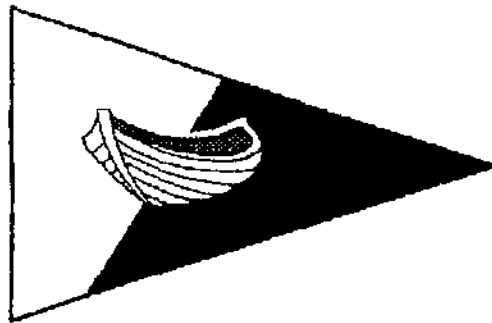


**GIG HARBOR  
CITY COUNCIL MEETING**



**MARCH 13, 1995**

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



**AGENDA FOR GIG HARBOR CITY COUNCIL MEETING**  
**March 13, 1995 - 7:00 p.m.**

**PUBLIC COMMENT/DISCUSSION:**

**PUBLIC HEARING:**

Shoreline Permit 94-05 - Harborview Condo Marina.

**CALL TO ORDER:**

**APPROVAL OF MINUTES:**

**CORRESPONDENCE:**

1. Request for Nomination for Board of Commissioners for Pierce Transit.

**OLD BUSINESS:**

1. Selection of Additional Member to the Design Guidelines Technical Committee.

**NEW BUSINESS:**

1. Hearing Examiner Recommendation - Alastra Lane Planned Unit Development.
2. Police Guild Contract.
3. Personnel Regulations.
4. 1995 Job Descriptions.
5. Liquor License Renewals - Eagles, Rib Ticklers, and Tides Tavern.

**MAYOR'S REPORT:**

Duties, Responsibilities, and Obligations of a Mayor

**COUNCIL COMMENTS:**

Report on DNR Land - Councilman John Picinich.

**STAFF REPORTS:**

1. Chief Richards - Police Department.
2. Tom Enlow, Finance Director - 1993 Audit Report.

**ANNOUNCEMENT OF OTHER MEETINGS:**

**APPROVAL OF BILLS:**

**APPROVAL OF PAYROLL:**

**EXECUTIVE SESSION:** To discuss litigation and property acquisition.

**ADJOURN:**





*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: PLANNING STAFF**  
**DATE: MARCH 13, 1995**  
**SUBJECT: SDP 94-05 - CHARLES L. HUNTER -- REQUEST FOR SUBSTANTIAL DEVELOPMENT SHORELINE PERMIT ALLOWING EXPANSION OF EXISTING HARBORVIEW MARINA.**

#### **INTRODUCTION/BACKGROUND**

At its February 12th meeting, the City Council reviewed a proposal to expand the Harborview Marina which is currently a legally non-conforming structure. The City Council requested a legal opinion on the zoning code and shoreline master program regulations pertaining to expansion of non-conforming structures. In addition, the City Council opted to hold its own de novo public hearing on March 13th.

Attached is a copy of a memo submitted to the Council on February 12th regarding the proposed expansion. The memo and the attached staff report describe pertinent issues. In addition, the Hearing Examiner's report is included.



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**TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS**  
**FROM: PLANNING STAFF** *S.O.*  
**DATE: FEBRUARY 12, 1995**  
**SUBJECT: SDP 94-05 - Charles L. Hunter -- Request for substantial development shoreline permit allowing expansion of existing Harborview Marina.**

### **INTRODUCTION/BACKGROUND**

The Harborview Condominium Marina is a covered marina consisting of 51 slips with only one slip greater than 45 feet in length. This requires 26 parking stalls under the current zoning code regulations. Right now, there are 31 parking stalls on-site. Two of the stalls do not meet the minimum stall size of 9 X 19 but the 29 full-size stalls on the site provide 3 surplus parking stalls for additional moorage.

The parcel has three non-conformities on the site including (a) covered moorage, which is not allowed under the City's Shoreline Master Program, and (b) a lack of required landscaping for the parking lot, and (c) lack of a public view/access opportunity.

### **REQUEST/PROJECT DESCRIPTION**

The current request is to add three uncovered slips of 19 X 60 feet to the end of the existing dock and to relocate the existing end-slip to the end of the new dock. The proposal would result in a net increase of 3 slips. No other improvements are proposed. Because of the existing parking surplus, no parking lot changes are necessary.

### **POLICY**

Relevant policies governing shoreline development and site plan approval as stated in the City's zoning ordinance comprehensive plan and Shoreline Master Program are outlined on pages 2 - 8 of the staff report to the Hearing Examiner (attached).

### **PERTINENT ISSUES**

This proposal raised numerous concerns both by the staff and by nearby property owners. The staff was concerned over the proposed end slip because of its configuration. The proposed slip would be irregularly shaped, tapering down on the south end. This would require that a moored vessel be located as far north as possible with its bow facing south to avoid encroachment beyond the outer harbor line. The Hearing Examiner therefore recommended that no vessels be tied to the end of the dock unless the applicant could demonstrate that there will be at least 18 feet between the outer harbor line and any portion of the dock ( based upon a pending survey of the outer harbor line by the State).

The recommended restriction on the end slip resulted in a request for Hearing Examiner reconsideration by Mr. Gregory Clark of Harborview Condominium Homeowners Association . Mr. Clark claimed that not allowing moorage as shown on their plan would take away the rightful use of their lease land and that they would not moor any vessels beyond the outer harbor line.

A second request for reconsideration was submitted by Mr. John Paglia, attorney for Mr. Adam Ross, who raised numerous issues pertaining to code compliance of non-conforming structures. Mr. Paglia contended that the existing marina structure does not meet setback requirements and/or visual access requirements.

In response to both requests for reconsideration, the Hearing Examiner concluded that neither request provided any information describing how the structure does not meet current requirements or which showed that the decision of the Examiner was based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the hearing. Both requests for reconsideration were therefore denied. The Hearing Examiner's decision was based upon findings and conclusions which are outlined in his reconsideration report (attached).

The more complex matter addressed by the Hearing Examiner was the issue of non-conforming uses and structures. Mr. Paglia's concerns over non-conformities were based upon the zoning ordinance's statement that "No such nonconforming structure may be altered in any way that increases its nonconformity or enlarges any of its dimensions, but any structure or portion thereof may be altered to decrease its nonconformity" (GHMC Section 17.68.040(A)).

Mr. Paglia also referenced Section 4.14 of the Shoreline Master Program which states that (a) Nonconforming development may be continued provided that it is not enlarged, intensified, increased, or altered in any way which increases its nonconformity and (b) A nonconforming development which is moved any distance must be brought into conformance with the Master Program and the Act. The latter statement apparently applies to moveable structures (e.g., houseboats); while the former statement prohibits expansions which increase a non-conformity. The proposed addition to the Harborview Marina would not increase any non-conformity. It would meet the current setback requirements, it would not encroach into any existing view corridors, and it would not require parking beyond what is already provided on the site. The parking lot's non-conforming landscaping is therefore not an issue.

While the zoning code states that a non-conforming structure may not be enlarged in any of its dimensions, this has consistently been interpreted to mean that non-conforming dimensions of a structure may not be enlarged. This is essentially how the Shoreline Master Program reads. Moreover, the City's legal counsel has advised that when there is a conflict between state law and local law, the state law prevails.

In summary, the staff has determined that because the proposed expansion occurs on the back side of the marina, the existing nonconformity pertaining to a public viewing/access opportunity would not be increased. The proposed moorage slips would not be covered, so the non-conforming roof structure would not be expanded. The parking lot currently has surplus parking so the non-conforming parking lot (as to landscape requirements) would not be expanded.

## **RECOMMENDATION**

GHMC Section 17.10.170 states that "Any application requiring action by the city council shall be taken by the adoption of a resolution or ordinance by the council. When taking any such final action the council shall make and enter findings of fact from the record and conclusions therefrom which support such action. The city council may adopt all or portions of the examiner's findings and conclusions".

Section 4.03 of the Shoreline Master Program states that the City Council may "Approve, approve with conditions, or deny shoreline substantial Development . . . Permits after considering the findings and recommendations of the Administrator and Hearing Examiner; PROVIDED that any decisions on this matter made by the council may be further appealed to the State Shorelines Hearings Board as provided for in the Act." This section also states that the Council may "conduct its own public hearing in accordance with Section 4.08(C)(1)".

The Hearing Examiner has recommended approval of the requested shoreline permit subject to the same conditions recommended by the staff except that condition #1 has been modified by the Examiner to allow end-moorage subject to the 18 foot clearance described earlier and that the Examiner has added an additional condition #9 which requires a "no moorage" sign be placed on the northwest side of the dock. A copy of the Hearing Examiner's report to the Council, the Hearing Examiner's reconsideration report, the Staff report to the Examiner, and a draft resolution approving the requested shoreline permit are attached for the Council's consideration. Illustrations of the proposal are also attached.

Due to the complexity of this issue, the Council may choose to allow additional time to consider this matter or hold an additional public hearing.





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**CITY OF GIG HARBOR  
SHORELINE MANAGEMENT  
SUBSTANTIAL DEVELOPMENT PERMIT**

- Substantial Development
- Conditional Use
- Variance

Application No: SDP 94-05

Date Received: September 19, 1994

Approved: XXX

Denied:

Date of Issuance: February 13, 1995

Date of Expiration: February 13, 2000

Pursuant to RCW 90.58, a permit is hereby granted/denied to:

Charles L. Hunter  
P.O. Box 410  
Gig Harbor, WA 98335

To undertake the following development:

Add three new uncovered slips to existing Harborview Marina.

Upon the following property:

3219 Harborview Drive, Assessor's parcel number's 02-21-05-3-034 & 056

On the Gig Harbor Bay Shoreline and/or its associated wetlands. The project will not be within shorelines of Statewide Significance per RCW 90.58.030 and is within an Urban Environment designation.

Development pursuant to this permit shall be undertaken subject to the following terms and conditions:

1. Except for the moorage indicated on the submitted site plan, no other moorage is permitted, e.g., no vessels shall be tied to the side of the dock in the required side yard setback and no vessels shall be tied to the end of the dock unless the applicants can document that at least 18 feet exists between the outer harbor line and any portion of the dock.
2. The new slips shall not be covered.
3. Prior to permit issuance, a pump-out facility plan shall be submitted to and approved by the Gig Harbor Public Works and Planning Departments. The pump-out shall be conveniently accessible to all boats. The pump-out facility shall be installed and operational prior to issuance of an occupancy permit.
4. The project shall comply with all HPA (hydraulics permit) requirements as determined by the Department of Fisheries.
5. The marina fire flow system must be upgraded to provide the protection required under section (6), Appendix II-C, 1991 Uniform Fire Code. Hose stations, fire lines, cross connection control and fire department connections must be provided.
6. A street fire hydrant must be made available within 150 feet of the Marina and fire department connection.
7. A knox box will be required for the gate key if one is not already provided.
8. A complete plan review will be completed upon submittal of plans for a building permit.
9. Signs shall be placed on the northwest side of the expanded moorage facility stating "no moorage allowed".

This permit is granted pursuant to the Shoreline Management Act of 1972 and the City of Gig Harbor 1994 Shoreline Master Program. Nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act, RCW 90.58.

This permit may be rescinded pursuant to RCW 90.58.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

Construction pursuant to this permit will not begin and is not authorized until thirty (30) days from the date of filing with the Department of Ecology as defined under RCW 90.58.140(6) or until all

review proceedings initiated within thirty (30) days from the date of such filing have terminated, except as provided in RCW 90.58.140 (5)(a-c).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor, City of Gig Harbor

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**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A  
CONDITIONAL USE OR VARIANCE PERMIT.**

Date received: \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Development shall be undertaken pursuant to the following additional terms and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official

**CITY OF GIG HARBOR  
RESOLUTION NO. \_\_\_\_**

**WHEREAS**, Chuck Hunter, representing Harborview Condominium Homeowners Association, has requested approval of a shoreline substantial development permit to allow an expansion of the existing moorage facility at 3219 Harborview Drive; and

**WHEREAS**, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management permits; and,

**WHEREAS**, the Planning Department for the City of Gig Harbor has recommended approval of the shoreline permit in a staff report dated November 16, 1994; and,

**WHEREAS**, a public hearing was held on November 16, 1994 with the Hearing examiner to accept public input relating to this request; and,

**WHEREAS**, a revised site plan was submitted the day of the public hearing, resulting in a two week extension of the Hearing Examiner's deadline for making a decision; and,

**WHEREAS**, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions based upon the staff report and upon input received at the public hearing and has recommended approval of the application in his report dated December 19, 1994; and,

**WHEREAS**, a request for reconsideration of the Hearing Examiner's decision was submitted asking that the hearing examiner reconsider a limitation on a moorage slip; and,

**WHEREAS**, a second request for reconsideration of the Hearing Examiner's decision was submitted based upon allegations that the proposed use did not conform to code regulations for non-conforming development; and

**WHEREAS**, the existing development on the site includes three known non-conformities including (a) covered moorage, which is not allowed as per Section 3.01(5) of the city's Shoreline Master Program (SMP); a lack of required landscaping for parking lots as required by Section 17.78.080 of the Gig Harbor Municipal Code (GHMC); and a lack of public viewing opportunities as required by SMP Section 3.01(2) and as per GHMC Section 17.50.040(2); and,

**WHEREAS**, the Gig Harbor Shoreline Master Program prohibits expansion of non-conforming development which increases the nonconformity;

**WHEREAS**, the City Council finds that the proposed addition to the existing Harborview Marina will not result in an expansion of the existing non-conformities on the site, to wit: the proposed moorage slips will not be covered, so the non-conforming roof structure will not be expanded; the parking lot currently has surplus parking so the non-conforming parking lot (as to landscape

requirements) will not be expanded; and the existing non-conformity pertaining to a public viewing/access opportunity will not be increased;

**WHEREAS**, the hearing examiner denied the requests for reconsideration based upon findings and conclusions in his reconsideration report dated January 26, 1995;

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

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated December 19, 1994 and in his reconsideration report dated January 26, 1995 are hereby adopted and the application for a Shoreline Management Substantial Development permit is **APPROVED** subject to the following conditions:

1. Except for the moorage indicated on the submitted site plan, no other moorage is permitted, e.g., no vessels shall be tied to the side of the dock in the required side yard setback and no vessels shall be tied to the end of the dock unless the applicants can document that at least 18 feet exists between the outer harbor line and any portion of the dock.
2. The new slips shall not be covered.
3. Prior to permit issuance, a pump-out facility plan shall be submitted to and approved by the Gig Harbor Public Works and Planning Departments. The pump-out shall be conveniently accessible to all boats. The pump-out facility shall be installed and operational prior to issuance of an occupancy permit.
4. The project shall comply with all HPA (hydraulics permit) requirements as determined by the Department of Fisheries.
5. The marina fire flow system must be upgraded to provide the protection required under section (6), Appendix II-C, 1991 Uniform Fire Code. Hose stations, fire lines, cross connection control and fire department connections must be provided.
6. A street fire hydrant must be made available within 150 feet of the Marina and fire department connection.
7. A knox box will be required for the gate key if one is not already provided.
8. A complete plan review will be completed upon submittal of plans for a building permit.
9. Signs shall be placed on the northwest side of the expanded moorage facility stating "no moorage allowed".

**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 13th day of February, 1995.

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

ATTEST:

\_\_\_\_\_  
Mark E. Hoppen  
City Administrator/Clerk



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**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Hearing Examiner  
**FROM:** Planning Staff  
**DATE:** November 16, 1994

**RE:** SDP 94-05 - Charles L. Hunter -- Request for substantial development shoreline permit allowing expansion of existing Harborview Marina.

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**I. GENERAL INFORMATION**

**APPLICANT:** Charles L. Hunter  
P.O. Box 410  
Gig Harbor, WA 98335  
Telephone: 851-3329

**OWNER:** Harborview Condominium Owners Assoc.  
3219 Harborview Drive  
Gig Harbor, WA 98332  
Telephone: 851-3948

**AGENT:** n/a

**II. PROPERTY DESCRIPTION**

1. **Location:** 3219 Harborview Drive  
Tax assessor's parcel #02-21-05-3-034 & 056

2. **Site Area/Acreage:** 1.28 acres

3. **Natural Site Characteristics:**

- i. **Soil Type:** (Gig Harbor Bay)
- ii. **Slope:** 2-3% (bottom of bay) the street level.
- iii. **Drainage:** n/a
- iv. **Vegetation:** none - upland portion of site 100% developed

4. **Zoning:**

- i. **Subject parcel:** WM (Waterfront Millville)
- ii. **Adjacent zoning and land use:**
  - North:** WM
  - South:** WM
  - East:** Gig Harbor Bay
  - West:** DB (Downtown Business)

5. **Utilities/road access:** The parcel is served by City sewer and water and is accessed off Harborview Drive - a City street.

**III. APPLICABLE LAND-USE POLICIES/CODES**

1. **Comprehensive Plan:** The Comprehensive Plan designates this area as waterfront.

Pg. 35 - GOAL - Protect Natural Quality. Preserve and protect the unique, interdependent relationship between the water, land and cultural heritage.

Pg. 35, #3 - Water and shoreline quality - Define and regulate activities which can possibly contaminate or pollute the harbor and shorelines including the use or storage of chemicals, pesticides, fertilizers, fuels and lubricants, animal and human wastes, erosion and other potentially polluting practices or conditions.

Pg. 36, #2 - Pleasure boating and marinas - Permit uncovered moorage and encourage the development of temporary docking facilities for visiting boats. Retain the maximum open surface water area possible to facilitate safe and convenient watercraft circulation to the outer harbor line.

2. **Gig Harbor Shoreline Master Program:**

Section 3.11 - MARINAS, MOORAGE FACILITIES, PIERS, DOCKS AND FLOATS includes, in part, the following policies and regulations:

**POLICIES:**

- 1. Marina developments should be designed and constructed to minimize interference with views.
- 2. Marinas should be designed so that they will have minimum interference with public use of the surface of the water and should not extend beyond the Outer Harbor Line.
- 3. Marinas should be designed to provide vessel access consistent with the established



private property and state lease land boundaries.

4. Marinas should be located and constructed so that they minimize harmful effects to the water quality or the aquatic life and habitat.
5. Piers and floats should be designed so that they will have minimum interference with the public use of the water's surface and access along the water's edge.
6. Piers and floats should be designed to accommodate a wide range of uses wherever feasible.
7. Adjoining waterfront property owners should be encouraged to share a common pier or float.
8. Where liveaboard vessels are moored, provisions would be made to transfer waste discharges from vessels to a permitted or approved waste water treatment facility.

#### REGULATIONS:

3. Automobile parking shall be provided by the marina developer at the following ratios:  
(A) One space for every two berths of moorage less than forty-five feet in length. (B) One space for every berth of moorage forty-five feet or greater.
4. Marinas shall be designed, built, and operated so that no part of a pier or float or moored watercraft extends waterward of the outer harbor line at any time.
7. All moorage, wharves, piers floats and vessels moored at marina facilities shall be located no closer than twelve feet from the property line, either private property or state lease land. Location closer than twelve feet from the property line may be permitted upon the submission to the City of a covenant executed between the property owner/applicant and the adjacent property owner covering the agreement for the joint use of common lot lines, which covenant shall run with the land and be filed with the Pierce County Auditor as a covenant with the land. The intent of this regulation is to provide a minimum ingress/egress of twenty-four (24) feet. All space greater than twenty-four feet in width is intended to be provided by the applicant or through an agreement with the adjacent property owner/lessee.
9. Where moorage is offered in new, expanded or renovated existing marinas, pump-out, holding and/or treatment facilities shall be provided for sewage contained on boats and/or vessels. Such facilities shall be located so as to be conveniently accessible to all boats. The responsibility for the adequate and approved collection and disposal of marina originated sewage, solid waste and petroleum waste lies with the marina operator.

#### **3. Zoning Ordinance:**

The existing facility is located within the WM (Waterfront Millville, Section 17.46). Moorage facilities are permitted in this zone.

Respective to boat moorage, Section 17.76 requires the following:

- A. The approval of the City Engineer as to structural integrity and safety.
- B. Moorage must be at least 12 feet from a side property line.
- C. Fences or other obstruction to the view from adjacent properties or the street shall not be permitted.
- D. Parking for activities related to watercraft shall be provided with the following ration of off-street automobile parking spaces to moorage:
  - 1. Moorage/slip less than 45 feet, one space for every two berths.
  - 2. Moorage/slip 45 feet or longer, one space for every berth.
  - 3. All moorage facilities shall provide a minimum of two parking spaces.

#### **Shoreline Management Act (RCW 90.58)**

The Shoreline Management Act provides the legal basis of the goals and objectives of all local shoreline master programs. The Shoreline Management Act finds that:

"In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible, consistent with the overall best interest of the state and people generally...

"Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers and other improvements facilitating public access to shoreline of the state..."

The expanded moorage would be located on a Shoreline of Statewide Significance (RCW 90.58.030(2)(e)(ii)E(iii)) and the following general guidelines (RCW 90.58.020), in order of preference, are stated:

- A. Preserve and protect the state-wide interest over local interest.
- B. Preserve the natural character of the shoreline.
- C. Result in long-term over short-term benefit.
- D. Protect the resources and ecology of the shorelines.
- E. Increase public access to publicly owned areas of the shorelines.
- F. Increase recreational opportunities for the public in the shoreline.
- G. Provide for any other development as defined in RCW 90.58.100 deemed appropriate or necessary.

The proposal provides increased recreational opportunities for the public and is an acceptable use for a Shoreline of Statewide Significance.

#### **IV. BACKGROUND INFORMATION:**

The Harborview Condominium Marina is a covered marina which, according to an inventory submitted by the applicant listing boats currently moored at the marina, consists of 51 slips with only one slip greater than 45 feet in length. This requires 26 parking stalls under the current zoning code regulations. Right now, there are 31 stalls on-site, two of which do not meet the minimum stall size of 9 X 19. The applicant has submitted an inventory of boats currently being moored at the marina including the following:

There are currently 4 liveaboards at the marina but there are no pump-out facilities for sewerage disposal. The updated Shoreline Master Program requires pump out facilities for all new, expanded or renovated facilities (pg. 33, #9).

To the north of the applicant's lease area is a non-leasable area call a navigation corridor. The corridor was defined by the Department of Natural Resources when Mr. Pete Darrah requested approval to expand his moorage facility. Concerns were expressed at that time that further development in this area would severely limit access to existing moorage facilities. The navigation corridor extends up to Harborview Marina's north property line but does not include lease area east of the Marina. In effect, the navigation corridor will have no impact on development plans for the Harborview Marina.

#### **V. REQUEST/PROJECT DESCRIPTION:**

The current request is to add three new uncovered slips of 20 X 60 feet. The slips would be added to the end of the existing dock and would result in the loss of the 76 foot slip at the end of the current dock. The net result - two new slips would be created.

#### **VI. PUBLIC NOTICE:**

The property was posted and legal notice was sent to property owners within 300 feet of the property on November 4, 1994 and to the Peninsula Gateway for publication on October 5, 1994 and October 12, 1994. As of November 9, 1994, the only formal input received has been from the Department of Fish and Wildlife stating the concerns over the use of creosote in the aquatic environment. They have requested that concrete, steel or recycled plastic piles be used instead of creosote treated wood piles.

#### **VII. ANALYSIS:**

The proposed development meets all zoning requirements pertaining to parking and setbacks and is consistent with the stated goals and policies in the Shoreline Master Program with the exception of the required pump-out facility. A pump-out will be required as part of this development. The planning staff has no other concerns with this proposal.

Additional Staff and/or agency comments are as follows:

1. Building Official:
  - i. The marina fire flow system must be upgraded to provide the protection required under section (6), Appendix II-C, 1991 Uniform Fire Code. Hose stations, fire lines, cross connection control and fire department connections must be provided.
  - ii. A street fire hydrant must be made available within 150 feet of the Marina and fire department connection.
  - iii. A knox box will be required for the gate key if one is not already provided.
  - iv. A complete plan review will be completed upon submittal of plans for a building permit.
2. Public Works: (no comments)
3. SEPA Responsible Official: The SEPA Responsible Official has determined that this application is exempt from SEPA review as per WAC 197-11-800-1-a-i.

## **VIII. FINDINGS:**

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds that the proposed development meets the general goals and policies for development of the shoreline as stated in Part 2 of the City's Shoreline Master Program, and also the specific goals and policies for marina development stated in Part 3.11 of the Shoreline Master Program, with the exception of the requirement for a pump-out facility.

## **IX. RECOMMENDATION:**

The staff recommends approval of the requested substantial development shoreline permit allowing 3 new slips of 20 X 60 feet, subject to the following conditions:

1. Except for the moorage indicated on the submitted site plan, no other moorage is permitted, e.g., no vessels shall be tied to the side of the dock in the required side yard

setback and no vessels shall be tied to the end of the dock extending beyond the outer harbor line.

2. The new slips shall not be covered.
3. Prior to permit issuance, a pump-out facility plan shall be submitted to and approved by the Gig Harbor Public Works and Planning Departments. The pump-out shall be conveniently accessible to all boats. The pump-out facility shall be installed and operational prior to issuance of an occupancy permit.
4. The project shall comply with all HPA requirements as determined by the Department of Fisheries.
5. The marina fire flow system must be upgraded to provide the protection required under section (6), Appendix II-C, 1991 Uniform Fire Code. Hose stations, fire lines, cross connection control and fire department connections must be provided.
6. A street fire hydrant must be made available within 150 feet of the Marina and fire department connection.
7. A knox box will be required for the gate key if one is not already provided.
8. A complete plan review will be completed upon submittal of plans for a building permit.

Project Planner: Steve Osguthorpe, Associate Planner



Date: 11-10-94

**CITY OF GIG HARBOR  
HEARING EXAMINER  
FINDINGS CONCLUSIONS AND RECOMMENDATION**

---

**APPLICANT:** Charles L. Hunter  
**CASE NO.:** SDP 94-05  
**LOCATION:** 3219 Harborview Drive  
**APPLICATION:** Request for approval of a substantial development shoreline permit to allow the expansion of Harborview Marina.

**SUMMARY OF RECOMMENDATIONS:**

Planning Staff Recommendation: Approve with conditions  
Hearing Examiner Recommendation: Approve with conditions

**PUBLIC HEARING:**

After reviewing the official file which included the Planning Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Hunter application was opened at 5:00 p.m. November 16, 1994, in City Hall, Gig Harbor, Washington, and closed for oral testimony at 5:22 pm. The hearing was held open administratively until 5:00 p.m. on November 30, 1994. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the hearing. A verbatim recording of the hearing is available in the Planning Department.

**COMMENTS**

The following is a summary of comments offered at the public hearing:

From the City:

Steve Osguthorpe, Associate Planner, reviewed the staff report and entered it into the record, along with a letter submitted by Robert Frisbie. He also entered into the record a revised plan submitted by the applicant and said he had just received it and has not had an opportunity to review it. He asked that the hearing be continued administratively so he could review it and submit an addendum to the staff report.

From the Applicant:

Charles Hunter, Applicant, said he prepared the revised drawing and said there is 60 feet between the existing Harborview dock and the Ross dock and the proposal would have a minimum of a 56 feet between the two docks. He noted that the revised plans resulted in a slightly reduced size of dock from the original plan which was submitted earlier. He said the owners of the Harborview Marina had no objections to a requirement which would prohibit any moorage on the northwest side (Ross side) of the new dock.

Tom Semon, one of the owners of the Harborview Marina, said the owners want to be able to moor a boat on the end of the new dock, but planned to stay within the harbor line. He said that the owners wanted to be able to complete the permit review process now, but said they did not plan to construct the addition to the dock until after the harbor line is clearly established in early 1995.

**From the Community:**

Adam Ross, Jr. said he had no objections if conditions are met to preserve the open area so he can maneuver his boat into his dock.

**WRITTEN COMMENTS:**

Written comments were submitted by two members of the community and submitted into the record at the public hearing. During the administrative continuance, staff prepared a memorandum on 11/22/94 which was given to the applicant for a response. The written response from the applicant was due on 11/30/94, but was not prepared and submitted until 12/2/94 (after the administrative continuance had ended).

Robert Frisbie submitted a letter in which he said he wanted to insure that the review process for this application (which is the first application under the revised Shoreline Master Program) is complete. He also requested that this application be tabled until the Department of Natural Resources produces a recorded survey locating the outer harbor line which will not be available until December 1994 or January 1995 (see Exhibit B)

Adam Ross expressed concern that if boats were to be moored on the western side of the marina extension it could restrict access to his moorage. He requested that a condition of approval for the expansion be that no vessels be allowed to moor on the western side of the floats (see Exhibit D).

**FINDINGS CONCLUSIONS AND RECOMMENDATION:**

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

**I. FINDINGS:**

- A. The information contained in sections I through VII of the Planning Staff Advisory Report (Hearing Examiner Exhibit A) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.

- B. Staff recommended approval of the original request, subject to conditions (Exhibit A).

After review of the revised plan, staff recommendd that the conditions of approval be modified because staff believed the revised proposal does not meet the requirements of the Gig Harbor Shoreline Master Program. The principal issue focused on the proposed moorage at the end of the dock and its proximity to the outer harbor line (Exhibit E). The memo stated that staff is not support of a moorage arrangement which depends upon a vessel's size, shape and position in the slip to conform to code requirements as it would result in an enforcement problem.

## II. CONCLUSIONS:

- A. The information prepared by the Planning Staff and contained in Section VII of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.
- B. The proposal is a minor modification and expansion of an existing marina and therefore should not trigger all of the requirements of the revised Shoreline Master Program (i.e. landscaping, etc.)

The location of the outer harbor line will determine whether the expansion will be for two or three slips. The proposed expansion would provide only minimal width for the 60 foot long slips and finger piers and based upon the revised plan (Exhibit C) would provide inadequate width for a typical 60 foot long vessel at the end of the dock unless that vessel was positioned just right. Staff is correct that approval of the moorage as proposed would in all likelihood result in enforcement problems.

Therefore, I concur with staff that any moorage on the end of the proposed dock expansion should be allowed only if a typical 60 foot long vessel can be moored in either direction oat the end of the dock with no portion of the vessel extending beyond the outer harbor line.

- C. The request from Adam Ross and the agreement from the applicants that no moorage should be allowed on the northwest side (Ross side) of the dock is reasonable and should be made a condition of approval.



### III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended that the substantial development permit to allow up to three new 20 x 60 foot slips be approved, subject to the following conditions:

1. Except for the moorage indicated on the submitted site plan, no other moorage is permitted, e.g. no vessels shall be tied to the side of the dock in the required side yard setback and no vessels shall be tied to the end of the dock unless the applicants can document that at least 18 feet exists between the outer harbor line and any portion of the dock.
2. The new slips shall not be covered.
3. Prior to permit issuance, a pump-out facility plan shall be submitted to an approved by the Gig Harbor Public Works and Planning Departments. The pump-out shall be conveniently accessible to all boats. The pump-out facility shall be installed and operational prior to issuance of an occupancy permit.
4. The project shall comply with all HPA requirements as determined by the Department of Fisheries.
5. The marina fire flow system must be upgraded to provide the protection required under section (6), Appendix II-C, 1001 Uniform Fire Code. Hose stations, fire lines, cross connection control and fire department connections must be provided.
6. A street fire hydrant must be made available within 150 feet of the Marina and fire department connection.
7. A knox box will be required for the gate key if one is not already provided.
8. A complete plan review will be completed upon submittal of plans for building permit.
9. Signs shall be placed on the northwest side of the expanded moorage facility stating "no moorage allowed".

Dated this 14th day of December, 1994.



Ron McConnell  
Hearing Examiner

### RECOMMENDATION:

Any aggrieved person feeling that the decision of the Examiner is based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the Examiner within ten (10) days of the date the decision is rendered. This request shall set forth the specific errors of new information relied upon by such appellant, and the Examiner may, after review of the record, take further action as he or she deems proper.

**COUNCIL ACTION:**

Any application requiring action by the City Council shall be taken by the adoption of a resolution or ordinance by the Council. When taking any such final action, the Council shall make and enter Findings of Fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance or rezone of property, the ordinance shall not be placed on the council's agenda until all conditions, restrictions, or modifications which may have been stipulated by the Council have been accomplished or provisions for compliance made to the satisfaction of the Council.

The action of the Council, approving, modifying, or reversing a decision of the Examiner, shall be final and conclusive, unless within twenty (20) business days from the date of the Council action an aggrieved party of record applies for a Writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action taken.

**MINUTES OF THE NOVEMBER 16, 1994  
HEARING OF THE HUNTER  
APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing were: Steve Osguthorpe, representing the City of Gig Harbor, Charles Hunter, the applicant; Tom Semon, on of the owners of the subject dock; and Adam Ross, Jr., a neighbor.

**EXHIBITS:**

The following exhibits were offered and entered into the record:

- A. Planning Staff's Advisory Report, with attachments.
- B. Letter from Robert Frisbie, dated 11/15/94
- C. Revised Plans
- D. Letter from Adam Ross, Jr., dated 11/16/94
- E. Memo from Steve Osguthorpe, dated 11/22/94

**PARTIES OF RECORD:**

Charles Hunter  
P.O. Box 410  
Gig Harbor, WA 98335

Robert Frisbie  
9720 Woodworth Avenue  
Gig Harbor, WA 98332

Harborview Condominium Owners  
Association  
3219 Harborview Drive  
Gig Harbor, WA 98332

Tom Semon  
13029 Pt. Richmond Beach Road  
Gig Harbor, WA 98335

Adam Ross Jr.  
P.O. Box 638  
Gig Harbor, WA 98335

RECEIVED

JAN 30 1995

CITY OF GIG HARBOR  
HEARING EXAMINER RECONSIDERATION OF RECOMMENDATION  
FILE NO. SDP 94-05  
(HUNTER)

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I. FINDINGS:

- A. John Paglia, Attorney for Adam and Maxine Ross, aggrieved adjacent property owners; and Gregory Clark, secretary of the Harborview Condominium Owners Association both requested reconsideration of my recommendation on File No. SDP 94-05.
- B. Mr. Paglia seeks reconsideration because he contends the existing Harborview Marina is a non-conforming structure because it fails to meet the City's setback requirements and therefore cannot be increased in size unless it is brought into conformance with the regulations.

Additionally, he contends, the marina is in conflict with Shoreline policy 3.01.2 which states:  
Shoreline developments should provide visual access to the water. (See Reconsideration Exhibit A).

- C. Gregory Clark contends the amended site plan more than satisfies all setback and other regulations and therefore should be approved as submitted and he stated the Harborview Condominium Owners Association would go on record that they will not moor any vessels outside their designated lease area.

He requested that the Shoreline Permit be issued as depicted on their amended site plan. See Reconsideration Exhibit B.

- D. No information was submitted at the hearing which suggested that the Harborview Marina structure itself was non-conforming and did not meet the setback requirements. In fact, the first paragraph of Section VII of the staff report dated November 16, 1994, stated:

"The proposed development meets all zoning requirements pertaining to parking and setbacks and is consistent with the stated goals and policies in the Shoreline Master Program with the exception of the required pump-out facility. A pump-out will be required as part of this development. The planning staff has no other concerns with the proposal.

II. CONCLUSIONS:

- A. Mr. Paglia, in his request for reconsideration, has contended that the existing marina does not meet the setback requirements, but he did not offer any substantive information which would indicate that the existing marina structure is in fact a non-conforming structure. If the existing structure does not meet the setback requirements, it is difficult to believe that information could not be reasonably available at the hearing, which has been held on this case.

In his notation of Shoreline Policy 3.01.2, he fails to acknowledge that the marina is already in existence and the request is merely to extend the marina a short distance and that the extension will have little or no impact on visual access to the water from the shoreline in front of the Harborview Marina.

- B. In his letter, Mr. Clark basically restated arguments which were made at the hearing by the Harborview Marina representative Mr. Charles Hunter.

- C. Neither request for reconsideration provided any information which showed that the decision of the Examiner was based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonable available at the hearing. Therefore, both of the requests for reconsideration should be denied.

### III. DECISION:

Based upon the foregoing findings and conclusions, both of the requests for reconsideration are denied.

Dated this 26th day of January, 1995.



Ron McConnell  
Hearing Examiner

### COUNCIL ACTION:

Any application requiring action by the City Council shall be taken by the adoption of a resolution or ordinance by the Council. When taking any such final action, the Council shall make and enter Findings of Fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance or rezone of property, the ordinance shall not be placed on the council's agenda until all conditions, restrictions, or modifications which may have been stipulated by the Council have been accomplished or provisions for compliance made to the satisfaction of the Council.

The action of the Council, approving, modifying, or reversing a decision of the Examiner, shall be final and conclusive, unless within twenty (20) business days from the date of the Council action an aggrieved party of record applies for a Writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action taken.

### RECONSIDERATION EXHIBITS:

- A. Request for reconsideration from John Paglia, Attorney for Adam and Maxine Ross, dated December 23, 1994
- B. Request for reconsideration from Gregory Clark, received December 27, 1994.

Charles Hunter  
P.O. Box 410  
Gig Harbor, WA 98335

Robert Frisbie  
9720 Woodworth Avenue  
Gig Harbor, WA 98332

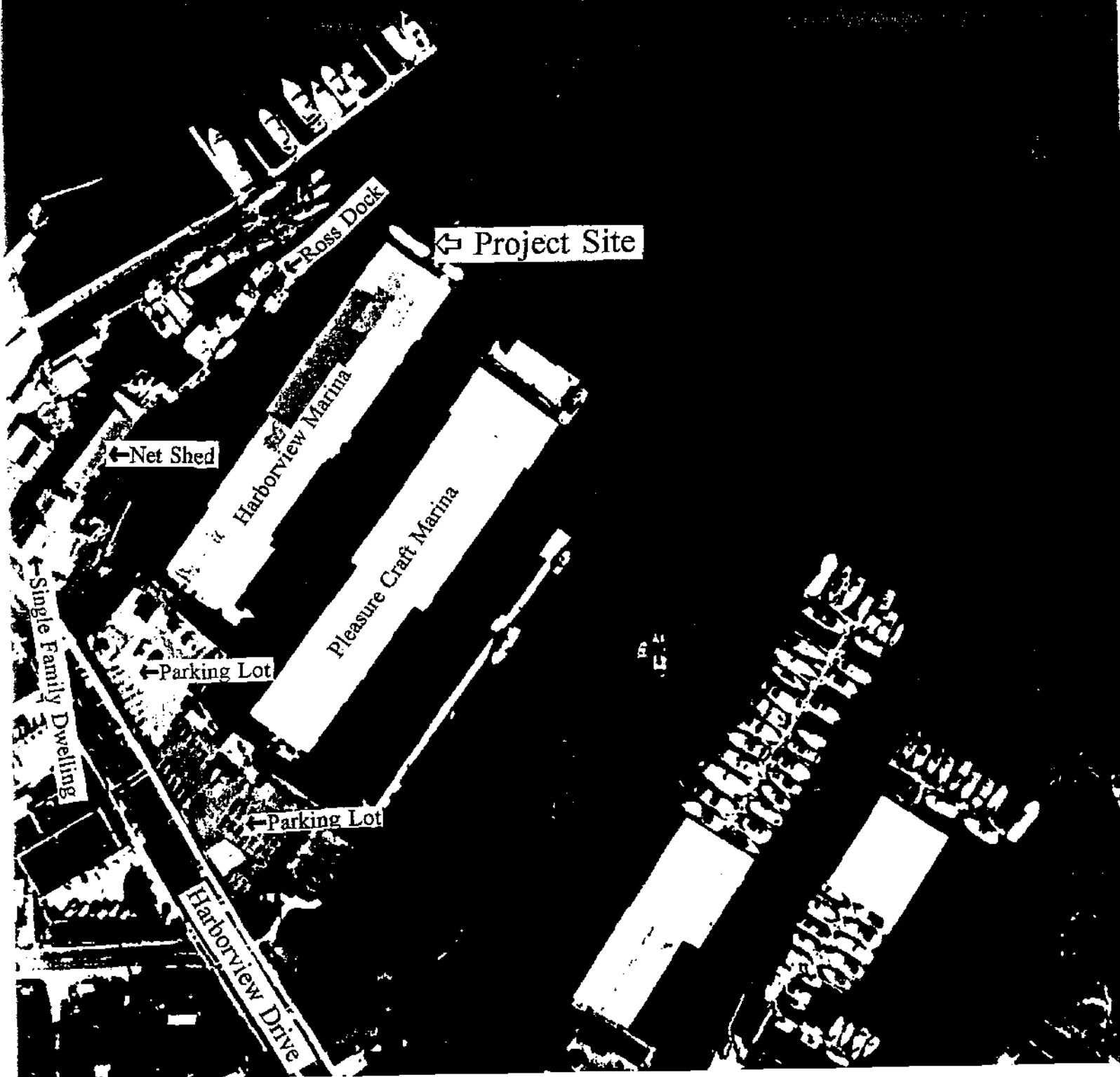
Harborview Condominium Owners  
Association  
3219 Harborview Drive  
Gig Harbor, WA 98332

Tom Semon  
13029 Pt. Richmond Beach Road  
Gig Harbor, WA 98335

Adam Ross Jr.  
P.O. Box 638  
Gig Harbor, WA 98335

John Paglia  
Suite 304 Professional Building  
705 South 9th Street  
Tacoma, WA 98405

Harbor View Marina Expansion  
Adjacent Structures  
Scale: 1" = 150 feet



← Net Shed

← Ross Dock

↔ Project Site

← Harborview Marina

← Pleasure Craft Marina

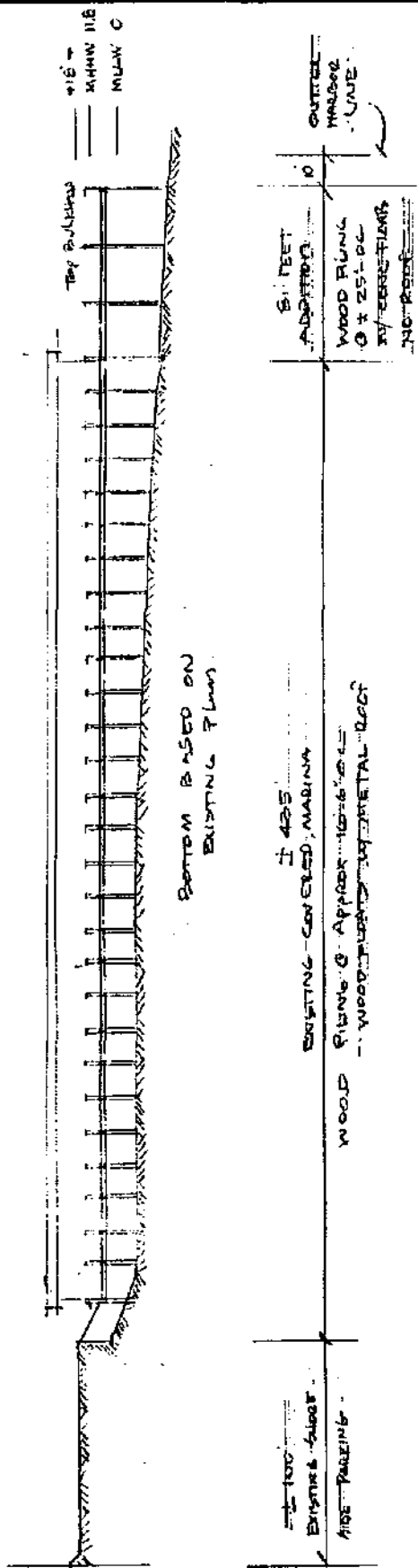
← Parking Lot

← Parking Lot

← Single Family Dwelling

Harborview Drive





SECTION BASED ON  
EXISTING PLAN

1/2\"/>

EXISTING COVERED MARINA

WOOD PLANKS APPROX 1 1/2\"/>

5\"/>

ADDITION

WOOD PLANK  
2\"/>

RY ROASTINGS

NO ROOF

0

OUTSIDE  
WALLS  
LINE

**TYPICAL SECTION OF EXISTING**

SCALE 1/2\"/>





**REGULAR GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 27, 1995**

**PRESENT:** Councilmembers Picinich, Ekberg, Stevens Taylor, Platt and Mayor Wilbert.  
Councilmember Markovich was absent.

**PUBLIC COMMENT / DISCUSSION:** None.

**CALL TO ORDER:** 7:05 p.m.

**APPROVAL OF MINUTES:**

**MOTION:** Move approval of the minutes of the February 13, 1995 meeting as presented.  
Picinich/Ekberg - Three voting in favor. Councilmember Stevens Taylor abstained.

**CORRESPONDENCE:**

1. Letter Regarding Fire at Murphy's Landing. Mayor Wilbert spoke briefly about this letter from William Owel, President of the Murphy's Landing Board of Directors, thanking Chief Richards and Officer Busey for their rapid response and assistance during the recent boat fire at the marina.
2. AWC Wellness Program. Mayor Wilbert thanked staff for their efforts and participation in a wellness incentive program which resulted in a \$780 grant to be used toward future wellness programs.

**OLD BUSINESS:**

1. Second Reading - Ordinance for Annexation 91-07 Wollochet Interchange. *Councilmember Stevens Taylor recused herself from this agenda item.* Ray Gilmore presented the second reading of this ordinance approving the annexation.

**MOTION:** Move to adopt Ordinance #690 for the Gig Harbor Annexation 91-07, also known as the Tallman Annexation.  
Picinich/Ekberg - unanimously approved.

2. Design Guidelines Technical Committee Appointments. Mayor Wilbert stated that Councilmembers had met in a worksession at 6:30 and had agreed upon a selection of participants. She added that it was suggested to add another position to the committee.

**MOTION:** Move we add another position for a lay citizen living outside city limits but having a business interest within the City of Gig Harbor, bringing the committee total to 8 members.  
Picinich/Stevens Taylor - unanimously approved.

The suggested names for the committee are as follows:

Wade Perrow  
Rick Gagliano  
Charles Hunter  
Jim Franich  
Peter Norman

**MOTION:** Move we adopt these persons for members of the Design Technical Committee and give citizens two weeks for the submittal of letters of interest for the eighth position approved this evening.  
Picinich/Stevens Taylor - unanimously approved.

3. Proclamation and Agreement Draft for a Sister City. Mayor Wilbert presented the third grade students from Discovery Elementary School with two Proclamation/Agreements to adopt Ancud, Chile and a Village on Sakhalin Island, Russia, as Sister Cities to the City of Gig Harbor contingent upon Council's approval.

**MOTION:** Move to authorize the Discovery Elementary Students to establish the two Sister Cities.  
Picinich/Stevens Taylor - unanimously approved.

Patricia Hale - Sister City Organization. Ms. Hale, State Coordinator for the Sister City Organization, spoke briefly about how impressed her organization was with this group of students. She added that they are the youngest group to apply for a Sister City, and that this was the first application to include Chile in a Sister City effort. She said the students would be mentioned in the organization's international letter.

Mayor Wilbert introduced local citizen Marie Jurlin. Her husband Nick, was instrumental in teaching fishermen in Chile how to fish on seiners.

#### **NEW BUSINESS:**

1. North Harborview Drive Professional Services Contract. Ben Yazici presented this support services contract with Inca Engineering, Inc. to provide construction surveying, and structural engineering reviews for this project.

**MOTION:** Move we authorize the Mayor to sign a professional services contract with Inca Engineers, Inc. to do the construction surveying and construction support engineering services for \$34,939.45.  
Ekberg/Picinich - unanimously approved.

2. Employee and Supervisory Guild Contracts - 1995. Mark Hoppen presented these contracts and thanked Councilmembers Platt and Markovich for their time and effort in reaching the terms of the contracts.

**MOTION:** Move to approve these contracts as presented.  
Stevens Taylor/Platt - unanimously approved.

3. De Novo Appeals Contract. Mark Hoppen presented an updated agreement with Gerald Johnson to represent the city with de novo appeals. He added that due to the increase in rate from \$45 an hour to \$85 an hour, he asked that Ogden Murphy and Wallace present a contract for similar services for comparison, which was included in the packet.

Councilman Platt said that he would prefer to go with Ogden Murphy & Wallace for consistency in legal representation. Councilmember Stevens Taylor mirrored his comments.

**MOTION:** Move we sign the agreement with Mann & Johnson for de novo appeals for \$85 an hour for partners and \$50 an hour for associates.  
Picinich/Ekberg - Councilmembers Picinich and Ekberg voted in favor, Councilmembers Stevens Taylor and Platt voted against. Mayor Wilbert broke the tie with a vote in favor of retaining Mann & Johnson.

4. Utility Extension Capacity Agreement Request - Burnham Drive Commercial Park. Mark Hoppen presented this request by Beth and Wade Perrow to extend a water line from the Women's Correction Center on Bujacich Drive to their facility on Burnham Drive. Mr. Perrow gave a brief history of the city-owned well on his property and answered questions from Council and the Mayor regarding the proximity of the line.

**MOTION:** Move to approve the water system extension to the Burnham Drive Commercial Park as proposed.  
Stevens Taylor/Picinich - Three voted in favor. Councilman Ekberg voted against.

5. Approval of TAXTOOLS License Agreement. Tom Enlow presented this agreement to purchase this software to assist in the monitoring of sales tax receipts.

**MOTION:** Move to direct the Mayor to sign the TAXTOOLS Purchase Agreement.  
Ekberg/Stevens Taylor - Three voted in favor. Councilman Platt voted against.

6. Name for the East/West Road. Mayor Wilbert presented this request from Pierce County to choose a new name for the road to run between Swede Hill and Peacock Hill Avenue because that name already exists on another road in the county. She suggested due to the fact that George Borgen, a local citizen, had given so much to the community, that the road be named "George Borgen Boulevard". Councilmember Stevens Taylor suggested that because this was a major road it be named with something other than a person's name.

**MOTION:** Move we submit the name George Borgen Boulevard to the County Council.  
Ekberg/Picinich - Three voted in favor. Councilmember Stevens Taylor voted against.

**MAYOR'S REPORT:**

Clean Marina + Clean Boating + Clean Water Partnership. Mayor Wilbert gave a brief report on this manual made possible by the efforts of local marina owners and the Puget Soundkeeper Alliance. She added that a brochure also will be produced to give to transient boaters who come into the harbor.

**STAFF REPORT:**

Public Works Department. Ben Yazici gave an update on upcoming projects. He explained that construction on the Department of Correction waterline was underway and the Wastewater Treatment Plant expansion project was progressing. He added that the sewer line to Woodhill Pump Station was going to be completed this week and the Harborview Drive / North Harborview Drive project was to begin this week. He also added that the Olympic Interchange project would be starting in approximately six weeks.

Ben then showed Councilmembers and Staff the piece of broken water pipe where the fallen electrical line on Pioneer Street the other evening caused the pipe to melt.

Administration. Mark Hoppen asked Council to take a look at the comments from the Department of Community Trade and Economic Development relating to the City's Comprehensive Plan. He highlighted several items on which the Department requested clarification pertaining to water systems, sewer, population and density, and the capital facilities plan.

**COUNCIL COMMENTS:**

Councilmember Stevens Taylor asked about the lane closures during construction of the major interchanges slated to begin this spring. Ben explained that one lane would be kept open for travel during the peak hours. Councilmember Stevens Taylor asked about open house presentations to the local people by United Infrastructure regarding the bridge proposals. Mark Hoppen explained that they will be scheduling several community meetings in the future.

**ANNOUNCEMENT OF OTHER MEETINGS:** None.

**APPROVAL OF BILLS:**

**MOTION:** Move approval of warrants #13703 through #13763 in the amount of \$36,942.07.  
Platt/Stevens Taylor - unanimously approved.

**EXECUTIVE SESSION:**

**MOTION:** Move to go into Executive Session at 8:15 p.m. for the purpose of litigation, negotiation, and property acquisition for approximately 30 minutes.  
Picinich/Platt - unanimously approved.

**MOTION:** Move to return to regular session.  
Picinich/Stevens Taylor - unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 8:55 p.m.  
Platt/Picinich - unanimously approved.

Cassette recorder utilized.  
Tape 379 Side A 369 - end.  
Tape 379 Side B 000 - end.  
Tape 380 Side A 000 - end.  
Tape 380 Side B 000 - 126.

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Mayor

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City Administrator





RECEIVED  
FEB 10 1995

February 8, 1995

Gretchen Wilbert, Mayor  
Gig Harbor City Council  
P. O. Box 145  
Gig Harbor, WA 98335

Dear Mayor Wilbert:

The position on the Board of Commissioners for Pierce Transit elected by the eleven towns and cities within the Pierce Transit boundary will be up for renewal May 1, 1995. Councilmember Mary Joyce, from the Town of Ruston, has represented the municipalities since December 1993 when she filled the unexpired term of the previous representative. The Board of Commissioners is requesting your cooperation in the nomination and selection of one representative to fill this at-large position. Accordingly, we ask that you please present this item at your next Council meeting for action.

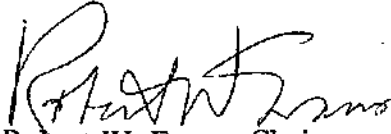
As information, the Pierce Transit Board meets the second and fourth Mondays of each month at 5 p.m. at Pierce Transit headquarters, located at 3701 - 96th Street S.W., Tacoma. Board members also have committee responsibilities that require additional meeting commitments. All Board members' terms are for a three-year period; this position's term will expire on May 1, 1998.

In accordance with our bylaws, the following election procedure will be followed:

1. If your council wishes to submit a nomination, the enclosed nomination form must be submitted to Sandy Byers, Pierce Transit Clerk of the Board, no later than **5 p.m. on Wednesday, March 22, 1995.**
2. On **March 24, 1995**, a ballot listing the prospective nominees will be mailed to the eleven town and city councils. Your council will have until **5 p.m. on May 1, 1995**, to return your ballot to the Pierce Transit Clerk of the Board.
3. All ballots must be accompanied by a certified copy of the council resolution or motion. The Clerk of the Board shall count the ballots and announce the results of the balloting to the Board of Commissioners. A plurality of ballots cast will determine the successful candidate.
4. In the event of a tie, the city and town councils will have an additional thirty days to reconsider. The ballot procedure will be repeated until a candidate is selected by a plurality vote.

On behalf of Pierce Transit's Board of Commissioners, I wish to express my appreciation for your cooperation.

Yours very truly,

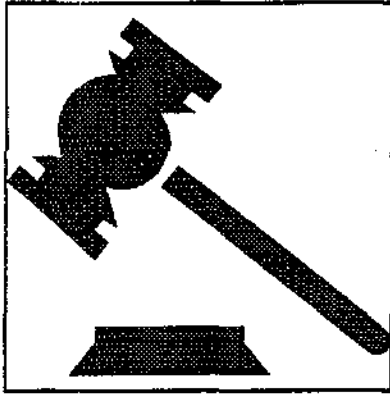
A handwritten signature in black ink, appearing to read "Robert W. Evans". The signature is fluid and cursive, with the first name being the most prominent.

Robert W. Evans, Chairman  
Pierce Transit Board of Commissioners

Enclosure

cc: Pierce Transit Board of Commissioners  
Don S. Monroe, Executive Director  
Sandy Byers, Clerk of the Board  
Gig Harbor City Administrator





## NOMINATION FORM

The town/city of \_\_\_\_\_ wishes to nominate  
Councilmember \_\_\_\_\_ to serve as a member  
of the Board of Commissioners for Pierce Transit for a three-year term, May 1, 1995, to  
April 30, 1998, representing the following towns and cities within the Pierce Transit  
boundary:

Bonney Lake  
Buckley  
DuPont  
Fife  
Fircrest  
Gig Harbor

Milton  
Orting  
Ruston  
Steilacoom  
Sumner

Date: \_\_\_\_\_ By: \_\_\_\_\_

**This form must be received by Pierce Transit's Clerk of the Board by 5 p.m.,  
Wednesday, March 22, 1995.**

Post-It® Fax Note 7871		Date 2/21/95	# of pages 1
To Mayor Wilbert	From Mary K. Joyce		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax # 752-3754		

February 22, 1995

Dear Mayor:

It's been fifteen months since I was elected to be the representative of the small cities and towns on the Pierce Transit Board.

I have attempted to serve you well. I have attended the board meetings and the special meetings of the committees to which I was assigned. I also attended the meetings with the persons with special needs. Funding was tight and these citizens had legitimate complaints which we were able to resolve.

It has been an exciting time and a challenging time.

Our staff does an excellent job. They are very conscientious about keeping the board well informed. It has been a pleasure to work with them.

It would be my pleasure to continue to serve as your representative. Your support would be greatly appreciated.

Very truly yours,

*Mary K. Joyce*  
Mary K. Joyce



*City of Gig Harbor. The "Maritime City."*

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

**TO: CITY COUNCILMEMBERS**  
**FROM: GRETCHEN WILBERT, MAYOR**  
**SUBJECT: APPOINTMENT OF ADDITIONAL MEMBER TO THE DESIGN  
GUIDELINES TECHNICAL COMMITTEE**  
**DATE: MARCH 8, 1995**

#### **INTRODUCTION/BACKGROUND**

At the February 27th Council meeting, you gave consideration and recommendations for membership on the Design Guidelines Technical Committee. Your action requested the addition of a committee position open to business interests within the city, and to extend an invitation for submittal of letters of interest to the Mayor.

Public notice was given and an additional application was received and reviewed.

#### **RECOMMENDATION**

I recommend you to appoint Lita Dawn Stanton, an associate in Milner Gallery on Harborview Drive, as the business representative on the Design Guidelines Technical Committee.





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: PLANNING STAFF** *S.O.*  
**DATE: MARCH 13, 1995**  
**SUBJECT: SUB 94-02 (PUD) - ALASTRA COURT PLANNED UNIT DEVELOPMENT**

### **INTRODUCTION/BACKGROUND**

The Council will recall that the proposed PUD for Alastra Lane was remanded back to the Hearing Examiner to consider issues pertaining to parking and density. The staff requested that the applicant provide addition information on the availability of parking for the project and determine which units (if any) have adequate space on site for guest parking (e.g., in front of the garages). In addition, the applicant was requested to consider similar projects for comparison and to reconsider the density and/or arrangement of the structures to provide more surface area for parking. In response, a revised site plan was submitted with a larger parcel size. This allowed more flexibility in addressing the parking issue without reducing the open space. The proposal now includes 4.1 parking spaces per unit. In addition, the park size was expanded and one unit was deleted. A detailed description of the changes is included in the staff report to the Hearing Examiner ( Ron McConnell reviewed the initial proposal while Bob Burke, Hearing Examiner Pro Tem, reviewed the application at the second public hearing). A copy of the staff's revised report to the Hearing Examiner along with both Hearing Examiners' reports are attached. In addition, a draft resolution approving the proposed development, is attached for the Council's consideration.

### **POLICY**

According to Section 17.90.020, the Council, after receiving recommendations from the Hearing Examiner, shall approve, approve with conditions, or disapprove proposed planned unit developments subject to input received at the public hearing and the provisions of this chapter. The Council's review is not a public hearing.

### **STAFF ANALYSIS**

As noted in the staff recommendation to the Hearing Examiner, the staff supports the proposed PUD. It is consistent with surrounding development, it provides a controlled transition (i.e., private covenants) between more intense land uses and single family development, and it provides a better use of a parcel that is not ideally situated for single family development.

The proposal is also consistent with several goals and policies for affordable housing in the City's Comprehensive Plan. As stated on pages 44 & 51 of the Housing Element, a household with an income of \$44,584 could afford a mortgage of approximately \$88,500 - \$99,000 (depending on

interest rates) without being cost burdened (i.e., without paying more than 30% of income on housing costs). The 1990 median income level was \$33,321, showing that a single family house would be unaffordable to more than 50% of the City's population. Nonetheless, the potential build-out within City limits accommodates five times more single family than multifamily units. The Housing Element addresses this imbalance with the stated goals to minimize housing costs by identifying areas where small lots may be allowed to accommodate smaller single family houses, patio houses, or townhouses, and to provide incentives for increased densities on residential lots (pg. 53).

### **RECOMMENDATION**

The staff recommends approval subject to the conditions recommended by the Hearing Examiner in his revised report dated January 5, 1995.

**CITY OF GIG HARBOR  
HEARING EXAMINER  
FINDINGS, CONCLUSIONS AND RECOMMENDATION**

---

**APPLICANT:** David Fisher  
**CASE NO.:** SUB 94-02 (PUD)  
**LOCATION:** Approximately 4410 Alastra Lane  
**APPLICATION:** Reconsideration of requested planned unit development consisting of 29 residential court homes.

**SUMMARY OF RECOMMENDATIONS:**

Staff Recommendation: Approve with conditions

Hearing Examiner Recommendation: Approve with conditions

**PUBLIC HEARING:**

After reviewing the official file which included the Community Development Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the reconsideration of the Fisher application was opened at 5:20 p.m., February 15, 1995, in the City Hall, Gig Harbor, Washington, and closed at 6:00 pm. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the meeting. A verbatim recording of the hearing is available in the Planning Department.

**HEARING COMMENTS:**

The following is a summary of the comments offered at the public hearing:

**From the City:**

Steve Osguthorpe, Associate Planner, reviewed the staff report and entered it into the record. He noted that:

- The City Council at their January 23, 1995 meeting had expressed two primary concerns about the project including the density of the project and whether it provided adequate parking for guests and had remanded it back to the Hearing Examiner.
- The applicant had increased the site area by 11,000 square feet; reduced the density by one unit to 28; enlarged the park by 15%; increased lot sizes by 5% to accommodate on-site parking on driveways; and increased community/visitor parking spaces.

**From the Applicant:**

David Fisher, Project Architect, reviewed the project concept and identified the additional site area which will be used for open space and the revisions to the site plan reducing the density and increasing parking.

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David Fisher  
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Kent Stepan  
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**FINDINGS,**

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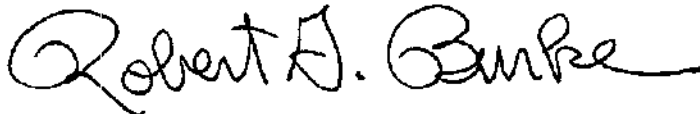
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3. Sidewalks shall be located on the east (uphill side) of the roadway only.
4. Units 22 and 23 shall be located far enough back from the sidewalk to accommodate a 20-foot distance between the garage and the street pavement.
5. Units 8-10 and 19-20 shall be located far enough back from the sidewalk to accommodate a 20 foot distance between the garage and the inside edge of the sidewalk.
6. To avoid a decrease in the minimum of 50% open space, the number of parking spaces in the community parking lots shall be reduced an equivalent amount.

Dated this 2nd day of March, 1995.



Robert G. Burke  
Hearing Examiner, Pro Tem

#### **RECONSIDERATION:**

Any aggrieved person feeling that the decision of the Examiner is based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the Examiner within ten (10) days of the date the decision is rendered. This request shall set forth the specific errors of new information relied upon by such appellant, and the Examiner may, after review of the record, take further action as he or she deems proper.

#### **COUNCIL ACTION:**

Any application requiring action by the City Council shall be taken by the adoption of a resolution or ordinance by the Council. When taking any such final action, the Council shall make and enter Findings of Fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance or rezone of property, the ordinance shall not be placed on the council's agenda until all conditions, restrictions, or modifications which may have been stipulated by the Council have been accomplished or provisions for compliance made to the satisfaction of the Council.

The action of the Council, approving, modifying, or reversing a decision of the Examiner, shall be final and conclusive, unless within twenty (20) business days from the date of the Council action an aggrieved party of record applies for a Writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action taken.

**MINUTES OF THE FEBRUARY 15, 1995 HEARING  
ON THE RECONSIDERATION  
OF THE FISHER APPLICATION**

Robert Burke was the Hearing Examiner Pro Tem for this matter. Participating in the hearing were: Steve Osguthorpe, representing the City of Gig Harbor; and David Fisher and Kent Stepan, representing the applicant; and concerned residents Al Muehlebruch and Jeff Crowder.

The following exhibits were offered and entered into the record:

- A. Planning Staff Advisory Report
- B. Comparison of Cluster Homes vs. Suburban Track Development
- C. Pierce County Development Regulations

**PARTIES OF RECORD: (\*from December 21, 1994 Hearing)**

David Fisher  
5715 Wollochet Drive, #2A  
Gig Harbor, WA 98332

Bill Zawlocki\*  
7323 46th Avenue  
Gig Harbor, WA 98335

Rush Construction\*  
5715 Wollochet Drive  
Gig Harbor, WA 98335

Doug Price\*  
7411 Soundview Drive #1  
Gig Harbor, WA 98335

Kent Stepan  
4610 Salmon Creek Lane  
Gig Harbor, WA 98335

Ken Price\*  
4562 Hidden Haven Lane  
Gig Harbor, WA 98335

Jeff Crowder  
4405 72nd Street Court N.W.  
Gig Harbor, WA 98335

Al Muehlebruch  
7321 43rd Avenue Court N.W.  
Gig Harbor, WA 98335

### III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended that the proposed PUD be approved, subject to the following conditions:

1. Fire flow must be provided to within 300 feet of each entrance to each parcel in accordance with Section 10.401, 1991 Uniform Fire Code.
2. Required fire hydrants and access must be provided as per the Uniform Fire Code and as approved by the Fire Marshal.
3. The hammer head turn-around which are at the ends of roadways over 150 feet from public roadways must remain accessible. The roadways and turn-arounds must be identified as fire lanes.
4. The project shall conform to Section 2B.070 of the Public Works Standards referring to private streets, including the provision of a 24-foot roadway and curbs, gutters and sidewalks on one side of the street as approved by the Public Works Department.
5. Water and sewer must come from Skansie. Minimum grade from 76th Street must be maintained for the sewer line. Non inside or outside drops will be allowed. Water might be looped with the PTI Waterline, depending upon the fire flow requirements. The adjacent duplexes may hook into the proposed sewer line subject to approval by the Director of Public Works and subject to a connection fee in an amount to be approved by the Director of Public Works.
6. The entire roadway must be overlaid along Skansie and 76th Street wherever the sewer line is installed.
7. Maintenance of all privately owned PUD common areas and the landscaping and/or plantings contained therein, shall be permanently maintained by a homeowners association. The association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
  - a. The enforcement of covenants imposed by the landowner or developer.
  - b. The levying and collection of assessments against all lots to accomplish the associations responsibilities.
  - c. The collection of delinquent assessments through the courts.
  - d. The letting of contracts to build, maintain and manage common facilities.
8. A final landscaping plan for the common areas within the plat shall be submitted to and approved by the Planning Department prior to permit issuance. The plan shall include provisions for a mechanical irrigation system in the central common green area, and the plant size and species used to re-vegetate the disturbed portion of the perimeter buffer. Landscaping shall be consistent with all zoning code requirements and shall be installed prior to occupancy of the last six units.

9. All trees within 10 feet of the rear property lines and which have a trunk diameter of 6 inches or more shall be surveyed, flagged, and recorded with the Planning Department prior to commencement of major excavation. Each tree lost due to disturbance or root damage during construction shall be replaced with two fir trees, minimum 6 feet tall. Existing trees will be considered lost or damaged if excavation occurs within the drip line of the tree's canopy. This will result in significant root damage, thereby threatening the health of the tree over the long term. Minor modification to the site plan may be allowed by the Planning Director in order to save as many significant trees as is practical.
10. Strict limits of disturbance shall be complied with on this project. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation begins. The barricade should be visually and functionally significant (e.g. a fence made of plywood or construction safety fencing attached to steel T-posts or heavy lumber).
11. In lieu of construction of required improvement prior to final plat approval, a bond equal to an amount of 120% of the contractor's bid for all improvements required under the preliminary plat and PUD approval shall be posted with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required improvements to City standards within the time specified shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.
12. Prior to building permit issuance, a grading and drainage plan, including provisions of stormwater collection and retention, shall be submitted to the Public Works Department for review and approval.
13. Construction on the project must commence within 12 months for the date of Council Action of the PUD; otherwise, the approval of the application become null and void (GHMC Section 17.90.080). Prior to the 12 month construction commencement deadline, and prior to permit issuance, the applicant shall apply for and receive preliminary plat approval. The preliminary plat shall conform to the design and layout of the approved PUD and shall be consistent with GHMC Section 16.16.

14. The design of structures and landscaping on the property shall be consistent with the approved PUD and architectural designs. These shall be recorded with the Pierce County Auditor's office either as an attachment to the plat or as a separate recording. If recorded separately, the plat shall reference the recording number. Minor design and dimension alterations which do not alter the general scale, character, or intensity of development as shown on the recorded documents may be approved jointly by the Planning Director and owner or homeowner's association. Major amendments shall be approved only through City-adopted amendment processes for PUD's and the joint approval of all owners of the property.
15. In conjunction with preliminary plat approval by the City Council, drawings of utilities and roadway details shall be submitted to the Public Works Department for review and approval.
16. Prior to or in conjunction with the preliminary plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site shall be formally platted as separate parcels.
17. The preliminary plat shall include a 30 foot fire access easement across the parcel proposed for the existing house and which is to be platted as a separate parcel from the PUD. The easement shall be improved with a minimum 24-foot traversable surface wherever two-way traffic is involved, and a minimum 15 foot wide traversable surface for one-way traffic. On way traffic shall be established beyond the point of driveway access to the existing residence, i.e., if the easement is used for normal residential purposes, it shall be considered two-way. Any portion of the fire access which is 12% or greater shall be paved with asphalt.
18. Prior to final plat approval, a six foot high solid wood fence shall be constructed along the west property line and along the westernmost 280 feet of the south property line.
19. Pursuant to GHMC Section 17.90.060C, within three (3) years of PUD approval, the applicant shall file with the City Council a final subdivision plat for the PUD.

Dated this 5th day of January, 1994.

Ron McConnell  
Hearing Examiner



City of Gig Harbor. The "Maritime City."

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

**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Hearing Examiner  
**FROM:** Planning Staff *S.O.*  
**DATE:** February 15, 1995

**RE:** SUB 94-02 (PUD) -- David Fisher - Reconsideration of requested planned unit development consisting of 29 residential court homes at approximately 4410 Alastra Lane.

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**I. BACKGROUND INFORMATION**

On November 16, 1994 a public hearing was held before the Hearing Examiner on a proposed PUD consisting of 29 units on a parcel accessed off of Alastra Lane. After considering all public input, the Hearing Examiner recommended approval of the PUD in his report dated January 5, 1995. The Examiner's recommendation incorporated all conditions recommended by the Staff and also additional conditions reflecting public input pertaining to fences and sewer connections on adjacent properties.

This item was reviewed by the City Council on January 23, 1995, at which time the Council expressed two primary concerns including (1) the density of the project, and (2) whether the project provided adequate parking for guests. The staff explained to the Council that the proposed project is designed to provide an affordable housing alternative in Gig Harbor and is consistent with the Comprehensive Plan's goals and policies pertaining to affordable housing. The staff further explained that the PUD criteria of the zoning code does not specifically address density, but that both density and parking are valid considerations under the required PUD findings. The staff noted that the project provides two parking spaces per unit as required by code and also additional surface parking in select locations. However, it is not clear which units must depend on off-site parking within the development and which have adequate on-site parking in front of or adjacent to their private garages. Accordingly, the City Council remanded this item back to the Hearing Examiner to further consider the parking issue and, if necessary reconsider the project's density.

The staff requested that the applicant provide addition information on the availability of parking for the project and determine which units (if any) have adequate space on site for guest parking (e.g., in front of the garages). In addition, the applicant was requested to provide parking information on similar projects for comparison and to reconsider the density and/or arrangement of the structures to provide more surface area for parking. One alternative, for example, may be to joint some of the units with a common wall, thereby providing more useable yard space. The applicant stated that he would consider this, but that the single family design in conjunction with the targeted price range, were important marketing factor for these units. The cost of the units would be directly affected by any reduction of density due to the weighty cost of sewer extension to this parcel. The applicant explained that the parcel's juxtaposition between the freeway, light industrial, and duplex development makes it less attractive for housing beyond, say, the 140,000 - 150,000 dollar range. Families able to afford housing in this price range have locational options which do not include the disamenities associated with this parcel. In essence, a decrease in density may increase per-unit costs beyond the target market, while sewer extension costs combined with locational factors may render the parcel undesirable for single family development.

In response to the Council's direction, the applicant submitted a revised site plan showing the following changes:

1. Increased site area. The applicant has obtained additional land from Ms. Barbara Mayes who originally owned the subject site. This provides an increased site area of 11, 000 square feet (1/4 acre) and which will be retained as a natural buffer.
2. Reduced Density. In addition to increased site area, one unit has been removed from the proposal. Total proposed units are 28 which equates to 5.2 dwelling units per acre as opposed to the previous 5.8 dwelling units per acre.
2. Enlarged Park. The park proposed for the center of the development has been enlarged by 15%.
3. Increased lot sizes. Lots sizes have been increased by 5% to accommodate longer driveways.
4. Increased surface parking. In conjunction with increased lot sizes and the removal of one unit, surfaced parking has been increased by adding additional community parking spaces at the entrance to the northerly-most court, and by pushing units further back to allow parking in front of garages. Total parking is therefore 4.1 parking spaces per unit, whereas the zoning code requirement is 2 spaces per residential unit.

## **II. STAFF ANALYSIS**

The staff believes that the proposed changes show a moderate effort to reduce the density on the site and reflect a significant effort to address the Council's concerns over parking. Both changes were made possible by the expanded site area which allows better clustering of open space around the perimeter of the site and provides a better buffer behind the center court units.

The proposed parking modifications improve the availability and accessibility of guest parking and provides double the code required parking spaces for residential units. However, the staff is concerned over the impact some parking spaces will have on pedestrian circulation. The proposed parking in front of garages, for example, extends out over the sidewalk, putting the bumper of the cars out to the street curb. To resolve this, the staff recommends that the units with sidewalks in front of them be pushed back far enough to provide 20 feet between the garage and the sidewalk edge. To avoid a decrease in open space, the number of spaces in the community parking lots should be reduced an equivalent amount. This would result in a larger lawn area near the northern-most court where parking is currently proposed. It would also minimize cuts and allow retention of more natural vegetation adjacent to the fire lane.

The revised density of 5.2 units per acre brings the total site density to a level slightly below and R-2 density of six units per acre. The staff brings this to the Hearing Examiner's attention because a rezone to R-2 may be another viable alternative for this site given its proximity to adjacent duplex development, light industrial development and the freeway. The difference between typical R-2 development and the proposed PUD is that the PUD concept assures retention of significant buffers, is designed with many single family characteristics and provides better assurance of maintenance through a homeowners association.

### **III. FINDINGS**

The staff recognizes that the proposed density for this development is significant compared to R-1 allowances. While the PUD section of the zoning code provides little direction in determining an appropriate density, the staff believes that the proposed project is a reasonable PUD proposal based upon the following findings:

1. That the site of the proposed use is adequate in size and shape to accommodate the proposed density while also providing significantly greater buffers and open space than otherwise achieved under standard R-1 zoning requirements.
2. That the site of the proposed use is adequate in size and shape to accommodate twice the code-required parking in locations common to other single family developments.
3. That R-2 density would provide a typical and reasonable transition between the single family houses to the south and surrounding development to the north, east and west including (a) adjacent R-2-type development (b) an abutting RB-2 zone and (c) the abutting freeway.
4. That the proposed project closely approximates R-2 densities while providing more amenities than typical R-2 development (e.g., homeowners maintenance, design control, common park and open space/buffers).
5. That the traffic study submitted for this project has shown that the site for the proposed use relates to streets adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use and density.



6. That in light of findings 1-5 above, the proposed use will have no significant adverse effect on existing uses or permitted uses;

7.. That the establishment, maintenance and/or conducting of the uses for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to the environment, nor shall the use be inconsistent with or injurious to the character of the neighborhood or contrary to its orderly development.

#### **IV. STAFF RECOMMENDATION**

Based upon the analysis and findings listed above, the Staff concludes that the project is consistent with zoning code requirements and recommends approval of the modified site plan subject to the following conditions:

1. Sidewalks shall be located on the east (uphill side) of the roadway only.
2. Units 22 and 23 shall be located far enough back from the street pavement to accommodate a 20-foot distance between the garage the street pavement.
2. Units 8 - 10 & 19 - 20 shall be located far enough back from the sidewalk to accommodate a 20-foot distance between the garage and the inside edge of the sidewalk.
3. To avoid a decrease in open space, the number of parking spaces in the community parking lots shall be reduced an equivalent amount.
4. All conditions of approval as recommended by Hearing Examiner in his report dated January 5, 1995 shall apply.

**CITY OF GIG HARBOR  
RESOLUTION NO. \_\_\_\_**

**WHEREAS**, David Fisher, Representing Rush Construction, has requested approval for a planned unit development (PUD) for the construction of 29 residential units at approximately 4410 Alastra Lane; and,

**WHEREAS**, the Gig Harbor City Council has adopted guidelines for the reviewing of planned unit developments as outlined in GHMC section 17.90; and,

**WHEREAS**, the Planning Department for the City of Gig Harbor has recommended conditional approval of the PUD, in a staff report dated November 16, 1994; and

**WHEREAS**, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on December 21, 1994 to accept public comment on; and,

**WHEREAS**, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of said PUD in his report dated January 5, 1995; and,

**WHEREAS**, the City Council, during its regular meeting of January 23, 1995 reviewed the proposed PUD and the findings and recommendation of the Hearing Examiner; and,

**WHEREAS**, the City Council remanded the proposal back to the Hearing Examiner to consider parking and density related issues; and

**WHEREAS**, the proposal was revised by increasing the parcel size and reducing the density which provided a more traditional parking arrangement for single family houses; and

**WHEREAS**, the City of Gig Harbor Hearing Examiner conducted another public hearing on the revised site plan on February 15, 1995 to accept public comment on; and,

**WHEREAS**, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions on the revised PUD site plan in his report dated March 2, 1995; and

**WHEREAS**, the City Council has determined that the PUD and the recommendation of the Hearing Examiner are consistent with City codes and policies regulating Planned Unit Developments; and

**WHEREAS**, the City Council has determined that the development would provide significant public benefits including an affordable housing alternative within City limits consistent with the Housing Element of the City's Comprehensive Plan, retention of 50 percent open space, and a design which promotes pride of ownership in higher density housing, in exchange for the increased density and other code exceptions as defined on the site plan and elevation drawings;

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

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated January 5, 1995 are hereby adopted and the Planned Unit Development is approved subject to the following conditions:

1. Fire flow must be provided to within 300 FT of each entrance to each parcel in accordance with the Section 10.401, 1991 Uniform Fire Code
2. Required fire hydrants and access must be provided as per the Uniform Fire Code and as approved by the Fire Marshall.
3. The hammer head turn-a-rounds which are at the ends of roadways over 150 FT from public roadways must remain accessible. The roadways and turn-a-rounds must be identified as fire lanes.
4. The project shall conform to section 2B.070 of the Public Works Standards referring to private streets, including the provision of a 24 foot roadway and curbs gutters and sidewalks on one side of the street as approved by the Public Works Department.
5. Water and sewer must come from Skansie. Minimum grade from 76th Street must be maintained for the sewer line. No inside or outside drops will be allowed. Water might be looped with the PTI Waterline, depending upon the fire flow requirements. The adjacent duplexes may hook into the proposed sewer line subject to approval by the Director of Public Works and subject to a connection fee in an amount to be approved by the Director of Public Works.
6. The entire roadway must be overlaid along Skansie and 76th Street wherever the sewer line is installed.
7. Maintenance of all privately owned PUD common areas and the landscaping and/or plantings contained therein, shall be permanently maintained by a home owners association. The association shall be established and incorporated prior to final plat approval. A copy of the association's bylaws shall be submitted with the final plat and shall include, at a minimum, the following authorities and responsibilities:
  - A. The enforcement of covenants imposed by the landowner or developer.
  - B. The levying and collection of assessments against all lots to accomplish the association's responsibilities.
  - C. The collection of delinquent assessments through the courts.
  - D. The letting of contracts to build, maintain and manage common facilities.
8. A final landscaping plan for the common areas within the plat shall be submitted to and

approved by the Planning Department prior to permit issuance. The plan shall include, (a) provisions for a mechanical irrigation system in the central common green area, and (b) the plant size and species used to re-vegetate the disturbed portion of the perimeter buffer. Landscaping shall be consistent with all zoning code requirements and shall be installed prior to occupancy of the last 6 units.

9. (c) All trees within 10 feet of the rear property lines and which have a trunk diameter of 6 inches or more shall be surveyed, flagged, and recorded with the Planning Department prior to commencement of major excavation. Each tree lost due to disturbance or root damage during construction shall be replaced with two fir trees, minimum 6 foot tall.. Existing trees will be considered lost or damaged if excavation occurs within the drip line of the tree's canopy. This will result in significant root damage, thereby threatening the health of the tree over the long term.
10. Strict limits of disturbance shall be complied with on this project, This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation begins. The barricade should be visually and functionally significant (e.g. a fence made of plywood or construction safety fencing attached to steel T-posts or heavy lumber).
11. In lieu of construction of required improvements prior to final plat approval, a bond equal to an amount of 120% of the contractors bid for all improvements required under the preliminary plat and PUD approval shall be posted with the City. If accepted by the City, the bond shall have a term not to exceed eighteen (18) months from the filing of the plat with the Pierce County auditor. Required improvements shall be installed within twelve months of the date of the filing of the plat. Failure to construct or install the required improvements to City standards within the time specified shall result in the City's foreclosure of the bond. Upon foreclosure, the City shall construct, or may contract to construct and complete, the installation of the required improvements.
12. Prior to building permit issuance a grading and drainage plan, including provisions for storm water collection and retention, shall be submitted to the Public Works Department for review and approval.
13. Construction on the project must commence within 12 months from the date of Council Action on the PUD; otherwise, the approval of the application becomes null and void (GHMC Section 17.90.080). Prior to the 12 month construction commencement deadline, and prior to permit issuance, the applicant shall apply for and receive preliminary plat approval. The preliminary plat shall conform to the design and layout of the approved PUD and shall be consistent with GHMC Section 16.16.
14. The design of structures and landscaping on the property shall be consistent with the approved PUD and architectural designs. These shall be recorded with the Pierce County Auditor's office either as an attachment to the plat or as a separate recording. If recorded separately, the plat shall reference the recording number. Minor design and dimension

alterations which do not alter the general scale, character, or intensity of development as shown on the recorded documents may be approved jointly by the Planning Director and owner or homeowner's association. Major amendments shall be approved only through City-adopted amendment processes for PUD's and the joint approval of all owners of the property.

15. In conjunction with preliminary plat approval by the City Council, drawings of utilities and roadway details shall be submitted to and approved by the Public Works Department.
16. Prior to or in conjunction with the preliminary plat approval, the PUD portion of the site (as illustrated) and the single family residence portion of the site shall be formally platted as separate parcels.
17. The preliminary plat shall include a 30-foot fire access easement across the parcel proposed for the existing house and which is to be platted as a separate parcel from the PUD. The easement shall be improved with a minimum 24-foot traversable surface wherever two-way traffic is involved, and a minimum 15-foot wide traversable surface for one-way traffic. One-way traffic shall be established beyond the point of driveway access to the existing residence, i.e., if the easement is used for normal residential purposes, it shall be considered two-way. Any portion of the fire access which is 12% or greater shall be paved with asphalt.
18. Prior to final plat approval, a six foot high solid wood fence shall be constructed along the west property line and along the westernmost 280 feet of the south property line.
19. Pursuant to GHMC section 17.90.060.C, within three (3) years of PUD approval, the applicant shall file with the City Council a final subdivision plat for the PUD.
20. The landscaping plan submitted as required in Condition 8 shall also maximize the amount of landscaping placed adjacent to the water line located in the buffer area.
21. Sidewalks shall be located on the east (uphill) side of the roadway only.
22. Units 22 and 23 shall be located far enough back from the sidewalk to accommodate a 20-foot distance between the garage and the street pavement.
23. Units 8 - 10 and 19 - 20 shall be located far enough back from the sidewalk to accommodate a 20 foot distance between the garage and the inside edge of the sidewalk.
24. To avoid a decrease in the minimum of 50% open space, the number of parking spaces in the community parking lots shall be reduced an equivalent amount.

**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 13th day of March, 1995.

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Gretchen A. Wilbert, Mayor

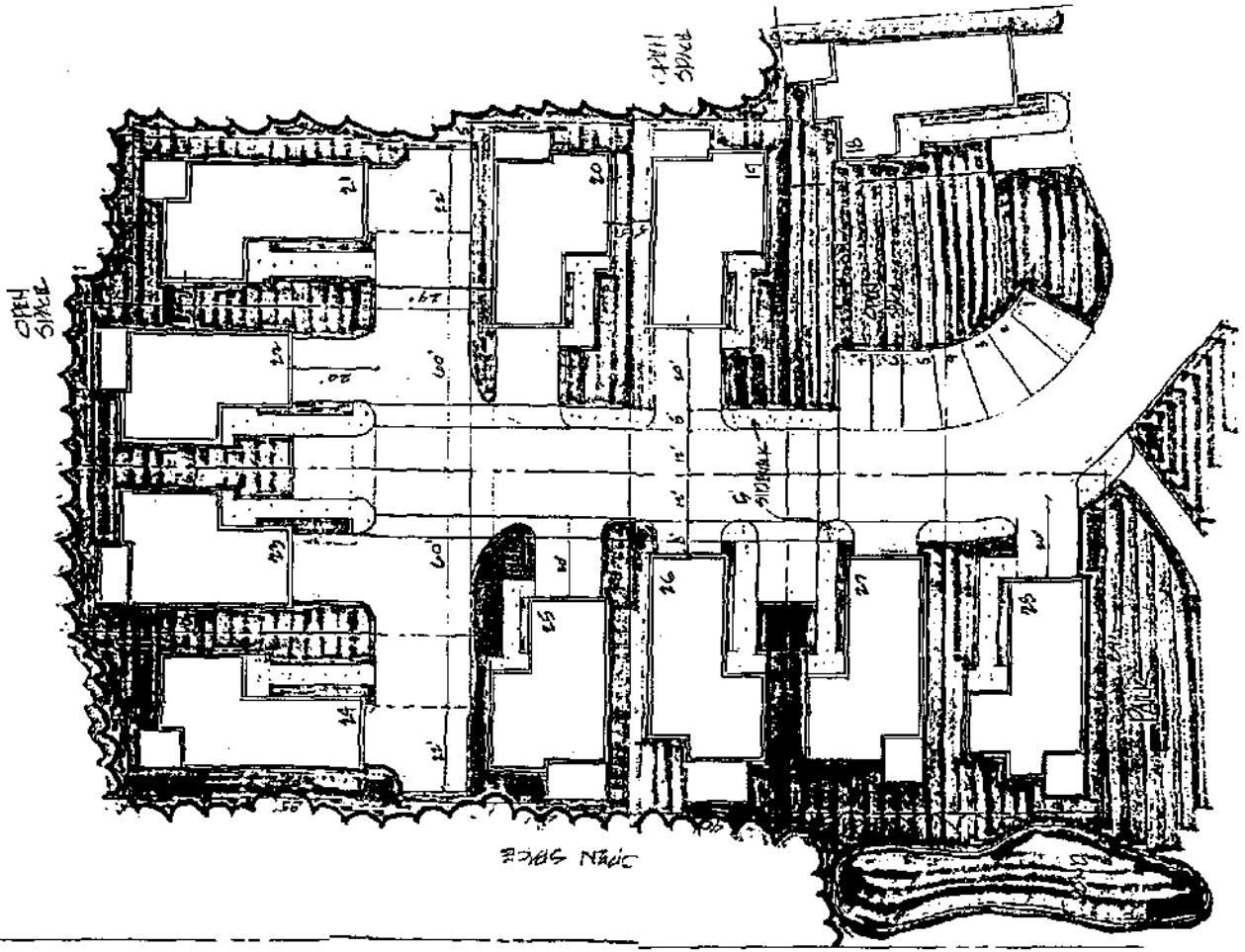
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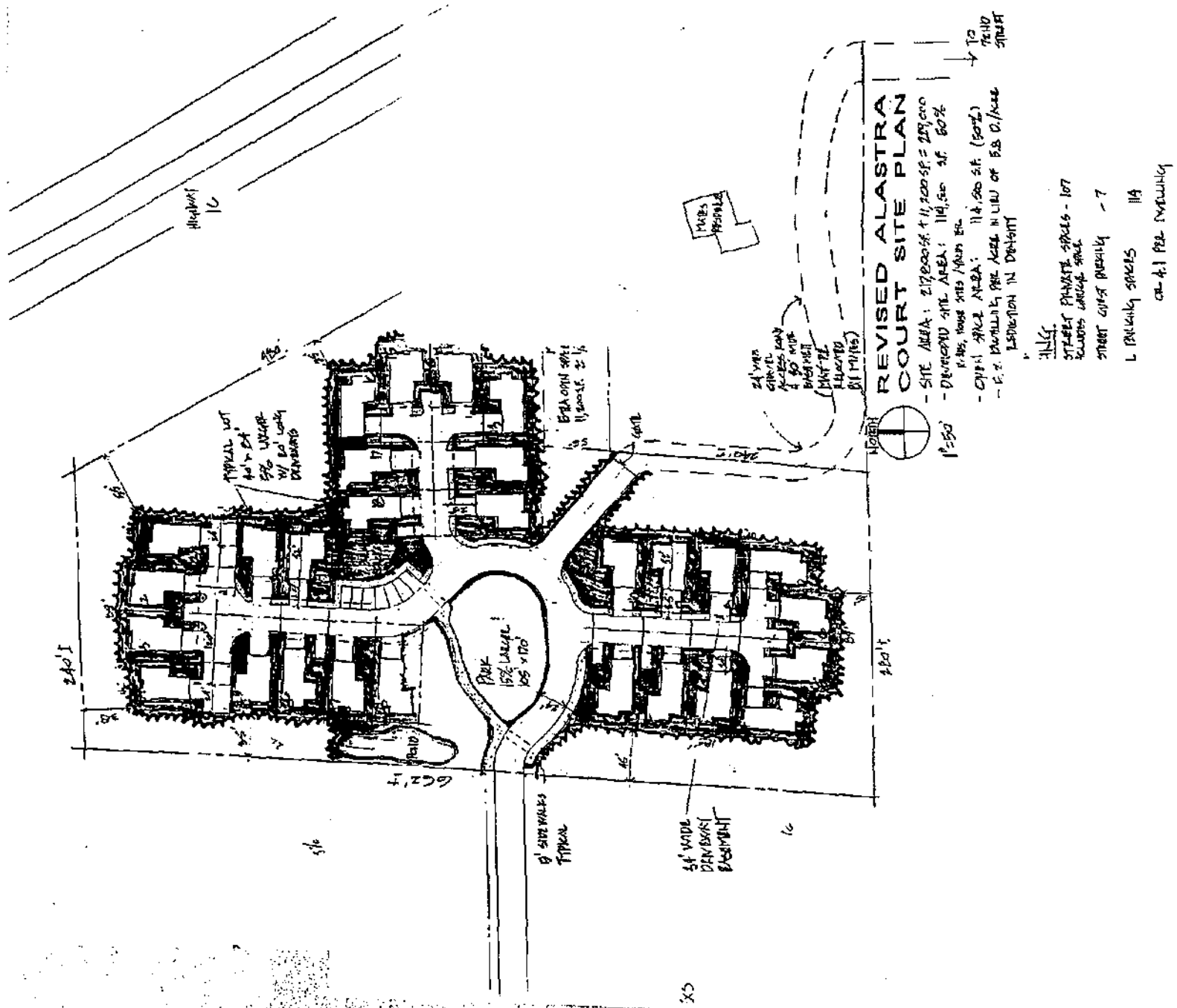
Mark E. Hoppen  
City Administrator/Clerk

Filed with City Clerk: 1/17/95  
Passed by City Council: 3/7/95

P11  
WAREHOUSE



ENLARGED NORTHERN COURT PLAN 1"=20'  
ALASTRA COURT HOMES



REVISED ALASTRA COURT SITE PLAN

- SITE AREA: 2,172,000 SF ± 11,200 SF ± 289,000
- DEVELOPED SITE AREA: 114,500 SF ± 80%
- PARKING SPACES: 114,500 SF ± (80%)
- E.G. DEVELOPMENT PER ACRE IN LIEU OF E.B. D./ACRE
- ESTIMATION IN DETAIL

STREET PRIVATE SPACES - 107  
SQUARES LARGE SPACE  
STREET COURT PUBLICLY - 7  
L PARKING SPACES 114  
OR 4.1 PER FAMILIARITY







*City of Gig Harbor. The "Maritime City."*

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

**TO: MAYOR WILBERT, CITY COUNCIL**  
**FROM: MARK HOPPEN, CITY ADMINISTRATOR**  
**SUBJECT: POLICE GUILD CONTRACT**  
**DATE: MARCH 6, 1995**

*MH*

**INFORMATION/BACKGROUND**

The Police Guild contract follows this memo for your approval. Thank you to Councilmembers Platt and Markovich, as well as Officers Busey and Carpenter for working to achieve this agreement.

**RECOMMENDATION**

Staff recommends approval of this contract as presented.

# AGREEMENT

By and Between

City of Gig Harbor  
and  
Gig Harbor Police Officer's Guild

1995

This Agreement is made and entered into by and between the City of Gig Harbor, hereinafter referred to as the "Employer," and the Gig Harbor Police Officer's Guild, hereinafter referred to as the "Guild." The purpose of this Agreement is to set forth the entire understanding reached between the parties with respect to wages, hours of work and conditions of employment for employees of the Employer who are represented by the Guild as set forth in Article I herein.

## ARTICLE I - RECOGNITION

The Employer recognizes the Guild as the exclusive bargaining representative for employees employed by the Employer as certified by the state of Washington, Department of Labor and Industries in Case No. 06055-E-85-01085, issued January 6, 1986. This Agreement shall include those employees working full time as uniformed personnel for the Employer, but shall not include the Police Chief, Police Lieutenant, and Police Services Specialist.

## ARTICLE II - MEMBERSHIP

Section 1. All employees who are members of the Guild on the effective date of this Agreement and all employees who may become members thereafter during the life of this Agreement shall, as a condition of employment, remain members of the Guild in good standing for the term of this Agreement.

Section 2. The Employer agrees to deduct initiation fees and monthly dues uniformly required in the bargaining unit from employees who voluntarily execute a wage assignment authorization form. The Employer shall transmit such deduction to the Guild by check payable to its order. Upon issuance and transmission of such deduction the Employer's responsibility shall cease with respect to such deductions.

The Guild and each employee authorizing the assignment of wages for payment of Guild dues hereby undertake to indemnify and hold the Employer harmless from all claims, demands, suits, or other forms of liability that may arise against the Employer for or on account of any deduction made from wages of such employee.

### ARTICLE III - NONDISCRIMINATION

Section 1. The Employer and the Guild agree that the administration and application of this Agreement shall be consistent with applicable state and federal laws regarding nondiscrimination in employment.

Section 2. No employee covered by this Agreement shall be discriminated against because of his/her membership or nonmembership in the Guild, or activities on behalf of the Guild; provided, however, that such activity shall not be conducted during working hours nor be allowed to interfere with the Employer's operations.

### ARTICLE IV - HOURS OF WORK AND OVERTIME

Section 1. The normal workweek shall consist of forty (40) hours. The normal workday shall consist of ten (10) hours per day in each of four (4) consecutive days or eight (8) hours per day in each of five (5) consecutive days. The normal workweek is a goal. The work year shall consist of two thousand and eighty (2,080) hours.

Section 2. Overtime as used in this Agreement shall mean that time an employee works in excess of the normal forty (40) hour workweek. Compensation for overtime shall be as set forth in subsections b, c, or d of this article.

- a. All overtime must be authorized in advance by the City Administrator or Chief of Police, except in cases of emergency.
- b. Overtime shall be compensated at the rate of one-and-one half (1-1/2) times the regular straight-time pay.
- c. Employees shall be compensated at one-and-one half (1-1/2) times the employee's straight-time base hourly rate of pay with a minimum of two hours for hours in court appearance and for training meetings called by the employer outside the employee's normal work day.
- d. The Employer shall have the discretion to grant compensatory time off equivalent to one-and-one-half (1-1/2) times the actual overtime hours worked in lieu of paid overtime. The option to compensate by compensatory time shall be arranged by mutual agreement between the Employer and the Employee. ~~Employees may accrue a maximum of 60 compensatory time hours~~ to be used at a time mutually agreeable to Employer and the Employee.

Section 3. The Employer retains the right to schedule the workweek in any manner which may be required in order to meet the needs of the community.

## ARTICLE V - WAGE RATES

Section 1. The salary schedule, which is a non-negotiated item, is effective January 1, 1995 through December 31, 1997. The sergeant classification may or may not be utilized at the sole discretion of the Employer.

Section 2. Effective January 1, 1995, members of the Guild shall receive a cost-of-living increase in the salaries of three and one-half percent (3.5%). Also effective January 1, 1995, members of the Guild shall receive a three percent (3.0%) salary range increase, effective immediately as salary for a cumulative salary increase of 6.5%.

Effective January 1, 1996, members of the Guild shall receive a cost-of-living increase in the salaries based on 100% of the July 1995 Sea-Tac CPI-W. Also effective January 1, 1996, members of the Guild shall receive a one percent (1.0%) increase in the salary range.

Effective January 1, 1997, members of the Guild shall receive a cost-of-living increase in the salaries based on 100% of the July 1996 Sea-Tac CPIW. Also effective January 1, 1997, members of the Guild shall receive a one percent (1.0%) increase in the salary range for which the member must be eligible at the time of his/her annual performance evaluation.

Section 3. In the event the Sea-Tac CPIW index is above or below the range of 2% - 8%, either party is entitled to open the agreement for negotiating wage rates only for 1996 and 1997 upon providing a written notice to the other party at least 90 days prior to the beginning of the new year.

Section 4. Movement within each salary range shall be governed by the City's Performance - Pay System and shall be as described in attachment B to this contract.

Section 5. Mileage shall be paid as prescribed by City Ordinance Chapter 2.28.010.

Section 6. Part-time employees, excluding non-paid reserve officers, shall be compensated at an equivalent hourly rate of pay based on the current full-time monthly base rate of pay for the position classification held by the employee, computed in accordance with the standard payroll practices of the Employer.

Section 7. When an officer is appointed to the position of acting-sergeant for a period of not less than five (5) calendar days, he/she shall be compensated at the rate of 5% above the current salary for that period of time.

Section 8. When a member of the Guild is scheduled for and completes 12 Graveyard shifts (a 10 hour shift falling between the hours of 7:00 p.m. and 7:00 a.m.) during any calendar month, he/she shall be entitled to shift differential pay pay of \$50.00 for that month. Shift differential pay will not be included as part of an employee's base pay.

## ARTICLE VI - VACATIONS

Vacations with pay shall be granted annually to all full-time employees based upon the following schedule:

<u>Months of Service</u>	<u>Earned working Hours per Month</u>	<u>Working Days Per Year Max.</u>
0 - 12	6.67	10
13 - 24	7.33	11
<del>25</del> - 36	8.33	12.5

After each succeeding year of service, .67 additional hours of vacation hours per month (8 additional hours per year) shall be accumulated up to a maximum of two hundred forty (240) hours per year.

## ARTICLE VII - HOLIDAYS

An employee shall be compensated for the eleven (11) holidays recognized by the Employer and as provided in RCW 1.16.050 as set forth in subsections A and B.

- A. The paid holiday commonly referred to as a "floating holiday" (City personnel rules and regulations section 6.1-K) shall be mandatory time off. The scheduling of this day shall be by mutual agreement between the Employer and the Employee.
- B. In lieu of the other ten (10) holidays, employees shall be paid an additional 8.33 hours pay per month based on the current full time base rate of pay for the position classification held by the employee, which is equivalent to 100 hours of pay on an annualized basis.

## ARTICLE VIII - MEDICAL BENEFITS

The Employer shall pay 100% of the monthly premium for the following benefit plans for the Guild employee and eligible dependents:

- 1) Medical - Pierce County Medical Plan #7 or Association of Washington Cities Plan A with orthodontia coverage.
- 2) Dental - AWC Trust (Plan A - Washington Dental Service).
- 3) Vision - AWC Trust (Western Vision Service Plan).

## ARTICLE IX - SICK LEAVE

Section 1. Full-time employees hired after October 1, 1977, shall accrue sick leave at the rate of one day per calendar month for each month compensated. Sick leave is accumulated to a maximum of

one hundred and eighty (180) days. Sick leave may be used for time off with pay for bona fide cases of incapacitating illness, injury or disability. Abuse of sick leave shall be grounds for suspension or dismissal.

Section 2. A verifying statement from the employee's physician may be requested by the Employer, at its option, whenever an employee claims sick leave for one day or longer. If absence extends beyond four days, certification of such absence must be supported by a certificate from the employee's physician, if requested by the Chief of Police.

Section 3. An employee who has taken no sick leave during and six (6) month period shall receive, as a bonus, one annual day off or one day's pay (eight hours) for each period during the term of this Agreement. It shall be the responsibility of the employee to notify the City of the employee's eligibility of the bonus day(s).

#### ARTICLE X - RETIREMENT PLAN

The Employer shall participate in the state-wide system for pension, relief, disability and retirement for qualified employees as provided in RCW 41.44.050.

#### ARTICLE XI - COLLEGE PREMIUM PAY

An employee who holds a college degree from an accredited college or university shall receive a premium pay equal to two percent (2%) of his/her base salary for an associate degree, and three percent (3%) of his/her base salary for a bachelor degree. Premium pay will not be included as part of an employee's base salary.

#### ARTICLE XII - STAND-BY PAY

If an employee is directed to "stand-by" for duty he shall receive \$50.00 for the month in which the "stand-by" was worked. The compensation of \$50.00 a month is a fixed rate regardless of the number of stand-by hours worked within the month. An employee shall not be directed to work more than 30 hours of standby duty with any month unless the Chief of Police declares it necessary for the public's safety. When an employee works in excess of 30 hours stand-by duty within a month, he/she shall receive an additional \$50.00 for that month. The method of scheduling personnel and the determination of period for stand-by assignments shall be directed by the Chief of Police. Stand-by is defined as: the employee being available at his residence to respond to any call for Police service during those hours designated by the Chief of Police.

#### ARTICLE XIII - RIGHT OF ACCESS -- UNION REPRESENTATIVE

Section 1. Duly authorized representatives of the Guild shall be permitted to enter upon the Employer's premises at reasonable times for the purpose of observing working conditions and transacting Guild business that cannot be transacted elsewhere; provided, however, that the Guild representative first secures approval from the designated Employer representative as the time and

place, and that no interference with the work of the employees or the proper operation of the Employer shall result.

Section 2. The Guild agrees that Guild business conducted by Guild members, including the investigation of grievances, shall occur during nonworking hours (e.g., coffee breaks, lunch period and before and after shift).

#### ARTICLE XIV - EMPLOYEE RIGHTS

Section 1. Any employee, when being questioned by his/her employer about matters which may result in suspension without pay, loss of accrued leave, demotion and/or termination, has the right to:

- a. Receive the specific nature of the charge or allegation against him/her in writing.
- b. Have his/her choice of the Guild shop steward or a Guild representative present at his/her expense. The employer shall allow a reasonable length of time for the representative to arrive at a place of meeting.
- c. The questioning by the Employer shall be during normal Employer business hours unless agreed to be held at other times by the Employee.
- d. Any use of lie detector tests shall be in accordance with RCW 49.44.120.
- e. The employee may receive reasonable intermissions or breaks if the questioning exceeds approximately one hour.

Section 2. Department Rules and Regulations. It is mutually agreed that the Employer has full responsibility and authority to adopt rules and regulations for the operation of the department and conduct of its employees. The Guild agrees that its members shall comply in full with such rules and regulations. Nothing in this Section shall be interpreted to restrict the Chief of the department the right to make decisions or to establish procedures consistent with the "emergency" nature of operating the department.

#### ARTICLE XV - NO STRIKES

Section 1. It is recognized that the Employer is engaged in a public service requiring continuous operation, and it is agreed that recognition of such obligation of continuous service is imposed upon both the employee and the Guild. Neither the Guild nor its members, agents, representatives, employees or persons acting in concert with them, shall incite, encourage, or participate in any strike, walkout, slowdown, or other work stoppage of any nature whatsoever for any cause whatsoever. In the event of any strike, walkout, slowdown, or work stoppage or a threat thereof, the Guild and its officers will do everything within their power to end or avert the same.

Section 2. Any employee authorizing, engaging in, encouraging, sanctioning, recognizing or assisting any strike, slowdown, picketing or other concerted interference, or who refuses to perform service duly assigned to him, shall be subject to immediate dismissal.

## ARTICLE XVI - GRIEVANCE PROCEDURES

Grievance defined. A grievance is defined as an alleged violation of express terms and conditions of this Agreement. If any such grievance arises, it shall be submitted to the following grievance procedure or the Civil Service review procedure, whichever is applicable.

Time limits in the following steps may be extended only by mutual written consent of the parties hereto.

### Step One - Police Chief.

The grievance in the first instance will be presented to the Police Chief, either orally or in writing, within ten (10) working days of the alleged breach of the express terms and conditions of this Agreement. Every effort shall be made to settle the grievance at this Step One.

### Step Two - Mayor.

If the Police Chief does not adjust the grievance to the Complainant's satisfaction within ten (10) working days from the time the grievance was submitted in Step One, then the grievance may be presented to the Mayor or his/her designated representative. The grievance shall be presented to the Mayor or his/her designated representative in writing, setting forth detailed facts concerning the nature of the grievance, the contractual provisions allegedly violated, and the relief requested. Upon receipt of the written grievance, the mayor or his/her designated representative shall, within ten (10) working days, meet with the grievant and/or the representative of the Guild in an attempt to resolve the grievance. Within ten (10) working days after such meeting, the Mayor or his/her designated representative shall send to the Guild a written answer stating the Employer's decision concerning the grievance.

### Step Three - Mediation

In the event the grievant, Guild and Employer are not able to resolve the grievance to the employee's satisfaction at Step Two, the parties may request the assistance of the State Mediation Service.

### Step Four - Arbitration

A grievance may be submitted within ten (10) working days following the decision rendered in Step Three to the following arbitration procedure for resolution. The Employer shall select one (1) person and the guild shall select one (1) person. Such selected persons shall then select a third impartial person who shall service as chairman of the Arbitration Panel. A majority decision of the



Arbitration Panel shall be made in writing within twenty (20) working days following the conclusion of the Arbitration hearing(s). Such decision shall be final and binding on both the Guild and the Employer. The authority of the Arbitration Panel is limited to ruling on the correct interpretation or application of the Articles of this Agreement and shall not add to or take away therefrom. The costs of arbitration shall be borne equally between the Guild and the Employer.

#### ARTICLE XVII - PERSONNEL POLICIES

All employees of this bargaining unit, in addition to being governed by this Agreement, shall also be subject to the Personnel Policies published by the Employer and any subsequent personnel policies, rules and regulations that may be promulgated in the future, so long as they do not conflict with this Agreement. In case of any conflict, this Agreement shall be the controlling policy for the employees covered by this Agreement.

#### ARTICLE XVIII - UNIFORMS AND EQUIPMENT

At the time of employment, full time employees will be assigned the following equipment and uniform items:

A. Uniform:

1. 3 trousers
2. 3 short sleeve shirts
3. 3 long sleeve shirts
4. 1 pair shoes or boots
5. 1 summer jacket
6. 3 ties
7. 1 winter
8. 1 rain coat
9. 1 jumpsuit
10. 1 duty hat

B. Equipment

1. 1 basket weave duty gunbelt
2. 1 basket weave pants belt
3. 1 holster
4. 1 9mm S W model 459 weapon
5. 1 leather handcuff case double
6. 2 sets of handcuffs
7. 1 leather key ring and holder
8. 1 baton & flashlight ring
9. 1 buckknife and case
10. 1 mace canister and case

11. 2 extra 9 mm clips and case
12. 1 box of duty ammunition
13. 1 SL20 rechargeable flashlight
14. 1 mini mag flashlight with case
15. 1 portable radio and case
16. 1 bullet resistant vest

The uniform shall meet the approval of the Police Chief and all purchases shall be through the department's established procedures. The employee agrees to maintain and keep in good condition and repair all parts of the uniform, and will have available for inspection on due notice his complete uniform.

The employer shall be responsible for laundering uniforms. Frequency of laundering uniforms shall be established by employer management policy. Uniform clothing damaged as a result of unforeseen circumstances in the line of duty shall be repaired or replaced by the employer.

#### ARTICLE XIX - SAVING CLAUSE

If any article or section of this Agreement should be held invalid by operation of law or by any tribunal of competent jurisdiction, the balance of this Agreement shall continue in full force and effect. The article and section held invalid shall be modified as required by law or the tribunal of competent jurisdiction, or shall be re-negotiated for the purpose of adequate replacement. If such negotiations shall not result in mutually satisfactory agreement, the parties agree to be bound by the position of a tribunal of competent jurisdiction, or a tribunal agreed to by the parties.

#### ARTICLE XX - COMPLETE AGREEMENT

The parties acknowledge that during the negotiations which resulted in this Agreement, each had an unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective bargaining, and that the understanding and agreements arrived at by the parties after the exercises of that right and opportunity are set forth in this Agreement.

Therefore, the parties for the life of this Agreement voluntarily and unqualifiedly waive the right, and each agrees that the other shall not be obligated to bargain collectively with respect to any subject or matter referred to, or covered in this Agreement.

#### ARTICLE XXI - TERM OF AGREEMENT

This Agreement is effective January 1, 1995, and shall continue in full force and effect to and including December 31, 1997. This agreement may be reopened by the city or guild as provided under Article V of this agreement.

Notice to negotiate a new agreement shall be given within ninety (90) days prior to the expiration date.

IN WITNESS WHEREOF, we attached our signatures this \_\_\_\_ day of March, 1995.

CITY OF GIG HARBOR

GIG HARBOR POLICE OFFICERS GUILD

By \_\_\_\_\_  
Gretchen A. Wilbert, Mayor

By Brad Carpenter  
Kly B. Boyer

ATTEST:

Mark E. Hoppen  
Mark E. Hoppen  
City Administrator / Clerk

ATTACHMENT "A"

1995 POLICE PERSONNEL SALARY RANGES

	Monthly Minimum	Monthly Maximum
Sergeant	\$ 3,163	\$ 3,954
Police Officer	\$ 2,653	\$ 3,316

## ATTACHMENT "B"

### PERSONNEL SALARIES

#### SALARY RANGE ADJUSTED ANNUALLY

1. The City Administrator shall brief the Mayor and City Council regarding timing and considerations for adjusting employee's compensation.
2. City employees shall have the opportunity to suggest modifications in salaries and other wage supplements to the City Administrator.
3. The City Administrator shall conduct annually a compensation survey in accordance with labor market and benchmark classifications.
4. The City Council shall give the Mayor and City Administrator policy guidance regarding adjustments to the employee compensation program, based on the following criteria:
  - a. Ability of city to pay;
  - b. Compensation survey information;
  - c. Changes in cost-of-living;
  - d. Desires of the employees;
  - e. Compensation adjustments for other employees.
5. The City Administrator shall make recommendations to the Mayor and City Council regarding salary range and fringe benefit modifications. Salary range adjustments shall be based on the compensation survey and the internal salary relationships.
6. Employees who have satisfactorily completed a six month employment probationary period shall be eligible for a performance pay increase from 0% to 5% and a one year employment probationary period shall be eligible for a performance pay increase from 0% to 8%.
7. Employees who have yet to reach the top of their salary range shall be eligible for performance pay increases of 0% to 8% each year. Such performance pay increases of 0% to 8% each year. Such performance pay increases shall be added to their base rate of pay to compute the employee's new salary. Performance pay increase shall be approved by the City Administrator. Once an employee has reached the top of his/her salary range (control point) the employee shall be eligible for merit/bonus compensation up to 5% of the employees annual base salary. Such merit/bonus pay increase shall not be added to the employee's base pay. This merit bonus pay is separate, non-cumulative compensation and must be earned through exemplary performance each evaluation period.
8. Once the salary ranges have been adjusted each fiscal year, the City Council will allocate a

fixed dollar amount in a special budget/fund for merit/bonus pay increases for those eligible employees who have reached the top of their salary ranges (control point.) The allocated merit/bonus pay fund may or may not be entirely distributed by the City Administrator, depending upon the performance evaluations of the eligible employees.

#### MERIT/BONUS PAY

Employees shall be eligible for merit/bonus pay salary increases in accordance with the provisions set forth below:

1. Merit/bonus pay increases shall be within the city's budget in an appropriate fund within each department's budget.
2. The amount of the merit/bonus pay salary increase for each employee shall be based solely on performance.
3. Merit/bonus pay salary increase shall be recommended by the respective department head, subject to approval by the City Administrator and confirmation by the Mayor.



*City of Gig Harbor. The "Maritime City."*

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

**TO: MAYOR WILBERT AND CITY COUNCIL**  
**FROM: MARK HOPPEN, CITY ADMINISTRATOR** *MHA*  
**SUBJECT: MODIFICATIONS TO PERSONNEL MANUAL**  
**DATE: MARCH 8, 1995**

#### **INTRODUCTION/BACKGROUND**

The City of Gig Harbor Personnel Manual needs revision and update in numerous areas. This is primarily house-keeping activity and polishing, although some revisions of substance are suggested in the area of discipline procedure. These revisions have been discussed at length with staff, and the current version of these policies presents no apparent conflicts.

#### **POLICY CONSIDERATIONS**

Council has the authority to adjust these policies. A brief summation of the additions and revisions follows.

The definitions section has been deleted as superfluous.

Sections have been added to the personnel policy relating to a preamble, commitment to equal opportunity, discriminatory harassment, injury procedure, contact with news media, substance abuse, drug-free workplace, whistleblower protection (already adopted), code of ethics, and travel time.

Sections have also been revised on nepotism, probation, hours-of-work (adding flex-time as an option), safety, outside employment, personnel records, performance evaluation, salary range adjustments, and discipline.

#### **RECOMMENDATION**

Approval as presented would be through adoption by resolution. The resolution is attached.

**CITY OF GIG HARBOR  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR,  
WASHINGTON, ADOPTING NEW PERSONNEL REGULATIONS FOR CITY  
EMPLOYEES**

**WHEREAS**, on April 23, 1990, the Gig Harbor City Council passed Resolution No. 280, which adopted the personnel regulations currently in effect; and

**WHEREAS**, the Council has determined that the current personnel regulations need to be updated, now, therefore,

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

Section 1. The City Council hereby adopts the 1995 City of Gig Harbor Personnel Regulations, attached hereto as Exhibit A and incorporated herein by this reference. These 1995 regulations supersede all other personnel regulations or personnel manuals previously adopted by the Council.

RESOLVED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 1995.

APPROVED:

\_\_\_\_\_  
Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Mark E. Hoppen, City Administrator

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_

Filed With The City Clerk: 3/9/95  
Passed By The City Council:



CITY OF GIG HARBOR  
PERSONNEL REGULATIONS



1995

**PERSONNEL REGULATIONS**  
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## **PREAMBLE**

The provisions of these Personnel Regulations are intended for informational purposes and are neither a contract nor a promise of how the City will address a particular situation. They are intended to be illustrative and the city reserves the right, through the City Administrator, to deviate from these policies in the event of an emergency, the need to preserve public confidence or for the convenience of the employer when necessary to preserve the efficient administration of the City. The City also reserves the right to amend these policies at its sole discretion.

## GENERAL PROVISIONS

### A. GOAL

A fair and equitable personnel management system is the goal of these regulations. Implicit in this goal are several objectives: employ the most qualified persons; develop and reward good performance; instill self-discipline in all employees; relate to all employees without consideration of their ethnic background, religion, sex, age, or disability; and, promote equal opportunity.

### B. SCOPE

If a regulation or regulations conflict with labor contracts authorized by the city or with Civil Service Rules, the provisions of the labor contract and/or civil service rules shall govern. If the provisions of these Personnel Regulations are more expansive than a provision of a collective bargaining agreement, then the more restrictive provision of the collective bargaining agreement shall apply. In all other cases these regulations shall apply.

### C. DEFINITIONS

~~Applicant. A person who makes formal application for a job classification.~~

~~Appointing Authority. The individual or group of individuals responsible for appointment, discipline, and termination of an employee or employees.~~

~~Appointment. The assignment of a qualified applicant to a position by the appointing authority.~~

~~Arbitration. A method of resolving a dispute by a person or panel specially constituted for that purpose.~~

~~Cause. Any action or inaction which justifies disciplinary action.~~

~~Classification. A group of positions sufficiently similar in duties, responsibilities, authority, and minimum qualifications to permit combining them under a single title, and to permit the application of common standards for selection and compensation.~~

~~Classification Plan. All classification descriptions compiled into one written document.~~

~~Compensatory time off. Time off from work to compensate the employee from~~

~~overtime worked.~~

~~Continuous service.~~ Employment without interruption except for brief leaves of authorized absence.

~~Demotion.~~ The movement of an employee from one job classification to a class with a lower pay range.

~~Disciplinary action.~~ Application of specific personnel actions relative to poor performance or conduct detrimental to the city.

~~Examination.~~ Any method or procedure used to evaluate and select applicants to include but not limited to oral interviews, written tests, performance tests, evaluation of performance during probation, and scored evaluation of education and experience.

~~Grievance.~~ An employees' oral or written expression of dissatisfaction with one or more regulations with the intent to adjust the cause of dissatisfaction.

~~Immediate family.~~ The husband, wife, son, daughter, father, mother, sister, father-in-law, mother in law, or other relative living in the employees household.

~~Layoff.~~ The involuntary termination of an employee due to insufficient work loan and/or funds.

~~Overtime.~~ Time worked in excess of the regularly scheduled hours in a workday.

~~Part time / non regular position.~~ A position in which the employee works less than 20 hours per week continual or a position filled on a seasonal basis.

~~Part time / regular position.~~ A position in which the employee regularly works less than 40 hours per week, but not less than 20 hours per week.

~~Pay schedule.~~ A schedule of pay ranges of all job classifications, setting forth the pay range for each classification.

~~Pay range.~~ The range of pay rates for a classification as set forth in the pay schedule as established by the legislative body of the city.

~~Pay step.~~ The increments and any definite intermediate increments of a pay range.

~~Permanent appointment.~~ The appointment of a person to a permanent position after satisfactory completion of probation.

~~Permanent employee.—An employee who has satisfactorily completed a probationary period in a permanent position.~~

~~Personnel action.—Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or other action affecting the status of employment.~~

~~Position.—A group of current duties and responsibilities assigned by an authorized authority and requiring the employment of one person.~~

~~Probation.—A working evaluation period during which an employee demonstrates his/her ability and capacity to perform the duties of the assigned classification.~~

~~Promotion.—The movement of an employee from one job classification involving increased responsibilities, increased qualifications, and a higher pay range.~~

~~Reclassification.—A change in a job classification by elevation or reduction to a lower classification or changing it to another job classification at the same pay range.~~

~~Recognized employee organizations.—Any organization, guild, or union which includes employees of the city and which has the primary purpose of representing such employees in their employment relations with the city and is recognized by the city under the procedures as outlined in the State Collective Bargaining Law, Ch. 41.56 RCW.~~

~~Reduction in rank.—A demotion.~~

~~Reinstatement.—The return of an employee to his or her former position within one year after layoff or at any time after successful appeal of a suspension, reduction in rank, or termination.~~

~~Resignation.—The voluntary act by an employee to terminate his/her employment.~~

~~Seniority.—Priority of an employee based on the length of the employee's continuous service to the city since the employee's last date of hire.~~

~~Stand by status.—An employee is immediately available by telephone or pager, and travel time to the city does not exceed thirty (30) minutes.~~

~~Suspension.—A temporary removal from work, with or without pay, of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.~~



~~Temporary appointment.~~ An appointment for a limited period of time.

~~Termination.~~ The involuntary cessation of employment with the city for just cause.

~~Transfer.~~ The movement of an employee from one position to another in the same or different classification to another in the same or different classification having essentially the same salary range, involving the performance of similar duties, and requiring substantially the same basic qualifications.

### C. EQUAL OPPORTUNITY EMPLOYER

- 1) The City is an equal employment opportunity employer. The City employs, retains, promotes, terminates, and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, political affiliation, medical condition, physical handicap, or disability.
- 2) The City will not discriminate against applicants or employees with a sensory, physical, or mental impairment, unless the impairment cannot be reasonably accommodated and prevents proper performance of an essential element of the job.
- 3) Employees with life-threatening illnesses, such as cancer, heart disease, or AIDS/HIV conditions, or communicable diseases such as tuberculosis or influenza, are treated the same as all other employees. They are permitted to continue working so long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves, to their co-workers, or to the public. The City will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when a substantial and unusual safety risk to fellow City employees or the public exists.

### D. DISCRIMINATORY HARASSMENT

- 1) The City shall provide a work environment for its employees which is free from discrimination and intimidation. The City will not tolerate any form of discriminatory harassment. Prompt disciplinary action will be taken against an employee who commits or participates in any form of discriminatory harassment.
- 2) Discriminatory harassment is defined as unwanted, unwelcome discriminatory advances, requests for discriminatory favors, and other

verbal or physical discriminatory conduct which has the effect of creating an offensive, intimidating, degrading, or hostile work environment, or adversely interferes or affects an employee's work performance.

3) Any employee who believes he or she is being discriminatorily harassed by supervisors or co-workers should immediately notify his/her department head. In the event that the harassment involves the department head, the employee should notify the City Administrator.

The City will not retaliate against an employee who complains of discriminatory harassment.

## EMPLOYMENT

### A. RECRUITMENT

Available positions shall be published for a necessary period by announcements posted on public bulletin boards and by such other means as the City Administrator may deem necessary. Announcements shall specify the title, rate of pay, duties to be performed, required qualifications as found in the job classification plan, time and manner of making application, and other pertinent information.

### B. APPLICATION

Application for employment shall comply with relevant state and federal statutes. Application forms shall require information on job experience, education, and training. It shall also ask questions to solicit job related information.

No question(s) on the application nor asked by an interviewer shall elicit information on ethnic background, sex, marital status, religious affiliation, or handicap unless it's relative to an occupational qualification.

All statements on the application or resume are subject to verification prior to appointment.

Applications shall be complete, signed, and dated by the applicant.

An applicant may be required to submit to a physical examination, psychological evaluation, and/or a polygraph examination. If any or all of these examinations are necessary, the city shall pay the cost.

### C. NOTIFICATION

All applicants shall be notified of: receipt of application, status in the selection process, disqualification from further consideration, and the filling of a vacant position.

### D. APPOINTMENT

Appointments to vacancies shall be based on experience, education, and general medical fitness. The evaluation shall consist of an impartial comparison of these factors to the job description and the results of any testing methods.

E. TEMPORARY APPOINTMENT

Appointments to positions other than an acting or regular basis shall be considered temporary. Such temporary appointments shall be allowed when:

1. A substitution for a regular appointee who is absent from his or her position is necessary;
2. It is impossible to appoint a person to the position due to recruitment difficulties;
3. Budget appropriations only provide for temporary employment; and/or
4. A state of disaster or emergency exist.

Temporary appointees shall serve at the discretion of the City Administrator. No temporary appointment shall exceed one year in duration.

F. NEPOTISM

~~No person of the immediate family spouse shall be employed by the city in a situation where one spouse would have the authority or practical power to supervise or discipline another, where one spouse is responsible for auditing the work of another, or when the spouse is going to be in a position of actual or reasonably foreseeable conflict between the employer's interests and their own. If this situation should occur, one employee must transfer to another department, or if a transfer is not available, the spouses will be given the opportunity to determine which of them will leave the organization. This rule shall not affect persons related who are in the city employ on the effective date of the ordinance.~~

G. PROBATION

An appointment ~~or promotion~~ to a full-time position other than law enforcement officers, shall not be regular for a period of six (6) months. An appointment to a full-time law enforcement officer position shall not be regular for a period of twelve (12) months. Probation is an extension of the selection process and failure of same as determined by the City Administrator or department manager does not constitute any right to appeal under these regulations. Employees on probation may be terminated by the City Administrator or the department manager. Upon satisfactory completion of the probationary period, the employee shall gain regular status. Unsatisfactory probationers shall be notified in writing by the department manager at any time during the probationary period. A copy of the notification shall be retained in the personnel files. Termination of a probation employee ~~shall be for cause only may occur for any reason that is not illegal or discriminatory.~~

H. ATTENDANCE

Employees shall be at their job in accordance with the rules relating to hours of work, holidays, and leaves of absence.

An employee shall not be absent from work for any reason other than those specified in these regulations, without prior arrangements with his/her supervisor.

Any unauthorized absence from work shall be an absence without pay and may be cause for disciplinary action.

I. HOURS OF WORK

The normal work-week for full-time employees, other than sewer treatment employees, shall consist of forty hours: five consecutive days Monday through Friday at eight hours. The eight hour day does not include a 30 minute meal period. ~~The eight hour day does not include a 30 minute meal period.~~ The eight hour day does include a fifteen (15) minute coffee break in the morning and the same in the afternoon.

The normal work-week for sewer treatment employees shall consist of forty hours worked of five consecutive days of eight hours exclusive of a 30 minute meal period on the employees' own time unless mutually agreed by all parties. ~~Concurrent agreement by the City Administrator, Department Manager, and the employee must occur before flex-time may be authorized.~~

J. PROMOTION

Vacancies in positions shall be filled from employees holding regular appointments in appropriate job classes on a competitive basis. If qualified personnel are not available within the city staff, applicants shall be recruited. City employees who are promoted shall successfully complete probationary period. Those who fail the probationary period shall assume any regular appointment held prior to promotion if a position remains open.

K. DEMOTION

No employee shall be demoted to a position which he or she does not possess the minimum qualifications. An employee being demoted shall be notified two weeks prior to demotion. An employee may be demoted when: performance falls below that established for his/her particular classification; the employee becomes physically or mentally incapable of performing the duties of his/her position; or in lieu of layoff; ~~or as a form of discipline for failure to meet job requirements.~~ A demotion may be authorized by the City Administrator for

any employee who requests it or to prevent a layoff. Any demotion to prevent layoffs may be reversed when the employee's previous position is re-opened.

L. TRANSFER

With the approval of the City Administrator, an employee may transfer from one job classification to another. However, an employee may not transfer to a position for which he/she does not meet the minimum qualifications.

A new probationary period shall begin for any employee who is transferred. A transfer shall not be used to circumvent provisions governing promotions, demotions, or termination.

M. LAYOFF

The City Administrator may lay off regular employees for lack of work, budgetary restrictions, or other organizational changes. No regular employee shall be laid off while another person in the same classification is employed on a probationary or temporary basis, ~~except probationary employees who have been promoted,~~ in a position for which the regular employee is qualified. In determining who shall be laid off in a job classification, consideration is to be given to individual performance. If the employee being laid off possesses a good service record, his/her name shall be placed on a re-employment list according to his/her job performance. The list shall be maintained for one year.

N. RE-EMPLOYMENT

An eligible list of those employees with regular appointments who were laid off or demoted in lieu of layoff shall be maintained for each job classification. Re-employment from these lists shall be in order of date of layoff, the earliest date of layoff being first. Employees re-employed may be required to submit to medical examinations as provided in these Regulations, if deemed necessary by the City Administrator.

O. LEAVE OF ABSENCE WITHOUT PAY

Upon an employees written request, the City Administrator may grant a ~~permanent regular~~ employee a leave of absence without pay not to exceed one year. Approval shall be in writing and signed by the City Administrator. No vacation, sick leave benefits, or other benefits shall accrue while an employee is on leave. The employee's anniversary date will be adjusted by the length of the leave granted. Upon expiration of a regularly approved leave without pay, the employee shall be reinstated in the position held at the time leave was granted or to an equivalent position.

P. RESIGNATION

An employee wishing to leave employment with the city in good standing, shall at least two weeks before leaving, file with his/her department manager, a written statement of reasons for leaving and the effective date. The time limit of the resignation may be waived at the discretion of the department manager. The department manager shall file a copy of the resignation and a final performance appraisal in the employee's personnel file.

Q. RETIREMENT

Retirement age shall be governed by statutes in effect at the time. In all instances, the retirement date shall be the last day of the calendar month in which the employee shall have reached the designated retirement age.

R. TRAINING

The City Administrator shall encourage training opportunities for employees. He/she shall assist department managers in developing training programs designed to improve performance for promotion to positions of greater responsibility. Training sessions may be conducted during regular working hours at the discretion of department managers.

S. SAFETY

~~The City Administrator recognizes the need for the development of safe working practices for every employee and desires to promote on the job safety by encouraging the proper design and use of buildings, equipment, tools, and other devices. Responsibility for development, promotion, and coordination of safety throughout the various city departments shall be a responsibility of the department managers.~~

1) Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to his/her department manager. The City will make every effort to remedy problems as quickly as possible.

2) In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their department manager or the City Administrator.

3) Responsibility for development, promotion, and coordination of safety throughout the various City departments shall be a responsibility of the department managers and the City Administrator.

T. OUTSIDE EMPLOYMENT

~~An employee shall not engage in employment other than his/her city job if: such employment interferes with the efficient performance of his/her job; constitutes a conflict of interest, or would result in a poor public image for the city as determined by the City Administrator. Prior to engaging in any employment other than his/her City job, each employee shall report the proposed outside employment to the City Administrator through his/her immediate supervisor. The City Administrator shall not unreasonably withhold approval for outside employment but will prevent outside employment which would interfere with the efficient performance of the employee's job, create a conflict of interest, or result in a poor public image for the City as determined in the sole discretion of the City Administrator. The City Administrator may also require individuals to cease outside employment should any of these factors arise during the course of employment.~~

U. RESTRICTION ON EMPLOYMENT

Employment with the city requires an employee to conduct any and all personal matters in a manner that will bring no discredit to the city.

Peddling or soliciting for sale or donation of any kind on city premises or during regular working hours is not allowed without the express written consent of the City Administrator.

V. POLITICAL ACTIVITY

The rules governing political activities of employees shall follow the provisions of RCW 41.06.250 ~~as amended by Ch. 136, Laws of 1974, 1st Ex. Session~~—Solicitation for or payment to any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited: PROVIDED, however, that officers of employee associations shall not be prohibited from soliciting dues or contributions from members of their associations. No person, elected official, or employee thereof shall solicit on city property any contribution for partisan political purposes.

Employees shall have the right to vote and express their opinions on all political subjects and candidate, and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit an employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for nonpartisan offices. A classified civil service employee shall not hold a part time public office of the city when the holding



of such office is incompatible with, or substantially interferes with the discharge of official duties of the job. For employees ~~which~~ ~~who~~ are in positions financed primarily by federal grant-in-aid funds, political activity will be regulated by the rules and regulations of the United States Civil Service Commission.

#### W. PERSONNEL RECORDS

~~The City Administrator shall maintain a personnel record for each employee. Such record shall show the employee's name, title of position held, the department to which assigned, pay position change in employment status, training received, and such other information considered pertinent.~~

~~Employee records are confidential and shall be accessible only to the employee, his/her immediate supervisors, and such other officials as may be authorized by the City Administrator.~~

1) ~~The City Administrator shall maintain a personnel record for each employee. Such record shall contain the employee's name, title of position held, the department to which assigned, salary, performance evaluations, personnel actions affecting the employee, change in employment status, training received, and such other information considered pertinent.~~

2) ~~A medical file is also kept for each employee, which is separate from the personnel file and is kept locked. It contains information on any physical reports, medical notes or leaves, drug testing results, and accident reports or claims.~~

3) ~~An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the City denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.~~

4) ~~Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, contrary to Law, without a written request for specific information submitted to the City Administrator.~~

#### X. USE OF CITY VEHICLES

City vehicles shall not be driven for personal uses. With the approval of the City Administrator, on-call employees may drive a city vehicle back and forth between work and their private residence.

Y. PERSONAL TELEPHONE CALLS

Personal calls on city telephones and city-owned cellular phones are generally discouraged. However, an employee may call if the failure to call will interfere with their performance. Such calls should be brief and to the point. Employees who use city-owned cellular telephones shall sign reimbursement agreements which authorize withholding of employee pay for failure to pay reimbursement of personal calls not authorized. Personal long distance calls shall be approved by the City Administrator or the employee's department manager. The employee shall reimburse the city for the call.

If approved by the city, an employee may use their personal cellular phone for business-related calls and be reimbursed by the city.

Z. INJURY PROCEDURE

In case of injury, no matter how minor the injury seems, an employee shall contact their supervisor or department manager to report the injury. Employees have the right to go to the doctor of their choice. All medical bills that arise from a workplace injury or occupational disease will be paid by the Washington State Fund. Be sure to notify the doctor that the injury is work-related and he/she will complete a Report of Industrial Injury or Occupational Disease form and send it to the Department of Labor and Industries. This is the first step in filing an industrial insurance claim.

AA. CONTACT WITH NEWS MEDIA

The Mayor, City Administrator, or designated department managers shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The Mayor, City Administrator, or department head may designate specific employees to give out procedural, factual, or historical information on particular subjects.

BB. SUBSTANCE ABUSE

1) The City may discipline or terminate an employee possessing, consuming, controlling, selling or using alcoholic beverages, illegal drugs, or other controlled substances during work hours. The City may also discipline or terminate an employee who exhibits an on-going dependence on alcoholic beverages, illegal drugs, or other controlled substances which, in the City's opinion, impairs the employee's work performance, poses a threat to the public confidence, or is a safety risk to City employees or others.

- 2) Employees who self-report an alcohol, drug, or controlled substance dependency problem will not be subject to retaliation or discrimination. Employees who voluntarily seek treatment may use sick leave to attend a bona fide treatment or counseling program. The City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs, or other controlled substances.
- 3) Employees using any prescription or over the counter drugs which might impair their work performance are requested to notify the City Administrator. Such information shall be kept strictly confidential in accordance with the provisions of the American with Disabilities Act (ADA). Employees with impaired work performance will be subject to a process of reasonable accommodation which may include reassignment to less hazardous duty or if the individual cannot be accommodated in the work place, placed on sick leave.

#### CC. DRUG-FREE WORKPLACE

- 1) The manufacturing, distribution, dispensation, possession, and use of unlawful drugs or alcohol on City premises or during work hours by City employees is strictly prohibited.
- 2) Employees must notify the City within five (5) days of any conviction for a drug violation in the workplace.
- 3) Violation of this policy can result in disciplinary action, including termination. Continued poor performance or failure to successfully complete an assigned rehabilitation program is grounds for termination.
- 4) Any employees required to have a commercial driver's license and operate a vehicle over 26,000 lbs. in gross vehicle weight need to comply with federal drug testing requirements.

#### DD. WHISTLEBLOWER ACT

- 1) Employees should be encouraged to disclose to the extent not expressly prohibited by law, improper actions of local officials and employees without fear of retaliation.
- 2) Any improper actions shall be submitted in a written report to the City Administrator and, in addition, to the appropriate person or persons outside the local government. In the case of an emergency, the report does not have to be filed in writing.
- 3) The identity of a reporting employee shall be kept confidential to the

extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

- 4) A copy of the RCW governing the Whistleblower Act shall be posted in each work area and a copy provided to any employee who requests one.

## EE. CODE OF ETHICS

- 1) The following are definitions of some of the terms used in the City's ethics policy:

Gift means anything of economic value, not including campaign contributions, informational materials exclusively for official or office use, memorials, trophies, and plaques of no commercial value, gifts of \$20.00 or less for bona fide, non-recurring, ceremonial occasions or any gifts which are not used and which within thirty days after receipt are returned to the donor, or donated to a charitable organization without seeking a tax deduction.

Compensation means anything of economic value, however designated, which is paid, granted or transferred, or is to be paid, granted, or transferred for, or in consideration of, personal services to any person.

Confidential means information or data, regardless of form acquired, by a public employee or official in the course of his or her duties which is either not subject to public disclosure under the Open Meetings and Record Act, RCW 42.17.255, et seq. or is prohibited from release to the public or unauthorized City employees under state or federal statute. Examples include, but are not limited to:

- 1) Information obtained in an executive session of the City Council;
- 2) Private medical information prohibited from unauthorized disclosure under the Americans with Disabilities Act, or
- 3) Nonconviction data prohibited from release under the provisions of the Criminal Records Privacy Act.

Public officers and employees mean all employees, including regular full and part-time, represented and auxiliary, and temporary and seasonal/hourly employees of the City for purposes of this code of ethics. As declared in State law, high moral and ethical standards among public servants are essential to the conduct of government in order to eliminate conflicts of interest, improve standards of public

service, and promote and strengthen the faith and confidence of our citizens in their government.

- 2) The public trust prohibits employees from giving or receiving any compensation (other than regular salary), gift, reward, or gratuity for any matter connected with or related to their services as an officer or employee of the City. This provision shall not, however, prohibit the acceptance of business meals of nominal value on an infrequent basis.

Except as authorized by law in the course of his or her official duties, no City employee shall use the power or authority of his or her office or position with the City in a manner intended to induce or coerce any other person to provide such City employee or any other person with any compensation, gift, or other thing of value directly or indirectly.

- 3) Employees may not disclose confidential information gained by reason of their official position, nor otherwise use such information for their personal gain or benefit. Nor shall a city employee be additionally employed or engage in any business or profession which could benefit from confidential information acquired through his/her position with the City.

- 4) This policy is not intended to address all prohibited behaviors that may constitute conflicts of interest for employees.



## POSITION CLASSIFICATION PLAN

### A. DEVELOPMENT AND MAINTENANCE

The City Administrator or a designee shall be responsible for the development and maintenance of a position classification plan that describes the responsibilities, authority and qualifications for each job position and the class to which the position is assigned.

### B. CLASSIFICATION CRITERIA

Permanent positions shall be included within the same class if:

1. They are so similar in respect to duties and responsibilities that the same descriptive title may be used;
2. Substantially the same requirements as to education, experience, knowledge, and ability are demanded of applicants;
3. Substantially the same tests of fitness may be used in choosing qualified appointees;
4. The same schedule of compensation can apply with equity.

### C. RECLASSIFICATION OF POSITIONS

The City Administrator or a designee shall periodically evaluate changes in position and/or class responsibilities, authority, and qualifications. Such changes shall be reflected by revisions in class specifications and re-assignments with the classification plan.

Reclassification, alteration, or omission of existing classifications shall be approved by the City Administrator.

### D. NEW POSITION CLASSIFICATION

When a department manager requests a new position classification, a written position description shall be submitted to the City Administrator. The proposed description may be approved or amended by reassignment to another class or by revising the position specifications.

### E. APPEAL OF CLASSIFICATION

A permanent full-time employee, or his/her representative, may request a re-

consideration of their position classification. The employee shall file a written justification with his/her department manager. The manager shall review the request and forward it to the City Administrator with his written comments. The City Administrator may deny the request or revise the classification.



## PERFORMANCE - PAY SYSTEM

### A. GOAL

Pay for performance does not merely mean paying some employees more than others. Rather, it entails a whole compensation philosophy that includes comparability principles, position in a salary range, acceleration policy, etc., to achieve an ~~integrated~~ totally integrated and balanced system. The goals of a pay for performance system reflect this philosophy:

Use performance appraisals ~~evaluations~~ as the basis for determining pay adjustments.

Provide equal pay for equal performance so that salary ~~and~~ overtime corresponds to an employee's performance level.

Accomplish "pay-for-performance" within constraints of the salary structure and available funding ~~and to enable employees to work productively, efficiently, and effectively, both with tasks and people.~~

Provide for training to improve objectivity and fairness in the evaluation of performance.

The system emphasizes the maintenance of pay distinctions consistent with performance distinctions. This is achieved by placing employees in a pay position based on performance, not longevity. Thus, the employee who eventually is paid near the top of the range should be among the city's best performers.

Also inherent in this concept is the principle that once employees are positioned in a pay step they must maintain their performance to maintain their position.

~~And over time it's expected that those who meet or exceed job requirements will be at or above the middle of their pay range. The upper portion of a pay range represents premium dollars. As such~~ A salary point placed above the middle of the pay range indicates that the level of performance should ~~far~~ exceed the minimum ~~essential~~ job requirements ~~and average performance for the position.~~

The pay range schedule is a statement of policy of the City Council as to the minimum and maximum they are willing to pay for properly classified positions. Also, the pay schedule is a motivational tool for management.

B. PERFORMANCE APPRAISAL EVALUATION

The performance appraisal evaluation is the foundation for moving an employee along the pay range in either direction.

Performance evaluations of city employees shall be conducted semi-annually by the department manager and/or City Administrator to evaluate the employee's level of general performance and accomplishment of the city's goals and objectives. Salary adjustments will be based on good performance evaluation of work-related productivity, effectiveness, and efficiency, with both tasks and people, within specific budgetary limits and conducted once each year. The employee's performance evaluation will determine the progress of the employee reaching the central mid-point salary and the level in the classification's range or higher levels of performance or merit compensation.

An employee's performance shall be appraised evaluated by his/her immediate supervisor on the anniversary of the employee's employment date or after the date which ends a probationary period. Department managers will be appraised evaluated by the City Administrator with a concurring opinion by the Mayor. A supervisor may appraise must evaluate an employee more than annually when:

- The employee is to be moved within the pay range (either direction) for any reason other than a Cost of Living Adjustment;
- The employee's performance is judged by supervisors as deficient;
- The employee requires re-training;
- An employee is placed on a 90 60 day conditional employment;
- An employee is demoted; or
- The city terminates an employee.

At the time of appraisal evaluation, the supervisor and employee shall meet to discuss accomplishments and performance strengths and weaknesses. The appraisal evaluation shall be recorded on the performance appraisal evaluation form and a copy shall be retained in the employee's personnel file.

The supervisor has the responsibility to review and assess an employee's performance on each major essential job element as per the employee job description. Individual element ratings will be assigned to the degree the element was met: "far exceeds", "exceeds", "satisfies", or "does not satisfy". Based on these assessments, the supervisor will assign an overall performance

~~rating. This overall rating shall be one of the following five levels:~~

- ~~1. Far Exceeds Requirements.  
The employee consistently performs in an exceptional manner. The employee must have demonstrated some "far exceeds" levels of performance in individual elements. No performance element may be less than "exceeds".~~
- ~~2. Exceeds Requirements.  
The employee consistently performs in a manner that "exceeds" normal performance standards. In the individual elements, the critical job elements must be rated "exceeds" or higher and no element may be less than "satisfies".~~
- ~~3. Meets All Requirements.  
The employee consistently performs in a manner which consistently meets normal performance standards. In the individual element ratings, all elements must be rated "satisfies" or higher.~~
- ~~4. Meets Minimum Requirements.  
Overall performance is acceptable. All critical elements must be rated "satisfies" or higher. Some noncritical elements may be rated "does not satisfy".~~
- ~~5. Fails Requirements.  
Overall performance is unacceptable. Performance does not satisfy normal performance standards in one or more critical elements of the employees position.~~

~~In the appraisal evaluation of performance and the overall rating the written evaluation, the following factors should be considered by the supervisor.~~

- ~~1. Improvements in efficiency effectiveness, productivity, and quality of work.~~
- ~~2. Timeliness of performance.~~
- ~~3. Attention to Cost efficiency at work.~~
- ~~4. Other indications of effectiveness, productivity, and performance quality Relationships with other employees, associated professionals, clients, and the public.~~

~~Following the appraisal evaluation of performance and assigning an overall performance rating, the completion of a written evaluation, the supervisor may recommend a pay adjustment in either direction along the range.~~

~~The rating assigned to each element, t~~ ~~The overall performance rating,~~ ~~written evaluation~~ and the recommendation for a pay adjustment shall be discussed with the employee by the ~~appraising~~ ~~evaluating~~ supervisor. The supervisor will advise the employee that he/she may respond in writing to any aspect of the performance ~~appraisal~~ ~~evaluation~~ within seven calendar days. The employee will also be advised that they may grieve their ~~appraisal~~ ~~evaluation~~ under the city's personnel grievance procedure.

After the discussion, the supervisor will forward the ~~appraisal~~ ~~evaluation~~, the pay recommendation, and any written response by the employee to the Department Manager. The Department Manager will review the ~~appraisal~~ ~~evaluation~~. Where necessary, the manager will require further explanation or justification. The manager may approve or modify any ratings or pay recommendation. Then, the ~~appraisal~~ ~~evaluation~~ and recommendation(s) will be forwarded to the City Administrator for review, approval, ~~or modification~~ and processing.

#### C. PAY ACCELERATION FACTORS

~~Under the performance-pay~~ ~~pay for performance~~ system, management has the flexibility to move employees from the minimum to the maximum rate consistent with their performance and the city's acceleration policy. ~~The rationale for using an acceleration factor is based on the objective of moving employees from entry level to mid-range (commonly parallels market rate) within a relatively short period of time. The intent is to retain and motivate the best performers as they move at a faster pace to the market rate and beyond.~~

A new employee shall enter the pay range for their position at the minimum level unless the Mayor and/or the City Administrator determine that the employee's qualifications warrant a position higher in the range. A new employee shall not enter their pay range higher than mid-range unless prior approval is received from the City Council.

All employees are eligible for a pay adjustment after employees have served their probation periods and on each anniversary thereafter. An employee shall not receive more than one accelerating ~~performance pay~~ adjustment in a calendar year. A recommendation for a pay adjustment (accelerating/de-accelerating) shall be justified in a written performance ~~appraisal~~ ~~evaluation~~.

No employee can receive less than the minimum nor more than the maximum rate of the pay range assigned to his/her position.

#### D. PAY PERIOD

Employees shall be paid on the last working day of the month, or as authorized by the Mayor or the City Administrator. New employees who work less than

a calendar month shall be paid for actual hours worked. The rate per hour shall be calculated by dividing the annual salary by 2,080 hours.

E. SALARY RANGE ADJUSTED ANNUALLY

1. The City Administrator shall brief the Mayor and City Council regarding timing and considerations for adjusting employees' compensation.
2. City employees shall have the opportunity to suggest modifications in salaries and other wage supplements to the City Administrator.
3. The City Administrator shall conduct annually a compensation survey in accordance with labor market and benchmark classifications ~~as selected by the City Administrator and approved by the City Council.~~
4. The City Council shall give the Mayor and City Administrator policy guidance regarding adjustments to the employee compensation program, based on the following criteria:
  - a. Ability of city to pay;
  - b. Compensation survey information;
  - c. Changes in cost-of-living;
  - d. Desires of the employees;
  - e. Compensation adjustments for other employees.
5. The City Administrator shall make recommendations to the Mayor and City Council regarding salary range ~~and~~ fringe benefit modifications. Salary range adjustments shall be based on the compensation survey and ~~the~~ internal salary relationships.
6. Employees who have satisfactorily completed a six month employment probationary period shall be eligible for a performance pay increase from 0% to 5% and a one year employment probationary period shall be eligible for a performance pay increase from 0% to 8%.
7. Employees who have yet to reach the top of their salary range (~~control point~~) shall be eligible for performance pay increases of 0% to 8% each year. Such performance pay increases shall be added to their base rate of pay to compute the employee's new salary. Performance pay increases shall be approved by the City Administrator. Once an employee has reached the top of his/her salary range, (~~control point~~) the employee shall be eligible for merit/bonus compensation up to 5% of the employee's annual base salary. Such merit/bonus pay increase shall not be added to the employee's base pay. This merit/bonus pay is separate, non-cumulative compensation and must be earned through

exemplary performance each evaluation period.

8. Once the salary ranges have been adjusted each fiscal year, the City Council will allocate a fixed dollar amount in ~~a special~~ ~~the~~ budget/fund for merit/bonus pay increases for those eligible employees who have reached the top of their salary ranges (~~control point~~). The allocated merit/bonus pay fund may or may not be entirely distributed by the City Administrator, depending upon the performance evaluations of the eligible employees.

F. MERIT/BONUS PAY

Employees shall be eligible for merit/bonus pay increases in accordance with the provisions set forth below:

1. Merit/bonus pay increases shall be within the city's ~~merit/bonus pay budget fund.~~ ~~budget in an appropriate fund within each Department's Budget~~
2. The amount of the merit/bonus pay salary increase for each employee shall be based solely on performance.
3. Merit/bonus pay salary increases shall be granted by the City Administrator and confirmed by the Mayor.

## EMPLOYEE BENEFITS

### A. HOLIDAYS

The following holidays established by the Legislature as state holidays shall be recognized by the city as city holidays:

New Years Day	January 1
Martin Luther King Jr. B.D.	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25th
* Floating Holiday	(taken at employee's discretion)

- \* An employee must be on the payroll a minimum of 90 days to receive the floating holiday.

If a holiday falls on a Saturday it shall be observed on the preceding Friday. A holiday falling on a Sunday shall be observed on the following Monday.

If a Department Manager directs an employee to work on a paid holiday, the employee shall receive pay at two times his/her hourly rate for the actual time worked.

Holidays observed during vacation or sick leave shall not be charged against such leave.

### B. VACATION

Annual vacation leave is earned based on the following schedule up to a maximum of twenty six (26) days per year:

First year	6.67 hours a month to equal 80 hours a year
Each year thereafter	an additional .67 hours per month equal to 8 hours per year

Employees should use vacation leave within the year accumulated. However, accumulated leave shall not exceed thirty (30) days at the end of the calendar

year.

New general employees may use accumulated leave following their six month probation and law enforcement officers following their twelve (12) month probation.

A request for vacation leave shall be approved by the Department Manager prior to the first day of leave. Employees with greater seniority have priority if a conflict of requested leave periods occurs.

Employees leaving city employment shall be paid at a current rate of pay for all unused accumulated vacation leave.

C. SICK LEAVE

Sick leave with pay shall accrue at the rate of one working day of leave for each month of continuous full-time service. Leave accrued which is unused in any year shall accumulate for succeeding years for all regular full-time employees to a maximum of 180 days. Upon retirement, death, or mutually-agreed-upon termination twenty-five percent of unused sick leave shall be paid to an employee with five years or more of city employment.

Employees are eligible for sick leave with pay for the following reasons:

1. Non-occupational or occupational personal illness or physical disability.
2. Quarantine of an employee by a physician.
3. Illness in the immediate family requiring the employee to remain at home.

An employee who cannot report to work for any of the aforementioned reasons shall report the reason(s) to his/her immediate supervisor one hour prior to the start of work. Unreported sick leave shall be leave without pay. After two consecutive days of sick leave a Department Manager may require a physicians statement to verify the reason(s) for leave.

An employee who has taken no sick leave during any six (6) month period shall receive, as a bonus, one annual day off or one day's pay (eight hours) for each such period. It shall be the responsibility of the employee to notify the city of the eligibility of the bonus day(s). ~~No sick leave shall be allowed for the first day of absence when the employee has taken sick leave (other than for medical examination, treatment of the employee by a physician, absence due to a job related injury, or illness in the immediate family requiring the employee to remain at home) on three (3) separate occasions within the preceding six (6) month period.~~



D. MATERNITY LEAVE

Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery therefrom, are, for all job related purposes, to be considered temporary disabilities. Accrued sick leave may be used for childbearing or related circumstances (i.e., miscarriage, abortion, or recovery therefrom).

If the period of disability extends beyond the employee's accrued sick leave, then she may take a leave of absence without pay or benefits not to exceed one year. The conditions of the leave of absence shall be agreed upon by the employee and the city. The employee shall notify the city two weeks, if possible, before her anticipated date of departure. A three to four week recovery period is considered reasonable in the absence of extenuating circumstances.

Female employees cannot be denied the opportunity to work during the entire period of pregnancy. They may continue working if a physician concurs with her ability to work, and the responsibilities of the job are satisfied. Proof of the physician's concurrence shall be submitted when requested by the city. Upon return from maternity leave, an employee shall return to her same job or a similar job with at least the same pay.

All provisions shall apply equally to married and unmarried women.

E. MILITARY LEAVE

A city employee who is a member of the State National Guard or a Federal Reserve Military Unit is entitled to be absent from work, with full pay, for fifteen (15) calendar days during each calendar year to comply with ordered military duty. Such leave shall not affect accrued vacation or sick leave.

Employees who are called or volunteer for service with the armed forces of the United States or the Washington National Guard shall be entitled to be considered for reinstatement in accordance with the provisions of the State Law (Ch. 73.16 RCW).

An employee promoted to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the incumbent. The employee affected by the return shall be restored to the position he or she held previously or any other equivalent positions. A new employee hired to fill a vacancy created by a person serving in the armed forces shall hold such position subject to the return of the incumbent. The employee affected by the return shall be placed in a vacant similar position. If no vacancy exists, the person may be laid off.

F. COMPASSIONATE LEAVE

An employee may be granted leave with pay, not exceed five working days, for the death of an immediate family member.

G. FUNERAL PARTICIPATION

An employee may be granted a reasonable time off to participate in a funeral ceremony.

H. JURY DUTY/WITNESS APPEARANCE

It is the civic obligation of each employee to serve on a jury or to testify as a witness when called or subpoenaed. While appearing as a jurist or a witness, an employee shall receive full pay. However, the city will deduct any jury fee or witness fee the employee receives.

I. VOTING

When an employee's work schedule is such that he/she cannot vote prior to the normally scheduled working hours, he/she shall be allowed time off to vote without loss of pay, accrued vacation, or sick leave.

J. COMPENSATORY LEAVE

Compensatory time off equivalent to the overtime hours worked in lieu of overtime pay may be arranged by mutual agreement between the city and the employee. Accrued compensatory leave shall be taken within ninety days from the date earned.

K. WORKMEN'S COMPENSATION

The city shall insure city employees, excluding LEOFF I personnel, with the State Workmen's compensation plan. An employee receiving pay for sick leave who is eligible for time-loss payments under the workmen's compensation law, shall for the duration of such payments, receive only that portion of his regular salary which, together with said payments, will equal his regular salary. To avoid hardship on the employee caused by a time lag in time-loss payments, the employee shall be paid full salary. As the employee receives time-loss payments he/she shall endorse such payments to the city.

L. MEDICAL COVERAGE

The city shall pay the group medical, dental, orthodontia, and vision premiums as follows:

Employee 100%  
Dependents 100%

Medical insurance shall be provided by Pierce County Medical Plan #7 or AWC Plan A. A brochure detailing the coverage shall be available to all employees participating in the group plan.

M. BENEFIT PLAN

The city shall provide and maintain a benefit plan as a substitute for Social Security benefits. The plan shall consist of three benefits:

1. Long-term disability;
2. Life insurance; and,
3. A deferred compensation plan for retirement income.
4. The city administration shall select the corporation or corporations that will manage these benefits.

N. OVERTIME

1) When approved by a Department Director, overtime shall be paid for each hour worked beyond eight (8) hours a day or forty (40) hours a week ~~provided, attendance at conferences, seminars, conventions, or training sessions shall not be considered in calculating overtime, but shall be paid at the regular rate. No compensation shall be paid for travel to and from conferences, meetings, seminars, or training sessions.~~ The rate of pay shall be one and one half times the normal hourly rate of pay. Overtime pay shall be calculated to the nearest half hour interval.

2) Department Directors shall receive pay for overtime when the following conditions exist:

1. A paid overtime employee is not available;
2. The work performed is non-supervisory; and
3. The work must be accomplished immediately.

The rate of pay shall be one and a half times the averaged pay rate for the position normally required to perform the work.

O. TRAVEL TIME

1) Home to Work Travel. Time spent traveling from home to work is not generally compensable. In addition, the time spent by an employee traveling from home to a local airport, bus depot or train station in order to get to an out-of-town meeting is not compensable.

2) Travel During Workday. Time spent traveling from one job site to another during the work day is compensable.

3) Out-of-Town Travel. If an out-of-town meeting takes place during the employee's regular working hours, time spent driving to the meeting or attending the meeting is compensable. If the out-of-town meeting does not take place during the non-exempt employee's regular working hours, only the time spent driving is compensable. Travel time spent by an employee outside of regular working hours as a passenger in a car, boat, bus, airplane or train to an out-of-town meeting is not compensable.

#### O. P. CALL BACK

When an employee is called into work during his/her normal off-time, a minimum of two hours overtime pay shall be paid.

#### P. Q. STAND-BY STATUS

An employee scheduled for "standby status" shall be compensated as follows:

1. If the standby period is less than eighteen (18) hours, the employee shall receive one (1) hour of pay at the straight time rate; or,
2. If the standby period exceeds eighteen (18) hours but not twenty-four (24) hours, the employee shall receive two (2) hours pay at the straight time rate;
3. After twenty-four (24) hours, compensation is calculated by repeating the aforementioned method.
4. If the employee is called back to work while on stand-by, compensation shall be governed by personnel regulations on call back. Stand-by status will then begin when the call back ends.

The method of scheduling personnel and the determination of periods for standby assignments shall be the responsibility of the Department Director or his designee.

#### Q. R. TRAVEL REIMBURSEMENT

When employees are required to travel on city business, they shall be reimbursed for:

1. Private vehicle use, at a rate of \$.28 per mile;

2. The actual and reasonable expenses for lodging and meals.

When employees are making travel and accommodation arrangements, it shall be the responsibility of the employee to obtain, whenever available, government discount rates.

#### R. S. EDUCATION PROGRAM

Upon satisfactory completion of a job related educational course when the employee who desires to take the course has prior written approval from the City Administrator, the city shall reimburse the employee for the educational course up to a maximum of \$160 per credit hour. The city agrees to compensate reasonable expenses for textbooks required for such course and will retain such textbooks in the department of the Department Director.

#### S. T. SHARED LEAVE

Employees may extend their accrued vacation time to any employee to a maximum benefit of 261 days in any one incidence. For employees eligible for unpaid FMLA leave, shared leave must be used at the same time as the unpaid FMLA leave.

## DISCIPLINE

### A. GOAL

The process of discipline is complex and comprised of all lights and shadows of human nature. How an organization disciplines has a profound effect on work group attitudes, on personal relations with between employees, and on organizational performance. The goal of this system is "positive discipline".

Positive discipline is based on an examination of organizational objectives and which of behaviors which will accomplish them. Its objective is to modify undesirable behavior rather than punish it.

### B. PROCEDURES

Not all unsatisfactory performance or breaches of discipline have equal effects on the city's goals. Nor are all employees equal in their performance histories. Therefore, department directors or supervisors managers must select an approach based on the magnitude of the breach and the employee's past performance. Several approaches are available.

#### I. Counseling - Step Method

Step One - A supervisor will speak with the employee in a casual manner and will remind describe to the employee as to how that his/her unsatisfactory performance or lack of discipline compromises any and all city goals. The employee will also be reminded of the high standard of performance that is expected of everyone and that mediocrity in only responsible performance does not achieves organizational or personal success. This counseling will be recorded in the employee's personnel file.

~~Step Two~~ - Should another incident arise within eight weeks of Step One, the supervisor will speak to the employee in a serious but friendly atmosphere. The supervisor will explain the need for and purpose of policy, procedures, and rules; make sure the person understands and agrees with these tools of control; and, will explain how the employee's unsatisfactory work has a negative impact on city goals. He will also listen to any reasonable excuse the employee may bring up. If the supervisor decides that the transgression was based on a misunderstanding, he of course informs the employee that the matter is closed.

~~This counseling is recorded in the employee's personnel file.~~

Step Three Two - In case the event of further incidents within eight weeks, Step Two One is repeated with some variation. The employee is asked to consider whether they are he/she is truly interested in being

a part of the organization ~~or are they here to pursue only a self-serving course.~~ or is going to continue the behavior which is subject to discipline. If the employee elects to stay employed, then the emphasis will be to clarify for the employee the difference between the employee's behavior and city standards. ~~Dependent on their the employee's answer, they are he/she is either asked to make an on-going, overt behavioral commitment to city standards or seek other employment.~~ The employee is asked to make an on-going commitment to city standards. This counseling is documented in the employee's personnel file.

~~Step Four~~ ~~Three~~ - The employee who perpetrates ~~commits~~ another incident of unsatisfactory performance within eight weeks of Step ~~Three~~ ~~Two~~ will be sent home for the rest of the workday and instructed to consider whether she/he does or does not wish to abide by city standards. The employee will receive full pay for the time as a last expression of the city's hope that she/he will wish to stay and abide by all standards. ~~The employee will receive full pay for the time as a last expression of the city's hope that she/he will wish to stay and abide by all standards.~~ The employee will be instructed to return the following work day with a decision. Documentation will be made in the employee's personnel file.

If no further incidents occur within eight weeks of any Step (except Step ~~Four~~ ~~Three~~) such step is cleared from an employee's record. Should another incident happen at a later time, the last Step ~~Three~~ will ~~may~~ be implemented.

In cases of several incidents occurring at unusually close intervals, or serious breaches of discipline, Steps one, and two, ~~or three~~ may be skipped.

2. ~~Conditional Employment~~ - ~~90~~ ~~60~~ days. A Department ~~manager~~ ~~Director~~ may place an employee, who is in Step ~~Four~~ ~~Three~~ of counseling, on conditional employment for ~~ninety (90)~~ ~~sixty (60)~~ days. The Department Director will ~~appraise~~ ~~evaluate~~ the employee's performance every ~~thirty (30)~~ ~~twenty (20)~~ days. If the employee's performance is satisfactory at the end of ~~ninety (90)~~ ~~sixty (60)~~ days he/she will be ~~placed at counseling~~ Step ~~Three~~ not be subject to Counseling Steps One or Two as a consequence of any subsequent disciplinary incidents, but will be subject to Step 3 and or other disciplinary measures. If his/her performance is not satisfactory, he/she may be terminated with the approval of the City Administrator. When an employee does not demonstrate improvement during any ~~30~~ ~~20~~ day review ~~period~~ they may be terminated prior to the end of ~~90~~ ~~60~~ days.

- C. 3. Suspension With Pay - Department Directors may suspend an employee with pay if the employee does not appear to be physically or psychologically suitable for work and a further evaluation is necessary to determine this fact.
- D. 4. Suspension - Without Pay - Suspension without pay shall only be used for serious breaches of organizational or professional policies and procedures, or alleged criminal behavior. This shall be the most severe method action in lieu of termination. The reasons for suspension shall be written and a copy given to the employee.
- E. 5. Termination - Discharging an employee should occur when there is little probability of modifying unsatisfactory behavior or performance, or when the behavior subject to discipline is a risk to the safety of other employees, or the misconduct is so severe that public trust and confidence is compromised.

The City Administrator shall approve all recommendations for termination. A discharged employee shall be notified in writing by the Department Director. Such notification shall include supporting reasons.



## GRIEVANCE PROCEDURE

### Right to Grieve.

- A. An employee may grieve the interpretation, meaning, or application of any provision in these regulations.
  
- B. Procedure. Under no circumstance may an employee maintain more than one appeal of the same issue under these available appeal procedures. This procedure shall apply unless preempted by State Law, Civil Service rules, or a union contract.
  - 1. The employee shall discuss the grievance with his/her immediate supervisor within ten (10) working days of the incident causing the dispute. The supervisor shall respond, in writing, within ten (10) working days.
  
  - 2. If the employee is not satisfied with the Supervisor's response, he/she may submit a written complaint to the Department Director. Such complaint must be filed within five (5) working days following receipt of the Supervisor's response. The Department Director shall respond, in writing, within five (5) working days. Copies of all documents shall be forwarded to the City Administrator.
  
  - 3. If the employee is not satisfied with the Director's response, he/she may file a written complaint with the City Administrator. The complaint must be filed within five (5) working days of receiving the Manager's response. The City Administrator shall respond, in writing, within five (5) working days.
  
  - 4. If the employee is still not satisfied, the City Administrator may agree to other means to resolve the dispute. Otherwise, the City Administrator's decision is final.

No punitive action shall be applied to an employee for using the grievance procedure.

## SEVERABILITY

If any provision of these Regulations, or if their application to any person or circumstances is held invalid, the remainder of the Regulations, or the application of the provision to other persons or circumstances is not affected.



*City of Gig Harbor. The "Maritime City."*

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**TO: MAYOR WILBERT, CITY COUNCIL**  
**FROM: MARK HOPPEN, CITY ADMINISTRATOR** *MHA*  
**SUBJECT: 1995 JOB DESCRIPTION UPDATE**  
**DATE: MARCH 9, 1995**

#### **INFORMATION/BACKGROUND**

Previously, job descriptions were updated, compiled, and approved by simple motion. Consistent with the 1995 implementation of the position of Court Clerk and with the addition of the position of Public Works Assistant, job descriptions for the position of Municipal Court Administrator, Municipal Court Clerk, Assistant Municipal Court Clerk, and Public Works Assistant are attached for update and approval. Also the position of Police Services Specialist, which used to be called Police Clerk, is being revised to reflect the change in position title and to update the text. The 1995 Organizational Chart is included for your reference.

#### **POLICY CONSIDERATIONS**

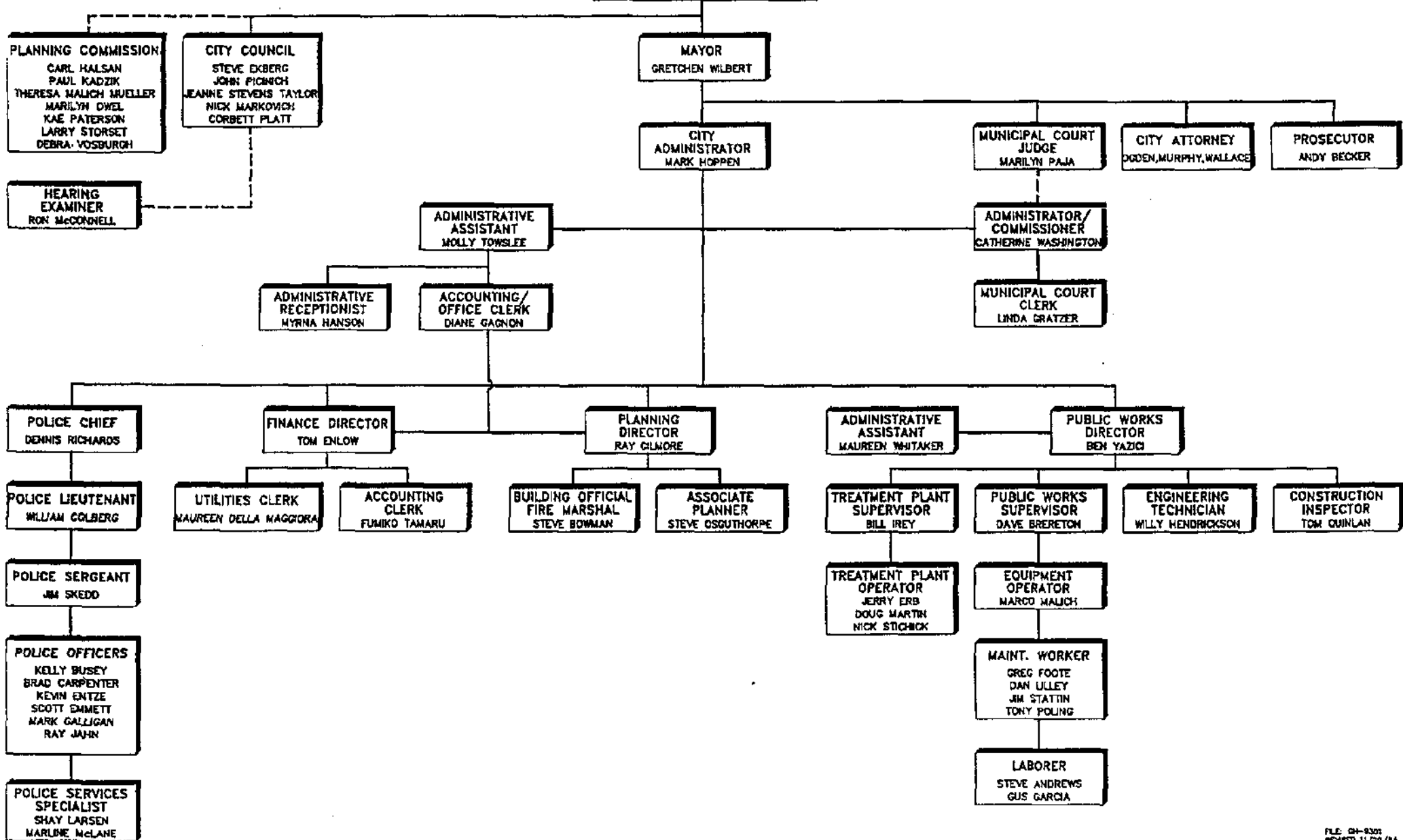
It is anticipated that job descriptions will be revised in this manner by simple motion yearly to reflect budgetarily adopted changes in the personnel structure and to reflect position alterations as necessary.

#### **RECOMMENDATION**

Staff recommends adoption of the attached job description alterations and additions in The City of Gig Harbor Job Descriptions as presented. Adoption should be by simple motion.

# CITY OF GIG HARBOR ORGANIZATIONAL CHART

## GIG HARBOR CITIZENS



## MUNICIPAL COURT ADMINISTRATOR

### Nature of Work

This is an administrative and supervisory position responsible for developing, implementing, and administering non-judicial functions and daily operations of the Municipal Court. The person occupying this position supervises the ~~position of Assistant Court Clerk~~ court clerk positions. Work may be varied in nature, but often follows prescribed procedures. Assignments may be repetitive. Requires independent judgement and organizational skills. This position must maintain a high degree of confidentiality.

### Controls Over the Work

Under the supervision of the Municipal Court Judge and City Administrator, and within the governing framework of state statutes and local ordinances. Work is reviewed periodically for accuracy and conformance to standards by state audit and others.

### Essential Duties and Responsibilities

Deals courteously, patiently, and efficiently with the public, police, attorneys, supervised employees, and personnel from related agencies at all times. Maintains composure in hostile situations; deals with emotionally distraught, irate, intoxicated, and combative individuals.

Implements court policies, procedures, and methods; formulates and submits to the judge recommendations for mandated changes and any other changes for improving the operation of the court.

Acts as liaison and maintains effective working relationships between the city and county jails, city attorney, law enforcement agencies, all outside agencies, and the public on policy and procedural matters and court rules.

Responsible for overall management functions relating to fiscal policies, personnel, caseload, records management and maintenance, juror utilization, facilities, and preparation of reports required by various agencies.

Assists in the personnel process.

Prepares court calendars for criminal infraction cases; insuring appropriate documentation is in file; insures proper documentation of court proceedings.

Monitors case dispositions for compliance with court orders. Maintains warrant control.

Prepares agency referrals, setting follow-up hearings such as reviews and sentencing, and making proper notification to Department of Licensing and State IS Section. Prepares and monitors commitments and orders for release for jail.

Responsible for the accounting of all monies, fines, bails, forfeitures, penalties, bonds, and other court receipts; arranges for time payments for fines, monitors payments, and takes appropriate action for delinquent payments in accordance with court policy.

Responsible for preparation and administration of annual budgets and budgeted expenditures.

Responds to counter, telephone, and written inquiries; sorts and routes documents; and initiates correspondence responding to court-related inquiry or requested information.

Performs other duties as required by designated supervisors.

### Knowledge, Abilities, and Skills

Any combination of experience and education which provides the following abilities to perform the work:

Demonstrated supervisory/management skills.

Thorough knowledge of the functions and procedures of the court.

Knowledge of business English, spelling, punctuation, and math.

Ability to communicate and deal effectively with other employees and the public.

Ability to plan, organize, and supervise staff in work requiring accuracy and attention to detail.

Ability to communicate effectively both orally and in writing.

General knowledge of and ability to perform clerical duties and operate standard office equipment, including PC.

### Physical Demands and Work Environment

Work is performed in an office or conference room setting. Walking, sitting, standing, bending and reaching is required. Some local traveling may be required. Exposure to adverse weather conditions is minimal.

May be exposed to potential anti-social or criminal behavior.

### Qualification Required

High school diploma or equivalent.

Three years of progressively responsible work experience in court administration and clerical work, applying knowledge of court rules, regulations, policies, and procedures.

Must be bondable.

Must have fulfilled all legal requirements under GR8 and is eligible to perform within the State of Washington the duties of Municipal Court Commissioner.

## MUNICIPAL COURT CLERK

### Nature of Work

This is administrative, clerical and accounting work in the Municipal Court. The person occupying this position is responsible for support of the operation of the Municipal Court. Work may be varied in nature, but it follows prescribed procedures, and assignments are often repetitive. Work is advanced and specialized in Municipal Court operations requiring the exercise of independent judgement and action.

The employee in this position is required to deal courteously, patiently and efficiently with the public, police, attorneys, supervised employees, and personnel from related agencies at all times.

The employee will act as liaison and maintain effective working relationships between the city and county jails, city attorney, law enforcement agencies, all outside agencies and the public on policy and procedural matters and court rules.

### Controls Over the Work

Under the supervision of the Municipal Court Administrator and City Administrator, and within the governing framework of state statutes and local ordinances, the incumbent functions within well established procedures. Performance is reviewed and evaluated periodically for accuracy and accountability by the Municipal Court Administrator.

### Essential Duties and Responsibilities

Processes traffic citations, constructs files, etc. Develops court dockets and maintains court records and warrant control. Monitors case dispositions for compliance with court orders.

Receives, logs, and indexes incoming filings, citations, and complaints. Processes juror subpoenas and supervises juror reponse and service.

Receipts and disburses payments, sets up time payment accounts, prepares deposits and maintains accurate accounting for all funds collected, processed and disbursed.

Takes appropriate action for delinquent payments. Reconciles monthly bank statement, transaction journal and trust account preparation, and submittal of monthly caseload statistical report.

Assists the public by checking records and files for requested information.

May reconcile monthly bank statement, transaction journal and trust account preparation, and submittal of monthly caseload statistical report.

Develops court dockets.



~~Maintains court records.~~

May assist Municipal Court judge during trials; may act as bailiff, jury manager, docketing all procedures, preparing notices of case settings; setting trials, notifying officers, subpoenas witnesses, prepares agency referrals, sets follow-up hearings and notifies appropriate agencies.

~~Acts as court probation officer.~~

Performs other duties as required at the direction of the designated supervisor.

### Knowledge, Abilities and Skills

~~Knowledge of business English, spelling and punctuation, arithmetic, office practices, procedures and use of standard office machines.~~

~~Knowledge of office practices, procedures~~ Thorough knowledge of the functions and use of ~~procedures of standard office machines~~ the Court.

Ability to type at a rate of 40 words per minute ~~and to operate a ten key calculator.~~

Ability to make routine mathematical computations and tabulations accurately and with reasonable speed.

Ability to learn assigned tasks readily within a reasonable training period, and to adhere to prescribed routines.

Ability to ~~establish, communicate and maintain effective working relationships~~ deal effectively with other employees and the public ~~both orally and in writing.~~

Ability to understand and carry out oral and written instructions.

~~Ability to operate a ten key calculator and knowledge of computer operating systems with experience in operating personal computers and various software.~~

~~Ability and knowledge of computer operating systems with experience in operating personal computers.~~ Will be expected to be able to fill in for the Municipal Court Administrator as necessary.

### Physical Demands and Work Environment

Work is performed in an office or conference room setting. Walking, sitting, standing, bending and reaching is required. Some local traveling may be required. Exposure to adverse weather conditions is minimal.

Qualifications Required

Minimum: two years court administration or related experience and a high school diploma equivalent.

OR

One year of related office experience and satisfactory completion of a business or related training curriculum.

Must be bondable.

## ASSISTANT MUNICIPAL COURT CLERK

### Nature of Work

This is administrative, clerical and accounting work in the Municipal Court. The person occupying this position is responsible for support of the operation of the Municipal Court. Work may be varied in nature, but it follows prescribed procedures, and assignments are often repetitive. ~~Work is advanced and specialized in Municipal Court operations requiring the exercise of independent judgement and action.~~

### Controls Over the Work

Under the supervision of the Municipal Court Administrator and City Administrator, and within the governing framework of state statutes and local ordinances, the incumbent functions within well established procedures. Performance is reviewed and evaluated ~~periodically for accuracy and accountability~~ by the Municipal Court Administrator.

### Essential Duties and Responsibilities

Processes traffic citations, constructs files, etc.

Receipts and disburses payments, sets up time payment accounts, prepares deposits and maintains accurate accounting for all funds collected, processed and disbursed.

Assists the public by checking records and files for requested information.

May reconcile monthly bank statement, transaction journal and trust account preparation, and submittal of monthly caseload statistical report.

Develops court dockets.

Maintains court records.

May assist Municipal Court judge during trials; may act as bailiff, jury manager, docketing all procedures, preparing notices of case settings; setting trials, notifying officers, subpoenas witnesses, prepares agency referrals, sets follow-up hearings and notifies appropriate agencies.

Performs other duties as required at the direction of the designated supervisor.

### Knowledge, Abilities and Skills

Knowledge of business English, spelling and arithmetic.

Knowledge of office practices, procedures and use of standard office machines.

Ability to type at a rate of 40 words per minute.

Ability to make routine mathematical computations and tabulations accurately and with reasonable speed.

Ability to learn assigned tasks readily within a reasonable training period, and to adhere to prescribed routines.

Ability to establish and maintain effective working relationships with other employees and the public.

Ability to understand and carry out oral and written instructions.

Ability to operate a ten key calculator.

Ability and knowledge of computer operating systems with experience in operating personal computers.

~~Will be expected to be able to fill in for the Municipal Court Administrator as necessary.~~

#### Physical Demands and Work Environment

Work is performed in an office or conference room setting. Walking, sitting, standing, bending and reaching is required. Some local traveling may be required. Exposure to adverse weather conditions is minimal.

#### Qualifications Required

Minimum: ~~two years court administration or related experience~~ preferred and a high school diploma equivalent.

OR

One year of related office experience and satisfactory completion of a business or related training curriculum.

## **PUBLIC WORKS ASSISTANT**

### Nature of Work

This is responsible administrative - secretarial work in the Public Works Department. The person occupying this position must be knowledgeable in many aspects of organizational and operational process and be able to relieve the Public Works Director of routine administrative duties. The position is responsible for the timely production of variety of projects as assigned. The work requires considerable familiarity with Public Works administration and financial practices, analysis, procedures and public relations. Work must be executed with confidentiality, minimum supervision and with exercise of independent judgement.

### Controls Over the Work

Under the direct supervision of the Public Works Director, and indirect supervision of the City Administrator, the person occupying this position assists in general Public Works office operation within established procedures. The person will exercise control over specific administrative decisions as delegated by the Public Works Director.

### Essential Duties and Responsibilities

Performs secretarial work and types form letters, memoranda, draft ordinances/resolutions, reports, and other materials from clear copy or rough draft and composes correspondence. Also designs and creates forms and procedures for information management.

Responsible for the development and maintenance of records and files and ensures public notices and requests for proposals or bids are properly advertised.

Assists the Public Works Director in the management of state and federal grants.

Responsible for the acquisition and release of various bonds related to Public Works construction.

Responsible for the management of the right-of-way use ordinance. Also responsible for the maintenance of Public Works Small Works Roster.

Provides assistance in coordinating plan and project reviews between various city departments and within various sections of the Public Works Department.

Collects and prepares data for reports; prepares and presents recommendations pertaining to specific subject matter as directed by the Public Works Director. Also, gathers input for the Public Works Standards and assists the Public Works Director for the annual updates of the Standards.

Assists the public, applicants, contractors, project proponents, and consulting engineers by checking routine records and files for requested information.

Schedules inspections for the Public Works Construction Inspector.

Assists the Waste Water Treatment Plant Supervisor for the timely preparation and compilation of the various plant reports. Also assists the Public Works Supervisor in the management of the Public Works expenditures.

Responsible for the implementation and management of the Public Works Equipment Management program and for the development and implementation of Water Department Backflow Prevention program.

#### Knowledge, Abilities and Skills

Knowledge of business English, spelling and business mathematics, office practices, procedures, and use of standard office machines, and computer/word processor data input procedures.

Knowledge of Local Agency Guidelines (LAG) manual for state and federal grants/loans administration.

Knowledge of BARS Manual.

Ability to perform assignments in a coordinated and organized fashion. Must be able to effectively manage time and coordinate a variety of projects between various departments in a timely and efficient manner.

Ability to make routine mathematical computations and tabulations accurately and with reasonable speed. Ability to learn assigned administrative tasks readily within a reasonable training period, and to adhere to prescribed routines.

Ability to communicate effectively and to establish and maintain effective working relationships with other employees and the public.

Ability to understand and carry out oral and written instruction, and to express ideas effectively, both orally and in writing.

Ability to make independent decisions.

Knowledge of general operation of Public Works Department.

#### Physical Demands

Work is performed in an office or conference room setting. Walking, sitting, standing, bending and reaching is required. Some local travelling may be required. Exposure to adverse weather conditions is minimal.

#### Qualifications Required

Minimum: Two years of college or university course work, and three years related office experience. Previous municipal experience in a Public Works Department is highly desirable.

## POLICE CLERK SERVICES SPECIALIST

### Nature of Work

This is a confidential, responsible clerical, technical and administrative position in public safety for the City of Gig Harbor Police Department. The person in this position requires attitudinal flexibility, the ability to work independently and substantial knowledge of police records report processing functions. The employee is responsible for several clerical functions: record-keeping; typing; filing; answering the telephone; radio dispatching; and transcription work requires a high degree of tape recordings confidentiality and interpersonal sensitivity.

The employee is also responsible for several administrative functions: preparing monthly statistical reports administrative and clerical tasks including composing, typing and filing police reports, and performing records checks for the Uniform Crime Reporting and Incident Base Report systems; daily recording of information for Traffic Trend Analysis; processing crime and incident reports; preparing case reports for prosecutor's office, crime victim services, and mental health facilities; and fingerprinting citizens and administrative bookings public and other law enforcement agencies. The employee develops effective working relationships with Other duties include responding to the public, supervisors, other criminal justice agencies in person or on the phone, and city employees referring inquiries to appropriate individuals. The employee must appropriately handle evidence and found property in addition to assisting with custody prisoners.

The employee assists officers in the field by providing information via the police radio console

The employee develops effective working relationships with the public, supervisors, other criminal justice agencies and City employees

### Control Over Work

The employee is under the direct supervision of the Chief of Police and the general supervision of the Police Lieutenant and Sergeant.

The employee's performance is governed by Department Policies and Procedures, and local, state, and federal laws.

The employee exercises discretion in regulating daily activities and use of clerical and administrative skills.

Performance is monitored daily by the Chief of Police or the Police Lieutenant his appointed for conformance with policies, accepted practices, and laws.

## Essential Duties and Responsibilities

Records, and files and/or monitors crime, field interview reports, traffic, state and federal uniform incident crime reports, vacation security log, a telephone reassurance program, access information, and incident reports.

Daily maintenance includes review of all criminal, traffic, and incident reports turned in by officers for determination of follow-up.

Types letters, memorandums, administrative reports and police reports. Takes and transcribes complex and confidential administrative, criminal, and/or civil seizure hearings from dictation or recorded tapes.

Prepares Police Activity Report for the City Council.

Prepares case reports for prosecutor's office, juvenile detention and mental health facilities.

~~Prepares Crime Analysis reports for Chief of Police and Police Lieutenant. Transcribes administrative and incident reports from recorded tapes. Prepares Uniform Crime Report for the Federal Bureau of Investigation.~~

Radio dispatches calls, records information, licensing status messages to and from police officers in the field.

Answers telephone, responds to citizen requests, answers questions and records messages. Fingerprints administrative bookings and citizens for licenses, concealed weapons permits, and citizenship applications. Fingerprints citizens for various licenses, criminal history clearance and citizenship, also administrative bookings for prisoners.

~~Prepares Uniform Crime and Incident Base reports for the Washington State Patrol and Federal Bureau of Investigation.~~

Prepares validation reports for Washington State National Crime Information Center.

## Knowledge, Abilities and Skills

Considerable knowledge of office skills, equipment, and various software.

Thorough knowledge of Right to Privacy and Public Disclosure laws, policies and procedures relating to the work of police officers and the rights of citizens.

Ordering and maintaining adequate supplies for the department including all federal, state and local report forms, evidence and property handling equipment, drug testing kits, and vehicle supplies

Thorough knowledge of Uniform Crime Reporting, Incident Base Reporting and certification of the State ACCESS system.



~~Maintenance and upkeep of all equipment records such as computers, typewriters, state ACCESS information system, BAC system, radar equipment, communications systems, and vehicles.~~

~~Thorough knowledge of seizure and forfeiture laws, procedures and hearings regarding criminal and financial asset removal.~~

Ability to understand and effectively carry out both oral and written instructions.

~~Ability to relate to the public, supervisors, and other city employees, and the ability to resolve difficult situations within set department guidelines with tact and diplomacy.~~

Performs other duties as required by designated supervisors.

~~Thorough knowledge of office skills: bookkeeping, typing, filing, record keeping, and answering telephone.~~

~~Thorough knowledge of Uniform Crime Reporting, Incident Base Reporting, and certification of the State ACCESS system. Also, proper Police record keeping issues and procedures and filing practices.~~

~~Ability to demonstrate speed and accuracy on the operation of PC software such as word processing, spreadsheets, and database management and records maintenance programs.~~

~~Knowledge of office equipment: typewriter, FAX machine, personal computers, transcriber, copy machine, radio, 10 key calculator, and teletype. Knowledge of fingerprinting techniques, knowledge of basic math.~~

### Physical Demands

~~The employee works~~ Work is performed in an office setting. ~~Since the employee files data and police records there is some~~ Walking, sitting, standing, bending, climbing stairs, and walking and reaching is required. Some automobile travel may be required. Exposure to adverse weather is minimal. ~~There occasionally may be the need to lift up to 25 to 35 pound boxes.~~

### Qualifications Required

#### Minimum:

~~High school diploma or GED equivalent; office related experience, police related experience preferred.~~

~~Two years police related office experience, high school diploma or GED equivalent, type minimum 40 words per minute. Able~~ Ability to pass a detailed background and security clearance.



C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 3/03/95

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR  
FOR EXPIRATION DATE OF 5/31/95

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1 FRATERNAL ORDER OF EAGLES GIG HARBOR AERIE NO. 2809	FRATERNAL ORDER OF EAGLES GIG HARBOR 2809 BURNHAM DR NW GIG HARBOR WA 98335 0000	360395	H
2 RIB TICKLERS, BBQ, INC.	RIB TICKLERS, BBQ RESTAURANT & LOUNGE 3226 HARBORVIEW DR GIG HARBOR WA 98335 0000	358890	H
3 DYLAN ENTERPRISES INC.	TIDES TAVERN 2925 HARBORVIEW DR GIG HARBOR WA 98335 0000	356387	B C E F

Attention:

Enclosed is a listing of liquor licensees presently operating establishments in your jurisdiction whose licenses expire on MAY 31, 1995. Applications for renewal of these licenses for the upcoming year are at this time being forwarded to the current operators.

As provided in law, before the Washington State Liquor Control Board shall issue a license, notice regarding the application must be provided the chief executive officer of the incorporated city or town or the board of county commissioners if the location is outside the boundaries of an incorporated city or town.

Your comments and recommendations regarding the approval or disapproval for the enclosed listed licensees would be appreciated. If no response is received, it will be assumed that you have no objection to the reissuance of the license to the applicants and locations listed. In the event of disapproval of the applicant or the location or both, please identify by location and file number and submit a statement of all facts upon which such objections are based (please see RCW 66.24.010(8)). If you disapprove then the Board shall contemplate issuing said license, let us know if you desire a hearing before final action is taken.

In the event of an administrative hearing, you or your representative will be expected to present evidence in support of your objections to the renewal of the liquor license. The applicant would presumably want to present evidence in opposition to the objections and in support of the application. The final determination whether to grant or deny the license would be made by the Board after reviewing the record of the administrative hearing.

If applications for new licenses are received for persons other than those specified on the enclosed notices, or applications for transfer of licenses are received by the Board between now and MAY 31, 1995, your office will be notified on an individual case basis.

Your continued assistance and cooperation in these licensing matters is greatly appreciated by the Liquor Control Board.

LESTER C. DALRYMPLE, Supervisor  
License Division  
Enclosures

MAYOR OF GIG HARBOR  
P.O. BOX 145  
GIG HARBOR

WA 983350145

MAYOR'S REPORT  
March 13, 1995



## DUTIES, RESPONSIBILITIES, AND OBLIGATIONS OF A MAYOR

Oh how I wish this Mayor could just stay and watch over happenings in Gig Harbor. Such is not the case. All the mayors of Pierce County find themselves being asked by the County to serve on a myriad of commissions and advisory boards along with attending the "networking" sessions of regional councils and other policy creating bodies.

Provided is a summary of your Mayor's activity through appointment by the Executive and confirmed by the Pierce County Council.

### Pierce County

Aging and Long Term Care (ALTC) Advisory Board - Appointed to a second four-year term 2/95. Emphasis: Distribution of federal funds into programs serving the low income, fragile, elderly, and disabled within Pierce County.

Commission Against Domestic Violence (CADV) - At this writing, a campaign with the appeal to *STOP THE VIOLENCE* is taking shape. News stories, media attention, and bus signs will appear in April. An educational emphasis will be available to the community through a speakers bureau using short video presentations and printed material.

Human Services Roundtable - An ad hoc group evaluating the existing social services policy and making recommendations for change to be taken before the County Council this year.

Election Oversight Committee of the County Auditor - Reviewing election policy, and the success and failures of the election procedure, making recommendations to the Auditor.

Pierce County Regional Council - Members include a mayor or council representative from each city in Pierce County. Formed in 1991 to create the Pierce County Planning Policy required by GMA. Council additionally funded in 1994 to oversee the implementation of the Planning Policy. Meeting now to reconcile differences with Pierce County on those Planning Policies.

Cities and Towns of Pierce County - I passed the president's gavel to the Mayor of Bonney Lake last month. The group at the present time, focusses on legislation detrimental to cities. Selecting members to serve on advisory boards and commissions and reporting committee action back to the group is a continuing process. Program presentations by departments of government and community interests bring information to coordinate needs and services within the county.

## **On the Peninsula**

Advisory Committee to the Washington Correction Center for Women - Chief Dennis Richards has been successful in finding community projects for the inmates.

Parks Meetings, Peninsula School District Interaction, and Annexation Information Sessions  
Administrator Hoppen is the representative for the city at these meetings.

## **Regionally**

Puget Sound Regional Council - Meets in Seattle. I do not attend these meetings. Please review the latest MTP updates attached for Vision 2020. Transportation is still the focus of the PSRC. I attend as many local workshops as I can to "season" the discussion with thoughts of alternative transportation, working with Pierce and Kitsap Transit, Port of Tacoma, DOT, and local citizens' groups.

## **Additionally**

County/City Staff Meetings - Lately the staff and I have been attending meetings with County Staff, the County Executive, and County Council members. Progress is being made in our understanding of the needs of the County and the City in an interim planning agreement. We are continuing negotiations daily.

**PIERCE COUNTY CITIES & TOWNS ASSOCIATION  
COMMITTEES AND APPOINTED REPRESENTATIVES  
As of January 1995**

<u>Organization</u>	<u>Representative</u>	<u>Term</u>	<u>Appointed</u>
Tacoma-PC Health Dept.	Leonard Sanderson - Milton	Ongoing	9/2/93
EMS Council	Carl Stegman	1 yr	5/95
Alternate:	<b>Vacant</b>		
EMS Funding Committee	Janda Volkmer - Steilacoom	Ongoing	7/29/93
PC Boundary Review Board	Kathy Sandor - Buckley	3 yrs	5/12/94
PC Law Enf. & FF Disability Brd	Kristi Coppin - Sumner	3 yrs	11/4/93
PC Law & Justice Commission	Carl Stegman - Fife	Ongoing	3/3/94
PC Air Quality Commission	Kirk Heinz - Eatonville	Ongoing	7/7/94
Alternate:	David Viafore - Fircrest		1/5/95
PC Utility Board (Meet only when there is a change in boundaries)	Larry Werner - Puyallup	Ongoing	3/17/88
PC Economic & Comm. Dev. & Housing City Advisory Brd	4 Mayors - Fircrest, Bonney Lake, Roy, Steilacoom	1 yr	<b>9/1/94</b> (1994)
Puget Sound Regional Council Transportation Policy Board	Carl Stegman - Fife	Ongoing	1/16/92
Economic Development Corp. of Pierce County	Dennis Stranik - Eatonville	3 yrs	1/7/93 Expires: 9/14/95
LESA Executive Board Ad Hoc Representative	Kim Walthers - Buckley	Ongoing	
Election Department Overseeing Committee	Gretchen Wilbert - Gig Harbor	Ongoing	7/29/93
Alternate:	Kristi Coppin - Sumner		
Basin Plan Review Committee	Tom Heinecke - Puyallup	Ongoing	7/29/93
Conservation Futures Program Citizens Advisory Board	Wolfgang Fletter - Steilacoom Terry Larson - Fircrest	3 yrs	11/21/91 Through 1995
PC Committee Against Domentic Violence	Gretchen Wilbert - Gig Harbor	Ongoing	9/1/94
Aging and Long Term Care	Gretchen Wilbert - Gig Harbor	4 yrs	Reappt. 2/14/95
Regional Transp. Assoc. Representative	Sharon Bockelman - Bonney Lake	Ongoing	

# Preparing for Decision Day



- Algona
- Aslington
- Auburn
- Bainbridge Island
- Bellevue
- Bonney Lake
- Bothell
- Bremerton
- Buckley
- Burien
- Clyde Hill
- Des Moines
- DuPont
- Duvall
- Eatonville
- Edmonds
- Enumclaw
- Everett
- Federal Way
- File
- Forest
- Georgetown
- Hunter Point
- Island County
- Issaquah
- Kent
- King County
- Kirkland
- Kitsap County
- Lake Forest Park
- Lake Stevens
- Lynnwood
- Marysville
- Medina
- Mercer Island
- Mill Creek
- Milton
- Monroe
- Mountlake Terrace
- Mukilteo
- Normandy Park
- North Bend
- Orring
- Pierce County
- Port of Bremerton
- Port of Everett
- Port of Seattle
- Port of Tacoma
- Port Orchard
- Poulsbo
- Puyallup
- Redmond
- Renton
- Ruston
- SeaTac
- Seattle
- Snohomish County
- Snoqualmie
- Starwood
- Steilacoom
- Sultan
- Sumner
- Tacoma
- Thurston Regional Planning Council
- Tukwila
- Washington State Department of Transportation
- Washington State Transportation Commission
- Woodinville

## The Upcoming Decision on the VISION 2020 Update and Metropolitan Transportation Plan

Thursday • March 16, 1995 • 3-4:30 PM  
Embassy Suites • 20610 - 44th Avenue West • Lynnwood, WA

Puget Sound Regional Council



Woodinville



*Overview*

**The Upcoming Decision on  
the VISION 2020 Update and  
Metropolitan Transportation Plan (MTP)**

*Major Events in the Process for Plan Adoption*

**March 9 -- Joint Meeting of Transportation and Growth Management  
Policy Boards**

Recommendations to Executive Board on VISION 2020 Update and MTP  
*At Regional Council Offices 9:30 - 11:30 a.m.*

**March 16 -- General Assembly Meeting - Workshop**

Review/Discuss VISION 2020 Update & MTP  
3:30 - 6:00 p.m.  
*Embassy Suites  
20610 44th Avenue W.  
Lynnwood, WA*

**March 23 -- Executive Board Action**

Recommendation to General Assembly on final VISION 2020 & MTP  
*At Regional Council Offices 10:00 - 12:00 noon*

**April 27 -- General Assembly - Action on Plan Updates/Adoption**

Final action on update of VISION 2020 and Adoption of MTP  
*Location to be announced*

# Overview

## *Why do we need to update VISION 2020 now?*

Federal laws, including the Intermodal Surface Transportation Efficiency Act and Clean Air Act, and state laws, including the Growth Management Act, require this region to have a regional growth management strategy and transportation plan. VISION 2020, adopted in 1990, has fulfilled that requirement, and has been used by local governments in the region as a basis for their detailed local planning efforts required by GMA.

Now VISION 2020 needs to be updated:

- to **reflect** and bring in the **work of local governments** in the region;
- to **add a detailed Metropolitan Transportation Plan**, so this region and its jurisdictions remain eligible to receive federal transportation funds;
- to **refine existing policies** to address important regional issues affecting growth management, transportation and the economy; and
- to **establish a method of monitoring** to see if VISION 2020 is achieving its desired results.

## *What if we don't act?*

Without an adopted Metropolitan Transportation Plan, no significant transportation projects in the region would be eligible for federal funds. In addition, the region could not adopt a Transportation Improvement Program, which would jeopardize construction of any major transportation improvements, regardless of funding source, and VISION 2020 would no longer conform with local planning as required by GMA.

Further, we would be failing to address significant regional issues that must be dealt with for this region to maintain its quality of life, sustain its economy, and manage future growth.

## *What are we doing, if we do act?*

The Draft VISION 2020 Update and Draft Metropolitan Transportation Plan are proposed refinements and additions to our existing growth management and transportation strategy. Starting with local governments' work as a base, these documents are the result of nearly a year and a half of discussion and suggestions by elected officials, staff, citizens, businesses and organizations throughout the region.

They are based on **four guiding principles**, which the Executive Board and General Assembly would be endorsing with their action:

- **Reaffirming our commitment to an integrated regional growth management, transportation and economic strategy, which provides the basis for all major regional funding decisions and the regional policy framework for state and local planning in the region.**

- **Recognizing that the region cannot build itself out of congestion, even if it had sufficient financial resources.**
- **Acknowledging that the region's current financial resources are inadequate to meet identified transportation needs, and that we should consider new ways of financing to meet our transportation needs and help manage demand.**
- **Agreeing to establish a monitoring program to determine the effectiveness of our regional investments, and to provide feedback on whether the policies in VISION 2020 are helping achieve our preferred future.**

### *What are the next steps?*

The VISION 2020 Update Progress Report was released in May 1994, detailing the progress the region has made thus far in implementing VISION 2020, and providing an overview of the issues the VISION 2020 Update and Metropolitan Transportation Plan would address. Initial drafts of the VISION 2020 Update and MTP were produced in October 1994, and refined drafts were reviewed by the policy boards, and were released for public review by the Executive Board on December 1, 1994. A draft Supplemental Environmental Impact Statement and Addendum, which covers both the Draft VISION 2020 Update and Draft Metropolitan Transportation Plan, was released on December 23.

Following distribution of these drafts, open houses, public meetings, briefings, and a public hearing held on February 2, the formal public comment period on the environmental document ended February 6. The environmental document is being updated to reflect public comments, and a Final Supplemental Environmental Impact Statement and Addendum is scheduled to be released on March 9.

Review of the Draft VISION 2020 Update and Draft MTP continues. The Draft MTP is now being rewritten, moving it away from discussion of the various alternative implementation strategies that have been evaluated, and making it an action document that characterizes the preferred implementation strategy.

Comments from jurisdictions, groups and individuals in the region are being and will continue to be reviewed and reflected in the Draft MTP and Draft VISION 2020 Update. The policy boards are scheduled to take action on March 9; their changes, along with potential comments from the March 16 General Assembly workshop, will be incorporated for action by the Executive Board on March 23 as final recommendations to the General Assembly for respective VISION 2020 Update and MTP adoption action on April 27, 1995.

## ***What are the major components of the proposed VISION 2020 Update?***

The most significant refinements and additions proposed in the Draft VISION 2020 Update would:

### **Clarify the vision beyond centers by...**

supporting compact urban communities and the redevelopment of select urban transportation corridors;

encouraging efficient provision of services in urban areas to support contiguous and orderly development;

providing for the strategic location of public capital facilities;

providing a variety of choices in housing throughout the region;

preserving the character of rural areas; and

developing a regional greenspace strategy.

**Expand the transportation policies** to form the basis for the more detailed Metropolitan Transportation Plan (see below).

**Expand the economic element** to address the economic development and sustainability of centers, compact communities, and the region's overall economy, and enhance existing economic policies to meet the requirements of the state's Growth Management Act.

**Add a performance monitoring system**, to meet state and federal mandates and determine whether our implementation of VISION 2020 is achieving the desired results.

## ***What are the major components of the proposed Metropolitan Transportation Plan?***

The MTP proposes a three-part strategy:

### **1) Improving Efficiency through Effective System Management**

The MTP stresses the importance and cost-effectiveness of system management by placing **highest priority on maintenance and preservation** of all existing Metropolitan Transportation System elements -- roads, transit, ferries, nonmotorized, freight and goods.

It recommends **retrofitting deficient existing regional facilities** during maintenance and preservation activity to improve mobility options for transit and nonmotorized access, which can increase capacity.

And, it recommends **further study of the potential impacts and opportunities related to new Intelligent Transportation Systems (ITS) technologies**, as well as consideration of **comprehensive emergency preparedness planning** to improve the region's responsiveness to major natural disasters and emergencies.

### **2) Expanding Capacity and Revenue through Transportation Demand Management**

The MTP recognizes that **traditional financial resources do not exist to add the transportation capacity to provide mobility for an additional 1.4 million residents**. Transportation demand management measures can reduce demand, provide new sources of revenue, and help meet the environmental objectives of VISION 2020 and the requirements of the Clean Air Act.

**In the short term**, the MTP advocates enhancing transportation demand management programs by providing **incentives to encourage transit patronage, ridesharing, nonmotorized travel, telecommuting and TDM-supportive land use**.

**In the long term**, the MTP recommends the region consider the use of **market-based strategies to manage travel demand, generate revenue for system improvements, and discourage the growth of single-occupant vehicle use**.

It recommends **further study of transportation pricing strategies** to examine potential revenue, mobility, equity and air quality benefits of specific candidate pricing concepts and their potential socioeconomic impacts on the region, and of the potential mobility and air quality benefits of **telecommunications technologies**.

### **3) Selectively Adding Capacity to the Metropolitan Transportation System**

The MTP recommends adding capacity that provides **alternatives to automobile dependency and enables more efficient automobile use, providing safety and access improvements, and making improvements to freight and goods mobility**.

It stresses the need to make **system improvements**, rather than developing nonmotorized and transit facilities and services in a piecemeal fashion, so that HOV, transit and nonmotorized systems can be programmed in ways traditionally used for streets and highways.

The MTP identifies a number of regionally significant improvements in two lists:

- The list of *Approved Projects/Programs* contains those improvements that have completed formal planning and public/environmental review and are ready to continue to project-level planning and implementation.
- The list of *Candidate Projects/Programs* identifies investments being contemplated to respond to an identified transportation deficiency, but for which the formal planning and review process is not yet complete. Upon satisfactory completion of planning and review processes, these candidate projects may request being amended for inclusion on the MTP's *Approved* project list.

It recommends further study to identify and prioritize specific regionally significant improvements that would enhance freight and goods mobility, and support for a planning effort involving local jurisdictions, WSDOT and the Regional Council to identify a specific regional network of nonmotorized transportation facilities.

### *How Would the MTP Finance Transportation Improvements?*

In the short term, the MTP's financial strategy relies on modest increases in traditional finance mechanisms, the Regional Transit Authority's Phase I program, and the State Transportation Commission's gas tax financing package.

In the long term, the MTP embraces a philosophy of shifting from dependency upon traditional financing that's not wholly transportation related to **regional user-based financial approaches to provide new revenues for transportation**. Unlike traditional sources of transportation funding which are usually dedicated for particular modes, regional user-based funding would allow for more flexible programming and yield greater efficiency in targeting the region's transportation needs.

The MTP recommends further studies of the effectiveness of **specific pricing mechanisms** for generating revenue. This would involve continued work by the Regional Council's Transportation Pricing Subcommittee, significant regional discussion, and, should specific pricing mechanisms be selected for possible implementation, would require a major amendment to the Metropolitan Transportation Plan. The Draft MTP envisions that region-wide application of any selected pricing mechanisms would not be anticipated until after the year 2005.

For more information on the VISION 2020 Update, contact Norman Abbott at (206) 464-7134; for more information on the Metropolitan Transportation Plan, contact Ralph Cipriani at (206) 464-7122.



DENNIS RICHARDS  
Chief of Police

*City of Gig Harbor Police Dept.*  
3105 JUDSON STREET • P.O. BOX 145  
GIG HARBOR, WASHINGTON 98335  
(206) 851-2236

GIG HARBOR POLICE DEPARTMENT

MONTHLY ACTIVITY REPORT

FEBRUARY 1995

	FEB 1995	YTD 1995	YTD 1994	%chg to 1994
CALLS FOR SERVICE	<u>301</u>	<u>613</u>	<u>501</u>	<u>+ 22</u>
CRIMINAL TRAFFIC	<u>17</u>	<u>38</u>	<u>46</u>	<u>- 17</u>
TRAFFIC INFRACTIONS	<u>73</u>	<u>151</u>	<u>185</u>	<u>- 18</u>
DUI ARRESTS	<u>1</u>	<u>5</u>	<u>14</u>	<u>- 64</u>
FELONY ARRESTS	<u>1</u>	<u>9</u>	<u>9</u>	<u>+ 0</u>
MISDEMEANOR ARRESTS	<u>16</u>	<u>35</u>	<u>33</u>	<u>+ 6</u>
WARPANT ARRESTS	<u>4</u>	<u>15</u>	<u>22</u>	<u>- 31</u>
CASE REPORTS	<u>63</u>	<u>124</u>	<u>115</u>	<u>+ 7</u>







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** *Tom*  
**SUBJECT: 1993 ANNUAL REPORT**  
**DATE: March 9, 1995**

### **INTRODUCTION**

We finally received our Annual Report for the year ending December 31, 1993 from the State Auditor's Office.

For the second year in a row, we received no findings. In "auditor-ese", as stated in the attached Independent Auditor's Report on Compliance With State Laws and Regulations, *"...with respect to items tested, the city complied in all material respects with the applicable laws and regulations... With respect to items not tested, nothing came to our attention that caused us to believe that the city had not complied..."*.

For the first time in the city's history, we received a completely unqualified ("clean") opinion on our financial statements. Again in "auditor-ese", as stated in the attached Independent Auditor's Report On Financial Statements And Additional Information, *"In our opinion, the financial statements... present fairly, in all material respects, the financial position of the City of Gig Harbor at December 31, 1993, and the results of its operations and the cash flows of its proprietary fund types and similar trust funds for the fiscal year then ended, in conformity with generally accepted accounting principles"*.

Prior to 1993, we prepared the governmental funds' financial statements on the basis of accounting prescribed by the State Auditor in the BARS manual. That basis is acceptable to the State Auditor, but is not "in conformity with generally accepted accounting principles" (GAAP) and the opinion was qualified accordingly. We began reporting on a GAAP basis in 1993.

Prior to 1992, the opinion on our financial statements was either "qualified" due to a lack of adequate fixed asset records or "adverse" for a variety of reasons. We established adequate fixed asset records prior to the 1992 audit, which enabled the auditors to remove that qualification and related finding.

Findings and qualifications of opinion are valuable to the city. They indicate situations or deficiencies which need attention. Changes can occur which cause acceptable procedures to become unacceptable. We will undergo much closer scrutiny during the audit of the 1995 statements due to our receipt of federal grant monies and could possibly receive new findings or qualifications. However, it is a primary goal of the Finance Department to continue to receive clean opinions by maintaining a system of internal controls which safeguard the city's assets and properly process, record and report financial transactions and balances.

The Auditor's opinions are attached. Please let me know if you would like a copy of the entire 1993 Audit Report and Financial Statements.

**CITY OF GIG HARBOR**  
**Pierce County, Washington**  
**January 1, 1993 Through December 31, 1993**

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**Independent Auditor's Report On Compliance With State  
Laws And Regulations**

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Mayor  
City of Gig Harbor  
Gig Harbor, Washington

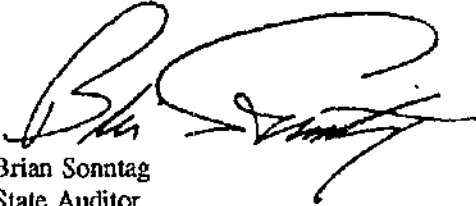
We have audited the general-purpose financial statements, as listed in the table of contents, of the City of Gig Harbor, Pierce County, Washington, as of and for the fiscal year ended December 31, 1993, and have issued our report thereon dated November 29, 1994.

We also performed tests of compliance with state laws and regulations as required by *Revised Code of Washington (RCW) 43.09.260*. This statute requires the State Auditor to inquire as to whether the city complied with the laws and the *Constitution of the State of Washington*, its own ordinances and orders, and the requirements of the Division of Municipal Corporations.

Compliance with these requirements is the responsibility of the city's management. Our responsibility is to make a reasonable effort to identify any instances of misfeasance, malfeasance, or nonfeasance in office on the part of any public officer or employee and to report any such instance to the management of the city and to the Attorney General. However, the objective of our audit of the financial statements was not to provide an overall opinion on compliance with these requirements. Accordingly, we do not express such an opinion.

The results of our tests indicate that, with respect to the items tested, the city complied in all material respects with the applicable laws and regulations referred to in the preceding paragraphs. With respect to items not tested, nothing came to our attention that caused us to believe that the city had not complied, in all material respects, with those provisions.

This report is intended for the information of management and the mayor and to meet our statutory reporting obligations. However, this report is a matter of public record and its distribution is not limited.

  
Brian Sonntag  
State Auditor

November 29, 1994

**CITY OF GIG HARBOR**  
**Pierce County, Washington**  
**January 1, 1993 Through December 31, 1993**

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**Independent Auditor's Report On Financial Statements And Additional Information**

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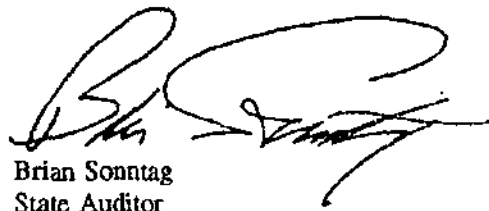
Mayor  
City of Gig Harbor  
Gig Harbor, Washington

We have audited the accompanying general-purpose financial statements of the City of Gig Harbor, Pierce County, Washington, as of and for the fiscal year ended December 31, 1993, as listed in the table of contents. These financial statements are the responsibility of the city's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the City of Gig Harbor at December 31, 1993, and the results of its operations and the cash flows of its proprietary fund types and similar trust funds for the fiscal year then ended, in conformity with generally accepted accounting principles.

Our audit was conducted for the purpose of forming an opinion on the financial statements taken as a whole. The Schedule of Long-Term Debt listed in the table of contents is presented for purposes of additional analysis and is not a required part of the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly presented in all material respects in relation to the financial statements taken as a whole.

  
Brian Sonntag  
State Auditor

November 29, 1994

