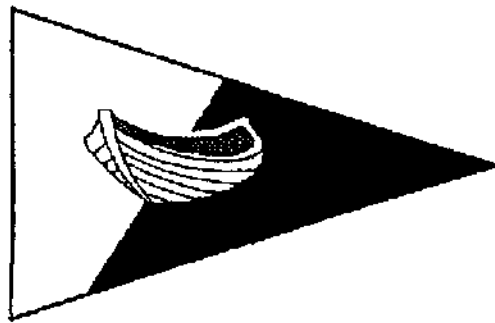


**GIG HARBOR
CITY COUNCIL MEETING**



July 10, 1995

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

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
July 10, 1995 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

OLD BUSINESS: None.

NEW BUSINESS:

1. Insurance Quote - Association of Washington Cities.
2. Resolution - Setting Fees for Photocopying and Transcription Charges.

MAYOR'S REPORT: None.

COUNCIL COMMENTS:

STAFF REPORTS:

Chief Dennis Richards - Gig Harbor Police Department.

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF BILLS:

APPROVAL OF PAYROLL:

EXECUTIVE SESSION: For the purpose of discussing claims.

ADJOURN:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 26, 1995

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

PUBLIC COMMENT / DISCUSSION:

Michael Joss - 6820 Kimball Drive. Mr. Joss asked Council to reconsider their recommendation to the State Liquor Board to deny his application for a license to sell beer and wine from his food store and deli. He added that Kinza Teriyaki, a restaurant next door, had been allowed a liquor license. Council instructed the City Administrator contract the Liquor Board and ask them to measure the distance from the Henderson Bay Alternative School property line to the applicant's property for accuracy before denying the application.

CALL TO ORDER: 7:18 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the June 12, 1995 meeting as presented. Platt/Picinich - unanimously approved. Councilman Ekberg abstained.

CORRESPONDENCE:

1. Department of the Air Force - McChord. Mayor Wilbert spoke briefly on this letter from Colonel Craig Rasmussen, a new commander, thanking the community for its continued support and announcing upcoming summer events.
2. Puget Sound Regional Council. Mayor Wilbert gave an overview of this letter certifying the Pierce County countywide policies and Vision 2020 conditional approval, and the minutes of the last annual meeting.
3. Sid Morrison - State Dept. of Transportation. Mayor Wilbert spoke on this letter regarding the status of Senate House Bill 1317 - Public/Private Partnership Bill. She added that the SR520 and SR 522 projects have been petitioned to be placed on the ballot, but SR16 had not received enough petitions to be placed on the ballot as yet.
4. Jennifer Belcher - Commissioner of Public Lands. This letter from the Department of Natural Resources referenced the purchase of the Purdy 'B' property for a public park by Pierce County and the Peninsula Parks Association. The letter indicates that the property is available through the appropriate channels.
5. Regional Transit Authority. This letter states that the Transit Authority will be coming back with a recommendation for a citizen vote in the spring.

OLD BUSINESS:

1. Second Reading - Revised Building Code. Steve Bowman gave a brief overview of this ordinance adopting the Washington State Building Codes with State and City revisions. He asked that Council add language drafted by legal counsel declaring the effective date of the

Ordinance to be June 30, 1995, to coincide with the effective date of the State Building Code as adopted by the State Legislature.

MOTION: Move we adopt the 1994 Uniform Building Codes with revisions as adopted by the Washington State Building Code Council and as recommended by the Gig Harbor Building Code Advisory Board, and further, we adopt an emergency revision that these codes will be in effect as of June 30, 1995.
Markovich/Ekberg - unanimously approved.

NEW BUSINESS:

1. Reappointment of Theresa Malich Mueller to the Planning Commission. Mayor Wilbert asked for a motion to reappoint Ms. Mueller to another six year term on the Planning Commission.

MOTION: Move approval of the Mayor's reappointment of Theresa Malich Mueller to another six year term on the Planning Commission.
Picinich/Platt - unanimously approved.

2. Request for Utility Extension - Westside Professional Park. Mark Hoppen gave a brief presentation on this request for reconsideration for a utility extension of 6.45 ERUs of sewer capacity to a site on Olympic Drive NW that was previously denied. Councilman Ekberg questioned the inconsistency of the inclusion of paragraph 15 of the contract, specifying the owner would not protest an LID for sidewalks, curbs and gutters in the future, when Section 12.B of the contract states that the applicant would be required to conform to City Standards, which would require curbs, gutters, and sidewalks upon construction. Mr. Hoppen stated that it was in the best interest of the City to develop these improvements along Olympic Drive with a future LID, rather than piece by piece. Mr. Ekberg then apologized to the applicant for the delay in approving the extension.

MOTION: Move we extend 6.45 ERUs to Mr. Kirk and Mr. Matthaei for the Westside Professional Park.
Markovich/Platt - unanimously approved.

3. Professional Services Agreement - Thornton. Mark Hoppen presented this agreement with Thornton Land Surveying to survey a feasible route to connect the Seacliff area to Peacock Hill Road. He added that this contract was consistent with the 1995 Budget Objective to acquire an easement for a connecting corridor from 112th Street to Crescent Valley Drive.

MOTION: Move to authorize the signing of a contract with Thornton Land Surveying in an amount not to exceed \$3,400.
Platt/Ekberg - unanimously approved.

4. Resolution Opposing Acceptance of Spent Nuclear Fuel. Mayor Wilbert asked for a motion to approve this resolution that mirrors one that was passed by Pierce County, and opposes the transportation of spent nuclear fuel through the Port of Tacoma.

MOTION: Move approval of Resolution No. 448.
Markovich/Platt - unanimously approved.

5. Liquor License Application, Change of Ownership - Down East Restaurant. No action taken.
6. Briefing on Initiative 164 - Carol Morris. Carol Morris, legal counsel, gave a presentation on Initiative 164, which will go into effect July 22, 1995, unless 90,000 signatures could be gathered for a referendum, placing the issue on the November ballot. She passed out a memo outlining some the issues surrounding 164 and highlighted several items. She suggested that Council strategize in Executive Session on different ways to approach 164 to provide the least amount of liability to the City.

MAYOR'S REPORT: None.

COUNCIL COMMENTS: None.

STAFF REPORT:

Chief Dennis Richards - GHPD. Chief Richards passed out a copy of the ratings from the citizens who participated in the recent Citizens Academy. He then shared photos from a recent marijuana grow operation and a "potato gun" that had been seized from another drug bust. He added that the department was very busy with investigations, and they could not spend as much time as usual working radar. Councilmember Platt asked when the radar trailer would be returning. Chief Richards explained that when the sales representative from California came through again, he would get the trailer. He added that it would cost \$8000 to purchase a trailer, and that it could be set up to do traffic counts, and can take pictures. Councilman Platt also requested that a cover be purchased to cover the police boat to protect it from the sun.

ANNOUNCEMENT OF OTHER MEETINGS: None.

APPROVAL OF BILLS: No bills presented.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session for the purpose of discussing claims and possible litigation for approximately 20 minutes.
Markovich/Picinich - unanimously approved.

MOTION: Move to return to Regular Session.
Picinich/Platt - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 8:42 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 391 Side B 308 - end.
Tape 392 Side A 000 - end.
Tape 392 Side B 000 - 342.

Mayor

City Administrator



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: RESOLUTION - SETTING FEES FOR COPYING PUBLIC RECORDS
DATE: MAY 10, 1995

INFORMATION/BACKGROUND:

This resolution is made necessary by a recent amendment to RCW 42.17.260 and 42.17.030 requiring each agency to determine the actual per page cost or other costs for providing copies of public records.

Staff reviewed the cost of leasing, supplies, and maintenance for the copier, paper costs and averaged these amounts over a six month period. This amount was divided by the number of copies made during that time to arrive at a cost per copy amount of 3 cents.

Staff time was estimated on how long it takes to copy an average size ordinance by removing the pages from the notebook and clear sheet protectors, copying, collating, and returning the pages to the book. The approximate cost of 7 cents per copy was determined by using the Administrative Receptionist's salary.

RECOMMENDATION:

I recommend a motion to approve this resolution as presented.

ENGROSSED SUBSTITUTE SENATE BILL 5597

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators C. Anderson, Roach, Smith, Schow, McCaslin, Pelz, Hargrove, Long and Johnson)

Read first time 02/28/95.

1 AN ACT Relating to the costs of copying public records; amending
2 RCW 42.17.260 and 42.17.300; and adding a new section to chapter 42.17
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 Sec. 1. RCW 42.17.260 and 1992 c 139 s 3 are each amended to read
6 as follows:

7 (1) Each agency, in accordance with published rules, shall make
8 available for public inspection and copying all public records, unless
9 the record falls within the specific exemptions of subsection (6) of
10 this section, RCW 42.17.310, 42.17.315, or other statute which exempts
11 or prohibits disclosure of specific information or records. To the
12 extent required to prevent an unreasonable invasion of personal privacy
13 interests protected by RCW 42.17.310 and 42.17.315, an agency shall
14 delete identifying details in a manner consistent with RCW 42.17.310
15 and 42.17.315 when it makes available or publishes any public record;
16 however, in each case, the justification for the deletion shall be
17 explained fully in writing.

18 (2) For informational purposes, each agency shall publish and
19 maintain a current list containing every law, other than those listed

1 in this chapter, that the agency believes exempts or prohibits
2 disclosure of specific information or records of the agency. An
3 agency's failure to list an exemption shall not affect the efficacy of
4 any exemption.

5 (3) Each local agency shall maintain and make available for public
6 inspection and copying a current index providing identifying
7 information as to the following records issued, adopted, or promulgated
8 after January 1, 1973:

9 (a) Final opinions, including concurring and dissenting opinions,
10 as well as orders, made in the adjudication of cases;

11 (b) Those statements of policy and interpretations of policy,
12 statute, and the Constitution which have been adopted by the agency;

13 (c) Administrative staff manuals and instructions to staff that
14 affect a member of the public;

15 (d) Planning policies and goals, and interim and final planning
16 decisions;

17 (e) Factual staff reports and studies, factual consultant's reports
18 and studies, scientific reports and studies, and any other factual
19 information derived from tests, studies, reports, or surveys, whether
20 conducted by public employees or others; and

21 (f) Correspondence, and materials referred to therein, by and with
22 the agency relating to any regulatory, supervisory, or enforcement
23 responsibilities of the agency, whereby the agency determines, or
24 opines upon, or is asked to determine or opine upon, the rights of the
25 state, the public, a subdivision of state government, or of any private
26 party.

27 (4) A local agency need not maintain such an index, if to do so
28 would be unduly burdensome, but it shall in that event:

29 (a) Issue and publish a formal order specifying the reasons why and
30 the extent to which compliance would unduly burden or interfere with
31 agency operations; and

32 (b) Make available for public inspection and copying all indexes
33 maintained for agency use.

34 (5) Each state agency shall, by rule, establish and implement a
35 system of indexing for the identification and location of the following
36 records:

37 (a) All records issued before July 1, 1990, for which the agency
38 has maintained an index;

1 (b) Final orders entered after June 30, 1990, that are issued in
2 adjudicative proceedings as defined in RCW 34.05.010(1) and that
3 contain an analysis or decision of substantial importance to the agency
4 in carrying out its duties;

5 (c) Declaratory orders entered after June 30, 1990, that are issued
6 pursuant to RCW 34.05.240 and that contain an analysis or decision of
7 substantial importance to the agency in carrying out its duties;

8 (d) Interpretive statements as defined in RCW 34.05.010(8) that
9 were entered after June 30, 1990; and

10 (e) Policy statements as defined in RCW 34.05.010(14) that were
11 entered after June 30, 1990.

12 Rules establishing systems of indexing shall include, but not be
13 limited to, requirements for the form and content of the index, its
14 location and availability to the public, and the schedule for revising
15 or updating the index. State agencies that have maintained indexes for
16 records issued before July 1, 1990, shall continue to make such indexes
17 available for public inspection and copying. Information in such
18 indexes may be incorporated into indexes prepared pursuant to this
19 subsection. State agencies may satisfy the requirements of this
20 subsection by making available to the public indexes prepared by other
21 parties but actually used by the agency in its operations. State
22 agencies shall make indexes available for public inspection and
23 copying. State agencies may charge a fee to cover the actual costs of
24 providing individual mailed copies of indexes.

25 (6) A public record may be relied on, used, or cited as precedent
26 by an agency against a party other than an agency and it may be invoked
27 by the agency for any other purpose only if—

28 (a) It has been indexed in an index available to the public; or

29 (b) Parties affected have timely notice (actual or constructive) of
30 the terms thereof.

31 (7) Each agency shall establish, maintain, and make available for
32 public inspection and copying a statement of the actual per page cost
33 or other costs, if any, that it charges for providing photocopies of
34 public records and a statement of the factors and manner used to
35 determine the actual per page cost or other costs, if any.

36 (a) In determining the actual per page cost for providing
37 photocopies of public records, an agency may include all costs directly
38 incident to copying such public records including the actual cost of
39 the paper and the per page cost for use of agency copying equipment.

1 In determining other actual costs for providing photocopies of public
2 records, an agency may include all costs directly incident to shipping
3 such public records, including the cost of postage or delivery charges
4 and the cost of any container or envelope used.

5 (b) In determining the actual per page cost or other costs for
6 providing copies of public records, an agency may not include staff
7 salaries, benefits, or other general administrative or overhead
8 charges, unless those costs are directly related to the actual cost of
9 copying the public records. Staff time to copy and mail the requested
10 public records may be included in an agency's costs.

11 (8) An agency need not calculate the actual per page cost or other
12 costs it charges for providing photocopies of public records if to do
13 so would be unduly burdensome, but in that event: The agency may not
14 charge in excess of fifteen cents per page for photocopies of public
15 records or for the use of agency equipment to photocopy public records
16 and the actual postage or delivery charge and the cost of any container
17 or envelope used to mail the public records to the requestor.

18 (9) This chapter shall not be construed as giving authority to any
19 agency to give, sell or provide access to lists of individuals
20 requested for commercial purposes, and agencies shall not do so unless
21 specifically authorized or directed by law: PROVIDED, HOWEVER, That
22 lists of applicants for professional licenses and of professional
23 licensees shall be made available to those professional associations or
24 educational organizations recognized by their professional licensing or
25 examination board, upon payment of a reasonable charge therefor:
26 PROVIDED FURTHER, That such recognition may be refused only for a good
27 cause pursuant to a hearing under the provisions of chapter 34.05 RCW,
28 the Administrative Procedure Act.

29 Sec. 2. RCW 42.17.300 and 1973 c 1 s 30 are each amended to read
30 as follows:

31 No fee shall be charged for the inspection of public records. No
32 fee shall be charged for locating public documents and making them
33 available for copying. Agencies may impose a reasonable charge for
34 providing copies of public records and for the use by any person of
35 agency equipment to copy public records, which charges shall not exceed
36 the amount necessary to reimburse the agency for its actual costs
37 directly incident to such copying. Agency charges for photocopies
38 shall be imposed in accordance with the actual per page cost or other

1 costs established and published by the agency. In no event may an
2 agency charge a per page cost greater than the actual per page cost as
3 established and published by the agency. To the extent the agency has
4 not determined the actual per page cost for photocopies of public
5 records, the agency may not charge in excess of fifteen cents per page.

6 NEW SECTION. Sec. 3. A new section is added to chapter 42.17 RCW
7 under the subchapter heading "public records" to read as follows:

8 The provisions of RCW 42.17.260 (7) and (8) and 42.17.300 that
9 establish or allow agencies to establish the costs charged for
10 photocopies of public records do not supersede other statutory
11 provisions, other than in this chapter, authorizing or governing fees
12 for copying public records.

--- END ---

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, SETTING CHARGES AND FEES FOR THE PHOTOCOPYING AND TRANSCRIPTION OF PUBLIC RECORDS.

WHEREAS, the City of Gig Harbor is adopting an ordinance which requires the City Clerk to set fees and charges for the provision of photocopies and transcriptions of public records, and

WHEREAS, RCW 42.17.300 permits agencies such as cities to impose a reasonable charge for providing photocopies of public records so long as the charge shall not exceed the amount necessary to reimburse the agency for its actual cost incident to such photocopying, and

WHEREAS, the City Clerk has prepared a schedule of fees that relates photocopying costs and transcription costs to fees charged to the public, now, therefore,

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

Section 1. The "Interim Public Records Index and Fees Schedule," attached as Exhibit A hereto and incorporated herein by this reference as if set forth in full, is hereby adopted as the official schedule of fees and charges for photocopying and transcription costs of public records for the City of Gig Harbor.

RESOLVED this ____ day of _____, 1995.

APPROVED:

GRETCHEN A. WILBERT, MAYOR

ATTEST/AUTHENTICATED:

MARK E. HOPPEN, CITY CLERK

FILED WITH THE CITY CLERK: 7/3/95
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

Exhibit 'A'

**INTERIM PUBLIC RECORDS INDEX AND FEES SCHEDULE
FOR THE CITY OF GIG HARBOR**

7/6/95

Photocopying of Public Records:	\$.10 per copy
3 cents for paper/supplies/copier cost	
7 cents per copy for staff time	
Transcription of Recorded Material:	\$35.00 per hour
Mailing of copies:	Actual U.S. Postal rates



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

JUNE 1995

	JUNE 1995	YTD 1995	YTD 1994	%chg to 1994
CALLS FOR SERVICE	<u>243</u>	<u>1757</u>	<u>1554</u>	<u>+ 13</u>
CRIMINAL TRAFFIC	<u>12</u>	<u>110</u>	<u>139</u>	<u>- 20</u>
TRAFFIC INFRACTIONS	<u>80</u>	<u>461</u>	<u>444</u>	<u>+ 3</u>
DUI ARRESTS	<u>4</u>	<u>26</u>	<u>47</u>	<u>- 44</u>
FELONY ARRESTS	<u>5</u>	<u>38</u>	<u>32</u>	<u>+ 18</u>
MISDEMEANOR ARRESTS	<u>13</u>	<u>81</u>	<u>126</u>	<u>- 35</u>
WARRANT ARRESTS	<u>6</u>	<u>38</u>	<u>47</u>	<u>- 19</u>
CASE REPORTS	<u>73</u>	<u>408</u>	<u>406</u>	<u>+ .4</u>

