

GIG HARBOR CITY COUNCIL MEETING



March 25, 1996

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

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
March 25, 1996 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

SPECIAL PRESENTATION: Bill Lokey, Pierce County Emergency Management.

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. AWC - Transportation Revenue Increase - Request for Projects.
2. Pierce County Fire District No. 5 - Emergency Operations Center.
3. Harbor Heights Elementary - D.A.R.E.
4. Junior Daffodil Festival - Kathyn Alvord.
5. Viacom Cable - Temporary Restraining Order.
6. United Way - Olympic Torch Relay - Rachel Ashabraner.

OLD BUSINESS:

1. Westside Annexation Petition - Request For Consideration.
2. Second Reading - Ordinance to Correct 1996 Salary Schedule.

NEW BUSINESS:

1. First Reading - Ordinance to Segregate ULID No. 2 Assessments.
2. North Harbor Business Park Utility Request.
3. First Reading - Ordinance Establishing New Sewer Customer Class.
4. Resolution Supporting Sports Field Acquisition.

MAYOR'S REPORT: Invitation From Department of Defense.

COUNCIL COMMENTS:

STAFF REPORTS:

APPROVAL OF BILLS:

EXECUTIVE SESSION: Discussion of litigation issues, property acquisition and property disposition.

ADJOURN:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MARCH 11, 1996

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

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the February 26, 1996 meeting as presented.
Picinich/Ekberg - unanimously approved. Councilmember Platt abstained.

CORRESPONDENCE:

Mayor Wilbert mentioned several pieces of correspondence she had received too late to include in the packet, including information from the Lady Washington, Puget Sound Regional Council, Association of Washington Cities, Viacom Cable, and two regarding Growth Management Hearings. She announced that these items were in the reading basket. She gave a description of the new Washington State - 1995 Data Book of statistics and encouraged Councilmembers to take a look at the book when they could.

OLD BUSINESS:

1. Resolution - Amendment to Fee Schedule. Ray Gilmore presented this resolution amending the fee schedule for review of projects in Pierce County which include a request for City utility services. He added that the fee for review of these projects was 50% of in-city rates because they do not require a hearing examiner review, legal notices, site review by the City, and there was minimal file management.

MOTION: Move to approve Resolution No. 465.
Markovich/Owel - unanimously approved.

2. Planning Commission Schedule - Adult Entertainment Moratorium. Ray Gilmore introduced this memo from legal counsel outlining the schedule set by the Planning Commission at their February 29th meeting. The schedule of meetings are for public hearings and additional meetings to develop an adult entertainment ordinance during the one-year moratorium period passed at the council meeting of February 12, 1996. He added that the first public hearing would be held on April 8th.

NEW BUSINESS:

Mayor Wilbert asked to add an Item 7 - Proclamation, to New Business.

1. Annexation of Westside - Request for Consideration to Annex (10% petition.) Ray Gilmore presented this annexation petition. He explained that signatures from 10% of the assessed value of the proposed annexation area were required for initial consideration, and that

signatures for 19.1% of the properties had been received. He gave a brief history of the unsuccessful annexation attempts in the past, and offered two options for consideration. He explained that the petition method did not incur much expense by the City, but that the additional 60% petition signatures might be difficult to obtain. The second option would be for Council not to accept the 10% petition and place the annexation on the election ballot for the residents in the proposed annexation area to vote upon. He added that the City would be responsible for the expense of the election and that he had been unable to reach Pierce County to confirm the cost of placing this on the ballot. He used a large map to illustrate the boundaries of the annexation and to show which property owners had signed the petition.

Councilmember Picinich asked if signatures were still being gathered and how many subdivisions were in the proposed area. Mr. Gilmore explained that the deadline for signatures had passed and that there were approximately ten subdivisions.

Councilmember Markovich voiced his concerns that the election method would exclude input from the business owners, who produce most of the revenue from that area. He added that the business community did not approve of the City's sign code or recent zoning changes. Mark Hoppen said he had done an informal inventory of the signage in the annexation area and that approximately 20 signs out of the 100 or so would be affected, and they would have seven years to come into compliance. He said the square footage zoning restriction was the other significant issue to the commercial property owners. He referred to the letter received from the Westside Business Owners and added that their lack of desire to participate in the annexation effort, unless Council was willing to negotiate, was clear.

Councilmember Owel said she was concerned about business owners that were tenants who were not represented by the Westside Business Owners organization. She said that these tenants had no say either way.

Councilmember Ekberg said that the business owners may not like the sign code, but they like the sewer service. He added that the annexation should be driven by the people living there. He said the election process appears to be the best method.

Mayor Wilbert said she had spoken to several of the business tenants and they had shared their concerns about on-going safety and traffic problems. She said these problems could be addressed if the area was annexed and that these people would work with the City.

Mr. Gilmore answered question about the election process and that Council had 60 days in which to respond to the 10% petition. He said he could prepare a resolution to place the annexation on ballot for Council's consideration at the council meeting of March 25th, and that the lead person for the 10% petition would be advised to attend the meeting.

MOTION: Move to prepare a resolution outlining annexation by election to be considered at the next council meeting.
Picinich/Ekberg -

Councilmember Platt asked how many additional staff would be required if this annexation were completed. Mr. Gilmore said he would need one additional code enforcement person, and the police department anticipated the addition of four officers. Wes Hill said he would have to do some research to determine how many additional public works crew members would be required. Mr. Hoppen explained that the 1996 Budget shows what was estimated to be needed in all departments.

Mayor Wilbert called for the question.

RESTATED MOTION: Move to prepare a resolution outlining annexation by election to be considered at the next council meeting.
Picinich/Ekberg - unanimously approved.

2. Consolidation of the Municipal and District II Court Services. Mark Hoppen introduced this proposal to consolidate the Municipal Court with District Court II on Kimball Drive. He gave an overview of both the negative and positive points of consolidation and described the steadily increasing cost of the Municipal Court over the years. He said after assessing the information over the past eight months, consolidation of the courts would be an example of government working together to better serve the peninsula and would be of economic advantage to both jurisdictions.

Judge Marilyn Paja introduced the memo she had given to Councilmembers earlier in the evening and explained the information was to expand upon her memo of September 10th. She added her memo addressed several issues and that she had approached the information two ways; one, the direct cost benefit analysis; and two, the non-monetary aspects. She pointed out that the Municipal Court had come in under budget almost every year and had taken steps to utilize user fees to make the court more efficient. She voiced her concerns about appellant costs, audit costs, and talked about the City's ordinances that would not be enforced if the courts were to consolidate. She then spoke to the non-monetary issues and added that she felt strongly that consolidation should be an issue of citizen concern and input.

Gerald Johnson, prosecuting attorney for the city, gave a history of his experience and working relationship with the Police Department and Judge Paja. He used the District Court on 6th Avenue as an example of a poorly run system and warned Councilmembers that no one could predict what could happen in ten years as far as case load in Judge Farrow's court.

Steve Bowman, employee guild representative and City Fire Marshal, told Council that everyone was concerned about how the consolidation would affect the court employees and their families. He then spoke to the issue that any codes that are unusual to the state code could not be adopted, and cited the city's smoke detector law as an example. He encouraged Council to consider what other areas the consolidation may effect.

Chief Mitch Barker reinforced that we could not predict what would happen in the next ten years and asked that Council consider the level of service issues. He voiced his concern that the cases filed by the City would fall to the bottom of the pile.

Carol Morris, legal counsel, answered several questions that had been brought up. She explained that the city attorney could prosecute the city civil code, and that would not be affected by the incorporation. She voiced her concerns that the contract lacked enforceability for level of service and cost, and that once the Municipal Court was dissolved, it could not be reinstated for a term of ten years.

Councilmember Platt said he didn't think the consolidation should be considered only because of financial status. He voiced concerns regarding control, enforceability, prosecutor response, and civil enforcement. He added he didn't think it was a good message to send to our employees and that he couldn't support the resolution.

Councilmember Ekberg agreed that he was concerned with loss of control and said he didn't feel consolidation was in the best interest of the citizens.

Mark Hoppen assured Council that the assignment of a full time employee for misdemeanants for city cases would ensure the level of service, and in fact, where we only have a prosecutor for one or two days a week, the incorporation would allow for a prosecutor on five days a week. He said that the agreement was to the County's advantage, and they would be in favor of keeping the level of service satisfactory. He added that the job being done here at Municipal Court was being done well, but it was a duplication of services and the revenues could be better used to serve the community.

Councilmember Markovich gave examples of his experience with municipal court systems and added that the incorporation of these courts was an exciting prospect. He stressed that the growth that would occur within the next few years with annexations would have a great deal of impact on the court system, and the possibility of saving over one-half a million dollars over the next ten years was much better than suffering with the spiraling costs of a court system. He said he did have concerns with the contract, but that these issues could be worked out. He said his experience with District Court II had been positive and stressed that the people coming to court aren't in the least concerned with the level of service. He said the risk is outweighed by the reward. He added he was sorry about the employees, and that Judge Paja, Catherine Washington, and Garry Johnson have done a great job, and that it was a hard decision to have to make. He suggested a workshop to discuss the issues further.

Councilmember Owel asked for a more comprehensive comparison of the figures. She asked who would audit the court and if the City of Gig Harbor would have any role in this. Tom Enlow, Finance Director, explained that the county would be keeping the City's records separate, and that the contract called for regular reconciliations, in which the City would be involved.

Councilmember Ekberg added that he appreciated Councilmember Markovich's comments, and that he would defer to more discussion. Mark Hoppen pointed out that the employees affected would appreciate a timely decision. Councilmembers were encouraged to visit and observe other courts before the worksession.

MOTION: Move to postpone this decision until a time definite to the first council meeting after a workshop to discuss the issues.
Owel/Markovich - unanimously approved.

Carol Morris offered to research the level of service language to find out if Pierce County would be willing to be more explicit. The workshop was set for April 29th at 6:00 p.m. The incorporation will be brought back before Council at the May 13th council meeting.

3. First Reading - Ordinance to Correct 1996 Salary Schedule. Tom Enlow explained that there was an error in the salary schedule for the Administrative Receptionist included in the 1996 budget and this ordinance was to correct the error. The ordinance will return at the next meeting for a second reading.
4. Request for Emergency expenditure to Repair Harborview/Stinson. Wes Hill, Public Works Director, explained that the damage to Harborview/Stinson streets during a recent water main break would require repair work beyond the scope of what the Public Works crew could perform. He added that the repairs were estimated at \$30,000 and funds were available in the Street Operating Fund through deferment of other projects.

MOTION: Move to authorize the Public Works Department to obtain quotes for the street repair.
Owel/Ekberg - unanimously approved.

5. Appointment of Civil Service Board Commission Members, Bill Owel and Pat Gregory. Mayor Wilbert recommended a motion to approve the two new members to the board. Councilmember Owel recused herself from the vote.

MOTION: Move to approve the appointment of Bill Owel and Pat Gregory to the Civil Service Commission Board.
Markovich/Picinich - unanimously approved.

Councilmember Owel returned to the Council chambers.

6. Liquor License Renewals - Eagles, Maritime Mart, and Tides Tavern. No action taken.
7. Proclamation - Week of Honor and Praise to be Shared by All. Mayor Wilbert read this proclamation congratulating the Gig Harbor High School Basketball Team for winning the Washington State Class AA Championship.

MAYOR'S REPORT:

Urban Forestry Grant. Mayor Wilbert presented this effort to obtain grant funds to prepare a plan for planting and maintenance of trees on public lands and right of ways within the city.

COUNCIL COMMENTS: None.

STAFF REPORT:

1. **Ray Gilmore - Planning Department.** Ray gave a brief overview of the progress of several projects that the Planning Commission had been working on. He said their recommendation for a proposed zoning map for outside city limits, excluding the Gig Harbor North area, would have a first hearing at the council meeting of March 25th. He added that the Planning Commission had a hearing on the 21st to review the parks and recreation plan. He said that updates to the Shoreline Master Plan and Environmental Codes were necessary to bring them into compliance with the Regulatory Reform Act and make it consistent with the new Title 19. He said a worksession to review the Design Guidelines was scheduled on April 18th and should wrap up in mid-May. He added that sign code update work sessions would begin in early May with a recommendation to Council in late June or early July.
2. **Chief Mitch Barker - Police Department.** Chief Barker gave a brief report on the activity statistics for February. He said the department had done an inventory of training needs and have scheduled some basic certification training classes. He added he had begun attending the meetings for the 50th Anniversary to stay informed. He said the police records software system company had gone out of business, removing software support or future enhancements, facilitating the need to find a replacement system in the future. He gave a report on the plan to upgrade the Reserve program and added that the Explorer program was progressing well.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Council Worksession on Court Consolidation - Monday, April 29th - 6:00 p.m. at City Hall.
2. Council Worksession on Utility Extensions and Park Policy - Monday, May 6 - 5:00 p.m. at City Hall.

APPROVAL OF BILLS:

MOTION: Move approval of checks #15551 through #15650 in the amount of \$152,158.24.
Owel/Platt - unanimously approved.

APPROVAL OF PAYROLL:

MOTION: Move approval of checks #12273 through #12387 in the amount of \$186,654.67.
Owel/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:21 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 418 Side B 000 - end.
Tape 419 - Both Sides.
Tape 420 Side A 000 -end.
Tape 420 Side B 000 - 240.

Mayor

City Administrator



ASSOCIATION OF WASHINGTON CITIES

RECEIVED

MAR 13 1996

CITY OF OLYMPIA

1076 Franklin St. SE
Olympia, WA 98501-1346
(360) 753-4137, FAX 753-4896

Note for Cities in the PSRC

We are aware that in King, Pierce, Kitsap and Snohomish counties, the Public Works Directors groups are coordinating this survey for the PSRC. To avoid duplication of effort, please work through the process that has been established within your county. The county contacts that were identified by the PSRC are listed below. AWC has spoken with each contact and they have agreed to forward your completed forms to us. Cities may also send a copy of their forms directly to AWC.

If you have any questions, please feel free to contact Craig Olson or Diane Carlson of AWC at (360)753-4137.

PSRC County Contacts

Bill Guenzler, King County
Peter Hahn, Snohomish County
Bill Larkin, Pierce County
Chuck Shank, Kitsap County

[dc:PSRCsurv]

1076 South Franklin Street
Olympia, WA 98501
(206) 753-4137
SCAN 234-4137

206 Tenth Avenue SE
Olympia, WA 98501
(206) 753-1886
SCAN 234-1886

DATE: February 28, 1996

TO: County Commissions and Councils
City Councils
County Engineers and Public Works Directors
City Engineers and Public Works Directors
Regional Councils

FROM: WSAC, AWC, CRAB,

RE: Transportation Revenue Increase - Request for Projects

MEMORANDUM

Immediately after the 1996 legislative session ends a statewide outreach will be initiated to convince the public and individual legislators that a transportation revenue increase is needed in 1997. The plan that is being formulated in the Washington Transportation Policy Institute contemplates about a dozen statewide forums to identify specific regional needs, followed by an as yet unspecified process to design the actual revenue proposal. It appears that the proposal will be heavily project oriented, targeting improvements that can be underway within a six year timeframe.

Those of you who have been watching transportation at the state level already know that the legislature currently is interested in funding solutions to highly visible problems that affect safety, congestion, the movement of freight, and/or economic development. Based upon last year's transportation summits the public seems to share that interest. There also seems to be a commitment to preserving our existing infrastructure, as long as the investments have a rational, analytical basis. A challenge to local government is to provide both the legislature and the public examples of projects of substantial local/regional importance that will help to solve those problems. It is vitally important that local elected officials, in particular, be the leaders of this grassroots process to convince our citizens and state representatives that additional investment in transportation infrastructure is needed now.

In preparation for the discussions that will begin this spring we are asking each jurisdiction to create a list of projects that could be started in the next six years if more transportation revenue was available. Use as your guide the categories listed above: safety; congestion relief (mobility); freight movement; and economic development. If some of the projects are multi-jurisdictional, so much the better. If some of them involve another agency such as the Department of Transportation, that is fine too. Use the format on the attached sheet so that the

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February 28, 1996

results can be compared across the state. Do your best to include realistic costs with each of the projects. Remember, these should be projects of substantial local and regional importance. That is the only way that we will be able to convince the public and the legislature that a transportation revenue increase is needed.

In addition to the project lists please estimate the cost over the next six years of preserving your existing transportation system (activities such as overlays and seal coats), as well as the part of that program that is currently unfunded. Also, make the same estimate for general maintenance activities. Neither of those estimates need to be project or activity specific, but rather should reflect your broad maintenance and preservation needs. Those program cost estimates should be entered on the attached sheet.

Your project lists need to be submitted by April 15th so that they can be combined into regional arrays. Please mail them either to Craig Olson at the Association of Washington Cities or Eric Berger at the County Road Administration Board. The address for AWC is 1076 Franklin St. S.E., Olympia 98501; CRAB's address is 2404 Chandler Ct. S.W., Olympia 98504-0913.

High Priority Transportation Projects

City: _____
Contact Name: _____
Contact Telephone: _____

Please include all types of projects that could be started within 6 years if money were made available

Project Name	Project Type*	Is This Project Regionally Significant?	Location	Legislative District	Please categorize the project				Start Date**	Estimated Cost
					Congestion	Freight Mobility	Economic Development	Safety		

Total

Type of project Key	
Street	S
Non-motorized	N
Maintenance	M
Preservation	P
Transit	T
Stormwater	SW

	Total	Unfunded
6 Year System Preservation Needs	_____	_____
6 Year System Maintenance Needs	_____	_____
6 Year Stormwater System Needs	_____	_____

**If money was available in July 1997, when would this project be ready to construct.

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

6711 Kimball Dr. • Gig Harbor, WA 98335
Phone 851-3111 • Fax 851-9606

RECEIVED
MAR 15 1996
CITY OF GIG HARBOR

Honorable Mayor, City of Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335

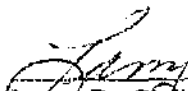
March 14, 1996

Dear Mayor Wilbert,

Pierce County Fire District No. 5, Gig Harbor, is in the process of constructing a new Administrative headquarters which will also be capable of serving as an Emergency Operations Center for the area. As part of our continuing effort in the area of Disaster Preparedness we would like to develop a high level of interagency cooperation so that we may be better prepared to deal with the management of a disaster. I would like to host an informal meeting at which we can all meet and share disaster plans and personnel contacts which would be beneficial resources for an EOC manager.

The meeting is tentatively planned for April 9th, 10:00AM at PCFD 5, Station 5-8. The address is 10302 Bujacich Rd. NW. If you can attend or send a representative, please RSVP Linda Abbott, Administrative Assistant at (206) 851-3111.

Sincerely,


Larry D. Claiborne
Fire Chief

cc: City of Gig Harbor: Honorable Mayor, City Manager, Police, Public Works
Pierce County Fire District No.16
Peninsula School District No. 401
Pierce County Sheriff's Department
Washington State Patrol
Pierce County Public Works
Peninsula Light Company
Washington Natural Gas
Washington State Department of Transportation
PTI Communications
Pierce County D.E.M.
ARES & RACES



4002 - 36th Street N. W.
Gig Harbor, WA 98335
858-5600

Yoshihiro Roy Okamoto - Principal

RECEIVED

FEB 28 1996

CITY OF GIG HARBOR

February 23, 1996

Mayor Gretchen Wilbert
Gig Harbor City Hall
3105 Judson Street
Gig Harbor, WA 98335

Dear Gretchen,

We appreciated your attendance at our recent D.A.R.E. Graduation. That ceremony and program are always highlights of each fifth grade year. The impact on the rest of the student body was also evidenced by the prolonged attention and interest of even the youngest of students. The community involvement and support are also important to the students and the program, and we were pleased and gratified by the numbers attending.

We have been involved in the D.A.R.E. Program for eight years with Officers Galligan, Entze and Emmett. We continue to see the value of the program for our students and would like to see it continue in the future. Not only do our students benefit from the seventeen weeks of instruction and the positive relationship with a police officer, but they also relate the things they learn in D.A.R.E. to other decision-making aspects of their lives. We know it is a tremendous commitment of time, energy, resources and money, and very much appreciate the generous support of the city of Gig Harbor in all of these areas.

We hope that the decision to support D.A.R.E. in the future will be carefully weighed and the great value of the program thoughtfully considered.

Most sincerely,

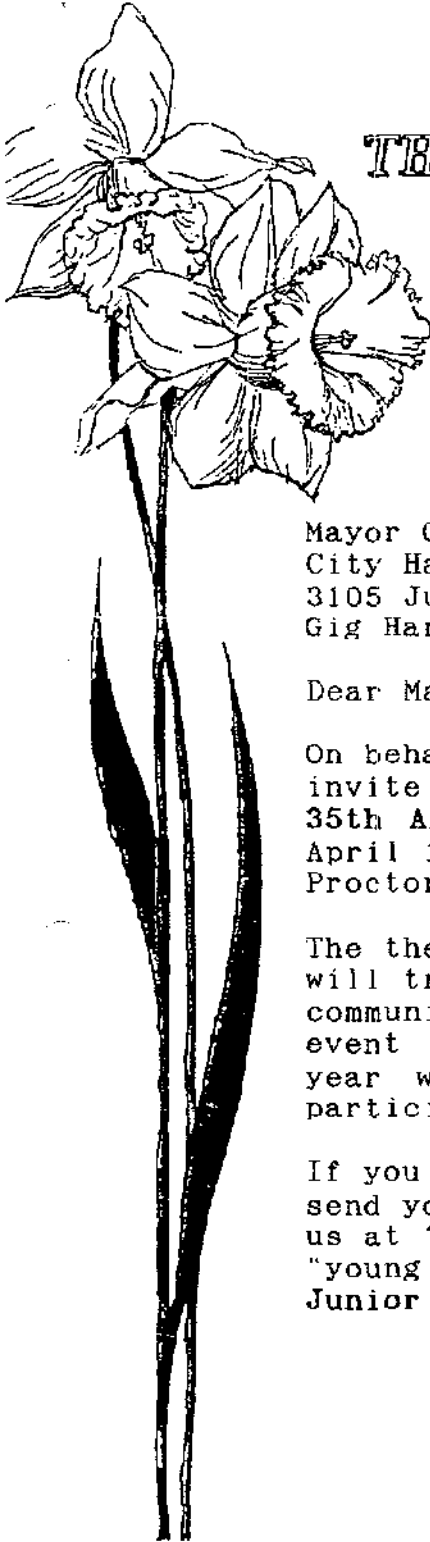
Leann O'Neill

Gary Huff

Marc Ross

Wendy Alexander

Ron Kingsbury



THE JUNIOR DAFFODIL FESTIVAL

March 1996

Mayor Gretchen Wilbert
City Hall
3105 Judson Street
Gig Harbor, WA 98335

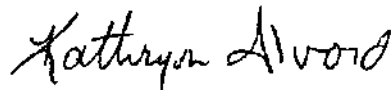
Dear Mayor Wilbert:

On behalf of the Junior Daffodil Committee I would like to invite you and the council members to participate in the 35th Annual Junior Daffodil Parade which will be held on April 13, 1996 at 10:00 A.M. The parade will be held in the Proctor District, located in Tacoma's North End.

The theme of this year's parade "*Fun and Fascination*" will truly inspire the creativity of the young people in our community. The Junior Parade, geared towards children, is an event in the tradition of the Daffodil Festivities. Last year we had 120 entries with approximately 2400 parade participants.

If you would confirm your attendance by March 20th, we will send you additional parade information to you. Please call us at 756-9020. We look forward to your involvement as the "young in spirit and heart" prepare for the 35th Annual Junior Daffodil Parade!

Sincerely,



Kathryn Alvord
Jr. Daffodil Coordinator

ka



March 12, 1996

Mayor Gretchen Wilbert
City of Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335-1221

RECEIVED

MAR 14 1996

CITY OF GIG HARBOR

Dear Mayor Wilbert:

In my letter of March 6, 1996, I mentioned Viacom's plans to limit the times that adult programming is offered, in response to the recently enacted Telecommunications Act of 1996. I also alluded to a possible Constitutional challenge of the provision in the Act requiring the change by cable operators.

This letter confirms that on March 7, 1996, a temporary restraining order was issued by the Federal District Court of Delaware in response to Playboy's request to block enforcement of Section 505 of the Act.

Once notified of the Temporary Restraining Order, Viacom withdrew plans to change the programming hours of Playboy and Spice programming planned for implementation on March 9, 1996, until we fully understand the Court's intention.

As always, any customer may request channels carrying adult services be individually blocked in his or her house for no charge.

I will keep you informed of further changes on this issue, and encourage you to call with any questions, at 597-7800, ext. 7228.

Sincerely,

Diane R. Lachel
Director, Government/Community Relations

cc: Mark Hoppen, City Administrator

URGENT FAX ALERT

Re: Section 505 of Telecom Act

Playboy Granted Temporary Restraining Order

Judge Joseph J. Farnan, Jr. has issued a Temporary Restraining Order (TRO) in response to Playboy's request in the Federal District Court of Delaware.

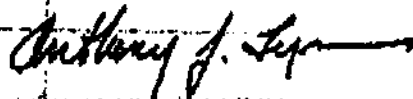
Playboy has sought to block enforcement of Section 505 of the Telecommunications Act of 1996. This section requires that redundant blocking equipment be installed in every household in virtually every cable system that carries adult programming, whether or not customers request or need such blocking.

THIS TRO WILL DELAY YOUR NEED TO COMPLY WITH SECTION 505 UNTIL A 3-JUDGE PANEL REACHES A DECISION ON PLAYBOY'S REQUEST FOR A PRELIMINARY INJUNCTION. A date has not yet been set for those hearings; since a discovery period and evidentiary hearings in court will precede the panel's ruling, THE PROCESS MAY TAKE QUITE SOME TIME.

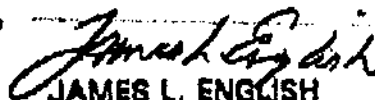
Under today's ruling, YOU MAY CONTINUE WITH YOUR CURRENT SCHEDULE OF PLAYBOY TV AND ADULTVISION. WE STRONGLY ENCOURAGE YOU TO DO SO.

We will continue to keep you advised of Playboy's progress in this important matter.

Thanks to all of you who have assisted us in presenting our case.



ANTHONY J. LYNN
President
Playboy Ent. Group



JAMES L. ENGLISH
President
Playboy Networks Worldwide



BRIAN W. QUIRK
Executive Vice President
Sales & Affiliate Relations

RECEIVED

MAR - 4 1996



March 1, 1996

CITY OF GIG HARBOR

P.O. Box 2215
Tacoma, Washington 98401
(206) 272-4263

TO: Mayor & Council, City of Gig Harbor

FROM: Mike Robinson, 597 7495

SUBJECT: Olympic Torch Relay

--- --
As you may know, the Olympic Torch will travel through your city on May 7. The time will be roughly 1:00-1:30.

A Gig Harbor resident, Rachel Ashabraner will be among those who were selected to carry the torch. We do not know yet what stretch she will run.

But at least 10 runners will bring the Torch through town on that day. We hope the City of Gig Harbor will encourage residents to come out and cheer the Relay runners. Roughly every kilometer, each runner will pause to light the torch of the next runner.

If the City of Gig Harbor is interested, you can purchase Torch Relay banners to be hung on streetlamps there; in sets of three, they include one banner that names your city. They can be purchased for \$73 per set, and hung by the city at locations you choose. Streetwide banners also are available at \$400 each. They belong to you after the Relay and may be re-sold as souvenirs of the Olympics.

Could the Council invite Ms. Ashabraner to a pending meeting to honor and recognize her? She was picked from among 400 candidates for her outstanding service to community. She attends Gig Harbor High School.

If we can be helpful in any other way, please call.



City of Gig Harbor. The "Maritime City."

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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: Planning Staff
DATE: March 21, 1996
SUBJ.: Request for Consideration to Annex - Westside Annexation

INTRODUCTION/SUMMARY

This matter was presented to Council at the last meeting on March 11. At that meeting, Council directed staff to prepare a resolution with findings for annexation by the election method available under RCW 35A.14.015. Attached for Council's consideration is a draft resolution calling for an annexation to be voted on by the registered voters within the annexation area. The purpose of this meeting is twofold: 1) to discuss the annexation with petitioners and; 2) to determine which method of annexation the city will pursue.

POLICY ISSUES

If the Council prefers that the annexation be placed up to a vote of the registered voters within the annexation area, it may pursue this option available under RCW 35A.14.015 which permits the legislative authority of the code city to pass a resolution calling for an election to be held and submit it to the voters of the annexation area. The Council resolution states the following:

1. Calls for an election to be held to submit the annexation proposal to voters in the territory proposed to be annexed;
2. Describes the boundaries of the area to be annexed;
3. States the number of voters residing in the area to be annexed as nearly as possible;
4. States that the annexing city will pay the cost of the annexation election;
5. Whether or not preannexation zoning will be adopted simultaneous upon a favorable vote of annexation (this requires a simple majority vote);
6. Whether the property owners within the annexation area will assume their fair share of bonded indebtedness (this requires a 3/5ths majority of at least 40% of the voters residing in the annexation area).

A formal public hearing on the resolution is optional. The City would submit the notice of intent to annex to the Pierce County Boundary Review Board (BRB). Should the County BRB approve, the city must indicate to the County Auditor its preference for an election date for submission of the proposal to the voters of the territory to be annexed. The County must set the election date on the date indicated by the City.

FISCAL IMPACT

The election method requires that the city pay the costs of the election. The costs vary considerably and depend upon many factors such as the type of election (special, primary, general), the number of district (local) issues on the ballot and the size of the area affected. It was difficult getting any quote from the auditors office because of the number of variables, but the range appears to be \$5,000 - \$15,000, with a low - median range the most likely (~\$7,000).

Another area of fiscal impact involves the assumption of bonded indebtedness. The council has the **option** of placing this on the ballot. Should it not pass by the voters, the Council may either accept the vote and not pass on the remaining costs of bonded indebtedness or reject the annexation altogether. According to the finance department, upon annexation the levy on the city's remaining bonded indebtedness calculates out at \$0.30/\$1,000 assessed evaluation. On a \$185,000 house, this equates to \$55.50 per year (or \$4.60 per month). The excess levy rate would be reduced city- wide upon annexation. The overall net change in taxation to the property owners within the area is a slight **reduction** in the tax rate. The accompanying table shows the tax rate distribution for the city, the county and the proposed annexation area.

RECOMMENDATION

Should the Council favor the election method, it must first not accept the petition submitted and then call for the election by adoption of the resolution.

City of Gig Harbor 1996 Comparative Property Tax Rates

Taxing District	<u>Tax Rates Per \$1000 of Valuation</u>		
	<u>City Property</u>	<u>Westside Annexation</u>	<u>County Property</u>
State	3.5534	3.5534	3.5534
Pierce County	1.5731	1.5731	1.5731
City of Gig Harbor	1.6000	1.6000	0.0000
City Excess Levy *	0.4186	0.2976	0.0000
EMS	0.2463	0.2463	0.2463
Schools	2.0607	2.0607	2.0607
Port	0.1986	0.1986	0.1986
Rural Library	0.5000	0.7094	0.7094
Fire	1.5000	1.5000	1.5000
Pierce County Roads	0.0000	0.0000	2.2096
Total	11.6507	11.7391	12.0511

Total City Valuation and Regular Property Taxes

	<u>Valuation</u>	<u>Regular Levy</u>
1996 assessed valuation	342,389,462	547,823
Estimated Westside valuation	136,001,330	217,602
Estimated valuation after annexation	478,390,792	765,425

* The excess levy rate is based on annual debt service of \$140,000. If the Westside annexation assumes the GO Debt, the rate will be reduced from .4186 per 1000 to .2976 per 1000 of valuation.

**OGDEN
MURPHY
WALLACE**

P.L.L.C. ATTORNEYS AT LAW

2100 Westlake Center Tower • 1601 Fifth Avenue • Seattle, WA 98101-1686 • (206) 447-7000 • Fax (206) 447-0215

*James E. Haney*Via Facsimile

March 19, 1996

Mr. Raymond Gilmore
Planning Director
City of Gig Harbor
3105 Judson Street
Gig Harbor, WA 98335

Re: Westside Annexation

Dear Ray:

As we discussed last Friday, enclosed are two items for use in connection with the Westside Annexation: (1) a Memo to Mayor Wilbert and the City Council giving a brief summary of the process involved, and (2) a draft resolution for initiating the process. Please let me know if these meet your requirements or if you have any questions.

Also, please note that there are two things which need to be addressed with the resolution to make it complete. First, the resolution calls for a legal description of the annexation area to be attached as Exhibit A. I assume you have a legal description and can include it in the packet with the resolution.

The second thing that is needed is the number of registered voters in the proposed annexation area. RCW 35A.14.015 requires that number to be set forth in the initiating resolution, as nearly as may be determined from the County's records. I assume you can get that information by the time of the meeting at which the Council may wish to act and so I have left a blank for it in Section 1.

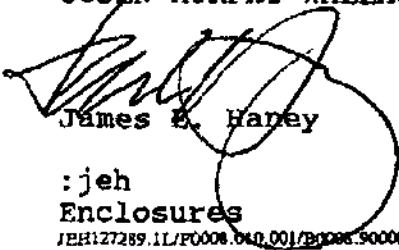
At the upcoming meeting, you may want to advise the Council on the procedure for denying the authorization to circulate the 60% petition on the notice of intent to annex that you already have. If you need any advice on that, let me or Carol know.

Mr. Raymond Gilmore
March 19, 1996
Page 2

Let me know if I can be of further assistance.

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.



James E. Haney

:jeh

Enclosures

JEH127289.1L/P0008.041.001/B3008.900000



P.L.L.C. ATTORNEYS AT LAW

2100 Westlake Center Tower - 1601 Fifth Avenue - Seattle, WA 98101-1686 - (206) 447-7000 - Fax (206) 447-0215

MEMORANDUM

DATE: March 19, 1996

TO: Mayor Gretchen Wilbert and Gig Harbor City Council

FROM: James E. Haney, Office of the City Attorney

RE: Westside Annexation - Summary of Election Method Annexation Procedures

INTRODUCTION/SUMMARY

The Planning Director has requested that we provide you with a brief summary of the procedures involved in annexing property under the resolution-initiated election method. As will be explained in more detail below, the process involves four basic steps: (1) passage of a resolution initiating the process and calling for an election to be held in the territory proposed for annexation; (2) approval by the County Boundary Review Board; (3) the holding of an election for submission of the annexation question and (if proposed) the assumption of indebtedness question to the voters within the proposed annexation area; and (4) passage of an annexation ordinance if the required vote is favorable.

THE INITIATING RESOLUTION

RCW 35A.14.015 - 100 govern election method annexations. Under those statutes, the process may be initiated in one of two ways: (1) by the City Council passing a resolution calling for an election on the question of whether certain property should be annexed; or (2) by the filing of a petition signed by registered voters living in the area proposed to be annexed equal in number to 10% of the votes cast in that area in the last state general election, followed by the passage of a City Council resolution accepting the petition. It is my understanding that the Council may wish to proceed under the first of these two methods, and so the remainder of this memorandum is devoted to a discussion of that method.

JEH126718.1M/F0008.010.001/B0008.90000

Memorandum to Mayor Wilbert and City Council
March 19, 1996
Page 2

RCW 35A.14.015 provides that the initiating resolution must contain each of the following items:

- 1) a determination by the City Council that the best interests and general welfare of Gig Harbor would be served by annexation of the unincorporated territory contiguous to the City;
- 2) a call for, or request that the county auditor call for, an election to be held in the area proposed for annexation so that the question of annexation can be put to a vote. The precise date for this election need not be stated in this resolution, although that is often done. The reason for doing it at this stage is to inform the public of what time frame the Council has in mind. The reason against doing it is that the outcome of the Boundary Review Board Process may change the date and require the Council to amend the resolution later. Our advice is to leave the date out at this point;
- 3) an agreement by the City to pay for the costs of the election;
- 4) a description of the boundaries of the property proposed for annexation;
- 5) a statement of the number of voters residing in the proposed annexation area, as nearly as may be determined;
- 6) the title and text of the ballot proposition to be submitted on the question of annexation, including, if the City has done pre-annexation zoning of the area, a statement that the zoning will be simultaneously adopted and made applicable to the property upon annexation; and
- 7) if the Council so determines, the title and text of a ballot proposition to be submitted on whether the property will, upon annexation, be assessed and taxed at the same rate and on the same basis as the property already within the City of Gig Harbor is assessed and taxed to pay for the then-outstanding indebtedness of the City.

The two ballot propositions described in paragraphs 6 and 7 above can be combined into a single proposition, although that has consequences as to the required majority for passage. RCW 35A.14.085. See the section on "Conduct of the Election" below.

Memorandum to Mayor Wilbert and City Council
March 19, 1996
Page 3

Certified copies of the initiating resolution must be filed with the County Council and the Boundary Review Board immediately after passage.

THE BOUNDARY REVIEW BOARD PROCESS

The Boundary Review Board process can take anywhere from 45 days to 165 days, depending upon the circumstances. The process is commenced by the filing of the initiating resolution and a notice of intention with the Board. RCW 36.93.090. This filing commences a period of 45 days during which certain interested parties can request the Board to review the proposed annexation. RCW 36.93.100. Review can be requested by (1) the filing of a request by any affected government agency, such as the county, a water or sewer district, or another city; (2) the filing of a petition signed by 5% of the registered voters residing in the proposed annexation area or the owners of property consisting of 5% of the assessed valuation within the proposed annexation area; or (3) by a majority of the Board if they concur with a petition filed by 5% of the registered voters who live within one-quarter mile of the proposed annexation area but not within the City of Gig Harbor.

If no proper request for review is filed within the 45 day period, then the proposed annexation is deemed approved by the Board and the election process can go forward. RCW 36.93.100. If a proper request for review is filed, then the Board will set a hearing to consider the annexation. *Id.* That hearing must be concluded and the Board must decide whether the annexation should go forward within 120 days after the filing of the request for review. If the Board does not decide the issue within the 120 day period, the annexation is deemed approved. Thus, if no request for review is filed, the process is over in 45 days, but if a request for review was filed on the 45th day, the process would take 165 days to be completed.

If the annexation is either approved or deemed approved, an election can be held as described in more detail below. If the annexation is not approved by the Board, the City can appeal to the superior court, or can simply let the annexation drop. RCW 36.93.160. If the annexation is dropped after disapproval or the Board's denial is ultimately upheld by the courts, the annexation cannot be resubmitted for a period of 12 months from the date of disapproval. RCW 35A.14.050; RCW 36.93.150(5).

CONDUCT OF ELECTION

If the Boundary Review Board's decision on the annexation is favorable, then the next step in the process is for the Gig Harbor City Council to advise the County Auditor of the City's

Memorandum to Mayor Wilbert and City Council
March 19, 1996
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preferred date for the annexation election. RCW 35A.14.050. If this date has been specified in the initiating resolution, simply transmitting a copy of that resolution to the Auditor with a letter reiterating the Council's preference for election date is sufficient. If the preferred date has not been previously established, a resolution should be passed stating the City's preferred date. That date must coincide with one of the dates for special elections specified in the state election law, RCW 29.13.020. The available dates for the election during the remainder of 1996 are:

- 1) The third Tuesday in May, i.e., May 21;
- 2) The third Tuesday in September, i.e., September 17; and
- 3) The first Tuesday after the first Monday in November, i.e., November 4.

A copy of the resolution with the preferred date should be filed with both the County Council and the County Auditor. The County Council must then call the election for the date specified by the City. RCW 35A.14.050.

After the election is called, a notice of annexation election must be given. RCW 35A.14.070. The notice must:

- 1) particularly describe the boundaries of the area proposed to be annexed;
- 2) state the objects of the election as stated in the resolution;
- 3) require the voters to cast ballots which shall contain the words "For Annexation" or "Against Annexation," or words equivalent thereto, or "For Annexation and Adoption of Proposed Zoning Regulation" and "Against Annexation and Adoption of Proposed Zoning Regulation" in the event that pre-annexation zoning is also proposed; and
- 4) if assumption of indebtedness is proposed, a separate proposition for or against that assumption, provided, that the City can combine this proposition with the annexation question if it desires to do so.

The notice must be posted in four public places within the proposed annexation area for a period of at least two weeks prior to the election, and must also be published once each week for the two weeks prior to the date of the election. The publication must be in a newspaper of general circulation in the area proposed for annexation.

Memorandum to Mayor Wilbert and City Council
March 19, 1996
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The proposition for or against annexation or for or against annexation and adoption of a proposed zoning regulation, as the case may be, is deemed approved if a majority of the votes cast on the proposition are favorable. RCW 35A.14.080. If a separate proposition for assumption of indebtedness is submitted to the voters, that proposition is passed only if a three-fifths majority votes in favor of the proposition and the number of persons voting on the proposition constitutes not less than 40% of the votes cast in the annexation area in the last general election. *Id.* If assumption of indebtedness is combined with annexation in a single proposition, then the three-fifths majority and 40% voter turnout requirements apply to that proposition as a whole and both annexation and assumption of indebtedness fail if the super-majority and voter turnout requirements aren't met. RCW 35A.14.085.

If either or both propositions pass, the County Council enters a finding to that effect in its minutes and transmits a certified copy of that finding to the City Clerk, together with a certified abstract of the vote. RCW 35A.14.080. If annexation and assumption of indebtedness are submitted as a combined or as separate propositions and the combined proposition or both separate propositions pass, the City is required to adopt an ordinance annexing the property and providing for its assumption of indebtedness. RCW 35A.14.090. If annexation and assumption of indebtedness are submitted as separate propositions and annexation passes but assumption of indebtedness doesn't, then the City has the option of deciding not to annex or of deciding to annex without requiring assumption of indebtedness. RCW 35A.14.085; RCW 35A.14.090.

THE ANNEXATION ORDINANCE

Once the City Clerk receives the certified copy of the County Council's finding, the Clerk transmits that finding to the City Council. Assuming that the election results are favorable, the City Council then passes an ordinance annexing the property, adopting the zoning (if that was submitted to the voters and approved), and providing that all property within the annexation area is to be assessed and taxed at the same rate and on the same basis as other property in the City is taxed to pay for the City's indebtedness (if that proposition was also submitted and approved). On the date set forth in the annexation ordinance, the property officially becomes part of the City. RCW 35A.14.100.

After passage of the annexation ordinance, a certified copy of the annexation ordinance should be filed with the County Council. In addition, the Mayor and City Clerk are required to execute and submit an annexation certificate to the State Office of Financial Management. RCW 35A.14.700. The certificate must be submitted in triplicate within 30 days after the effective date of the annexation. A certified copy of the annexation ordinance containing a legal description and a map showing the boundaries of the area must accompany all three copies of

Memorandum to Mayor Wilbert and City Council
March 19, 1996
Page 6

the certificate. Based upon this certificate, the population and territory of the City will be revised for purposes of the allocation of taxes and other monies received from the state.

CONCLUSION

The above is a brief step-by-step summary of the election method process. Additional detail can be provided upon request. As requested by the Planning Director, a sample initiating resolution for the Westside Annexation is attached. Feel free to contact me or Carol Morris with any questions you may have on this memo or the sample resolution.

cc: Planning Director Raymond Gilmore
Carol Morris

0008.010.001

:jeh

03/18/96

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, CALLING FOR AN ELECTION TO BE HELD ON THE ANNEXATION OF PROPERTY COMMONLY KNOWN AS THE WESTSIDE ANNEXATION AREA AND PROVIDING FOR THE SUBMISSION OF TWO BALLOT PROPOSITIONS TO VOTERS WITHIN THAT AREA: ONE PROPOSITION ON THE QUESTION OF ANNEXATION AND ONE PROPOSITION ON THE QUESTION OF ASSUMPTION OF INDEBTEDNESS; AUTHORIZING THE MAYOR AND CITY STAFF TO FILE CERTIFIED COPIES OF THIS RESOLUTION WITH THE COUNTY COUNCIL AND THE PIERCE COUNTY BOUNDARY REVIEW BOARD; AND MAKING THE REQUISITE FINDINGS AND STATEMENTS PROVIDED BY RCW 35A.14.015 FOR INITIATING THE ANNEXATION.

WHEREAS, on February 25, 1996, the City received a notice of intent to annex requesting that the City annex certain property commonly known as the Westside Annexation Area, and

WHEREAS, the notice of intent was signed by the owners of property constituting more than 10% of the total assessed valuation within the area proposed to be annexed, and

WHEREAS, previous owner-initiated proposed annexations of the Westside Annexation Area have proved unsuccessful due to the inability to obtain signatures representing the requisite 60% of assessed valuation required by RCW 35A.14.120, and the City Council is therefore reluctant to authorize circulation of an annexation petition, and

WHEREAS, the City Council has carefully considered the merits of annexing the property known as the Westside Annexation Area and believes the same to be in the best

interests and general welfare of the City and the persons and property owners within the annexation area, and the Council therefore desires to initiate the election method annexation proceedings provided in RCW 35A.14.015, now, therefore,

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

Section 1. Findings. The City Council finds that annexation of the property commonly known as the Westside Annexation Area to the City of Gig Harbor would serve the best interests and general welfare of the City and those persons and property owners within the proposed annexation area. The boundaries of the area proposed to be annexed are more particularly described in the legal description attached to this resolution as Exhibit A and incorporated herein by this reference as if set forth in full. The number of voters residing in the proposed annexation area, as nearly as may be determined from County records, is 926.

Section 2. Call for Election - Ballot Propositions. The City Council hereby calls for an election to be held in the area proposed for annexation and requests that the County Council and County Auditor call the same for a date to be subsequently determined by the City Council upon approval by the Boundary Review Board for Pierce County. The purpose of the election shall be to submit two ballot propositions to the registered voters within the area proposed for annexation. The ballot propositions shall provide for the annexation of the area and for the assumption of a proportionate share of the City's indebtedness and shall be in the following form, or such other form as may be deemed appropriate by the City Attorney:

PROPOSITION NO. _____

Shall the property commonly known as the Westside Annexation Area be annexed to and become a part of the City of Gig Harbor?

FOR ANNEXATION _____

AGAINST ANNEXATION _____

PROPOSITION NO. _____

If the annexation of the Westside Annexation Area to the City of Gig Harbor is approved, shall the property be assessed and taxed at the same rate and on the same basis as the property within the City of Gig Harbor is assessed and taxed to pay for all of the then-outstanding indebtedness of the City?

YES _____

NO _____

Section 3. Date of Election. The City's preference for the date of the election will be determined after approval by the Pierce County Boundary Review Board.

Section 4. Election Costs. The City of Gig Harbor agrees to pay all costs associated with the annexation election.

Section 5. Authority of Mayor and Duties of City Clerk. The City Clerk is directed to file certified copies of this Resolution with the Clerk of the Pierce County Council and with the Pierce County Boundary Review Board. The Mayor and her designees are hereby authorized to execute and file any and all necessary notices of intention and other documents with the County Council and the Boundary Review Board in order to obtain approval of the

annexation and in order to secure authorization for the election at a date to be specified by the City Council by further resolution.

RESOLVED by the City Council this ___ day of _____, 199_.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

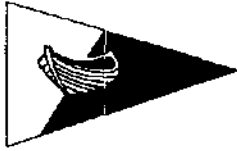
APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____

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

A General Description of the Proposed Westside Annexation Area

The area considered for annexation begins at the west right-of-way line of 38th Street NW along the south line of the north half of Section 20, Township 21 N, Range 2 E. Wm, proceeding easterly along the south line of the subdivisions of Briarwood, Quail Park and Quail Run and follows the Urban Growth Area boundary easterly to the east right-of-way line of SR-16; then, it proceeds northerly along the state right of way inclusive of the Olympic Drive interchange area of SR-16, proceeding northerly along the east right-of-way line to include two "islands" of property owned by Fred Stroh adjacent to Hunt Street, thence north to the current city boundary, thence west across SR-16 following the current city boundary to where it intersects with Wollochet Drive NW, thence southerly following the south right-of-way line of Wollochet Drive to its intersection of Hunt Street NW, thence easterly along the north right of way line of Hunt Street to its intersection with 38th Street NW, thence southerly along the west right-of-way line of 38th street NW to the point of beginning.



City of Gig Harbor. The "Maritime City."

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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: TOM ENLOW
DATE: February 28, 1996
SUBJECT: ORDINANCE TO CORRECT 1996 SALARY SCHEDULE

INTRODUCTION

The wrong salary range was used for the Administrative Receptionist position in the 1996 budget ordinance. This ordinance will correct the error.

RECOMMENDATION

Staff recommends adoption of this ordinance.

**CITY OF GIG HARBOR
ORDINANCE NO. ____**

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING ORDINANCE 700, RELATING TO THE ESTABLISHMENT OF THE 1996 CITY PERSONNEL SALARY SCHEDULE.

WHEREAS, RCW Chapter 35A.33.075 requires that the City adopt a yearly budget ordinance setting the next year's salary schedule for city employees; and

WHEREAS, the City complied with the above and adopted Ordinance No. 700 setting the 1996 salary schedule for city employees; and

WHEREAS, Ordinance No. 700 must now be amended to correct an error in the salary schedule;

NOW, THEREFORE, the City Council of the City of Gig Harbor **DO ORDAIN** as follows:

Section 1. Ordinance No. 700 is hereby amended to establish and adopt the 1996 personnel salary schedule as set forth in Attachment 'A', attached hereto and incorporated herein by this reference.

Section 2. 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 ____ day of March, 1996.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark Hoppen
City Administrator/Clerk

Filed with city clerk: 2/28/96
Passed by the city council:
Date published:
Date effective:

ATTACHMENT "A"
1996 SALARY SCHEDULE

<u>POSITION</u>	<u>RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
City Administrator	\$4,710	\$5,888
Public Works Director	4,218	5,273
Chief of Police	3,991	4,989
Planning Director	3,718	4,648
Finance Director	3,800	4,750
Police Lieutenant	3,460	4,326
Public Works Supervisor	3,298	4,123
Police Sergeant	3,296	4,120
Fire Marshal/Building Official	3,256	4,070
Sewer Plant Supervisor	3,157	3,946
Planning Associate	2,786	3,483
Police Officer	2,764	3,455
Construction Inspector	2,740	3,425
Sewer Plant Operator	2,698	3,373
Foreman	2,760	3,450
Maintenance Worker	2,500	3,125
Engineering Technician	2,437	3,046
Administrative Assistant	2,360	2,950
Public Works Assistant	2,360	2,950
Court Administrator	2,278	2,848
Finance Technician	2,156	2,695
Planning-Building Assistant	2,156	2,695
Laborer	2,117	2,646
Court Clerk	2,065	2,581
Police Services Specialist	1,980	2,475
Administrative Receptionist	1,869	2,336



City of Gig Harbor. The "Maritime City."

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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: TOM ENLOW
DATE: March 14, 1996
SUBJECT: ORDINANCE TO SEGREGATE ULID NO. 2 ASSESSMENTS

INTRODUCTION

Ottie Ladd, the owner of the property where Harbor Market, Kentucky Fried Chicken, Minit Lube and Parker Paint are located has requested a segregation of the ULID No. 2 assessments on that property. Currently Minit Lube, Parker Paint and the rear portion of Harbor Market and Kentucky Fried Chicken are on one parcel and the remainder of Harbor Market and Kentucky Fried Chicken are on another. Mr. Ladd has segregated the parcels for property tax purposes in a manner consistent with the use of the property and requests a segregation of the ULID No. 2 assessments on the same basis.

RCW 35.44.410 grants the Council the power to make such segregations when the property has been sold in part or subdivided, but states that no segregation need be made if doing so would jeopardize the security of associated ULID bonds. In this case, no ownership change is contemplated. Mr. Ladd is seeking a simpler and more justifiable method of distributing property costs to his tenants.

RECOMMENDATION

Staff recommends adoption of the ordinance at its second reading.

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 adopted Ordinance No. 564, passed September 25, 1989; and

WHEREAS, since the confirmation of the assessment roll for ULID No. 2, parcels numbered 022117-4-040 and 022117-4-031, have been segregated for tax purposes into parcels numbered 022117-8-068, 022117-8-069, 022117-8-072 and 022117-8-073; 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; and

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. 022117-4-031 and 022117-4-040 ("Existing Parcels").

1. The Existing Parcels have been developed and connected to the city sewer system.
2. The Existing Parcels have been segregated for tax purposes by the owner in a manner consistent with the usage of the properties into Parcel Nos. 022117-8-068, 022117-8-069, 022117-8-072 and 022117-8-073 as shown in Exhibit B.
3. 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 Existing Parcels as shown in Exhibit C.
4. The total of the segregated assessments for Parcels 022117-8-068, 022117-8-069, 022117-8-072 and 022117-8-073 is equal to the original assessments on the Existing Parcels.
5. 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