

City Council Meeting

**January 25, 2016
5:30 p.m.**



AGENDA
GIG HARBOR CITY COUNCIL
January 25, 2016 – Council Chambers

CALL TO ORDER / ROLL CALL:

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

1. Approval of City Council Minutes Jan. 11, 2016.
2. Liquor License Action: a) Special Occasion Liquor Licenses (12) for the Downtown Waterfront Alliance Sip & Stroll Event.
3. Correspondence / Proclamations: a) Catholic Schools Week Proclamation.
4. Receive and File: a) Public Works Committee Minutes Dec. 14, 2015; b) Parks Commission Minutes Dec. 12, 2015; c) 2015 Fourth Quarter Financial Report; d) Boards & Commissions Candidate Review Minutes Jan. 19, 2016; e) City Council Worksession Minutes Jan. 11, 2016.
5. Wastewater Treatment Plant and Collection System On-Call Engineering Services – Professional Services Contract - Advanced Industrial Automation Corporation.
6. Resolution No. 1024 – Holly Circle Final Plat.
7. Appointments to Lodging Tax Advisory Committee.
8. Approval of Payment of Bills Jan. 25, 2016: Checks #80274 through #80285 and #80330 through 80382 in the amount of \$607,275.51.

PRESENTATIONS:

1. Catholic Schools Week Proclamation – Amy Unruh
2. Fire District #5 – Chief John Burgess – Impacts of Growth.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Public Hearing – 2016 Comprehensive Plan Amendment Docket.
2. Public Hearing and Resolution No.1025 in Support of Peninsula School District No. 401 Special Election Continuation Levy.
3. Resolution No. 1026 Harborview Drive Street Vacation – View Point Development LLC.
4. Fire Inspection Contract.
5. Art Locations Recommendation.
6. GHAC 2016 Work Plan.

CITY ADMINISTRATOR / STAFF REPORT:

1. Legislative Update, Ron Williams
2. Lift Station 12 Update, Jeff Langhelm

PUBLIC COMMENT:

MAYOR'S REPORT / COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

1. Public Works Committee: Mon. Feb. 8th at 4:00 p.m.
2. Open House – Asian Gypsy Moth – Wed. Feb. 17th at 5:30 p.m.

ADJOURN:

Americans with Disabilities (ADA) accommodations provided upon request. Those requiring special accommodations please contact the City Clerk at (253) 853-7613 at least 24 hours prior to the meeting.

**MINUTES
GIG HARBOR CITY COUNCIL
January 11, 2016 – Council Chambers**

CALL TO ORDER / ROLL CALL:



























Mayor Guernsey, Councilmembers Malich, Arbenz, Ekberg, Perrow, Lovrovich, Payne, and Kadzik.

PLEDGE OF ALLEGIANCE:

SWEARING IN CEREMONY:

Mayor Guernsey asked Rahna Lovrovich, Ken Malich, and Michael Perrow all to come forward. She administered the Oath of Office to all three Councilmembers.



CONSENT AGENDA:

1. Approval of City Council Minutes Dec. 14, 2015.  
2. Liquor License Action: a) Renewals: Thai Hut Thai & Asian Cuisine, The Inn at Gig Harbor, Brix 25 Restaurant, Fondi, Ikonos Real Greek Souvlaki, Lunchbox Laboratory, Lele at Gig Harbor;   b) Application: Cutters Point Coffee;   c) Assumption: Hagen to Safeway;   d) Renewals: El Pueblito, Discovery Village, Finholm's Grocery, 7 Seas Brewing, Gig Harbor Liquor & Wine, Domo Sushi, and Blazing Onion;   e) Assumption: Forza.  
3. Receive and File: a) Impacts of Growth: Human Resources, Administration, and Court – Worksession Minutes December 14, 2015.  
4. Resolution 1022 – Public Works Surplus Equipment.  
5. Critical Area Review Consultant Services Contract.  
6. Costtree Software Licensing Agreement.  
7. Federal and State Lobbyists Contract Renewal.  
8. Hearing Examiner Consultant Services Contract.  
9. Fire Investigation Services.  
10. Approval of Payment of Bills Dec. 28, 2015: Checks #80069 through #80173 in the amount of \$313,360.79.
11. Approval of Payment of Bills for the 2015 Budget for Jan.11, 2016: Checks #80174 through #80260 in the amount of \$858,277.93.
12. Approval of Payment of Bills for the 2016 Budget for Jan.11, 2016: Checks #80261 through #80273 in the amount of \$44,535.90.
13. Approval of Payroll for the month of December, 2015: Checks #7618 through #7631 and direct deposits in the amount of \$372,282.90.



MOTION: Move to adopt the Consent Agenda as presented.
Ekberg / Lovrovich - unanimously approved.

OLD BUSINESS: None scheduled.



NEW BUSINESS:

1. [Resolution No. 1023 – Adopting an Official City Song.](#)   Mayor Guernsey announced that former Mayor Gretchen Wilbert’s family members are present in the audience for this resolution honoring her wishes to adopt an official city song. “*Under a Gig Harbor Moon*” was played for the audience prior to the motion to adopt.

MOTION: Move to adopt “Under a Gig Harbor Moon” as the official City Song by Resolution No. 1023.
Kadzik / Payne - unanimously approved.

2. [Cartegraph Licensing Agreement.](#)   Public Works Director Jeff Langhelm presented the background on this software that the city already uses to track infrastructure. He explained that this new agreement would add additional modules and users.

MOTION: Move to authorize the Mayor to execute a purchasing agreement with Cartegraph Systems, Inc., in the amount of \$51,427.60 plus applicable Washington State Sales Tax.
Payne / Malich - unanimously approved

3. [Department of Assigned Counsel – Amendment to Contract.](#)   City Administrator Ron Williams introduced this contract amendment for public defense services.

Councilmember Arbenz abstained from the vote as he has dealings with the department.

MOTION: Move to authorize the Mayor to sign the amendment to the Assigned Counsel Agreement with Pierce County.
Payne / Kadzik -

CITY ADMINISTRATOR / STAFF REPORT:

[City Administrator Ron Williams](#) explained that the city received an award for our successful National Night Out program. Gig Harbor has moved into position number 9 in the Nation. He congratulated all the agencies that make this such an outstanding event, and presented the award to Mayor Guernsey.

[Administrator Williams then announced that Senior Planner](#), Lindsey Sehmel, would be presenting the Harbor Element Implementation Plan to the Downtown Waterfront Alliance on January 20th at Anthony’s.

PUBLIC COMMENT:

[Jeni Woock – 3412 Lewis Street](#), Citizens for the Preservation of Gig Harbor. Ms. Woock congratulated Councilmember Malich for his re-election, citing his many positive attributes, and his willingness to listen to the people and voting accordingly.

MAYOR'S REPORT / COUNCIL COMMENTS:

[Councilmember Perrow](#) recognized Officer Michael Allen for jumping into the bay to rescue a dog in trouble, and all the other times he has gone above and beyond to rescue animals.

[Councilmember Malich](#) thanked Jeni for her kind words and defended the Mayor and other Councilmembers saying they believe in they are doing the right thing when they vote. He said he wants to keep growth down and preserve the history of the town, and will continue to work towards that.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Boards and Candidate Review: Tue. Jan 19th at 4:00 p.m.
2. Council Retreat: Sat. Jan. 23rd – 9:00 a.m. – 12:00 p.m.
3. Intergovernmental Affairs: Mon. Jan 25th at 4:00 p.m.

ADJOURN TO WORKSESSION: Impacts of Growth - City Revenue Sources

Council adjourned to a workstudy session at 5:55 p.m.

Jill Guernsey, Mayor

Molly Towslee, City Clerk

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANUARY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: THE WEATHERED COTTAGE - 3311 HARBORVIEW DR, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for off premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|---|-----------------------------|
| 1. Do you approve of applicant? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Do you approve of location? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

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

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: EBB TIDE GALLERY - 7809 PIONEER WAY, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

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HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: HERITAGE DISTILLING - 3118 HARBORVIEW DR, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: FOR THE LOVE OF SPICE - 3104 HARBORVIEW DR, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

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3000 Pacific Ave SE - PO Box 43075
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TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: FINHOLM MARKET - 8812 N HAVORVIEW DR, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: 7 SEAS BREWING - 3006 JUDSON ST #110, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: GIG HARBOR AUDIO - 3019 JUDSON ST STE D, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: SEA HAG - 8805 N HAVORVIEW DR STE 201, GIG HARBOR .

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

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LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

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

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: BLACKWATER GALLERY - 7706 PIONEER WAY, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

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LAW ENFORCEMENT	_____	YES <u> </u>	NO <u> </u>
HEALTH & SANITATION	_____	YES <u> </u>	NO <u> </u>
FIRE, BUILDING, ZONING	_____	YES <u> </u>	NO <u> </u>
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WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - P O Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANUARY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR, STE 101
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: BELLA KITCHEN & HOME - 3311 JUDSON ST #110, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

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|--|---|-----------------------------|
| 1. Do you approve of applicant? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Do you approve of location? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

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

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANAURY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: HARBOR GENERAL STORE - 7804 PIONEER WAY, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|---|-----------------------------|
| 1. Do you approve of applicant? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Do you approve of location? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

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

WASHINGTON STATE LIQUOR AND CANNABIS BOARD - License Services
3000 Pacific Ave SE - PO Box 43075
Olympia WA 98504-3075

TO: MAYOR OF GIG HARBOR

JANUARY 7, 2016

SPECIAL OCCASION #: 094717

GIG HARBOR DOWNTOWN WATERFRONT ALLIANCE
3311 HARBORVIEW DR
GIG HARBOR WA 98332

DATE: FEBRUARY 13, 2016

TIME: 1 PM TO 5 PM

PLACE: KALEIDOSCOPE - 3208 TARABOCHIA ST, GIG HARBOR

CONTACT: JOSH SHERWIN [DOB 8.11.58] 360-990-9720

SPECIAL OCCASION LICENSES

- * Licenses to sell beer on a specified date for consumption at a specific place.
- * License to sell wine on a specific date for consumption at a specific place.
- * Beer/Wine/Spirits in unopened bottle or package in limited quantity for **off** premise consumption.
- * Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objections to the issuance of the license. If additional time is required please advise.

- | | | |
|--|---|-----------------------------|
| 1. Do you approve of applicant? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Do you approve of location? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

<u>OPTIONAL CHECK LIST</u>	<u>EXPLANATION</u>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
LAW ENFORCEMENT	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HEALTH & SANITATION	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
FIRE, BUILDING, ZONING	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
OTHER:	_____	YES <input type="checkbox"/>	NO <input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

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

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS, with the theme “Catholic Schools: Communities of Faith, Knowledge and Service”, Catholic schools in Washington and across the nation are celebrating National Catholic Schools Week from Sunday, January 31, through Saturday, February 6, 2016; and

WHEREAS, the Catholic schools in the state of Washington have educated many students in preparation for their responsibilities as residents of this state and members of society; and

WHEREAS, the Catholic schools in the state of Washington currently provide students with an education that emphasizes the formation of moral values and commitment to community service;

NOW, THEREFORE, BE IT RESOLVED THAT I, Jill Guernsey, Mayor of the City of Gig Harbor, hereby declare the week of January 31 through February 6, 2016 as

NATIONAL CATHOLIC SCHOOLS WEEK

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 25th day of January, 2016.

Jill Guernsey, Mayor

Date

**MINUTES
CITY OF GIG HARBOR
PUBLIC WORKS COMMITTEE
Monday, December 14, 2015 – 4:00 p.m.
Public Works Conference Room**

CALL TO ORDER / ROLL CALL:

Council Member – Steven Ekberg: Present
Council Member – Rahna Lovrovich: Present
Council Member – Ken Malich: Present
Public Works Director – Jeff Langhelm: Present
City Engineer – Stephen Misiurak: Present
Senior Engineer – Emily Appleton: Present
Public Works Superintendent – Greg Foote: Present
Executive Assistant – Maureen Whitaker: Present



APPROVAL OF MINUTES:

Approval of November 9, 2015 Minutes  

The Minutes of November 9, 2015 were approved with one correction to New Business Item #1 Skansie Netshed Uses Discussion, paragraph 5: The Skansie Netshed Foundation's annual fund raising event was discussed and the Public Works Committee recommended to take whatever measures were required to mitigate for fire suppression and to ~~prohibit~~ allow more than 50 people in the netshed at any one time.

OLD BUSINESS: none

NEW BUSINESS:

1. Crosswalk Flag Proposal.  
City Engineer Steve Misiurak stated that he researched available studies with the City of Seattle Department of Transportation (SDOT) and contacted the City of Port Orchard who inherited a state highway with a pedestrian-carried road crossing flag program and after reviewing these studies and analyzing their applicability to the existing conditions within the City and specifically both intersections and mid-block crossings along Borgen Boulevard, he did not recommend sanctioning the use of pedestrian-carried road crossing flags. He referred to the Manual of Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Administration that sets minimum standards and provides guidance, ensuring uniformity of traffic control devices, which does not recognize the flagged system as a formal traffic control device. Mr. Misiurak said that using the flags could give pedestrians a false sense of security. He recommended that the City continue the existing program to install Rapid Rectangular Flashing Beacons (RRFB) systems, as these systems are MUTCD compliant and he would like to continue installing them at intersections and/or selected mid-block locations throughout the city

as funding is available. Public Works Superintendent Greg Foote stated that currently six systems have been ordered with four to be installed at the roundabout at Borgen and 51st Street (McDonalds/Target/Home Depot area), one at the lower section of Stinson Avenue and one at upper Soundview Drive. Mr. Foote added that it typically takes four months for the systems to be manufactured and delivered.

Councilmember Ekberg recommended accelerating the RRFB program and moving it up on the priority list. Mr. Foote said that his department's plate is full and is able to install the six systems in 2016. Mr. Foote also stated that when installing a RRFB system, the pedestrian crossing button is placed facing traffic so the pedestrian has to look at oncoming traffic before crossing.

Councilmember Malich recommended that one system be installed at the end of the Cushman Trail on Borgen Boulevard. Discussion ensued about the hazards of a crossing at this location and other alternatives were discussed.

Councilmember Lovrovich asked if reducing the speed limit may help.

2. Six-Year Transportation Improvement Program (TIP).

Senior Engineer Emily Appleton presented the 2016-2021 Six-Year TIP. She stated that this year a much more vigorous analysis was done due to the 2015 Comprehensive Plan update. The city's travel demand model and the estimated short and long range growth was completed to evaluate future levels of service at both intersections and on roadway segments. Non-motorized improvements were also reviewed. Ms. Appleton explained that using the results of the analysis and review, and with input from several public meetings with the Planning Commission, the short and long range projects lists in the Transportation Element of the Comprehensive Plan were updated to address future problem areas and local priorities. The short term projects added were:

- Hunt Street Crossing at SR16 (previously listed on the long-range project list)
- Harborview Drive / Stinson Ave. Intersection Improvements – currently conceptualized as a traversable roundabout (previously listed on the long-range project list)
- Harborview Drive / Pioneer Way Non-motorized Improvements (pedestrian improvements, including possible pedestrian signal or RRFB installation)
- Hunt Street / 38th Ave. Intersection Improvements – currently conceptualized as a modern roundabout (previously on the long-range project list)

There were several suggestions given by the PW Committee and discussion followed. No changes were made to the list, however Mr. Misiurak said that the TIP could always be amended at a future date.

3. Purchasing and Small Works Contracts Approval Thresholds.

Mr. Langhelt provided background on the city's current purchasing and contracting process that gives City Council sole authority for approval per Resolution No. 593. To streamline the contracting and purchasing process, Mr. Langhelt proposed the purchasing resolution to be revised to authorize either the Public Works Director, or the

Mayor or City Administrator to approve purchases or contracts based on a set dollar amount. He explained that this authorization would only be allowed in circumstances when a purchase or contract has already been authorized in the current budget and when a purchase or contract does not exceed the amount identified in the budget.

The majority of the Public Works Committee felt that Mr. Langhelm's proposal provided more efficiency when items and services were already approved in the budget. It was noted that there is already a good checks and balances system in place within the Finance Department and Mr. Langhelm added that any unbudgeted purchases would still need to be presented to full Council for approval as usual. Councilmember Ekberg said that he was surprised that the city did not have a central purchasing agent. Councilmember Ekberg also suggested that if the Public Works Committee was in favor of this proposal to take it to full Council as it may be helpful for other department heads. Councilmember Malich was not in favor of the proposal.

4. Street Light LED Retrofits.

Public Works Superintendent Greg Foote stated that he and his maintenance crew supported the cost-saving conversion of the street lights from metal halide lamps to LED lamps, due to the electricity savings and maintenance cost savings. He said that they are realizing a 2-6 year payback depending on the assumptions. Mr. Foote explained that there are approximately 800 street lights in the city and a vast majority are still halide. The maintenance staff are currently converting 25 lights per year.

Mr. Langhelm said that the Public Works Department is requesting the \$40,000 funding for the original LED streetlight retrofit program be appropriated for the 2015-2106 budget cycle. Councilmember Ekberg said that the sooner that we can accelerate this the better. City Engineer Steve Misiurak said that the city is very interested in applying for the new Relight Washington, a Transportation Improvement Board grant program that will help fund the retrofit kits.

PUBLIC COMMENT: none.

ANNOUNCEMENT OF OTHER MEETINGS: January 11, 2106

ADJOURN:

The meeting adjourned at 4:47 p.m.

MINUTES
GIG HARBOR PARKS COMMISSION
Wednesday, December 2, 2015 – 5:30 p.m.
Community Rooms A/B

CALL TO ORDER / ROLL CALL:

[Parks Commissioner - John Skansi: Present](#)
[Parks Commissioner - Christine Hewitson: Absent \(excused\)](#)
[Parks Commissioner - Sara McDaniel: Present](#)
[Parks Commissioner - Nicole Hicks: Present](#)
[Parks Commissioner - Gregg Vermillion: Present](#)
[Parks Commissioner - Rick Offner: Present](#)
[Parks Commissioner - Robyn Denson: Present](#)
[Staff - Terri Reed: Present](#)
[Staff - Jeff Langhelm: Present](#)
[Staff - Greg Foote: Present](#)

APPROVAL OF MINUTES:

Approval of November 4, 2015 Minutes 

MOTION TO APPROVE: Hicks / Vermillion – unanimously approved.

OLD BUSINESS:

1. [Totem Pole Location Recommendation](#) - Public Works Director Jeff Langhelm showed photo representations of the totem pole at eleven different possible locations on the Civic Center property. The Parks Commission members discussed the details of several preferences.

MOTION: Move to recommend that the totem pole be located at the Civic Center at position #8 (near the skate park) with an alternative recommendation for position #1 (near Civic Center entrance up on the edge of the green, by bench). McDaniel / Vermillion - unanimously approved.

2. [Parks, Recreation and Open Space \(PROS\) Plan Update](#) – Emily Terrell gave a presentation covering the final survey results and how they relate to Gig Harbor’s changing demographic. Each Parks Commissioner was emailed a link to files containing the first couple of chapters of the PROS Plan including the survey results and the existing Goals and Policies from the 2010 Plan. They were asked to review the materials to date and think about how the existing goals and policies meet with the needs expressed from the survey. Commissioners should email comments about the goals and policies to Ms. Terrell.

NEW BUSINESS:

PARK UPDATES:  

Public Works Director Langhelm informed the Parks Commission that the City had been awarded a grant in the amount of \$8M from the State Transportation Improvement Board for the Harbor Hill Road Expansion Project. Progress on the Harbor Hill Road Expansion project will help determine the size of any future addition to the Harbor Hill Park property.

PUBLIC COMMENT:

ADJOURN:

MOTION: to adjourn at 7:10 p.m.



To: Mayor Guernsey and City Council
From: David Rodenbach, Finance Director DR
Date: January 25, 2015
Subject: Fourth Quarter Financial Report

The quarterly financial reports for the fourth quarter of 2015 are attached.

Total resources; including all revenues and beginning cash balances, finished at 107 percent of the annual budget. Total revenues (across all funds and excluding Non-Revenues and Transfers) came in at 99 percent of the 2015 allocated portion of the biennial budget.

General fund resources came in ten percent over total resources budgeted. General Fund revenues at year-end (not including accruals) came in three percent (\$337,000) over budget. Taxes exceeded budget by two percent or \$166,000. Sales taxes came in about one percent over budget by \$76,000, while utilities taxes also came in two percent over budget (\$21,000). Building permit revenues exceeded the 2015 budget by 21 percent or \$310,000.

General fund expenditures finished the year at 97 percent of budget. All general fund departments are within budget at year end.

Water, Sewer and Storm Sewer revenues are 111 percent, 103 percent and 96 percent of budget; while expenditures for these three funds are at 87 percent, 76 percent and 37 percent of budget.

Cash balances are adequate in all funds. 2015 year-end total cash and investment balance across all funds is \$30.4 million.

CITY OF GIG HARBOR
CASH AND INVESTMENTS
YEAR TO DATE ACTIVITY
AS OF DECEMBER 31, 2015

FUND NO.	DESCRIPTION	BEGINNING BALANCE	REVENUES	EXPENDITURES	OTHER CHANGES	ENDING BALANCE
001	GENERAL GOVERNMENT	\$ 1,903,959	\$ 12,659,012	\$ 10,931,692	\$ (132,234)	\$ 3,499,045
101	STREET FUND	431,182	1,974,607	1,799,310	(140,446)	466,033
102	STREET CAPITAL FUND	816,393	342,921	636,126	(165,816)	357,371
105	DRUG INVESTIGATION FUND	8,185	164	-	-	8,349
106	DRUG INVESTIGATION FUND	19,794	28	524	-	19,299
107	HOTEL-MOTEL FUND	218,332	378,871	278,964	2,698	320,938
108	PUBLIC ART CAPITAL PROJECTS	68,404	10,100	-	-	78,505
109	PARK DEVELOPMENT FUND	2,155,683	3,168,167	1,711,309	(963,768)	2,648,773
110	CIVIC CENTER DEBT RESERVE	1,302,977	68,882	-	-	1,371,859
111	STRATEGIC RESERVE FUND	538,033	20,777	-	-	558,810
112	EQUIPMENT RESERVE FUND	200,613	10,290	-	-	210,904
113	CONTRIBUTIONS/DONATIONS	0	4,974	4,975	-	-
208	LTGO BOND REDEMPTION	18,644	1,092,949	1,053,573	-	58,020
211	UTGO BOND REDEMPTION	157,762	262,111	266,660	-	153,213
301	PROPERTY ACQUISITION FUND	322,339	597,517	146,300	-	773,557
305	GENERAL GOVT CAPITAL IMPR	260,816	597,024	146,300	-	711,539
309	IMPACT FEE TRUST	869,794	478,327	-	19,780	1,367,900
310	HOSPITAL BENEFIT ZONE	2,604,175	2,090,601	1,733,000	-	2,961,775
401	WATER OPERATING	773,856	1,755,719	1,311,932	(63,871)	1,153,772
402	SEWER OPERATING	1,255,523	4,253,897	3,884,969	(115,363)	1,509,088
403	SHORECREST RESERVE FUND	90,854	43,503	2,162	26	132,222
407	UTILITY RESERVE	1,380,437	11,560	282	(22)	1,391,693
408	UTILITY BOND REDEMPTION	2,595	4,872,533	4,873,899	-	1,228
410	SEWER CAPITAL CONSTRUCTION	6,340,966	5,346,702	4,327,418	204,504	7,564,753
411	STORM SEWER OPERATING FUND	783,779	880,045	635,730	(48,606)	979,487
412	STORM SEWER CAPITAL	113,803	408,984	128,990	(18,640)	375,157
420	WATER CAPITAL ASSETS	1,575,800	1,099,630	938,886	(20,240)	1,716,303
605	LIGHTHOUSE MAINTENANCE TRUST	1,192	0	0	(1,192)	-
631	MUNICIPAL COURT	-	143,182	130,598	(12,585)	-
		\$ 24,215,889	\$ 42,573,079	\$ 34,943,600	\$ (1,455,775)	\$ 30,389,593

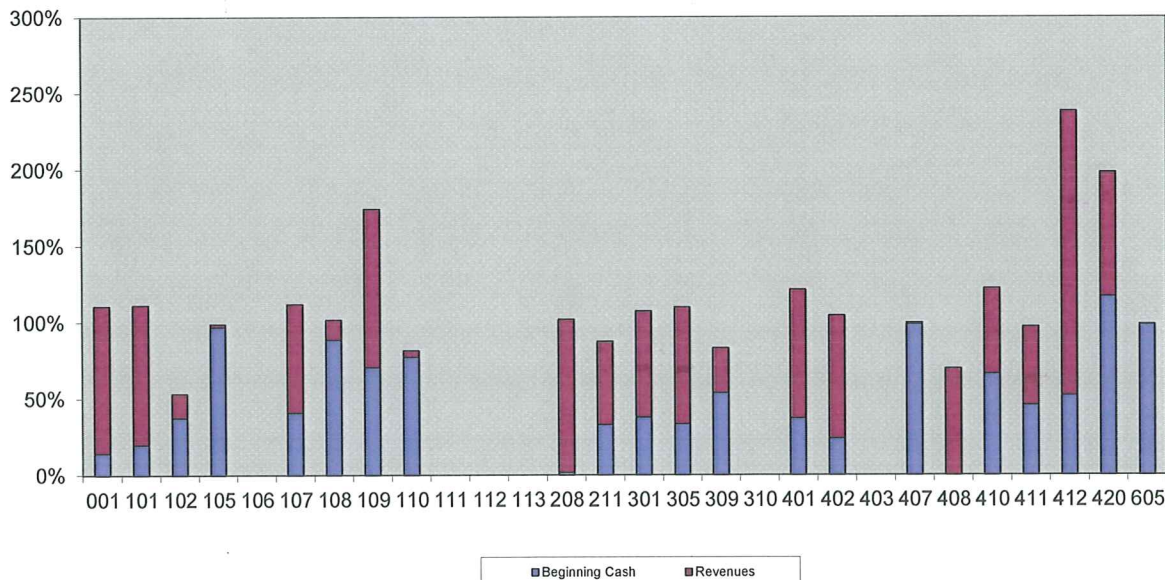
COMPOSITION OF CASH AND INVESTMENTS
AS OF DECEMBER 31, 2015

	MATURITY	RATE	BALANCE
CASH ON HAND			300
CASH IN BANK			409,988
INVESTMENTS/US BANK	July 2017	0.1250%	999,306
LOCAL GOVERNMENT INVESTMENT POOL (Net Earnings Rate)		0.1680%	28,979,999
			\$ 30,389,593

**CITY OF GIG HARBOR
YEAR-TO-DATE RESOURCE SUMMARY
AND COMPARISON TO BUDGET
AS OF DECEMBER 31, 2015**

DESCRIPTION	ESTIMATED RESOURCES	ACTUAL Y-T-D RESOURCES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
GENERAL GOVERNMENT	\$ 13,184,813	\$ 14,562,971	\$ (1,378,158)	110%
STREET FUND	2,164,485	2,405,789	(241,304)	111%
STREET CAPITAL FUND	2,182,121	1,159,314	1,022,807	53%
DRUG INVESTIGATION FUND	8,446	8,349	97	99%
DRUG INVESTIGATION FUND	18,574	19,823	(1,249)	107%
HOTEL-MOTEL FUND	533,798	597,203	(63,405)	112%
PUBLIC ART CAPITAL PROJECTS	77,327	78,505	(1,178)	102%
PARK DEVELOPMENT FUND	3,054,905	5,323,851	(2,268,946)	174%
CIVIC CENTER DEBT RESERVE	1,687,064	1,371,859	315,205	81%
STRATEGIC RESERVE FUND	557,988	558,810	(822)	100%
EQUIPMENT RESERVE FUND	210,942	210,904	38	100%
DONATIONS/CONTRIBUTIONS	-	4,975	(4,975)	
LTGO BOND REDEMPTION	1,093,308	1,111,593	(18,285)	102%
UTGO BOND REDEMPTION	481,119	419,873	61,246	87%
PROPERTY ACQUISITION FUND	858,042	919,857	(61,815)	107%
GENERAL GOVT CAPITAL IMPR	782,743	857,839	(75,096)	110%
IMPACT FEE TRUST	1,626,311	1,348,120	278,191	83%
HOSPITAL BENEFIT ZONE	5,273,797	4,694,775	579,022	89%
WATER OPERATING	2,086,812	2,529,575	(442,763)	121%
SEWER OPERATING	5,287,204	5,509,420	(222,216)	104%
SHORECREST RESERVE FUND	91,373	134,357	(42,984)	147%
UTILITY RESERVE	1,401,215	1,391,997	9,218	99%
UTILITY BOND REDEMPTION	7,022,409	4,875,127	2,147,282	69%
SEWER CAPITAL CONSTRUCTION	9,575,053	11,687,667	(2,112,614)	122%
STORM SEWER OPERATING FUND	1,717,317	1,663,823	53,494	97%
STORM SEWER CAPITAL	219,376	522,787	(303,411)	238%
WATER CAPITAL ASSETS	1,350,263	2,675,430	(1,325,167)	198%
LIGHTHOUSE MAINTENANCE TRUST	1,214	1,192	22	98%
MUNICIPAL COURT	-	143,182	(143,182)	
	\$ 62,548,019	\$ 66,788,969	\$ (4,240,950)	107%

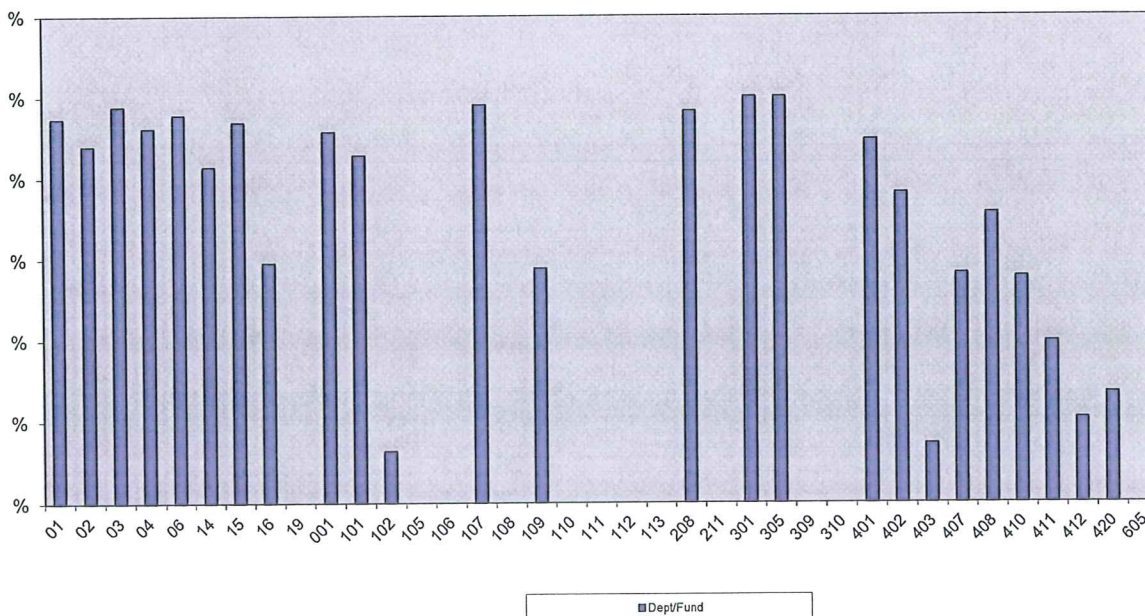
Resources as a Percentage of Annual Budget



CITY OF GIG HARBOR
YEAR-TO-DATE EXPENDITURE SUMMARY
AND COMPARISON TO BUDGET
AS OF DECEMBER 31, 2015

DESCRIPTION	ESTIMATED EXPENDITURES	ACTUAL Y-T-D EXPENDITURES	BALANCE OF ESTIMATE	PERCENTAGE (ACTUAL/EST.)
GENERAL GOVERNMENT				
NON-DEPARTMENTAL	\$ 3,333,572	\$ 3,157,346	\$ 176,226	95%
LEGISLATIVE	66,638	58,566	8,072	88%
MUNICIPAL COURT	416,600	406,785	9,815	98%
ADMINISTRATIVE/FINANCIAL	1,485,250	1,370,958	114,292	92%
POLICE	3,432,784	3,283,319	149,465	96%
COMMUNITY DEVELOPMENT	1,830,225	1,515,694	314,531	83%
PARKS AND RECREATION	917,900	861,081	56,819	94%
BUILDING	470,300	277,943	192,357	59%
ENDING FUND BALANCE	-	-	-	
TOTAL GENERAL FUND	11,953,269	10,931,692	1,021,577	91%
STREET FUND	2,102,089	1,799,310	302,779	86%
STREET CAPITAL FUND	5,031,672	636,126	4,395,546	13%
DRUG INVESTIGATION FUND	3,250	-	3,250	
DRUG INVESTIGATION FUND	-	524	(524)	#N/A
HOTEL-MOTEL FUND	284,500	278,964	5,536	98%
PUBLIC ART CAPITAL PROJECTS	-	-	-	
PARK DEVELOPMENT FUND	2,970,000	1,711,309	1,258,691	58%
CIVIC CENTER DEBT RESERVE	-	-	-	
STRATEGIC RESERVE FUND	284,000	-	284,000	
EQUIPMENT RESERVE FUND	-	-	-	
DONATIONS/CONTRIBUTIONS	-	4,975	(4,975)	
LTGO BOND REDEMPTION	1,091,292	1,053,573	37,719	97%
UTGO BOND REDEMPTION	266,660	266,660	0	
PROPERTY ACQUISITION FUND	146,300	146,300	-	100%
GENERAL GOVT CAPITAL IMPR	146,300	146,300	-	100%
IMPACT FEE TRUST	-	-	-	#N/A
HOSPITAL BENEFIT ZONE	2,382,250	1,733,000	-	
WATER OPERATING	1,465,991	1,311,932	154,059	89%
SEWER OPERATING	5,090,355	3,884,969	1,205,386	76%
SHORECREST RESERVE FUND	15,000	2,162	12,838	14%
UTILITY RESERVE	500	282	218	56%
UTILITY BOND REDEMPTION	6,826,439	4,873,899	1,952,540	71%
SEWER CAPITAL CONSTRUCTION	7,783,745	4,327,418	3,456,327	56%
STORM SEWER OPERATING FUND	1,602,733	635,730	967,003	40%
STORM SEWER CAPITAL	623,250	128,990	494,260	21%
WATER CAPITAL ASSETS	3,485,041	938,886	2,546,155	27%
LIGHTHOUSE MAINTENANCE TRUST	-	0	(0)	
MUNICIPAL COURT	-	130,598	(130,598)	
	\$ 53,554,636	\$ 34,943,600	\$ 17,961,786	65%

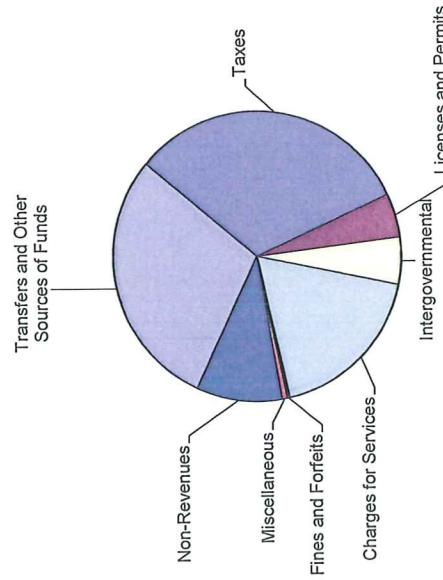
Expenditures as a Percentage of Annual Budget



CITY OF GIG HARBOR
YEAR-TO-DATE REVENUE SUMMARY
BY TYPE
AS OF DECEMBER 31, 2015

TYPE OF REVENUE	AMOUNT
Taxes	13,567,687
Licenses and Permits	2,061,991
Intergovernmental	2,235,481
Charges for Services	7,737,787
Fines and Forfeits	138,036
Miscellaneous	239,765
Non-Revenues	4,075,227
Transfers and Other Sources of Funds	12,375,141
Total Revenues (excludes Court Pass Thru)	42,431,114
Beginning Cash Balance	24,215,889
Total Resources	66,647,004

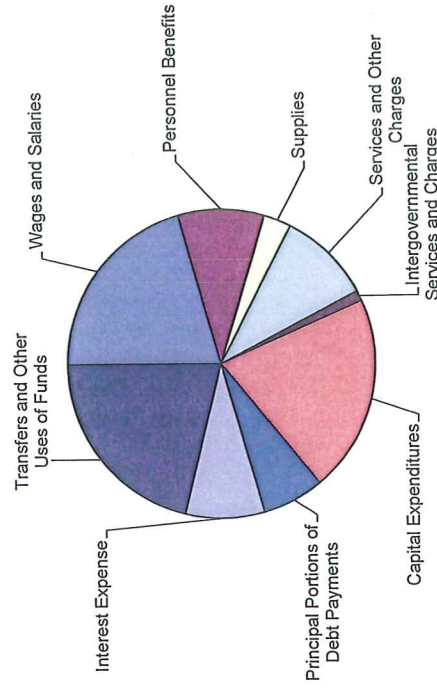
Revenues by Type - All Funds



CITY OF GIG HARBOR
YEAR-TO-DATE EXPENDITURE SUMMARY
BY TYPE
AS OF DECEMBER 31, 2015

TYPE OF EXPENDITURE	AMOUNT
Wages and Salaries	7,167,909
Personnel Benefits	3,172,009
Supplies	989,031
Services and Other Charges	3,402,531
Intergovernmental Services and Charges	379,909
Capital Expenditures	7,200,981
Principal Portions of Debt Payments	2,251,088
Interest Expense	2,904,182
Transfers and Other Uses of Funds	7,345,363
Total Expenditures (excludes Court Pass Thru)	34,813,002
Ending Cash Balance	30,389,593
Total Uses	65,202,596

Expenditures by Type - All Funds



CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF DECEMBER 31, 2015

		SPECIAL REVENUE FUNDS										
		101	102	105	106	107	108	109	110	111	112	
		STREET	STREET CAPITAL	DRUG INVESTIGTN	DRUG INVESTIGTN	HOTEL - MOTEL	PUBLIC ART PROJECTS	PARK DVLP FUND	CIVIC CTR DEBT RESERVE	STRATEGIC RESERVE	EQUIPMENT RESERVE	
ASSETS												
CASH	\$	6,501	4,985	116	269	4,477	1,095	36,950	19,137	7,795	2,942	
INVESTMENTS		459,532	352,386	8,233	19,029	316,461	77,410	2,611,823	1,352,722	551,015	207,961	
RECEIVABLES		4,056	21,603	-	-	39,765	-	423,645	312,000	-	-	
FIXED ASSETS		-	-	-	-	-	-	-	-	-	-	
OTHER		-	-	-	-	-	-	-	-	-	-	
TOTAL ASSETS		470,088	378,975	8,349	19,299	360,703	78,505	3,072,418	1,683,859	558,810	210,904	
LIABILITIES												
CURRENT		26,107	10,942	-	-	8,025	-	18,405	-	-	-	
LONG TERM		-	-	-	-	-	-	-	-	-	-	
TOTAL LIABILITIES		26,107	10,942	-	-	8,025	-	18,405	-	-	-	
FUND BALANCE:												
BEGINNING OF YEAR		268,684	661,238	8,185	19,794	252,771	68,404	1,597,156	1,614,977	538,033	200,613	
Y-T-D REVENUES		1,974,607	342,921	164	28	378,871	10,100	3,168,167	68,882	20,777	10,290	
Y-T-D EXPENDITURES		(1,799,310)	(636,126)	-	(524)	(278,964)	-	(1,711,309)	-	-	-	
ENDING FUND BALANCE		443,981	368,033	8,349	19,299	352,678	78,505	3,054,014	1,683,859	558,810	210,904	
TOTAL LIAB. & FUND BAL.		470,088	378,975	8,349	19,299	360,703	78,505	3,072,418	1,683,859	558,810	210,904	

CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF DECEMBER 31, 2015

CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF DECEMBER 31, 2015

		SPECIAL REVENUE FUNDS											
		301	305	309	310	605	631	TOTAL	208	211	TOTAL		
		CONTRIBUTION DONATIONS	PROPERTY ACQUISITION	GEN GOVT CAPITAL	IMPACT FEE TRUST	HOSPITAL FEE FUNIC	BENEFIT	HOSPITAL MAINT	MUNICIPAL COURT	SPECIAL REVENUE	LTGO BOND REDEMPTION	UTGO BOND REDEMPTION	TOTAL DEBT SERVICE
ASSETS													
CASH	\$	10,791	9,926	19,082	41,317	-	-	-	-	165,385	809	2,137	2,947
INVESTMENTS	\$	762,766	701,613	1,348,818	2,920,459	-	-	-	-	11,690,227	57,211	151,076	208,287
RECEIVABLES		-	-	-	-	-	-	-	-	801,069	-	2,324	2,324
FIXED ASSETS		-	-	-	-	-	-	-	-	-	-	-	-
OTHER		-	-	-	-	-	-	-	-	-	-	-	-
TOTAL ASSETS		773,557	711,539	1,367,900	2,961,775	-	-	-	-	12,656,661	58,020	155,537	213,558
LIABILITIES													
CURRENT		-	-	39,240	-	-	-	-	-	102,718	-	-	-
LONG TERM		-	-	-	-	-	-	-	-	-	-	-	-
TOTAL LIABILITIES		-	-	39,240	-	-	-	-	-	102,718	-	-	-
FUND BALANCE:													
BEGINNING OF YEAR		(0)	322,339	260,816	850,334	2,604,175	(1,218)	(12,585)	(12,585)	9,253,716	18,644	160,066	178,730
Y-T-D REVENUES		4,974	597,517	597,024	478,327	2,090,601	1,218	143,182	143,182	9,887,653	1,092,949	262,111	1,355,060
Y-T-D EXPENDITURES		(4,974)	(146,300)	(146,300)	-	(1,733,000)	(0)	(130,598)	(130,598)	(6,587,405)	(1,053,573)	(286,660)	(1,320,233)
ENDING FUND BALANCE		0	773,557	711,539	1,328,660	2,961,775	-	-	-	12,553,964	58,020	155,537	213,558
TOTAL LIAB. & FUND BAL.	\$	0	773,557	711,539	1,367,900	2,961,775	-	-	-	12,656,662	58,020	155,537	213,558

CITY OF GIG HARBOR
STATEMENT OF FINANCIAL POSITION
AS OF DECEMBER 31, 2015

	401	402	403	407	408	410	411	412	420	TOTAL
	PROPRIETARY									
	WATER OPERATING	SEWER OPERATING	SHORECREST RESERVE	UTILITY RESERVE	UTILITY BOND REDEMPTION	SEWER CAP. CONST.	STORM SEWEF OPERATING	STORM CAPITAL	WATER CAP. ASSETS	TOTAL PROPRIETARY
ASSETS										
CASH	\$ 16,194	\$ 21,150	\$ 1,844	\$ 5,474	\$ 17	\$ 105,528	\$ 13,664	\$ 5,233	\$ 23,942	\$ 193,047
INVESTMENTS	1,137,579	1,487,937	130,377	1,386,219	1,211	7,459,226	965,823	369,923	1,692,361	14,630,656
RECEIVABLES	180,183	623,361	2,534	5,823	49,005	-	213,529	-	-	1,074,435
FIXED ASSETS	8,555,666	33,116,779	-	-	-	2,876,434	2,674,353	279,843	2,029,338	49,532,412
OTHER	-	-	-	-	-	-	-	-	-	-
TOTAL ASSETS	\$ 9,889,621	\$ 35,249,228	\$ 134,756	\$ 1,397,516	\$ 50,233	\$ 10,441,187	\$ 3,867,368	\$ 655,000	\$ 3,745,641	\$ 65,430,549
LIABILITIES										
CURRENT	10,601	23,270	-	-	1,456,788	559,264	9,272	-	16,897	2,076,092
LONG TERM	62,015	99,408	-	-	19,648,198	-	59,706	-	-	19,869,327
TOTAL LIABILITIES	72,616	122,678	-	-	21,104,986	559,264	68,978	-	16,897	21,945,419
FUND BALANCE:										
BEGINNING OF YEAR	9,373,218	34,757,621	93,414	1,386,238	(21,053,387)	8,862,639	3,554,076	375,006	3,568,000	40,916,826
Y-T-D REVENUES	1,755,719	4,253,897	43,503	11,560	4,872,533	5,346,702	880,045	408,984	1,099,630	18,672,573
Y-T-D EXPENDITURES	(1,311,932)	(3,884,969)	(2,162)	(282)	(4,873,899)	(4,327,418)	(635,730)	(128,990)	(938,886)	(16,104,269)
ENDING FUND BALANCE	9,817,005	35,126,549	134,756	1,397,516	(21,054,754)	9,881,923	3,798,390	655,000	3,728,744	43,485,130
TOTAL LIAB. & FUND BAL.	\$ 9,889,621	\$ 35,249,228	\$ 134,756	\$ 1,397,516	\$ 50,232	\$ 10,441,187	\$ 3,867,368	\$ 655,000	\$ 3,745,641	\$ 65,430,550
										\$ 83,106,128

Minutes Boards and Commissions Candidate Review

January 19, 2016 4:00 p.m. Exec. Conference Room

Call to Order:

Councilmember Lovrovich
Councilmember Kadzik
Shawna Wise

New Business:

1. Interview Candidates for Lodging Tax Advisory Commission

Jannae Mitton – Ms. Mitton shared that she feels the LTAC meetings are informative and she would be interested in seeing a balance sheet of expenditures. She explained that business was great before, during and after the U.S. Open and is looking forward to more opportunities to have year-round tourists stay at the Maritime Inn.

Thomas Drohan – Mr. Drohan explained he likes being on the LTAC as it is a cohesive group from all areas of business. He shared that his business is expanding to include longer tours and is hopeful that this will result in overnight stays in Gig Harbor.

After the interviews, Councilmembers discussed the applicants and the following motion was made:

MOTION: Move to re-appoint Thomas Drohan and Jannae Mitton to the Lodging Tax Advisory Commission.

Kadzik / Lovrovich – two votes yes.

Adjourn 4:35 pm

MINUTES
GIG HARBOR CITY COUNCIL WORKSTUDY SESSION
January 11, 2016 – Council Chambers

CALL TO ORDER:

1. [Impacts of Growth – City Revenue Sources.](#)  

City Administrator Ron Williams gave a brief introduction to this session. Finance Director David Rodenbach presented the information on General Revenue Sources:

Current Revenue Sources

- Sales Tax:
 - Retail
 - Parks Sales & Use Tax
 - Criminal Justice Sales Tax
- Property Tax
- Utility Business and Occupation Taxes
- Gambling Tax
- Real Estate Excise Tax (REET)
- License, Permits, and Fees
 - Franchise Fees
 - Business License
 - Building Permit Fees
- State-Shared Revenues
 - Liquor Receipts
 - Motor Vehicle Fuel Excise Tax
- Charges for Services
 - Planning & Development Fees
 - Fines & Forfeitures

Potential Revenue Enhancements

- Property Tax
- Excess Levy
- Utility Business and Occupation Taxes
- Admission Tax
- Transportation Benefit District
- Business and Occupation Tax

Director Rodenbach addressed questions and comments. Mayor Guernsey as that staff bring back more information on refuse taxes and fees.

Councilmember Ekberg asked for more information on Transportation Benefit Districts.

There were no further comments and the meeting adjourned.

[ADJOURN: The workstudy session adjourned at 6:24 p.m.](#)



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

Subject: Wastewater Treatment Plant and Collection System On-Call Engineering Services – Professional Services Contract

Proposed Council Action: Approve and authorize the Mayor to execute the Professional Services Contract with Advanced Industrial Automation Corporation, in an amount not exceed Thirty-Nine Thousand, Nine Hundred Ninety-Eight Dollars and Ninety Cents (\$39,998.90).

Dept. Origin: Public Works/Wastewater Treatment Plant

Prepared by: Darrell Winans *DW*
Supervisor

For Agenda of: January 25, 2016

Exhibits: Consultant Services Contract Scope and Fee

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Public Works Director:

Approved by City Engineer:

Initial &
Date

BJ 1-14-16
RW 1/14/16
ok'd by email 1-13-16
DR 1/14/16
DD 1/14/16

Expenditure Required	\$39,998.90	Amount Budgeted	\$60,000.00	Appropriation Required	\$0
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INFORMATION/BACKGROUND

Supervisory control and data acquisition (SCADA) improvements and upgrades have been occurring and will continue to occur at the City's Wastewater Treatment Plant and Collection System. These services have been successfully completed by Advanced Industrial Automation (AIA). This contract provides for their continued assistance within the next year.

FISCAL CONSIDERATIONS

This work will be funded under the professional services account in the 2015/2016 wastewater operating fund.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION/MOTION

Approve and authorize the Mayor to execute the Professional Services Contract with Advanced Industrial Automation Corporation, in an amount not exceed Thirty-Nine Thousand, Nine Hundred Ninety-Eight Dollars and Ninety Cents (\$39,998.90).

**PROFESSIONAL SERVICES CONTRACT
BETWEEN THE CITY OF GIG HARBOR AND
ADVANCED INDUSTRIAL AUTOMATION CORPORATON**

THIS AGREEMENT is made by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and Advanced Industrial Automation Corporation, a corporation organized under the laws of the State of Washington (the "Consultant").

RECITALS

WHEREAS, the City is presently engaged in On-Call Engineering Services at the Wastewater Treatment Plant and desires that the Consultant perform services necessary to provide the following consultation services; and

WHEREAS, the Consultant agrees to perform the services more specifically described in the Scope of Work including any addenda thereto as of the effective date of this Agreement, all of which are attached hereto as **Exhibit A – Scope of Work**, and are incorporated by this reference as if fully set forth herein;

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

TERMS

1. Retention of Consultant - Scope of Work. The City hereby retains the Consultant to provide professional services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as **Exhibit A** and incorporated herein by this reference as if set forth in full. The Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. Payment.

A. The City shall pay the Consultant an amount based on time and materials, not to exceed Thirty-Nine Thousand, Nine Hundred, Ninety-Eight and Ninety Cents (39,998.90) for the services described in Section 1 herein. This is the maximum amount to be paid under this Agreement for the work described in **Exhibit A**, and shall not be exceeded without the prior written authorization of the City in the form of a negotiated and executed supplemental agreement. The Consultant's staff and billing rates shall be as described in **Exhibit B – Schedule of Rates and Estimated Hours**. The Consultant shall not bill for Consultant's staff not identified or listed in **Exhibit B** or bill at rates in excess of the hourly rates shown in **Exhibit B**, unless the parties agree to a modification of this Contract, pursuant to Section 17 herein.

B. The Consultant shall submit monthly invoices to the City after such services have been performed, and a final bill upon completion of all the services described in this Agreement. The City shall pay the full amount of an invoice within forty-five (45) days of receipt. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

3. **Duration of Work.** The City and the Consultant agree that work will begin on the tasks described in **Exhibit A** immediately upon execution of this Agreement. The parties agree that the work described in **Exhibit A** shall be completed by March 1, 2017; provided however, that additional time shall be granted by the City for excusable days or extra work.

4. **Termination.** The City reserves the right to terminate this Agreement at any time upon ten (10) days written notice to the Consultant. Any such notice shall be given to the address specified above. In the event that this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for all services performed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the notice to terminate. In the event that services of the Consultant are terminated by the City for fault on part of the Consultant, the amount to be paid shall be determined by the City with consideration given to the actual cost incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which would satisfactorily complete it to date of termination, whether that work is in a form or type which is usable to the City at the time of termination, the cost of the City of employing another firm to complete the work required, and the time which may be required to do so.

5. **Non-Discrimination.** The Consultant agrees not to discriminate against any customer, employee or applicant for employment, subcontractor, supplier or materialman, because of race, color, creed, religion, national origin, marital status, sex, sexual orientation, age or handicap, except for a bona fide occupational qualification. The Consultant understands that if it violates this provision, this Agreement may be terminated by the City and that the Consultant may be barred from performing any services for the City now or in the future.

6. **Independent Status of Consultant.** The parties to this Agreement, in the performance of it, will be acting in their individual capacities and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be considered or construed to be the employees or agents of the other party for any purpose whatsoever.

7. **Indemnification.**

A. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers, harmless from any and all claims, injuries, damages, losses or

suits including attorneys fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

B. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees or volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Insurance.

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

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

1. Business auto coverage for any auto no less than a \$1,000,000 each accident limit, and
2. Commercial General Liability insurance no less than \$1,000,000 per occurrence with a \$2,000,000 aggregate. Coverage shall include, but is not limited to, contractual liability, products and completed operations, property damage, and employers liability, and
3. Professional Liability insurance with no less than \$1,000,000 per occurrence. All policies and coverages shall be on an occurrence basis by an 'A' rated company licensed to conduct business in the State of Washington.

C. The Consultant is responsible for the payment of any deductible or self-insured retention that is required by any of the Consultant's insurance. If the City is required to contribute to the deductible under any of the Consultant's insurance policies, the Contractor shall reimburse the City the full amount of the deductible within 10 working days of the City's deductible payment.

D. The City of Gig Harbor shall be named as an additional insured on the Consultant's commercial general liability policy. This additional insured endorsement shall be included with evidence of insurance in the form of a Certificate of Insurance for

coverage necessary in Section B. The City reserves the right to receive a certified and complete copy of all of the Consultant's insurance policies upon request.

E. Under this Agreement, the Consultant's insurance shall be considered primary in the event of a loss, damage or suit. The City's own comprehensive general liability policy will be considered excess coverage with respect to defense and indemnity of the City only and no other party. Additionally, the Consultant's commercial general liability policy must provide cross-liability coverage as could be achieved under a standard ISO separation of insured's clause.

F. The Consultant shall request from his insurer a modification of the ACORD certificate to include language that prior written notification will be given to the City of Gig Harbor at least 30 days in advance of any cancellation, suspension or material change in the Consultant's coverage.

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

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

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

12. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and subconsultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the

Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

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

14. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding, or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the City Engineer or Director of Operations and the City shall determine the term or provision's true intent or meaning. The City Engineer or Director of Operations shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the City Engineer or Director of Operations determination in a reasonable time, or if the Consultant does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney's fees, in addition to any other award.

15. Written Notice. All notices required to be given by either party to the other under this Agreement shall be in writing and shall be given in person or by mail to the addresses set forth below. Notice by mail shall be deemed given as of the date the same is deposited in the United States mail, postage prepaid, addressed as provided in this paragraph.

CONSULTANT:	City of Gig Harbor
Advanced Industrial Automation Corporation	ATTN: Darrell Winans, Supervisor
ATTN: Jon Mathison, P.E.	Wastewater Treatment Plant
5227 Ballard Ave. NE, Ste. 8	3510 Grandview Street
Seattle, WA 98107-4809	Gig Harbor, WA 98335
(425) 836-3386 FAX (425) 642-8282	(253) 851-6170

16. Subcontracting or Assignment. The Consultant may not assign or subcontract any portion of the services to be provided under this Agreement without the express written consent of the City. If applicable, any subconsultants approved by the City at the outset of this Agreement are named on **Exhibit C** attached hereto and incorporated herein by this reference as if set forth in full.

17. Entire Agreement. This Agreement represents the entire integrated agreement between the City and the Consultant, superseding all prior negotiations, representations or agreements, written or oral. This Agreement may be modified, amended, or added to, only by written instrument properly signed by both parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement this _____ day of _____, 20____.

CONSULTANT

CITY OF GIG HARBOR

By: _____
Its: _____

By: _____
Mayor Jill Guernsey

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

City of Gig Harbor – 2016 Professional Services Exhibit A – Scope of Work

Background: City of Gig Harbor On-call Engineering Services

Communication, instrumentation, control, and low voltage electrical is critical to the Gig Harbor waste water collection and treatment systems. The existing SCADA (Supervisory Control and Data Acquisition) System and Allen Bradley controllers need to be supported 24/7. Proposed Consultant has extensive experience with SCADA system, instrumentation, communications, and Allen Bradley PLCs. Using the Consultant for this task will be a cost effective solution in supporting city operations.

Task 1 – Provide engineering support services for Gig Harbor communications, instrumentation, control, and low voltage systems. AIA will provide on-site and telephone engineering support and maintenance recommendations for the City of Gig Harbor SCADA System. This task will include the following:

- On-site maintenance and engineering support for the industrial computer system equipment. This includes the PLC, workstations, monitors, bulk storage devices, instrumentation, telemetry, communication devices, and peripheral equipment as directed by city staff.
- Field change orders and/or updates recommended by the manufacturer and approved by city staff shall be installed.
- Upgrades, modifications, and enhancements per direction of city staff.
- Operator training as needed.

Task 2 – Provide design and construction support engineering services for the City of Gig Harbor communications, instrumentation, control, and low voltage systems. AIA will provide engineering support and recommendations for the City of Gig Harbor systems. This task will include the following:

- Engineering report(s) detailing system issues or enhancements as requested by city staff.
- Plans and specifications to update and upgrade systems in a manner consistent with city requirements.
- Construction Support Services as necessary to include submittal review, respond to RFIs, review of work performed by Contractor or others to ensure it meets the requirements of the electrical and controls system.

Key Assumptions:

- City staff to request Task 1 or Task 2 work on an as-needed basis.

EXHIBIT B

Advanced Industrial Automation Corp

5227 Ballard Ave NW, Suite 8
Seattle, WA 98107

Estimate

Date	Estimate #
1/7/2016	252

Name / Address
Darrell Winans - City of Gig Harbor Waste Water Treatment Plant Supervisor Public Works Department 3510 Grandview Street Gig Harbor, WA 98335

Project			
2016 Prof Services			
Description	Qty	Cost	Total
Integration Coordination	50	135.00	6,750.00
Integration PLC Programming	40	130.00	5,200.00
Integration HMI Configuration	120	125.00	15,000.00
Integration PLC Programming	50	125.00	6,250.00
Electrical Eng. Design	60	95.00	5,700.00
Mileage allowance per IRS standard rate.	2,035	0.54	1,098.90
		Total	\$39,998.90
It's been a pleasure working with you!			

Phone #	Fax #	E-mail	Web Site
206-789-1373		marcia@advancedia.com	www.advancedia.com



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

Subject: Resolution No. 1024 - Closed Record Decision – Holly Circle Final Plat (PL-FPLAT-15-0006)

Proposed Council Action: Adopt resolution No. 1024 approving the final plat of The Village at Holly Circle

Dept. Origin: Planning Department

Prepared by: Carl de Simas, Associate Planner

For Agenda of: January 25, 2016

Exhibits: Resolution
Planning Director's Recommendation
Final Plat Map

	Initial & Date
Concurred by Mayor:	<i>JH 1/19/16</i>
Approved by City Administrator:	<i>Ron W 1/19/16</i>
Approved as to form by City Atty:	<i>By Eric 1/14/16</i>
Approved by Finance Director:	<i>N/A</i>
Approved by Department Head:	<i>JF 1/17/16</i>

Expenditure		Amount		Appropriation	
Required	0	Budgeted	0	Required	0

INFORMATION / BACKGROUND

Attached for your consideration is a resolution approving the final plat for The Village at Holly Circle, located on the northwest corner at the intersection of Hollycroft Street and Reid Drive NW. The final plat addresses the segregation of the site into 10 single-family lots, as well as the associated infrastructure and amenities required to serve the homes. The property is zoned Multi-family Residential (R-3) and single-family residences within this zoning district require a conditional use permit.

The applicant, HDC Holly Circle, LLC, received preliminary plat and conditional use permit approval from the City Hearing Examiner on June 17, 2014.

POLICY CONSIDERATIONS

Staff has reviewed the criteria for approval of the final plat, as specified in GHMC Chapter 16.06 and has determined that the applicant has met the criteria for the approval of the final plat. Please refer to the attached Planning Director's Recommendation for staff's review of the proposal.

ENVIRONMENTAL ANALYSIS

The City issued a Determination of Non-Significance (DNS) for the preliminary plat on April 30, 2014.

FISCAL CONSIDERATION

The proposal does not include any significant fiscal impacts.

PLANNING DIRECTOR RECOMMENDATION

Move to adopt resolution No. 1024 approving the final plat of The Village at Holly Circle.

RESOLUTION NO. 1024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING THE FINAL PLAT FOR THE VILLAGE AT HOLLY CIRCLE, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF HOLLYCROFT STREET AND REID DRIVE NW, AND CITY OF GIG HARBOR FILE NO. PL-FPLAT-15-0006.

WHEREAS, on June 17, 2014, the City of Gig Harbor Hearing Examiner conditionally granted preliminary plat and conditional use approval for the 10 lot subdivision of land, located on the northwest corner of the intersection of Hollycroft Street and Reid Drive NW, for the purpose of single-family dwelling units; Pierce County Assessor-Treasurer Parcel Number 7580000516; and

WHEREAS, in November of 2014, the applicant began work to install required utilities and construct roads on the property; and

WHEREAS, the applicant has completed the civil construction of the plat; and

WHEREAS, the street name within the plat was approved by the City on July 13, 2015; and

WHEREAS, an application for final plat approval was submitted to the City on September 9, 2015; and

WHEREAS, the application submitted for final plat approval was deemed to be complete on September 9, 2015; and

WHEREAS, the proposed final plat application materials were circulated to the appropriate departments of the City for review; and

WHEREAS, the City requested revisions on October 27, 2015 to the final plat drawing; and

WHEREAS, the applicant submitted the requested revisions on December 1, 2015; and

WHEREAS, the City requested revisions to the final plat drawing on December 30, 2015; and

WHEREAS, the applicant submitted the requested revisions on January 4, 2016 and January 7, 2016; and

WHEREAS, the final drawings of the proposed final plat and requested documents were circulated to the appropriate departments of the City and recommendations for approval were obtained; and

WHEREAS, the proposed plat certificate has been reviewed by the City Attorney and all certificates of completion as required by GHMC Section 16.06.001 have been received; and

WHEREAS, the City Council reviewed the application for the final plat at its regular meeting of January 25, 2016; Now, Therefore,

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

Section 1. Findings

A. The City Council hereby finds that, pursuant to Gig Harbor Municipal Code 16.06.005, The Village at Holly Circle Final Plat, subject to the conditions imposed in Section 2:

1. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval; and
2. Conforms to all terms of the preliminary plat approval; and
3. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, Title 16 GHMC, and all applicable ordinances which were in effect at the time of preliminary plat approval.

Section 2. Approval; Conditions

The City Council hereby approves The Village at Holly Circle Final Plat, File No. PL-FPLAT-15-0006, subject to the following conditions:

1. The Declaration of Protective Covenants, Conditions, Easements and Restrictions for The Village at Holly Circle shall be recorded with the County Auditor prior to the recording of the final plat.

Section 3. The City Council directs the Mayor and all other appropriate City officials to inscribe and execute the City's written approval on the face of the plat.

Section 4. The City shall record the final plat with the County Auditor, at the expense of the applicant, after all inspections and approvals, and after all fees, charges and assessments due the City resulting from the subdivision development have been paid in full.

RESOLVED this 25th day of January, 2016.

APPROVED:

JILL GUERNSEY, MAYOR

ATTEST/AUTHENTICATED:

MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY

BY: _____
Angela G. Summerfield

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
RESOLUTION NO. 1024



TO: Mayor Guernsey and City Council
FROM: Jennifer Kester, Planning Director
SUBJECT: Closed Record Decision-Final Plat Approval-The Village at Holly Circle
DATE: January 25, 2015

INFORMATION/BACKGROUND:

The applicant, HDC Holly Circle, LLC, has requested final plat approval for The Village at Holly Circle to allow the segregation of 10 single family residential lots on a vacant, 2.15 acre parcel. The site is located on the northwest corner at the intersection of Hollycroft Street and Reid Drive NW. The lots will be approximately 7,000 square feet on average. The proposal includes the construction of one road, to be dedicated as public right-of-way, and associated stormwater infrastructure. The City of Gig Harbor will provide both sewer and water to the subdivision. The property is zoned Multi-family Residential (R-3) and single-family residences with this zoning district is a conditional use.

The preliminary plat and conditional use was approved by the City on June 17, 2014 to allow the segregation of the 2.15 acre site into 10 single family lots subject to the hearing examiner's decision and imposed conditions of approval found therein. The site is located within the Historic Names Area and required City Council approval for the name requested. On July 13, 2015, the City Council approved Makovich Place for the proposed public roadway.

The following is an analysis of the request for consistency with the city's requirements for final plat approval and with the conditions of approval imposed upon the project.

POLICY CONSIDERATIONS: Final Plat

Staff has reviewed the request for consistency with the criteria for approval of the final plat as specified in Gig Harbor Municipal Code (GHMC) Chapter 16.06, and has determined that the applicant has met the criteria for approval of the final plat as follows:

GHMC 16.06.004-Recommendation as prerequisites for final plat approval:

Each preliminary plat submitted for final approval shall be accompanied by the following recommendations:

- A. Local health department or other agency furnishing sewage disposal and supplying water as to the adequacy of the proposed means of sewage disposal and water supply;

The City of Gig Harbor is furnishing sewage disposal and water to the site.

- B. Planning director's recommendation as to compliance with all of the terms of preliminary plat approval of the proposed plat or subdivision;

The applicant has complied with all terms of the preliminary plat approval, as discussed below.

- C. Approval of the city engineer.

The City Engineer recommends approval of the final plat as the applicant has completed all required civil infrastructure improvements.

GHMC 16.06.005-Criteria for approval of subdivisions:

A final plat application shall be approved if the subdivision proposed for approval:

- A. Meets all general requirements for plat approval as set forth in Chapter 16.08 GHMC, General Requirements for Subdivision Approval;

The Village at Holly Circle has met the requirements of the municipal code. The proposed subdivision conforms to all applicable zoning ordinances and the comprehensive plan. The applicant has complied with the requirements to dedicate streets, open space and utility and access easements. Construction of required improvements has complied with the city's adopted public works construction standards. In addition the final plat contains the required certificates from the owner, surveyor, and city and county officials.

- B. Conforms to all terms of the preliminary plat approval;

The Hearing Examiner's decision dated June 17, 2014 contained 27 conditions of approval. The proposed final plat of The Village at Holly Circle has conformed to the conditions of the preliminary plat as follows:

HEX Condition 1: The approval of this application vacates the prior site plan and design review approval affecting the site. The application known in the City's database as PL-SPR-07-0002 and PL-DRB-07-0004 is null and void.

Prior site plan and design review approvals, as referenced, have been deemed inactive in the City's permitting database.

HEX Condition 2: The applicant shall submit their proposed road name for the internal private road. Road name shall be approved by City Council prior to the filing of the final plat application with the City.

This plat is inside the City's Historic Names Area. The applicant chose and requested City Council approval for Makovich Place. The City Council approved this street name on July 13, 2015.

HEX Condition 3: The final plat shall note the 25 foot perimeter buffer area as a "buffer area" and that any changes to the buffer shall require approval from the City of Gig Harbor Planning Department.

The 25 foot perimeter buffer area has been called out on the face of the plat and noted in the Plat Notes, Number 1, Sheet 2 of 3 of the Final Plat, and Note 4 of the Easement Provisions of the same.

HEX Condition 4: All landscape and buffer areas shall be maintained by the proposed homeowners association.

This requirement has been adequately noted in the Plat Notes section, Sheet 2 of 3 of the Final Plat.

HEX Condition 5: All construction activities within 10 feet of the drip line of any tree proposed or required to be retained shall be performed in a manner consistent with the recommendations of the arborist report submitted on August 19, 2009 or as revised by the project arborist.

Any additional tree protection will be addressed at the time of building permit review and the referenced arborist report will be utilized to this end.

HEX Condition 6: Tree protection shall be provided for all retained significant vegetation on the site consistent with the barricade requirements contained in GHMC 17.78.050 (E). Final location of the tree protection fencing shall be reviewed and approved by the project arborist prior to submittal for the City. Any conditions relating to tree protection recommended by the arborist shall be implemented in the construction of the development. Tree protection is required to be reviewed and approved by planning staff prior to issuance of the civil plan approval, and further shall be inspected by planning staff prior to the start of work on the site.

This condition was met prior to civil construction on the site and any additional tree protection shall be required, as needed, per the arborist report dated August 19, 2009.

HEX Condition 7: Planning staff shall review perimeter screening with the applicant after clearing, grading and retaining wall construction are completed on the site to determine if additional plantings are needed to meet minimum standards for a dense vegetative screen (GHMC 17.78.060(8)) based on field conditions. Irrigation shall be provided for all required plantings. Plantings shall be installed or bonded for prior to final plat application.

Perimeter screening was inspected and accepted upon completion of plat construction. Irrigation was installed and verified by City staff. No bonding was necessary for landscaping as installation took place prior to submittal of the final plat application.

HEX Condition 8: Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes as a quitclaim deed to the said donee(s) grantee(s) for his/her/their use for the purpose intended by the donor(s) or grantor(s).

This condition is information in nature; the final plat complies with this condition.

HEX Condition 9: Since the plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), religious society(ies) or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.

This dedication language and required notary block are included on the face of the plat, Sheet 1 of 3 of the Final Plat.

HEX Condition 10: Any dedication filed for record shall be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.

A title report has been submitted documenting the property is owned by HDC Holly Circle, LLC.

HEX Condition 11: Provide to the City both a final record drawing and a final record survey of the proposed development, each in both mylar format and digital format. These drawings shall be provided after the City accepts the construction improvements shown on the civil plans but prior to any certificate of occupancy for any single family residences located on the plat. The digital format of the drawings shall be in AutoCAD version 2008 or older and include all improvements in the right of way and all stormwater, water, and sewer utilities. The horizontal datum shall be NAO 1983 HARN State Plane South FIPS 4602 feet, or as otherwise approved by the City. The vertical datum shall be NGVD 29, or as otherwise approved by the City.

Civil as-builts have been submitted and accepted by the City. A copy of the as-builts were provided by the applicant for the final plat file.

HEX Condition 12: Proposed water and sewer utility designs, stormwater facility designs, and roadway designs shall conform to the City's Public Works Standards and Stormwater Design Manual. These Standards also address specific City design requirements such as restoration of the City right-of-way and traffic control.

Compliance with the referenced standards was determined during civil permit approval.

HEX Condition 13: Erosion shall be controlled throughout the construction of the project per the City's Public Works Standards and Stormwater Design Manual.

Erosion control was installed and was maintained during the construction of the plat.

HEX Condition 14: City forces may remove any non-conforming traffic control device constructed within the City right-of-way. Any liability incurred by the City due to non-conformance by the applicant shall be transferred to the applicant.

No traffic control devices were constructed within the City right-of-way without approval of the Gig Harbor Operations and Engineering Division.

HEX Condition 15: A road encroachment permit shall be acquired from the City prior to any construction within City right-of-way, including utility work, improvements to the curb, gutter, and sidewalk, roadway shoulders and ditches, and installation of culverts. All work within the City right-of-way shall conform to the City's Public Works Standards and Stormwater Design Manual.

All right-of-way permits were obtained for site development.

HEX Condition 16: Permanent survey control monuments shall be placed to establish public street centerlines, intersections, angle points, curves, subdivision boundaries and other points of control. A minimum of two permanent survey control monuments shall be installed at locations determined by the City in accordance with the City's Public Works Standards and recorded with the Pierce County Auditor prior to final engineering approval of civil improvements.

Permanent survey control monuments were established in all public street centerlines, intersection, angle points, cures, subdivision boundaries and other points of control. Permanent survey control monuments were installed in accordance with the Gig Harbor Public Works Standards.

HEX Condition 17: Irrigation and maintenance of landscaping within the public right-of-way shall be the responsibility of the property owner(s) or its heirs or assigns.

Proposed landscaping within the right-of-way was accepted by the City prior to installation. This condition is noted in the Plat Notes, Sheet 2 of 3 of the final plat, as it relates to maintenance over time.

HEX Condition 18: This approval does not relieve the Permittee from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Permittee.

Per the applicant, all other local, state, and/or federal approvals were obtained before site construction began. Staff is not aware of any state or federal permits that the applicant failed to obtain.

HEX Condition 19: The final plat map shall note (where quoted) or delineate the following:

Conditions 20 through 25 have been included in the Plat Notes, Sheet 2 of 3 of the Final.

HEX Condition 20: "WARNING: City of Gig Harbor has no responsibility to build, improve, maintain or otherwise service private roadways or driveways within, or providing access to, property described in this plat."

HEX Condition 21: "Increased stormwater runoff from the road(s), building, driveway and parking areas shall not be directed to City infrastructure. Increased storm water runoff shall be retained/detained on site."

HEX Condition 22: "Where seasonal drainage crosses subject property, no disruption of the natural flow shall be permitted."

HEX Condition 23: "Storm water for runoff from buildings shall be shown on individual building lots, including drywell sizing or storm drain connection points."

HEX Condition 24: "This plat is subject to storm water maintenance agreement recorded under Auditor's file number (201503270073)."

HEX Condition 25: "Storm water/Drainage easements are hereby granted for the installation, inspection, and maintenance of utilities and drainage facilities as delineated on this plat map. No encroachment will be placed within the easements shown on the plat that may damage or interfere with the installation, inspection, and maintenance of utilities. Maintenance and expense thereof of the utilities and drainage facilities shall be the responsibility of the property owner(s) or its heirs or assigns, as noted under the stormwater maintenance agreement for the plat."

HEX Condition 26: The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.

This condition is informational in nature and has been duly noted by both City Staff and the applicant.

HEX Condition 27: The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into

compliance.

This condition is informational in nature and has been duly noted by both City Staff and the applicant.

- C. Meets the requirements of Chapter 58.17 RCW, other applicable state laws, this title and any other applicable city ordinances which were in effect at the time of preliminary plat approval.

The proposed final plat meets the requirements of Chapter 58.17 RCW, the requirements of Title 16 and those of other applicable city ordinances.

Public Comment: No public comment was received on the final plat application.

Director's Decision: Jennifer Kester, Planning Director, recommends that the City Council move to adopt the resolution approving the final plat for The Village at Holly Circle.

THE VILLAGE AT HOLLY CIRCLE

SHEET 1 OF 3

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 2 EAST
OF THE WILLAMETTE MERIDIAN, CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED PARKS, OPEN SPACE, WETLANDS, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OF TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS OR TRACT TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHERMORE, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGN, ANY AND ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENTAL AUTHORITY WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF ROADS WITHIN THIS SUBDIVISION.

THIS SUBDIVISION, DEDICATION, AND WAIVER OF CLAIMS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

HDC HOLLY CIRCLE LLC, A WASHINGTON LIMITED LIABILITY COMPANY

BY: DAVID A. HOPKINS
ITS: MANAGER

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
) SS
COUNTY OF)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DAVID A. HOPKINS IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS MANAGER OF HDC HOLLY CIRCLE LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: _____
SIGNATURE: _____
(PRINT NAME) _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
MY APPOINTMENT EXPIRES _____

LEGAL DESCRIPTION

LOT 4, PIERCE COUNTY SHORT PLAT NO. 80-297, ACCORDING TO THE SHORT PLAT RECORDED IN VOLUME 42 OF SHORT PLATS, PAGE 60, RECORDS OF PIERCE COUNTY, STATE OF WASHINGTON,

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

CITY OF GIG HARBOR APPROVALS

MAYORAL APPROVAL:

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

MAYOR, CITY OF GIG HARBOR, WASHINGTON

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL DELINQUENT ASSESSMENTS FOR WHICH THIS PROPERTY MAY HAVE BEEN LIABLE AS OF THE DATE OF CERTIFICATION HAVE BEEN FULLY PAID, SATISFIED OR DISCHARGED.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

CITY CLERK, CITY OF GIG HARBOR, WASHINGTON

CITY PLANNING DIRECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT OF HOLLY CIRCLE IS IN CONFORMANCE WITH THE CITY OF GIG HARBOR COMPREHENSIVE PLAN AND COMPLIES WITH THE CITY'S DEVELOPMENT REGULATIONS UNDER GHMC TITLES 16 AND 17.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

PLANNING DIRECTOR, CITY OF GIG HARBOR, WASHINGTON

CITY ENGINEER'S CERTIFICATE:

THIS SUBDIVISION COMPLIES WITH THE APPLICABLE PROVISIONS OF THE CITY OF GIG HARBOR PUBLIC WORKS CONSTRUCTION STANDARDS.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

CITY ENGINEER, CITY OF GIG HARBOR, WASHINGTON

COUNTY ASSESSOR - TREASURER:

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED.

ASSESSOR - TREASURER, PIERCE COUNTY, WASHINGTON DATE

SHEET 1 OF 3

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____.

AT _____ M IN BOOK _____ OF SURVEYS, AT PAGE

AT THE REQUEST OF WESTSOUND ENGINEERING, INC.

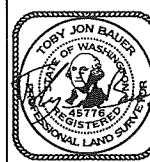
RECORDING NO. _____

BY: _____ BY: _____
DEPUTY COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE BEARINGS AND DISTANCES ARE SHOWN CORRECTLY, THAT THE PERIMETER MONUMENTS HAVE BEEN SET OR BONDED WITH THE CITY OF GIG HARBOR AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND, THAT I HAVE COMPLIED WITH ALL STATE AND COUNTY REGULATIONS GOVERNING PLATTING AND THAT IT CONFORMS TO THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.

Toby Jon Bauer
TOBY JON BAUER, REGISTERED PROFESSIONAL LAND SURVEYOR
CERTIFICATION NUMBER 45776



WSE WestSound Engineering, Inc

217 S.W. Wilkins Drive Port Orchard, Wa. 98366
Phone (360) 876-3770 Fax (360) 876-0439
E-mail: wse@wsengineering.com http://www.wsengineering.com

DATE: Jan. 4, 2016	FIELD BOOK: 16 & 25	DRAWN: TJB
JOB NO: 1281	SCALE: NTS	CHECKED: TJB
INDEX: SE 1/4, NE 1/4, SEC. 17, T 21 N, R 2 E, W.M.		

THE VILLAGE AT HOLLY CIRCLE

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 2 EAST
OF THE WILLAMETTE MERIDIAN, CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON

PLAT NOTES

- PERIMETER BUFFER LANDSCAPING MAY NOT BE MODIFIED WITHOUT THE APPROVAL OF THE CITY OF GIG HARBOR. ALL VEGETATION WITHIN THE PERIMETER BUFFER IS TO BE RETAINED. IRRIGATION, LANDSCAPING AND MAINTENANCE IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
- IRRIGATION AND MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
- WARNING: CITY OF GIG HARBOR HAS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN OR OTHERWISE SERVICE PRIVATE ROADWAYS OR DRIVEWAYS WITHIN, OR PROVIDING ACCESS TO, PROPERTY DESCRIBED IN THIS PLAT.
- INCREASED STORM WATER RUNOFF FROM THE ROADS, BUILDING, DRIVEWAY AND PARKING AREAS SHALL NOT BE DIRECTED TO CITY INFRASTRUCTURE. INCREASED STORM WATER RUNOFF SHALL BE RETAINED / DETAINED ON SITE.
- WHERE SEASONAL DRAINAGE CROSSES SUBJECT PROPERTY, NO DISRUPTION OF THE NATURAL FLOW SHALL BE PERMITTED.
- STORM WATER FOR RUNOFF FROM BUILDINGS SHALL BE RETAINED ON EACH INDIVIDUAL LOT, WITH NO DISCHARGE ALLOWED TO THE RIGHT-OF-WAY, ADJACENT PARCELS OR TO LOT 101 BIOTRETENTION FACILITY TRACT. INDIVIDUAL LOT STORM WATER INFILTRATION SYSTEM DESIGN SHALL BE SUBMITTED WITH EACH INDIVIDUAL BUILDING PERMIT APPLICATION.
- THIS PLAT IS SUBJECT TO STORM WATER MAINTENANCE AGREEMENT RECORDED UNDER AUDITORS FILE NUMBER 201503270073.
- STORM WATER / DRAINAGE EASEMENTS ARE HEREBY GRANTED FOR THE INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES AS DELINEATED ON THIS PLAT MAP. NO ENCROACHMENT WILL BE PLACED WITHIN THE EASEMENTS SHOWN ON THE PLAT THAT MAY DAMAGE OR INTERFERE WITH THE INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES. MAINTENANCE AND EXPENSE THEREOF OF THE UTILITIES AND DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S) OR ITS HEIRS OR ASSIGNS, AS NOTED UNDER THE STORMWATER MAINTENANCE AGREEMENT FOR THE PLAT.
- ALL RUNOFF FROM IMPERVIOUS SURFACES, ROOF DRAINS, AND YARD DRAINS SHALL BE DIRECTED SO AS NOT TO ADVERSELY AFFECT ADJACENT PROPERTIES.
- A LANDSCAPE PLAN SHALL ACCOMPANY EACH INDIVIDUAL LOT AT THE TIME OF BUILDING PERMIT SUBMITTAL TO INCLUDE THAT SIGNAGE SHALL BE PLACED ON EACH LOT STATING "25' VEGETATIVE BUFFER LINE".
- AN ASSOCIATION OF OWNERS SHALL BE FORMED AND CONTINUED FOR THE PURPOSE OF MAINTAINING THE LANDSCAPE AND BUFFER AREAS. THE ASSOCIATION SHALL BE CREATED AS AN ASSOCIATION OF OWNERS UNDER THE LAWS OF THE STATE OF WASHINGTON AND SHALL ADOPT AND PURPOSE ARTICLES OF INCORPORATION OR ASSOCIATION AND BYLAWS AND ADOPT AND IMPROVE A DECLARATION OF COVENANTS AND RESTRICTIONS ON THE LANDSCAPE AND BUFFER AREAS THAT IS ACCEPTABLE TO THE CITY IN PROVIDING FOR THE CONTINUED CARE OF THE SPACE. NO LANDSCAPE AND BUFFER AREAS MAY BE PUT TO A USE NOT SPECIFIED IN THE FINAL DEVELOPMENT PLAN UNLESS THE FINAL DEVELOPMENT PLAN IS FIRST AMENDED TO PERMIT THE USE. NO CHANGE OF USE MAY BE CONSIDERED AS A WAIVER OF ANY OF THE COVENANTS LIMITING THE USE OF THE LANDSCAPE AND BUFFER AREAS AREA AND ALL RIGHTS TO ENFORCE THESE COVENANTS AGAINST ANY USE ARE EXPRESSLY RESERVED TO THE CITY AS WELL AS THE OWNERS.
- THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR "THE VILLAGE AT HOLLY CIRCLE" AS RECORDED UNDER AFN _____

EASEMENT PROVISIONS

- ALL LOTS AND TRACTS:
AN EASEMENT IS HEREBY RESERVED FOR AND CONVEYED TO ANY POWER COMPANY, ANY GAS COMPANY, ANY TELEPHONE COMPANY, ANY TELEVISION CABLE COMPANY, ANY WATER COMPANY, ANY CITY, PIERCE COUNTY, ANY OTHER PUBLIC OR PRIVATE UNDERGROUND UTILITY SERVICE (INCLUDING BUT NOT LIMITED TO PRIVATE ROOF DRAIN CONNECTIONS) AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE PRIVATE STREET(S), IF ANY, AND EXTERIOR FIVE (5) FEET OF ALL LOTS AND TRACTS WITHIN THE PLAT LYING PARALLEL WITH AND ADJOINING ALL STREET(S) IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES AND WIRES WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THEREFOR FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH SANITARY SEWER, STORM DRAINAGE, ELECTRIC, GAS, TELEPHONE, WATER AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE STREETS, LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

ALL PERMANENT UTILITY SERVICES SHALL BE PROVIDED BY UNDERGROUND SERVICE EXCLUSIVELY.

AFTER COMPLETION OF ANY ALLOWED ACTIVITY WITH THE ABOVE MENTIONED EASEMENT, THE GROUND SURFACE WILL BE RESTORED TO THE CONDITION WHICH EXISTED BEFORE THE ALLOWED ACTIVITY TOOK PLACE.
- LOT 1:
A 15 FOOT WIDE EASEMENT ACROSS THE SOUTHWEST CORNER OF LOT 1 AS SHOWN HEREON FOR THE PURPOSE OF INSTALLATION, INSPECTION, MAINTENANCE, IMPROVEMENT AND REPAIR OF SANITARY SEWER LINE IS HEREBY RESERVED AND GRANTED TO THE CITY OF GIG HARBOR.
- LOT 1:
A SANITARY SEWER AND STORM EASEMENT AREA AS SHOWN HEREON ACROSS THE SOUTHEAST CORNER OF LOT 1 FOR THE PURPOSE OF INSTALLATION, INSPECTION, MAINTENANCE, IMPROVEMENT AND REPAIR OF LIFT STATION #7, ASSOCIATED APPURTENANCES, AND STORM PIPES IS HEREBY RESERVED AND GRANTED TO THE CITY OF GIG HARBOR.
- ALL LOTS AND TRACTS:
PERIMETER BUFFER AND EASEMENT AREAS SHOWN HEREON INCLUDE REQUIRED LANDSCAPING INTENDED TO SCREEN AND SEPARATE THE DEVELOPMENT FROM ADJACENT USES PURSUANT TO GHMC 17.76.0608. ALL PERIMETER BUFFER AND EASEMENT AREAS AREA HEREBY RESERVED AND GRANTED TO THE HOME OWNERS ASSOCIATION.

TRACT NOTES

TRACT 101 - PRIVATE BIOTRETENTION FACILITY TRACT. ALL LOT OWNERS WILL HAVE A 1/10TH UNDIVIDED INTEREST IN SAID TRACT. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF IMPROVEMENTS CONTAINED THEREIN. ALL LOTS IN THE PLAT OF THE VILLAGE AT HOLLY CIRCLE AND IN ANY FUTURE PHASES WILL HAVE AN EQUAL AND UNDIVIDED INTEREST IN TRACT 101.

TITLE REPORT EXCEPTIONS

(PER STEWART TITLE GUARANTY COMPANY ORDER NUMBER 01148-1688, FIFTH REPORT, DATED NOVEMBER 20, 2015)

- EXCEPTION NUMBER
- 1 THROUGH 14 NOT A SURVEY MATTER
 - 15 EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR PURPOSE OF VIEW EASEMENT RECORDED OCTOBER 3, 2003 UNDER AFN 200310031682 AND 200310031683. DESCRIPTION CONTAINED THEREIN IS BLANKET IN NATURE AND NOT SHOWN HEREON
 - 16 AND 17 NOT A SURVEY MATTER.
 - 18 AGREEMENT TO MAINTAIN STORMWATER FACILITIES AND TO IMPLEMENT A POLLUTION SOURCE CONTROL PLAN AND THE TERMS AND CONDITIONS THEREOF BY AND BETWEEN THE CITY OF GIG HARBOR, A WASHINGTON MUNICIPAL CORPORATION AND HDC HOLLY CIRCLE LLC, A CORPORATION AS RECORDED MARCH 27, 2015 UNDER AFN 201503270073. - NOT A SURVEY MATTER.
 - 19 EASEMENT AND THE TERMS AND CONDITIONS THEREOF AS DISCLOSED BY INSTRUMENT RECORDED MARCH 31, 2015 UNDER AFN 201503310554 FOR THE PURPOSE OF PERPETUAL RIGHT OF WAY AND EASEMENT. EASEMENT IS SHOWN HEREON
 - 20 EASEMENT AND THE TERMS AND CONDITIONS THEREOF AS DISCLOSED BY INSTRUMENT RECORDED APRIL 24, 2015 UNDER AFN 201504240783 FOR THE PURPOSE OF TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE, IMPROVE, REMOVE, UPGRADE AND EXTEND ONE OR MORE UTILITY SYSTEMS FOR PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF GAS. THE LOCATION OF WHICH CANNOT BE DETERMINED FROM THE RECORD DOCUMENT AND NOT SHOWN HEREON.

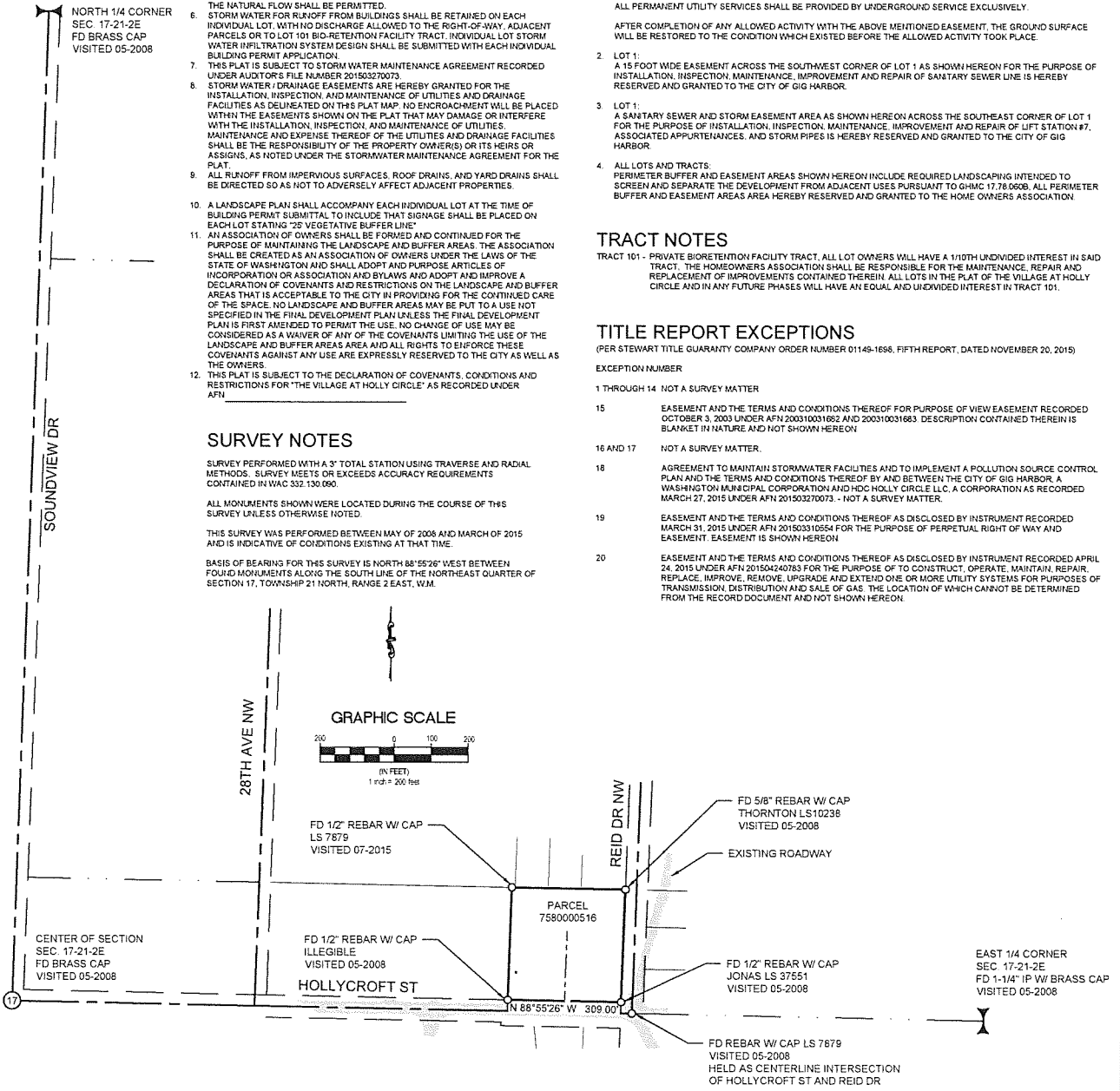
SURVEY NOTES

SURVEY PERFORMED WITH A 3" TOTAL STATION USING TRAVERSE AND RADIAL METHODS. SURVEY MEETS OR EXCEEDS ACCURACY REQUIREMENTS CONTAINED IN WAC 332.130.060.

ALL MONUMENTS SHOWN WERE LOCATED DURING THE COURSE OF THIS SURVEY UNLESS OTHERWISE NOTED.

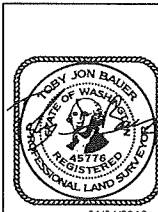
THIS SURVEY WAS PERFORMED BETWEEN MAY OF 2008 AND MARCH OF 2015 AND IS INDICATIVE OF CONDITIONS EXISTING AT THAT TIME.

BASIS OF BEARING FOR THIS SURVEY IS NORTH 88°55'26" WEST BETWEEN FOUND MONUMENTS ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M.



LEGEND

- SECTION MONUMENT AS NOTED
- FOUND MONUMENT AS NOTED
- (M) MEASURED
- (SP) PER SHORT PLAT 60-297



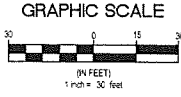
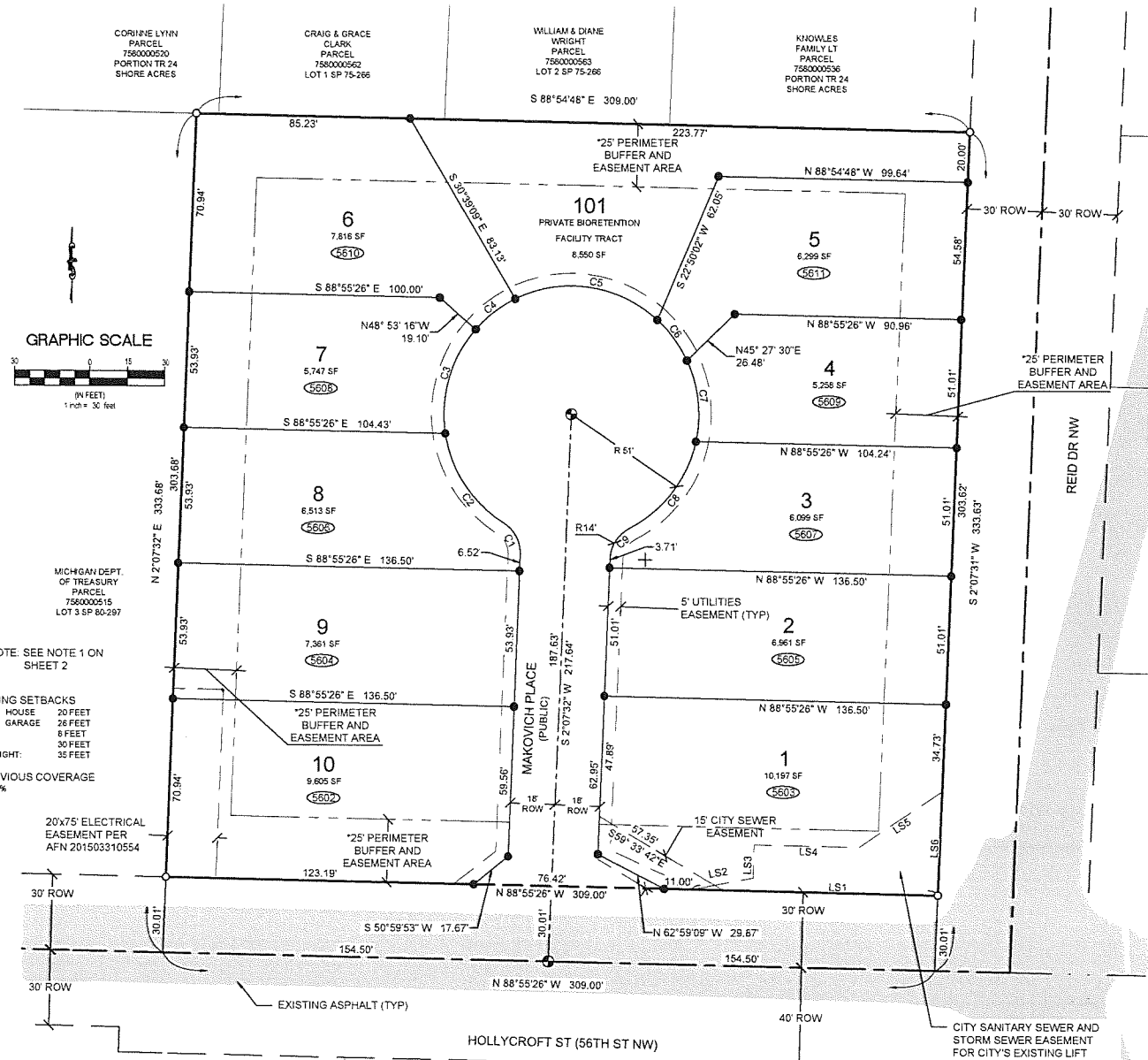
WestSound Engineering, Inc
217 S.W. Wilkins Drive Port Orchard, Wa. 98366
Phone (360) 876-3770 Fax (360) 876-0439
E-mail: wse@wsengineering.com http://www.wsengineering.com

DATE:	Jan. 4, 2016	FIELD BOOK:	16 & 25	DRAWN:	TJB
JOB NO.:	1281	SCALE:	NTS	CHECKED:	TJB
INDEX:	SE 1/4, NE 1/4, SEC. 17, T 21 N, R 2 E, W.M.				

THE VILLAGE AT HOLLY CIRCLE

SHEET 3 OF 3

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 2 EAST
OF THE WILLAMETTE MERIDIAN, CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON



* NOTE. SEE NOTE 1 ON SHEET 2

BUILDING SETBACKS
FRONT: HOUSE 20 FEET
FRONT: GARAGE 26 FEET
SIDE: 8 FEET
REAR: 30 FEET
MAX HEIGHT: 35 FEET

IMPERVIOUS COVERAGE
MAX 60 %

20'x75' ELECTRICAL EASEMENT PER AFN 201503310554

Curve Table			
Curve #	Length	Radius	Delta
C1	14.78'	14.00'	60°30'27"
C2	44.05'	51.00'	49°29'22"
C3	44.51'	51.00'	50°00'18"
C4	20.13'	51.00'	22°36'56"
C5	61.05'	51.00'	68°35'11"
C6	20.13'	51.00'	22°36'56"
C7	32.93'	51.00'	37°00'03"
C8	45.13'	51.00'	50°42'11"
C9	14.78'	14.00'	60°30'27"

LINE TABLE		
LINE NO.	BEARING	DISTANCE
LS1	N 88°55'26" W	98.40'
LS2	N 79°08'09" E	24.76'
LS3	N 01°04'34" E	13.19'
LS4	S 88°55'26" E	41.91'
LS5	N 56°15'24" E	40.22'
LS6	S 02°07'31" W	41.29'

LEGEND

- SET ROAD MONUMENT PRIOR TO THE RECORDING OF THIS PLAT
- FOUND MONUMENT AS NOTED ON SHEET 2
- SET REBAR WITH CAP "BAUER LS4576" PRIOR TO RECORDING OF THIS PLAT
- ⓧ LOT ADDRESS



WSE WestSound Engineering, Inc

217 S.W. Wilkins Drive Port Orchard, Wa. 98366
Phone (360) 876-3770 Fax (360) 876-0439
E-mail: wse@wsengineering.com http://www.wsengineering.com

DATE: Jan. 4, 2016	FIELD BOOK: 16 & 25	DRAWN: TJB
JOB NO: 1281	SCALE: NTS	CHECKED: TJB
INDEX: SE 1/4, NE 1/4, SEC. 17, T 21 N., R 2 E., W.M.		

SHEET 3 OF 3



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

**Subject: Re-appointment to the
Lodging Tax Advisory Committee**

**Proposed Council Action: Move to re-appoint
Thomas Drohan and Jannaie Mitton to serve
another two-year term.**

Dept. Origin: Administration

Prepared by: Board and Candidate Review *SW*

For Agenda of: January 25, 2016

Exhibits:

Concurred by Mayor:

Approved by City Administrator: *JG 1-2-16*
RW 1/20/16

Approved as to form by City Atty: *N/A*

Approved by Finance Director: *DR*

Approved by Department Head: _____

Expenditure Required	\$0	Amount Budgeted	\$ 0	Appropriation Required	0
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INFORMATION / BACKGROUND

There are two positions coming due on the LTAC and both Thomas Drohan and Jannaie Mitton submitted applications to be re-appointed. The committee interviewed both applicants and submitted a recommendation to re-appoint.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

The Committee voted 2-0 to re-appoint the two applicants.

RECOMMENDATION / MOTION

Move to: Re-appoint Thomas Drohan and Jannaie Mitton to serve two-year terms.

Subject: 2016 Comprehensive Plan Amendment Docket

Proposed Council Action: Hold a public hearing on the 2016 Annual Comprehensive Plan applications and make a recommendation for Planning Commission Review.

Draft Motion: Move to forward applications PL-COMP-15-0001, 0003, 0004 to the Planning Commission for full review and consideration.

Move to deny application PL-COMP-15-0002 for further review and docketing. Direct staff to prepare resolution for review at next council meeting.

Dept. Origin: Planning

Prepared by: Lindsey Sehmel, AICP
Senior Planner

LNS

For Agenda of: January 25, 2016

Exhibits: Application materials

Initial & Date

Concurred by Mayor:

JG 1-20-16

Approved by City Administrator:

Ron W 1/20/16

Approved as to form by City Atty:

via email 1/20/16

Approved by Finance Director:

N/A

Approved by Department Head:

JK 1/20/16

Expenditure	Amount	Appropriation
Required 0	Budgeted 0	Required 0

INFORMATION / BACKGROUND

The Planning Department has docketed the proposed Comprehensive Plan amendments submitted for the 2016 annual review cycle. The submittal deadline for the 2016 review cycle was October 30, 2015. As required by Chapter 19.09, the Planning Department has reviewed each application and determined that they are complete. Per code, the City Council makes the final decision on which amendments will proceed through the annual amendment process. The Council ought to separate the applications as to which applications will be forwarded to the Planning Commission for processing from those applications that will not be processed during the 2016 cycle. Should City Council choose to deny docketing for an application, staff will return at the next available council meeting with a resolution documenting the docket denial.

The 2016 Comprehensive Plan amendment cycle has four applications on the docket. Two are sponsored by City Commissions and two are from private-party applicants. The private-party applications and one City-sponsored are requesting to amend land use map designations. One City sponsored application is requesting a text amendment. Below is a brief description of each application on the docket. The basic application materials for each amendment are attached.

A public hearing is required this evening on the four items per GHMC 19.09.120.

- 1. PL-COMP-15-0001: Land Use Map amendment – 6301 112th Street.** A proposed land use map amendment, submitted by Halsan Frey LLC, to amend the land use

designation of 16.71 acres from a combination of Employment Center, Commercial Business and Residential Low to a designation of Residential High Transition (RH). This application includes a development agreement proposal.

2. **PL-COMP-15-0002: Land Use Map amendment - XXX CANTERWOOD BLVD.** A proposed land use map amendment, submitted by Halsan Frey LLC, to amend the land use designation of 11.2 acres from Residential Medium to Commercial Business with the intent for future use of multi-family housing. Generally located west of St. Anthony's Hospital, across Canterwood Blvd, adjacent to SR-16 and south of McCormick Ridge multi-family development. This application includes a development agreement proposal.
3. **PL-COMP-15-0003: Land Use Map amendment – Removal of the MUD Overlay.** A city-sponsored Comprehensive Plan Land Use Map amendment to remove the Mixed Use District overlay along Burnham Drive as requested by recommendation from the Planning Commission.
4. **PL-COMP-15-0004: 2016 Comprehensive Plan Text amendment – Arts Commission.** A city-sponsored Comprehensive Plan Text amendment to amend existing Parks Element goal 11.10, adding a new policy and introductory text.

Please review the attached application materials for further information.

POLICY ANALYSIS

The council shall consider each application separately under the criteria set forth in GHMC 19.09.130 (listed below), and shall decide which applications will be processed during the current annual amendment process, and which will not be processed. The council's findings and conclusions on the applications that will not be processed shall be incorporated into a resolution. No findings and conclusions are required for those applications that are forwarded for further processing.

A. Selection Criteria. Before rendering a decision whether the individual comprehensive plan amendment proposal may be processed during any year, the city council shall consider all relevant facts, including the application materials, as well as the following items:

1. Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the comprehensive plan; and
2. Whether the assumptions upon which the comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments; and
3. For amendments that have been considered within the last three years, whether there has been a change in circumstances that makes reconsideration of the proposed amendment now appropriate. (GHMC 19.09.130)

B. Staff Recommendations. Staff believes that only a portion of the applications submitted should be forwarded onto Planning Commission for consideration. Staff has included a brief analysis of the amendments against the criteria in GHMC 19.09.130.

1. **PL-COMP-15-0001: Land Use Map amendment – 6301 112th Street.** A proposed land use map amendment, submitted by Halsan Frey LLC, to amend the land use designation of 16.71 acres from a combination of Employment Center, Commercial/Business and Residential Low to a designation of Residential High Transition (RH).

The request to amend the land use designation of 16.71 acres is consistent with staff analysis. The current use of the property is a highly intensive gravel mining operation which has current permits to continue operation. The property abuts Residential Low land use to the North, South, West and Commercial Business land use to the East. The current designation is a combination of Residential Low, Employment Center, and Commercial Business. The applicant is requesting the Residential High Transition designation which is intended to be a buffer designation between higher intensity uses and single family uses. The subject application has not been reviewed in previous annual cycles. The applicant held two public outreach meetings and noticed the neighboring properties. Additionally, the applicant has submitted a development agreement for consideration if the Council chooses to forward for review.

Staff recommends the City Council docket this application for further review by the Planning Commission.

2. **PL-COMP-15-0002: Land Use Map amendment - XXX CANTERWOOD BLVD.** A proposed land use map amendment, submitted by Halsan Frey LLC, to amend the land use designation of 11.2 acres from Residential Medium to Commercial/Business with the intent for future use of multi-family housing. Generally located west of St. Anthony's Hospital, across Canterwood Blvd, adjacent to SR-16 and south of McCormick Ridge multi-family development.

The request to amend the land use designation of 11.2 acres from Residential Medium to Commercial Business for residential uses is inconsistent with the City's Comprehensive Plan. It appears the applicant is using this approach to obtain the most density possible for a 220 unit residential development.

Based upon the City's Comprehensive Plan, Land Use Element (page 2-9), the intent of the Commercial Business land use designation is to provide *primarily* retail and wholesale facilities, including service and sales. Where appropriate, mixed-use may be permitted through a planned unit development process. Commercial-business activities consist of the following:

- 1) Retail sales and services
- 2) Business and professional offices
- 3) Mini-warehousing

Based upon the most recent Buildable Lands Report from Pierce County, the City of Gig Harbor has more than sufficient commercial lands available for development/re-development. Staff does not believe there have been significant changes to the area since the last Comprehensive Plan designation and new information has not been provided that was not considered.

Staff recommends against docketing of this application at this time.

3. **PL-COMP-15-0003: Land Use Map amendment – Removal of the MUD Overlay.** A city-sponsored Comprehensive Plan Land Use Map amendment to remove the Mixed Use District overlay along Burnham Drive as requested by recommendation from the Planning Commission.

The Planning Commission has made a recommendation to remove the MUD zoning overlay. In order to process the MUD zoning overlay removal, the Land Use designation removal must be processed first. This proposal would reverse the land use of the affected properties back to the appropriate designation based upon the underlying zoning of the parcels.

Staff recommends the City Council docket this application for further review by the Planning Commission.

4. **PL-COMP-15-0004: 2016 Comprehensive Plan Text amendment – Arts Commission.** A city-sponsored Comprehensive Plan Text amendment to amend existing Parks Element goal 11.10, adding a new policy and introductory text.

The Arts Commission has requested some minor text amendments to further discuss their board and the work it does for the City. An amendment to an existing goal and addition of a new policy is also included in the text amendment proposal.

Staff recommends the City Council docket this application for further review by the Planning Commission.

ENVIRONMENTAL ANALYSIS

SEPA review will occur after the Council decides which comprehensive plan amendment applications will be forwarded to the Planning Commission.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

None solicited. The Planning Commission will make a recommendation on those comprehensive plan amendment applications which the Council accepts and forwards to the Planning Commission for further processing.

RECOMMENDATION / MOTION

Hold a public hearing on the 2016 Annual Comprehensive Plan applications and make a recommendation for Planning Commission Review.

Draft Motion: Move to forward applications PL-COMP-15-0001, 0003, 0004 to the Planning Commission for full review and consideration.

Move to deny application PL-COMP-15-0002 for further review and docketing and direct staff to prepare resolution for review at next council meeting.

SMITH COMPREHENSIVE PLAN AMENDMENT

Written Description of the Proposed Amendment

Walter Smith and Norma Smith are requesting the City of Gig Harbor amend the Land Use Designation map of the Comprehensive Plan for three parcels totaling 16.71 acres from a combination of Employment Center, Commercial/Business, and Residential Low to Residential High Transition. The property is located at 6302 112th Street; east of Horizon West on both sides of 112th Street, with the largest parcel being north of the 112th. The tax parcels include 01-22-25-3072, 01-22-25-3073, and 01-22-25-4057.

SMITH COMPREHENSIVE PLAN AMENDMENT**Written Statement****A. Purpose of proposed amendment**

Rather than developing the 45 year old surface mine with a combination of industrial and commercial uses after reclamation, the owners see a need for higher density housing instead. Ever since the mining began, the owners have envisioned some type of industrial or warehouse park for the site, and it has been zoned accordingly by both the County and City. With the growth of north Gig Harbor over the last decade in general, the lower density housing west of the subject site, and the City's new Residential High Designation, now is the ideal time to have the designation changed.

B. Growth Management Act Consistency

GMA -- Goal #1 encourages development in urban areas where adequate public facilities and services exist. All necessary public facilities and services are already located at the site. Goal #2 discourages sprawl. As the site is being used now, it is underutilized to a great extent. If the amendment is approved, the site can be developed with more intense multi-family uses. Goal #4 encourages housing in a variety of styles, types and prices. Approval would allow for housing at a density more than 4 per acre, which dominates the Gig Harbor planning area. Gig Harbor would benefit from having less low-density sprawling single family home development and more multi-family projects. Goal #8 discourages the conversion of productive forest lands and agricultural lands to incompatible uses. The subject property is neither and its conversion to a more intense use will not be inconsistent with this goal. Goal #13 discourages the conversion of historic sites and structures. The subject site is not designated historic and has no historic structures. Section 14 of the Act requires public participation early and continuously. Two neighborhood meetings have already been held. The public will continue to be notified in the Gateway of the application and hearings. Immediate neighbors will receive mailed notification of the application, and the Planning Commission and Council hearings will be open to the public.

C. County Wide Planning Policies Consistency

Housing Policy 2.2 requires the City to meet housing demand through the redevelopment of infill parcels. The subject site is very under-utilized and re-development will further this Policy. Economic Development and Employment Policy 5 requires the City to plan for sufficient economic growth and development to ensure an appropriate balance of land uses which will produce a sound financial posture given the fiscal/economic costs and benefits derived from different land uses. Policy 5.2 requires the reduction of inefficient sprawl development patterns. Policy 5.5 promotes development in areas with existing available facility capacity. This area has available capacity. Economic Development and Employment Policy 6 requires the City to add diversity of economic opportunity and employment. Policy

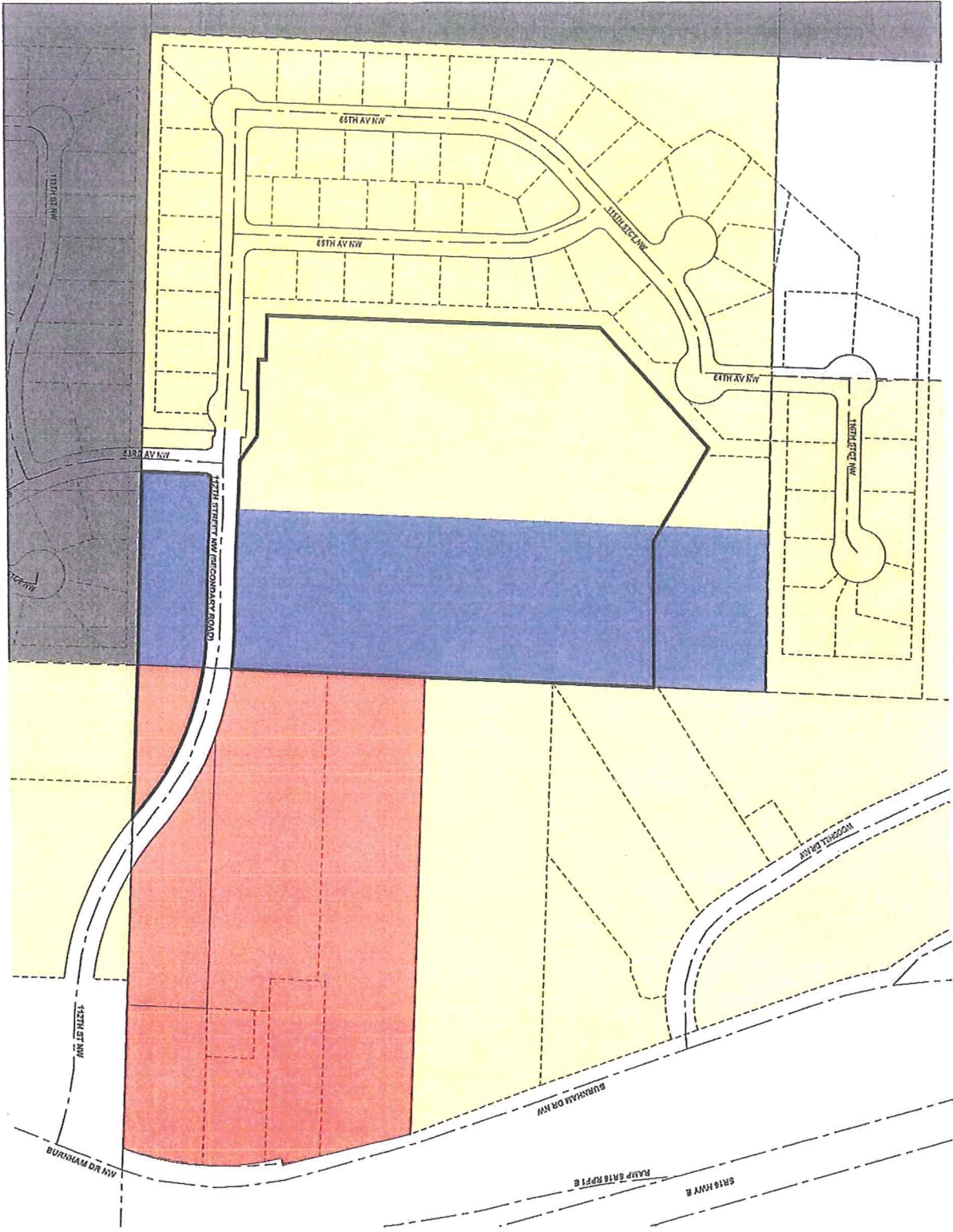
6.1 promotes infill development to assist in maintaining a viable market. This site is a perfect infill site with a variety of development surrounding it. Transportation Facilities and Strategies Policy 10.4 requires using land use regulations to increase the modal split between automobiles and other forms of travel by allowing high densities in transit corridors and encouraging mixed use development. If approved, the subject site will be development with a higher density project that is close to services and public transportation and is within walking distance of the Cushman Trail.

D. City Comprehensive Plan Consistency

Goal #1 of the Land Use element encourages higher density development in areas that pose the fewest environmental risks. This site has no environmental constraints. Goal #12 encourages the provision of a broad choice of housing types. With the approval of this amendment, the property can be developed in a manner that provides higher density housing, attached or stacked. Goal #13 encourages higher density housing in areas that have easy access to major local employment areas. Gig Harbor North, across Highway 16, is the City's largest employment area. Goal #18 of the Environment element encourages higher densities on land with the fewest environmental risks and this site has none. The Housing element of the Plan encourages reducing housing costs through policy reform, and this site can provide more affordable housing than what is typically offered within the City. Finally, Gig Harbor needs housing as evidenced by the rapidly increasing prices in the area. Suitable land for development is being used up at a rate far exceeding the planning that's been done to date. With the City allowing only 4 units per net acre throughout most of the city, we need alternatives and this site is ideal for something unique. Goal #2 of the Economic Development element encourages increased economic opportunities through property revitalization by redeveloping important vacant parcels and revitalizing older commercial and business districts with the City. This project will further this goal.

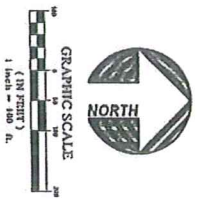
E. Internal Consistency with City Comprehensive Plan and Other City Plans

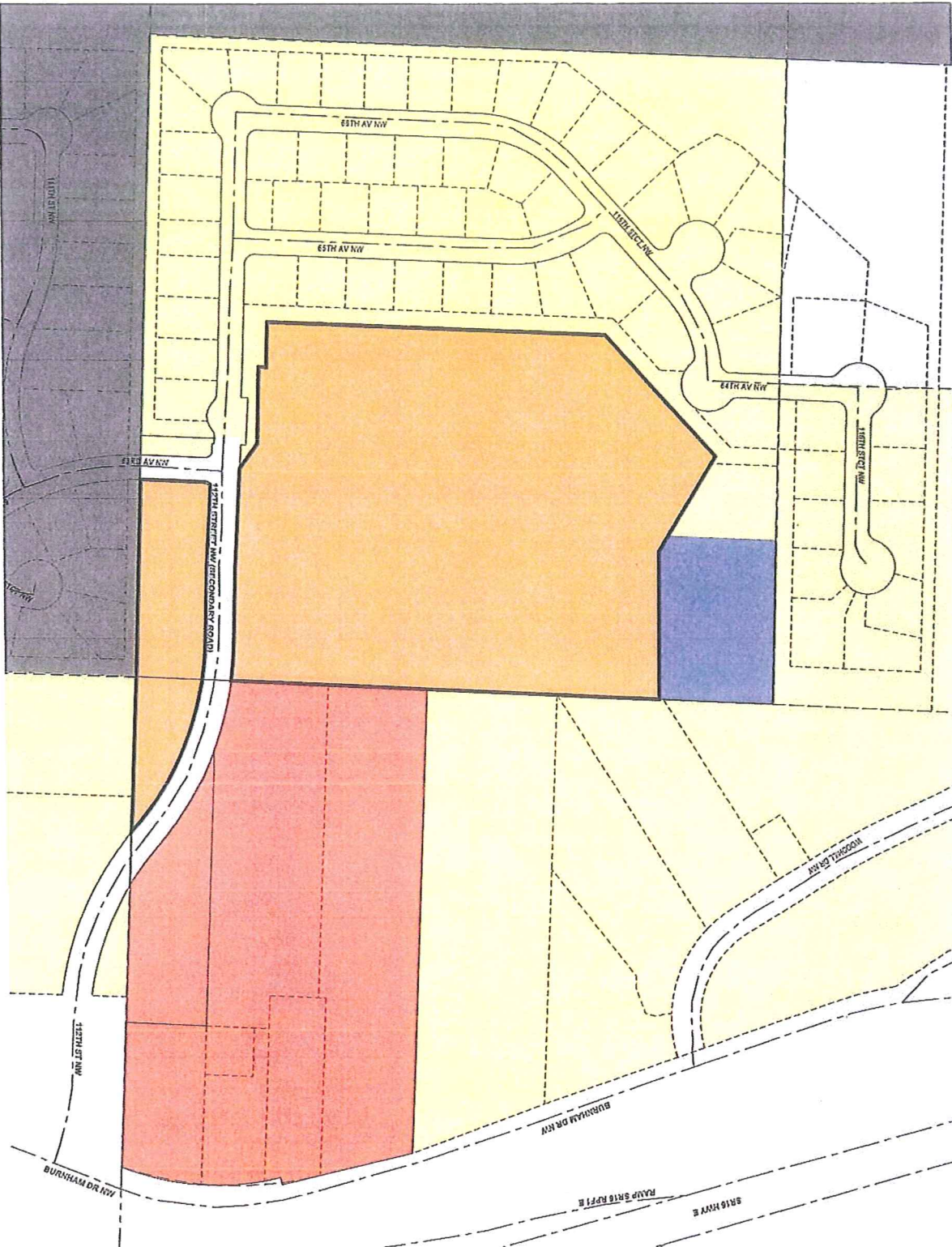
Approval of the amendment will not require any changes to the other applicable City Plans since the project eventually built will create less demand for sewer service and less traffic on City streets. Approval will have no impact on the Parks Plan or Capital Facilities Plan.



SMITH PROPERTY
EXISTING
COMPREHENSIVE PLAN
LAND USE DESIGNATIONS

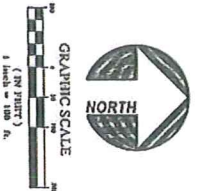
- LEGEND**
- GIG HARBOR
 - EMPLOYMENT CENTER (EC)
 - COMMERCIAL/BUSINESS (CB)
 - RESIDENTIAL LOW (RL)
 - RESIDENTIAL HIGH (RH)
 - NO LAND USE
 - PIERCE COUNTY RESERVE & (RSVS)

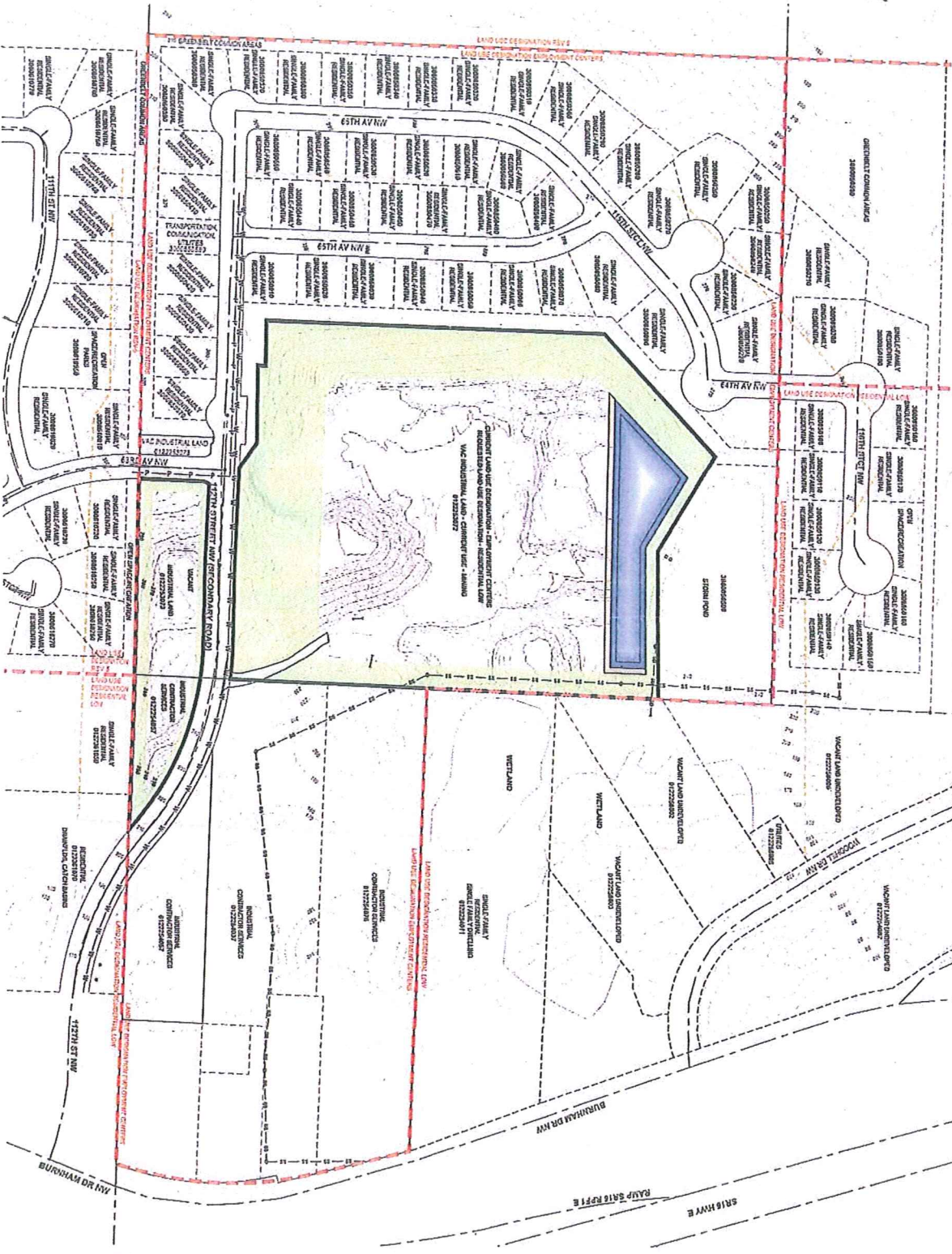
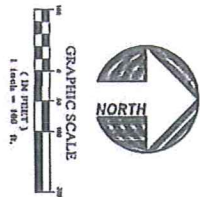




SMITH PROPERTY
PROPOSED
COMPREHENSIVE PLAN
LAND USE DESIGNATIONS

- LEGEND**
- GIG HARBOR
 - EMPLOYMENT CENTER (EC)
 - COMMERCIAL/BUSINESS (CB)
 - RESIDENTIAL LOW (RL)
 - RESIDENTIAL HIGH (RH)
 - NO LAND USE
 - PIERCE COUNTY RESERVE 5 (RSV5)





SMITH PROPERTY
VICINITY MAP

TOPOGRAPHY NOTE:
 THIS MAP WAS PREPARED BY THE
 SURVEYING DIVISION OF THE
 MINNESOTA DEPARTMENT OF
 TRANSPORTATION AND
 HIGHWAY CONSTRUCTION
 DIVISION



Apex
Engineering

2008 National Road, Suite 200
 Minneapolis, MN 55425
 Phone: 612.338.1111
 Fax: 612.338.1112
 Website: www.apexeng.com

APOGEE CAPITAL LLC COMPREHENSIVE PLAN AMENDMENT

Written Description of the Proposed Amendment

Apogee Capital LLC is requesting the City of Gig Harbor to amend the Land Use Designation map of the Comprehensive Plan for five (5) parcels totaling 11.2 acres from Residential Medium to Commercial Business so that it can be developed in the future with a multi-family housing project. The property is vacant and therefore does not have an addressed assigned yet, but is generally located west of St. Anthony's Hospital, across Canterwood Boulevard, adjacent to SR-16, and south of the McCormick Ridge multi-family project. The tax parcels included are 01-22-25-1032, 01-22-25-4062, and 01-22-25-5002 thru -5004.

APOGGE CAPITAL LLC COMPREHENSIVE PLAN AMENDMENT

Development Proposal

The property owners intend on having the property developed with a multi-family project, not to exceed 220 total units on the 11.2 acres. The buffers for the project will as shown on the attached proposed site plan. Access to the large acreage parcel will be via one and only one access point as shown. If initiated for review by the City Council, the applicant will prepare and submit a Development Agreement for simultaneous approval by the Council and Mayor at the time of Comprehensive Plan Amendment approval.

APOGEE CAPITAL LLC COMPREHENSIVE PLAN AMENDMENT**Written Statement****A. Purpose of proposed amendment**

Gig Harbor is desperately in need of market rate multi-family housing. Other than the rather high-end Bracera project along Boulevard, there hasn't been a new apartment complex built in Gig Harbor in decades. Starter rental housing is needed for our young citizens, single parents, young couples, etc. Apogee Capital is an expert developer of this type of housing and has been successful in all their projects, including the McCormick Ridge project just north of the subject site. Locating this type of housing across the street from our Hospital, nearly adjacent to the Cushman Trail, close to public transportation, and sandwiched between a Major Boulevard and a State Highway is ideal.

B. Growth Management Act Consistency

GMA -- Goal #1 encourages development in urban areas where adequate public facilities and services exist. All necessary public facilities and services are already located at the site. Goal #2 discourages sprawl. If the site were only developed at a medium residential density, it would be a waste of urban land and underutilized to a great extent. If the amendment is approved, the site can be developed with more intense multi-family uses. Goal #4 encourages housing in a variety of styles, types and prices. Approval would allow for housing at a density more than 6 units per acre, which dominates the Gig Harbor planning area. Gig Harbor would benefit from having another low-density sprawling two-family home development and more multi-family projects. Goal #8 discourages the conversion of productive forest lands and agricultural lands to incompatible uses. The subject property is neither and its conversion to a more intense use will not be inconsistent with this goal. Goal #13 discourages the conversion of historic sites and structures. The subject site is not designated historic and has no historic structures. Section 14 of the Act requires public participation early and continuously. Two neighborhood meetings have already been held. The public will continue to be notified in the Gateway of the application and hearings. Immediate neighbors will receive mailed notification of the application, and the Planning Commission and Council hearings will be open to the public.

C. County Wide Planning Policies Consistency

Housing Policy 2.2 requires the City to meet housing demand through the redevelopment of infill parcels. The subject site is undeveloped, and its development will further this Policy. Economic Development and Employment Policy 5 requires the City to plan for sufficient economic growth and development to ensure an appropriate balance of land uses which will produce a sound financial posture given the fiscal/economic costs and benefits derived from different land uses. Policy 5.2 requires the reduction of inefficient sprawl development patterns. Policy 5.5 promotes development in areas with existing available facility capacity.

This area has available capacity. Economic Development and Employment Policy 6 requires the City to add diversity of economic opportunity and employment. Policy 6.1 promotes infill development to assist in maintaining a viable market. This site is a perfect infill site with a variety of development surrounding it. Transportation Facilities and Strategies Policy 10.4 requires using land use regulations to increase the modal split between automobiles and other forms of travel by allowing high densities in transit corridors and encouraging mixed use development. If approved, the subject site will be development with a higher density project that is close to services and public transportation and is within walking distance of the Cushman Trail.

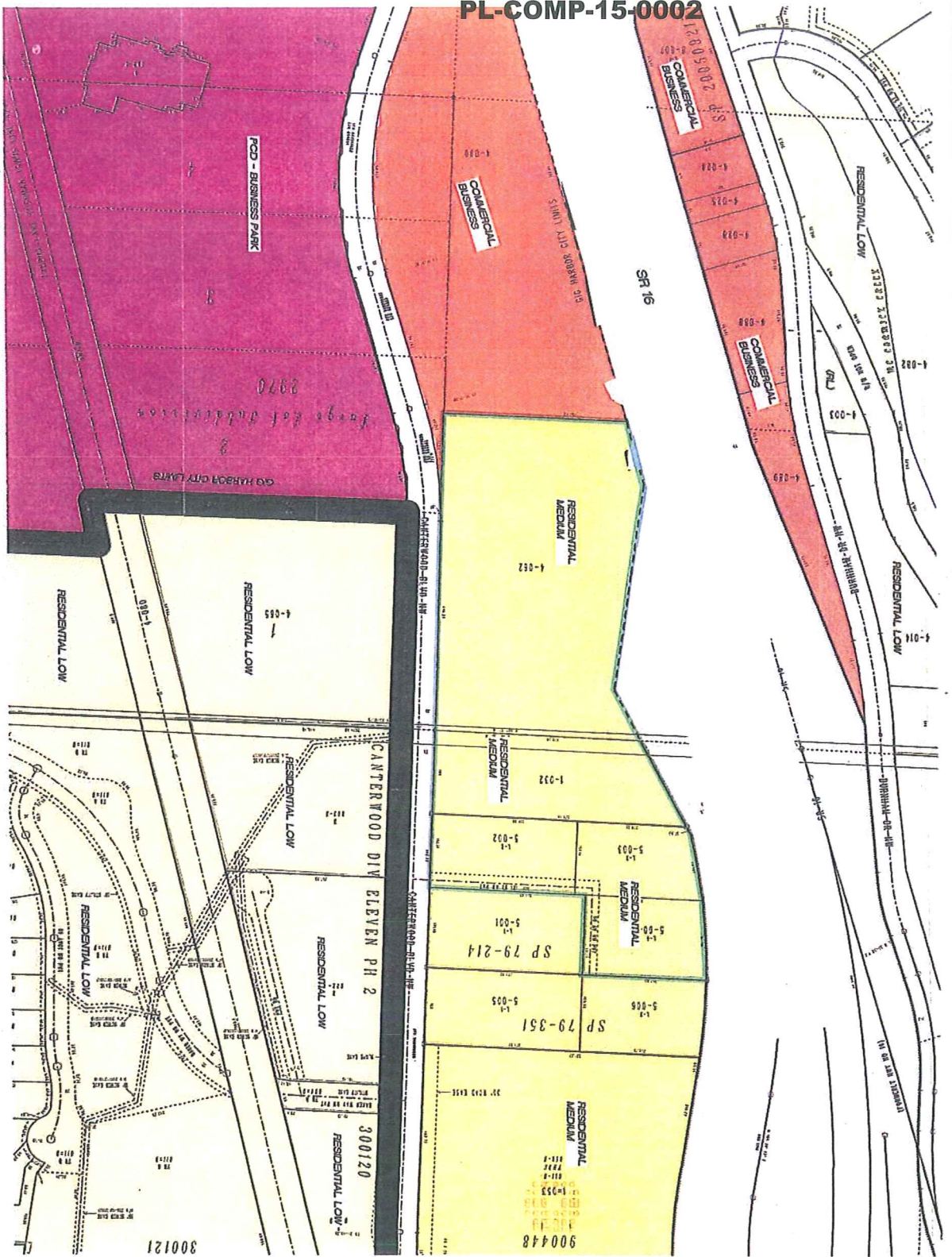
D. City Comprehensive Plan Consistency

Goal #1 of the Land Use element encourages higher density development in areas that pose the fewest environmental risks. This site's only environmental constraint is the wetland, which will be protected by a very large buffer. Goal #12 encourages the provision of a broad choice of housing types. With the approval of this amendment, the property can be developed in a manner that provides higher density market rate housing, attached and stacked. Goal #13 encourages higher density housing in areas that have easy access to major local employment areas. Gig Harbor North, just south of the site, is the City's largest employment area. Goal #18 of the Environment element encourages higher densities on land with the fewest environmental risks and this site has only the wetland. The Housing element of the Plan encourages reducing housing costs through policy reform, and this site can provide more affordable housing than what is typically offered within the City. Finally, Gig Harbor needs housing as evidenced by the rapidly increasing prices in the area. Suitable land for development is being used up at a rate far exceeding the planning that's been done to date. With the City allowing only 4 units per net acre throughout most of the city, we need alternatives and this site is ideal for something unique. Goal #2 of the Economic Development element encourages increased economic opportunities through property revitalization by redeveloping important vacant parcels and revitalizing older commercial and business districts with the City. This project will further this goal.

E. Internal Consistency with City Comprehensive Plan and Other City Plans

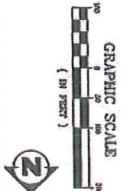
Approval of the amendment will not require any changes to the other applicable City Plans since the project eventually will be built after sewer service and traffic capacity is approved, and will have no impact on the Parks Plan or Capital Facilities Plan.

PL-COMP-15-0002



Existing Comprehensive Plan Land Use Designations

- Residential Low
- Residential Medium
- Residential High
- Employment Center
- Office/Professional
- Retail/Community
- Warehouse
- PDD-Residential Low
- PDD-Residential Medium
- PDD-Commercial
- PDD-Business Park



JKA CIVIL ENGINEERING
JOHN KNOWLES & ASSOCIATES, INC.
10/9/15

JKA PROJECT NO.:
DATE:
DRAWING NAME:
DATE: 10/9/15

DESIGNED BY	SEK
DRAWN BY	SEK
CHECKED BY	SEK
SCALE	AS SHOWN
DATE	10/9/15
APP'D BY	SEK

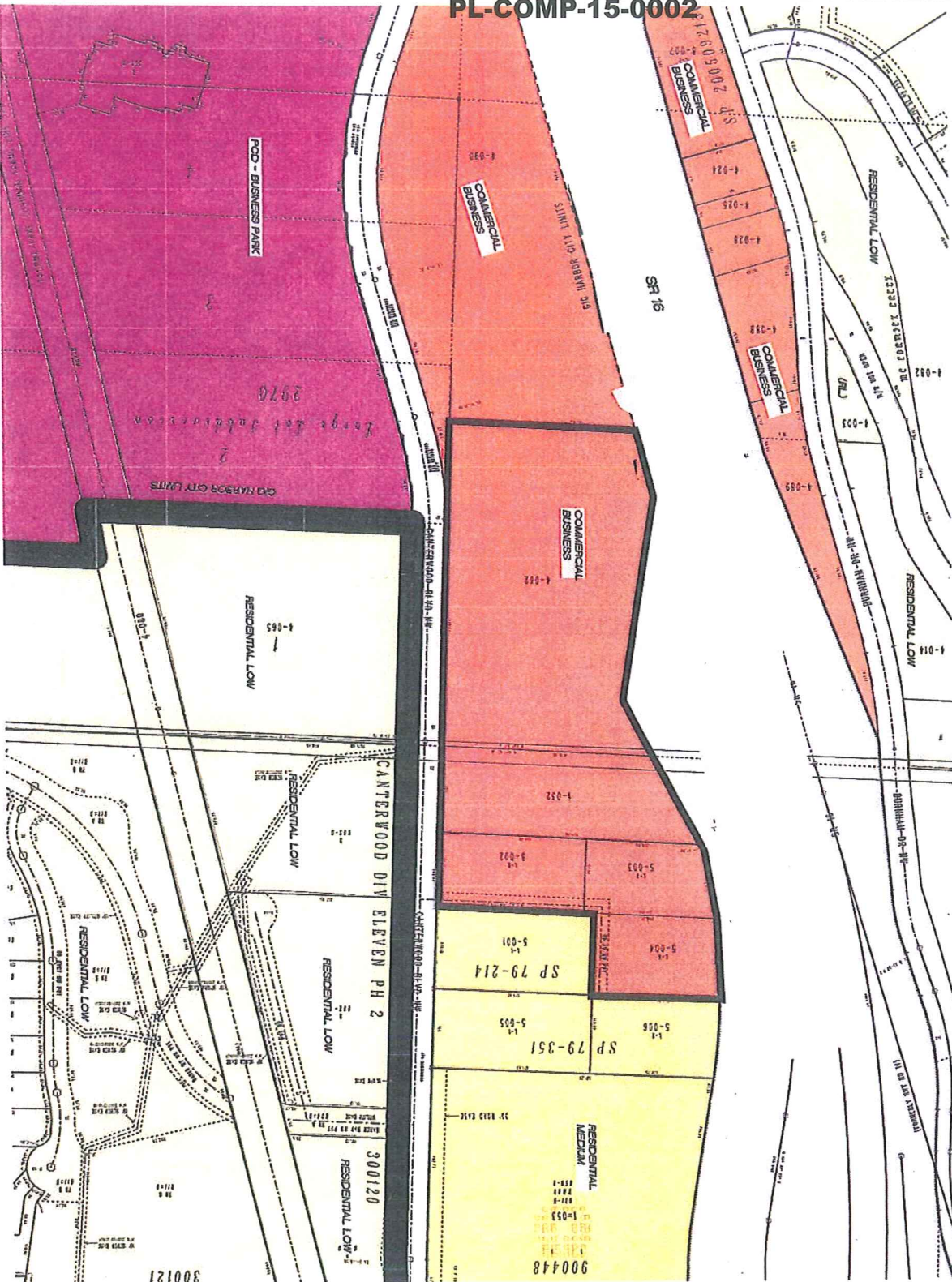
REVISION	DATE	CHANGE

PROJECT: APOGEE CAPITAL PROPERTY
1830 112TH ST E STE F
TACOMA WA 98445

OWNER: APOGEE CAPITAL

DRAWING TITLE:
Existing Comp
Plan Land Use
Designations

PL-COMP-15-0002



- Existing Comprehensive Land Use Designations**
- Residential Low
 - Residential Medium
 - Employment Center
 - Commercial/Industrial
 - Public/Institutional
 - PUD-Commercial
 - PUD-Business Park

- Proposed Comprehensive Land Use Designation**
- Commercial Business



JKA CIVIL ENGINEERING
JOHN KNOWLER & ASSOCIATES, INC.
1015
DORSEY JULEC
SRT 1 OF 1

PO Box 1228
Puyallup, WA 98979-0228

PH (206) 837-1400
FX (206) 837-0300

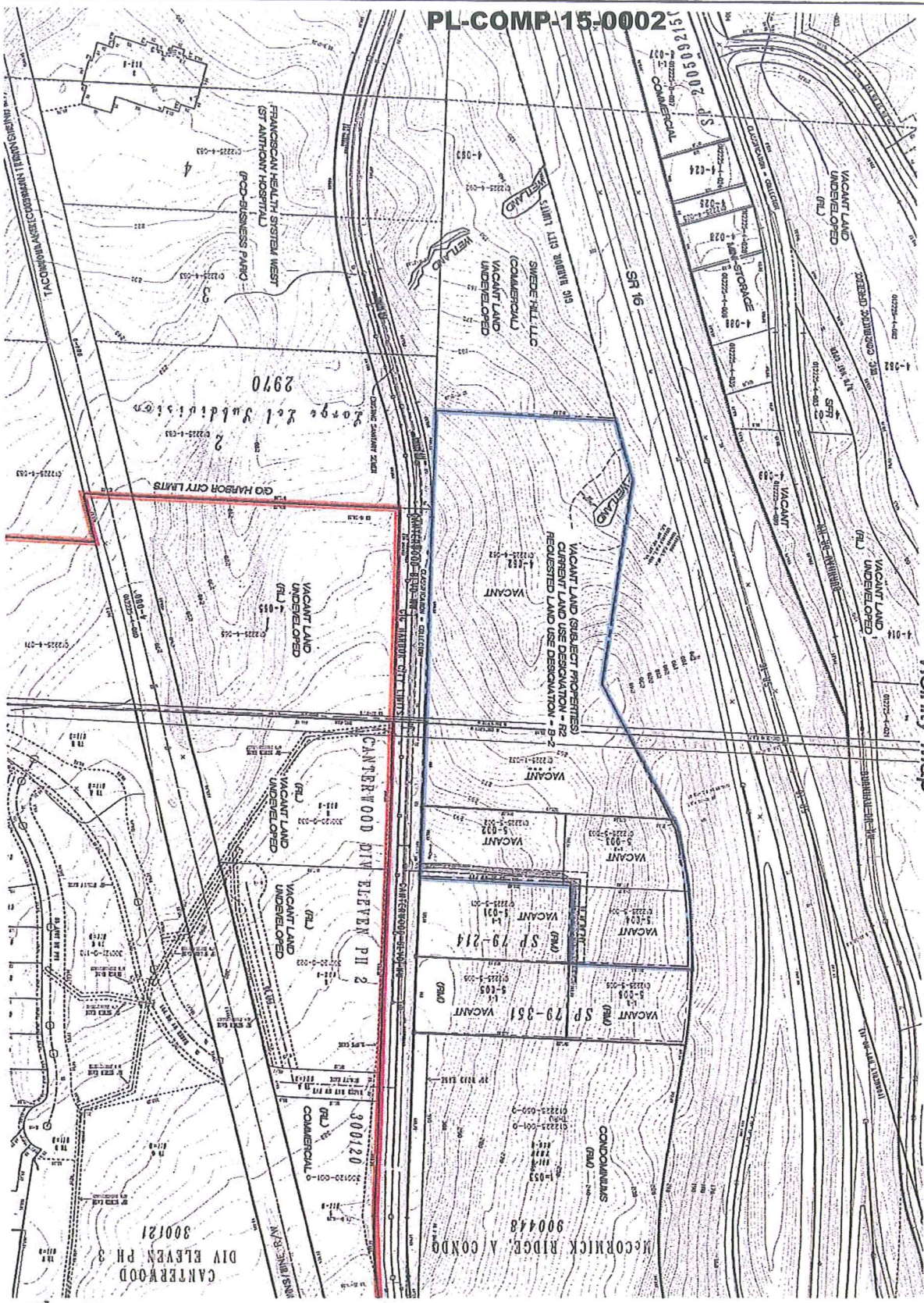


DESIGNED BY: <u>SEJ</u>	CHECKED BY: <u>SEJ</u>
DRAWN BY: <u>SEJ</u>	DATE: <u>11/20/15</u>
SCALE: <u>AS SHOWN</u>	PROJECT: <u>1228 #1E</u>
SHEET: <u>5.22</u>	TOTAL SHEETS: <u>11</u>

PROJECT: APOGEE CAPITAL PROPERTY
OWNER: APOGEE CAPITAL
1830 112TH ST E SITE F
TACOMA WA 98445

Proposed Comp Plan Land Use Designations

PL-COMP-15-0002



Vicinity Map

<p>GRAPHIC SCALE 1" = 100'</p> <p>DISCREPANCY BETWEEN THESE AND THE PLAT IS THE RESULT OF ROUNDING OFF TO THE NEAREST FOOT.</p>	<p>JKA CIVIL ENGINEERING JOHN KNIGHT & ASSOCIATES, INC. REGISTERED PROFESSIONAL ENGINEERS NO. 10000-0001-0001-0001 NO. 10000-0001-0001-0001</p>	<p>DESIGNED BY: SEP DRAWN BY: SEP CHECKED BY: EX SCALE: AS SHOWN DATE: 12/22/15 CITY/STATE: WA</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	BY													<p>PROJECT: APOGEE CAPITAL PROPERTY OWNER: APOGEE CAPITAL 1830 112TH ST E STE F TACOMA WA 98445</p>	<p>DRAWING TITLE: VICINITY MAP</p>
NO.	REVISIONS	DATE	BY																		



DEVELOPMENT SERVICES
NOTICE OF RECOMMENDATION
CITY OF GIG HARBOR PLANNING COMMISSION

TO: Mayor Guernsey and Members of the Council
FROM: Reid Ekberg, Chair, Planning Commission
RE: Mixed Use District Overlay

Application:

This application was initiated after the proposal for a Mixed Use district (MX) district was denied by City Council in May of 2009. The currently overlay has been in existence since the annexation of the area in the late 1990's. However, development projects that have occurred since that time overlook the MUD overlay in planning for development of the site and have designed their sites with the standards of the underlying zoning district. One example is the McCormick Creek Plat, a large low density residential neighborhood. The remaining undeveloped and/or underdeveloped land having the overlay has greater development opportunities with the existing RB-2 and B-2 zoning designations.

Planning Commission Review:

The Planning Commission has held one work study session regarding the removal of the Mixed Use District (MUD) zoning overlay. A public hearing was held on October 1, 2015. The Planning Commission recommends **APPROVAL** of the application to remove the MUD zoning district overlay and fully retain the existing zoning designations for the affected area.

Removal of the zoning overlay will require a Comprehensive Plan amendment removing the Mixed Use land use designation and amending the official Land Use Map in addition, amendments to GHMC 17.12.015 and 17.91 will be required.

Planning Commission Scope of Recommendation:

Zoning Standards:

- Remove the Mixed Use District Overlay (MUD) from the Land Use and Zoning Maps. No changes to underlying zoning districts in the affected area shall be considered during this processing.

Findings of Fact:

The Planning Commission makes the following findings of fact in relation to their recommendation of approval:

1. The City's Comprehensive Plan includes the following goals and policies which support the amendments:

2.1.1. Capable Areas

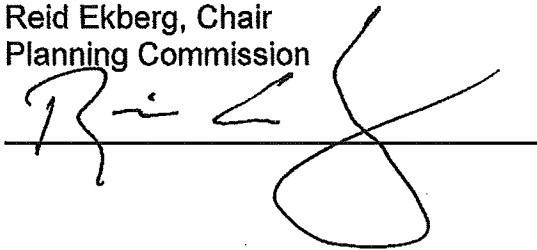
To the best degree possible, allocate high density/intensity urban development onto lands which are capable of supporting urban uses and which pose the fewest environmental risks.

5.3.1 Best to least allocation policies

As much as possible, allocate high density urban development onto lands which are optimally suitable and capable of supporting urban uses, and/or which pose fewest environmental risks. To the extent necessary, allocate urban uses away from lands or soils which have severe environmental hazards.

2. The Planning Commission finds that the proposed recommendation allows development to continue with feasible standards, removal of the MUD overlay does not reduce development potential with the existing available lands.
3. The Planning Commission finds that the proposed recommendation provides clarity in the permitting and feasibility of the existing vacant/underdeveloped lands in the area.
4. The Planning Commission recommends City Council authorize a Comprehensive Plan Amendment to begin the appropriate land use and zoning designation amendments, based upon the recommendation to remove the MUD overlay.
5. The Planning Commission finds that the proposed amendments are consistent with the Comprehensive Plan.

Reid Ekberg, Chair
Planning Commission



Date 12 / 1 / 2015



DEVELOPMENT SERVICES
PLANNING DEPARTMENT
STAFF REPORT

TO: Planning Commission
FROM: Planning Staff
DATE: October 1, 2015
RE: Removal of MUD Overlay

I. GENERAL INFORMATION

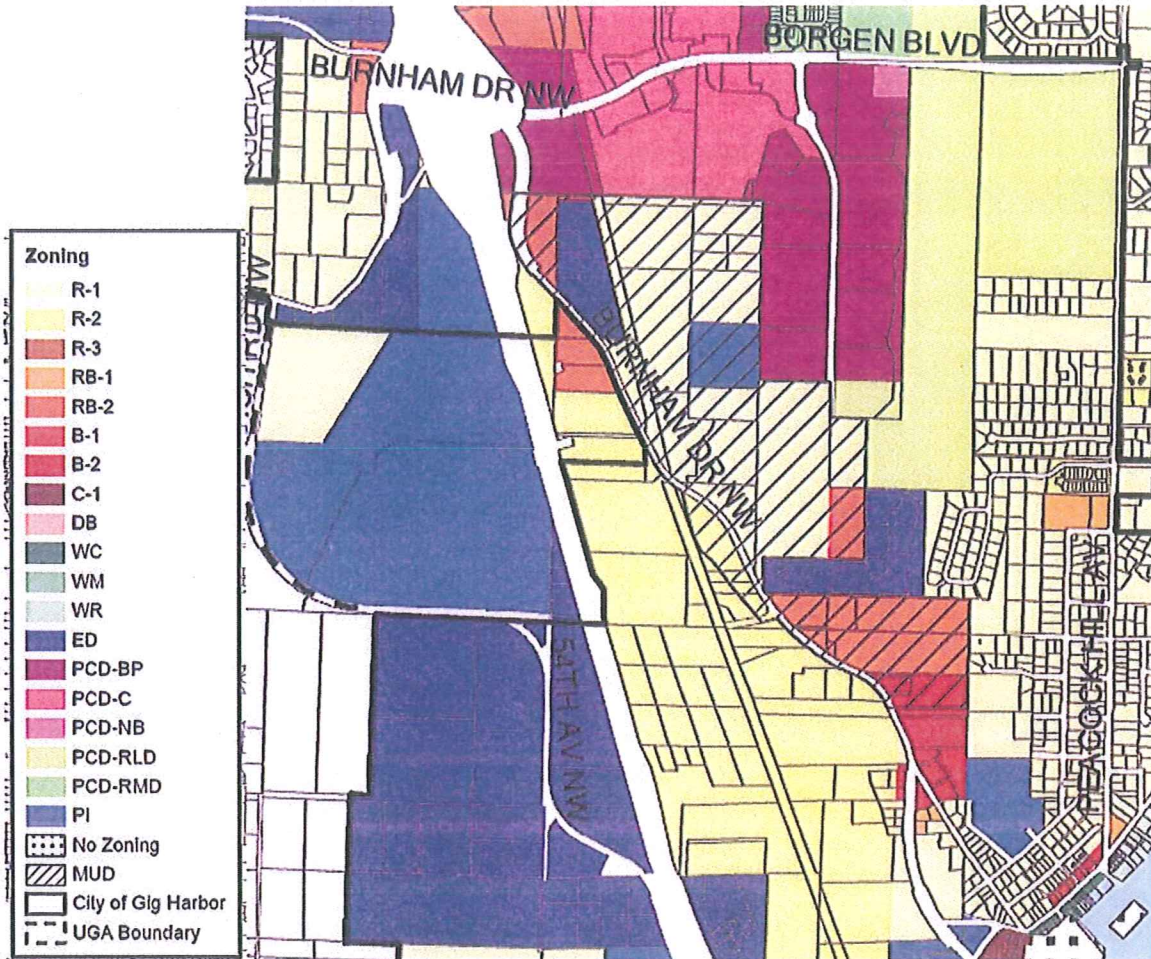
Applicant: City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

II. PROJECT DESCRIPTION

Removal of the Mixed Use District Overlay (MUD) was initiated after the proposal for a Mixed Use district (MX) district was denied by City Council in May of 2009. The currently overlay has been in existence since the annexation of the area in the late 1990's. However, development projects that have occurred since that time overlook the MUD overlay in planning for development of the site and have designed their sites with the standards of the underlying zoning district. One example is the McCormick Creek Plat, a large low density residential neighborhood. The remaining undeveloped and/or underdeveloped land having the overlay has greater development opportunities with the existing RB-2 and B-2 zoning designations.

The Planning Commission has held one work study session regarding the removal of the Mixed Use District (MUD) zoning overlay. A public hearing is scheduled for October 1, 2015.

Removal of the zoning overlay will require a Comprehensive Plan amendment removing the Mixed Use Land Use designation and amending the official Land Use Map. Zoning code amendments to GHMC 17.12.015 and 17.91 will be required.



III. APPLICABLE CODES AND POLICIES

Zoning Map amendments are addressed in Chapter 17.100 of the Gig Harbor Municipal Code. In order to recommend approval of a zoning map amendment, the Planning Commission should generally consider whether the proposed amendment furthers public health, safety and welfare, and whether the proposed amendment is consistent with the Gig Harbor Municipal Code, the Comprehensive Plan and the Growth Management Act (Chapter 36.70A RCW). Zoning map amendments are considered a Type V legislative action (GHMC 19.01.003). The Planning Commission is required to hold a public hearing and make recommendation to the City Council on such amendments (GHMC 19.01.005).

A. Comprehensive Plan:

2.1.1. Capable Areas

To the best degree possible, allocate high density/intensity urban development onto lands which are capable of supporting urban uses and which pose the fewest environmental risks.

5.3.1 Best to least allocation policies

As much as possible, allocate high density urban development onto lands which are optimally suitable and capable of supporting urban uses, and/or which pose fewest environmental risks. To the extent necessary, allocate urban uses away from lands or soils which have severe environmental hazards.

B. Gig Harbor Municipal Code:

17.100.035 General criteria for zoning district map amendment.

Applications for amendments to the zoning district map (which include, but are not limited to, site specific rezones) may only be approved if all of the following criteria are satisfied:

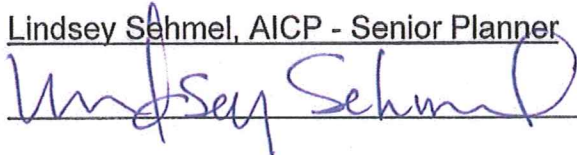
A. The application for the zoning district map amendment must be consistent with and further the goals, policies and objectives of the comprehensive plan and GHMC 17.12.015;

B. The application for the zoning district amendment must further or bear a substantial relationship to the public health, safety and general welfare;

C. No substantial detrimental effect will be caused by the granting of the application for the amendment; and

D. The proponents of the application have the burden of proof in demonstrating that conditions have changed since the original zoning or original designation for the property on the zoning district map. (Ord. 1322 § 4, 2015; Ord. 853 § 3, 2000; Ord. 710 § 100, 1996).

Project Planner: Lindsey Sehmel, AICP - Senior Planner



Date: _____

cc: Planning File

Justification Statement

Per GMAC Section 2.49, the Arts Commission is charged with encouraging public programs in the fine and performing arts. Further, to encourage donations, grants and other support to expand the arts and artistic opportunities and programs available to citizens of Gig Harbor.

The proposed addition of a new Arts Element section in the Gig Harbor Comprehensive Plan is to increase visibility and provide citizens with improved access to the City's arts-related objectives.

In its current configuration, references to The Arts are spread over three separate sections of the Comp Plan. This makes it difficult to find. While Arts references in the "Harbor Element" and "Community Design" sections are appropriate, a new, separate section of already-approved text could be created from existing text now located in the Parks section of the Plan. (See attached with minor revisions in red.) The text currently included in the Parks section refers only to statues in parks. The arts are much more than that.

Proposed Arts Element

Chapter ?? Arts Programs and Resources

Introduction –

The purpose of this Element is to delineate the importance of The Arts – visual art, music, theater, dance, poetry and prose, film and other creative endeavors – as they relate to the quality of life that can nurture and inspire Gig Harbor. Our goal is to celebrate the creative spirit of our community – to encourage and support work by local artists and to encourage and support visual, written and performing arts programs and partnerships that reflect our community's vision and culture.

- The Arts provide tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design.
- Arts and culture are essential to the continuing growth and development of our community's economy, education and quality of life. Support of The Arts is an investment in making our community a better place to live.
- The Arts help strengthen our cultural fabric and enrich the lives and spirits of our citizens.
- Arts and cultural programs are a powerful economic development tool in their ability to enhance Gig Harbor's image and thereby entice new businesses to locate here.
- The Arts can and should be a source of civic pride and Gig Harbor should be a place where citizens and visitors alike can be engaged and inspired.

The City should encourage the development of spaces where visual and performing arts can be enjoyed by all. This includes visual and performing arts centers, street fairs, and market places that include performance and display spaces. (See Resolution No. 861, approved by the City Council May 23, 2011.)

The Gig Harbor Arts Commission plays a vital role in our town's cultural scene by supporting and promoting The Arts and arts organizations. The Commission oversees the acquisition and placement of public art, fosters arts and cultural programs for the enrichment of citizens and visitors, encourages an environment for the success of working artists and strengthens new and existing arts organizations.

ARTS ELEMENT

ENCOURAGE VISUAL AND PERFORMING ARTS PARTNERSHIPS AND PROGRAMS THAT REFLECT THE COMMUNITY'S VISION AND CULTURE.

XX.x.1. Identify public **visual, written and performing** art opportunities that highlight the cultural and historical connections within our community through local history, environmental systems, cultural traditions and visual symbols.

XX.x.2 Enhance the reputation of Gig Harbor as a livable and creative community by encouraging artists of all types to display and perform their work and supporting opportunities for creative expression.

XX.x.3. Use public art to create visible landmarks and artistic points of reference to reinforce Gig Harbor's identity, unique culture and character.

XX.x.4. Acquire works of art through a variety of methods including commissioned works, temporary works, direct purchases and community projects.

XX.x.5. In cooperation with area artists and cultural organizations, utilize the city's website as a clearinghouse for arts information and resource sharing.



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

Subject: Resolution expressing support for Peninsula School District Continuation Levy on the February 9, 2016 special election ballot.

Proposed Council Action:

Adopt Resolution 1025.

Dept. Origin: Administration

Prepared by: Shawna Wise *SW*

For Agenda of: January 25, 2016

Exhibits: Resolution

Initial & Date

Concurred by Mayor: *JG 1/14/16*

Approved by City Administrator: *Shawna Wise 1/19/16*

Approved as to form by City Atty: *Via email 1-13-16*

Approved by Finance Director: *DF 1/19/16*

Approved by Department Head: _____

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

INFORMATION / BACKGROUND

The school district has asked the city for its support of the Peninsula School District Continuation Levy. The proposed levy will be presented to the voters of Pierce County at the special election on February 9, 2016.

Per RCW 42.17A.555, the City Council is to take public testimony, allowing an approximately equal opportunity for the expression of viewpoints supporting and opposing this measure before formally expressing a collective position on the levy.

FISCAL CONSIDERATION

None.

RECOMMENDATION / MOTION

Move to: Adopt Resolution 1025.

RESOLUTION NO. 1025

**A RESOLUTION OF THE CITY OF GIG HARBOR,
WASHINGTON, EXPRESSING SUPPORT FOR PROPOSITION
NO. 1, THE PENINSULA SCHOOL DISTRICT CONTINUATION
LEVY, ON THE FEBRUARY 9, 2016 SPECIAL ELECTION
BALLOT.**

WHEREAS, a strong school system contributes to a community's vitality;
and

WHEREAS, great schools play an integral role in developing great
communities and produces solid citizens; and

WHEREAS, local businesses, citizens and property owners know the
benefits of a quality school district that is supported by its community through
continued levy passage; and

WHEREAS, on Tuesday, February 9, 2016, residents of the Peninsula
School District will be asked to vote on a continuation levy; and

WHEREAS, this continuation levy renews an expiring levy approved by
voters in February 2012; and

WHEREAS, a task force of the school board, district staff and community
members developed this levy; and

WHEREAS, this levy incorporates the State's allowed authority for a levy
cap at 28.9% for Peninsula School District; and

WHEREAS, over 20% of the District's General Fund budget comes from
the levy; and

WHEREAS, at its meeting of January 25, 2016, the Gig Harbor City
Council took public testimony on the subject continuation levy, allowing an equal
opportunity for the expression of viewpoints supporting and opposing this
measure; and

WHEREAS, pursuant to RCW 42.17A.555, and after consideration of all
public testimony, the City Council desires to formally express a collective position
supporting the subject replacement levy; now, therefore,

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

The Gig Harbor City Council strongly supports the passage of Proposition No. 1, the Peninsula School District Continuation Levy, on the February 9, 2016 Special Election Ballot.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR
this 25th day of January , 2016**

APPROVED:

Jill Guernsey, Mayor

Ken Malich, Councilmember

Steven Ekberg, Councilmember

Casey Arbenz, Councilmember

Rahna Lovrovich, Councilmember

Paul Kadzik, Councilmember

Michael Perrow, Councilmember

Tim Payne, Councilmember

ATTEST/AUTHENTICATED:

MOLLY M. TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 1/14/16
PASSED BY THE CITY COUNCIL: 1/25/16
RESOLUTION NO. 1025



Business of the City Council
City of Gig Harbor, WA

Subject: Resolution 1026 – Harborview Drive Street Vacation – View Point Development LLC.

Proposed Council Action:
Move to adopt the Resolution setting a public hearing for the vacation of a portion of Harborview Drive.

Dept. Origin: Public Works
Prepared by: Jeff Langhelm P.E. *JL*
Public Works Director
For Agenda of: January 25, 2016
Exhibits: Resolution 1026
Letter of Request dated March 6, 2015
Original Legal Description and Survey dated September 30, 2011
Vicinity Map showing location
Checklist dated January 19, 2016

	Initial & Date
Concurred by Mayor:	<i>JL 1-20-16</i>
Approved by City Administrator:	<i>Ron W 1/20/16</i>
Approved as to form by City Atty:	Via email
Approved by Finance Director:	N/A
Approved by Department Head:	<i>JL 1/20/16</i>

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$0
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INFORMATION/BACKGROUND

The City received a letter on March 6, 2015 from Carl Halsan representing View Point Development LLC, the owner of vacant land (Parcel No. 2360000010) adjacent to 3810 Harborview Dr., petitioning the City to vacate a portion of Harborview Drive in accordance with GHMC 12.14.002. This request was originally submitted in 2011. On September 11, Resolution 870 was approved setting a Public Hearing date for October 10th, 2011. At the Public Hearing and First Reading on October 10, the City Council denied this Street Vacation request.

The proposed Right-of-Way area does not contain any public utilities and will not require any City easements. If necessary, it will be the responsibility of the property owner to obtain any private utility easements and provide the City with a copy of any such easements for future record. The applicant needs this additional square footage in order to comply with the City's Short Plat requirements. The attached exhibits depicts the proposed short plat configuration. The City's Planning Dept. commented that the applicant will need to submit a new Short Plat Application. All other City depts. had no comments or conditions on the proposed street vacation.

FISCAL CONSIDERATION

The processing fee has been paid in accordance with GHMC 12.14.004 .

BOARD OR COMMITTEE RECOMMENDATION

This current request was presented at the September 14, 2015 Public Works Committee meeting for discussion. The Committee was not in favor of losing Right-of-Way in this area and suggested if the developer wished to move forward, the request should go before full Council. On December 23, 2015, a request from Carl Halsan was received to begin the Street Vacation procedure for this Council session.

RECOMMENDATION/MOTION

Move to adopt the Resolution setting a public hearing for the vacation of a portion of Harborview Drive.

RESOLUTION NO. 1026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, SETTING A PUBLIC HEARING FOR THE VACATION OF A PORTION OF HARBORVIEW DRIVE.

WHEREAS, View Point Development LLC desires to initiate the procedure for the vacation of 6,849 square feet of Harborview Drive, originally created in the plat called Bay Ridge 1st Addition, recorded on October 15, 1963 Record of Plats in Pierce County, Washington (AFN 236000);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington:

Section 1. A public hearing upon said street vacation shall be held in the council chambers of Gig Harbor City Hall on Monday, March 14th, 2016, at 5:30 p.m., at which hearing all persons interested in said street vacation are invited to appear.

Section 2. The City Clerk is directed to post notices of the hearing in three public places and on the street to be vacated and to mail notices to all owners of any property abutting the portion of street to be vacated, pursuant to RCW 35.79.020.

PASSED this 25th day of January, 2016.

Jill Guernsey, Mayor

ATTEST:

Molly M. Towslee, City Clerk

FILED WITH THE CITY CLERK: 01/25/16
PASSED BY THE CITY COUNCIL: 01/25/16
RESOLUTION NO. _____

HALSAN FREY, L.L.C.
REAL ESTATE DEVELOPMENT & CONSULTING SERVICES

March 6, 2015

Willy Hendrickson
City of Gig Harbor
Public Works Department
3510 Grandview Street
Gig Harbor, WA 98335

**RE: PROPOSED ROAD VACATION
HARBORVIEW DRIVE**

Dear Public Works:

As agent for the property owner, View Point Development LLC, we are formally requesting the City vacate the excess portion of Harborview Drive adjacent to our client's property as shown on the attached exhibits. Through our due diligence work, city staff determined that the long-term right-of-way needs along this portion of Harborview calls for a half street right-of-way width of 35'. This vacation request will leave 40' to accommodate a rockery and other unforeseen items that may be needed, in addition to the sidewalk and parking stalls. The existing, half-street right-of-way in this location is nearly double that at 70' just on my client's side of the road. We are asking the City to vacate this area back to my client. This vacation area totals about 5,470 square feet.

Approval of the vacation will add a larger, flatter portion of property to the site which will facilitate better building sites and result in an area for access requiring less steep driveways onto and off of Harborview Drive.

Please call me with any questions at (253) 307-1922 or email me carl@halsanfrey.com.

Sincerely,

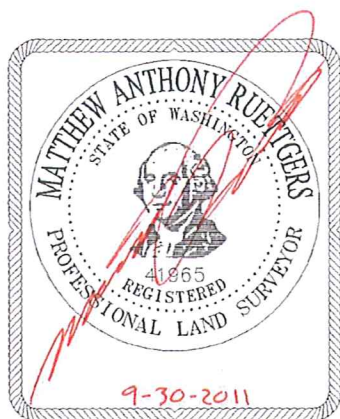


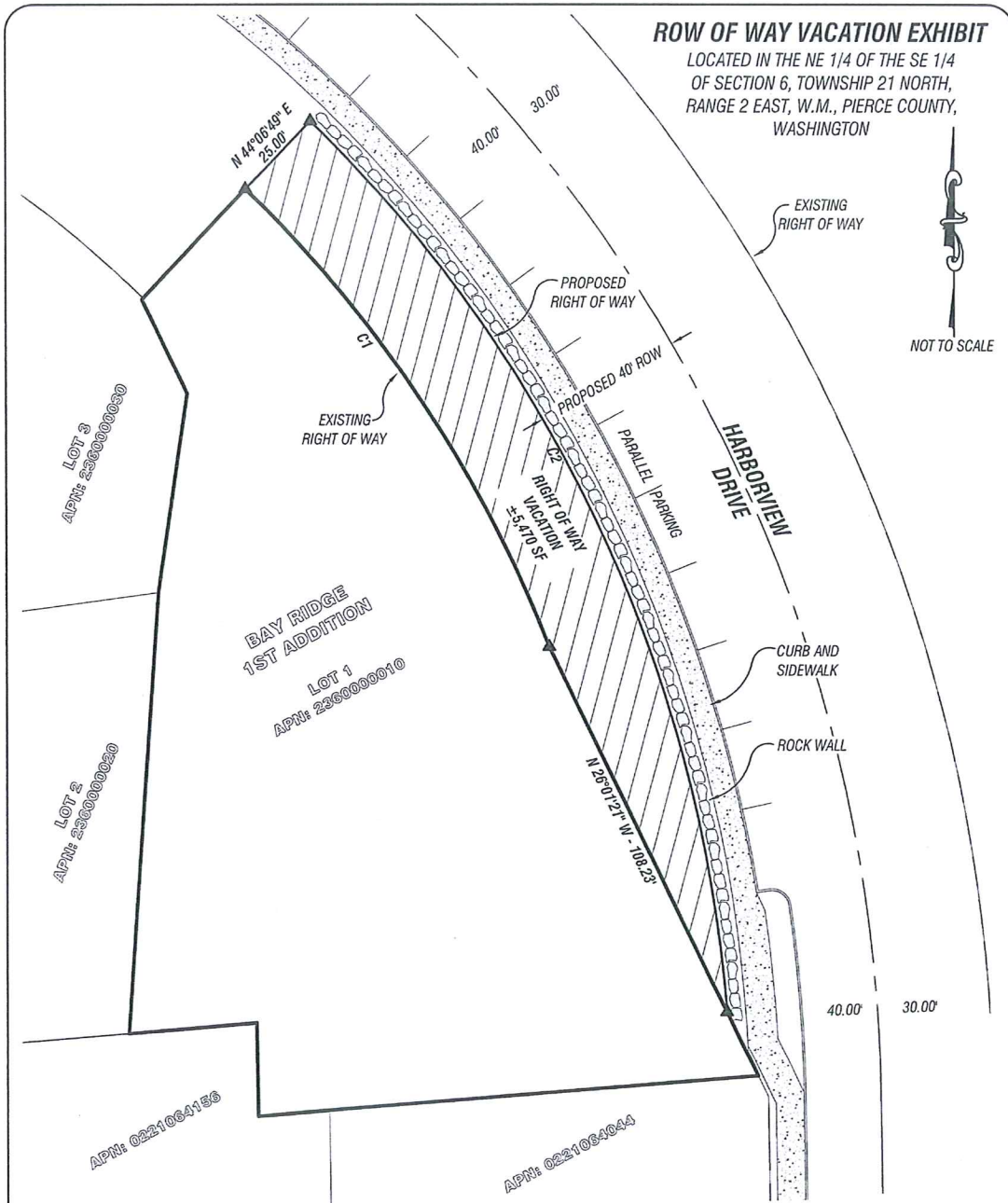
Carl E. Halsan
Member

EXHIBIT "A" – PAGE 1 VACATION DESCRIPTION

A portion of Harborview Drive described as follows:

Beginning at the most Northerly Northeast corner of Lot 1 of Bay Ridge 1st Addition to Gig Harbor, Washington, according to the plat recorded in Book 25 of Plats at Page 41, in Gig Harbor, Washington, said corner being coincident with an angle point on the existing West right of way line of Harborview Drive and lying 65 feet from the centerline of said right of way; thence perpendicular to said centerline North 44°06'49" East, 25.00 feet to a point lying 40.00 feet from said centerline; thence 40.00 feet westerly of, when measured at right angles, and parallel to said centerline, 267.89 feet on the arc of a 369.30 foot radius non tangent curve to the right, whose central angle is 41°33'42" and chord bears South 25°06'20" East, 262.05 feet to a point on the East line of said Lot 1, being coincident with the existing West right of way line of Harborview Drive; thence on said East line of Lot 1 and existing West right of way line, North 26°01'21" West, 108.23 feet; thence continuing on said lines, 147.70 feet, on the arc of a 344.30 foot radius non-tangent curve to the left, whose central angle is 24°34'47" and chord bears North 33°35'48" West, 146.57 feet to the point of beginning. All lying in the Northeast Quarter of the Southeast Quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, Pierce County, Washington, and containing 5,470 square feet, more or less.





NOT TO SCALE

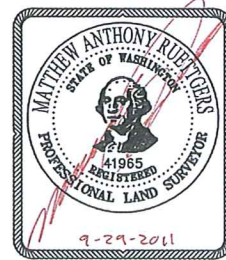
LEGEND:

▲ CALCULATED POINT

CURVE TABLE:

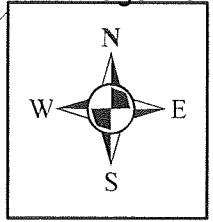
C1 - D=24°34'47"
 L=147.70'
 R=344.30'
 CH=N 33°35'48" W - 146.57'

C2 - D=41°33'42"
 L=267.89'
 R=369.30'
 CH=S 25°06'20" E - 262.05'



PACWEST ENGINEERING, LLC
 10209 Bridgeport Way SW, Suite C-1
 Lakewood, WA 98499
 Phone (253) 830-5960
 Fax (253) 830-5999

DWG:	06-578 ROW VAC EXHIBIT 40'.DWG
DATE:	9-29-2011
PROJECT:	06-578



VIEW POINT DEVELOPMENT STREET VACATION
VICINITY MAP



VACATION OF STREETS AND ALLEYS

GIG HARBOR MUNICIPAL CODE CHAPTER 12.14

Name: View Point Development LLC Date: January 19, 2016

Site address: Adjacent to 3810 Harborview Drive

Phone Number: 253 – 307 – 1922 (Halsan Frey LLC) Parcel Number: 2360000010

OWNER REQUIREMENTS

- ✓ The petition or resolution shall be filed with the city clerk, and the petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated. [GHMC § 12.14.002 (c)]. **Received**
- ✓ Nonrefundable payment to the City of a pre-hearing fee of \$150.00, to defray the administrative cost incurred in processing such vacation petitions [GHMC § 12.14.004 (a)]. **Received**
- ✓ Legal description prepared by a Licensed Surveyor of area to be vacated [GHMC § 12.14.002 (b)]. **Received**
- ✓ Location map showing surrounding street network, existing utilities, and adjacent properties labeled with ownership, site addresses, and parcel numbers. **Received**
- ✓ Site map prepared by a Licensed Surveyor showing the existing property and street vacation areas with dimensions (using bearings and distances), calculated square footage, two-foot contours, existing easements, wetlands and trails or other relevant information. **Received**
- At the time the City Council recommends granting a vacation petition, the petitioner shall deposit a \$500.00 appraisal fee with the Public Works Director [GHMC § 12.14.004 (b)]. Appraisal fee not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)]. **To Be Determined**
- Compensation to the City for vacation if applicable [GHMC § 12.14.018]. Compensation not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)]. **To Be Determined**

CITY REVIEW

- ✓ Determine Non-user Statute application. **Does not qualify as Non-user Statute**
- ✓ Verify all information provided in the petition, legal description, location map, and site map. **OK**
- ✓ Describe topography and vegetation (forested, cleared, etc.) using GIS aerial and digital camera photos of site. **Vegetated steep slope. Existing driveway access.**
- ✓ Verify existing utilities or call One Call Locate to determine what utilities are on the property. **None**
- ✓ Determine proposed vacation's consistency with City of Gig Harbor Comprehensive Plan (i.e. transportation element). **Consistent with proposed future Harborview Drive Master Plan Improvements**
- ✓ Determine current extent of public use of area proposed to be vacated as a Prescriptive Easement. **No easements required. No public use for area proposed.**
- ✓ Determine possible retention for future public uses: Roadway, water, sewer, storm drainage, parking facilities, parks, view areas, and access to waterfront. **Not to be used for future public uses.**

VACATION OF STREETS AND ALLEYS
GIG HARBOR MUNICIPAL CODE CHAPTER 12.14
PAGE 2

- ✓ Develop history of area proposed to be vacated including when area was purchased, dedicated, or otherwise acquired. **Bayridge First Addition (AFN 236000) October 15, 1963**
- Determine compensation for vacation as described in GHMC § 12.14.018 if applicable. **Pending Appraisal**
- ✓ Verify payment of pre-hearing \$150 fee and \$500 appraisal fee. **\$150 paid - receipt no. 212740**
- ✓ Prepare aerial vicinity map. **Completed**
- Prepare Council Resolution. **Resolution 1026**
- Post notices of Public Hearing. **Pending**
- ✓ Determine hearing date. **March 14, 2016**
- ✓ Legal Review



Business of the City Council
City of Gig Harbor, WA

Subject:
Fire Dist. 5 Annual Inspection Agreement

Proposed Council Action:

Approve the Inter-local Agreement between
the City and PCFD#5/Gig Harbor Fire &
Medic One for fire inspection services as
outlined in the agreement.

Dept. Origin: Building/Fire Safety

Prepared by: Paul Rice [signature]

For Agenda of: January 25, 2015

Exhibits:
Proposed Inter-local Agreement

Initial & Date

Concurred by Mayor: [signature] 1/19/16
Approved by City Administrator: [signature] 1/19/16
Approved as to form by City Atty: [signature] via email
Approved by Finance Director: [signature] 1/19/16
Approved by Department Head: [signature] 1/19/2016

Table with 4 columns: Expenditure Required, Amount Budgeted, Appropriation Required. Values include 'See Exhibit' and '\$50,000.00'.

INFORMATION / BACKGROUND

For the past three years the City has partnered with Pierce County Fire District #5/Gig Harbor Fire & Medic One for fire prevention activities including annual commercial fire safety inspections under an inter-local agreement.

The inspection program has been extremely successful with over 1,000 fire and life safety code violations brought into compliance annually and 131 businesses operating without a license identified this past cycle.

This agreement contains a number of changes from the previous agreement that should be noted. Language which highlights partnership as well as education has been added. Provisions which allow greater flexibility and options in scheduling inspections have been provided. Additionally, language regarding the provisions for obtaining proper consent as delineated in the International Fire Code is now included.

FISCAL CONSIDERATION

Under the terms of the current agreement an extension and modifications by both parties may be proposed. The proposed modifications include a 3 year extension to be revisited every two years thereafter to coincide with the City's bi-annual budget schedule. Proposed is a first year (2016) compensation of \$58,350.00 with the addition of a 100% CPI-U modifier for each additional year thereafter. The City's budget can adequately accommodate this proposal.

BOARD OR COMMITTEE RECOMMENDATION

The Agreement was presented at the December 1, 2015 Finance and Safety Committee meeting. Committee members supported the financial component of the agreement and made contextual recommendations that have been utilized in developing this final proposal.

The Agreement will be presented to the Fire District's Board of Commissioners for final approval on Tuesday, January 26, 2016.

RECOMMENDATION / MOTION

Move to: Approve the Inter-local Agreement between the City and PCFD#5/Gig Harbor Fire & Medic One for fire inspection services as outlined in the agreement.

**INTERLOCAL AGREEMENT
FOR FIRE INSPECTION AND EDUCATION
SERVICES BETWEEN THE CITY OF GIG HARBOR
AND PIERCE COUNTY FIRE DISTRICT NO. 5**

THIS AGREEMENT is made and entered into by and between the City of Gig Harbor, Washington, a Washington municipal corporation (hereinafter the "City"), and Pierce County Fire Protection District No. 5, a Washington municipal corporation (hereinafter the "District").

WITNESSETH:

WHEREAS, the City has been annexed to the District, and the District provides fire protection to the City, pursuant to chapter 52.04 RCW; and

WHEREAS, the City and the District have the authority to contract for the provision of fire inspection services, pursuant to chapter 39.34 RCW and RCW 52.12.031(3); and

WHEREAS, in the District's performance of such Fire Inspection Services, the District is required to use the International Fire Code, as adopted by the City of Gig Harbor (pursuant to RCW 52.12.031(6)) and Gig Harbor Municipal Code Section 15.06.020 E; and

WHEREAS, both the City and the District have the authority to perform fire inspections, pursuant to IFC Sec. 106.2; and

WHEREAS, the District acknowledges that nothing in this Interlocal Agreement or Title 52 RCW grants code enforcement authority to the District (see, RCW 52.12.031(6)); and

WHEREAS, both the City and the District acknowledge that the success of this program is based on developing partnerships between government, and the owners, occupants and the citizens; and

WHEREAS, the City desires to contract with the District for the provision of fire inspection services within the City, for the purpose of educating, ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of the International Fire Code, as adopted by the City, and of any other law or standard affecting fire safety; and

WHEREAS, the District desires to provide such fire inspection services for the consideration described herein;

NOW, THEREFORE, the parties hereto agree as follows:

Section 1. Purpose. The purpose of this Interlocal Agreement is to describe the terms and conditions under which the parties will cooperate in fire inspection services within the City of Gig Harbor.

Section 2. Services to be provided by District. The District agrees to provide the following services within the City of Gig Harbor:

A. Inspections.

1. Schedule. Qualified District personnel will inspect buildings and structures in the City, in accordance with the inspection schedule attached hereto as Exhibit A. The annual inspection program will continue from January 1, 2016, through December 31, 2018, with an option to extend for two year periods thereafter.

2. Inspection Notices. The District shall be responsible to notify the property owner and/or occupant prior to conducting an inspection. It is the intent to allow significant flexibility to owners and/or occupants and the District in order to complete the inspections in a timely manner. If the timing of the inspection is inconvenient to either the property owner or occupant, the inspection will be rescheduled to a mutually agreed to time. Furthermore, those owners and/or occupants with a business whose operation may be negatively impacted by an unscheduled inspection may request a scheduled inspection by notifying the District in writing.

3. Property Owner's Consent. The inspection program is predicated on receiving consent prior to conducting a fire inspection. The District shall notify the City of any property owner/occupant that does not voluntarily consent to an inspection. The District shall take no action to attempt an inspection without permission of the City, if it does not receive consent from a property owner/occupant for a building/structure inspection.

4. Correction Notices. If the District discovers the presence of any condition which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of the International Fire Code, as adopted by the City, the District shall issue a Correction Notice. Such Correction Notice shall be provided to the property owner or occupant in writing within seven (7) days after the inspection. The District agrees to notify the City Fire Marshal in writing when timely compliance with such correction notices is not achieved. If any condition exists, which in the opinion of the District inspector, warrants immediate action to protect the public health and safety, the Emergency Correction Notice shall be provided to the property owner within 24 hours of the inspection. The District agrees to notify the City Fire Marshal within 24 hours of any inspections

warranting an Emergency Correction Notice.

5. Noncompliance with Correction Notice. If violations are noted during the annual inspection, a correction notice shall be presented to the occupant/owner of the premise. At that time, 15 days will be allowed to bring the premise into compliance. If after re-inspection, compliance is not achieved, an additional 15 days will be allowed to bring the premise into compliance. If after a second re-inspection compliance is still not achieved, the District shall notify the City Fire Marshal in writing within 24 hours of the re-inspection. After such notification by the District, the City shall be responsible for taking any further action to enforce the City's code.

6. The City will provide the District a copy of all preliminary and final utility and street improvement plans, subdivision plans, site plans and building plans of all new construction (except single family homes up to and including four unit dwellings) for review and comment by the District at least one week, (five working days) prior to the date required for comments. The District will forward comments to the City within one week or five working days after receipt of such plans.

7. The District will provide the City Fire Marshal with on demand electronic access to all to Pierce County Fire District #5's occupancy files and fire flow files. This access shall provide continuous real time information for all Property Inspections, all Correction Notices, and all Emergency Correction Notices.

Section 3. Annual Reports. The District shall provide the City with an annual report of all its activities under this Agreement, on or before the first day of February. This annual report shall include the following information:

- A. Name and position of inspector(s);
- B. Identification of all properties inspected;
- C. Identification of all Correction Notices issued;
- D. Identification of all Emergency Correction Notices issued;
- E. Identification of disposition of all situations for which Correction Notices or Emergency Correction Notices were issued.

Section 4. Financial Consideration(s).

The District has agreed to provide the fire inspection program described in this agreement. Compensation for the inspection program will be as follows:

The District will be compensated \$58,350 for 2016.

2017 compensation will be 2016 compensation (\$58,350) plus 100% CPI-U, Seattle-

Tacoma-Bremerton, August 2015-August 2016

2018 compensation will be 2017 compensation plus 100% CPI-U, Seattle-Tacoma-Bremerton, August 2016-August 2017

With extension of the contract:

2019 compensation will be 2018 compensation plus 100% CPI-U, Seattle-Tacoma-Bremerton, August 2017-August 2018

2020 compensation will be 2019 compensation plus 100% CPI-U, Seattle-Tacoma-Bremerton, August 2018-August 2019

The District shall invoice the City for compensation in the fourth quarter of each year, and the City shall pay the invoice within 30 days after receipt.

Section 5. Term.

A. Expiration. This Interlocal Agreement shall expire on December 31, 2018. (one three year period with an option to extend for two year periods there after so the agreement aligns with the City's two year budget cycle).

B. Extension of Interlocal Agreement. Prior to the end of the term, the parties will review and analyze the performance, cost effectiveness and efficiency of the District's provision of fire inspection services within the City and the City's financial situation, and the parties may agree to extend this Interlocal Agreement under the same or different terms and conditions. This contract may be modified by either party with agreement of the other party prior to the expiration of the term.

C. Termination. The parties may terminate this Interlocal Agreement for any reason, by providing the other party three (3) months prior written notice.

Section 6. Relationship of Parties. In contracting for the services described in this Interlocal Agreement, the District and City are deemed for all purposes to be acting within their governmental capacities. (RCW 52.12.031(3).) No agent, employee, representative, officer or official of the District shall be or shall be deemed to be the employee, agent, representative, official or officer of the City. None of the benefits the City provides to its employees, including, but not limited to, compensation, insurance and unemployment insurance are available from the City to the employees, agents, representatives, officers or officials of the District. The District will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives, officials and officers during the performance of this Agreement.

Section 7. Discrimination. In the hiring of employees for the performance of work under this Interlocal Agreement or any subcontract hereunder, the District, or any person acting on behalf of the

District, shall not, by reason of race, religion, color, sex, marital status, sexual orientation, national origin or the presence of any sensory, mental or physical disability, discriminate against any person who is qualified and available to perform the work to which the employment relates.

Section 8 Indemnification. The District shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and attorneys' fees, arising out of or in connection with the performance of this Agreement, except for injuries or damages caused by the sole negligence of the City. In the event of liability for negligence for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the District and the City, its officers, officials, employees, agents and volunteers, the District's liability hereunder shall only be to the extent of the District's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the District's waiver of immunity under Industrial Insurance, Title 51 RCW, or any other applicable insurance available to District employees, including, but not limited to LEOFF, chapter 41.26 RCW or PERS, chapter 41.40 RCW, solely for the purposes of this indemnification. The parties further acknowledge that they have mutually negotiated this waiver. The District's waiver of immunity under the provisions of this section does not include, or extend to, any claims by the District's employees made directly against the District.

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

Section 9. Insurance.

A. The District shall procure and maintain for the duration of this Interlocal Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the District's provision of fire inspection services, including the work of the District's employees, agents, officials and officers.

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

1. Business auto coverage for any auto no less than \$1,000,000 each accident limit,
- and
2. Commercial General Liability insurance no less than \$1,000,000 per occurrence with

a \$3,500,000 aggregate.

C. The District is responsible for the payment of any deductible or self-insured retention that is required by any of the District's insurance policies.

D. The City of Gig Harbor shall be named as an additional insured on the District's commercial general liability policy. This additional insured endorsement shall be included with evidence of insurance in the form of a Certificate of Insurance for coverage described in subsection B of this section. The City reserves the right to receive a certified and complete copy of the District's insurance policies.

E. It is the intent of this Interlocal Agreement for the District's insurance to be considered primary in the event of a loss, damage or suit. The City's own comprehensive general liability policy will be considered excess coverage with respect to the City. Additionally, the District's commercial general liability policy must provide cross-liability coverage as could be achieved under a standard ISO separation of insured's clause.

F. The District shall request from its insurer a modification of the ACORD certificate to include language that prior written notification will be given to the City of Gig Harbor at least thirty (30) days in advance of any cancellation, suspension, or material change in the District's coverage.

Section 10. Ownership and Use of Records. Original documents, inspection reports, correction notices, emergency correction notices and other reports developed under this Interlocal Agreement shall belong to and become the property of the District. The City shall have the right to inspect the District's records at all reasonable times, after providing the District with at least five (5) days advance notice. Copies of the documents shall be timely provided to the City as provided in this Interlocal Agreement, or if such documents are not specifically mentioned in this Interlocal Agreement, at the City's cost for such copies. City agrees to provide similar access to existing historical records on all existing occupancies to show previous agreements or violations, and otherwise assist District in performing the inspection services.

Section 11. District's Agreement to Provide Services Consistent with Law. The District agrees to comply with all federal, state and local codes and ordinances that are now effective or become applicable to the performance of the fire inspection services described in this Interlocal Agreement. The District acknowledges that it is required by law to use the International Fire Code, as adopted by the City of Gig Harbor (Chapter 15.06 GHMC), pursuant to RCW 52.12.031(6).

Section 12. Inspections Performed at District's Own Risk. The District shall take all

precautions necessary and shall be responsible for the safety of its employees, agents, officers and officials in the performance of the work described in this Interlocal Agreement, and shall utilize all protection necessary for that purpose. All inspections shall be performed at the District's own risk.

Section 13. Non-Waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements or options, and the same shall be and remain in full force and effect.

Section 14. Venue and Attorneys' Fees. Jurisdiction of any litigation brought by either party to enforce the terms of this Interlocal Agreement shall be in Pierce County Superior Court, Pierce County Washington or the U.S. District Court for the Western District of Washington. This Interlocal Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The non-prevailing party in any action brought to enforce this Interlocal Agreement shall pay the other party's expenses and reasonable attorneys' and expert witness fees.

Section 15. Written Notice. All communications regarding this Interlocal Agreement shall be sent to the parties at the addresses listed on the signature page of the agreement, unless notified in writing to the contrary. Unless otherwise specified, any written notice hereunder shall become effective upon the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addresses listed on the signature page.

Section 16. Assignment and Modification. Any assignment of this Interlocal Agreement by the District without the written consent of the City shall be void. If the City shall give its consent to any assignment, this section shall continue in full force and effect and no further assignment shall be made without the City's consent. No waiver, alteration or modification of any of the provisions of this Interlocal Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the District.

Section 17. Entire Agreement. The written provisions and terms of this Interlocal Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer, official or employee of the City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner whatsoever, this Interlocal Agreement or the Agreement documents. The entire agreement between the parties with respect to the subject matter hereunder is contained in this Interlocal Agreement and any Exhibits attached hereto.

Section 18. Severability. If any section, sentence, clause or phrase of this Interlocal

Agreement is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, cause or phrase of this Interlocal Agreement.

Section 19. Effective Date. This Interlocal Agreement shall not be effective until signed by the duly authorized representative of the governing body of the parties and all of the following events occur:

- A. Filing of the Interlocal Agreement with the Pierce County Auditor or listing it by subject on either party's web site; and
- B. Filing of the Interlocal Agreement with the Gig Harbor City Clerk.
- C. Filing of the Interlocal Agreement with the District Secretary.

IN WITNESS WHEREOF, the parties have executed this Interlocal Agreement on the date below written:

THE CITY OF GIG HARBOR

**PIERCE COUNTY FIRE
PROTECTION DISTRICT NO. 5**

By _____
Jill Guernsey, Mayor DATE

Kevin Entze, Chairman DATE

R. Scott Duncan, Commissioner DATE

Bryce Nelson, Commissioner DATE

Randy Stevens, Commissioner DATE

Tom Sutich, Commissioner DATE

Notice shall be sent to:

The City of Gig Harbor
3510 Grandview Street
Gig Harbor, Washington 98335

Pierce County Fire District No. 5
10222 Bujacich Rd. NW
Gig Harbor, WA 98332-8540

Attn: Ron Williams, City Administrator

Attn: John Burgess, Fire Chief

ATTEST:

Molly Towslee
City Clerk

District Secretary

APPROVED AS TO FORM:

Angela G. Summerfield
City Attorney

Joseph F. Quinn
Fire District Attorney

EXHIBIT "A"

Inspection Schedule

In accordance with this contract and under the authority of Gig Harbor Municipal Code, Title 15 Buildings and Construction, the Fire District will perform annual fire safety inspections on all buildings and occupancies except residential structures of less than 4 dwelling units (R-3 dwelling units) and their non-commercial accessory structures.

Exception: Any Group A or B Occupancy having, upon inspection, no noted fire code violations for a period of three years will be allowed a one year grace period prior to its next fire code inspection. They will be sent a letter expressing the District's and City's gratitude for providing a fire safe occupancy and will be placed in the next year's regular rotation for inspections. Inspections for that occupancy will be scheduled on a biannual basis thereafter provided no fire code violations are noted during scheduled inspections and the occupancy does not suffer a fire incident.

Exception: City owned buildings and facilities. Such buildings and facilities will be inspected on an annual basis jointly by the City Fire Marshal and District personnel.



Business of the City Council City of Gig Harbor, WA

Subject: Art Location Recommendations

Dept. Origin: Public Works

Proposed Council Action:

1. Accept the recommended location for the Peace Pole at the Civic Center as identified in the exhibit.
2. Accept the recommended location "___" for the totem pole at the Civic Center as identified in the exhibit.

Prepared by: Jeff Langhelm, PE AJL
Public Works Director

For Agenda of: January 25, 2016

Exhibits: Peace Pole Location Map
Totem Pole Location Map

	Initial & Date
Concurred by Mayor:	JG 1-20-16
Approved by City Administrator:	RW 1/20/16
Approved as to form by City Atty:	VIA EMAIL 1/20/16
Approved by Finance Director:	N/A
Approved by Department Head:	AJL 1/20/16

Expenditure Required	\$ 0	Amount Budgeted	\$ 0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

At the June 2015 joint work study session with the City Council and Parks Commission the Council directed the Commission to identify potential locations on City property for three proposed pieces of donated art. The three pieces include the Midday Rotary's Wish Fish, Midday Rotary's Peace Pole, and the Ulsh Totem Pole. In each case the City's Arts Commission also provided an independent recommendation. After further consideration at multiple Parks Commission and Arts Commission meetings, the recommendations for each piece from each commission are presented below.

With the subsequent recommendations from the Parks Commission and Arts Commission, the Public Works Staff and Mayor Guernsey offered separate and specific locations for both the Peace Pole and Totem Pole as outlined in the exhibits.

FISCAL CONSIDERATION

N/A

BOARD OR COMMITTEE RECOMMENDATION

Midday Rotary's Wish Fish

Arts Commission: (November 2015) This is not an interactive sculpture and should be placed on non-city property, possibly Uptown.

Parks Commission: (July 2015) Prefers that the piece be located outside of a city park, but encouraged it in other areas of the city including: Uptown, near Kelly's Café, Harborview/Pioneer

corner.

Note: Based on these recommendations, Midday Rotary is not moving forward with placement of the Wish Fish on public property at this time.

Midday Rotary's Peace Pole

Arts Commission: (November 2015) Place at Civic Center. Discussion surrounded around placement somewhere near the entrance so those people visiting the building will incorporate peace into their business with the City.

Parks Commission: (September 2015) Move that the Peace Pole either be placed at the Civic Center or the Cushman Trailhead Park

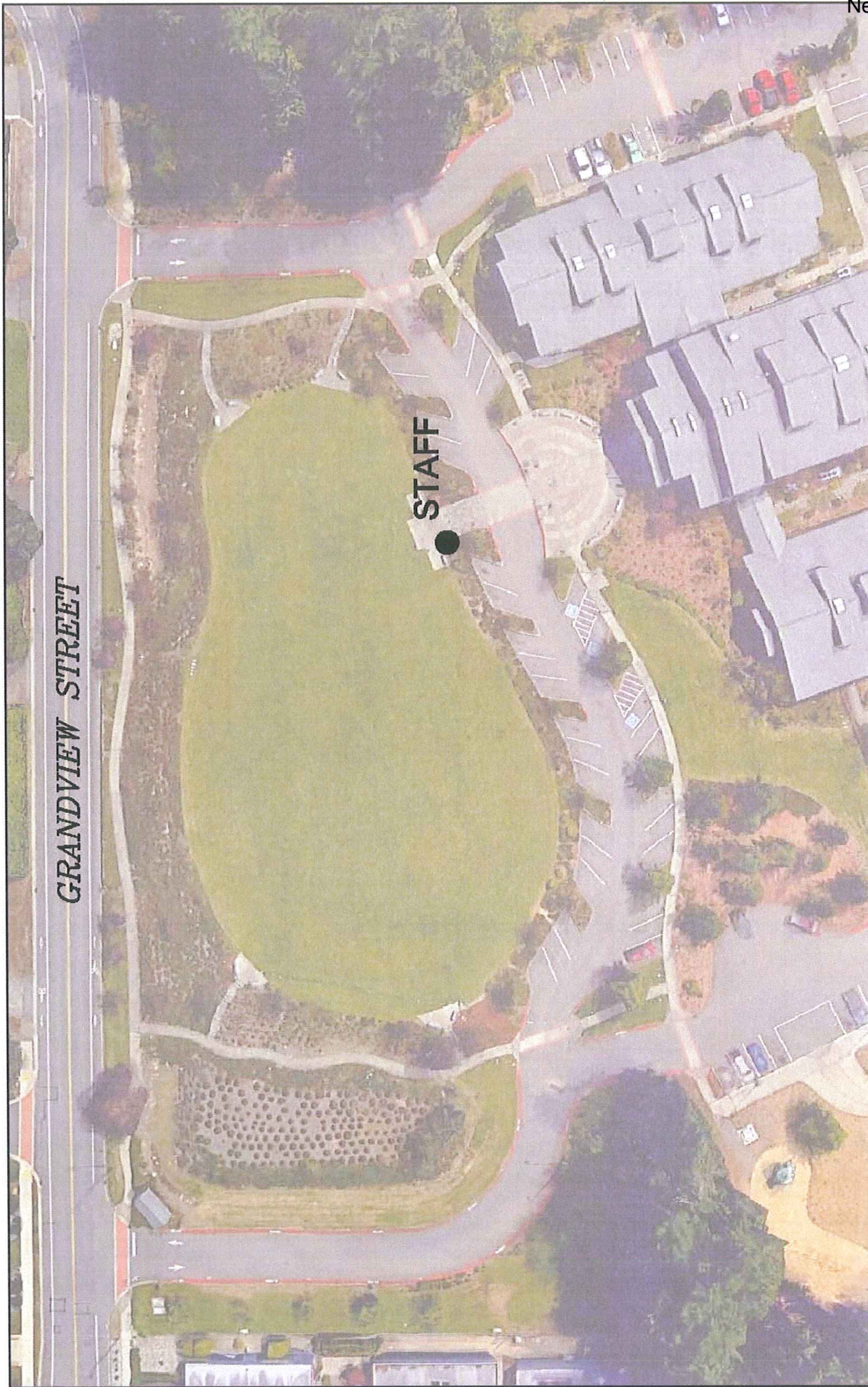
Ulsh Totem Pole

Arts Commission: (November 2015) Place at Civic Center.

Parks Commission: (December 2015) Preferred Location: located at the Civic Center at position #8 (near the skate park) with an alternative recommendation for position #1 (near Civic Center entrance up on the edge of the green, by bench)

RECOMMENDATION/MOTION

1. Accept the recommended location for the Peace Pole at the Civic Center as identified in the exhibit.
2. Accept the recommended location “__” for the totem pole at the Civic Center as identified in the exhibit.



PEACE POLE LOCATION



TOTEM POLE LOCATION



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

**Subject: Gig Harbor Arts Commission
2016 Work Plan**

Proposed Council Action: Review and
Approve the 2016 Gig Harbor Arts Commission
Work Plan for 2016.

Dept. Origin: Administration

Prepared by: Molly Towslee, City Clerk *MT*

For Agenda of: January 25, 2016

Exhibits: GHAC 2016 Work Plan

Initial & Date

Concurred by Mayor:

JG 1-19-16

Approved by City Administrator:

MTW 1/19/16

Approved as to form by City Atty:

N/A

Approved by Finance Director:

DR 1/19/16

Approved by Department Head: _____

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$0
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INFORMATION / BACKGROUND

The Gig Harbor Arts Commission is requesting a formal adoption of the updated Work Plan for 2016.

FISCAL CONSIDERATION

No fiscal consideration is required at this time for the adoption of the plan.

BOARD OR COMMITTEE RECOMMENDATION

No Board or committee recommendation at this time.

RECOMMENDATION / MOTION

Move to: Review and approve the Gig Harbor Arts Commission Work Plan for 2016.

2016 Goals

1. Public Art:

The Maritime Pier –The commission received three responses to a Call for Art for a sculpture to be placed at the entrance to the Maritime Pier. In July, the Commission unanimously selected the proposal submitted by Seattle sculptor Matthew Dockrey. The design was subsequently approved by the Parks Commission and approved by Council on Sept. 28. As of January 2016, Mr. Dockrey is in the process of creating the artwork. We anticipate that it will be installed in May, in time for the Maritime Gig festival.

We are working with Public Works to install site appropriate artworks at six new sites identified by Public Works:

- 50th Street at KLM
- Cushman Trailhead
- Pierce Transit Park & Ride on Kimball
- Ancich Park
- Donkey Creek – sidewalk
- Lift Station 4B at Jerisich Dock / Skansie Brothers Park

Outdoor Gallery Program – In 2016, the Commission will investigate funding sources for pedestals for two approved pedestal sites. Once funds have been found to purchase the basalt pedestals, a Call for Art for appropriate artwork will be issued. In addition to the two artworks already installed on Harborview Drive in front of the Threshold Company, four other sites have been identified and approved.

2. Comprehensive Plan Arts Element:

We will continue to advocate for a separate, distinct Arts Element to be added to the City's Comprehensive Plan.

3. Workshops and Presentations:

Continuing our popular series of workshops, begun three years ago in 2013 the Commission will present the following:

- a) In March 2016 The Commission will present a workshop on Using Video as a Marketing Tool. We hope to partner with the Downtown Waterfront Alliance in this workshop, which will be geared to artists and small business owners. Commission Vice Chair Leonard Hill will lead this workshop.
- b) Also in 2016, we will also present a workshop on How to Respond to Calls for Artists (RFPs)" for artists who want to apply for public or other art commissions.

4. Historic plaques for concrete pillars at Donkey Creek / History Museum / Austin Estuary

We are partnering with Harbor Wildwatch and a small group of local citizens to create interpretive signage that briefly tells the story of Gig Harbor's first people and the historic significance of five sites near Donkey Creek, the history museum and Austin estuary. The five concrete pillars were salvaged from the landfill that was removed when Donkey Creek was daylighted.

5. Digitizing Public Art Inventory:

A sub-committee is working to create a digital inventory of the City's public artworks.

6. Self-guided Art Tour:

We will continue to work with the Downtown Waterfront Alliance to update a brochure that supports a walking tour of city-owned artwork, including artworks located in the Civic Center and along the downtown waterfront.

7. Snowplow art:

We will submit a proposal to the Public Works Committee to have local artists paint the blades of the City's snowplows with light-hearted winter scenes.

7. STEAM: (Science Technology Engineering ART+DESIGN Math)

2015 Accomplishments

Workshops / Lectures:

- In April, in partnership with the Peninsula Art League we presented a standing-room-only evening with Tacoma resident Peter Altman who shared his story of how his mother successfully reclaimed four paintings by Gustav Klimt that had been stolen from her family by the Nazis in WWII. Maria Altman was the first American to ever sue a foreign government (Austria). Her case went to the U.S. Supreme court and she won back her family's paintings. A movie called "The Lady in Gold" tells Mrs. Altman's story. The movie was shown in theaters across the U.S.
- During the summer, the Arts Commission partnered with the Gig Harbor library in hosting a 3D printing class at the Point Fosdick branch.
- In October, the Arts Commission hosted an updated "Making Friends with the Media" workshop featuring editors, broadcasters and arts writers from local (Gig Harbor, Key Peninsula and Tacoma) media. This event was well attended by artists and local business owners.

Arts Element – Gig Harbor Comprehensive Plan:

The Commission brought together a small committee of citizens to craft an Arts Element for the Comp Plan. The proposed element was submitted to Planning in October 2015 and will be included in the 2016 PROS Plan update. This year, the Arts Commission plans to pursue this objective further and will explore ways to add a separate, distinct Arts Element to the Plan to make sure that The Arts of all kinds are represented and supported in the City's Comp Plan.

Public Art –

Artworks were installed at three public sites:

- Stone sculptor Sharon Feeney installed two of her artworks on basalt pedestals on Harborview Drive (near the Russell building).
- Seattle sculptor Stuart Nakamira installed his artwork "Memory Vessel" at the Bogue viewing platform.
- We issued a Call for Art for an artwork to be placed at the Maritime Pier and selected a proposal from Seattle sculptor Matthew Dockrey. Mr. Dockrey will install his creation in May or June 2016.

Miscellaneous –

Art Commissioners served as jurors at Peninsula Art League's annual Open Juried Show in September and presented our Commissioner's Choice Award to Gig Harbor Artist Sheila Anderson.



January 21, 2016

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

Subject: Public Comment: 2016 Comprehensive Plan Amendment Docket / PL-COMP-15-0003 Land Use Map Amendment - Removal of MUD Overlay

Dear Councilmembers:

I am a planning consultant representing property located in the MUD Overlay area that is being considered for a land use map amendment during 2016. This land use map amendment is one of the 2016 comprehensive plan amendments under consideration for docketing at the Council meeting on January 25, 2016. This letter conveys our opposition to the proposed amendment (PL-COMP-15-003) and we request that Council deny the continued review of the proposal.

It is our understanding that the docketing process outlined in GHMC 19.09.130 requires Council to consider all relevant facts; whether circumstances have substantially changed since adoption of the MUD Overlay; whether assumptions are no longer valid; or whether new information needs to be considered. The enclosed attachments demonstrate how the Burnham Construction LLC property (Parcel 022231-4037) has used the MUD Overlay district in two land use applications. In effect, the development applications have demonstrated that the original assumptions and circumstances associated with adopting the MUD Overlay were appropriately adopted and have been implemented. The MUD Overlay map amendment proposal does not meet the criteria to proceed through the annual comprehensive plan amendment process and should therefore be denied further consideration.

We listened to the audio recording of the October 1, 2015, planning commission public hearing, wherein the planning commission recommended the amendment for removal of the MUD overlay be considered for docketing. The staff presentation incorrectly argued at minute 55:25, *"the development potential will remain the same,"* and at minute 54:03, *"currently the real property within the overlay has development projects that have occurred that do not utilize the use the overlay benefits..."* The enclosed attachments provide information about our two applications that have been reviewed by the City based on the MUD allowed uses. Without the MUD overlay, these projects would not be permitted outright, but would require a Conditional Use Permit.

The planning commission was also informed that the underlying zones have greater development potential and greater "financial feasibility" than the MUD Overlay. At minute 54:30, staff stated, *"Vacant land that have this overlay are higher intensity zones (RB-2, B-1) where the density and development potential of the underlying zone is greater and more financial feasibility for future development than utilizing the Mixed Used District Overlay..."* At minute 55:25, *"The development potential will remain the same."* The enclosed attachments demonstrate that ten uses will change from outright permitted to a conditional use, and four uses will change from outright permitted to not allowed. A down-zone of the property will result if the MUD Overlay is removed.

Civil Engineers

Structural Engineers

Landscape Architects

Community Planners

Land Surveyors

Neighbors

TACOMA

2215 North 30th Street
Suite 300

Tacoma, WA 98403-3350
253.383.2422 TEL

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In listening to the transcript, one planning commission member stated (prior to voting to recommend approval), *"if they don't need to use it, then it needs to be taken off."* Well, the MUD Overlay is needed on the Burnham Construction parcel and we request that Council deny the docketing of this map amendment.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Klein". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lisa Klein, AICP
Associate Principal

LK/lsk

Attachment 1: Supplemental Information

Attachment 2: Northharbor Business Park Expansion Final Decision (page 3) dated 12/27/2012

Attachment 3: 2014 Land Use Application Letter

c: Wade Perrow, Burnham Construction LLC

Q:\2011\211229\WORDPROC\Letters\20160121 Ltr (Council-Mud Overlay) 211229.31.docx

Developments Using the MUD Overlay

The Burnham Construction property has submitted two land use applications to the City since 2012. The first was for a light industrial project **using the MUD Overlay**. This project was approved and the site development permits are currently under review. A copy of page 3 of the final land use decision on that project is enclosed (Attachment 2), which describes the use of the MUD Overlay.

In 2014, we sought revisions to that project when Metagenics was considering expansion onto the property, **also using the MUD Overlay**. The Metagenics expansion proposal was later withdrawn when Metagenics opted to pursue efficiency improvements within their existing buildings in lieu of expansion. A copy of the 2014 application letter is enclosed (Attachment 3), describing the proposed use of the site, which could only be accomplished using the MUD Overlay.



Figure 1 - 2012 Approved Development Proposal

Density and Development Potential Changes

The planning commission was informed by staff at their October 1, 2015, public hearing that “higher intensity zones” underlay much of the MUD Overlay area, and that these underlying zones provided greater development potential and greater “financial feasibility” than the MUD Overlay. For the Burnham Construction property, the RB-2 zoning district is the underlying zone. Below are the “intent” statements from the Gig Harbor Zoning Code for the RB-2 and MUD Overlay zoning districts (emphasis added where underlined). As you can see, the RB-2 is generally intended to be a **multi-family transition zone**, whereas the MUD Overlay is intended to allow for a variety of residential types **and compatible businesses**.

RB-2 Zone Intent (GHMC 17.30.010)

The RB-2 district is intended to provide a mix of medium density residential uses with certain specified business, personal and professional services. It is intended to serve as a transitional buffer between high intensity commercial areas and lower intensity residential areas. The RB-2 zone is similar in construction to the RB-1 zone while allowing a higher percentage of impervious coverage and multifamily residential development. Furthermore, the RB-2 zone would serve to minimize impacts to adjacent residential uses by limiting general operational impacts of a use to that portion of the site between the structure(s) and the fronting road.

MUD Overlay Intent (GHMC 17.91.010)

The intent of the mixed use zone is to provide flexibility in promoting the development of an integrated multi-use district which permits a variety of residential types and compatible businesses in close proximity to each other. Development standards and the design manual assure site development that is sensitive to critical lands and will provide the flexibility necessary to accommodate changing land use patterns and conditions. Projects should be designed to ensure that early development does not foreclose options for later development and that new and different uses can be added without jeopardizing uses already established or planned for.

Table 1 below compares the list of all uses that would change with removal of the MUD Overlay. As shown, **ten uses will change from outright permitted to a conditional use, and four uses will change from outright permitted to not allowed.** Contrary to the information provided by staff to the planning commission, this constitutes a **down-zoning** of the property.

Table 1. Uses that Will Change with the Removal of MUD Overlay		
Uses	RB-2 Zoning District	MUD Overlay District
Living Facility, Assisted	C	P
Nursing Facility, Skilled	C	P
School, Primary, Secondary, Higher Ed & Vocational	C	--
Public/Private Services	C	P
Religious Worship, House of	C	P
Community/Recreation Hall	C	--
Clubs	C	--
Utilities	C	P
Lodging Levels 2 and 3	C	P
Product Services, Level 2	--	P
Sales Level 1	--	P
Sales Ancillary	P	--
Commercial, Child Care	C	--
Recreation, Indoor or Outdoor, Commercial	C	P
Entertainment, Commercial	--	P
Restaurant 1	C	P
Restaurant 2 and 3	--	P
Mini Storage	C	P
Industrial Level 1	C	P

P = Use permitted outright C = Use requires a Conditional Use Permit

Additionally, changing a permitted use to a conditional use does not provide greater “financial feasibility.” Conditional uses are more stringently reviewed, with final approval resting with the Hearing Examiner following a public hearing. Permitted uses are approved by the Planning Director following a public comment period, but not a public hearing. The public noticing, public hearing, and decision process extend the timeline for approval; cost the developer more money in City, Hearing Examiner, and consultant fees; and increase risk by adding another layer of review authority by which to condition a project.

Gig Harbor Municipal Code defines a conditional use as:

“Certain uses, because of their unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effect on surrounding properties, are classified as conditional uses. These uses may be allowed in certain use districts by a conditional use permit granted by the hearing examiner, subject to the procedures established in Chapter 17.10 GHMC ... The decision may include special restrictions or conditions deemed necessary or desirable in furthering the intent of the ordinance pertaining to the proposed development.”

The process allows the hearing examiner to increase requirements, standards, or criteria over the minimum established by code, which can cause **costly project changes and delays**, typically after a considerable amount of design work has already been completed.

The following exhibits were submitted and made a part of the record as follows:

- EXHIBIT "1" - Community Development Department Staff Report with Attachments
- EXHIBIT "2" - City Response
- EXHIBIT "3" - Power Point Presentation
- EXHIBIT "4" - Letter from Jon Nichols
- EXHIBIT "5" - Product Literature
- EXHIBIT "6" - Letter from Dick Dadisman

DENNIS TROY appeared, and presented the Community Development Department Staff Reports for both the major site plan review and the environmental appeal. The site is located in the RB-2 zone classification and has a MUD overlay. Zoning to the north is both ED and R-1. The R-1 parcels are improved with the Avalon Woods subdivision. The parcel to the south is improved with a RV park and Peninsula Light is to the west. The applicant proposes three new buildings that will access from the existing business park campus to the north. The applicant elected to use the MUD overlay and the IBE standards as set forth in the code. The IBE relaxes the design criteria but also reduces the type and intensity of allowed uses. The Design Review Board considered portions of the proposal that did not meet the design standards and conducted a full review. The approval is subject to two conditions regarding enhanced landscaping. He then turned to the SEPA appeal and testified that the appellants have not presented any expert or other evidence to warrant granting the appeal. The Examiner then introduced the Staff Report on the underlying project as Exhibit 1 and the SEPA Staff Report as Exhibit 2.

LISA KLEIN, AHBL, appeared on behalf of the applicant and testified that they request site plan and design review approval. Access to the expanded park is through the existing business park from the north. The northern building referred to as Building 2 will have a 40 foot wide setback plus an additional 20 foot wide buffer. The eastern portion of the site will remain in its natural condition. They will balance the site through filling and grading and Building 2 will be located in a cut. She reviewed the Avalon Woods plat and noted a 30 foot wide perimeter buffer requirement recorded on that plat for the exterior lots. The existing vegetation clearly meets the definition of a dense, vegetated buffer. The buffer contains large fir trees and she has a concern regarding the ability to remove endangered trees. The Design Review Board wants supplemental plantings, especially in the 20 foot wide additional buffer and they agree to do so. The DRB also wanted them to pay attention to the possible danger trees. The buildings will have a lower elevation than the surrounding homes. Condition 6 contains a "what if" process that is not consistent with code. Uses in the park now include Metagenics, a gym, a studio, and an auto parts store. Metagenics may use part of the new site. Concerning the SEPA appeal, one of the main concerns is noise. They will mitigate for noise with the buffer and lowering the building into the grade. The HVAC units come with the manufacturer's noise levels specified. Another concern is water and the impact of the cut on hydrology. Condition 5 requires retention of an arborist who will consider the impact on plant roots within the buffer. A geotechnical



October 14, 2014

Mr. Dennis Troy
City of Gig Harbor
Community Development Department
3510 Grandview Avenue
Gig Harbor, WA 98335-1214

Project: Northharbor Business Park - Metagenics Expansion, Our File No. 2140545.30
Subject: Applications for Major Site Plan Review, Design Review, and SEPA Environmental Review

Dear Dennis:

Thank you for your assistance as we have evaluated and prepared applications for the expansion of the Northharbor Business Park. Please find enclosed all plans and documents required for the following applications:

- Major Site Plan Review Application
- Design Review Application
- SEPA Application
- Binding Site Plan

Project Description

The expansion of the Northharbor Business Park (NBP) originally received land use approval in 2012. Subsequently, the expansion area has been cleared and graded and a stormwater pond constructed. At this time, no buildings have been constructed. The enclosed applications represent a revised plan for the expansion, which we understand requires new applications for City review and approval.

These new applications are required to accommodate the building needs of Metagenics, who would like to expand their existing Gig Harbor operations occurring in the NBP. The project proposes to construct an "L-shaped" addition to the existing Metagenics Building (6A) in the NBP on 8-acre Parcel No. 0222314037 located contiguous to the south. The addition is referred to as Buildings 6B and 6C. The property line will be eliminated through the recording of a revised Binding Site Plan, submitted concurrently. Once the Binding Site Plan is recorded, the entire NBP will total approximately 27.78 acres. The project also proposes to construct two 11,700-square foot light industrial buildings, new Buildings 8 and 9. The new buildings will be accessed by a driveway extension through the NBP. The total new building gross floor area is 74,550 square feet. Other project details include:

Civil Engineers

Structural Engineers

Landscape Architects

Community Planners

Land Surveyors

Neighbors

TACOMA

2215 North 30th Street
Suite 300
Tacoma, WA 98403-3350
253.383.2422 TEL

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IBE Uses – The expansion parcel is zoned RB-2 with MUD Overlay, and the existing NBP property is zoned ED. The uses and requirements of the MUD Overlay should apply. The project is complying with the standards practical for industrial development claiming the Industrial Building Exemption allowed per Gig Harbor Municipal Code (GHMC) 17.99.040. The uses will comply with the type of uses described in 17.99.040(B).

Phasing – It is likely that building permits will be pulled for Buildings 6B and 6C prior to completion of the land use approval process to accommodate Metagenics' schedule for expansion. The timing for Buildings 8 and 9 is unknown, as users have not been identified.

Open Space – The addition to the Metagenics building provides emergency vehicle access that extends north-south behind Buildings 6B and 6C, and includes a turnaround east of existing Building 6A. The turnaround and a building setback area south of Building 6A are currently part of "Tract A," as shown on the Binding Site Plan for NBP (AFN 201012035002). Tract A is described as open space. GHMC 1717.45.040.B requires that 15 percent of the existing NBP (which is zoned ED) provide 15 percent open space. The exhibit breaks down the various portions of Tract A that occur on the existing NBP and the expansion area. The exhibit illustrates 33 percent is preserved as open space.

Common Areas – Two common areas have been provided. One, to serve Buildings 6B and 6C, is located at the northwest corner of Building 6B. The second, to serve Buildings 8 and 9, is located to the west of Building 9. The following table demonstrates compliance with the Outdoor Common Area requirements of the Gig Harbor Design Manual.

Northharbor Business Park – Metagenics Expansion Common Areas				
Building	Total GFA Area (square feet)	GFA excluding garages, warehouses, and similar unheated support structures (square feet)	10% Common Area Required	Common Area Provided
6B	35,550	8,120 (mixing & staging)	812	1,000
6C	16,600	750 (office)	75	
8	11,700	1,170 (office)	117	360
9	11,700	1,170 (office)	117	

Zone Transition Buffers (GHMC 17.99.180) – A 40-foot, dense, vegetative buffer will be provided between the new buildings and adjacent residential land. An additional separation of 20 feet is provided between new Building 8 and adjacent residential uses.

Parking – The total NBP parking requirement, including the new expansion area, is 368 spaces. The project is providing 370 parking spaces. See the Parking Analysis Exhibit for greater detail.

Mechanical Equipment – Exterior mechanical equipment will be located within an enclosed area located at the corner of Buildings 6B and 6C.



Tree Retention – Significant vegetation in the perimeter landscape buffer areas will be retained, as well as areas to remain undisturbed east of Buildings 8 and 9. We have provided a copy of the Tree Survey prepared for the original application, and the trees to be retained are illustrated on the landscape plans.

Natural Site Conditions – GHMC 17.99.240 requires that site development reflect the natural conditions of the site. The site was cleared and graded through an approved permit in 2012. Additional clearing and grading will occur to accommodate the new buildings and to shift Buildings 8 and 9 easterly. All vegetation will be retained in the required buffers and setbacks, as depicted on the landscape plans. Clearing will only be permitted once civil plans have been approved. The buildings and parking lots are designed to fit the natural slopes. Site grading is designed to balance cut and fill quantities, and none of the retaining walls are greater than 6 feet. Over the entire NBP, more than 26 percent of significant vegetation will remain, exceeding the requirement of 20 percent.

Thank you for your review of our applications. Please feel free to contact me if you should have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Klein".

Lisa Klein, AICP
Associate Principal

LK/Isk

Enclosures

c: Wade Perrow, Michael Perrow - Burnham Construction LLC
Dale Couture - TDG

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**CITY OF GIG HARBOR
GENERAL APPLICATION**

CITY USE ONLY

<input checked="" type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Alternative Landscape Plan
<input checked="" type="checkbox"/>	Major Site Plan Review	<input checked="" type="checkbox"/>	Binding Site Plan
<input type="checkbox"/>	Variance	<input type="checkbox"/>	Land Clearing
<input type="checkbox"/>	Rezone	<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Performance Based Height Exception		

Case Number: _____
 Date Received: _____
 By: _____
 Receipt: _____ By: _____

Name of project/proposal:

Applicant:

Burnham Construction LLC

(Name)

PO Box 245

(253) 851-9309

Street Address

Phone

Gig Harbor, WA

98335

City & State

Zip

Owner:

Burnham Construction LLC & Donkey Creek Holdings LLC

(Name)

PO Box 245

(253) 851-9309

Street Address

Phone

Gig Harbor, WA

98335

City & State

Zip

I(We):

Wade Perrow

(Name)

Signature

Date

Signature

Date

I do hereby affirm and certify, under penalty of perjury, that I am one (or more) of the owners or owner under contract of the herein described property and that the foregoing statements and answers are in all respects true and correct on my information and belief as to those matters, I believe it to be true.

Property Location:

Address: 9627 44th Avenue NW

Section: 31 Township: 22 Range: 2E

Assessor's Tax Parcel Number: 0222314037,

4001020061,

4001020190

Full Legal Description (attach separate sheet if too long)

Please see separate sheet.

Utilities:

1. Water Supply (Name of Utility if applicable)

a. Existing: Gig Harbor

b. Proposed: Gig Harbor

2. Sewage Disposal: (Name of Utility if applicable)

a. Existing: Gig Harbor

b. Proposed: Gig Harbor

3. Access: (name of road or street from which access is or will be gained.)

97th Street NW / 44th Avenue NW

ED & RB-2 with

Property Information:

Existing Zoning Designation: MUD Overlay

Wetlands on site? None

Slopes exceeding 15% Yes

Existing land use: Describe (or illustrate separately) existing land use, including location of all existing structures and setbacks (in feet) from property lines.

Existing Northharbor Business park (4001020061) and graded site for proposed expansion (0222314037)

Fee Deposits:

"I acknowledge that I have applied for a permit which requires a deposit for future services to be rendered, as required by section F of the City's adopted Fee Schedule. I understand that, as the applicant, I (we) shall bear all of the costs of these services and will be billed the actual costs in excess of the deposit. If the actual costs are below the deposit, I will be refunded the difference." _____ (initials)

Consolidated Permit Processing:

"As the applicant, I (we) elect to have all planning permits submitted concurrently and associated with our project processed collectively under the highest numbered permit procedure per GHMC 19.01.002(B)" _____ (Initials)

Towslee, Molly

From: Sehmel, Lindsey
Sent: Friday, January 22, 2016 9:16 AM
To: Towslee, Molly
Subject: FW: Apogee Capital Comprehensive Plan Amendment

Lindsey Sehmel, AICP
Senior Planner
City of Gig Harbor
253-853-7615

www.gigharborplanning.com - Information on active long range planning projects.

From: Carl Halsan [mailto:carlhalsan@gmail.com]
Sent: Thursday, January 21, 2016 3:52 PM
To: Guernsey, Jill; Payne, Tim; Perrow, Michael; Kadzik, Paul; Arbenz, Casey; Lovrovich, Rahna; Ekberg, Steve; Malich, Ken
Cc: Kester, Jennifer; Sehmel, Lindsey
Subject: Apogee Capital Comprehensive Plan Amendment

Staff has informed me they will be recommending denial of the above captioned amendment based on a threat from PSRC that "Gig Harbor is growing too fast commercially". If you've looked at our proposal, you'll see that it is largely a multi-family residential project with some office space included. It is the hope that some of the residents will want to have office space on the same site, and perhaps one of two of the Doctor's from across the street will want an office nearby. We haven't decided on how much office space will be part of the project, but suffice it to say it will be a very small component. Again, the intent is to develop an apartment community with a bit of office space. If we could meet with PSRC staff and get them to understand the scope of the project, I suspect they may back off. Perhaps they would be satisfied with a limited office component of no more than 5,000 square feet.

We'd like the opportunity to meet with them (PSRC staff) and discuss it, but there would be no point if the amendment is not initiated. You are of course under no obligation to approve the amendment later this year even if you agree to initiate it now. We'd just like the chance to keep trying.

In the alternative, if we can't reach an accommodation with PSRC, the property could be re-designated to the newly created Residential High Transition. It seems like a great fit for this site with the Highway on one side, the Hospital across the street, and the commercially zoned vacant site to the south. Is there a more perfect "transition" site?

The staff and Planning Commission could come back to you later this year with either: 1) The PSRC has dropped their objection so the project as planned should be approved, or 2) the site should be re-designated from RM, but not for the project plan as submitted but to the Residential High Transition designation. Perhaps the Council and Mayor could direct staff and the Planning Commission to explore both options.

No matter what, we'd just like the opportunity to keep working through process. We have no expectations on what the final vote would be next fall at final, but at least give the owner the courtesy to keep trying.

Thanks for your consideration.

1

2

Towslee, Molly

From: Sehmel, Lindsey
Sent: Monday, January 25, 2016 8:24 AM
To: Towslee, Molly
Subject: FW: Information Request

Public comment -

Lindsey Sehmel, AICP
Senior Planner
City of Gig Harbor
253-853-7615

www.gigharborplanning.com - Information on active long range planning projects.

From: John Krawczyk [mailto:chickentravel1@yahoo.com]
Sent: Monday, January 25, 2016 8:01 AM
To: Sehmel, Lindsey
Subject: Information Request

Hi Lindsey - On Friday I sent you a request for information concerning the proposed zone change on property located adjacent to Canterwood Blvd. I was planning to make a presentation in opposition to this proposal at tonight's hearing. However, this weekend I saw your staff recommendation against moving forward with this proposal. I support your conclusion and will limit my remarks at tonight's hearing to agreeing with your recommendation. Please disregard my request and I hope it did not cause you any inconvenience. Thanks! - John Krawczyk

Towslee, Molly

From: Sehmel, Lindsey
Sent: Monday, January 25, 2016 8:00 AM
To: Towslee, Molly
Subject: FW: Apogee Capital Comprehensive Plan Amendment

FYI – Public comment for tonight.

Lindsey Sehmel, AICP
Senior Planner
City of Gig Harbor
253-853-7615

www.gigharborplanning.com - Information on active long range planning projects.

From: Lisa Tallman [mailto:lisa@firstwesternproperties.com]
Sent: Sunday, January 24, 2016 4:03 PM
To: Guernsey, Jill; Payne, Tim; Perrow, Michael; Kadzik, Paul; Arbenz, Casey; Lovrovich, Rahna; Ekberg, Steve; Malich, Ken
Cc: Kester, Jennifer; Sehmel, Lindsey; carlhalsan@gmail.com; Lisa Tallman
Subject: RE: Apogee Capital Comprehensive Plan Amendment

Mayor, City Council and Staff;

Apogee Capital is requesting your approval to initiate a proposed Comprehensive Plan Amendment this year to allow for a possible mixed use project containing multi-family housing in an apartment setting along with some light office uses. The subject site contains 11.2 acres. We've submitted a draft Development Agreement that will limit a future rezone to the B-2 zone, limit the project to no more than 220 dwelling units, provide large buffers, and control access onto Canterwood Boulevard to just one driveway.

Federal government data shows that the greater Gig Harbor area will need about 270 more multi-family rental units in the next five years (US Census Bureau, 2015 Estimate with 2020 Projections). The greater Gig Harbor area is comprised of almost 26,000 housing units today. With an average household size of 2.5 people per unit, the population estimates for the year 2020, and the current housing stock made up of 80% detached housing vs. 20% multi-family/mobile homes, our community will need a total of 1,350 more dwelling units by 2020. Assuming the 80/20 split continues we'll need 270 more multi-family units in five years. We assume the single family detached units will be spread throughout the area, both city and county. But the City is the only place for multi-family. The multi-family we currently have in town is already full or nearly full, and there aren't any new large projects in the pipeline. After 2020, we can expect the need to continue at the current rate of over 50 multi-family units needed per year. We just don't have enough land zoned for multi-family to meet this ongoing need.

It seems like property sandwiched between a SR-16 and Canterwood Boulevard is a great place to allow for additional multi-family housing. There is no adjacent single family project that would create any insurmountable incompatibility problems. Being across the street from St. Anthony's, around the corner from our major employment area, and located near a highway on and off ramp makes the site ideal.

In the two public meetings only 3 total showed up. The neighbors don't seem to care if a new apartment community is developed on this site.

We are not asking for you to approve the amendment; just to send it forward for further study. Perhaps the Planning Commission will suggest more or less units, different buffers, a different designation, or even a different implementing zone. No matter what, it's worth our time to move forward and continue the discussion. The current designation and zone just don't allow for intense enough development given all the factors surrounding this particular site.

Thank you for your consideration,

Lisa Tallman

Lisa A. Tallman

Managing Broker

First Western Properties - Tacoma, Inc.

6402 Tacoma Mall Boulevard

Tacoma, WA 98409

lisa@firstwesternproperties.com

[View My Listings](#)

Direct: (253) 471-5504

Fax: (253) 472-0541

"Quality Service Tradition - An Earned Distinction"

Towslee, Molly

From: Sehmel, Lindsey
Sent: Monday, January 25, 2016 8:00 AM
To: Towslee, Molly
Subject: FW: Proposed Comp Plan Amendment

Molly – Another Public comment for this evening.

Lindsey Sehmel, AICP
Senior Planner
City of Gig Harbor
253-853-7615

www.gigharborplanning.com - Information on active long range planning projects.

From: John Krawczyk [mailto:chickentravel1@yahoo.com]
Sent: Friday, January 22, 2016 11:05 AM
To: Sehmel, Lindsey; dmquiggle@aol.com
Subject: Proposed Comp Plan Amendment

Good Morning Lindsey - My name is John Krawczyk and I live in McCormick Ridge. I just learned of the proposal to rezone approximately 11 acres of land immediately to the south of our subdivision for high density residential and commercial with the intention of building up to 220 apartment units on the parcel. I visited the Planning Department yesterday to review the application and I have several questions that I am hoping you can answer for me. They are as follows:

- 1) My major concern about this project is the impact on traffic, particularly at the traffic circle to the south that comprises the intersection of Burnham, Borgen, SR 16, and Canterwood. Given the number of development projects currently under construction or approved (e.g. Herons Key, McCormick Creek, Cushman Cottages and several others) has any study been undertaken to determine the cumulative impact of the additional traffic in the circle that will result when these projects are completed? What is the current average daily and peak traffic flowing through that circle? What is the design capacity of the traffic circle?
- 2) The application suggests that Transit Service, the Cushman Trail, and shopping is located in close proximity to the proposed development. The nearest bus stop is approximately 1.3 miles away (Pierce Transit no longer serves Canterwood Blvd.), the Cushman Trail .9 miles, and the closest shopping one or more miles depending on the store. Given that it is highly desirable to locate high density housing near services, transit, and pedestrian access, is there any accepted definition as to what "close" means in this context?
- 3) The applicant references the new Bracera Apartment complex as a high end development. For purposes of comparison, what is the number of units/acre in the Bracera Complex?
- 4) The application cites that the property has no significant environmental risks. The property in question contains some steep terrain. Does building on slopes this steep constitute an environmental risk?

Thanks so much Lindsey, for your response. My apologies for the short time frame, however I was out of the country and just learned of the public hearing on my return. - John Krawczyk