

GIG HARBOR CITY COUNCIL MEETING



June 23, 1997

7:00 P.M., CITY HALL COUNCIL CHAMBERS

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
June 23, 1997 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

SPECIAL PRESENTATION: Gig Harbor-Key Peninsula Cultural Arts Commission.

PUBLIC HEARING: Emergency Amendment to City of Gig Harbor Comprehensive Plan - Transportation Element.

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE / PROCLAMATIONS:

1. Proclamation Establishing Gary Moore Day.

OLD BUSINESS:

1. Second Reading - Segregation of ULID #2 Assessments.
2. Second Reading - Ordinance Allowing for Temporary Installation of Approved Septic Systems.

NEW BUSINESS:

1. First Reading of Ordinance - Designated Anchorage Area.
2. Chaplaincy Agreement.
3. Ordinance - Emergency Amendment to City of Gig Harbor Comprehensive Plan - Transportation Element.
4. Resolution - Pump Station 10 Emergency Declaration and Payment Authorization.
5. Liquor License Application -The Yard Company.

MAYOR'S REPORT: Finholm View Climb - Parking Lot Party.

COUNCIL COMMENTS:

STAFF REPORTS:

ANNOUNCEMENTS OF OTHER MEETINGS:

APPROVAL OF BILLS:

EXECUTIVE SESSION: For the purpose of discussing litigation, potential litigation, and property acquisition.

ADJOURN:

DRAFT

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 9, 1997

PRESENT: Councilmembers Platt, Picinich, Owel, Ekberg, Markovich and Mayor Wilbert.

PUBLIC COMMENT: None.

CALL TO ORDER: 7:05 p.m.

SWEARING IN CEREMONY:

Mayor Wilbert introduced Officer Paige Sanders, the newly hired officer for the Gig Harbor Police Department. Mayor Wilbert performed the oath of office and Chief Mitch Barker invited Officer Sanders' Mother to pin on her badge at the conclusion of the ceremony.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 27, 1997 as presented.
Picinich/Platt - unanimously approved.

CORRESPONDENCE/PROCLAMATIONS:

Proclamation - Hire a Veteran Month. Mayor Wilbert explained that the Hire a Veteran Month was brought to her attention by the Governor. She added that Washington State Employment Security District visited City Hall and are interested in installing an employment computer somewhere in Gig Harbor, which would benefit the business owners as well as veteran's and others who are unemployed.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. **First Reading of Ordinance - Segregation of ULID #2 Assessments.** Tom Enlow, Finance Director, explained that two parcels in the ULID #2 area, including the property where the movie theater is located, have been replatted into four parcels. He added that this ordinance segregates the assessment consistent with the current ownership, and that there would be no financial impact. This ordinance will return at the next meeting for a second reading.
2. **Wastewater Treatment Plant Expansion Project - Change Order No. 4.** Wes Hill, Public Works Director, explained that the city had been holding closure of this project pending completion of several outstanding items. He added that in order to close this contract, a no-cost, negotiated change order was being prepared, which would allow for a separate agreement for full payment for a problematic degritter unit, contingent on demonstration of

full performance to contract specifications. He said that the contract would come before Council at the next meeting.

3. Liquor License Renewals - Puerto Vallarta Restaurant; Round Table Pizza; and The Red Boar. No action taken.

MAYOR'S REPORT:

Public Safety Issues. Mayor Wilbert said that the Mayor's Report brings attention to some items that have been of concern. She asked that the Public Health and Safety Committee meet to discuss these items. The meeting was scheduled for Thursday, June 12th, at 6:15 a.m.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. Chief Mitch Barker - GHPD Monthly Report. Chief Barker gave an update on the repair of the marine patrol boat. He explained that there was some structural damage to the hull which had not been repaired. He added that the boat would be back in service Tuesday. He gave a report on the Gig Harbor Parade and Blessing of the Fleet events that occurred over the weekend.
2. Wes Hill, Public Works Director - Jerisich Dock Improvement Project Update. Mr. Hill gave a brief update on the results of the public forum to review the Jerisich Dock project and answered Council's questions. He then gave an update on the meeting with the Tacoma/Pierce County Health Department to discuss the provisions for interim septic tank systems. He explained that the ordinance that addresses this issue is being updated and will return at the next meeting.

Reta Bugay - 1509 56th Ave NW. Ms. Bugay said that the newspaper had stated that the City Council would be taking final action on the use of temporary septic systems at it's June 9th meeting, and that she would like to know what that action is. Mr. Hill explained that the second reading of the proposed ordinance would come before Council at the June 23rd meeting.
3. Mark Hoppen, City Administrator - SR-16 / Tacoma Narrows Bridge EIS-IDT. Mr. Hoppen explained that the scoping process for the EIS had been completed and that the EIS process was underway. He gave an overview of the alternatives that had arisen from the MIS. He said the development of the EIS would be a complicated and exhaustive process, in which he had agreed to participate.

ANNOUNCEMENT OF OTHER MEETINGS:

Public Safety Committee Meeting - Thursday, June 12, 6:15 a.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #18006 through #18079 in the amount of \$67,285.63.
Owel/Ekberg - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of the May Payroll checks #14134 through #14259 in the total amount of \$210,823.45.
Owel/Ekberg - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 7:30 p.m. for approximately sixty minutes for the purpose of discussing litigation, potential litigation, and property acquisition.
Picinich/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:30 p.m. and extend the Executive Session for an additional ten minutes.
Owel/Platt - unanimously approved.

MOTION: Move to return to regular session at 8:40 p.m.
Picinich/Platt - unanimously approved.

MOTION: Move to authorize the Mayor to sign the contract proposed by Wes Hill to do the testing with consultant not to exceed \$10,000, pursuant to the city's existing NPDES permits.
Picinich/Owel - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:40 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 460 Side A 183 - end.
Tape 460 Side B 000 - 129.

Mayor

City Clerk



City of Gig Harbor. The "Maritime City."

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

TO: CITY COUNCILMEMBERS
FROM: MAYOR GRETCHEN WILBERT *gw*
SUBJECT: PROCLAMATION ESTABLISHING AN ANNUAL GARY MOORE DAY
DATE: JUNE 16, 1997

BACKGROUND

This proclamation establishes the fourth Friday in August as Gary Moore Day. Gary, a local citizen, tragically lost his life this past year. Gary was honored by the Blue Angels in naming one of their formations for Gary Moore in a recent East-Coast festival flyover.

Gary's Peninsula High School Class of 1956 will gather at City Park on August 22nd to honor the proclamation and the life of their classmate. The event will include a concert in the park presented by the I CORP Band from Fort Lewis.

RECOMMENDATION

To approve the designation of the 4th Friday of August, each year hereafter, as Gary Moore Day in Gig Harbor.

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS, Gary Moore was born in Tacoma, Washington, to Anne and Ambrose Moore on May 17th, 1938, and graduated from Peninsula High School as an Honor Student in 1956, and

WHEREAS, Mayor Merrill Parish proclaimed August 13th, 1956 (forty-one years ago) to be known as "Gary Moore Day", honoring all of Gary's athletic abilities, mainly baseball in which he was chosen Outstanding Baseball Player of the Year, in the State of Washington, and

WHEREAS, Gary received a letter on November 13th, 1956 from the General Manager, William O. DeWitt of the New York Yankees, offering him a position with their team, and

WHEREAS, Gary received his Bachelor of Science Degree in Geology from Oregon State University, and his Masters Degree from Tennessee State University in Aerospace, graduating Summa Cum Laude, and with Honors, and

WHEREAS, Gary served two terms in Vietnam and was a Green Beret and Reconnaissance Intelligence Pilot, and

WHEREAS, Gary received several medals including the Legion of Merit, two bronze Stars, two Meritorial Service Awards, and the Army Commolation Medal, plus 11 Air Medal Awards, and

WHEREAS, Gary was Deputy Installation Commander under General Norman Schwarzkopf at Fort Stewart and Hunter Air Force Base from 1982 until his retirement in 1984, and

WHEREAS, Gary retired in 1984 at the rank of Colonel, and

WHEREAS, Gary was in "Who's Who" in Georgia, as an Outstanding Citizen in the years of 1988 and 1989 both, and

WHEREAS, Gary was the Managing Director of both Brunswick and St. Simmons Airports at the time of his death, March 13, 1997, and

WHEREAS, Gary was honored by the Navy's Blue Angels, who flew over the airport in the "Missing Man Formation" at an airshow in Georgia on May 10th, 1997,

NOW THEREFORE, be it proclaimed, the 4th Friday in August of every year hereafter be celebrated as Gary Moore Day in Gig Harbor in honor of his life, accomplishments, friendship and inspiration to all who knew him.

Gretchen A. Wilbert, Mayor

Date

Mayor Proclaims Aug. 13 To Be 'Gary Moore Day'

PROCLAMATION

I, Merrill Parish, Mayor of the Town of Gig Harbor, Washington, do hereby proclaim:

Whereas, the accomplishments of Gary Moore through his own personal efforts have brought recognition and public notice to the Town of Gig Harbor and the surrounding area, and this greater community has never publicly recognized these personal efforts, and now as Gary Moore is preparing to go on and bring further recognition to our area through his efforts in the field of athletics, I deem it only fitting and proper that we set aside and reserve a day in his honor.

NOW, THEREFORE, I, Mayor of the Town of Gig Harbor, do hereby designate Monday, August 13, 1956 as

"GARY MOORE DAY"

and urge all citizens to participate in this day by attending the baseball game and program beginning at 7:30 p. m. at the Peninsula High School.

Merrill Parish, Mayor.
Town of Gig Harbor.

Fans Anxious to See Program at Peninsula High

On Monday, Aug. 13, beginning at 7:30 p. m. at Peninsula high school, resident of this area will have an opportunity to witness a sports event which is considered top notch in any community.

On this day Gary Moore will be honored for his outstanding achievements in baseball, having been chosen as the most outstanding baseball player in the State of Washington. An honor which sends Gary to the Polo Grounds, New York City, to play in the Herast Junior All-American baseball game on Aug. 18, which brings together the best in high school baseball players throughout the country.

To start the series of events Monday, Gary will be guest of honor at a dinner sponsored by the Committee for Greater Gig Harbor Area. This will begin at 5:30 p. m. The dinner is for managers and officials of the Peninsula Boys' Baseball league and invited guests.

Some of the distinguished guests will include Jeff Heath and John Jarstad, television announcers for the Seattle Rainiers, sports writers from the Seattle P-I, Tacoma News Tribune and Bremerton Sun; Fritz Geiger, county commissioner; Mary Rickert, a Vaughn high school graduate who played several years in the National league; Mel Ambley, Peninsula high all-state football and baseball player for 1955-56; Merrill Parish, Gig Harbor mayor, and several Rainier baseball players. There will be approximately sixty invited guests for the dinner.

At 7:00 p. m. dinner guests will be escorted to the high school in a car caravan where they will observe pre-game activities starting at 7:30 p. m. At this time Mary Rickert and Jeff Heath will face Bill Ahearn, former W1 league pitcher in a "long ball" hitting contest. Along with this Rickert and Heath have additional entertainment to offer.

Beginning at 8 p. m., the Cheney Studs, the team Gary Moore pitches for, will take the field against the powerful Manette Stokers from Bremerton. Gary will pitch for the Studs in this game.

In order to accommodate the large crowd expected, extra bleachers are being brought in from Tacoma and Bremerton.

Proceeds from this affair after expenses, will go toward helping the Peninsula Boys' Baseball league next year.

"GARY MOORE NIGHT" SOUVENIR PINS

For the past few days players of some of the teams in the Peninsula Boys' Baseball league have been selling "Gary Moore Night" souvenir pins. The sale of these pins is to assist the boys' teams in their effort to raise money for equipment and uniforms in the coming year.

MARY RICKERT RETURNS FOR 'GARY MOORE' NIGHT

Mary Rickert, the pride of the lower peninsula, returns Monday, Aug. 13 to act as master of ceremonies for the Gary Moore Night program. Rickert will also be in the "Long ball" hitting contest with Jeff Heath prior to the game between the Cheney Studs and Manette Stokers.

Rickert was raised at Longbranch, graduating in 1939 from Vaughn high school. He got his start in professional baseball with Boise in the Pioneer league. He then went to Tacoma in the W1 league and later to Tulsa after which he was sent to the Chicago Cubs. After spending a period in the Service he returned to the Cubs. At a later date he was traded to Cincinnati where he stayed for a time. He then went to Minneapolis in the American Association to be later called to the Boston Braves to relieve Jeff Heath, who had a broken foot. Heath's broken foot put Mary Rickert in the World Series that year.



The King And His Awards

GARY MOORE of Gig Harbor is all smiles as he displays the trophies he received Tuesday upon his selection as the best player in The Post-Intelligencer's Seattle vs. State Junior baseball double-header Monday night. The larger trophy is the Don Brown Memorial Award, presented annually by Bob E. Brown.

Gary Moore Wins Top Player Prize

BY HAL TORBERGSON

Gary Moore, a left-hander blessed with poise, ability and determination—all forerunners of future big-league stardom—folded a select list of junior baseball stars Tuesday.

He was named winner of the best player award as a result of his stellar performance on The Post-Intelligencer's Seattle vs. State double-header Monday night.

The tall, husky Gig Harbor boy put the king on cake for State in the second game of Monday night's twin bill at Slicks' Stadium when he took down a contender into a 6-0 victory for the out-of-state aggregation.

The whitewash job gave State a sweep of the 10th annual all-star bill, as earlier it had staged a thrilling rally in the first contest in squeak out a 10-5 decision.

Johnson of Auburn, George Grand of Tacoma's Stadium and (Stanley) C. H. of Naches.

Moore, a four-year baseball veteran at Peninsula, pitched four years for coach Roy Anderson's prep nine. During that span he won 41 and lost but eight.

Moore, an 18-year-old from Peninsula High who has seven no-hitters to his credit, will represent this state in the Herast National All-Star game at the Polo Grounds on August 22.

Moore worked five innings in a game that was cut short because of the late hour and during that time gave up only one hit—that being a beaten-out bunt by O'Dea's Hank Deeto in the final inning.

OTHER STANDOUTS

He walked only one batter and struck out nine. While Moore was the star of stars, three other players earned praise from the judges for their fine showing. They were Bob

submitted from the scrapbook of Jim Reynolds

The Peninsula GATEWAY

Gig Harbor, Pierce County, Washington, Friday, August 17, 1958

Number 17

Large Crowd Celebrates 'Gary Moore Night'



Some 1200 baseball fans and supporters of Gary Moore gathered at the Peninsula High school last Monday evening to see him pitch his last game before leaving for New York Thursday where he will represent Washington State at the longest Junior All-American baseball game.

Gary turned in one of his best performances when he pitched the Cheney Studebaker 4-0 with over the Marquette Trojans. He allowed only three hits and fanned 14 batters. This was the climax to the Gary Moore Night program.

Mel Manley shared the spotlight with Gary. Mel, also a 1954 graduate of Peninsula High and outstanding All-Star performer, played right field for the Studebaker.

To start the affair, 40 invited guests were on hand at the Theophile Cafe for a banquet in his honor. Mary Rickert, co-owner of the cafe, presided over the evening, and Jeff Heath entertained the guests with bits of wit and humor. After the dinner a town's patrol car escorted the guests to the high school where they were enthusiastically received by 1200 cheering fans.

Before the game began Harry Thornhill, introduced County Commissioner Fritz Geiger, Emmett Purks and Harry Spinkler, Mayor Parrish of Gig Harbor, and then Mary Rickert, who presented Gary with a bronze plaque from his Peninsula fans, and also a set of leather goods.

After the presentation of the gifts, Heath managed to steal the show with his imitation of Babe Ruth, at last. Rickert and Heath then entertained the crowd with a "long ball" hitting contest. Rickert managed to out-hit Heath, but Heath managed to out-out Rickert with hot dogs between pitches. The performance of these two didn't stop here; both remained in uniform during the game and provided the fans with many laughs. Bill Ahern did the pitching for the "long ball" hitting contest.

Mrs. Duane Parrish presented Mrs. Moore and Mrs. Manley with orchid corsages.

The affair was also a benefit for the Peninsula Boys Baseball League and they wish to thank the many people involved in the affair. Their names are too numerous to mention here, but each contribution helped to make this event one of the most spectacular sports events ever seen on the Peninsula.

To add to the color, the Seattle Packing Co., producers of Bar-S Wieners, sent two representatives to help out with the concessions. One was decked out with a Bar-S cowboy uniform and assisted in the serving of refreshments. It was announced during the game that if 500 hot dogs were sold, \$100 would be donated to the Peninsula Boys Baseball League treasury. Five hundred and fifty hot dogs were sold.

At the end of the fifth inning of play, a ball autographed by Gary Moore, Mel Manley, Jeff Heath and Mary Rickert was auctioned off. Merrill Parrish took the bid at \$30.00 and also received a glass fishbowl and red and blue ferns John Jarstad, TV announcer for the Seattle Rainiers.

Gary is shown here with his father and mother, Mr. and Mrs. Ambrose Moore, and two former pros, Jeff Heath, on the left and Mary Rickert, right, giving Gary some last-minute tips. Gary left Wednesday night for New York, and Mr. and Mrs. Moore left Thursday on the noon train.

—Photo by Richards, Tacoma.



Photo by Richards, Tacoma.

Gary presented autographed baseballs to Duane Hume (right), who sold the most Gary Moore Night pins, and Sandy Histon, runner-up. It was reported that Dennis Van Laanen of Lakeway and Derrill Bennett also received autographed balls.

CHILDREN'S FAIR

POTLUCK PICNIC TO BE HELD MONDAY, AUG. 20

Air Show, Harborfest Entertain Crowds

By SWATHI RAO
News Staff Writer

Oohs and aaahs were heard this weekend at Glynco Jetport as the U.S. Navy's Blue Angels streaked the skies over Brunswick with their spectacular acrobatic displays.

An estimated 20,000 people watched the show, which also included performances showcasing other aircraft and a parachuting demonstration.

"Everything was just super," said Ray Snow, airport director and organizer of the show. "The weather was great. There were no incidents where anyone was hurt."

"From the operational and logistical point, I thought everything was great. The flying was super, the Blue Angels were terrific and the jumpers did exactly what they were supposed to," he added.

The air show was dedicated to the memory of Gary Moore, former airport director who died earlier this year. The Blue Angels recognized Moore by naming one of their maneuvers for him in Saturday's

show. According to Maj. Phillip Johnson of the Glynn County Police Department, "There was some minor stuff, but it went smoothly on both days."

Johnson said there was some traffic congestion but added, "You have to expect some of that when you bring in that much traffic on those two-lane roads."

Visitors were displeased by the rule banning coolers from the air show site. "They had all the signs in the parking area, but people still got on the buses with the coolers, but they were checked at the site," he said.

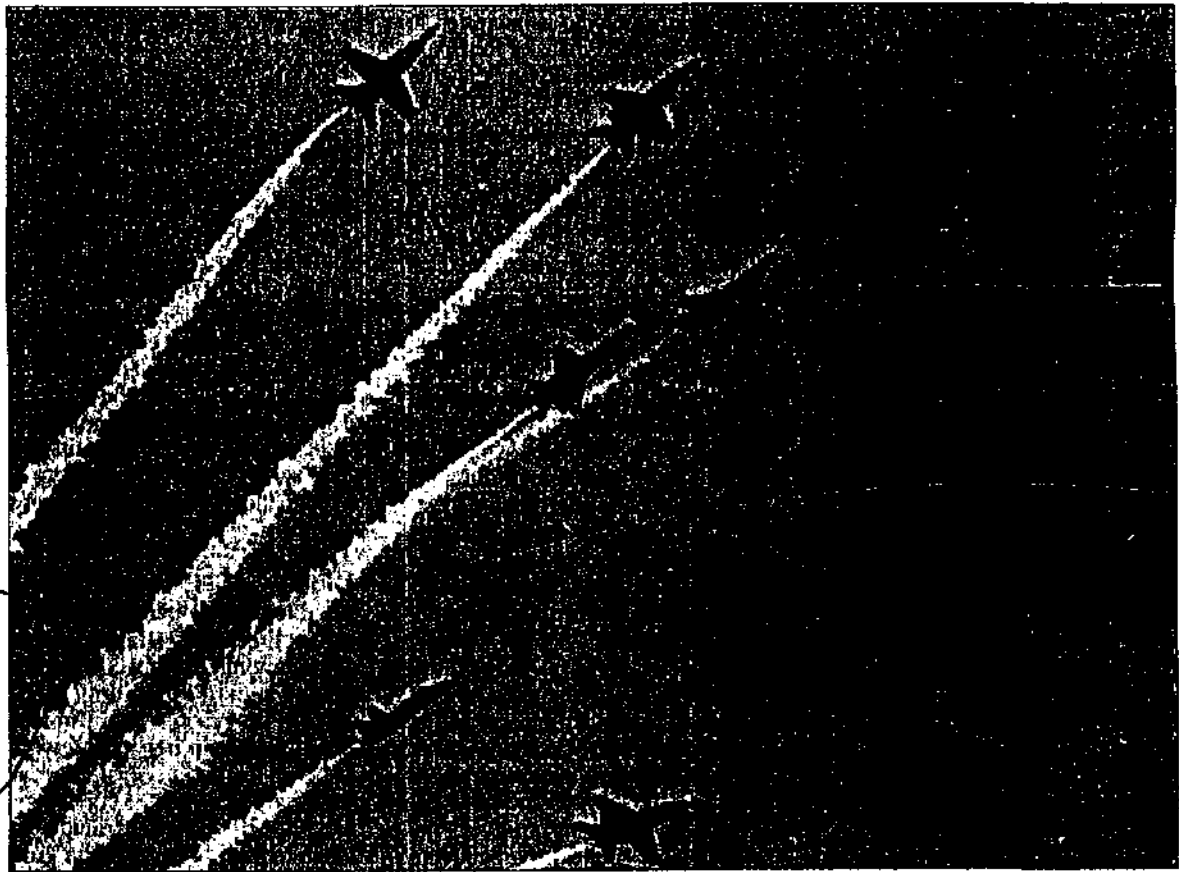
"If I could pay tribute to anyone, it would be to the school board and to Howard Mann and his bus drivers," Johnson said. "They saved us when the show was over by having all the buses already lined up ready to take people continuously to the parking lot."

"People thought they had to wait a long time, but they really didn't," he added.

Snow agreed, noting the buses efficiently moved large numbers of people within a short time.

He added the enthusiasm generated locally by the air show was returned by members of the Blue Angels team.

"The Blue Angels fell in love with



BLUE ANGELS IN FLIGHT — The U.S. Navy's Blue Angels amazed onlookers Saturday and Sunday with high-speed aerobatics and intricate maneuvers. The Blue Angels were the headliners for the air show held at the Glynco Jetport. Meanwhile, in downtown Brunswick, Harborfest went on at the newly dedicated Brunswick Harbor Market at Mary Ross Park, culminating with the Blessing of the Fleet Sunday. (News Photo/Jerry Matherly)

Brunswick and the Golden Isles," Snow said. "I had several members tell me this is the best show site they've played so far."

"They couldn't say enough about how they were treated," he added.

Snow, who estimated the attendance at around 20,000 for both days, said he hoped the crowds would be larger, but "I'm pretty sure we broke even."

People also flocked to downtown Brunswick on Mother's Day weekend to enjoy some of the assorted activities planned for Harborfest.

"As far as I know everything was great," said Kay Shiver, director of Mainstreet Brunswick and Harborfest coordinator.

"It went very well," agreed Mark Mitchell, Brunswick city manager. "We are very pleased with the outcome."

"It was very much a success," he added.

Among the highlights of the Harborfest Weekend were Saturday's dedication of the Mary Ross Waterfront Park, parade and Sunday's Blessing of the Fleet.

The Blessing, done by Father Wilfrid Logsdon of St. Francis Xavier Church, also awarded prizes in both the shrimp and pleasure boat categories.

First place winner in the shrimp boat category was Morning Star, with second place going to Captain Snapper, followed by Six Pack in third place, Daily Bread in fourth and Lady Kelly as fifth place winner.

Annette took first place in the pleasure boat category, while Dusky came in second.

Entertainment, musical and otherwise, seemed to draw a lot of people to the festival, according to Ms. Shiver.

"The variety of entertainment we

had going on all during the day from Jim Callahan and Bisi Adeleke to the Navy Band to the cloggers and the dancers and closing with the Hands of Time was all good and fun entertainment," she said.

"The people there at the festival really seemed to enjoy it," Ms. Shiver added. "We had a little something for everyone."

No figures on the number of people attending Harborfest events were available, but Lt. Larry Bruce, of the Brunswick Police Department, said there was a pretty good crowd.

"They had a large crowd at the parade Saturday morning, but they had a steady flow of people at all times," he said.



City of Gig Harbor. The "Maritime City."

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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: TOM ENLOW *Tom Enlow*
SUBJECT: SECOND READING – SEGREGATION OF ULID#2 ASSESSMENT
DATE: June 17, 1997

BACKGROUND

Two parcels in the ULID#2 benefit area have been replatted into four. This ordinance segregates the assessments consistent with the current platting and ownership.

FISCAL CONSIDERATIONS

There will be no financial impact since the total amount of assessments owing is unchanged.

RECOMMENDATION

Staff recommends approval of the ordinance.

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR,
WASHINGTON APPROVING THE SEGREGATION OF ASSESSMENTS WITHIN
UTILITY LOCAL IMPROVEMENT DISTRICT NO. 2.**

WHEREAS, the City Council of the City of Gig Harbor, Washington (the "City") confirmed the assessment roll for Utility Local Improvement District No. 2 by adopting Ordinance No. 564, passed September 25, 1989; and

WHEREAS, since the confirmation of the assessment roll for ULID No. 2, parcels numbered 022117-3-087 and 022117-3-088, have been segregated into parcels numbered 022117-7-043, 022117-7-044, 022117-7-045 and 022117-7-046; and

WHEREAS, the owner of the property included within ULID No. 2 has requested that the assessments levied therein be segregated in accordance with the current platting and use of the property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON DOES ORDAIN, as follows:

Section 1. Findings. The following findings are hereby made in consideration of the parcels identified on Exhibit A attached hereto and identified in the final assessment roll for ULID No. 2 as Parcel Nos. 022117-3-087 and 022117-3-088 ("Original Parcels").

1. The Original Parcels have been segregated by the owner into Parcel Nos. 022117-7-043, 022117-7-044, 022117-7-045 and 022117-7-046 as shown in Exhibit A.
2. The balance of the original assessments shall be segregated on the same basis of square footage and front footage that was used for levying the assessments on the Original Parcels as shown in Exhibit B.
3. The total of the segregated assessments for Parcels 022117-7-043, 02211-7-044, 022117-7-045 and 022117-7-046 shall be equal to the current balance of the assessments on the Original Parcels.
4. The security of the lien of the assessments shall not, as a result of the proposed segregation, be jeopardized as to reduce the security of the bonds previously issued by the City to finance the improvements within ULID No. 2.

Section 2. Determinations. Based on the foregoing findings, the segregation of assessments as set forth on Exhibit B is hereby approved, and the City Treasurer is hereby ordered to make a segregation on the original assessment roll as directed in this ordinance.

Section 3. Effective Date. This ordinance shall be in force and take effect five(5) days after its publication according to law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this th day of , 1997.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST:

Molly Towslee
City Clerk

Filed with city clerk:
Passed by the city council:
Date published:
Date effective:

Ex. "A"
 Proposed ULID#2 Assessment Segregation - Quality Ventures LTD. Property

Original Parcels

Segregated Parcels

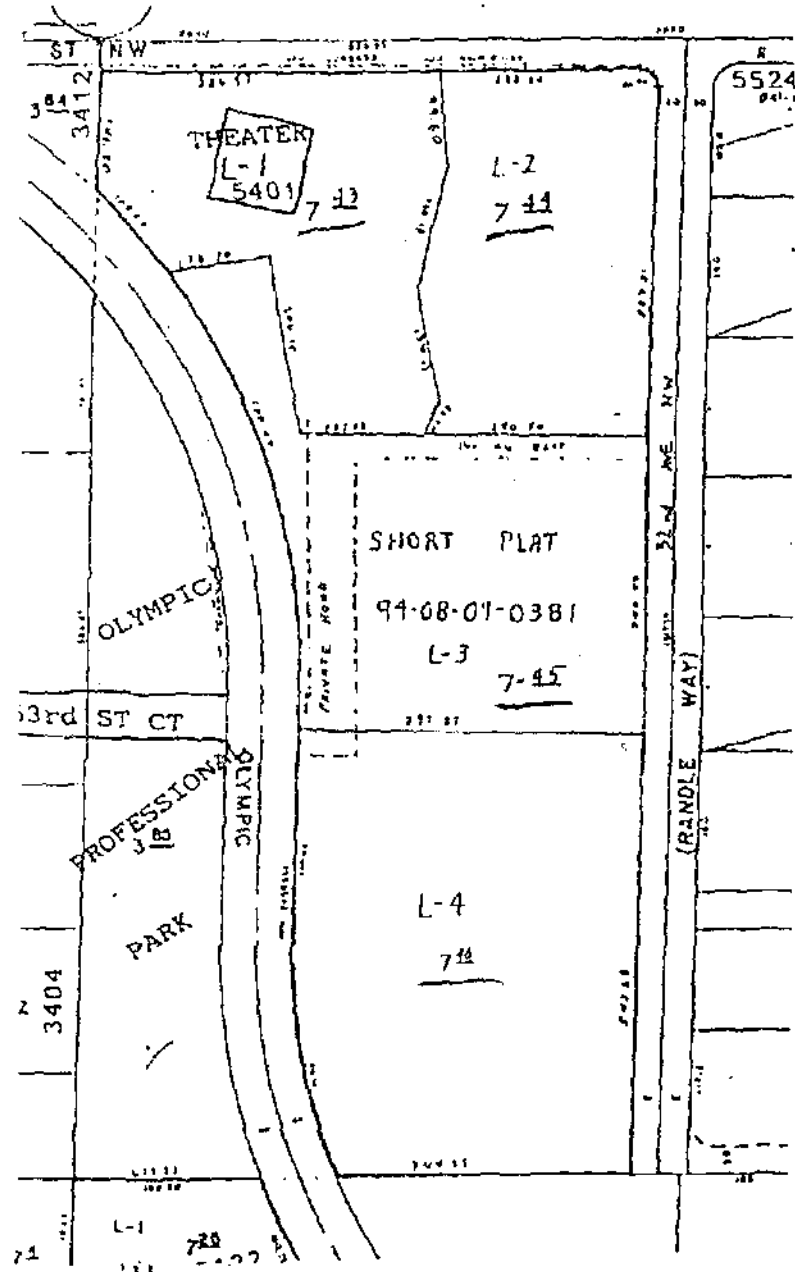
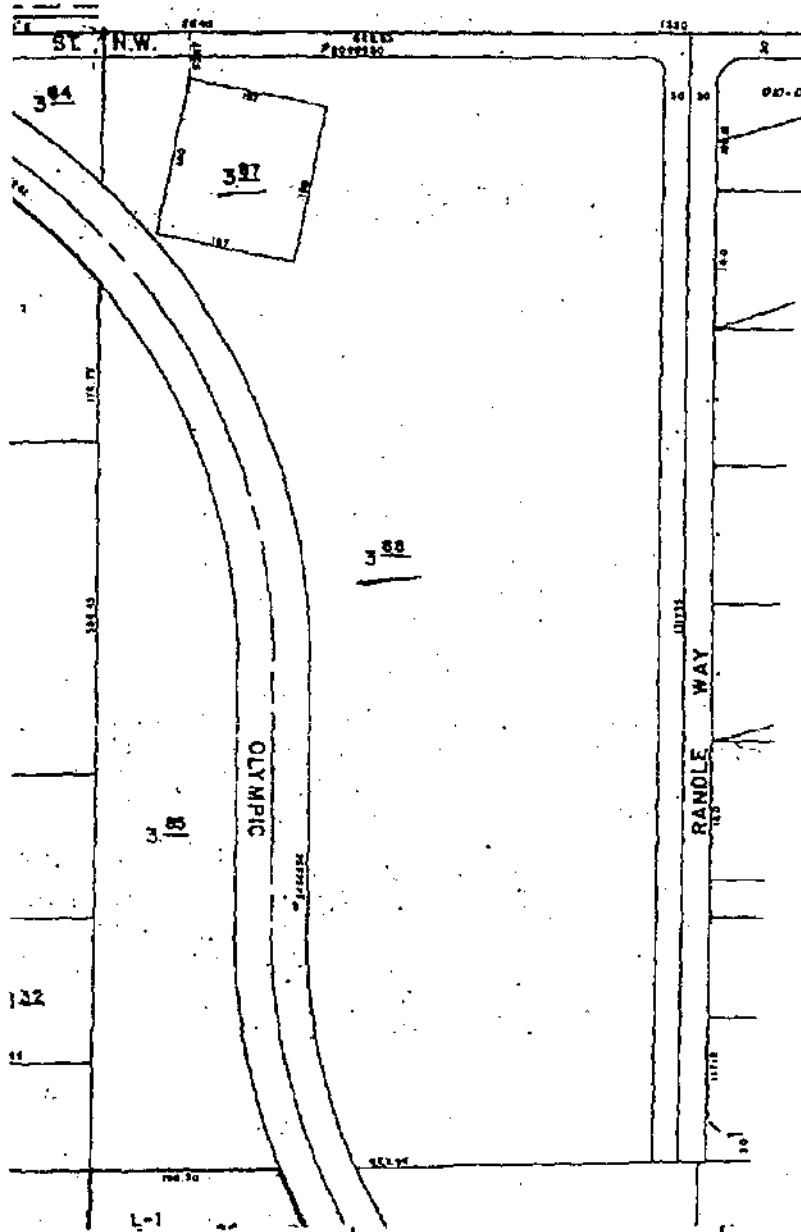


EXHIBIT "B"

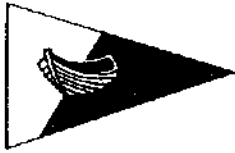
PROPOSED ULID#2 ASSESSMENT SEGREGATION - QUALITY VENTURES PROPERTIES

ORIGINAL ASSESSMENT

PARCEL #	FRONT FOOTAGE	SQUARE FOOTAGE	FRONT FT CHARGE	SQUARE FT CHARGE	ORIGINAL ASSESSMENT	CURRENT BALANCE
022117-4-087		28,314.00	0.00	3,537.10	3,537.10	1,515.90
022117-4-088	345.53	559,310.40	11,977.70	69,871.29	81,848.99	35,078.11
	345.53	587,624.40	11,977.70	73,408.39	85,386.09	36,594.01

PROPOSED SEGREGATION

PARCEL #	FRONT FOOTAGE	SQUARE FOOTAGE	FRONT FT CHARGE	SQUARE FT CHARGE	ORIGINAL ASSESSMENT	CURRENT BALANCE
022117-7-043		114,248.04	0.00	14,358.25	14,358.25	6,153.53
022117-7-044		95,284.02	0.00	11,974.92	11,974.92	5,132.10
022117-7-045		162,805.79	0.00	20,460.79	20,460.79	8,768.90
022117-7-046	345.53	211,770.01	11,977.70	26,614.43	38,592.13	16,539.48
TOTAL	345.53	584,107.86	11,977.70	73,408.39	85,386.09	36,594.01



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR *Wes Hill*
**SUBJECT: SECOND READING - ORDINANCE ALLOWING FOR TEMPORARY
INSTALLATION OF APPROVED SEPTIC SYSTEMS**
DATE: JUNE 18, 1997

INTRODUCTION/BACKGROUND

On May 27, 1997, Council approved a temporary Sanitary Sewer Moratorium which suspended acceptance of any new applications for sewer service, and the issuance of permits for sewer service. The nominal term of the moratorium was six months from the effective date of the ordinance. A temporary moratorium was determined necessary in consideration of the increasing effluent volume relative to the discharge limits in the City's current National Pollutant Discharge Elimination System (NPDES) permit, potential penalties for NPDES permit violations under the federal Clean Water Act, and uncertainty as to when the State Department of Ecology (DOE) will issue a new NPDES permit for the City's expanded wastewater treatment capacity. In addition, it has become apparent that even after issuance of the final NPDES permit, there is an appeal period which could further delay the City's ability to realize the full extent of its wastewater treatment plant improvements.

A companion ordinance was presented for Council consideration which would allow temporary installation of approved septic systems. Staff met with representatives of the Tacoma-Pierce County Health Department (Health Department) on June 5, 1997 to review options for interim sewage disposal. The Health Department stated that current regulations are in place to cover the City's present situation, and that they are willing and able to work with the City and developers on reviewing proposals for temporary systems during the moratorium. A copy of a letter to the Health Department summarizing the meeting, and the "Rules and Regulations of the Tacoma-Pierce County Board of Health for On-Site and Community Sewage Systems Within the Urban Growth Area" are attached.

Based on that meeting, and the Health Department's rules and regulations, staff perceives that the proposed revisions to Section 13.28.260 GHMC provide some measure of relief for the development community and protection for the City's interests in pursuing implementation of the Comprehensive Sewer Plan to serve City residents.

POLICY CONSIDERATIONS

The ordinance revises the current City Code provisions to reflect current conditions, and provides additional time for developers to construct permanent systems following notice from the City that the Council has terminated the moratorium.

MAYOR WILBERT AND CITY COUNCIL

June 18, 1997

Page 2

RECOMMENDATION

Staff recommends that the Council move and approve the ordinance amending Section 13.28.260 GHMC to allow temporary installation of approved septic systems during the temporary sanitary sewer moratorium enacted by the Council on May 27, 1997.



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

June 9, 1997

Steve Marek
Public Health Manager
Environmental Health
3629 South D Street, MS 021
Tacoma, WA. 98408-6897

SUBJ: Interim Sanitary Sewer Moratorium - Interim Sewage Disposal Systems

Dear Mr. Marek:

Thank you for meeting with Mr. Howard Jensen, Ogden Murphy Wallace, and me on June 5, 1997 to discuss the City's temporary sanitary sewer moratorium, and viable options and the administrative process for interim sewage disposal systems. We appreciated the opportunity to meet with both you and Mr. Dennis Tone, RS, Environmental Source Protection Liaison.

We are presently working on revisions to the draft "Temporary Sewer Ordinance" before taking it back for consideration by the City Council. Accordingly, I have briefly summarized my understanding of the primary points from our meeting for your review:

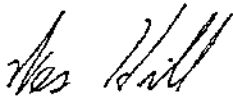
1. Holding tanks are an option for existing residential areas only in the event of a declared public health emergency, and only as a last resort. In addition, in most situations the volume of sewage generated relative to a tank's capacity would require frequent pumping. This could be both a functional and aesthetic problem, and expensive.
2. The Health Department has rules and regulations (May 1993) which allow on-site and community sewage systems within designated urban growth areas, and specifically for interim septic systems, when sanitary sewers as defined by the municipality are not available. Section IX, A of those rules and regulations provides that "All new development approved to utilize interim on-site sewage systems after the effective date of July 1, 1993 shall connect to a permanent sewage treatment and disposal system when that system becomes available, as defined by the appropriate agencies." This means that a development with an approved (or installed) interim sewage disposal (or septic) system could be required to connect to the City's sanitary system when sewer capacity becomes available, or in the City's situation, after the moratorium is lifted.
3. Discharge to an existing septic tank and drainfield system may be permitted by the Health Department, subject to submittal to and approval by the Health Department of an evaluation by a qualified person or company (as determined by the Health Department) of the capacity, function, and viability of the septic system. This makes it possible for the City to allow a new connection to its sanitary sewer system during the moratorium conditioned on the following:

- a) Availability of an interim septic system satisfactory to the Health Department based on review of a septic system evaluation.
 - b) Developer/owner/builder obtaining a formal agreement from a third party to allow use of that interim septic system (City administered).
 - c) Ability of the developer/owner/builder, and/or the third party to divert sewage presently discharging to the City's sanitary sewer system to that interim septic system in an amount equivalent to the quantity generated by the new connection. The City would need to review and approve the details of any such diversion to confirm whether there were sufficient assurances that an equivalent volume would be diverted.
4. The Health Department's review authority is limited to individual or community septic systems with a capacity under 3,500 gallons per day. Larger systems up to 14,000 gallons per day require the review and approval of the Washington State Department of Health.
 5. Coordination between the Health Department and the City will be especially necessary during the moratorium to ensure that the necessary commitments and approvals are in place prior to issuance of an occupancy permit.

Please call me to discuss any revisions which need to be made relative to my stated understanding. If satisfactory, please telefax a short note, or sign below and return by telefax. I regret the short review time, but it would be helpful if I could confirm your concurrence prior to our City Council meeting, Monday evening, June 9, 1997.

Thanks again for your assistance. Please call me if there are any questions.

Sincerely,



Wes Hill, P.E.
Public Works Director

- c: Mark Hoppen, City Administrator
Howard Jensen, Ogden Murphy Wallace
Steve Bowman, Building Official
Public Works Routing

6/5/97
T.P.C. HEALTH
DEPT.

RULES AND REGULATIONS
OF THE
TACOMA-PIERCE COUNTY BOARD OF HEALTH

FOR
ON-SITE AND COMMUNITY SEWAGE SYSTEMS
WITHIN THE URBAN GROWTH AREA

May 1993

RECEIVED
JUN 25 1997

HEALTH
DEPT.

SECTION I - AUTHORITY AND PURPOSE

These rules and regulations are established by the Tacoma-Pierce County Board of Health pursuant to the authority vested in it by RCW 70.05.060 (Powers and Duties of Local Board of Health), RCW 36.70A (Planning Enabling Act), WAC 246-272 (On-Site Sewage Rules and Regulations of the State Board of Health) and Resolution 87-900 (On-Site Sewage Rules and Regulations of the Tacoma-Pierce County Board of Health) and are adopted in order to protect the public health of the citizens of Pierce County and of the municipalities in Pierce County; to preserve and protect environmental quality, including, but not limited to, water quality, and to protect Aquifer Recharge areas through the regulation of the location and use of on-site and community sewage systems.

Pierce County and county municipalities have asked the Tacoma-Pierce County Board of Health to direct the Tacoma-Pierce County Health Department to develop new regulations.

The goal of these regulations shall be the prevention of any new permanent on-site and community septic systems within the Urban Growth Area of unincorporated Pierce County or within municipal boundaries, but would allow for interim on-site approved septic systems where sewer facilities are not available. The regulations shall be consistent with county-wide planning policies.

SECTION II - APPLICABILITY

These regulations, effective July 1, 1993, and any subsequent amendments shall apply to all new residential, commercial, and industrial development utilizing interim on-site and community septic systems within the Urban Growth Area of Pierce County and county municipalities. It is not the intent of these regulations to require any individual property owner on an existing, properly permitted and functioning septic system to connect to a public or approved private sewer system unless the septic system fails, or the current use of the property changes, or the density of development on the property increases, or danger to the public health requires such connection.

A. Residential and commercial development utilizing interim on-site and community septic systems shall comply with the Board of Health Resolution 87-900 (On-Site Sewage Disposal Rules and Regulations) or as amended in this regulation.

B. New industrial development with facilities generating wastewater from industrial processes utilizing interim on-site or community septic systems shall not be allowed in urban growth areas of Pierce County and county municipalities.

SECTION III - DEFINITIONS

Commercial Development: Any development or facility generating wastewater not herein defined as domestic wastewater.

Community Systems: Any on-site sewage treatment and disposal system serving two or more residences, businesses, or structures; or any system having a sewage volume of greater than 450 gallons per day.

Domestic Wastewater: Wastewater carrying human wastes from residences and commercial facilities including grey water.

Effluent: Sewage, water, or other liquid, partially or completely treated or in its natural state, flowing out of a reservoir, basin, or treatment device (septic tank).

Food Service Establishments: A place, location, operation, site or facility where food is manufactured, prepared, processed, packaged, dispensed, distributed, sold, served, or offered to the consumer regardless of whether or not compensation for food occurs.

Grey Water: That portion of liquid sewage having the consistency and strength of domestic type wastewater. Grey water includes wastewater from sinks, showers, and laundry fixtures, but does not include toilet or urinal waters.

Ground Water Management Area Plan: A plan certified by the State Department of Ecology that is designed primarily to develop a program to prevent water quality and quantity problems.

Growth Management Area: Identifies the encouragement of development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Industrial Development: Any development with facilities generating wastewater from industrial processes, as distinct from domestic wastewater quality.

Interim On-site Sewage Treatment and Disposal System: An on-site sewage treatment and disposal system utilized within the Urban Growth Area Tiers until such time as the public sewer system becomes available.

On-Site Sewage Treatment and Disposal System: Any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under control of the user where the system is not connected to a public or approved private sewer system.

Permanent Sewage Treatment and Disposal System: A means by which sewage generated by any means is collected by a system and necessary trunks, pumping facilities and a means of final treatment and disposal, and approved or under permit from the Department of Ecology (excluding on-site sewage disposal).

Public Sewer System: A sewage system which is owned or operated by a city, town, municipal corporation, county, political subdivision of the state, or other approved private ownership consisting of a collection system and necessary trunks, pumping facilities, and a means of final treatment and disposal and under permit from the Department of Ecology.

Reserve Area: That area of native, permeable soil which shall be set aside for the purpose of potential drainfield replacement.

Residential Buildings or Structures: Buildings or structures such as residential houses, mobile homes, RV's, and multi-family residences, or portion thereof, which are designed for and used to provide a place of abode for human beings, but not including hotels or motels having no kitchens.

Residential Development: Any development producing residential houses, mobile homes, RV's and multi-family residences.

Rural Lands: All lands which are not within an urban growth area and are not designated as natural resource lands having long term commercial significance for production of agricultural products, timber, or the extraction of minerals.

ULID: Utility Local Improvement District. A special district (geographic area) established under provisions of the Revised Code of Washington for the purpose of providing wastewater facility improvements.

Urban Growth: Growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products or fiber, or the extraction of mineral resources.

Urban Growth Area: Areas within which urban growth shall be encouraged and outside of which growth shall occur only if it is not "urban" in character, including each municipality in the county.

Urban Growth Area Tier: An area designated by the county within which urban growth shall be encouraged and outside of which growth shall occur only if it is not "urban" in character.

**Rules and Regulations
For On-Site and Community Sewage Systems**

A. Tier Phase One: Primary growth area (i.e., areas already characterized by urban growth that have existing public facility and service capacities) which will have public or approved private sewer systems available within 6 years.

B. Tier Phase Two: Secondary growth area (i.e., areas already characterized by urban growth that will be served by a combination of both existing public facilities and services, and any additionally needed public facilities and services that are provided by either public or private sources) which will have public or approved private sewer systems available within 7-13 years.

C. Tier Phase Three: Tertiary growth area (i.e. areas adjacent to areas already characterized by urban growth, but not presently served with public facilities and services) which will have public or approved private sewer systems available within 14-20 years.

Wastewater: Water carrying wastes from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the sewer system.

SECTION IV - GENERAL REQUIREMENTS

A. Approved system required: Every residence, place of business, or other place where persons congregate, reside or are employed, shall be connected to an approved sewage treatment and disposal system which shall be operated and maintained in such a manner as to meet the requirements set forth in Tacoma-Pierce County Board of Health Resolution 87-900, or current standards as amended.

B. No surface discharge: Sewage shall not be discharged to surface water or upon the surface of the ground. This requirement shall not apply to septic tank waste nor sewage treatment plant waste discharged under permits from Washington State Department of Ecology, Washington State Department of Health or Tacoma-Pierce County Health Department.

C. On-site sewage treatment and disposal systems shall be constructed, operated and maintained in a manner that causes no health hazards and does not cause changes in surface or ground water characteristics detrimental to their beneficial use.

D. New interim on-site sewage or community septic systems located within any ground water management plan certified by the Washington Department of Ecology shall meet design criteria established by the Tacoma-Pierce County Health Department to maximize effluent dispersion and minimize the adverse impacts to local groundwater.

E. New interim on-site sewage treatment and disposal systems for domestic wastewater located within Urban Growth Area Tier Phase One will require a reserve area designated equal to 50% of the drainfield area (excluding larger on-site community systems with design flows above 3,500 gallons per day). All other Urban Growth Area Tiers shall meet the requirements for reserve areas as set forth in Tacoma-Pierce County Board of Health Resolution 87-900, or current standards as amended.

SECTION V - RESIDENTIAL DEVELOPMENT

New residential development located within the Urban Growth Area Tier Phase One, Two, or Three shall have designed and installed an approved interim on-site sewage treatment and disposal system if sanitary sewers are not currently available. Wastewater volume shall not exceed maximum density regulations (per Rules and Regulations #87-900) while using on-site sewage disposal.

SECTION VI - COMMUNITY SYSTEMS

New interim community septic systems located within Urban Growth Areas Tier Phase One, Two, or Three shall have designed and installed an approved interim on-site sewage treatment and disposal system if sanitary sewers are not currently available. The systems shall be designed so that maximum effluent dispersion is maintained, and wastewater volume shall not exceed maximum density regulations (per Rules and Regulation #87-900) while using on-site sewage disposal.

SECTION VII - COMMERCIAL DEVELOPMENT

New commercial development located within the Urban Growth Area Tier Phase One, Two, or Three shall not be allowed to utilize interim on-site sewage systems unless it can be demonstrated that wastewater effluent strength is comparable to that of domestic wastewater quality. Those developments having domestic wastewater qualities shall have designed and installed an approved interim on-site sewage treatment and disposal system if sewers are not currently available. On-site sewage disposal plans shall maximize effluent dispersion. Wastewater volume shall not exceed maximum density requirements (per Rules and Regulations #87-900) while using on-site sewage disposal.

SECTION VIII - INDUSTRIAL DEVELOPMENT

New industrial development generating wastewater from industrial processes and located within Urban Growth Areas Phase One, Two, or Three, shall not be allowed on interim community or on-site sewage systems.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ALLOWING FOR TEMPORARY INSTALLATION OF APPROVED SEPTIC SYSTEMS IN LIEU OF THE PUBLIC SEWER CONNECTION REQUIRED BY CHAPTER 13.28 OF THE GIG HARBOR MUNICIPAL CODE, AND AMENDING SECTION 13.28.260 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, Chapter 13.28 of the Gig Harbor Municipal Code ("GHMC") generally prohibits the disposal of sewage within the City of Gig Harbor ("City") except by means of the public sewer system; and

WHEREAS, on May 27, 1997, the City Council imposed a moratorium on both the acceptance of new applications for sewer service connections and the issuance of new sewer service permits under the Gig Harbor Municipal Code; and

WHEREAS, the City Council finds it reasonable to allow for the temporary installation of approved septic systems in lieu of the public sewer connection required by Chapter 13.28 GHMC during the term of the moratorium; and

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

Section 1. Section 13.28.260 of the Gig Harbor Municipal Code is hereby amended as follows:

13.28.260 Septic tank systems - When Permitted. It shall be permitted during the term of the ~~Department of Ecology~~ sewer connection moratorium (~~Order DE 84-311, First Amendment, August 22, 1985~~) enacted by the City Council on May 27, 1997 (Ordinance No. 759), for an owner of a building/structure intended for occupancy, to ~~construct~~ install a temporary septic tank system which has been approved by the City of Gig Harbor and the Pierce County ~~Environmental~~ Health Department and/or all other appropriate state and local governmental agencies agency; provided,

however, that within ninety (90) one hundred and eighty (180) days of receipt of written notice from the City of Gig Harbor that the City Council has terminated upon lifting of the moratorium or that the moratorium has expired for failure of the City Council to adopt findings of fact to support the moratorium by the Department of Ecology: (a) such approved temporary septic tank system shall be abandoned by the owner, and (b) the owner shall connect such building/structure directly with the City of Gig Harbor sewer system at the owner's expense in accordance with the connection charges set forth under Chapter 13.32, "Sewer Rates and Charges," as amended (Sewer Rates and Charges). Failure or refusal of the owner to connect to the public sewer system within the time specified above will subject the owner to the lien and assessment provisions contained within Section 13.28.130 this chapter. This section does not grant an applicant for a temporary septic system any right to a permanent septic system.

Section 2. Purpose. This ordinance does not grant an applicant for a temporary septic system any right to a permanent septic system. The purpose of this ordinance is to allow buildings and structures intended for occupancy to temporarily install and temporarily use a septic system during the term of the sewer connection moratorium. Upon the termination or expiration of the moratorium, any temporary septic system authorized by this ordinance must be abandoned, and the building or structure serviced by the temporary septic system must be connected to the public sewer system.

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

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

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

CITY ATTORNEY, CAROL A. MORRIS

FILED WITH THE CITY CLERK: 5/22/96

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

CITY OF GIG HARBOR, WASHINGTON

On the _____ day of _____, 1997, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ALLOWING FOR TEMPORARY INSTALLATION OF APPROVED SEPTIC SYSTEMS IN LIEU OF THE PUBLIC SEWER CONNECTION REQUIRED BY CHAPTER 13.28 OF THE GIG HARBOR MUNICIPAL CODE, AND AMENDING SECTION 13.28.260 OF THE GIG HARBOR MUNICIPAL CODE.

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

DATED this _____ day of _____, 1997.

CITY ADMINISTRATOR, MARK HOPPEN



MITCH BARKER
Chief of Police

City of Gig Harbor Police Dept.
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-2236

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MITCH BARKER *MB*
SUBJECT: DESIGNATED ANCHORAGE AREA
DATE: JUNE 17, 1997

INFORMATION/BACKGROUND

The City has been working for some time to establish a safer boating environment in Gig Harbor Bay. To accomplish this goal, it was determined that three areas of safety needed to be addressed. First, we need to establish and maintain a clear area of unobstructed, navigable water. Second, we need to address partially submerged floats and mooring devices as well as derelict vessels in danger of sinking. Within the past year two such vessels have sunk in the harbor. Both became navigation hazards and both leaked some amounts of petroleum products into the bay before they could be secured. Finally, we need to provide a clearly defined area within the harbor where transient boaters may safely anchor. This area must be separate from the navigable waterway and clear of hazards such as derelict vessels and obscured mooring devices.

Staff has met with representatives of the State DAR and Pierce County regarding this issue. We have reached agreement that the local jurisdictions need to address this issue. To that end we have drafted an ordinance for a Designated Anchorage Area for the City. Pierce County has been asked to adopt a similar ordinance, and we have also drafted an interlocal agreement which will allow either jurisdiction to take enforcement actions on either side of Gig Harbor Bay.

FISCAL IMPACTS

There will be no direct costs of establishing this ordinance or interlocal agreement. In order to establish the anchorage area, delineating buoys will need to be purchased and installed. There will also be costs associated with printing and serving warning notifications to offending boats/mooring devices, and any costs incurred in an impound and auction situation.

RECOMMENDATION

Staff recommends that Council schedule a public hearing to gather comments about the safety and navigation within Gig Harbor Bay and to consider implementation of the draft ordinance, and interlocal agreement, to improve the safety and navigation within the bay.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO VESSELS AND ANCHORAGE IN GIG HARBOR BAY, READOPTING THE CITY'S HARBOR CODE, AND ADDING NEW DEFINITIONS, A DESCRIPTION OF THE DESIGNATED ANCHORAGE AREA, PROHIBITING ANCHORAGE OF VESSELS OUTSIDE OF THE DESIGNATED ANCHORAGE AREA, DESCRIBING VIOLATIONS, PENALTIES AND PROCEDURES FOR IMPOUNDING OF VESSELS UNDER CERTAIN LIMITED CIRCUMSTANCES, REPEALING CHAPTER 8.24, AND ADDING A NEW CHAPTER 8.24 TO THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City Council finds that the free and proper navigation in Gig Harbor Bay is impeded by scattered vessel anchorage in frequently traveled navigational channels, especially during the summer season, when there are large numbers of vessels in the Bay; and

WHEREAS, the City Council further finds that some vessels in the Bay have been anchored for long periods of time because they are not capable of independent operation; and

WHEREAS, the City Council further finds that some anchored vessels are vacant, abandoned, and at least two such vessels sank in the Bay, causing navigational and environmental hazards due to the release of fuel in the waters of the Bay; and

WHEREAS, the City Council further finds that these conditions are the result of, among other causes, unregulated anchorage of vessels in the Bay; and

WHEREAS, the City Council further finds that the elimination of such public health, safety and welfare nuisances can be facilitated by the designation of an area within Gig Harbor Bay, in which vessels may anchor; now, therefore,

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

Section 1. Chapter 8.24 of the Gig Harbor Municipal Code is hereby repealed.

Section 2. A new Chapter 8.24 is hereby added to the Gig Harbor Municipal Code,
to read as follows:

Chapter 8.24

HARBOR CODE

Sections:

8.24.020	Application and Justification.
8.24.040	Authorization.
8.24.060	Definitions.
8.24.080	Additional Definitions.
8.24.100	Harbor Warden.
8.24.120	Rules of the Road.
8.24.140	Liability.
8.24.160	Chapter 88.12 RCW Adopted by Reference.
8.24.180	Chapter 352-60 WAC Adopted by Reference.
8.24.200	Interference with Navigation.
8.24.220	Mooring Buoys.
8.24.240	Residential Use of Floating Homes or Houseboats in Harbor Prohibited.
8.24.260	Speed Regulations.
8.24.280	Seaplanes.
8.24.300	Removal of Obstructing Vessels.
8.24.320	Sunken Vessels.
8.24.340	Unseaworthy Crafts.
8.24.360	Impoundment Authority
8.24.380	Impound Procedures.
8.24.400	Designated Anchorage Area.
8.24.420	Nuisances.

8.24.020 Application and justification. The provisions of this chapter shall be applicable to all vessels and watercraft operating in the city limits of Gig Harbor Bay. This chapter may also be enforced in the area of Gig Harbor Bay within the jurisdiction of Pierce County, if the parties have executed an interlocal agreement for such enforcement. The provisions of this chapter shall be construed to supplement United States laws and state laws and regulations when not expressly inconsistent therewith, in the areas where the United States and state laws are applicable. To the extent that this chapter is inconsistent with federal or state laws and regulations, the federal and/or state laws shall control.

8.24.040 Authorization. The City, in the exercise of its police power, assumes control and jurisdiction over all waters within its limits, and such waters shall, for the purposes of this chapter, be known as "Gig Harbor Bay."

8.24.060 Definitions. The "Definitions" contained in RCW 88.12.010, as the same now exists or may hereafter be amended, is hereby adopted by reference, and the definitions set forth therein shall apply throughout this chapter.

8.24.080. Additional definitions. In addition to the definitions in RCW 88.12.010, the following definitions shall apply and have the meanings set forth below, except where the same shall be clearly contrary to or inconsistent with the context of the section in which used.

A. "Anchorage" means a designated position described in this ordinance where vessels or watercraft may anchor.

B. "City" means the City of Gig Harbor.

C. "Designated Anchorage Area" means an area that has been marked in accordance with and as authorized by the laws or regulations of the City to be used for anchorage of vessels or watercraft, the method of marking and designation of which shall have been made by the Harbor Warden in accordance with the provisions of this chapter, and chapter 351-66 of the Washington Administrative Code.

D. "Moor" means a designated position described in this ordinance where vessels or watercraft are affixed to devices or structures other than a vessel's parochial anchoring system.

E. "Obstruction" means any vessel or watercraft or any matter which may in any way block, interfere with or endanger any vessel

or watercraft or impede navigation, or which cannot comply with the Rules of the Road identified in GHMC Section 8.24.080.

F. "Watercraft" means any contrivance used or capable of being used as a means of transportation on water. Cribs or piles, rafts of logs shall not be included in the terms "watercraft" or "vessel," but shall be included in the term "obstruction" when they shall be floating loose and not under any control or when under control and obstructing any navigable channel.

8.24.100 Harbor Warden. This chapter shall be enforced by the police chief, who shall be designated the Harbor Warden. It shall be the duty of the Harbor Warden, and his/her authorized designees, to:

A. Enforce the ordinances and regulations of the City upon the waters of the harbor and adjacent lands thereto, when the harbor is affected;

B. Maintain patrols in the harbor for the protection of life and property, including, but not limited to, the removal and disposition of drifting debris and nuisances from the waters of the harbor;

C. Investigate and report upon marine and maritime accidents in the harbor;

D. Coordinate all necessary functions in connection with search and rescue in the harbor;

E. Promulgate rules and regulations governing the use of the navigable portions of waterways; and

F. Remove, impound or sell any vessel, watercraft or obstruction anchored or moored in violation of this chapter deemed a public nuisance or a hazard to navigation or operated or afloat under conditions deemed unsafe for water transportation.

8.24.120 Rules of the Road. Except as otherwise specified in this chapter, vessels shall be subject to the International Regulations for Preventing Collisions at Sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, Appendix A, as such rules are now or may hereafter be amended or adopted. Vessels engaged in a sanctioned or authorized race, log race, regatta or similar event, shall be subject to the applicable rules for such events, including, but not limited to, differing right-of-way rules.

8.24.140 Liability. Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers,

employees or agents, for any injury or damage resulting from the failure of any person or owner of a vessel, watercraft or obstruction, to comply with the provisions of this chapter, or by reason or in consequence of any notice, order, citation, permit, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this Code by its officers, employees or agents. Nothing in this chapter shall be construed so as to release any person owning or controlling any vessel, watercraft, pier, dock, obstruction or other structure, from any liability from damages, and the safeguards to life and property required by this chapter shall not be construed as relieving any person from installing and maintaining all other safeguards that may be required by law.

8.24.160 Chapter 88.12 RCW Adopted by Reference. Chapter 88.12 RCW, "Regulation of Recreational Vessels," as the same now exist or may hereafter be amended, is hereby adopted by reference.

8.24.180 Chapter 352-60 WAC Adopted by Reference. Chapter 352-60 WAC, "Boating Safety," as the same now exists or may be hereafter amended, is hereby adopted by reference.

8.24.200 Interference with Navigation. No person shall operate any watercraft or vessel on the water in a manner which shall unreasonably or unnecessarily interfere with other watercraft or vessels, or with the free and proper navigation of Gig Harbor Bay, or the launching of any watercraft or vessel at any public boat launching ramp. Anchoring or mooring in any location in Gig Harbor Bay outside of the Anchorage Area defined GHMC § 8.24.400 shall constitute such interference.

8.24.220 Mooring Buoys. Mooring buoys are prohibited in Gig Harbor Bay where such buoys will interfere with customarily traveled routes for vessels both inside and outside of the Designated Anchorage Area. No more than one buoy will be allowed for each ownership of waterfront residences adjacent to the Gig Harbor Bay. The City's permission to install a mooring buoy shall not exempt a person from obtaining any and all necessary permits or permissions required by other government authorities.

8.24.240 Residential Use of Floating Homes or Houseboats in Harbor Prohibited. It shall be unlawful to use a floating home or houseboat for residential purposes within Gig Harbor Bay. For the purpose of this chapter, a floating home or houseboat is defined as a single-family dwelling unit constructed on a float, not designed or primarily used as a vessel, and which is moored, anchored or otherwise secured in the water.

8.24.260 Speed Regulations. Within the waters of Gig Harbor Bay, it shall be unlawful for any person to operate a vessel or watercraft, or to taxi a seaplane at a speed in excess

of five (5) miles per hour. Nothing in this section shall be construed as exempting any person from liability caused by wake action from operation of any vessel in Gig Harbor Bay.

8.24.280 Seaplanes. Seaplane operators are encouraged to take off and land in the area outside the mouth of Gig Harbor Bay and may taxi the seaplane into Gig Harbor Bay. However, seaplane takeoffs and landings are prohibited in the City's harbor except in emergency situations and where the pilot can maintain a minimum of 200 feet of lateral separation between the seaplane and other underway or anchored vessels while operating on the water.

8.24.300 Removal of Obstructing Vessels.

A. Acts Prohibited.

1. No person having charge of any vessel, watercraft or obstruction shall anchor the same in any area in Gig Harbor Bay outside of the area designated as the Anchorage Park.
2. No person having charge of any vessel, watercraft or obstruction shall moor within Gig Harbor Bay, except at permitted residential moorage.
3. No person having charge of any vessel, watercraft or obstruction shall make the same fast to any buoy, pier or other structure owned by or under the control of the City, without first obtaining a permit from the City.
4. No person having charge of any towboat shall while towing any vessel, watercraft or obstruction, in any manner obstruct navigation in the Gig Harbor Bay.

B. Harbor Warden Authority. The Harbor Warden shall have the power to order the removal of:

1. Any vessel, watercraft or obstruction anchored or moored in Gig Harbor Bay outside of the Designated Anchorage Area, or made fast to any buoy, pier, dock or other structure owned by or under the authority and control of the City; and
2. Any towboat and/or its tow obstructing navigation in the Gig Harbor Bay.

8.24.320 Sunken vessels. When any vessel or watercraft or obstruction is in danger of sinking, has been sunk or grounded, or has been delayed in such manner as to stop or seriously interfere with or endanger navigation, the Harbor Warden may order the same immediately removed. If the owner or other person in charge thereof, after being so ordered, does not proceed immediately with such removal, the Harbor Warden may take immediate possession thereof and remove the same. In so doing, the Harbor Warden shall use such methods as in the Harbor Warden's judgment will prevent unnecessary damage to such vessel or watercraft or obstruction, and the expense incurred by the Harbor Warden in such removal shall be paid by the owner of the vessel, watercraft or obstruction. In case of failure to pay, the City may maintain an action for the recovery of such costs.

8.24.340 Unseaworthy craft. It shall be unlawful for any person or owner of a vessel, watercraft or obstruction to tow into or move such vessel, watercraft or obstruction into Gig Harbor Bay, which prior to movement or tow:

A. has been used as a permanent place of abode and was not engaged in navigation under its own power within ninety (90) days; or

B. appears or exists in an unseaworthy condition, uses or needs support from another vessel or watercraft to remain afloat, or otherwise appears to lack the capacity for safe movement through and across navigable waters, other than the following: (a) barges or scows or disabled or buoyant aircraft in tow by a towage company authorized to do business in the state; (b) vessels or watercraft temporarily disabled by accident, collision, or other malfunction but otherwise seaworthy and capable of safe movement, and (c) vessels, watercraft or obstructions being towed by or under the control of the Harbor Warden.

8.24.360 Impoundment Authority. The Harbor Warden may take immediate possession and/or impound and remove any vessel, watercraft or obstruction, when:

A. the operator or person in charge of same reasonably appears incapable of safely operating the vessel, watercraft or obstruction;

B. the operator or person in charge of same refuses or neglects to obey an order of the Harbor Warden to proceed from or to an area following a citation or in an emergency;

C. the operator or person in charge operates a vessel, watercraft or obstruction in a negligent, reckless, or other manner so as to endanger the safety of others or to unreasonably interfere with the navigation of other watercraft and vessels, and the Harbor Warden believes such operation of the vessel, watercraft or obstruction would continue unless possession be taken of the same;

D. the vessel, watercraft or obstruction appears unsafe for water transportation; or

E. the vessel, watercraft or obstruction appears abandoned, or is anchored in the Designated Anchorage Area after expiration of the time allowed for such anchorage in violation of this chapter, seventy-two (72) hours after an order to remove the same has been given by the Harbor Warden as provided in Section 8.24.380(A).

8.24.380 Impound Procedures. The Harbor Warden shall implement the following procedures to impound any vessel, watercraft or obstruction under the authority provided in this chapter:

A. Where immediate removal of the vessel, watercraft or obstruction is not required, the Harbor Warden shall attach a readily visible written notification to the vessel, watercraft or obstruction. The written notification shall contain the following information:

1. the date and time the written notification was attached;
2. a statement that if the vessel, watercraft or obstruction is not removed within seventy-two (72) hours from the time the written notification is attached, it will be taken into custody and moored at the owner's expense;
3. the address and telephone number where additional information may be obtained.

B. The Harbor Warden shall check the records to learn the identity of the last owner of record with the State of Washington. The Warden shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the written notification.

C. If the vessel, watercraft or obstruction is not removed within twenty-four (24) hours from the time the written notification is attached, or in those cases where immediate removal is appropriate (as described in this chapter), the Harbor Warden may take custody of the vessel, watercraft or obstruction and provide for the removal, mooring and/or storage to a place of safety.

D. All vessels, watercraft or obstructions shall be taken to the nearest mooring or storage location that has been inspected with the Police Department.

E. All vessels, watercraft or obstructions shall be handled and returned in substantially the same condition as they existed before being towed.

F. All personal belongings and contents in the vessel, watercraft or obstruction, with the exception of those items of personal property that are registered or titled with the Police Department, shall be kept intact, and shall be returned to the owner of the vessel, watercraft or

obstruction during normal business hours and upon request and presentation of a driver's license or other sufficient identification. Personal belongings, with the exception of those items of personal property that are registered or titled with the Department, shall not be sold at auction to fulfill a lien against the vessel, watercraft or obstruction.

G. All personal belongings, with the exception of those items of personal property that are registered or titled with the Police Department, not claimed before the auction, shall be disposed of pursuant to chapter 63.32 or 63.40 RCW.

H. Any person who shows proof of ownership or written authorization from the impounded vessel or watercraft's registration, or of the legal owner of the vessel or watercraft's insurer, may view the vessel or watercraft without charge during normal business hours.

I. The owner of the vessel, watercraft or obstruction is liable for costs incurred in removing, storing and disposing of same, less amounts realized at auction.

J. When the vessel, watercraft or obstruction is impounded, the Harbor Warden shall notify the legal and registered owners of the vessel, watercraft or obstruction if known, of the impoundment and sale of same. The owners of any personal property registered or titled with the Police Department shall be notified of disposition of such property pursuant to Chapters 63.32 or 63.40 RCW, of the impoundment and sale of same. The notification shall be sent by first class mail within twenty-four hours after the impoundment to the last known registered and legal owners of the vehicle, and the owners of any other items of personal property registered or titled with the Police Department. The notice shall include the location, time of the impound, and by whose authority the vehicle was impounded. The notice shall also include the written notice of the right of redemption and opportunity to contest the validity of the impoundment pursuant to the procedures described below.

K. Right to hearing.

1. Any person seeking to redeem an impounded vessel, watercraft or obstruction under this section has a right to a hearing in the district court for the jurisdiction in which the vehicle was impounded, to contest the validity of the impoundment or the amount of towing and storage charges. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the district court within ten days of the date the opportunity was provided for in subsection 8.24.380(J) of this section. If the hearing request is not received by the district court within the ten day period, the right to a hearing is waived and the registered owner is liable for any towing, storage or other impoundment charges permitted under this chapter.

2. The procedures to be followed by the district court for notification to parties, jurisdiction, and determinations to be made by the court shall be the same as set forth in state law for vehicles (RCW 46.55.120(2)(b) through 46.55.120(4)). In the event that the City has incurred costs relating to the towing, storage and impoundment of the vessel, watercraft or obstruction, the procedures for entry of a judgment in RCW 46.55.120 shall apply to the City.

L. Public auction.

1. If, after the expiration of fifteen days from the date of mailing of notice of impoundment and sale required in subsection 8.24.380(J) above to the registered and legal owners, the vessel, watercraft or obstruction remains unclaimed and has not been listed as stolen, then the Harbor Warden shall conduct a sale of the vessel, watercraft or obstruction at public auction. Prior notification of the public auction shall be given by publication in the City's official newspaper, which shall include the auction date, place and time. The notice shall also contain a description of the vessel, watercraft or obstruction, including any make, model, year and registration number and a notification that a three-hour viewing period will be available before the auction. The auction shall be held during daylight hours of a normal business day.

2. The following procedures are required in any public auction of such vessels, watercraft or obstructions:

a. The auction shall be held in such a manner that all persons present are given an equal time and opportunity to bid;

b. The Harbor Warden shall post a copy of the auction procedure at the bidding site. If the bidding site is different from the Police Department, the Warden shall post a clearly visible sign at the Department that describes in detail where the auction will be held. At the bidding site, a copy of the newspaper advertisement that lists the vessels, watercraft or obstruction for sale shall be posted.

c. All bidders must be present at the time of auction unless they have submitted to the Harbor Warden, who may or may not choose to use the preauction bid method, a written bid. Written bids may be submitted up to five calendar days before the auction and shall clearly state which vehicle is being bid upon, the amount of the bid, and who is submitting the bid.

d. The open bid process, including all written bids, shall be used so that everyone knows the dollar value that must be exceeded.

e. The highest two bids received shall be recorded in written form and shall include the name, address, and telephone number of each such bidder.

f. In case of bidder defaults, the next bidder has the right to purchase the vessel, watercraft or obstruction for the amount of his or her bid.

g. The successful bidder shall apply for title (if applicable) within fifteen days.

h. If the Harbor Warden receives no bid, or if the Warden is the successful bidder at auction, the Warden shall sell the vessel, watercraft or obstruction to a licensed vehicle wrecker, hulk hauler, or scrap processor, or the Warden shall apply for title to the vessel or watercraft.

M. The City shall have a lien upon the impounded vessel, watercraft or obstruction for services provided in the towing, storage and impoundment, unless the impoundment is determined to have been invalid. The lien does not apply to personal property in or upon the vessel, watercraft or obstruction that is not permanently attached to or is not an integral part of the vehicle except for items of personal property registered or titled with the Police Department. The cost of the auction or a buyers fee may not be added to the amount charged for the vessel, watercraft or obstruction at auction, or added to the lien imposed or any overage due.

8.24.400 Anchorage Area.

A. Designated Anchorage Area. In aid of commerce and navigation, anchorage for vessels is authorized in the following described waters:

Gig Harbor Bay Anchorage Area:

Commencing at the northwest corner of Section 5, Township 21 north, Range 2 east of the W.M. monumented by a brassie; thence south 88 degrees 46 minutes 03 seconds east along the north line of the northwest quarter of said Section 5, a distance of 2647.30 feet to the north quarter corner of said Section 5, being monumented with a brassie; thence south 01 degree 09 minutes 59 seconds west along the north-south center of section line a distance of 2637.30 feet to the center of Section 5 also known as the northeast corner of Lot 31 of the Gig Harbor abandoned military reservation monumented by a stone; thence north 88 degrees 39 minutes 55 seconds west along the north line of said Lot 31 a distance of 364.63 feet to the northwest corner of said Lot 31 being monumented with a stone; thence south 00 degrees 56 minutes 37 seconds west along the west line of said Lot 31 a distance of 366.86 feet to the southwest corner of said Lot 31 being monumented with a stone; thence south 40 degrees 23 minutes 01 second west a distance of 258.48 feet to the true point of beginning of this lease area description; thence over the bedlands of Gig Harbor Bay the following courses; south 40 degrees 35 minutes 45 seconds east a distance of 490.37 feet; thence south 37 degrees 24 minutes 03 seconds east a distance of 480.39 feet; thence south 11 degrees 58 minutes 49 seconds east a distance of 228.73 feet; thence south 20 degrees 46 minutes 43 seconds east a distance of 328.60 feet; thence south 28 degrees 49 minutes 46 seconds east a distance of 264.43 feet; thence south 06 degrees 45 minutes 21 seconds east a distance of 260.43 feet; thence south 78 degrees 03 minutes 32 seconds west a distance of 196.43 feet; thence north 43 degrees 03 minutes 42 seconds west a distance of 3212.98 feet; thence north 38 degrees 10 minutes 02 seconds east a distance of 704.36 feet; thence south 29 degrees 07 minutes 34 seconds east a distance of 795.50 feet; thence south 48 degrees 01 minute 38 seconds east a distance of 471.44 feet; to a point which bears north 74 degrees 57 minutes 56 seconds west from the true point of beginning; thence south 74 degrees 57 minutes 56 seconds east a distance of 289.84 feet to the true point of beginning and the terminus point of this lease area description, all situated in Section 5, Township 21 north, Range 2 east of the W.M., Piece County, Washington.

B. Anchorage Outside of Designated Anchorage Area. Anchorage of any vessel in Gig Harbor Bay shall only take place in the Anchorage Area.

C. Length of Stay. Vessels may anchor in the Designated Anchorage Area for a period of fourteen (14) days in any fifteen (15) day period. Upon the expiration of this period, the vessel

must leave the Anchorage Area, and may only return to anchor under its own power. There is no limit on the number of times a vessel may leave and return to anchor in the Anchorage Area.

D. Enforcement. The Harbor Warden shall enforce the provisions regarding the length of stay in the Anchorage Area by issuing anchorage expiration notices to vessels anchored longer than fourteen (14) days in any fifteen-day period. Such notice shall inform the operator or other person in charge of the vessel that the vessel must be moved in seventy-two (72) hours, or be subject to citation and/or removal as provided in this chapter.

8.24.420 Nuisances. Nuisances Designated -- Removal. Sunken vessels, refuse of all kinds, structures or pieces of any structure, dock sweepings, dead fish or parts thereof, dead animals or parts thereof, timber, logs, piles, boom sticks, lumber, boxes, empty containers and oil of any kind floating uncontrolled on the water, and all other substances of a similar nature, are declared to be public nuisances and it shall be unlawful for any person to throw or place in, or cause or permit to be thrown or placed any of the above articles in the Gig Harbor Bay, or upon the shores thereof or in such position that the same may or can be washed into the harbor, either by high tides, storms, floods or otherwise. Any person causing or permitting such nuisances to be placed in the Gig Harbor Bay shall remove the same, and upon his failure to do so, the same may be removed by the Harbor Warden and the expense thereof shall be paid by and recoverable from the persons creating the nuisance. In all cases, such nuisances may be abated in the manner provided by law. The abatement of any such public nuisance shall not excuse the person responsible therefor from prosecution under this chapter.

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

Section 4. Codes Adopted by Reference. Pursuant to RCW 35A.12.140, one copy of Chapter 88.12 RCW and one copy of Chapter 352-60 WAC has been filed with the City Clerk and is available for examination by the public.

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

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: 6/18/97
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the ____ day of _____, 1997, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO VESSELS AND ANCHORAGE IN GIG HARBOR BAY, READOPTING THE CITY'S HARBOR CODE, AND ADDING NEW DEFINITIONS, A DESCRIPTION OF THE DESIGNATED ANCHORAGE AREA, PROHIBITING ANCHORAGE OF VESSELS OUTSIDE OF THE DESIGNATED ANCHORAGE AREA, DESCRIBING VIOLATIONS, PENALTIES AND PROCEDURES FOR IMPOUNDING OF VESSELS UNDER CERTAIN LIMITED CIRCUMSTANCES, REPEALING CHAPTER 8.24, AND ADDING A NEW CHAPTER 8.24 TO THE GIG HARBOR MUNICIPAL CODE.

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

DATED this ____ day of _____, 1997.

CITY CLERK, MOLLY TOWSLEE

**INTERLOCAL AGREEMENT
GIG HARBOR BAY ANCHORAGE AREA**

DRAFT

This Agreement is made this _____ day of _____, 1997, by and between the City of Gig Harbor, a non-charter, optional code city of the State of Washington (hereinafter the "City"), Pierce County, a political subdivision of the State of Washington (hereinafter the "County"), and the State of Washington Department of Natural Resources (hereinafter "DNR").

R E C I T A L S

WHEREAS, the City exercises the same power and authority over Gig Harbor Bay to the middle of the Bay, as if the waters were within the city limits (RCW 35.21.160); and

WHEREAS, the City has adopted a Harbor Code (chapter 8.24 Gig Harbor Municipal Code), which is enforced by the City's Harbor Warden within its jurisdiction; and

WHEREAS, the City is also required to enforce, in addition to its local regulations, the provisions of state laws relating to the conduct, location and limitation on activities as regulated by state law (RCW 35A.21.160); and

WHEREAS, the County retains authority over the remaining portion of Gig Harbor Bay (RCW 36.04.270); and

WHEREAS, in many instances, the City patrols the County portion of Gig Harbor Bay, and enforces state law in this area; and

WHEREAS, DNR manages State aquatic lands, and authorizes the placement of mooring buoys for vessel anchorage (WAC 332-30-145); and

WHEREAS, the parties desire to designate an area within the City and County portions of Gig Harbor Bay as an anchorage area in order to: (1) ensure that anchored vessels do not interfere with heavily traveled routes for watercraft; (2) reserve temporary spaces for recreational boating; (3) allow transient moorage of vessels; and (4) enforce state and local regulations, including, but not limited to, prohibitions on discharge of wastes from vessels into the Bay; and

WHEREAS, the parties further desire to designate both the City and the County as the entities responsible for enforcement in this area and in Gig Harbor Bay, and to incorporate their understandings relating to Gig Harbor Bay into an interlocal agreement, pursuant to chapter 39.34 RCW; and

WHEREAS, as required by RCW 39.34.080, each party is authorized to perform all of the services contemplated herein;

DRAFT

Now, Therefore, in consideration of the terms, conditions, covenants and performances contained herein, the parties hereto agree as follows:

Section 1. Purpose. The parties have entered into this Agreement for the purpose of creating an anchorage area in Gig Harbor Bay, and to authorize both the City and the County to enforce regulations adopted for the purpose of policing, operation and administration of the anchorage area and Gig Harbor Bay.

Section 2. Designation of the Anchorage Area. The area defined for the anchorage area shall extend from a line placed toward the City from mid-channel to a line 200 feet from the Pierce County shoreline, using the mean high water mark as a measuring demarcation. This area is within the jurisdiction of the State, is legally described in the Harbor Code at GHMC 8.24.400(A), and is shown in the map attached hereto as Exhibit A, and incorporated herein by this reference.

Section 3. Designation of Gig Harbor Bay. The area defined as Gig Harbor Bay is legally described on Exhibit B, attached hereto and incorporated herein by this reference.

Section 4. Prohibitions on Further State Leases. DNR shall not approve any lease agreements in the area of Gig Harbor Bay to be utilized by vessels which is not included within the designated Anchorage Area. DNR shall not allow any leases or permits for activities which are inconsistent with the City's Harbor Code (Chapter 8.24 GHMC) or with the County's Watercraft Regulations (Chapter 8.88 PCC).

Section 5. Moorage Buoys. DNR agrees not to allow the installation or placement of any moorage buoys in Gig Harbor Bay outside of the anchorage area, nor to issue any permits for such buoys, except as allowed in Gig Harbor Municipal Code chapter 8.24.

Section 6. Enforcement Services. Regulations shall be adopted for the anchorage and use of the anchorage area facilities. Both the City and the County shall be authorized to enforce these regulations.

A. When the City engages in enforcement activities within the City's portion of Gig Harbor Bay, offenses shall be charged under the City ordinances and/or State law. When the City engages in enforcement activities within the County's portion of Gig Harbor Bay, offenses shall be charged under the County ordinances and/or State law.

B. When the County engages in enforcement activities within the City portion of Gig Harbor Bay, offenses shall be charged under the City ordinances and/or State law. When the County engages in enforcement activities within the County portion of Gig Harbor Bay, offenses shall be charged under the County ordinances and/or State law.

Section 7. Changes in Codes. The City notify the County prior to making any changes in the City's Harbor Code (chapter 8.24 GHMC). The County shall notify the City prior to making any changes in the County's Watercraft Regulations (chapter 8.88 PCC).

Section 8. Insurance. For the duration of this Agreement, each party shall maintain its own public liability and property damage insurance, against claims for injuries to persons or damage to property which may arise from or in connection with the performance of this Agreement by its officers, employees or volunteers. It is expressly understood that no party shall be responsible to provide the other party's employees with coverage required under Chapter 41.26 RCW, as the same now exists or may be hereafter amended.

Section 9. Indemnification and Hold Harmless. Each party agrees to indemnify, defend and hold harmless the other party, its officers, officials, employees and volunteers from any and all claims, costs, including reasonable attorney's fees, losses and judgments arising out of the negligent acts or omissions of the other party's officers, officials, employees and volunteers in connection with the performance of this Agreement. Any liability or claim of liability which arises out of the exercise or alleged exercise of a police officer acting within the course and scope of the police officer's duties is the responsibility of his or her employer, unless the police officer acts under the direction and control of the other party to this Agreement. It is further specifically and expressly understood that the indemnification provided herein constitutes each party's waiver of immunity under Industrial Insurance, 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 and termination of this Agreement.

Section 10. Privileges and Immunities. All privileges and immunities from liability, exemptions from ordinances, rules, laws, all pension, disability, relief, workmen's compensation and other benefits which apply to the activities of the officers, officials, agents or employees of any party to this Agreement, while performing their respective functions within the territorial limits of their respective agency's jurisdiction, shall apply to them to the same degree and extent while such persons are engaged in the performance of any of their authorized functions and duties extra-territorially under the provisions of this Agreement.

Section 11. Enforcement Costs.

A. The City shall retain all penalties and fines collected as a result of the City's enforcement activities in Gig Harbor Bay, and the County shall retain all penalties and fines collected as a result of the County's enforcement activities in Gig Harbor Bay.

B. The party who confiscates a vessel or other personal property shall be responsible for storage of the confiscated item(s). However, the County may store confiscated vessels at the City's storage facility provided that the County reimburses the City for the costs of storage and all impound procedures.

Section 12. Duration and Termination. This Agreement shall be effective after the occurrence of the events listed in Section 19, and shall endure indefinitely. A party to this Agreement may terminate its participation by providing thirty (30) days advance written notice to the other party.

Section 13. Assignment. None of the parties to this Agreement may assign any of their duties, rights or responsibilities under this Agreement without the prior written consent of the other party.

Section 14. Governing Law, Jurisdiction of Disputes. This Agreement shall be construed in accordance with the laws of the State of Washington, and jurisdiction of any resulting dispute shall be in Pierce County Superior Court, Pierce County, Washington. The prevailing party in any legal action for enforcement of the terms of this Agreement shall be entitled to its costs, expenses and attorneys' fees and expert witness fees, and any such fees and expenses on appeal.

Section 15. Notices. Any notice or other communication hereunder shall be given to the parties at the addresses stated below, and shall be in writing.

If to City:

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

If to County:

County Executive
Pierce County
County-City Building
930 Tacoma Ave. S.
Tacoma, WA 98402

If to DNR:

Dept. of Natural Resources

Olympia, WA _____

Section 16. Severability. Any invalidity, in whole or in part, of any provision of this Agreement, shall not affect the validity of any other of its provisions.

Section 17. Waiver. No term or provision herein shall be deemed waived and no breach excused unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented.

Section 18. Entire Agreement. This Agreement, including its Exhibits and all documents referenced herein, constitutes the entire agreement between the parties, and supersedes all proposals, oral and written, between the parties on the subject.

Section 19. Effective Date. This Agreement shall become effective following occurrence of the following events:

- A. Approval of the Agreement by the official action of the governing bodies of each of the parties hereto;
- B. Execution of the Agreement by the duly authorized representative of each of the parties herein;
- C. The filing of a copy of this Agreement with the following public officials;
 - 1. The Gig Harbor City Clerk; and

DRAFT

2. The Pierce County Auditor.

DATED this _____ day of _____, 1997.

THE CITY OF GIG HARBOR

PIERCE COUNTY

By _____
Its _____

Its _____

ATTEST:

City Clerk

Approved as to form:

Approved as to form:

City Attorney

Prosecuting Attorney

DEPARTMENT OF NATURAL RESOURCES

By _____
Its _____



MITCH BARKER
Chief of Police

City of Gig Harbor Police Dept.
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-2236

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MITCH BARKER
SUBJECT: CHAPLAINS CONTRACT
DATE: JUNE 17, 1997

INFORMATION/BACKGROUND

In 1996 we entered into an agreement with the Tacoma-Pierce County Chaplaincy, and Wes Sullivan, to provide Chaplaincy support to the police department. This is a year-to-year contract and requires renewal to continue. The renewal date is July 1, 1997.

Chaplain Sullivan has become a respected member of the department. He has represented us at several ceremonial functions, has assisted with coordination of tasks at natural death calls, and has been available to speak with officers in confidence upon their request.

FISCAL IMPACTS

There is no charge for Chaplaincy services. The department does provide some in-service training to the Chaplain and there are some minimal uniform/equipment expenses. All costs are estimated below \$300 per year.

RECOMMENDATION

The Police Department recommends that the Council authorize the Mayor, to renew the contract with Tacoma-Pierce County Chaplaincy for the services of Chaplain Wes Sullivan through June 1998.



Tacoma-Pierce County Chaplaincy

P.O. Box 820 Tacoma, Washington 98401
(206) 596-2959

June 17, 1997

Mr. Mitch Barker, Chief
Gig Harbor Police Department
3105 Judson St.
Gig Harbor, WA 98335

Dear Chief Barker:

Thank you for reminding me of your need for a new participation agreement between the Gig Harbor Police Department and the Tacoma-Pierce County Chaplaincy to provide chaplain services to your department.

As in the last agreement, Tacoma-Pierce County Chaplaincy will provide general oversight of your chaplaincy program, crisis intervention training for your chaplain(s), and assist you in the selection of a chaplain coordinator for your chaplaincy program. (Although let's hope that Wes stays with you for a long time!)

Gig Harbor Police Department will be expected to continue to provide day to day supervision of the chaplaincy program, department specific training for the chaplain(s), any necessary equipment, and program recognition. We also continue to encourage you to utilize a volunteer contract to both protect the police department and assure quality chaplaincy service.

If you have any questions please call me. I will be pleased to answer your questions and give you any information you request. The original of this fax will be mailed today, June 17, 1997.

Thank you for the opportunity to serve the Gig Harbor Police Department. We look forward to continue working with you for the betterment of the community.

Sincerely,

Dr. B.D. Wimer,
Executive Director

STAFF: DR. B.D. Wimer, Exec. Dir. • Chaplain William Bowlby • Chaplain Wilby Casey • Chaplain Dan Nolte • Sylvia Miller, Exec. Sec.

Serving the Tacoma Police Department • Tacoma Fire Dept. • Pierce Co. Sheriff's Dept. • Washington State Patrol • Law Enforcement Support Agency
Pierce County Medical Examiner's Office • Puyallup Police Dept. • Puyallup Fire Dept. • Gig Harbor Police Dept. • Gig Harbor Fire Dept. • Milton Police Dept.
Fife Police Dept. • Sumner Police Dept. • Sumner Fire Dept. • Fire Protection District #1 • Bonney Lake Police Dept. • Bonney Lake Fire Dept.
Lake Tapps Fire Dept. • Steilacoom Dept. of Public Safety • University Place Fire Dept. • Ruston Police Dept. • Riverside Fire Dept.



Tacoma-Pierce County Chaplaincy

P.O. Box 820 Tacoma, Washington 98401
(206) 596-2959

GIG HARBOR POLICE DEPARTMENT CHAPLAIN PROGRAM PARTICIPATION AGREEMENT

The purpose of this agreement is for the chaplaincy program of Gig Harbor Police Department to participate in the county-wide chaplaincy network provided by the Tacoma-Pierce County Chaplaincy.

The following will be provided by Tacoma-Pierce County Chaplaincy:

GENERAL OVERSIGHT of the ongoing chaplain program, providing counsel as needed. The chaplain will regularly attend staff meetings of TPCC along with the full time and other volunteer chaplains. These meetings provide a chance for review of the local program, trouble shooting, and debriefing from critical incidents as needed. They provide for ongoing training in crisis intervention and other chaplaincy skills. They also provide a vital link with other chaplains so that they can work efficiently together in major crisis events where multiple chaplains are needed.

CRISIS INTERVENTION TRAINING to include such topics as: the nature of crisis and grief, the proper responses to traumatic death, suicide assessment, intervention and postvention, response to AIDS victim families, principle of death notification, community resources and intervention at crisis scenes, and chaplains ethics and decorum.

CHAPLAIN COORDINATOR who will serve as the liaison between the local department and TPCC. He will assist the local department in recruiting a department chaplain(s) as requested, and will assist the local chaplain(s) with training, operational questions and needs, and personal support. He will assist the local chaplain(s) in becoming a part of the county chaplain network and help with communication, I.D., and training at the county level.

STAFF: DR. B.D. Wimer, Exec. Dir. • Chaplain William Bowlby • Chaplain Wilby Casey • Chaplain Dan Nolte • Sylvia Miller, Exec. Sec.

Serving the Tacoma Police Department • Tacoma Fire Dept. • Pierce Co. Sheriff's Dept. • Washington State Patrol • Law Enforcement Support Agency
Pierce County Medical Examiner's Office • Puyallup Police Dept. • Puyallup Fire Dept. • Gig Harbor Police Dept. • Gig Harbor Fire Dept. • Milton Police Dept.
Fife Police Dept. • Sumner Police Dept. • Sumner Fire Dept. • Fire Protection District #1 • Bonney Lake Police Dept. • Bonney Lake Fire Dept.
Lake Tapps Fire Dept. • Steilacoom Dept. of Public Safety • University Place Fire Dept. • Ruston Police Dept. • Riverside Fire Dept.

GIG HARBOR POLICE DEPARTMENT
CHAPLAIN PROGRAM PARTICIPATION AGREEMENT
page 2

The following will provided by Gig Harbor Police Department:

DAY TO DAY SUPERVISION of the personnel and program will be done by the department through their appointed liaison.

DEPARTMENT SPECIFIC TRAINING to include such items as: department policies and procedures, rank structure and chain of command, communication procedure(s), reporting, and personal safety, as well as specific chaplain program policy.

VOLUNTEER CONTRACT that includes such items as insurance coverage for both accident and liability, term of service, etc. (see sample)

EQUIPMENT FOR IDENTIFICATION AND COMMUNICATION which may include such items as: department I.D., pager, radio, department blazer or field jacket, turnout gear, and business cards.

OFFICIAL RECOGNITION for the program by including chaplaincy in the District Operational Procedures Manual, and by including the chaplain in department activities such as new hire interviews, training graduation, etc.

PERMISSION shall be given to Tacoma-Pierce County Chaplaincy to use the name of Gig Harbor Police Department in its fund raising publicity. By specific mutual agreement, the chaplaincy program may be presented to personnel for fund raising purposes.

Signed: _____
Gretchen Wilbert, Mayor
Gig Harbor, Washington

Date _____

Signed: B.D. Wimer
B.D. Wimer, Executive Director
Tacoma-Pierce County Chaplaincy
P.O. Box 820
Tacoma, WA 98401

Date 6/17/97

AGREEMENT

THIS AGREEMENT, made by and between the City of Gig Harbor, a legal subdivision of the State of Washington, hereinafter referred to as "City", and Wesley W. Sullivan, 5821 98th Avenue N.W., Gig Harbor, WA 98335, hereinafter referred to as "Volunteer Chaplain."

WHEREAS, the Washington State Legislature declares in RCW 41.22.010 that the career of a law enforcement officer is highly stressful, and that law enforcement chaplains can provide emotional support for law enforcement personnel, and

WHEREAS, the State legislature finds that law enforcement chaplains can serve as a crisis intervention resource for personnel of police, fire, and corrections departments, and

WHEREAS, the City, through the Gig Harbor Police Department, is interested in receiving the Volunteer Chaplain's services through the Tacoma-Pierce County Chaplaincy Program, and

WHEREAS, the Chaplain possesses crisis intervention skills to be used in counseling Department personnel regarding their emotional, physical, and spiritual needs.

NOW, THEREFORE, this agreement is made in accordance with the provisions set forth in RCW Chapter 41.22.

Section I. THE VOLUNTEER CHAPLAIN AGREES

(A) To work under the direction of the Police Chief or his designee. To respond at the request of the Police Chief or his designee and Department personnel to community-crisis situations in the city. He shall use appropriate crisis intervention skills to meet the emotional, physical, and spiritual needs of those individuals involved, referring them to appropriate community resources.

(B) To operate under the policies and guidelines prepared by the Tacoma-Pierce County Chaplaincy Program, a nonprofit corporation.

(C) To commence volunteer work under the terms of this agreement, beginning July 1, 1997.

(D) The Volunteer Chaplain services shall be furnished by the Volunteer Chaplain as a volunteer service and nothing herein contained shall be construed to create a relationship of employer/employee or master/servant.

Section II. THE CITY AGREES

(A) To provide the Volunteer Chaplain with the same liability coverage provided to City Employees through the City Insurance Program.

(B) To provide the Volunteer Chaplain with appropriate training and supervision for him to effectively function in community crisis situations.

Section III. TERM OF THE CONTRACT

This contract is for twelve (12) months, beginning July 1, 1997, and ending on June 30, 1998 and is subject to renewal upon review and mutual agreement of the City and the Volunteer Chaplain for such period and on such terms as may then be agreed to by the parties.

Section IV. CANCELLATION

Either party may cancel this agreement upon prior fourteen-day notice submitted in writing to the other party.

Section V. WORK SCHEDULE

Volunteer Chaplain agrees to work the hours required by the Chief of Police or his designee.

Section VI. MODIFICATIONS

Any and all modifications to this contract shall be in writing and signed by the Mayor.

Section VII. ENTIRE AGREEMENT

This written contract represents the entire agreement between the parties and supersedes any prior oral agreements, discussions or understandings between the parties.

Section VIII. GOVERNING LAW

This agreement shall be subject to all laws, rules and regulations of the United State of America, the State of Washington, and the County of Pierce.

Section IX. NO GUARANTEE OF EMPLOYMENT

The performance of all or part of this contract by the contractor shall not operate to vest any employment rights whatsoever and shall not be deemed to guarantee any employment of the contractor by the City of Gig Harbor at the present time or in the future.

DATED this _____ day of _____, 199_____.

CONTRACTOR:

CITY OF GIG HARBOR:

Wesley W. Sullivan, Chaplain

Gretchen Wilbert, Mayor



City of Gig Harbor. The "Maritime City."

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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: PLANNING-BUILDING STAFF
SUBJ.: *JL* ORDINANCE ADOPTING A TRANSPORTATION ELEMENT FOR THE
CITY OF GIG HARBOR COMPREHENSIVE PLAN -- FIRST
READING/PUBLIC HEARING
DATE: JUNE 18, 1997

INTRODUCTION/BACKGROUND

Attached is a draft Transportation element to the City of Gig Harbor Comprehensive Plan. Except for new goals and policies, this element is based on the Transportation Plan of December, 1994 and is supplemental to the 1994 plan.

POLICY CONSIDERATIONS

The Growth Management Act requires the Puget Sound Regional Council (PSRC) to certify the transportation elements in local comprehensive plans for conformity with transportation requirements in the Growth Management Act and consistency with the Metropolitan Plan. The city received notice from PSRC on February 6, 1997 that certain issues must be addressed in order for the plan to be certified and to maintain the city's eligibility for T.I.B. funding from 1998-2000. These issues were further articulated in letters dated May 7 and June 16, 1997, from PSRC's Senior Planner. The correspondence is attached.

GMA requires that local plans be certified by December 31, 1996. The PSRC Executive Board extended the deadline to July 24, 1997. In order to meet this deadline, this element needs to be adopted at a first reading, following the public hearing.

RECOMMENDATION

Staff recommends adoption of the ordinance, amending the City of Gig Harbor Comprehensive Plan as an emergency amendment.

Puget Sound Regional Council



RECEIVED
JUN 17 1997
CITY OF GIG HARBOR

June 16, 1997

Mr. Ray Gilmore, Director
Gig Harbor Planning and Building Services
3105 Judson Street
Gig Harbor, Washington 98335

SUBJECT: Draft Transportation Element Revisions

Dear Mr. Gilmore,

Thank you for sending the draft Transportation Element for Gig Harbor's Comprehensive Plan. I also received your June 6, 1997 letter and appreciate the clarification you offered concerning the relationship between your planning documents.

In our review of the draft Transportation Element, we found the material to be well-organized and easy to follow. Growth Management Act requirements for transportation are clearly identified. The draft also contains identifiable policies that provide clear direction concerning the city's overall planning strategy. Your financial analysis and reassessment strategy for situations in which there may be a shortfall in funding are presented in good detail. The discussion of impacts of Gig Harbor's transportation plan on neighboring jurisdictions (and vice versa) is straightforward and clear.

There are three major concerns we have with the draft Transportation Element which we would encourage the city to address prior to submitting the final element to the Regional Council for certification.

Address how the Transportation Element was developed to reflect the multicounty planning policies in VISION 2020 and the 1995 Metropolitan Transportation Plan, which provide the framework for local, regional, and state planning efforts in the central Puget Sound region. The major "goal" sections of Gig Harbor's plan touch on several of the major policy areas in the Metropolitan Transportation Plan, without specifically referencing it. At a minimum, the City should add a few sentences in the introduction to the Transportation Element that connect the city's transportation planning strategy to the regional plan. Examples of how other jurisdictions have addressed the MTP are enclosed.

Mr. Ray Gilmore
June 16, 1997
Page 2

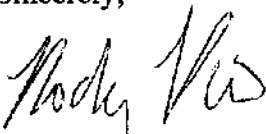
Identify or reference the city's transportation demand management strategies identified in Policy 2.5. The Growth Management Act requires that transportation elements in local comprehensive plans include specific transportation demand management strategies. At a minimum, the City should reference where its strategies are to be found, whether they are (1) in separate ordinances adopted by the City Council, (2) located in the City's 1994 Transportation Plan *Final Report*, or (3) incorporated into other provisions with the Transportation Element, such as the policies addressing transit and nonmotorized travel.

Identify how the city has addressed land use issues affecting accessibility and mobility. The Growth Management Act, as amended in 1994 requires all local plans to address land use considerations affecting transportation, such as densities, mixed-use development, and redevelopment. In the Regional Council's initial draft *Certification and Consistency Report* for Gig Harbor's Comprehensive Plan (the September 3, 1996 draft report), we identified the city's urban design vision project as an action undertaken by the city to coordinate land use and transportation planning. The project resulted in a renewed emphasis on encouraging pedestrian activity in the city, particularly the downtown area. The revisions the city is considering to its parking requirements also contributes to improving land use and transportation relationships. At a minimum, the city should reference these land use strategies somewhere in the body of the Transportation Element.

By addressing these issues more explicitly, even with very brief textual references in the narrative of the Transportation Element, the City would be significantly strengthening its treatment of the key issues examined by the Regional Council in its certification review process.

Thank you again for the opportunity to review the draft revisions to your transportation element. If you have questions concerning our comments or the Regional Council's plan review process, please call me at (206) 464-6360. Thank you very much.

Sincerely,



Rocky Piro
Senior Planner

Attachments: Excerpts from Transportation Elements for Darrington, Mountlake Terrace, & Kitsap County

cc: Wes Hill, City Engineer
Ike Nwankwo, Growth Management Planner, Community, Trade & Economic Development
Kimberly Freeman, Pierce County Planning

Puget Sound Regional Council



AP. 5/7/97
RECEIVED

MAY - 7 1997

CITY OF GIG HARBOR
PUBLIC WORKS DEPT.

May 7, 1997

Mr. Wes Hill
City of Gig Harbor
3105 Judson Street
Gig Harbor, Washington 98335

SUBJECT: Draft Revisions to the Transportation Element

Dear Mr. Hill,

Thank you for the opportunity to review the draft revisions you have prepared for the Transportation Element in Gig Harbor's Comprehensive Plan. The revised element is well-organized and easy to follow. Growth Management Act requirements for transportation are clearly identified. The city commitment to developing a balanced, multimodal transportation system comes through in the goals and provisions.

In our review of the draft revisions to Transportation Element, we identified a number of issues that the city should consider as it finalizes work on the transportation element. The comments are divided into two parts. The first part included comments related to issues that need to be addressed in order to recommend full certification of the revised element. The second part includes additional recommendations that the city may want to use primarily to help strengthen and clarify its transportation provisions.

Part One: Major Issues

- Identify where the city's inventory of transportation facilities and services is presented.
- Include in the financial analysis section a reassessment strategy to address potential funding shortfalls for needed transportation improvements. Even though the city actually anticipates a modest revenue surplus for transportation needs throughout its planning horizon, the Growth Management Act still requires that a reassessment strategy be in place to guide the city's decision-making if an unexpected shortfall in funding were to occur. The reassessment strategy should address (1) sources for additional funding; (2) adjustments in the city's level-of-service standards; and/or (3) revisiting the city's land use assumptions.

- Discuss the impacts of Gig Harbor's transportation plan on neighboring jurisdictions, and vice versa. The city should address both impacts on and from the transportation plans for Pierce and Kitsap counties. Implications of the city's level-of-service standards on neighboring jurisdictions should also be addressed. (For example, the city should indicate whether it reviewed transportation reports and/or planning documents from adjacent jurisdictions.)

Part Two: Additional Considerations

- Consider providing cross-references to identify the land use assumptions used in the city's travel demand modeling.
- Consider including an additional introductory paragraph in the Transportation Element summarizing the purpose and direction of the region's 1995 Metropolitan Transportation Plan. Briefly describe how the city's Transportation Element addresses the regional plan. This summary could briefly highlight the four major policy areas in the Metropolitan Transportation Plan.
- Consider adding three additional goal statements under Part IV. The additional goals would complement the existing ones and would provide a more direct parallel to the major provisions in the Metropolitan Transportation Plan. The additional goal categories might be titled as follows: (1) "Transportation Demand Management;" (2) "Coordinating Land Use and Transportation Planning;" and (3) "Air Quality Conformity."

Under "Goal -- Transportation Demand Management," the city could briefly list in policy form its strategies to reduce the rate of growth in vehicle miles traveled. Under "Goal--Coordinating Land Use and Transportation Planning," the city could include its policies and provisions to support development that improves accessibility and encourages transit use and walking. Policies to promote infill development, higher densities, and mixed use development could also be highlighted under this goal.

Under "Goal--Air Quality Conformity" the city could identify its policies and provisions to reduce criteria pollutants. (The Washington State Air Quality Conformity Act requires that jurisdictions in the designated air quality maintenance area in the central Puget Sound basin include both policies and provisions in their comprehensive plans designed to reduce criteria pollutants. The city may want to consider providing in the Transportation Element cross-references to policies and provisions located elsewhere in the comprehensive plan that address air quality.)

Mr. Wes Hill
May 7, 1997
Page 3

- Provide references to the level-of-service guidelines for transit service developed by Pierce Transit.
- Briefly address the city's strategies for the movement of freight and goods.

A significant problem with the city's initial Transportation Element was the lack of clarity concerning which provisions were meant to be policy directives to provide guidance for various planning efforts, including the provision of adequate infrastructure and services. The update of the Transportation Element should provide specific and clearly identified policies that commit the city to various programs and strategies. Policy statements should provide clear direction and intent. (In the Transportation Element the policies should also be presented with some sort of reference system, e.g., numbering.)

Thank you again for the opportunity to review the draft revisions to your transportation element. We welcome the opportunity to review any additional material you may have drafted as part of your revision work. If you have questions concerning our comments or the Regional Council's plan review process, please call me at (206) 464-6360. Thank you very much.

Sincerely,


Rocky Piro
Senior Planner

Puget Sound Regional Council



2/12/97
CRG.
WES
FILE

FEB 10 1997

CITY OF GIG HARBOR

February 6, 1997

The Honorable Gretchen Wilbert, Mayor
City of Gig Harbor
3105 Judson Street
Gig Harbor, Washington 98335-1221

Subject: Deadline for Certifying Transportation Elements

Dear Mayor Wilbert:

The Growth Management Act requires the Puget Sound Regional Council to certify the transportation elements in local comprehensive plans for conformity with transportation requirements in the Growth Management Act and consistency with the Metropolitan Transportation Plan. To date, the Regional Council's Executive Board has certified 38 local transportation elements. The transportation elements in four additional local comprehensive plans have been conditionally certified. Eleven other jurisdictions will have their transportation elements certified during the first quarter of 1997.

See
★

The Growth Management Act required all local transportation elements to be certified by December 31, 1996. The Regional Council's Executive Board recently acted to extend that deadline to **July 24, 1997** for jurisdictions in the central Puget Sound region. The Washington State Department of Transportation and the Department of Community, Trade and Economic Development have been notified of this action. To be eligible to participate in the 1998-2000 Regional Transportation Improvement Program, cities and counties must have their transportation element certified on or before the July 24, 1997 Executive Board meeting.

Our records show that your transportation element has not been certified. The Regional Council reviewed your jurisdiction's transportation element and identified the issue listed below as needing further action before the element can be recommended for certification to the Council's Executive Board.

- Clarify the policy status of the transportation provisions in the comprehensive plan.

Regional Council staff is available to assist you in developing provisions to adequately address this issue.

For assistance or additional information on the Regional Council's certification process and review of local comprehensive plans, please contact Rocky Piro at (206) 464-6360. For information on the Regional Council's Transportation Improvement Program (TIP), please contact Karen Richter at (206) 464-6343. We look forward to continuing to work with you on major growth management and transportation issues.

Sincerely,

Mary McCumber

Mary McCumber
Executive Director

cc: Wes Hill

ORDINANCE NO. _____

AN ORDINANCE OF THE GIG HARBOR CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF GIG HARBOR COMPREHENSIVE PLAN LAND USE; ADDING A TRANSPORTATION ELEMENT WHICH CLARIFIES THE POLICY NATURE OF THE TRANSPORTATION PLAN OF 1994; SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor completed an update of the Comprehensive Plan in November of 1994 in compliance with the Growth Management Act of 1990; and,

WHEREAS, the City of Gig Harbor Comprehensive Plan included a transportation plan which meets the objectives of the Growth Management Act, Chapter 36.70A; and,

WHEREAS, the transportation plan was later reviewed by the Puget Sound Regional Council (PSRC) and was found to lack policies relative to the Transportation Plan of 1994; and,

WHEREAS, in correspondence from the PSRC in February of 1997 and May of 1997 certification of the plan by PSRC was dependent upon several issues being addressed, most notably the policy nature of the plan; and,

WHEREAS, PSRC requires that certification of the plan be accomplished prior to July 24, 1997 in order for the city to remain eligible for T.I.B. funding during the period 1998 - 2000; and,

WHEREAS, staff has prepared a transportation element which is based upon the 1994 Transportation Plan; and,

WHEREAS, a draft of the transportation element was reviewed by PSRC and Pierce County PALS and comments from both agencies have been incorporated into the element, as appropriate; and,

WHEREAS, the transportation element supplements the Transportation Plan of 1994 and does supersede the Plan; and,

WHEREAS, as time is of the essence is submitting the transportation plan element to the PSRC as soon as possible, emergency procedures for adopting an ordinance at its first reading is deemed essential in this case.

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

Section 1. The City of Gig Harbor Comprehensive Plan Land is amended to include a

Transportation Element.

Section 2. The Transportation Element is attached as Exhibit "A".

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

Section 4. This ordinance shall be in full force and effect five days after it's passage and publication as required by law.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

BY _____

FILED WITH THE CITY CLERK: 6/18/97
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

SUMMARY OF ORDINANCE NO. ____

of the City of Gig Harbor, Washington

On the _____ day of _____, 1997, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE GIG HARBOR CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF GIG HARBOR COMPREHENSIVE PLAN LAND USE; ADDING A TRANSPORTATION ELEMENT WHICH CLARIFIES THE POLICY NATURE OF THE TRANSPORTATION PLAN OF 1994; SETTING AN EFFECTIVE DATE.

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

DATED this _____ day of _____, 1997.

CITY ADMINISTRATOR, MARK HOPPEN

EXHIBIT "A"

TRANSPORTATION

I. INTRODUCTION

The 1990 Growth Management Act (GMA) requires rapidly growing cities and counties in Washington State to develop comprehensive plans. These plans must include a transportation element which identifies existing transportation system characteristics, establishes level of service standards, identifies existing and future deficiencies based on traffic growth projections, and analyzes projected revenues to insure that necessary improvements will be constructed concurrent with demand.

The dominance of automobile-oriented facilities combined with the lack of interconnected pedestrian and bicycle facilities, has contributed to a reduction in the use of public transit. Not surprisingly, few people use public transit if they can afford to buy and maintain an automobile. As transportation funding shifted from public transit to automobile related transportation facilities, public transit declined and became less efficient - and less convenient. This resulted in a repeating cycle of automobile traffic congestion, street improvements to relieve congestions, additional development that took advantage of the improved streets and a new surge in automobile traffic congestion associated with the additional development -- with the cycle repeating itself once again.

In 1986, the City of Gig Harbor completed an updated comprehensive plan which contained a transportation element. The area covered by the comprehensive plan included not only the city limits but an area of approximately 3,000 acres around the city designated as an urban planning area. The 1986 plan was updated in 1994 to conform to the requirements of the Growth Management Act. Since the Growth Management Act's adoption in 1990, the Puget Sound Regional Council has coordinated the multi-county planning process through *Vision 2020*. *Vision 2020* is the blueprint for design and implementation of the Puget Sound's regional transportation systems for the 21st century.

In December of 1992, the city conducted a visioning forum, prior to updating its comprehensive plan under GMA. One of the principle findings of the forum was the interest the community displayed in recognizing the need for more "pedestrian oriented design" to enhance the quality of the downtown and north shore business districts. With very few opinions to the contrary, respondents to the forum survey indicated a strong preference for improving pedestrian safety and the visual appearance of the two aforementioned areas. Detail design elements which reflect the preferences stated at the visioning forum are found in the Community Design Element of the Comprehensive Plan and are further implemented by the City of Gig Harbor Design Manual (June, 1996). The adoption of the City's Public Works Standards (Ordinance 721 of 1996) also

recognizes the need for incorporating more access for non-automotive transportation features such as the requirement for bike lanes in all new or significantly reconstructed arterials.

Although the City of Gig Harbor is not directly connected with the major Puget Sound transportation corridors of Interstate 5 and Interstate 90, it is involved in regional and state project planning efforts to manage growth. The transportation needs of the residents of the Gig Harbor Peninsula, which are a part of the regional urban labor pool, are just as important to meet as are the local transportation needs. The continual influx of new residents to the Peninsula from the more urbanized areas of Puget Sound require intelligent and efficient transportation planning measures, if there is to be any meaningful solution to our long-term planning challenges.

Included in this update is the Transportation Plan Final Report of 1994, which is incorporated in the comprehensive plan as a "technical appendix". The transportation element is essentially an executive summary of the transportation plan final report of August 1994 and also incorporates several key policy statements from the Community Design of the Comprehensive Plan .

II. EXISTING CONDITIONS

This section of the transportation plan describes the existing transportation system conditions in the city and its urban growth area (UGA). This includes a description of the roadway characteristics, functional classification, traffic volumes, level of service (LOS), accident statistics and transit service.

The existing arterial network within the City of Gig Harbor consists of Principal, Minor, and Collector Arterials. The functional classification system is described in greater detail in the Transportation Plan Final Report, page 2-3 (Technical Appendix No. 6). As shown in figure 2-2 on page 2-4, SR-16 provides the major regional connection between Tacoma, Bremerton and the Olympic Peninsula. It connects to Interstate 5 in Tacoma and to SR-302 in Purdy. The downtown area of the City of Gig Harbor and surrounding residences are served by the interchange with SR-16 at Pioneer Way. The southern portion of the City is served by the Olympic Drive interchange. The north part of the city is served primarily by the Swede Hill (Burnham Drive) interchange.

One of the key north-south arterials serving the city and local residences is Soundview Drive, which becomes Harborview Drive through the downtown, waterfront district of Gig Harbor. Pioneer Way also provides access to residences and downtown Gig Harbor. Access to the north part of the city and surrounding area is provided by way of Peacock Hill Road, Crescent Valley Road and Burnham Drive NW. The roadway characteristics of these arterials in the study area are shown in Figure 2-3, page in the Final Report, Technical Appendix No. 6.

A. Traffic Volumes and Levels of Service

Pages 2-6 through 2-9 in the Final Report, Technical Appendix 6, describe January 1994

roadway counts at 12 different locations through-out the City and the UGA. These volumes were supplemented with PM peak hour turning movement counts at 7 key intersections. Figure 2-4 in the Final Report (Technical Appendix No. 6) shows that there are between 53,000 and 68,000 vehicles per day (vpd) on SR-16 in the study area. Within the city, Harborview Drive has the largest daily volumes with 15,600 vpd. The volumes on other key arterials within the city range from 6,500 to 10,000 vpd. The volumes on roadways in the outlying residential areas, both to the west and north of the city, range from 2,500 and 6,000 vpd.

In order to evaluate the impact of traffic volumes on the roadway system, level of service analyses were conducted at key intersections in the study area. The results of the study are also shown on Figure 1-4, Appendix No. 6. For this study, level of service analyses were conducted based upon procedures in the Highway Capacity Manual (Transportation Research Board Special Report 209), National Research Council, 1985. Levels of service range from LOS A (little or no traffic delay) to LOS F (extreme delay and stop-and-go traffic flow). For signalized intersections, LOS is based on the average delay of the vehicle (in seconds). For unsignalized intersections, the LOS is based on the reserve capacity available for conflicting traffic movements. In most jurisdictions in the Puget Sound Region, LOS D or better is defined a acceptable, LOS E as tolerable in certain areas and LOS F as unacceptable. Table 1-1, page 1-9, Appendix No. 6, show LOS for key intersections in the City and its UGA, while table 1-2 shows arterial levels of service.

B. 1994 Conditions.

Based upon the level of service analysis summarized in Table 3-4 ,page 3-9 in Technical Appendix No. 6, the following intersections and arterial segments are currently (1994) at capacity in the p.m. peak hour:

- Harborview/North Harborview (**Upgraded in 1995**)
- Harborview/Stinson
- Harborview/Pioneer Way
- Wollochet/Hunt Street
- Pioneer Way/SR 16 SB ramps

Based upon the level of service analysis summarized in Table 3-5, page 3-9 in the Technical Appendix No. 6, the following arterial segments are currently at capacity in the p.m. peak hour:

- Harborview (between North Harborview and Stinson)
- Olympia Drive (38th to Point Fosdick Drive)

Specific actions for bringing facilities into compliance with LOS standards are discussed in detail in Chapter 6 of the Technical Appendix No. 6.

C. Accident Analysis

A comprehensive accident analysis is discussed from page 2-9 through 2-12, Technical Appendix No. 6. In summary, within the city limit, there are not any locations that could be considered "high accident" locations. The overall speed limit of 25 mph is likely a significant

factor in keeping accidents to a minimum. Some locations within the city experienced 4 or 5 accidents in a one year period, but there was not a consistent recurring pattern from year-to-year at any of these locations. Table 2-3, page 2-11, Technical Appendix No. 6, provides an accident summary from 1990 through June of 1993. During this study period, it was noted that the Pioneer Way/Kimball Drive intersection is the only location that has consistently experienced 3 or 4 accidents per year. This intersection is located between two signalized intersections and vehicle cues frequently block this intersection, particularly during peak periods.

III. TRAFFIC FORECASTS

KJSA developed a travel demand model for the Gig Harbor vicinity based on KJSA's Pierce County Transportation model, which in turn was based on Puget Sound Regional Council's (PSRC) regional model. The model was refined to include all arterials in the Gig Harbor vicinity, and a more detailed traffic analysis zone (TAZ) structure was developed based on the land use zones contained the Gig Harbor Comprehensive Plan Update (Beckwith Consulting Group).

PSRC 1990 and 2010 population and employment data was allocated to each of the TAZs in the Gig Harbor vicinity. These 20-year forecasts were determined to be in close agreement with the 20-year population growth allocated to the Gig Harbor UGA as a part of the GMA process. Since these forecasts were considered to be conservative, they represent the "high-growth" scenario. A "low-growth" scenario was also evaluated, which was achieved by reducing all "high-growth" forecasts by 10 percent. The model was calibrated based on 1994 daily counts, so the growth forecasts result in traffic forecasts for 2014. All improvement projects currently planned in the study area were assumed to be built by 2014, and were therefore included in the baseline network.

A. Future 2014 conditions.

The following intersections and arterial segments will be at capacity in the PM peak hour in 2014 if no improvements are made:

- Harborview/Stinson Avenue.
- SR 16/Burnham Drive.
- Wollochet/SR 16 SB ramps.
- Harborview/Pioneer Way.
- Stinson/Rosedale Street.
- Skansie/Rosedale Street.
- Soundview/Hunt Street.
- North Harborview (between Peacock Hill to Harborview).
- Harborview (between North Harborview and Stinson).
- Soundview (between Hunt and Olympic).

IV. GOALS AND POLICIES

The transportation goals contained in this element are:

- Create an Effective Road and Sidewalk Network.
- Create an appropriate balance between transportation modes where each meets a different function to the greatest efficiency.
- Design and Construction Standards
- Level of Service Standards
- Air Quality

GOAL 1: CREATE AN EFFECTIVE ROAD AND SIDEWALK NETWORK.

The City of Gig Harbor shall plan for an effective road network system.

- Policy 1.1 Complete development of the arterial road grid serving the planning area, especially the east-west corridor between SR-16 and Drummond Drive, NW.
- Policy 1.2 Develop a trans-highway connector across SR-16 at Hunt Street.
- Policy 1.3 Establish a Kimball connector which would provide access between Hunt and Soundview Road and reduce traffic volumes on Soundview.
- Policy 1.4 Establish a Bujacich Road connection which would connect the north and southern portions of this roadway.
- Policy 1.5 Establish a functional classification system which defines each road's principal purpose and protect's the road's viability.
- Policy 1.6 Develop an arterial and collector system which collects and distributes area traffic to SR-16 and major local area activity centers.
- Policy 1.7 Define a collector road system which provides methods for transversing the neighborhoods, districts and other places within the area without overly congesting or depending on the arterial system or any single intersection.
- Policy 1.8 Establish effective right-of-way, pavement widths, shoulder requirements, curb-gutter-sidewalk standards for major arterials, collectors and local streets.
- Policy 1.9 Improve collector roads in the planning area particularly Rosedale and Stinson Avenues, to provide adequate capacity for present and future projected traffic loads, pedestrian and bicyclist activities.
- Policy 1.10 Work with downtown property owners to determine an effective parking plan of business owners.
- Policy 1.11 Provide planning and design assistance in establishing a local parking improvement district for the downtown area.
- Policy 1.12 Work with the property owners within the downtown business district to improve streetscapes, consistent with the City's Design Guidelines.

GOAL 2: MODAL BALANCE

Create an appropriate balance between transportation modes where each meets a different function to the greatest efficiency.

- Policy 2.1 Work with Pierce Transit to satisfy local travel needs within the planning area, particularly between residential areas, the downtown and major commercial areas along SR-16.
- Policy 2.2 Work with Pierce Transit to locate Pierce Transit Park and Ride lots in areas which are accessible to transit routes and local residential collectors, but which do not unnecessarily congest major collectors or arterial roads or SR-16 interchanges.
- Policy 2.3 Establish a multipurpose trails plan which provides designated routes for pedestrians and bicyclists.
- Policy 2.4 Designate routes around Gig Harbor Bay, within the Crescent and Donkey Creek corridors, from the Shoreline (north Gig Harbor) business district to Goodman school and into Gig Harbor North, from the downtown business district to Grandview Forest Park and other alignments which provide a unique environmental experience and/or viable options to single occupancy vehicles.
- Policy 2.5 The City should adopt and implement a program which increases public awareness to the city's transportation demand management strategies, including non-motorized transportation and increased use of local transit. Adopted strategies include a Transportation Demand Management Ordinance (Gig Harbor Ordinance #669).

GOAL 3: DESIGN AND CONSTRUCTION STANDARDS

Establish design construction standards which provide for visually distinct roadways while providing efficient and cost effective engineering design.

- Policy 3.1 Adopt and implement street construction standards which implement the goals and policies of the City of Gig Harbor Comprehensive Plan Design Element and the City Design Guidelines.
- Policy 3.2 Identify and classify major or significant parkways.
- Policy 3.3 Provide for an efficient storm drainage system in road design which minimizes road pavement needed to achieve levels of service.
- Policy 3.4 Implement design standards which provide for a pleasing aesthetic quality to streetscapes and which provide increased pedestrian safety by separating sidewalks from the street edge.

GOAL 4: LEVEL OF SERVICE STANDARDS

- Policy 4.1 Define a level of service standard that is reasonable and attainable.
- Policy 4.2 Establish LOS "D" as the City of Gig Harbors level of service standard for all arterial segments and intersections.

GOAL 5: AIR QUALITY

The City should implement programs that help to meet and maintain federal and state clean air requirements, in addition to regional air quality policies.

- Policy 5.1 *The City's transportation system should conform to the federal and state Clean Air Acts by maintaining conformity with the Metropolitan Transportation Plan of the Puget Sound Regional Council and by following the requirements of WAC 173-420.*
- Policy 5.2 The City should work with the Puget Sound Regional Council, Washington State Department of Transportation, Pierce Transit and neighboring jurisdictions in the development of transportation control measures and other transportation and air quality programs where warranted.

V. COORDINATION WITH OTHER JURISDICTIONS

A. Pierce County Transportation Plan

The City of Gig Harbor has identified Pierce County transportation improvement projects which have an impact on the City of Gig Harbor's service levels. These are described on pages 2-14 and 2-15 in the Technical Appendix No. 6. The City has worked with Pierce County Engineering on several road improvement projects, the most notable being the Swede Hill Corridor (East-West Road). Project expenditure plans and funding sources are detailed in the appendix tables.

B. Kitsap County Transportation Plan

The City's plan has a negligible impact on Kitsap County's transportation system. A portion of the City's UGA (in the Purdy area) is located approximately one mile south of the Kitsap County line and the only transportation corridor of mutual significance is SR-16. An analysis of the SR-16 corridor is discussed on page 1-14 of the Technical Appendix No. 6. There are two Pierce County roads which connect Kitsap County with Pierce County and, ultimately, the City of Gig Harbor. These roads are Peacock Hill Avenue NW and Crescent Valley Drive NW. These roads are not a major or significant transportation route between the City and Kitsap County and are most likely used on a casual basis. The possibility of an interchange to SR-16 at 144th Street NW is discussed in Chapter 5 of Technical Appendix No. 6. Although this interchange would have very

little effect on the City's current transportation system, it could have more significant benefit to the north part of the City's UGA, such as Purdy and Canterwood. Coordination with WSDOT and Kitsap County is likely, but the City will not take a lead role in the implementation of this project.

C. State of Washington Department of Transportation

Two state highways serve the City and its UGA:

1. SR-16, connecting the City of Gig Harbor and the Gig Harbor Peninsula with Tacoma to the south and Port Orchard/ Bremerton/Silverdale to the north;
2. SR-302 which begins at the east end of the Purdy Bridge and is within the north limit of the City's UGA.

The City has not adopted any LOS for the two principal highways which serve the city and its UGA. Nonetheless, the city has coordinated with WSDOT on several projects and issues, the most recent consisting of alternatives on the Narrows Bridge corridor. Other areas of mutual interest are the eventual signalization improvements which will be required at the Swede Hill interchange as Gig Harbor North develops and the Wollochet/Pioneer Way interchange where the overcrossing should be widened to accommodate additional through and left turn lanes. Signal retiming and coordination with adjacent City signals will also be necessary to improve signal progression through the area. Although partially within the City's UGA, the feasibility of developing an interchange to SR-16 at the 144th Street NW overcrossing is also discussed. This could effectively reduce traffic on North Harborview Drive by 1,000 ADT, but serves very little benefit to the city within the current city limit.

VI. RECOMMENDED TRANSPORTATION IMPROVEMENTS

Planned transportation improvements from the Pierce County Transportation Plan and the Gig Harbor Six-Year Transportation Improvement Program (TIP) are described in pages 2-4 thru 2-6 in the Technical Appendix No. 6. To meet the City's GMA LOS D standard for arterials and intersections, several improvements will be necessary. The recommended improvements in the Transportation Plan Final Report (Technical Appendix No. 6) are summarized in Table 5-1, page 5-2. Figure 5-1 on page 5-3 shows the location of these improvements.

A. SIGNALIZED INTERSECTIONS

Based on 2014 traffic forecasts, there are three signalized intersections within the City which will not meet the LOS standard by 2014 and will therefore require improvement:

- Wollochet/SR 16 NB ramps
- Olympic Drive/SR 16 NB ramps
- Olympic Drive/SR 16 SB ramps

Each of these intersections would be improved to acceptable levels of service with the interchange improvements proposed by WSDOT in the *SR 16 Capacity Study*.

B. UNSIGNALIZED INTERSECTIONS

The following intersections should be maintained as stop-sign controlled intersections, with the recognition that motorists may experience some increased delays:

- Soundview Drive/Hunt Street
- Peacock Hill/North Harborview Drive
- Crescent Valley Road/Drummond Drive

The following intersections should be maintained as stop-sign controlled intersections but should also have channelization, turning lanes and other improvements:

- Harborview Drive/Pioneer Way
- Rosedale Street/Stinson Avenue

Other unsignalized intersections in Gig Harbor will face increased congestion in 2014 due to significantly higher traffic volumes. Based on traffic flow considerations and an estimated LOS E/F in 2014, the following intersections will likely need signals by 2014. They should be closely monitored and signals installed when warrants are met and stop-sign control cannot handle the increased volumes.

- Harborview Drive/North Harborview Drive
- Harborview Drive/Stinson Avenue
- Wollochet Drive/SR 16 SB ramps
- Rosedale Street/Skansie (46th) Avenue
- SR 16 SB ramps/Burnham Drive
- SR 16 NB ramps/Burnham Drive
- SR 16 SB ramps/Wollochet Drive

C. ARTERIAL SEGMENTS

The recommended plan provides for the construction of three new arterial roadways in Gig Harbor: the Swede Hill East/west Road, Kimball connector and the Hunt Street overcrossing. These improvements will accommodate the additional traffic growth in Gig Harbor and provide alternate routes in the City.

Harborview Drive between North Harborview and Stinson should be improved with new roadway geometry at the Harborview/North Harborview and Harborview/Stinson intersection, coordinated traffic signals and three-lane cross section on Harborview between North Harborview and Stinson Avenue.

The technical Analysis has shown that a Rosedale interchange would provide some benefits, especially with access to SR 16 to and from the north. The interchange proposal would reduce traffic volumes on both the existing Burnham and Wollochet interchanges

and provide direct access to the school.

Several non-capacity improvements are necessary, generally to connect discontinuous sections of the street network and improve redundancy. These include:

- Hunt Street overcrossing. This would connect the eastern and western sections of Hunt Street.
- Kimball Connector. This would provide access between Hunt and Soundview Road and reduce traffic volumes on Soundview.
- Bujacich Road connection. This would connect the north and southern portions of this roadway. **(Completed in 1996)**

D. FREEWAY INTERCHANGES

At the Burnham interchange, ramp signalization will be required as the North Gig Harbor annexation area develops. These signals should be installed as traffic volumes warrant.

At the Wollochet/Pioneer Way interchange, the overcrossing should be widened to accommodate additional through and left turn lanes. Signal retiming and coordination with adjacent City signals will also be necessary to improve signal progression through the area.

WSDOT programmed improvements at the Olympic interchange outlined in the SR 16 Capacity Study should relieve congestion at this location.

E. SAFETY

By separating pedestrians, and bicyclists from automobiles, the improvements recommended for non-motorized travel would result in a safer transportation network. Other spot safety improvements may be necessary.

F. PARKING

It is recommended that a downtown parking assessment be performed to inventory current parking use and to determine future parking needs. The city building code's parking requirement should be reviewed and revised to reflect current parking practices and needs. The City should encourage joint use parking agreements among private businesses. The City should also explore using park-and-ride lots outside the downtown area to supplement its downtown parking needs.

G. TRANSIT

Pierce Transit's long term improvement plans for the Peninsula area include:

- Construct the North Gig Harbor Transit Center and add bus routes to serve it.
- Establish more direct regional transit services to major destinations in the Tacoma, Bremerton, Olympia and Seattle areas.
- Increased para-transit services.
- Increase ride sharing (carpool and vanpool) programs.
- Construct capital projects listed in the 6-year Capital Improvement Plan.

Pierce Transit and the City of Gig Harbor have programmed improvements to the existing Kimball Drive Transit Center. These improvements are necessary for the increased service utilizing the transit center.

H. MARINE TRANSPORTATION

Possibilities for recreation passenger ferry services should be coordinated with private providers. Due to the high costs and parking impacts associated with commuter ferry services, it is not recommended that the city pursue passenger-only ferry services with Washington State Ferries.

I. NON MOTORIZED TRAVEL

The residential character of Gig Harbor makes non-motorized travel an important aspect of the Transportation Element. A complete pedestrian and bicycle network would link neighborhoods with schools, parks, employment and retail centers, thereby minimizing the need to rely upon automobiles as a principle source of transportation. The Gig Harbor North area, annexed in February of 1997, incorporates several non-motorized linkages with the residential and business park districts. Improvements for non motorized uses developed in the *Gig Harbor Visioning Project* are contained in the Transportation Plan Final Report and are shown in Figures 5-7, 5-8 and 5-9 of Technical Appendix No. 6. The proposed trail systems are also identified in the City of Gig Harbor Parks, Recreation and Open Space Plan (1996).

VII. FINANCIAL ANALYSIS

A. System Costs and Funding Sources

The Growth Management Act requires that a jurisdiction's transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs, funding sources, and it should include a multi-year financing plan. The purpose of this is to insure that each jurisdiction's transportation plan is affordable and achievable, the plan must discuss how additional funds will be raised or how long land use assumptions would be reassessed.

The City of Gig Harbor currently receives enough funds for the maintenance of the existing roadways and for periodic upgrading or reconstruction of the City's roadways. The City has had

moderate success at obtaining grants for transportation improvement projects within the City. Potential funding sources and a review of historical revenue sources is detailed on pages 7-1 through 7-4 of Technical Appendix 6.

Based upon the financial analysis found in Section 7 of Appendix 6, the City is projected to generate about \$20,090,000 for transportation improvements through 2014. Projected external funds total \$2,015,900 making total available funds approximately \$22,100,000. This results in a modest surplus of \$1,400,000 over the 20 year period. High-cost projects may depend upon extra-ordinary success in obtaining grant funds beyond the average of the last six years. GMA requirements regarding the financing and funding of capital facilities improvements are addressed in the capital facilities element of the comprehensive plan.

B. Financial Reassessment Strategy

The City has identified options available for addressing shortfalls and how these options will be exercised. The City evaluates transportation improvement projects on a system-wide basis. Implementation of projects identified in the capital facilities of the transportation plan is contingent on several factors including: 1) Revenues received relative to projections; 2) Funding cycles and the ability to successfully compete for limited federal and state grants; 3) Ability to apply staff resources, and; 4) Unanticipated events such as significant emergency repairs. Accordingly, projects may need to move forward or be deferred in response to the changing conditions. In deciding how to address a particular shortfall, the City will balance the equity and efficiency considerations associated with each of these options. When evaluation of a project identifies a shortfall, the following options are available:

- **Increase revenue**
This may be achieved through a variety of sources including applying for available grants, issuing Councilmanic bonds, transferring unobligated resources from other funds and debt financing.
- **Decrease level of service (LOS)**
Although this is an unlikely option, it remains available. A decrease in the LOS would significantly alter the city's transportation system and could reduce development options, if applied system wide. The city may also selectively apply varied LOS standards at specific locations throughout the city.
- **Decrease the cost of a facility**
Essentially, this involves a reevaluation of the scope of the project and, where attainable, amending design or construction features to reduce the cost.
- **Amend the project priority**
During the annual update of the C.I.P., the city may elect to defer a project

based upon the immediate need and available resources.

A detailed six-year capital improvements program for transportation projects is found on pages 7-4 and 7-5 in Section 7 of Technical Appendix No. 6 of the Comprehensive Plan.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR *Wes Hill*
SUBJECT: RESOLUTION - PUMP STATION 10 EMERGENCY DECLARATION
AND PAYMENT AUTHORIZATION
DATE: JUNE 18, 1997

INTRODUCTION/BACKGROUND

During the December-January storms, the standby generator at Pump Station 10 failed. The City rented a standby generator and attempted to have the failed unit repaired. The City was advised that parts were not available, and that it would be necessary to have a circuit board designed and fabricated. Previously, the generator and electrical system had experienced higher than normal maintenance requirements, and proven difficult to service due to apparently non-standard fabrication and installation.

The City does not have a portable generator with sufficient generating capacity to operate the single phase pumps at Pump Station 10. After exploring available options, a replacement standby generator with matching automatic transfer switch was ordered rather than continuing to accumulate rental charges for a standby generator, incurring additional expense with unknown outcome (both time and money) in having a specially fabricated circuit board, and risking an overflow condition in a subsequent power outage during the remainder of the winter,

While attempting to address the apartment manager's (and tenants') concerns regarding pump station noise and aesthetics, it was discovered that the pump station is not owned by the City. The City apparently had been maintaining the system and responding to emergency callouts in accordance with a March 18, 1991 addendum (Addendum No. 1) to a December 14, 1988 Utility Extension and Capacity Agreement with the owners/developers of the Forest Grove Apartments. Unfortunately, this information did not become available until after the generator, automatic transfer switch, electrical modifications, and concrete pad had been installed.

Under the terms of the Addendum, the City can request reimbursement from the apartment owner. However, the vendors are not willing to wait any longer for reimbursement.

FISCAL CONSIDERATIONS

Funds for payment are available under the Sewer Capital Fund No. 410. Reimbursement will be pursued from the property owner in accordance with the Addendum to Utility Extension and Capacity Agreement dated March 18, 1991.

MAYOR WILBERT AND CITY COUNCIL

June 18, 1997

Page 2

RECOMMENDATION

I recommend that the Council move and approve the resolution declaring an emergency existed and authorizing purchase of a diesel standby generator and related equipment and improvements, without the need for compliance with the purchasing requirements of RCW 39.04.190, RCW 39.04.155, and City of Gig Harbor Resolution No. 411.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DECLARING AN EMERGENCY AND AUTHORIZING THE PURCHASE OF A DIESEL STAND-BY GENERATOR, AUTOMATIC TRANSFER SWITCH AND POURING OF CONCRETE SLAB FOR PUMP STATION 10, WITHOUT THE NEED FOR COMPLIANCE WITH THE PURCHASING REQUIREMENTS OF RCW 39.04.190, RCW 39.04.155, AND CITY OF GIG HARBOR RESOLUTION NO. 411.

WHEREAS, on or about December 19, 1996, as a result of a power failure or power surge, there was a failure in the control board and automatic transfer switch on the emergency generator for the pump at Pump Station No. 10; and

WHEREAS, the generator provides emergency backup power for the pumps at Pump Station 10, and the pumps are needed to discharge sewage from the Forest Grove Apartments to the City's sewer system and must be operable at all times; and

WHEREAS, this failure and the inability to obtain replacement parts caused an emergency situation which required the City's immediate purchase of a new diesel standby generator and automatic transfer switch, and the City's retention of a contractor to pour a concrete slab which completed the installation of the generator; and

WHEREAS, the City has the option to perform maintenance and repairs on the pump station and force main serving the Forest Grove Apartments per Addendum No. 1 to Utility Extension and Capacity Agreement dated March 18, 1991;

WHEREAS, reimbursement will be sought from the Forest Grove Apartments pursuant to said Addendum; and

WHEREAS, because of this emergency, the City was unable to comply with the City's Resolution applicable to purchases of equipment; NOW THEREFORE,

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

Section 1. Finding and Declaration of Emergency. The City Council hereby declares that an emergency existed requiring the immediate action by the City Public Works Director in order to preserve the public health, safety, property and welfare. The Council further declares that the delay necessitated by compliance with the procedures for procurement of equipment and construction of public works found in City Resolution No. 411, RCW 39.04.190 and RCW 39.04.155, would have prevented the City from coping with the emergency in time to prevent significant damage to private property. This declaration of emergency is based upon the following findings of fact:

A. Pump Station 10 processes all of the sewage generated by the Forest Grove Apartments.

B. On or about December 19, 1996, the control board and automatic transfer switch on the existing pump in the wastewater treatment plant failed. This failure resulted in an inability of the pumps to continue pumping sewage to the City's sewer system. Replacement parts were not available.

C. This inability to pump sewage to the City's sewer system would have caused damage to dwelling units and other property, and health and safety risks for residents at the Forest Grove Apartments.

D. The City Public Works Director authorized the repair of the existing generator and electrical system, and the purchase of a new diesel standby generator, automatic transfer switch, and related electrical system work as necessary to continue pump operation, for a total cost of \$18,166.36.

E. In order to complete installation of the standby generator in the wastewater treatment plant, a concrete slab had to be poured for the generator and the City Public works Director hired a contractor for this purpose, at a total cost of \$1,620.00;

Section 2. Authorization to Contract. The City Council hereby ratifies and approves the purchase of the diesel standby generator, automatic transfer switch, the contract for pouring of the concrete slab, and related equipment and services already provided at the behest of the City Public Works Director in connection with the failure described in Section 1.

Section 3. Payment for Services Rendered and Equipment Purchased. The City Council hereby authorizes the Public Works director to pay the invoices for purchase of the diesel standby generator and automatic transfer switch, pouring of the concrete slab, and related equipment and services .

Section 4. Reimbursement. The City Council hereby authorizes the Public Works Director to seek reimbursement for the amounts in Sections D and E, expended by the City on behalf of the Forest Grove Apartments pursuant to said Addendum.

Section 5. Publication. Pursuant to RCW 39.04.200 and Resolution No. 411, a description of work performed by the contractor for the pouring of the concrete slab, and the invoice for purchase of equipment shall be posted by the City.

RESOLVED by the city Council this _____ day of _____, 1997.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____

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



RETURN TO: WASHINGTON STATE LIQUOR CONTROL BOARD
License Division - 1025 E. Union, P.O. Box 43075
Olympia, WA 98504-3075
(360) 664-0012

TO: PIERCE COUNTY EXECUTIVE

DATE: 5/28/97

RE: NEW APPLICATION

RECEIVED
JUN 02 1997
PIERCE COUNTY EXECUTIVE

RECEIVED

JUN 6 1997

CITY OF GIG HARBOR

License: 080434 - 1M County: 27
Tradename: THE YARD COMPANY
Loc Addr: 9424 MILTON AVE NW
GIG HARBOR WA 98332

APPLICANTS:
THE YARD COMPANY, INC.

Mail Addr: PO BOX 1817
GIG HARBOR WA 98335-1817

SCANNELL, WILLIAM G
04-28-39 533-34-9338
KELLEY, JEFFREY BROWNE
01-21-71 537-94-5071
SCANNELL, CONNIE JEAN
04-27-47 533-46-1876
GARZA, MARIA ALDASORO
00-00-00 111-11-1111

Phone No.: 253-858-5336

Classes Applied For:
N5 Liquor Importer

RECEIVED

JUN 6 1997

CITY OF GIG HARBOR

As required by RCW 66.24.010(8), you are notified that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within **20 DAYS** from the date above, it will be assumed that you have no objection to the issuance of the license. **If additional time is required you must submit a written request for an extension of up to 20 days.** An extension of more than 20 days will be approved only under extraordinary circumstances.

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

Pierce County Executive:

MAYOR'S REPORT
June 23, 1997

One more piece of a pedestrian trail system will become a reality with the construction and completion of the Finholm View Climb.

The Gig Harbor Lions Club has raised approximately 80% of the funding commitment needed, and voted this past week to authorize the expenditure to finalize the engineering specifications for the View Climb project. The Public Works Department will review the specifications before construction participants are selected. Construction should proceed this summer.

A final funding effort will be offered at the **PARKING LOT PARTY** with a raffle, and the continuing opportunity to purchase a step, brick, landing or bench. Approximately 70 steps will be in the final design. To date, 36 have been purchased honoring families, businesses and individuals with this living legacy.

Please mark your calendars and plan to bring your family and friends to the **PARKING LOT PARTY**.

FINHOLM VIEW CLIMB

******June 28th Parking Lot Party******

6 - 10 p.m. across from the Shoreline Restaurant
featuring the nationally recognized music of

THE WICKLINE FAMILY AND FRIENDS

Donations accepted (or better yet)
Buy a STEP, LANDING, WALKWAY, BENCH OR BRICK

BECOME A PART OF A LIVING LEGACY

a Gig Harbor Lions Club Project

The Gig Harbor Lions Club present the

FINHOLM VIEW CLIMB

Honoring the contribution to the community by the Finholm Family.

Offering a living legacy for members of the community to participate in this project.

Celebrating the joys of children past and present who have transversed the steep, dirt path up and down the hill, with a

PARKING LOT PARTY

Saturday, June 28th, 1997

6:00 p.m. to 10:00 p.m.

Featuring the soft country music
of the Wickline Family & Friends
for listening and dancing to the theme of

'NOW IS THE TIME'

Please join us in celebration of the commencing of construction
of a pedestrian pathway, the **Finholm View Climb**.