCTION SERVICES  
BETWEEN GIG HARBOR AND PUGET SOUND INSTRUMENT**

THIS AGREEMENT, is made this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, by and between the City of Gig Harbor (hereinafter the "City"), and Puget Sound Instrument a Washington company, located and doing business at 2612 Pacific Highway East, Tacoma Washington 98424, (hereinafter "Contractor").

WHEREAS, the City desires to hire the Contractor to perform the work and agrees to perform such work under the terms set forth in this Agreement; and

WHEREAS, in the process of selection of the Contractor and award of this contract, the City has utilized the procedures in RCW 39.04.155(3);

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

**I. Description of Work.** The Contractor shall perform all work as described below, which is attached hereto and incorporated herein by this reference, in a workman-like manner according to standard construction practices.

**Skateboard Park**

The work shall include the furnishing of all materials and labor necessary to install (2) network cameras on light poles around the skate park using a city of Gig Harbor provided lift. The cameras are wireless and come with the sending device and the weather proof housing for the camera and sender. The antenna needs to be pointed to a location on the police station. At the location on the police station PSI will install a wireless camera receiver. From the receiver a coax cable will be installed to the PC based digital recorder in the upstairs storage area. The city of Gig Harbor will be responsible for getting AC power to the pole with a plug in for the cameras.

**Temporary Holding Room**

Three (3) network cameras with audio recording capability will be installed by PSI in various locations and wired into the shared PC based digital recorder in the upstairs storage area.

- Camera one will be to the right of the door facing middle of the room.
- Camera two will be at the end of the hall on the left facing down the hall into the main room.
- Camera three will be mounted on the brick wall above the door in the garage facing the parking area.

The Contractor will provide training on the use of the system and associated software.

The Contractor shall not perform any additional services without the express permission of the City.

**II. Payment.**

A. The City shall pay the Contractor the total sum of \$14,871.87, including Washington State sales tax, for the services described in Section 1 herein. This is the

maximum amount to be paid under this Agreement for these tasks, and shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed change order.

B. After completion of the work, the City shall pay the full amount of an invoice within thirty (30) days of receipt. If the City objects to all or any portion of any invoice, it shall so notify the Contractor of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

**III. Relationship of Parties.** The parties intend that an independent contractor - owner relationship will be created by this Agreement. As the Contractor is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or subcontractor of the Contractor shall be, or shall be deemed to be the employee, agent, representative or subcontractor of the City. In the performance of the work, the Contractor is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance and unemployment insurance, are available from the City to the employees, agents, representatives or subcontractors of the Contractor. The Contractor will be solely and entirely responsible for its acts and for the acts of the Contractor's agents, employees, representatives and subcontractors during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Contractor performs hereunder.

**IV. Duration of Work.** The City and the Contractor agree that work will begin on the tasks described in Exhibit A immediately upon execution of this Agreement by both parties. The Contractor shall perform all work required by the Agreement on or before **June 1, 2007**. The indemnification provisions of Section IX shall survive expiration of this Agreement.

**V. Prevailing Wages.** Wages paid by the Contractor shall be not less than the prevailing rate of wage in the same trade or occupation in Pierce County as determined by the industrial statistician of the State Department of Labor and Industries and effective as of the date of this contract.

Before any payment can be made, the Contractor and each subcontractor shall submit a "Statement of Intent to Pay Prevailing Wages" to the City, which has been approved by the State Department of Labor and Industries. Each voucher claim (invoice) submitted by the Contractor for payment of work shall have an "Affidavit of Wages Paid", which states that the prevailing wages have been paid in accordance with the pre-filed "Statement(s) of Intent to Pay Prevailing Wages".

**VI. Waiver of Performance Bond and Retainage: Limited Public Works Process.** As allowed in RCW 39.04.155(3) for limited public works projects, the City has waived the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW for the work described in Exhibit A.

**VII. Termination.**



A. Termination Upon City's Option. The City shall have the option to terminate this Agreement at any time. Termination shall be effective upon five (5) days written notice to the Contractor.

B. Termination for Cause. If the Contractor refuses or fails to complete the tasks described in Exhibit A, to complete such work by the deadline established in Section IV, or to complete such work in a manner satisfactory to the City, then the City may, by written notice to the Contractor, give notice of its intention to terminate this Agreement. On such notice, the Contractor shall have five (5) days to cure to the satisfaction of the City or its representative. If the Contractor fails to cure to the satisfaction of the City, the City shall send the Contractor a written termination letter which shall be effective upon deposit in the United States mail to the Contractor's address as stated below.

C. Excusable Delays. This Agreement shall not be terminated for the Contractor's inability to perform the work due to adverse weather conditions, holidays or mechanical failures which affect routine scheduling of work. The Contractor shall otherwise perform the work at appropriately spaced intervals on an as-needed basis.

D. Rights upon Termination. In the event of termination, the City shall only be responsible to pay for services satisfactorily performed by the Contractor to the effective date of termination, as described in a final invoice to the City.

**VIII. Discrimination.** In the hiring of employees for the performance of work under this Agreement or any subcontract hereunder, the Contractor, its subcontractors or any person acting on behalf of the Contractor shall not, by reason of race, religion, color, sex, national origin or the presence of any sensory, mental, or physical handicap, discriminate against any person who is qualified and available to perform the work to which the employment relates.

**IX. Indemnification.** The Contractor shall indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, and shall pay for all costs, including all legal costs and attorneys' fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. The City's inspection or acceptance of any of the Contractor's work when completed shall not be grounds to avoid any of these covenants of indemnification.

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

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONTRACTOR'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER.

The provisions of this section shall survive the expiration or termination of this Agreement.

**X. Insurance.**

A. The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Contractor's own work including the work of the Contractor's agents, representatives, employees, sub-consultants or sub-contractors.

B. Before beginning work on the project described in this Agreement, the Contractor shall provide evidence, in the form of a Certificate of Insurance, of the following insurance coverage and limits (at a minimum):

1. Business auto coverage for any auto no less than a \$1,000,000 each accident limit, and
  2. Commercial General Liability insurance no less than \$1,000,000 per occurrence with a \$2,000,000 aggregate. Coverage shall include, but is not limited to, contractual liability, products and completed operations, property damage, and employers liability, and
- C. The Contractor is responsible for the payment of any deductible or self-insured retention that is required by any of the Contractor's insurance. If the City is required to contribute to the deductible under any of the Contractor's insurance policies, the Contractor shall reimburse the City the full amount of the deductible.
- D. The City of Gig Harbor shall be named as an additional insured on the Contractor's commercial general liability policy. This additional insured endorsement shall be included with evidence of insurance in the form of a Certificate of Insurance for coverage necessary in Section B. The City reserves the right to receive a certified and complete copy of all of the Contractor's insurance policies.
- E. It is the intent of this contract for the Contractor's insurance to be considered primary in the event of a loss, damage or suit. The City's own comprehensive general liability policy will be considered excess coverage in respect to the City. Additionally, the Contractor's commercial general liability policy must provide cross-liability coverage as could be achieved under a standard ISO separation of insured's clause.
- F. The Contractor shall request from his insurer a modification of the ACORD certificate to include language that prior written notification will be given to the City of Gig Harbor at least 30-days in advance of any cancellation, suspension or material change in the Contractor's coverage.

The Contractor shall procure and maintain for the duration of this Agreement, comprehensive general liability insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its employees, agents or subcontractors. The cost of such insurance shall be borne by the Contractor. The Contractor shall maintain limits on such insurance in the above specified amounts: The coverage shall contain no special limitations on the scope of protection afforded the City, its officials, officers, employees, agents, volunteers or representatives.

The Contractor agrees to provide the City with certificates of insurance evidencing the required coverage before the Contractor begins work under this Agreement. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been

given to the City. The City reserves the right to require complete, certified copies of all required insurance policies at all times.

**XI. Entire Agreement.** The written provisions and terms of this Agreement, together with all exhibits attached hereto, all bids specifications and bid documents shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of, or altering in any manner whatsoever, this Agreement.

**XII. City's Right of Supervision.** Even though the Contractor is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Contractor agrees to comply with all federal, state and municipal laws, rules and regulations that are now effective or become applicable within the terms of this Agreement to the Contractor's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

**XIII. Work Performed at the Contractor's Risk.** The Contractor shall take all precautions necessary and shall be responsible for the safety of its employees, agents and subcontractors in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Contractor's own risk, and the Contractor shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Contractor for use in connection with the work.

**XIV. Warranties.** The Contractor hereby warrants that it is fully licensed, bonded and insured to do business in the State of Washington as a general contractor. Contractor, Inc. will warranty the labor and installation of materials for a two (2) year warranty period.

**XV. Modification.** No waiver, alteration or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Contractor.

**XVI. Assignment.** Any assignment of this Agreement by the Contractor without the written consent of the City shall be void.

**XVII. Written Notice.** All communications regarding this Agreement shall be sent to the parties at the addresses listed below, unless notified to the contrary. Any written notice hereunder shall become effective as of the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

**XVIII. Non-Waiver of Breach.** The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements or options, and the same shall be and remain in full force and effect.

**XIX. Resolution of Disputes.** Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to

the City, and the City shall determine the term or provisions' true intent or meaning. The City shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

If any dispute arises between the City and the Contractor under any of the provisions of this Agreement which cannot be resolved by the City's determination in a reasonable time, or if the Contractor does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be with the Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party shall be reimbursed by the other party for its costs, expenses, and reasonable attorney's fees incurred in any litigation arising out of the enforcement of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year above written.

**PUGET SOUND INSTRUMENT**

By: \_\_\_\_\_  
Pat Hash

**THE CITY OF GIG HARBOR**

By: \_\_\_\_\_  
Mayor Charles L. Hunter

**Notices should be sent to:**

**PUGET SOUND INSTRUMENT**

Attn: Pat Hash  
2612 Pacific Highway East  
Tacoma, WA 98424  
(253) 922-7890

City of Gig Harbor  
Attn: Mike Davis  
Chief of Police  
3510 Grandview Street  
Gig Harbor, Washington 98335  
(253) 853-2420

**Approved as to form:**

By: \_\_\_\_\_  
Carol Morris, City Attorney

**Attest:**

By: \_\_\_\_\_  
Molly M. Towslee, City Clerk

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

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

DATED: \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the  
State of Washington,  
Residing at \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

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

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the **Mayor of the City of Gig Harbor**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the  
State of Washington,  
Residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

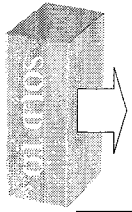
*Final Quote*

# PSI PUGET SOUND INSTRUMENT

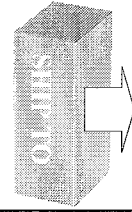
PSI - Tacoma  
 2612 Pacific Highway East  
 Tacoma, Wa. 98424

**\*\*QUOTE\*\***

(253)-922-7890 1  
 WWW.PSICOMPANY.COM O/E



GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335

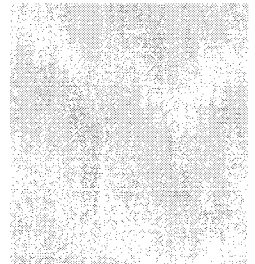


Your PO#: SKATE PARK  
 Cust#:600129  
 GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335

Quote #:	Date:	Terms:	Delivery Method:	PSI Representative:
243982	02/15/07	PPD 20, due 21	PSI INSTALLED	Shawn A. Fuller

PSI Item #	Description	Units		Unit \$	Ext. \$
0221-004	AXIS 221 NETWORK CAMERA DAY/NIGHT FUNCTIONS	2		999.00	1998.00
TG10Z0513FCS	COMPUTAR 5-50MM DC AUTO IRIS LENSE	2		177.00	354.00
ACH13HB12N	VIDEOLARM OUTDOOR HOUSING WITH HEATER BLOWER	2		275.00	550.00
ELLEBILLCUS	CAMERA SYSTEM INSTALLATION	14	HR	85.00	1190.00
RJ806HW	STAHLIN NEMA ENCLOSURE W/ HINGED COVER, BACKPLATE	2	EA	75.00	150.00
DWL-2100AP	DLINK 108 MBPS ACCESS POINT	3	EA	113.00	339.00
ANT2409	NETGEAR ANT2409 INDOOR OR OUTDOOR 9DBI OMNI ANTENNA	1	EA	160.00	160.00
*L/MMERCH	MISC MOUNTING HARDWARE	1	EA	500.00	500.00
*L/MMERCH	MISC RECORDING SOFTWARE/ HARDWARE	1	EA	1564.00	1564.00

THE ABOVE QUOTE IS FOR

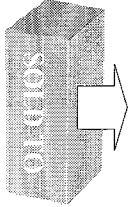


# PSI PUGET SOUND INSTRUMENT

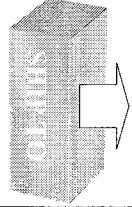
PSI - Tacoma  
 2612 Pacific Highway East  
 Tacoma, Wa. 98424

**\*\*QUOTE\*\***

(253)-922-7890 2  
 WWW.PSICOMPANY.COM O/E



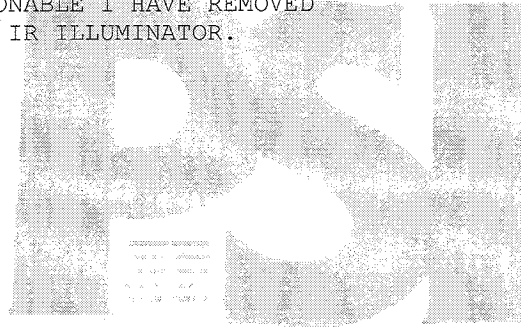
GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335



Your PO#: SKATE PARK  
 Cust#:600129  
 GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335

Quote #:	Date:	Terms:	Delivery Method:	PSI Representative:
243982	02/15/07	PPD 20, due 21	PSI INSTALLED	Shawn A. Fuller
PSI Item #	Description	Units	Unit \$	Ext. \$

THE SKATE PARK CAMERA SYSTEM. THE ABOVE QUOTED CAMERAS ARE 0.08 LUX WHICH MEANS IN A FULL MOON SITUATION THEY STILL HAVE VISABILITY. TO KEEP THE PRICE RESONABLE I HAVE REMOVED THE IR ILLUMINATOR.



1) This Quote does not include installation charges.	Sub-Total:	6,805.00
2) Additional terms and conditions on reverse page.	Freight:	.00
	Sales Tax:	598.84
	<b>Total (USD) \$:</b>	<b>7,403.84</b>

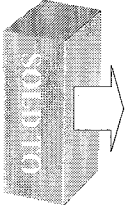


# PSI PUGET SOUND INSTRUMENT

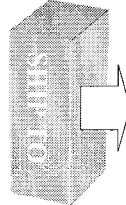
PSI - Tacoma  
 2612 Pacific Highway East  
 Tacoma, Wa. 98424

**\*\*QUOTE\*\***

(253)-922-7890 1  
 WWW.PSICOMPANY.COM O/E



GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335



Your PO#: BAC RECORDIN

Cust#:600129  
 GIG HARBOR POLICE DEPT.  
 3510 GRANDVIEW ST.  
 GIG HARBOR, WA 98335

Quote #:	Date:	Terms:	Delivery Method:	PSI Representative:
244475	03/14/07	PPD 20, due 21	PSI INSTALLED	Shawn A. Fuller

PSI Item #	Description	Units		Unit \$	Ext. \$
BAC RECORDING SYSTEM					
0233-004	AXIS 210A NETWORK CAMERA	3		549.00	1647.00
24888	AXIS VANDAL RESIST. FIXED INDOOR CEILING HOUSING	3		199.00	597.00
T2Z3514CS	COMPUTAR VARIFOCAL LENSE 3.5-8MM MANUAL IRIS	3		50.00	150.00
ELLEBILLCUS	CAMERA SYSTEM INSTALLATION	12	HR	85.00	1020.00
*L/MPARTS	MISC INSTALLATION PARTS	1	EA	500.00	500.00
PD-3006/A	POWERDSINE 6 PORT POE INJECTOR	1	EA	325.00	325.00
*L/MMERCH	MISC RECORDING SOFTWARE/HARDWARE	1	EA	2500.00	2500.00
4PR-TL5SHLD	CAT5 WIRE	1	EA	125.00	125.00

1) This Quote does not include installation charges.	Sub-Total:	6,864.00
2) Additional terms and conditions on reverse page.	Freight:	.00
	Sales Tax:	604.03
	<b>Total (USD) \$:</b>	<b>7,468.03</b>

# Comp View

The Source For Presentation Solutions

Project Number: SE01421\_rev2  
Account Executive: Todd Johnson  
Date: 2-16-07  
3-13-07  
3-23-07

**Seattle Branch:**  
12622B Interurban Ave. S.  
Seattle, WA 98168  
206-957-6262  
800.448.8439  
Fax 206-957-6267  
www.compview.com  
Registered and Bonded  
Oregon CCB #134110  
Washington COMPVI\*015DT  
California C-7 #778555  
Minnesota License # CC01101

## **Scope of Work (Attachment "A") Gig Harbor Police Department**

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Following is a scope of work that includes the project features and design requirements as stipulated in our Project Definition Meeting. It is the client's responsibility, or their authorized representative, to review the following information for accuracy and make any necessary changes prior to signing the document.

### **INTERVIEW ROOM**

Not included at this time.

### **SKATE PARK**

CompView will install (2) OFE cameras outside on light poles around the skate park using a GH provided lift. The OFE cameras are wireless and come with the sending device and the weather proof housing for the camera and sender. The antenna needs to be pointed to a location on the police station. At the location on the police station CompView will install an OFE wireless camera receiver. From the receiver an RG59 coax cable will be installed to the OFE PC based recorder in the upstairs storage area.

Note: Customer will be responsible for getting AC power to the pole with a plug in for the cameras

### **BAC**

Three (3) OFE cameras will be installed by CompView in various locations and wired into the PC based recorder in the upstairs storage area, which the (2) OFE Skate Park cameras also connect to.

Camera one will be to the right of the door facing middle of the room.

Camera two will be at the end of the hall on the left facing down the hall into the main room.

Camera three will be mounted on the brick wall above the door in the garage facing the parking area.

**Installation Labor for either system is:**

**\$9,543.05**

### **SKATE PARK and BAC HARDWARE UPGRADE (Option)**

CompView's recommendation for a (NON PC Based) digital DVR recorder and H-Impact and Hi-Res cameras for BAC and Skate Park includes (3) hours of training and setup from the LOCAL factory authorized rep. The product is Nationwide accredited and locally supported. It comes with a DVD burner built in, 1 TB of storage (vs. 250GB in the above OFE system), is already expanded to utilize the 8 required cameras, as well as, immediately able to add up to 8 additional cameras (total of 16) if desired and is fully network capable.

**The price for this top of the line system (Hardware Only) is:**

**\$13,078.99**

- Proposal does not include Washington State Sales Tax.
- Quote valid for 30 days from above date.
- Progress payments may apply
- Both Scope and SIP Documents must be reviewed by Client and signed prior to ordering.

- Delivery: 4 to 6 weeks after receipt of order.

Client shall assume responsibility of supplying their own electrical contractor for completing all electrical needs, prior to CompView's installation. If client does not have an electrical contractor, CompView may suggest one or supply an electrical contractor to be included within the proposal.

**Limitations and Exclusions**

1. Client shall be responsible for dedicated electrical A/C power and conduits (as required) to all specified locations. All A/V conduits shall be dedicated for CompView wiring and of adequate size.
2. Client shall be responsible for all LAN and CCTV cable and connections.
3. Client shall be responsible for modifications to ceilings, walls, finish work and custom paint finishes (if required).
4. Client and CompView shall agree upon project schedule. Client shall provide access to facility, furniture and owner furnished equipment (O.F.E.) in accordance with that schedule.
5. Unless otherwise specified in this document, customer shall supply all computer equipment. Including but not limited to: desktop computers, laptops, and network hardware.
6. Equipment and labor prices are estimated based on the project detailed in this signed document. Any changes or additions to the project shall affect the cost.

**Client Authorization**

I, \_\_\_\_\_, acting as a representative of Gig Harbor Police Department, agree that the information contained in this scope of work is accurate, and represents intent and detail for, goods and/or services provided as referenced to this document.

\_\_\_\_\_  
Mike Davis

\_\_\_\_\_  
Date

\_\_\_\_\_  
Todd Johnson

3-13-07

\_\_\_\_\_  
Date



3051 East Valley Road Renton, WA 98057 (425) 988-6500 (425) 988-6501

# QUOTATION

Presented by: Josh Brook  
Proposal to: Mike Davis

Date: 3/22/07

**Site Address:**  
CITY OF GIG HAERBOR  
3510 GRANDVIEW  
GIG HARBOR, WA 98335

Thank you for considering Allied Security. We have similar experience with the Lakewood skate park and the city of Everett and Redmond police departments. We are pleased to provide the following proposal.

### Skate Park Wireless Cameras

**Proposal Number: 26,965**

- 2 PHYILLIPS DAY NIGHT DOME CAMERAS
- 2 CAMERA MOUNTS
- 2 CAMERA POWER SUPPLY
- 2 VIDEO COMM WIRELESS VIDEO TRANSMITTERS

Delivered and installed \$6,754.00

### Digital Video Recorder

RECORDER WILL BE FOR UP TO 16 CAMERAS WITH A 500 GIG HARDDRIVE  
(APPROX 25 DAYS OF RECORDING WITH 16 CAMERAS)

Delivered and installed \$4,811.00

### Jail Cameras

- 3 PHYILLIPS COLOR DOME CAMERAS
- 1 CAMERA POWER SUPPLY
- 1 MICROPHONE FOR AUDIO RECORDING
- MISC WIRE

Delivered and installed \$2,243.00

Total project	\$13,808.00
Sales tax	\$1,187.48
Total	\$14,995.48



Business of the City Council  
City of Gig Harbor, WA

**Subject:** Purchase Authorization for a High Efficiency Plant Blower Unit.

**Dept. Origin:** Community Development Dept.

**Prepared by:** Stephen Misiurak, P.E.  
City Engineer

**Proposed Council Action:** Authorize purchase of a compact, high efficiency, air bearing turbo blower from APG-Neuros Inc. for their price quotation of ninety-six thousand four hundred sixty-seven dollars and thirty-three cents (\$96,467.33), including sales tax and shipping.

**For Agenda of:** April 23, 2007

**Exhibits:** Price Quotation

Initial & Date

**Concurred by Mayor:**

CH 4/19/07

**Approved by City Administrator:**

R&K 4/18/07

**Approved as to form by City Atty:**

N/A cam/4/19/07

**Approved by Finance Director:**

DL 4/19/07

**Approved by Department Head:**

Jym 4/18/07

Expenditure	Amount	Appropriation
Required \$96,467.33	Budgeted \$100,000	Required \$0

**INFORMATION / BACKGROUND**

An identified sewer operating objective within the 2007 Budget provides for the purchase and installation of a high efficiency plant blower unit at the Wastewater Treatment Plant. Price quotations were obtained following the process outlined in RCW 35.23.352 for the purchase of this blower unit. The only bid received was from APG-Neuros, Inc. This unit is currently installed as Council had previously authorized the demonstration loan agreement in December of last year.

**FISCAL CONSIDERATION**

The material cost is within the \$100,000 that was anticipated in the adopted 2007 budget and as identified under Sewer Capital Fund, Objective No. 9.

**BOARD OR COMMITTEE RECOMMENDATION**

N/A

**RECOMMENDATION / MOTION**

**Move to:** Authorize purchase of a compact, high efficiency, air bearing turbo blower unit from APG-Neuros, Inc for their price quotation of ninety-six thousand four hundred sixty-seven dollars and thirty-three cents (\$96,467.33), including sales tax and shipping.

## PRICE QUOTATION PROPOSAL PROCUREMENT OF A TURBO BLOWER

Note: Prices for all items, all extensions and total amount of bid must be shown. Show prices in both words and figures and where conflict occurs the written or typed words shall prevail.

ITEM NO.	DESCRIPTION OF ITEM AND CONTRACTOR'S UNIT PRICE	UNIT	ESTIMATED QUANTITY	TOTAL
1	<b>Compact, high efficiency, air bearing turbo blower Standard Package.</b> \$Eighty-four Thousand _____ (Words) <span style="float: right;">Per Lump Sum</span>	Lump Sum	L.S.	\$ 84,000.00


Two year warranty	0.00
Spare parts	1,581.00
Freight	<u>3,411.00</u>
<b>SUBTOTAL QUOTATION PROPOSAL:</b>	<b>\$ 88,992.00</b>
<b>RETAIL SALES TAX at 8.4%</b>	<b><u>\$ 7457.33</u></b>
<b>TOTAL QUOTATION PROPOSAL:</b>	<b>\$ 96,467.33</b>
<b>TOTAL PROPOSAL (USE WORDS):</b>	

**DOLLARS** Ninety-six Thousand Four Hundred Sixty-seven AND Thirty-three CENTS.

**Submitted by:**

APG-Neuros Inc.  
 250 Boulevard De Gaulle  
 Lorraine, Québec, J6Z-4R3, Canada

**Signed by:** \_\_\_\_\_

  
 Omar Hammoud  
 President

April 17, 2007

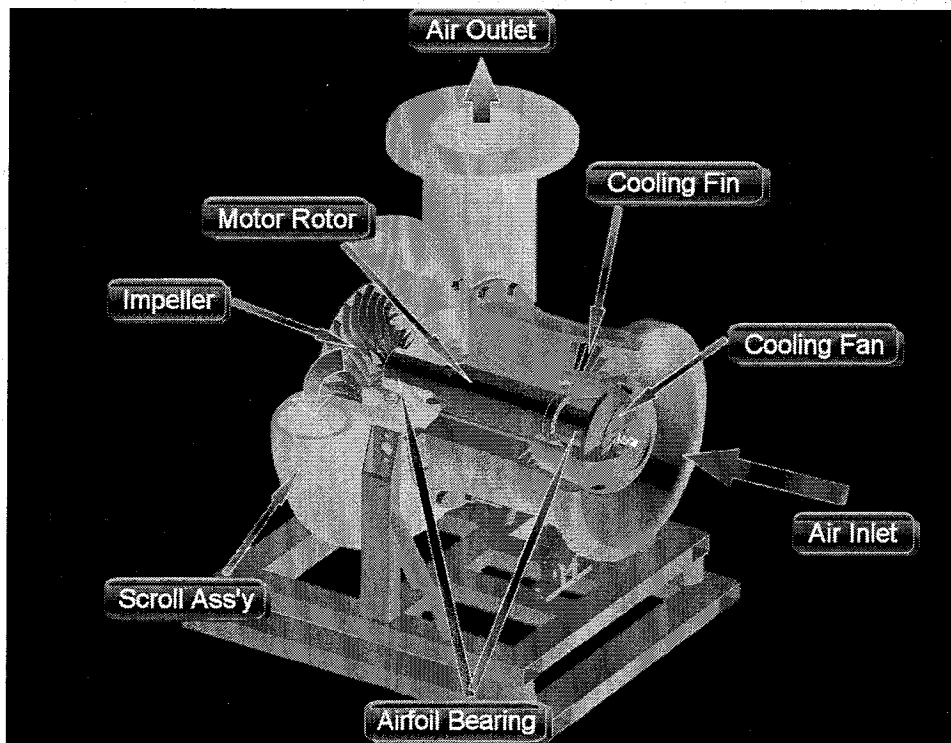
Date:

**Gig Harbor City, Washington  
Waste Water Treatment Plant**

**Neuros Turbo Blower  
Reply to Request for Quotation**

**Issued by: APG – Neuros Inc.**

**April 6, 2007**



**NX Turbo Blower Core**

**APG – Neuros Inc.**  
250 De Gaulle, Lorraine, Québec J6Z 4R3, Canada, Tel : +1 (514) 249-2724  
[www.neuros.com](http://www.neuros.com)



### Executive Summary

APG-Neuros proposes the Neuros NX Turbo Blower that offers high-efficiency air flow in a quite, clean and compact size product made possible by application of latest design in Aeronautic Compressor and Air Bearing technologies combined with the Variable Speed High Speed Electric Motor. The NX Turbo Blower is equipped with Instruments, sound attenuation enclosure and advance technology Power Logic Control.

The NX (pressure) and VX (vacuum) Turbo-blower is developed based the best in class compressor technologies provided by international development partners lead by Neuros Co. ([www.neuros.com](http://www.neuros.com)) in Korea. The NX Turbo Blower has been commercialized and entered into service in 2004. **Over 130 Turbo Blowers are already operating in the US, Japan, China and Korea, over 50% in water treatment.** One NX turbo Blower is scheduled to enter operation by mid September 2006 in Quebec, Canada. The high time NX Turbo blower has recorded over 20,000 operating hours.

### Benefits Highlights:

- The Turbo-blower offers over \$7,200 annual savings in Energy cost and Operation and Maintenance Cost compared to the PD Blower.
- The O&M Life Cycle Cost savings is estimated at \$145,000 during 20 years period.
- The Turbo Blower Payback period is 2.5 years for the NX 100 and 1.0 years for the NX75 compared to the cost of the PD Blower.
- With its higher discharge pressure up to 3 bars; the Turbo Blower offers possibility to increase water tank depth to above 12 meters; thereby promoting higher oxygen transfer efficiency and further improvement energy consumption while reducing the site footprint.
- The Turbo Blower has built in automatic control and monitoring with its Power Logic Control. It operates at Constant Pressure, Constant Flow and optimum speed.
- Being air cooled, operating at high speed and using air bearings; provides dry operation and eliminates losses inherent in mechanical bearings and seals, reduction gearbox, lubrication oil system, oil pump, water cooling and results in much more efficient and clean operation.
- Minimum or virtually no routine maintenance is required, (only inlet air filter cleaning / replacement is required) resulting in elimination of requirement for spares and over 60% lower maintenance cost compared to specification selections.
- NX Turbo Blower saves over 70% of the foot print compared to the P. D. Blower Furthermore, the NX Turbo Blower offers installation flexibility where Outside Installation is possible and where the Core and Control modules can be separated for installation in separate areas.





## NX Turbo Blower Proposal – EC 2007

<b>NX100 High Efficiency Turbo Blower, Pricing in US\$, 2007 Economy Year</b>		
<b>Turbo Blower Model &amp; Series Number</b>		<b>NX100</b>
<b>Total Blowers</b>		<b>1</b>
Standard Blower Package includes:		
Variable Speed Drive / Inverter		
Power Logic Control and Monitoring		
Remote Control and Monitoring capability		
Sound Enclosure to below 80 dBa		
Blow off Valve		
Vibration Sensor & Display		
Blow off silencer		
Temperature sensors		
Pressure sensors		
Built in Flow measurement		
Built in speed measurement		
Main and Inverter Inlet Air Filters		
Internal Expansion Joints		
<b>Price, Standard Blower Package</b>		<b>88200</b>
Additional Equipment to Blower Standard package		
Stop Valve	1200	
Discharge Silencer	4600	
Check Valve	1800	
External Expansion Joints	2100	
<b>Price, Additional Equipment</b>		<b>10185</b>
<b>Price, per Blower complete Package</b>		<b>98385</b>
Warranty Extension to Two Years		4919
Recommended spares - Five years		1581
Shipping and Insurance cot to Gig Harbor Site		5411
<b>Total Price</b>		<b>110296</b>
<b>Notes</b>		
<b>1. Price conditions</b>		
* Prices are in 2007 Economy year, FOB Gig Harbor site, Including Shipment. Excluding Taxes		



**Notes on Price Proposal:**

- Warranty:** Two (2) years from commissioning date.
- Noise level:** 80 dBa without Discharge Silencer  
(Potential reduction to below 75 dBa with discharge silencer)
- Commissioning:** Free of charge on site support as required during commissioning.
- Payment terms:** Upon acceptance of Purchase Order and receipt of invoice.



**Notes on Technical Specification – High Efficiency Turbo Blower:**

Section

- A2. NX Turbo Blower VFDs have a sinus filter built into the unit to protect the units High Speed Electric Motor. However, in case of complying with the requirements of IEEE-519 as it relates to the plant equipment a separate Harmonics filter would be required, which is typically too large in dimensions for it to be included inside the Turbo Blower enclosure.
  
- C. Seismic Requirements calculations cost are not included in the price proposal. Normally, the Seismic calculations are directed by and provided to the Customer Engineer to ensure accuracy and applicability. The Turbo Blower support pedestals can be modified to meet the recommendations of seismic calculations.
  
- 1.03 Submittals will be provided three weeks following Purchase Order issue.
  
- 1.06A The acceptable ambient temperature range is 32 deg. F to 120 Deg. F.
  
- 1.08B. Spare Parts List

Gig Harbor City NX Turbo Blower Spares List - Five years period			
Item	Description	Manufacturer & Part Number	Quantity
1	Inlet Filter - Main Core	Neuros Co., Ltd.	1
2	Inlet Filter - Electric and Control	Neuros Co., Ltd.	1
3	Pressure sensor		1
4	Temperature sensor		1
5	Bolts for 1 enclosure cover		1 set
6	Electric Fuse		1
7	Misc. items Electric & Mechanical		

- 2.03F Seismic anchorage points can be provided by replacement of support pedestals in existing NX100 at Gig Harbor.



Business of the City Council  
City of Gig Harbor, WA

**Subject:** WSDOT Developer/Local Agency Agreement Authorization

**Proposed Council Action:** Authorization of the WSDOT Developer/Local Agency Agreement as presented.

**Dept. Origin:** Community Development

**Prepared by:** Stephen Misiurak, P.E.  
City Engineer

**For Agenda of:** April 23, 2007

**Exhibits:** Developer/Local Agency Agreement

Initial & Date

**Concurred by Mayor:**

*OA 4/19/07*

**Approved by City Administrator:**

*RAK 4/18/07*

**Approved as to form by City Atty:**

*CAM 4/19/07*

**Approved by Finance Director:**

*CD 4/19/07*

**Approved by Department Head:**

*JPV 4/18/07*

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

**INFORMATION / BACKGROUND**

The three-way WSDOT Developer/Local Agency agreement provides for the construction and inspection of developer required off-site improvements at the City's Burnham/SR-16 roundabout. This agreement provides for the minor widening of the eastbound Burnham Drive approach along with the roundabout signing and re-striping.

**FISCAL CONSIDERATION**

The costs of these improvements are fully funded by the private developer, Little Boat North, Inc.

**BOARD OR COMMITTEE RECOMMENDATION**

N/A

**RECOMMENDATION / MOTION**

**Move to:** Authorization of the WSDOT Developer/Local Agency Agreement as presented.



<h2 style="margin: 0;">Developer / Local Agency Agreement</h2> <h3 style="margin: 0;">Construction by Developer At Developer Expense</h3>			Developer and Address Little Boat North Inc 7525 SE 24th Street, Suite 650 Mercer Island, WA 98040		
			Local Agency and Address City of Gig Harbor 3510 Grandview Street Gig Harbor, WA 98355		
Agreement Number <h3 style="text-align: center; margin: 0;">UCW 0181</h3>			Section / Location SR 16, MP 14.86 Burnham Dr. Round-A-Bout		
State Route No. 16	Control Section No. 2706	Region Olympic	Description of Work Minor widening of eastbound Burnham Drive approach to make it two eastbound lanes entering the two-lane roundabout. Work includes widening, signing and restriping.		
Surety Bond \$85,633.83 Held by City		Work Hours See Specials			

This AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, between the STATE OF WASHINGTON, Department of Transportation, acting by and through the Secretary of Transportation, hereinafter called the "STATE", the above named organization, hereinafter called the "DEVELOPER" and the above named City or County, hereinafter called the "LOCAL AGENCY".

WHEREAS, the DEVELOPER wishes to construct an intersection and/or related improvements within the STATE's rights-of-way, and

WHEREAS, the STATE, LOCAL AGENCY, and DEVELOPER now wish to define responsibility for construction and maintenance of the proposed improvements.

NOW THEREFORE, by virtue of Title 47.50 RCW and Title 47.24 RCW it is mutually agreed between the parties hereto as follows:

1. The STATE agrees to grant the DEVELOPER permission to construct the above described work within STATE right-of-way at the location described in Exhibit "A", attached hereto and by this reference made a part of this AGREEMENT.
2. The DEVELOPER agrees to construct the project as shown on Exhibit "B", at 100 percent DEVELOPER expense and responsibility. Exhibit "B" is attached hereto and by this reference made a part of this AGREEMENT.  
  
 The responsibility of the DEVELOPER for performance, safe conduct, and adequate policing and supervision of the project shall not be lessened or otherwise affected by the STATE's approval of plans, specifications, or work, or by the presence at the worksite of the STATE's representative(s), or by compliance by the DEVELOPER with any requests or recommendations made by such representative(s).
3. Any change of work from that shown on Exhibit "B" must be approved by the STATE prior to beginning such work. Plan revisions may be required by the STATE if design standards change between the time of the AGREEMENT approval and the beginning of construction.
4. Upon receipt of this AGREEMENT by the DEVELOPER the STATE may request a construction schedule showing critical dates and activities that will lead to the timely completion of the work required under this AGREEMENT.  
  
 Failure by the DEVELOPER to provide the construction schedule within 30 days may cause cancellation of the AGREEMENT. Cancellation of this agreement will not lessen the DEVELOPER'S responsibility to reimburse the STATE for those costs agreed to by item 13.
5. Prior to beginning of construction, a preconstruction conference shall be held with the STATE, LOCAL AGENCY, DEVELOPER, and the DEVELOPER's contractor.
6. Should the DEVELOPER choose to perform the work outlined herein with other than its own forces, a representative of the DEVELOPER shall be present at all times unless otherwise agreed to by the Region Administrator. All contact between the STATE and DEVELOPER's contractor shall be through the representative of the DEVELOPER. Where the DEVELOPER chooses to perform the work with its own forces, it may elect to appoint one of its own employees engaged in the construction as its representative. Failure to comply with this provision shall be grounds for restricting any further work by the DEVELOPER within STATE right-of-way, until said requirement is met.  
  
 The DEVELOPER, at its own expense, shall adequately police and supervise all work on the above described project by itself, its contractor(s), subcontractor(s), agent(s), and others, so as to not endanger or injure any person or property.
7. Work within STATE right-of-way shall be restricted to the above specified hours and no work shall be allowed on the right-of-way Saturdays, Sundays, or Holidays, unless otherwise authorized by the STATE.
8. In the construction and/or maintenance of this facility, the DEVELOPER shall comply with the "Manual on Uniform Traffic Control Devices for Streets and Highways", current edition. Any closures or restrictions of the highway shall require a STATE approved traffic control plan.
9. All material and workmanship shall conform to the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction, current edition, and shall be subject to inspection by the STATE.
10. All disturbed right-of-way shall be seeded, fertilized, mulched, and protected from erosion.
11. The DEVELOPER shall provide an executed surety bond acceptable to the STATE in the amount stated above. The bond shall:

Be signed by a surety that is registered with the Washington State Insurance Commissioner and appears on the current authorized list published by the Office of the Insurance Commissioner.

Be conditioned upon faithful performance of the AGREEMENT.

Guarantee that the surety shall indemnify and defend the STATE against any loss resulting from the DEVELOPER's failure to faithfully perform all the terms under this AGREEMENT.

Guarantee that the DEVELOPER or the contractor of the DEVELOPER shall pay all laborers, mechanics, subcontractors, and materialmen, or any person who provides supplies or provisions for carrying out the work.

The surety bond shall remain in full force and effect until released in writing by the STATE.

The STATE will recover from the DEVELOPER and its sureties such damages as the STATE may sustain by reason of the DEVELOPER's failure to comply with the provisions of this AGREEMENT.

12. The DEVELOPER shall obtain and keep in force for the duration of the work under this AGREEMENT, public liability and property damage insurance with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW. The STATE and LOCAL AGENCY shall be specifically named as an insured in a policy with the same company which insures the DEVELOPER or by an endorsement to an existing policy. The amount of coverage shall be not less than a single limit of \$1,000,000 for bodily injury, including death and property damage per occurrence. The DEVELOPER shall furnish the STATE proof of insurance prior to undertaking any work covered by this AGREEMENT.

13. The DEVELOPER shall reimburse the STATE for all actual direct and related indirect costs necessitated by this AGREEMENT. Such costs include, but are not limited to, agreement preparation, plan review, and construction inspection.

The DEVELOPER agrees to make payment for the work to be done by the STATE within thirty (30) days from receipt of billing from the STATE.

Payment not made within thirty (30) days after receipt of billings shall bear interest at the rate of one percent per month or fraction thereof until paid pursuant to RCW 43.17.240.

14. The STATE shall have ownership and control of the completed facility within the STATE right-of-way and related traffic signal induction loops outside the STATE's right-of-way, all subject to final acceptance by the STATE with the exception that the DEVELOPER, his assigns, and successors, shall be responsible for the construction

and maintenance of the private connections and appurtenances between the shoulder line of the highway and the right-of-way line inclusive of surfacing and drainage, when applicable. Future construction or maintenance within the areas of responsibility by the DEVELOPER, his assigns, and successors which will affect the traffic signal induction loops, and related appurtenances shall require STATE review and approval. The LOCAL AGENCY shall be responsible for continued ownership and maintenance of the completed facility outside of STATE right-of-way within right-of-way that the LOCAL AGENCY has interest.

15. The LOCAL AGENCY, if applicable, hereby grants and conveys to the STATE the right of entry upon all land which the LOCAL AGENCY has interest, within or adjacent to the right-of-way of the highway, for the purpose of maintaining and if necessary, reconstructing said traffic signal induction loops, and related appurtenances.

16. Any breach of the terms and conditions of this AGREEMENT, or failure on the part of the DEVELOPER to proceed with due diligence and in good faith in the construction and maintenance work provided for herein, shall subject this AGREEMENT to be canceled and, at the option of the STATE, may require the DEVELOPER to remove all or part of the facilities constructed hereunder at the DEVELOPER's sole expense.

17. The DEVELOPER shall indemnify and hold the STATE and LOCAL AGENCY, and their agents, employees and/or officers harmless from and shall process and defend at its own expense any and all claims, demands, suits at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the STATE and/or LOCAL AGENCY and/or their agents, employees and officers arising out of, in connection with, or incident to the execution of this AGREEMENT and/or the DEVELOPER's performance or failure to perform any aspect of this AGREEMENT. Provided, however, that if such claims are caused by or result from the concurrent negligence of (a) the DEVELOPER and (b) the STATE and/or LOCAL AGENCY, and/or their agents, employees and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the DEVELOPER, and provided further, that nothing herein shall require the DEVELOPER to hold harmless or defend the STATE and/or LOCAL AGENCY, and/or their agents, employees and/or officers from any claims arising from the sole negligence of the STATE and/or LOCAL AGENCY, and/or their agents, employees, and/or officers.

18. In the event that any party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this AGREEMENT, the parties hereto agree that any such action or proceedings shall be brought in a court of competent jurisdiction situated in Thurston County, Washington.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the day and year first above written.

**DEVELOPER**

By: [Signature]

Title: AUTHORIZED AGENT

Date: 3/16/07

**LOCAL AGENCY**

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

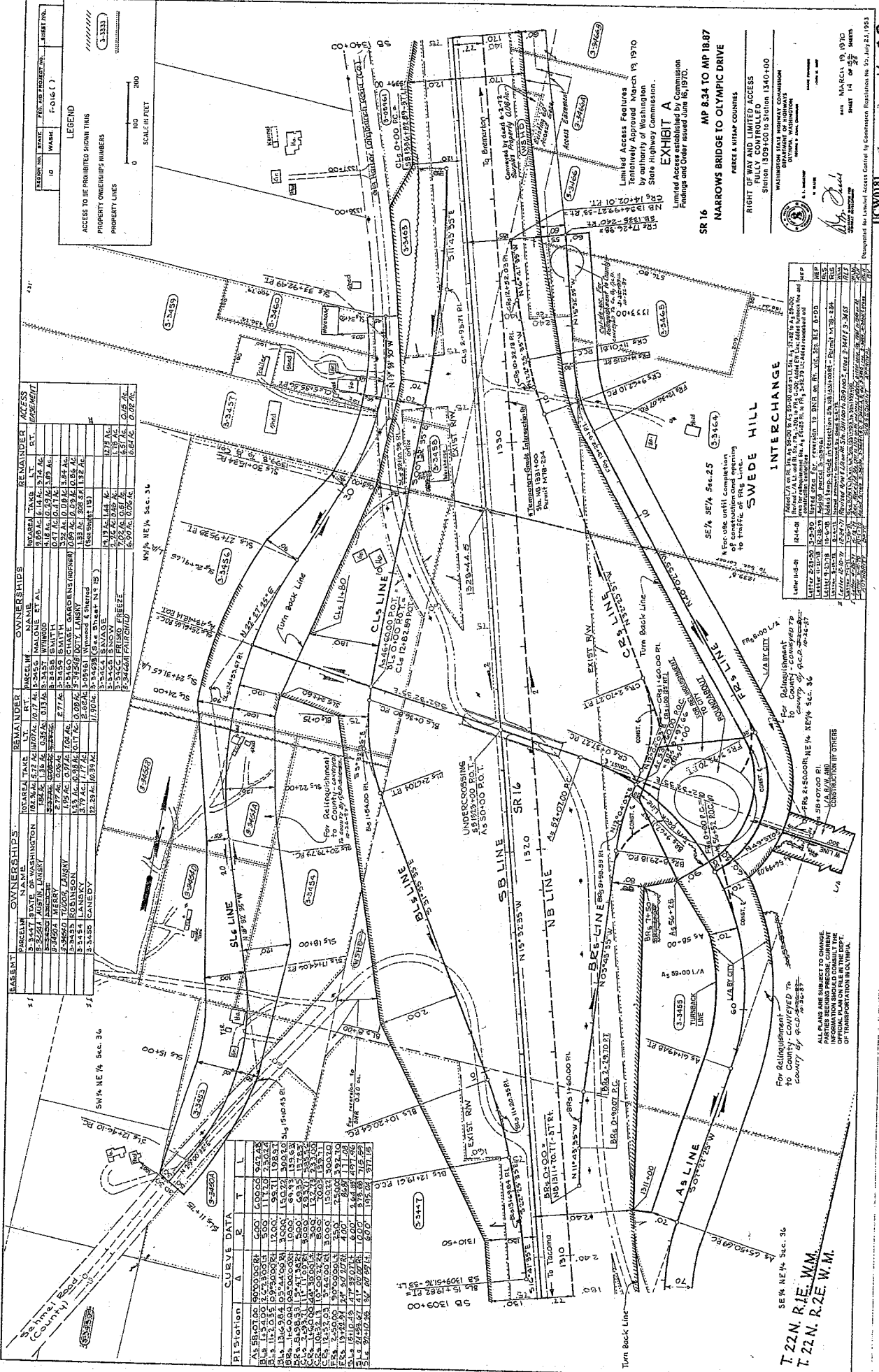
**STATE OF WASHINGTON  
DEPARTMENT OF TRANSPORTATION**

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "A"**



PARCEL	OWNER'S SHIP'S NAME	REMAINDER TAKE	REMAINDER TAKE LT.	REMAINDER TAKE ST.	REMAINDER TAKE AC.
3-3447	STATE OF WASHINGTON	10.24 AC	10.24 AC	10.24 AC	10.24 AC
3-3448	AUSTIN LANSKY	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3449	MERRY	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3450	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3451	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3452	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3453	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3454	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3455	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3456	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3457	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3458	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3459	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3460	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3461	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3462	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3463	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3464	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3465	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3466	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3467	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3468	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3469	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC
3-3470	SMITH	0.14 AC	0.14 AC	0.14 AC	0.14 AC

BL	STATION	CHORD	ANGLE	CHORD	ANGLE	CHORD	ANGLE
1	0+00	100.00	90.00	100.00	90.00	100.00	90.00
2	0+00	100.00	90.00	100.00	90.00	100.00	90.00
3	0+00	100.00	90.00	100.00	90.00	100.00	90.00
4	0+00	100.00	90.00	100.00	90.00	100.00	90.00
5	0+00	100.00	90.00	100.00	90.00	100.00	90.00
6	0+00	100.00	90.00	100.00	90.00	100.00	90.00
7	0+00	100.00	90.00	100.00	90.00	100.00	90.00
8	0+00	100.00	90.00	100.00	90.00	100.00	90.00
9	0+00	100.00	90.00	100.00	90.00	100.00	90.00
10	0+00	100.00	90.00	100.00	90.00	100.00	90.00

**UCW0181**  
**EXHIBIT 'A'**  
**PAGE 1 of 1**

16-30

Station 1309+00 to Station 1340+00  
 FULLY CONTROLLED  
 RIGHT OF WAY AND LIMITED ACCESS  
 FIERCE & MITAP CONSULTANTS  
 1500 15th Avenue, NW  
 Seattle, WA 98107  
 Phone: (206) 462-1100  
 Fax: (206) 462-1101  
 E-mail: info@fierce.com

Station 1309+00 to Station 1340+00  
 FULLY CONTROLLED  
 RIGHT OF WAY AND LIMITED ACCESS  
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 1500 15th Avenue, NW  
 Seattle, WA 98107  
 Phone: (206) 462-1100  
 Fax: (206) 462-1101  
 E-mail: info@fierce.com

SE 1/4 NE 1/4 Sec. 36  
 T. 22N. R. 1E. W.M.  
 T. 22N. R. 2E. W.M.



**EXHIBIT "B"**

# **AGREEMENT Project Specifications**

## **Requirements on CITY roadways**

- The CITY shall have the responsibility to review and approve all work, design, and changes within the CITY's right-of-way. The CITY shall have the right to review and comment on all work, design, and changes within STATE's right-of-way that tie-in and/or have the potential to affect the operations and/or safety of the CITY roadways.
- The DEVELOPER shall be responsible to apply for and obtain the applicable construction permit(s) from the CITY for all work within the CITY's right-of-way.

## **Requirements on STATE highways**

- The STATE shall review and approve all illumination plans and special provisions, and all revisions to those illumination plans and special provisions.
- The STATE shall review and approve all traffic signal plans and special provisions, including pole foundation design, and all revisions to those traffic signal plans and special provisions.
- The STATE shall review and approve all highway plans and specifications, profiles, deviations, structural plans, false work plans, and shoring plans, for any work within the STATE's right-of-way.
- The STATE shall review and approve all channelization, including modifications to the existing channelization.
- The STATE shall review and approve all structures, including modifications to any existing structures.

## **PS&E and Construction Requirements**

The DEVELOPER shall use and incorporate the 2006 Standard Specifications for Road, Bridge, and Municipal Construction, as well as current Amendments to the Standard Specifications.

The DEVELOPER shall also use and incorporate the following specific project specifications:

## **Illumination Systems On STATE Highways**

- The STATE shall inspect and approve all luminaire foundations prior to pouring of concrete.
- The STATE shall conduct the final inspection for the illumination system and will not approve the illumination system until any required Service Agreement is completed.
- The STATE shall inspect and approve all new or modified service installations. Any new service (electrical or phone) shall be installed and made functional at the DEVELOPER's expense, including paying the monthly billing for these services. Any modifications made to an existing service shall be at the DEVELOPER's expense, including paying the monthly billing for these services during the time the modifications are being made. After completion of the work by the DEVELOPER, and after acceptance and approval of the work by the STATE, the DEVELOPER shall then contact the STATE to allow the STATE to begin the process of transferring the monthly billings for these services to the STATE.

*Note: A minimum 24-hour workday notice is required to request the STATE inspection. Please contact the State Signal Operations office at (360) 357-2616 during normal weekday work hours to arrange inspections.*

*Note: On Managed Access Highways within incorporated cities, the final ownership and maintenance of the illumination system, including the Service Agreement, is with the city and not the STATE.*

## **Traffic Signal Installation And/Or Modification On STATE Highways**

- The STATE Signal Operations office shall be invited to the pre-construction conference.
- The STATE shall inspect and approve all signal pole foundations prior to pouring of concrete.
- The STATE shall inspect and approve all new or modified service installations. Any new service (electrical or phone) shall be installed and made functional at the DEVELOPER's expense, including paying the monthly billing for these services. Any modifications made to an existing service shall be at the DEVELOPER's expense, including paying the monthly billing for these services during the time the modifications are being made. After completion of the work by the DEVELOPER, and after acceptance and approval of the work by the STATE, the DEVELOPER shall then instigate transfer of the monthly billing for these services to the STATE.
- The STATE shall be on-site when traffic loops are installed.
- The STATE shall conduct the final inspection for the traffic signal system.
- The STATE shall require a three (3) workday written request for any disruption of the normal operation of the traffic signal system.
- The STATE shall require adequate pavement markers (either temporary or permanent markers and for either temporary or permanent lane configurations) be installed prior to turning on the new traffic signal or modifying the existing traffic signal. The STATE

shall make the determination whether the pavement markers are adequate or if more pavement markers are needed.

*Note: A minimum 24-hour workday notice is required to request the STATE inspection and attendance at meetings, except for the three day minimum noted above. Please contact the STATE Signal Operations office at (360) 357-2616 during normal weekday work hours to arrange inspections and meeting attendance.*

Other Requirements By The STATE For Work On STATE Highways

- The DEVELOPER shall have until October 1, 2007, or per the working days listed below, whichever comes first to complete this project. Failure by the DEVELOPER to complete this work within the allotted time will result in the STATE completing the work and collecting on the DEVELOPER's bond to fund the work performed by the STATE, or other actions deemed appropriate and reasonable by the STATE.

- Prosecution of Work

Section 1-08.4 is revised as follows:

The DEVELOPER shall not begin work until all materials have been approved and critical items have been procured. Critical items include, but are not limited to, luminaire poles, signal poles, pedestrian poles, mast arms, ballasts, signal heads, signal cabinets, and all other electrical items necessary to make an illumination system or signal system fully functional. The STATE's PROJECT ENGINEER may determine that other items are critical for the timely completion of the project and may determine that work cannot start without those items.

The STATE's PROJECT ENGINEER will determine when work may start. The DEVELOPER shall begin work within 10 calendar days after obtaining the STATE's PROJECT ENGINEER'S approval to begin work.

- Time for Completion

Section 1-08.5 is supplemented with the following:

The project shall be physically completed within 50 working days.

- Utilities and Similar Facilities

The second paragraph of Section 1-07.17 is supplemented with the following:

The DEVELOPER shall contact the WSDOT Olympic Region Signal Superintendent, Don Anders, to obtain the locations of all STATE owned utilities within the project limits. To request utility locates, call 360-357-2616 during normal business hours (7:30 AM to 4:00 PM) or 360-704-3228 (available 7 days per week by voicemail).

- Hot Mix Asphalt for wearing course shall not be placed on any traveled way between October 1 and April 1 of the following year without written approval from the STATE's PROJECT ENGINEER, as outlined in Section 5-04.3(16) of the Standard Specifications. At the pre-construction conference, the contractor shall submit to the STATE's PROJECT ENGINEER the paving schedule showing compliance with this requirement.
- The STATE shall be given a contact name(s) and phone number(s) from the DEVELOPER in case questions, concerns, or problems arise on the job site.

- The STATE shall be given a 24 hour emergency contact name(s) and phone number(s) from the DEVELOPER in case of emergencies (e.g. Washington State Patrol) in which the DEVELOPER must be contacted ASAP.
- The STATE requires that all traffic control shall conform to the latest edition of the MUTCD.
- Work operations that require flagging operations and/or one-way alternating traffic control shall meet the minimum requirements as shown in the WSDOT Manual M54-44 titled Work Zone Traffic Control Guidelines. Any work operation that is not shown in the contract plans or in M54-44 will require a plan to be submitted by the DEVELOPER to the STATE for approval prior to that work operation commencing.
- Any new specific traffic control plan(s) or any proposed modified plan(s) shall be submitted to the STATE for review and approval at least ten (10) calendar days in advance of the time the signs and other traffic control devices will be required.
- Lane restrictions shall be held to a minimum time and length needed for each operation. If the STATE's PROJECT ENGINEER determines that the lane restrictions are causing congestion, the DEVELOPER will be required to immediately open all lanes to traffic until the congestion is eliminated. There shall be no restrictions or interruptions to traffic on the day prior to a holiday or holiday weekend through the last day of the holiday or holiday weekend.

The DEVELOPER shall not be allowed any lane closures from 5:00 AM to 9:00 PM (seven days a week) and no lane closures will be allowed on SR 16 mainline. No on or off-ramps will be allowed to be closed at any time. All lane closures require prior approval from WSDOT.

The DEVELOPER agrees to pay the following interim liquidated damages from the JC account established for this AGREEMENT for failure to open the traveled way as specified:

\$400 liquidated damages per 15 minutes for each 15-minute period (prorated to the nearest 5 minutes) when a lane is closed beyond the scheduled opening time.

- The STATE shall require a minimum seven (7) workday written request in advance of any allowed lane or road closures.
- The STATE will not allow any total road closures to occur, except as specifically allowed and shown in the AGREEMENT plans.
- Sawcutting or other work directly next to a traffic lane may require a lane closure if determined by the STATE.
- Prior to the placement of any materials, the DEVELOPER must obtain approval of all materials that are placed within the STATE right-of-way. The DEVELOPER shall use the Qualified Products List (QPL) or The Request for Approval of Material (RAM) form. Please note that there may be additional acceptance actions noted on the QPL or RAM that need to be completed prior to the materials being incorporated into the work.
- If unsuitable material is encountered during any excavation, it will be removed and replaced to the satisfaction of the STATE at 100% DEVELOPER cost. The replacement material shall be free-draining and granular, or other materials as determined by the

STATE's PROJECT ENGINEER. See Standard Specifications 2-03.3(3) and 2-09.3(1)C.

- All material density testing is to be performed by an independent certified testing laboratory. The STATE reserves the right to verify the test results or to perform the testing.
- Before any work begins, the DEVELOPER shall install high visibility fence along a site preservation line that establishes the boundary between work areas and preservation zones. The preservation zones include critical environmental areas, buffer zones, and other areas of vegetation to be preserved. The DEVELOPER shall keep the preservation zones free of construction equipment, construction materials, debris, and runoff. No excavation shall be performed inside the preservation zones.
- On-site erosion control measures are the DEVELOPER's responsibility. The DEVELOPER shall develop and implement a Temporary Erosion and Sediment Control (TESC) Plan. The TESC plan must meet all requirements of the current edition of the WSDOT Highway Runoff Manual. The DEVELOPER shall obtain the STATE's PROJECT ENGINEER'S approval of the TESC plan and schedule before any work begins. Any problems occurring before final acceptance by the STATE and within 18 months thereafter shall be corrected by the DEVELOPER. Any disturbed areas shall be permanently hydro-seeded unless directed otherwise by the STATE. If STATE forces, equipment, and/or materials are required, the DEVELOPER will reimburse all such costs.
- A Fugitive Dust Control Plan (FDCP) will be required for all DEVELOPER AGREEMENTS in Pierce and Kitsap Counties. The plan shall reflect conditions specific to the DEVELOPER'S operations and schedule of work. The DEVELOPER shall obtain the PROJECT ENGINEER'S approval of the FDCP before any work begins.
- A Spill Prevention Control and Countermeasure (SPCC) plan will be required for all DEVELOPER AGREEMENTS. The DEVELOPER shall obtain the STATE's PROJECT ENGINEER'S approval of the SPCC plan before any work begins. The DEVELOPER shall address the following items in the SPCC Plan in addition to the requirements of Section 1-07.15(1):

#### **Mixing, Transfers, & Storage**

All oils, fuel, or chemical storage tanks or containers shall be diked and located on impervious surfaces so as to prevent spill from escaping.

All liquid products shall be stored and mixed on impervious surfaces in a secure water tight environment and provide containment to handle the maximum volume of liquid products on site at any given time.

Proper security shall be maintained to prevent vandalism.

Drip pans or other protective devices shall be required for all transfer operations.

#### **Spills**

Paint and solvent spills shall be treated as oil spills and shall be prevented from reaching storm drains or other discharges. No cleaning solvents or chemicals used for tool or equipment cleaning may be discharged to the ground or water.

### Maintenance of Equipment

Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks and shall be maintained and stored properly to prevent spills into State waters.

### Disposal

Spilled waste, chemicals, or petroleum products shall be transported off site for disposal at a facility approved by the Department of Ecology. The materials shall not be discharged to any sanitary sewer without approval of the local sewer authority.

### Reporting & Cleanup

Spills into State water, spills onto land with a potential for entry into State waters, or other significant water quality impacts shall be reported immediately to the Washington State Department of Ecology Southwest Regional Office 24 hour telephone line at (360) 407 – 6300. Containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials. No emulsifiers or dispersants are to be used in waters of the State without written approval from the Department of Ecology. Concentrated waste or spilled chemicals shall be transported off the site for disposal at a facility approved by the Department of Ecology or local County Health Department.

- All DEVELOPER initiated changes that affect the STATE highway right-of-way or that affect the STATE's facilities must have approval of the STATE's PROJECT ENGINEER before work can begin.
- Should WSDOT determine that changes need to be made, the DEVELOPER shall design and construct the changes to the satisfaction of the STATE's PROJECT ENGINEER at DEVELOPER expense.
- All STATE highway right-of-way paint line removal shall be by hydro blasting.
- Final Inspection: The final inspection of the project shall be conducted by the STATE's PROJECT ENGINEER or his/her representative.
- Errors or omissions contained in the DEVELOPER'S design, plans, or specifications are the responsibility of the DEVELOPER and shall be corrected/revised at DEVELOPER expense to the satisfaction of the STATE's PROJECT ENGINEER.
- The DEVELOPER shall, upon physical completion of the work, prepare and submit to the STATE's PROJECT ENGINEER as-built plans. These as-built drawings shall be on sheets measuring 11 by 17 inches.

As-Built Plans are a record of changes made to the originally intended physical product of the contract. As-Built drawings should reflect the same degree of detail as the original

plan drawings. As-Built Plans are necessary as a way of preserving the historical detail of what occurred on the project. As-Built Plans can also be used as a basis to plan and design future projects in the same location and to make repairs to damaged structural components or other non-functioning facilities. In addition, state law requires that owners of “underground facilities” be able to locate these facilities within 24 inches (600 millimeters) of the outside dimensions. As-Built Plans offer a convenient means for recording these facilities.

All corrections, revisions, and additional sketches, necessary to depict the work as it was constructed should be shown on these plans. Corrections are to be made by lining out quantities or features that were changed during construction, then noting the correction or change in red ink. These corrections and revisions are to be noted on the plans in a manner that results in neat and legible sheets. A red pen that writes sharp, clear, and dark with a medium width line shall be used to mark these notations. Fine lined pens do not reproduce well when scanned and are not to be used. If electronic versions of these plans are available, corrections noted electronically and platted in a manner that produces these same results are acceptable. Special care must be taken to ensure that changes in construction are noted on all contract plan sheets affected by the change.

If concrete foundations are partially removed, the remaining portions of the foundations should be shown on the As-Built Plans.

In addition to the requirements outlined above for As-Built Constructed or As-Built contract plans, the Standard Specifications also require that the DEVELOPER furnish the STATE with original reproducible tracings or drawings suitable for scanning or for use in correcting contract plans for; shop drawings, schematic circuit drawings etc. for Illumination, Traffic Signal Systems, and Electrical for shop drawings, including approved revisions for prestressed structural elements and all other structural steel components fabricated from shop plans. Specific requirement for these plans are outlined in Sections 6-02.3(26)A, 6-03.3(7), and 8-03.3(10) of the Standard Specifications.

Upon project completion, all “As-Built” plans are to be arranged in numerical sequence, including a cover sheet and submitted to the STATE’s PROJECT ENGINEER.





February 12, 2007

TO: Dale Severson / Deanna Brewer, 4-7440

FROM: <sup>fm</sup> Bryan Dias / Terry MacAuley, 4-7440

SUBJECT: SR 16 JC-1199  
Gig Harbor North – Burnham Drive Roundabout  
Updated Pavement Design Report

As requested, the Olympic Region Materials Office has completed the pavement investigation for this project located in Pierce County. This Pavement Design Report supersedes all previous Pavement Design Reports regarding this project.

This project proposes widening eastbound Burnham Drive at the SR 16 I/C to include two eastbound lanes entering the east two-lane roundabout.

The design ESAL's for this project are 3.4 million.

The developer will need to submit a Hot Mix Asphalt (HMA) mix design that meets the design ESAL criteria. A valid 2006 mix design may be referenced in lieu of submitting a new mix design.

Shoulder core taken on February 7, 2007 within the project limits indicate **the existing HMA eastbound shoulder is of sufficient depth to accommodate widening.**

#### PAVEMENT DESIGN

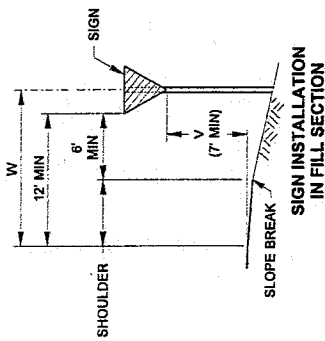
- For all widening constructed within WSDOT Right-Of-Way, saw cut 6 inches from the edge of existing HMA shoulder to provide a smooth edge for the construction joint. This material should be removed and excavated to a depth sufficient to allow placement of the pavement depths provided in this report.
- The following minimum pavement depths that approximately match the existing pavement depths should be used for all widening constructed within WSDOT Right-Of-Way:

Lanes and Shoulders  
1.00-ft. HMA Class ½" (PG 64-22)  
0.70-ft. CSBC

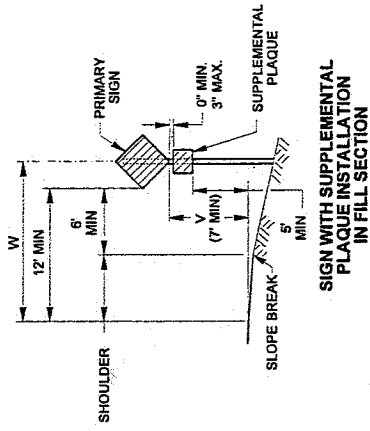
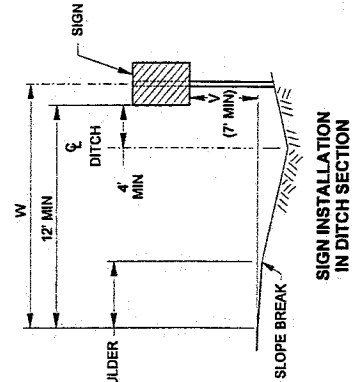
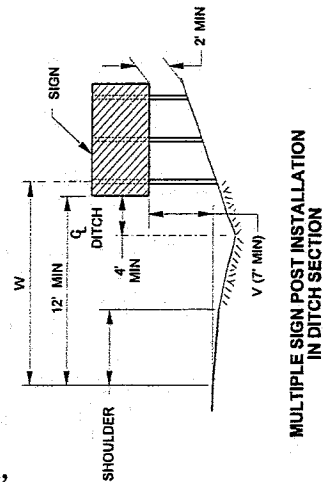
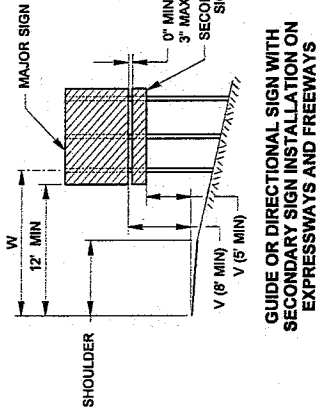
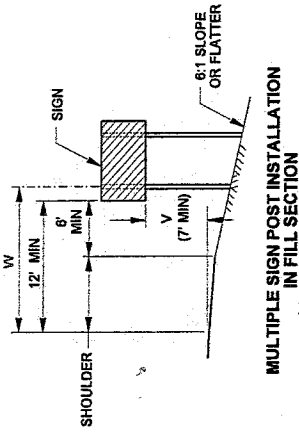
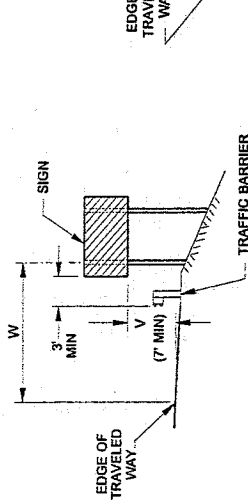
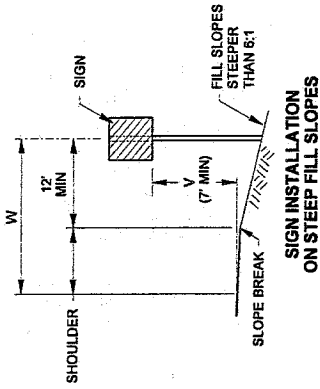
BD:tm  
TM

**NOTES**

1. Refer to the Sign Specification Sheet of the contract for the 'V' and 'W' distances



UCW0181  
EXHIBIT 'B'  
PAGE 9 of 23



EXPIRES OCTOBER 25, 2002

**GROUND MOUNTED SIGN PLACEMENT STANDARD PLAN G-1**

NOTE: THIS PLAN IS NOT A LEGAL ENGINEERING DOCUMENT BUT AN ELECTRONIC SUPPLEMENT TO THE CONTRACT DOCUMENTS. IT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT. A COPY MAY BE OBTAINED UPON REQUEST.

APPROVED FOR PUBLICATION

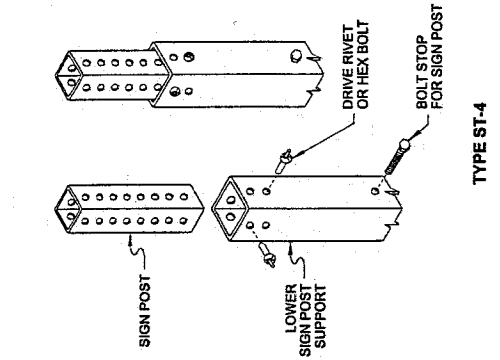
Harold J. Peterfeso  
STATE DESIGN ENGINEER

09-12-01  
DATE

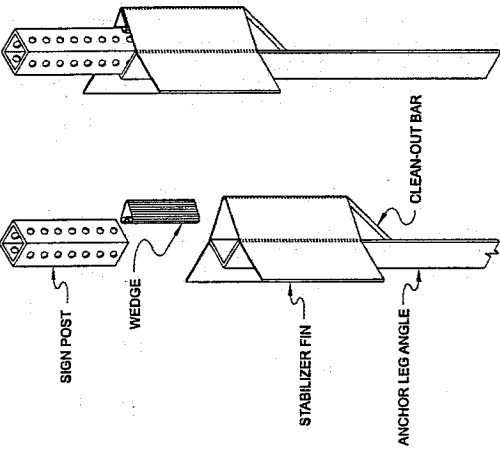
Washington State Department of Transportation

**NOTES**

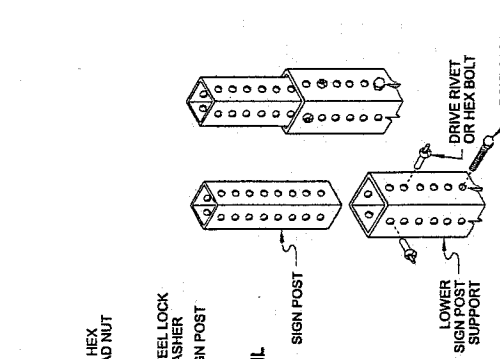
1. Dimensions for the parts used to assemble the base connections are intentionally not shown. Base connections are patented, manufactured products that are in compliance with MCHRP 350 crash test criteria. The base connection details are only shown on this plan to illustrate how the parts are assembled.
2. For "H1" refer to the Sign Specification Sheet in the Contract.



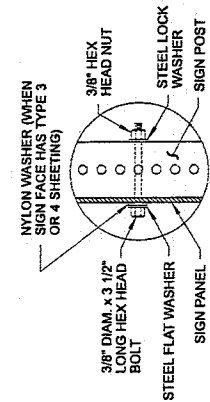
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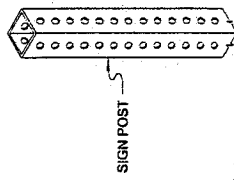
**TYPE ST-3**



**TYPE ST-2**



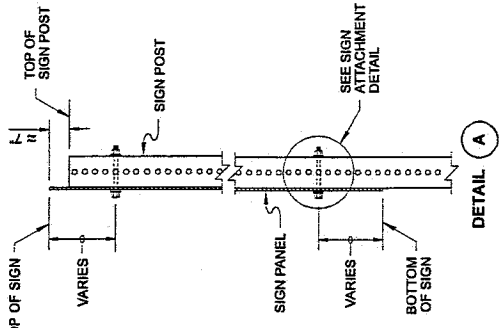
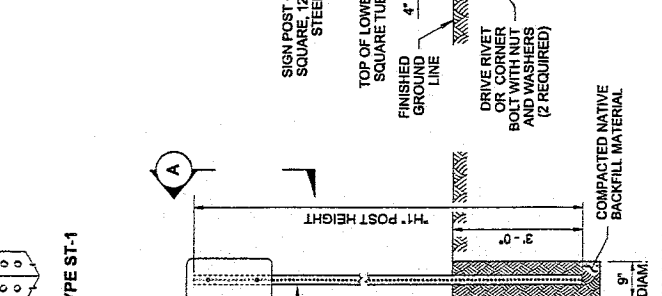
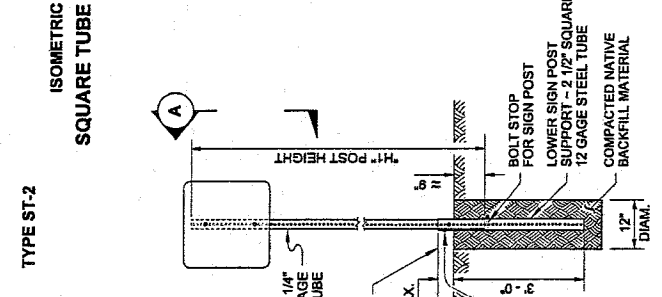
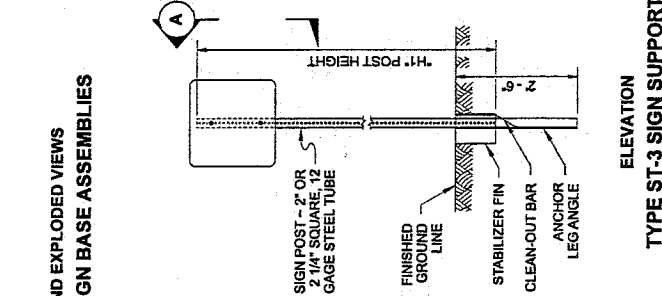
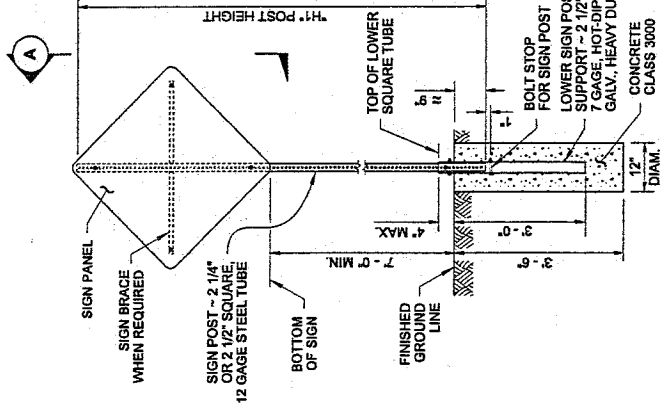
**SIGN ATTACHMENT DETAIL**



**TYPE ST-1**

UCW0181  
EXHIBIT 'B'  
PAGE 10 of 23

DRAWN BY: MONIQUE GLICK



EXPIRES MAY 5, 2007

**STEEL SIGN SUPPORT  
TYPES ST-1 ~ ST-4  
INSTALLATION DETAILS  
STANDARD PLAN G-81**

SHEET 1 OF 1 SHEET

APPROVED FOR PUBLICATION

Harold J. Peterfeso 11-09-05

STATE DESIGN ENGINEER DATE

Washington State Department of Transportation

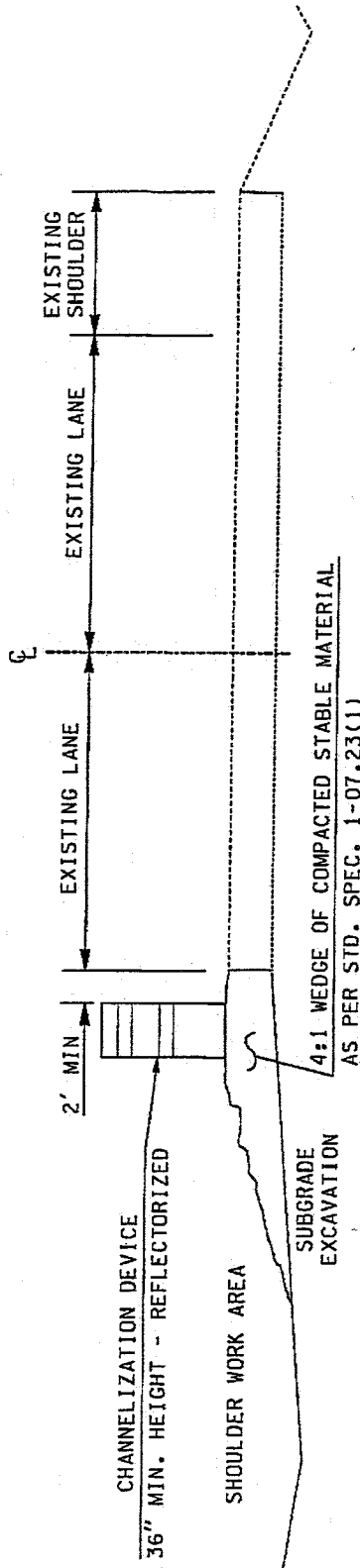
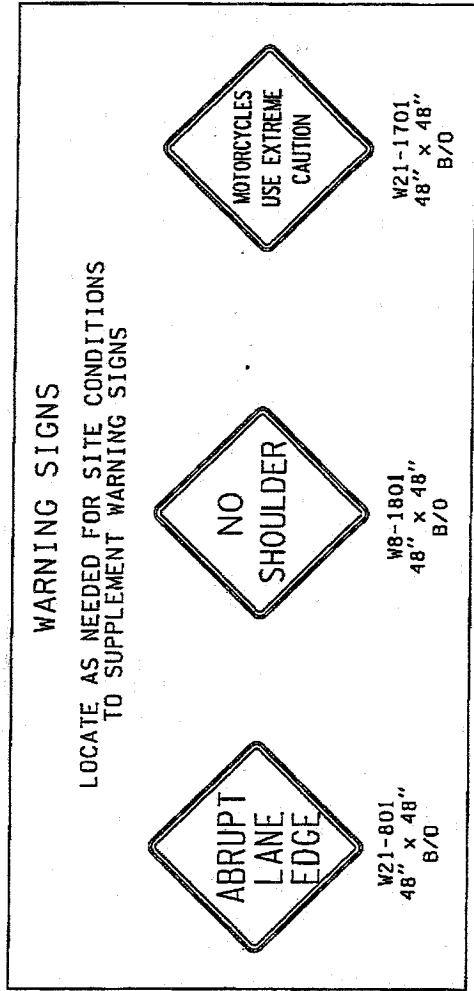
**ELEVATION  
TYPE ST-4 SIGN SUPPORT**

**ELEVATION  
TYPE ST-3 SIGN SUPPORT**

**ELEVATION  
TYPE ST-2 SIGN SUPPORT**

**ELEVATION  
TYPE ST-1 SIGN SUPPORT**

NOTE: THIS PLAN IS NOT A LEGAL ENGINEERING DOCUMENT BUT AN ELECTRONIC SUPPLEMENT TO THE LEGAL ENGINEERING DOCUMENT. IT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT AND THE STANDARD SPECIFICATIONS FOR TRANSPORTATION. IT IS NOT TO BE CONSIDERED A SEPARATE CONTRACT.



OPERATIONAL NOTES

1. SHOULDER EXCAVATION SHALL BE LIMITED TO ONE SIDE OF ROADWAY AT A TIME.
2. TYPE "C" STEADY BURN LIGHTS ARE RECOMMENDED ON CHANNELIZATION DEVICES TO PROVIDE ADDITIONAL DELINEATION.
3. REFER TO STD. SPEC. 1-07.23 FOR ADDITIONAL DETAILS ON THE MITIGATION REQUIREMENTS FOR DROP OFF PROTECTION.

**SHOULDER WORK AREA PROTECTION**  
**NON-WORKING HOURS**  
**TCD 1**

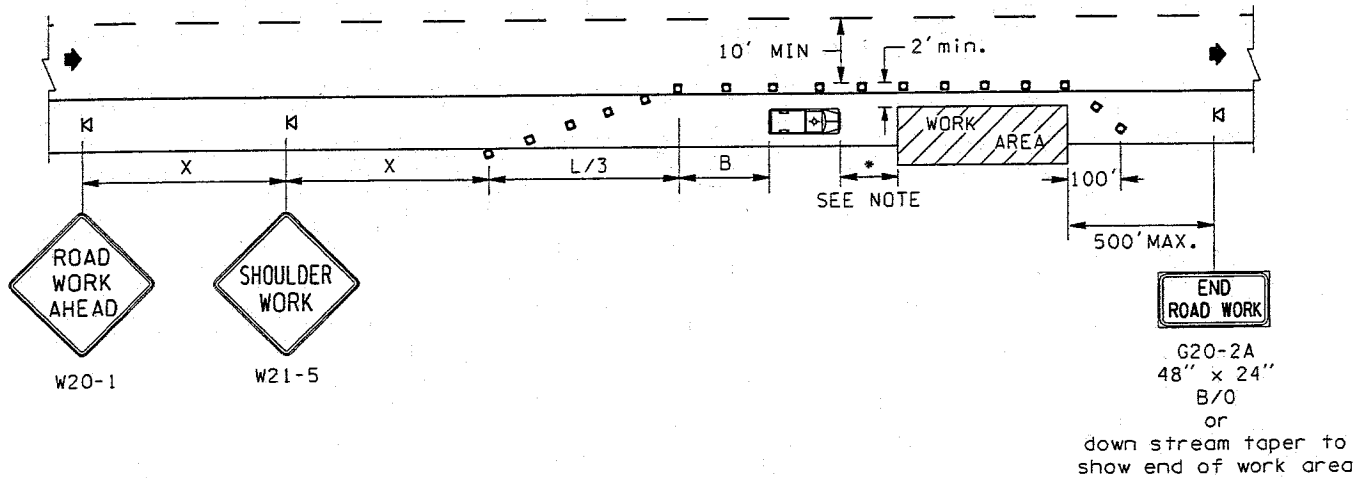
BUFFER DATA										
LONGITUDINAL BUFFER SPACE = B										
SPEED (MPH)	25	30	35	40	45	50	55	60	65	70
LENGTH (feet)	155	200	250	305	-	-	-	-	-	-
PROTECTIVE VEHICLE WITH TMA ROLL AHEAD DISTANCE										
TYPICAL PROTECTIVE VEHICLE TYPE WITH TMA	TYPICAL PROTECTIVE VEHICLE (WITH TMA) LOADED WEIGHT (LBS)					STATIONARY OPERATION (feet)				
4 YARD DUMP TRUCK, SERVICE TRUCK, FLAT BED, ETC.	MINIMUM WEIGHT IS 5,000 LBS. MAXIMUM WEIGHT SHALL BE IN ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS					30 MIN.				
ROLL AHEAD STOPPING DISTANCE ASSUMES DRY PAVEMENT										
* A PROTECTIVE VEHICLE IS RECOMMENDED REGARDLESS IF A TMA IS AVAILABLE. IF NO TMA IS USED, THE PROTECTIVE VEHICLE SHALL BE STRATEGICALLY LOCATED IN THE FIELD TO SHIELD WORKERS AND NO ROLL AHEAD DISTANCE IS SPECIFIED.										

SIGN SPACING = X (FEET) (1)		
Rural Roads & Urban Arterials	35/40 MPH	350'+
Rural Roads, Urban Arterials Residential & Business Districts	25/30 MPH	200'+ (2)
Urban Streets	25 MPH or LESS	100'+ (2)
All signs are 48" x 48" black on orange unless otherwise designated.		
(1) All spacing may be adjusted to accommodate interchange ramps, at-grade intersections, and driveways.		
(2) This spacing may be reduced in urban areas to fit roadway conditions.		

MINIMUM TAPER LENGTH IN FEET (L)										
Shoulder Width (feet)	Posted Speed (mph)									
	25	30	35	40	45	50	55	60	65	70
6	63	90	123	165	-	-	-	-	-	-
8	84	120	162	210	-	-	-	-	-	-
10	105	150	204	270	-	-	-	-	-	-

3 DEVICES MINIMUM SPACED 10' O.C. IN TAPERS FOR SHOULDER WIDTHS LESS THAN 6 FEET

CHANNELIZING DEVICE SPACING (FEET)		
MPH	TAPER	TANGENT
35/40	30	60
25/30	20	40



- LEGEND**
- ⊠ SIGN LOCATION
  - □ □ CHANNELIZING DEVICES
  - 🚚 PROTECTIVE VEHICLE - RECOMMENDED

- GENERAL NOTES**
1. PROTECTIVE VEHICLE RECOMMENDED - MAY BE A WORK VEHICLE.
  2. WHEN USED, THE DEVICE SPACING FOR THE DOWNSTREAM TAPER SHOULD BE 20' O.C.

SHOULDER CLOSURE - LOW SPEED  
TCP 5

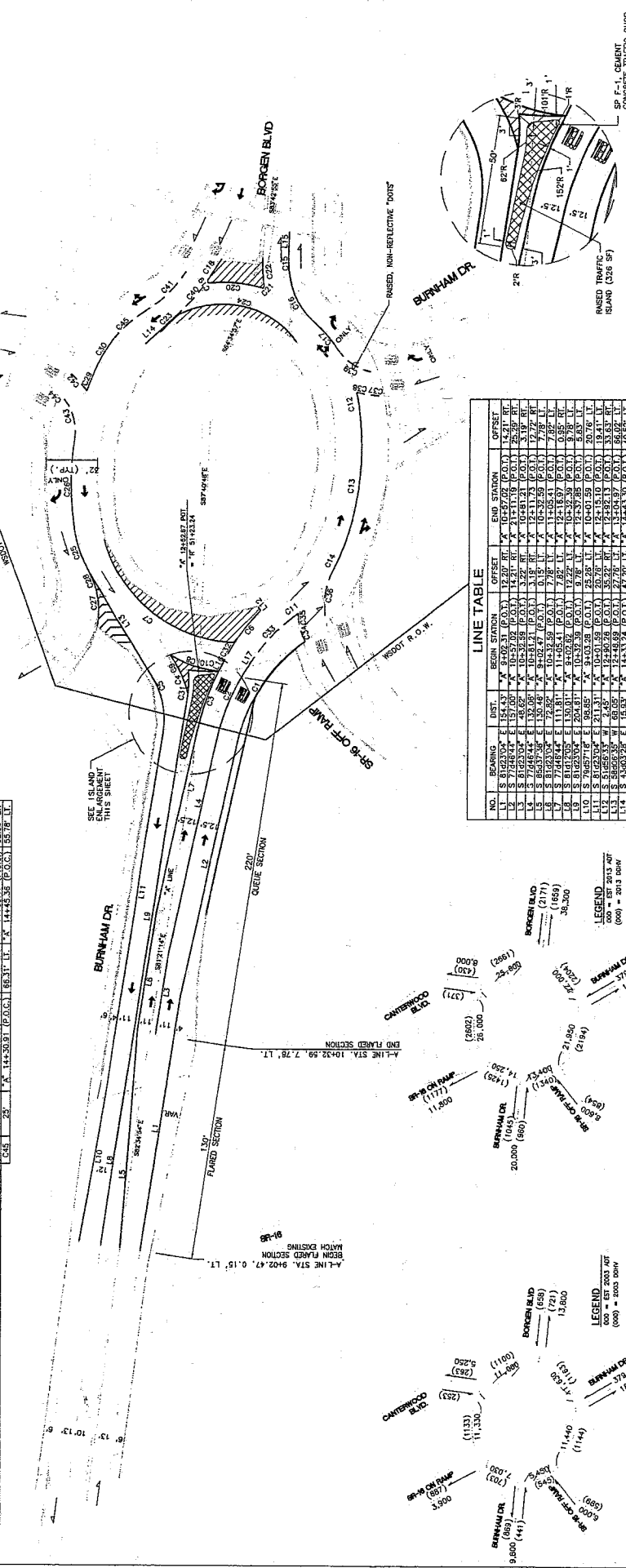
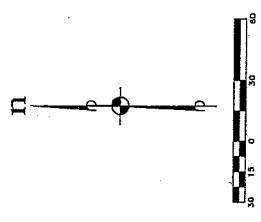
**CURVE TABLE**

NO.	RADIUS	BEGN. STATION	OFFSET	END STATION	OFFSET	BEGN. STATION	OFFSET	END STATION	OFFSET
C1	100'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C2	130'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C3	150'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C4	175'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C5	200'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C6	225'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C7	250'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C8	275'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C9	300'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C10	325'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C11	350'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C12	375'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C13	400'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C14	425'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C15	450'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C16	475'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C17	500'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C18	525'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C19	550'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C20	575'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C21	600'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C22	625'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C23	650'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C24	675'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C25	700'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C26	725'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C27	750'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C28	775'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C29	800'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C30	825'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C31	850'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C32	875'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C33	900'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C34	925'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C35	950'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C36	975'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)
C37	1000'	12411.19	(0.0)	12427.10	(0.0)	12427.10	(0.0)	12443.01	(0.0)

T.22N. R.2E. W.M.

**DESIGN DATA FOR NHIS NON-INTERSTATE AREA**

FUNCTIONAL CLASS	URBAN PRINCIPAL ARTERIAL
DESIGN CLASS	P-6
DESIGN MARK	4-12
ACCESS CONTROL	FULL
DESIGN SPEED	35 M.P.H. (ADJACENT ROADS)
DESIGN VEHICLE	NB-50
PERCENT TRUCKS	3%



**LINE TABLE**

NO.	BEARING	DIST.	BEGIN STATION	END STATION	OFFSET
L1	S 81°23'04" E	154.43	A 10457.02	P.O. 11	14.21
L2	S 81°23'04" E	48.62	A 10457.02	P.O. 11	14.21
L3	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L4	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L5	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L6	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L7	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L8	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L9	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L10	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L11	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L12	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L13	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L14	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L15	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L16	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21
L17	S 77°45'44" E	130.05	A 10457.02	P.O. 11	14.21

UCW0181  
EXHIBIT 'B'  
ISLAND ENLARGEMENT  
PAGE 13 OF 23

SR 16  
GIC HARBOR NORTH RAB  
M.P. 14.86

PLAN FOR APPROVAL

14.86E

Washington State Department of Transportation

APPROVED: *Steve Blum* DATE: 3/21/2006  
ASSISTANT REGIONAL PROJECT DEVELOPER

CONC'D: *Steve Blum* DATE: *shbc*  
REGIONAL TRAFFIC ENGINEER

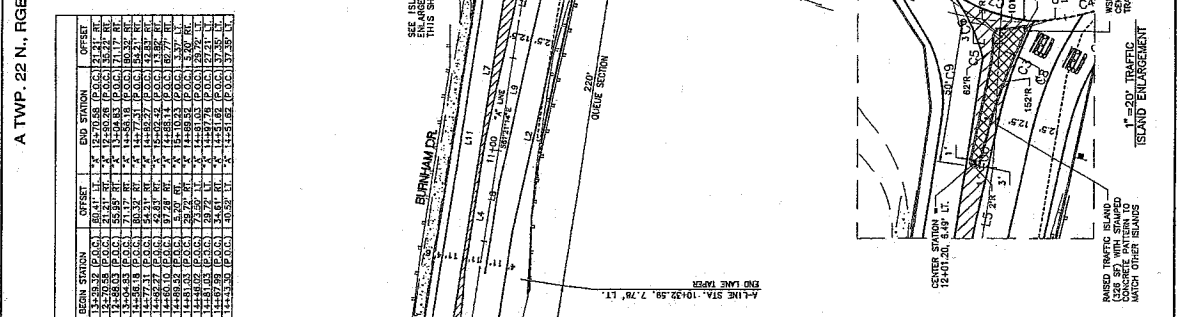
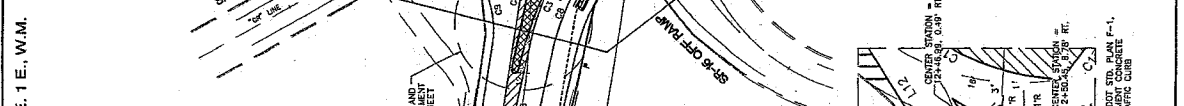
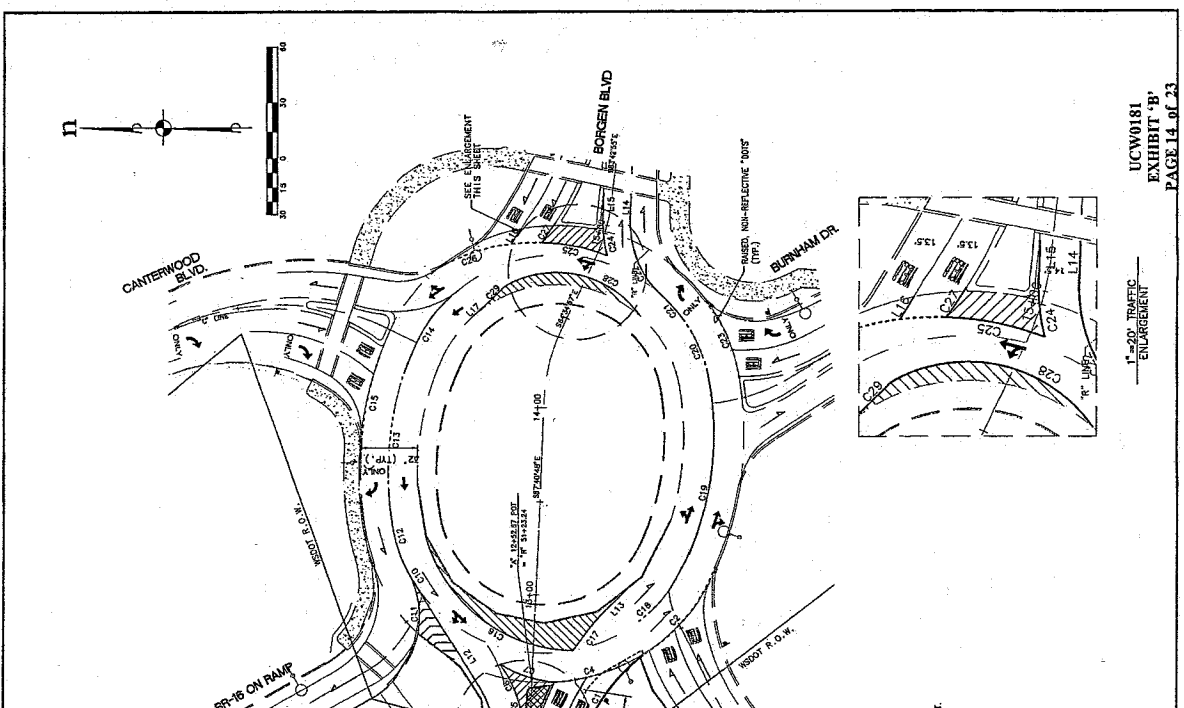
REVISIONS:

NO.	DATE	BY	REVISION
1	07-25-06	JCK	DESIGNED BY
2		ENG	ENTERED BY
3		FBB	CHECKED BY
4		FBB	PROJ. ENGR.
5		FBB	REGIONAL ADM.

TRAFFIC DIAGRAM CURRENT JUL 8 2006

TRAFFIC DIAGRAM FUTURE JUL 8 2006

LEGEND:  
10 WASH. JOB NUMBER  
CONTRACT NO.  
DATE

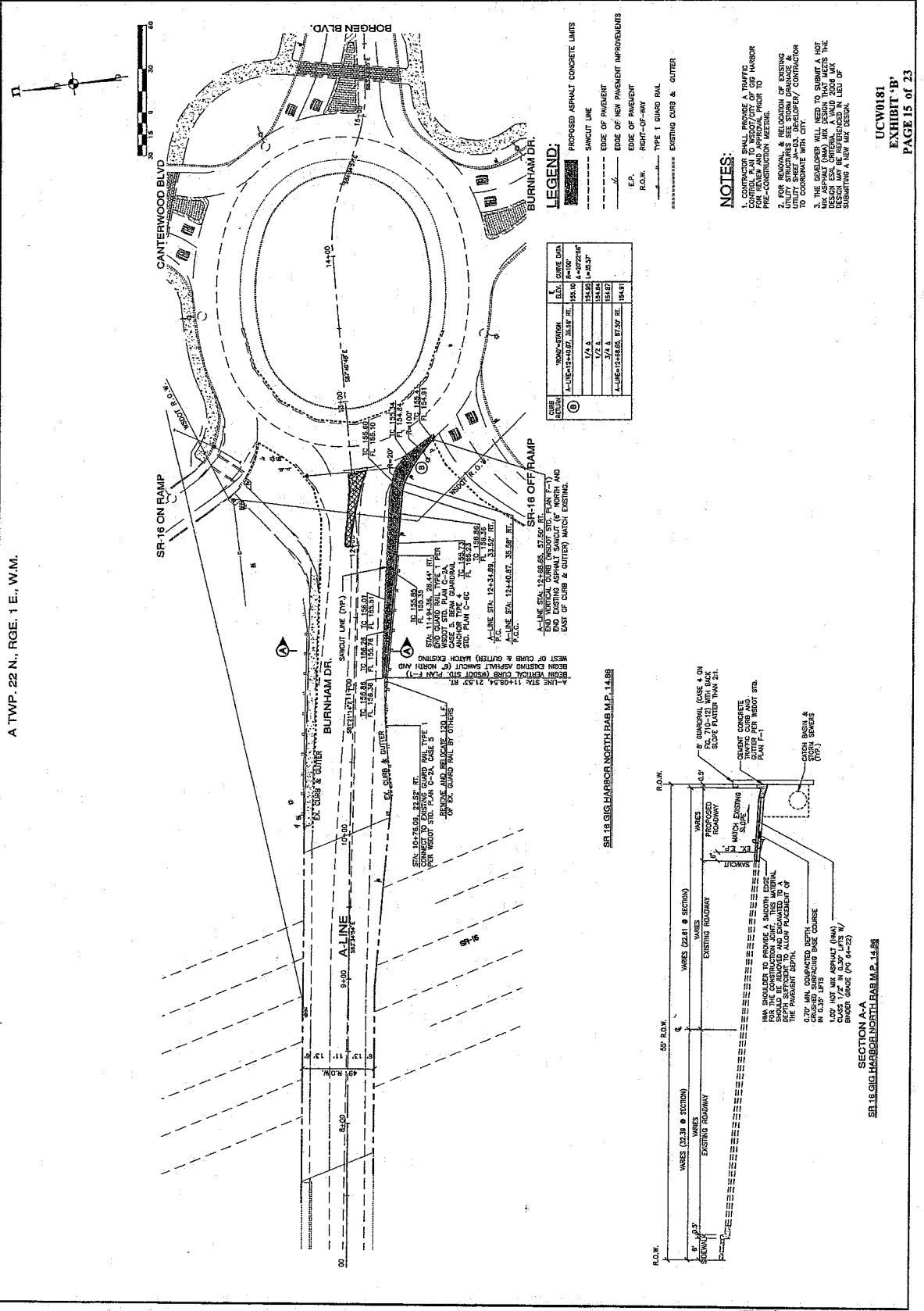


**CURVE TABLE**

NO.	RADIUS	BEGIN STATION	OFFSET	END STATION	NO.	RADIUS	BEGIN STATION	OFFSET	END STATION
C1	150.00	12.11.82	0.00	12.11.82	1	150.00	12.11.82	0.00	12.11.82
C2	150.00	12.11.82	0.00	12.11.82	2	150.00	12.11.82	0.00	12.11.82
C3	150.00	12.11.82	0.00	12.11.82	3	150.00	12.11.82	0.00	12.11.82
C4	150.00	12.11.82	0.00	12.11.82	4	150.00	12.11.82	0.00	12.11.82
C5	150.00	12.11.82	0.00	12.11.82	5	150.00	12.11.82	0.00	12.11.82
C6	150.00	12.11.82	0.00	12.11.82	6	150.00	12.11.82	0.00	12.11.82
C7	150.00	12.11.82	0.00	12.11.82	7	150.00	12.11.82	0.00	12.11.82
C8	150.00	12.11.82	0.00	12.11.82	8	150.00	12.11.82	0.00	12.11.82
C9	150.00	12.11.82	0.00	12.11.82	9	150.00	12.11.82	0.00	12.11.82
C10	150.00	12.11.82	0.00	12.11.82	10	150.00	12.11.82	0.00	12.11.82
C11	150.00	12.11.82	0.00	12.11.82	11	150.00	12.11.82	0.00	12.11.82
C12	150.00	12.11.82	0.00	12.11.82	12	150.00	12.11.82	0.00	12.11.82
C13	150.00	12.11.82	0.00	12.11.82	13	150.00	12.11.82	0.00	12.11.82
C14	150.00	12.11.82	0.00	12.11.82	14	150.00	12.11.82	0.00	12.11.82
C15	150.00	12.11.82	0.00	12.11.82	15	150.00	12.11.82	0.00	12.11.82

**LINE TABLE**

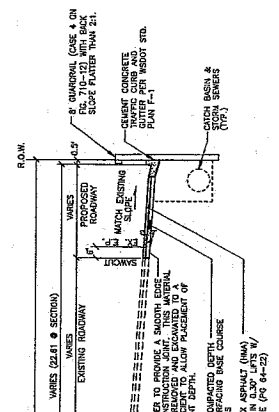
NO.	BEARING	DATE	BEGIN STATION	END STATION	OFFSET
L1	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L2	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L3	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L4	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L5	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L6	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L7	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L8	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L9	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L10	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L11	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L12	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L13	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L14	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L15	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L16	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L17	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L18	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L19	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00
L20	N 89° 59' 59" W	12.11.82	12.11.82	12.11.82	0.00



CURB SECTION	ROADWAY WIDTH	SECT. DATE	BY
1-1/2" x 1/2" x 1/2"	36.00 FT.	4-22-2019	JACOB
1/2" x 1/2" x 1/2"	36.00 FT.	4-22-2019	JACOB
1/2" x 1/2" x 1/2"	36.00 FT.	4-22-2019	JACOB
1/2" x 1/2" x 1/2"	36.00 FT.	4-22-2019	JACOB
1/2" x 1/2" x 1/2"	36.00 FT.	4-22-2019	JACOB

- LEGEND:**
- PROPOSED ASPHALT CONCRETE LIMITS
  - SHOULDER LINE
  - EDGE OF PAVEMENT
  - EDGE OF NEW PAVEMENT IMPROVEMENTS
  - EDGE OF PAVEMENT
  - R.O.W. RIGHT-OF-WAY
  - TYPE 1 ROAD RAIL
  - EXISTING CURB & GUTTER

- NOTES:**
- CONTRACTOR SHALL PROVIDE A TRAFFIC CONTROL PLAN TO THE CITY OF GIG HARBOR PRIOR TO PRE-CONSTRUCTION MEETING.
  - FOR REPAIRS & RECONSTRUCTION OF EXISTING QUALITY STRUCTURES ARE STORM DRAINAGE & UTILITY STRUCTURES SHALL BE RECONSTRUCTED TO COORDINATE WITH CITY.
  - THE DEVELOPER WILL NEED TO SUBMIT A HOT MIX ASPHALT (HMA) MIX DESIGN THAT MEETS THE CITY REQUIREMENTS. THE HMA MIX DESIGN DECISION MAY BE REFERENCED IN LIEU OF SUBMITTING A NEW MIX DESIGN.

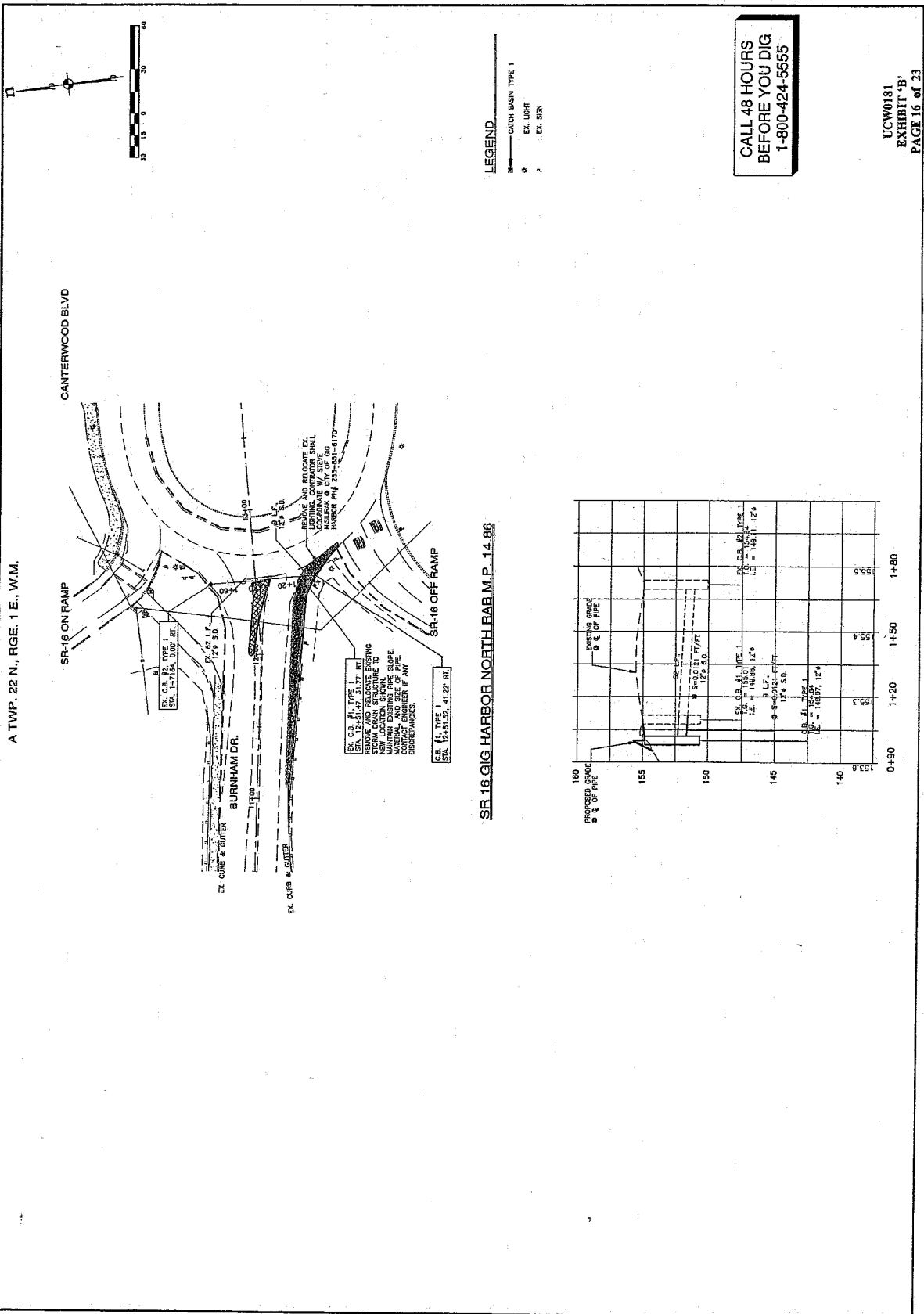


SECTION A-A  
 SR-16 GIG HARBOR NORTH RAB M.P. 14.86

A TWP. 22 N., RGE. 1 E., W.M.

SR-16 GIG HARBOR NORTH RAB M.P. 14.86







**GENERAL NOTES**

- ALL WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE MOST CURRENT STANDARD SPECIFICATIONS FOR ROAD, BRIDGE AND TEMPORAL CONSTRUCTION PREPARED BY WSDOT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL JURISDICTION PRIOR TO THE COMMENCEMENT OF WORK.
- ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN A SET OF THE APPROVED UTILITY LOCATIONS FROM THE UTILITY COMPANIES AT LEAST 48 HOURS BEFORE ANY EXCAVATION. THE CONTRACTOR SHALL CONTACT EACH ADDRESS, OBTAIN LOCATION SIGNALS AND SUPERINTENDENT, JOB NO'S AND RECORDING FACILITIES EXCEEDING 4 FT. IN DEPTH REQUIRE A SEPARATE E.P. FOR PROTECTION.
- NEVER USE UNDEVELOPED AREAS FOR STORAGE OF MATERIALS OR EQUIPMENT. THE CONTRACTOR SHALL MAINTAIN ALL ACCESS AND DRIVEWAYS OPEN AND UNOBTAINED PERMISSION IS REQUIRED FOR ANY CHANGES TO THE EXISTING PAVEMENT.
- TO A VERT VERTICAL EDGE AND TACKED WITH ASPHALT EMULSION TYPE CSS-1 IN ACCORDANCE WITH WSDOT STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL MAINTAIN THE SURFACE WITH GRASS SEEDING AND PAVING ASPHALT.
- COMPARISON OF SUBGRADE, ROCK AND ASPHALT SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS.
- CONTRACTOR SHALL PROVIDE A TRAFFIC CONTROL PLAN TO WSDOT/ACTIVITY OF GIG HARBOR FOR REVIEW WITHIN WSDOT RIGHT-OF-WAY.
- FOR REMOVAL & RELOCATION OF EXISTING UTILITY STRUCTURES, SEE STORM DRAINAGE & UTILITY SHEET JA-03.

**PERMANENT HYDROSEEDINGS**

ALL AREAS DISTURBED DURING CONSTRUCTION WHERE PERMANENT LANDSCAPING WILL NOT BE PROVIDED WITHIN 60 DAYS SHALL BE HYDROSEEDED, OR OTHERWISE STABILIZED, AS REQUIRED, STREAM BANKING, CHANNEL RESTORATION AND ACCEPTABLE ALTERNATIVE TO TEMPORARY HYDROSEEDING DURING PERIODS OF LOW GROWTH.

PERMANENT HYDROSEEDING - IN AREAS NOT INCLUDED WITHIN THE PROJECT BOUNDARY OR NOT INCLUDED IN THE PROPOSED LANDSCAPE PLAN SHALL ADHERE TO THE FOLLOWING SPECIFICATIONS:

NAME	PERCENTAGE BY VOLUME	PERCENTAGE BY WEIGHT	SEEDING RATE / ACRE
PERMANENT HYDROSEEDING	90	90	300 LB. / ACRE
PERMANENT HYDROSEEDING	10	10	300 LB. / ACRE
CREEPING RED FESCUE	30%	80	300 LB. / ACRE
LAL FESCUE	50%	90	300 LB. / ACRE
HICKLAND BIRD CLOVER	20%	95	300 LB. / ACRE
HYDROSEEDING	30%	95	300 LB. / ACRE
TRUCKER APPLICATION RATE	40 LB. / ACRE		
SEEDER APPLICATION RATE	45 LB. / ACRE		

**QUANTITIES WITHIN WSDOT RIGHT-OF-WAY**

EXISTING IMPERVIOUS = 342 sq. ft. = .01 ac.  
PROPOSED IMPERVIOUS = 712 sq. ft. = 0.16 ac.

- AT NO TIME SHALL CONCRETE, CONCRETE REINFORCEMENT, REBAR, CURBS, RINNS, CEMENTALS, OR OTHER POLLUTING MATERIAL BE PERMITTED TO DISCHARGE TO THE PROJECT SITE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL JURISDICTION PRIOR TO THE COMMENCEMENT OF WORK.
- PROVIDING ADEQUATE TRAFFIC CONTROL AT ALL TIMES DURING CONSTRUCTION ADHERE TO WSDOT RIGHT-OF-WAY REGULATIONS.
- THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER IN THE EVENT OF ANY CHANGE TO THE CONSTRUCTION PROGRAM.
- EXISTING CONDITIONS AS NOTED ON THE PLANS.
- MINIMUM SLOPES SHALL BE 2:1 HORIZONTAL FOR FILL SLOPES, AND 2:1 HORIZONTAL FOR CUT SLOPES.
- ROCKDICES OR OTHER RETAINING FACILITIES EXCEEDING 4' IN HEIGHT REQUIRE A SEPARATE PLAN.
- ALL AREAS DISTURBED DURING CONSTRUCTION WHERE PERMANENT LANDSCAPING WILL NOT BE PROVIDED WITHIN 60 DAYS SHALL BE HYDROSEEDED, OR OTHERWISE STABILIZED, AS REQUIRED, STREAM BANKING, CHANNEL RESTORATION AND ACCEPTABLE ALTERNATIVE TO TEMPORARY HYDROSEEDING DURING PERIODS OF LOW GROWTH.
- BLADE SHALL NOT BE USED FOR GRADING WORK. ALL AREAS SHALL BE CONSTRUCTED IN A MATTER THAT WILL ALLOW FOR PROPER SEEDING AND GROWTH. INTERCEPTORS SHOULD BE CONSTRUCTED TO INTERCEPT POLLUTING MATERIALS AND PREVENT THEM FROM REACHING ADJACENT AREAS. CONCENTRATED RUNOFF SHOULD NOT BE ALLOWED TO RUN UNCONTROLLED ON THE SURFACE OF THE SITE. CLEANING SLOPES SHOULD BE MAINTAINED WITHIN A VISIBLE RANGE OF THE SURFACE OF THE SITE. CLEANING SLOPES SHOULD BE MAINTAINED WITHIN A VISIBLE RANGE OF THE SURFACE OF THE SITE. CLEANING SLOPES SHOULD BE MAINTAINED WITHIN A VISIBLE RANGE OF THE SURFACE OF THE SITE. CLEANING SLOPES SHOULD BE MAINTAINED WITHIN A VISIBLE RANGE OF THE SURFACE OF THE SITE.
- STORM DRAIN INLET PROTECTION: ALL STORM DRAIN INLETS MUST HAVE STURDY DRAINAGE STRUCTURES. CONSTRUCTION SHALL BE PROTECTED SO THAT STORMWATER RUNOFF ON ADJACENT AREAS IS PREVENTED FROM ENTERING THE DRAINAGE STRUCTURE.

**EROSION CONTROL NOTES**

- THE DESIGN SHOWN IS BASED UPON THE ENGINEER'S UNDERSTANDING OF THE EXISTING CONDITIONS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING FIELD CONDITIONS AND NOTIFY THE ENGINEER OF ANY CHANGES TO THE DESIGN PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNER OF ANY CHANGES TO THE DESIGN PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNER OF ANY CHANGES TO THE DESIGN PRIOR TO CONSTRUCTION.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR MEASUREMENTS TAKEN IN THE FIELD, THE INFORMATION IS NOT TO BE RELIED UPON FOR CONSTRUCTION PURPOSES AT ANY TIME. THE CONTRACTOR SHALL VERIFY ALL APPROPRIATE UTILITY LOCATIONS AT LEAST 48 HOURS BEFORE ANY EXCAVATION. THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER IN THE EVENT OF ANY CHANGE TO THE CONSTRUCTION PROGRAM.
- ALL WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE MOST CURRENT APPLICABLE LOCAL, STATE, AND FEDERAL SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL JURISDICTION PRIOR TO THE COMMENCEMENT OF WORK. THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER IN THE EVENT OF ANY CHANGE TO THE CONSTRUCTION PROGRAM.
- THE IMPLEMENTATION OF THESE E.C. PLAN IS THE RESPONSIBILITY OF THE CONTRACTOR FROM THE BEGINNING OF CONSTRUCTION UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED BY THE GOVERNMENTAL AGENCY WITH JURISDICTION.
- THE BOUNDARIES OF THE EROSION CONTROL PLAN SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND THROUGHOUT THE CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ALL ACCESS AND DRIVEWAYS OPEN AND UNOBTAINED PERMISSION IS REQUIRED FOR ANY CHANGES TO THE EXISTING PAVEMENT.
- THE EROSION AND SEDIMENTATION CONTROL FACILITIES SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED AND MAINTAINED AS DESCRIBED AND AS SHOWN. THE CONTRACTOR SHALL MAINTAIN ALL ACCESS AND DRIVEWAYS OPEN AND UNOBTAINED PERMISSION IS REQUIRED FOR ANY CHANGES TO THE EXISTING PAVEMENT.
- ALL EROSION AND SEDIMENTATION CONTROL FACILITIES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND THROUGHOUT THE CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ALL ACCESS AND DRIVEWAYS OPEN AND UNOBTAINED PERMISSION IS REQUIRED FOR ANY CHANGES TO THE EXISTING PAVEMENT.

SR-16 ON RAMP - SEE DETAIL JA-5  
CONSTRUCTION LIMITS - SEE DETAIL JA-5  
FILTER FENCE (DVA) - SEE DETAIL JA-5  
SEE WSDOT STD. DETAIL 1-7

**LEGEND**

- PROPOSED ASPHALT CONCRETE LIMITS
- RIGHT OF WAY
- FILTER FENCE
- SEE WSDOT STD. PLAN 1-4
- CLEARING LIMITS
- EDGE OF PAVEMENT
- EDGE OF NEW PAVEMENT IMPROVEMENTS
- INLET PROTECTION
- SEE WSDOT STD. PLAN 1-7
- E.P.

A TWP. 22 N., RGE. 1 E., W.M.

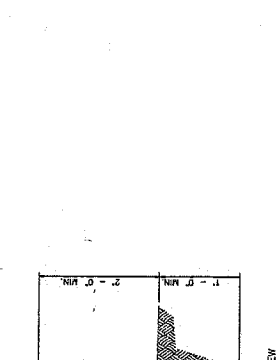
**NOTES**

1. MAXIMIZE RETENTION OF STORMWATER BY PLACING FENCE AS FAR AWAY FROM THE INLET AS POSSIBLE WITHOUT ENCROACHING ON EXISTING AREAS OR OUTSIDE OF THE CLEARING BANK.
2. INSTALL SILT FENCING ALONG CONTOURS WHENEVER POSSIBLE.
3. INSTALL THE ENDS OF THE SILT FENCE TO POINT SLIGHTLY UP-SLOPE TO PREVENT SEDIMENT FROM FLOWING AROUND THE ENDS OF THE FENCE.
4. PERFORM MAINTENANCE IN ACCORDANCE WITH STANDARD SPECIFICATIONS 8-01.133(A) AND 8-01.131(S).



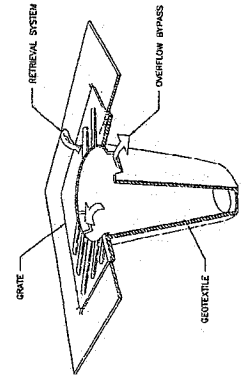
ELEVATION VIEW

**WSDOT STD. PLAN I-4  
SILT FENCE**

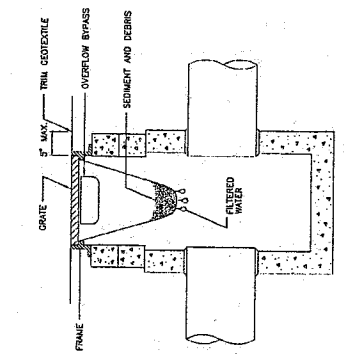


SIDE VIEW

1. PERFORM MAINTENANCE IN ACCORDANCE WITH STANDARD SPECIFICATION 8-01.131(S).
2. SET THE RETRIEVAL SYSTEM (BOD) FOR THE STORM WATER STRUCTURE AT 1/2" BELOW THE GRADE.
3. THE BOD SHALL HAVE A BUILT-IN HIGH-FLOW RELIEF SYSTEM (OVERFLOW BYPASS).
4. THE RETRIEVAL SYSTEM MUST ALLOW REMOVAL OF THE BOD WITHOUT SKULLING THE COLLECTED MATERIAL.



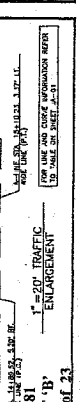
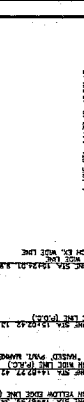
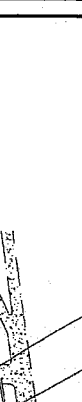
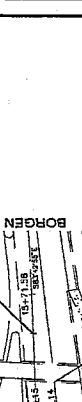
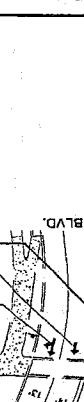
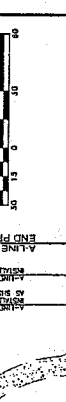
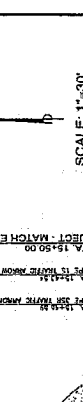
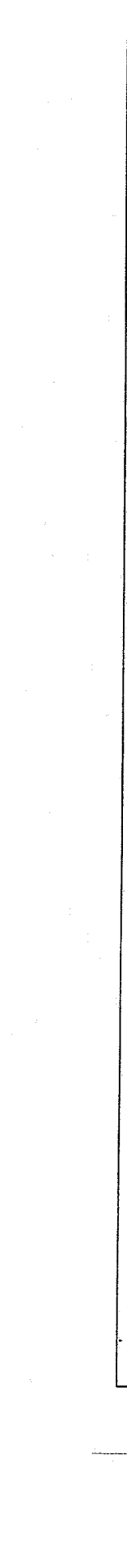
NOT TO SCALE



NOT TO SCALE

**WSDOT STD. PLAN I-7  
STORM DRAIN INLET PROTECTION**

ESM CONSULTING ENGINEERS, LLC  
 2915 1st Way, South 200  
 Federal Way, WA 98003  
 WWW.ESMVA.COM  
 Land Engineering  
 Project: SR-16 GIG HARBOR NORTH RAB M.P. 14.86



**GENERAL NOTES:**

- CONTRACTOR TO REMOVE EXISTING CHANNELIZATION AND CHANNELIZATION MARKINGS TO BE PAVED OVER OR STRIPPED OVER SHALL REQUIRE FOR PLASTICS FROM THE OVERLAY OR RE-STRIPING.
- ALL STRIPING WITHIN WISDOT RIGHT OF WAY TO BE PER WISDOT STANDARD PLANS AND SPECIFICATIONS. STRIPPED STRIPES, DOUBLE YELLOW LANE LINES, AND DASHED LANE LINES SHALL BE INSTALLED AS THERMOPLASTIC TYPE PER SECTION 9-24.01(A).
- WITHIN WISDOT RIGHT OF WAY, CHANNELIZATION P-3-A(1), WARNING SUCH AS STOP SIGNS AND TRAFFIC ARROWS ARE TO BE INSTALLED AS PER SECTION 9-24.01(B) PER STANDARD SPECIFICATIONS 9-24.01(A).

**LEGEND:**

- CHANNELIZATION LINES
- EDGE OF PAVEMENT
- EXISTING PAVEMENT MARKINGS
- EDGE OF NEW PAVEMENT IMPROVEMENTS
- EP. ANGLE POINT
- A.P. POINT OF CURVATURE
- P.C. POINT OF COMPOUND CURVATURE
- P.O.C. POINT ON A CURVE
- P.A.C. POINT OF REVERSE CURVATURE
- P.T. POINT OF TANGENCY

**CONSTRUCTION NOTES:**

- REFERENCE WISDOT STANDARD PLANS W-24-01-01 FOR PLASTIC TRIM ARROWS. (FOR LOW SPEED ROADWAYS)

**TYPICAL ROADWAY SECTION B-B**

UCW0181

EXHIBIT 'B'

1" = 20' TRAFFIC ISLAND ENLARGEMENT

FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11

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FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11

**1" = 20' TRAFFIC ISLAND ENLARGEMENT**

FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11

ALL CURVE STRIPING SHALL BE INSTALLED PER WISDOT STANDARD (TP-1)

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(FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11)

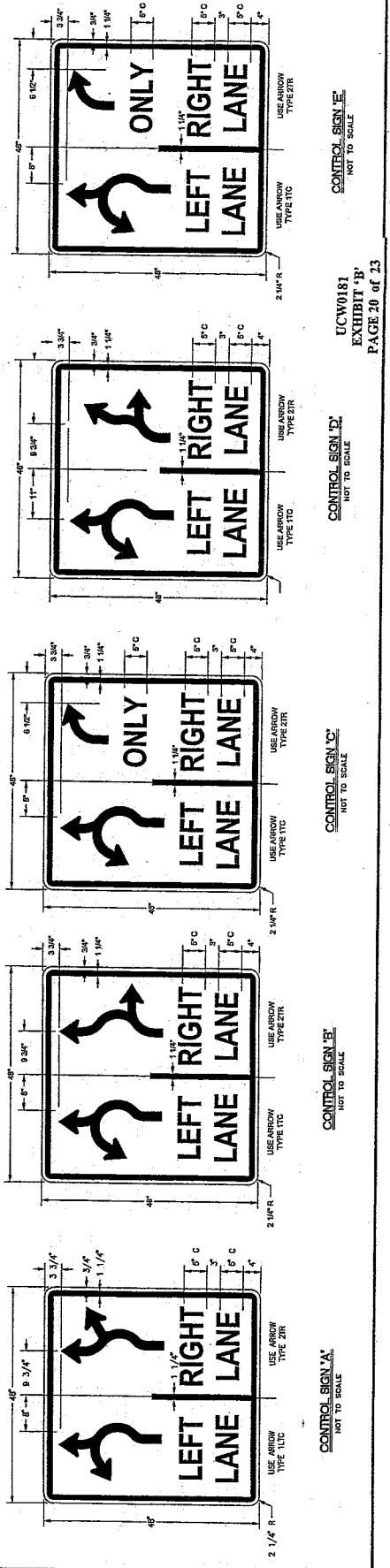
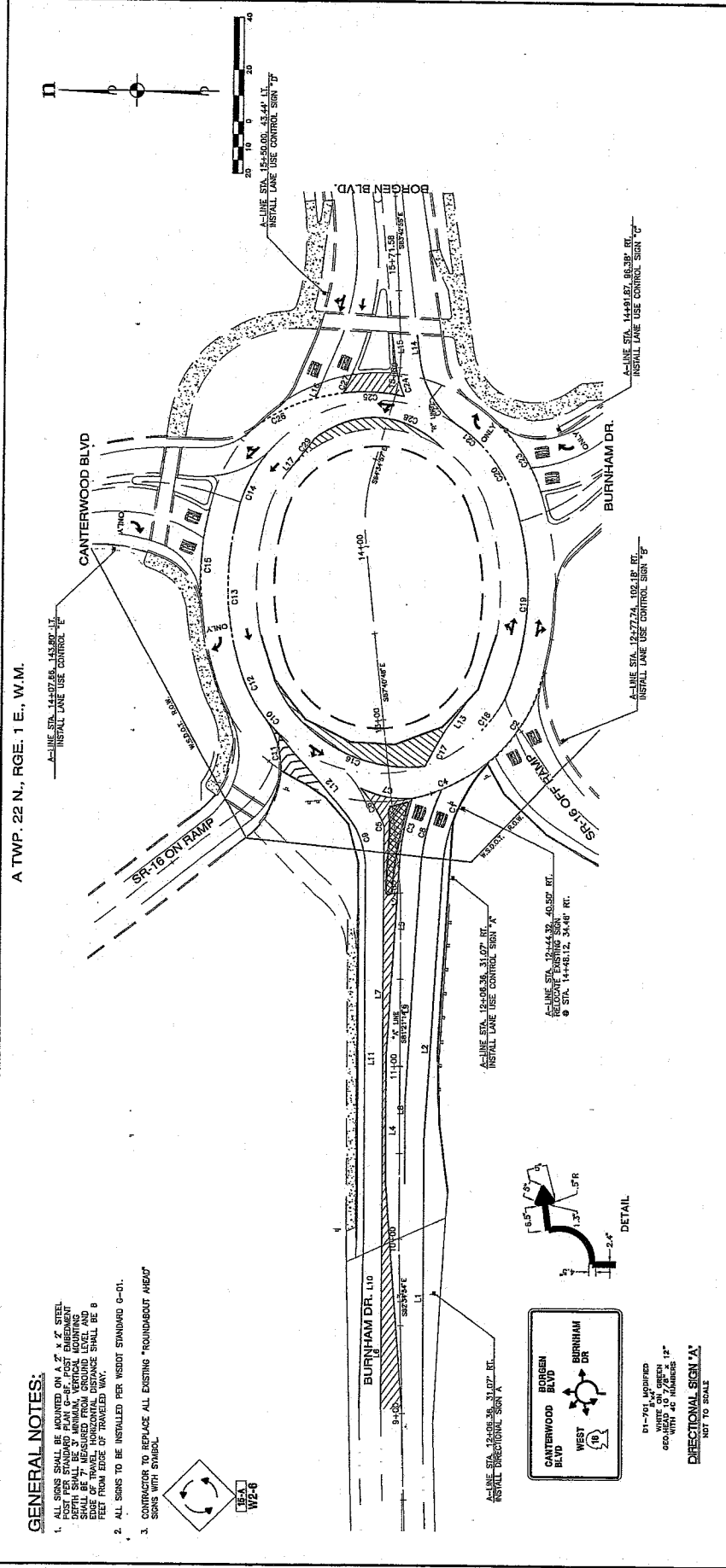
**1" = 20' TRAFFIC ISLAND ENLARGEMENT**

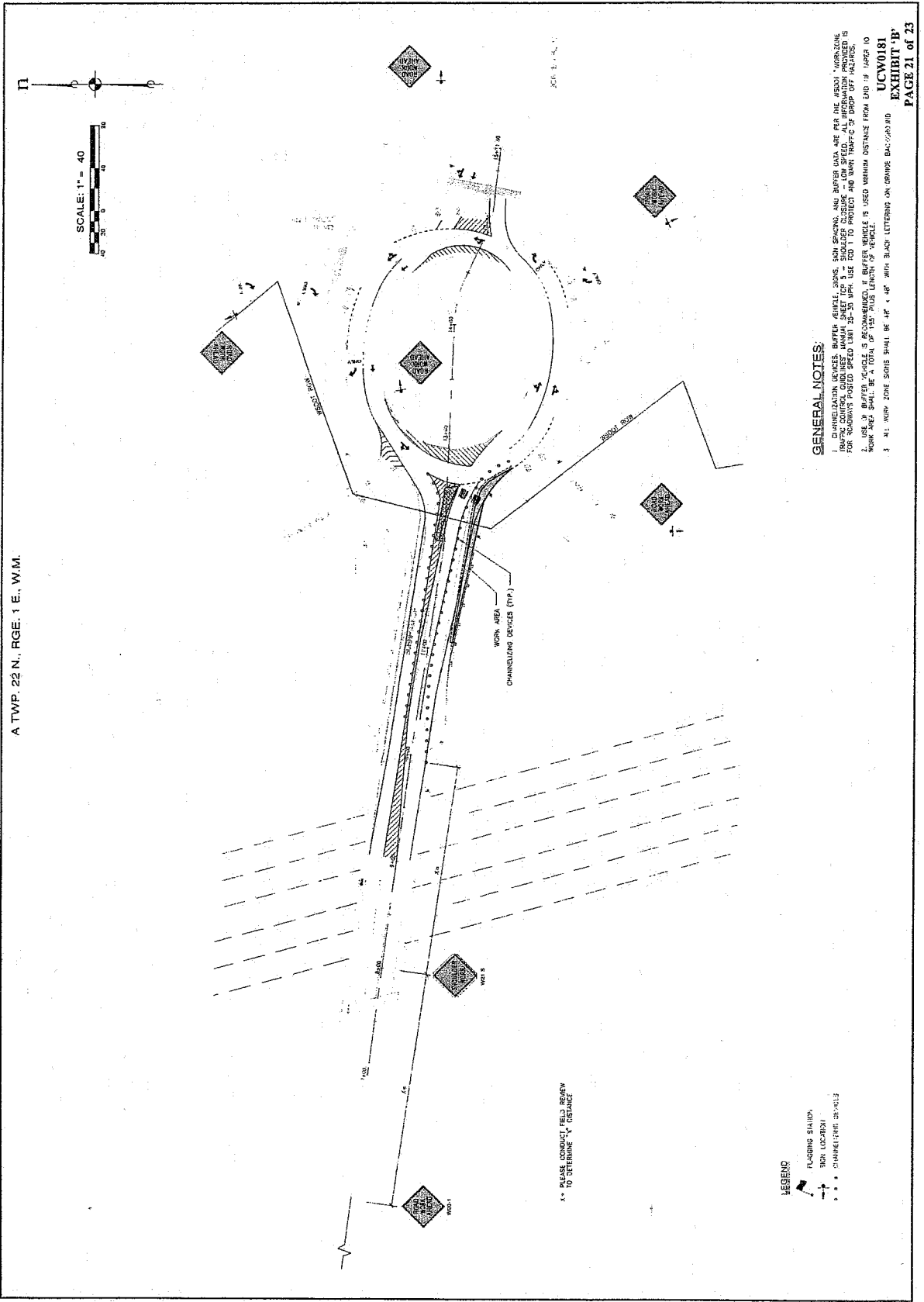
FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11

ALL CURVE STRIPING SHALL BE INSTALLED PER WISDOT STANDARD (TP-1)

ALL CURVE STRIPING SHALL BE INSTALLED PER WISDOT STANDARD (TP-1)

(FOR LINE AND CURVE INFORMATION REFER TO SHEET 05-11)





A TWP. 22 N., RGE. 1 E., W.M.

**GENERAL NOTES:**  
 1. ALL SIGNAGE AND BUFFER DISTANCE SHALL BE PER THE FASTEST TRAVELING ZONE SPEED LIMIT IN THE AREA. SIGNAGE SHALL BE PLACED AT THE BEGINNING OF THE BUFFER ZONE AND AT THE END OF THE BUFFER ZONE. BUFFER DISTANCE SHALL BE 200 FEET FOR ALL SPEED LIMITS EXCEPT 35 MPH. FOR 35 MPH, BUFFER DISTANCE SHALL BE 150 FEET. BUFFER DISTANCE SHALL BE 100 FEET FOR ALL SPEED LIMITS EXCEPT 35 MPH. FOR 35 MPH, BUFFER DISTANCE SHALL BE 150 FEET. BUFFER DISTANCE SHALL BE 100 FEET FOR ALL SPEED LIMITS EXCEPT 35 MPH. FOR 35 MPH, BUFFER DISTANCE SHALL BE 150 FEET.  
 2. USE OF BUFFER VEHICLE IS RECOMMENDED. IF BUFFER VEHICLE IS USED MINIMUM DISTANCE FROM END OF BUFFER TO WORK AREA SHALL BE A TOTAL OF 150' PLUS LENGTH OF VEHICLE.  
 3. ALL SIGNAGE SHALL BE 48" x 48" WITH BLACK LETTERING ON ORANGE BACKGROUND.

**LEGEND**  
 FLOODING STATION  
 SIGN LOCATION  
 CHANNELING DEVICES (TYP.)

\* \* \* \* \* PLEASE CONSULT FIELD DRAWING TO DETERMINE SIGN PLACEMENT

A TWP. 22 N., RGE. 1 E., W.M.



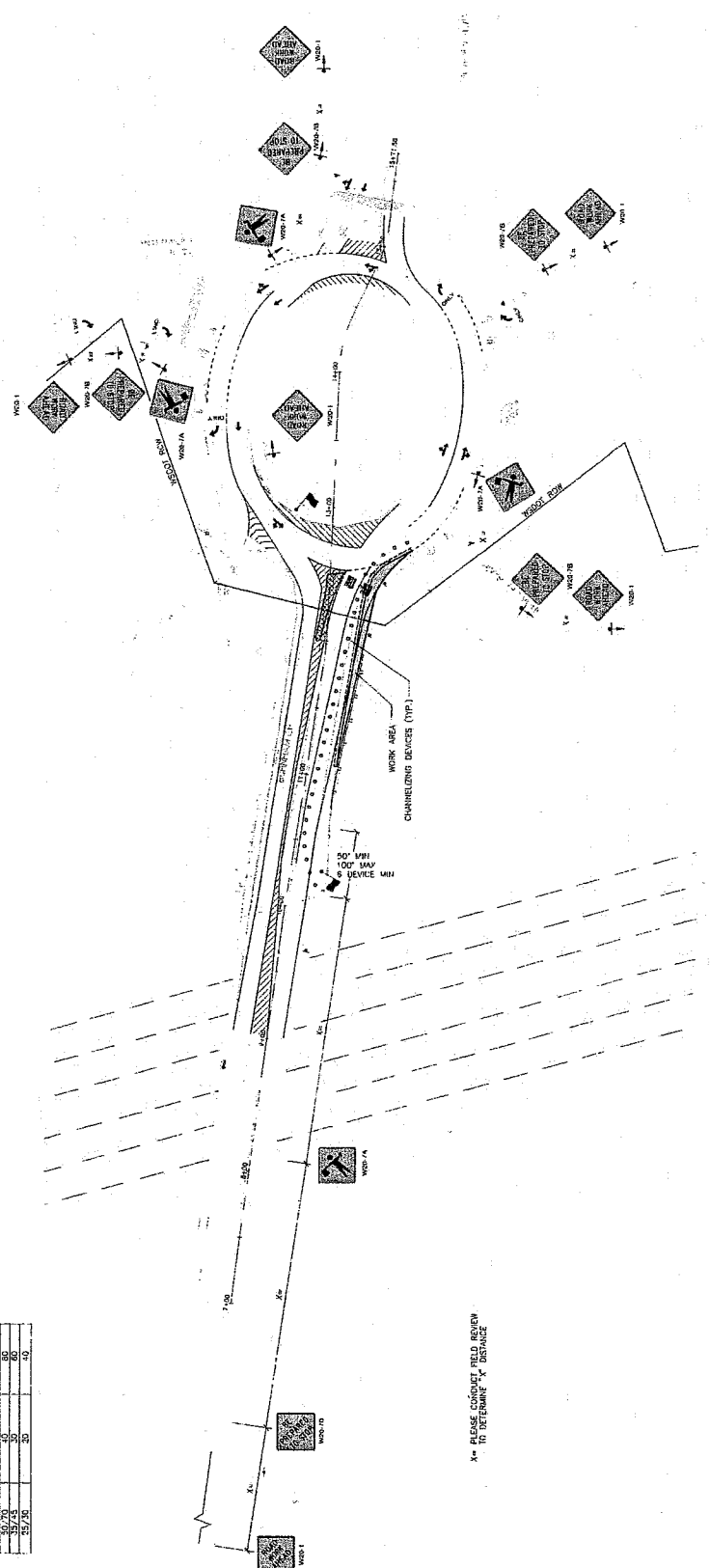
SIGN SPACING = X (FEET) (1)

RURAL HIGHWAYS	60/45 MPH	800' ±
RURAL ROADS	35/25 MPH <td>500' ±</td>	500' ±
RURAL ROADS & URBAN ARTERIALS	35/25 MPH <td>350' ±</td>	350' ±
RESIDENTIAL & URBAN BUSINESS DISTRICTS	25/20 MPH <td>200' ± (2)</td>	200' ± (2)
ALL OTHERS	15/10 MPH <td>100' ± (2)</td>	100' ± (2)

(1) ALL SPACING MAY BE ADJUSTED TO ACCOMMODATE INTERCHANGE RAMP, ALL-GRADE INTERSECTIONS, AND DRIVEWAYS  
 (2) THIS SPACING MAY BE REDUCED IN URBAN AREAS TO FIT ROADWAY CONDITIONS

CHANNELIZATION DEVICE SPACING (FEET)

SPD	MINIMUM	MAXIMUM
40	30	60
35/25	30	40



- LEGEND
- FLAGGING STATION
  - SIGN LOCATION
  - CHANNELIZATION DEVICES

**GENERAL NOTES:**

1. CHANNELIZATION DEVICES, BUFFER VEHICLE SIGNS, SIGN SPACING, AND BUFFER DATA ARE FOR THE INDICATED WORK ZONE. THE BUFFER VEHICLE SIGNS SHALL BE 18" X 48" WITH BLACK LETTERING ON ORANGE BACKGROUND.
2. USE OF BUFFER VEHICLE IS RECOMMENDED, IF BUFFER VEHICLE IS USED MINIMUM DISTANCE FROM END OF DAILY TO WORK AREA SHALL BE A TOTAL OF 150' PLUS LENGTH OF VEHICLE.
3. ALL WORK ZONE SIGNS SHALL BE 18" X 48" WITH BLACK LETTERING ON ORANGE BACKGROUND.

UCW0181  
 EXHIBIT 'B'  
 PAGE 22 of 23

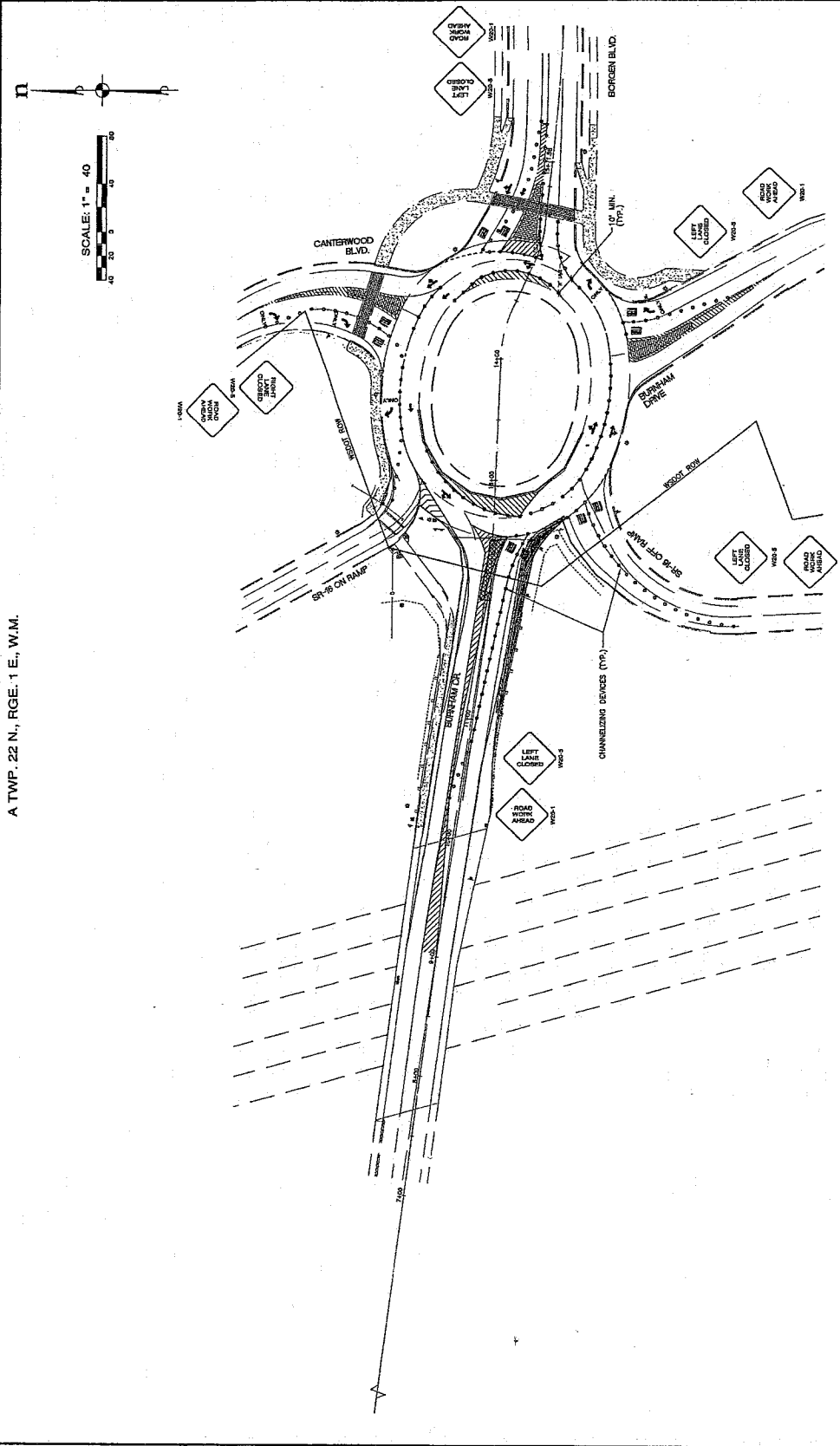
SR-16 GIG HARBOR NORTH RAB M.P. 14.86  
 FLAGGING OPERATION PLAN  
 CITY OF GIG HARBOR  
 the dwelling company

ESM CONSULTING ENGINEERS, L.L.C.  
 29315 1st Way South #200  
 Federal Way, WA 98003  
 (206) 875-8888  
 WWW.ESMENGINEERS.COM

DATE: 02.11.2021  
 DRAWN BY: J. B. BROWN  
 CHECKED BY: J. B. BROWN  
 JOB NO.: 1118-0000-0000

JA-09  
 09 of 10 sheets

A TWP. 22 N., RGE. 1 E., W.M.



**GENERAL NOTES:**

1. ALL WORK ZONE SIGNS SHALL BE 48" x 48", WITH BLACK LETTERING ON ORANGE BACKGROUND.
2. USE OF BUFFER VEHICLE IS RECOMMENDED. IF BUFFER VEHICLE IS USED, MINIMUM DISTANCE FROM END OF TAPER TO WORK AREA SHALL BE A TOTAL OF 150' PLUS LENGTH OF VEHICLE.
3. USE OF BUFFER VEHICLE IS RECOMMENDED. IF BUFFER VEHICLE IS USED, MINIMUM DISTANCE FROM END OF TAPER TO WORK AREA SHALL BE A TOTAL OF 150' PLUS LENGTH OF VEHICLE.

UCW0181  
EXHIBIT 'B'  
PAGE 23 of 23

		THE DWELLING COMPANY SR-16 GIG HARBOR NORTH RAB M.P. 14.86 INTERIOR RAB LANE CLOSURE PLAN WASHINGTON	
DONALD W. SMITH, P.E. LEAD ENGINEER WWW.ESMILL.COM FEDERAL WAY, WA 98003		DATE: 05-21-2022 DRAWN BY: JAC CHECKED BY: JAC JOB NO: 1118-21-004	



C091080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 4/03/07

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR  
(BY ZIP CODE) FOR EXPIRATION DATE OF 20070731

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1 MAD ANTHONY'S INCORPORATED	ANTHONY'S AT GIG HARBOR 8827 N HARBORVIEW DR GIG HARBOR WA 98335 0000	351502	SPIRITS/BR/WN REST LOUNGE + OFF PREMISES-PRIVATE LABEL WINE
2 Z A A L LLC	OLYMPIC 76 GAS STATION AND FOOD MART 5555 SOUNDVIEW DR NW GIG HARBOR WA 98335 0000	071544	GROCERY STORE - BEER/WINE
3 G.T. ENTERPRISES LLC	KELLY'S CAFE AND ESPRESSO 7806 PIONEER WAY GIG HARBOR WA 98335 1133	400599	BEER/WINE REST - BEER/WINE OFF PREMISES
4 HINDQUARTER II, INC.	TANGLEWOOD GRILL 3222 56TH ST GIG HARBOR WA 98335 1359	082991	SPIRITS/BR/WN REST LOUNGE -
5 JAPANESE CREATIVE CUISINE, INC	BISTRO SATSUMA 5315 PT FOSDICK NW GIG HARBOR WA 98335 1720	077012	BEER/WINE REST - BEER/WINE

APR 6 2007

Attention:

Enclosed is a listing of liquor licensees presently operating establishments in your jurisdiction whose licenses expire on JULY 31, 2007. Applications for renewal of these licenses for the upcoming year are at this time being forwarded to the current operators.

As provided in law, before the Washington State Liquor Control Board shall issue a license, notice regarding the application must be provided the chief executive officer of the incorporated city or town or the board of county commissioners if the location is outside the boundaries of an incorporated city or town.

Your comments and recommendations regarding the approval or disapproval for the enclosed listed licensees would be appreciated. If no response is received, it will be assumed that you have no objection to the reissuance of the license to the applicants and locations listed. In the event of disapproval of the applicant or the location or both, please identify by location and file number and submit a statement of all facts upon which such objections are based (please see RCW 66.24.010(8)). If you disapprove then the Board shall contemplate issuing said license, let us know if you desire a hearing before final action is taken.

In the event of an administrative hearing, you or your representative will be expected to present evidence in support of your objections to the renewal of the liquor license. The applicant would presumably want to present evidence in opposition to the objections and in support of the application. The final determination whether to grant or deny the license would be made by the Board after reviewing the record of the administrative hearing.

If applications for new licenses are received for persons other than those specified on the enclosed notices, or applications for transfer of licenses are received by the Board between now and JULY 31, 2007, your office will be notified on an individual case basis.

Your continued assistance and cooperation in these licensing matters is greatly appreciated by the Liquor Control Board.

LORRAINE LEE, Director  
Regulatory Services  
Enclosures

MAYOR OF GIG HARBOR  
3510 GRANDVIEW ST  
GIG HARBOR, WA 98335

RECEIVED  
MAY 31 2007



Business of the City Council  
City of Gig Harbor, WA

**Subject: Second Reading of Ordinance Amending  
The 2007 Drug Investigation Fund Budget**

**Proposed Council Action:**

Adopt ordinance amending the 2007 Drug Investigation Fund budget.

Dept. Origin: Finance

Prepared by: David Rodenbach

For Agenda of: April 23, 2007

Exhibits: Ordinance

Initial & Date

Concurred by Mayor:

*CA 4/17/07*

Approved by City Administrator:

*DRK 4/13/07*

Approved as to form by City Atty:

Approved by Finance Director:

*CD 4/12/07*

Approved by Department Head:

\_\_\_\_\_

Expenditure Required	0	Amount Budgeted	\$3,979	Appropriation Required	\$76,653
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**INFORMATION / BACKGROUND**

The City's 2007 budget for the Drug Investigation Fund is \$3,979. In January 2007 the City received an unexpected distribution of \$76,653 from the Westsound Narcotics Enforcement Team (WestNET) as the City's share of a narcotics enforcement action. This ordinance appropriates the \$76,653 so that it will be available for expenditure in 2007.

**FISCAL CONSIDERATION**

Drug Investigation resources are restricted to drug enforcement activities.

**BOARD OR COMMITTEE RECOMMENDATION**

N/A

**RECOMMENDATION / MOTION**

**Move to: Pass ordinance amending the 2007 Drug Enforcement Fund Budget from \$3,979 to \$80,632.**

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF GIG HARBOR,  
WASHINGTON, RELATING TO THE CITY'S 2007 BUDGET,  
INCREASING THE APPROPRIATION TO THE DRUG  
INVESTIGATION FUND FOR THE 2007 BUDGET.

---

**WHEREAS**, the City received an unexpected distribution of \$76,653 from the Westsound Narcotics Enforcement Team (WestNET) as the City's share of a narcotics enforcement action; and

**WHEREAS**, the 2007 adopted budget for the Drug Investigation Fund does not include this unexpected distribution; and

**WHEREAS**, an increased appropriation would enhance 2007 drug enforcement activities within the City; NOW, THEREFORE,

**THE GIG HARBOR CITY COUNCIL ORDAINS AS FOLLOWS:**

Section 1. The 2007 Budget for the Drug Enforcement Fund shall be amended as follows:

<b>Fund</b>	<b>Original Appropriation</b>	<b>Amended Appropriation</b>
105 Drug Investigation	\$3,979	\$80,632

Section 2. The Gig Harbor City Council finds that it is in the best interests of the City to increase the Drug Investigation fund as shown above, with the \$76,653.00 received from the City's share of a narcotics enforcement action, and directs the Finance Director to amend the budget as shown above.

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

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

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, 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: \_\_\_\_\_



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Second Reading of Ordinance to allow direct review of zoning code text amendments by the City Council

**Proposed Council Action:** Approval of Ordinance as presented at this second reading

**Dept. Origin:** Community Development

**Prepared by:** Tom Dolan, Planning Director

**For Agenda of:** April 23, 2007

**Exhibits:** Ordinance

Initial & Date

**Concurred by Mayor:**

**Approved by City Administrator:**

**Approved as to form by City Atty:**

**Approved by Finance Director:**

**Approved by Department Head:**

*CA 4/19/07*

*RHK 4/18/07*

*Comm 4/19/07*

*DF 4/19/07*

*TJ 4/18/07*

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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**INFORMATION / BACKGROUND**

This Ordinance will establish a procedure for allowing the City Council to conduct public hearings on zoning code text amendments and area wide rezones without forwarding the matters first to the Planning Commission for a public hearing. Direct consideration by the City Council will allow for a more expedited process when deemed necessary by the City Council. This process will also lesson the workload of the Planning Commission. As requested by Council, the Planning staff will come back with a recommended procedure describing how this process will work.

**FISCAL CONSIDERATION**

None.

**BOARD OR COMMITTEE RECOMMENDATION**

The Planning and Building Committee recommended that the Ordinance be forwarded to the Council for consideration.

**RECOMMENDATION / MOTION**

**Move to:** Staff recommends approval of the Ordinance as presented at this second reading.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE PROCEDURES FOR PROCESSING PROJECT PERMIT APPLICATIONS AND HANDLING LEGISLATIVE ACTIONS, DELETING THE PLANNING COMMISSION'S PARTICIPATION IN HEARINGS ON ANNEXATIONS AND DESCRIBING A NEW PROCESS BY WHICH CERTAIN LEGISLATIVE DECISIONS MAY BE ACTED UPON BY THE COUNCIL WITHOUT A PLANNING COMMISSION HEARING; AMENDING GIG HARBOR MUNICIPAL CODE SECTION 19.01.005.**

---

WHEREAS, pursuant to RCW 35A.63.060, the City of Gig Harbor's Planning Commission has the responsibility to process comprehensive plan amendments, as incorporated into GHMC Section 19.01.005(A)(3); and

WHEREAS, pursuant to RCW 35A.63.100, the City is required to hold at least one public hearing on a zoning ordinance or zoning ordinance amendment, which may be held before the Planning Commission or any other body designated by the City Council; and

WHEREAS, the Planning Commission holds public hearings on zoning ordinances and amendments as provided in GHMC 19.01.005(A)(1) and (2); and

WHEREAS, state law does not require that the Planning Commission hold any hearings on annexations, and the City Council has traditionally conducted such hearings; and

WHEREAS, there is an error in GHMC Section 19.01.005(A)(4), which provides that the Planning Commission holds hearings on annexations; and

WHEREAS, GHMC Section 19.01.005 is not a "development regulation" as defined in the Growth Management Act ("the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances and binding site plan ordinances, together with any amendments thereto." RCW 36.70A.030(7)); and

WHEREAS, the City Council concludes that this ordinance does not need to be processed as a "development regulation" under GMA or GHMC Section 19.01.005(A)(1); and

WHEREAS, the City's SEPA Responsible Official issued a determination that the adoption of this Ordinance is merely procedural and is therefore exempt from SEPA under WAC 197-11-800(20); and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of April 9 and April 23, 2007; Now, Therefore,

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

Section 1. Section 19.01.005 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.01.005 Legislative Decisions.**

A. Decisions. The following decisions are legislative, and are not subject to the procedures in this title, unless otherwise specified:

1. Zoning code text, development regulations and zoning district amendments;

2. Area-wide rezones to implement new City policies;  
and

3. Adoption of the comprehensive plan and any plan amendments; ~~and~~

~~4. Annexations.~~

B. Planning Commission. The planning commission shall hold a public hearing and make recommendations to the city council on the decisions in Subsection (A)(3) of this section. The planning commission shall also hold public hearings and make recommendations to the city council on the decisions in Subsection (A)(1) and (2), except that the city council may hold a public hearing itself on those decisions set forth in Subsection (A)(1) and (2). The public hearing shall be held in accordance with the requirements of chapter 19.05 GHMC and RCW 36.70A.035 and all other applicable law.

C. City Council. The city council may consider the planning commission's recommendation in a public hearing held in accordance with the requirements of chapter 19.05 GHMC and RCW 36.70A.035 and all other applicable law. If the city council



desires to hold a public hearing on any of the decisions set forth in subsection A(1) and A(2) above, it may do so without forwarding the proposed decision to the planning commission for a hearing.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

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

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, 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: \_\_\_\_\_



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Second Reading  
of Ordinance - Traffic Impact Fees Update

**Proposed Council Action:** Approve the Ordinance as presented at this second reading.

**Dept. Origin:** Community Development

**Prepared by:** Stephen Misiurak, P.E.  
City Engineer *[Signature]*

**For Agenda of:** April 23, 2007

**Exhibits:** Ordinance

Initial & Date

**Concurred by Mayor:**

*CH 4/19/07*

**Approved by City Administrator:**

*ROK 4/18/07*

**Approved as to form by City Atty:**

*LAN 4/9/07*

**Approved by Finance Director:**

*DR 4/19/07*

**Approved by Department Head:**

*JM 4/18/07*

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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**INFORMATION / BACKGROUND**

Attached for your consideration is the second reading of an ordinance updating the City's traffic impact fee schedule (GHMC 19.12). This update to the impact fee is based upon the City's current 2007-2012 Six-Year Transportation Improvement Plan (TIP) adopted on August 28, 2006.

City staff, in conjunction with David Evans and Associates, Inc. (DEA), completed a Transportation Impact Fee Program Update and Capacity Availability Report. A copy of both reports are included as Attachments 1 and 2. The results of these reports serves as the basis for establishing the existing and projected City wide trip volumes and specific project growth rates. This in turn establishes the recommended impact fee per trip fee.

It should be noted that this is an interim fee update. A subsequent fee update will be taken back to Council within the next 6 months which will reflect a list of growth related projects essential to addressing the City's growth related transportation needs over the 20 years.

The methodology used was similar to the City of Olympia's recent impact fee update.

**FISCAL CONSIDERATION**

The current impact fee fund balance of \$600,000 is inadequate to fund the local portion of the necessary growth projects. The impact fee balance will be exhausted late next year as it will be expensed as part of the 56<sup>th</sup>/Olympic Improvement Project.

The recommendation from staff is to raise the traffic impact fee rate to \$2,102.65 per trip fee. The \$2,102.65 per trip fee is four times higher than the current rate of approximately \$517 per

net new trip. Exhibits A-1 through A-3 reflect the recommended impact fee schedule to be adopted.

The Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> edition was used to determine trip generation rates for the land use types. The fee schedule is a table where fees are represented as dollars per unit for each land use category. Certain land uses were modified, added or removed from the current fee schedule to reflect recent development trends within the City and changes to the national trip generation database.

The proposed City impact fee rates are anticipated to generate \$16.5 million over the next 6 years, representing around 24 percent of the total funding needs for the projects on the impact fee list.

#### **BOARD OR COMMITTEE RECOMMENDATION**

The Operations and Public Projects Committee reviewed this Impact Fee Update at the regularly scheduled meeting March 15, 2007 and the special meeting held on March 26, 2007 and supported this Impact Fee Increase as presented.

#### **RECOMMENDATION / MOTION**

**Move to:** Approve the ordinance as presented at this second reading.

**Note:** the Effective Date of the new Traffic Impact Fee will be June 1<sup>st</sup>, 2007.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO TRANSPORTATION IMPACT FEES, AMENDING THE FORMULA USED BY THE CITY TO CALCULATE TRANSPORTATION IMPACT FEES, ADOPTING A NEW PROJECT LIST AS REQUIRED BY GHMC SECTION 19.12.120 FOR THE CALCULATION OF TRANSPORTATION IMPACT FEES AND ESTABLISHING A NEW SCHEDULE OF TRANSPORTATION IMPACT FEES FOR USE BEGINNING ON JUNE 1, 2007; AMENDING APPENDICES A AND B TO ORDINANCES No. 828 AND 962.**

---

WHEREAS, the City has adopted a transportation impact fee program (chapter 19.12 of the Gig Harbor Municipal Code); and

WHEREAS, the City's code requires that the project list for transportation projects be updated on a regular basis (GHMC Section 19.12.120); and

WHEREAS, as a result of recent court decisions, the City has also decided to update its transportation impact fee formula (*Drebick v. Olympia*); and

WHEREAS, an update to the City's impact fee formula and project list results in the calculation of a new transportation impact fee schedule (which is attached as an appendix to the previous City ordinance); and

WHEREAS, the City's SEPA Responsible Official issued a threshold determination of non significance for this Ordinance on November 8, 2006; and

WHEREAS, the City Council held a public hearing and first reading on this Ordinance during its regular City Council meeting of April 9, 2007, and a second reading during its regular City Council meeting of April 23, 2007; Now, Therefore,

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

Section 1. The Project List attached hereto as Appendix A-1 is hereby adopted as the City Transportation Impact Fee Project List, which is a list of projects on the City's 6-year Road Plan and the City's Comprehensive Plan, Transportation Element, which are growth-related and that should be funded with forecast public moneys and the impact fees already paid. This Project List shall supersede the previous transportation Project List, and all such previously-adopted transportation Project Lists are repealed.

Section 2. The formula attached hereto as Appendix A-2 is hereby adopted as the City's Transportation Impact Fee Formula, which incorporates the requirements of RCW 82.02.050 through 82.02.090 and all other applicable provisions of chapter 19.12 GHMC. All previously-adopted transportation impact fee formulas are hereby repealed.

Section 3. The schedule of transportation impact fees attached hereto as Appendix A-3 is hereby adopted as the City's Transportation Impact Fee Schedule, which has been calculated according to the City's Transportation Impact Fee Formula and incorporating the City's Transportation Impact Fee Project List. This Transportation Impact Fee Schedule shall supersede the previous transportation impact fee schedule, and all such previously-adopted transportation impact fee schedules are repealed.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title. The City shall collect transportation impact fees according to the schedule set forth in Appendix A-3 beginning on June 1, 2007.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

---

CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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

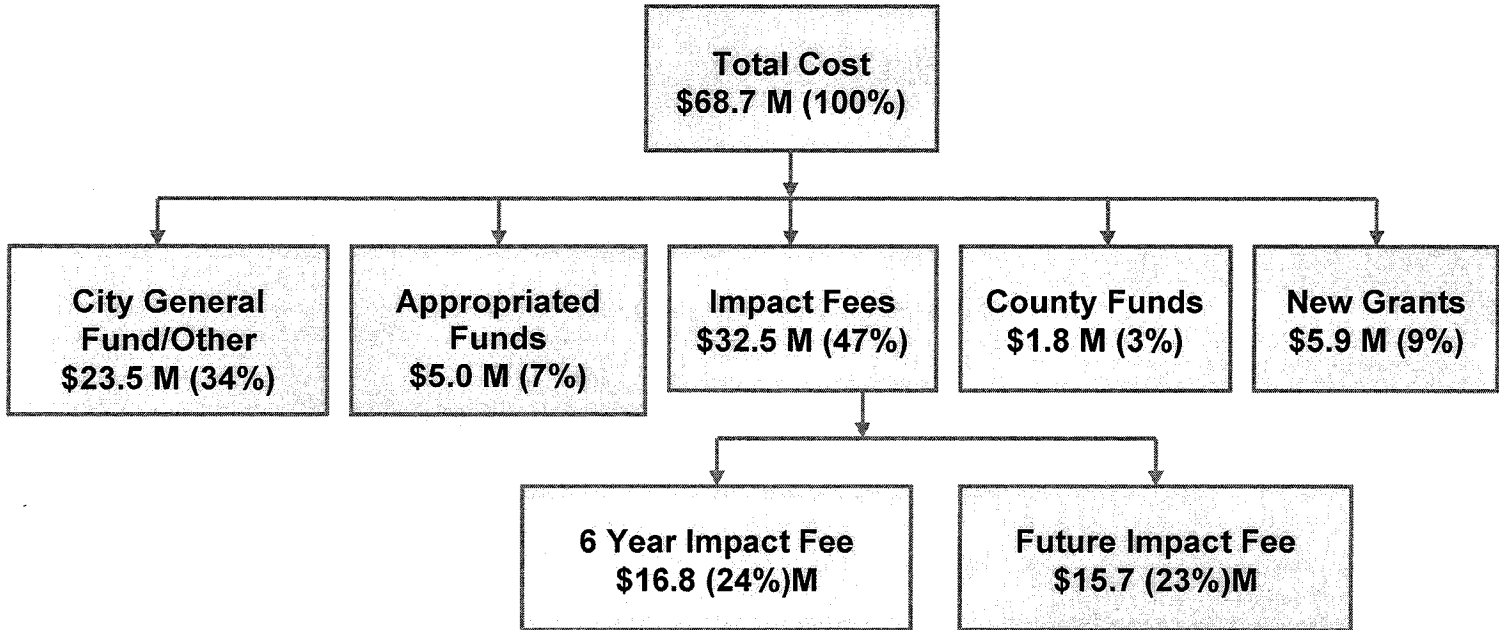
FILED WITH THE CITY CLERK: \_\_\_\_\_  
PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
ORDINANCE NO: \_\_\_\_\_

# EXHIBIT A-1

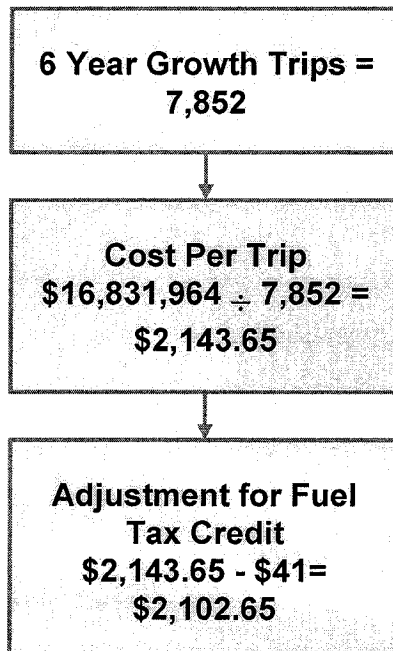
## Impact Fee Cost (2007 – 2012)

Impact Fee List ID	TIP No.	Route	From / To	Capacity Improvements	Project Cost	Existing Road Capacity	Existing Traffic Volume	Existing Deficiency if < 0	Future Street Capacity	Future Traffic Volume	Traffic Volume Increase	Capacity Increase Provided by Project	% Increased Capacity Used	Share of Increased Capacity Cost
1	1	Borgen / SR16 / Canterwood	Interim Improvements	Increase intersection capacity at Borgen Roundabout, minor widening on Canterwood	8,000,000	NA	2,530	NA	NA	5,226	2,696	NA	NA	NA
2	3	Olympic Drive / 56th Street	38th Avenue to Point Fosdick Drive	Major widening, 5 lanes, bike lanes, sidewalks	6,042,000	1,800	1,721		3,600	1,781	60	1,800	3%	\$201,400
3	4	56th Street / Pt. Fosdick Drive	Olympic Drive to Olympic Drive	Minor widening, 3 lanes, bike lanes, sidewalks	2,640,000	1,200	264		1,800	371	107	600	18%	\$470,800
4	5	38th Avenue Phase 1	City Limits to 56th Street	Minor widening, 3 lanes, bike lanes, sidewalk 1 side	11,215,200	1,200	309		1,800	346	37	600	6%	\$691,604
5	10	Grandview Street Phase 2	Pioneer Avenue to Stinson Avenue	Minor widening, bike lanes, sidewalk 1 side	518,400	1,200	222		1,600	256	34	400	9%	\$44,064
6	11	Grandview Street Phase 3	McDonald Avenue to Soundview Drive	Minor widening, bike lanes, sidewalks	880,800	1,200	120		1,600	113	-7	400	-2%	-\$15,414
7	12	38th Avenue Phase 2	56th Street to Hunt Street	Minor widening, bike lanes, sidewalk 1 side	7,488,000	1,200	632		1,600	767	135	400	34%	\$2,527,200
8	13	50th Court	Olympic Drive to 38th Street	New roadway	960,000	0	0		1,600	344	344	1,600	22%	\$206,400
9	14	Olympic / Hollycroft	Intersection	Increase intersection capacity - single lane roundabout	540,000	1,200	1,272	-72	1,800	1,413	141	600	24%	\$126,900
10	19	Rosedale Street Phase 2	City Limits to SR 16	Minor widening, left-turn pockets, bike lanes	1,022,400	1,200	620		1,800	639	19	600	3%	\$32,376
11	20	Rosedale Street Phase 3	SR 16 to Shirley Avenue	Minor widening, LT pockets, 1 bike lane, 1 sidewalk	801,600	1,200	569		1,800	937	368	600	61%	\$491,648
12	21	Hunt Street Phase 1	Skansie Avenue to 38th	Minor widening, 3 lanes, bike lanes, sidewalks	6,912,000	1,200	709		1,800	1,306	597	600	100%	\$6,877,440
13	22	Wollochet Drive	Hunt Street to SR 16	Major widening	8,670,000	1,200	1,339	-139	3,600	1,787	448	2,400	19%	\$1,618,400
14	25	Hunt / Skansie	Intersection	Intersection capacity signal or roundabout	1,728,000	1,200	678		3,600	1,051	373	600	62%	\$1,074,240
15	26	Burnham Drive Phase 1	Harborview Drive to Franklin Drive	Major widening, sidewalks	716,400	1,200	495		1,800	657	162	600	27%	\$193,428
16	27	Burnham Drive Phase 2	Franklin Avenue to N-S Connector	Major widening, sidewalks	4,075,200	1,200	522		1,800	678	156	600	26%	\$1,059,552
17	28	Burnham Drive Phase 3	N-S Connector to Borgen Blvd	Major widening, sidewalks	6,541,200	1,200	551		1,800	664	113	600	19%	\$1,231,926
<b>TOTAL COSTS</b>					<b>68,751,200</b>									<b>\$16,831,964</b>

**Exhibit A-2  
Impact Fee Cost Allocation (2007 – 2012)  
Formula**



**Cost Per Trip**



**New PM Peak Hour Trips = 7,852  
Cost / Trip = \$2,102.65**



## EXHIBIT A-3

**Table 4. Proposed Transportation Impact Fee Schedule (1 of 2)**

City of Gig Harbor			Base Impact Fee Per Trip: \$ 2,102.65					
Land Use Group	ITE Code <sup>1</sup>	ITE Land Use Category <sup>1</sup>	ITE Trip Rate <sup>2</sup>	% Pass by trips <sup>3</sup>	Net New Trips per Development Unit	Impact Fee per Development Unit <sup>4</sup>		
Dwelling	210	Single Family House	1.01	0%	1.010	\$ 2,124	per	DU
Dwelling	220	Apartment	0.62	0%	0.620	\$ 1,304	per	DU
Dwelling	231	Low-Rise Condo / Townhouse	0.78	0%	0.780	\$ 1,640	per	DU
Dwelling	240	Mobile Home	0.59	0%	0.590	\$ 1,241	per	DU
Dwelling - Group	251	Sr. Housing Detached	0.26	0%	0.260	\$ 547	per	DU
Dwelling - Group	252	Sr. Housing Attached	0.11	0%	0.110	\$ 231	per	DU
Dwelling - Group	253	Congregate Care Facility	0.17	0%	0.170	\$ 357	per	DU
Dwelling - Group	254	Assisted Living (limited data)	0.22	0%	0.220	\$ 463	per	Bed
Dwelling - Group	620	Nursing Home	0.22	0%	0.220	\$ 463	per	Bed
Education	520	Public Elementary School	1.19 <sup>5</sup>	0%	1.190	\$ 2.50	per	Sq. Ft.
Education	522	Public Middle School	1.19	0%	1.190	\$ 2.50	per	Sq. Ft.
Education	530	Public High School	0.97	0%	0.970	\$ 2.04	per	Sq. Ft.
Education	534	Private School K-8 (limited data)	3.40 <sup>5</sup>	0%	3.400	\$ 7.15	per	Sq. Ft.
Education	536	Private School K-12 (limited data)	2.75 <sup>5</sup>	0%	2.750	\$ 5.78	per	Sq. Ft.
Industrial	110	Light Industrial	0.98	0%	0.980	\$ 2.06	per	Sq. Ft.
Industrial	130	Industrial Park	0.86	0%	0.860	\$ 1.81	per	Sq. Ft.
Industrial	140	Manufacturing	0.74	0%	0.740	\$ 1.56	per	Sq. Ft.
Medical	610	Hospital	1.18	0%	1.180	\$ 2.48	per	Sq. Ft.
Medical	630	Clinic (limited data)	5.18	0%	5.180	\$ 10.89	per	Sq. Ft.
Medical	720	Medical/Dental Office	3.72	0%	3.720	\$ 7.82	per	Sq. Ft.
Office	710	General Office	1.49	0%	1.490	\$ 3.13	per	Sq. Ft.
Office	715	Single Tenant Office	1.73	0%	1.730	\$ 3.64	per	Sq. Ft.
Office	750	Office Park	1.50	0%	1.500	\$ 3.15	per	Sq. Ft.
Park and Ride	090	Park and Ride with Bus Service	0.62	0%	0.620	\$ 1,304	per	Space
Recreation	420	Marina (limited data)	0.19	25%	0.143	\$ 300	per	Slip
Recreation	430	Golf Course	0.30	25%	0.225	\$ 473	per	Acre
Recreation	441	Live Theater (limited data)	0.02	25%	0.015	\$ 31.54	per	Seat
Recreation	491	Racquet Club	0.64 <sup>5</sup>	25%	0.482	\$ 1.01	per	Sq. Ft.
Recreation	492	Health Fitness Club	4.05	25%	3.038	\$ 6.39	per	Sq. Ft.
Recreation	495	Recreational Community Center	1.64	25%	1.230	\$ 2.59	per	Sq. Ft.
Retail - Automotive	853	Convenience Market w/Gas Pumps	19.22	66%	6.535	\$ 13,740	per	VSP
Retail - Automotive	941	Quick Lube	5.19	42%	3.010	\$ 6,329	per	VSP
Retail - Automotive	944	Gas Station	13.86	42%	8.039	\$ 16,903	per	VSP
Retail - Automotive	945	Gas Station w/Convenience Market	13.38	56%	5.887	\$ 12,379	per	VSP

<sup>1</sup> Institute of Transportation Engineers, Trip Generation (7th Edition)

<sup>2</sup> Trip generation rate per development unit, for PM Peak Hour of the adjacent street traffic (4-6 pm). Note: Sq. Ft. rate expressed per 1000 SF.

<sup>3</sup> Average Pass-by Rates, per Trip Generation Handbook: an ITE Recommended Practice, March, 2001

<sup>4</sup> DU = dwelling unit, Sq. Ft. = Square Feet, VSP = vehicle servicing position

<sup>5</sup> Scaled to pm Peak Hour of Adjacent Street Traffic from pm Peak Hour of Generator

## EXHIBIT A-3

**Table 4. Proposed Transportation Impact Fee Schedule (2 of 2)**

Land Use Group	ITE Code <sup>1</sup>	ITE Land Use Category <sup>1</sup>	ITE Trip Rate <sup>2</sup>	% Pass by trips <sup>3</sup>	Net New Trips per Development Unit	Impact Fee per Development Unit <sup>4</sup>		
Retail - Automotive	946	Gas Station w/Convenience Market and Car Wash	13.33	42%	7.731	\$ 16,256	per	VSP
Retail - Automotive	947	Self Serve Car Wash	5.54	42%	3.213	\$ 6,756	per	VSP
Retail - Large	445	Multiplex Movie Theater	5.22	34%	3.445	\$ 7.24	per	Sq. Ft.
Retail - Large	814	Specialty Retail Center	2.71	34%	1.789	\$ 3.76	per	Sq. Ft.
Retail - Large	815	Free Standing Discount Store	5.06	17%	4.200	\$ 8.83	per	Sq. Ft.
Retail - Large	850	Supermarket	10.45	36%	6.688	\$ 14.06	per	Sq. Ft.
Retail - Large	854	Discount Supermarket	8.90	9%	8.099	\$ 17.03	per	Sq. Ft.
Retail - Large	862	Home Improvement Super Store	2.45	48%	1.274	\$ 2.68	per	Sq. Ft.
Retail - Large	863	Electronics Super Store	4.50	40%	2.700	\$ 5.68	per	Sq. Ft.
Retail - Large	867	Office Supply Superstore	3.40	48%	1.768	\$ 3.72	per	Sq. Ft.
Retail - Regional	813	Free Standing Discount Superstore	3.87	34%	2.554	\$ 5.37	per	Sq. Ft.
Retail - Regional	820	Shopping Center < 1 million Sq Ft	3.75	34%	2.475	\$ 5.20	per	Sq. Ft.
Retail - Regional	861	Discount Club	4.24	34%	2.798	\$ 5.88	per	Sq. Ft.
Retail - Small	590	Library	7.09	0%	7.090	\$ 14.91	per	Sq. Ft.
Retail - Small	816	Hardware/Paint Store	4.84	43%	2.759	\$ 5.80	per	Sq. Ft.
Retail - Small	848	Tire Store	4.15	28%	2.988	\$ 6.28	per	Sq. Ft.
Retail - Small	849	Tire Superstore	2.11	28%	1.519	\$ 3.19	per	Sq. Ft.
Retail - Small	851	Convenience Market	52.41	24%	39.832	\$ 83.75	per	Sq. Ft.
Retail - Small	880	Pharmacy/Drug Store	8.42	49%	4.294	\$ 9.03	per	Sq. Ft.
Retail - Small	881	Pharmacy/Drug Store w/Drive-up	8.62	49%	4.396	\$ 9.24	per	Sq. Ft.
Retail - Small	896	Video Rental Store	13.60	49%	6.936	\$ 14.58	per	Sq. Ft.
Retail - Small	911	Walk in Bank (limited data)	33.15	47%	17.570	\$ 36.94	per	Sq. Ft.
Retail - Small	912	Drive-in Bank	45.74	47%	24.242	\$ 50.97	per	Sq. Ft.
Retail - Small	931	Quality Restaurant	7.49	44%	4.194	\$ 8.82	per	Sq. Ft.
Retail - Small	932	High Turnover Restaurant	10.92	43%	6.224	\$ 13.09	per	Sq. Ft.
Retail - Small	933	Fast Food	26.15	49%	13.337	\$ 28.04	per	Sq. Ft.
Retail - Small	934	Fast Food w/Drive up	34.64	49%	17.666	\$ 37.15	per	Sq. Ft.
Retail - Small	936	Drinking Place	11.34	44%	6.350	\$ 13.35	per	Sq. Ft.
Retail - Small	942	AutoCare	3.38	28%	2.434	\$ 5.12	per	Sq. Ft.
Services	151	Mini Warehouse	0.26	0%	0.260	\$ 0.55	per	Sq. Ft.
Services	310	Hotel	0.59	0%	0.590	\$ 1241	per	Room
Services	320	Motel	0.47	0%	0.470	\$ 988	per	Room
Services	560	Church over 20,000 Sq. Ft.	0.66	0%	0.660	\$ 1.39	per	Sq. Ft.
Services	560	Church under 20,000 Sq. Ft.	0.66	0%	0.660	\$ 1.39	per	Sq. Ft.
Services	565	Day Care Center	13.18	75%	3.295	\$ 1.00	per	Sq. Ft.
Services	732	US Post Office	10.89	47%	5.772	\$ 12.14	per	Sq. Ft.

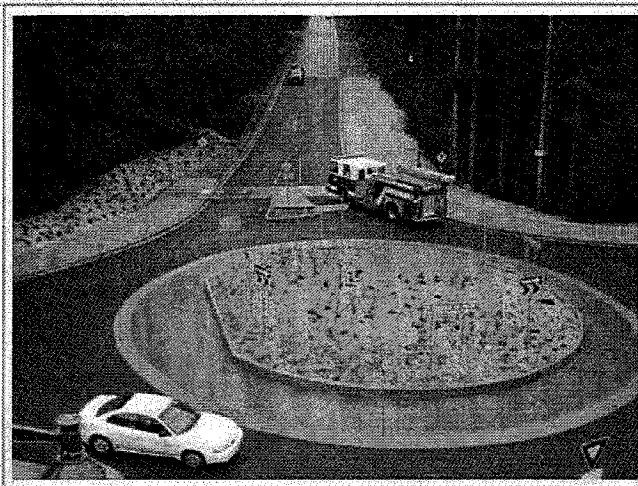
<sup>1</sup> Institute of Transportation Engineers, Trip Generation (7th Edition)

<sup>2</sup> Trip generation rate per development unit, for PM Peak Hour of the adjacent street traffic (4-6 pm). Note: Sq. Ft. rate expressed per 1000 SF.

<sup>3</sup> Average Pass-by Rates, per Trip Generation Handbook: an ITE Recommended Practice, March, 2001

<sup>4</sup> DU = dwelling unit, Sq. Ft. = Square Feet, VSP = vehicle servicing position

Attachment 1



Transportation Impact

Fee Program

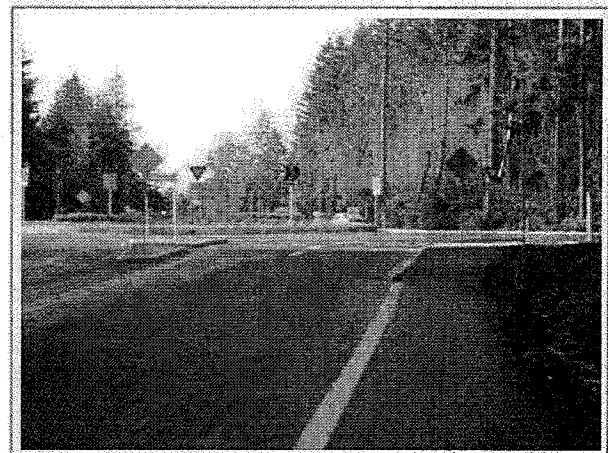
Update

March 2007



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## INTRODUCTION

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This report provides an update to the Transportation Impact Fee Program for the City of Gig Harbor. The update was prepared for the following reasons:

- The Growth Management Act requires regular updates to impact fee programs. The original Transportation Impact Fee program was adopted by the City Council in 1999.
- New projects have been added to the City's Capital Facilities Program (CFP), while projects currently on the impact fee project list have been completed.

The remaining sections of the report describe the impact fee program methodology, the analyses performed, and the resulting recommendations.

## CITY OF GIG HARBOR REQUIREMENTS

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### City of Gig Harbor Traffic Impact Fee Update

This update to the City of Gig Harbor Traffic Impact Fee was prepared consistent with Ordinance No. 828, "Gig Harbor Impact Fee Ordinance", effective 12/15/99 as codified in Chapter 19.12 in Title 19 of the Gig Harbor Municipal Code and as amended by Ordinance No. 963 effective 7/26/04 and Ordinance No. 1017 effective 10/24/05.

### **The City's Traffic Impact Fee Ordinance No. 828, Section 2.B.1 requires that the Traffic Impact Fee is consistent with the Six-Year Road Plan and Transportation Element of the Comprehensive Plan.**

This update to the impact fee is based upon the City's current 2007-2012 Six Year Transportation Improvement Plan (TIP) adopted by Resolution 685 on 8/28/06. The TIP in turn is based upon the latest update to the Transportation Element of the Comprehensive Plan. The long-range improvements to the SR 16 Burnham interchange are not included in this Impact Fee update. The interchange improvements are anticipated to be funded through a voluntary SEPA mitigation fee applicable to both city and county traffic, to be determined through ongoing planning and design of the interchange or equivalent improvements.

### **The City's Traffic Impact Fee Ordinance Section 2.B.2 requires that adequate levels of service are provided within the City.**

The TIP projects that improve level of service through the provision of additional through lanes, additional turn lanes, expansion of intersections, or control of intersections by traffic signals or roundabouts, and/or provision of new roads to relieve congestion, are included in the impact fee update. Projects that are required for the maintenance of existing facilities, parking facilities, and non-motorized projects are not included.

**The City's Traffic Impact Fee Ordinance Section 2.B.3 requires that new development bears its proportionate share of the capital costs of transportation facilities reasonably related to new development.**

The update to the Traffic Impact Fee is based upon the City's new City Wide Traffic Model. The model was developed using VISUM, an internationally recognized traffic forecasting software package. The City's traffic model includes the city limits, the Urban Growth Area (UGA) adjacent to the City and external zones that replicate Pierce and Kitsap counties. The model includes 132 internal (City of Gig Harbor and UGA's) Traffic Analysis Zones (TAZ's), 75 adjacent Pierce County zones, 2 Kitsap County zones and 3 external zones.

The traffic model forecasts PM peak hour traffic volumes based upon land use consistent with existing and proposed development. An estimate of 7,852 PM peak hour trips was used to develop a six-year traffic growth forecast. This estimate was developed utilizing the following information:

- Current approved capacity reservation certificates consisting of 5,467 PM peak hour trips located primarily in the North Gig Harbor area.
- Anticipated growth within the next six years beyond approved capacity reservation certificates as of August 2006 consisting of 584 PM peak trips tied to specific planned development located in the Gig Harbor North area and 1,802 PM peak trips assumed in the Gig Harbor Westside area to account for future development outside the Gig Harbor North area.

The six-year traffic growth forecast was used to determine the proportionate share of the capital costs summarized in **Table 1**, "Project List", below, that are reasonably related to new growth.

Pierce County growth was not included in the six-year traffic forecast used for the impact fee calculation. It is assumed that county through trips will result in an additional 11 percent increase in traffic Citywide (665 trips) and that separate SEPA mitigation will be required to mitigate the impacts created by County generated traffic.

**The City's Traffic Impact Fee Ordinance Section 2.B.4 requires that the City Pay its Fair Share of the Capital Cost of Transportation Projects.**

The impact fee update excludes non-growth related transportation projects such as drainage and roadway rehabilitation projects. The impact fee is based upon growth's proportionate share of the capacity added by the impact fee projects. See **Table 3** for the calculation of the growth share of capacity used and see **Figure 2** for a summary of the funding sources used for the impact fee projects.

## **IMPACT FEE ANALYSIS**

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The impact fee structure for the City of Gig Harbor was designed to determine the proportionate share of improvement costs that may be charged to new development. The following key points summarize the impact fee structure:

- A six-year roadway facility list oriented to future growth is developed.

- Existing deficiencies are identified and separated from future trips on the roadway system.
- Future trips are allocated to geographic areas inside and outside the City using a traffic-forecasting model.
- A citywide fee system is established.
- A land use-based fee schedule is developed.

Each of the above elements is described in the following sections.

### **Impact Fee Project List**

The updated impact fee project list was composed of selected capacity projects from the City's CFP, which covers a six-year period. The project list, shown in Table 1, includes 17 projects. These 17 projects are also shown in **Figure 1**.

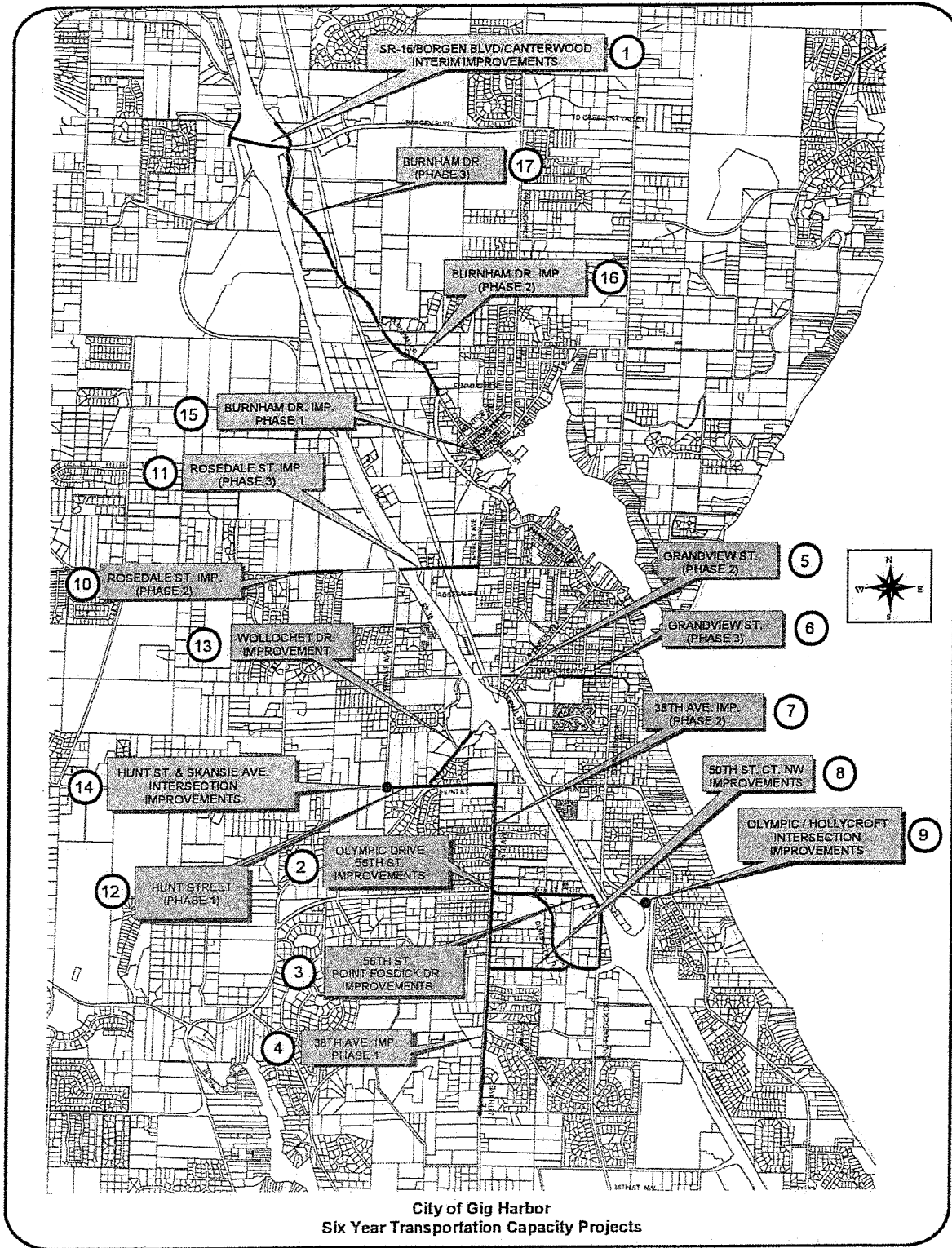
Project costs are based upon the TIP cost estimates and a construction cost inflation estimate of 20 percent to account for ongoing construction cost increases since the TIP was adopted in August 2006.

**Table 1. Project List**

<b>Impact Fee List ID</b>	<b>TIP No.</b>	<b>Route</b>	<b>From / To</b>	<b>Capacity Improvements</b>	<b>Project Cost</b>
1	1	Borgen / SR 16 / Canterwood	Interim Improvements	increase intersection capacity at Borgen Roundabout, minor widening on Canterwood	8,000,000
2	3	Olympic Drive / 56th Street	38th Ave to Point Fosdick Drive	Major widening, 5 lanes, bike lanes, sidewalks	6,042,000
3	4	56th Street / Pt. Fosdick Dr.	Olympic Drive to Olympic Drive	Minor widening, 3 lanes, bike lanes, sidewalks	2,640,000
4	5	38th Avenue Phase 1	City Limits to 56th Street	Minor widening, 3 lanes, bike lanes, sidewalk 1 side	11,215,200
5	10	Grandview Street Phase 2	Pioneer Ave to Stinson Ave	Minor widening, bike lanes, sidewalk 1 side	518,400
6	11	Grandview Street Phase 3	McDonald Ave to Soundview Drive	Minor widening, bike lanes, sidewalks	880,800
7	12	38th Avenue Phase 2	56th St to Hunt St	Minor widening, bike lanes, sidewalk 1 side	7,488,000
8	13	50th Court	Olympic Drive to 38th Street	New roadway	960,000
9	14	Olympic / Hollycroft	Intersection	Increase intersection capacity - single lane roundabout	540,000
10	19	Rosedale Street Phase 2	City Limits to SR 16	Minor widening, left-turn pockets, bike lanes	1,022,400
11	20	Rosedale Street Phase 3	SR 16 to Shirley Ave	Minor widening, LT pockets, 1 bike lane, 1 sidewalk	801,600
12	21	Hunt St Phase 1	Skansie Ave to Olympic	Minor widening, 3 lanes, bike lanes, sidewalks	6,912,000
13	22	Wollochet Drive	Hunt St to SR 16	Major widening	8,670,000
14	25	Hunt / Skansie	Intersection	Intersection capacity signal or roundabout	1,728,000
15	26	Burnham Drive Phase 1	Harborview Dr to Franklin Dr	Major widening, sidewalks	716,400
16	27	Burnham Drive Phase 2	Franklin Ave to N-S Connector	Major widening, sidewalks	4,075,200
17	28	Burnham Drive Phase 3	N-S Connector to Borgen Blvd	Major widening, sidewalks	6,541,200
<b>TOTAL COSTS</b>					<b>68,751,200</b>

Note: Refer to Figure 1 for the Project Map.

**Figure 1. City of Gig Harbor Impact Fee Projects**





During the City's transportation planning process, the City identified the projects in Table 1 as those to be constructed in the next six-years to support the six-year growth forecast and provide additional capacity to support future growth to meet the City's adopted Level of Service (LOS) standards. These capital projects form the basis for the City's transportation program which includes public and private sources. The list retains some current impact fee projects since they are not complete and have remaining capacity available for new growth. Other projects were removed or added to the list, as itemized below.

**Projects that were constructed and were removed:**

- East/West (Borgen) Road Construction (Phase 1)
- Point Fosdick Drive Improvements (Phase 1)
- East/West (Borgen) Road Construction (Phase 2)

**Projects that were not constructed and were removed:**

- Point Fosdick Drive Improvements (Phase 2)
- Crescent Valley Connector
- North-South Connector
- Hunt Street crossing

**Projects that have been added:**

- SR 16/Borgen/Canterwood Interim Improvements
- 38<sup>th</sup> Avenue, Phase 1
- 38<sup>th</sup> Avenue, Phase 2
- Grandview Street, Phase 2
- Grandview Street, Phase 3
- 50th Street Improvements
- Hunt Street Phase 1
- Wollochet Drive
- Rosedale Street, Phase 2
- Rosedale Street, Phase 3
- Hunt/Skansie Intersection Improvements

**System Improvements**

Washington State law (RCW 82.02.050) specifies that Transportation Impact Fees are to be expensed on "system improvements." System improvements can include physical or operational changes to existing roadways, as well as new roadway connections that are built in one location to benefit projected needs at another location. Each project in Table 1 meets this requirement. One new street connection 50<sup>th</sup> Street Extension in the proposed impact fee project list will provide needed capacity and will help shift traffic away from other locations within the City.

**Existing Conditions and Existing Deficiencies**

Current traffic volume data was collected for each of the impact fee projects. Existing road capacity was compared to existing traffic volumes to determine the city share of capacity added by the street improvements needed to correct existing deficiencies. Two projects were shown with existing deficiencies. **Table 2** provides a summary of existing capacity, existing volume and existing deficiency in PM peak hour trips.

**Table 2. Level of Service Deficiency Analysis**

Impact Fee List ID	TIP No.	Route	From / To	Existing Road Capacity	Existing Traffic Volume	Existing Deficiency in Trips Over Capacity
1	1	Borgen / SR 16 / Canterwood	Interim Improvements	na	2,530	na
2	3	Olympic Drive / 56th Street	38th Ave to Point Fosdick Drive	1,800	1,721	0
3	4	56th Street / Pt. Fosdick Drive.	Olympic Drive to Olympic Drive	1,200	264	0
4	5	38th Avenue Phase 1	City Limits to 56th Street	1,200	309	0
5	10	Grandview Street Phase 2	Pioneer Avenue to Stinson Avenue	1,200	222	0
6	11	Grandview Street Phase 3	McDonald Avenue to Soundview Drive	1,200	120	0
7	12	38th Avenue Phase 2	56th St to Hunt Street	1,200	632	0
8	13	50th Court	Olympic Drive to 38th Street	0	0	0
9	14	Olympic / Hollycroft	Intersection	1,200	1,272	-72
10	19	Rosedale Street Phase 2	City Limits to SR 16	1,200	620	0
11	20	Rosedale Street Phase 3	SR 16 to Shirley Avenue	1,200	569	0
12	21	Hunt St Phase 1	Skansie Avenue to Olympic	1,200	709	0
13	22	Wollochet Drive	Hunt Street to SR 16	1,200	1,339	-139
14	25	Hunt / Skansie	Intersection	1,200	678	0
15	26	Burnham Drive Phase 1	Harborview Drive to Franklin Drive	1,200	495	0
16	27	Burnham Drive Phase 2	Franklin Avenue to N-S Connector	1,200	522	0
17	28	Burnham Drive Phase 3	N-S Connector to Borgen Blvd	1,200	551	0

Existing deficiency costs are shown for informational purposes, but do not affect the growth share of the project list.

**Travel Growth**

The six-year travel growth used for the impact fee calculation was based upon the anticipated trip generation of un-built developments holding capacity reservation certificates and an estimate of additional development that would likely occur in the next six years. This estimate totaled 7,852 new trips citywide in the next six years.

The citywide traffic model was used to assign these trips to all city streets. The net increase in traffic volume on each street was used to determine the growth share for each street improvement.

**Cost Allocation**

The City uses an impact fee analysis based on a methodology that distinguishes between the cost of facility improvements that address existing deficiencies and those that are needed to serve new growth. The methodology used to determine the growth share is based upon the capacity added by the street improvement project and the proportion of that capacity used by the six-year traffic growth

forecast. Many of the projects have surplus capacity beyond the six year traffic growth forecast. Calculating the six-year growth share on the basis of the capacity used by the six year traffic forecast results in a proportional share calculation consistent with GMA requirements. This method uses only the traffic increase forecast for city growth related trips. Table 3 summarizes the proportionate share calculations.

## **Funding Sources**

The City uses a variety of funding sources to create a balanced financial plan for the impact fee projects. Figure 2 provides a summary of the various sources identified in this section:

“Appropriated Funds” accounts for funds already on hand and available or designated to the impact fee projects. This includes money collected from previous impact fees and SEPA mitigation settlements and previous appropriations of City CIP funds for impact fee projects.

“City General Fund/Other” refers chiefly to future city funds which would come from the unrestricted general fund, by future budget decisions of the City. Other currently unknown or unspecified funding sources are accounted for here as well.

“New Grants” refers to future grants from regional, state, or federal agencies that the City expects to obtain for impact fee projects.

“County Share” refers to an anticipated amount of funds to be received from Pierce County through voluntary SEPA mitigation payments, including the future possibility of payments from developers in the County via interlocal agreement with Pierce County, as mitigation of the impacts of trips through the City that are generated outside the City. Future County generated increases in such travel were not modeled in the current six-year forecast. A special analysis of the existing citywide traffic model indicated that as a broad average, external through traffic accounted for 11 percent of the total travel on the city arterial street system. These trips are assumed to be in addition to the 6-year trip forecast used in the impact fee calculation. It is estimated that revenue equal to 11 percent of the city impact fee may be collected through SEPA mitigation agreements related to development in Pierce County. Figure 2 shows estimated receipts from this source equal to 11 percent of the \$16.8 million growth-related share from Table 3 from future county reimbursements. This corresponds to 3 percent of the total project costs in Figure 2.

“6-Year Impact Fees” shows the total amount of impact fees that would be received from the estimated six-year growth total, at the calculated cost per new trip of \$2,102.65 per peak hour trip.

“Future Impact Fees” accounts for the proportion of capacity provided by impact fee projects that would be available for use by additional future growth occurring after six years.

**Figure 2. Impact Fee Project List Funding Sources**

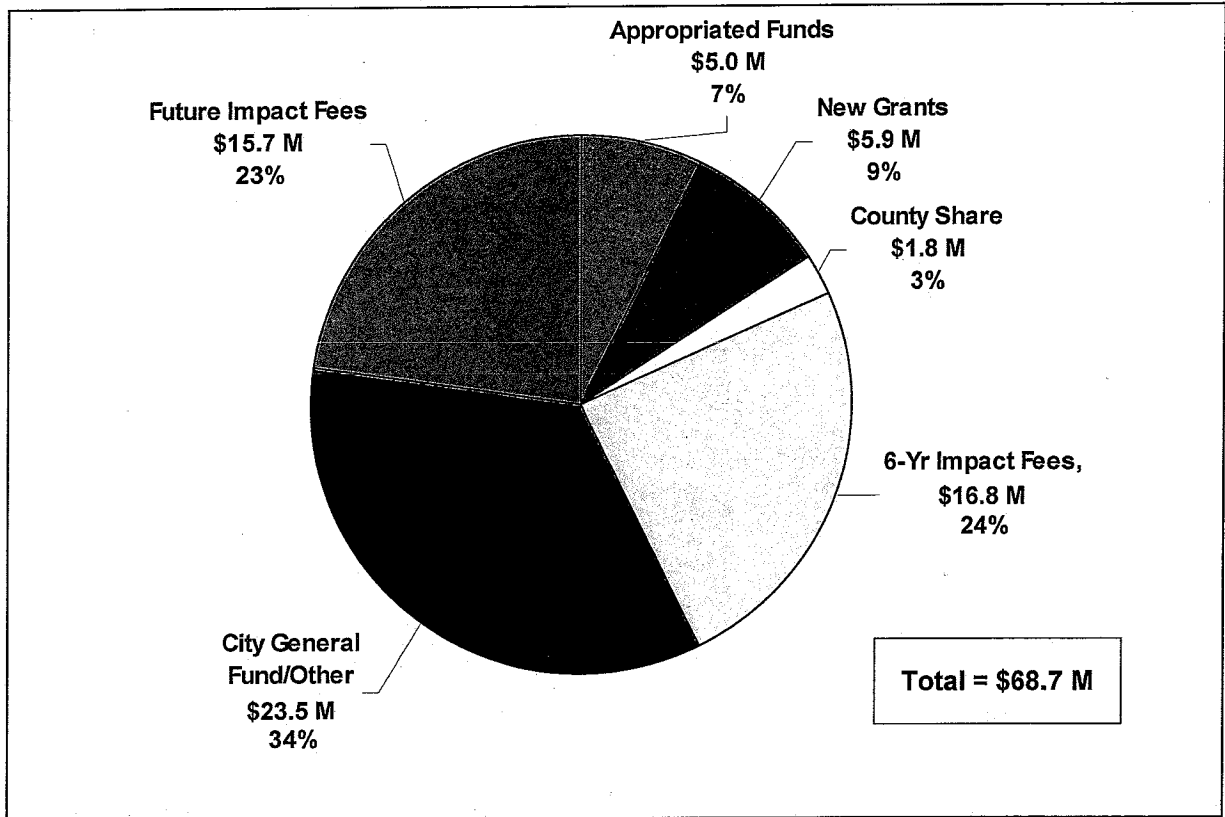


Table 3. Impact Fee Cost (2007 -- 2012)

Impact Fee List ID No.	TIP No.	Route	From / To	Capacity Improvements	Project Cost	Existing Road Capacity	Existing Traffic Volume	Existing Deficiency if < 0	Future Street Capacity	Future Traffic Volume	Traffic Volume Increase by Project	Capacity Increase Provided by Project	% Increased Capacity Used	Share of Increased Capacity Cost
1	1	Borgen / SR16 / Canterwood	Interim Improvements	Increase intersection capacity at Borgen Roundabout, minor widening on Canterwood	8,000,000	NA	2,530	NA	NA	5,226	2,696	NA	NA	NA
2	3	Olympic Drive / 56th Street	38th Avenue to Point Fosdick Drive	Major widening, 5 lanes, bike lanes, sidewalks	6,042,000	1,800	1,721		3,600	1,781	60	1,800	3%	\$201,400
3	4	56th Street / Pt. Fosdick Drive.	Olympic Drive to Olympic Drive	Minor widening, 3 lanes, bike lanes, sidewalks	2,640,000	1,200	264		1,800	371	107	600	18%	\$470,800
4	5	38th Avenue Phase 1	City Limits to 56th Street	Minor widening, 3 lanes, bike lanes, sidewalk 1 side	11,215,200	1,200	309		1,800	346	37	600	6%	\$691,604
5	10	Grandview Street Phase 2	Pioneer Avenue to Stinson Avenue	Minor widening, bike lanes, sidewalk 1 side	518,400	1,200	222		1,600	256	34	400	9%	\$44,064
6	11	Grandview Street Phase 3	McDonald Avenue to Soundview Drive	Minor widening, bike lanes, sidewalks	880,800	1,200	120		1,600	113	-7	400	-2%	-\$15,414
7	12	38th Avenue Phase 2	56th Street to Hunt Street	Minor widening, bike lanes, sidewalk 1 side	7,488,000	1,200	632		1,600	767	135	400	34%	\$2,527,200
8	13	50th Court	Olympic Drive to 38th Street	New roadway	960,000	0	0		1,600	344	344	1,600	22%	\$206,400
9	14	Olympic / Hollycroft	Intersection	Increase intersection capacity - single lane roundabout	540,000	1,200	1,272	-72	1,800	1,413	141	600	24%	\$126,900
10	19	Rosedale Street Phase 2	City Limits to SR 16	Minor widening, left-turn pockets, bike lanes	1,022,400	1,200	620		1,800	639	19	600	3%	\$32,376
11	20	Rosedale Street Phase 3	SR 16 to Shirley Avenue	Minor widening, LT pockets, 1 bike lane, 1 sidewalk	801,600	1,200	569		1,800	937	368	600	61%	\$491,648
12	21	Hunt Street Phase 1	Skansie Avenue to 38th	Minor widening, 3 lanes, bike lanes, sidewalks	6,912,000	1,200	709		1,800	1,306	597	600	100%	\$6,877,440
13	22	Wollochet Drive	Hunt Street to SR 16	Major widening	8,670,000	1,200	1,339	-139	3,600	1,787	448	2,400	19%	\$1,618,400
14	25	Hunt / Skansie	Intersection	Intersection capacity signal or roundabout	1,728,000	1,200	678		3,600	1,051	373	600	62%	\$1,074,240
15	26	Burnham Drive Phase 1	Harborview Drive to Franklin Drive	Major widening, sidewalks	716,400	1,200	495		1,800	657	162	600	27%	\$193,428
16	27	Burnham Drive Phase 2	Franklin Avenue to N-S Connector	Major widening, sidewalks	4,075,200	1,200	522		1,800	678	156	600	26%	\$1,059,552
17	28	Burnham Drive Phase 3	N-S Connector to Borgen Blvd	Major widening, sidewalks	6,541,200	1,200	551		1,800	664	113	600	19%	\$1,231,926
<b>TOTAL COSTS</b>					<b>68,751,200</b>									<b>\$16,831,964</b>

The final step in the cost allocation process calculates the "cost per new PM peak hour trip" within Gig Harbor, derived by dividing the total share of increased capacity cost by the number of six-year growth PM peak hour trips. This rate presumed that grants would cover only 9 percent of the City share of the project. Grants received in excess of 9 percent can go to reducing the City general fund contributions to the impact fee projects.

The analysis produced the following results.

<b>Six-year TIP Fee Costs</b>	<b>\$ 16,831,964</b>
<b><u>Divided by new PM trips:</u></b>	<b><u>÷ 7,852</u></b>
<b>Equals:</b>	
<b>Cost-per-New PM-Trip</b>	<b>\$ 2,143.65</b>
<b><u>Minus Fuel Tax Credit</u></b>	<b><u>41.00</u></b>
<b>Final Cost per New PM Trip</b>	<b>\$ 2,102.65</b>

The \$2,102.65 per PM peak hour trip fee is four times higher than the current rate of approximately \$517 per net new PM peak hour trip. The new trip cost reflects an updated impact fee project list with old projects removed, new projects added, and updated cost estimates. The new fee schedule is anticipated to pay for a higher proportion of project costs, resulting in a six-year fee collection of \$16.5 million, compared with the current program goal of around \$7.9 million. A summary of impact fees for other Washington jurisdictions is included as **Appendix A**.

## **IMPACT FEE SCHEDULE**

The impact fee schedule was developed by adjusting the "cost per trip" information to reflect differences in trip generating characteristics for a variety of land use types within the study area. The Institute of Transportation Engineers Trip Generation Manual, 7th ed. was used to determine trip generation rates for the land use types. The fee schedule is a table where fees are represented as dollars per unit for each land use category. Certain land uses were modified, added, or removed from the current fee schedule to reflect recent development trends within the City and changes to the national trip generation database. **Table 4** shows the proposed transportation impact fee schedule.

**Table 4. Proposed Transportation Impact Fee Schedule (1 of 2)**

City of Gig Harbor			Base Impact Fee Per Trip: \$ 2,102.65					
Land Use Group	ITE Code <sup>1</sup>	ITE Land Use Category <sup>1</sup>	ITE Trip Rate <sup>2</sup>	% Pass by trips <sup>3</sup>	Net New Trips per Development Unit	Impact Fee per Development Unit <sup>4</sup>		
Dwelling	210	Single Family House	1.01	0%	1.010	\$ 2,124	per	DU
Dwelling	220	Apartment	0.62	0%	0.620	\$ 1,304	per	DU
Dwelling	231	Low-Rise Condo / Townhouse	0.78	0%	0.780	\$ 1,640	per	DU
Dwelling	240	Mobile Home	0.59	0%	0.590	\$ 1,241	per	DU
Dwelling - Group	251	Sr. Housing Detached	0.26	0%	0.260	\$ 547	per	DU
Dwelling - Group	252	Sr. Housing Attached	0.11	0%	0.110	\$ 231	per	DU
Dwelling - Group	253	Congregate Care Facility	0.17	0%	0.170	\$ 357	per	DU
Dwelling - Group	254	Assisted Living (limited data)	0.22	0%	0.220	\$ 463	per	Bed
Dwelling - Group	620	Nursing Home	0.22	0%	0.220	\$ 463	per	Bed
Education	520	Public Elementary School	1.19 <sup>5</sup>	0%	1.190	\$ 2.50	per	Sq. Ft.
Education	522	Public Middle School	1.19	0%	1.190	\$ 2.50	per	Sq. Ft.
Education	530	Public High School	0.97	0%	0.970	\$ 2.04	per	Sq. Ft.
Education	534	Private School K-8 (limited data)	3.40 <sup>5</sup>	0%	3.400	\$ 7.15	per	Sq. Ft.
Education	536	Private School K-12 (limited data)	2.75 <sup>5</sup>	0%	2.750	\$ 5.78	per	Sq. Ft.
Industrial	110	Light Industrial	0.98	0%	0.980	\$ 2.06	per	Sq. Ft.
Industrial	130	Industrial Park	0.86	0%	0.860	\$ 1.81	per	Sq. Ft.
Industrial	140	Manufacturing	0.74	0%	0.740	\$ 1.56	per	Sq. Ft.
Medical	610	Hospital	1.18	0%	1.180	\$ 2.48	per	Sq. Ft.
Medical	630	Clinic (limited data)	5.18	0%	5.180	\$ 10.89	per	Sq. Ft.
Medical	720	Medical/Dental Office	3.72	0%	3.720	\$ 7.82	per	Sq. Ft.
Office	710	General Office	1.49	0%	1.490	\$ 3.13	per	Sq. Ft.
Office	715	Single Tenant Office	1.73	0%	1.730	\$ 3.64	per	Sq. Ft.
Office	750	Office Park	1.50	0%	1.500	\$ 3.15	per	Sq. Ft.
Park and Ride	090	Park and Ride with Bus Service	0.62	0%	0.620	\$ 1,304	per	Space
Recreation	420	Marina (limited data)	0.19	25%	0.143	\$ 300	per	Slip
Recreation	430	Golf Course	0.30	25%	0.225	\$ 473	per	Acre
Recreation	441	Live Theater (limited data)	0.02	25%	0.015	\$ 31.54	per	Seat
Recreation	491	Racquet Club	0.64 <sup>5</sup>	25%	0.482	\$ 1.01	per	Sq. Ft.
Recreation	492	Health Fitness Club	4.05	25%	3.038	\$ 6.39	per	Sq. Ft.
Recreation	495	Recreational Community Center	1.64	25%	1.230	\$ 2.59	per	Sq. Ft.
Retail - Automotive	853	Convenience Market w/Gas Pumps	19.22	66%	6.535	\$ 13,740	per	VSP
Retail - Automotive	941	Quick Lube	5.19	42%	3.010	\$ 6,329	per	VSP
Retail - Automotive	944	Gas Station	13.86	42%	8.039	\$ 16,903	per	VSP
Retail - Automotive	945	Gas Station w/Convenience Market	13.38	56%	5.887	\$ 12,379	per	VSP

<sup>1</sup> Institute of Transportation Engineers, Trip Generation (7th Edition)

<sup>2</sup> Trip generation rate per development unit, for PM Peak Hour of the adjacent street traffic (4-6 pm). Note: Sq. Ft. rate expressed per 1000 SF.

<sup>3</sup> Average Pass-by Rates, per Trip Generation Handbook: an ITE Recommended Practice, March, 2001

<sup>4</sup> DU = dwelling unit, Sq. Ft. = Square Feet, VSP = vehicle servicing position

<sup>5</sup> Scaled to pm Peak Hour of Adjacent Street Traffic from pm Peak Hour of Generator

**Table 4. Proposed Transportation Impact Fee Schedule (2 of 2)**

Land Use Group	ITE Code <sup>1</sup>	ITE Land Use Category <sup>1</sup>	ITE Trip Rate <sup>2</sup>	% Pass by trips <sup>3</sup>	Net New Trips per Development Unit	Impact Fee per Development Unit <sup>4</sup>		
Retail - Automotive	946	Gas Station w/Convenience Market and Car Wash	13.33	42%	7.731	\$ 16,256	per	VSP
Retail - Automotive	947	Self Serve Car Wash	5.54	42%	3.213	\$ 6,756	per	VSP
Retail - Large	445	Multiplex Movie Theater	5.22	34%	3.445	\$ 7.24	per	Sq. Ft.
Retail - Large	814	Specialty Retail Center	2.71	34%	1.789	\$ 3.76	per	Sq. Ft.
Retail - Large	815	Free Standing Discount Store	5.06	17%	4.200	\$ 8.83	per	Sq. Ft.
Retail - Large	850	Supermarket	10.45	36%	6.688	\$ 14.06	per	Sq. Ft.
Retail - Large	854	Discount Supermarket	8.90	9%	8.099	\$ 17.03	per	Sq. Ft.
Retail - Large	862	Home Improvement Super Store	2.45	48%	1.274	\$ 2.68	per	Sq. Ft.
Retail - Large	863	Electronics Super Store	4.50	40%	2.700	\$ 5.68	per	Sq. Ft.
Retail - Large	867	Office Supply Superstore	3.40	48%	1.768	\$ 3.72	per	Sq. Ft.
Retail - Regional	813	Free Standing Discount Superstore	3.87	34%	2.554	\$ 5.37	per	Sq. Ft.
Retail - Regional	820	Shopping Center < 1 million Sq Ft	3.75	34%	2.475	\$ 5.20	per	Sq. Ft.
Retail - Regional	861	Discount Club	4.24	34%	2.798	\$ 5.88	per	Sq. Ft.
Retail - Small	590	Library	7.09	0%	7.090	\$ 14.91	per	Sq. Ft.
Retail - Small	816	Hardware/Paint Store	4.84	43%	2.759	\$ 5.80	per	Sq. Ft.
Retail - Small	848	Tire Store	4.15	28%	2.988	\$ 6.28	per	Sq. Ft.
Retail - Small	849	Tire Superstore	2.11	28%	1.519	\$ 3.19	per	Sq. Ft.
Retail - Small	851	Convenience Market	52.41	24%	39.832	\$ 83.75	per	Sq. Ft.
Retail - Small	880	Pharmacy/Drug Store	8.42	49%	4.294	\$ 9.03	per	Sq. Ft.
Retail - Small	881	Pharmacy/Drug Store w/Drive-up	8.62	49%	4.396	\$ 9.24	per	Sq. Ft.
Retail - Small	896	Video Rental Store	13.60	49%	6.936	\$ 14.58	per	Sq. Ft.
Retail - Small	911	Walk in Bank (limited data)	33.15	47%	17.570	\$ 36.94	per	Sq. Ft.
Retail - Small	912	Drive-in Bank	45.74	47%	24.242	\$ 50.97	per	Sq. Ft.
Retail - Small	931	Quality Restaurant	7.49	44%	4.194	\$ 8.82	per	Sq. Ft.
Retail - Small	932	High Turnover Restaurant	10.92	43%	6.224	\$ 13.09	per	Sq. Ft.
Retail - Small	933	Fast Food	26.15	49%	13.337	\$ 28.04	per	Sq. Ft.
Retail - Small	934	Fast Food w/Drive up	34.64	49%	17.666	\$ 37.15	per	Sq. Ft.
Retail - Small	936	Drinking Place	11.34	44%	6.350	\$ 13.35	per	Sq. Ft.
Retail - Small	942	AutoCare	3.38	28%	2.434	\$ 5.12	per	Sq. Ft.
Services	151	Mini Warehouse	0.26	0%	0.260	\$ 0.55	per	Sq. Ft.
Services	310	Hotel	0.59	0%	0.590	\$ 1241	per	Room
Services	320	Motel	0.47	0%	0.470	\$ 988	per	Room
Services	560	Church over 20,000 Sq. Ft.	0.66	0%	0.660	\$ 1.39	per	Sq. Ft.
Services	560	Church under 20,000 Sq. Ft.	0.66	0%	0.660	\$ 1.39	per	Sq. Ft.
Services	565	Day Care Center	13.18	75%	3.295	\$ 1.00	per	Sq. Ft.
Services	732	US Post Office	10.89	47%	5.772	\$ 12.14	per	Sq. Ft.

<sup>1</sup> Institute of Transportation Engineers, Trip Generation (7th Edition)

<sup>2</sup> Trip generation rate per development unit, for PM Peak Hour of the adjacent street traffic (4-6 pm). Note: Sq. Ft. rate expressed per 1000 SF.

<sup>3</sup> Average Pass-by Rates, per Trip Generation Handbook: an ITE Recommended Practice, March, 2001

<sup>4</sup> DU = dwelling unit, Sq. Ft. = Square Feet, VSP = vehicle servicing position



## CONCLUSIONS

The City of Gig Harbor Transportation Impact Fee Program was adopted in 1999. The proposed impact fees have been increased to be consistent with current construction and regulatory costs and to account for the addition of new roadway projects to the impact fee list. The impact fee rate schedule (Table 4) lists the impact fees to be charged to a variety of land use types. The rates reflect changes in the average "cost per trip" as well as updates to trip generation rates and categories from ITE. The proposed City impact fee rates are anticipated to generate \$16.5 million over the next six years, representing around approximately 24 percent of total funding needs for the projects on the impact fee list.

Figure 2 identifies another \$15.7 million or 23 percent of the impact fee project costs that could be collected from development that occurs beyond the 7,852 PM peak trips assumed for this calculation. This could occur if growth occurs faster than anticipated in the next 6-years, (more than 7,852 new trips) or the city can continue to charge future development, beyond 6-years for the cost of the capacity provided by the current impact fee projects and used by future growth.

## APPENDIX A

### TRANSPORTATION IMPACT FEES FOR VARIOUS CITIES IN WESTERN WASHINGTON

City	Single Family Residence Impact Fee	Estimated Population	Source (Date of Fee)
Anacortes	\$900	16,000	MRSC GMA Impact Fees Summary (2004)
Bothell	\$2,090	31,000	2005 National Impact Fee Survey
Brier	\$3,000	6,300	MRSC GMA Impact Fees Summary (2004)
Camas	\$2,830	14,000	Clark Co. Impact Fee Survey (2006)
Ferndale	\$1,600	10,000	MRSC GMA Impact Fees Summary (2004)
Gig Harbor	\$517	6,700	City of Gig Harbor (1999)
Gold Bar	\$625	2,300	MRSC GMA Impact Fees Summary (2004)
Granite Falls	\$2,500	2,900	MRSC GMA Impact Fees Summary (2004)
Kenmore	\$2,275	19,500	MRSC GMA Impact Fees Summary (2004)
Maple Valley	\$3,588	15,100	MRSC GMA Impact Fees Summary (2004)
Marysville	\$1,542	29,900	MRSC GMA Impact Fees Summary (2004)
Mount Vernon	\$2,989	29,300	MRSC GMA Impact Fees Summary (2004)
Mt. Vista	\$3,040	6,000	Clark Co. Impact Fee Survey (2006)
Pierce County	\$1,241	753,800	Pierce County 2006 (TSA 2)
Sammamish	\$14,854	34,100	City of Sammamish (2003)
Woodinville	\$3,175	9,900	City of Woodinville (2006)

Note: Highlighting is shown for readability purposes only.




**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Second Reading of an Ordinance  
Clarifying the Procedures to Determine Impact  
Fee Credits.

**Proposed Council Action:** Approve the  
Ordinance as presented at the second reading.

**Dept. Origin:** Community Development

**Prepared by:** Stephen Misiurak, PE  
City Engineer 

**For Agenda of:** April 23, 2007

**Exhibits:** Ordinance

Initial & Date

**Concurred by Mayor:** \_\_\_\_\_

**Approved by City Administrator:** \_\_\_\_\_

**Approved as to form by City Atty:**  4/19/07

**Approved by Finance Director:**  4/19/07

**Approved by Department Head:** \_\_\_\_\_

Expenditure	Amount	Appropriation
Required: \$0	Budgeted: \$0	Required: \$0

**INFORMATION / BACKGROUND**

The City has recently received numerous requests for credit against the City's transportation impact fees per Chapter 19.12 of the Gig Harbor Municipal Code. City Code currently allows certain improvements to be used as credit against the payment of impact fees. In some instances developers have not understood the proper procedures for receiving impact fee credits. The City Engineer has recommended clarifying the procedures and factors used by the City in the calculation of impact fees.

**FISCAL CONSIDERATION**

None.

**BOARD OR COMMITTEE RECOMMENDATION**

The Operations and Public Projects Committee discussed this topic at their March 26, 2007 meeting.

**RECOMMENDATION / MOTION**

**Move to:** Approve of the Ordinance as presented at the second reading.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO IMPACT FEES, CLARIFYING THE FACTORS TO BE USED BY THE CITY IN THE CALCULATION OF IMPACT FEES, CLARIFYING THE PROCEDURES FOR REQUESTING CREDITS FROM IMPACT FEES, ESTABLISHING THE TIME FOR MAKING A CREDIT REQUEST, THE MANNER IN WHICH CREDIT WILL BE GIVEN FOR SYSTEM IMPROVEMENTS THAT HAVE NOT BEEN CONSTRUCTED, CLARIFYING THE METHOD FOR APPEAL OF A REQUESTED CREDIT TOWARD AN IMPACT FEE, DESCRIBING THE EFFECT OF A DEVELOPER'S EARLY PAYMENT OF IMPACT FEES ON THE CALCULATION OF THE FEE AMOUNT; ADDING A NEW SECTION 19.12.083 TO THE GIG HARBOR MUNICIPAL CODE; AMENDING GHMC SECTIONS 19.12.020, 19.12.080, 19.12.100, AND 19.14.010,**

---

WHEREAS, the City has adopted impact fees primarily based on RCW 82.02.050 through 82.02.090; and

WHEREAS, the City has received a number of requests for credit against the impact fees, and chapter 19.12 GHMC is not clear on the procedure to be used for requesting such fees; and

WHEREAS, impact fees do not vest, yet developers have requested to make early payment of impact fees because they believe that they will become vested to the fee paid prior to the time the City calculates the impact fee (the fee is calculated at the time the building permit is ready for issuance, pursuant to GHMC Section 19.12.100); and

WHEREAS, the City Council desires to clarify the fact that developers may make early payment, but such early payment will not relieve the developers from payment of the fee calculated at the time established in GHMC Section 19.12.100; and

WHEREAS, per WAC 197.11.800(19), the proposed action is categorically exempt for a threshold determination and EIS requirements; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of \_\_\_\_\_ 200\_; Now, Therefore,

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

Section 1. Section 19.12.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.12.080 Calculation of impact fees.**

A. Director calculates the fees. The director shall calculate the impact fees set forth in Appendices B and C, more specifically described in the Gig Harbor six-year road plan and the parks, open space and recreation plan. The superintendent shall calculate the school impact fees set forth in Appendix D. The city council shall have the final decision on the calculation of the impact fees to be imposed under this chapter as set forth in Appendices B and C. ~~These calculations shall:~~

B. Factors used in impact fee calculations. The calculation of impact fees shall include the factors set forth in RCW 82.02.050 through 82.02.090, and shall:

1. Determine the standard fee for similar types of development, which shall be reasonably related to each development's proportionate share of the costs of the projects described in Appendix A, the City's six-year road plan and for parks shall be calculated as set forth in Appendix C and the parks element of the City's Comprehensive Plan, and for schools shall be as provided in the school district's capital facilities plan.

2. Reduce the proportionate share by applying the benefit factors described in GHMC Section 19.12.083. ~~This section.~~

C. Proportionate Share. In calculating proportionate share, the following factors will be considered:

1. Identify all park, school and transportation facilities that will be impacted by users from each development;

2. Identify when the capacity of a park, school or transportation facility has been fully utilized;

3. Update the data as often as practicable, but at least annually;

4. Estimate the cost of constructing the projects in Appendix A for roads at the time they are placed on the list, and the

cost of maintaining the city's level of park service as shown on Appendix C, and the costs relating to the construction of school facilities, and then update the cost estimates at least annually, considering the;

(a) availability of other means of funding park, school and transportation facilities;

(b) cost of existing park, school and transportation facility improvements;

(c) methods by which park, school and transportation facility improvements were financed;

5. Update the fee collected against a project which has already been completed, through an advancement of city or school district funds at a rate determined annually, which is equivalent to the City or school district's return on investments.

~~C. The director, or in the case of school impact fees, the superintendent, shall reduce the calculated proportionate share for a particular development by giving credit for the following benefit factors:~~

~~\_\_\_\_\_ 1. The purchase, installation and/or improvement of park, school and transportation facilities, if:~~

~~\_\_\_\_\_ a. The facilities are located on land owned by the City, Pierce County, the school district or a special district; and~~

~~\_\_\_\_\_ b. A designated public owner is responsible for permanent, continuing maintenance and operation of the facilities; and~~

~~\_\_\_\_\_ c. The director or superintendent determines that the facilities correspond to the type(s) of park, school and transportation facilities being impacted by the development as determined pursuant to this chapter; and~~

~~\_\_\_\_\_ d. The director determines, after consultation with the county, school district or special purpose district, as applicable, and an analysis of supply and demand data, the parks, open space and recreation plan, the six year road plan and any the adopted Pierce County park and transportation plan, that the proposed park and transportation facility improvements better meet the City's need for park and transportation facilities than would~~

~~payment of funds to mitigate the park and transportation impacts of the development.~~

~~2. The credit against the impact fee shall be equal to the fair market value of the purchase, installation and/or improvement.~~

~~3. Any applicable benefit factors, as described in RCW 82.02.060, that are demonstrated by the applicant not to be included in the calculation of the impact fee.~~

~~4. A developer of a planned residential development or a mobile home park may receive credit only for park, school and transportation facilities provided in addition to those normally required under SEPA for such developments pursuant to Chapter 18.04 GHMC.~~

~~5. When the director or superintendent has agreed to a developer's proposal to satisfy some or all of the impact fee through the purchase, installation and/or improvement of park, school and/or transportation facilities, the developer shall prepare and submit a facility improvement plan to the director, and if applicable, to the superintendent for approval prior to recordation of a plat or short plat for subdivisions, and prior to issuance of a building permit for all other developments.~~

~~6. In the determination of credit toward the impact fee, the director or superintendent shall also consider the extent to which the proposed dedication or conveyance meets the following criteria:~~

~~\_\_\_\_\_ a. The land should result in an integral element of the Gig Harbor park/road system;~~

~~\_\_\_\_\_ b. The land is suitable for future park, school and/or transportation facilities;~~

~~\_\_\_\_\_ c. The land is of appropriate size and of an acceptable configuration;~~

~~\_\_\_\_\_ d. The land has public access via a public street or an easement of an equivalent width and accessibility;~~

~~\_\_\_\_\_ e. The land is located in or near areas designated by the city or county on land use plans for park, trail or recreational purposes, or, in the case of schools, is appropriately located for school facilities;~~

~~\_\_\_\_\_ f. The land provides linkage between Pierce County and/or other publicly owned recreation and transportation properties;~~

~~\_\_\_\_\_ g. The land has been surveyed or adequately marked with survey monuments, or is otherwise readily distinguishable from adjacent privately owned property;~~

~~\_\_\_\_\_ h. The land has no known physical problems associated with it, such as the presence of hazardous waste, drainage, erosion or flooding problems which the director or superintendent determines would cause inordinate demands on public resources for maintenance and operation;~~

~~\_\_\_\_\_ i. The land has no known safety hazards;~~

~~\_\_\_\_\_ j. The developer is able to provide documentation, as nearly as practicable, of the land's compliance with the criteria of this subsection, and of clear title;~~

~~\_\_\_\_\_ k. The developer is able to provide and fund a long-term method, acceptable to the director or superintendent, for the management and maintenance of the land, if applicable.~~

~~7. The amount of credit determined pursuant to this subsection shall be credited proportionately among all of the units in the development, and the impact fee for each unit for which a permit or approval is applied shall be reduced accordingly.~~

~~8. Applicants may not request that an impact fee credit be provided for a proposed development based on taxes, user fees, assessments, improvements, payments or other benefit factors applicable to property that is not included within the proposed development.~~

~~9. Applicants shall receive credit against the impact fee equal to the amount of an LID assessment paid for transportation-related facilities identified by the director as increasing transportation system capacity.~~

Section 2. A new Section 19.12.083 is hereby added to the Gig Harbor

Municipal Code, which shall read as follows:



### 19.12.083 Credits.

A. Credit allowed. The director, or in the case of school impact fees, the superintendent, shall reduce the calculated proportionate share for a particular development by giving credit for the benefit factors described in this Section.

B. Procedure for obtaining credit, time to request credit. Requests for credits against impact fees will not be considered unless the developer makes the request in writing, concurrent with submission of the application for the underlying development permit triggering the impact fee. For example, credit for impact fees relating to a preliminary plat must be submitted concurrent with submission of the application for the preliminary plat application, not the final plat or building permits for development in the plat.

C. Benefit Factors. The director will consider the following benefit factors when determining whether an impact fee credit is appropriate:

1. *Developer's dedication of land and/or construction of system improvements.* The value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities required by the city that are identified in the capital facilities plan and that are required by the city as a condition of approving the development activity, as long as the following conditions are satisfied. For school impact fees, the superintendent shall consider the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer to facilities identified in the school district's capital facilities plan, as long as the following conditions are satisfied.

a. The system improvements are located on land owned by the City, Pierce County, the school district or a special purpose district; and

b. A designated public owner is responsible for permanent, continuing maintenance and operation of the system improvements; and

c. The director or superintendent determines that the system improvements correspond to the type(s) of park, school and transportation system improvements that are reasonably related to the development as determined pursuant to this chapter; and

d. The director determines, after consultation with the county, school district or special purpose district, as applicable, and an analysis of supply and demand data, the parks, open space and recreation plan, the six year road plan and the adopted Pierce County park and transportation plan, that the proposed park and transportation system improvements better meet the City's need for park and transportation system improvements than would payment of funds to mitigate the park and transportation impacts of the development.

e. In the determination of credit toward the impact fee, the director or superintendent shall also consider the extent to which the proposed dedication or conveyance meets the following criteria:

(i) The land should result in an integral element of the Gig Harbor park/road system;

(ii) The land is suitable for future park, school and/or transportation facilities;

(iii) The land is of appropriate size and of an acceptable configuration;

(iv) The land has public access via a public street or an easement of an equivalent width and accessibility;

(v) The land is located in or near areas designated by the city or county on land use plans for park, trail or recreational purposes, or, in the case of schools, is appropriately located for school facilities;

(vi) The land provides linkage between Pierce County and/or other publicly owned recreation and transportation properties;

(vii) The land has been surveyed or adequately marked with survey monuments, or is otherwise readily distinguishable from adjacent privately owned property;

(viii) The land has no known physical problems associated with it, such as the presence of hazardous waste, drainage, erosion or flooding problems which the director or

superintendent determines would cause inordinate demands on public resources for maintenance and operation;

(ix) The land has no known safety hazards;

(x) The developer is able to provide documentation, as nearly as practicable, of the land's compliance with the criteria of this subsection, and of clear title;

(xi) The developer is able to provide and fund a long-term method, acceptable to the director or superintendent, for the management and maintenance of the land, if applicable.

D. Requirement for System Improvement Plan. When the director or superintendent has agreed to a developer's proposal to satisfy some or all of the impact fee through the purchase, installation and/or improvement of park, school and/or transportation facilities, the developer shall prepare and submit a system improvement plan to the director, and if applicable, to the superintendent for approval prior to recordation of a plat or short plat for subdivisions, and prior to issuance of a building permit for all other developments.

E. Statutory Benefit Factors. The director may consider any applicable benefit factors, as described in RCW 82.02.060 (as it now exists or may hereafter be amended), that are demonstrated by the applicant not to be included in the calculation of the impact fee.

F. Amount of Credit. The credit against the impact fee shall be equal to the fair market value of the purchased/ dedicated property or equal to the cost of the completed system improvements. In those situations in which a developer has not yet installed or constructed system improvements and requests a credit for the system improvement(s), the City Engineer (or superintendent for school facilities) shall estimate the cost of the system improvements, which shall be the credit allowed to the developer in the decision on the amount of the impact fee. If a credit is granted for a system improvement that has not been constructed, the developer shall pay the full impact fee without the credit, at the time established in GHMC Section 19.12.110. After construction and/or installation of the system improvement, the developer may request the credit granted by the Engineer under this subsection, and the City shall refund the difference of the

impact fee to reflect the credit, PROVIDED THAT: if the City and the property owner have entered into a development agreement on or before the effective date of this Ordinance, and the agreement requires the construction of such improvements, the City may allow a credit to be subtracted from the impact fee paid at the time established in GHMC 19.12.100.

G. PRD's, PUD's and Mobile Home Parks. A developer of a planned residential development, a planned unit development or a mobile home park may receive credit only for park, school and transportation facilities provided in addition to those normally required under SEPA for such developments pursuant to Chapter 18.04 GHMC.

H. Credit to apply proportionately to units. The amount of credit determined pursuant to this subsection shall be credited proportionately among all of the units in the development, and the impact fee for each unit for which a permit or approval is applied shall be reduced accordingly.

I. Limits on credit requests. Applicants may not request that an impact fee credit be provided for a proposed development based on taxes, user fees, assessments, improvements, payments or other benefit factors applicable to property that is not included within the proposed development.

J. Local improvement districts. Applicants shall receive credit against the impact fee equal to the amount of an LID assessment paid for transportation-related system improvements identified by the director as increasing transportation system capacity.

K. Appeals of credits. The director or superintendent shall issue a written decision on the developer's request for a credit of the impact fee calculation, which shall explain why the credit was granted or denied. The developer may request reconsideration and appeal the impact fee amount and credit pursuant to GHMC Section 19.12.170. If the procedures in GHMC Section 19.12.170 are not timely followed to request an appeal of the credit, the director or superintendent's decision on the impact fee credit shall be final.

Section 3. Section 19.12.100 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.12.100 Payment of fees.**

A. All developers shall pay an impact fee in accordance with the provisions of this chapter which shall be calculated by the city at the time that the building permit is ready for issuance. Developers may choose to pay impact fees or a portion thereof prior to the city's issuance of a building permit, but if the early payment is less than the fee calculated at the time the building permit is ready for issuance, the developer shall pay the difference. If the early payment is more than the fee calculated at the time the building permit is ready for issuance, the City shall refund the difference.

\* \* \*

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

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

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_ day of \_\_\_\_\_, 200\_\_.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, 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: \_\_\_\_\_



Business of the City Council
City of Gig Harbor, WA

Subject: Second Reading of Ordinance Authorizing City Participation in the Local Option Capital Asset Lending Program (LOCAL)

Dept. Origin: Finance

Prepared by: David Rodenbach

For Agenda of: April 23, 2007

Exhibits: Ordinance and related attachments

Proposed Council Action:

Adopt the ordinance authorizing execution of a financing contract and related documentation

Initial & Date

Concurred by Mayor:

Handwritten initials and date: CR 4/17/07

Approved by City Administrator:

Handwritten initials and date: DRK 4/13/07

Approved as to form by City Atty:

Handwritten initials and date: fow 4/12/07

Approved by Finance Director:

Handwritten initials and date: DR 4/12/07

Approved by Department Head:

Blank line for signature

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required, and values: \$30,000, \$60,000/yr (4 years), \$55,000, \$0

INFORMATION / BACKGROUND

The LOCAL program is an expanded version of the successful state agency lease/purchase program and is managed by the State Treasurer. The major benefits of LOCAL are (1) simplicity and (2) low cost financing.

The latest notes issued under this program were March 16, 2007 with an interest rate of 3.78%.

FISCAL CONSIDERATION

The vehicles were purchased in March and are nearly equipped and ready for use. The cost for the fully equipped vehicles is about \$40,000 per unit.

The 2007 budget allows for a debt service payment of \$55,000 for the police vehicles. Due to the timing of the financing arrangement (funding is expected in mid-June), the estimated payment that will be due in December is \$30,000.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Move to: Pass ordinance authorizing a financing contract with the State Treasurer and related documentation.

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

AUTHORIZATION FOR THE ACQUISITION OF  
PERSONAL PROPERTY AND EXECUTION OF A  
FINANCING CONTRACT AND RELATED  
DOCUMENTATION RELATING TO THE ACQUISITION OF  
SAID PERSONAL PROPERTY.

WHEREAS, the City of GIG HARBOR (the "Local Agency") has executed a Notice of Intent to the Office of State Treasurer, in the form attached hereto as Annex 1 (the "NOI"), in relation to the acquisition of and the financing of the acquisition of the Property, as defined below, under the provisions of RCW ch 39.94; and

WHEREAS, it is deemed necessary and advisable by the City Council of the Local Agency that the Local Agency acquire the equipment and/or personal property identified on Annex 1 attached hereto ("Property"); and

WHEREAS, it is deemed necessary and advisable by the City Council of the Local Agency that the Local Agency enter into a Local Agency Financing Contract with the Office of the State Treasurer, in the form attached hereto as Annex 2 (the "Local Agency Financing Contract"), in an amount not to exceed \$270,000, in order to acquire the property and finance the acquisition of the property and related financing costs;

WHEREAS, the Local Agency will undertake to acquire or to reimburse itself for the acquisition of the property on behalf of and as agent of the Washington Finance Officers Association (the "Corporation") pursuant to the terms of the Local Agency Financing Contract, and in accordance with all applicable purchasing statutes and regulations applicable to the Local Agency; and

WHEREAS, the Local Agency desires to appoint the individual set forth in Annex 3 as the representative of the Local Agency in connection with the acquisition of the Property and execution of the Local Agency Financing Contract (the "Authorized Agency Representative");

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

**Section 1.** The individual holding the office or position set forth in Annex 3 is hereby appointed as representative of the Local Agency in connection with the acquisition of or reimbursement for the acquisition of the Property and execution of the Local Agency Financing Contract and all other related documents. One Authorized Agency Representative shall be required to execute any one document in order for it to be considered duly executed on behalf of the Local Agency.

**Section 2.** The form of the Local Agency Financing Contract attached hereto as Annex 2 is hereby approved and the Authorized Agency Representative is hereby authorized and directed to execute and deliver the Local Agency Financing Contract, in



an amount not to exceed \$270,000 and in substantially the form attached hereto with such changes as may be approved by the Authorized Representative for the acquisition of or the reimbursement for the acquisition of the Property and financing of the acquisition of the property and related financing costs.

**Section 3.** The Local Agency hereby authorizes the acquisition of or the reimbursement for the acquisition of the property as agent of the Corporation in accordance with the terms and provisions of the Local Agency Financing Contract.

**Section 4.** The Authorized Representative is hereby authorized to execute and deliver to the Office of State Treasurer all other documents, agreements and certificates, and to take all other action, which they deem necessary or appropriate in connection with the financing of the property, including, but not limited to, any amendment to the NOI and agreements relating to initial and ongoing disclosure in connection with the offering of securities related to the financing.

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

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

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

CERTIFICATE OF AUTHORIZING ORDINANCE

I, the undersigned, Clerk of the City of Gig Harbor (the "Local Agency"), DO  
HEREBY CERTIFY:

1. That the attached Ordinance No. \_\_\_\_\_ (herein called the "Ordinance") is a true and correct copy of a Ordinance of the Local Agency passed at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and duly recorded in my office;

2. That said meeting was duly convened and held in all respects in accordance with law; and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the City Council was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance;

3. That all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed;

4. That the Ordinance remains in full force and effect and has not been amended, repealed or superseded; and

5. That I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand as of this \_\_\_\_ day of \_\_\_\_\_, 2007.

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

**Notice of Intent**

State of Washington LOCAL(Local Option Capital Asset Lending)

**Local Government Information**

County: Pierce

Legal Name: City of Gig Harbor

MCAG No.: 0587

Contact Person: David Rodenbach

Title: Finance Director

Address: 3510 Grandview Street, Gig Harbor, WA

Zip: 98335

Phone: 253.851.8136

Fax: 253.851.8563

E-mail: rodenbachd@cityofgigharbor.net

Would you prefer to receive financing documents (check one):  Already have financing documents  
 MS Word 6.0 by e-mail  3.5" disk - Word 97 by U.S. mail  Hard copy by U.S. mail

**Property (Real Estate or Equipment)**

Property description (include quantity, if applicable): Purchase seven (7) police vehicles

Total cost: \$270,000 Maximum amount to finance: \$270,000

Finance term: five (5) years Useful life: six (6) years Desired financing date: March 2007

Purpose of property (Please be specific and include dept. of use): Provide police services

If real estate, the Real Estate Worksheet:  Is attached  Will be provided by (date) \_ \_

If equipment, will the property purchase price be paid with:  program proceeds or  general funds to be reimbursed from program proceeds? If general funds are to be used, include a copy of the local agency's reimbursement resolution with the financing documents.

**Security Pledge**

Voted general obligation of local government.  Non-voted general obligation of local government

**Other Information**

Approximate population: 6,765 (not required for cities and counties).

If any of the following apply, please provide a complete discussion on a separate page:

Yes  No Does the local government use registered warrants, interfund loans or other cash flow borrowing?

Yes  No Is the local government a party to significant litigation?

Yes  No Is this a reimbursement? If yes, date funds spent \_ \_

We are not required to submit the Credit Form because \_ \_

Has local government received a bond rating in the last two years?  Yes  No Bond rating(s): \_ \_  
(attach rating agency letter)

By executing this Notice of Intent, the local agency acknowledges, agrees to and accepts its designation and appointment as the agent of the nominal lessor in connection with the acquisition of the project. By executing this Notice of Intent, the local agency further acknowledges and agrees that certificate counsel and any other special counsel to the state in connection with the authorization, issuance and delivery of the certificates and the related financing documents shall not be acting, and shall not be deemed to act, as counsel to the local agency, nor shall any attorney-client relationship exist or be deemed to exist between such counsel and any participating local agency in connection with such matters.

Submitted by: David Rodenbach

Title: Finance Director

Signature: 

Date: January 10, 2007

**LOCAL AGENCY FINANCING CONTRACT, SERIES 2007  
(Equipment)**

This Local Agency Financing Contract, Series 200\_\_ (the "Agency Financing Contract") is entered into by and between the state of Washington (the "State"), acting by and through the State Treasurer (the "State Treasurer"), and the **City of Gig Harbor, a City of the State** (the "Local Agency").

RECITALS

WHEREAS, certain State agencies (as defined in Appendix I hereto, "State Agencies") are authorized to acquire real and personal property used or needed by such State Agencies through Agency Financing Contracts entered into pursuant to Chapter 356, Laws of Washington, 1989, codified as Chapter 39.94 of the Revised Code of Washington (the "RCW"), as supplemented and amended (the "Act"); and

WHEREAS, Chapter 291, Laws of Washington, 1998 supplemented and amended the Act to authorize the State to enter into Agency Financing Contracts on behalf of certain local agencies (as described therein, "Local Agencies"), including the Local Agency, to finance the acquisition of real and personal property by such Local Agencies; and

WHEREAS, the State Treasurer has established a consolidated program providing for the execution and delivery of certificates of participation in such Agency Financing Contracts, or in Master Financing Contracts with respect thereto, in series from time to time in order to provide financing or refinancing for the costs of acquisition of real and personal property by State Agencies and Local Agencies; and

WHEREAS, simultaneously with the execution and delivery hereof, the State is entering into a Master Financing Contract, Series 200\_\_, dated as of the Dated Date (the "Master Financing Contract") with the Washington Finance Officers Association, a nonprofit corporation duly organized and existing under and by virtue of the laws of the state of Washington (the "Corporation"), to provide financing for the costs of acquisition of certain items of personal property by certain State Agencies and Local Agencies, including the Local Agency, under the terms set forth therein; and

WHEREAS, the State Treasurer and the Local Agency have determined that it is necessary and desirable to enter into this Agency Financing Contract to provide financing or refinancing for the costs of acquisition of certain items of personal property, described in Exhibit B hereto (the "Property"), by the Local Agency; and

WHEREAS, the State Finance Committee has authorized the execution and delivery of this Agency Financing Contract pursuant to Resolution No. 987 adopted on October 7, 2003; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and delivery of this Agency Financing Contract do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Parties hereto are now duly authorized to execute, deliver and perform their respective obligations under this Agency Financing Contract;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other valuable consideration, the Parties hereto mutually agree as follows:

Section 1.1 Defined Terms. Capitalized terms used but not otherwise defined in this Agency Financing Contract shall have the respective meanings given such terms in Appendix I hereto.

Section 1.2 Notice of Intent; Personal Property Certificate; Certificate Designating Authorized Local Agency Representative. The Local Agency has delivered a Notice of Intent to the State Treasurer in the form of Exhibit A attached hereto and incorporated herein by this reference. In order to evidence its acceptance of the Property financed and acquired pursuant hereto, the Local Agency has executed and delivered herewith, or will execute and deliver within 60 days from the Dated Date to the State Treasurer, a Personal Property Certificate in the form of Exhibit B attached hereto and incorporated herein by this reference. The Local Agency has delivered a Certificate Designating Authorized Agency Representatives to the State Treasurer in the form of Exhibit C attached hereto and incorporated herein by this reference. Said Certificate is currently in force and has not been amended, withdrawn or superseded, and the signatures shown thereon are true and correct originals of the signatures of the persons who hold the titles shown opposite their names. The signature of any one of the individuals shown on said Certificate is sufficient to bind the Local Agency under this Agency Financing Contract with respect to any of the undertakings contemplated herein. The terms and provisions set forth in Appendix II hereto are incorporated herein and made a part hereof by this reference.

Section 1.3 Installment Sale and Purchase of Property. The State hereby agrees to sell, assign and convey, and does hereby sell, assign and convey to the Local Agency, and the Local Agency hereby agrees to purchase, acquire and assume, and does hereby purchase, acquire and assume, from the State, all of the State's right, title and interest in and to the Property and all proceeds and profits thereof and therefrom, subject to the security interest created pursuant to Section 2.5 of Appendix II hereof, and the Local Agency agrees to pay in consideration thereof the Purchase Price therefor and interest thereon and the Additional Costs in accordance with Section 1.4 hereof, and all other amounts required to be paid by the Local Agency hereunder, all in accordance with the provisions of this Agency Financing Contract.

Section 1.4 Agency Installment Payments. In consideration of the sale of the Property and the covenants and agreements of the State in this Agency Financing Contract, the Local Agency hereby promises to pay to the State the following amounts at the following times: (a) On each Agency Installment Payment Date, the Agency Installment Payment set forth in Exhibit D hereto, consisting of a Principal Component and/or an Interest Component as set forth in such Exhibit; and (b) All Additional Costs incurred by the State in connection with the sale of the Property to the Local Agency, the execution and delivery of the Certificates, and the observance and performance of the Series 200\_\_ Agreements, within thirty (30) days following receipt of an invoice from the State with respect thereto which includes (i) a brief description of each such Additional Cost, (ii) the party to whom payment is due, (iii) the amount thereof, and (iv) such additional information as the Local Agency may reasonably request.

Section 1.5 Term. The term of this Local Agency Financing Contract shall commence on the Dated Date and shall terminate on the date on which all amounts due hereunder shall have been paid or the payment thereof duly provided for pursuant to Section 4.3 of Appendix II hereof.

STATE OF WASHINGTON  
OFFICE OF THE STATE TREASURER

CITY OF GIG HARBOR  
as Local Agency

By \_\_\_\_\_  
Designated Treasurer Representative

By \_\_\_\_\_  
Authorized Agency Representative

By \_\_\_\_\_  
Authorized Agency Representative

**Notice of Intent**

State of Washington LOCAL(Local Option Capital Asset Lending)

**Local Government Information**

County: Pierce

Legal Name: City of Gig Harbor

MCAG No.: 0587

Contact Person: David Rodenbach

Title: Finance Director

Address: 3510 Grandview Street, Gig Harbor, WA

Zip: 98335

Phone: 253.851.8136

Fax: 253.851.8563

E-mail: rodenbachd@cityofgigharbor.net

Would you prefer to receive financing documents (check one):

Already have financing documents

MS Word 6.0 by e-mail

3.5" disk - Word 97 by U.S. mail

Hard copy by U.S. mail

**Property (Real Estate or Equipment)**

Property description (include quantity, if applicable): Purchase seven (7) police vehicles

Total cost: \$270,000 Maximum amount to finance: \$270,000

Finance term: five (5) years Useful life: six (6) years Desired financing date: March 2007

Purpose of property (Please be specific and include dept. of use): Provide police services

If real estate, the Real Estate Worksheet:  Is attached

Will be provided by (date) \_ \_

If **equipment**, will the property purchase price be paid with:  program proceeds or  general funds to be reimbursed from program proceeds? If general funds are to be used, include a copy of the local agency's reimbursement resolution with the financing documents.

**Security Pledge**

Voted general obligation of local government.

Non-voted general obligation of local government

**Other Information**

Approximate population: 6,765 (not required for cities and counties).

If any of the following apply, please provide a complete discussion on a separate page:

Yes  No Does the local government use registered warrants, interfund loans or other cash flow borrowing?

Yes  No Is the local government a party to significant litigation?

Yes  No Is this a reimbursement? If yes, date funds spent \_ \_

We are not required to submit the Credit Form because \_ \_

Has local government received a bond rating in the last two years?

Yes

No

Bond rating(s): \_ \_  
(attach rating agency letter)

By executing this Notice of Intent, the local agency acknowledges, agrees to and accepts its designation and appointment as the agent of the nominal lessor in connection with the acquisition of the project. By executing this Notice of Intent, the local agency further acknowledges and agrees that certificate counsel and any other special counsel to the state in connection with the authorization, issuance and delivery of the certificates and the related financing documents shall not be acting, and shall not be deemed to act, as counsel to the local agency, nor shall any attorney-client relationship exist or be deemed to exist between such counsel and any participating local agency in connection with such matters.

Submitted by: David Rodenbach

Title: Finance Director

Signature: [Handwritten Signature]

Date: January 10, 2007

**Personal Property Certificate**

Name of Local Agency:	City of Gig Harbor
Address:	3510 Grandview Street
	Gig Harbor, WA 98335-51

All capitalized terms not defined herein shall have the meanings assigned to such terms in the Local Agency Financing Contract that this Exhibit B is attached to. The undersigned **David Rodenbach** does hereby certify, that he is an Authorized Agency Representative of the **City of Gig Harbor** (the "Local Agency") pursuant to the terms of the Local Agency Financing Contract.

The undersigned, confirms that the Property described below will be placed in use at the location listed below. The undersigned confirms that the Property described below has been delivered to and received by the Local Agency. All installation or other work necessary prior to the use thereof has been completed. The Property has been examined and/or tested and is in good operating order and condition and is in all respects satisfactory to the Local Agency and complies with all terms of the Master Financing Contract and the Local Agency Financing Contract.

**Notwithstanding the foregoing, the undersigned does not waive or limit, by execution of this certificate, any claim against the vendor or any other seller, installer, contractor or other provider of property or services related to the purchase, shipment, delivery, installation or maintenance of the Property.**

The Local Agency further confirms that the Property will be used to fulfill an essential governmental function which the Local Agency has the authority to provide in the State.

PROPERTY INFORMATION

Description:	<u>2007 Ford Police Vehicle</u>	Name of Vendor:	<u>Columbia Ford</u>
		Address:	<u>700 7<sup>th</sup> Avenue</u>
			<u>Longview, WA 98632</u>
	<u>2FAHP71W67X133549</u>		
	<u>2FAHP71W27X133547</u>		
	<u>2FAHP71W47X133548</u>		
Serial No.:	<u>2FAHP71W47X133551</u>		
	<u>2FAHP71W67X133552</u>		
	<u>2FAHP71W87X133553</u>		
	<u>2FAHP71W27X133550</u>		
	<u>01481</u>	<u>01484</u>	
	<u>01487</u>		
Tag No.:	<u>01482</u>	<u>01485</u>	
	<u>01483</u>	<u>01486</u>	
Location of Property Acquired:	<u>Gig Harbor Police Department</u>		

INSTRUCTIONS TO STATE TREASURER FOR PAYMENT:

Disburse to:  Vendor  City  County Treasurer  Other

Entity Name: City of Gig Harbor

Disbursement Amount: \$ 270,000

Method of Payment:  ACH  Wire  Check

ACH/Wire Instructions: \_\_\_\_\_

Attached hereto are:

1. A vendor's invoice for the Property approved by the Local Agency.
2. A Certificate of Insurance, demonstrating liability insurance coverage and stating that insurance will be renewed annually automatically, unless said office notifies the State Treasurer of any discontinuation of coverage.

In connection with the Local Agency's acquisition of the Property as agent of the Washington Finance Officers Association, you are hereby requested to make a disbursement as indicated above.

\_\_\_\_\_  
Authorized Agency Representative  
Date: \_\_\_\_\_

Countersigned and

Approved for Payment:

\_\_\_\_\_  
Designated State Treasurer Representative

Date: \_\_\_\_\_

**CERTIFICATE DESIGNATING AUTHORIZED AGENCY REPRESENTATIVE**

I, Charles L. Hunter, Mayor of the City of Gig Harbor (the "Local Agency"), hereby certify that, as of the date hereof, pursuant to Ordinance No. \_\_\_\_\_, the following individual is an "Authorized Agency Representative," as indicated by the title appended to his signature, that the following individual is duly authorized to execute and deliver the Local Agency Financing Agreement to which this Certificate is attached as Exhibit C, and all documentation in connection therewith, including but not limited to the Personal Property Certificate(s) attached thereto as Exhibit B, that the signature set forth below is the true and genuine signature of said Authorized Agency Representative and that pursuant to such Ordinance, the following signature is required on each of the aforementioned documents in order to consider such documents executed on behalf of the Local Agency:

\_\_\_\_\_ David Rodenbach, Finance Director  
(signature)

Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Mayor, City of Gig Harbor

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

By: \_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing at:

\_\_\_\_\_

Printed Name:

\_\_\_\_\_

Commission Expires: \_\_\_\_\_

My





**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Second Reading of an Ordinance Relating to Various Amendments to the City's Transportation Concurrency Management System.

**Proposed Council Action:** Approve the Ordinance as presented at this second reading.

**Dept. Origin:** Community Development

**Prepared by:** Stephen Misiurak, PE *SM*  
City Engineer

**For Agenda of:** April 23, 2007

**Exhibits:** Ordinance and Sample Fee Table

Initial & Date

**Concurred by Mayor:** *CA 4/19/07*  
**Approved by City Administrator:** *PKK 4/18/07*  
**Approved as to form by City Atty:** *Cam 4/19/07*  
**Approved by Finance Director:** *DR 4/19/07*  
**Approved by Department Head:** *JPD 4/18/07*

Expenditure	Amount	Appropriation
Required: \$0	Budgeted: \$0	Required: \$0

**INFORMATION / BACKGROUND**

Recently, the City has completed a City-wide traffic forecasting model of the City's roadways and intersections for the purposes of evaluating capacity and level of service. Currently, the City Engineer's traffic impact analysis for new developments is difficult because each analysis is prepared based on assumptions that may or may not be congruent with the City's traffic forecasting model. The City Engineer has recommended changes in the Chapter 19.10 of the Gig Harbor Municipal Code related to the preparation of traffic reports for determination of transportation concurrency for the following reasons:

- A single comprehensive, consistent, and current traffic model will resolve the duplication of work by multiple independent traffic engineers and the City.
- Use of a single traffic model that is updated after evaluation of each application will allow the City to more accurately, comprehensively, and efficiently determine transportation concurrency for each development project.
- By the use of a single comprehensive, consistent, and current City traffic model, each applicant will not be required to hire a traffic engineer to license, develop, and maintain individual traffic models.

These proposed changes include (1) removing the requirement for an applicant to provide a traffic impact analysis; and (2) adding the requirement for an applicant to pay the City for preparation of a Traffic Report. At this time the City's on-call transportation consultant will prepare the traffic report. The amount of the fee will be provided as a fee table by future fee resolution.

Applicants will still be permitted to prepare and submit traffic reports if they disagree with the City's traffic analysis, at their own cost and the applicants are required to identify and provide mitigation for those developments that may not otherwise receive concurrency.

**FISCAL CONSIDERATION**

Payment of the fee from the applicant to the City for preparation of the traffic report will equal the amount charged to the City by the on-call transportation consultant.

**BOARD OR COMMITTEE RECOMMENDATION**

The Operations and Public Projects Committee reviewed a draft of this ordinance on January 18, 2007 and February 15, 2007.

**RECOMMENDATION / MOTION**

**Move to:** Approve of the Ordinance as presented at the second reading.

**ORDINANCE NO. 10\_\_**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE PROCEDURE FOR DETERMINING THE CAPACITY OF TRANSPORTATION FACILITIES, REMOVING THE REQUIREMENT FOR AN APPLICANT TO PREPARE A TRAFFIC IMPACT ANALYSIS USED IN THE DETERMINATION OF TRANSPORTATION CONCURRENCY, ADDING THE REQUIREMENT FOR THE APPLICANT TO PAY THE CITY A FEE TO PREPARE A TRAFFIC REPORT USED IN THE DETERMINATION OF TRANSPORTATION CONCURRENCY, CLARIFYING THAT THE APPLICANT MAY IDENTIFY AND PROVIDE MITIGATION FOR THEIR DEVELOPMENT IN ORDER TO ACHIEVE CONCURRENCY, AND AMENDING SECTIONS 19.10.003, 19.10.011, 19.10.013, 19.10.019, 19.10.021, AND 19.10.027 OF THE GIG HARBOR MUNICIPAL CODE.**

---

WHEREAS, currently, every applicant for a development or redevelopment in the City must submit an application for transportation concurrency to the City; and

WHEREAS, currently, every concurrency application must include a traffic impact analysis if the development will generate more than 15 PM peak hour trips or if the development will distribute one or more PM peak hour trips through an intersection or roadway section identified with a level of service "D" on the City's comprehensive plan; and

WHEREAS, each traffic impact analysis is prepared at the applicant's cost and describes the applicant's perceived impact of the development on the City's transportation system; and

WHEREAS, evaluation of individual traffic impact analyses therefore are time consuming because applicant's must prepare assumptions and calculate results while the City Engineer must review and verify the assumptions and the results; and

WHEREAS, the City of Gig Harbor has recently created a computerized traffic model of the City's roadways for purposes of evaluating capacity; and

WHEREAS, the City Engineer's evaluation of each applicant's traffic impact analysis is difficult because each traffic impact analysis is prepared based on assumptions that may or may not be congruent with the City's traffic model; and

WHEREAS, the City can use the traffic model to assist with determining transportation capacity for individual project permit and other development applications; and

WHEREAS, use of a single traffic model that is updated after evaluation of each application approval will allow the City Engineer to more accurately and efficiently determine transportation concurrency for each subsequent project; and

WHEREAS, with the use of a single comprehensive, consistent, and current traffic model of the City's roadways to evaluate transportation concurrency for individual applications, each applicant is not required to hire a traffic engineer to license, develop, and maintain individual traffic models; and

WHEREAS, a single comprehensive, consistent, and current traffic model of the City's roadways will reduce the duplication of work by multiple independent traffic engineers and the City, which currently includes collection of background data and preparation of assumptions and the subsequent review and verification, and

WHEREAS, the City's traffic model will be used in the creation of a Traffic Report for each proposed development; and

WHEREAS, this Traffic Report will be provided to the applicant by the City for a cost based on fees determined by Resolution; and

WHEREAS, this Traffic Report will be used in the determination of transportation concurrency; and

WHEREAS, transportation impacts associated with concurrency applications for an individual single family residences are established in engineering texts and therefore analysis of their traffic impacts through creation of a Traffic Report is not necessary; and

WHEREAS, applicants will still be allowed to prepare and submit traffic reports if they disagree with the City's Traffic Report, although at their own cost; and

WHEREAS, applicants are required to identify and provide mitigation for those developments or redevelopments that might not otherwise receive concurrency in order to obtain a concurrency certificate; and

WHEREAS, the City's SEPA Responsible Official issued a categorical exemption for this Ordinance on \_\_\_\_\_; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of \_\_\_\_\_, 2007;

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

Section 1. Chapter 19.10.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

### **19.10.003 Exempt development.**

A. No development activity (as defined in Chapter 19.14 GHMC) shall be exempt from the requirements of this chapter unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on ~~road~~transportation facilities or sewer capacity in the city's wastewater treatment plant, or water capacity in the city's water system:

1. Administrative interpretations;
2. Sign permit;
3. Street vacation;
4. Demolition permit;
5. Street use permit;
6. Interior alterations with no change of use;
7. Excavation/clearing permit;
8. Hydrant use permit;
9. Right-of-way permit;
10. Single-family remodeling with no change of use;
11. Plumbing permit;
12. Electrical permit;
13. Mechanical permit;
14. Excavation permit;
15. Sewer connection permit;
16. Driveway or street access permit;
17. Grading permit;
18. Tenant improvement permit;
19. Fire code permit;
20. Design review approval.

Notwithstanding the above, if any of the above permit applications will generate any new p.m. peak-hour trips, require additional sewer capacity, or increase water consumption, such application shall not be exempt from the requirements of this chapter.

B. 1. ~~Traffic~~Transportation. This chapter shall apply to all development applications for development or redevelopment if the proposal or use will generate any new p.m. peak-hour trips. Every application for development shall be accompanied by a concurrency application. ~~If the concurrency application will generate more than 15 new p.m. peakhour trips, a transportation impact analysis (TIA) report shall be required in conformance with GHMC 19.10.011. If the concurrency application will generate less than 15 new p.m. peak-hour trips, a TIA report shall be required if one or more projected vehicle trips will pass through an intersection or roadway section identified with a level of service "D" on the~~

~~city's comprehensive transportation plan. TIA reports will not be required for other concurrency applications with less than 15 new p.m. peak-hour trips. Developments or redevelopments, excluding an individual single family residence, that will generate one or more new projected vehicle trips that will pass through an intersection or roadway section identified with a level of service below the acceptable level noted in the transportation element of the City's Comprehensive Plan, or that will generate 15 or more new PM peak hour trips shall also be required to have the City prepare a Traffic Report as defined in GHMC 19.10.011.~~

2. Water. This chapter shall apply to all development applications or outside city limits utility extension agreements (under Chapter 13.34 GHMC) for development or redevelopment if the proposal or use requires water from the city's water system. In addition, this chapter shall apply to existing developments to the extent that the property owner requires water for a use not disclosed on a previously submitted water service application under GHMC 13.02.030 or a previously submitted application for a capacity reservation certificate.

3. Sewer. This chapter shall apply to all development applications or outside city limits utility extension agreements (under Chapter 13.34 GHMC) for development or redevelopment if the proposal or use requires sewer from the city's sewer system. In addition, this chapter shall apply to existing developments to the extent that the property owner requires sewer for a use not disclosed on a previously approved request for sewer service or a previously approved application for a capacity reservation certificate.

Section 2. Chapter 19.10.011 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.10.011 Water, roadtransportation and sewer –Application for capacity evaluation.**

A. An application for a CRC and the application for the underlying development permit, or other activity, shall be accompanied by the requisite fee, as determined by city council resolution. An applicant for a CRC shall submit the following information to the director, on a form provided by the director together with a development application:

1. Date of submittal.
2. Developer's name, address and telephone number.
3. Legal description of property as required by the underlying development permit application together with an exhibit showing a map of the property.

4. Proposed use(s) by land use category, square feet and number of units.

5. Phasing information by proposed uses, square feet and number of units, if applicable.

6. Existing use of property.

7. Acreage of property.

8. Proposed site design information, if applicable.

9. For transportation CRC applications only: A preliminary site plan, which is a plan showing the approximate layout of proposed structures and other development, type and number of dwelling units, type and number of non-residential building areas with gross square footage, the land use codes per the most recent edition of *Trip Generation* from the Institute of Transportation Engineers (ITE), and an analysis of the points of access to existing and proposed roadways. ~~Traffic report prepared by a licensed professional engineer who is practicing as a traffic engineer, in the standardized format approved by the city engineer (only for transportation CRC).~~

10. The applicant's proposed mitigation (if any) for the impact on the city's transportation facilities.

11. Written consent of the property owner, if different from the developer.

12. Proposed request of capacity by legal description, if applicable.

13. For water CRC applications only: Water hydraulic report prepared by a licensed professional engineer, which shall include the purpose for which the water is required.

14. For sewer CRC applications only: Sewer hydraulic report prepared by a licensed professional engineer, which shall include the purpose for which the sewer is required.

15. Stormwater drainage report prepared by a licensed professional engineer.

B. Roads Transportation. The applicant is not required to submit a traffic impact analysis from an independent traffic engineer. Instead, those applicants with transportation CRC applications that are required to have the City provide a Traffic Report in accordance with GHMC 19.10.003(B)(1) shall instead pay to the City a deposit equal to the estimated fee for the City's preparation of a Traffic Report. The amount of the fee shall be determined by City Resolution and paid at the time of transportation CRC application submittal. The fee shall vary based on the number of new PM peak hour trips produced by the development. The



applicant shall be subject to repayment of fees for any subsequent revisions to the original Traffic Report. Fees for revisions may be an additional proportion of the original fee depending on the effort involved to revise the Traffic Report. Even if the Traffic Report is based on an estimation of impact, the applicant will still be bound by its estimation of impact, and any upward deviation from the estimated traffic impact shall require at least one of the following: a finding that the additional concurrency sought by the developer through a revised application is available to be reserved by the project; mitigation of the additional impact under SEPA; revocation of the CRC.

Section 3. Chapter 19.10.013 of the Gig Harbor Municipal Code is hereby amended to read as follows:

### **19.10.013 Method of capacity evaluation**

A. In order to determine concurrency for the purposes of issuance of a transportation CRC, the director shall make the determination described in subsection B of this section. In order to determine concurrency for the purpose of issuance of a water CRC, the director shall make the determination described in subsection C of this section. In order to determine concurrency for the purpose of issuance of a sewer CRC, the director shall make the determination described in subsection D of this section. The director may deem the development concurrent with ~~road~~ transportation facilities or the city's water system, with the condition that the necessary facilities or services shall be available when the impacts of the development occur or shall be guaranteed to be available through a financial commitment in an enforceable development agreement (which shall be in a form approved by the city attorney). In no event shall the director determine concurrency for a greater amount of capacity than is needed for the development proposed in the underlying permit application.

#### B. Road-Transportation Facilities.

1. Upon submission and acceptance of a complete transportation CRC application, the director shall conduct a traffic impact analysis and issue a Traffic Report for those applications meeting the requirements of GHMC 19.10.003(B)(1)

2. In performing the concurrency evaluation for ~~road-transportation~~ facilities, and to ~~prepare the transportation CRC,~~ the director shall determine, based on the conclusions of the Traffic Report, whether a proposed development can be accommodated within the existing or planned capacity of ~~road-transportation~~ facilities. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation identified by the applicant to be provided by the applicant at the applicant's cost; and

e. Comparison of available capacity with proposed development impacts.

23. The director shall determine if the capacity of the city's transportation facilities, less the capacity which is reserved, can be provided while meeting the level of service performance standards set forth in the city's comprehensive plan, and, if so, shall provide the applicant with a transportation CRC. The director's determination will be based on the application materials provided by the applicant, which must include the applicant's proposed mitigation for the impact on the city's transportation facilities.

~~3. The city may utilize its on call consultant traffic engineer to independently verify the available capacity. Such determination to use the oncall consultant shall be made by the city engineer. The applicant shall be informed of the estimated cost of the review and the applicant shall provide monies to the city prior to the evaluation.~~

### C. Water.

1. In performing the concurrency evaluation for water, and to prepare the water CRC, the director shall determine whether a proposed development can be accommodated within the existing or planned capacity of the city water system. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation provided by the applicant; and

e. Comparison of available capacity with proposed development impacts.

2. The director shall determine if the capacity of the city's water facility, less the capacity which is reserved, can be provided while remaining within the city's permitted water rights for withdrawal volume, and if so, shall provide the applicant with a water CRC.

#### D. Sewer.

1. In performing the concurrency evaluation for sewer, and to prepare the sewer CRC determination, the director shall determine whether a proposed development can be accommodated within the existing or planned capacity of the city's sewer system. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the available capacity for the proposed development, minus the effects of any mitigation provided by the applicant; and

e. Comparison of available capacity with proposed development impacts.

2. The director shall determine if the capacity of the city's wastewater treatment plant, less the capacity which is reserved, can be provided while remaining within the city's NPDES permit for discharge volumes and levels, and, if so, shall provide the applicant with a sewer CRC.

#### E. Lack of Concurrency.

1. ReadTransportation. If the director determines that the proposed development will cause the LOS of a city-owned read-transportation facility to decline below the standards adopted in the transportation element of the city's comprehensive plan, and improvements or strategies to accommodate the impacts of development are not planned to be made

concurrent with development, a transportation CRC and the underlying development permit, if such an application has been made, shall be denied. Upon denial, the applicant may perform one of the following:

a. Appeal the findings of the Traffic Report in accordance with GHMC 19.10.021;

b. Offer alternative data and/or perform an independent traffic impact analysis at the applicant's sole expense in support of alternative conclusions. Any study shall be in accordance with GHMC 19.10.027;

c. Modify the development proposal to lessen the traffic impacts and/or identify voluntary transportation improvements as mitigation to be provided by the applicant at the applicant's cost and re-apply for capacity review. Re-application shall require re-payment of the Traffic Report preparation fee in accordance with GHMC 19.10.011(B); or

d. Withdraw the CRC application.

2. Water. If the director determines that there is no capacity available in the city's water system to provide water for a proposed project, and improvements or strategies to accommodate the impacts of development are not planned to be made concurrent with development, the director shall deny the water CRC. The city has the discretion allowed under the Gig Harbor Municipal Code to deny the underlying development application, depending on the applicant's ability to provide water for the proposed project from another source.

Section 4. Chapter 19.10.019 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.10.019 Notice of concurrency determination.**

Notice of the concurrency determination shall be given to the public together with, and in the same manner as, that provided for the SEPA threshold determination for the underlying development permit, unless the project is exempt from SEPA, in which case notice shall be given in the same manner as a final decision on the underlying development permit without any accompanying threshold determination. In the case of an approved CRC, any conditions or mitigation identified by the applicant to be provided by the applicant at the applicant's cost in the approval shall be included in the SEPA threshold decision or underlying permit decision (if categorically exempt from SEPA). If a denial letter is not timely appealed, the underlying permit will be processed and in most instances will result in a denial. If a denial letter is appealed, any mitigation or conditions included in the appeal decision shall be

included in the SEPA threshold decision or underlying permit decision (if categorically exempt from SEPA).

Section 5. Chapter 19.10.021 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.10.021 Appeals.**

Upon receipt of an appeal of the denial letter, the director shall handle the appeal as follows:

A. A meeting shall be scheduled with the applicant to review the denial letter and the application materials, together with the appeal statement.

B. Within 14 days after the meeting, the director shall issue a written appeal decision, which will list all of the materials considered in making the decision. The appeal decision shall either affirm or reverse the denial letter. If the denial letter is reversed, the director shall identify all of the conditions or mitigation identified by the applicant to be provided by the applicant at the applicant's cost to be imposed on the application in order to achieve concurrency.

C. The ~~conditions or mitigation~~ identified in the appeal decision shall be incorporated into the city's SEPA threshold decision on the application.

D. The appeal decision shall state that it may be appealed with any appeal of the underlying application or activity, pursuant to GHMC 19.06.004.

Section 6. Chapter 19.10.027 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**19.10.027 Traffic impact analysis standardized format.**

Attached to Ord. 1044 codified in this chapter and incorporated herein is the standardized format required for the developer's independent traffic impact analysis. The impact analysis ~~may~~ shall be completed at the time of submittal of the original application or upon denial of a transportation CRC application.

Section 7. 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 8. 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.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_\_ day of April 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:

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

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

**Exhibit 'A'**  
**Traffic Report Preparation Fees**

PM Peak Hour Trips	Base Fee	Fee for Additional Trips
2-10	\$1,250	\$0
11-100	\$1,250	\$70 per trip over 10
101-1,000	\$7,550	\$25 per trip over 100
over 1,000	Negotiated	\$0

**Example Fees:**

10 trips = \$1,250

50 trips = \$4,050

100 trips = \$7,550

200 trips = \$10,050

500 trips = \$17,550

1000 trips = \$30,050

SAMPLE



Business of the City Council
City of Gig Harbor, WA

Subject: Second Reading of Ordinance
- City of Gig Harbor Arts Commission
Amending GHMC Section 2.49.010

Proposed Council Action:
Approval of the ordinance as presented at
this Second Reading.

Dept. Origin: Gig Harbor Arts Commission
Prepared by: Maureen Whitaker, Asst. City
Clerk

For Agenda of: April 23, 2007

Exhibits: Ordinance

Concurred by Mayor: [Signature] 4/19/07
Approved by City Administrator: [Signature] 4/17/07
Approved as to form by City Atty: [Signature] 4/19/07
Approved by Finance Director: [Signature] 4/19/07
Approved by Department Head: [Signature] 4/17/07

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required, and values (0, 0, 0).

INFORMATION / BACKGROUND

At the April 9th Council Meeting, a revision to Ordinance 957 was presented to Council to decrease the number of commission members from nine to seven and to lift the requirement that a majority of commission members needed to work or reside within city limits.

The outcome of the discussion at this meeting was to maintain the commission members at nine and to remove the requirement that a majority of commission members work or reside within city limits, historically due to the nominal response from the community.

At the last meeting, Council authorized GHAC Chair Betty Willis to serve an additional year as Vice Chair, which changed the vacancy status to four.

A recoup of the advertising for the vacancies: A public notice was advertised in the Peninsula Gateway and on the City's website on January 7th. Three letters of interest were received. Another notice was advertised on March 1st which resulted in no responses. The noticing deadline was extended to March 15th, resulting in three additional letters of interest.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

The GHAC recommends that Council approve the ordinance as presented at this second reading.



**RECOMMENDATION / MOTION**

**Move to:** Approval of the ordinance as presented at this second reading.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE GIG HARBOR ARTS COMMISSION, AMENDING THE PROHIBITION ON A MEMBER'S SERVICE TO NOT MORE THAN TWO TERMS PROVIDING FOR THE SITUATION WHERE NO NEW APPLICANTS HAVE COME FORTH, TO REMOVE THE REQUIREMENT FOR MEMBERS TO LIVE OR RESIDE IN GIG HARBOR, AMENDING GHMC SECTION 2.49.010.**

---

WHEREAS, there are several vacancies on the Gig Harbor Arts Commission; and

WHEREAS, the lack response from persons who either live or work in the city to serve on the Commission has not allowed for the filling of those positions within the restrictions of the code; and

WHEREAS, members have served two terms which would prohibit them from continuing to serve another term;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Gig Harbor, Washington as follows:

Section 1. Section 2.49.010 of the City of Gig Harbor Municipal Code is hereby amended to read as follows:

2.49.010 Commission established – Membership.

A. The Gig Harbor arts commission, consisting of nine members appointed by the mayor and confirmed by the vote of a majority of the members of the city council, is established. The term of office shall be three years. Commission members shall be selected for staggered terms. Three commissioners or their successors will serve a one, two or the full three-year term based on the position. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire

on March 31st and all successive terms shall commence on April 1st. No member shall serve more than two consecutive full terms of office, unless the vacancy cannot be filled by new applicant(s).

B. Commission members shall be appointed upon the basis of demonstrated interest, knowledge and support of the arts. Members shall serve without salary or other compensation; provided that members shall be reimbursed for necessary expenses actually incurred with prior administrative approval. ~~Two~~ Commissioners may be selected from the Gig Harbor community-at-large. ~~Seven~~ A majority of the commissioners shall reside or work within the city limits at the time of appointment and throughout their terms of office.

\* \* \*

Section 2. Effective Date. This ordinance shall take effect and be in full force and effect five (5) days after its passage, approval and publication as required by law.

PASSED by the Council of the City of Gig Harbor, this \_\_\_\_\_ day of April, 2007.

APPROVED:

\_\_\_\_\_  
MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

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

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
DATE PUBLISHED:  
DATE EFFECTIVE:



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** St. Anthony Hospital Project Management Services – Contract Amendment

**Dept. Origin:** Community Development

**Prepared by:** John P. Vodopich, AICP  
Community Development Director

**Proposed Council Action:** Council approval of an amendment to the Consultant Services Contract with Stalzer and Associates in an amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a combined contract amount of Thirty-four Thousand Dollars (\$34,000.00).

**For Agenda of:** April 23, 2007

**Exhibits:** Contract Amendment

Initial & Date

**Concurred by Mayor:**

**Approved by City Administrator:**                      *JK 4/17/07*

**Approved as to form by City Atty:**                      *LAM 4/19/07*

**Approved by Finance Director:**                      *DL 4/19/07*

**Approved by Department Head:**                      *JPV 4/17/07*

Expenditure	Amount	Appropriation
Required     \$7,500.00	Budgeted    0	Required        0

**INFORMATION / BACKGROUND**

The City and the Franciscan Health System desire to continue to retain a project manager for the building permit phase of the St. Anthony Hospital. The project manager would continue to serve as the point of contact and coordinate the submission, and processing of the application materials. The firm of Stalzer and Associates was agreed upon by both parties as being best able to continue to perform these services.

**FISCAL CONSIDERATION**

This work was not anticipated in the 2007 Budget; however the Hammes Company representative for the hospital project has agreed to the contract and they will reimburse the City for this expenditure. There may be some costs related to this project which the City will be responsible for.

**RECOMMENDATION / MOTION**

I recommend Council approval of an amendment to the Consultant Services Contract with Stalzer and Associates in an amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a combined contract amount of Thirty-four Thousand Dollars (\$34,000.00).

**AMENDMENT TO CONSULTANT SERVICES CONTRACT  
BETWEEN THE CITY OF GIG HARBOR AND  
STALZER AND ASSOCIATES**

THIS AMENDMENT is made to the AGREEMENT, dated August 14, 2006, by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and Stalzer and Associates, a sole proprietorship, located and doing business at 603 Stewart Street, Suite 419, Seattle, Washington 98101 (hereinafter the "Consultant").

**RECITALS**

WHEREAS, the City is presently engaged in the permitting process for the St. Anthony Hospital Project 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 August 14, 2006 (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 Services.** 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: Seven Thousand Five Hundred Dollars (\$7,500.00). 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 \_\_\_\_\_, 2007.

THE CITY OF GIG HARBOR

By: Bill Stalzer  
Its Principal

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

Notices to be sent to:

CONSULTANT  
Stalzer and Associates  
Attn: Bill Stalzer  
603 Stewart Street, Suite 419  
Seattle, Washington 98101  
(206) 264-1150

John P. Vodopich, AICP  
Community Development Director  
City of Gig Harbor  
3510 Grandview Street  
Gig Harbor, Washington 98335  
(253) 851-6170

APPROVED AS TO FORM:

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

ATTEST:

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

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

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 owner of Stalzer and Associates, 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: \_\_\_\_\_

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF PIERCE         )

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

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

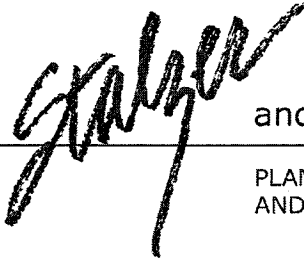
\_\_\_\_\_

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

\_\_\_\_\_

My Commission expires: \_\_\_\_\_





and Associates

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PLANNING, LAND USE  
AND DEVELOPMENT SERVICES

Exhibit A

**St. Anthony Hospital Project Manager  
Proposed Permit Scope of Services**

As project manager for the City of Gig Harbor on the St. Anthony Hospital project, Stalzer and Associates will provide the following planning services:

1. Manage the interdepartmental review process to ensure timely and efficient reviews of construction-related permits.
2. Conduct project meetings with city staff bi-weekly or as otherwise mutually agreed.
3. Serve as the point of contact with the applicant regarding permit schedule, issues, and the status of applications.
4. Provide predictable and clear communication between the applicant and city departments.
5. Provide assistance as needed to ensure timely resolution of issues that arise during the permit review process.
6. Prepare and regularly update a project schedule for timely and predictable reviews.
7. Conduct site visits as necessary.
8. Prepare brief status reports to the Community Development Director and the Mayor as needed.
9. Provide such other mutually acceptable project management services as directed by the Community Development Director or the Mayor.

The City will provide Stalzer and Associates with copies of information related to permit reviews including but not limited to city codes, project plans, staff review comments, and reports.

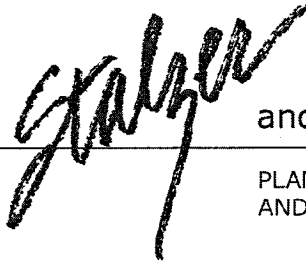
Services will be provided on a time and expense basis in accordance with the attached 2007 Schedule of Standard Fees and Reimbursable Expenses. Bill Stalzer will be the designated project manager with assistance provided by other members of Stalzer and Associates.

The anticipated level of effort is:

Time to Complete: 4 months  
Weekly Hours: 3  
Total Hours: 54

Based on the anticipated level of effort and the 2007 Schedule of Fees and Reimbursable Expenses, the proposed contract amount is:

Fee Budget: \$6,750  
Expense Budget: \$750  
Estimated Total Budget: \$7,500



and Associates

PLANNING, LAND USE  
AND DEVELOPMENT SERVICES

**Exhibit B**  
**2007 SCHEDULE**  
**of**  
**STANDARD FEES**  
**and**  
**REIMBURSABLE EXPENSES**

**Standard Fees** - Compensation to Stalzer and Associates for services provided will be billed on the following schedule:

	Hourly Rate	Full Day Rate
Bill Stalzer	\$125/hour	\$900
Senior Planner	\$105/hour	\$760
Planner	\$95/hour	\$675
Junior Associate	\$70/hour	\$500
Administrative Support.	\$45/hour	\$320

**Internal Expenses:** Internal office expenses will be billed at the following rates:

<u>Expense Item</u>	<u>Rate</u>
Photocopying	\$0.10/page
Facsimile	\$0.10/page

**Outside Services:**

Outside services including, but not limited to, word processing, printing, photocopying, delivery, graphic materials, and similar project-related expenses will be billed at actual cost plus ten per cent.

**Travel:**

Private automobile mileage will be billed at the rate of \$0.445/mile.



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** First Reading of Ordinance  
RB-1 Text Amendment

**Proposed Council Action:** Review Ordinance  
and approve at second reading.

**Dept. Origin:** Community Development

**Prepared by:** Tom Dolan  
Planning Director

**For Agenda of:** April 23, 2007

**Exhibits:** Draft Ordinance

Initial & Date

**Concurred by Mayor:** \_\_\_\_\_  
**Approved by City Administrator:** \_\_\_\_\_  
**Approved as to form by City Atty:** \_\_\_\_\_  
**Approved by Finance Director:** \_\_\_\_\_  
**Approved by Department Head:** \_\_\_\_\_

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

**INFORMATION / BACKGROUND**

This ordinance will allow multiple buildings of up to 5,000 square feet on lots that are zoned RB-1. The current RB-1 regulations permit a maximum of 5,000 square feet of building area per lot regardless of the size of the lot.

In 2004, the City Council sponsored an amendment to remove the 5,000 square feet per lot limitation on non residential buildings in the RB-1 and replace it with a per structure limitation. This proposal came after the City Council commissioned Perteet Engineering, Inc. to conduct a comprehensive review of the issue of building size limitations in Gig Harbor. Perteet recommended a change in the text for the RB-1 district because as the text is currently written it encourages the re-platting of oversized lots to maximize the land value. Limiting the structure size versus the lot size would encourage more comprehensive site development plans. Due to the view basin building size text amendments, this proposed amendment was tabled later in 2004.

The City Planning Commission considered the proposed text amendment at two meetings and voted on December 7, 2006 to recommend to the City Council that the text amendment be denied until such time as the City examines the existing RB-1 properties for possible rezoning.

The City Council discussed the Planning Commission's recommendation regarding the proposed text amendment at two meetings and voted on February 12, 2007 to conduct a public hearing on the proposed text amendment

**ENVIRONMENTAL ANALYSIS**

The SEPA Responsible Official issued a Determination of Non-Significance (DNS) on April 5, 2007, for the proposed amendments, two of the non-project GMA action, landscaping and setbacks amendments, as per WAC 197-11-340(2). The appeal period ends on April 25, 2007.

**FISCAL CONSIDERATION**

None

**BOARD OR COMMITTEE RECOMMENDATION**

The Planning Commission recommended denial of the text amendments until such time as the City examines the existing RB-1 properties for possible rezoning.

**RECOMMENDATION / MOTION**

**Move to:** Staff recommends approval of the ordinance at the second reading.

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

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, CHANGING THE REQUIREMENT THAT THE MAXIMUM BUILDING SIZE OF 5,000 SQUARE FEET IN THE RB-1 ZONE BE SATISFIED ON A PER STRUCTURE RATHER THAN PER LOT BASIS; AMENDING SECTION 17.28.050 OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, Section 17.28.050 of the Gig Harbor Municipal Code the maximum building size of structures on property in the Residential and Business district (RB-1) is 5,000 square feet per lot; and,

WHEREAS, the provisions of Section 17.28.050 do not consider the ~~parcel~~ lot size; and

WHEREAS, several of the lots currently zoned RB-1 are large enough in size to adequately support the construction of more than one 5,000 square foot structure; and

WHEREAS, the current maximum building size in the RB-1 zone have resulted in property owners subdividing their property to achieve a greater total building square footage; and

WHEREAS, after property has been subdivided it is more difficult to require projects to have a unified appearance; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) for the proposed amendments on April 5, 2007 pursuant to WAC 197-11-340, which was \_\_\_ appealed; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development on March 8, 2007 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission considered the proposed text amendments at two meetings and voted on December 7, 2006 to recommend to the City Council that the text amendment be denied until such time as the City examines the existing RB-1 properties for possible rezoning; and

WHEREAS, the City Council discussed the Planning Commission's recommendation regarding the proposed text amendment at two meetings and voted on February 12, 2007 to conduct a public hearing on the proposed text amendment; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on April 23, 2007; and

WHEREAS, the Gig Harbor City Council voted to approve this Ordinance during the second reading on May 14, 2007; Now, Therefore,

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

Section 1. Section 17.28.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.28.050 Minimum development standards.

In an RB-1 district, the minimum lot requirements are as follows:

	Residential	Nonresidential
A. Minimum lot area (sq. ft.)	7,200	15,000
B. Minimum lot width	70'	70'
C. Minimum front yard setback <sup>1</sup>	20'	20'
D. Minimum rear yard setback <sup>1</sup>	25'	15'
E. Minimum side yard setback <sup>1</sup>	7'	10'
F. Maximum impervious lot coverage	50%	60%
G. Minimum street frontage	20'	50'
H. Density	4 dwelling units/acre	
I. Maximum gross floor area	N/A	5,000 sq.ft. per lot
J. Separation between structures	20'	<u>20'</u>

JK. Any yard abutting a single-family residence shall be required to maintain a 30-foot wide dense vegetated screen.

<sup>1</sup>If the RB-1 district is located in the historic district defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply. Single-family dwellings in any RB-1 district outside the historic district are subject to the setback standards of GHMC 17.99.290.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

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

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

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, 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: \_\_\_\_\_



**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** First Reading and Public Hearing of three ordinances adopting text amendments recommended in Phase 1a of the Design Review Process Improvements Initiative (ZONE 07-0016, 07-0017 and 07-0018)

**Proposed Council Action:** Review ordinances and approve at second reading.

**Dept. Origin:** Community Development

**Prepared by:** Jennifer Kester *JK*  
Senior Planner

**For Agenda of:** April 23, 2007

**Exhibits:** Three Ordinances and Minutes of Joint Planning Commission and DRB meetings

Initial & Date

**Concurred by Mayor:** *GH 4/19/07*  
**Approved by City Administrator:** *PK 4/17/07*  
**Approved as to form by City Atty:** *CA 4/19/07*  
**Approved by Finance Director:** *N/A*  
**Approved by Department Head:** *JK 4/16/07*

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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**INFORMATION / BACKGROUND**

Attached for the Council's consideration are three draft ordinances, which if approved together, will adopt the recommendations identified in Phase 1a of the Design Review Process Improvements Initiative. The three ordinances will:

- 1) Amend the noticing requirements for Design Review Board meetings to align with the board's schedule and the City's official newspaper publishing requirements.
- 2) Relocate single-family and duplex dwelling setback requirements from GHMC 17.99.290, a section in the Design Manual, to the development standards of the individual zoning districts.
- 3) Relocate nursery-stock landscape requirements and tree protection methods from GHMC 17.99, the Design Manual to the Chapter 17.78 Landscaping and screening; amend the standards for tree protection barricades; and, amend Section 17.78.090 to clarify where enhancement corridor requirements are applicable.

In 2006 the Council approved two contracts with The Latimore Company, LLC (TLC) for an evaluation of the business procedures within the Community Development Department. In summary, the evaluation identified that the City of Gig Harbor's design review process was a constraint to new development. In January of 2007, the Council amended the contracts with TLC to facilitate the development of a series of text amendments that will refine the design review process and to facilitate a review of the Comprehensive Plan to ensure that the goals



and policies in the Design Element of the Comprehensive Plan are consistent with the values and desires of the City.

Design Review Process Improvements Initiative consists of two phases. Phase 1 focuses on process improvements for the existing Design Manual. Phase 2 focuses on Comprehensive Plan amendments needed to ensure that the goals of the citizens and City of Gig Harbor are reflected in the Design Element, Design Manual and design review process. On February 15, 2007, the Planning Commission kicked-off Phase 1 of the process. Developers, commission and board members, citizens and staff identified needed process improvements. The amendments included in Phase 1a are considered simple improvements that would remove existing code overlaps and hindrances, but have a great affect on the process for the applicant.

The Planning Commission held a public hearing on the proposed ordinances on March 15, 2007. There was no testimony at the public hearing. The Planning Commission voted unanimously to recommend approval of the draft ordinances. A copy of the minutes for the four (4) Planning Commission meetings related to Phase 1a are attached.

### **POLICY CONSIDERATIONS**

Zoning text amendments are addressed in Chapter 17.100 of the Gig Harbor Municipal Code. There are no criteria for approval of a zoning text amendment, but the Council should generally consider whether the proposed amendment furthers the public health, safety and welfare, and whether the proposed amendment is consistent with the Gig Harbor Municipal Code, the Comprehensive Plan and the Growth Management Act (chapter 36.70A RCW). Zoning text amendments are considered a Type V legislative action (GHMC 19.01.003).

### **Staff/Planning Commission Analysis:**

The proposed text amendments for Phase 1a of the Design Review Process Improvement Initiative consist of three ordinances:

- 1. Design Review Board meeting noticing:** The following process problems and improvements related to DRB noticing requirements have been identified:

#### *Identified Problem:*

The current noticing process for Design Review Board meetings requires that the agenda for a DRB public meeting close approximately 4 weeks prior to the meeting date due to the weekly publishing of the Gateway. The 4 week noticing process limits staff's flexibility in scheduling projects and often discourages applicants from going to the DRB, as they must wait 4 weeks while noticing occurs. If it weren't for the current noticing timeline, the agenda for a DRB meeting could close only two weeks prior and still provide adequate noticing.

#### *Proposed Process Improvement:*

Noticing of a DBR meeting would still consist of posting of the site, publishing in the Gateway and mailing to property owners within 300 feet; however, mailing to property owners would occur two weeks prior to the meeting, and posting/publishing would occur one week prior to the meeting. Changing the noticing timeline would allow faster processing of DRB applications, provide staff more flexibility in scheduling and would appeal to applicants considering DRB review.

- 2. Single-family and duplex dwelling setback requirements:** The following process problems and improvements related to the location of single-family and duplex dwelling setback requirements have been identified:

*Identified Problem:*

Setbacks for single-family development (which includes duplexes) are found in the Design Manual. Setbacks for multi-family and nonresidential are found in the zoning district chapters. Some zones that allow single-family and duplex development do not reference the Design Manual setbacks; however, the Design Manual standards apply to all single-family or duplex development. In addition, the DRB is not allowed to modify setbacks – they must be modified by the variance process; so there is no purpose for the location of single-family setbacks standards in the Design Manual. These conditions confuse developers as they do not know the correct setbacks or what process can be used to amend them. Since setbacks are typically located in the development standards of a zoning district chapter, developers are not aware to check the Design Manual.

*Proposed Process Improvement:*

The setbacks stated in GHMC 17.99.290, which are for single-family and duplex development, will be transferred to each zoning district chapter which allows single-family or duplex development. Historic district setbacks will be retained in the Design Manual as they are more closely tied to design standards.

- 3. Landscaping requirements:** The following process problems and improvements related to landscaping requirements have been identified:

*Identified Problem:*

Nursery-stock landscape requirements and tree protection methods are located in both the Design Manual and Chapter 17.78 Landscaping and Screening. Many of the nursery-stock landscape requirements and tree protection methods in the Design Manual are similar to the requirements of Chapter 17.78; however, the process for review of these standards varies substantially. Modification of Design Manual requirements requires DRB review; whereas, modification of Chapter 17.78 requirements requires either alternative landscape plan review (17.78.100) or a general variance. When an applicant wants to modify a requirement found in both codes, such as perimeter parking lot landscaping, the applicant must first go to the DRB and then must request an alternative landscape plan or variance. The dual processing makes the development review process cumbersome. In addition, it is not clear in the code that landscape standards exist in both chapters and, therefore, staff is often requesting revisions once an application is submitted.

Additionally, Section 17.78.090(A) does not clearly identify that screening requirements contained in this section apply to enhancement corridors only; there are some areas of the city where the Tacoma Power Cushman transmission line property is not adjacent to an enhancement corridor. This provides much confusion to applicants in that situation.

Finally, the tree protection barricade specifications (17.99.240(F)(1)) require 4x4 wood posts. Staff has seen where steel fence poles work just as well; is more cost effective; and, actually does a better job of protecting root systems (less ground disturbance for fence installation).

*Proposed Process Improvement:*

All nursery-stock landscape requirements and tree protection methods will be moved to Chapter 17.78. Section 17.78.090(A) will be amended to clearly identify applicability. The tree protection barricade specification will be amended to allow steel posts or 4x4 wood posts.

**ENVIRONMENTAL ANALYSIS**

The SEPA Responsible Official issued a Determination of Non-Significance (DNS) on April 4, 2007, for two of the non-project GMA action, landscaping and setbacks amendments, as per WAC 197-11-340(2). The appeal period ends on April 25, 2007. The City's SEPA Responsible Official issued a determination that the DRB noticing amendment is merely procedural and is therefore exempt from SEPA under WAC 197-11-800(20).

**FISCAL CONSIDERATION**

None

**BOARD OR COMMITTEE RECOMMENDATION**

The Planning Commission is recommending adoption of the three ordinances. The Design Review Board members are invited to attend and participate in the Planning Commission meetings on the Design Review Process Improvements Initiative. Those DRB members that attended the public hearing on these three ordinances were in support of their adoption.

**RECOMMENDATION / MOTION**

**Move to:** Staff recommends Council review the ordinances and approve at second reading.

**DRAFT ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE REQUIREMENTS FOR THE PROVISION OF PUBLIC NOTICE FOR DESIGN REVIEW BOARD MEETINGS TO ADDRESS SCHEDULING AND OTHER PRACTICAL ISSUES; AMENDING SECTION 17.98.050 OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, public meetings held by the design review board are required to be noticed in the same manner as public hearings for land use applications; and,

WHEREAS, in order to meet the noticing requirements of a public hearing, the agenda for design review board meetings must be finalized approximately 4 weeks prior to the meeting date; and

WHEREAS, finalizing the agenda four weeks prior to a meeting discourages applicants from using the design review board review process, as once a project is ready for DRB review it must wait four weeks before the meeting; and

WHEREAS, the four week noticing timeline does not align with the twice a month DRB meeting schedule; therefore, projects which require multiple meetings at the DRB, or have to reschedule a DRB meeting, may have to skip a normally scheduled meeting to allow for noticing requirements; and

WHEREAS, a two week noticing timeline will still allow for notice of property owners within 300 feet, posting the property and advertising in the city's official newspaper and would align with the design review board's twice-monthly schedule and reduce wait times for applicants; and

WHEREAS, reducing the four week advance noticing timeline does not affect the public's ability to be able to prepare for and attend the Design Review Board meetings, and even if any member of the public misses a notice for the Design Review Board, notice will be provided for the Hearing Examiner's open record public hearing at least four weeks in advance; and

WHEREAS, the City's SEPA Responsible Official issued a determination that the adoption of this Ordinance is merely procedural and is therefore exempt from SEPA under WAC 197-11-800(20); and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development on March 16, 2007 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on March 15, 2007 and made a recommendation of approval to the City Council; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on \_\_\_\_\_; and

WHEREAS, the Gig Harbor City Council voted to \_\_\_\_\_ this Ordinance during the second reading on \_\_\_\_\_; and

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

Section 1. Subsection 17.98.050(C)(5) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.98.050 Design review and project approval.**

\* \* \*

C. Design Review Board Recommendation. A design review application requesting review by the design review board shall be processed as follows:

1. The board shall review an application or that portion of an application which does not strictly conform to the specific requirements of Chapter 17.99 GHMC, Design Manual, under the following criteria:

a. Whether the alternative design presented by the application represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements; and

b. Whether the alternative design meets the intent of the general requirements of Chapter 17.99 GHMC, Design Manual. The design review board shall not review or make a recommendation on any application or portion of an application that does not satisfy all other applicable codes.

2. The board's processing of an application or portion of an application under this subsection is exempt from project permit processing in GHMC Title 19. If an applicant chooses to submit an application for review by the board, it shall submit a written waiver acknowledging that the application or portion thereof will not be processed under GHMC Title 19, except to the extent described in this subsection B.

3. If an applicant chooses to submit fewer than all categories from GHMC 17.98.040, the board shall only provide preliminary recommendations on each category. Once the city has received a complete application for all categories listed in GHMC 17.98.040, the board shall issue a final recommendation on those portions of the application submitted for design review board review. This recommendation may be different from the preliminary recommendation

provided on each of the categories listed in GHMC 17.98.040 with regard to each category.

4. A notice of complete application shall be issued on the application once the city has received a complete application (as described in GHMC 17.98.040). A notice of application shall be issued for any complete application processed under this subsection, as set forth in GHMC Title 19 for a Type III project permit application.

5. An application for the board's review of a category listed in GHMC 17.98.040 or a complete application shall proceed as follows:

a. Not less than 14 days prior to the meeting date, the planning staff shall send notice of a public meeting to property owners within 300 feet of the subject property and to others who have submitted comments and/or requested notice.

b. The public meeting shall be scheduled to be held in the same manner as a public hearing, as set forth in GHMC 19.03.003. Notice of the public meeting shall be posted on the subject property not less than 7 days prior to the meeting date. The posted notices shall be posted in the manner required by GHMC 19.03.001(A)(1).

c. Notice of the public meeting shall be published in the city's official newspaper not less than 7 days prior to the meeting date.

d. The notice of the public meeting shall contain all items listed in GHMC 19.03.003(A).

e. The board shall hold a public meeting on the application or the portion of the application.

f. After the public meeting, the city staff shall draft the board's preliminary recommendation or recommendation on the application or portion thereof.

g. Once the board makes a recommendation on a complete application has received a recommendation from the board, an open public hearing before the hearing examiner shall be scheduled for the application or both the application and the underlying permit application.

h. Notice of the public hearing before the hearing examiner shall be sent as provided in GHMC 19.03.003.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

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

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, 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: \_\_\_\_\_

**DRAFT ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, RELOCATING SETBACKS FOR SINGLE-FAMILY DWELLINGS AND DUPLEXES FROM CHAPTER 17.99, THE DESIGN MANUAL, TO THE DEVELOPMENT STANDARDS OF INDIVIDUAL ZONING DISTRICTS IN TITLE 17; AMENDING SECTIONS 17.99.290, 17.16.060, 17.17.040, 17.20.040, 17.21.040, 17.24.050, 17.28.050, 17.30.050, 17.36.060, AND 17.40.080 OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the required setbacks for single-family residential development are found in Chapter 17.99, the Design Manual, which provides for a design review board process; and,

WHEREAS, the Design Review Board has no authority to consider or recommend approval of any deviation from minimum setbacks standards, pursuant to GHMC 17.99.030(B); and

WHEREAS, approval to deviate from minimum setback standards must be obtained through the variance process defined in Chapter 17.66 GHMC and not through the design review board process; and

WHEREAS, the City applies single-family setback standards to duplex dwellings pursuant to GHMC 17.20.070, 17.24.040, 17.46.090, 17.48.090(F), and 17.50.090(E); and

WHEREAS, the performance standards of the individual zoning district do not always reference that the setbacks for single-family and duplex dwelling are found in Chapter 17.99, the Design Manual; and

WHEREAS, the standards contained in Chapter 17.99, the Design Manual prevail in those cases where the standards of other chapters of GHMC Title 17 contradict or are different than the standards in Chapter 17.99 GHMC, pursuant to GHMC 17.98.020; and

WHEREAS, the City desires to relocate the single-family and duplex setbacks from Chapter 17.99, the Design Manual, to the development standards of individual zoning districts for ease of reference and application by staff and applicants; and

WHEREAS, the City's SEPA Responsible Official issued a DNS for the proposed amendments on April 4, 2007 pursuant to WAC 197-11-340, which was \_\_\_\_\_ appealed; and



2. Single-family and duplex dwelling setback requirements

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development on March 16, 2007 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on March 15, 2007 and made a recommendation of approval to the City Council; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on \_\_\_\_\_; and

WHEREAS, the Gig Harbor City Council voted to \_\_\_\_\_ this Ordinance during the second reading on \_\_\_\_\_; and

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

Section 1. Section 17.99.290 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.290 Residential setbacks.**

The following standards apply to all single-family residential development outside the historic district and all multifamily development city-wide. In order to deviate from minimum setback standards, approval must be obtained through the variance process defined in Chapter 17.66 GHMC and not through the design review process.

**A. Conform to single-family setback requirements.\***

Single-family development shall comply with the setbacks defined for each zone in GHMC Title 17. The following minimum Single-family setbacks are intended to give greater emphasis to front entrances and porches while keeping the garage a subordinate element in the house design. Garages may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

FRONT SETBACK..... House — 20 feet  
Porch — 12 feet  
Garage — 26 feet  
SIDE SETBACK..... 8 feet\*\*  
REAR SETBACK..... 30 feet\*\*

~~\* In the PCD-RMD district, the following setbacks apply to single-family development:~~

~~\* FRONT SETBACK..... House — 15 feet  
Porch — 12 feet~~

2. Single-family and duplex dwelling setback requirements

- ~~\* SIDE SETBACK.....~~ ~~5 feet~~
- ~~\* REAR SETBACK.....~~ ~~15 feet, except that garages may be within three feet of an alley easement.~~

~~\*\* Garages may be located in the defined side and rear yards provided they conform to the criteria in GHMC 17.99.490(A)(1).~~

Section 2. Section 17.16.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.16.060 Development standards.**

In an R-1 district, the minimum lot requirements are as follows:

- A. Minimum lot area per building site for short plats<sup>1</sup> 7,200 sq. ft.
- B. Minimum lot width<sup>1</sup> 70'
- C. Minimum front yard setback<sup>2</sup> House: 20'  
Porch: 12'  
Garage: 26'
- D. Minimum rear yard setback<sup>2, 3</sup> 30'
- E. Minimum side yard setback<sup>2, 3</sup> 8'

<sup>1</sup>A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7 percent of the lot area, in lineal feet.

<sup>2</sup>As defined in GHMC 17.99.290 and 17.99.320. Development in the historic district shall comply with the setbacks defined in GHMC 17.99.310 and 17.99.320.

<sup>3</sup>Garages may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

Section 3. Subsection 17.17.040(B)(4) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.17.040 Performance standards.**

\* \* \*

B. General.

- 1. Maximum density is four dwelling units per structure in attached single-family dwellings.
- 2. Each unit must have individual private yards or courts enclosed by a wall, berm or dense landscaping.
- 3. Private easements shall be required for all zero lot line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.
- 4. Minimum yards (from the property lines): ~~as defined in GHMC 17.99.290.~~





impervious surface coverage of the subdivision does not exceed 65 percent.

5. Landscaping. Landscaping shall comply with the requirements of Chapters 17.78 and 17.99 GHMC and ~~GHMC 17.99.250~~, except that buffer dimensions shall be reduced to 10 feet when the proposed use is adjacent to a similar use or zone which includes a platted buffer of equal or greater width.

6. Circulation/Roads/Streets. Residential development which provides pedestrian linkages to and within common open space trails systems may be waived from the requirements in the city's public works standards for public sidewalks, curbs and gutters within the residential development, in whole or in part, upon approval of the public works director.

7. Design. All development shall comply with the standards of Chapter 17.99 GHMC.

8. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

Section 6. Section 17.24.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.24.050 Development standards.**

In an R-3 district, the minimum lot requirements are as follows:

	<u>Single-family and duplex dwellings</u>	<u>Other residential and nonresidential</u>
A. Minimum lot area for short plats <sup>1</sup>	5,400 sq. ft./dwelling unit	
B. Minimum lot width <sup>1</sup>	<u>50'</u>	50'
C. Minimum front yard <sup>2</sup>	<u>House: 20'</u> <u>Porch: 12'</u> <u>Garage: 26'</u>	20'
D. Minimum side yard <sup>4</sup>	<u>8'</u>	7'
E. Minimum rear yard <sup>4</sup>	<u>30'</u>	25'
F. Maximum site coverage	60% of the total lot area	
G. Maximum density <sup>3</sup>	8 dwelling units/acre	

<sup>1</sup>A minimum lot area is not specified for subdivisions of five or more lots. The minimum lot width shall be 0.7 percent of the lot area, in lineal feet.

<sup>2</sup>In the case of a corner lot, the owner of such lot may elect any property line abutting on a street as the front property line; provided, such choice does not impair corner vision clearance for vehicles and shall not be detrimental to adjacent properties as determined by the planning and public works directors.

<sup>3</sup>A maximum density of up to 10.4 dwelling units per acre may be permitted within a planned residential development, pursuant to Chapter 17.89 GHMC.

<sup>4</sup>Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

Section 7. Section 17.28.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.28.050 Minimum development standards.**

In an RB-1 district, the minimum lot requirements are as follows:

	<u>Single-family Dwellings</u>	<u>Other Residential</u>	<u>Nonresidential</u>
A. Minimum lot area (sq.ft.)	<u>7,200</u>	7,200	15,000
B. Minimum lot width	<u>70'</u>	70'	70'
C. Minimum front yard setback <sup>1</sup>	<u>House: 20'</u> <u>Porch: 12'</u> <u>Garage: 26'</u>	20'	20'
D. Minimum rear yard setback <sup>1,2</sup>	<u>30'</u>	25'	15'
E. Minimum side yard setback <sup>1,2</sup>	<u>8'</u>	7'	10'
F. Maximum impervious lot coverage	<u>50%</u>	50%	60%
G. Minimum street frontage	<u>20'</u>	20'	50'
H. Density	4 dwelling units/acre	4 dwelling units/acre	
I. Maximum gross floor area	<u>N/A</u>	N/A	5,000 sq. ft. per lot

<sup>1</sup>If the RB-1 district is located in the historic district defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply. ~~Single-family dwellings in any RB-1 district outside the historic district are subject to the setback standards of GHMC 17.99.290.~~

<sup>2</sup> Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

J. Any yard abutting a single-family residence shall be required to maintain a 30-foot-wide dense vegetated screen.

Section 8. Section 17.30.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.30.050 Development standards.**

In an RB-2 district, development standards shall be satisfied for all new and redeveloped uses requiring site plan review:

	<u>Single-family and duplex dwellings</u>	<u>Other residential and nonresidential</u>
A. Minimum lot area:	<u>12,000 square feet</u>	12,000 square feet
B. Minimum lot width:	<u>70 feet</u>	70 feet
C. Front yard setback:	<u>House: 20 feet</u> <u>Porch: 12 feet</u> <u>Garage: 26 feet</u>	20 feet
D. Side yard setback <sup>1</sup> :	<u>eight feet</u>	eight feet

2. Single-family and duplex dwelling setback requirements

E. Rear yard setback<sup>1</sup>: 30 feet 15 feet

F. Any nonresidential yard abutting an existing residential use or zone: 40 feet with dense vegetative screening. Easements not having dense vegetative screening are not included;

G. Maximum density: Eight dwelling units per acre permitted outright; 12 dwelling units per acre allowed as a conditional use.

<sup>1</sup> Garages accessory to single-family and duplex dwellings may be located in the defined side and rear yards, provided they conform to the criteria in GHMC 17.99.490(A)(1).

Section 9. Section 17.36.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.36.060 Minimum building setback requirements.**

	<u>Single-family and duplex dwellings</u>	<u>Other residential and nonresidential</u>
A. Front yard*	<u>House: 20 feet</u> <u>Porch: 12 feet</u> <u>Garage: 26 feet</u>	20 feet
B. Rear yard*	<u>30 feet</u>	20 feet
C. Side Yard*	<u>8 feet</u>	1- Interior yards, 5 feet 2- Flanking street, 10 feet
D. Separation between structures	<u>20 feet</u>	20 feet
E. Any yard abutting residential development,	30 feet with dense vegetative screening.	

\*If the B-2 district is located in the historic district as defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply.

Section 10. Section 17.40.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.40.080 Minimum building setback requirements.**

~~In a C-1 district, there are no minimum requirements for front, side and rear building setbacks, except that C-1 districts located in the historic district defined in Chapter 17.99 GHMC are subject to the setbacks defined in GHMC 17.99.310 and 17.99.320. Outside the historic district, setback dimensions shall be determined as part of the site plan reviews of Chapter 17.96 GHMC. Where a C-1 district abuts a residential district, the minimum yard shall be 30 feet with a dense vegetative screen located on the commercial property. The minimum separation between commercial structures on the same site shall be 20 feet.~~

	<u>Single-family and duplex dwellings</u>	<u>Other residential and nonresidential</u>
A. Front yard <sup>1</sup>	<u>House: 20 feet</u>	<u>Front, side and rear</u>

2. Single-family and duplex dwelling setback requirements

	Porch: 12 feet	building setbacks shall
	Garage: 26 feet	be determined as part of
B. Rear yard <sup>1</sup>	30 feet	site plan review,
C. Side Yard <sup>1</sup>	8 feet	Chapter 17.96 GHMC
D. Separation between structures	N/A	20 feet

E. Any yard associated with a nonresidential development abutting a residential district shall be 30 feet with a dense vegetative screen located on the nonresidential property.

<sup>1</sup>If the C-1 district is located in the historic district as defined in Chapter 17.99 GHMC, the setbacks defined in GHMC 17.99.310 and 17.99.320 shall apply.

Section 10. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 11. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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



2. Single-family and duplex dwelling setback requirements

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

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

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, RELOCATING REQUIREMENTS FOR NURSERY-STOCK LANDSCAPING AND TREE PROTECTION METHODS FROM CHAPTER 17.99, THE DESIGN MANUAL, TO CHAPTER 17.78, LANDSCAPING AND SCREENING; AMENDING TREE PROTECTION BARRICADE STANDARDS TO ALLOW STEEL POST CHAIN LINK FENCING; CLARIFYING THAT BUFFER REQUIREMENTS ALONG SR-16, THE TACOMA POWER CUSHMAN TRANSMISSION LINE PROPERTY AND SR-16 INTERCHANGES APPLY ONLY IN THE ENHANCEMENT CORRIDOR; REPEALING SECTION 17.99.250; AMENDING SECTIONS 17.99.240, 17.99.330, 17.78.050, 17.78.060, 17.78.070, 17.78.080, 17.78.090, 17.78.095, 17.78.120, 17.15.090, 17.21.040, 17.28.090, 17.30.110, 17.31.110, 17.32.120, 17.36.120, 17.40.120, 17.41.030, 17.45.040, 17.48.090, 17.50.090, 17.54.030, 17.91.040 AND 17.99.220; ADDING NEW SECTIONS 17.78.045 AND 17.78.105 TO THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the development standards for new nursery-stock landscaping and tree protection methods can be found in both Chapter 17.99, the Design Manual, and Chapter 17.78 Landscaping and Screening; and,

WHEREAS, the process to deviate from the specific standards found in the Design Manual requires review by the Design Review Board; and

WHEREAS, the process to deviate from the development standards found in the Chapter 17.78, Landscaping and Screening requires either review by the Planning Director for an alternative landscape plan, per GHMC 17.78.100 or review by the Hearing Examiner for a general variance, per GHMC 17.66; and

WHEREAS, many of the requirements in the Design Manual are similar in subject to the requirements in the Landscaping and Screening chapter of the zoning code, such as parking lot landscaping, landscape maintenance and tree protection; and

WHEREAS, these similar nursery-stock landscape requirements and tree protection methods often require applicants to pursue multiple processes to deviate from the same or similar standards; and

WHEREAS, the City desires to locate all nursery-stock landscape requirements and tree protection methods in the same chapter of the zoning code so that process for review of these standards is consistent and transparent to applicants; and

WHEREAS, locating all nursery-stock landscape requirements and tree protection methods in Chapter 17.78, Landscaping and Screening rather than in the Design Manual decreases the development review timeframe and maintains all landscape requirements; and

WHEREAS, the City requires temporary tree protection barricades to be composed of chain link fence attached to 4" by 4" wood posts a minimum of 4 feet in height; and

WHEREAS, 4" by 4" wood posts require digging of post holes near tree roots, which increase the chance of damage to the trees; and, the installation of wood posts increases the time spent by developers installing the fencing; and

WHEREAS, the City desires to amend the tree protection requirements to allow chain link attached to steel posts to reduce ground disturbance, better reflect construction practices and still provide sturdy tree protection fencing; and

WHEREAS, GHMC Section 17.78.090, which lists the requirements for buffering from SR-16, Tacoma Power property and SR-16 interchanges, indicates that Enhancement Corridor buffering requirements as set forth in GHMC 17.99.160, apply to areas of the City which are not part of an enhancement corridor; and

WHEREAS, the City desires to amend GHMC Section 17.78.090 to clarify that the buffer requirements along SR-16, the Tacoma Power Cushman transmission line property and SR-16 interchanges, apply only if the subject property is in the enhancement corridor; and

WHEREAS, the City's SEPA Responsible Official issued a DNS for the proposed amendments on April 4, 2007 pursuant to WAC 197-11-340, which was \_\_\_\_\_ appealed; and

WHEREAS, the City Community Development Director forwarded a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development on March 16, 2007 pursuant to RCW 36.70A.106; and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on March 15, 2007 and made a recommendation of approval to the City Council; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on \_\_\_\_\_; and

WHEREAS, the Gig Harbor City Council voted to \_\_\_\_\_ this Ordinance during the second reading on \_\_\_\_\_; and

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

Section 1. Section 17.99.240 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.240 Natural site conditions.**

Site development should be designed to reflect the natural conditions of the site, including topography and existing vegetation. The following standards will help to achieve this, and are applicable to all development.

**A. Limit clearing of vacant parcels to no more than 50 percent of significant vegetation and retain vegetation in all required buffers and setbacks.**

Clearing limitations apply to all vacant parcels with no approved site plan or building permit for development.

**B. Retain natural vegetation on underdeveloped portions of sites with approved site plan.**

Clearing of underdeveloped portions of approved site plans is not permitted until building permits for development of those areas have been issued.

**C. Maintain natural topography.**

Buildings and parking lots shall be designed to fit natural slopes rather than regrading the slope to fit a particular building or parking lot design. Cuts and fills on a site shall be balanced and finished grades shall not include any retaining walls that exceed six feet. Instead, designs shall complement and take advantage of natural topography. Sloped lots may require multileveled buildings, terraced parking lots and/or lower level parking garages.

**D. Incorporate approximately 20 percent of significant vegetation into site plan.**

On nonresidential and multifamily sites, at least 20 percent of natural significant vegetation shall be incorporated into required landscaping and retained indefinitely. The 20 percent calculation shall be based upon significant vegetation currently on the site and which has been cleared from the site within the past five years. In conjunction with the 20 percent retention requirement, the following options may be applied to other landscaping requirements of this chapter.

**1. REDUCED LANDSCAPING REQUIREMENTS**

Clusters of natural vegetation which form a continuous canopy at least 15 feet deep (average) and at least 20 percent of the parcel size (measured from the outer edges of the trunks) will meet the requirements for on-site trees; provided, that screening and buffering requirements otherwise required are met. All other landscaping requirements must be adhered to.

**2. REDUCED PARKING STALL DIMENSIONS**

Parking stalls adjacent to protected trees may be reduced to eight feet by 16 feet to avoid encroachment into tree root zones.

### 3. ENCROACHMENT INTO SETBACKS

Structures and parking areas may encroach into required setbacks if it can be shown that such encroachment allows significant trees or tree clusters to be retained. Encroachment shall be the minimum encroachment necessary to protect specified trees. In no case shall the yard be reduced to less than five feet. (Not applicable to single-family development or to development subject to zone transition standards.)

#### **E. Provide adequate protection for retained vegetation.**

~~Identify how retained trees will be protected both during and after construction.~~

##### ~~1. LOCATION OF STRUCTURES~~

~~Buildings, retaining walls, utilities and paved surfaces must be far enough away from retained trees to allow room for construction activities (including grading and excavation) and to assure a proper growth environment after construction.~~

##### ~~2. AREA OF CONSTRUCTION~~

~~In no case shall construction activities take place within the drip line of the tree without extra precautions as recommended by a certified arborist. A tree's "drip line" is the most extreme reach of its branches beyond its trunk, or one foot of space from the trunk for every inch of trunk diameter as measured 4.5 feet above grade, whichever is greater.~~

##### ~~3. TREE WELL~~

~~Provide a tree well or other form of protection where the surrounding grade must be raised.~~

#### **F. Protect existing trees during construction.**

~~Significant vegetation to be retained must be protected during construction by installation of a protective barricade. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade BEFORE major excavation with heavy equipment begins.~~

##### ~~1. BARRICADE REQUIREMENTS~~

~~The barricade must be made of four-inch by four-inch post with chain link fence attached. Fence posts shall be eight feet on center connected with two-inch by four-inch top rails or equivalent support system. Fence height must be a minimum of four feet high.~~

#### **G E. Replace lost trees which were intended to be retained.**

Any tree proposed or required to be retained and which is subsequently lost or destroyed must be replaced with at least three six-foot trees or one 18-foot tree or one 12-foot plus one six-foot tree of the same species.

#### **H F. Avoid tree topping. Retain the natural symmetry of trees.**

~~Topping or trimming trees in a manner that alters the natural symmetry of a tree is not allowed unless necessary for safety reasons as certified by an ISA-certified arborist. Trimming of trees shall be done in a manner that preserves the tree's~~

natural symmetry. Topping is prohibited unless recommended by an ISA certified arborist for health or safety reasons. Limbing-up may be appropriate if sufficient crown is retained to preserve the tree's fullness and health.

**G. Maintain health and fullness of natural vegetation and buffer areas.**

Areas of natural vegetation shall be retained over time. To ensure this, volunteer saplings of coniferous trees should be allowed to grow to replace older, less healthy trees. However, it may be prudent to thin out some saplings to avoid overcrowding if existing trees are healthy and full. A healthy and typical spacing of larger trees in a natural or forested setting is about 12 to 15 feet on center.

Selective thinning and maintenance may be allowed if this spacing is retained, subject to city planning staff approval. The order of preference in trees to be retained under a thinning maintenance program is:

1. Healthy coniferous and madrone trees with a 10-inch or greater trunk diameter;
2. Healthy coniferous and madrone trees with a six-inch or greater trunk diameter;
3. Smaller saplings of coniferous trees; and
4. Deciduous trees.

No trees shall be removed under a thinning and maintenance program if such removal results in tree spacing greater than 15 feet on center, except to remove dying or dangerous trees as determined by a certified arborist. Full under-story shrubbery shall be retained, except to thin out non-native species (e.g., blackberry, scotch broom).

Section 2. Section 17.99.250 of the Gig Harbor Municipal Code is hereby repealed.

Section 3. Section 17.99.330 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.330 Parking lot standards.**

The following standards apply to all nonresidential uses and development.

**A. Use landscaping to screen parking and service areas.**

To soften the visual impact from the street, parking lots and other expansive pavement areas shall include a wall, solid hedge or landscape berm which is at least three feet high and parallel to the right of way (conforming to clear vision requirements at driveway entrance).

**B-A. Limit the number of curb cuts.**

To maximize landscaping at the street face, curb cuts for driveways shall be limited to one cut per parcel frontage or one cut per 200 feet of parcel frontage,

subject to public works standards driveway separation requirements. An additional cut is allowed if the driveway is one-way. Where available, side streets or alleys should be used for additional access needs.

**C.B. Limit driveway widths to maximize landscaping at the streetface.**

To further maximize landscaping at the street face, one-lane driveways may be no wider than 15 feet, two-lane driveways may be no wider than 24 feet and three-lane driveways may be no wider than 34 feet except that necessary flaring of the driveway may occur between the inner edge of the sidewalk and the gutter.

**D. Screen or enhance parking lots visible from SR 16.**

~~Parking lots designed for more than 16 cars shall either be completely screened from SR 16 or be partially screened under the provisions of the enhancement corridor standards in GHMC 17.99.160.~~

**E. Provide continuous tree canopy throughout parking lot.**

~~Parking lots shall include a continuous canopy of trees around their perimeter (20 feet on-center minimum spacing), and shall also include trees within the parking lot as follows:~~

- ~~1. A continuous row of trees, spaced 20 feet on-center, located between each parking row in a minimum fivefoot wide continuous landscape strip; or~~
- ~~2. Two trees at each end of parking rows and between every nine parking stalls (18 if double loaded) in planted areas of at least 250 square feet each.~~
- ~~3. For industrial buildings only, a continuous canopy of trees is not required if the number of trees otherwise required under subsections (E)(1) or (E)(2) of this section are provided around the perimeter of the parking lot, along with any other required perimeter landscaping.~~

**F.C. Conform to lighting standards in GHMC 17.99.350.**

**G.D. Incorporate pedestrian ways into parking lot.**

Pedestrian ways, including walkways and crosswalks, shall conform to the on-site walkway requirements in GHMC 17.99.260 and 17.99.270.

**H.E. Minimize parking in front of buildings (IBE).**

No more than 50 percent of required parking may be located forward of the front facade of a building. In this context, the front facade of the building shall be any side facing or abutting the street providing primary access to the site. If a site has frontage on more than one street providing primary access, it shall be the longest of its street frontages.

**I.F. Avoid parking in front of building's entrance.**

Parking spaces in front of the main building entrance interfere with entrance visibility and access and are prohibited.

**J-G. Minimize driveway encroachments into setback areas.**

Driveways running perpendicular to property lines may cut through perimeter area landscaping in setback areas, but they may not run parallel to property lines through perimeter landscaping in setback areas.

**K-H. Avoid parking near street corners.**

Parking lots shall be no closer than 40 feet to any parcel corner where two streets converge.

Section 4. A new Section 17.78.045 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.78.045 General Provisions.**

A. Plant Compatibility. All new plantings must be of a type which will thrive amid existing vegetation without killing or overtaking it. Incompatible plants which require different planting environments or microclimates shall not be mixed. Haphazard mixture of textures, colors and plant types should be avoided. Invasive, nuisance plants on the noxious weed list (state and Pierce County) are prohibited.

B. Irrigation. Planting areas with nursery stock or transplanted vegetation shall include an automatic mechanical irrigation system designed for full coverage of the planting area. Exceptions may be granted for xeriscape plans which require little or no supplemental irrigation. Xeriscape plans shall be prepared by a licensed landscape architect and shall be approved by the planning director.

C. Wall coverage. Blank walls shall include a narrow planting area, where feasible, with shrubs or vines (espaliers) giving coverage to the wall.

D. Preservation of significant views. Views and vistas from public rights-of-way shall be considered when determining placement of vegetation. While it is not the intent to avoid all trees in the foreground of a view, consideration should be given to the expected height of tree and how they might be located to "frame" the view.

Section 5. Section 17.78.050 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.050 Preservation of significant trees and native vegetation.**

A. Retention. In the required perimeter landscaping area, applicants shall retain all significant vegetation as defined in ~~Chapter 17.99~~ GHMC 17.99.590. The city encourages retention of trees on the remaining portions of the project sites as well.

If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree. Proof of professional design may be required; ~~or,~~



B. Encroachment into Drip Line. No construction activities shall take place within the drip line of a tree to be retained without extra precautions as recommended by a certified arborist. The applicant may install impervious or compactible surface within the area defined by the drip line ~~of any tree to be retained~~ if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees. (See the definition of "drip line" in ~~the glossary to Chapter 17.99~~ GHMC 17.99.590.)

C. Other Existing Vegetation. Retention of other existing vegetation for landscaping is strongly encouraged; however, it must be equal to or better than available nursery stock.

D. Areas of native vegetation which are designated as landscape or buffer areas, or which are otherwise retained under the provisions of Chapter 17.99 GHMC, shall be subject to a 10-foot-wide no-construction zone and shall be protected by a protective barricade as defined in GHMC 17.99.240(F) subsection (E) of this section. Clearing, grading or contour alteration is not permitted within this no-construction area unless a qualified arborist provides written documentation that proposed construction activity within the 10-foot setback will not harm existing vegetation within the designated landscape or buffer area.

E. Tree protection barricade. All significant vegetation to be retained must be protected during construction by installation of a protective barricade. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation with heavy equipment begins. The barricade must be made of cylindrical steel posts or four-inch by four-inch wood posts with chain link fence attached. Fence posts shall be eight feet on center connected with two-inch by four-inch top rails or equivalent support system. Fence height must be a minimum of four feet high.

Section 6. Section 17.78.060 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.060 Requirements for residential landscaping.**

A. Perimeter Areas.

1. Notwithstanding other regulations found in this chapter, perimeter areas shall be landscaped. The required width of perimeter areas to be landscaped shall be at least the depth of the required yard or setback area. Areas to be landscaped shall be covered with live plant materials which will ultimately cover 75 percent of the ground area, within three years. One deciduous tree a minimum of two-inch caliper or one six-foot evergreen or three shrubs which should attain a height of three and one-half feet within three years shall be provided for every 500 square feet of the area to be landscaped.

2. A minimum of 40 percent of the required plantings shall be evergreen trees a minimum of six feet in height for properties located within the boundaries of the height overlay district referenced in Chapter

17.62 GHMC. Trees shall be of a species that will ultimately grow to the height of the planned building. In the selection of trees and shrubs, consideration should be given to overall aesthetic impacts at maturity.

B. Buffer Areas. All residential plats shall have a minimum 25-foot buffer consisting of a dense vegetated screen; shall be required along the perimeters of the plat, and the buffer shall be established as a covenant on the final plat. The screening may be achieved through any one or a combination of the following methods:

1. A solid row of evergreen trees or shrubs;
2. A solid row of evergreen trees and shrubs be planted on an earthen berm;
3. A combination of trees or shrubs and fencing where the amount of fence does not exceed 50 percent of the lineal distance of the side to be buffered as well as other plant materials, planted so that the ground will be covered within three years;
4. Use of existing native vegetation which meets the definition of dense vegetative screen.

C. Parking Areas. Parking areas shall be landscaped subject to the standards for parking lots found in ~~Chapter 17.72 GHMC~~ GHMC 17.78.080 and ~~subject to the standards of GHMC 17.99.330.~~

Section 7. Section 17.78.070 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.070 Requirements for nonresidential uses.**

A. Perimeter Areas.

1. Notwithstanding other regulations found in this chapter, perimeter areas shall be landscaped. The required width of perimeter areas to be landscaped shall be the required yard or setback area or a total area equivalent to the required yards. Areas to be landscaped shall be covered with live plant materials which will ultimately cover 75 percent of the ground area within three years. One deciduous tree of a minimum of two-inch caliper or one six-foot high evergreen tree or three shrubs which will attain a height of three and one-half feet within three years shall be provided for every 300 square feet of area to be landscaped.

2. A minimum of 40 percent of the required plantings shall be evergreen trees a minimum of six feet in height. ~~For~~ For properties located within the boundaries of the height overlay district referenced in Chapter 17.62 GHMC. ~~T~~ T trees shall be of a species that will ultimately grow to the height of the planned building.

B. Buffer Areas. Where a development subject to these standards is contiguous to a residential zoning district, the zone transition standards of GHMC 17.99.180 shall be met. Where a nonresidential development abuts a residential development in the same zone, then that required perimeter area shall be landscaped the full width of the setback areas as follows:

1. A solid screen of evergreen trees or shrubs;

2. A solid screen of evergreen trees and shrubs be planted on an earthen berm an average of three feet high along its midline;

3. A combination of trees or shrubs and fencing where the amount of fence does not exceed 50 percent of the lineal distance of the side to be buffered as well as other plant materials, planted so that the ground will be covered within three years.

C. Areas Without Setbacks.

1. In those areas where there is no required front yard setback or where buildings are built to the property line, development subject to this chapter shall provide a street trees at an interval of one every 20 feet or planter boxes at the same interval or some combination of trees and boxes, or an alternative.

2. Street trees shall be a minimum caliper of two inches and be a species approved by the city and installed to city standards. Planter boxes shall be maintained by the property owners and shall be of a type approved by the city.

D. Parking Area. Parking areas shall be landscaped subject to the standards for parking lots found in GHMC 17.78.080 ~~and subject to the standards of GHMC 17.99.330.~~

Section 8. Section 17.78.080 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.080 Parking lot and service area landscaping and screening.**

The standards of this section shall apply to public and private parking lots, paved service areas, residential parking areas providing spaces for more than 10 cars and all nonresidential uses of land and development.

A. Perimeter Landscaping. In order to soften the visual effects or separate one parking area or paved service area from another or from other uses, the following standards apply:

1. Adjacent to a street or road, the minimum width shall be equal to the required yard for the underlying land use or a strip 10 feet wide, whichever is greater. On all other perimeters the depth shall be a minimum of five feet.

2. Visual screening through one or any of a combination of the following methods:

a. Planting of living ground cover as well as shrubs or small trees which will form a solid vegetative screen at least three feet in height, or

b. Construction of a barrier fence or wall to a height of three feet combined with low-planting or wall-clinging plant materials. Materials should be complementary to building design, or

c. Earth mounding or berms having a minimum height of three feet and covered with shrubs and trees.

3. A continuous canopy of trees shall be planted around the perimeter spaced 20 feet on-center.

~~B. Other Landscaping Required.~~ In addition to the screening required above, nonresidential parking lots shall conform to the landscape standards of ~~GHMC 17.99.330. Interior Parking Lot Landscaping.~~ A continuous canopy of trees shall be planted within the interior of a parking lot as follows:

1. A continuous row of trees, spaced 20 feet on-center, located between each parking row in a minimum five foot wide continuous landscape strip; or

2. Two trees at each end of parking rows and between every nine single-loaded parking stalls, or 18 for double-loaded parking stalls, in planted areas of at least 125 square feet each for single-loaded, or 250 square feet each for double-loaded parking stalls.

3. For buildings eligible for an industrial building exemption, as defined in GHMC 17.99.040, a continuous canopy of interior parking lot trees is not required if the number of trees otherwise required under subsections (B)(1) or (B)(2) of this section are provided around the perimeter of the parking lot, along with any other required perimeter landscaping.

C. Downtown Parking Lots. In addition to the standards of ~~GHMC 17.99.330 subsection (B) of this section~~, parking lots located within the downtown area shall conform to the following:

1. Provision of a minimum of five-foot wide landscaping strip intended to screen and soften the visual impacts of parking lots. Screening may be accomplished through any of the methods described under subsection (A)(2) of this section. In addition to screening, street trees a minimum of two-inch caliper shall be provided at 20-foot intervals.

2. In those instances where parking areas are bordered by more than one street, the strip required in subsection (C)(1) of this section shall only apply to the longest side. All other sides must be screened with a wall, fence, vegetative buffer or combination of these elements at a minimum height of three and one-half feet. The street tree requirements will pertain.

3. In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be as established in the city of Gig Harbor public works standards.

D. Tree Size and Placement. Trees required under the provisions of ~~GHMC 17.99.330 subsections (A)(3) and (B) of this section~~ shall have a clear trunk to a height of at least six feet above the ground and shall have a minimum of a two-inch caliper at planting. ~~unless otherwise specified~~ Trees shall be planted no closer than four feet from pavement edges where vehicles overhang planted areas.

E. Shrubs and Ground Cover. Required landscaped areas remaining after tree planting shall be planted in shrubs and/or ground cover. The

distribution of plants shall be adequate to ultimately achieve 75 percent ground coverage within three years of plantings.

F. Vehicle Overhang. Parked vehicles may overhang landscaped areas up to two feet by wheel stops or curbing.

Section 9. Section 17.78.090 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.090 Screening/buffering from SR-16, the Tacoma City Light right-of-way Tacoma Power Cushman transmission line property and SR-16 interchanges.**

A. All development of properties adjacent to SR-16, the Tacoma City Light right-of-way, Tacoma Power Cushman transmission line property, and SR-16 interchange ramps shall be required to leave a buffer between the property line and any development. This buffer shall be a minimum of 30 feet in depth and shall only apply when the property is also within the Enhancement Corridor. The buffer shall conform to all enhancement corridor standards defined in GHMC 17.99.160.

B. Adjacent to SR-16 interchange ramps landscape buffering shall be done according to the standards for perimeter landscaping for residential and nonresidential development. The buffer area shall be covered with live plant materials which will ultimately cover 75 percent of the ground cover within three years. One deciduous tree of a minimum of two-inch caliper or one six-foot evergreen or three shrubs which will attain a height of three and one-half feet within three years shall be provided for every 500 square feet of the area to be landscaped. Forty percent of the required planting shall be evergreen trees a minimum of six feet in height and of a species that will grow to the height of the buildings in the development. All significant vegetation as defined in ~~Chapter 17.99~~ GHMC 17.99.590 shall be retained.

C. Parking lots designed for more than 16 cars shall either be completely screened from SR 16 or be partially screened under the provisions of the enhancement corridor standards in GHMC 17.99.160.

Section 10. Section 17.78.095 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.095 Waterfront view corridor landscaping.**

Within the waterfront view corridor, hedges shall conform to the height limits for fences defined in ~~Chapter 17.99~~ GHMC 17.99.340.

Section 11. A new Section 17.78.105 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

**17.78.105 Phased projects.**

All portions of a site must either be landscaped at the time of first-phase development, or in accordance with one of the following options:

A. Perimeter area landscaping as required under GHMC 17.78.070 is installed around the entire first-phase portion of the site, as though the first-phase portion constituted the entire site. In this situation, phasing lines shall be considered property lines for purposes of determining required landscaping; or

B. The second-phase portion of a site is completed within three years of completion of the first phase as per an approved site plan, or as per a nondevelopment landscape plan. The nondevelopment landscape plan shall be submitted to and approved by the city prior to issuance of any certificates of occupancy on the site. The nondevelopment landscape plan will be required in addition to a second-phase site plan, and shall include a performance assurance device as specified under GHMC 17.78.110.

Section 12. Section 17.78.120 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.78.120 Maintenance.**

A. Whenever landscaping is required under the provisions of this chapter, shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition. Planting beds shall not be located over impervious surfaces. ~~All landscaped areas shall be provided with mechanical automatic underground sprinkler systems designed to provide full coverage of landscaped areas.~~ Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained reasonably free of noxious weeds and trash.

B. Similarly, if necessary, the trees or shrubs shall receive pruning or removal to avoid the creation of a safety hazard or nuisance through excessive shading, overhanging adjacent properties or to preserve a view or scenic vista, subject to the provisions of ~~GHMC 17.99.240 and 17.99.250.~~

Section 13. Subsection 17.15.090(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.15.090 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC ~~and GHMC 17.99.250~~ and/or conditions of approval of discretionary applications required by this title. Such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 14. Subsection 17.21.040(B)(5) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.21.040 Performance standards.**

\* \* \*

**B. General.**

1. Single-family attached dwelling units must have individual private yards or courts enclosed by a wall, berm or dense landscaping. Easements shall be required for all zero lot line developments to facilitate access from the adjoining lot for necessary maintenance and repair activities.

2. Minimum yards (from the property line). Multifamily or multiple units of single-family on one parcel:

- a. Front, 10 feet.
- b. Side, 30 feet.
- c. Rear, 30 feet.

Single-family on individual parcels: as defined in GHMC 17.99.290.

3. Maximum Height. The maximum height is 45 feet, except as provided under GHMC 17.99.390(A)(3).

4. Maximum lot area coverage: Sixty-five percent, excluding driveways, private walkways and similar impervious surfaces. Impervious surface coverage of individual parcels may exceed the 65 percent maximum when included within a subdivision; provided, that the overall impervious surface coverage of the subdivision does not exceed 65 percent.

5. Landscaping. Landscaping shall comply with the requirements of Chapter 17.78 GHMC and ~~GHMC 17.99.250~~, except that buffer dimensions shall be reduced to 10 feet when the proposed use is adjacent to a similar use or zone which includes a platted buffer of equal or greater width.

6. Circulation/Roads/Streets. Residential development which provides pedestrian linkages to and within common open space trails systems may be waived from the requirements in the city's public works standards for public sidewalks, curbs and gutters within the residential development, in whole or in part, upon approval of the public works director.

7. Design. All development shall comply with the standards of Chapter 17.99 GHMC.

8. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

Section 15. Subsection 17.28.090(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.28.090 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~, and/or conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 16. Subsection 17.30.110(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.30.110 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~as provided under GHMC 17.99.250~~ and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 17. Subsection 17.31.110(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.31.110 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~, and/or conditions of approval of discretionary applications required by this title. Such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 18. Section 17.32.120 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.32.120 Landscaping.**

Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~ and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained for the life of the project. In no event shall



such landscaped areas be used for storage of materials, merchandise or parking of vehicles.

Section 19. Subsection 17.36.120(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.36.120 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC, ~~GHMC 17.99.250~~ and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained for the life of the project. In no event shall such landscaped areas be used for storage of materials, merchandise or parking of vehicles.

\* \* \*

Section 20. Subsection 17.40.120(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.40.120 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~ and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 21. Subsection 17.41.030(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.41.030 Performance standards.**

\* \* \*

B. Landscaping. All developed parcels shall be landscaped in accordance with the landscaping requirements of Chapter 17.78 GHMC and ~~GHMC 17.99.250~~.

\* \* \*

Section 22. Subsection 17.45.040(C) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.45.040 Performance standards.**

\* \* \*

C. Landscaping. All developed sites shall be landscaped in accordance with the landscaping requirements of Chapter 17.78 GHMC and ~~GHMC 17.99.250~~. Yards adjacent to residential zones or development shall include a 35-foot-wide dense vegetative screen.

\* \* \*

Section 23. Subsection 17.48.090(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.48.090 Performance standards.**

\* \* \*

B. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~, and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 24. Subsection 17.50.090(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.50.090 Performance standards.**

\* \* \*

B. Landscaping. Landscaping is required and shall be installed in conformance with Chapter 17.78 GHMC and ~~GHMC 17.99.250~~, and/or by conditions of approval of discretionary applications required by this title; such landscaping shall be maintained in a neat manner. In no event shall such landscaped areas be used for storage of materials or parking of vehicles.

\* \* \*

Section 25. Subsection 17.54.030(D) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.54.030 Performance standards.**

\* \* \*

D. Landscaping. All uses shall conform to the landscaping requirements established in Chapter 17.78 GHMC and ~~GHMC 17.99.250~~.

All required yards shall be landscaped in accordance with the landscaping requirements of Chapter 17.78 GHMC.

\* \* \*

Section 26. Subsection 17.91.040(F) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.91.040 Site development and performance standards.**

\* \* \*

**F. Performance Standards.**

1. Minimum yards (from the property line):
  - a. Front, 15 feet.
  - b. Side, five feet. At least 20 feet is required on the opposite side of a lot having a zero lot line.
  - c. Rear, 15 feet.
2. Maximum Height. The maximum height of a structure shall not exceed 35 feet.
3. Maximum lot area coverage: Forty-five percent, excluding driveways, private walkways and similar impervious surfaces.
4. Landscaping. Landscaping shall comply with the requirements of Chapter 17.78 GHMC and ~~GHMC 17.99.250.~~
5. Exterior Mechanical Devices. All HVAC equipment, pumps, heaters and other mechanical devices shall be screened from view from all public rights-of-way.
6. Outdoor Storage of Materials. Outdoor storage of materials and supplies, except for authorized sales displays, shall be completely screened from adjacent properties and public rights-of-way.
7. Outdoor Lighting. Outdoor lighting shall conform to the standards of GHMC 17.99.350 and 17.99.460. Such lighting shall be shielded so that direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from this requirement.
8. Trash Receptacles. Trash receptacles shall be screened from view. Screening shall be complementary to building design and materials.
9. Design. Development in the MUD district shall conform to the design and development standards contained in Chapter 17.99 GHMC. Duplex dwellings shall conform to the design standards defined for single-family dwellings in Chapter 17.99 GHMC.
10. Signage. Signage must comply with the requirements of Chapter 17.80 GHMC.

Section 27. Subsection 17.99.220(A) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

**17.99.220 Prominent parcel standards.**

All development of prominent parcels shall conform to all applicable development standards of this title and to the following additional standards:

**A. Incorporate significant trees and clusters of trees into the site design.**

Every effort should be made to preserve significant attractive trees and clusters of vegetation (~~see landscaping in GHMC 17.99.250~~).

\* \* \*

Section 28. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 29. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this \_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GIG HARBOR

\_\_\_\_\_  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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

3. Landscaping requirements

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

**City of Gig Harbor Planning Commission  
Minutes of Work-Study Session  
February 1, 2007  
Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Harris Atkins, Joyce Ninen, Dick Allen, Theresa Malich and Jeane Derebey. Commissioner Jill Guernsey was absent. Staff present: Tom Dolan, Jennifer Kester, Cliff Johnson and Diane Gagnon.

**CALL TO ORDER:** 6:05 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move to approve the minutes of January 18, 2007 with typographical corrections and a statement added that there was no public present for the public hearing. Ninen/Allen – motion passed unanimously.

**NEW BUSINESS**

1. **Kurt Latimore, The Latimore Company** – Presentation and discussion on the upcoming phases of improvement to the design review process.

Kurt Latimore from the Latimore Company gave a presentation on the Design Review Process Improvement Initiative. Mr. Latimore went over what had been done in 2006 to analyze the permitting process in the City of Gig Harbor and his background in this field. He spoke about Design Review setting the pace for the development process and that this initiative was to improve that process. He talked about applicants needing a predictable process and the fear of going to the DRB. He noted that in most areas design standards only apply in certain areas or partially in certain areas and that here in Gig Harbor it is applied city wide. He said that there is additional design effort being placed at the front of the process and applicants are required to provide a high level of detail early on in the process. Mr. Latimore went on to explain specific areas of the process and the two phase plan. He stated that the first phase would be a series of text amendments that fit within the current comprehensive plan and the second phase would entail comprehensive plan amendments to encompass design manual changes that may fall outside of the current comp plan. He then went over the timeframe of the phases with the first phase happening in the spring and then the second phase in the summer and fall. He gave some examples of what kinds of things may fall within the two phases.

Senior Planner Jennifer Kester went over some of the ideas that had been suggested by the DRB. Mr. Latimore went over further details of the schedule and the idea of the upcoming community meetings. He outlined the first series of text amendments that will go forward in the March/April timeframe with the conclusion of the first batch in early summer when phase two would begin. Mr. Pasin asked if there was a specific list of what those text amendments will be and Ms. Kester answered that she was in the process of writing those text amendments which will be sent to the Planning Commission next week in preparation for the meeting of February 15<sup>th</sup>. She gave some examples. Jeane Derebey asked if there was a printout of the schedule and Ms. Kester said she would make everyone copies.

Mr. Allen asked about what kinds of things would require comprehensive plan amendments and Mr. Latimore explained that the implementation of sub area plans may require a comp plan amendment. Ms. Kester further explained that there may be different goals and policies for the West side or Gig Harbor North. She also explained that a lot of what is in the Design Manual was fashioned around the downtown and maybe that is not appropriate everywhere. She pointed out that the Design Manual was written in 1996 and the West Side and Gig Harbor North were annexed in 1997. Mr. Allen asked where we expected the nucleus of these philosophical changes to happen. Mr. Latimore explained that the center of the effort would be here at the Planning Commission. Ms. Kester added that the DRB would make suggestions as well as staff and the development community. Mr. Pasin suggested that each Planning Commission member collect their ideas individually to give their input on February 15<sup>th</sup>.

Mr. Atkins asked if the list of other changes that had been developed by the Planning Commission during the matrix process was going to be addressed as well. Ms. Kester said that she would look at that list and see if any of those could possibly fit within this process. Mr. Latimore asked for agreement on the series of work study sessions and stated that he would like them to be joint meetings with the DRB. Ms. Kester added that the meeting on the 15<sup>th</sup> will be heavily advertised and public input will be encouraged. It was brought up by Mr. Pasin that some thought should be given to how the meeting is conducted. Mr. Allen asked if staff was looking to scrutinize the land use regulations line by line. Ms. Kester said that there are some specific changes being suggested by the DRB; however, the last time we looked at the manual line by line it took over three years and that we would rather take everyone's experiences and look at those and pick the ones that will have the most impact if changed.

Ms. Kester noted that staff and Mr. Latimore will present these ideas to the City Council on February 12th. She then talked about how the upcoming work sessions will be conducted.

Mr. Latimore asked the Planning Commission if they had any initial comments. Discussion was held on setbacks and their appropriateness in different zones. Ms. Ninen asked if the tree issue was going to be in Phase I or Phase II and Ms. Kester answered that it will probably be in Phase II. She explained the current approach for tree retention.

Mr. Allen asked if the DRB had a lot of ideas and Mr. Pasin said that they did have a lot of ideas and Ms. Kester added that it may not be possible to implement all of them.

**2. City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Proposal by the City Council (ZONE 07-0002) to amend the procedures for processing legislative actions and annexations.

Planning Director Tom Dolan explained the proposed ordinance and stated that it was the result of City Council meeting the first of January where they considered an agreement which allowed a zone transition buffer from a commercial property to also be on a residential property. The City Council voiced concern with the proposal that had gone through the hearing examiner process. During the City Council meeting it was discussed that staff would bring an amendment before the Planning Commission to not allow this in the future. The City Council asked if it was necessary for this item to go to the Planning Commission and staff responded that

yes, it was necessary and the City Attorney felt that perhaps it was not necessary and made recommendation to the City Council that there could be direct consideration. Mr. Dolan continued by saying that in looking at the code later, the provisions of 19.01.050 would require Planning Commission review and at that point the City Attorney proposed the ordinance that is before you that would allow the City Council to consider changes to the zoning ordinance without first seeking Planning Commission recommendation. Mr. Dolan pointed out that the ordinance did not require their review and recommendation; however, staff thought that the Planning Commission may have concerns. He continued by saying that the matter is scheduled to go before the council on February 12<sup>th</sup>.

Ms. Malich pointed out that it said "certain legislative decisions", which made it unclear what types of decisions and seems to leave it wide open. She stated that the broad scope of this was worrisome to her. Mr. Pasin said that it appeared to be based on events which may date back 9 months or more and the City Council has determined that they wish to manage the process directly rather than through this commission or the DRB. He agreed with Ms. Malich that it begins to put the council in the direct decision making process and can lead to less public input through the DRB or the Planning Commission. Mr. Pasin said he was bothered by that because 8 or 9 years ago there was a similar swing and then moved away from that and this is now swinging back so he was concerned with the reasoning for that and how it affected the Planning Commission and the citizens of the community.

Mr. Atkins said it seems like there are two issues here and that he got the feeling that they are afraid to have public hearings and that he felt they were important. He stated that he felt that the Planning Commission's role is to consider issues in a different environment rather than in the political environment of the City Council. He said the Planning Commission is able to take a more studious look at the larger picture. He continued by saying that it troubled him that the City Council would take the Planning Commission out of the loop.

Ms. Ninen asked if this was in accordance with the RCW and Mr. Dolan said that the City Attorney had researched it and the RCW does not require Planning Commissions to look at text amendments. Mr. Dolan pointed out that at the council meeting the council didn't direct the City Attorney to write this ordinance. Ms. Derebey voiced her concern with the ability of the council to be able to give the time or study to a particular problem and stated that she could see other problems arising from hasty decisions being made. She continued by saying she would not want to see this ordinance go on the books, especially with a word like "certain" in it. Ms. Derebey said she wasn't sure why you would remove annexations from the scope of the Planning Commission and Ms. Kester said that currently the only time annexations come to them is if they are asking for a zoning change as part of the annexation process and this ordinance would make it so that was no longer necessary.

Mr. Atkins agreed that if there is an annexation area identified he didn't have any problem with bringing property in at their proposed zoning. Ms. Malich pointed out that the Planning Commission spends a lot of time on these issues and really examines the ramifications of them and the City Council is not going to be able to do that. She asked staff how they should communicate their thoughts on this proposal. Mr. Dolan explained that it was brought before them for information; however, they could pass a resolution to the City Council. He suggested that perhaps there is a need for a joint Planning Commission and City Council meeting to discuss



several issues so that the Planning Commission can better understand their intent. He continued by saying that 2007 is going to be extremely busy year. Ms. Malich said that if the council had a specific reason for this then the ordinance should be written as such.

**MOTION:** Move to adopt a resolution that respectfully requests the council defer this issue until such time as a joint City Council and Planning Commission meeting can be held to discuss the roles and responsibilities of the Planning Commission. Atkins/Derebey – Motion passed unanimously.

Chairman Malich called a five minutes recess at 7:35 p.m.  
The meeting was reconvened at 7:40 p.m.

### **OLD BUSINESS**

1. **City of Gig Harbor, 3510 Grandview Street, Gig Harbor WA 98335** – Proposal by the City Council (ZONE 06-1386) to amend the definition of gross floor area; create definitions for underground parking, basement, finished grade, and original grade; amend parking requirements to include maximum number of parking spaces for uses; and reconsider the maximum building sizes for WC, WM and WR zones.

It was decided to discuss this issue until 8:00 p.m. and then take a poll for continuation. Mr. Dolan reminded the commission that this issue will be discussed at several meetings and it is not necessary to completely discuss it tonight. Ms. Malich asked what the timeline was. Mr. Dolan said the original request came 13 months ago and there is an interest in having this addressed; however, it is not just one issue, it may be several text amendments. Ms. Kester also explained that significant research will be done on this topic and then she went over what she had proposed and organized for tonight's discussion. Ms. Malich asked if this would be one of the things that might be appropriate to have a joint meeting on. Ms. Kester said that this would definitely be something to discuss at a joint meeting with the City Council. Mr. Dolan said that one of the things that he had heard expressed is a concern with the City Council coming out of executive session and then asking the commission to review an issue with very little background or context to consider.

Mr. Atkins said that he was puzzled by the statement that staff does not think the council expected this to develop into text amendments. Ms. Kester explained that in talking with council and Carol Morris they didn't have a specific text amendment in mind; however, they wanted these issues talked about and then decide if a text amendment was necessary. Ms. Kester informed the commission that Ordinance 1008 had been challenged due to constitutionality because it singles out certain property owners without a specific public purpose being established for differing regulations. She noted that these questions are not just about the waterfront zones, these things will be applied city wide. Ms. Kester then began going through the questions.

The first question is regardless of use is there a legitimate public purpose to regulate a structure that is entirely underground. If yes, what is that public purpose? If no, what standards need to be changed to reflect that? She read the purpose of the zoning code. She stated that she knew that there was concern expressed at the last meeting about structural and emergency issues. She reminded the commission that if underground structures were exempt from building size

limitations they still have to comply with building, fire, storm water, public works, and engineering codes. Mr. Pasin said that answering this question yes allows us to have various types of underground structures that would provide services and may help us maintain views that are being lost. Ms. Kester asked what the legitimate public purpose was in regulating them and stated that it seemed they were saying underground structures should be allowed but the question was should we limit uses underground. Mr. Allen said he thought there was no question it would generate more activity and in a residential area we don't want that activity. He stated that people will lose the quiet enjoyment of their property.

Ms. Malich said there is a difference between WM and WC so if you allow large underground garages then it just intensifies the use. Ms. Kester asked about other zones in the city. Ms. Malich said that in intense use areas there should definitely be underground parking allowed. Mr. Pasin said that there could be other underground structures perhaps a two car garage underground rather than one on the street.

Mr. Atkins asked if there was a public benefit in regulating structures above ground. Ms. Kester said that courts have decided that there is because of the impact on views and open space. Ms. Ninen said she thought that the question was should underground structures be included in the gross floor area calculation and that you limit a non residential development by having that underground structure included in the gross floor area calculation. Ms. Kester added to her question "through gross floor area calculations" and asked if it was important to regulate something you can't see as far as gross square footage goes. Ms. Malich said that in that pure statement no.

Ms. Kester said that her third question was if structures are exempt from gross floor area calculations was the commission concerned with the intensity of use on site. She stated that she heard the commission saying yes. Mr. Pasin said that underground parking does not necessarily increase the intensity of the use it may provide the amenity of not having cars along the street and other issues that become public nuisance. He also pointed out that one of the benefits is that you may very well be able to decrease the amount of impervious coverage. He added that the hospital is a prime example if they could have underground parking we would not have parking sprawled across five acres and it would not increase the intensity of the use of that property one bit. Mr. Allen said that what he saw happening in a residential area was that people will not park in them. Mr. Pasin answered that people do that now and you can't regulate that. Ms. Kester reiterated that what she heard was that underground structures don't need a gross floor area limitation if it's a residential use and the garage is for that residential use only. Ms. Derebey said that it should be limited in size to be appropriate to go along with the 3500 square foot limitation. Ms. Kester suggested a maximum parking stall size. Mr. Pasin pointed out that what we have today and what we had 15 years ago was very different and that for a family of four you have four vehicles, a boat, a trailer and other such things, so to say if it's a 3500 sq ft house you can only have a certain size garage you are not getting anything because they'll just end up putting their car on the street.

Ms. Kester suggested that perhaps they needed to look at the uses allowed in the zones and that it may be that there are uses that are not compatible with surrounding zones. Mr. Pasin said that he thought we had to look at it on a city wide basis and not let a couple of zones that rightfully have some concerns be the focal point. Mr. Allen pointed out that we had just discussed creating a

bull's eye approach to have differing regulations for different areas of the city. Ms. Kester explained that definitions apply city wide and yet there are building size limits in several zones. She stated that previously the Planning Commission had said that it should only apply in the waterfront zones, and then the council changed it.

Ms. Kester asked what types of material they would like for their next meeting. Ms. Derebey asked for information on regulations in similar cities. She also noted that Carol Morris was going to provide information on who was doing maximum parking.

Ms. Kester summarized that what she had heard was that there was not a public purpose for regulating underground structures if we address the issue of use in specific zones. Mr. Allen said he felt they needed to acknowledge that by not regulating them it would be generating more activity. Ms. Kester said that it seemed that in some zones there is concern with intensity of use. Mr. Pasin asked if there was some historical purpose to retain the WM and WC zoning boundaries as they are defined today. Mr. Allen said that WM came in 1991 and it was designed because all of the properties support upland and marina development. He stated that he felt that it's worked really well and it's a unique area. Mr. Pasin asked if maybe they should consider meshing the two. Ms. Malich said that there is R1 right across the street so she couldn't see meshing them. Mr. Pasin clarified that he was just trying to get input on maybe there should be more WM meshed into WC.

Ms. Kester said that they will probably not see a packet ahead of the next meeting and she asked that they get their ideas ready and solicit ideas from friends and neighbors.

## **ADJOURNMENT**

**MOTION:** Move to adjourn at 8:35 p.m. Derebey/Atkins – Motion passed.

CD recorder utilized:

Disc #1 Track 1

Disc #2 Track 1

Disc #3 Track 1

**City of Gig Harbor Planning Commission and Design Review Board**  
**Minutes of Joint Work-Study Session**  
**February 15, 2007**  
**Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Joyce Ninen, Dick Allen, Theresa Malich, Jill Guernsey and Jeane Derebey. Commissioner Harris Atkins was absent. Board members Darrin Filand, Rick Gagliano, John Jernejcic, Charles Carlson, Rosanne Sachson, Jim Pasin and Victoria Blackwell were present. Staff present: Tom Dolan, Jennifer Kester and Diane Gagnon.

**CALL TO ORDER:** 6:05 p.m.

**APPROVAL OF MINUTES:**

It was decided to postpone approval of the minutes of February 1st, 2007 until the next meeting.

**NEW BUSINESS**

1. **Kurt Latimore, The Latimore Company** – Presentation and discussion on the upcoming phases of improvement to the design review process.

Chairman Theresa Malich expressed appreciation for this work study session and for everyone present and introduced Kurt Latimore from the Latimore Company.

Mr. Latimore explained the phased design review process improvement initiative. He illustrated the process with a PowerPoint presentation. He went over the agenda for this evening's work session and the background of the assessment report of April 2006 that led to these proposed improvements. Mr. Latimore talked about how design review sets the pace for the Community Development review process and how the current process works. He went over the two phases of improvements and the timeline proposed for completion of the initiative. Mr. Latimore then explained the legislative process and how the changes will be implemented. He explained the batches of amendments within Phase 1 and what may be included in each of those batches. He turned the floor over to Jennifer Kester to explain Batch A.

Ms. Kester explained that Batch A was some small incremental improvements that seemed to make a difference and would gain some momentum and make a substantial change. She went over the landscaping requirements and how they work currently and the proposal to remove the nursery stock portion from the design manual and enforce it under the zoning code. Ms. Kester then talked about single family residential setbacks, noting that the Design Review Board cannot modify setbacks and suggested that they be removed from the design manual. She went over the next suggestion for change which was the noticing requirements for DRB meetings. The final modification that she discussed was tree protection barricades. She explained that the current requirement for wood post holes damages trees and that metal fence poles are less expensive and not as damaging and therefore staff was proposing that the requirement be changed. Ms. Kester then opened the floor for audience comments.

Jeff Bucholz said that he had gone through the design review process and it had taken a long time and that going to the board is a nice option for people if you have a lot that has some restraints as it gives some flexibility. He expressed that we would hope to maintain that opportunity.

David Boe spoke and said he sits on the City of Tacoma Planning Commission. He said that on the Planning Commission side of things it is your job to be sure that this revision complies with the Comprehensive Plan or you need to modify your Comprehensive Plan. He noted that when you go through the design review process you find yourself not necessarily meeting the goal of the Comprehensive Plan. He said that it says encourage mixed use structures but the zoning code and design manual precludes that from happening in the downtown. Mr. Boe emphasized that a decision needs to be made whether that should be kept in the comp plan and if so then change the code to allow it. He noted that in one area it says we don't want parking on the waterfront but then it doesn't allow underground parking garages, which doesn't make sense. He stated that the prescriptive path does not necessarily make for a great building and added that he felt that the DRB was handcuffed when that should be the place where you look at the project in its entirety. He said that sometimes the prescriptive requirement may not be applicable.

John Holmaas spoke and said that he was going to have some projects coming through the process. He voiced concern with the requirement that states that you cannot top trees. He said that he was concerned that people will become violators as they will want to maintain their views. He said that he believed the property owners should have the right. He then spoke about a project with a 1972 flat topped building that probably did not meet all the design requirements. He stated that this building is within the enhancement corridor that requires complete screening from the freeway. He said that he didn't understand the requirement for screening in a commercial area that is already visible. He requested that they examine the visually sensitive areas to allow for redevelopment of these areas.

Randy Gould stated that he had a couple projects come through the city. He encouraged developing a way to see what the history had been in order to learn the interpretations currently used. He used the example of the lot width calculation being a looping calculation and that there may be another way. He agreed with David Boe and said that what the city is shooting for may not be what they are getting. As an example he pointed out that one of the allowances is that you can place a garage in the setback if you comply with certain design standards which leads to a low slung box. He voiced his support for changes to the retaining wall requirements.

David Fisher spoke about the design review process saying that the two paths are very distinct and that the prescriptive approach is more reliable. He said that he felt that going to the board should be more out of the box. He suggested that if an applicant has determined themselves that they need to go to the board they should be allowed to go to the board within a month of their submittal and then the DRB can give thumbs up or thumbs down and then you return to the DRB within a week or two for final review. He emphasized the need for the process to be more flexible and faster.

Scott Inveen talked about his experience with the DRB, he supported the change in the noticing requirements stating that the current noticing requirements put his project out three months because he missed a meeting due to snow. He suggested that perhaps the public notice was not

even required since they are not really allowed to comment at the meeting but rather at the hearing examiner meeting. He referenced the City of Redmond process which allowed for constant review and he felt that it was faster. He said that when he came to the DRB meeting he brought an architect that sat on a DRB in Seattle. He felt that the board had very little direction and that there seemed to be a sense that the DRB is trying to show staff that they don't know what they are talking about. He added that staff currently does not have the power to keep the DRB on track. He stated that he had witnessed the DRB discuss turning radius and other inappropriate issues. He said that in Seattle staff keeps the DRB in line and if the Design Review Board gets out of line staff removes them from the room and explains what needs to happen. He noted that the DRB can stop the process and there is no way for staff to override them. He illustrated that the DRB actually said that he had brought the best architecture they had ever seen yet they still denied his proposal which only illustrates how off base the process is. He also said that the applicant before him was just a retaining wall and he stated that it seemed that staff was fully capable of reviewing those types of issues.

Ms. Malich asked for comments or questions from the DRB or the Planning Commission. Dick Allen said that he had done some additional studying of the manual. He noted that in the Historic District which is mostly within the height restriction area, the height limit is 18' but the height restriction area is 16'. He asked staff why this was the case. Ms. Kester stated that the Historic District has a requirement for 6/12 roof pitch and that was the reason for allowing the 18'. She noted that if you had a flat roof building you would have to stay within the 16'. She stated that one of the items suggested for discussion was some changes in the Historic District and that this would be discussed within Phase II. Mr. Allen asked about the paragraph on maximum height. Ms. Kester said that she believed that the basic structure was to promote the architectural character of downtown Gig Harbor. Ms. Kester said that other people have also asked questions about this section.

David Fisher said that he had done a house in the Historic District and he noted that a lot of the area is R-1 and they have a minimum lot size. He said that a lot of the Historic District is only 50' wide lots and there are requirements in the zoning code that conflict with the design manual. He said that the two requirements don't mesh.

Mr. Latimore stated that on March 1<sup>st</sup> staff will have some proposed language for the Batch 1A items and that they are hoping to hold a public hearing on the 15<sup>th</sup>. Ms. Kester noted that on March 1<sup>st</sup> staff will go into more detail. Ms. Kester reminded everyone that all of the future meetings will be joint meetings with the DRB and the Planning Commission. She noted that they are Planning Commission meetings so DRB attendance is not required; however, their attendance is encouraged.

Mr. Pasin said that Mr. Holmaas had brought up the issue of screening along Hwy 16 and the DRB had faced that on a number of projects and it continues to be a difficult item. He said that he would like to see us get this into the list of changes. He added that he felt that it had a priority. Ms. Kester said that the idea with Phase II was that we would hold another kick off meeting and prioritize those issues within Phase II. Ms. Malich said that she remembered the discussions about the screening of the highway and the community wanting to keep the corridor green.

David Boe said that he felt that the discussion about the Hwy 16 screening was really important. He offered to come to a meeting and go through real life projects and what the effect of the requirements would result in. He said that there needs to be some mechanism for correcting errors in the code without going through a laborious process. He gave an example of the large parking requirements for a mini-storage facility.

Mr. Pasin said that a number of people have commented on retaining walls and that he would like to ask everyone to attend the meetings to give specific input or give written suggestions as to how they can solve the issue of retaining walls. Mr. Pasin asked that staff could provide some written documentation of what the system is in the City of Redmond. Ms. Kester said that she would get in touch with them and find out.

Mr. Gagliano said that Mr. Holmaas had mentioned the remodeling of existing buildings and pointed out that there is no section in the manual that deals with that issue. He also noted that the list of typologies should be revisited. Ms. Kester said that was intended to be a part of the items addressing the bulls-eye approach. Mr. Gagliano thanked everyone who spoke tonight for the feedback.

Mr. Allen asked Mr. Boe if he had any suggestions about what may work better for the buffer requirements along SR16. Mr. Boe asked if the buildings are screened why it would be required to meet the requirements of the manual. He then suggested that topography should be a consideration.

Linda Gair said that the screening on SR16 screens people from pollution and noise as well. She pointed out that the cement walls are ugly and she felt that the screening was important.

David Fisher addressed Mr. Gagliano's comments about remodels. He said that a current project he is working on is a perfect example as it is more of a streamlined modern building within the Historic District and he is having difficulty meeting the design requirements and also matching the existing design of the building. He said that he felt that the bulk of design review will still go through the prescriptive approach but it is important to allow for more creativity if they go through the board.

Discussion was held on the schedule for upcoming meetings and everyone was encouraged to stay and have refreshments.

## **ADJOURNMENT**

The meeting was adjourned at 7:40 p.m.

CD recorder utilized:  
Disc #1 Track 1  
Disc #2 Track 1

**City of Gig Harbor Planning Commission and Design Review Board**  
**Minutes of Joint Work-Study Session**  
**March 1, 2007**  
**Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Joyce Ninen, Dick Allen, Theresa Malich, Jill Guernsey, Harris Atkins and Jeane Derebey. Board members Darrin Filand and John Jernejcic were present. Staff present: Tom Dolan, Matthew Keough, Jennifer Kester and Diane Gagnon. Kurt Latimore from the Latimore Company was also present.

**CALL TO ORDER:** 6:05 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move to approve the minutes of February 1, 2007 as written. Guernsey/Allen – Motion passed unanimously.

It was decided to postpone approval of the minutes of February 15th, 2007 until the next meeting.

**NEW BUSINESS**

Senior Planner Jennifer Kester went over the goals for the evening and the first three text amendments to take to a public hearing. She noted for the record the e-mail comments received from Charles Carlson and Rick Gagliano.

**Noticing Amendment**

Ms. Kester outlined the current process for noticing a DRB meeting references a procedure within Title 19 for a DRB meeting to be noticed similarly to a public hearing. She noted that this delays the process a great deal by requiring a 4 week lead time for scheduling a meeting. She went over the process improvement that staff had proposed which was to reduce the four weeks to two weeks. She said that instead of referencing the manner of a public hearing, it would reference the design process chapter and the noticing would not be less than 7 days. She opened the floor for questions.

Jim Pasin said that he felt that the large postings are getting a lot of attention and that he felt that the requirement to mail to property owners within 300' should be a greater distance. Harris Atkins asked if every adjoining property owner received a notice. Ms. Kester said yes, and she explained that 300' is an industry standard; however, some cities do have a greater distance. She suggested that if they wanted to do something greater it should be done for everything not just for Design Review Board meetings. Mr. Dolan stated that perhaps there were some overall changes in noticing that need to be made.

Mr. Atkins asked about the current process and for clarification of how this would improve the process. Ms. Kester explained how the change would help speed up the process by allowing for quicker scheduling of DRB meetings. Ms. Ninen pointed out that Scott Inveen had said that his



project needed two meetings and with the noticing requirements he couldn't schedule two meetings consecutively.

John Jernejcic pointed out that in Item G it should say "complete application".

Ms. Kester asked if they were okay with posting within 7 days or should it be 10. She noted that there had been discussion of adding a posting of the notice of application and that perhaps further change would be proposed at a later date. There was consensus that the proposed timeframe for noticing was appropriate.

Mr. Pasin asked about the distance of the mailing and Mr. Dolan said that he felt that the distance of the mailing was not necessarily important but rather the length of the posting and that he would rather not do more than 400 feet within the project since it seems that no matter what distance you make it someone will say its not enough.

**MOTION:** Move to recommend approval of the proposed ordinance as written by staff with the changes proposed by Mr. Jernejcic. Pasin/Derebey – Motion passed

### Setbacks

Ms. Kester went over the current code and the proposed changes explaining that there is really no purpose in these standards being in the Design Manual since the DRB does not have the authority to vary from them. The proposal is to move these standards to the appropriate section of the zoning code.

Mr. Jernejcic pointed out that there should be a comma before the word "provided". Mr. Allen said that he understood the rationale for taking the setbacks out of the Design Manual but he didn't understand why the historic district residential setbacks weren't being removed. Ms. Kester explained that the concern was that the historic district encompassed many zones and rather than include this information in all those zones it was easier to reference back to the historic district. Jill Guernsey suggested that perhaps it could be in a separate section in the zoning code and Ms. Kester said that was possible; however it may need to be done at another time. She also pointed out that most cities put historic district standards in their Design Manual. Mr. Pasin said that what is defined as a historic district is not a true historic district and he felt that leaving it in the manual caused confusion. Ms. Kester said that she had heard a lot of concern for the historic district area standards and stated that there was an item in Phase 2 of proposed changes to define the historic district and perhaps that was the time to discuss this. It was decided that it should be looked at within the study of the historic district during the next phase of changes.

Ms. Kester said that she felt that there was some discussion needed for B-2 and C-1 zones where residential uses are allowed but there really is no reference to their standards. She asked if the conditional use process should deal with these issues or should it be spelled out. Ms. Guernsey said that she was more inclined to put in the specific text rather than deal with it in the conditional use process. Mr. Pasin suggested that they use what was in the RB-2 zone for B-2 and C-1. He asked about whether there was going to be an amendment to get rid of the mixed use district overlay. Ms. Kester said that there had been some discussion regarding making it a

zone rather than an overlay. Mr. Pasin expressed concern with putting off some of these changes and noted that there is pressure for development in that area and if we wait too long it will be too late.

Mr. Dolan stated that there will be a joint City Council and Planning Commission meeting on March 19<sup>th</sup> where some of these issues should be discussed.

Mr. Pasin asked if on Item 8 it would be okay to take the RB-2 standards and apply the same single family duplex standards to B-2 and C-1.

Chairman Theresa Malich noted that the comments from Mr. Carlson and Mr. Gagliano both agreed with moving the setbacks out of the Design Manual.

It was decided to leave the MUD as it is until further study is done of this district.

Ms. Kester then noted that the DB zone is wholly within the Historic District and refers to the Historic District standards. She then went over the other zones that wouldn't need a change since they did not allow residential uses.

Mr. Pasin asked if when the matrix was done there was discussion that B-2 and C-1 should have the same limitation of business on the lower floor and residential on top. Ms. Kester checked their list of proposed changes and didn't see it on the list. She stated that she felt that this was a use issue outside of the design review process improvements. Ms. Kester reiterated that this first phase of changes were to get some momentum for real process improvements. Harris Atkins said that he liked the idea of showing progress and he felt that it should be discussed in the joint meeting.

Ms. Guernsey suggested that there be a footnote as part of the staff report stating the reasons why the changes were not made to the other sections. Mr. Pasin then asked if it was still appropriate to use the RB-2 residential setbacks in the B-2 and C-1 given the discussion. Ms. Guernsey said that she felt it was appropriate to make the change until we look at the larger picture. Discussion was held on what setbacks would be used for residential development in a commercial zone.

Ten minutes recess was called from 7:30 to 7:40 p.m. Darrin Filand and John Jernejcic left during the recess.

**MOTION:** Move that staff develop language for the public hearing on this proposed change. Guernsey/Atkins – Motion passed with Mr. Pasin opposed.

### Landscaping

Ms. Kester went over the current code and the proposed changes.

Mr. Atkins asked for clarification that the material shown would be an addition to the code and Mr. Kester replied that it is a mixture.

Ms. Kester noted that both Mr. Filand and Mr. Jernejcic voiced their support prior to leaving the meeting. She also noted that Mr. Carlson had submitted comments indicating that he was concerned that if we remove these requirements from the Design Manual it might limit the DRB in using landscaping as mitigation. Ms. Kester said that she didn't see why that would need to change as they could still use landscaping as mitigation. Mr. Atkins asked for clarification on how that would work. Ms. Kester explained it more fully using the Uptown project as an example.

Ms. Ninen asked about Item G, noting that the old Item G talked about replacing trees and she didn't see anything within the new Item G which addressed that. Ms. Kester checked the reference and said that it was supposed to be Item I.

It was pointed out by Ms. Kester that Mr. Gagliano's e-mail expressed concern that there are other issues with the landscaping code that need to be addressed. Ms. Kester pointed out that that there was an item in Phase 2 that would address that.

Ms. Kester then proposed that they go through the each section one at a time. She went through each item and where they would be located or if they were no longer applicable. She stated that at this time the intent is to not make substantive changes but rather just a process change, the substantive changes will happen with Phase 2.

Mr. Pasin wanted assurance that the specifics of the landscape standards would be dealt with in Phase 2. Ms. Kester clarified that he wanted an item added to Phase 2 and Mr. Pasin said that he wanted to discuss the landscape standards as a whole.

Mr. Pasin expressed concern with maintaining the symmetry of trees being a design standard and stated that he did not see any relevance in having such a requirement. Ms. Kester explained the current regulations and that they would apply to existing development. There was concern expressed for how that was enforced. She explained that there is no permit required for topping a tree; however, they are required to get an arborist report and then staff issues a letter stating that they are in compliance. She further explained that if the tree topping standard was moved into the zoning code it will only apply to commercial development. Mr. Pasin said that he would like to see some of these things taken out of the Design Manual and the zoning code because they don't have relevance. Ms. Kester reiterated that this particular amendment was to move these things rather than discuss the regulations themselves. Mr. Atkins asked if there had been discussion of a tree preservation ordinance. Ms. Kester said yes and that the Planning and Building Committee had asked that it be part of these design review process improvements. It was noted by Ms. Ninen that in the community design element of the Comprehensive Plan it talks about tree preservation after construction. Ms. Kester then went over the next items and where they were being proposed to be moved to the zoning code.

Ms. Guernsey asked for clarification of what a continuous tree canopy is and Ms. Kester explained the definition and its purpose. Ms. Ninen asked if the reference was correct and suggested that there be wording added that it was in the glossary. She also noted in the next section where the reference could be more specific.

Ms. Kester then went over the enhancement corridor map and explained the proposed text change. Ms. Guernsey pointed out that where it said Tacoma City Light it should say Tacoma Public Utilities and Ms. Kester said she would highlight that and research the correct name. Ms. Guernsey asked if it was really a right of way and Ms. Kester said that no, it is really fee simple property.

Discussion was held on continuous tree canopy standards and Ms. Kester went over where the text had been relocated.

Discussion was then held on tree barricades. Ms. Kester stated that there was a statement added for steel posts or wood posts. She noted that you still have to have chain link. Mr. Pasin said that when this was first adopted it didn't make sense and he felt that it needed to go away. Ms. Kester said that the orange construction fence does not do an adequate job protecting trees and that staff had seen many instances of the flimsier fencing being moved and knocked down. Mr. Pasin asked about how the standards were applied and Ms. Kester explained that the fencing is required at the limits of construction. Mr. Atkins said that the reason this was being done was to remove things that the DRB does not deal with. He stated that this really did not seem to be something that belonged in the Design Manual but rather in the site development section or in the section on tree preservation. Everyone agreed. Ms. Ninen pointed out a couple of references that needed to be expanded upon.

Mr. Dolan asked the Planning Commission to note on their calendars that on Wednesday the 14<sup>th</sup> at 6:00 pm. there will be a Gig Harbor North Visioning Meeting with the City Council and Olympic Property Group to talk about development of properties in Gig Harbor North. He also noted that the 15<sup>th</sup> of March was their regular meeting which will be a public hearing and on the 19<sup>th</sup> of March there will be a joint meeting with the Planning Commission and City Council.

**MOTION:** Move to direct staff to prepare an ordinance for the proposed changes to the landscaping standards. Atkins/Guernsey – Motion passed with Jim Pasin opposed.

Mr. Pasin stated that he would like to see more support and input from the Design Review Board during these meetings on the design review process improvements.

### **ADJOURNMENT**

**MOTION:** Move to adjourn at 9:00 pm – Pasin/Ninen – Motion passed.

CD recorder utilized:

Disc #1 Track 1

Disc #2 Track 1

Disc #3 Track 1

**City of Gig Harbor Planning Commission and Design Review Board**  
**Minutes of Joint Work-Study Session**  
**March 15, 2007**  
**Gig Harbor Civic Center**

**PRESENT:** Commissioners Jim Pasin, Joyce Ninen, Dick Allen, Theresa Malich, Jill Guernsey, Harris Atkins and Jeane Derebey. Board members Rick Gagliano and Rosanne Sachson were present. Staff present: Tom Dolan, Jennifer Kester and Diane Gagnon. Kurt Latimore from the Latimore Company was also present.

**CALL TO ORDER:** 5:10 p.m.

**APPROVAL OF MINUTES:**

Rosanne Sachson asked that the minutes of February 15<sup>th</sup> have added to them that she had concurred with Chuck Carlson's e-mailed comments.

**MOTION:** Move to approve the minutes of February 15, 2007 with the addition. Derebey/Ninen – Motion passed unanimously.

Harris Atkins asked if when corrections to the minutes are made that a corrected copy get sent and/or e-mailed to the Planning Commission. Mr. Pasin suggested that perhaps a book of minutes could be made available at all the meetings.

**MOTION:** Move to approve the minutes of March 1, 2007 as written. Derebey/Ninen – Motion passed unanimously.

**NEW BUSINESS**

1. **Design Review Process Improvements – Batch 1b** – Discussion of the second batch of proposed amendments in Phase 1.

Senior Planner Jennifer Kester went through the amendment process and stated that the next meeting on April 5<sup>th</sup> will be a very concentrated work session. Harris Atkins recommended that the timeline be reviewed at each meeting to assure that we are on schedule. Rosanne Sachson asked if 5:00 was going to be for all the Planning Commission meetings from here on out and it was decided that they would discuss this further later in the meeting.

Mr. Atkins asked about the work program and Ms. Kester stated that the Planning and Building Committee had determined that the Design Review Process Improvements were a first priority and then underground garages and a couple of other text amendments. Mr. Dolan reminded them that there will be a joint meeting with the City Council on Monday March 19<sup>th</sup>.

Ms. Kester referred everyone to her memo regarding the Design Review Process Improvements Phase 1 Batch B. She first talked about the design review categories, then early DRB review and then timing of clearing.

She then went through the items in Batch C. She talked about prominent facades, zone transition updates, industrial building exemption criteria, the common area reference, DRB quorum and how each of these issues are handled currently. There was discussion as to whether Item 2 of Batch C should remain. Mr. Dolan gave an overview of why he had made an administrative interpretation regarding the issue of zone transition buffers. He stated that it needed to be clarified. Mr. Pasin said that he felt that it was a significant issue that needed further scrutiny. He used properties on Harborview as an example. Ms. Kester pointed out that a 40' buffer could not be used in the height restriction area. Mr. Pasin expressed further concern with existing development being asked to comply with this. Ms. Derebey stated that she did not necessarily agree with Mr. Pasin as some existing development either sells their property or redevelops it themselves and they should comply. Mr. Atkins pointed out that they are just being asked at this point when they want to discuss this issue. Ms. Derebey expressed that she felt that smaller issues should be addressed in phase one and then the larger issue later.

Rick Gagliano arrived at 5:30

It was agreed that Item 2a of Batch C should remain on the list. She then described what was being proposed with Item 2b of Batch C dealing with average building footprint and building height. Ms. Ninen asked about 17.99.180(A) and where that was located. Ms. Kester changed the reference to say 17.99.190(A). Ms. Kester noted that the intent was for both sections to read the same as the building footprint section and everyone agreed. Mr. Pasin disagreed and worried that perhaps they were creating non-conformities and stated that he disagreed with zone transition on the whole. It was pointed out by staff that these process issues would be dealt with first and then the larger discussion would be held later. Ms. Malich said that they were relying on staff to know if this code change was going to make something non-conforming or cause some other problem. Ms. Kester also noted that there are zone transition goals in the Comprehensive Plan so the larger discussion would happen in Phase 2. It was agreed that Item 2b Batch C would remain.

Dick Allen arrived at 5:50.

She next discussed the IBE Exemption item and went over an administrative interpretation on when an industrial building is eligible for the exemption and that staff was proposing to codify that interpretation. Mr. Pasin asked about why they can't change the 800 foot requirement. Ms. Kester explained that this first portion is to change the process and then change the requirements themselves later. Rick Gagliano reminded Mr. Pasin that at this stage we are not changing the numbers. Mr. Pasin stated that he didn't see why changes couldn't be made now. Ms. Kester said that changing the number would require more analysis.

She then went over the common area reference and stated that the reference was there as the City Attorney had a concern with them being in the Design Manual. Mr. Pasin suggested that the standards just be removed. Ms. Kester said that she would discuss with the City Attorney where these standards could be placed.

Jill Guernsey arrived at 6:00 pm.

The DRB Quorum was discussed next. Ms. Kester explained that CLG members of the DRB are not required for project review meetings of the DRB. She explained that a quorum consists of a majority of all the members and then if the CLG members do not show up there are quorum problems. The suggested change was to change the requirements for a quorum to the core 5 project review members. Ms. Derebey said that the CLG members should not be able to opt out. Ms. Sachson pointed out that the whole board is a CLG board. Mr. Dolan said that sometimes CLG members are not up to speed on architectural issues. Mr. Pasin said that he felt that it was important for the two historic preservation people be able to opt out in order to be able to recruit members. Mr. Pasin suggested that there be one quorum for CLG and one for projects. Ms. Sachson suggested that perhaps the DRB should not be the CLG board. It was agreed that there be a quorum of four for CLG issues and three for design review project meetings.

Mr. Latimore discussed the process at the City of Redmond. Ms. Kester then talked about how there will need to be a discussion of thresholds. Mr. Gagliano said that if there is a model out there that another city is using it would be great to examine. Ms. Kester then went over the typical review process for commercial structures and the submittal requirements at each phase. Mr. Gagliano stated that there are lots of sets of details for engineering as well as design. Ms. Kester noted that there is a statement in the code that says the DRB cannot review something that is not compliant with all other city codes. She explained how that impacts development review. Discussion followed on the need for earlier review so that there can be some feedback from the board early on.

Ms. Kester spoke about a possible early design guidance meeting with the DRB where they have a more conceptual discussion. Mr. Gagliano said he would like to encourage that early guidance meeting and that some kind of allowance will have to be made to encourage the early guidance meeting. He suggested that at an administrative level perhaps the applicant can get administrative approval if they deviate from the standards in only a small way.

Discussion was held on the City of Seattle standards and the thresholds for going to the Design Review Board there. Ms. Kester highlighted that in their process the director makes the decision and that perhaps it was better to have the hearing examiner process in Gig Harbor in order to encourage public participation. Mr. Atkins stated that Issaquah has an interesting process as well.

Ms. Kester discussed the issues surrounding the timelines associated with project review. Ms. Derebey suggested that the same type of format be used to compare the different processes from other cities. Mr. Atkins also mentioned that they should look at their resources as well.

Chairman Theresa Malich called a ten minute recess at 6:50 p.m. The meeting was reconvened at 7:05 p.m.

## **PUBLIC HEARING**

### **1. Design Review Process Improvements – Batch 1a**

Chairman Malich opened the public hearing at 7:05 and there being no public present she closed the public hearing at 7:06.

Discussion was then held on the three draft ordinances.

Landscaping Text Amendment (ZONE 07-0016)

Ms. Ninen noted that there was similar language in on page 4 section about encroaching into drip lines as in the section on area of construction. It was suggested that the language about area of construction be moved. Everyone agreed that it made sense since it was redundant. Ms. Ninen noted that perhaps the title should be changed to Preservation of Native Vegetation and Significant Trees.

**MOTION:** Move to recommend adoption of the landscaping ordinance, Atkins/Guernsey -

Ms. Kester pointed out where she had re-written some language to make it clearer. She noted that it did not change the requirement.

Mr. Gagliano asked about the bottom of page 5 and asked where that language had been moved to. Ms. Kester pointed it out on page 10.

Ms. Kester then showed where the changes had been made regarding the enhancement corridor and the TPU right of way.

Mr. Gagliano asked about page 19 and Ms. Kester noted that it references a section of the design manual that is being repealed and further discussion of clustering will be held later in the process.

Discussion then followed on the need for landscaping standards for single family development.

**MOTION:** Move to amend the motion to correct typos and incorporate 17.99.240(e) into 17.78.050 adding native vegetation to the title. Nine/Guernsey - Motion passed with Jim Pasin opposed.

**AMENDED MOTION** – Move to recommend adoption of the landscaping ordinance as amended. Atkins/Guernsey - Motion passed with Jim Pasin opposed.

Setback Text Amendment (ZONE 07-0017)

Ms. Kester noted the whereas statements and the amendments made as a result of previous discussion.

Mr. Pasin stated that some of these standards have been in the design manual and his concern with putting it in the code. Ms. Kester pointed out in the code where it says that it applies to existing and proposed development and that the setbacks are already referenced in the design



manual. Mr. Gagliano clarified that there are a lot of situations where homes are non-conforming now, this will not change that. Mr. Gagliano pointed out that the non-conforming chapter states that if a non-conforming structure was lawfully constructed then you don't have to change it; however, if they were to change it it would have to comply with the current code. Mr. Pasin said that he felt that the standard was ridiculous and that the design manual should not be applied to existing development. Mr. Gagliano noted that the public might have similar concerns with these substantive issues. Mr. Dolan noted that they had gone to the Planning and Building Committee and to the City Council and gotten approval on this process of doing these changes first and then substantive issues later. He acknowledged that there are many excellent points being made as to whether these regulations that were being relocated were even good regulations. Ms. Kester added single family setback standards to the list of possible changes.

**MOTION:** Move to recommend adoption of the proposed ordinance on setbacks.  
Atkins/Ninen -

Ms. Ninen noted that on page one there was a word missing in the first whereas second line and that on page 4 number 9 she asked if it should include a reference to 17.99.240. Ms. Kester suggested only referencing 17.99 and everyone agreed. Ms. Ninen noted that on page 6 line 5 it references 17.78.250 which has been repealed. Ms. Guernsey suggested that the reference be to just 17.78 rather than the section. Ms. Ninen also noted that the verbiage had been changed on page 7. Ms. Kester explained that the code does not use the words associated uses but rather accessory uses. Mr. Atkins accepted the corrections as a friendly amendment to his motion.

**AMENDED MOTION:** Move to recommend adoption of the proposed ordinance on setbacks with corrections. Atkins/Ninen – Motion passed with Jim Pasin opposed.

#### Noticing Text Amendment (ZONE 07-0018)

**MOTION:** Move to recommend adoption of the draft ordinance on noticing.  
Atkins/Pasin -

Mr. Atkins noted that on page 3 under item 5b it doesn't include noticing of parties of record. It was decided to add the phrase "and to others who have submitted comments and/or have requested notice".

Ms. Ninen asked why Item F is struck and Ms. Kester agreed that it should remain as Item H.

**MOTION:** Move to amend the motion to add the phrase "and to others who have submitted comments and/or have requested notice" and include Item F as Item H.  
Guernsey/Pasin – Motion passed unanimously.

**AMENDED MOTION:** Move to recommend adoption of the proposed ordinance on noticing as amended. Atkins/Pasin – Motion passed unanimously.

#### OTHER BUSINESS

Mr. Dolan stated that the underground garage ordinance was on the agenda but given the late hour and that staff wasn't able to put anything together he recommended that it be tabled to another meeting. He then read the motion that the council had made regarding the underground garages as there had been some question as to what their intent had been. He noted that the City Council wanted the Planning Commission to consider amending the standards but was not directing them to do anything, only that it be reviewed. He stated that when this does come back there will be much discussion and we will have architects Dave Freeman and David Boe each give about a 30 minute presentation on their perspective on this issue.

He then asked about communication and how the commission would prefer to get documents when we have such a close timeframe. It was decided that everything would be e-mailed ahead of the meeting and then have copies available at the meeting.

Mr. Dolan then asked what the Planning Commission preference was for a starting time given their large workload. It was decided that the starting time for the duration of the Design Review Process Improvement Initiative would be 5:30 and that staff would send out an e-mail reminding everyone of this new starting time.

#### **ADJOURNMENT**

**MOTION:** Move to adjourn at 8:25 pm – Malich/Guernsey – Motion passed.

CD recorder utilized:

Disc #1 Track 1

Disc #2 Track 1

Disc #3 Track 1



Business of the City Council
City of Gig Harbor, WA

Subject: Resolution - Setting a Public Hearing Date for Butlet Drive Street Vacation Request - Griffin

Proposed Council Action: Recommend that Council pass the resolution setting Monday, May 28, 2007 at 6:00 P.M. as the date for the public hearing on the proposed street vacation for a portion of Butler Drive.

Dept. Origin: Community Development

Prepared by: John P. Vodopich, AICP
Community Development Director

For Agenda of: April 23, 2007

Exhibits: Letter of Request, Resolution, Legal Description, Site Map, Aerial Map

Initial & Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Handwritten initials and dates: CH 4/12/07, PAK 4/18/07, Cam 4/19/07, J 4/18/07

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required. Values are 0, 0, 0.

INTRODUCTION/BACKGROUND

The city received a letter on February 27, 2007 from Mr. and Mrs. Sterling Griffin, petitioning the city to vacate a portion of Butler Drive abutting the Griffin's a single-family residence located at 3619 Butler Drive, in accordance with GHMC 12.14.002.

As defined in 12.14 GHMC a resolution must be passed by the City Council setting a time and date for a public hearing on the proposed street vacation.

POLICY CONSIDERATIONS

Any policy considerations will be provided at the public hearing.

FISCAL CONSIDERATIONS

The processing fee has been paid in accordance with GHMC 12.14.004.

RECOMMENDATIONS

I recommend that Council pass the resolution setting Monday, May 28, 2007 at 6:00 p.m. as the date for the public hearing on the proposed street vacation of Butler Drive.



SPADONI LN

FOSTER ST

STINSON AV

BUTLER STREET VACATION

BUTLER DR

HOMESTEAD LN

PIONEER WY

SHYLEEN ST

LEWIS ST

COHO ST

EDWARDS DR

CHICKOK AV

February 27, 2007

Mr. Steve Misiurak, P.E.  
City Engineer  
City of Gig Harbor  
3510 Grandview Street  
Gig Harbor, WA 98335

**RECEIVED**

FEB 28 2007

**CITY OF GIG HARBOR  
OPER. & ENGINEERING**

RE: Petition for Street Vacation

Dear Steve,

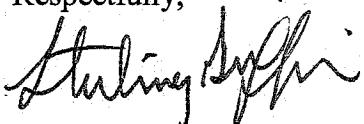
My wife and I are the owners of a single family residence located at 3619 Butler Drive partially fronted by a one-half wide (remaining portion) of Butler Street within the City of Gig Harbor.

We hereby petition the City to vacate that remaining portion of Butler Drive comprised of approximately 2526.99 SF (see attached survey) and allow that vacated portion of Butler Drive be purchased at fair market value by my husband and myself.

Attached you will find a legal description for the proposed vacated portion of Butler Drive requested in this petition. Also included is a check for \$150.00 for processing and \$500.00 for appraisal fee.

We await your staff and the City Council's positive response to our petition request.

Respectfully,



Mr. & Mrs. Sterling Griffin

RESOLUTION NO. xxx

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, TO INITIATE THE PROCEDURE FOR THE STREET VACATION OF A PORTION OF BUTLER DRIVE.**

---

WHEREAS, Mr. and Mrs. Sterling Griffin, desires to initiate the procedure for the vacation of the portion of Butler Drive,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington:

Section 1. A public hearing upon said street vacation shall be held in the council chambers of Gig Harbor Civic Center on Monday, May 28, 2007 at 6:00 p.m., at which hearing all persons interested in said street vacation are invited to appear.

Section 2. The City Clerk is directed to post notices of the hearing in three public places and on the street to be vacated and to mail notices to all owners of any property abutting the portion of street to be vacated, pursuant to RCW 35.79.020.

PASSED this \_\_\_\_ day of April, 2007.

\_\_\_\_\_  
Charles L. Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Molly M. Towslee, City Clerk

## **BUTLER DRIVE VACATION**

THAT PORTION BUTLER DRIVE IN BLOCK 2, PLAT OF HARBORVIEW ADDITION PER VOLUME 18 OF PLATS, AT PAGE 5, AUDITORS FILE NUMBER 1780382, RECORDS OF PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE ALONG THE WEST LINE OF SAID BLOCK 2, SOUTH 01°15'28" WEST 100.02 FEET; THENCE PARRELL WITH AND 100 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK 2 SOUTH 89°59'40" EAST 30.01 FEET TO THE EAST MARGIN OF SAID BUTLER DRIVE; THENCE ALONG SAID EAST MARGIN NORTH 01°15'28" EAST 38.06 FEET; THENCE CONTINUING ALONG SAID MARGIN ON A 90.00 FOOT RADIUS TANGENT CURVE TO THE NORTHWEST AN ARCLENGTH OF 67.62 FEET TO THE NORTH LINE OF SAID BLOCK 2; THENCE ALONG SAID NORTH LINE NORTH 89°59'40" WEST 5.77 FEET TO THE POINT OF BEGINNING.

## **EASEMENT FOR TPN 0221082166:**

THE WEST 20 FEET OF THE SOUTH 20 FEET OF THE NORTH 100 FEET OF BLOCK 2, PLAT OF HARBORVIEW ADDITION, PER VOLUME 18 OF PLATS, AT PAGE 5, AUDITORS FILE NUMBER 1780382, RECORDS OF PIERCE COUNTY, WASHINGTON.

## **RESULTANT PARCEL 1:**

THAT PORTION LOT 1 AND VACATED BUTLER DRIVE IN BLOCK 2, PLAT OF HARBORVIEW ADDITION PER VOLUME 18 OF PLATS, AT PAGE 5, AUDITORS FILE NUMBER 1780382, RECORDS OF PIERCE COUNTY, WASHINGTON, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 2;  
THENCE SOUTH 80°10'01" EAST 73.98 FEET;  
THENCE NORTH 66°18'03" EAST 98.64 FEET;  
THENCE SOUTH 23°36'13" EAST 50.65 FEET;  
THENCE SOUTH 89°59'40" EAST 9.64 FEET TO THE EAST LINE OF SAID LOT 1 AND THE TERMINUS.

## **RESULTANT PARCEL 2:**

THAT PORTION LOT 1 AND VACATED BUTLER DRIVE IN BLOCK 2, PLAT OF HARBORVIEW ADDITION PER VOLUME 18 OF PLATS, AT PAGE 5, AUDITORS FILE NUMBER 1780382, RECORDS OF PIERCE COUNTY, WASHINGTON, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 2;  
THENCE SOUTH 80°10'01" EAST 73.98 FEET;  
THENCE NORTH 66°18'03" EAST 98.64 FEET;  
THENCE SOUTH 23°36'13" EAST 50.65 FEET;  
THENCE SOUTH 89°59'40" EAST 9.64 FEET TO THE EAST LINE OF SAID LOT 1 AND THE TERMINUS.

N 89°58'00" W (P)

N 89°59'40" W 126.77'

AREA TO BE VACATED

LOT 1, BLOCK 2, PLAT OF HARBORVIEW ADDITION AS RECORDED IN PIERCE COUNTY, WASHINGTON UNDER RECORDING NUMBER 1780382;

SUBJECT TO AND TOGETHER WITH EASEMENTS, CONDITIONS AND/OR RESTRICTIONS OF RECORD.

S 01°16'31" W (P)  
S 01°15'28" W 43.26'

BUTLER DRIVE

190.02

100.00

2500.99 SF

43.54'

38.06

S 01°15'20" W

30.01

5.49'

GRAVEL

ASPHALT

CAR PORT

HOUSE

WOOD DECK

CONC. WALK

TREE CLUMP

TREE CLUMP

3' WIRE FENCE

4' CHAIN LINK FENCE

N 01°16'31" E (P)

N 01°14'51" E

135.08'

GRAVEL E.V.A.

10.00

N 89°59'48" W

71.85'

60.00

BAMBOO

R10.00

R10.00

ASPHALT

61.31'

S 89°59'05" E 177.51'

S 89°58' W (P)

30'

30'

BUTLER DRIVE

SCALE 1" = 200'





**Business of the City Council  
City of Gig Harbor, WA**

**Subject:** Staff Report – Eddon Boat Property Status

**Proposed Council Action:** none

**Dept. Origin:** Community Development

**Prepared by:** Lita Dawn Stanton, Community Development Assistant *LDS*

**For Agenda of:** April 23, 2007

**Exhibits:** Status Detail

Initial & Date

**Concurred by Mayor:**

*CH 4/19/07*

**Approved by City Administrator:**

*RAK 4/18/07*

**Approved as to form by City Atty:**

*CAM 4/19/07*

**Approved by Finance Director:**

*DR 4/19/07*

**Approved by Department Head:** \_\_\_\_\_

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

**INFORMATION / BACKGROUND**

See attached sheet.

## EDDON BOAT PARK UPDATE – 4-18-2007

### Summer Sidewalk Project

- DESCRIPTION: A meandering 10-12 foot sidewalk near the curb along Harborview Drive from Eddon boat building driveway to southeast parcel edge. Project includes site grading, benches, lighting, hydro-seed, curb and gutters. Sidewalk ends will be finished in asphalt in anticipation of ingress-egress requirements for bulkhead access (final clean-up and construction.) If fill is necessary, prior SEPA permit will cover (1,000 yards still available).
- UPDATE: Planning staff met with Engineering regarding SSDP (Substantial Shoreline Development Permit). Friday, April 20th meet with planning to complete application. All properties within 300 feet will be notified and Hearings Examiner meeting will be scheduled in May. Anchor (city consultant for Remediation and Conceptual Design of Park) agreed that the "meandering" sidewalk design upgrade improved overall design concept and suggested slight location adjustment to avoid any conflict with future ADA sidewalk design for water access.
- TIMELINE: Ground-breaking expected in July. In-house Summer Sidewalk Project expected to take 4 weeks.

### Remediation / Clean-up Status

- DESCRIPTION: *Uplands*: Voluntary Clean-up Program for sediment clean-up. Monitoring wells in place. Funding assistance from the Brownfields Grant (EPA)  
*Tidelands*: Dredging, backfilling, and thin-layer capping of the contaminated sediments; demolishing the derelict marine rails and pier and replacing them with structures built to current design standards; and removing a creosote-treated wood bulkhead and contaminated soils in the vicinity of the bulkhead.
- UPDATE: ORA (Governor's Office of Regulatory Assistance) meeting has been scheduled for Wednesday, April 25th. Purpose: to bring all agency stakeholders together to review and expedite the Eddon Boat site clean-up.
- STAKEHOLDERS:
- |   |  |  |
|---|--|--|
| National Marine Fisheries (NMFS)                  | Washington Department of Ecology (DOE) | Fish & Wildlife Service (USFWS)        |
| Environmental Protection Agency (EPA-Brownsfield) | City of Gig Harbor (SSDP-Planning)     | Anchor Environmental (city consultant) |
| Washington Department of Fish and Wildlife (WDFW) | Puget Sound Clean Air                  | Bud Whitaker (city consultant)         |
| Dept of Archeology & Historic Preservation (DAHP) | Department of Natural Resources (DNR)  | U.S. Army Corp of Engineers            |
- TIME LINE: 2007/2008 work window (objective)

### Boat Building

- DESCRIPTION: Fulfill Bond objectives to preserve boat building and maintain tradition uses.
- UPDATE: *Restoration Project*: \$1 million funding approval expected end of April.  
*Lease Agreement*: Gig Harbor BoatShop (GHB) contract under review (Council, Bill Joyce, Carol Morris). (NOTE: marine railways, dock and float not included in lease agreement)
- TIMELINE: *Restoration Project* – 2008/2009  
*Lease Agreement* – May 2007

### Brick House

- DESCRIPTION: Project details include re-roofing, trimwork, painting, brick clean-up and replacement of existing deck. No permitting required to rebuild deck (maintenance/replacement only). Eddon Boat Building Restoration Project funding will be used to construct public restrooms for the building and the park site (location consideration: existing/enclosed converted garage space)
- UPDATE: Mayor Hunter reviewing restoration details.
- TIMELINE: Summer/Fall 2007



ADMINISTRATION

**TO: MAYOR HUNTER AND CITY COUNCIL**  
**FROM: DAVID RODENBACH, FINANCE DIRECTOR**   
**DATE: APRIL 23, 2007**  
**SUBJECT: 1<sup>st</sup> QUARTER FINANCIAL REPORTS**

The financial reports for the first quarter of 2007 are attached.

Total resources, including revenues and beginning cash balances for all funds, are 47% of the annual budget (as compared to 54% in 2006). Beginning fund balance for all funds in the current fiscal year was \$11,447,000. This is an increase of \$1,310,000 over 2006. Revenues, excluding cash balances, are 20% of budget. This is comparable to 22% through the end of the 1<sup>st</sup> quarter 2006. Expenditures are 13% of budget. This compares to 19% in 2006.

General Fund 1<sup>st</sup> quarter revenues (excluding beginning balance) are at 25% of budget as compared to 23% for the same period last year. Sales tax receipts for the quarter are slightly behind pace at 22% of budget.

General Fund expenditures are at 24% of budget. All General Fund departments are within first quarter budgeted expenditures. Budgeted transfers to the Civic Center Debt Reserve (\$600,000) and Public Art Capital Project (\$35,000) funds were made in the 1<sup>st</sup> quarter.

Water, Sewer and Storm operating fund revenues are at 19%, 21% and 17% of budget; and, Water, Sewer and Storm expenditures are at 18%, 20% and 17% of budget, respectively.

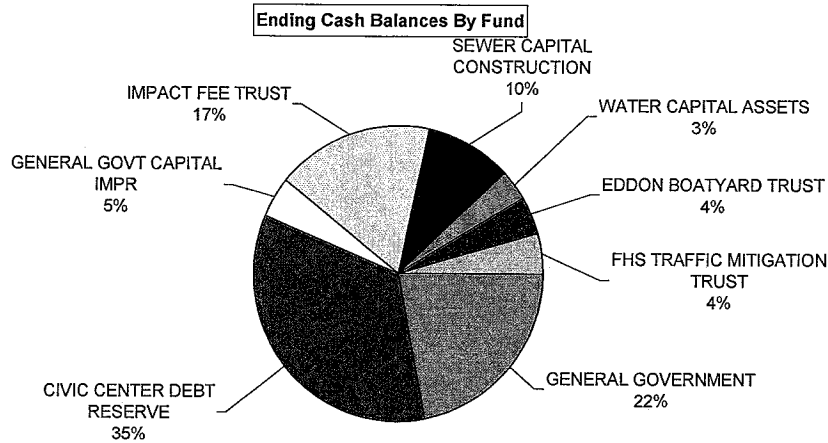
All funds have adequate cash on hand to meet upcoming obligations.

**CITY OF GIG HARBOR  
CASH AND INVESTMENTS  
YEAR TO DATE ACTIVITY  
AS OF MARCH 31, 2007**

FUND NO.	DESCRIPTION	BEGINNING			OTHER	ENDING
		BALANCE	REVENUES	EXPENDITURES	CHANGES	BALANCE
001	GENERAL GOVERNMENT	\$ 2,929,803	\$ 2,292,237	\$ 2,518,073	\$ (381,028)	\$ 2,322,939
101	STREET FUND	414,714	146,610	334,540	(183,662)	43,122
105	DRUG INVESTIGATION FUND	13,867	82,133	3,012	(215)	92,773
107	HOTEL-MOTEL FUND	225,758	54,194	59,002	(10,444)	210,506
108	PUBLIC ART CAPITAL PROJECTS	52,711	36,084	-	-	88,795
109	PARK DEVELOPMENT FUND	15,544	192	-	-	15,736
110	CIVIC CENTER DEBT RESERVE	3,018,947	611,330	-	-	3,630,277
208	LTGO BOND REDEMPTION	11,866	147	-	-	12,012
209	2000 NOTE REDEMPTION	31,751	650	-	-	32,401
210	LID NO. 99-1 GUARANTY	87,686	1,084	-	-	88,770
211	UTGO BOND REDEMPTION	49,883	7,539	-	-	57,423
301	PROPERTY ACQUISITION FUND	129,254	65,942	2,997	(2,376)	189,823
305	GENERAL GOVT CAPITAL IMPR	411,876	69,481	-	-	481,357
309	IMPACT FEE TRUST	1,239,138	401,262	-	196,240	1,836,639
401	WATER OPERATING	310,892	177,958	169,110	(73,143)	246,597
402	SEWER OPERATING	302,419	404,594	422,561	(116,248)	168,204
407	UTILITY RESERVE	154,800	22,161	-	-	176,960
408	UTILITY BOND REDEMPTION	16,033	100,871	26,569	(170)	90,165
410	SEWER CAPITAL CONSTRUCTION	663,257	477,295	60,217	(44,352)	1,035,983
411	STORM SEWER OPERATING FUND	125,577	94,519	109,623	(87)	110,386
420	WATER CAPITAL ASSETS	206,546	162,416	3,610	(7,084)	358,268
605	LIGHTHOUSE MAINTENANCE TRUST	1,940	24	-	-	1,964
607	EDDON BOATYARD TRUST	539,914	4,405	84,552	(8,337)	451,431
608	FHS TRAFFIC MITIGATION TRUST	492,623	3,645	37,598	-	458,670
		<u>\$ 11,446,798</u>	<u>\$ 5,216,775</u>	<u>\$ 3,831,464</u>	<u>\$ (630,906)</u>	<u>\$ 12,201,202</u>

**COMPOSITION OF CASH AND INVESTMENTS  
AS OF MARCH 31, 2007**

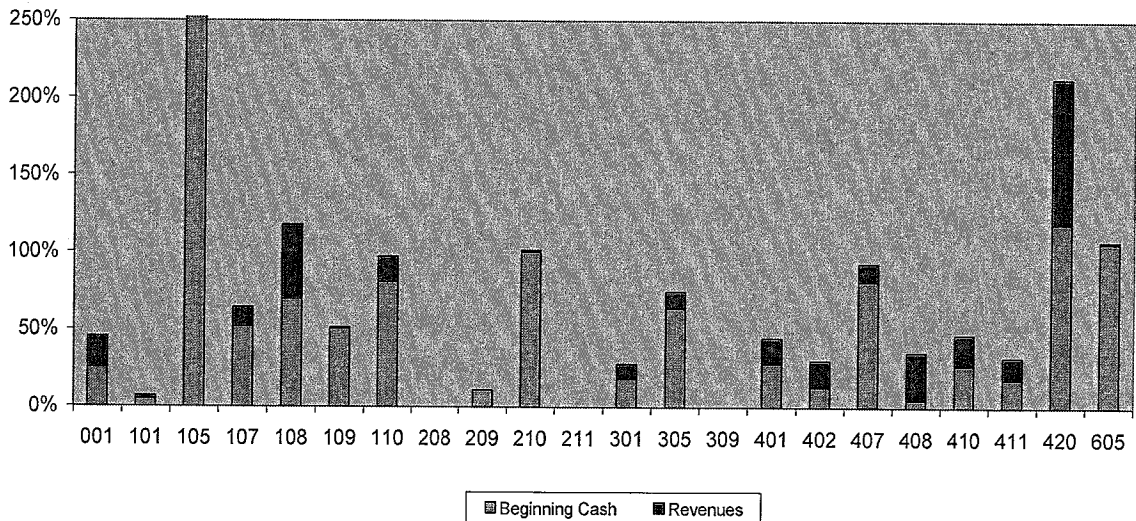
	MATURITY	RATE	BALANCE
CASH ON HAND			\$ 1,300
CASH IN BANK			1,600,085
LOCAL GOVERNMENT INVESTMENT POOL			6,979,817
FEDERAL HOME LOAN BANK	05/03/10	5.2372%	700,000
FEDERAL NATL MTG ASSN	12/22/09	5.4500%	1,000,000
FEDERAL HOME LOAN BANK	08/15/08	5.3000%	1,000,000
FEDERAL HOME LOAN BANK	03/16/10	5.5000%	920,000
			<u>\$ 12,201,202</u>



**CITY OF GIG HARBOR  
YEAR-TO-DATE RESOURCE SUMMARY  
AND COMPARISON TO BUDGET  
AS OF MARCH 31, 2007**

FUND NO.	DESCRIPTION	ESTIMATED RESOURCES	ACTUAL Y-T-D RESOURCES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
001	GENERAL GOVERNMENT	\$ 11,558,746	\$ 5,222,040	\$ 6,336,706	45%
101	STREET FUND	8,427,865	561,324	7,866,541	7%
105	DRUG INVESTIGATION FUND	3,979	96,000	(92,021)	2413%
107	HOTEL-MOTEL FUND	435,192	279,952	155,240	64%
108	PUBLIC ART CAPITAL PROJECTS	75,454	88,795	(13,341)	118%
109	PARK DEVELOPMENT FUND	30,680	15,736	14,944	51%
110	CIVIC CENTER DEBT RESERVE	3,732,375	3,630,277	102,098	97%
208	LTGO BOND REDEMPTION	866,881	12,012	854,869	1%
209	2000 NOTE REDEMPTION	292,273	32,401	259,872	11%
210	LID NO. 99-1 GUARANTY	87,468	88,770	(1,302)	101%
211	UTGO BOND REDEMPTION	305,289	57,423	247,866	19%
301	PROPERTY ACQUISITION FUND	699,272	195,196	504,076	28%
305	GENERAL GOVT CAPITAL IMPR	644,165	481,357	162,808	75%
309	IMPACT FEE TRUST	779,898	1,640,399	(860,501)	210%
401	WATER OPERATING	1,096,337	488,850	607,487	45%
402	SEWER OPERATING	2,335,478	707,013	1,628,465	30%
407	UTILITY RESERVE	190,376	176,960	13,416	93%
408	UTILITY BOND REDEMPTION	329,059	116,904	212,155	36%
410	SEWER CAPITAL CONSTRUCTION	2,432,881	1,140,552	1,292,329	47%
411	STORM SEWER OPERATING FUND	678,537	220,096	458,441	32%
420	WATER CAPITAL ASSETS	173,447	368,963	(195,516)	213%
605	LIGHTHOUSE MAINTENANCE TRUST	1,826	1,964	(138)	108%
607	EDDON BOATYARD TRUST	500,747	544,319	(43,572)	109%
608	FHS TRAFFIC MITIGATION TRUST		496,268	(496,268)	
		<b>\$ 35,678,225</b>	<b>\$ 16,663,573</b>	<b>\$ 19,014,652</b>	<b>47%</b>

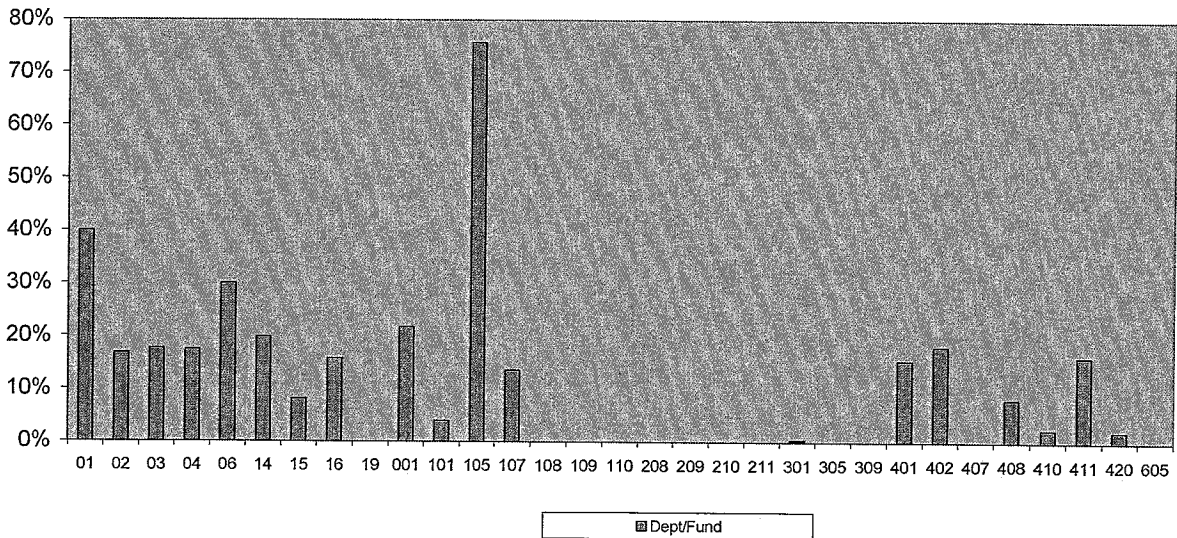
**Resources as a Percentage of Annual Budget**



**CITY OF GIG HARBOR  
YEAR-TO-DATE EXPENDITURE SUMMARY  
AND COMPARISON TO BUDGET  
FOR PERIOD ENDING MARCH 31, 2007**

FUND NO.	DESCRIPTION	ESTIMATED EXPENDITURES	ACTUAL Y-T-D EXPENDITURES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
001	GENERAL GOVERNMENT				
01	NON-DEPARTMENTAL	\$ 2,215,725	\$ 885,817	\$ 1,329,909	40%
02	LEGISLATIVE	35,600	5,978	29,622	17%
03	MUNICIPAL COURT	574,850	101,282	473,568	18%
04	ADMINISTRATIVE/FINANCIAL	1,068,200	186,593	881,607	17%
06	POLICE	2,602,740	781,896	1,820,844	30%
14	COMMUNITY DEVELOPMENT	1,670,160	331,270	1,338,890	20%
15	PARKS AND RECREATION	2,119,270	171,393	1,947,877	8%
16	BUILDING	341,500	53,845	287,655	16%
19	ENDING FUND BALANCE	930,701	-	930,701	
001	TOTAL GENERAL FUND	11,558,746	2,518,073	9,040,936	22%
101	STREET FUND	8,427,865	334,540	8,093,325	4%
105	DRUG INVESTIGATION FUND	3,979	3,012	967	76%
107	HOTEL-MOTEL FUND	435,192	59,002	376,190	14%
108	PUBLIC ART CAPITAL PROJECTS	75,454	-	75,454	
109	PARK DEVELOPMENT FUND	30,680	-	30,680	
110	CIVIC CENTER DEBT RESERVE	3,732,375	-	3,732,375	
208	LTGO BOND REDEMPTION	866,881	-	866,881	
209	2000 NOTE REDEMPTION	292,273	-	292,273	
210	LID NO. 99-1 GUARANTY	87,468	-	87,468	
211	UTGO BOND REDEMPTION	305,289	-	305,289	
301	PROPERTY ACQUISITION FUND	699,272	2,997	696,275	0%
305	GENERAL GOVT CAPITAL IMPR	644,165	-	644,165	
309	IMPACT FEE TRUST	779,898	-	779,898	
401	WATER OPERATING	1,096,337	169,110	927,227	15%
402	SEWER OPERATING	2,335,478	422,561	1,912,917	18%
407	UTILITY RESERVE	190,376	-	190,376	
408	UTILITY BOND REDEMPTION	329,059	26,569	302,490	8%
410	SEWER CAPITAL CONSTRUCTION	2,432,881	60,217	2,372,664	2%
411	STORM SEWER OPERATING FUND	678,537	109,623	568,914	16%
420	WATER CAPITAL ASSETS	173,447	3,610	169,837	2%
605	LIGHTHOUSE MAINTENANCE TRUST	1,826	-	1,826	
607	EDDON BOATYARD TRUST	500,747	84,552	416,195	17%
608	FHS TRAFFIC MITIGATION TRUST	-	37,598	(37,598)	
		\$ 35,678,225	\$ 3,831,464	\$ 31,846,761	11%

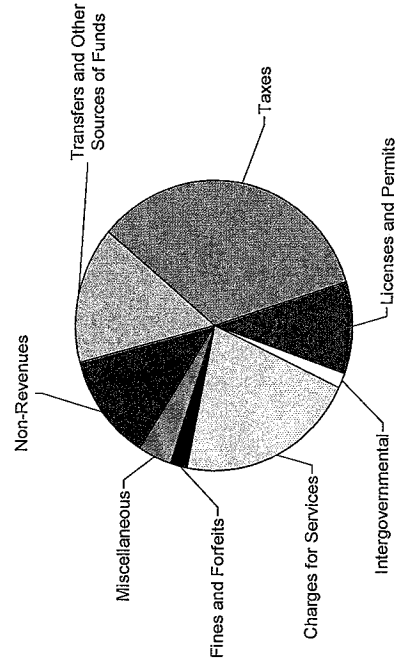
**Expenditures as a Percentage of Annual Budget**



**CITY OF GIG HARBOR  
YEAR-TO-DATE REVENUE SUMMARY  
BY TYPE  
FOR PERIOD ENDING MARCH 31, 2007**

<u>TYPE OF REVENUE</u>	<u>AMOUNT</u>
Taxes	\$ 1,770,874
Licenses and Permits	539,504
Intergovernmental	83,169
Charges for Services	1,093,933
Fines and Forfeits	112,467
Miscellaneous	196,012
Non-Revenues	625,464
Transfers and Other Sources of Funds	795,353
<b>Total Revenues</b>	<b>5,216,775</b>
Beginning Cash Balance	11,446,798
<b>Total Resources</b>	<b>16,663,573</b>

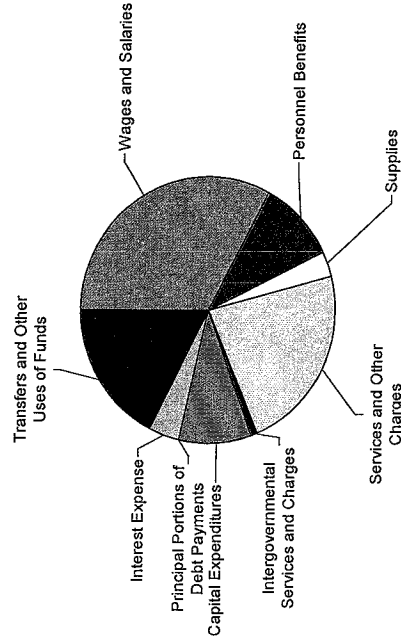
**Revenues by Type - All Funds**



**CITY OF GIG HARBOR  
YEAR-TO-DATE EXPENDITURE SUMMARY  
BY TYPE  
FOR PERIOD ENDING MARCH 31, 2007**

<u>TYPE OF EXPENDITURE</u>	<u>AMOUNT</u>
Wages and Salaries	\$ 1,255,054
Personnel Benefits	379,504
Supplies	123,288
Services and Other Charges	873,990
Intergovernmental Services and Charges	33,970
Capital Expenditures	346,491
Principal Portions of Debt Payments	146,569
Interest Expense	672,598
Transfers and Other Uses of Funds	3,831,464
<b>Total Expenditures</b>	<b>12,201,202</b>
Ending Cash Balance	3,831,464
<b>Total Uses</b>	<b>16,032,667</b>

**Expenditures by Type - All Funds**



**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 2006**

	SPECIAL REVENUE FUNDS											TOTAL SPECIAL REVENUE		
	101	105	107	108	108	109	110	301	305	307	309		605	607
GENERAL GOVERNMENT	STREET	DRUG INVESTIGATION	HOTEL - MOTEL	PUBLIC ART PROJECTS	PARK DVL P FUND	CIVIC CTR DEBT RSRV ACQUISITION	PROPERTY GEN GOVT LID NO. 99-1	GEN GOVT CAPITAL IMP	IMPACT TRUST FUND	TRUST FUND	IMPACT FEE LIGHHOUSE MAINT	EDDON BOATYARD	FHS TRFC MITIGATION	
ASSETS														
CASH	\$ 208,899	\$ 3,881	\$ 18,944	\$ 7,991	\$ 1,416	\$ 925	\$ 17,083	\$ 43,318	\$ -	\$ 165,283	\$ 177	\$ 451,431	\$ 458,870	\$ 1,178,977
INVESTMENTS	2,114,040	39,242	191,562	80,804	14,320	3,629,352	172,741	438,038	-	1,671,366	1,787	-	-	6,322,717
RECEIVABLES	1,128,961	30,797	37,613	-	-	-	-	-	-	-	-	-	-	68,409
FIXED ASSETS	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL ASSETS	3,451,900	73,919	248,119	88,795	15,736	3,630,277	189,823	481,357	-	1,836,639	1,964	451,431	458,870	7,559,503
LIABILITIES														
CURRENT	634	146,171	-	-	5,267	-	-	-	-	200,626	-	-	-	362,064
LONG TERM	4,474	13,712	-	-	-	-	-	-	-	-	-	-	-	13,712
TOTAL LIABILITIES	5,108	159,884	-	-	5,267	-	-	-	-	200,626	-	-	-	365,777
FUND BALANCE:														
BEGINNING OF YEAR	3,672,627	101,965	252,926	52,711	10,277	3,018,947	126,878	411,876	-	1,234,752	1,940	531,578	492,623	6,250,124
Y-T-D REVENUES	2,292,237	146,610	54,194	36,084	192	611,330	65,942	68,481	-	401,262	24	4,405	3,645	1,475,303
Y-T-D EXPENDITURE	(2,518,073)	(334,540)	(69,002)	-	-	-	(2,987)	-	-	-	-	(84,552)	(37,598)	(521,700)
ENDING FUND BALANCE	3,446,791	(85,965)	248,119	88,795	10,468	3,630,277	189,823	481,357	-	1,636,013	1,964	451,431	458,870	7,203,727
TOTAL LIAB. & FUND BAL	3,451,900	73,919	248,119	88,795	15,736	3,630,277	189,823	481,357	-	1,836,639	1,964	451,431	458,870	7,559,503



**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 2006**

	208	209	210	211	TOTAL
	LTGO BOND REDEMPTION	2000 NOTE REDEMPTION	LID 99-1 GUARANTY	UTGO BOND REDEMPTION	DEBT SERVICE
<b>ASSETS</b>					
CASH	\$ 1,081	\$ 2,916	\$ 7,989	\$ 5,168	\$ 17,153
INVESTMENTS	10,931	29,485	80,782	52,255	173,453
RECEIVABLES	-	-	-	6,712	6,712
FIXED ASSETS	-	-	-	-	-
OTHER	-	-	-	-	-
<b>TOTAL ASSETS</b>	<b>12,012</b>	<b>32,401</b>	<b>88,770</b>	<b>64,134</b>	<b>197,318</b>
<b>LIABILITIES</b>					
CURRENT	-	-	-	-	-
LONG TERM	-	-	-	3,045	3,045
<b>TOTAL LIABILITIES</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,045</b>	<b>3,045</b>
<b>FUND BALANCE:</b>					
BEGINNING OF YEAR	11,866	31,751	87,686	53,550	184,853
Y-T-D REVENUES	147	650	1,084	7,539	9,420
Y-T-D EXPENDITURE	-	-	-	-	-
<b>ENDING FUND BALANCE</b>	<b>12,012</b>	<b>32,401</b>	<b>88,770</b>	<b>61,090</b>	<b>194,274</b>
<b>TOTAL LIAB. &amp; FUND BAL \$</b>	<b>12,012 \$</b>	<b>32,401 \$</b>	<b>88,770 \$</b>	<b>64,134 \$</b>	<b>197,318 \$</b>

**CITY OF GIG HARBOR  
STATEMENT OF FINANCIAL POSITION  
AS OF DECEMBER 31, 2006**

	PROPRIETARY									
	401	402	407	408	410	411	420	TOTAL	PROPRIETARY	TOTAL
	WATER OPERATING	SEWER OPERATING	UTILITY RESERVE	UTILITY BOND REDEMPTION	SEWER CAP. CONST.	STORM SEWER OPERATING	WATER CAP. ASSETS			
<b>ASSETS</b>										
CASH	\$ 22,283	\$ 15,228	\$ 15,925	\$ 8,114	\$ 93,231	\$ 9,934	\$ 32,241	\$	\$ 186,956	\$ 1,801,385
INVESTMENTS	224,314	152,976	161,035	82,051	942,753	100,452	326,027		1,989,607	10,599,817
RECEIVABLES	141,705	276,290	-	-	-	44,512	-		462,507	1,866,589
FIXED ASSETS	3,826,924	8,644,791	-	-	2,563,459	677,446	156,156		15,868,776	15,868,776
OTHER	-	-	-	-	-	-	-		-	-
<b>TOTAL ASSETS</b>	<b>4,215,226</b>	<b>9,089,285</b>	<b>176,960</b>	<b>90,165</b>	<b>3,599,442</b>	<b>832,344</b>	<b>514,425</b>		<b>18,517,846</b>	<b>29,736,567</b>
<b>LIABILITIES</b>										
CURRENT	(500)	-	-	270,236	4,673	2	106,256		380,667	733,366
LONG TERM	47,338	45,083	-	1,358,407	-	42,117	-		1,492,945	1,514,176
<b>TOTAL LIABILITIES</b>	<b>46,838</b>	<b>45,083</b>	<b>-</b>	<b>1,628,643</b>	<b>4,673</b>	<b>42,119</b>	<b>106,256</b>		<b>1,873,612</b>	<b>2,247,542</b>
<b>FUND BALANCE:</b>										
BEGINNING OF YEAR	4,159,541	9,062,168	154,800	(1,612,781)	3,177,691	805,328	249,362		15,996,110	26,103,714
Y-T-D REVENUES	177,958	404,594	22,161	100,871	477,295	94,519	162,416		1,439,815	5,216,775
Y-T-D EXPENDITURE	(169,110)	(422,581)	-	(26,569)	(60,217)	(109,623)	(3,610)		(791,691)	(3,831,464)
<b>ENDING FUND BALANCE</b>	<b>4,168,388</b>	<b>9,044,201</b>	<b>176,960</b>	<b>(1,538,478)</b>	<b>3,594,769</b>	<b>790,225</b>	<b>408,168</b>		<b>16,644,234</b>	<b>27,489,025</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$ 4,215,226</b>	<b>\$ 9,089,285</b>	<b>\$ 176,960</b>	<b>\$ 90,165</b>	<b>\$ 3,599,442</b>	<b>\$ 832,344</b>	<b>\$ 514,425</b>	<b>\$</b>	<b>\$ 18,517,846</b>	<b>\$ 29,736,567</b>

CITY OF GIG HARBOR  
 STATEMENT OF FINANCIAL POSITION  
 BY FUND TYPE  
 AS OF DECEMBER 31, 2006

	GENERAL GOVERNMENT	SPECIAL REVENUE	DEBT SERVICE	TOTAL GOVERNMENTAL	PROPRIETARY	TOTAL ALL FUND TYPES
<b>ASSETS</b>						
CASH	\$ 208,899	\$ 1,178,377	\$ 17,153	\$ 1,404,692	\$ 196,956	\$ 1,601,385
INVESTMENTS	2,114,040	6,322,717	173,453	8,610,210	1,989,607	10,599,817
RECEIVABLES	1,128,961	68,409	6,712	1,204,082	462,507	1,666,589
FIXED ASSETS	-	-	-	-	15,868,776	15,868,776
OTHER	-	-	-	-	-	-
<b>TOTAL ASSETS</b>	<b>3,451,900</b>	<b>7,569,503</b>	<b>197,318</b>	<b>11,218,983</b>	<b>18,517,846</b>	<b>29,736,567</b>
<b>LIABILITIES</b>						
CURRENT	634	352,064	-	352,698	380,667	733,366
LONG TERM	4,474	13,712	3,045	21,232	1,492,945	1,514,176
<b>TOTAL LIABILITIES</b>	<b>5,109</b>	<b>365,777</b>	<b>3,045</b>	<b>373,930</b>	<b>1,873,612</b>	<b>2,247,542</b>
<b>FUND BALANCE:</b>						
BEGINNING OF YEAR	3,672,627	6,250,124	184,853	10,107,604	15,996,110	26,103,714
Y-T-D REVENUES	2,292,237	1,475,303	9,420	3,776,960	1,439,815	5,216,775
Y-T-D EXPENDITURES	(2,518,073)	(521,700)	-	(3,039,511)	(791,691)	(3,831,464)
<b>ENDING FUND BALANCE</b>	<b>3,446,791</b>	<b>7,203,727</b>	<b>194,274</b>	<b>10,845,054</b>	<b>16,644,234</b>	<b>27,489,025</b>
<b>TOTAL LIAB. &amp; FUND BAL.</b>	<b>\$ 3,451,900</b>	<b>\$ 7,569,503</b>	<b>\$ 197,318</b>	<b>\$ 11,218,983</b>	<b>\$ 18,517,846</b>	<b>\$ 29,736,567</b>



**Business of the City Council  
City of Gig Harbor, WA**

**Subject: Gig Harbor Police March 2007  
Council Report**

**Proposed Council Action: Review**

**Dept. Origin: Police Department**

**Prepared by: Chief Mike Davis** *MD*

**For Agenda of: April 23, 2007**

**Exhibits: Report attached**

Initial & Date

**Concurred by Mayor:** *CA 4/17/07*

**Approved by City Administrator:** *PK 4/16/07*

**Approved as to form by City Atty:** \_\_\_\_\_

**Approved by Finance Director:** \_\_\_\_\_

**Approved by Department Head:** \_\_\_\_\_

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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**POLICE**

**TO: MAYOR CHUCK HUNTER AND CITY COUNCIL**  
**FROM: CHIEF OF POLICE MIKE DAVIS**  
**SUBJECT: GHPD MONTHLY REPORT FOR MARCH 2007**  
**DATE: APRIL 23, 2007**

**DEPARTMENTAL ACTIVITIES**

March 2007 YTD ***calls for service*** when compared to March 2006 YTD ***calls for service*** show an increase of 196 dispatched calls. During this time frame we have seen 55 fewer ***reports written*** by our officers. ***DUI arrests*** in 2007 YTD are down by two compared to 2006. Our ***infractions*** are down by nine this year, and our criminal citations are up by 36. Statistics show our March 2007 YTD ***traffic accidents*** have decreased by seven accidents when compared to March 2006 YTD. March 2007 YTD statistics indicate our ***misdemeanor and felony arrests*** are down by 31 and five arrests respectively when compared to the same time period in 2006.

Category	March-07					
	March 2006	March 2007	Change	YTD 2006	YTD 2007	Change
Calls for Service	351	444	93	1033	1229	196
General Reports	172	156	-16	484	429	-55
Criminal Traffic	7	11	4	26	33	7
Infractions	81	108	27	273	264	-9
Criminal Citations	0	23	23	8	44	36
Warrant Arrests	6	17	11	17	27	10
Traffic Reports	17	15	-2	52	45	-7
DUI Arrests	3	3	0	9	7	-2
Misdemeanor Arrests	30	30	0	107	76	-31
Felony Arrests	11	8	-3	29	24	-5
FIR's	2	2	0	5	2	-3

Attached you will find several graphs that track 2007 monthly statistics. I have left data from the last two years on several graphs to provide a baseline with which to compare our current activity levels as we progress through 2007 (remember some of the graphs contain cumulative numbers).

**The Reserve Unit** supplied 44.5 hours of volunteer time assisting our officers in March. Our newest reserve candidate, Ed Santana, is working his way through the reserve academy with a test average of 95%. Ed injured his knee while participating in defensive tactics training in March. He is awaiting the results of an MRI to determine what course of treatment to take.

**The COPS (Citizens on Patrol)** program was inactive during the month of March.

**The Marine Services Unit** was for the most part inactive during the month of March. On the afternoon of the 28<sup>th</sup>, our Marine Unit assisted a tug that delivered the new slip at the Harbor View Marina, site of the major marina fire in 2005. The slip configuration was delivered in one piece and our patrol boat helped with coordinating the operation.

**The Explorer's** attended two meetings in March. The first meeting was held at the Grand Prix raceway in Tacoma where they got their first taste of Emergency Vehicle Operation driving. Unit coordinator Officer Dahm came in fourth, so it appears he had three Explorers show him a thing or two! Explorer Sergeant Moots spent most of her time with her cart nose into the barricades and was given the name "Crash." Their second meeting was a recruitment meeting. This meeting only drew in one new candidate who handed in his application and he will be interviewed early next month. They interviewed and accepted Jon Schmidt into our Explorer post this month.

Hours:

Training Meetings	15 Hours
Volunteer	12.5 Hours
Ride Alongs	33.5 Hours
Total Hours	<b><u>61 Hours</u></b>

**TRAFFIC ACCIDENT INVOLVEMENT ACCORDING TO AGE CATEGORY 2007 YTD**

	Teens (15-18)	Young Adult (19-25)	Adult (26-50)	Seniors (51 over)
January	1	2	11	6
February	2	2	2	2
March	4	2	4	4
<b>YTD Totals</b>	<b>7</b>	<b>6</b>	<b>17</b>	<b>12</b>

## TRAFFIC ACCIDENT LOCATION REPORT FOR MARCH 2007

### LEGEND:

P-LOT-	PARKING LOT	H&R-	HIT & RUN
NON -	NON INJURY	INJ-	INJURY
PED/CYC-	PEDESTRIAN/CYCLIST	R/A-	ROUNDBABOUT

TRAFFIC ACCIDENTS FOR MARCH 2007					
DATE	TIME	LOCATION	TYPE	CASE#	AGE
3/1/2007	10:33	6200 38th Ave.	Non	GH070265	27
3/1/2007	14:00	3118 Judson St.	H&R P-Lot	GH070266	N/A
3/2/2007	21:05	11330 51st Ave. NW	H&R P-Lot	GH070274	N/A
3/5/2007	14:25	4700 Pt. Fosdick Dr.	H&R P-Lot	GH070286	N/A
3/5/2007	19:20	5000 Olympic Dr.	Non	GH070290	17
3/6/2007	19:40	5408 36th Ave. NW	Non	GH070296	17
3/12/2007	16:32	Rosedale & Skansie	INJ	GH070322	59
3/14/2007	13:00	5120 Borgen Blvd.	H&R P-Lot	GH070332	N/A
3/18/2007	0:00	5006 Pt. Fosdick Dr.	H&R	GH070349	68
3/22/2007	20:25	Olympic Dr. @ SR 16	Non	GH070365	31
3/23/2007	9:45	5900 Soundview Dr	INJ	GH070370	51
3/24/2007	12:40	Borgen Blvd. & Harbor Hill	R/A - Non	GH070375	18
3/26/2007	12:52	4700 Pt. Fosdick Dr.	INJ	GH070383	76
3/26/2007	15:50	5122 Olympic Dr.	Non	GH070386	33
3/30/2007	14:55	N. Harborview & Burnham	Non	GH070397	27
3/30/2007	14:45	Olympic Dr. & Hollycroft	Non	GH070398	17
3/30/2007	16:04	4800 Pt. Fosdick Dr.	Non	GH070399	19
3/31/2007	0:35	Burnham Dr. & Borgen Blvd.	R/A - Non	GH070402	21

### **Some of the more interesting calls for the month of March 2007 included:**

- **March 1st at 8:30 pm**, employees of the Peninsula Gateway Newspaper heard a crash in the office area of their building. When they responded to the office area, they discovered that someone had thrown a large rock into a plate glass window, shattering the window. An area check was conducted by responding officers and no suspects were located. The damage was estimated at \$700.00. Case # 070267
- **March 1st at 7:42 pm**, Sgt. Busey and Officer Chapman were dispatched to check the area of the city dock on a suspicious looking male that had gotten into a rubber raft and paddled out to an anchored sailboat in the harbor. With the "unkept" looking male was another person, who was reported to be a 12-year old boy. Finding the rubber raft already gone from the city dock, Sgt. Busey and Officer Chapman responded out to the anchored sailboat in the GHPD patrol boat. The officers knocked on the sailboat and a naked 46-year old male popped his head out of the hatch. The officers explained the reason for the contact and asked to see the 12-year old boy on board. The male denied having a juvenile

on board and stated that his companion was a 26-year old female. The officers summoned the female and found that she was small in stature with short hair and did resemble a young boy. She was also naked. It was determined that both persons were legally aboard the male's boat and no laws had been violated. Case # 070269

- **March 2<sup>nd</sup>:** While investigating a vehicle prowl incident in the parking lot of a local grocery store at 4:10 pm, Officer Welch contacted three suspicious males in a nearby automobile. While talking with the subjects, Officer Welch checked their identification. A records check revealed that a 21-year old male from inside the vehicle was wanted on an active arrest warrant from Pierce County. The male was taken into custody and booked into jail on the warrant. Case # 070271
- **March 3<sup>rd</sup>:** A male reported that at 5:53 pm he parked his pickup truck in the parking lot of a local office supply store. After a few minutes he returned to his truck and found an unidentified male wearing a hooded-sweatshirt rifling through the inside of the truck. The suspect had parked a truck next to the victim's truck and left the drivers door open. The victim grabbed the hooded suspect and the suspect broke free and fled the area in the suspect pickup. A nearby witness obtained a license plate number on the suspect pickup. Later investigation revealed that the hooded suspect may be responsible for several of the reported vehicle prowls from this week. These cases all involve the door locks of late model Ford Pickups & SUVs being punched with a straight screwdriver. The case is currently under investigation. Case # 070277
- **March 3<sup>rd</sup> at 8:05 pm,** Officer Chapman stopped a vehicle for a traffic offense. Upon checking the 31-year old female driver, Officer Chapman learned that she was driving with a suspended driver's license and wanted on an active arrest warrant from Pierce County. The female was taken into custody and booked into Jail on the arrest warrant. Case # 070279
- **March 4<sup>th</sup> at 12:08 am,** Officers Welch and Dennis stopped a vehicle for a traffic offense. Upon contacting the 36-year old male driver, the officers found that despite the cool evening, the male was sweating profusely. He was also twitching and his hands were shaking. The officers recognized that the male was likely under the influence of methamphetamine. When the male exited the vehicle, Officer Welch noticed several credit cards lying on the floor of the car. When asked about the cards the male said that he didn't know who the cards belonged to. Upon checking the cards, the officers were able to quickly determine that they were stolen. The male was taken into custody for possessing stolen property. While conducting a search of the vehicle incident to arrest, the officers discovered a loaded hypodermic syringe. The contents were field tested and proved to be methamphetamine. The officers also found several different prescribed narcotics that did not belong to the male. Under the driver's seat the officers recovered an Air Soft pistol which closely resembled a real automatic pistol. The male was later booked into Jail on several drug charges



and possessing stolen property. Further investigation on the case revealed that the credit cards had been stolen during past Gig Harbor car break-ins. Great catch by Officers Welch & Dennis! Case # 0780280

- **March 4<sup>th</sup>:** A female resident reported that sometime during the last week, someone entered her unlocked garage and took several hundred dollars worth of hand and power tools. There were no suspects at the time of the report. Case # 070283

***Other reported incidents during the first week in March included:***

- 1 Injury Accident
  - 6 Hit & Run Accidents
  - 9 Vehicle Prowls
- **March 5<sup>th</sup> at 2:25 am,** Officer Dahm was patrolling the Quail Run neighborhood (3400 Briarwood Lane) when he encountered a male and female sitting in a car alongside the road. Officer Dahm ascertained that there was no distress and the two said that they were “just talking.” Dahm did note that both subjects were likely intoxicated and began to seek other arrangements for their transportation home when he noticed some money lying on the ground outside the driver’s door. Officer Dahm asked the driver if she had dropped some money and when she opened the door to retrieve it, Dahm observed a small plastic baggie containing a white powdery substance that later proved to be cocaine. Additional circumstances led Dahm to believe that the female had been snorting cocaine, but he could not prove that the male was also using the drug. After arresting the female for possessing the cocaine, Officer Dahm also discovered a small baggie of marijuana in the vehicle. The female was booked into jail and the male was transported to his residence.
  - **March 5<sup>th</sup> at 5:50 pm,** a resident of an apartment complex in the 3600 block of 54<sup>th</sup> Street reported damage to her vehicle parked in the lot outside her residence. Someone had used a key or other sharp instrument to carve scratches and words of profanity into the hood of her car. The victim had learned from several children who live in the complex that a specific 13-year old girl had caused the damage. Officer Brunson interviewed several of the children and the suspect, but could not immediately prove that she was the one responsible for the damage. This case has been sent to Remann Hall for review of charges against the 13-year old.
  - **March 6<sup>th</sup> at 1:00 pm,** while reviewing her bank statements, a resident discovered three unauthorized charges against her checking account totaling \$300. She contacted the vendor and learned that an account had been set up in her name and that the suspect knew her name, address and Social Security number. The victim closed the account and took other precautions to protect her credit. She believes that this incident stems from a vehicle prowler that occurred

nearly one year ago. In that instance, her purse (containing all of her ID information) was stolen.

- **March 6<sup>th</sup> at 9:50 am**, a 15-year old female high school student reported a series of threats she is receiving via her cellular telephone. The victim said that, for the past two weeks, the suspect is somehow able to remotely access her cellular telephone and even activate the camera and GPS features on it at any given time. When the suspect calls the victim on the cell phone, he/she uses some sort of technical device to disguise the voice into a digitized tone. The suspect is able to tell the victim where she is at any given moment. Even after changing cell phones and service providers, the suspect has been able to track down the victim. On this date, the suspect called again and said that he/she was going to kill the victim while she was in a specific class at school. This message was left on the victim's voice mail and the reporting officer listened to the actual threat. The victim reports that she has no idea who might be harassing her. This same victim has made similar reports of similar events that have occurred to her while she was in other jurisdictions (Tacoma and University Place). This case has been sent to those jurisdictions in support of their investigations.
- **March 7<sup>th</sup> at 4:00 pm**, a motorist had stopped at the stop sign of Hunt Street and 38<sup>th</sup> Avenue and was starting through the intersection when a bicyclist drove through the intersection from his left. The bicyclist had not stopped at the stop sign as he was legally required. The motorist sounded his horn in protest and the bicyclist responded by driving alongside the vehicle, using an obscene gesture, and yelling profanities. The motorist continued and slowed to stop at the next intersection. The bicyclist caught up and rode intentionally in front of the vehicle, stopping quickly enough that the vehicle touched the rear tire of the bicycle. The bicyclist dismounted and confronted the motorist, who remained in the vehicle. The bicyclist threatened the driver and eventually punched the side of the car, causing a sizeable dent. The motorist started to drive away and told the bicyclist that he was going to the police department. The bicyclist initially said that he would also go to the police department and started to ride that direction before turning off on a side street. The responding officer could not locate the bicyclist in the area.
- **March 8<sup>th</sup> at 10:15 am**, an off-duty GHPD officer working a security detail at Gig Harbor High School was notified by school personnel that a staff member had discovered the odor of burnt marijuana emanating from a boys bathroom within the school. The School Security officer reviewed the surveillance video from that portion of the school and subsequently identified two males aged 15 and 16 years who had been seen lingering in the bathroom immediately prior to the report. Both subjects were brought to the office and were found in possession of a small amount of marijuana and a marijuana pipe. The boys were suspended from school and released to their parents. A report will be sent to Remann Hall for initiation of criminal charges.

- **March 8<sup>th</sup> at 10:20 am**, the owner of an automobile dealership in the 3900 block of Grandview Street was receiving threats from a former employee. Apparently, the former employee was upset because he felt as though the employees at the dealership were tarnishing his reputation and spreading false rumors. At one point, the suspect came to the dealership and threatened to “have the place dismantled” before fleeing the scene. During the investigation, Officer Cabacungan learned that the suspect had an outstanding arrest warrant issued out of King County. Coincidentally, when Cabacungan returned to the station, he observed the suspect’s vehicle parked outside the Gig Harbor Civic Center. Officer Cabacungan took the suspect into custody on the warrant and interviewed him about the recent threat to the auto dealership. The suspect said that he was “just upset” and did not mean for this to be a threat of physical harm, but rather wanted the owner of the dealership to be in fear that his cars would be stolen by associates of the suspect. The suspect was transported to the King County Regional Justice Center for booking.
- **March 10<sup>th</sup> at 2:15 am**, Officer Dennis and Sergeant Dougil were patrolling the 6600 block of Wagner Way when they encountered a 25-year old male seated in a vehicle with the driver’s side door open. The vehicle was parked in a remote area near a public walking trail. When the subject noticed the officers, he quickly threw something onto the ground. The officer approached and asked the subject what he was doing. The subject said that he was smoking marijuana. The officers recovered a marijuana pipe that still contained burning marijuana on the ground outside the vehicle. The subject was arrested before being released on a citation for possessing marijuana.

***Other reported incidents during the second week of March included:***

- 2 – Non Injury Accidents
  - 1 – Hit & Run Accident
  - 2 – Vehicle Prowls
- **March 12<sup>th</sup>**: over the weekend vandals spray painted graffiti on the city owned water tower located along the Cushman Trail. The graffiti appears to be “gang style” writing. There are no suspects in the case. Case # 070321
  - **March 12<sup>th</sup> at 11:45 pm**, officers responded to a burglar alarm at a local church. Upon arriving, the officers found that two windows had been forced open. A search of the building showed that the perpetrators did not enter the church and were apparently frightened off by the alarm. Case # 070323
  - **March 13<sup>th</sup> at 3:25 am**, Officer Dennis checked a suspicious vehicle in a local business parking lot. A records check of the license plate showed that the owner of the vehicle was wanted on two active arrest warrants. Officer Dennis contacted the 28-year old male driver of the vehicle and confirmed that he was also the owner of the vehicle. The warrants were verified and the male was

taken into custody. During a search of the vehicle incident to arrest, a small amount of marijuana was recovered. The male was booked into jail on the warrants and possession of marijuana. Case # 070325

- **March 13<sup>th</sup>:** a local business owner reported that sometime over the last two months, someone cut and stole the copper tubing from his outside A/C unit. The theft was detected when an employee attempted to turn on the air conditioning. The loss of the copper was estimated at \$100.00. There are no suspects. Case # 070328
- **March 13<sup>th</sup> at 11:15 pm,** Officer Dahm saw an SUV towing a brand new 23' "Outlaw Powerboat" near the area of the NW Powerboats Store located on Pt. Fosdick Dr. Having knowledge that several expensive powerboats have been stolen recently throughout the state, Officer Dahm attempted to make a traffic stop on the SUV. The SUV fled from Officer Dahm and Officer Dahm pursued the vehicle toward SR 16. While traveling at high speeds on W/B SR 16, the driver of the SUV began swerving the vehicle back and forth in an attempt to disconnect the trailer from the SUV. After several attempts, the trailer broke free from the SUV and coasted into the median and struck the cable barrier. A PCSD deputy continued the chase of the SUV into Purdy and then terminated the pursuit due to the high speeds and wet roadway conditions. The suspect SUV got away, however the \$100,000 Outlaw Powerboat was recovered with minimal damage. A check of the Powerboats NW business revealed that the suspect had pulled a large concrete block out of the way to gain access to the parked boats. The investigation is continuing in this case. Great Job by Officer Dahm in recovering this valuable boat! Case # 070330
- **March 16<sup>th</sup> at 5:50 am,** Officer Allen stopped a vehicle for a traffic infraction. A records check of the 27-year old male driver showed that the male was driving with a suspended driver's license and was wanted on two active arrest warrants. The male was taken into custody and booked into jail on the active warrants. Case # 070336
- **March 16<sup>th</sup> at 7:48 pm,** officers were dispatched to an armed robbery at the Schuck's Automotive Store on Pt. Fosdick Dr. An armed gunman had just forced employees and customers to lie on the floor at gunpoint while he emptied the two cash registers and the rear safe. The gunman then fled on foot and was last seen in the area of Olympic Pharmacy. A K-9 dog was summoned to the scene and a search of the area was conducted with negative results. The gunman wore a ski mask which partially covered his face. He was described as either a light skinned black male or a white male. The gun he displayed was a silver colored automatic handgun. No one was injured during the robbery and the gunman made off with an unknown amount of cash. The case is currently under investigation. Case # 070341

- **March 17th at 10:22 pm**, officers were dispatched to a local grocery store on a theft of a TV. Store employees reported that a male in his late 20's, took a 15" LCD Television off of a display shelf and placed it into his shopping cart. The male then walked out of the store and loaded the TV into his vehicle. Store employees ran into the parking lot once they discovered the theft; however, the suspect was driving away before they could stop him. A license plate was seen and the case is currently under investigation. Case # 070345
- **March 17th at 10:45 pm**, Officer Allen stopped a vehicle for a traffic infraction. During the stop, Officer Allen determined that the 22-year old female driver did not have a driver's license. The female was taken into custody and while searching her vehicle incident to arrest, Officer Allen located a small amount of marijuana and a marijuana pipe. The female was later released with a criminal citation for No Valid Operators License & Possession of a Controlled Substance. Case # 070346

***Other reported incidents during the third week in March:***

- 1 Injury Accident
  - 1 Hit & Run Accident
  - 1 Vehicle Prowl
- **March 18th at 2:30 pm**, Officer Jahn was advised of an intoxicated male leaving a local tavern in a red Ford Expedition. The Expedition was being followed by a female that had warned the male not to drive. The female caller was now updating the 911operator of the Expedition's direction of travel. After driving around town for a few minutes, Officer Jahn was able to catch up to the Expedition and make a traffic stop. Upon talking with the 49-year old male driver, Officer Jahn was able to quickly determine that he was indeed intoxicated. The male failed all of the field sobriety tests at the scene and was arrested for DUI. He later blew a .32 on the BAC machine, which is more than 3 times the legal limit. Thanks to our concerned female caller! Case # 070348
  - **March 18th at 8:17 pm**, Officers Welch and Dahm responded to a call of suspicious activity at a closed business. Upon arriving, they contacted two suspicious males that could not provide any reasonable explanation for being at the business. One of the males continually placed his hands in his pockets after being told not to do so. After several warnings, the 29-year old male was placed in handcuffs for the officer's protection. While conducting a cursory pat-down of the subject, 2 syringes were found in his pocket. A search of the vehicle produced a syringe "loaded" with Heroin. The male was arrested for Unlawful Possession of a Controlled Substance (Heroin) and booked into Jail. Case # 070351
  - **March 19<sup>th</sup>**: while on patrol at 12:30 am, Officer Welch noticed a vehicle parked along the side of the road. The vehicle was occupied by a 24-year old female.

After talking with the female, Officer Welch was suspicious of her activity. When asked for her name, the female provided several false names and birth dates. Finally after several attempts, the female provided her correct name and social security number. With that information, Officer Welch located six active warrants for her arrest. The female was taken into custody and booked on the active warrants. Case # 070352

- **March 19<sup>th</sup>**: a local marina reported that over a 3-day period, someone stole a 15HP outboard motor off the marina's skiff. The skiff was discovered floating in the harbor without the motor. The marina believes that the perpetrator(s) committed the theft from another boat. There are no suspects. Case # 070353
- **March 19<sup>th</sup> at 10:30 am**, Sgt. Emmett was dispatched to a local bank on an intoxicated male inside. Before Sgt. Emmett arrived, the bank called back and said that the male was now driving away in a gray van. Sgt. Emmett saw the van as he was responding to the bank and stopped the van as it was pulling into the male's apartment complex. The male staggered from the van and was detained by Sgt. Emmett. The 51-year old male driver was then asked to perform a series of field sobriety tests. The male failed the tests and was taken into custody for DUI. The male later blew a .055 on the BAC machine and it was determined that he had mixed wine with prescribed drugs. Case # 070354
- **March 19<sup>th</sup> at 11:30 am on the same day**, Officer Jahn was dispatched to the Century Tel storage yard on the theft of copper wire. The call went on to say that the male suspect had been caught inside the yard stealing the wire and when employees closed the gate on him, he crashed through the gate with his P/U truck. As Officer Jahn was approaching the area he saw the suspect P/U truck coming his way. Officer Jahn stopped the P/U and the 23-year old male driver was arrested. Because a Century Tel employee was nearly hit by the fleeing P/U, the 23-year old was booked on a charge of Robbery 1<sup>st</sup> degree. Case # 070355
- **March 21<sup>st</sup>**: a local coffee shop reported that during the night time hours, someone stole five patio tables and ten patio chairs from their outside patio area. The owner of the coffee shop valued the stolen property at \$1800.00. There are no suspects. Case # 070362
- **March 23<sup>rd</sup>**: a 17-year old male high school student was arrested for having Vodka at the school. School officials were made aware that the student had concealed the Vodka in a Gatorade bottle and was planning to take it on a school field trip. Prior to getting on the bus, the student was detained and the Vodka discovered. The student was released to a parent and a report of the incident has been forwarded to Remann Hall for charges. Case # 070369
- **March 23<sup>rd</sup> at 9:45 am**, Officer Cabacungan was dispatched to an injury accident in the 5900 block of Soundview. Upon arrival, Officer Cabacungan

discovered that a gray van had gone off the roadway and struck a tree. The 51-year old male driver had suffered a head injury and was being treated by medical aid. Upon contacting the driver, Officer Cabacungan smelled the odor of alcohol. Officer Cabacungan also discovered that the male driver was the same individual that Sgt. Emmett arrested for DUI on the morning of March 19<sup>th</sup>. The male was transported to the hospital for the head injury and a blood draw was conducted at the hospital. DUI charges are pending and will be based on the blood alcohol results from the lab. Case # 070370

- **March 24<sup>th</sup> at 12:09 am**, Officers Brunson and Allen checked out a suspicious vehicle behind a closed business. Their investigation revealed that the two 18-year old male occupants were parked behind the business drinking beer. Both subjects were arrested for Minor in Possession of Alcohol and released with criminal citations. Case # 070372
- **March 24<sup>th</sup> at 4:25 pm**, Sgt. Emmett was dispatched to a hit & run at a local office supply store. The suspect vehicle was a blue colored pickup truck. A witness spotted the same pickup in the parking lot of a nearby video store. Sgt. Emmett went to the video store and located the suspect pickup. Upon contacting the 62-year old male driver of the pickup, the male said that he “may have hit another car in the parking lot, but he wasn’t sure.” Based on witness statements that the driver of the pickup had stopped and looked at the damage before fleeing the scene, the male driver was arrested for Hit & Run to an unattended vehicle. The male was then released with a criminal citation. Case # 070376

***Other reported incidents during the fourth week of March included:***

- 2 Non Injury Accidents
  - 2 Hit & Run Accidents
  - 1 Vehicle Prowl
  - 1 Driving While License Suspended Arrest
- **March 26<sup>th</sup> 1:30 pm**, officers were dispatched to the report of a domestic dispute between two teenaged sisters in the 5900 block of Soundview Drive. The mother and her 17-year old daughter stated that the 15-year old daughter/sibling had been creating a disturbance and had assaulted the 17-year old. Apparently, the 15-year old had struck her sister in the head with a book and grabbed the older girls’ wrists as they struggled. While interviewing the mother, who witnessed the entire event, officers learned that the 15-year old had been released from Remann Hall only two hours earlier for a domestic assault she had committed the previous day. The 15-year old was again arrested and booked into Remann Hall for Assault – Domestic Violence.
  - **March 26<sup>th</sup> 6:30 pm**, a resident of an apartment complex in the 5200 block of Pt. Fosdick Drive reported that unknown suspect(s) had forced entry to her storage

unit, located within the shared laundry room of the complex. The thieves stole some camping equipment. There are no suspects in this case.

- **March 26<sup>th</sup> 7:08 pm**, fire department personnel requested assistance in dealing with a suicidal female who resides in the 5900 block of Soundview Drive. A GHPD Officer arrived and discovered that the 37-year old woman was sitting at a table within her apartment and had cut her wrist slightly. She was attempting to capture her blood in a vial. Medical aid personnel on scene report that this was the second time this woman had done the same thing. During her previous attempt, she had successfully drained 600 ml of her own blood into a container. The woman was transported to the hospital for a mental health evaluation.
- **March 28<sup>th</sup> 2:30 pm**, officers responded for a welfare check of the tenants of an apartment located within the 5900 block of Soundview Drive. A friend of a female tenant who resides there had not heard from her and believed that she was highly intoxicated. This is an apartment of which GHPD officers are well aware and to which they have responded many times. The adults that reside there are chronic alcoholics and have been transported to the hospital for detoxification numerous times. The male had been arrested for DUI within the previous week. On this occasion, officers discovered the female passed out from severe intoxication and the 51-year old male was found deceased on his bed in another room. The cause of death is under investigation by the Medical Examiner, but alcohol and/or drugs are the likely causes. The female was also involuntarily transported to the hospital for detoxification and a mental health evaluation.
- **March 29<sup>th</sup> 7:30 am**, Gig Harbor experienced its third homicide in history on this date. At approximately 7:30 a.m., neighbors in the 6800 block of Windlass Lane discovered a male lying outside in the street wrapped in a sheet. Closer inspection revealed that the man had been shot in the head. Before being transported to the hospital, he was able to identify another male living in a residence on this street as the shooter. With the assistance of the Pierce County Sheriff's Department SWAT team, officers gained entry into the suspect's residence and discovered the suspect and his common-law wife deceased inside. Further investigation revealed that the male suspect had assumed a false identity. It is not clear if the woman knew of the man's secret identity or past. The man had been sought for a 1999 kidnap, rape and attempted murder in Oregon. The original male who was discovered in the street survived his injuries, but Gig Harbor and Pierce County detectives have been unable to interview him while he is in recovery. It appears that the injured male, a family friend, was attempting to mediate a dispute between the married couple when the husband shot him, the wife, and then himself. Interestingly, all three homicides in Gig Harbor since 1946 have been related to domestic violence.
- **March 30<sup>th</sup>**: Pharmacists at a local department store noted that a female customer had been obtaining prescription pain medication (Hydrocodone) at a



significantly high rate. This particular prescription drug is a commonly abused controlled substance. The pharmacists also realized that the prescriptions seemingly came from a specific Gig Harbor doctor and were called in to the pharmacy during times that the doctor's office was closed (and were thus unable to confirm the validity of the prescriptions). On this date, the pharmacists made contact with the doctor who informed them that she had never prescribed this medication for her patient. On this same day, the suspect was arrested in Tacoma while she was attempting to commit yet another prescription forgery. She declined an interview with GHPD investigators. The pharmacy provided video tape and records of some of the fraudulent transactions completed by the female suspect. This case will be sent to the prosecutor for initiation of charges.

- **March 31<sup>st</sup> 12:35 am**, officers responded to a Hit and Run accident that occurred in the large Burnham Drive/Borgen Boulevard roundabout. A vehicle traveling westbound on Burnham Drive entered the roundabout and continued straight until it struck the concrete barriers that lined the center. This caused significant damage to the vehicle and slight damage to the concrete barriers. Both the driver and passenger fled the scene on foot and could not be located. The vehicle was impounded. Later that night, officers were dispatched to a bar fight at a tavern located nearby. During this incident, a 21-year old male approached the officers and wanted to report that his vehicle had been stolen earlier in the evening. After taking a sworn statement from the male, officers confronted him with their belief that he had in fact fled from the car after the accident. The male admitted he was driving the vehicle at the time of the accident and had consumed a large amount of beer immediately prior. He ran because he did not want to be arrested for DUI. After the accident, he returned to the tavern and continued drinking beer. This precluded the officers from arresting him for DUI for the previous incident, but the man was issued citations for Hit and Run as well as Filing a False Police Report.
- **March 31<sup>st</sup> 2:00 pm**, a 33-year old woman came to GHPD to report that, while walking in the area of Soundview Drive, a black Chevrolet Blazer drove past. One of the occupants yelled an insult at the woman and threw a brown paper bag containing an empty beer bottle at her. This caused a slight injury to the side of the woman's head. The woman said that the passing vehicle was occupied by four teenagers.

***Other reported incidents during the last week in March included:***

- 4 – Non Injury Accidents
- 2 – Hit & Run Accident
- 2 – Vehicle Prowls

**TRAVEL / TRAINING:**

- Officers Brunson and Dennis have completed their post-academy training and are now assigned to work regular patrol shifts on their own.

- GHPD hosted a Legal Update class offered by the State Attorney General's Office. Police Officers from various parts of Western Washington attended this training.
- Officer Chapman attended training to gain certification as an Impact Weapons Instructor.
- Officer Chapman attended training in Ground Survival Tactics (Defensive Tactics/Ground Combat).
- Officer Brunson and CSO Mock attended a "Women in Policing" Training Seminar @ Seattle PD on 3/14/07.
- Officer Welch and Detective Douglas attended "Terror at Besian" Training @ CJTC on 3/15/07.
- Eleven officers attended "Incident Command System" training @ the GH Civic Center on 3/16/07.
- Officer Allen participated in a LIDAR (Laser Radar) Instructor's Conference.
- Participants in the Police Training Officer (PTO) program conducted a comprehensive debrief of the training program utilized with our most recent police recruits.

#### **SPECIAL PROJECTS:**

This last week we conducted oral boards for several lateral candidates. As soon as the scores are certified by the Civil Service Commission, we will be initiating a background investigation on the top candidate. We have one commissioned position opening up on July 1<sup>st</sup> of this year and hope to have a qualified candidate ready for hire at that time.

All the assigned vehicles have been assigned to officers. We are receiving positive feedback from the officers and several citizens have commented on how professional the vehicles look. One officer recently shared that the average speed through his neighborhood has decreased substantially since he started parking his vehicle at his residence.

#### **PUBLIC CONCERNS:**

We got hit with graffiti in March at the new subdivision behind Target. Vandals tagged several construction trailers and several new community mailboxes, construction equipment and a large rock. We have developed a Graffiti Response Plan which is posted on our Web site. CSO Mock has been tasked with arranging a meeting with several organizations ( our city public works crew, Peninsula School District, CentryTel, Pierce Transit and Pen Light) to introduce the plan and get their buy in to immediately cover up graffiti when it is discovered.

On March 29th, as most of you are aware we had what appears to be a suicide homicide involving a third male subject being shot in the face. Our officer was dispatched to a report of an injured male lying along a street in the Spinnaker Ridge housing development. Our officer arrived at the location within four minutes to find an Asian male subject in his 40s with a gunshot wound to his head. The wounded subject stated he was shot by a male subject in a nearby house, before being transported to the hospital. GHPD set up a perimeter and evacuated the neighborhood with the help of Pierce County deputies. We then requested PCSD SWAT to respond to clear the house because we could not get an answer on the calls into the house. SWAT arrived and made entry finding a man and woman dead from gunshot wounds. Pierce County detectives and forensic investigators responded to assist with the investigation which is continuing. We are very appreciative of the assistance provided by PCSD. The coordination between our department and theirs went very well. During the second week in April we plan on conducting a debrief with PCSD to review the operation. We felt it went very well, and even though the incident is very tragic, it did give our departments an opportunity to work a major scene together utilizing the Incident Command System (ICS). Our Detective Fred Douglas is working with PCSD investigations division. We will learn more about what actually took during the shooting once the victim is able to be interviewed.

#### **FIELD CONTACTS:**

Staff made the following contacts in the community during March:

- On March 1<sup>st</sup>, CSO Mock gave a presentation to the Gig Harbor Chamber Forum on internet safety that was very well received.
- On March 2<sup>nd</sup>, Chief Davis met with the 4<sup>th</sup> grade class at Purdy Elementary to support the "Reading across America" program.
- On March 2<sup>nd</sup> Chief Davis, Lt. Colberg and Fire Marshal Dick Bower attended a meeting with the Peninsula School District to discuss a coordinated response plan to critical incidents. A table top exercise is planned for August of this year.
- On March 5<sup>th</sup> City Administrator Karlinsey and Chief Davis met with Fire District #5 to learn more about their 5-year strategic planning process currently being conducted.
- On March 22<sup>nd</sup>, several members of the police department were briefed on emergency operations on the new Narrows Bridge. Part of the familiarization tour involved a walking tour of the new structure.
- On March 23<sup>rd</sup>, Chief Davis participated in a strategic planning process for the Tacoma/Pierce County DUI task Force.

**OTHER COMMENTS:**  
Nothing further at this time.







