

Gig Harbor City Council Meeting

**October 24, 2011
5:30 p.m.**



**AMENDED AGENDA FOR
GIG HARBOR CITY COUNCIL MEETING
Monday, October 24, 2011 – 5:30 p.m.**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of Oct. 10, 2011.
2. Correspondence / Proclamations: a) American Indian Heritage Month; b) Food Allergy Awareness Day.
3. Liquor License Action: a) Renewals: Maritime Mart, Marketplace Grille, Blue Cannon Pizza Co., Finholm's Market, Pioneer 76, and Qdoba Mexican Grill; b) Application: Susanne's Bakery & Deli.
4. Receive and File: a) Skansie Net Shed listed on the National Register of Historic Places; b) 3rd Quarter Financial Report; c) GHPD 3rd Quarter Report.
5. Maritime Pier Property – Contract Amendment No. 2 to Consultant Services Contract Sitts & Hill.
6. 2011 Pavement Maintenance & Repair Project – Closeout Change Order No. 2 / Looker and Associates, Inc.
7. Harborview Drive/Stinson Avenue Water Main Project - Certificate of Completion.
8. Grandview Forest Water Tanks & Anchoring Project – Contract Close Out Change Order No.1.
9. Resolution - Skansie Net Shed Pier Restoration Project – Bid Rejection.
10. Skansie Net Shed Pier Restoration Project - Public Works Contract Award.
11. Appointment to Design Review Board.
12. Approval of Payment of Bills for Oct 24, 2011: Checks #68081 through #68168 in the amount of \$502,889.01.

PRESENTATIONS:

1. Proclamation for American Indian Heritage Month – Claudia Marston, Historian, Daughters of the American Revolution.
2. Representative Larry Seaquist – Legislative Update.

OLD BUSINESS:

1. Second Reading of Ordinance – Land Use Permit Extensions.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Code Enforcement Citations.
2. Maritime Pier Parking Lot Project - Change Order No. 1.

STAFF REPORT:

1. Hospital Benefit Zone 5-yr Project Plan and 30-Yr Project List Amendment.
2. Pierce County Flood Control Zone - Determination of Non-Significance.

PUBLIC COMMENT:

MAYOR'S REPORT / COUNCIL COMMENTS:

Food Allergy Proclamation – Councilmember Derek Young.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Budget Worksession I: Mon. Nov 7th at 5:30 p.m.
2. Budget Worksession II: Tue. Nov 8th at 5:30 p.m.

EXECUTIVE SESSION: For the purpose of discussing pending litigation per RCW 42.30.110(1)(i), property acquisition per RCW 42.30.110(1)(b) and Guild Negotiations per RCW 42.30.140(4)(a).

ADJOURN:

MINUTES OF GIG HARBOR CITY COUNCIL MEETING – OCTOBER 10, 2011

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

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of the Minutes of City Council Meeting of Sept. 26, 2011.
2. Receive and File: a) Parks Commission Minutes – Sept. 14th; b) Council Worksession Minutes - September 19th; c) City Council Retreat Minutes – Sept. 23rd.
3. Appointment to Parks Commission.
4. Resolution No. 875 – Surplus Equipment.
5. Resolution No. 876 – In Support of Acceptance of Bronze Statue at Maritime Pier.
6. Eddon Beach Restoration Wetland Delineation Contract.
7. Maritime Pier Amendment to the Biological Evaluation Contract.
8. Donkey Creek Improvement Project Final Design and Permitting Contract.
9. Approval of Payment of Bills for Oct 10, 2011: Checks #67959 through #68080 in the amount of \$396,965.41.
10. Approval of Payroll for the month of September: Checks #6239 through #6354 in the amount of \$307,160.98.

MOTION: Move to adopt the Consent Agenda as presented.
Ekberg / Conan – six voted in favor. Councilmember Payne abstained.

Mayor Hunter introduced Stephanie Payne, newly appointed to the Parks Commission, and thanked her for serving. Councilmember Kadzik complimented Ms. Payne for her presentation to the joint Council / Parks Commission meeting.

City Administrator Rob Karlinsey introduced and welcomed our visitor Wang Qi, Exchange Student from China visiting the city and job shadow as part of the Masters Program at Central Washington University.

Ms. Qi gave a brief overview of her assignment to learn the mission of local government and how that mission is carried out.

PRESENTATIONS:

1. Life Saving Award – Officer Chet Dennis. Chief Mike Davis described the recent incident in which Officer Dennis assisted Pierce County Deputy Thomas in helping a distraught gentleman who was contemplating jumping from the Narrows Bridge. Chief then presented a pin and Lifesaving Award plaque to Officer Dennis.

2. Presentation of the Military Covenant Charter to the Mayor and Council – Col. L Norwood. Col Norwood presented a framed copy of the Military Community Covenant and voiced appreciation for the support and partnerships that have been forged by the soldiers at Joint Base Fort Lewis and the local communities. He explained that Gig Harbor recently participated in the charter signing of the declaration of support.

3. Peninsula School District – Support for KGHP Radio Station. Terry Bouck, Superintendent for Peninsula School District, presented background information for the local radio station KGHP. He explained that five years of budget cuts has left the station in jeopardy of closing or being sold. He asked Council for join in with other community partners to help fund the station’s maintenance and operations costs.

Christine Nygard, teacher from the Peninsula School District, explained how in the past the school district has funded the station as an educational class, including maintenance and operations costs. She said that they are proposing a co-operative agreement with ten partners at \$2500 each to cover 50% of the maintenance and operations costs. This support would allow the station to continue as the local emergency communication system.

Mr. Bouck and Ms. Nygard addressed Council’s questions and asked for a pledge of support. Staff was directed to bring this forward during the 2012 Budget.

OLD BUSINESS:

Second Reading of Ordinance – Fire Sprinkler Code Amendment. Building / Fire Safety Director Dick Bower explained that several clarifications had been made to the ordinance since the last reading in response to concerns voiced at that meeting. He said that he had several technical people present to answer questions.

Chief John Burgess, Pierce County Fire District No. 5, explained the effect of going from their current residential fire protection model to a commercial model in regards to staffing and equipment costs. He said that the large cost that would be incurred is why they support the amendment to the fire sprinkler code. He addressed Council questions.

Mr. Bower suggested allowing public testimony then the other technical experts could speak.

Shawn Hoey – Master Builders Association. Mr. Hoey cited several statistics on residential fires. He stressed that no home should be required to install a sprinkler system despite its size. He read a letter from Jeff Hill, Hill Custom Homes regarding the cost to install residential sprinkler systems.

Mr. Bower addressed Council questions regarding what other jurisdictions have adopted.

Michael Perrow – PO Box 1266, Gig Harbor. Mr. Perrow asked Council to consider the impact this code amendment would have on commercial building owners. He said that the environmental savings of sprinklers has been overstated. He said that if this ordinance is adopted the results would be onerous and would force businesses to go elsewhere to rent space, putting Gig Harbor at an economic disadvantage. He asked Council to reject or table the ordinance in order to take the time to further evaluate its impact. He also suggested the city research the cost to retrofit the Civic Center.

City Administrator Rob Karlinsey asked Dick Bower to clarify whether adding a mezzanine in an existing building would trigger the code amendment. Mr. Bower responded that only enlarging the size of the building footprint or height would be a trigger.

Beth Perrow – 9119 No. Harborview Drive. Ms. Perrow urged Council to reject or table the ordinance due to its inconsistencies.

Mr. Bower addressed further Council questions. He introduced another technical speaker.

Joe Faulkner, Sprinx Fire Protection - Mr. Faulkner presented information on estimated costs to install and to service commercial sprinkler systems. When asked, he said that it would probably cost somewhere around \$2.75 - \$3.00 per square foot to retrofit the Council Chambers.

Council further discussed the sprinkler ordinance amendment. Due to the current economic conditions, it was recommended that this come back at some later date. No motion was made.

NEW BUSINESS:

1. Public Hearing and First Reading of Ordinance – Land Use Permit Extensions. Planning Director Tom Dolan explained that an Ordinance adopted in 2009 extended certain land use permits for an additional two years. These permits are scheduled to expire this November. He said that the proposed ordinance will allow current active land use permits to request another two-year extension.

Mayor Hunter opened the public hearing at 6:51 p.m.

Therese Garrett-Miller – 3590 SE Burley-Olalla Road. Ms. Miller explained that she owns property adjacent to the Westside Business Park and due to the poor economy is still unable to develop the property. She spoke in favor of another extension, saying it would allow her more time to seek a loan to develop the site plan they had approved in 2007. She addressed Council questions regarding her project.

There were no further public comments and the public hearing closed at 6:58 p.m.

Councilmember Kadzik said that the Planning/Building Committee supports the ordinance. Councilmember Young added that there were few concerns as there are only a couple of projects that could take advantage of the extension. This will return for a second reading at the next meeting.

2. Public Hearing and First Reading of Ordinance - Sutherland / Prentice Street Vacation – Brown. Engineering Technician Willy Hendrickson presented this request to vacate a portion of Sutherland and Prentice under the 1890 Non-User Statute. He requested Council to adopt the Ordinance at this first reading.

Mayor Hunter opened the public hearing at 7:06 p.m.

Renee Brown – 9416 S.E. Peacock Avenue. Ms. Brown, proponent of the requested action, explained that this would complete the vacation of Prentice / Sutherland.

There were no further public comments and the hearing closed at 7:07 p.m.

MOTION: Move to adopt on first reading Ordinance No. 1224 vacating a portion of Prentice Avenue and Sutherland Street.
Young / Conan – six voted in favor. Councilmember Malich voted no.

3. Public Hearing and First Reading of Ordinance - Harborview Drive for Viewpoint Short Plat. Mr. Hendrickson presented the background information for this request to vacate a portion of Harborview Drive adjacent to the proposed Viewpoint Development.

The question was asked whether there would be any future need for the roadway being requested to be vacated. Senior Engineer Emily Appleton responded that no need has been identified.

The public hearing opened at 7:22 p.m.

Bob Frisbie – 9720 Woodworth Avenue. Mr. Frisbie shared that the original design for Harborview Drive was four lanes. He said that if you remove this right-of-way from the city inventory, there may be problems addressing future concerns with slope and ground water. He advised against the vacation.

Carl Halsan – proponent for the vacation request. Mr. Halsan asked that the city not keep property that they don't need. He discussed the lack of consistency in the width of right-of-way along that stretch and asked Council to please consider the vacation. He answered questions regarding the development.

There were no further public comments and the hearing closed at 7:29 p.m.

Council discussed how this vacation impacts the current Master Plan for the roadway and future opportunities or situations that could arise.

MOTION: Move to reject the proposed Street Vacation request.
Ekberg / Malich –

Councilmembers further discussed whether there was a compelling reason to keep this property keep in the city inventory or if it would be appropriate to vacate.

MOTION: Call for the question.
Franich / Malich – six voted in favor. Councilmember Payne voted no.

MOTION: Move to reject the proposed Street Vacation request.
Ekberg / Malich – five voted yes. Councilmembers Conan and Payne voted no.

4. Public Hearing and Resolution No. 877 - Support of Pierce County Proposition 1: South Sound 9-1-1 System. Chief of Police Mike Davis presented a brief overview of the need for an updated emergency communications system. He addressed Council questions.

The Mayor opened the public hearing at 8:45 p.m. No one came forward to speak and the public hearing closed.

MOTION: Move to adopt Resolution No. 877 in support of the Pierce County Proposition 1: South Sound 9-1-1 System.
Payne / Conan – six voted in favor. Councilmember Franich voted no.

STAFF REPORT:

City Administrator Rob Karlinsey referred to the draft HBZ 5-yr Project Plan and 30-yr Project List Amendment in the packet and asked Council to get back to him with comments before it comes back for approval in a couple of weeks.

PUBLIC COMMENT: None.

MAYOR'S REPORT / COUNCIL COMMENTS:

Mayor Hunter presented copies of the 2012 Preliminary Budget to Council and candidates for City Council.

Councilmember Conan announced that he would not be present at the October 24th meeting as he was leaving to do mission work for a month. Everyone offered him their well-wishes.

ANNOUNCEMENT OF OTHER MEETINGS:

Operations & Public Projects: Thu. Oct. 20th at 3:00 p.m.

EXECUTIVE SESSION: For the purpose of discussing pending litigation per RCW 42.30.110(1)(i), property acquisition per RCW 42.30.110(1)(b) and Guild Negotiations per RCW 42.30.140(4)(a).

MOTION: Move to adjourn to Executive Session at 7:53 p.m. for approximately 45 minutes For the purpose of discussing pending litigation per RCW 42.30.110(1)(i), property acquisition per RCW 42.30.110(1)(b) and Guild Negotiations per RCW 42.30.140(4)(a).
Kadzik / Franich – unanimously approved.

MOTION: Move to return to regular session at 8:42 p.m.
Kadzik / Conan – unanimously approved.

MOTION: Move to authorize the city attorney to pursue settlement negotiations in the case of Gig Harbor Marina Inc. as discussed in Executive Session.
Young/Payne – six voted in favor. Councilmember Malich voted no.

ADJOURN:

MOTION: Move to adjourn at 8:43 p.m.
Kadzik / Young – unanimously approved.

CD recorder utilized: Tracks 1002 – 1039

Chuck Hunter, Mayor

Molly Towslee, City Clerk

RECEIVED
SEP 28 2011
CITY OF GIG HARBOR



September 25, 2011

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

RE: Proclamation for American Indian Heritage Month

Dear Mayor Hunter,

This letter is written to you on behalf of the Mary Ball Chapter, National Society Daughters of the American Revolution. Our chapter meets in Tacoma, but our members come from not only Tacoma but also the surrounding cities.

We are hoping that you, in your capacity as Mayor of Gig Harbor, will issue a proclamation regarding American Indian Heritage Month, which has been commemorated every year since 1990. A sample proclamation is enclosed.

Thank you for your continuing interest and support.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claudia Marston", is positioned below the word "Sincerely,". The signature is written in a cursive style.

Claudia Marston
Historian, Mary Ball Chapter NSDAR
3415 115th Avenue, NW
Gig Harbor, WA 98335
253-265-3510

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned;

NOW, THEREFORE, I, Charles Hunter, Mayor of the City of Gig Harbor, do proclaim the month of November, as

NATIONAL AMERICAN INDIAN HERITAGE MONTH

and invite all citizens of Gig Harbor to join me in this special observance. In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 24th day of October, 2011.

Mayor, City of Gig Harbor

Date

**PROCLAMATION OF THE MAYOR
OF THE CITY OF GIG HARBOR**

Whereas, food allergies affect some 12 million Americans and cause an estimated 203,000 emergency room visits every year; and

Whereas, according to a study conducted by researchers at Northwestern University approximately 8% of children suffer from severe life-threatening food allergies; and

Whereas, every three minutes someone is rushed to the emergency room because of a food allergy reaction; and

Whereas, the overall economic burden of food allergies and anaphylaxis has been calculated as at least a half-billion dollars annually; and

Whereas, severe food allergies disqualify individuals from military service eligibility; the growing incidence of food allergies could significantly decrease the pool of qualified candidates to serve in our armed forces; and

Whereas, there is currently no cure or preventive medicine for food allergies and strict avoidance is the only way to prevent a reaction; and

Whereas, the National Institutes of Health and the U.S. Department of Defense have funded research efforts in the search for a cure or preventive medicine; and

Whereas, medical experts agree that a cure is within reach based on ongoing research and innovations; and

Whereas, the City of Gig Harbor, wishes to express its desire to see continued research funded so that a cure can be developed and citizens aware of the potential impacts of food allergies,

NOW, THEREFORE, I, Charles Hunter, Mayor of the City of Gig Harbor, do proclaim the 26th of October, as the official

FOOD ALLERGY AWARENESS DAY

and invite all citizens of Gig Harbor to join me in this observance. In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 24th day of October.

Mayor, City of Gig Harbor

Date

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
(BY ZIP CODE) FOR EXPIRATION DATE OF 20120131

| LICENSEE | BUSINESS NAME AND ADDRESS | LICENSE NUMBER | PRIVILEGES |
|---|--|----------------|--|
| 1. KAE & SOOK CORPORATION | MARITIME MART 7102 STINSON GIG HARBOR WA 98325 0000 | 078669 | GROCERY STORE - BEER/WINE |
| 2. LAI FOOK, RICHARD ANTHONY LAI FOOK, TERRY-ANN CARLENE | MARKETPLACE GRILLE 8825 N HARBORVIEW DR STE C & D GIG HARBOR WA 98332 2149 | 084215 | BEER/WINE REST - BEER/WINE |
| 3. EMPIRE RESTAURANTS INC. | BLUE CANNON PIZZA COMPANY 4726 BORGEN BLVD STE B GIG HARBOR WA 98332 6832 | 405752 | BEER/WINE REST - BEER/WINE BEER/WINE REST - BEER/WINE |
| 4. HARBORVIEW GROCERY INC | FINHOLM'S MARKET AND GROCERY 8812 N HARBORVIEW DR GIG HARBOR WA 98335 0000 | 351392 | GROCERY STORE - BEER/WINE |
| 5. GRANITE SERVICE, INC. | PIONEER 76 7101 PIONEER WAY GIG HARBOR WA 98335 0000 | 365485 | GROCERY STORE - BEER/WINE |
| 6. ZRC OPERATIONS COMPANY, INC. | QDOBA MEXICAN GRILL 4726 BORGEN BLVD STE A GIG HARBOR WA 98335 0000 | 403619 | BEER/WINE REST - BEER/WINE |

NOTICE OF LIQUOR LICENSE APPLICATION



RETURN TO: WASHINGTON STATE LIQUOR CONTROL BOARD
License Division - 3000 Pacific, P.O. Box 43075
Olympia, WA 98504-3075
Customer Service: (360) 664-1600
Fax: (360) 753-2710
Website: www.liq.wa.gov

TO: MOLLY TOWSLEE, CITY CLERK
RE: NEW APPLICATION

DATE: 10/11/11

UBI: 601-438-637-002-0001

License: 408550 - 1U County: 27
Tradenam: SUSANNE'S BAKERY & DELI
Address: 3411 HARBORVIEW DR
GIG HARBOR WA 98332-2127

APPLICANTS:
TUNNEY, MICHAEL S 1965-10-22
TUNNEY, SUSANNE J 1965-01-19

Phone No.: 253-853-6220 MIKE TUNNEY

Privileges Applied For:
BEER/WINE REST - BEER/WINE

As required by RCW 66.24.010(8), the Liquor Control Board is notifying you that the above has applied for a liquor license. You have 20 days from the date of this notice to give your input on this application. If we do not receive this notice back within 20 days, we will assume you have no objection to the issuance of the license. If you need additional time to respond, you must submit a written request for an extension of up to 20 days, with the reason(s) you need more time. If you need information on SSN, contact our CHRI Desk at (360) 664-1724.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Do you approve of applicant ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you wish to request an adjudicative hearing before final action is taken? | <input type="checkbox"/> | <input type="checkbox"/> |
| (See WAC 314-09-010 for information about this process) | | |
| 4. If you disapprove, per RCW 66.24.010(8) you MUST attach a letter to the Board detailing the reason(s) for the objection and a statement of all facts on which your objection(s) are based. | | |

DATE _____

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



OCT 17 2011

CITY OF GIG HARBOR

STATE OF WASHINGTON

Department of Archaeology and Historic Preservation

1063 S. Capitol Way, Suite 106 • PO Box 48343 •
Olympia, Washington 98504-8343
360) 586-3065 • Fax Number (360) 586-3067

The Honorable Chuck Hunter
City of Gig Harbor
3510 Grandview Street
Gig Harbor, Washington 98335

October 10, 2011

Dear Mayor Hunter:

It gives me great pleasure to inform you that the following property;

Andrew & Bertha Skansie Net Shed & House
at 3207 Harborview Dr. in Gig Harbor

has been listed in the National Register of Historic Places, where it joins other properties which contribute to the rich cultural heritage of Washington State. The Skansie Net Shed and House are historically significant as a direct link to Gig Harbor's fishing industry, and for its connection to the city's Croatian heritage of many of its earliest settlers.

The National Register records the tangible reminders of the history of the United States and is the official repository for documentation of cultural resources worthy of preservation.

I am pleased to provide you with this honor, and to commend your support and stewardship of this significant property. Please do not hesitate to contact Michael Houser, our National Register Coordinator at (360) 586-3076 if you have any questions or comments regarding these National Register listings.

Sincerely,

Allyson Brooks, Ph.D.
State Historic Preservation Officer



Business of the City Council
City of Gig Harbor, WA

Subject: Gig Harbor Police 2011 3rd Quarter
Council Report

Proposed Council Action: Review

Dept. Origin: Police Department

Prepared by: Chief Mike Davis *MD #1*

For Agenda of: October 24, 2011

Exhibits: Report attached

Initial & Date

Concurred by Mayor: *CLH 10/20/11*

Approved by City Administrator: *FOK*

Approved as to form by City Atty: _____

Approved by Finance Director: _____

Approved by Department Head: *MD 10/19/11*

| | | | | | |
|-------------------------|---|--------------------|---|---------------------------|---|
| Expenditure Required | 0 | Amount Budgeted | 0 | Appropriation Required | 0 |
|-------------------------|---|--------------------|---|---------------------------|---|



POLICE

TO: MAYOR CHUCK HUNTER AND CITY COUNCIL
 FROM: CHIEF OF POLICE MIKE DAVIS *MD#1*
 SUBJECT: 2011 3RD QUARTER COUNCIL REPORT
 DATE: OCTOBER 24, 2011

DEPARTMENTAL ACTIVITIES SUMMARY

- 2011 YTD **calls for service** when compared to 2010 YTD **calls for service** show a continuing *decrease* in calls for service of 73. Through the 3rd Quarter of 2011 our officers wrote 43 fewer police reports than during the same time period in 2010.
- **DUI arrests** for 2011 YTD are up by 16 when compared to the same period in 2010. Our 2011 YTD **traffic infractions** are up by 203 when compared to the same period in 2010 and our **criminal traffic citations** increased by 76 in 2011 YTD when compared to the same period in 2010. Most of our criminal traffic citations are for driving while license suspended violations.
- Our **traffic accidents** in 2011 YTD are essentially the same when compared to the same period in 2010. We had four (4) roundabout accidents in the 3rd quarter compared to nine (9) during the second quarter.
- 2011YTD statistics show our **misdemeanor** arrests increased by 104 compared to 2010 and our **felony arrests** in 2011 YTD are down by 14 when compared to the same period in 2010.

| Category | SEPTEMBER 2011 | | | | | |
|---------------------|----------------|----------------|--------|----------|----------|--------|
| | September 2010 | September 2011 | Change | YTD 2010 | YTD 2011 | Change |
| Calls for Service | 720 | 700 | -20 | 6120 | 6047 | -73 |
| General Reports | 191 | 180 | -11 | 1557 | 1514 | -43 |
| Criminal Traffic | 22 | 25 | 3 | 191 | 267 | 76 |
| Infractions | 81 | 89 | 8 | 775 | 978 | 203 |
| Criminal Citations | 10 | 17 | 7 | 150 | 162 | 12 |
| Warrant Arrests | 8 | 11 | 3 | 40 | 45 | 5 |
| Traffic Reports | 18 | 17 | -1 | 117 | 115 | -2 |
| DUI Arrests | 4 | 9 | 5 | 48 | 64 | 16 |
| Misdemeanor Arrests | 29 | 44 | 15 | 299 | 403 | 104 |
| Felony Arrests | 10 | 5 | -5 | 55 | 41 | -14 |

SPECIAL PROJECTS

We have completed the implementation of SECTOR which stands for Statewide Electronic Collision & Ticket Online Records. SECTOR is an automated data-collection system providing our officers the ability to create and submit tickets & collision reports electronically from their patrol car or other agency computer. SECTOR provides an automated, fully electronic process in place of current paper-based processes for issuing tickets and collision reports. Officers 'download' ticket numbers as needed right to their patrol car instead of being issued paper ticket books.

There was no cost to our department for the software. We purchased the scanners and printers for the patrol vehicles for the most part via grants. When an officer sends their tickets and collision reports in for processing the software not only sends that data, but also checks and automatically downloads any available program updates, as well as data updates to include RCWs, local municipal codes, and even new vehicle makes and models. New laws and bail schedules are automatically updated as well.

SECTOR allows our officers to complete tickets and clear collision reports much quicker, allowing for improved safety for both our officers and the public. In using barcode scanning technology, officers and support staff also experience time savings since pen on paper manual data entry and manual writing of information is no longer necessary. Since bringing SECTOR online 2,837 tickets and 50 collisions have been completed using this technology. It now takes about 5 minutes for our officers to issue a ticket utilizing SECTOR and about 30 minutes to complete a traffic collision report. Using paper it used to take 10 minutes to issue a ticket and about 1.5 hours to complete a traffic collision report. According to Traffic Officer Mike Allen, SECTOR has saved our department over 523 hours since its inception. The court has realized time savings with this program as well because they no longer have to manually input tickets into the system. **Big thanks to Mike Allen for overseeing the implementation of this very effective program!**

CITIZENS OFFERING POLICE SUPPORT (COPS) VOLUNTEERS

The Citizens Offering Police Support (C.O.P.S.) unit continued to lend their assistance to the department in various ways. Over the summer, there were virtually no problems at the City Dock due to boats staying too long. The volunteers have saved many hours for our paid staff by delivering evidence to the various crime laboratories throughout the region. The final total for volunteer hours is still being compiled, but they have put in an estimated 200 hours during the third quarter.

MARINE SERVICES UNIT (MSU)

The Marine Services Unit had a very successful year! Much of the funding for this unit comes from vessel registration fees and a federal grant. Again, final numbers are being compiled, but it appears as though our marine patrol personnel performed a record number of vessel safety inspections. Due to the loss of the Pierce County patrol vessel, our boat was called upon several times for search and rescue cases in the nearby waters. Our patrol boat is now in a "standby" status during the off season and will be available for emergencies.

RESERVE UNIT

The Reserve Unit boasts 4 highly motivated reserve officers that are a viable part of the department's volunteer cadre. We currently have three (3) reserve officers going through the FTO/PTO process and all are progressing quite well. The unit has participated in several department sponsored training sessions such as firearms and a firearms training session with Lakewood PD. The department also sent two of our reserve officers to an "Officer Survival" seminar held in Lakewood WA. The unit continues to support the department by supplementing security for the City summer concerts series, health fair events, crime scene processing and security. The unit contributed 208 volunteer hours during the 3rd quarter of 2011.

EXPLORER POST

There are currently 14 active explorers in the program with several interested applicants on a wait list.

In July, the explorers participated in evening security for the Art Festival and assisted Seattle PD with their annual Seafair event. Six of our explorers attended a week long academy in Yakima during the month of August. Five of the six attended the basic academy and one attended the advanced academy. All six represented the Gig Harbor Police Department well and brought back several awards to include: 3rd overall for the advanced academy classes, 3rd for firearms and 3rd for academics. This was a great accomplishment as there were 200+ kids in attendance. In September the explorers assisted with traffic control for the Annual Harbor Hounds and First Responder Appreciation events.

In addition to the events worked, the explorers also attended six training meetings where they received training in report writing, field interviews, traffic stops and domestic violence.

They are in the process of working on a community service project for the holiday season and are also preparing for yet another academy in December.

RESPONSE TIMES

Below are our officer average response times for our Priority 1, 2 and 3 calls for the 3rd quarter of 2011. Priority 1 calls are the most serious calls and usually involve an in-progress crime. Our goal is to respond to Priority 1 calls within 4 minutes 90% of the time. Our 2011YTD Priority 1 response time average is 4.28 which is within our goal. Our overall average for 2011 3rd quarter is 7.35 up just a little from the 2nd quarter in 2011 which was 7.06.

2011 Response Times

| | P1 | P2 | P3 |
|----------|-----------|-----------|-----------|
| January | 2.28 | 7.7 | 9.79 |
| February | 5.04 | 7.51 | 9.58 |

| | | | |
|---------------------------------------|-------------|-------------|--------------|
| March | 3.15 | 5.78 | 11.18 |
| April | 3.1 | 7.12 | 11.35 |
| May | 4.25 | 7.72 | 9.55 |
| June | 1.08 | 8.17 | 10.79 |
| July | 9.2 | 7.84 | 10.86 |
| August | 6.47 | 6.92 | 11.37 |
| September | 3.93 | 6.27 | 10.57 |
| October | | | |
| November | | | |
| December | | | |
| YEARLY AVERAGE Minutes | 4.28 | 7.23 | 10.56 |

Below are our **2011 3rd Quarter** performance measures and **workload indicators**.

POLICE
2011 3rd Quarter
Performance Measures

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|---|-----------------|-----------------|----------------|-------------|
| Number of traffic infractions and citations written | 348 | 350 | 1280 | 1245 |
| Number of felony arrests | 24 | 17 | 65 | 41 |
| Number of misdemeanor arrests | 97 | 122 | 421 | 403 |
| Number of DUI arrests | 12 | 22 | 68 | 64 |
| Number of warrant arrests | 19 | 19 | 54 | 45 |
| UCR Violent crimes per 1000 population | NA | NA | 61.8 | * |
| UCR Property crimes per 1000 population | NA | NA | 58.4 | * |
| Average police emergency response time in minutes | 6.91 | 8.15 | 7.17 | 7.36 |

Note: UCR stats are published yearly. 2011 rates will be published in June 2012

Workload Measures

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|---|-----------------|-----------------|----------------|-------------|
| Number of dispatched calls for service | 2307 | 2257 | 8385 | 6047 |
| Number of office walk in requests for service | 713 | 761 | 2614 | 1775 |
| Number of cases assigned for follow-up | 58 | 35 | 214 | 134 |
| Number of reportable traffic accidents | 62 | 39 | 156 | 115 |
| Number of police reports written | 497 | 515 | 2130 | 1514 |

Below you will find the reported traffic accidents for the 3rd Quarter of 2011. Four (4) of our accidents in the 3rd quarter involved our roundabouts compared to nine (9) during the 2nd quarter. Eight of our accidents involved minor injuries which is a slight decrease over the 2nd quarter that had ten (10) minor injury accidents.

| TRAFFIC ACCIDENTS FOR 3 rd QUARTER 2011 | | | | | |
|--|-------|--------------------|-------------------|-----------------------------|--------|
| DATE | TIME | LOCATION | CROSS STREET | TYPE | INJURY |
| 7.1.11 | 14:11 | Olympic Dr. | Pt.Fosdick Dr. | | N |
| 7.2.11 | 11:53 | Burnham Dr. | 10600 | No Proof Ins. | N |
| 7.7.11 | 13:30 | Kimball Dr. | SR16 | FTY Private Driveway | Y |
| 7.7.11 | 18:30 | 33rd Ave. Ct. | Pioneer Way | Neg Driving | N |
| 7.8.11 | 17:43 | Olympic Dr. | 108th Ave. NW | Inattention To Driving | N |
| 7.8.11 | 17:00 | Olympic Dr. | Borgen Blvd. | | N |
| 7.12.11 | 19:50 | Harborview Dr. | 5500 | | N |
| 7.13.11 | 8:00 | Harborview Dr. | 4700 | Inattention To Driving | N |
| 7.15.11 | 2:35 | 35th Ave. NW | 5120 | | N |
| 8.2.11 | 17:13 | Olympic Dr. | 51st Ave. | Inattention To Driving | Y |
| 8.3.11 | 14:57 | Burnham Dr. | Kimball Dr. | Imp. Turn / No Ins | N |
| 8.3.11 | 22:43 | Soundview Dr. | Pt.Fosdick Dr. | | N |
| 8.4.11 | 11:14 | 56th | Schoolhouse Ln | Following To Closely | N |
| 8.4.11 | 14:39 | Pt. Fosdick Dr. | Edwards Dr, | Inattention To Driving | Y |
| 8.5.11 | 9:01 | Wollochet Dr. | Uptown Ave. | Speed | N |
| 8.7.11 | 17:00 | Harborview Dr. | 4900 | | N |
| 8.10.11 | 11:00 | Harborview Dr. | N. Harborview Dr. | | N |
| 8.13.11 | 11:00 | Olympic Dr. | Borgen Blvd. | | Y |
| 8.13.11 | 16:25 | Canterwood Blvd. | 4424 | Inattention To Driving | Y |
| 8.16.11 | 12:53 | Pioneer Way | Burnham Dr. | | N |
| 8.16.11 | 18:00 | Point Fosdick Dr. | 10550 | | N |
| 8.20.11 | 22:00 | N. Harborview Dr. | 38th Ave | Info report Only | N |
| 8.26.11 | 16:59 | Burnham Dr. | 5100 | | Y |
| 8.31.11 | 17:30 | 34th Ave. | Borgen Blvd. | | N |
| 9.2.11 | 7:00 | Pt. Fosdick Dr. | 3114 | | N |
| 9.3.11 | 7:20 | Wollochet Dr. | 61st St. | Fail To Yield | N |
| 9.4.11 | 9:40 | Harborview Dr. | 7200 | Neg. Driving | N |
| 9.3.11 | 22:00 | Harbor Country Dr. | 4818 | | N |
| 9.6.11 | 15:39 | Borgen Blvd. | 6600 | | N |
| 9.9.11 | 15:20 | Vernhardson St. | 3510 | FTY Making Left Turn | N |
| 9.9.11 | 15:35 | Wollochet | Hunt St. | | N |
| 9.11.11 | 9:34 | Pt. Fosdick Dr. | 4800 | | Y |
| 9.15.11 | 19:40 | Harborview Dr. | 10600 | Fail To Yield | N |
| 9.17.11 | 10:15 | Point Fosdick Dr. | 4701 | | N |
| 9.23.11 | 10:23 | Olympic Dr. | Pt. Fosdick Dr. | FTY Private Drive | Y |
| 9.25.11 | 10:34 | East Bay Dr. | Dunbar | Driv.on RW Laned for Traff | N |
| 9.25.11 | 20:31 | 36th Ave. | Olympic Dr. | | N |
| 9.26.11 | 14:47 | Hunt St. | Wollochet Dr. | Speeding | N |
| 9.28.11 | 20:00 | 56th St. | Olympic Dr. | Fail to Stop @ Traffic Lite | N |

3rd Quarter 2011 Crime Report/Year to Date (through September 2011) there were **853 incidents** within the city of **Gig Harbor**. Our number of crimes reported is up from the 3rd Quarter in 2010. Of significance is our increase in property crimes. Shoplifting, thefts from vehicle and

burglaries are seeing a sharp increase this year so far. We are also seeing an increase in the theft of metals.

| Kidnap/Child Lure | | | | | |
|---------------------------------|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| Child Luring | 0 | 0 | 1 | 0 | -100% |
| Kidnapping (restrain or abduct) | 0 | 0 | 0 | 0 | 0% |
| Kidnap/Child Lure Total: | 0 | 0 | 1 | 0 | -100% |

| Violent Crimes | | | | | |
|------------------------------|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| Aggravated Assault | 0 | 1 | 3 | 4 | 33% |
| Non Aggravated Assault | 3 | 2 | 18 | 23 | 28% |
| Homicide | 0 | 0 | 0 | 0 | 0% |
| <i>Business Robbery:</i> | 0 | 0 | 6 | 4 | -33% |
| <i>Residential Robbery:</i> | 0 | 0 | 1 | 0 | -100% |
| <i>Street Robbery:</i> | 0 | 0 | 0 | 2 | N/A |
| <i>Other Robbery:</i> | 0 | 0 | 0 | 0 | 0% |
| Robbery | 0 | 0 | 7 | 6 | -14% |
| Violent Crimes Total: | 3 | 3 | 28 | 33 | 18% |

| Property Crimes | | | | | |
|----------------------------------|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| <i>Residential Arson:</i> | 0 | 0 | 0 | 0 | 0% |
| <i>Non-Residential Arson:</i> | 0 | 0 | 0 | 1 | N/A |
| Arson | 0 | 0 | 0 | 1 | N/A |
| Motor Vehicle Theft | 3 | 4 | 19 | 23 | 21% |
| <i>Gas Station Runouts:</i> | 1 | 0 | 2 | 2 | 0% |
| <i>Mail Theft:</i> | 1 | 0 | 2 | 2 | 0% |
| <i>Shoplifting:</i> | 0 | 4 | 33 | 48 | 45% |
| <i>Theft from Vehicle:</i> | 10 | 28 | 94 | 121 | 29% |
| <i>Trailer Theft:</i> | 0 | 0 | 2 | 0 | -100% |
| <i>Boat Theft:</i> | 0 | 0 | 1 | 1 | 0% |
| <i>Other Theft:</i> | 5 | 4 | 31 | 32 | 3% |
| Theft | 17 | 36 | 165 | 206 | 25% |
| <i>Residential Burglary:</i> | 1 | 3 | 21 | 20 | -5% |
| <i>Non-Residential Burglary:</i> | 5 | 2 | 27 | 42 | 56% |
| Burglary | 6 | 5 | 48 | 62 | 29% |

| | | | | | |
|-------------------------------|-----------|-----------|------------|------------|------------|
| Residential Vandalism: | 10 | 5 | 81 | 92 | 14% |
| Non-Residential Vandalism: | 0 | 0 | 3 | 6 | 100% |
| Vandalism | 10 | 5 | 84 | 98 | 17% |
| Property Crimes Total: | 36 | 50 | 316 | 390 | 23% |

| Drug Crimes | | | | | |
|---|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| Drug Possession (Methamphetamine) | 3 | 0 | 5 | 1 | -80% |
| Drug Sale/Manufacture (Methamphetamine) | 0 | 1 | 0 | 1 | N/A |
| Drug Possession (Other) | 2 | 3 | 39 | 43 | 10% |
| Drug Sale/Manufacture (Other) | 0 | 0 | 3 | 3 | 0% |
| Drug Crimes Total: | 5 | 4 | 47 | 48 | 2% |

| Warrant Arrests, Fraud, Traffic, and Other Incidents | | | | | |
|--|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| Weapons Violations | 0 | 1 | 0 | 6 | N/A |
| Warrant Arrests | 10 | 11 | 41 | 64 | 56% |
| Fraud or Forgery | 5 | 5 | 40 | 48 | 20% |
| Criminal Traffic | 15 | 21 | 121 | 224 | 85% |
| Liquor Law Violations | 1 | 2 | 22 | 15 | -32% |
| Telephone Harassment | 0 | 0 | 4 | 1 | -75% |
| Intimidation | 0 | 0 | 1 | 4 | 300% |
| Possession of Stolen Property | 2 | 0 | 12 | 4 | -67% |
| Warrant Arrests, Fraud, Traffic, and Other Incidents Total: | 33 | 40 | 241 | 366 | 52% |

| Other Crimes | | | | | |
|----------------------------------|----------------|----------------|---------------------------------|---------------------------------|-----------------------------|
| | September 2010 | September 2011 | Year-To-Date (through Sep 2010) | Year-To-Date (through Sep 2011) | Year-To-Date Percent Change |
| Criminal Trespass | 1 | 0 | 7 | 11 | 57% |
| Failure to Register/Sex Offender | 0 | 0 | 0 | 0 | 0% |
| Simple assaults | 0 | 0 | 0 | 0 | 0% |
| Trafficking in Stolen Property | 0 | 3 | 2 | 5 | 150% |
| Other Crimes Total: | 1 | 3 | 9 | 16 | 78% |

| Totals | | | | | |
|---------------|-----------|-----------|----------|----------|----------|
| | September | September | Year-To- | Year-To- | Year-To- |

| | 2010 | 2011 | Date (through Sep 2010) | Date (through Sep 2011) | Date Percent Change |
|---------------------|-----------|------------|-------------------------------|-------------------------------|---------------------------|
| Grand Total: | 78 | 100 | 642 | 853 | 33% |

###



To: Mayor Hunter and City Council
From: David Rodenbach, Finance Director
Date: October 24, 2011
Subject: Third Quarter Financial Report

The quarterly financial reports for the third quarter of 2011 are attached.

Total resources, including all revenues and beginning cash balances, are 95 percent of the annual budget. Total revenues, excluding beginning cash balances, are 80 percent of the annual budget while total expenditures are at 69 percent. For the same period in 2010 we were at 65 and 61 percent for revenues and expenditures respectively.

General Fund revenues are 73 percent of budget. Third quarter 2010 revenues were at 80 percent of budget. The drop off is due to a large one-time sales tax distribution in August 2010. Taxes are expected to come in about three percent over 2011 budget. This equates to about \$250,000. Permit revenues are \$519,000 as compared with \$482,000 in the same period last year. The budget for permit revenues in 2011 is \$375,000.

General fund expenditures are 70 percent of budget. A year ago expenditures were 71 percent of budget after the third quarter. At this time it appears that all general fund departments are tracking within their 2011 budgets.

Through the end of the third quarter Street Operating revenues are at their 2011 budget amount and expenditures are at 85 percent of 2011 appropriations. A budget amendment may be required for this fund.

Water, Sewer and Storm Sewer revenues are 83, 73 and 78 percent of budget; while expenditures for these three funds are at 59, 70 and 53 percent of budget. 2010 amounts for the same period were 82, 74 and 67 percent for revenues and 69, 60 and 36 percent for expenditures.

Cash balances are adequate in all funds.

CITY OF GIG HARBOR
CASH AND INVESTMENTS
YEAR TO DATE ACTIVITY
AS OF SEPTEMBER 30, 2011

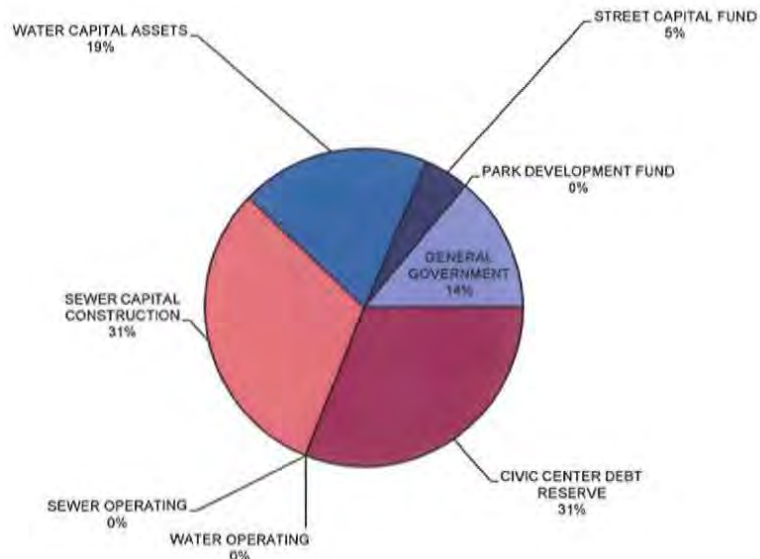
| FUND NO. | DESCRIPTION | BEGINNING BALANCE | REVENUES | EXPENDITURES | OTHER CHANGES | ENDING BALANCE |
|----------|------------------------------|----------------------|----------------------|----------------------|-----------------------|----------------------|
| 001 | GENERAL GOVERNMENT | \$ 1,625,537 | \$ 6,961,717 | \$ 6,766,703 | \$ (147,862) | \$ 1,672,690 |
| 101 | STREET FUND | 432,205 | 1,172,929 | 1,205,059 | (6,284) | 393,791 |
| 102 | STREET CAPITAL FUND | 510,149 | 843,533 | 1,148,295 | (74,213) | 131,175 |
| 105 | DRUG INVESTIGATION FUND | 5,897 | 3,611 | 271 | (150) | 9,087 |
| 106 | DRUG INVESTIGATION FUND | 34,075 | 43 | 1,758 | - | 32,360 |
| 107 | HOTEL-MOTEL FUND | 97,817 | 154,441 | 125,473 | (2,332) | 124,452 |
| 108 | PUBLIC ART CAPITAL PROJECTS | 91,787 | 117 | - | - | 91,904 |
| 109 | PARK DEVELOPMENT FUND | 492,075 | 979,589 | 1,079,870 | (192,227) | 199,567 |
| 110 | CIVIC CENTER DEBT RESERVE | 3,983,655 | 4,247 | 200,000 | - | 3,787,902 |
| 111 | STRATEGIC RESERVE FUND | - | 280,358 | - | - | 280,358 |
| 112 | EQUIPMENT RESERVE FUND | - | 50,064 | - | - | 50,064 |
| 208 | LTGO BOND REDEMPTION | 41,478 | 1,370,370 | 784,774 | - | 627,074 |
| 209 | 2000 NOTE REDEMPTION | 18,610 | 20,664 | - | - | 39,273 |
| 210 | LID NO. 99-1 GUARANTY | 95,237 | 122 | - | - | 95,359 |
| 211 | UTGO BOND REDEMPTION | 180,670 | 193,144 | 54,008 | 3,699 | 323,506 |
| 301 | PROPERTY ACQUISITION FUND | 115,953 | 158,022 | 150,000 | - | 123,975 |
| 305 | GENERAL GOVT CAPITAL IMPR | 124,360 | 116,573 | 150,000 | 1,633 | 92,567 |
| 309 | IMPACT FEE TRUST | 318,022 | 295,051 | - | 33,360 | 646,433 |
| 310 | HOSPITAL BENEFIT ZONE | - | 298,581 | - | - | 298,581 |
| 401 | WATER OPERATING | 208,566 | 1,045,217 | 857,563 | (161,719) | 234,500 |
| 402 | SEWER OPERATING | 341,899 | 2,422,097 | 2,223,775 | (165,498) | 374,724 |
| 407 | UTILITY RESERVE | 1,325,893 | 1,112 | 22 | - | 1,326,983 |
| 408 | UTILITY BOND REDEMPTION | 4,902 | 1,667,263 | 1,473,857 | - | 198,308 |
| 410 | SEWER CAPITAL CONSTRUCTION | 5,754,371 | 541,265 | 2,846,347 | (663,527) | 2,785,762 |
| 411 | STORM SEWER OPERATING FUND | 268,469 | 588,381 | 546,471 | 79,048 | 389,427 |
| 412 | STORM SEWER CAPITAL | 449,520 | 178,653 | 94,547 | (1,612) | 532,014 |
| 420 | WATER CAPITAL ASSETS | 2,311,006 | 236,775 | 750,990 | (3,679) | 1,793,112 |
| 605 | LIGHTHOUSE MAINTENANCE TRUST | 2,107 | 3 | - | (2) | 2,108 |
| 631 | MUNICIPAL COURT | - | 102,378 | 102,378 | - | - |
| | | \$ 18,834,261 | \$ 19,686,318 | \$ 20,562,160 | \$ (1,301,365) | \$ 16,657,056 |

COMPOSITION OF CASH AND INVESTMENTS
AS OF SEPTEMBER 30, 2011

| | MATURITY | RATE | BALANCE |
|----------------------------------|----------|---------|----------------------|
| CASH ON HAND | | | \$ 300 |
| CASH IN BANK | | | 773,171 |
| ESCROW COLUMBIA BANK | | | 60,000 |
| INVESTMENTS/CD COLUMBIA BANK | | | 1,000,000 |
| INVESTMENTS/US BANK | | | 989,126 |
| LOCAL GOVERNMENT INVESTMENT POOL | | 0.2300% | 13,834,459 |
| | | | \$ 16,657,055 |

(0)

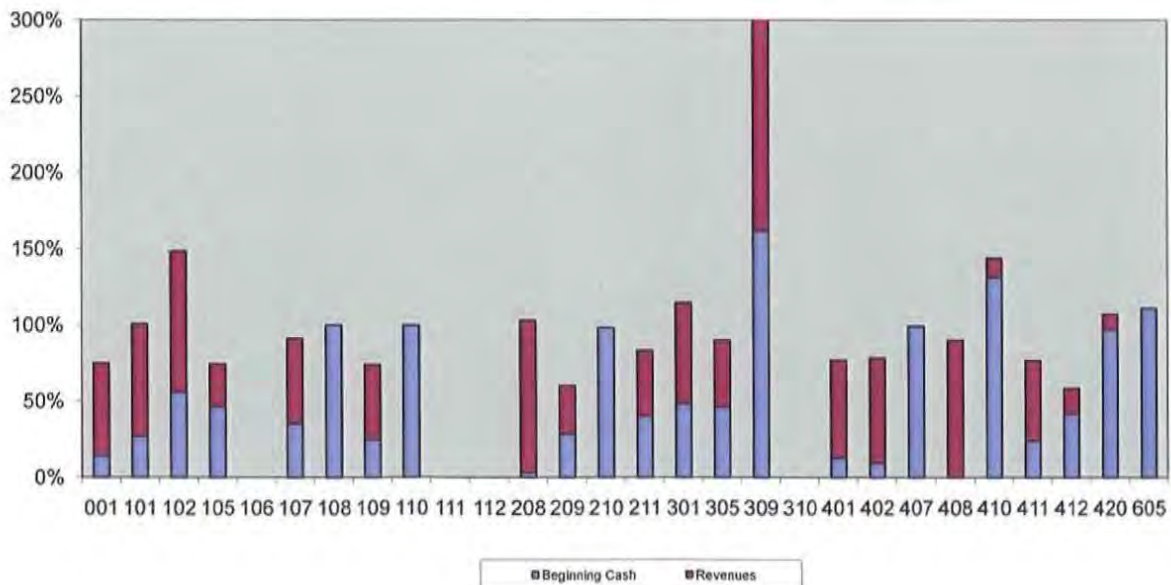
Ending Cash Balances by Fund



CITY OF GIG HARBOR
YEAR-TO-DATE RESOURCE SUMMARY
AND COMPARISON TO BUDGET
AS OF SEPTEMBER 30, 2011

| FUND NO. | DESCRIPTION | ESTIMATED RESOURCES | ACTUAL Y-T-D RESOURCES | BALANCE OF ESTIMATE | PERCENTAGE (ACTUAL/EST.) |
|----------|------------------------------|---------------------|------------------------|---------------------|--------------------------|
| 001 | GENERAL GOVERNMENT | \$ 11,475,566 | \$ 8,587,254 | \$ 2,888,312 | 75% |
| 101 | STREET FUND | 1,593,266 | 1,605,134 | (11,867) | 101% |
| 102 | STREET CAPITAL FUND | 911,556 | 1,353,682 | (442,127) | |
| 105 | DRUG INVESTIGATION FUND | 12,776 | 9,508 | 3,268 | 74% |
| 106 | DRUG INVESTIGATION FUND | 34,071 | 34,118 | (47) | |
| 107 | HOTEL-MOTEL FUND | 276,430 | 252,257 | 24,173 | 91% |
| 108 | PUBLIC ART CAPITAL PROJECTS | 91,938 | 91,904 | 34 | 100% |
| 109 | PARK DEVELOPMENT FUND | 1,986,919 | 1,471,664 | 515,255 | 74% |
| 110 | CIVIC CENTER DEBT RESERVE | 3,989,426 | 3,987,902 | 1,524 | 100% |
| 111 | STRATEGIC RESERVE FUND | 280,000 | 280,358 | (358) | |
| 112 | EQUIPMENT RESERVE FUND | 50,000 | 50,064 | (64) | |
| 208 | LTGO BOND REDEMPTION | 1,370,824 | 1,411,848 | (41,024) | 103% |
| 209 | 2000 NOTE REDEMPTION | 65,296 | 39,273 | 26,023 | 60% |
| 210 | LID NO. 99-1 GUARANTY | 97,032 | 95,359 | 1,673 | 98% |
| 211 | UTGO BOND REDEMPTION | 448,272 | 373,814 | 74,458 | 83% |
| 301 | PROPERTY ACQUISITION FUND | 238,761 | 273,975 | (35,214) | 115% |
| 305 | GENERAL GOVT CAPITAL IMPR | 267,561 | 240,934 | 26,627 | 90% |
| 309 | IMPACT FEE TRUST | 196,407 | 613,073 | (416,666) | 312% |
| 310 | HOSPITAL BENEFIT ZONE | - | 298,581 | (298,581) | |
| 401 | WATER OPERATING | 1,630,318 | 1,253,783 | 376,535 | 77% |
| 402 | SEWER OPERATING | 3,522,988 | 2,763,996 | 758,991 | 78% |
| 407 | UTILITY RESERVE | 1,336,291 | 1,327,005 | 9,285 | 99% |
| 408 | UTILITY BOND REDEMPTION | 1,854,697 | 1,672,165 | 182,532 | 90% |
| 410 | SEWER CAPITAL CONSTRUCTION | 4,376,516 | 6,295,637 | (1,919,121) | |
| 411 | STORM SEWER OPERATING FUND | 1,115,176 | 856,850 | 258,326 | 77% |
| 412 | STORM SEWER CAPITAL | 1,074,092 | 628,173 | 445,919 | 58% |
| 420 | WATER CAPITAL ASSETS | 2,379,995 | 2,547,781 | (167,786) | |
| 605 | LIGHTHOUSE MAINTENANCE TRUST | 1,900 | 2,110 | (210) | |
| 631 | MUNICIPAL COURT | | 102,378 | (102,378) | |
| | | \$ 40,678,072 | \$ 38,520,580 | \$ 2,157,493 | 95% |

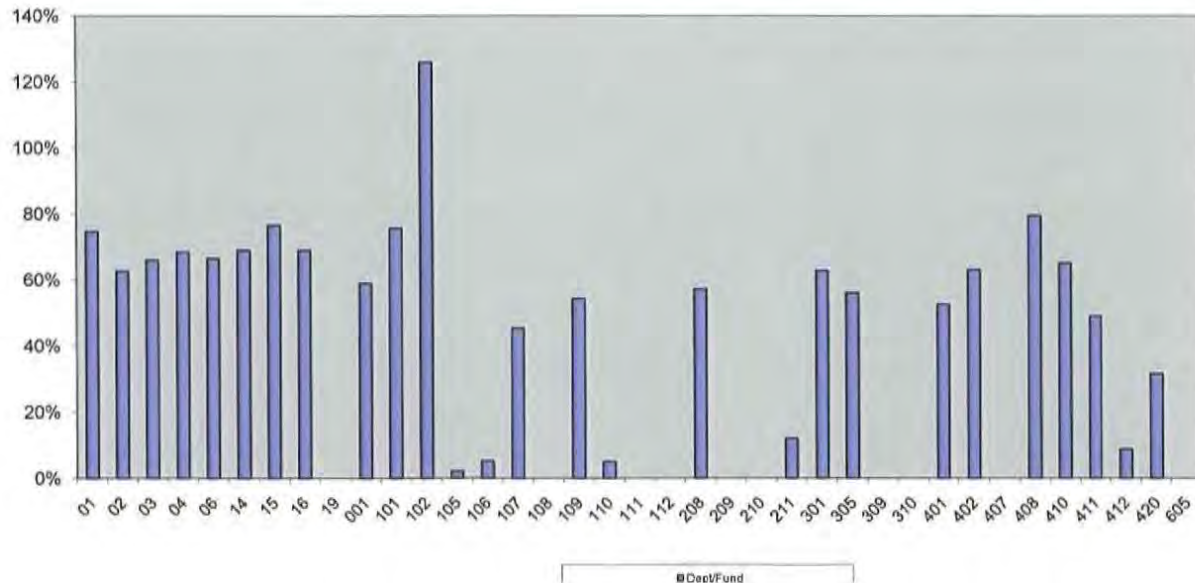
Resources as a Percentage of Annual Budget



CITY OF GIG HARBOR
YEAR-TO-DATE EXPENDITURE SUMMARY
AND COMPARISON TO BUDGET
FOR PERIOD ENDING SEPTEMBER 30, 2011

| FUND NO. | DESCRIPTION | ESTIMATED EXPENDITURES | ACTUAL Y-T-D EXPENDITURES | BALANCE OF ESTIMATE | PERCENTAGE (ACTUAL/EST.) |
|----------|------------------------------|------------------------|---------------------------|---------------------|--------------------------|
| 001 | GENERAL GOVERNMENT | | | | |
| 01 | NON-DEPARTMENTAL | \$ 3,166,427 | \$ 2,364,498 | \$ 801,929 | 75% |
| 02 | LEGISLATIVE | 29,350 | 18,394 | 10,956 | 63% |
| 03 | MUNICIPAL COURT | 360,750 | 237,886 | 122,864 | 66% |
| 04 | ADMINISTRATIVE/FINANCIAL | 1,290,800 | 883,600 | 407,200 | 68% |
| 06 | POLICE | 2,846,352 | 1,891,918 | 954,434 | 66% |
| 14 | COMMUNITY DEVELOPMENT | 1,200,050 | 827,842 | 372,208 | 69% |
| 15 | PARKS AND RECREATION | 483,175 | 369,933 | 113,242 | 77% |
| 16 | BUILDING | 250,330 | 172,631 | 77,699 | 69% |
| 19 | ENDING FUND BALANCE | 1,848,330 | - | 1,848,330 | |
| 001 | TOTAL GENERAL FUND | 11,475,564 | 6,766,703 | 4,708,861 | 59% |
| 101 | STREET FUND | 1,593,266 | 1,205,059 | 388,207 | 76% |
| 102 | STREET CAPITAL FUND | 911,556 | 1,148,295 | (236,739) | 126% |
| 105 | DRUG INVESTIGATION FUND | 12,776 | 271 | 12,505 | 2% |
| 106 | DRUG INVESTIGATION FUND | 34,071 | 1,758 | 32,313 | 5% |
| 107 | HOTEL-MOTEL FUND | 276,430 | 125,473 | 150,957 | 45% |
| 108 | PUBLIC ART CAPITAL PROJECTS | 91,938 | - | 91,938 | |
| 109 | PARK DEVELOPMENT FUND | 1,986,919 | 1,079,870 | 907,049 | 54% |
| 110 | CIVIC CENTER DEBT RESERVE | 3,989,426 | 200,000 | 3,789,426 | 5% |
| 111 | STRATEGIC RESERVE FUND | 280,000 | - | 280,000 | |
| 112 | EQUIPMENT RESERVE FUND | 50,000 | - | 50,000 | |
| 208 | LTGO BOND REDEMPTION | 1,370,824 | 784,774 | 586,050 | 57% |
| 209 | 2000 NOTE REDEMPTION | 65,297 | - | 65,297 | |
| 210 | LID NO. 99-1 GUARANTY | 97,032 | - | 97,032 | |
| 211 | UTGO BOND REDEMPTION | 448,272 | 54,008 | 394,265 | 12% |
| 301 | PROPERTY ACQUISITION FUND | 238,761 | 150,000 | 88,761 | 63% |
| 305 | GENERAL GOVT CAPITAL IMPR | 267,561 | 150,000 | 117,561 | 56% |
| 309 | IMPACT FEE TRUST | 196,407 | - | 196,407 | |
| 310 | HOSPITAL BENEFIT ZONE | - | - | - | |
| 401 | WATER OPERATING | 1,630,320 | 857,563 | 772,757 | 53% |
| 402 | SEWER OPERATING | 3,522,989 | 2,223,775 | 1,299,214 | 63% |
| 407 | UTILITY RESERVE | 1,336,291 | 22 | 1,336,269 | |
| 408 | UTILITY BOND REDEMPTION | 1,854,697 | 1,473,857 | 380,840 | 79% |
| 410 | SEWER CAPITAL CONSTRUCTION | 4,376,516 | 2,846,347 | 1,530,169 | 65% |
| 411 | STORM SEWER OPERATING FUND | 1,115,176 | 546,471 | 568,705 | 49% |
| 412 | STORM SEWER CAPITAL | 1,074,092 | 94,547 | 979,545 | 9% |
| 420 | WATER CAPITAL ASSETS | 2,379,995 | 750,990 | 1,629,005 | 32% |
| 605 | LIGHTHOUSE MAINTENANCE TRUST | 1,900 | - | 1,900 | |
| 631 | MUNICIPAL COURT | - | 102,378 | (102,378) | |
| | | \$ 40,678,076 | \$ 20,562,160 | \$ 20,115,916 | 51% |

Expenditures as a Percentage of Annual Budget



**CITY OF GIG HARBOR
YEAR-TO-DATE REVENUE SUMMARY
BY TYPE
FOR PERIOD ENDING SEPTEMBER 30, 2011**

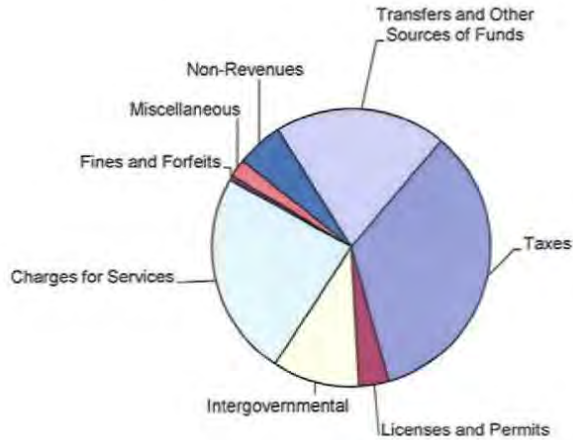
| <u>TYPE OF REVENUE</u> | <u>AMOUNT</u> |
|--------------------------------------|----------------------|
| Taxes | \$ 6,788,114 |
| Licenses and Permits | 889,262 |
| Intergovernmental | 1,994,619 |
| Charges for Services | 4,691,838 |
| Fines and Forfeits | 112,520 |
| Miscellaneous | 404,932 |
| Non-Revenues | 1,071,653 |
| Transfers and Other Sources of Funds | <u>3,933,380</u> |
| Total Revenues | 19,686,318 |
| Beginning Cash Balance | 18,834,261 |
| Total Resources | <u>\$ 38,520,580</u> |

diff \$ 1,301,363

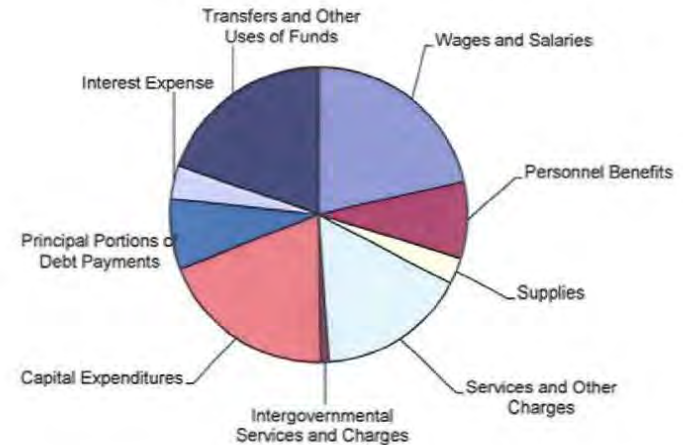
**CITY OF GIG HARBOR
YEAR-TO-DATE EXPENDITURE SUMMARY
BY TYPE
FOR PERIOD ENDING SEPTEMBER 30, 2011**

| <u>TYPE OF EXPENDITURE</u> | <u>AMOUNT</u> |
|--|----------------------|
| Wages and Salaries | \$ 4,406,944 |
| Personnel Benefits | 1,707,836 |
| Supplies | 591,511 |
| Services and Other Charges | 3,331,805 |
| Intergovernmental Services and Charges | 190,143 |
| Capital Expenditures | 3,962,589 |
| Principal Portions of Debt Payments | 1,563,533 |
| Interest Expense | 749,105 |
| Transfers and Other Uses of Funds | <u>4,058,694</u> |
| Total Expenditures | 20,562,160 |
| Ending Cash Balance | 16,657,056 |
| Total Uses | <u>\$ 37,219,216</u> |

Revenues by Type - All Funds



Expenditures by Type - All Funds



**CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF SEPTEMBER 30, 2011**

| | SPECIAL REVENUE FUNDS | | | | | | | | |
|------------------------------------|-----------------------|----------------|-------------------|--------------------|--------------------|-------------------|------------------------|-------------------|------------------------|
| | 001 | 101 | 102 | 105 | 106 | 107 | 108 | 109 | 110 |
| | GENERAL GOVERNMENT | STREET | ST CAP | DRUG INVESTIGTN | DRUG INVESTIGTN | HOTEL - MOTEL | PUBLIC ART PROJECTS | PARK DVLP FUND | CIVIC CTR DEBT RSRV |
| ASSETS | | | | | | | | | |
| CASH | \$ 88,629 | \$ 20,843 | \$ 6,943 | \$ 481 | 1,713 | \$ 6,587 | \$ 4,864 | \$ 67,387 | \$ 147,562 |
| INVESTMENTS | 1,584,061 | 372,948 | 124,232 | 8,606 | 30,647 | 117,865 | 87,040 | 132,179 | 3,640,340 |
| RECEIVABLES | 1,181,337 | 42,110 | 55,690 | - | - | 38,389 | - | - | - |
| FIXED ASSETS | - | - | - | - | - | - | - | - | - |
| OTHER | - | - | - | - | - | - | - | - | - |
| TOTAL ASSETS | 2,854,026 | 435,901 | 186,864 | 9,087 | 32,360 | 162,842 | 91,904 | 199,567 | 3,787,902 |
| LIABILITIES | | | | | | | | | |
| CURRENT | 17,484 | 64,637 | - | - | - | - | - | - | - |
| LONG TERM | 4,598 | 13,987 | - | - | - | - | - | - | - |
| TOTAL LIABILITIES | 22,082 | 78,624 | - | - | - | - | - | - | - |
| FUND BALANCE: | | | | | | | | | |
| BEGINNING OF YEAR | 2,636,930 | 389,408 | 491,626 | 5,747 | 34,075 | 133,874 | 91,787 | 299,848 | 3,983,655 |
| Y-T-D REVENUES | 6,961,717 | 1,172,929 | 843,533 | 3,611 | 43 | 154,441 | 117 | 979,589 | 4,247 |
| Y-T-D EXPENDITURES | (6,766,703) | (1,205,059) | (1,148,295) | (271) | (1,758) | (125,473) | - | (1,079,870) | (200,000) |
| ENDING FUND BALANCE | 2,831,944 | 357,277 | 186,864 | 9,087 | 32,360 | 162,842 | 91,904 | 199,567 | 3,787,902 |
| TOTAL LIAB. & FUND BAL. | 2,854,026 | 435,901 | \$ 186,864 | \$ 9,087 | 32,360 | \$ 162,842 | \$ 91,904 | \$ 199,567 | \$ 3,787,902 |

**CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF JUNE 30, 2011**

| | SPECIAL REVENUE FUNDS | | | | | | | | |
|------------------------------------|-----------------------|----------------------|-------------------------|-------------------------|--------------------------|---------------------|-------------------|------------------------|--------------------|
| | 111 | 112 | 301 | 305 | 309 | 605 | 607 | 608 | 631 |
| | STRATEGIC RESERVE | EQUIPMENT RESERVE | PROPERTY ACQUISITION | GEN GOVT CAPITAL IMP | IMPACT FEE TRUST FUND | LIGHTHOUSE MAINT | EDDON BOATYARD | FHS TRFC MITIGATION | MUNICIPAL COURT |
| ASSETS | | | | | | | | | |
| CASH | \$ 14,839 | \$ 2,650 | \$ 6,562 | \$ 4,900 | \$ 34,215 | \$ 112 | \$ - | \$ - | \$ - |
| INVESTMENTS | 265,519 | \$ 47,414 | 117,413 | 87,668 | 612,218 | 1,998 | - | - | - |
| RECEIVABLES | | | - | - | - | - | - | - | - |
| FIXED ASSETS | | | - | - | - | - | - | - | - |
| OTHER | | | - | - | - | - | - | - | - |
| TOTAL ASSETS | 280,358 | 50,064 | 123,975 | 92,567 | 646,433 | 2,110 | - | - | - |
| LIABILITIES | | | | | | | | | |
| CURRENT | - | - | - | 1,633 | 41,700 | - | - | - | - |
| LONG TERM | | | - | - | - | - | - | - | - |
| TOTAL LIABILITIES | - | - | - | 1,633 | 41,700 | - | - | - | - |
| FUND BALANCE: | | | | | | | | | |
| BEGINNING OF YEAR | - | - | 115,953 | 124,360 | 309,682 | 2,107 | - | - | - |
| Y-T-D REVENUES | 280,358 | 50,064 | 158,022 | 116,573 | 295,051 | 3 | - | - | - |
| Y-T-D EXPENDITURES | - | - | (150,000) | (150,000) | - | - | - | - | - |
| ENDING FUND BALANCE | 280,358 | 50,064 | 123,975 | 90,934 | 604,733 | 2,110 | - | - | - |
| TOTAL LIAB. & FUND BAL. | \$ 280,358 | \$ 50,064 | \$ 123,975 | \$ 92,567 | \$ 646,433 | \$ 2,110 | \$ - | \$ - | - |

| | TOTAL SPECIAL REVENUE | 412 STORM SEWER CAPITAL | 420 WATER CAP. ASSETS | TOTAL PROPRIETARY | TOTAL |
|------------------------------------|-----------------------------|-------------------------------|-----------------------------|----------------------|-------------------|
| ASSETS | | | | | |
| CASH | \$ 319,657 | \$ 28,159 | \$ 94,908 | \$ 351,942 | \$ 817,667 |
| INVESTMENTS | 5,646,086 | 503,852 | 1,698,204 | 7,282,887 | 15,540,807 |
| RECEIVABLES | 136,190 | - | - | 818,024 | 2,141,766 |
| FIXED ASSETS | - | 34,642 | 2,093,722 | 37,770,075 | 37,770,075 |
| OTHER | - | - | - | 168,878 | 168,878 |
| TOTAL ASSETS | 6,101,933 | 566,654 | 3,886,834 | 46,391,806 | 56,439,193 |
| LIABILITIES | | | | | |
| CURRENT | 107,970 | - | 5,912 | 1,351,087 | 1,487,328 |
| LONG TERM | 13,987 | - | - | 23,524,302 | 23,545,337 |
| TOTAL LIABILITIES | 121,958 | - | 5,912 | 24,875,389 | 25,032,665 |
| FUND BALANCE: | | | | | |
| BEGINNING OF YEAR | 5,982,121 | 482,548 | 4,395,137 | 23,629,226 | 32,580,951 |
| Y-T-D REVENUES | 4,058,579 | 178,653 | 236,775 | 6,680,763 | 19,285,359 |
| Y-T-D EXPENDITURES | (4,060,725) | (94,547) | (750,990) | (8,793,572) | (20,459,782) |
| ENDING FUND BALANCE | 5,979,975 | 566,654 | 3,880,922 | 21,516,417 | 31,406,528 |
| TOTAL LIAB. & FUND BAL. | \$ 6,101,933 | \$ 566,654 | \$ 3,886,834 | \$ 46,391,806 | 56,439,193 |

CITY OF GIG HARBOR



2011 / 3RD QUARTER PERFORMANCE AND WORKLOAD MEASURES

ADMINISTRATION

Administration

Performance Measures

| | 2008 Actual | 2011 Goal |
|--|----------------|--------------|
| Percent of Citizens Agreeing with Survey Questions: | | |
| Pleased with Overall Direction of the City | 58% | N/A* |
| Receive Good Value for Taxes Paid | 61% | N/A* |
| The City Listens to its Citizens | 43% | N/A* |
| City has a Strong Sense of Community | 84% | N/A* |

* No survey to be conducted in 2011.

Workload Measures

| | 2008 Actual | 2009 Actual | 2010 Actual | 2011 YTD |
|---------------------------------------|----------------|----------------|----------------|---------------|
| Population | 6,780 | 6,910 | 7,165 | 7,126 |
| City-wide Assessed Property Valuation | 1,699,571,402 | 1,955,970,466 | 2,061,648,756 | 1,942,220,965 |
| Total Capital Project Budget | 25,630,000 | 21,800,000 | 24,263,000 | 7,338,600 |

City Clerk Office

Performance Measures

| | Public Records Requests (respond within 5 days) | Ordinance /Resolutions (within 4 working days) | Council Packets on time | Minutes done within 6 days |
|-------------|---|--|-------------------------------|----------------------------------|
| 2009 Actual | 100% | 98% | 91% | 44% |
| 2010 Actual | 100% | 95% | 95% | 85% |
| 2011 YTD | 100% | 100% | 98% | 95% |

Workload Measures

| | Request for Public Records | Council Packets # of Pages | Ordinances & Resolutions | Minutes # of pages | Claim for Damages/ Lawsuits | Spcl Events Parks & Facility Resv |
|------------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|-----------------------------------|---|
| 2010 3 rd Quarter | 28 | 1205 | 10 | 30 | 11 | 165 |
| 2011 3 rd Quarter | 28 | 483 | 19 | 23 | 8 | 141 |
| 2010 Actual | 126 | 4552 | 54 | 162 | 35 | 507 |
| 2011 YTD | 96 | 3020 | 39 | 82 | 22 | 387 |

POLICE

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|---|-----------------------------|-----------------------------|----------------|-------------|
| Number of traffic infractions and citations written | 348 | 350 | 1280 | 1245 |
| Number of felony arrests | 24 | 17 | 65 | 41 |
| Number of misdemeanor arrests | 97 | 122 | 421 | 403 |
| Number of DUI arrests | 12 | 22 | 68 | 64 |
| Number of warrant arrests | 19 | 19 | 54 | 45 |
| UCR Violent crimes per 1000 population | n/a | n/a | 61.8 | * |
| UCR Property crimes per 1000 population | n/a | n/a | 58.4 | * |
| Average police emergency response time in minutes | 6.91 | 8.15 | 7.17 | 7.36 |

Note: UCR stats are published yearly. 2011 rates will be published in June 2012.

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|---|-----------------------------|-----------------------------|----------------|-------------|
| Number of dispatched calls for service | 2307 | 2257 | 8385 | 6047 |
| Number of office walk in requests for service | 713 | 761 | 2614 | 1775 |
| Number of cases assigned for follow-up | 58 | 35 | 214 | 134 |
| Number of reportable traffic accidents | 62 | 39 | 156 | 115 |
| Number of police reports written | 497 | 515 | 2130 | 1514 |

MUNICIPAL COURT

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|---------------------|-----------------------------|-----------------------------|----------------|-------------|
| Infraction Filings | 261 | 243 | 905 | 787 |
| Infraction Hearings | 124 | 188 | 878 | 587 |
| Criminal Filings | 95 | 123 | 425 | 339 |
| Criminal Hearings | 560 | 741 | 2,555 | 2,179 |

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|------------------------|-----------------------------|-----------------------------|----------------|---------------|
| Collection Assignments | 136/\$55,098 | 103/\$57,504 | 388/\$230,472 | 256/\$145,286 |
| Collection Recovery | \$12,044 | \$18,732 | \$60,490 | \$68,130 |
| % PC Compliance | 100% | 100% | 100% | 100% |
| % Speedy Compliance | 100% | 100% | 100% | 100% |

The Court does not set gross revenue or case filing goals.
 Judge Dunn does not influence nor comment on revenue or case filings.

BUILDING AND FIRE SAFETY

Performance Measures

| | 2010 3rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 Estimate |
|---|-----------------|-----------------------------|----------------|------------------|
| Complete first review or plan approval letter within 28 days of receipt of complete application (OCA) | 98% | 95% | 95% | 90% |
| Provide second review or approval letter within 14 days of receipt of re-submittals | 95% | 95% | 95% | 90% |
| Provide inspections within 24 hours of request | 95% | 95% | 95% | 95% |

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 Actual |
|------------------------------|-----------------------------|-----------------------------|----------------|----------------|
| Inspections | 599 | 740 | 2296 | 2635 |
| Commercial permits received | 1 | 5 | 6 | 9 |
| Residential permits received | 1 | 18 | 23 | 47 |
| Commercial permits issued | 71 | 49 | 189 | 148 |
| Residential permits issued | 58 | 80 | 147 | 229 |

PLANNING DEPARTMENT

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 Estimate |
|--|-----------------------------|-----------------------------|----------------|------------------|
| % of land use cases processed under 120 days | 98% | 95% | 99% | 100% |
| % of preliminary plats processed under 90 days | n/a | n/a | n/a* | 100% |
| % of short plats processed under 30 days | n/a | n/a | n/a | 100% |

NOTES

N/A indicates no permits of that type approved during the quarter

* Harbor Hill Residential Plat was approved in 2010, but was not subject to the processing timeline due to the Development Agreement. This was the only plat approved in 2010.

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 Estimate |
|--------------------------|-----------------------------|-----------------------------|----------------|------------------|
| Number of land use cases | 56 | 74 | 261 | 300 |
| Amount of fees collected | \$37,305 | \$33,695 | \$147,375 | \$186,000 |

PUBLIC WORKS

Parks

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|------------------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Landscaping Maintained (sq ft/FTE) | 183,025 | 165,200 | 686,308 | 469,240 |
| Parks cleaned per day | 100% | 100% | 100% | 100% |
| Complaints addressed within 24 hrs | 100% | 100% | 100% | 100% |

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|------------------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Acres of park space & streetscapes | 71.7 | 81.2 | 71.7 | 233 |
| Community event sponsored hours | 33 | 111.5 | 686 | 403 |
| Acres of park land (per FTE) | n/a | n/a | n/a | n/a |
| Park related phone calls | 42 | 39 | 83 | 88 |

Streets

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|-----------------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Streets sweeping (FTE hours) | 126 | 47 | 483 | 594 |
| Streets maintain (lane miles/FTE) | 5.6 | 5.6 | 5.6 | 5.6 |

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|--------------------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Streetlights | 520 | 520 | 520 | 520 |
| Lane miles maintained | 81.45 | 81.45 | 81.45 | 81.45 |
| Street signs repaired | 28 | 40 | 160 | 70 |
| Pavement markings (feet) | 339,797 | 339,797 | 339,797 | 339,797 |
| Sidewalks maintained (feet) | 157,784 | 157,784 | 157,784 | 157,784 |
| Street-related phone calls | 36 | 41 | 120 | 116 |
| Fleet serviced shop vehicles (hrs) | 55 | 125 | 451.8 | 298.8 |
| Fleet serviced police vehicles (hrs) | 39 | 65 | 235.5 | 246 |

Water**Performance Measures**

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|---|------------------------------------|------------------------------------|------------------------|---------------------|
| Meters read per FTE | 2,201 | 3,350 | 11,943* | 10,010 |
| After hrs emer. responses w/in 45 min. | 100% | 100% | 100% | 100% |

* no meters read during month of September 2010

Workload Measures

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|--|------------------------------------|------------------------------------|------------------------|---------------------|
| Gallons of storage capacity | 4,550,000 | 4,550,000 | 4,550,000 | 4,550,000 |
| Number of gallons pumped per year | 64.9 mg | 68.5 mg | 294.1 mg | 252.5 mg |
| Number of water related calls | 39 | 28 | 132 | 75 |

Stormwater**Performance Measures**

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|---|------------------------------------|------------------------------------|------------------------|---------------------|
| Percent of storm ponds brushed | 100% | 100% | 100% | 100% |
| Progress toward NSDES Phase II comp. | 70% | 80% | 75% | 80% |

Workload Measures

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|--------------------------------|--------------------------------------|------------------------------------|------------------------|---------------------|
| Catch basins cleaned | 3 rd /4 th qtr | 200 (20%) | 190 | 200 |
| Catch basins installed | 0 | 2 | 0 | 2 |
| Catch basins maintained | 4 th qtr | 4 th qtr | 1,000 | 4 th qtr |
| Storm ponds maintained | 7 | 8 | 11 | 8 |

Wastewater**Performance Measures**

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|---|------------------------------------|------------------------------------|------------------------|---------------------|
| Dewatering w/ thickening process (gallons) | 883,246 | 616,423 | 3,161,638 | 1,916,815 |
| Line Cleaning (feet) | 4,495 | 23,611 | 44,973 | 31,879 |
| Plant performance award | 4 th qtr | 4 th qtr | Yes | 4 th qtr |

Wastewater**Workload Measures**

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|--|------------------------------------|------------------------------------|------------------------|---------------------|
| Raw sewage treated | 64.3615mg | 71.667 mg | 303.94 mg | 231.3865 mg |
| Tons of bio-solids produced* | 223.17 wet tons | 284.81 wet tons | 937.27 wet tons | 718.52 wet tons |
| Work orders for plant/lift station maintenance | 84/101 | 170/136 | 417/430 | 408/381 |
| Lift station checks | 221 | 221 | 884 | 663 |
| Corrective/Special Projects Work Order QUANTITY | 1/15 | 12/34 | 49/70 | 63/75 |
| Corrective/Special Projects Work Orders HOURS | 6/56.25 | 151.75/258.4 | 421.25/448.75 | 573.5/1020.65 |

* The reduction in biosolid tons produced is a positive cost saving measure.

Engineering**Performance Measures**

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|--|------------------------------------|------------------------------------|------------------------|---------------------|
| Percent of project milestones met with the quarter | 75% | 80% | 80% | 80% |
| Ratio of PW variances approved w/in 6 weeks of complete application | 0% (none rec'd) | 0% (none rec'd) | 100% (3/3) | 0% |

Workload Measures

| | 2010 3rd Qtr | 2011 3rd Qtr | 2010 Actual | 2011 YTD |
|--|------------------------------------|------------------------------------|------------------------|---------------------|
| Number of consultant contracts managed (number of design contracts managed in house) * new measure for 2011 | New measure | 3/2 ** | New measure | 3/2 |

* This measure was incorrectly stated in the 2011 Budget. The intent of this measure is to quantify how many large capital improvement construction projects are managed in-house in lieu of utilizing a consultant.

** 2011 Water Main Improvement & Replacement project
2011 Pavement Maintenance & Repair project
Well #11 Project

FINANCE

Finance

Performance Measures

| | 2010 1 st Qtr | 2011 1 st Qtr | 2010 Actual | 2011 YTD |
|---|-----------------------------|-----------------------------|----------------|-------------|
| Maintain city bond rating (Moody's Aa3) | Aa3 | Aa3 | Aa3 | Aa3 |
| Unqualified audit financial statement opinion | Yes | Yes | Yes | Yes |

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|---------------------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Number of invoices processed | 1,816 | 1,813 | 7,442 | 5,625 |
| Number of transactions receipted | 4,389 | 4,512 | 17,004 | 12,840 |
| Number of utility bills processed | 3,333 | 3,400 | 14,560 | 10,744 |
| Number of payroll checks processed | 633 | 629 | 2,385 | 1,730 |
| Number of business licenses processed | 180 | 168 | 729 | 549 |

Information Technology

Performance Measures

| | 2008 Actual | 2009 Actual | 2010 Actual | 2011 YTD |
|---------------------------------|----------------|----------------|----------------|-------------|
| Average Cost of IT per Citizen | 31 | 28 | 20 | 19 |
| Average Cost of IT per Employee | 1880 | 1666 | 1471 | 1630 |
| Network uptime | 99% | 99% | 99% | 99% |

Workload Measures

| | 2008 Actual | 2009 Actual | 2010 Actual | 2011 YTD |
|---------------------------------|----------------|----------------|----------------|-------------|
| Number of IT staff | 2 | 2 | 1.5 | 1.5 |
| Number of remote sites | 3 | 3 | 3 | 2 |
| Average monthly help desk calls | 360 | 370 | 110 | 121 |

MARKETING

Performance Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|--------------------------|-----------------------------|-----------------------------|----------------|-------------|
| Occupancy Percentages | n/a | n/a | n/a | n/a |
| Visitor Info Requests | 4,820 | 3,370 | 11,242 | 7,281 |
| Editorial Medial Value * | \$55,125 | \$29,900 | \$165,000 | \$160,400 |

Workload Measures

| | 2010 3 rd Qtr | 2011 3 rd Qtr | 2010 Actual | 2011 YTD |
|---|-----------------------------|-----------------------------|----------------|-------------|
| Promotion and Advertising Budget | 1,740 | 7,750 | 36,000 | 23,250 |
| Number of Filled Requests | 4,820 | 3,370 | 11,242 | 7,281 |
| Travel writers/media hosted in Gig Harbor | 19 | 10 | 23 | 15 |

* This figure is value of editorial articles generated by the marketing department figured by the publication advertising rates.

** Travel writers visited Gig Harbor during the Gig Harbor Food and Wine Fest in August (7), Journal Publication for Issaquah Herald writer in September (1) and military visit in September (2).



Business of the City Council
City of Gig Harbor, WA

Subject: Maritime Pier property - Contract Amendment #2 to the Consultant Services Contract with Sitts & Hill Engineers, Inc.

Proposed Council Action: Authorize the Mayor on behalf of Council to execute Amendment No. 2 to the Consultant Services Contract with Sitts & Hill Engineers, Inc. in the not-to-exceed amount of nine thousand five hundred dollars and no cents (\$9,500.00), resulting in an amended contract total of \$46,505.00.

Dept. Origin: Public Works/Engineering

Prepared by: Marcos McGraw Project Engineer

For Agenda of: October 24, 2011

Exhibits: Contract Amendment No. 2 Exhibit A - Scope of Work and Fee

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: \$9,500.00, (see below), \$9,500.00.

INFORMATION / BACKGROUND

The City purchased the waterfront property located at the north end of Soundview Drive where the Stutz fueling dock previously operated. The City has a goal of using the property for a maritime pier and generally improving the site for public benefit as well as preserving the historic maritime industry of the harbor.

FISCAL CONSIDERATION

Funds for this additional work are not budgeted in 2011. The preliminary budget for 2012 includes \$60,000.00 for the restroom, and it includes funds for the pier submittal package. Re-visiting the replacement pier design with stakeholders was not anticipated in the original scope of work with Sitts & Hill Engineers.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Move to: Authorize the Mayor on behalf of Council to execute Amendment No. 2 to the Consultant Services Contract with Sitts & Hill Engineers, Inc. in the not-to-exceed amount of nine thousand five hundred dollars and no cents (\$9,500.00) resulting in an amended contract total of \$46,505.00.

**SECOND AMENDMENT
TO
CONSULTANT SERVICES CONTRACT
BETWEEN THE CITY OF GIG HARBOR AND
SITTS & HILL ENGINEERS, INC.**

THIS SECOND AMENDMENT is made to that certain Consultant Services Contract dated July 27, 2010 (the "Agreement"), as amended by that certain First Amendment dated November 22, 2010, by and between the City of Gig Harbor, a Washington municipal corporation (hereinafter the "City"), and Sitts & Hill Engineers, Inc., a corporation organized under the laws of the State of Washington (hereinafter the "Consultant").

RECITALS

WHEREAS, the City is presently engaged in completing the permit submittal package for the public restroom and bid and construction support services for the Pier and Float permit submittal package for the Maritime Pier Parking Project and desires to extend consultation services in connection with the project; and

WHEREAS, section 18 of the 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 and to amend 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. Scope of Work. Section 1 of the Agreement is amended to add the work as shown in **Exhibit A – Scope of Work and Fee**, attached to this Amendment and incorporated herein.

Section 2. Compensation. Section 2(A) of the Agreement is amended to increase compensation to the Consultant for the work to be performed as described in **Exhibit A - Scope of Work and Fee** in an amount not to exceed Nine Thousand Five Hundred Dollars (\$9,500.00), attached to this Amendment and incorporated herein.

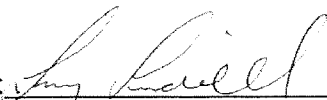
Section 3. Duration of Work. Section 4 of the Agreement is amended to extend the duration of this Agreement to October 31, 2012.

EXCEPT AS EXPRESSLY MODIFIED BY THIS AMENDMENT, ALL TERMS AND CONDITIONS OF THE AGREEMENT SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the parties have executed this Amendment on this _____ day of _____, 20__.

CONSULTANT

CITY OF GIG HARBOR

By: 
Its Principal

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A – Scope of Work and
Fee

SITTS & HILL ENGINEERS, INC.

Professional Engineers and Planners
4815 Center Street, Tacoma, WA 98409
Telephone (253) 474-9449
Fax (253) 474-0153

ROBERT J. DAHMEN, P.E.
BRENT K. LESLIE, P.E.
ROBERT N. ERB, P.L.S.
RANDALL C. HAYDON, P.L.S.
KATHY A. HARGRAVE, P.E.
LARRY G. LINDELL, P.E.

October 3rd, 2011

CITY OF GIG HARBOR
3610 Grandview Street
Gig Harbor, Washington 98335

TO: Mr. Marcos McGraw
Project Engineer

SUBJECT: **MARITIME PIER - 3003 HARBORVIEW, GIG HARBOR, WASHINGTON**
CPP-1007
FEE AUGMENTATION REQUEST
SITTS & HILL ENGINEERS PROJECT NUMBER 14,742

Sitts & Hill Engineers is pleased to present this proposal for Additional Engineering Services associated with the public restroom and to complete the Pier and Float permitting and bidding package. We are committed to providing the City of Gig Harbor with a high level of responsiveness and service necessary to continue making this a cost effective and successful project.

Public Restroom

Provide permit submittal package for the public restroom. It is our understanding that this facility will not require a bid package. Permit Submittal Package will include drawing and calculation package sufficient for permit submittal. We have budgeted for two sets of progress for review and comments and addressing one round of Permit Review Comments. We will also coordinate the restroom site requirements into the approved set.

Pier and Float

Provide limited bid and Construction Support Services for the pier and float. Preparation of CRSI specifications and incorporate of Divisions Zero and One portion of the specifications, completion of permit submittal package, review of contractor submittals and addressing field questions. We have budgeted for two sets of progress for review and comments and addressing one round of Permit Review Comments.

We also anticipate Additional Design Services to address stake holder and owner comments. Services anticipated in this portion of Design Services include meetings and exhibits to address Stakeholder and Owner comments.

Due to the nature of the Additional Services, we propose to perform these Additional Services on an hourly basis with the following estimates of services. These are budgetary estimates based upon information provided by the City of Gig Harbor and the development of the completed packages to date. These amounts will not be exceeded without prior authorization.

Exhibit A – Scope of Work and
Fee

City of Gig Harbor
October 3rd, 2011
Page 2 of 2

- Public Restroom \$5,000.00
- Completion of Pier and Float Permit submittal package and bid package \$2,500.00
- Design Commentary for Stake Holders \$2,000.00

We appreciate the opportunity to be of continuing service and look forward to completion of this project.

Sincerely,

Sitts & Hill Engineers, Inc.



Larry G. Lindell, P.E.
Principal

v:14,742/jobopen/2011-10-03 - GH



Business of the City Council
City of Gig Harbor, WA

Subject: 2011 Pavement Maintenance and Repair Project (CSP-1107)
--Closeout Change Order No. 2 for Looker and Associates, Inc.

Proposed Council Action: Approve and authorize the Mayor to execute this final deductive Change Order No. 2 with Looker and Associates, Inc. in the deductive amount of **(\$1,109.40)** (including sales tax).

Dept. Origin: Public Works/Engineering

Prepared by: Stephen Misiurak, PE
City Engineer

For Agenda of: October 24, 2011

Exhibits: Deductive Change Order No. 2
Budget Estimate Summary

| | |
|--|-----------------------------|
| | Initial & Date |
| Concurred by Mayor: | <i>CLH 10/17/11</i> |
| Approved by City Administrator: | <i>RJK</i> |
| Approved as to form by City Atty: | <i>OK via email 10/5/11</i> |
| Approved by Finance Director: | <i>FR 10-17-11</i> |
| Approved by Department Head: | <i>10/12/11</i> |

| | | | | | |
|----------------------|---------------------|-----------------|--------------|------------------------|-----|
| Expenditure Required | (\$1,109.40) | Amount Budgeted | \$330,474.20 | Appropriation Required | \$0 |
|----------------------|---------------------|-----------------|--------------|------------------------|-----|

INFORMATION / BACKGROUND

The purpose of this change order is to reconcile all bid items and final contract amount. Change Order #1 deleted the fog sealing of Soundview Drive resulting in a credit of \$13,760.00. A number of other bid items final quantities amounts changed during the course of construction which resulted in a final savings of \$1,109.40 from the original contract amount.

This final deductive Change Order in the credit amount of **(\$1,109.40)** reconciling all remaining bid items back to the City for this project.

FISCAL CONSIDERATION


The contract for this project was originally awarded to Looker and Associates on May 9, 2011 in the amount of \$330,474.20. The budgeted amount for this project was \$300,000 but Council awarded bid alternate schedules B, C, and D which brought the total awarded contract amount to \$330,474.20. Change Order # 1 deleted the fog sealing of Soundview Drive resulting in a credit to the contract of \$13,760.00. Throughout the course of the project several bid items changed in quantity amounts of which the largest one being traffic control. In an effort to minimize the impacts to the traveling public, the contractor, with permission from the City, brought in additional flaggers to help better manage the traffic delays on this project. The credit for the fog sealing deletion was used to pay for this additional traffic control and in the end the project still came in under budget and on time. Attached is an exhibit which depicts the estimated overall project spending.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION / MOTION

Move to: Approve and authorize the Mayor to execute Change Order No. 2 with Looker and Associates, Inc. for the 2011 Roadway Pavement Repair and Maintenance Project in the deductive amount of **(\$1,109.40)**, which results in a combined and final construction cost of \$329,364.80, including retail sales taxes.

| | | |
|--------------------|--|--------------------------|
| Date: 9/23/2011 |  City of Gig Harbor Public Works Department Change Order Form | CO # 2 Page 1 of 1 |
|--------------------|--|--------------------------|

| | |
|--|--|
| <input checked="" type="checkbox"/> Order by Engineer under terms of Section 1-04.4 of Standard Specifications <input type="checkbox"/> Change Proposed by Contractor | Project No.: <u>CSP-1107</u> Project Name: <u>2011 Pavement Maint. & Repair Project</u> Contractor Name: <u>Looker & Assoc., Inc.</u> Contractor Address: <u>5625 189th Street East</u> <u>Puyallup, WA 98375-7203</u> |
|--|--|

When this Change Order has been approved by the City Engineer, you are directed to make the changes described below to the plans and specifications or to complete the following described work originally not included in the plans and specifications of the project contract. This adjustment shall include full payment for all items required for such work, including, without limitation: all compensation for all direct and indirect costs for such work; costs for adjustments to scheduling and sequence of work; equipment; materials delivery; project "acceleration"; costs for labor, material, equipment and incidental items; overhead costs and supervision, including all extended overhead and office overhead of every nature and description. All work, materials, and measurements shall be in accordance with the provisions of the Standard Specifications, the Special Provisions, or as provided by this Change Order for the type of construction involved.

| Description of Changes | Qty | Unit | Unit Price | Decrease in Contract Price | Increase in Contract Price |
|------------------------|-----|-------|------------|----------------------------|--|
| Bid Item | | | | | |
| | | | | | Bid Item Description |
| 2 | | HR | 498.5 | | Flaggers and Spotters Soundview Drive Sch. A |
| 3 | | HR | 77 | | Traffic Control Supervisor Soundview Sch. A |
| 5 | | SY | -131.3 | \$49.50 | Pavement Repair Soundview Sch. A |
| 6 | | TON | -5.64 | \$925.00 | Asphalt Emulsion CRS-2P Soundview Sch. A |
| 8 | | TON | 13.24 | \$95.30 | Furnish and Place 3/8"x310 Soundview Sch. A |
| 10 | | ALLOW | -1 | \$5,000.00 | Force Account |
| 13 | | HR | -37 | \$55.80 | Flaggers and Spotters Harborview Sch. B |
| 14 | | HR | 11 | \$55.80 | Traffic Control Supervisor Harborview Sch. B |
| 17 | | TON | -2.88 | \$100.00 | HMA CL. 1/2", PG-64-22 Harborview Sch. B |
| 22 | | HR | -10.5 | \$55.80 | Flaggers and Spotters 38th Ave Sch. D |
| 23 | | HR | -5 | \$55.80 | Traffic Control Supervisor 38th Ave Sch. D |
| 25 | | TON | -0.7 | \$925.00 | Emulsified Asphalt CRS-2P 38th Ave Sch. D |
| 30 | | HR | -6 | \$55.80 | Flaggers and Spotters 50th St. Sch. E |
| 31 | | HR | -3 | \$55.80 | Traffic Control Supervisor 50th St. Sch. E |
| 34 | | TON | -2 | \$36.00 | Crushed Surface Top Course 50th St. Sch. E |
| 35 | | TON | -1.72 | \$106.00 | HMA CL. 1/2", PG-64-22 50th St. Sch. E |
| Totals = | | | | -\$21,337.87 | \$33,988.47 |

| | | | |
|---|--|---|---|
| Original Contract Amount \$330,474.20 | Total Changes by Previous Change Orders -\$13,760.00 | Total Amount of this Change Order \$12,650.60 | Adjust Contract Amount Including this Change Order \$329,364.80 |
|---|--|---|---|

This Change Order revises the time for substantial completion by:
 _____ working day increase. _____ working day decrease. no change in working days.

By accepting this Change Order, or by failing to follow the procedures of this Section 1-04.5 and Section 1-09.11 of Standard Specifications, the Contractor attests that the Contract adjustment for time and money as provided herein is adequate, and constitutes compensation in full for all costs, claims, mark-up, and expenses, direct or indirect, attributable to this or any other prior Change Order(s). Contractor further attests that the equitable adjustment provided herein constitutes compensation in full for any and all delays, acceleration, or loss of efficiency encountered by Contractor in the performance of the Work through the date of this Change Order, and for the performance of any prior Change Order by or before the date of substantial completion. All other items, conditions and obligations of the contract shall remain in full force and effect except as expressly modified herein, in writing, by this Change Order.

ACCEPTED: _____
Contractor Signature

9/26, 2011
Date

Surety Signature, when required

Date

APPROVED: _____
Steve Misiurak, PE, City Engineer

9/20/2011
Date



Business of the City Council
City of Gig Harbor, WA

Subject: Harborview Drive/Stinson Avenue Water Main Project Certificate of Completion (CWP-1003)

Proposed Council Action: Authorize the Mayor to formally accept this project completion and authorize the Mayor to sign the Certificate of Completion.

Dept. Origin: Engineering Department

Prepared by: Stephen Misiurak
City Engineer

For Agenda of: October 24, 2011

Exhibits: Certificate of Completion and Project Closeout Change Order

| | |
|--|---------------------------------------|
| Concurred by Mayor: | Initial & Date <u>CLH 10/17/11</u> |
| Approved by City Administrator: | <u>RK</u> |
| Approved as to form by City Atty: | VIA EMAIL 10/14/11 |
| Approved by Finance Director: | <u>DF 10/17/11</u> |
| Approved by Department Head: | <u>10/14/11</u> |

| | | | | | |
|----------------------|-----|-----------------|-----|------------------------|-----|
| Expenditure Required | \$0 | Amount Budgeted | \$0 | Appropriation Required | \$0 |
|----------------------|-----|-----------------|-----|------------------------|-----|

INFORMATION / BACKGROUND

On July 26, 2010, Council authorized the award of the Harborview Drive/Stinson Avenue Water Main Project (CWP-1003) to Pape & Sons in the amount of \$1,223,129.07. All physical contract work was completed on July 26, 2011 and a certificate of completion was provided to the City by the contractor on September 27, 2011.

Upon completion of all contract work and execution of a project closeout change order on August 22, 2011 the final contract price was \$1,145,028.16, or \$78,100.91 under the original contract amount.

FISCAL CONSIDERATION

This construction portion of the project realized a savings of \$78,100.91, or approximately 6% of the original contract amount. The majority of project savings were realized from the contractor encountering better soil conditions than anticipated and the contractor electing to not complete the project ahead of schedule to receive incentive pay from the City. Project savings were not accomplished through reductions in scope.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Move to: Authorize the Mayor to formally accept this project completion and authorize the Mayor to sign the Certificate of Completion.



"THE MARITIME CITY"

RECEIVED

SEP 27 2011

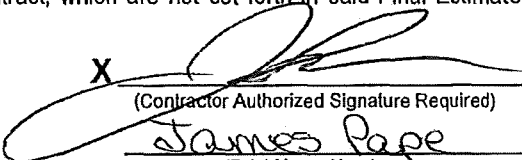
CERTIFICATE OF COMPLETION

CITY OF GIG HARBOR
ENGINEERING

| | | | |
|---|---------------------------------------|---------------------------------------|------------------------|
| CONTRACTOR Pape & Sons Construction, Inc. | | | |
| MAILING ADDRESS 9401 54th Ave NW, Ste 1A | | | |
| CITY Gig Harbor | STATE WA | ZIP 98332 | DATE 9/15/11 |
| STATE PROJECT NO. N/A | FEDERAL-AID PROJECT NO. N/A | OTHER: N/A | |
| PROJECT: Harborview Drive / Stinson Avenue Water Main Replacement Project, CWP-1003 | | | |
| DATE WORK PHYSICALLY COMPLETED 8/22/11 | | FINAL AMOUNT \$1,145,028.16 | |

Contractor's Certification

I, the Undersigned, having first been duly sworn, certify that the attached Final Estimate and Reconciliation of Quantities is a proper charge for work performed and material furnished to the City of Gig Harbor for the above Project; that the same or any part thereof has not been paid; and that I am authorized to sign for the claimant (Contractor); that in connection with the work performed and to the best of my knowledge no loan, gratuity or gift of money in any form whatsoever has been extended to any employee of the City of Gig Harbor nor have I rented or purchased any equipment or materials from any employee of the City of Gig Harbor. I further certify that the attached Final Estimate and Reconciliation of Quantities is a true and correct statement showing all of the monies due me from the City of Gig Harbor under this contract; that I have carefully examined said Final Estimate and Reconciliation of Quantities and understand the same; and that I hereby release the City of Gig Harbor from any and all claims of whatsoever nature, which I may have arising out of the performance of said contract, which are not set forth in said Final Estimate and Reconciliation of Quantities. (See "Note" below)

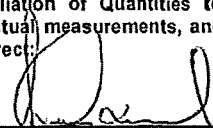
X 
(Contractor Authorized Signature Required)
James Pape
(Print Name Here)

Subscribed and sworn to before me this 22 day of September, 2011

X Cheri M. Wyatt notary public in and for the State of Washington,
residing at Belfair, WA

City of Gig Harbor Certification

APPROVED: I certify the attached Final Estimate and Reconciliation of Quantities to be based upon actual measurements, and to be true and correct:


X 
City Engineer

Date 9/29/11

Date of Acceptance _____

By X _____

NOTE: Contractor's claims, if any, must be included and the Contractor's Certification must be labeled indicating a claim attached.


| | | | |
|--|--|--|---|
| Date: 8/17/2011 |  GIG HARBOR <small>THE MARITIME CITY</small> | City of Gig Harbor Public Works Department Change Order Form | CO # 2 Page 1 of 2 |
| <input checked="" type="checkbox"/> Order by Engineer under terms of Section 1-04.4 of Standard Specifications <input type="checkbox"/> Change Proposed by Contractor | | Project No.: CWP-1003 Project Name: Harborview/Stinson Water Main Contractor Name: Pape & Sons, Construction Inc. Contractor Address: 9401 54th Street NW, Suite 1A Gig Harbor, WA 98332 | |

When this Change Order has been approved by the City Engineer, you are directed to make the changes described below to the plans and specifications or to complete the following described work originally not included in the plans and specifications of the project contract. This adjustment shall include full payment for all items required for such work, including, without limitation: all compensation for all direct and indirect costs for such work; costs for adjustments to scheduling and sequence of work; equipment; materials delivery; project "acceleration"; costs for labor, material, equipment and incidental items; overhead costs and supervision, including all extended overhead and office overhead of every nature and description. All work, materials, and measurements shall be in accordance with the provisions of the Standard Specifications, the Special Provisions, or as provided by this Change Order for the type of construction involved.

| | Description of Changes | Unit | Qty | Unit Price | Decrease in Contract Price | Increase in Contract Price |
|-----------------|---|-----------|-----|------------|----------------------------|----------------------------|
| Bid Item | Bid Item Description | | | | | |
| 3 | Shoring and Trench Safety System | -50,070 | SF | \$0.01 | \$500.70 | |
| 6 | Flaggers and Spotters | 393.5 | HR | \$41.00 | | \$16,133.50 |
| 7 | Traffic Control Supervisor | 306.0 | HR | \$41.00 | | \$12,546.00 |
| 9 | Asphalt Concrete Pavement Sawcut | 2,329 | LF | \$0.40 | | \$931.60 |
| 10 | Cement Concrete Pavement Sawcut | 1,149 | LF | \$1.00 | | \$1,149.00 |
| 11 | Cut Buried Log Roadway | -480 | LF | \$1.00 | \$480.00 | |
| 12 | Cement Concrete Roadway Removal | -1,341.36 | SY | \$6.85 | \$9,188.32 | |
| 13 | Cement Concrete Sidewalk Removal | 56.28 | SY | \$5.50 | | \$309.54 |
| 14 | Roadway Excavation Incl. Haul | -180.55 | CY | \$11.00 | \$1,986.05 | |
| 15 | Extra Trench Excavation | -380 | CY | \$11.00 | \$4,180.00 | |
| 16 | Quarry Spalls | -600.83 | TN | \$20.00 | \$12,016.60 | |
| 17 | Bank Run Gravel | 814.58 | TN | \$11.00 | | \$8,960.38 |
| 18 | Controlled Density Fill | 3 | CY | \$110.00 | | \$330.00 |
| 19 | Class 52 DI Pipe for Water Main 6 In Diam w/Poly En. | 6.37855 | LF | \$132.00 | | \$841.97 |
| 20 | Class 52 DI Pipe for Water Main 8 In Diam w/Poly En. | -14.1805 | LF | \$93.85 | \$1,330.84 | |
| 21 | Class 52 DI Pipe for Water Main 12 In Diam w/Poly En. | -135.914 | LF | \$60.60 | \$8,236.39 | |
| 22 | C-900 PVC Pipe 4 In | -29.00 | LF | \$50.85 | \$1,474.65 | |
| 23 | C-900 PVC Pipe 6 In | -62.00 | LF | \$48.75 | \$3,022.50 | |
| 24 | C-900 PVC Pipe 8 In | -27.5001 | LF | \$83.50 | \$2,296.26 | |
| 25 | C-900 PVC Pipe 12 In | -20.00 | LF | \$84.35 | \$1,687.00 | |
| 31 | Service Connection 3/4" Diam | 3 | EA | \$1,090.00 | | \$3,270.00 |
| 32 | Service Connection 1" Diam | 2.00 | EA | \$1,130.00 | | \$2,260.00 |
| 39 | Hydrant Assembly | -4 | EA | \$3,500.00 | \$14,000.00 | |
| 44 | Cold Mix | -1.2 | TN | \$90.00 | \$108.00 | |
| 45 | Minor Changes | -1 | FA | \$296.31 | \$296.31 | |
| 46 | Street Cleaning | -48 | HR | \$90.00 | \$4,320.00 | |
| 47 | Early Completion | -15 | DAY | \$2,700.00 | \$40,500.00 | |
| 49 | Crushed Surfacing Base Course | -4,027.26 | TN | \$18.00 | \$72,490.68 | |
| 50 | Cement Concrete Sidewalk | 75.03 | SY | \$63.00 | | \$4,726.89 |
| 51 | Cement Concrete Traffic Curb and Gutter | 3 | LF | \$33.00 | | \$99.00 |
| 52 | Planing Bituminous Pavement | 315 | SY | \$3.30 | | \$1,039.50 |
| 53 | HMA CI 1/2 In PG64-22 | 382.55 | TN | \$78.75 | | \$30,125.81 |

(continued)

RECEIVED
 CITY OF GIG HARBOR
 AUG 19 2011
 COMMUNITY DEVELOPMENT

| | | | | | | | | | |
|--------------------------|-------------------------|--|--|-----------------------------------|--------------------------|------------|--|-------------------------------|------------|
| Date: 8/17/2011 | |  City of Gig Harbor Public Works Department Change Order Form | | | CO # 2 Page 2 of 2 | | | | |
| Description of Changes | | | | Unit | Qty | Unit Price | Decrease In Contract Price | Increase In Contract Price | |
| Bid Item | Bid Item Description | | | | | | | | |
| 55 | Adjust Utility To Grade | | | -7 | EA | \$250.00 | \$1,750.00 | | |
| 56 | Paint Line | | | -8,797 | LF | \$0.18 | \$1,583.46 | | |
| Sub-totals = | | | | | | | \$181,447.75 | \$82,723.19 | |
| Tax Rate = 8.4% | | | | | | | Tax = | \$15,241.61 | \$6,948.75 |
| Totals = | | | | | | | \$196,689.36 | \$89,671.94 | |
| Original Contract Amount | | Total Changes by Previous Change Orders | | Total Amount of this Change Order | | | Adjust Contract Amount Including this Change Order | | |
| \$1,223,129.07 | | \$28,916.51 | | -\$107,017.42 | | | \$1,145,028.16 | | |

This Change Order revises the time for substantial completion by:
 _____ working day increase. _____ working day decrease. X no change in working days.

By accepting this Change Order, or by failing to follow the procedures of this Section 1-04.5 and Section 1-09.11 of Standard Specifications, the Contractor attests that the Contract adjustment for time and money as provided herein is adequate, and constitutes compensation in full for all costs, claims, mark-up, and expenses, direct or indirect, attributable to this or any other prior Change Order(s). Contractor further attests that the equitable adjustment provided herein constitutes compensation in full for any and all delays, acceleration, or loss of efficiency encountered by Contractor in the performance of the Work through the date of this Change Order, and for the performance of any prior Change Order by or before the date of substantial completion. All other items, conditions and obligations of the contract shall remain in full force and effect except as expressly modified herein, in writing, by this Change Order.

ACCEPTED:

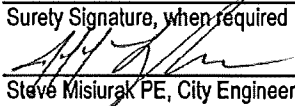


 Contractor Signature

8-18-11

 Date

APPROVED:

Surety Signature, when required


 Steve Misiurak PE, City Engineer

Date
8/22/11

 Date



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

Subject: Grandview Forest Water Tanks Anchoring Project – Final Closeout Change Order No. 1

Proposed Council Action: Approve and authorize the City Engineer to execute the Final Close Out Change Order No. 1 with Proexc, LLC in an amount not exceed \$2,841.37 (including sales tax).

Dept. Origin: Public Works/Engineering

Prepared by: Stephen Misiurak, City Engineer

For Agenda of: October 24, 2011

Exhibits: Closeout Change Order #1

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Initial & Date

CLB 10/17/11

ROK
By email 10/14/11

FOR 10/17/11

10/14/11

| | | | | | |
|-----------------------------|-------------|------------------------|---------------|-------------------------------|-----|
| Expenditure Required | \$ 2,841.37 | Amount Budgeted | \$ 125,000.00 | Appropriation Required | \$0 |
|-----------------------------|-------------|------------------------|---------------|-------------------------------|-----|

INFORMATION/BACKGROUND

On June 13, 2011, the City Council awarded a Public Works Contract for the seismic anchoring of the two Grandview Forest Water Tanks to Proexc, LLC. in the amount of \$119,608.56.

During construction, it was found that the existing drain on one of the tanks had significant degradation and required replacement. Work change directive (WCD) #1 authorized the contractor to complete the replacement of the drain with new pipe and valve. In addition, the City approved WCD #2 for the installation of additional metal bar on the anchor plates due to excessive gaps between the anchor plates and tank wall. This change order reconciles all unit bid items utilized in the performance of this work and the resulting additional Change Order In the amount of \$2,841.37. See the attached change order summary sheet for further detail.

FISCAL CONSIDERATION

Sufficient funds exist in the Water Division Operating fund to pay for this necessary work.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION/MOTION

Approve and authorize the City Engineer to execute the Final Close Out Change Order No. 1 with Proexc, LLC in an amount not exceed \$2,841.37 (including sales tax) for a final approved not to exceed contract amount of \$122,449.93.



Closeout Change Order

Parametrix ENGINEERING • PLANNING • ENVIRONMENTAL SCIENCE

CLOSE OUT CHANGE ORDER

Project Name: Grandview Forest Water Tanks Anchoring Project
Contractor: PROEXC, LLC

Date: 2011, 10-04
Project No.: CWP-1105

DESCRIPTION OF WORK

You are hereby requested to comply with the following changes from the contract Plans and specifications:

Such work will be compensated by: check one or more of the following as applicable [X] Increase or [X] Decrease in bid items; [] Force Account; [] Negotiated Price: The described work affects the existing contract items and/or adds and/or deletes bid items as follows:

| | |
|----|---|
| 10 | Removal of Contaminated & Hazardous Material line Item were over the estimated contract value. A increase of scope to close the contract is required from 20 to 51 CY increasing the line item by \$4345.60 for a total new value of \$7145.60. |
| 7 | This Force Account bid item is a contract allowance or contingency that is used during the course of construction for minor City directed changes, differing site conditions for which the City determines that the Contractor is due additional compensation. All Force Account authorized changes are essential work items that are required to be completed as part of the prosecution of the work as well as maintaining project schedule. Without a Force Account allowance, all changes would have to be approved by City Council in advance of completion of the work, which would add overall contract delay to the overall contract schedule. Original Force Account balance was \$5000.00 less the total used of \$3839.59 leaving a credit to the City in the amount of \$1160.41 (3 Days were added to the contract For WCD 001 and 002 Billed under Force account) |
| 6 | Structural Fill to Replace Unsuitable Material line Item were under the estimated contract value. A reduction to the line item to close the contract is required giving the City a credit of 12 Cubic yards which equates to a credit of \$564.00. |

| Item No. | Description | WCD # | Qty. | Unit | \$ Cost Per Unit | \$ Cost | Net \$ Cost | Adj. Days | |
|----------|-------------|--|------|-------|------------------|---------|-------------|------------|--------------|
| 1 | 5 | Removal of Contaminated & Hazardous Material | NA | Orig. | 20 | CY | \$140.00 | \$2,800.00 | |
| | | | | Rev. | 51.04 | CY | \$140.00 | \$7,145.60 | \$4,345.60 |
| 2 | 7 | Force Account | NA | Orig. | 1 | LS | \$5,000.00 | \$5,000.00 | |
| | | | | Rev. | 1 | LS | \$3,839.59 | \$3,839.59 | (\$1,160.41) |
| 3 | 6 | Structural Fill to Replace Unsuitable Material | NA | Orig. | 20 | CY | \$47.00 | \$940.00 | |
| | | | | Rev. | 8 | CY | \$47.00 | \$376.00 | (\$564.00) |
| Total | | | | | | | \$2,621.19 | 3 | |

| ORIGINAL CONTRACT | CURRENT CONTRACT | Est. Net Change This Change Order | Total Change Orders, Including This One | Est. contract After This Change Order |
|-------------------|------------------|--------------------------------------|--|--|
| \$110,340.00 | \$110,340.00 | \$2,621.19 | \$2,621.19 | \$112,961.19 |
| With Sales Tax | \$119,608.56 | \$2,841.37 | \$2,841.37 | \$122,449.93 |
| DAYS: 50 | DAYS: 50 | DAYS: 3 | DAYS: 3 | DAYS: 53 |

All work, materials and measurements to be in accordance with the provisions of the original contract and/or the standard specifications and special provisions for the type of construction involved. The payments and/or additional time specified and agreed to in this order include every claim by the Contractor for any extra payment or extension of time with respect to the work described herein, including delays to the overall project.

| APPROVED BY: | SIGNATURE: | DATE: |
|-----------------------------|------------|-----------|
| PROJECT ENGINEER | | |
| OWNERS REPRESENTATIVE | | |
| CONTRACTOR | | 10/4/2011 |
| CITY ENGINEER | | 10/4/11 |
| CITY MANAGER | | |
| CITY COUNCIL APPROVAL DATE: | | |



Business of the City Council
City of Gig Harbor, WA

Subject: Resolution – Rejecting Bid from Richard Phillips Marine, Inc. for the Skansie Net Shed Pier Restoration Project

Proposed Council Action: Adopt the Resolution rejecting a single bid from Richard Phillips Marine, Inc. received by the City for the Skansie Net Shed Pier Restoration Project (CPP-1109).

Dept. Origin: Public Works/Engineering

Prepared by: Marcos McGraw *mm*
Project Engineer

For Agenda of: October 24, 2011

Exhibits: Resolution

| | |
|--|--------------------------|
| | Initial & Date |
| Concurred by Mayor: | <u>CLH 10/19/11</u> |
| Approved by City Administrator: | <u>PK</u> |
| Approved as to form by City Atty: | <u>by email 10/18/11</u> |
| Approved by Finance Director: | <u>CF 10-18</u> |
| Approved by Department Head: | <u>10/18/11</u> |

| | | | | | |
|----------------------|-----|-----------------|-----|------------------------|-----|
| Expenditure Required | \$0 | Amount Budgeted | \$0 | Appropriation Required | \$0 |
|----------------------|-----|-----------------|-----|------------------------|-----|

INFORMATION / BACKGROUND

On October 13, 2011, the City opened bids for the Skansie Net Shed Pier Restoration Project. Seven bids were received. The bid package submitted by Richard Phillips Marine, Inc. used the incorrect version of the bid form, and it did not include acknowledgement of receipt of Addendum No. 2. This bid is non-responsive. RCW 35.23.352 authorizes the City to reject such a bid by resolution.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION / MOTION

Move to: Adopt the Resolution rejecting a single bid from Richard Phillips Marine, Inc. received by the City for the Skansie Net Shed Pier Restoration Project (CPP-1109).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, REJECTING BID FROM RICHARD PHILLIPS MARINE, INC. RECEIVED BY THE CITY ON THE SKANSIE NET SHED PIER RESTORATION PROJECT, #CPP 1109.

WHEREAS, the City of Gig Harbor recently opened bids on the capital project commonly known as Skansie Net Shed Pier Restoration (CPP 1109); and

WHEREAS, the City received a bid proposal submitted by Richard Phillips Marine, Inc.; and

WHEREAS, the bid proposal from Richard Phillips Marine, Inc. being submitted on the incorrect bid form; and

WHEREAS, the bid proposal from Richard Phillips Marine, Inc. being submitted without acknowledgement of Addendum No. 2, the City desires to exercise its right to reject the bid in accordance with the City's reservation of right to reject any or all bids as set forth in its Invitation to Bidders and as authorized under RCW 35.23.352;

Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Rejection of Bid. The bid received by the City of Gig Harbor from Richard Phillips Marine, Inc. on the Skansie Net Shed Pier Restoration Project (CPP 1109) is hereby rejected, and the bid deposit shall be returned to the bidder.

RESOLVED this _____ day of _____, 2011.

CITY OF GIG HARBOR

MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO. _____



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

Subject: Skansie Net Shed Pier Restoration Project – Construction Contract Award

Dept. Origin: Public Works/Engineering

Proposed Council Action:

Award and authorize the Mayor to execute a Public Works Contract with Quigg Brothers, Inc. in an amount not exceed \$97,366.88 for the award of the Base Bid and Bid Option 1 of the Skansie Net Shed Pier Restoration Project and authorize the City Engineer to approve additional expenditures up to \$4,158.48 to cover any cost increases that may result from contract change orders.

Prepared by: Marcos McGraw *MEM*
Project Engineer

For Agenda of: October 24, 2011

Exhibits: Public Works Contract

| | |
|--|------------------------------------|
| | Initial & Date |
| Concurred by Mayor: | <i>CLH 10/19/11</i> |
| Approved by City Administrator: | <i>RBT</i> |
| Approved as to form by City Atty: | <i>approved via email 10/18/11</i> |
| Approved by Finance Director: | <i>DF 10-18-11</i> |
| Approved by Department Head: | <i>10/19/2011</i> |

| | | | | | |
|-----------------------------|--------------|------------------------|------------|-------------------------------|-----|
| Expenditure Required | \$ 97,366.88 | Amount Budgeted | \$ 125,000 | Appropriation Required | \$0 |
|-----------------------------|--------------|------------------------|------------|-------------------------------|-----|

INFORMATION/BACKGROUND

The City of Gig Harbor owns the iconic Skansie House and Net Shed, which are listed on the National Historic Register. These structures are located on the site known as Skansie Brothers Park. It is available for public enjoyment throughout the year, and the City, along with other sponsors, holds annual events at the park. The net shed associated with the park is currently not open to the public. This construction contract will stabilize a large portion of the pier under the net shed. City Council subsequently budgeted funding for this restoration work in the 2011 Budget.

BID RESULTS

The Skansie Net Shed Pier Restoration Project was bid using the City's Small Works Roster bidding process. The Engineer's Opinion of Probable Cost for the base bid and bid option 1 was \$90,000.00. A total of seven (7) bid proposals were received by the City of Gig Harbor on October 13, 2011. The bid from Richard Phillips Marine, Inc. was found to be non-responsive; therefore, it is not included in the bidder list below.

| BIDDER | TOTAL BID AMOUNT |
|--------------------------|------------------|
| 1. Quigg Brothers, Inc. | \$97,366.88 |
| 2. Henderson Partners | \$118,682.07 |
| 3. Nordland Construction | \$146,556.80 |
| 4. Massana Construction | \$155,987.60 |
| 5. Pacific Pile & Marine | \$158,730.12 |
| 6. Bask Enterprises | \$187,078.88 |

In accordance with RCW 39.04.350 Mandatory Bidder Responsibility Criteria, the city reviewed the lowest responsible bid submitted by Quigg Brothers, Inc. and determined that they complied with the listed criteria.

Quigg Brothers, Inc., in the opinion of the City, is qualified to perform the work contained in this construction project.

FISCAL CONSIDERATION

The 2011 City of Gig Harbor Budget includes funding for this work as Objective #1 in the Street Division - Capital budget. The budget summary for this item is provided in the table below:

| | |
|--|----------------|
| 2011 Budget for Parks Division - Capital, Objective No. 1 | \$ 125,000.00 |
| Anticipated 2011 Expenses: | |
| Base Bid = 50ft of pier | (\$ 69,722.88) |
| Bid Option 1 = additional 24ft of pier (Additive Bid) | (\$ 27,644.00) |
| Sitts & Hill Consultant Services – design & const. support | (\$ 19,800.00) |
| Change Order Authority for Public Works Contract | (\$ 4,158.48) |
| Permit & advertising fees | (\$ 3,674.64) |
| | |
| Remaining 2011 Budget = | \$0.00 |

BOARD OR COMMITTEE RECOMMENDATION

Improvements to the Skansie Net Shed was reviewed and discussed by the Parks Commission on several different occasions.

RECOMMENDATION/MOTION

Award and authorize the Mayor to execute a Public Works Contract with Quigg Brothers, Inc. in an amount not exceed \$97,366.88 for the award of the Base Bid and Bid Option 1 of the Skansie Net Shed Pier Restoration Project and authorize the City Engineer to approve additional expenditures up to \$4,158.48 to cover any cost increases that may result from contract change orders

CONTRACT FORM

**CITY OF GIG HARBOR
SKANSIE NET SHED PIER RESTORATION
CPP-1109**

THIS AGREEMENT, made and entered into, this ____ day of _____, 2011, by and between the City of Gig Harbor, a Non-Charter Code city in the State of Washington, hereinafter called the "City", and Quigg Brothers, Inc., hereinafter called the "Contractor."

WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this Contract, the parties hereto covenant and agree as follows:

1. The Contractor shall do all of the work and furnish all of the labor, materials, tools, and equipment necessary for the construction of the Skansie Net Shed Pier Restoration, including the Base Bid and Bid Option 1, all in accordance with the Contract Documents, and shall perform any changes in the Work, all in full compliance with the contract documents entitled "Skansie Net Shed Pier Restoration, CPP-1109," which are by this reference incorporated herein and made a part hereof; and agrees to accept payment for the same in accordance with the said Contract Documents, including the schedule of prices in the "Proposal," the sum Ninety-Seven Thousand Three Hundred Sixty-Six Dollars and Eighty-eight Cents, including state sales tax, subject to the provisions of the Contract Documents.
2. Work shall start within ten (10) days after the Notice to Proceed is issued to the Contractor. All physical Contract Work shall be completed within forty-five (45) days, as defined in Section 00 73 00 - Supplementary Conditions, Paragraph SC-1.02.
3. The Contractor agrees to pay the City the sum of \$200.00 per day for each and every day all Work remains uncompleted after expiration of the specified time, as liquidated damages.
4. The Contractor shall provide for and bear the expense of all labor, materials, tools and equipment of any sort whatsoever that may be required for the full performance of the Work provided for in this Contract upon the part of the Contractor.
5. The term "Contract Documents" shall mean and refer to the following: "Invitation to Bidders," "Bid Proposal," "Addenda" if any, "Specifications," "Plans," "Contract," "Performance Bond," "Payment Bond," "Notice to Proceed," "Change Orders" if any, and any documents referenced or incorporated into the Contract Documents, including, but not limited to the Standard General Conditions, the Supplementary Conditions and the Technical Specifications.
6. The City agrees to pay the Contractor for materials furnished and Work performed in the manner and at such times as set forth in the Contract Documents.

7. The Contractor for himself/herself, and for his/her heirs, executors, administrators, successors, assigns, agents, subcontractors, and employees, does hereby agree to the full performance of all of the covenants herein contained upon the part of the Contractor.
8. It is further provided that no liability shall attach to the City by reason of entering into this Contract, except as expressly provided herein.

IN WITNESS WHEREOF the parties hereto have caused this Contract to be executed the day and year first hereinabove written:

CITY of GIG HARBOR:

CONTRACTOR:

Charles L. Hunter, Mayor
City of Gig Harbor
Date: _____

Print Name: _____
Print Title: _____
Date: _____

ATTEST:

City Clerk

APPROVED FOR FORM: _____

City Attorney

*** END CONTRACT FORM ***



Business of the City Council
City of Gig Harbor, WA

Subject: APPOINTMENT TO DESIGN REVIEW BOARD

Proposed Council Action:

A motion for the appointment of Peter Norman to serve a four-year term on the Design Review Board as the CLG Historic Preservation Position.

Dept. Origin: Administration
Prepared by: Boards/Commission Review Committee
For Agenda of: October 24, 2011

Exhibits: Application

Initial & Date

Concurred by Mayor: CLG 10/19/11
Approved by City Administrator: RJK
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

The CLG historic position has been vacant for several months. An ad for the Design Review Board CLG historic position has been running continuously on the city's webpage and ads in the Gateway and Gig Harbor Life were placed.

We recently received a letter of interest from Peter Norman. Mr. Norman was one of the original members of the Design Review Technical Committee that drafted the city's Design Review Manual.

FISCAL CONSIDERATION

N/A

BOARD OR COMMITTEE RECOMMENDATION

Councilmembers Kadzik, Ekberg and Franich concur with the appointment of Mr. Norman.

RECOMMENDATION / MOTION

Move to: Appoint Peter Norman to serve a four-year term on the Design Review Board as the CLG Historic Preservation Position.



Application for City of Gig Harbor Commissions, Boards or Committees

(Additional information and/or a resume may be submitted with this application)

Name PETER NORMAN
Physical Address 2111 SOUNDVIEW DR. Phone 253-851-6166
Mailing Address SAME
City GIG HARBOR State WA Zip Code 98335

- How long have you resided in Gig Harbor? 22 YEARS
- Are you a resident of the City Limits? Yes No How long? 19 YEARS
- What is your interest/objective in serving on this Board or Commission? TO PARTICIPATE IN THE RESPONSIBLE GROWTH OF GIG HARBOR.

4. What is your educational background? BA DEGREE IN ECONOMICS FROM UN. OF PUGET SOUND; 1 YEAR LAW SCHOOL UN. WA.; NUMEROUS REAL ESTATE CLASSES IN CONTINUING ED. TO MAINTAIN BROKER'S LIC.

Do you have other civic obligations and/or memberships in professional organizations (please list office held, duties, and term of office)?

- CITY OF GIG HARBOR DESIGN REVIEW BOB/ZONE GUIDELINES COMM. (LATE 1990'S) NW TREK WILDLIFE PARK BO. DIR'S. FOUNDATION BO-MEMBER & BO. CHAIR; METROPOLITAN PARK DISTRICT OF TACOMA - BOARD OF ->
- What previous experience do you have serving on a board, committee or commission? SEE RESPONSE TO #5

7. Where are you currently employed (job title, employer, dates, supervisor, phone)?
SELF EMPLOYED / SEMI-RETIRED; PRIMARY EMPHASIS IN REAL ESTATE WORK & FUND DEVELOPMENT FOR NON-PROFIT ORG'S.

Boards, Committees and Commissions Interest

Please indicate which Boards, Committees or Commissions you would be interested in serving on.

- Arts Commission
- Building Code Advisory Board
- Design Review Board
- Lodging Tax Advisory Board
- Parks Commission
- Planning Commission
- Volunteer _____

Please return completed application to:

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

Applicant Signature *Peter Norman* Date 10-16-11

REFERENCES (Please list a minimum of three (3) references).

| Name | Address | Business | Phone Number |
|--------------------------------|------------|-----------------------------------|----------------------------|
| JEAN GAGLIANO RICK GAGLIANO | GIG HARBOR | ARCHITECT | 858-7760 |
| JIM THOMAS | GIG HARBOR | INSURANCE | 549-5717 (623) 242-7752 |
| LOIS BERASTEIN | GIG HARBOR | MULTICARE HEALTH SYSTEM | 403-1750 905-6410 |
| WARREN ZIMMERMAN | GIG HARBOR | GIG HARBOR CHAMBER OF COMMERCE | 851-6865 |

If more space is needed to answer one of the previous questions, please restate the question below then complete your response.

S. (CONT.) COMMISSIONERS - 12 YEARS (ELECTIVE OFFICE) SERVED AS BD.
 MEMBER & CHAIR, MULTICARE HEALTH SYSTEM BD. OF TRUSTEES. MULTICARE
 HEALTH SYSTEM FOUNDATION BOARD - MEMBER & BD. CHAIR. MARY BRIDGE CHILDREN'S
 HOSP. FOUNDATION - MEMBER & CURRENT V. CHAIR. TACOMA ROTARY #8 - MEMBER,
 CO-AM. MEMBER & BOARD MEMBER. ALPHA KAPPA PSI BUSINESS
 HONORARY FRATERNITY IN COLLEGE. CAROL MILGARD BREAST CENTER BOARD.
 CURRENT OBLIGATIONS INVOLVE ROTARY, MARY BRIDGE CHILDREN'S
 HOSP. FOUNDATION BOARD AND CAROL MILGARD BREAST CENTER
 BD. DIRECTORS.



Business of the City Council
City of Gig Harbor, WA

Subject: Second Reading of Ordinance
Land Use Permit Extensions

Proposed Council Action: Adopt ordinance

Dept. Origin: Planning

Prepared by: Jennifer Kester, Senior Planner *JK*

For Agenda of: October 24, 2011

Exhibits: Draft Ordinance

Initial & Date

Concurred by Mayor: CLH 10/19/11

Approved by City Administrator: ROK

Approved as to form by City Atty: by e-mail

Approved by Finance Director: _____

Approved by Department Head: ID 10/19/11

| | | | | | |
|----------------------|-----|-----------------|-----|------------------------|-----|
| Expenditure Required | N/A | Amount Budgeted | N/A | Appropriation Required | N/A |
|----------------------|-----|-----------------|-----|------------------------|-----|

INFORMATION / BACKGROUND

On August 10, 2009, the City Council passed Ordinance 1167 which allowed for the extension of land use permit expirations for two years. Land use permits that would have ordinarily expired in 2009 and 2010 were extended until November 2011. This summer the planning staff was approached by a property owner who received an extension under Ord. 1167 for a permit that would have expired in 2009. The owner requested the City Council consider another extension for up to five years. The planning staff brought the request to the September 6th Planning and Building Committee and September 23rd Council retreat. There was support at both meetings to consider an additional extension, but not for a full five years.

Planning staff has proposed a two year extension using the same procedures developed in 2009. In the attached ordinance, the applicant of a currently active land use permit has until December 31, 2011 to request a two year extension. The ordinance further indicates that extensions, if granted, would end on November 30, 2013. It should be noted that approved land use applications would remain vested in a manner consistent with their current permits under this proposal until November 30, 2013.

The proposed extension would not affect preliminary plat approvals since in 2010 the State Legislature extended the expiration of those permits for two years (from five to seven years) through December 31, 2014. Furthermore, the proposed extension would not affect permits issued under the City's Shoreline Master Program (SMP) in anticipation of the adoption of the new SMP in 2012. Finally, the proposed extensions would not affect building and civil permits. Extensions of those permits would need to follow existing building codes and public works standards.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

At their September 6th, 2011 meeting, the Planning and Committee directed staff to prepare an ordinance extending permit extensions for full Council review.

RECOMMENDATION / MOTION

Adopt ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO DEVELOPMENT PERMIT EXTENSIONS; AUTHORIZING THE PLANNING DIRECTOR TO GRANT A TEMPORARY EXTENSION OF THE EXPIRATION OF CERTAIN DEVELOPMENT RELATED APPROVALS AND PERMITS IN RESPONSE TO THE LOCAL, REGIONAL AND NATIONAL ECONOMIC RECESSION; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the severe downturn in the local, regional, and national housing and commercial markets, reduced demand for new housing, tightening credit market, and difficulty obtaining the financing for development projects have resulted in a situation where developers are unable to finalize development projects in a timely manner; and

WHEREAS, in order to prevent the expiration of development approvals during the economic downturn, extensions of the expiration dates of certain development related approvals are needed; and

WHEREAS, the expiration of a development approval can have significant financial impacts to a developer and also adversely affects the financial institutions and other investors which have provided financing in support of a development proposal; and

WHEREAS, construction related activity is a significant tax generator and provides much needed revenue to local governments to finance public safety and other needed public services; and

WHEREAS, the Gig Harbor Municipal code allows for the extension of the expiration date of development related approvals and permits, but such existing extensions will likely be insufficient to accommodate the length and scope of the economic recession; and

WHEREAS, maintaining the viability of development approvals will also help to ensure that the development industry is in a position to respond more quickly once favorable economic conditions return; and

WHEREAS, the Gig Harbor City Council finds that it is in the best interest of citizens of Gig Harbor and the local economy to temporarily grant extensions of the expiration dates for certain development related approvals and permits; and

WHEREAS, the in 2009 the City passed Ordinance 1167 which granted extensions of the expiration dates for certain development related approvals and permits until November 30, 2011 and due to the continued economic downturn the Gig Harbor City Council finds that an additional two years is warranted for the reasons set forth in this ordinance; and

WHEREAS, the City's SEPA Responsible Official determined that this Ordinance is categorically exempt from SEPA, pursuant to WAC 197-11-800(19); and

WHEREAS, pursuant to RCW 36.70A.106, the City forwarded a copy of this Ordinance to the Washington State Department of Commerce on September 28, 2011; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on October 10, 2011; and

WHEREAS, on _____, the City Council adopted this Ordinance at second reading during a regular City Council meeting; Now, therefore,

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

Section 1. Findings. The Gig Harbor City Council makes the following findings:

A. That the severe housing and commercial market downturn coupled with the tightening of credit markets has significantly impacted the construction industry and poses a threat to the local economy and the general public health, safety and welfare due to reductions in construction-related taxes and revenues and loss of construction related jobs; and

B. That these conditions require actions to be taken to allow for the extension of certain existing development related approvals that would likely expire due to the economic downturn; and

C. That such action will benefit the local economy by helping to protect the construction industry from the significant financial losses associated with expired development approvals and permits, including the loss of real estate entitlements, and will better enable the local construction industry to recover as the economy improves.

Section 2. Temporary Extensions.

A. Authority. Based on the above findings, the City Council hereby authorizes the Planning Director to extend the expiration date of the below-identified development related approvals and permits to November 30, 2013.

1. Binding site plans approved under chapter 16.11 GHMC.
2. Conditional use permits approved under chapter 17.64 GHMC.
3. Variances approved under chapter 17.66 GHMC.
4. Performance-based height exceptions approved under chapter 17.67 GHMC.
5. Nonconforming use and structure review approved under chapter 17.68 GHMC.
6. Planned unit developments approved under chapter 17.90 GHMC.
7. Site plans approved under chapter 17.96 GHMC.
8. Design review approved under chapter 17.98 GHMC.
9. Reasonable use exceptions approved under chapter 18.08 GHMC.
10. Alternative landscape plan approved under Chapter 17.78 GHMC.

B. Request for Extension of Development Related Approvals and Permits. A holder of the above-identified development related permits or approvals may submit a written request to the Gig Harbor Planning Director for an extension of the holder's approval or permit no later than five business days prior to expiration of the subject development related approval or permit. Holders of the above-identified development related permit approvals which received an extension under Ordinance 1167 may request a second extension using the procedures contained in this ordinance. The time period during which a holder of a development related approval or permit may apply for a temporary extension shall sunset on December 31, 2011; provided, however, that any temporary extension granted pursuant to this Ordinance prior to the sunset date shall remain in effect for the duration of the extension.

C. Final Decision. Decisions of the Planning Director made pursuant to the provisions of this Ordinance shall be final and not subject to appeal to the Hearing Examiner.

Section 3. No Codification. The provisions of this Ordinance are temporary in nature and shall not be codified.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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. To the extent the provisions of this Ordinance are found to be inconsistent with other provisions of the Gig Harbor Municipal Code, this Ordinance is deemed to control.

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 Council and approved by the Mayor of the City of Gig Harbor, this ____ day of ____, 2011.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck


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: Public Hearing and First Reading of Ordinance – Civil Penalties for Land Use Enforcement

Proposed Council Action: Review Ordinance, conduct public hearing and approve at second reading.

Dept. Origin: Planning

Prepared by: Tom Dolan 
Planning Director

For Agenda of: October 24, 2011

Exhibits: Draft Ordinance

Initial & Date

Concurred by Mayor:

CLH 10/20/11

Approved by City Administrator:

PK

Approved as to form by City Atty:

by e-mail

Approved by Finance Director:

TD 10/19/11

Approved by Department Head:

| | | | | | |
|----------------------|---|-----------------|---|------------------------|---|
| Expenditure Required | 0 | Amount Budgeted | 0 | Appropriation Required | 0 |
|----------------------|---|-----------------|---|------------------------|---|

INFORMATION / BACKGROUND

The current process for zoning enforcement of land use violations is difficult to administer and costly for the City. The Planning Director can, under the current regulations issue a "Notice of Violation" to parties that violate a provision of the land use codes. If the violation is not resolved by the Notice of Violation, a civil penalty of \$50.00 per day may be imposed by a civil action brought in the name of the City. The Planning Director and the City Attorney work together to take "appropriate action to collect the penalty". This process is time consuming and costly.

The draft ordinance before you allows the Planning Director to issue a Notice of Violation and if the violation is not resolved within the specified period of time the Director may also issue a Civil Penalty. Civil Penalties are \$100.00 per day. The ordinance has provisions for appealing both the Notice of Violation and the Civil Penalty. The appeal would be heard by the Hearing Examiner and the City has the burden of proof to show through a preponderance of the evidence that a violation does exist. Civil Penalties that are not paid within 30 days are subject to collection by a city approved collection agency. If the Civil Penalty process is unsuccessful in gaining compliance or not appropriate because of time or nature of the violation, the City may also use an abatement process, criminal penalties or other forms of judicial relief.

ENVIRONMENTAL ANALYSIS

The City's SEPA Responsible Official determined that this ordinance was exempt.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

The Planning and Building Committee of the Council discussed the Civil Penalty ordinance at their August and September meetings and are recommending adoption.

RECOMMENDATION / MOTION

Move to: Staff recommends Council review the ordinance, conduct a public hearing and approve at second reading.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE ADOPTION OF A CIVIL PANALTIES PROCESS FOR VIOLATIONS RELATED TO ALL LAND USE CODES (TITLES 16, 17 AND 18) AS WELL AS CONDITIONS IMPOSED ON LAND USE PERMITS GRANTED BY THE CITY ; ADDING CHAPTER 19.16, AMENDING SECTIONS 16.09.002, 17.07.004, 17.07.006, 18.08.220 AND REPEALING SECTIONS 17.07.008, 17.07.010, 17.07.012, 17.07.014, 17.07.016, 17.07.018, 17.07.020 17.07.022 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the enforcement process for land use regulatory violations are inefficient due to the existing codified processes; and

WHEREAS, the City desires to implement a civil penalty process of enforcement for land use violations; and

WHEREAS, a civil penalty process is utilized by several cities and counties within the State of Washington; and

WHEREAS, jurisdictions that utilize a civil penalty process for land use violations have found that the process is easier to administer; and

WHEREAS it is anticipated that utilizing a civil penalties process will result in increased compliance with land use codes; and

WHEREAS, the City's SEPA Responsible Official found that this Ordinance is Categorically Exempt from SEPA; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on October 24, 2011; and

WHEREAS, on _____, 2011, the City Council held a second reading during a regular City Council meeting; Now, therefore,

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

Section 1. A new Chapter 19.16 is hereby added to the Gig Harbor Municipal Code which shall read as follows:

Chapter 19.16 GHMC
Enforcement of Land Use Codes.

19.16.010 Purpose.

To ensure that the provisions of the Gig Harbor Municipal Code ("Code") related to all Land Use Codes (Titles 16, 17 & 18 GHMC), including but not limited to conditions imposed on land use permits granted by the City, are administered, enforced, and upheld to protect the health, safety and welfare of the general public.

19.16.020 Applicability.

This Chapter establishes a civil method, where permitted under the law, to enforce violations of the Chapters and Titles of the Code referenced in GHMC 9.40.010, provided an alternate civil method, other than abatement, is not specifically set forth in the Code. Where the alternate civil method is abatement, both methods may apply.

A. The City Administrator and/or his/her authorized representative (the "Administrator"), shall have the authority to enforce the Land Use Codes of the City of Gig Harbor.

B. The Code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

C. It is the intent of this Chapter to place the obligation of complying with its requirements upon the owner, lessee, occupier, or other person responsible for the condition of the land and buildings within the scope of this Chapter.

D. No provision of, or term used in this Chapter is intended to impose upon the City, or any of its officers or employees, any duty that would subject them to damages in a civil action.

19.16.030 Violation Review Criteria.

Each violation requires a review of all relevant facts in order to determine the appropriate enforcement sequence and response. When enforcing the provisions of this Chapter, the Administrator may, as practical and possible, seek to resolve violations without resorting to formal enforcement measures. When formal enforcement measures are necessary, the Administrator may seek to resolve violations administratively prior to imposing civil penalties or seeking other remedies. The Administrator may seek to gain compliance via civil penalties prior to pursuing abatement or criminal penalties. Nothing herein shall be interpreted to require the Administrator to follow a specific sequence or order of enforcement in circumstances when swifter response by the City may be reasonable or necessary. In addition, the Administrator may consider a variety of factors when determining the appropriate enforcement sequence and response, including but not limited to:

A. Severity, duration, and impact of the violation(s), including whether the violation has a probability of placing a person or persons in danger of death or bodily harm, causing significant environmental harm, or causing significant physical damage to the property of another;

- B. Compliance history, including any identical or similar violations or notice of violation at the same site or on a different site but caused by the same party;
- C. Economic benefit gained by the violation(s);
- D. Intent or negligence demonstrated by the person(s) responsible for the violation(s);
- E. Responsiveness in correcting the violation(s); and
- F. Other circumstances, including any mitigating factors.

19.16.040 Stop Work Order

A. The Administrator shall have the authority to issue a Stop Work Order whenever any activity, work or development is being done in violation of any of the Land Use Codes, or without a permit, review or authorization required by the Land Use Codes, or contrary to any permit, required review, or authorization that may result in violation of the Land Use Codes. The Stop Work Order shall be posted on the site of the violation containing the following information:

1. The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;
2. A description of the potential violation and a reference to the provisions of the Code that may have been violated;
3. A description of the action required to remedy the potential violation, including but not limited to corrections, repairs, demolition, removal, restoration, time period to comply, after which a Notice of Violation may be issued, or any other appropriate action as determined by the Administrator;
4. The appropriate department and/or division investigating the case and the contact person.

B. With the exception of emergency work determined by the Administrator to be necessary to prevent immediate threats to the public health, safety and welfare or stabilize a site or prevent further property or environmental damage, it is unlawful for any work to be done after the posting or service of a Stop Work Order until authorization to proceed is provided by the Administrator.

C. Proof of posting shall be made by a written declaration under penalty of perjury executed by the person effecting the posting, declaring the time and date of posting, and the manner by which the posting was made.

19.16.050 Voluntary Compliance.

The Administrator may pursue a reasonable attempt to secure voluntary compliance by contacting the owner or other person responsible for any violation of this Code, explaining the violation and requesting compliance. This contact may be in person or in writing or both.

19.16.060 Investigation and Notice of Violation.

A. If the Administrator has a reasonable belief based on evidence that a violation of any of the Land Use Codes exists, and the Stop Work Order and/or voluntary compliance measures outlined above either have already been sought and have been unsuccessful, or are determined not to be appropriate for the circumstances, the Administrator may issue a Notice of Violation containing the following to the owner, and

if different and readily identifiable, to the lessee, the person in control of the property where the violation has occurred, and the person committing the violation:

1. The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;
2. A description of the violation and a reference to the provisions of the Code that have been violated;
3. A description of the action required to remedy the violation, which may include corrections, repairs, demolition, removal, restoration, submittal of a work plan or any other appropriate action as determined by the Administrator;
4. A statement that the required action must be taken or work plan submitted within the time period provided as set forth in the Notice of Violation, after which the City may impose monetary civil penalties and/or abate the violation in accordance with the applicable provisions of this Code;
5. The appropriate department and/or division investigating the case and the contact person.
6. A statement that the person to whom a Notice of Violation is directed may appeal the Notice of Violation to the Hearing Examiner, or his or her designee, including the deadline for filing such an appeal. Request for appeal must comply with requirements set forth in GHMC 9.40.080 and must be received by the City Clerk's Office, no later than 10 days after the Notice of Violation has been served;
7. A statement that if the person to whom the Notice of Violation is issued fails to submit a written request for appeal within 10 calendar days of service or fails to abate the violation within the time period provided as set forth in the Notice of Violation, the City may assess monetary penalties, as outlined in the Civil Penalty section below, against the owner, and if different and readily identifiable, against the lessee, the person in control of the property where the violation has occurred, and the person committing the violation.

B. Time to comply. When calculating a reasonable time for compliance, the enforcement officer shall consider the following criteria:

1. The type and degree of violation cited in the notice;
2. The stated intent, if any, of a responsible party to take steps to comply;
3. The procedural requirements for obtaining a permit to carry out corrective action;
4. The complexity of the corrective action, including seasonal considerations; and
5. Any other circumstances beyond the control of the responsible party.

C. The Notice of Violation shall be served by any one or any combination of the following methods:

1. By first-class mail to the last known address of the owner, or if different and readily identifiable, the lessee, the person in control of the property where the violation has occurred, or the person committing the violation as applicable; or
2. By personal service upon the owner, or if different and readily identifiable, upon the lessee, the person in control of the property where the violation has occurred, or the person committing the violation as applicable.
3. The Administrator may choose to post notice on the property. However, notice by first class mail or personal service shall also be provided.

D. The Administrator may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter any building or premises subject to the consent or warrant to perform the duties imposed by this Chapter.

E. If the violation has been properly corrected by the deadline imposed by the Administrator, the case will be closed. If it has not, then Civil Penalties, Abatement, or Criminal Penalties may be imposed against the person(s) named in the Notice of Violation as the party(ies) in violation, at the reasonable discretion of the Administrator, in accordance with the provisions of this Chapter.

19.16.070 Civil Penalty

A. Any person who fails to remedy a violation or take the corrective action described by the Administrator in a Notice of Violation within the time period provided may be subject to monetary civil penalties. The Civil Penalty will be either:

1. Prepared and sent by first-class mail to the last known address(es) of the person(s) named in the Notice of Violation as the party(ies) in violation; or
2. Personally served upon the person(s) named in the Notice of Violation as the party(ies) in violation; or
3. The Administrator may choose to post notice on the property. However, notice by first class mail or personal service shall also be provided.

B. The Civil Penalty shall contain the following:

1. A statement indicating that the party(ies) in violation is being issued civil penalties for failing to properly or timely implement the corrective actions outlined by the City in the Notice of Violation, and that additional civil penalties may be issued until corrective actions are properly and timely implemented and the violation abated;
2. The address of the site and specific details of the violation which is to be corrected;
3. The appropriate department and/or division investigating the case and the contact person;
4. The number of days in violation since service of the Notice of Violation (in case of first Civil Penalty) or the most recently issued civil penalty on the same violation (in case of second or subsequent Civil Penalty) and amount of monetary penalty being assessed as a result;
5. A statement that the person(s) to whom the Civil Penalty is issued may appeal it to the Hearing Examiner, or his or her designee, including the deadline for filing such an appeal. Request for appeal must comply with requirements set forth in GHMC 9.40.080 and must be received by the City Clerk's Office, no later than 10 days after the Civil Penalty has been served;
6. A statement that if the person to whom the Civil Penalty is issued fails to submit a written request for appeal within 10 calendar days of service or fails to abate the violation, the City may continue to assess monetary penalties, against the owner, and if different and readily identifiable, against the lessee, the person in control of the property where the violation has occurred, and the person committing the violation.

C. The monetary civil penalties for violations of this Code shall be as follows, unless a different amount/penalty is specifically provided elsewhere in the Code for the violation:

The amount of civil penalty per each violation for each day in violation shall be \$100. At the time a Civil Penalty is issued, calculation of the amount assessed shall be based on no more than the number of past days during which the violation remained uncorrected since the service of the Notice of Violation (in case of first civil penalty) or the most recently issued Civil Penalty on the same violation (in case of second or subsequent civil penalty);

D. Daily penalties will continue to accumulate until the violation is corrected, but the accumulated amount, or part thereof, may only be assessed to party(ies) in violation by issuing and serving a Civil Penalty.

E. Any person to whom a Civil Penalty is issued and served may appeal it to the hearing examiner; PROVIDED, that any issue whatsoever, including but not limited to nature of violation, amount of penalty, corrective measures, abatement or payment made, that was previously appealed or could have been appealed earlier with the Notice of Violation or previously issued Civil Penalty on the same violation, but either was not properly/timely appealed or was sustained by the Hearing Examiner, shall not be subject to another appeal.

19.16.080 Notice of Violation and Civil Penalty Appeals

A. A person to whom a Notice of Violation or Civil Penalty is issued and served may appeal the Notice of Violation or Civil Penalty by filing a written request for appeal with the City Clerk no later than 10 calendar days after said Notice of Violation or Civil Penalty is served. Each request for appeal shall contain the address and telephone number of the person making the request and the name and address of any person who may represent him or her. Each request for appeal shall set out the basis for the appeal. Failure to submit specific grounds for appeal in writing in the request may result in the dismissal of the appeal by the Hearing Examiner prior to any hearing.

B. If an appeal is submitted, the Hearing Examiner, or his or her designee, will conduct a hearing at the next available hearing date for the Hearing Examiner after the City issues a Notice of Hearing. For good cause, the Hearing Examiner may, at his or her discretion, change a previously set hearing date.

C. If an appeal is submitted, the City shall mail a Hearing Notice giving the time, location, and date of the hearing, by first-class mail to person(s) to whom the Notice of Violation or Civil Penalty was directed and any other parties identified in the appeal request.

D. The Hearing Examiner, or his or her designee, shall conduct a hearing on the violation or penalty. The Administrator, as well as the person(s) to whom the Notice of Violation or Civil Penalty was directed, may participate as parties in the hearing and each party may call witnesses. The City shall have the burden of proof to establish, by a preponderance of the evidence, that the violation has occurred and that the required corrective action is reasonable, or that the Civil Penalty was appropriately assessed for noncompliance with this Code.

E. The Hearing Examiner shall determine whether the City has established, by a preponderance of the evidence, that the violation has occurred and that the required

corrective action is reasonable, or that the Civil Penalty was appropriately assessed and reasonable, and based on that determination shall issue a Final Order that affirms, modifies, or vacates the Notice of Violation or Civil Penalty being appealed. The City's Hearing Examiner rules shall apply. The Hearing Examiner's Final Order shall contain the following information:

1. The decision regarding the alleged violation including findings of facts and conclusion of law based thereon;

2. If applicable, a statement that the required corrective actions imposed by the City are affirmed, modified, or waived;

3. If applicable, any additional conditions imposed by the Hearing Examiner regarding the violation and any corrective action, and the date and time by which the additional condition and/or correction must be met and/or completed; and

4. If applicable, a statement that any associated civil penalties are affirmed, modified, or waived.

F. If the appellant and/or any person(s) to whom the appealed Notice of Violation or Civil Penalty was directed fails to appear at the scheduled hearing, the Hearing Examiner shall proceed with the hearing and issue a Final Order based on the evidence submitted by the party(ies) in attendance.

G. The Final Order shall be served in person or by First Class mail on the appellant and any person(s) to whom the appealed Notice of Violation or Civil Penalty was directed.

H. A Final Order of the Hearing Examiner shall be considered the final administrative decision and may be appealed to a court of competent jurisdiction within 21 calendar days of its issuance, or if applicable, as provided in RCW 36.70C.040.

19.16.085 Collection of Civil Penalty

A. The Civil Penalty constitutes an obligation of the person, firm, or corporation to whom the Civil Penalty is directed. Civil Penalty assessed must be paid to the City within 30 calendar days from the date of service of the Civil Penalty or, if an appeal is filed, the time required in Hearing Examiner's Final Order (30 days of service of Order if no time requirement is specified). Civil Penalty may also jointly and severally be assessed against the property where on the violation occurred when permitted by law.

B. Civil Penalty that is not paid within 30 days may be referred to a collection agency, officially approved by the City of Gig Harbor, for collection.

19.16.090 Abatement

A. In the event that compliance is not achieved through the measures outlined above in GHMC 9.40.040 through 9.40.080, or that said measures are not, at the reasonable discretion of the Administrator, appropriate to remedy the violation, the City may declare the violation a public nuisance, and remove or correct the same through any lawful means of abatement that is determined to be proper by the City Attorney.

B. Using any lawful means, the City may enter unsecured property and may remove or correct a violation which is subject to abatement with the consent of the owner and person in control of the premises. If the owner and person in control of the premises does not consent to entry, the City may seek such judicial process in Pierce County

Superior Court as it deems necessary to effect the removal or correction of such condition.

19.16.100 Criminal Penalty.

In certain instances, where the aforementioned enforcement and penalty provisions outlined in this Chapter do not result in compliance or are not appropriate for achieving compliance, the Administrator may refer the matter to the Police Department for criminal investigation and prosecution. Unless a different criminal penalty is provided specifically for the violation, violations of Chapters and Titles of Code referenced in GHMC 9.40.010 shall constitute a Gross Misdemeanor as set forth in GHMC 1.16.010. Upon conviction and pursuant to a prosecution motion, the court shall also order immediate action to correct the condition constituting the violation and to maintain the corrected condition in compliance with this Code.

19.16.110 Additional Relief.

Nothing in this chapter shall preclude the City from seeking any other relief, as authorized in other provisions of this Code, or by state or federal law or regulation. Enforcement of this Chapter is supplemental to all other laws adopted by the City.

Section 2. Section 16.09.002 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

16.09.002 Violations.

Violations of this title shall be enforced as set forth in Chapter ~~17.07~~ 19.16 GHMC, Enforcement of Land Use Codes.

Section 3. Section 17.07.004 of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.07.004 Duty to enforce.

A. It shall be the duty of the ~~planning director~~ Administrator to enforce this chapter. The ~~planning director~~ Administrator may call upon the police, fire, building, public works or other appropriate city departments to assist in enforcement. As used in this chapter, "~~planning director~~ Administrator" shall also mean his or her duly authorized representative.

B. Upon presentation of proper credentials, the ~~planning director~~ Administrator may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant, in order to perform the duties imposed by GHMC Titles 17 and/or 16.

C. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

D. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land and buildings within the scope of GHMC Titles 17 and/or 16.

E. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action.

Section 4. Section 17.07.006 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby amended, to read as follows:

17.07.006 Investigation and notice of violation.

A. Investigation. The ~~planning director~~ Administrator shall investigate any structure or use which the ~~planning director~~ Administrator reasonably believes does not comply with the standards and requirements of GHMC Titles 17 and/or 16. If the Administrator determines that a violation has occurred, the Administrator shall use the enforcement process found in Chapter 19.16 of the Gig Harbor Municipal Code.

~~B. Notice of Violation. If after investigation the planning director determines that the standards or requirements of GHMC Titles 17 and/or 16 have been violated, the planning director shall serve a notice of violation upon the owner, tenant or other person responsible for the condition. The notice of violation shall contain the following information:~~

- ~~1. A separate statement of each standard, code provision or requirement violated;~~
- ~~2. What corrective action, if any, is necessary to comply with the standards, code provision or requirements;~~
- ~~3. A reasonable time for compliance;~~
- ~~4. A statement that (for zoning code violations), if the violation is not already subject to criminal prosecution, any subsequent violations may result in criminal prosecution as provided in GHMC 17.07.18.~~

~~C. Service. The notice shall be served on the owner, tenant or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person(s) is unknown or service cannot be accomplished and the planning director makes an affidavit to that effect, then service of the notice upon such person(s) may be made by:~~

- ~~1. Publishing the notice once each week for two consecutive weeks in the city's official newspaper; and~~
- ~~2. Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address if known, or if unknown, to the address of the property involved in the proceedings.~~

~~D. Posting. A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.~~

~~E. Other Actions May Be Taken. Nothing in this chapter shall be deemed to limit or preclude any action or proceeding pursuant to GHMC 17.07.010, 17.07.012, 17.07.016, 17.07.018, 17.07.020 or 17.07.022.~~

~~F. Optional Notice to Others. The planning director may mail, or cause to be delivered to all residential and/or nonresidential rental units in the structure or post at a conspicuous place on the property, a notice which informs each recipient or resident about the notice of violation, stop work order or emergency order and the applicable requirements and procedures.~~

~~G. Amendment. A notice or order may be amended at any time in order to:~~

- ~~1. Correct clerical errors; or~~
- ~~2. Cite additional authority for a stated violation.~~

Section 5. Section 17.07.008 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 6. Section 17.07.010 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 7. Section 17.07.012 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 8. Section 17.07.014 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 9. Section 17.07.016 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 10. Section 17.07.018 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 11. Section 17.07.020 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 12. Section 17.07.022 in the Enforcement chapter of the Gig Harbor Municipal Code is hereby repealed.

Section 13. Section 18.08.220 in the Critical Areas chapter of the Gig Harbor Municipal Code is hereby amended, to read as follows:

18.08.220 Penalties and eEnforcement.

The Administrator shall investigate any potential violation the Administrator reasonably believes has occurred involving critical areas governed by this chapter. If the Administrator determines that a violation has occurred, the Administrator shall use the enforcement process found in Chapter 19.16 of the Gig Harbor Municipal Code.

~~The community development director shall have authority to enforce this chapter, any rule or regulation adopted, and any permit, order or approval issued pursuant to this chapter, against any violation or threatened violation thereof. The community development director is authorized to issue violation notices and administrative orders, levy fines and/or institute legal actions in court. Recourse to any single remedy shall not preclude recourse to any of the other remedies. Each violation of this chapter, or any rule or regulation adopted, or any permit, permit condition, approval or order issued pursuant to this chapter shall be a separate offense, and, in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct offense. All costs, fees and expenses in connection with enforcement actions may be recovered as damages against the violator.~~

~~B. The community development director may serve upon a person a cease and desist order if any activity being undertaken in a designated critical area or its buffer is in violation of this chapter. Whenever any person violates this chapter or any approval issued to implement this chapter, the community development director may issue an order reasonably appropriate to cease such violation and to mitigate any environmental damage resulting therefrom.~~

~~C. Any person who undertakes any activity within a designated critical area or within a required buffer without first obtaining an approval required by this chapter, except as specifically exempted, or any person who violates one or more conditions of any approval required by this chapter or of any cease and desist order issued pursuant to this chapter shall incur a civil penalty as provided for in Chapter 17.07 GHMC.~~

~~D. The city's enforcement of this chapter shall proceed according to Chapter 17.07 GHMC.~~

Section 14. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 15. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this ____ day of _____, 2011.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck

FILED WITH THE CITY CLERK: 10/19/11
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO:



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

Subject: Maritime Pier Parking Project (CPP1007) – Contract Change Order

Proposed Council Action: Approve and authorize the City Engineer to execute a Public Works Change Order with RV Associates, Inc. in an amount not to exceed \$30,804.45, including tax, for additional pavement work for a revised contract amount not to exceed \$295,287.44 including retail sales tax.

Dept. Origin: Public Works/Engineering

Prepared by: Marcos McGraw *MEM*

For Agenda of: October 24, 2011

Exhibits: Change Order #1
Exhibit A – pavement additional limits

| | |
|--|--------------------------|
| | Initial & Date |
| Concurred by Mayor: | <i>CLH 10/20/11</i> |
| Approved by City Administrator: | <i>ROK 10/20/11</i> |
| Approved as to form by City Atty: | <i>by email 10/19/11</i> |
| Approved by Finance Director: | <i>DF 10/19/11</i> |
| Approved by Department Head: | <i>JR 10/20/11</i> |

| | | | | | |
|-----------------------------|--------------|------------------------|------------------------------|-------------------------------|--------|
| Expenditure Required | \$ 30,804.45 | Amount Budgeted | (Fiscal Consideration below) | Appropriation Required | \$0.00 |
|-----------------------------|--------------|------------------------|------------------------------|-------------------------------|--------|

INFORMATION/BACKGROUND

On September 12, 2011 the City Council awarded a Public Works Contract for the Maritime Pier Parking Project to RV Associates, Inc. in the amount of \$264,482.99 for Bid Schedules A, B and C of the Contract Documents. This Contract, as it currently exists, specifies placement of 2-inches thick of asphalt over the existing pavement along the parking area adjacent to the Tides Tavern, as shown on exhibit 'A'. This area of existing pavement is in very poor condition as it is completely broken up and has exceeded its useful life. It will likely not be a suitable base for new asphalt. Removal of the existing asphalt followed by placement of new asphalt over a new subgrade will extend the asphalt life to ten years or more.

FISCAL CONSIDERATION

The projected 2011 General Fund ending fund balance is approximately \$600,000.00 higher than budgeted. Staff recommends utilizing a portion [\$30,804.45] of the higher than anticipated ending balance to fund this change to improve the final new asphalt surface of the right-of-way improved by this project. The owner of the adjacent property, Mr. Peter Stanley, has verbally agreed to pay for half of the cost with a condition for a long term lease agreement with the City for the sliver of right-of-way alongside his building (Tides Tavern).

BOARD OR COMMITTEE RECOMMENDATION

This change order was discussed at the Operations Committee meeting held October 20, 2011.


RECOMMENDATION/MOTION

Approve and authorize the City Engineer to execute a Public Works Change Order with RV Associates, Inc. in an amount not to exceed \$30,804.45, including tax, for additional pavement work.



Date: October 20, 2011

To: Mayor & City Council

From: Rob Karlinsey, City Administrator 

Subject: Hospital Benefit Zone 30-Year Project List and 5-year Schedule

As reported to you at the last City Council meeting on October 10, the Hospital Benefit Zone's (HBZ) 30-year project list that was adopted in 2006 needs to be updated. Attached is a draft 30-year project list for your discussion and consideration. In addition and for the following reasons, we also recommend amending the 5-year HBZ project schedule that you approved a few months ago:

1. While all of the projects in the approved 5-year project schedule are reasonable and qualify as legitimate projects under the HBZ statute, we recommend an even more conservative approach to project selection, especially as we establish our track record in these first few years of receiving the HBZ sales tax credit.
2. Assumptions and/or conditions of some potential HBZ projects have changed since the 5-year HBZ project list was approved a few months ago. Examples of these changes are described as follows:
 - Neither the BB16 Interchange East Roundabout Gap Meter nor the Sehmel Right Turn Lane at BB16 is on the approved 5-year HBZ schedule. However, we will be recommending that design and installation of these two projects occur sooner because this year's traffic count at the interchange shows that volumes have gone up more than expected. Both the Roundabout Gap Meter and the Sehmel Right Turn Lane were proposed as one of the necessary network improvements in the 2010 Lochner report.
 - We will also recommend that design of the Harbor Hill extension begin in 2012 rather than in 2015 as the current 5-year HBZ project list shows. Design of this project needs to move up in the schedule because 1) BB16 Interchange traffic volumes continue to increase, and it behooves us to make the necessary network improvements to take pressure off of the interchange within 6-years (as recommended in the 2010 Lochner Report); 2) for financial and capital planning purposes, a better cost estimate needs to be provided for this project,

and further design is needed in order to do so; 3) we believe the Harbor Hill extension is at the top of the list along with Roundabout Metering and the Sehmel Right Turn as more “text book” HBZ projects that reflect the more conservative project selection approach as mentioned earlier; and 4) the Harbor Hill extension is adjacent and connected to the Harbor Hill Park design—because these two projects will most likely affect each other, the two should be designed at the same time.

- Design funds for the WWTP Phase II project are identified in 2013 on the approved 5-year HBZ list. We recently received word that design and construction financing for the WWTP Phase II project will likely be obtained through the State’s Public Works Trust Fund; therefore we recommend removing this project from the 5-year list as an HBZ-funded project and instead categorize the project on the local match side of the HBZ equation (the non-state subsidized portion, that is).
- Regarding the Bujacich Lift Station project, we still recommend moving forward with design in 2012, but we recommend that HBZ funds not be allocated for construction until a larger proportion of properties in proximity to the future lift station are more committed to participating in a late comers’ agreement (or other mechanism).
- Austin Street Widening & N. Harborview Closure is currently slated for 2012 on the 5-year plan. Because of recent geotechnical findings, the latest project cost estimates, and the direction given by City Council last month, we recommend that this project be changed to a future roundabout at the Austin/Harborview intersection and be completed at a later date.
- In keeping with the more conservative project selection approach, we will also recommend adding several more asphalt overlay/chipseal projects on arterials in the HBZ.

Based on the above and also the selection criteria (see attached) discussed earlier this year, we recommend the attached revised 5-year HBZ project schedule. This proposed new project schedule places the priority on the Harbor Hill Drive extension and two other smaller improvements (Roundabout Meter and Sehmel Right Turn) for the purpose of taking pressure off and improving traffic flow at the SR16/Burnham Interchange.

The proposed five-year schedule also includes five capital preservation projects—three overlays and two chip seals—in 2012. Our reasoning for grouping these projects in 2012 is as follows:

1. Efficiency and economies of scale can be achieved by grouping the roads together in one bid package.
2. These roads are overdue for rehabilitation, and it behooves us to complete the

preservation work as soon as possible. Every year of deferred maintenance results in higher costs to repair a road and prepare it for chip seal or overlay (see attached "Proactive vs. Reactive" graph).

3. All five the of road projects proposed for capital preservation fit within the intent of the HBZ legislation. In Chapter 39.100 RCW Hospital Benefit Zones, section 39.100.010(6)(a) states that allowed HBZ "Public Improvements" include "Street and road construction *and maintenance*" (emphasis added). Because all five of the capital preservation projects are for major arterials (Borgen Blvd., Canterwood Blvd., Burnham Drive, and Peacock Hill Drive) that lead to and connect to the Hospital, we believe they strongly pass the test of the HBZ legislation.

We look forward to discussing the proposed HBZ 30-year project list as well as the 5-year project schedule at the next City Council meeting. If you have any questions or ideas before then, please give me a call (851-6127).

Proposed Revisions to Hospital Benefit Zone Capital Improvement Plan: 2012-2016

Sources

| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------------------|-------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|
| 1 HBZ State Sales Tax Credit | \$1,000,000 | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$11,000,000 |
| 2 Interfund Loan | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Sources | | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$2,000,000 | \$11,000,000 |

Uses

| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---|------------|--------------------|--------------------|------------------|------------------|--------------------|---------------------|
| <i>Capacity Expansion Projects</i> | | | | | | | |
| 1 Harbor Hill Drive Extension to Burnham Drive | | \$800,000 | \$800,000 | \$500,000 | \$500,000 | \$6,090,000 | \$8,690,000 |
| 2 BB16 Interchange West Roundabout Gap Metering | | \$40,000 | \$150,000 | | | | \$190,000 |
| 3 Sehmel Right Turn Lane at the SR16 Burnham Interchange | | | \$210,000 | | | | \$210,000 |
| <i>Capital Preservation Projects</i> | | | | | | | |
| 4 Burnham Overlay (N. Harborview to Borgen/SR16) | | \$475,000 | | | | | \$475,000 |
| 5 Peacock Hill Overlay (N. Harborview to 101st St.) | | \$216,000 | | | | | \$216,000 |
| 6 Peacock Hill Chipseal (101st to Roundabout) | | \$139,000 | | | | | \$139,000 |
| 7 Borgen Blvd. Chipseal (Peacock Hill to SR16) | | \$360,000 | | | | | \$360,000 |
| 8 Canterwood Blvd. Overlay (Hospital to City Limits) | | \$320,000 | | | | | \$320,000 |
| 9 Bujacich Lift Station and Force Main - <u>Design Only</u> | | \$400,000 | | | | | \$400,000 |
| Total | \$0 | \$2,750,000 | \$1,160,000 | \$500,000 | \$500,000 | \$6,090,000 | \$11,000,000 |
| Rosedale Sidewalk TIB Grant Match | | | \$450,000 | | | | \$450,000 |
| Chip Seals & Overlays in the HBZ | | | \$248,000 | \$300,000 | \$300,000 | \$300,000 | \$1,148,000 |
| Burnham Drive Widening (Preliminary Engineering Only) | | | | \$300,000 | \$300,000 | | \$600,000 |
| Skansic/Rosedale Turn Lane | | | | | | \$275,000 | \$275,000 |
| Harborview Dr. Ped & Parking (Rosedale to Stinson) | | | | \$100,000 | \$850,000 | | \$950,000 |
| Stinson/Rosedale Turn Lanes | | | | \$280,000 | | | \$280,000 |
| Austin St. Widening & N. Harborview Closure | | \$822,000 | | | | | \$822,000 |
| WWTP Phase II Expansion (Engineering Only) | | | \$600,000 | | | | \$600,000 |
| Gig Harbor North Park (Prelim. Design for Grants) | | \$50,000 | | | | | \$50,000 |

2006 HBZ 30-Year Project List

| | |
|-------------------------------------|---------------------|
| BB16 Interchange | \$40,000,000 |
| Burnham Signal | \$400,000 |
| Purdy-Canterwood Connection | \$7,500,000 |
| 96th St. E-W Connection | \$13,000,000 |
| N-S Bujacich - Wollochet Connection | \$15,000,000 |
| Harbor Hill Drive Extension | \$6,000,000 |
| Canterwood-Borgen-50th Collector | \$15,000,000 |
| Storm | \$187,000 |
| Water | \$4,443,000 |
| Sewer | \$29,576,000 |
| Parks | \$5,464,000 |
| <hr/> Total | <hr/> \$136,570,000 |

City of Gig Harbor
Hospital Benefit Zone
Proposed 30-Year Project List

| Likely Local Match Projects | |
|--|---------------------|
| 1 Burnham Interchange Expansion 2008-2010 | \$8,049,000 |
| 2 Vernhardsen Street Upgrades | \$1,000,000 |
| 3 Cushman Trail Contribution - 96th to Borgen | \$650,000 |
| 4 | |
| 5 | |
| 6 Harborview & Stinson Watermains | \$1,283,000 |
| 7 Well 11 (Skansie) | \$1,500,000 |
| 8 Well 9 (Gig Harbor North) | \$4,000,000 |
| 9 Woodworth Watermain | \$500,000 |
| 10 | |
| 11 Lift Station 1 | \$4,000,000 |
| 12 Lift Station 4 | \$3,000,000 |
| 13 Lift Station 12 | \$4,000,000 |
| 14 Lift Station 13 | \$4,000,000 |
| 15 WWTP Outfall | \$3,000,000 |
| 16 WWTP Expansion I | \$5,000,000 |
| 17 WWTP Expansion II | \$3,000,000 |
| 18 | |
| 19 | |
| 20 Harbor Hill Park Land Acquisition | \$2,500,000 |
| 21 City Park at Crescent Creek | \$200,000 |
| 22 | |
| 23 Other Public Infrastructure Improvements (Transp., Storm, Sewer, & Water) | |
| 24 Harbor Hill Multi Family I | \$2,000,000 |
| 25 Harbor Hill Multi Family II | \$2,500,000 |
| 26 Harbor Hill Village Center | \$500,000 |
| 27 Harbor Hill Single Family Residential | \$3,500,000 |
| 28 Bujacich NW Industrial | \$2,000,000 |
| 29 Harbor Winds | \$500,000 |
| 30 Smith Gravel Pit Development | \$500,000 |
| 31 96th St. Gravel Pit Development | \$500,000 |
| 32 McCormick Creek | \$3,000,000 |
| 33 | |
| Total | \$60,682,000 |

| HBZ-Funded Projects | |
|--|---|
| 1 Burnham Interchange Expansion 2020-2030 | TBD |
| 2 Harbor Hill Drive Extension | \$15,000,000 |
| 3 BB16 Large Roundabout Gap Metering | \$190,000 |
| 4 Arterial Overlays & Pavement Maintenance | \$6,000,000 |
| 5 Rosedale Sidewalk | \$450,000 |
| 6 Cushman Trail Phase 3 (96th to Borgen) | \$200,000 (assumes \$2.2m from Fed, State, & City) |
| 7 Cushman Trail Phase 4-a (Borgen to St. Anthony's Hospital) | \$400,000 |
| 8 Cushman Trail Phase 4-b (Borgen to Purdy) | \$2,000,000 |
| 9 Sehmel Ave - Right Turn Lane at Burnham / SR16 | \$210,000 |
| 10 Burnham Dr Bridge - (SR16) Reconfig to 4-lanes AND Ped Bridge at BB16 | \$18,130,000 |
| 11 Burnham Drive Widening | \$3,500,000 (increased from \$1.6m) |
| 12 Skansie / Rosedale Intersection Improvements (Turn-lane) | \$275,000 |
| 13 Vernhardsen St Improvements (storm, roadway, bicycle & peds) | \$2,650,000 (assumes \$1m from local REET and/or Impact Fees) |
| 14 Harborview Dr Ped & Pkg Improvements (Stinson to N.Harborview) | \$1,500,000 |
| 15 Harborview Dr Ped & Pkg Improvements (Rosedale to Stinson) | \$950,000 |
| 16 Stinson / Rosedale Intersection Imp (turn lanes to WB Rosedale) | \$280,000 |
| 17 Twawelkax Trail Construction & Trailhead | \$250,000 |
| 18 Millville Sidewalks (included in # 15 above) | n/a |
| 19 Donkey Creek Project - Two lane Austin & Close N. Harborview | See next line below |
| 20 Roundabout at Austin St./Harborview Drive Intersection | \$780,000 (\$720k + sales tax) |
| 21 Downtown Parking Lot (no location identified) | \$200,000 |
| 22 GH North - 7acre Park Development | \$1,950,000 |
| 23 Wheeler Street-End Pocket Park | \$80,000 |
| 24 Crescent Creek Park Play Structure | Funded via GF & Donations in 2012 |
| 25 Crescent Creek Park & Rohwer Property - Park Development | \$750,000 |
| 26 Masonic Building - Property Acquisition (PROS plan, p.49) | \$350,000 |
| 27 Donkey Creek Corridor (Conservation Acquisitions - PROS , pg 48) | \$1,500,000 Use as match to leverage conservation futures |
| 28 Maritime Pier | Grants & GF |
| 29 Bogue Park - Visitors Pier | Unknown |
| 30 Harbor Hill Drive Watermain Extension | \$950,000 |
| 31 Bujacich Lift Station - (17A) and Force Main | \$2,150,000 |
| 32 PW Shop Facility Bulk Fuel Storage | \$27,000 |
| 33 PW Shop Facility Expansion | \$400,000 |
| Total | \$61,122,000 |

HBZ Project List Criteria and Scoring Guide
Mayor and City Council: Please Rate Each Criteria for Each Project

Meets intent of Comprehensive Plan Policies

Definition: The project is compatible with policies described in the City's adopted Comprehensive Plan (most current version). Transportation policies are on pages 11-60 through 11-62, Capital Facilities policies are on pages 12-26 through 12-29, PROS plan policies are on pages 31-37. **Copies of policies attached for reference.**

- Scoring:**
- 0 The project is incompatible with one or more policies contained within the City's Comprehensive Plan (includes PROS plan)
 - 1 The project supports at least one policy
 - 2 The project supports at least two policies
 - 3 The project supports at least two policies, at least one very well
 - 4 The project supports at least two policies, at least two very well
 - 5 The project supports at least three policies, at least three very well

Appropriate use of HBZ funds

Definition: The project meets the intent of the HBZ legislation by encouraging private economic development within the benefit zone, supporting the development of a hospital that has received a certificate of need, increasing the employment within the benefit zone and generating excess state excise taxes that are equal to or greater than the state contributions made under this chapter, and; meets the definition of "public improvements". **RCW's attached for reference.**

- Scoring:**
- 0 Does NOT satisfy the intent and does NOT meet definition of "public improvement"
 - 1 EITHER, satisfies intent, OR; meets definition of "public improvement"
 - 2 Generally satisfies the intent and generally meets the definition of "public improvement"
 - 3 Generally satisfies the intent and meets the definition of "public improvement" without reservation
 - 4 Satisfies the intent AND definition of "public improvement" without reservation
 - 5 Satisfies the intent AND definition of "public improvement" extremely well

Urgency

Definition: The project is necessary to meet a need within 2 to 3 years.

- Scoring:**
- 0 Required in over 10 years
 - 1 Required within 6-10 years
 - 2 Required within 4-5 years
 - 3 Required within 2-3 years
 - 4 Required within 2 years
 - 5 Required within 1 year

Provides high value return on project cost

Definition: The cost of the project will deliver a high value return on public investment.

- Scoring:**
- 0 The project provides very little or no return on the dollars invested
 - 1 The project provides low value return
 - 2 The project provides low to medium value return
 - 3 The project provides medium value return
 - 4 The project provides medium to high value return
 - 5 The project provides high value return

Encourages economic development - increases tax revenue

Definition: The project will encourage economic development and increase tax revenues to the City

- Scoring:**
- 0 The project does NOT encourage economic development nor increase tax revenues to the City
 - 1 The project may encourage economic development but is not likely to increase tax revenue by much
 - 2 The project is likely to encourage economic development and is likely to increase tax revenue a moderate amount
 - 3 The project definitely encourages economic development and will definitely increase tax revenues
 - 4 The project will cause substantial economic development and substantially increase tax revenues
 - 5 The project will cause overwhelming economic development and will overwhelmingly increase tax revenues

Leverages grants or brings in direct revenue to City

Definition: The project is partially funded by grants or it will bring direct revenue to the City in the form of impact fees, connection fees or increased number of rate-payers

- Scoring:**
- 0 Is not partially funded by grants and/or brings NO direct revenue to the City
 - 1 Is up to 10% funded by grants and/or brings in a minimal amount of direct revenue to the City
 - 2 Is up to 20% funded by grants and/or brings in a low amount of direct revenue to the City
 - 3 Is up to 30% funded by grants and/or brings in a medium amount of direct revenue to the City
 - 4 Is up to 40% funded by grants and/or brings in a high amount of direct revenue to the City
 - 5 Is up to 50% funded by grants and/or brings in a very high amount of direct revenue to the City

Maintains and/or replaces existing infrastructure

Definition: The project will maintain existing infrastructure or replace aging or inadequate infrastructure.

- Scoring:**
- 0 The project does not maintain existing infrastructure nor does it replace aging or inadequate infrastructure
 - 1 n/a
 - 2 n/a
 - 3 n/a
 - 4 n/a
 - 5 The project maintains existing infrastructure or completely replaces aging or inadequate infrastructure

Increases infrastructure capacity

Definition: The project provides increased capacity either by improving or upgrading existing infrastructure or by building new infrastructure.

- Scoring:**
- 0 The project does not improve or upgrade existing infrastructure nor does it build new infrastructure
 - 1 The project improves or upgrades existing infrastructure or builds new infrastructure that minimally increases capacity
 - 2 n/a
 - 3 The project improves or upgrades existing infrastructure or builds new infrastructure that moderately increases capacity
 - 4 n/a
 - 5 The project improves or upgrades existing infrastructure or builds new infrastructure that significantly increases capacity



Pierce County

Department of Planning and Land Services

CHUCK KLEEBERG
Director

2401 South 35th Street
Tacoma, Washington 98409-7460
(253) 798-7210 • FAX (253) 798-7425

October 18, 2011

TO ALL INTERESTED PARTIES:

RE: Formation of the Pierce County Flood Control Zone District, #710950

Pierce County is in the process of reestablishing a countywide Flood Control Zone District ("FCZD") to fund regionally significant flood hazard projects in our community. This process is being led by the Pierce County Council and others, with input from cities and other stakeholders.

The potential environmental impacts of establishing a FCZD are being addressed through an Environmental Checklist, as required by the Washington State Environmental Policy Act (SEPA). Public comment on the checklist and Non-Project Supplemental Sheet for the FCZD was invited through August 4, 2011.

Pierce County has issued a Determination of Nonsignificance (DNS) on the above referenced proposal. In accordance with WAC 197-11-340, Pierce County is required to send a copy of the DNS to agencies with jurisdiction, the department of ecology, and affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal. If these agencies have comments regarding the DNS, they must submit such comments to the Pierce County Department of Planning and Land Services within fourteen (14) calendar days of the issuance of the DNS. Pierce County cannot issue permits or approvals for the proposal until the expiration of this fourteenth (14) day comment period. A 14-day appeal period, required by Pierce County Code, will commence upon the expiration of the 14-day comment period.

Establishment of the FCZD is a separate effort from the adoption of the Rivers Flood Hazard Management Plan ("Flood Plan"). A separate environmental review for the Flood Plan is currently underway. A Draft Environmental Impact Statement (DEIS) will be issued for the Flood Plan later this Fall; comments on the DEIS will be invited at that time.

Sincerely,

A handwritten signature in black ink that reads "Adonais Clark".

Adonais Clark
Responsible Official

AC:ld
10PCC-CountywideFloodControlZoneDistrictDNS.doc





PIERCE COUNTY
DETERMINATION OF NONSIGNIFICANCE

Environmental Application No. 710950

ACTION: Formation of the Pierce County Flood Control Zone District

PROPOSAL: Create a countywide flood control zone district (Pierce County Flood Control Zone District) for the purpose of undertaking, operating, and/or maintaining flood control projects or storm water control projects or groups of projects that are of special benefit to specified areas of the county, in accordance with the provisions of Chapter 86.15 of Revised Code of Washington (RCW).

LOCATION: Pierce County

PROPONENT: Pierce County Council

The Responsible Official of Pierce County hereby makes the following Findings and Conclusions based upon a review of the environmental checklist and attachments, other information on file with Pierce County, and the policies, plans, and regulations designated by Pierce County as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act (SEPA) pursuant to RCW 43.21C.060.

FINDINGS OF FACT:

1. The Pierce County Council is proposing to create a countywide flood control zone district, the Pierce County Flood Control Zone District, as authorized by Chapter 86.15 of Revised Code of Washington (RCW).
2. Adoption of these provisions by the Pierce County Council is considered a non-project action under the State Environmental Policy Act (SEPA) Rules, WAC 197-11-704. Additional environmental review will be undertaken, if required, at the time a specific project or projects are proposed.
3. The boundary for the proposed Pierce County Flood Control Zone District (FCZD) is the entirety of Pierce County, Washington, which is described at RCW 36.04.270 as follows:

Commencing at the mouth, midchannel, of the Nisqually River; thence following the main channel of said river to its head; thence due east to the summit of the Cascade mountains; thence northerly along the summit to the head of the Green Water; thence westerly down said river to its confluence with White River; thence down the main channel of White river to the intersection of the fifth standard parallel; thence west along said line to the southeast corner of section thirty-one, township twenty-one north, range four east of Willamette Meridian; thence north along the east line of said section thirty-one to its intersection with the northerly line of the Puyallup Indian Reservation; thence northwesterly on said line of the Puyallup Indian reservation, projected northwesterly in a straight line, to its intersection with the center line of Puget Sound; thence southwestly and westerly following the channel of Dalco Passage to the south entrance of Colvo's Passage; thence down the channel of said passage to the northeast corner of section sixteen, in township twenty-two north, range two east; thence west to the northeast corner of section sixteen, in township twenty-two north, range one west; thence southerly along the channels of Case's Inlet and Puget Sound, to the middle of the mouth of the Nisqually River and place of beginning.

4. Public comment on the Environmental Checklist and Non-Project Supplemental Sheet for the proposed FCZD was invited through August 4, 2011. Written comments were submitted during the review and comment period for the FCZD which requested that the County integrate the environmental review for this proposal into the Draft Environmental Impact Statement (DEIS) being prepared for the proposed Rivers Flood Hazard Management Plan (RFHMP). In a separate action, Pierce County is preparing the RFHMP for its own use and guidance, whether or not a flood control

zone district is established. The RFHMP will identify and recommend regional policies, programs, and projects related to flooding and channel migration to: 1) reduce risks to public health and safety, 2) reduce public and private property damage, 3) reduce facility maintenance costs, and 4) improve aquatic and riparian habitat conditions. A Determination of Significance (DS) was issued for that proposal on February 1, 2011. A Draft Environmental Impact Statement (DEIS) is currently being prepared for the RFHMP but has not yet been issued. The non-project alternatives in the RFHMP include conceptual projects that the County will evaluate at a project-specific level in the future, prior to construction, even if a FCZD is not created. WAC 197-11-060(3) of the SEPA Rules states "proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. The State Environmental Policy Act, WAC 197-11-060(3) states "proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. (Phased review is allowed under subsection (5)). Proposals or parts of proposals are closely related, and they shall be discussed in the same environmental document, if they:

- a. (i) Cannot or will not proceed unless the other proposals (or parts of proposal) are implemented simultaneously with them; or
- b. (ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation."

The Responsible Official has determined that: 1) each proposal can proceed without the other being simultaneously implemented; and 2) the two proposals are not interdependent parts of a larger proposal and, therefore, the two proposals are not closely related and do not need to be discussed in the same environmental document.

5. The FCZD is a quasi-municipal corporation and independent taxing authority, separate and distinct from the County. As with the creation of any district, the legislative body of the FCZD will undertake and complete future actions to establish, operate and maintain the FCZD. One of those actions will be the adoption of a comprehensive plan of development for construction and acquisition of flood control and storm water control projects. This comprehensive plan will be a new plan specific for the new FCZD, as determined by the legislative body of the FCZD after creation of the FCZD. In preparing this comprehensive plan, the legislative body of the new FCZD could use parts of plans prepared by other agencies, such as the County, as models or guides, but is not required to use such parts of other plans.

CONCLUSIONS OF RESPONSIBLE OFFICIAL: The Responsible Official concludes, based on a review of application materials and a review of County regulations governing the project, that there will be no probable significant adverse environmental impacts as a result of this project.

This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days from the date of issue. Comments must be submitted by close of business on the comment deadline date. The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. If the DNS is retained, it will be final after the expiration of the comment deadline. No permits may be issued, and the applicant shall not begin work, until the comment deadline has expired and any other necessary permits are issued.

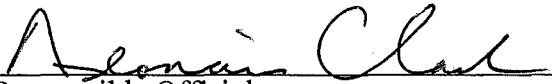
RESPONSIBLE OFFICIAL: Adonais Clark
POSITION/TITLE: Senior Planner
ADDRESS: 2401 S. 35th St., Suite 175, Tacoma, WA 98409

STAFF CONTACT: Jeff Cox, Senior Legal Analyst, Phone (253) 798-7579

DATE OF ISSUE: October 19, 2011

COMMENT DEADLINE: November 2, 2011

APPEAL DEADLINE: November 16, 2011


Responsible Official

NOTE: Pursuant to RCW 43.21C.075, Section 18D.10.080 of Title 18D, Pierce County Development Regulations-Environmental and Chapter 1.22 of Title 1, General Provisions, decisions of the Responsible Official may be appealed. Appeals are filed with appropriate fees (\$2,200.00) and Notice of Appeal at the Planning and Land Services Department, located at the Development Center in the Public Services Building, 2401 S. 35th St., Suite 2, Tacoma, WA 98409. You should be prepared to make specific factual objections. Appeals must be filed within 14 days of the expiration of the comment deadline.

NOTE: The issuance of this Determination of Nonsignificance does not constitute project approval. The applicant must comply with all other applicable requirements of Pierce County, federal, and state agencies, and/or the Hearing Examiner prior to receiving construction permits.

AC:ld
10PCC-CountywideFloodControlZoneDistrictDNS.doc