

MINUTES OF GIG HARBOR CITY COUNCIL MEETING - FEBRUARY 22, 2010

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

CALL TO ORDER: 5:33 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of February 8, 2010.
2. Receive and File: a) 2009 Fourth Quarter Finance Report.
3. Dept. of Licensing - Renewal of Interlocal Agreement for Business Licensing.
4. Appointment to the Parks Commission.
5. Pierce County Dept. of Emergency Management Communications Agreement.
6. Paladin Interlocking Web Portal and Dashboard Interface Contract.
7. Pierce County GIS Orthophotography Services Agreement Renewal.
8. Washington State Historical Society Agreement for the Reconstruction of the Eddon Boat Dock.
9. 56th & Pt. Fosdick Frontage Road Improvement Project – Cultural Resources Assessment.
10. Harborview Dr. & Stinson Ave. Water Main Replacement Project / Consultant Services Contract.
11. Approval of Payment of Bills for February 22, 2010: Checks #62945 through #63039 in the amount of \$691,424.71.

Councilmember Ekberg requested that Consent Agenda item #6 be pulled for discussion at the next Finance Committee meeting. Councilmember Franich requested that Consent Agenda item #10 be moved to New Business for discussion.

MOTION: Move to adopt the amended Consent Agenda with Consent Agenda item #6 pulled for discussion at the next Finance Committee meeting and Consent Agenda item #10 moved to New Business.
Young / Ekberg – unanimously approved.

PRESENTATIONS:

1. Pierce Transit Update on the System Redesign. Pierce Transit Community Relations Representative Lind Simonsen presented information on the significant impacts to Pierce Transit's budget created by the downturn of the economy. Mr. Simonsen stated that Pierce Transit has been working hard to get the word out to the different communities in Pierce County. The impacts will be realized in 2012 with a 50% reduction in service hours, span of service, frequency and coverage. 28 routes are proposed to be eliminated, specifically Route 100 that serves the Key Peninsula area. A public meeting has been scheduled at Gig Harbor Civic Center on March 29th from

6:00-7:30 pm and Pierce Transit will be sending out post cards to notify the residents in the greater Gig Harbor area. A special planners meeting is scheduled for March 5 at the Pierce Transit facility. .

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Public Hearing and Resolution – Development Agreement for the RITA Plat. Senior Planner Peter Katich presented background information for a resolution to approve a development agreement that would allow for a two-year extension to the March 2, 2010 expiration date for the Final Plat Approval. The 25-lot subdivision was annexed into the city with the recent Burnham Sehmel Annexation. The Preliminary Plat was approved by Pierce County in 1999. The Development Agreement would allow the completion of the city's Final Plat Approval process for the subdivision.

Mayor Hunter opened the public hearing at 6:12 p.m.

Walt Smith – PO Box 1272, Gig Harbor. Mr. Smith, property owner spoke in favor of the Development Agreement. Mr. Smith stated that he purchased this property through a variety of difficult circumstances five days ago, whereby the developer skipped out on his son for a \$980,000 debt who was hired to develop the site. The infrastructure was ninety percent complete in October 2008. The site has been regraded and the infrastructure will be completely installed by mid April 2010. The roads and ponds are private and will have no impact to the city. He gave kudos to city staff in cooperation for helping this go forward.

The Council discussed the setbacks, density and specific concerns about zero lot lines in a R1 zone. Councilmember Young asked if additional language could be added to the Development Agreement. City Attorney Belbeck she could put something in the Development Agreement to that effect, but also stated that it is a given that we abide by the latest minor amendment that was approved by Pierce County in September 2004. She further clarified that this is part of their current approval that we are relying on right now. She added that she could add additional language to the Development Agreement to highlight this.

MOTION: Move to authorize the Mayor to execute the Development Agreement on behalf of the city.
Payne / Malich -

AMENDMENT: Move to authorize the Mayor to execute the Development Agreement on behalf of the city with language added to the Agreement to ensure that the latest 2004 minor amendment of this plat be used to ensure that zero lot line development is not permitted.
Young / Ekberg – six voted in favor. Councilmember Franich voted no.

Councilmember Franich stated that this development does not meet the criteria for R1 development. He further stated that the rear yard setback and critical area is considerably less than Gig Harbor's code. The vegetated buffer along the whole parcel is inadequate to city standards.

RESTATED

AMENDMENT: Move to approve Resolution No. 825 authorizing the Mayor to execute the Development Agreement on behalf of the city with language added to the Agreement to ensure that the latest 2004 minor amendment of this plat be used to ensure that zero lot line development is not permitted.

Payne / Young – six voted in favor. Councilmember Franich voted no.

Mayor Hunter closed the public hearing at 7:03 p.m.

2. First Reading of Ordinance – Water/Sewer Revenue Bonds. Finance Director Dave Rodenbach presented background of the draft ordinance that provides for the issuance and sale of revenue bonds. He explained that the proceeds of these bonds will be used to fund the completion of the wastewater treatment plant Phase 1 and pump station as well as water system improvements. Mr. Rodenbach introduced the city's bond counsel Dave Traegeser and Cynthia Weed to provide additional information and background and address any questions. Mr. Rodenbach said that this will return for a second reading at the next meeting on March 8th.

3. WWTP Clarifier No. 2 – Plans, Specifications and Engineering Contract. City Engineer Steve Misiurak presented for approval a contract amendment with Cosmopolitan Engineering Group for the final design and preparation of plans, specifications, and related construction management services during construction for the additional fourth clarifier. There was a lengthy question and answer discussion period with Council and staff.

MOTION: Move to authorize the Mayor to execute the contract amendment with Cosmopolitan Engineering Group in an amount not-to-exceed \$153,019.00.

Ekberg / Young – unanimously approved.

4. Harborview Dr. & Stinson Ave. Water Main Replacement Project / Consultant Services Contract. City Engineer Steve Misiurak presented background for the replacement of the problematic water main on Harborview and Stinson. He explained that the consultant services contract would provide for permitting assistance and final design and preparation of bidding documents. Construction management and inspection will be performed by city staff.

Councilmember Franich had originally requested that this item be pulled from the Consent Agenda and stated that he recognized that this is a time sensitive project but

felt that city staff is well acquainted with the water main and the Public Works crew have a real understanding of the depths and locations of the lines due to the numerous waterline breaks. He further added that this design contract is a large sum of money to pay out and he does not see the need for it. He added that city staff should be making the time to do the design work.

Councilmember Young asked if city staff had the time to do the design work. Mr. Misiurak stated that 2010 is largest capital program undertaking that the city has had. He further stated that staff would like to do the design in house but because of the timeliness and resources to undertake this, it is not possible due to the complexity of the project.

City Administrator Rob Karlinsey said that because this is such a big project dollar wise, construction cannot be done in house and has to bid it out. He further explained that anytime that we bid something out, the amount of work and detail that has to go into the plans and specifications goes up quite a bit. He further added that in order to provide this high level of detail would be a large amount of work and time on staff's part.

Councilmember Payne commented that as a direct result of a 'run to failure' asset that never should have been allowed to be in such condition by the past administration, delaying the design of the project until the fall when staff might have the time to do this work is a poor idea. He further stressed that we owe it to the citizens of the community to do fix this situation now. More discussion with Council and staff ensued.

MOTION: Authorize the Mayor to execute a consultant services contract with Murray, Smith and Associates, Inc. for an amount not-to-exceed \$149,528.00.

Ekberg / Payne – six voted in favor. Councilmember Franich voted no.

STAFF REPORT:

1. Title 15 Building Code Update. Dick Bower, Building/Fire Safety Director thanked Council for approving the design contract for the water main stating that it will be a big benefit for public safety. Mr. Bower gave an overview of the most significant changes to the State Building Code and said that there will be no new fees as a result of this update. He reported that he will present the Building Code Update at the next Planning and Building Committee meeting and present a first reading of the ordinance on March 22nd.

2. Street Latecomer's Ordinance. Rob Karlinsey reported that the information for this staff report had not been ready in time to be included in the Council packet and copies were distributed on the Council dais prior to the meeting. He said that there is no discussion needed at this time and an ordinance would be presented as a first reading on March 22nd. This ordinance will put the responsibility on the developer to initiate as well as propose a model for the City to consider.

Councilmember Franich said that he remembered that this item was presented to the Operations and Public Projects Committee last year in relation to Franciscan Health Systems (FHS) for the St. Anthony's Hospital site. He stated that he believes that the city has met its obligation and asked that the language from both the FHS and Huber Development Agreements be distributed to the rest of the Council. He also requested a copy of the minutes from the Operations & Public Projects Committee Meeting.

3. Public Outreach for Outfall and Harborview Water Main Replacement from Pioneer Way to Tides at Soundview Drive. Rob Karlinsey gave kudos to staff for a good job in getting the word out for these upcoming projects. He reported that the Harborview Water Main project will begin on March 1st, with construction taking place at night and early morning. The work will be completed by the Public Works crew and is scheduled to be completed in three weeks, weather permitting.

PUBLIC COMMENT: none

MAYOR'S REPORT / COUNCIL COMMENTS:

Reprogramming of Stimulus Dollars. Councilmember Young reported that Puget Sound Regional Council through Pierce County Regional Council is reallocating stimulus funds. The City was on the list and missed receiving funding by one however the city will be kept in mind for the next opportunity.

Rob Karlinsey reported that the city is in line for another funding opportunity for \$750,000 and has a good chance of getting it. These funds are to be utilized for overlays. He further reported that there is a new round of a jobs bill in the Senate. This jobs bill is much more programmed at preservation and pedestrian improvements. The PCRC should receive \$30M, so we may have another shot within the next couple of months. Mr. Karlinsey thought that the sidewalk gap between the library and Briarwood at Point Fosdick would be eligible and a good use of these funds.

Washington, DC Trip. Councilmember Payne stated that he and Councilmember Young are flying back to Washington DC on February 23rd for a visit with our Congressional team, Senators Murray, Cantwell and Dicks. They will be presenting the Cushman Trail project, which is the .9-mile remaining portion of the trail that has not yet been constructed. The project is already designed and permitted by Pierce County who is unable to construct it due to budgetary constraints. Mayor Hunter asked Councilmembers Payne and Young to extend a big heartfelt thank you to the Senators for the Donkey Creek funding.

Pioneer and Harborview Crosswalk. Councilmember Ekberg thanked Staff for their creative cost savings solution at the Pioneer and Harborview intersection.

Eddon Boat Dock Project. Councilmember Franich thanked staff for their fiscally responsible numbers for this project and added that it was refreshing.

Board of Commissioners for Pierce Transit - Nomination. Mayor Hunter asked if any councilmembers were interested in being nominated for a position on this board. Two councilmembers expressed interest; however, the Pierce Transit board meets on the same dates as the City Council meetings. The meetings begin at 4:00 p.m. in Lakewood. Councilmember Young wanted to know the typical duration of these meetings. Staff would get back to him on this matter. Mayor Hunter stated that he would move the nomination to the next meeting.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Joint Council / Parks / Skansie/Jerisich Ad Hoc Workstudy Session – Mon. March 1st at 5:30 p.m.

EXECUTIVE SESSION: For the purpose of discussing potential litigation per RCW 42.30.110(1)(i).

MOTION: Move to adjourn to Executive Session at 8:00 p.m. for the purpose of discussing potential litigation per RCW 42.30.110(1)(i) for approximately 15 minutes:

Franich / Conan – unanimously approved.

MOTION: Move to return to regular session at 8:15 p.m.

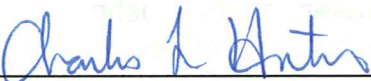
Franich / Conan – unanimously approved.

ADJOURN:

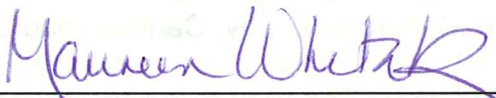
MOTION: Move to adjourn at 8:15 p.m.

Kadzik / Malich – unanimously approved.

CD recorder utilized: Tracks 1003 – 1015



Charles L. Hunter, Mayor



Maureen Whitaker, Assistant City Clerk