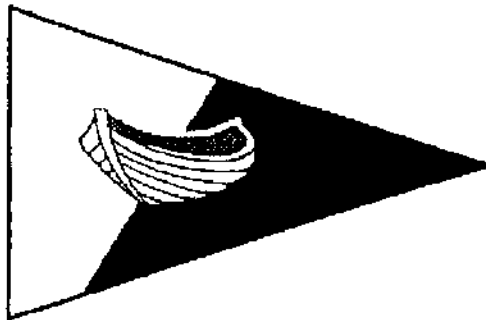


**GIG HARBOR
CITY COUNCIL MEETING**



JUNE 13, 1994

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

**AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
JUNE 13, 1994**

PUBLIC COMMENT/DISCUSSION:

PUBLIC HEARING: None scheduled.

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

Pierce County Police Chiefs Association.

OLD BUSINESS:

1. Second Reading - Amendment to City Building Code - Enforcement Procedures.

NEW BUSINESS:

1. Emergency Ordinance - Model Traffic Ordinance.
2. Stanich Avenue / Shirley Avenue Overlay Project - Contract Award.
3. Rejection of Bid for Big Toy.
4. Contract Change Orders for ULID #3 - PSD #401 Portion.
5. Resolution to Create a Public Works Assistant Position.
6. First Reading - Ordinance to Set Salary Range for Public Works Assistant.
7. First Reading - Sewer Connection Fee Ordinance.
8. Liquor License Renewals - Roundtable Pizza, Puerto Vallarta, and Harvester Restaurants.

STAFF REPORTS:

Public Works Department.

MAYOR'S REPORT:

Gig Harbor - Kitsap Peninsula Cross Sound Interest Group

COUNCIL COMMENTS:

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF BILLS:

EXECUTIVE SESSION:

ADJOURN:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 23, 1994

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

PUBLIC HEARING: None scheduled.

PUBLIC COMMENT / DISCUSSION: None.

CALL TO ORDER: 7:05 p.m.

APPROVAL OF MINUTES:

MOTION: Move to approve the minutes of the last council meeting as submitted.
Markovich/Ekberg - unanimously approved.

CORRESPONDENCE:

1. Peninsula Communities Parks & Recreation Association. Councilman Ekberg agreed to accept nomination to be a representative to the Board of Directors which will include the County, State, Schools, Key Peninsula Park District, Peninsula Park District, the City of Gig Harbor, and various recreation groups from the area.
2. Peacock Hill Meadow Endorsement. Mayor Wilbert presented her letter endorsing the Performance Circle's campaign to preserve the historic Peacock Hill Meadow for the arts. Councilman Markovich also voiced his approval and encouraged the support of this endeavor.

OLD BUSINESS:

1. Crescent Valley Corridor Link to 112th Street. Mark Hoppen asked Council to sign a letter on behalf of the citizens, thanking Pierce County Councilmembers for taking the leadership role in approving the first portion of the East-West Road and requesting them to take action to enable the City of Gig Harbor to take the lead on the second leg. The letter was signed by all Councilmembers and the Mayor.

NEW BUSINESS:

1. North Harborview Drive - Professional Services Contract. Ben Yazici presented this request for Council to approve the signing of the contract with Inca Engineers Inc. to do the design portion of the North Harborview Drive Project.

MOTION: I move to authorize the Mayor to sign the Professional Services Contract with Inca Engineers Inc. to complete the design of North Harborview Drive Project for no more than \$113,000.07.
Markovich/Stevens Taylor - unanimously approved.

2. North Harborview Drive Project - Undergrounding of Utility Lines. Ben Yazici explained this request for the City to pay an estimated cost of \$50,000 towards providing a trench to underground the utility lines in conjunction with the North Harborview Project. He introduced Jay Coffey, Engineering Manager for Peninsula Light. Mr. Coffee answered Council's questions and explained that Peninsula Light's portion of the undergrounding would be approximately \$250,000, without the trench.

MOTION: I move to authorize the Public Works Director to spend up to \$50,000 for undergrounding the existing overhead utility lines on North Harborview Drive.

Picinich/Markovich - unanimously approved.

3. Amendments to UBC and Zoning - First Reading. Ray Gilmore presented the first reading of this ordinance to make several proposed changes to the City's Uniform Building Codes and Zoning Code respective to enforcement and penalty provisions. At the advise of legal counsel, he explained that Title 15 of the Gig Harbor Municipal Code must be amended to augment civil penalties for certain violations, and that they must be affective by July 1, 1994. The proposed changes provide specific mandatory penalties for violation of the Uniform Plumbing and Building Codes. The building code enforcement provisions will include criminal penalty provisions as required by state law. The second reading of this ordinance will occur at the next council meeting.

4. Request to Review and Revise Interim Urban Growth Boundary. Ray Gilmore explained that he had been contacted by Mr. Paul Miller and other interested parties, requesting Council to consider changing the Interim Urban Growth Area Map to include some properties located west of the IUGA. He added that he felt that any proposed adjustments to the UGA should be made by the City Planning Commission.

MOTION: Move we follow staff's recommendation to return this to the Planning Commission for consideration.

Ekberg/Stevens Taylor - unanimously approved.

5. Liquor License Renewals - Gourmet Essentials & W.B. Scotts Restaurant. No action taken.

STAFF REPORTS: None.

MAYOR'S REPORT:

Mayor Wilbert encouraged Councilmembers to bring their ideas and thoughts to the Retreat on the planning and placement of potential alternative routes to disperse increasing traffic in Gig Harbor.

COUNCIL COMMENTS: None.

ANNOUNCEMENT OF OTHER MEETINGS:

Council / Staff Retreat - June 6th, 1p.m. - 7p.m. at North by Northwest.

APPROVAL OF BILLS:

MOTION: To approve Bill Vouchers #12269 through #12352, in the amount of \$77,084.49
Platt/Stevens Taylor - unanimously approved.

EXECUTIVE SESSION: Cancelled.

ADJOURN:

MOTION: To adjourn at 8:05 p.m.
Stevens Taylor / Platt - unanimously approved.

Cassette recorder utilized.
Tape 351 Side A 038 - end.
Tape 351 Side B 000 - 395.

Mayor

City Administrator

SPECIAL GIG HARBOR CITY COUNCIL MEETING OF JUNE 6, 1994

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

CALL TO ORDER: 1:10 p.m.

OLD BUSINESS:

1. Resolution Setting Date and Time for the ULID #3 Final Assessment Hearing. Mark Hoppen introduced this resolution fixing the time for a Final Assessment Hearing for ULID #3 for 7:00 p.m. on June 27, 1994 at the regular City Council Meeting.

MOTION: Move we adopt Resolution #420 setting a time and date for a hearing on the final assessment roll for Utility Local Improvement District No. 3.
Markovich / Stevens Taylor - unanimously approved.

ADJOURN:

MOTION: To adjourn to a Council Retreat at 1:12 p.m.
Stevens Taylor / Markovich - unanimously approved.

Cassette recorder utilized.
Tape 351 Side B 397-425.

Mayor

City Administrator

PIERCE COUNTY

POLICE CHIEFS ASSOCIATION

RECEIVED

JUN - 6 1994

CITY :

EXECUTIVE DOUG SUTHERLAND :
OFFICE OF THE COUNTY COUNCIL
930 TACOMA AVENUE SOUTH, ROOM 1046
TACOMA, WA 98402-2176

EXECUTIVE SUTHERLAND:

ON MAY 19, 1994, THE PIERCE COUNTY ASSOCIATION OF POLICE CHIEFS VOTED UNANIMOUSLY OPPOSING THE SEPARATION OF THE PIERCE COUNTY JAIL FROM THE PIERCE COUNTY SHERIFF.

THE PIERCE COUNTY JAIL IS INTEGRAL TO POLICING. THE JAIL, UNDER THE SHERIFF, ALLOWS DIALOGUE AND REVIEW OF CONCERNS WITH A PROFESSIONAL IN THE FIELD OF POLICING. THE ALTERNATIVE, AS AMPLY DEMONSTRATED BY INDEPENDENT JAILS AROUND THE COUNTRY AND IN WASHINGTON STATE, TENDS TO PRODUCE A DICHOTOMY IN OBJECTIVES, A DECREASE IN COOPERATION AND AN INCREASE IN COSTS.

WHILE THE PIERCE COUNTY ASSOCIATION OF POLICE CHIEFS HAS HEARD AND READ THAT THE SEPARATED JAIL WOULD COOPERATE SMOOTHLY WITH LAW ENFORCEMENT, OBSERVATION DICTATES THAT THE OPPOSITE IS MUCH MORE COMMON. DESPITE STATEMENTS THAT COSTS WOULD NOT INCREASE, THE PIERCE COUNTY ASSOCIATION OF POLICE CHIEFS HAS SEEN NOTHING CONVINCING TO SUPPORT THE CLAIMS. AGAIN EXPERIENCE AND OBSERVATION FORCE US TO BELIEVE COSTS WILL INCREASE.

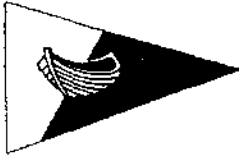
THE PIERCE COUNTY POLICE CHIEFS ASSOCIATION BELIEVES AND SUPPORTS IN KEEPING THE PIERCE COUNTY JAIL WITHIN AND SUBORDINATE TO THE PIERCE COUNTY SHERIFF'S DEPARTMENT.

SINCERELY,




A.W. MCGEHEE
CHAIRMAN, PIERCE COUNTY POLICE CHIEFS ASSOCIATION

CC: PIERCE COUNTY MAYORS
Pierce County Council Members



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore, Director, Planning-Building Department
DATE: June 8, 1994
SUBJ.: SECOND READING: Revisions to City of Gig Harbor Uniform Building Code
and Zoning Code - Penalty Provisions and Enforcement

BACKGROUND

Based upon Council comment and discussion at the first reading of the ordinance several changes/additions have been incorporated:

- ◆ Page 7, Section 15.18.014 - Appeal period has been clarified to read fifteen calendar days after service of the notice.
- ◆ Page 8, subsection D - Clarified to read that the Hearing Examiner decision shall be final and conclusive.
- ◆ Page 9, New Section 13 - Amends appeal section (Hearing Examiner) in the zoning code to clarify those situations where a writ of review in superior court is filed.

Carol Morris, City legal counsel, also has made additional changes to the civil and criminal penalty sections so that it was clear which penalties applied.

POLICY ISSUES

The City Attorney has prepared amendments to the Gig Harbor Municipal Code, specifically to Title 15.18, which includes interim penalty provisions of the zoning code. A "permanent" amendment to Title 17.08 and a new Title 17.09 will be forwarded to the Planning Commission for a public hearing in the near future.

The proposed changes provide specific mandatory penalties for violation of the Uniform Plumbing Code and Building Code. The building code enforcement provisions will include criminal penalty provisions, as required by state law. The code retains the civil penalty

ECONOMIC IMPACT

The modifications could require additional staff resources during the initial phase of violation investigation, discovery and notification. These costs could be offset by the reduction in administrative procedures through limiting the extent of local appeals. Any additional costs incurred are considered could be offset through a revised fee structure.

RECOMMENDATION

This is the second and final reading of this ordinance. Staff recommends adoption of the proposed ordinance.

0008.040.002
CAM/lfs
5/20/94

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT, ADDING A NEW CHAPTER 15.18 ON ENFORCEMENT FOR THE UNIFORM BUILDING, MECHANICAL, PLUMBING AND FIRE CODES, THE STATE ENERGY AND INDOOR AIR QUALITY CODES, ALL AS SET FORTH IN TITLE 15; AND FOR ENFORCEMENT OF THE ZONING CODE, TITLE 17; DESCRIBING VIOLATIONS AND PENALTIES THEREFOR; REPEALING GHMC SECTIONS 15.06.055, 15.08.025, 15.08.030, 15.10.030, 15.10.035, 15.12.110, 15.32.011, 15.32.012 AND CHAPTER 15.34; AND AMENDING SECTIONS 15.08.040, 15.10.038 AND 17.10.160 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, recent amendments to RCW 35A.11.020 require the City to change its enforcement procedures and penalties for Uniform Fire and Plumbing Code violations to be consistent with state law; and

WHEREAS, Chapter 15.18 of the Gig Harbor Municipal Code must therefore be amended to reflect consistent penalties for state and local code violations, and to contain an effective enforcement scheme for the remainder of the codes; now, therefore,

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

Section 1. Section 15.06.055 of the Gig Harbor Municipal Code is hereby repealed.

Section 2. Section 15.08.025 of the Gig Harbor Municipal Code is hereby repealed.

Section 3. Section 15.08.030 of the Gig Harbor Municipal Code is hereby repealed.

Section 4. Section 15.08.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.08.040 Appeals of Administrative Determinations. The Building Code Advisory Board shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, pursuant to chapter 15.02. The Board shall have no authority to hear appeals of enforcement actions, which shall be directed to the Hearing Examiner, as set forth in chapter 15.18.

Section 5. Section 15.10.030 of the Gig Harbor Municipal Code is hereby repealed.

Section 6. Section 15.10.035 of the Gig Harbor Municipal Code is hereby repealed.

Section 7. Section 15.10.038 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.10.038 Appeals of Administrative Determinations. The Building Code Advisory Board shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, pursuant to chapter 15.02. The Board shall have no authority to hear appeals of enforcement actions, which shall be directed to the Hearing Examiner, pursuant to chapter 15.18.

Section 8. Section 15.12.110 of the Gig Harbor Municipal Code is hereby repealed.

Section 9. Section 15.32.011 of the Gig Harbor Municipal Code is hereby repealed.

Section 10. Section 15.32.012 of the Gig Harbor Municipal Code is hereby repealed.

Section 11. Chapter 15.34 of the Gig Harbor Municipal Code is hereby repealed.

Section 12. Chapter 15.18 of the Gig Harbor Municipal Code is repealed. A new Chapter 15.18 shall be added to the Gig Harbor Municipal Code to read as follows:

CHAPTER 15.18

ENFORCEMENT

Sections:

15.18.002	Violations
15.18.004	Duty to Enforce
15.18.006	Investigation and Notice of Violation
15.18.008	Time to Comply
15.18.010	Stop Work Order
15.18.012	Emergency Order
15.18.014	Review by Director
15.18.016	Extension of Compliance Date
15.18.018	Civil Penalty
15.18.020	Criminal Penalties
15.18.022	Additional relief

15.18.002 Violations.

A. Building Code Violation. Building code violations are described in the Uniform Building Code (UBC) Sec. 205, as the same now exists or may hereafter be amended.

B. Plumbing Code Violation. Plumbing code violations are described in the Uniform Plumbing Code (UPC) Sec. 20.3(a), as the same now exists or may hereafter be amended.

C. Mechanical Code Violation. Mechanical code violations are described in the Uniform Mechanical Code (UMC) Sec. 204, as the same now exists or may hereafter be amended.

D. Fire Code Violation. Fire code violations are described in the Uniform Fire Code (UFC) Article 3, as the same now exists or may hereafter be amended.

E. Energy Code Violation. Energy code violations are described in Washington Administrative Code (WAC) Section 51-11-0106, as the same now exists or may hereafter be amended.

F. Indoor Air Quality Violation. Indoor Air Quality code violations are described in WAC Section 51-13-107, as the same now exists or may hereafter be amended.

G. Zoning Code Violation.

1. It is a violation of Title 17 for any person to initiate, maintain or cause to be initiated or maintained the use of any structure, land or property within the City of Gig Harbor without first obtaining the permits or authorizations required for the use by Title 17.

2. It is a violation of Title 17 for any person to use, construct, locate, demolish or cause to be used, constructed, located, or demolished any structure, land or property within the City of Gig Harbor in any manner that is not permitted by the terms of any permit or authorization issued pursuant to Title 17, provided that the terms or conditions are explicitly stated on the permit or the approved plans.

H. Additional Violations. In addition to the above, it is a violation of Title 15 or 17 to:

1. remove or deface any sign, notice, complaint or order required by or posted in accordance with this chapter;
2. to misrepresent any material fact in any application, plans or other information submitted to obtain any building or construction authorization.
3. fail to comply with any of the requirements of Title 15 or 17, including any requirement of the Uniform Codes and state codes adopted by reference herein.

15.18.004 Duty to Enforce.

A. It shall be the duty of the Building Official to enforce this Chapter. The Building Official may call upon the police, fire, planning and community development or other appropriate City departments to assist in enforcement. As used in this chapter, "Building Official" shall also mean his or her duly authorized representative.

B. Upon presentation of proper credentials, the Building Official may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant, in order to perform the duties imposed by Title 15 or 17.

C. In lieu of the enforcement procedures set forth in this chapter, the Building Official may implement the enforcement procedures set forth in any of the Uniform Codes adopted by reference in Title 15.

D. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

E. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land and buildings within the scope of Title 15 and 17.

F. No provision of or any term used in this chapter is intended to impose any duty upon the City or any of its officers or employees which would subject them to damages in a civil action.

15.18.006 Investigation and notice of violation.

A. Investigation. The Building Official shall investigate any structure or use which the Building Official reasonably believes does not comply with the standards and requirements of Title 15 or 17.

B. Notice of Violation. If after investigation, the Building Official determines that the standards or requirements of Title 15 or 17 have been violated, the Building Official shall serve a notice of violation upon the owner, tenant or other person responsible for the condition. The notice of violation shall contain the following information:

1. A separate statement of each standard, code provision or requirement violated;
2. What corrective action, if any, is necessary to comply with the standards, code provision or requirements;
3. A reasonable time for compliance;
4. A statement that if the violation is not already subject to criminal prosecution, that any subsequent violations may result in criminal prosecution as provided in Section 15.18.018.

C. Service. The notice shall be served on the owner, tenant or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person(s) is unknown or service cannot be accomplished and the Building Official makes an affidavit to that effect, then service of the notice upon such person(s) may be made by:

1. Publishing the notice once each week for two (2) consecutive weeks in the City's Official Newspaper; and
2. Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address if known, or if unknown, to the address of the property involved in the proceedings.

D. Posting. A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.

E. Other Actions May Be Taken. Nothing in this section shall be deemed to limit or preclude any action or proceeding pursuant to Sections 15.18.010, 15.18.012, 15.18.018 or 15.18.020.

F. Optional Notice to Others. The Building Official may mail, or cause to be delivered to all residential and/or nonresidential rental units in the structure or post at a conspicuous place on the property, a notice which informs each recipient or resident about the notice of violation, Stop Work Order or Emergency Order and the applicable requirements and procedures.

G. Amendment. A notice or Order may be amended at any time in order to:

1. Correct clerical errors; or
2. Cite additional authority for a stated violation.

15.18.008 Time to Comply.

A. Determination of Time. When calculating a reasonable time for compliance, the Building Official shall consider the following criteria;

1. The type and degree of violation cited in the notice;
2. The stated intent, if any, of a responsible party to take steps to comply;
3. The procedural requirements for obtaining a permit to carry out corrective action.
4. The complexity of the corrective action, including seasonal considerations, construction requirements and the legal prerogatives of landlords and tenants; and
5. Any other circumstances beyond the control of the responsible party.

B. Order Becomes Final Unless Appealed. Unless an appeal is filed with the Building Official for hearing before the Hearing Examiner in accordance with Section 15.18.014, the notice of violation shall become the final order of the Building Official. A copy of the notice shall be filed with the Pierce County Auditor. The Building Official may choose not to file a copy of the notice or

order if the notice or order is directed only to a responsible person other than the owner of the property.

15.18.010 Stop Work Order. Whenever a continuing violation of this Code will materially impair the Building Official's ability to secure compliance with this Code, or when the continuing violation threatens the health or safety of the public, the Building Official may issue a Stop Work Order specifying the violation and prohibiting any work or other activity at the site. A failure to comply with a Stop Work Order shall constitute a violation of this chapter.

17.09.012 Emergency Order. Whenever any use or activity in violation of Title 15 or 17 threatens the health and safety of the occupants of the premises or any member of the public, the Building Official may issue an Emergency Order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety be corrected. The Emergency Order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible. A failure to comply with an Emergency Order shall constitute a violation of this chapter.

Any condition described in the Emergency Order which is not corrected within the time specified is hereby declared to be a public nuisance and the Building Official is authorized to abate such nuisance summarily by such means as may be available. The cost of such abatement shall be recovered from the owner or person responsible or both in the manner provided by law.

15.18.014 Review by Hearing Examiner.

A. Any person significantly affected by or interested in a notice of violation issued by the Building Official pursuant to Section 15.18.006 may obtain an appeal of the notice by requesting such appeal within fifteen calendar (15) days after service of the notice. When the last day of the period so computed is a Saturday, Sunday or federal or City holiday, the period shall run until five p.m. (5:00 p.m.) on the next business day. The request shall be in writing, and upon receipt of the appeal request, the Building Official shall forward the request to the Office of the Hearing Examiner, pursuant to Chapter 17.10 GHMC.

B. At or after the appeal hearing, the Hearing Examiner may:

1. Sustain the notice of violation;
2. Withdraw the notice of violation;

3. Continue the review to a date certain for receipt of additional information;

4. Modify the notice of violation, which may include an extension of the compliance date.

C. The Hearing Examiner shall issue a Decision within ten (10) days of the date of the completion of the review and shall cause the same to be mailed by regular first class mail to the person(s) named on the notice of violation, mailed to the complainant, if possible, and filed with the Department of Records and Elections of Pierce County.

D. The decision of the Hearing Examiner shall be final and conclusive. In order to appeal the decision of the Hearing Examiner, an aggrieved party or person must make application for a writ of review to the Pierce County Superior Court. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.

15.18.016 Civil Penalty.

A. In addition to any other sanction or remedial procedure which may be available, any person violating or failing to comply with any of the provisions of Title 15 or 17 shall be subject to a cumulative penalty in the amount of Fifty Dollars (\$50.00) per day for each violation from the date set for compliance until compliance with the order is achieved.

B. The penalty imposed by this section shall be collected by civil action brought in the name of the City. The Building Official shall notify the City Attorney in writing of the name of any person subject to the penalty, and the City Attorney shall, with the assistance of the Building Official, take appropriate action to collect the penalty.

C. The violator may show as full or partial mitigation of liability:

1. That the violation giving rise to the action was caused by the wilful act, or neglect, or abuse of another; or

2. That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary materials or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.

15.18.018. Criminal Penalties.

A. Any person violating or failing to comply with any of the provisions of Title 15 or 17 and who has had a judgment entered against him or her pursuant to Section 15.18.016 or its predecessors within the past five (5) years shall be subject to criminal prosecution and upon conviction of a subsequent violation shall be fined in a sum not exceeding Five Thousand Dollars (\$5,000.00) or be imprisoned for a term not exceeding one (1) year or be both fined and imprisoned. Each day of noncompliance with any of the provisions of Title 15 or 17 shall constitute a separate offense.

B. The above criminal penalty may also be imposed:

1. For any other violation of Title 15 or 17 for which corrective action is not possible; and

2. For any wilful, intentional, or bad faith failure or refusal to comply with the standards or requirements of Title 15 or 17.

C. Uniform Fire Code and Uniform Plumbing Code Violations. A violation of the Uniform Fire Code and Uniform Plumbing Code is a misdemeanor, and every person so convicted shall be punished by imprisonment for a maximum term of not more than ninety days, or by a fine in an amount of not more than one thousand dollars or both such imprisonment and fine. Each day of noncompliance with any of the provisions of the Uniform Fire or Uniform Plumbing Code shall constitute a separate offense.

15.18.020. Additional Relief. The Building Official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of Title 15 or 17 when civil or criminal penalties are inadequate to effect compliance.

Section 13. Section 17.10.160(A) of the Gig Harbor Municipal Code is hereby amended to read as follows:

17.10.160 Appeal.

A. Except in those instances where an appeal of the hearing examiner's decision shall be made upon an application for a writ of review in superior court, any party who feels aggrieved by the examiner's decision may submit an appeal in writing to the department of community development within

14 days from the date the final decision of the examiner is rendered, requesting a review of such decision.

* * *

Section 14. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 15. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

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:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the ____ day of _____, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT, ADDING A NEW CHAPTER 15.18 ON ENFORCEMENT FOR THE UNIFORM BUILDING, MECHANICAL, PLUMBING AND FIRE CODES, THE STATE ENERGY AND INDOOR AIR QUALITY CODES, ALL AS SET FORTH IN TITLE 15; AND FOR ENFORCEMENT OF THE ZONING CODE, TITLE 17; DESCRIBING VIOLATIONS AND PENALTIES THEREFOR; REPEALING GHMC SECTIONS 15.06.055, 15.08.025, 15.08.030, 15.10.030, 15.10.035, 15.12.110, 15.32.011, 15.32.012 AND CHAPTER 15.34; AND AMENDING SECTIONS 15.08.040, 15.10.038, AND 17.10.160 OF THE GIG HARBOR MUNICIPAL CODE.

15.18.016 Civil Penalty.

A. In addition to any other sanction or remedial procedure which may be available, any person violating or failing to comply with any of the provisions of Title 15 or 17 shall be subject to a cumulative penalty in the amount of Fifty Dollars (\$50.00) per day for each violation from the date set for compliance until the order is complied with, except as provided in subsection B of this section.

B. The penalty imposed by this section shall be collected by civil action brought in the name of the City. The Building Official shall notify the City Attorney in writing of the name of any person subject to the penalty, and the City Attorney shall, with the assistance of the Building Official, take appropriate action to collect the penalty.

C. The violator may show as full or partial mitigation of liability:

1. That the violation giving rise to the action was caused by the wilful act, or neglect, or abuse of another; or

2. That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary materials or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.

15.18.018. Criminal Penalties.

A. Any person violating or failing to comply with any of the provisions of Title 15 or 17 and who has had a judgment entered against him or her pursuant to Section 15.18.016 or its predecessors within the past five (5) years shall be subject to criminal prosecution and upon conviction of a subsequent violation shall be fined in a sum not exceeding Five Thousand Dollars (\$5,000.00) or be imprisoned for a term not exceeding one (1) year or be both fined and imprisoned. Each day of noncompliance with any of the provisions of Title 15 or 17 shall constitute a separate offense.

B. The above criminal penalty may also be imposed:

1. For any other violation of Title 15 or 17 for which corrective action is not possible; and

2. For any wilful, intentional, or bad faith failure or refusal to comply with the standards or requirements of Title 15 or 17.

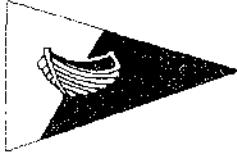
C. Uniform Fire Code and Uniform Plumbing Code penalties. Violations of the Uniform Fire Code or Uniform Plumbing Code are misdemeanors, and every person so convicted shall be punished by imprisonment for a maximum term of not more than ninety days, or by a fine in an amount not more than one thousand dollars or both such imprisonment and fine. Each day of noncompliance with any of the provisions of Title 15 or 17 shall constitute a separate offense.

15.18.020. Additional Relief. The Building Official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of Title 15 or 17 when civil or criminal penalties are inadequate to effect compliance.

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

DATED this ____ day of _____, 1994.

CITY ADMINISTRATOR, MARK HOPPEN



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: MARK HOPPEN, CITY ADMINISTRATOR
SUBJECT: READOPTION OF MODEL TRAFFIC ORDINANCE
DATE: JUNE 9, 1994

INTRODUCTION/BACKGROUND

The present version of the Washington Model Traffic Ordinance (MTO), which is contained in the state statutes in Ch. 46.90 RCW, will expire as of July 1, 1994. The Washington MTO has been readopted as an administrative rule, which is contained in the Washington Administrative Code, Ch. 308-330 WAC. Unless Council takes local action to readopt this code, our local traffic code will be invalid and unenforceable under city ordinance on July 1, 1994.

POLICY CONSIDERATIONS

To ensure an orderly system of enforcement of the MTO, the Council must take action through emergency ordinance. City of Gig Harbor Municipal Code requires all ordinances to be introduced and adopted at regular city council meetings. If two council meeting were utilized for the adoption of this ordinance and if the subsequent mandatory five day publication period was observed, then the city would be without an enforceable MTO for a period of time.

FISCAL CONSIDERATIONS

If we do not have an enforceable city MTO, then city violations would be heard in district court. Since we have no agreement with Pierce County for reimbursement, Pierce County would collect any revenues resulting from such citations. Moreover, the city could be charged for such assistance.

RECOMMEDATION

Staff recommends approval of the ordinance to readopt the MPO in the manner recommended by legal counsel.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING SECTIONS 10.04.005 AND 10.04.010 OF THE GIG HARBOR MUNICIPAL CODE, IN ORDER TO READOPT THE WASHINGTON MODEL TRAFFIC ORDINANCE AS CONTAINED IN THE WASHINGTON ADMINISTRATIVE CODE, CHAPTER 308-330 WAC, AND INCORPORATING AND ADDING NEW SECTIONS AFFECTING THE TRAFFIC CODE THAT HAVE BEEN ADOPTED BY THE 1994 STATE LEGISLATURE; AND DECLARING THE EXISTENCE OF AN EMERGENCY NECESSITATING A WAIVER OF THE ORDINANCE ADOPTION PROCEDURE SET FORTH IN GHMC SECTION 1.08.020.

WHEREAS, the state legislature has determined that RCW Chapter 46.90, which contained the Washington Model Traffic Ordinance (MTO), shall be repealed as of July 1, 1994; and

WHEREAS, the state legislature has also determined that the provisions of the Washington MTO shall be transferred and readopted into the Washington Administrative Code (WAC), Chapter 308-330, which will become effective on July 1, 1994; and

WHEREAS, in order for the City to continue to have a valid traffic ordinance, the City must also readopt those provisions that have been transferred into the WAC; and

WHEREAS, the 1994 state legislature has additionally amended and created new traffic provisions and in order for the City to incorporate the new changes that have been made to traffic provisions by the 1994 state legislature, the City must adopt and incorporate those changes into its own traffic code for the health, safety and welfare of its citizens; and

WHEREAS, the City's ordinance adoption procedure as set forth in GHMC Section 1.08.020, requires two readings of an ordinance before adoption, but adherence to this procedure would leave the City without an enforceable MTO on July 1, 1994; and

WHEREAS, an emergency exists necessitating a waiver of the procedure set forth in GHMC Section 1.08.020 to allow the Council to adopt the ordinance on the first day of its introduction; NOW, THEREFORE,

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

Section 1. Model Traffic Ordinance Adopted by Reference. Section 10.04.005 of the Gig Harbor Municipal Code is hereby amended to read as follows:

10.04.005--Model Traffic Ordinance Adopted by Reference. Unless otherwise provided herein, the "Washington Model Traffic Ordinance," (MTO) WAC Chapter 308-330 including any future amendments, repeals or additions thereto, is hereby adopted by reference as the traffic ordinance of the City of Gig Harbor.

Section 2. Statutes Adopted by Reference. Section 10.04.010 of the Gig Harbor Municipal Code is hereby amended to read as follows:

10.04.010--Statutes Adopted by Reference. The following state statutes, including all future amendments, repeals, or additions thereto, are hereby adopted by reference as if set forth in full:

1. RCW 46.04.440 - Definition of railroad.
2. RCW 46.08.065 - Publicly owned vehicles to be marked - exceptions.
3. RCW 46.08.066 - Publicly owned vehicles - confidential license plates, issuance rules governing.
4. RCW 46.08.067 - Publicly owned vehicles - violations concerning marking and confidential license plates.
5. RCW 46.08.068 - Publicly owned vehicles - remarking not required, when.
6. RCW 46.08.070 - Nonresidents, application to.
7. RCW 46.08.190 - Jurisdiction of judges of district, municipal and superior court.
8. RCW 46.44.110 - Liability for damage to highways, bridges, etc.
9. RCW 46.37.380 - Horns, warning devices and theft alarms.
10. RCW 46.37.390 - Mufflers, prevention of noise - smoke and air contaminants - standards and definitions.
11. RCW 46.37.400 - Mirrors.
12. RCW 46.37.410 - Windshields required, exception - must be unobstructed and equipped with wipers.
13. RCW 46.64.030 - Procedure governing arrest and prosecution.
14. RCW 47.36.130 - Meddling with signs prohibited.
15. RCW 47.52.010 - Limited access facility defined.
16. RCW 47.52.011 - "Existing highway" defined.
17. RCW 47.52.040 - Design - ingress and egress restricted, closure of intersection roads.
18. RCW 47.52.110 - Marking of facility with signs.
19. RCW 47.52.120 - Violations specified - exceptions, penalty.
20. RCW 46.01.230 and 46.12.160 and the Laws of 1994, Chapter 262, Sections 1, 5.

21. RCW 46.20.710, .720, .730, .740, 46.55.113, 46.61.5151, .5152 and the Laws of 1994, Chapter 275, Sections 1, 14, 10, 21, 22, 23, 24, 32, 4-9, 39, 40.
22. RCW 46.16.381 and the Laws of 1994, Chapter 194, Sections 1, 6.
23. RCW 46.12.270 and the Laws of 1994, Chapter 139, Sections 2, 1.
24. The Laws of 1994, Chapter 141, Section 1.

Section 3. Savings Clause. The amendment of Sections 10.04.005 and 10.04.010 of the Gig Harbor Municipal Code (GHMC), as provided, shall not affect the prosecution for any violation of any provision of said sections prior to the effective date of this ordinance.

Section 4. Copies of Statutes Adopted. All state statutes comprising the Model Traffic Ordinance, WAC Chapter 308-330, as adopted in Section 10.04.005 of the Gig Harbor Municipal Code by this ordinance, and all state statutes incorporated in the City's traffic code by this ordinance are attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full. The statutes so attached are in the form in which they were adopted by this ordinance.

Section 5. Filing. Incident to the adoption of the MTO by reference, by this chapter, one copy of the text of the adopted MTO and of other adopted statutes shall be filed as required by RCW 35A.12.140 for use and examination by the public. The City Clerk shall authenticate the statutes adopted by reference herein by signing the adopting ordinance and recording the adopting ordinance and statutes adopted by reference in full in the official ordinance book of the City of Gig Harbor.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Emergency Declared. Effective Date of Ordinance. Although GHMC Section 1.08.020 requires that an ordinance may not be adopted upon the first day of its introduction, adherence to the procedure in this instance will leave the City without an enforceable MTO for a period of time. The City Council therefore declares the existence of an emergency necessitating a waiver of the ordinance adoption procedure, allowing this ordinance to be effective upon: (1) unanimous vote of the City Council; and (2) after five days have elapsed from the date of publication of the attached approved summary consisting of the title, or July 1, 1994, whichever is later.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the ____ day of _____, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING SECTIONS 10.04.005 AND 10.04.010 OF THE GIG HARBOR MUNICIPAL CODE, IN ORDER TO READOPT THE WASHINGTON MODEL TRAFFIC ORDINANCE AS CONTAINED IN THE WASHINGTON ADMINISTRATIVE CODE, CHAPTER 308-330 WAC, AND INCORPORATING AND ADDING NEW SECTIONS AFFECTING THE TRAFFIC CODE THAT HAVE BEEN ADOPTED BY THE 1994 STATE LEGISLATURE; AND DECLARING THE EXISTENCE OF AN EMERGENCY NECESSITATING A WAIVER OF THE ORDINANCE ADOPTION PROCEDURE SET FORTH IN GHMC SECTION 1.08.020..

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

DATED this ____ day of _____, 199_.

CITY ADMINISTRATOR, MARK HOPPEN



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS 634
SUBJECT: SHIRLEY AVE, / STANICH AVE. ASPHALT OVERLAY PROJECT
DATE: JUNE 1, 1994

INTRODUCTION

Two of the Public Works objectives this year were to design and construct an asphalt overlay of Stanich and Shirley Avenues. The projects were designed in-house, and we advertised the projects for construction. The low bidder for the project is Associated Sand & Gravel at \$35,966.11. The purpose of this memorandum is to obtain your authorization to award the construction contract of this project to Associated Sand & Gravel.

BACKGROUND/ISSUES

The City Council authorized \$50,000 for overlaying Stanich Avenue and Shirley Avenue in 1994. We completed the design of the projects and advertised for construction. Bid opening for these projects was held at the City Hall on June 1, 1994, at 2:00 pm. There were six bidders involved. The bids ranged from \$35,966.11 to \$49,734.65. The Engineers Estimate for the project was \$44,421.

POLICY ISSUES

We are at a point that we can start investing in our local access streets. We have been active in maintaining our arterial streets, and have almost rebuilt or secured the financing to rebuild every arterial street within the City limits during the last four years. Council has directed us to begin focusing on our local access streets. Overlaying Stanich Avenue and Shirley Avenue is consistent with the City policy of preserving the City's investments in our street network. The overlay job will certainly extend the useful life of these streets.

FISCAL IMPACT

Funds for this project will come from our Street Department Capital Expenditure Budget. We budgeted \$50,000 for the project to be completed in 1994. The low bid is approximately \$14,000 less than the budgeted figure, therefore, there will not be any adverse impact to the budget for awarding this contract to the low bidder, Associated Sand & Gravel, for \$35,966.11.

RECOMMENDATION

I recommend a Council motion to award the Stanich Avenue and Shirley Avenue Overlay projects to Associated Sand & Gravel for \$35,966.11.

***THIS PROPOSAL IS NOT TO BE REMOVED HEREFROM
THE WHOLE SPECIFICATION IS PART OF THE PROPOSAL***

NOTES:

1. Unit prices for all items, all extensions lump sum prices, and the total amount of bid must be shown.
2. All items called out or specified in the Special Provisions, without a separate bid item, shall be considered incidental and included within the unit bid prices in the contract.
3. The City reserves the right to delete any and all bid items from any schedule.

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL AMOUNT
1	MOBILIZATION SP 1-09.7	L.S.	1		4,038
2	TESTING LAB SERVICES SP 1-05.5	F.A.	EST		1,000
3	TRAFFIC CONTROL SP 1-07.23	L.S.	1	1,500	1,500
4	ASPHALT CONCRETE PAVEMENT, CLASS B, FOR PRE-LEVELING	TON	350	40	14,000
5	ASPHALT CONCRETE PAVEMENT, CS B, FOR DRIVEWAYS	TON	50	80	4,000
6	ASPHALT CONCRETE PAVEMENT, CLASS B - SP 5-04, FOR OVERLAY	TON	475	35	16,625
7	ADJUST CATCHBASIN SP 7-05.3(A)	EA	6	300	1,800
8	ADJUST SANITARY SEWER MANHOLE SP 8-04	EA	1	350	350
9	PAINT STRIPE SP 8-21	L.F.	6,405	0.15	962
10	PAINTED CROSSWALK STRIPE SP 8-22	L.F.	96	1	96
11	PAINTED STOP BAR SP 8-22	L.F.	50	1	50
TOTAL BID:					44,421



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS *BY*
SUBJECT: BIG TOY FOR THE CITY PARK
DATE: JUNE 8, 1994

INTRODUCTION

One of the objectives of the Public Works Department is to purchase a big toy that looks like a ship for the City Park. The Council allocated \$16,000 in our 1994 budget to complete this objective. We solicited bids and two bidders bid the project. The purpose of this memorandum is obtain your authorization to reject both bids.

BACKGROUND/ISSUES

This particular budget item was to purchase a particular model of big toy which is called "MS 30 COMPAN SHIP". In order to facilitate a competitive bidding process, we tried to write specifications that would not discriminate against bidders.

We advertised the project in the newspaper and called several firms to bid the project. Two companies bid the project, Pacific Playground from Washington, and another from Oregon, Recreation Resources. Recreation Resources' bid of \$12,477.56 was the low bid.

Although the low bidder complied with the bid specifications, we discovered that the proposed ship is not exactly what we saw in their catalog. The modifications they made to their catalog item included the deletion of "Pilot House" which made the toy less versatile.

There was also an issue during the bid opening where the bid from Recreation Resources was not clearly marked as a bid, and was opened previous to the actual bid opening. The other bidder, Pacific Playground, opposed the bid because it was opened previous to the bid opening.

Because of all the above factors, we would like to re-advertise this purchase after we develop clearer specifications.

POLICY ISSUES

We reserve the right to reject any and all bids, and rejecting the bids is consistent with the bid specifications that were advertised. Re-advertising will cause some delay for

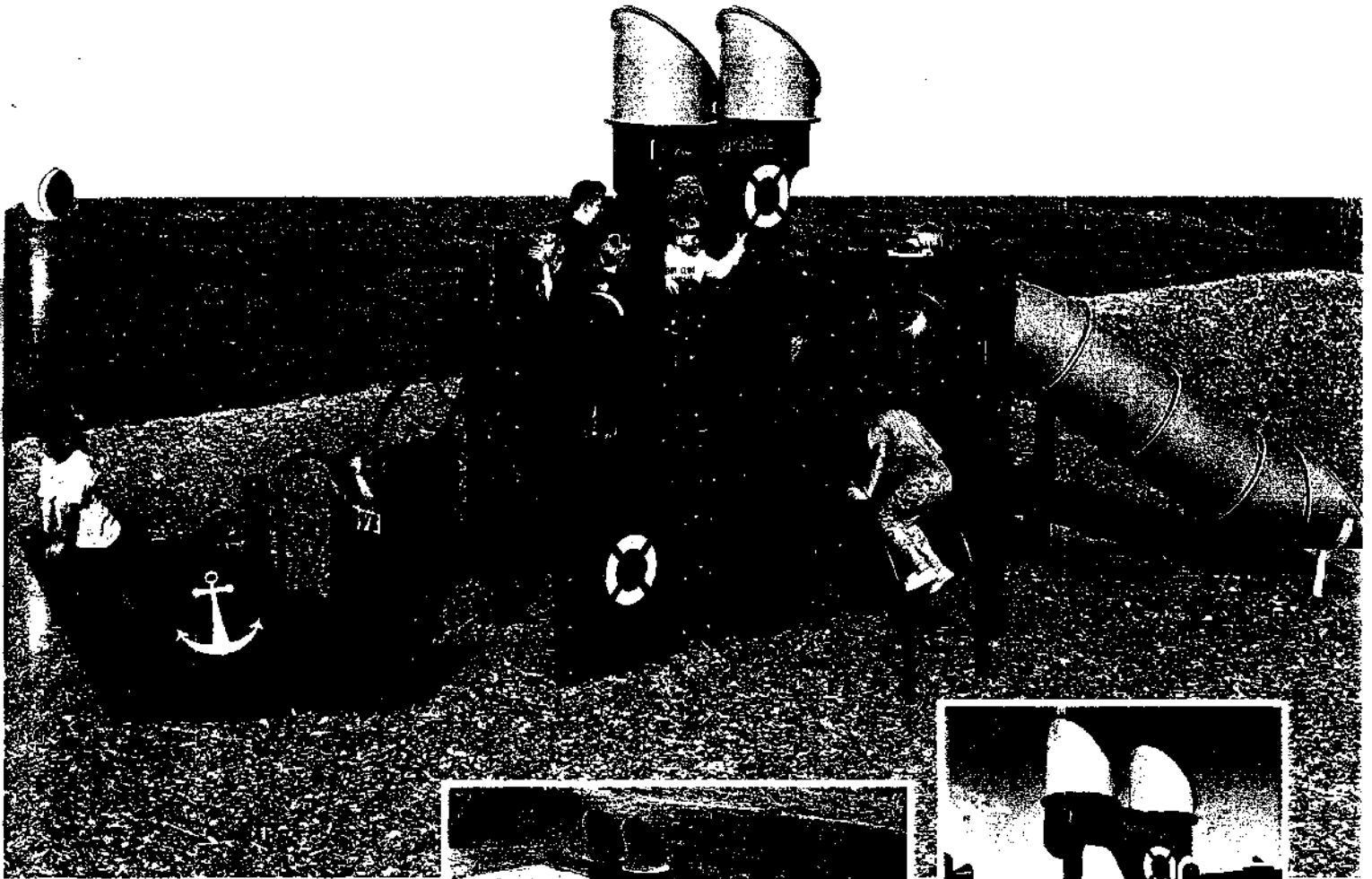
completion of this objective. It was our intention to install this toy at the City Park no later than June for children to play with it during the 1994 summer season. With the new advertisement process, we are looking at an approximate 45 day delay for the project completion.

FISCAL IMPACT

The rejection of bids and re-advertising the project will have an approximate \$350.00 impact on our budget. This dollar figure corresponds to minimal time spent to rewrite the specifications and the cost of advertising the project in the newspaper.

RECOMMENDATION

I recommend a council motion to reject the bids for the purchase of MS 30 COMPANSHIP for the City Park and authorize the Public Works Director to develop new specifications and re-advertise the project.



100000 AdventureShip

Ship Aboy!

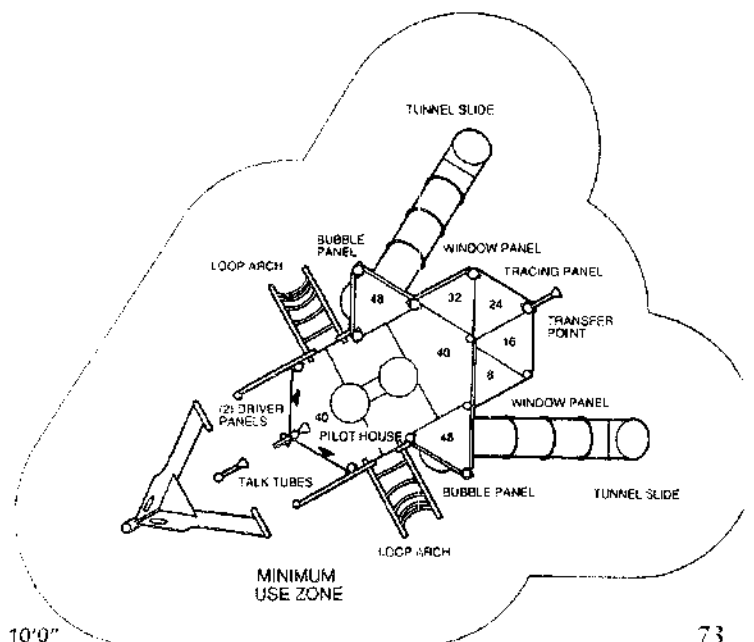
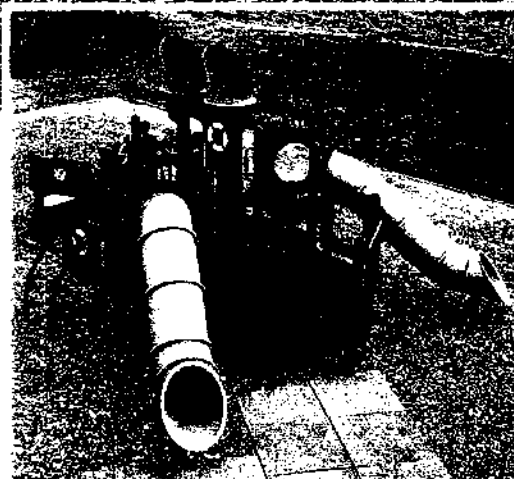
- A unique experience for kids to share on this theme play system.
- Pilot's house, complete with smokestacks, is suitable for any ship's captain.
- House is constructed of colorfast Permalene panels over an aluminum frame.
- Permalene Activity Panels are used throughout to increase play opportunities.
- Structure is made from our popular PlayBooster posts, clamps, and deck system.
- Two Loop Arch Climbers and a series of Tri-Decks provide access onto the structure.
- Commands can be sent from the pilot house to two locations by using the Talk Tubes.
- An additional set of Talk Tubes are positioned at the bow and stern.
- Two Tunnel Slides provide fast getaways.
- Exciting colors and shapes make this AdventureShip seaworthy in any park or playground.

Actual Size: 19'10" x 27'10" (6.05m x 8.48m)

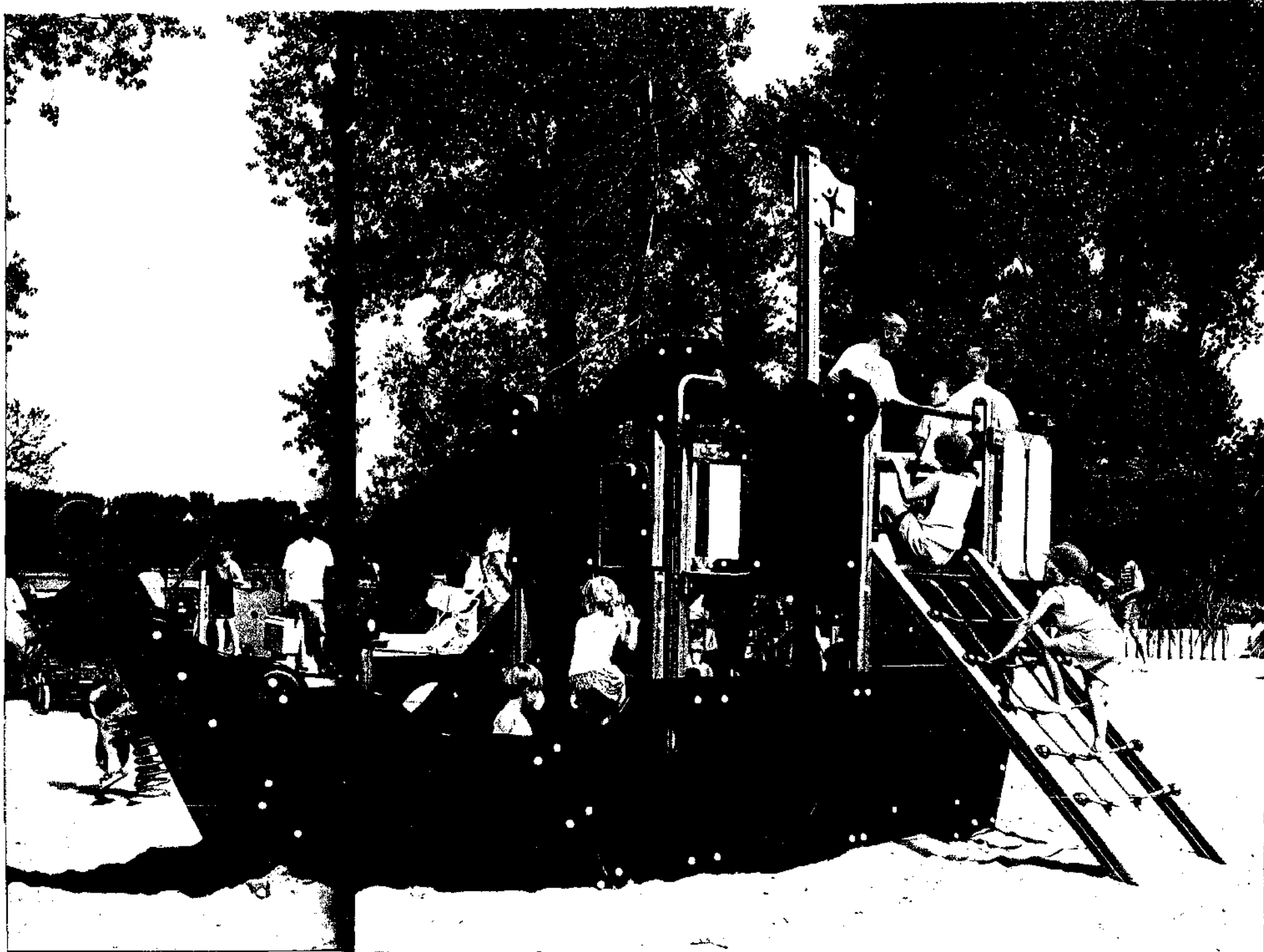
Minimum Use Zone: 31'10" x 39'10" (9.7m x 12.14m)

Number of Kids: 20-50

Fall Height: 48" (1.22m)



SCALE: 1" = 10'0"

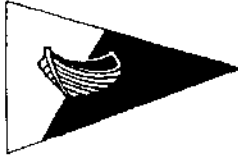


MS 30



The following accessories can be added.

Serie



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS
SUBJECT: PURDY TO WOODHILL SEWER LINE CONSTRUCTION CHANGE ORDERS
DATE: JUNE 8, 1994

INTRODUCTION

Pursuant to our Interlocal Agreement with the Peninsula School District, we took the responsibility of administrating the sewer project construction from Purdy to Woodhill area. We are ready to close this contract. There are two construction change orders which are already approved by the Peninsula School District, requiring your approval to close the contract. The approval of these change orders will result in an approximately \$11,000 decrease for the School District's contract and a \$23,000 decrease in the ULID # 3 contract.

BACKGROUND/ISSUES

The Purdy to Woodhill area sewer project consist of constructing sewer line with combination of a lift station, gravity and pressure sewer line. Every aspect of the project is completed with the exception of a portion of a pressure sewer main line on SR-302. We could not build this portion of the project due to lack of a Shoreline Permit.

The Peninsula School District has been trying to obtain the Shoreline Permit during the last two years. The permit has not been issued yet. We could not keep the contract open indefinitely and had to delete this portion of the project from the contract and proceed with the contract closure. The deletion of this portion from the contract resulted in a \$16,712.85 credit for the School District.

In addition, if you remember that we ran into contaminated soil conditions on Harborview Drive next to the Union 76 gas station. The contractor could not proceed with the construction of the line as the Department of Ecology would not allow it. We have been waiting for Ecology's to address this issue. It appears that it will be a while before the Department of Ecology deals with this issue. This portion of the contract had to be deleted from the project resulting in a credit to the ULID # 3 project approximately of \$23,000.

The combination of deleting the SR-302 line and the Gig Harbor wet well from the contract resulted in a \$30,725.80 credit to both ULID # 3 project and the Purdy to Woodhill sewer projects.

Because the line is not completed, we could not the test the Purdy Pump station. There had to be temporary modifications to the pump station to allow us to test it before we could accept it. This meant constructing a temporary pump around system at the station. This is resulted in Change Order # 2 with a \$5,796.02 cost increase to the total project.

POLICY ISSUES

These change orders required Peninsula School District's approval and we have received the necessary approvals. The District's Architect sent us the attached letters approving the change orders. Deletion of the Gig Harbor wet well was already discussed with Council and has been authorized to be deleted from the ULID # 3 contract.

FISCAL IMPACT

The approval of these change orders do not have any financial impact on the City. The cost of building this sewer line is absorbed by the School District. The School District will be credited approximately \$11,000 with approval of these Change Orders.

RECOMMENDATION

I recommend a Council motion to approve Change Orders # 2 and # 3 in the amount of (not including Washington State Sales Tax) \$5,796.02 and \$39,725.80, respectively, and to authorize the Public Works Director to sign the change orders. The net result of these change orders to the contract will be a reduction of approximately \$11,000 in the Purdy to Woodhill and \$23,000 to ULID # 3 contracts.

SITTS & HILL ENGINEERS, INC.

Professional Engineers and Planners

2901 SOUTH 40TH ST., TACOMA, WA 98409-5697
TELEPHONE (206) 474-9449
FAX NO.: (206) 474-0153

THOMAS H. SEMON, P.E.
BRENT K. LESLIE, P.E.
ROBERT N. ERB, P.L.S.
ROBERT J. DAHMEN, P.E.

May 26, 1994

City of Gig Harbor
P.O. Box 145
Gig Harbor, WA 98335

ATTN: Mr. Ben Yazici, P.E.
Public Works Director

RE: U.L.I.D. #3 - Change Order No. 3

Dear Ben:

I have reviewed the invoices provided by Active Construction, Inc. (Active) regarding the materials previously purchased for the Shoreline Permit area of Schedule "A". The total cost of the applicable materials included on these invoices was agreed to be deducted from the \$26,120.00 credit due the City as outlined in correspondence prepared by Active on March 24, 1994. The cost of these materials is \$10,173.73.

Active has also agreed to credit a portion of the cost of Change Order No. 2 because the number of hours originally estimated in their proposal allowed for less favorable conditions than those encountered preparing for the pump test. The originally proposed ten (10) hours was not needed and eight (8) hours has been charged. This results in an additional credit of \$766.58.

The reduction in the Contract Price for Schedule "A" is as follows:

\$26,120.00	Portion of Schedule "A" not completed
+ 766.58	Change Order No. 2 <i>Credit</i>
<u>- 10,173.73</u>	Materials purchased for Schedule "A"
\$16,712.85	

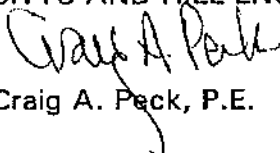
The Contract Price is to be further reduced as a result of the deletion of the Gig Harbor wet well from Schedule "D" in the amount of \$23,012.95.

The total reduction in the Contract Price in Change Order No. 3 is \$39,725.80.

Please advise me if I can provide additional information regarding this matter.

Sincerely,

SITTS AND HILL ENGINEERS, INC.


Craig A. Peck, P.E.

CAP/rms

Civil, Structural, and Surveying

Craig A. Peck & Associates

723 22nd Street S.W.
Puyallup, Washington 98371

technical assistance
206-840-5482

May 27, 1994

Mr. Ben Yazici, Public Works Director
P.O. Box 145
Gig Harbor, Washington 98335

Re: ULID #3 - Final Punchlist Review Meeting

Dear Ben,

An on-site meeting was held with representatives of Active Construction Inc. (Active) and the City of Gig Harbor on May 20, 1994, regarding the completion of the ULID #3 sewer project. Those present were Walt Smith, Kraig Miller, Ben Yazici, Bill Irely, Tom Quinlan, and Craig Peck. The discussions centered on the review of the May 10, 1994, punchlist letter issued by the City and the May 17, 1994, letter of response from Active. Each item from both letters were reviewed. All items were concluded to be **ACCEPTED** with the exception of the following:

Woodhill Pump Station

1. The grout placed around the perimeter of the base was moist and may be allowing moisture to penetrate into the wetwell. Active agreed to determine if the proper grout mixture was used and to repair the patches as a warranty item if corrective measures are required.
5. A test has been scheduled for the operation of the pumps on Tuesday, May 24, 1994, at which time the correct reading of the water seal pressure gages will be reviewed. Adjustments to the pressure regulator on the by-pass line will be made to provide minimum required pressure to the water seals. If the gages are found to read in excess of their calibrated scale, the gages will be replaced as a warranty item.
8. The interior of the wet wells at both the Woodhill and Purdy pump stations will be coated. Active will empty the wetwell of all water, dry the interior, repair leaks (if any), and arrange inspection by the City prior to authorizing the coating contractor to apply the coatings. Due to the current condition of the wet wells, two (2) coats of Wasser MC-ConSeal at 2 mils thickness each is the preferred alternate to the original coating. The cost of coating the wet well will be shared by

Mr. Ben Yazici
May 27, 1994
Page 2

Active and Sitts and Hill Engineers. Sitts and Hill Engineers have agreed to equally share in the cost of the coating contractor at an amount not to exceed \$1525.00 including sales tax.


9. The change order specifications for the basket and hoist materials will be reviewed by Active. Active will report to the City on Tuesday, May 24, 1994, a schedule for the replacement of those items as a warranty issue.
16. The inlet piping and cover on the water tank will be modified to provide an air gap as discussed and agreed on May 20, 1994. This requires the extension of the inlet piping above the cover and cutting a hole in the cover to allow discharge from the piping into the tank.
17. The manuals are to be delivered during the week of May 23, 1994.

Purdy Pump Station

3. Telemetry equipment is being replaced as a warranty item.
14. Cleaning sufficient to make readable or replacement of the information plates on pumps and motors will be accomplished as a warranty item.
19. The manuals are to be delivered during the week of May 23, 1994.
20. Harnesses are to be replaced by Active.

Please advise me if I can provide additional information regarding this matter.

Very truly yours,



Craig A. Peck, P.E.

cc: Sitts and Hill Engineers
Active Construction, Inc.



PENINSULA SCHOOL DISTRICT

14015-62nd Ave. N.W. Gig Harbor, WA. 98332

(206) 857-6171

FACILITIES TRANSMITTAL MEMO

To: Ben Yazici

 City of Gig Harbor

DATE: 6/8/94
ATTN:
RE: Purdy / Gig Harbor Sewer

We have enclosed the following items:

COPIES	DATE	DESCRIPTION
1	4/29/94	PSD Letter to City of Gig Harbor
1	3/30/94	Sitts & Hill letter to City of Gig Harbor

Comments:

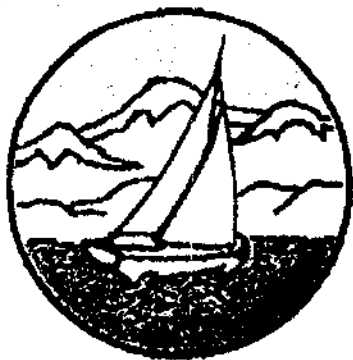
Pursuant to our conversation this morning on the telephone.

John Wegener, District Architect

Sent By: _____

cc: _____

Transmitted By:
<input checked="" type="checkbox"/> FAX <u> 3 </u> Pages Total
<input type="checkbox"/> Hand Delivered <u> _PONY </u>
<input type="checkbox"/> Mail



PENINSULA SCHOOL DISTRICT

14015-62nd Ave. N.W. Gig Harbor, WA. 98332

(206) 857-6171

April 29, 1994

City of Gig Harbor
3105 Judson Street
P.O. Box 145
Gig Harbor, Washington 98335

Attn: Mr. Ben Yazici, P.E.
Director of Public Works

Re: Purdy/Gig Harbor Sewer Project Phase II
Testing Purdy Pump Station & Deleting Pressure Main From Current Contract
Change Order Authorization

Dear Ben,

Please let this letter serve as a record of my verbal approval of the cost adjustments to Active Construction contract for the testing of the Purdy Lift Station and deleting approximately 2,100 LF of pressure main.

I understand that the cost for the additional work involved with the testing of the Purdy pump station shall be an additional \$ 5,796.02. I also acknowledge that the credit for the deletion of the 2,100 LF of pressure main will be arrived at per the method as outlined in Mr. Craig Peck's letter dated March 30, 1994 (attached).

If you have any questions or I can be of further assistance please give me a call at 857-8111.

Regards,



John S. Wegener, AIA
District Architect

Attachment

cc Dave Seifert, PSD Construction Representative
Dawn Richey, PSD Accounting Specialist CF

File: Purdy/Gig Harbor Sewer Project Phase II City of Gig Harbor Correspondence
Ltr/Ben Yazici 4-28-94/JSW

SITTS & HILL ENGINEERS, INC.**Professional Engineers and Planners**

2901 SOUTH 40TH ST., TACOMA, WA 98409-5897
 TELEPHONE (206) 474-8449
 FAX NO.: (206) 474-0153

THOMAS H. SEMON, P.E.
 BRENT K. LESLIE, P.E.
 ROBERT N. ERB, P.L.S.
 ROBERT J. DAHMEN, P.E.

March 30, 1994

City of Gig Harbor
 P.O. Box 145
 Gig Harbor, WA 98336

COPY

ATTN: Mr. Ben Yazici, P.E.
 Public Works Director

RE: ULID #3 - Schedule A: Credit from Active Construction

Dear Ben:

I have reviewed the correspondence prepared by Active Construction, Inc. (Active) on March 24, 1994, regarding the credit for work in Schedule "A" that has not been completed within the Shoreline Permit area. Their letter lists items to be deleted from the contract with prices taken from their Schedule of Values prepared in accordance with the Construction Contract. I have reviewed the plans and agree that the quantities listed are correct. Active agrees to use the \$26,102.00 total as the basis for the credit and will provide invoices within ten (10) days of the date of their letter for the materials previously purchased for that portion of work to reduce the credit amount. This method of determining the credit amount conforms with the contract specifications and is appropriate in this instance.

I recommend that the City accept this method of determining the credit amount and following receipt and review of the invoices from Active that those items from Schedule "A" be deleted from the Contract.

Please advise me if I can provide additional information regarding this matter.

Very truly yours,

SITTS AND HILL ENGINEERS, INC.

Craig A. Peck
 Craig A. Peck, P.E.

CAP/rms

RECEIVED

APR 01 1994

PENINSULA SCHOOL DISTRICT NO. 400
 FACILITIES

Civil, Structural, and Surveying

Craig A. Peck & Associates

723 22nd Street S.W.
Puyallup, Washington 98371

technical assistance
206-840-5482

June 8, 1994

Mr. Ben Yazici, P.E.
Public Works Director
P.O. Box 145
Gig Harbor, Washington 98335

Re: ULID #3 - Final Contract Amount

Dear Ben,

As outlined in the "Allocation of Final Project Costs To Bid Schedules, ULID No. 3, City of Gig Harbor, WA." prepared by Sitts and Hill Engineers, Inc. on June 4, 1994, the total of contract work is shown as \$1,582,401.12.

This amount resulted from changes in the contract items reflected in Change Orders No. 1, 2, and 3 totalling \$98,259.45 that increase the base contract amount to \$1,579,761.51.

Schedule E-1, a contract unit price additive item not requiring a change order, added 735.68 tons of unsuitable excavation in excess of the original estimated quantity resulting in an additional adjustment of \$2,639.61.

The resulting total construction amount is as follows:

Original Contract Amount:	1,496,958.06	
Deductive Alternate - Schedule F	<u>- 15,456.00</u>	
Sub-total		1,481,502.06
Change Orders:		
No. 1	132,189.23	
No. 2	5,796.02	
No. 3	<u>-39,725.80</u>	
Sub-total		<u>98,259.45</u>
TOTAL (Lump Sum Portion of Original Contract):		1,579,761.51
Unit Price Item in Original Contract: Schedule E-1:		<u>2,639.61</u>
GRAND TOTAL - Construction Amount:		1,582,401.12

END

Mr. Yazici
June 8, 1994
Page 2

If I can provide you with additional information, please call me.

Very truly yours.



Craig A. Peck

cc: Tom Semon, Sitts and Hill Engineers

CHANGE ORDER

No. 2

PROJECT: ULID #3 DATE OF ISSUANCE: 3/24/94

OWNER: City of Gig Harbor
Gig Harbor, Washington 98335

CONTRACTOR: Active Construction Inc. OWNER's Project No. _____
P.O. Box 191
Gig Harbor, Washington 98335

ENGINEER: Sitts & Hill Engineers, Inc
2901 South 40th St.
Tacoma, WA. 98409-5697

CONTRACT FOR: Sanitary sewer system
construction ENGINEER's Project No. _____

You are directed to make the following changes in the Contract Documents.

Description: Provide temporary pump around system at the Purdy Pump Station as outlined in your February 14, 1994, proposal addressed to Craig Peck

Purpose of Change Order: To facilitate deletion of unfinished portion of Schedule A.

Attachments: (List documents supporting change)

- Active correspondence dated February 14, 1994
- Sitts & Hill correspondence dated March 24, 1994

CHANGE IN CONTRACT PRICE:

Original Contract Price

\$1,481,502.06 (\$1,496,958.06 less Schedule F, \$15,456.00)

Previous Change Orders No. 1 to No. _____

\$132,189.23

Contract Price prior to this Change Order

\$1,613,691.29

Net Increase (decrease) of this Change Order

\$5,796.02

Contract Price with all approved Change Orders

\$1,619,487.31

RECOMMENDED:
by Craig A. Peck
Engineer

APPROVED:
by _____
Owner

APPROVED:
by Walter H. Smith
Contractor

CHANGE ORDER

No. 3

PROJECT: ULID #3 DATE OF ISSUANCE: 5/26/94

OWNER: City of Gig Harbor
Gig Harbor, Washington 98335

CONTRACTOR: Active Construction Inc. OWNER's Project No. _____
P.O. Box 191
Gig Harbor, Washington 98335

ENGINEER: Sitts & Hill Engineers, Inc
2901 South 40th St.
Tacoma, WA. 98409-5697

CONTRACT FOR: Sanitary sewer system construction

ENGINEER's Project No. _____

You are directed to make the following changes in the Contract Documents.

Description: Delete portion forcemain and gravity sewer in Schedule A and wetwell in Schedule D.

Purpose of Change Order: To close contract

Attachments: (List documents supporting change)
Active correspondence dated March 24, 1994
Sitts & Hill correspondence dated May 26, 1994

CHANGE IN CONTRACT PRICE:

Original Contract Price

\$1,481,502.06 (\$1,496,958.06 less Schedule F, \$15,456.00)

Previous Change Orders No. 1 to No. 2

\$137,985.25

Contract Price prior to this Change Order

\$1,619,487.31

Net Increase (decrease) of this Change Order

(\$39,725.80)

Contract Price with all approved Change Orders

\$1,579,761.51

RECOMMENDED:	APPROVED:	APPROVED:
by <u><i>Craig A. Dale</i></u>	by _____	by <u><i>Bruce Johnson</i></u>
Engineer	Owner	Contractor

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 28, 1993

PRESENT: Councilmembers Frisbie, Platt, Stevens Taylor, English, Markovich and Mayor Wilbert.

PUBLIC COMMENT:

Jim Boge - 6606 Soundview Dr., Gig Harbor. Mr. Boge said he had been solicited by three persons in a pickup wanting to paint house numbers on the curb for \$10, and wanted the council and staff to be aware that these people were going door to door. He asked when council would be addressing the landscaping on Soundview and what could be legally built on city right-of-way.

Mayor Wilbert answered that the landscape options were currently being reviewed, and that the Planning Commission would be making a decision on changes in the zoning code in August regarding fences and shrubs in the setback areas. Carol Morris, legal counsel, pointed out that building anything in city right-of-way was not a zoning issue, but an administrative decision. Council asked staff to make a recommendation and bring it back for consideration.

CALL TO ORDER: 7:19 p.m.

PUBLIC HEARING:

1. Shoreline Management Program Revisions. (Continued from last council meeting).

Steve Luengen - 10221 Rosedale Bay Court, Gig Harbor. Mr. Luengen reviewed the comments in his letter to council. He was concerned that even though he had contacted other business owners along the waterfront, none had attended the first or second public hearing. He gave an overview of the other items of concern in his letter and answered council questions.

Council and staff then discussed the draft page by page, incorporating comments by the Department of Ecology, Legal Council, Staff, and Councilmembers. Additional sections will be added to the "Definitions" section to clarify the intent of the draft. The draft will be carried over for Public Hearing again at the next council meeting, July 12th.

NEW BUSINESS:

1. ULID No. 3 Contract Modification. Ben Yazici gave the history of the project and the request to eliminate the wet well construction from the contract. He explained the elimination of the wet well is due to soil contamination on Harborview Drive, and the city liability if construction of the wet well were to make the soil/water table contamination worse. Mr. Yazici added that the Unocal Station at the site has been under Ecology's enforcement order since 1991, and that Michael Conan, son of the owner of the Unocal

Station, and Mr. Ron Record, station manager, were present at the meeting. Councilman Frisbie added that this site was very necessary for the future success of the project, and the clean-up of the site should be done as quickly as possible.

MOTION: Move we authorize the Public Works Department to delete the wet well construction on said site from the ULID No. 3 Construction Project. We also direct the City Administrator, Public Works Director, and the City Attorney to take the necessary steps to have this site cleaned up as soon as possible. In addition, the ULID should make a financial contribution to the City's Sewer Capital Construction fund in the amount of \$23,012.95, minus the cost of the contractor's mobilization and demobilization for the wet well construction, plus the Washington State Sales Tax.
English/Stevens Taylor - unanimously passed.

2. Amendment to Professional Services Contract - Gray & Osborne. Mr. Yazici gave an overview of the biosolids disposal problems the city is faced with in the future, and proposed an amendment to the Wastewater Treatment Plant Expansion Contract to include the design and construction drawings for a thermophilic digester for a fee not to exceed \$22,000. This option would allow the city to deal with the biosolids without utilizing other costly methods of disposal.

MOTION: Move we approve the Gray & Osborne Contract as presented by staff.
Frisbie/Stevens Taylor - unanimously passed.

3. Gig Harbor Senior Community Center Grant. Mark Hoppen introduced Mr. Russ DuBois and Mr. Elmer Tripple, representing AARP, and Mr. Dave Freeman, from Snodgrass Freeman Associates, who has volunteered time to develop the conceptual schematics of the project. Mr. Freeman used drawings to explain the project and answered questions. Mr. Hoppen then explained the grant's opportunities and answered questions on access options to Harbor Green Park.

MOTION: Move we approve the signing of the grant agreement for the design of the center.
English/Stevens Taylor - four voted in favor. Councilman Frisbie voting against.

OLD BUSINESS:

1. Second Reading of Ordinance - Short Plat Amendment. Mr. Gilmore asked that this ordinance be reintroduced at the next council meeting per legal counsel's advice. The ordinance originally introduced did not include the entire subsection, as required.
2. Second Reading of Ordinance - Update to UBC/UFC. Mr. Gilmore requested a new Section 4 be added at the end of the document on advise of legal counsel, to the effect

that reference documents will be on file with the city clerk.

MOTION: Move we adopt Ordinance 644, the Building Code revisions as proposed by the Washington State BCC and as recommended by the Gig Harbor Building Code Advisory Board with additional language as proposed by legal counsel.
English/Stevens Taylor - unanimously passed.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the meeting of June 14, 1993, with a correction.
English/Platt - unanimously approved. Councilmember Stevens Taylor abstained.

NEW BUSINESS (cont.):

4. Reappointment of Carl Halsan to the Gig Harbor Planning Commission. Mayor Wilbert asked for council approval for the reappointment of Mr. Halsan to another six year term on the Planning Commission. Councilmember Stevens Taylor asked if the position had been advertised or any letters of interest had been received. Mayor Wilbert said the second open position would be advertised to attempt to attract interested persons.

MOTION: Move we approve the appointment of Carl Halsan to the Gig Harbor Planning Commission.
English/Platt - unanimously approved.

5. Peacock Hill Contract Award. Ben Yazici introduced the bid figures. The low bidder was Pape & Sons Construction, Inc. with the low bid of \$331,518.00, which was significantly lower than the engineer's estimate of \$396,828.00. After discussion, Mr. Yazici reassured the Council that he felt that it was a fair bid.

MOTION: Move to award the Peacock Hill Avenue Improvements project to Pape & Sons Construction, Inc. for \$331,518.00.
Frisbie/English - unanimously passed.

6. Bid Results - Wastewater Treatment Plant Supplies. Mr. Yazici asked that council deny the bid on the basis that due to the fact only one bid was received, and that the proposal package needed to be broken down into categories. He stated that although buying from one supplier would save time, it was not cost effective. He recommended that the Public Works Department continue to buy supplies from those suppliers that offer the best price on an item-by-item basis.

MOTION: Move we deny the bid from South Sound Culligan to supply various sludge dewatering polymers and laboratory reagents and glassware/maintenance supplies for the Gig Harbor Wastewater Treatment Plant.
English/Platt - unanimously approved.

DEPARTMENT DIRECTOR'S REPORT:

Chief Richards reported that the officers had been watching the GHHS students closely, as around graduation time, the graduating class and upcoming seniors have a tendency to become somewhat "squirrely". He felt encouraged that there has been no serious accidents to date.

He then spoke to Council about the new State Law that charges cities and counties \$25 a piece to destroy handguns.

MAYOR'S REPORT:

1. Harbor Basin Protection Plan. Mayor Wilbert briefly described the plan and the questions relating to the bay. She added as information was made available, and the Ad Hoc committee scheduled meetings, she would bring this information back to council.

ANNOUNCEMENTS OF OTHER MEETINGS: None announced.

APPROVAL OF BILLS:

MOTION: To approve warrants #10769 through #10807, in the amount of \$32,926.58.
Platt/English - unanimously approved.

EXECUTIVE SESSION: Cancelled.

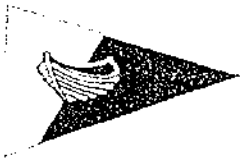
ADJOURN:

MOTION: To adjourn at 10:35 p.m.
Platt/Stevens Taylor - unanimously approved.

Cassette recorder utilized.
Tape 316 Side A - 235 - end.
Tape 316 Side B - 000 - end.
Tape 317 Side A - 000 - end.
Tape 317 Side B - 000 - end.
Tape 318 Side A - 000 - end.
Tape 318 Side B - 000 - 190.

Mayor

City Administrator



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND THE CITY COUNCILMEMBERS
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS *BY*
RE: DELETING A WET WELL CONSTRUCTION FROM ULID #3 CONTRACT
DATE: JUNE 25, 1993

INTRODUCTION

The Utility Local Improvement District #3 project included construction of a wet well on Harborview Drive next to the 76 Gas Station. Our contractor, Active Construction, started excavating the said location on May 28, 1993 and encountered contaminated soil conditions. The Department of Ecology requested the construction site be cleaned of contamination before construction could resume. The cost of cleaning the site is in the range of \$100,000 to \$125,000. The purpose of this memorandum is to explain the circumstances surrounding this issue and request your authorization to delete this part of the work from the ULID #3 contract.

BACKGROUND / ISSUES

After a competitive bidding process, we hired Active Construction to build the ULID #3 project. The contractor completed most of the work associated with the project. On May 28, 1993, the contractor started excavating our right-of-way on Harborview Drive next to the 76 Gas Station. Approximately two hours after the work began, it became obvious that the soil was contaminated.

Geac Engineers was called to the site to determine type and magnitude of contamination. Their findings were shared with Department of Ecology Toxic Cleanup section and Ecology has indicated that the site must be cleaned up before we can proceed with our construction activity.

Prior to our construction activity (back in 1991), during an excavation for a service connection, Washington Natural Gas encountered similar conditions in the same general area. Ecology determined at that time that the soil contamination was due to leakage from underground gasoline storage tanks located at the 76 Gas Station. It is my understanding that the gas station has been under Ecology's enforcement order since that time.

On June 14, 1993, we met with Mr. Tom Todd of the Department of Ecology to determine the extent of the work needed at this location. We were told that we have to excavate the top 5-6 foot section of the wet well site and stockpile it next to the lift station. We would then have to dewater and treat the contaminated water at the site before it could be discharged into the

storm drainage system. The next step would be sheet piling to limit the excavated area. Construction using conventional methods could then continue, using the stockpiled contaminated soil as backfill material.

At this point, we asked Active Construction to provide us an estimate of the additional costs to complete the job as specified by Ecology; Mr. John Wallace, the City Attorney was contacted for legal advice; and, the owner of the 76 Gas Station, Mr. Ed Conan, was notified by registered mail.

We were told by Mr. Conan's office that he was in Mexico for a church activity and there was no way to reach him for at least two weeks. This was confirmed by Mr. Conan's son. I then discovered that Mr. Conan's son was scheduled to leave for Mexico two days later.

I've listed below some questions which you may want me to address:

1) What is a wet well ?

It is a large manhole that collects sewage from the collection system and which is then pumped directly to the treatment plant by pumping equipment situated in a dry well which is generally constructed next to the wet well.

2) How much does it cost to build a wet well at this site?

Active Construction's bid for the wet well at this site was \$23,012.95. It is conceivable that construction of this wet well will be much higher than Active's bid if we advertise to build only a wet well. This work was a minor part of the very large ULID #3 project and consequently, the cost of building the wet well was reasonably priced.

3) Can we eliminate this wet well from the contract without jeopardizing the service to our existing customers?

Yes. Our existing wet well and dry well at lift station #3 has a capacity of 1.2 millions gallon per day (MGD). We are currently using 0.5 MGD flow of the total capacity. Therefore, we have excess available capacity of 0.7 MGD at this lift station.

4) If we did not need this wet well constructed now, why was it included in the ULID # 3 project?

The logic behind having the wet well construction included in the ULID #3 project is that the ULID # 3 sewage flow will expedite the improvement schedule of this project. It was our position then and now that existing sewer customers should not absorb any financial cost as result of the ULID project. Therefore, it was decided that ULID #3 project should make either financial contribution or do fair share improvements at the lift station #3 location. The fair share was calculated to be one third of the total cost of rebuilding the lift station. This number

equated to building a new wet well and building a new force main from the wet well to the treatment plant with both improvements having 3.5 MGD capacity. This force main has already been built by Active Construction.

The total upgrade cost of this lift station was estimated to be approximately \$300,000.00 with an ultimate capacity of 3.5 MGD. The total expected ultimate flow from the ULID #3 sewer line is 1.1 MGD. The proportionate share of the ULID # 3 project to upgrade this lift station is \$100,000.00.

5) What does our City Attorney advise at this point ?

The City's Attorney suggests that this portion of the ULID #3 Contract with Active Construction be eliminated. I concur with this advice.

There are several reasons why the City should not, at this time, undertake excavation in this contaminated area. I am most concerned with the possibility that our excavation could impact groundwater which underlies the contaminated soil. This could potentially put the City in the position of worsening the existing condition.

FINANCIAL IMPACT

If we build the wet well now, the cost of construction will vary anywhere from \$100,000 to \$125,000. This cost is well beyond what the ULID was going to pay for this work (\$23,012.95).

If we cancel the wet well now and build it after the contaminated soil conditions are addressed by the owner of the contamination source, it might cost the City approximately \$35,000.00 to \$45,000.00.

The other issue of concern is the potential financial impact to the City if build the wet well now and the existing contaminated soil condition becomes worse.

RECOMMENDATION

I recommend a council motion to authorize the Public Works Director to delete wet well construction next to the 76 GAS station from the ULID #3 construction project. The motion should also direct the City Administrator, Public Works Director, and The City Attorney to take the necessary steps to have this site cleaned up as soon as possible. In addition, the ULID should make a financial contribution to the City's Sewer Capital Construction fund in the amount of \$23,012.95, minus the cost of the contractor's mobilization and demobilization for the wet well construction.

Mayor Wilbert and City Council

June 25, 1993

Page 4

Our ULID # 3 construction engineers, Mr. Craig Peck and Mr. Thomas Seamon, are going to attend the Council Meeting to answer any question you might have related to technical details of this issue.

**active
construction
inc.**

June 24, 1993

Ben Yazici
Director of Public Works
Gig Harbor City Hall
Post Office Box 145
Gig Harbor, WA 98335

Re: CITY OF GIG HARBOR U.L.I.D. NO. 3

Dear Ben:

The information you asked for is as follows.

To install new wet well at pump station #3 would cost in the range of \$100,000 to \$125,000. This would include the following :

1. Sheet pile shoring for containment of contaminated materials. Cofferdam is 16' X 16' X 30" deep. Excavation would be 16'±.
2. Disposal and/or treatment onsite of these materials.
3. Install dewater wells and treat water from excavation.

Original contract amount for wet well was \$23,012.95, which would be deleted by this change order.

These prices are based on the information we have to date. Any changes could result in additional costs.

Please call if I can be of further assistance.

Sincerely,

ACTIVE CONSTRUCTION, INC.

Kraig A. Miller/as
Kraig A. Miller

KAM:as
ULIDNO3.6-24



MEMORANDUM

TO: Ben Yazici
FROM: Craig Peck
DATE: June 14, 1993
RE: June 10 Meeting with Tom Todd

The following notes summarize my recollection of the issues discussed with Mr. Tom Todd from the Department of Ecology regarding the contaminated soils at Pump Station #3 in Gig Harbor during a telephone conversation prior to and again during our meeting at the site.

Owner of the site (the City) where contamination is found is responsible under the law for clean-up.

Costs of clean-up may be recovered from contaminator through legal process.

Contamination on and around the gas station has been known to Ecology since 1991 when Washington Natural Gas found contamination in excavations and conducted well testing on and near gas station site.

Notification of Mr. Conan about contamination in the vicinity of the wetwell was to be done by Mr. Todd on June 14, 1993, by telephone.

Order to clean-up contamination can be issued by Ecology and is expected to be issued prior to the end of 1993.

Clean-up may not commence for several years depending the level of cooperation from Mr. Conan.

Clean-up of contamination by subsurface aeration is probable rather than removal of contaminated soils.

No permits are necessary for excavation work.

No notifications to agencies are known by Mr. Todd to be required.

Contaminated material can be placed back in excavation.

Lining of excavation and backfilling with imported material is not required.

Contaminated material disposal can be handled by Woodworth in aggregated dryers. Cost is estimated to be \$60/ton.

Those workers involved in work in the excavation must have appropriate training regarding hazardous materials.

Proper safety equipment for fumes must be used in and around the excavation.

Pumped groundwater must be treated prior to disposal into either sanitary or storm sewers. Treatment equipment may be available on a rental basis.

Pumped water must be tested to assure "purity" prior to discharge.

NPDES permit is required but is not practical for projects of short duration and therefore not recommended.

\$50.00 - \$60.

Craig A. Peck & Associates

723 22nd Street S.W.
Puyallup, Washington 98371
technical assistance
206-840-5482

June 14, 1993

Mr. Kraig Miller
Active Construction, Inc.
P.O.Box 191
Gig Harbor, Washington 98335

Re: Wetwell Installation - Pump Station #3

Dear Kraig,

Following discussions on June 10 with Mr. Tom Todd from the Washington State Department of Ecology, several construction related issues for the wetwell at Pump Station #3 were identified. These issues include the following:

Qualified Personnel - workers involved in the installation of the wetwell who must enter the excavation must be trained to work in hazardous environments.

Safety Equipment - equipment necessary to maintain safe working conditions in and around the excavation must be provided.

Contaminated Material Handling - soils occurring above the groundwater level are suspected of contamination. The size of the excavation should be limited to practicable minimum. Contaminated soils are to be excavated and isolated to protect the surrounding area from contamination. These materials are to be used as backfill if determined to be structurally suitable or are to be hauled to an approved treatment and disposal site.

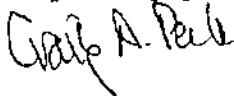
Sub-groundwater Material Handling - soils currently below the groundwater level are not expected to be contaminated. These materials if found to be structurally suitable are to be used as backfill. The volume of the wetwell and its foundation materials is to be deducted for these soils to maximize the reuse of the contaminated soils as backfill.

Pumped Groundwater - water being pumped from the excavation must be treated to remove contaminants. The excavation must be dewatered as effectively as practicable to minimize further contamination of soils below the original groundwater level. The treated water must be laboratory tested for petroleum residuals and found to be free of contaminants prior to discharge into the storm drainage system.

Mr. Kraig Miller
June 14, 1993
Page 2

These issues are to be discussed at our 10:00 meeting this morning at your office. A cost proposal and a schedule must be reviewed and approved by the City prior to beginning the work. The cost proposal and schedule must identify the original scope of work, cost, and schedule to clearly define the changes necessitated by the discover of the contaminated material.

Very truly yours,

A handwritten signature in cursive script that reads "Craig A. Peck". The signature is written in dark ink and is positioned directly below the typed name.

Craig A. Peck

Geo  Engineers

6240 Tacoma Mall Blvd, Suite 318
Tacoma, Washington 98409
Telephone: (206) 471-0379
Fax: (206) 471-0521

FAX TRANSMITTAL

To: City of Gig Harbor

Date: June 24, 1993

File: 2955-002-T03

Fax Number: 851-8563

Attention: Ben Yazichi

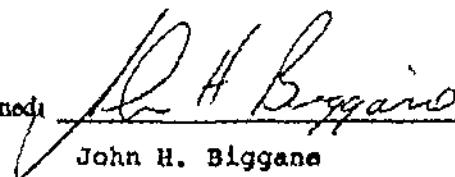
Regarding: ULID #3 Sewer Line

Pages	Date	Description
1	06/24/93	Fax Transmittal
10	06/16/93	ETC/Northwest - Analytical Lab Report
1	05/28/93	GeoEngineers Field Report

Total Pages: ~~11~~ 12

Comments: Please call if you need additional information.

Signed



John H. Biggane

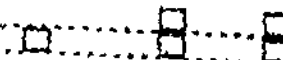

ETC/Northwest

Formerly Pacific Northwest Environmental Laboratory

6645 - 185th Avenue NE, Suite 100
Redmond, WA 98052
(206) 885-0083
FAX (206) 883-8528

Geo Engineers

JUN 18 1993

Routing 
File 

June 16, 1993

Terry Parks
Geo Engineers
6240 Tacoma Mall BLVD Suite 318
Tacoma WA 98409

Subject: Project 2955-02-T03
ETC/NW Batch 4852

Enclosed are the results for the samples collected on May 26 and received by ETC/Northwest on May 27, 1993.

A brief discussion of the analytical methodologies employed is presented, as well as a summary of quality control data generated as part of the analyses. The following narrative is considered an integral part of this report. Reproduction of reports is encouraged to be in whole, not in part. Results apply only to the samples analyzed.

Release of the data contained in this hardcopy data package has been authorized by the Laboratory Manager or designee, as verified by the following signature.

If you require any additional information, please feel free to contact one of our Project Managers.

Respectfully submitted,

William J. Burton, PhD

QA Manager

Enclosures

Jmp

ETC/Northwest

Formerly Pacific Northwest Environmental Laboratory

NARRATIVE FOR ETC/NW 4852

The samples for this project were received and assigned a corresponding ETC/Northwest identification number as follows:

<u>ETC/NW ID</u>	<u>CLIENT ID</u>	<u>ETC/NW ID</u>	<u>CLIENT ID</u>
4852-01	52693-01	4852-02	52693-02

Listed below are anomalies and narratives associated with the receipt and/or analysis of these samples. This narrative is an integral portion of this data package and should not be separated from the following pages.

Sample Receiving

There were no anomalies associated with the receipt of these samples.

Purgeable Aromatics (BTEX) by GC Benzene, Toluene, Ethylbenzene, and Xylene by Method 8020, Test Methods for Evaluating Solid Waste, United States Environmental Protection Agency, SW-846, 3rd Ed., 1986.

There were no anomalies associated with the extraction and analysis of these samples and their associated QC.

Analytical results are reported on a dry-weight basis.

The reported concentrations in samples 4852-01 and 4852-02 are based on the analyses of dilutions.

All samples in this case were batched with QC samples previously reported in ETC/Northwest Case 4825. All comments concerning QC results and sample analyses are summarized here.

Total Petroleum Hydrocarbons as Gasoline by GC Gas Chromatographic Analysis by WTPH-G, April 1992 update, Appendix L, Guidance for Remediation of Releases from Underground Storage Tanks, July 1991.

There were no anomalies associated with the extraction and analysis of these samples and their associated QC.

Analytical results are reported on a dry-weight basis.

NARRATIVE FOR ETC/NW 4852

Samples are spiked with surrogate compounds at the levels specified by the method. In this case, the concentration of analytes present in the sample required that the sample be diluted prior to analysis. As a consequence, the surrogates were diluted as well, and the resulting surrogate concentrations were too low for accurate determination of recoveries.

The reported concentrations in samples 4852-01 and 4852-02 are based on the analyses of dilutions.

DATA REPORTING QUALIFIERS

Some of these qualifiers may appear in this analytical data report. Soil samples are analyzed and reported on a dry weight basis unless otherwise noted.

Organics Data Qualifiers

- A - This flag indicates that a TIC is a suspected aldol-condensation product.
- B - Indicates compound was found in the associated blank as well as in the sample.
- C - This flag applies to pesticide results where the identification has been confirmed by GC/MS.
- D - This flag identifies all compounds identified in an analysis at a secondary dilution factor.
- E - This flag identifies compounds whose concentrations exceed the calibration range of the GC/MS Instrument for that specific analysis.
- J - Indicates an estimated value. This flag is used either when estimating a concentration for tentatively identified compounds where a 1:1 response is assumed, or when the mass spectral data indicate the presence of a target compound that meets the identification criteria but the result is less than the sample quantitation limit but greater than zero.
- L - Compound detected in leachate blank.
- M - Indicates value is taken from a medium level analysis.
- N - Indicates that the identity of the compound is based upon a mass spectral library search (applies to tentatively identified compounds only).
- ND- Not detected. Detection limit shown in parentheses.
- NQ- Not quantitated as...
- U - Indicates compound was analyzed for but not detected at the given detection limit. The sample quantitation limit was corrected for dilution and for percent moisture, when applicable.
- X - Other specific flags and footnotes may be required to properly define the results. If more than two qualifiers are required for a sample result, the "X" flag combines several flags, as needed. For instance, the "X" flag might combine the "A," "B," and "D" flags for some sample.
- Z - Spike compound diluted out, recovery value could not be determined.

Inorganics Data Qualifiers

- NA- Relative percent difference calculation is not applicable to analytes when not detected.
- NC- Not calculated when analyte is not detected.
- NS- Not calculated when sample concentration of analyte exceeds spike level by a factor of four or more.
- U - Indicates that analyte was analyzed for but not detected. The number is the minimum attainable detection limit for the sample.
- B - Indicates that the reported value is less than the Contract Required Detection Limit (CRDL) but greater than or equal to the Instrument Detection Limit (IDL).
- E - The reported value is estimated because of the presence of interference. An explanatory note must be included under Comments on the Cover Page (if the problem applies to all samples) or on the specific FORM-1 (if it is an isolated problem).
- M - Duplicate Injection precision not met.
- N - Spike sample recovery not within control limits.
- S - The reported value was determined by the Method of Standard Additions (MSA).
- W - Post-digestion spike for furnace AA analysis is out of control limits (85-115%), while sample absorbance is less than 50% of spike absorbance. (See Exhibit E.)
- * - Duplicate analysis not within control limits.
- + - Correlation coefficient for the MSA is less than 0.995.

Inorganics Method Qualifiers

- CV- Manual Cold Vapor AA
- F - FURNACE AA
- P - ICP

ETC/Northwest

(BTEX) Purgeable Aromatics by GC

Method 8020

Client Sample ID	EXTRACT BLANK	52693-1	52693-2
ETC/NW Sample ID	4852-EB	4852-01	4852-02
Matrix	SOIL	SOIL	SOIL
Date Sampled	N/A	05/26/93	05/26/93
Date Received	N/A	05/27/93	05/27/93
Date Extracted	05/28/93	05/28/93	05/28/93
Date Analyzed	05/28/93	05/28/93	05/28/93
Units of Measure	UG/KG	UG/KG	UG/KG

Compound

Benzene	50 U	500 U	590
Toluene	50 U	3900	2600
Ethylbenzene	50 U	8900	5900
Total Xylenes	50 U	45000	24000

ETC/Northwest

(BTEX) Purgeable Aromatics by GC

Method 8020

930430:BTEX

SURROGATE RECOVERY

% Fluorobenzene

	A	B
4852-EB	87	86
4852-01	72	111
4852-02	145	97
4825-02 MS	74	70
4825-02 MSD	79	76

Recovery Limits

Channel A
Channel B

73-117
76-118

ETC/Northwest

(BTEX) Purgeable Aromatics by GC

Method 8020

930430:BTEX

MS/MSD

Client Sample ID N/A
 ETC/NW Sample ID 4825-02
 Matrix SOIL
 Date Sampled 05/11/93
 Date Received 05/11/93
 Date Extracted 05/19/93
 Date Analyzed 05/26/93
 Units of Measure UG/KG

Matrix Spike

Compound	Spike Added	Sample Conc.	MS Conc.	MS % Recovery
Benzene	1000	68 U	875	88
Toluene	1000	68 U	889	89
Chlorobenzene	1000	68 U	916	92
Fluorobenzene	---	---	---	74

Matrix Spike Duplicate

Compound	Spike Added	MSD Conc.	MSD % Recovery	% RPD
Benzene	1000	998	100	13
Toluene	1000	1053	105	16
Chlorobenzene	1000	1067	107	15
Fluorobenzene	---	---	79	6.5

CompoundWater QC Limits.....	Soil QC Limits.....	
	RPD	Rec.	RPD	Rec.
Benzene	11	76-127	21	66-142
Toluene	13	76-125	21	59-139
Chlorobenzene	13	75-130	21	60-133

ETC/Northwest

Total Petroleum Hydrocarbons as Gasoline by GC

WA DOE Method WTPH-G

930430:WHG

Client Sample ID	EXTRACT BLANK	52693-1	52693-1	52693-2
ETC/NW Sample ID	4852-EB	4852-01	4852-01 DUP	4852-02
Matrix	SOIL	SOIL	SOIL	SOIL
Date Sampled	N/A	05/26/93	05/26/93	05/26/93
Date Received	N/A	05/27/93	05/27/93	05/27/93
Date Extracted	05/28/93	05/28/93	05/28/93	05/28/93
Date Analyzed	05/28/93	05/28/93	05/28/93	05/28/93
Units of Measure	MG/KG	MG/KG	MG/KG	MG/KG

Compound

TVPH Quantitated as

Gasoline	5 U	540	570	270
Toluene to n-C12				

ETC/Northwest

Total Petroleum Hydrocarbons as Gasoline by GC

WA DOE Method WTPH-G

930430:WHG

SURROGATE RECOVERY

% 4-Bromofluorobenzene

4852-EB
4852-01
4852-01 DUP
4852-02

81
Z
Z
Z

Recovery Limits

50-150

FIELD REPORT

File Number:
2955-02-T03

Project: ULID #3 SEWER LINE		Date: May 28, 1993	
Owner: City of Gig Harbor		Report Number: 1	
Prepared By: Jon C. Koloski	Location: Gig Harbor	Arrival: 1030	Page: 1
Purpose of Visit: Obtain soil samples	Weather: Overcast	Departure: 1100	Permit Number:

The site was visited today at the request of Kraig Miller of Active Construction to evaluate the possible presence of petroleum contaminated soil in a trench being excavated for a wet well.

The trench is located along the east side of Harbor View Drive near station 94+00 of the sanitary sewer line route. A Unocal service station is located about 50 feet north of the trench. At the time of our arrival the trench was about 7 feet deep and 15 feet long. Soil conditions consisted of a brown fine to medium sand with silt. Groundwater was observed at 6 feet. A moderate sheen was observed on the groundwater along with a strong hydrocarbon odor.

Two soil samples were obtained from the trench using the excavator. The samples were taken from about 5 feet and were field screened using the TLV headspace and sheen test methods. Results of the field screening were as follows: TLV Headspace 6000 PPM

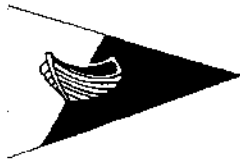
Sheen Test - Heavy Sheen

Soil samples were submitted to PNEL on May 27, 1993 for chemical analysis. No further excavating was to take place today, Active intends to backfill the trench with the soil that was excavated.

This report presents opinions formed as a result of our observations of activities relating to geotechnical engineering. We rely on the contractor to comply with the plans and specifications throughout the duration of the project irrespective of the presence of our representative. Our work does not include supervision or direction of the actual work of the contractor, his employees or agents. Our firm will not be responsible for job or site safety on this project.

Attachments: X
Distribution: X

Signed: *Jon C. Koloski*



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: MARK HOPPEN, CITY ADMINISTRATOR *M.H.*
SUBJECT: RESOLUTION TO CREATE A PUBLIC WORKS ASSISTANT POSITION
DATE: JUNE 9, 1994

INTRODUCTION/BACKGROUND

Attached is a resolution and job description to create a new city classification, Public Works Assistant. This position is being requested subsequent to the departure of Office Clerk, Susan Matthews, who took a position as City Clerk for the newly formed City of Newport Hills located south of Bellevue. The position has evolved into a position which requires administrative assistant skills, entailing both high level clerical skills and administrative abilities for a fairly large number of complicated routines and tasks. This position request and job description has been reviewed by the Public Works Committee.

POLICY CONSIDERATIONS

The general focus with the city's personnel direction is to enable the existing number of employees to perform an increasing volume of tasks effectively. The nature of some positions, however, is changing. Our financial needs and capabilities, for instance, are becoming increasingly sophisticated, and the competencies of our employees in this area are becoming greater as their skills necessarily increase. Similarly, Ben Yazici's office subordinate has needed to demonstrate competencies considerably beyond the Office Clerk job description. This would seem to be an opportunity to bring the job description for the position in line with task requisites of the job. The position classification to be created is similar in scope and tasks to the position of Administrative Assistant. Of course, this will entail a commensurate salary.

FISCAL CONSIDERATIONS

The salary range proposed for this position is the same as the salary range of the Administrative Assistant. The top of the Office Clerk range is \$104 less than the bottom of the proposed range for the Public Works Assistant.

RECOMMENDATION

The City Administrator and Public Works Director recommend approval of the resolution to create the position of Public Works Assistant as described by the Public Works Assistant job description. A motion to approve should be made as per the attached resolution.

**CITY OF GIG HARBOR
RESOLUTION NO. _____**

**A RESOLUTION RELATING TO THE CITY'S PERSONNEL REGULATIONS:
CREATING A JOB CLASSIFICATION AND ADDING A JOB DESCRIPTION TO
THE CITY'S JOB DESCRIPTIONS.**

WHEREAS, the Gig Harbor City Council desires to approve the creation of a new job classification of Public Works Assistant; and,

WHEREAS, the existing personnel classifications for the City of Gig Harbor do not currently have a job description for the "Public Works Assistant";

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, hereby RESOLVES that the classification of Public Works Assistant be adopted as city policy and that a salary range for the position be adopted through ordinance. BE IT FURTHER RESOLVED, that the attached job description for Public Works Assistant be included in City Job Descriptions as approved by Council Motion on April 12, 1993.

PASSED this ____ day of June, 1994.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk

Filed with city clerk: 6/9/94
Passed by city council:

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.

Responsible for the development and maintenance of records and files.

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.

Ensures public notices and requests for proposals or bids are properly advertised.

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.

Within the assigned limits, assists applicants and project proponents through the access of pertinent public works information.

Collects and prepares data for reports; prepares and presents recommendations pertaining to specific subject matter as directed by the Public Works Director.

Gathers input for the Public Works Standards and assists the Public Works Director for the annual updates of the Standards.

Types form letters, memoranda, draft ordinances/resolutions, reports, and other materials from clear copy or rough draft and composes correspondence.

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

Designs and creates forms and procedures for information management.

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.

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.

Responsible for the development and implementation of Water Department Backflow Prevention program.

Knowledge, Abilities and Skills

Knowledge of business English, spelling and business mathematics.

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

Knowledge of 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 manage and coordinate a variety of projects between various departments in a timely and efficient manner.

Ability to communicate effectively with the public and the development community.

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 establish and maintain effective working relationship with other employees and the public.

Ability to perform assignments in a coordinated and organized fashion and effectively manage time.

Ability to understand and carry out oral and written instruction.

Ability to make independent decisions.

Ability to express ideas effectively, both orally and in writing.

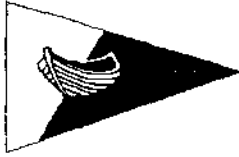
Knowledge of general operation of Public Works Department.

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.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
SUBJECT: ORDINANCE SETTING SALARY FOR PUBLIC WORKS ASSISTANT
DATE: JUNE 9, 1994

INTRODUCTION/BACKGROUND

The salary range for the Public Works Assistant is proposed to be \$2210 - \$2762, a range similar to the position of Administrative Assistant.

RECOMMENDATION

This is the first reading of this ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING ORDINANCE 654 AND 665, RELATING TO THE ESTABLISHMENT OF THE 1994 CITY PERSONNEL SALARY SCHEDULE.

WHEREAS, the City seeks to create a new employment position, entitled "public works assistant," and to establish the salary schedule for the position; and

WHEREAS, Ordinance No. 654, as last amended by Ordinance No. 665, established the 1994 yearly salary schedule for City employees, and must be amended to include the new position and salary; NOW, THEREFORE,

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

Section 1. Ordinance 654, as last amended by Ordinance 665, is hereby amended to add the following position and monthly salary schedule to the 1994 City personnel salary schedule, as set forth in Attachment A:

<u>POSITION</u>	<u>RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
* * *	* * *	
<u>Public Works Assistant</u>	<u>\$2,210</u>	<u>\$2,762</u>

Section 2. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: June 9, 1994

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the ____ day of _____, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING ORDINANCE 654 AND 665, RELATING TO THE ESTABLISHMENT OF THE 1994 CITY PERSONNEL SALARY SCHEDULE.

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

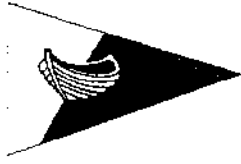
DATED this ____ day of _____, 1994.

CITY ADMINISTRATOR, MARK HOPPEN

City of Gig Harbor
1994 Annual Budget

1994 SALARY SCHEDULE

<u>POSITION</u>	<u>RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
City Administrator	\$4,410	\$5,513
Public Works Director	3,949	4,936
Chief of Police	3,736	4,670
Planning Director	3,481	4,351
Finance Director	3,358	4,197
Police Lieutenant	3,209	4,012
Police Sergeant	2,869	3,587
Public Works Supervisor	3,088	3,860
Sewer Plant Supervisor	2,872	3,590
Fire Marshal/Building Official	2,830	3,538
Construction Inspector	2,565	3,206
Associate Planner	2,559	3,199
Police Officer	2,491	3,114
Sewer Plant Operator	2,526	3,158
Equipment Operator	2,500	3,125
Maintenance Worker	2,340	2,925
Engineering Technician	2,281	2,851
Administrative Assistant	2,210	2,762
Court Administrator	2,132	2,665
Laborer	1,982	2,477
Court Clerk	1,933	2,416
Police Clerk	1,854	2,318
Accounting Clerk	1,943	2,429
Utility Clerk	1,943	2,429
Office Clerk	1,685	2,106
Assistant Municipal Court Clerk	1,750	2,187
Administrative Receptionist	1,639	2,049



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WALLBOARD AND CITY COUNCIL MEMBERS
FROM: MARK HOPPEN, CITY ADMINISTRATOR *M.H.*
SUBJECT: MODIFICATION OF SEWER CONNECTION FEES
DATE: JUNE 9, 1994

INTRODUCTION/BACKGROUND

Connection fees for various areas within the sewer system have been set based on the historical participation of those areas in the creation of the sewer system.

In addition to the cost of connection, the City is authorized to charge property owners seeking to connect to the City's water or sewer system, a "reasonable connection charge." RCW 35.92.025. Under this statute, the charge is to be determined based upon the City's determination of the property owner's equitable share of the cost of the water or sewer system. An "equitable share" may include interest charges applied from the date of construction of the water or sewer system until the connection, or for a period not to exceed ten years, at a rate commensurate with the rate of interest applicable to the City at the time of construction or major rehabilitation of the water or sewer system, or at the time of installation of the water or sewer lines to which the property owner is seeking to connect, but not to exceed ten percent per year. By law, the aggregate amount of interest cannot exceed the equitable share of the cost of the system allocated to the property owners.

This fee structure is a product of historical costs of the system and the City's administrative costs. For instance, ULID #1, which includes most of the existing city limits, pays \$670 on connection per equivalent residential unit (ERU) of sewer. In another case, ULID #2, the "Westside," pays \$1650, which was the same connection price as that paid by any individual outside connection into the original collection system, ULID #1. A sewer connection into ULID #2 pays yet a higher fee, \$2320.

POLICY CONSIDERATIONS

The attached ordinance extends this historical plan to the area which participated in the creation of ULID #3. The ordinance describes Zone A as all properties which participated in the creation of ULID #1. Zone B is all properties which participated in the creation of ULID #2. Zone C is all properties which participated in the creation of ULID #3, as defined by both ULID participation and outside extension contract. ULID#3 was the first city ULID to also require an extension contract as an expression of a participating area's commitment to utilize ULID #3 capacity.

In the explanation of Zone C it should be pointed out that while all of Canterwood purchased

flow and financially participated in the ULID to the full extent of that flow, some of Canterwood is not included within the benefit area of the ULID. Thus, it would be inadequate to define Zone C simply as the benefit areas of ULID #3. If Canterwood had entered all its existing area into ULID #3, then existing areas of septic drainfields, which, at most, might someday require a few sewer connections, would be encumbered by liens on title. When this project was in formation, Canterwood and the city sought to avoid this needless complication.

All other areas within the defined Urban Growth Area, the area of potential connection, will pay a common connection fee (analogous to the \$2320 connection fee paid by a sewer connection outside of ULID #2 into ULID#2).

FISCAL CONSIDERATIONS

The City Attorney's Office has informed me that other cities have imposed connection charges based upon a city's anticipated capital outlays for a water or sewer system, as the same are needed to expand the system for a growing customer base. We will be reviewing the possibility of adopting connection fees to consider these future needs in light of the City's sewer and water capital facilities plan, and thereafter determine whether or not the connection fee set in the proposed ordinance for all property not located within each of the described zones should be revised.

RECOMMENDATION

This is the first reading of the ordinance.

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

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON RELATING TO THE MUNICIPAL SEWER SYSTEM: PROVIDING MODIFICATION TO SEWER CONNECTION FEES.

WHEREAS, the construction of various sewer improvements has been accomplished through the use of Utility Local Improvement Districts (ULID); and

WHEREAS, customers located outside these ULID's will utilize and benefit from these systems by being directly intertied to the systems; and

WHEREAS, such customers located outside the ULID's who shall be intertied to the system and thus benefit from such usage shall be responsible for paying an equitable, proportionate share of the cost of the systems through adjusted connection fees;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, **ORDAINS** as follows:

Section 1. Section 13.32.060(A) of the Gig Harbor Municipal Code is hereby amended to read as follows:

13.32.060 Hook up charges Connection fees. A. The city shall impose the following hook up charges Connection fees:

- ~~1. Inside the city's sewer utility local improvement district No. 1 (ULID No. 1) five hundred sixty six dollars (\$566)/equivalent residential unit (ERU).~~
- ~~2. Outside the city's Sewer Utility Local Improvement District No. 1 (ULID No. 1) one thousand four hundred and five dollars/equivalent residential unit (ERU).~~
- ~~3. Outside the city's Sewer Utility Local Improvement District No. 2 (ULID No. 2) and serviced through the ULID No. 2 collection system one thousand nine hundred and eighty seven dollars (\$1987)/equivalent residential unit (ERU).~~
4. Inside the city's sewer utility local improvement district No. 1 (ULID No. 1) and having been rezoned and/or approved for a use creating a waste discharge greater than that allowed at the time of the creation of ULID No. 1, the hook up charge shall be calculated as follows:

Sewer Connection Fee Ordinance
Page 2

- a) ~~Identify the zoning designation and/or actual use of the parcel at the time ULID No. 1 was finalized and determine the maximum ERUs that could have been and/or were being generated by the parcel. Charge these ERUs at the rate of \$566/ERU. Add 30% to the allowed lot size for parcels greater than or equal to two acres for right of way deeded to the city when determining the number of units.~~
- b) ~~Identify the ERUs required to support the proposed land use.~~
- e) ~~Subtract the ERUs calculated in a) from b) and multiply the result by \$1405/ERU.~~
- d) ~~The hook-up charge shall be the sum of a) plus e).~~

1. Zone A includes all properties which participated in the city's Sewer Utility Local Improvement District No. 1 (ULID No. 1), as described in Ordinance establishing ULID No. 1. The connection fee for Zone A is \$670 per equivalent residential unit (ERU).
2. Zone B includes all properties which participated in the city's Sewer Utility Local Improvement District No. 2 (ULID No. 2), as described in Ordinance 515 establishing ULID No. 2. The connection fee for Zone B is \$1,650 per equivalent residential unit (ERU).
3. Zone C includes all property participating in the city's Sewer Utility Local Improvement District No. 3 (ULID No. 3), as described in Ordinance 617 establishing ULID No. 3 and additional property as set forth in Exhibit "A" attached hereto. The connection fee for Zone C is \$1,650 per equivalent residential unit (ERU).
4. The connection fee for all property not described in the above zones to which sewer service is extended is \$2,320 per equivalent residential unit (ERU).

* * *

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

Section 5. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section,

Sewer Connection Fee Ordinance
Page 3

sentence, clause or phrase of this ordinance.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this ___th day of ____, 1994.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 6/8/94
Passed by city council:
Date published:
Date effective:

Attention:

Enclosed is a listing of liquor licensees presently operating establishments in your jurisdiction whose licenses expire on AUGUST 31, 1994. 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 AUGUST 31, 1994, 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

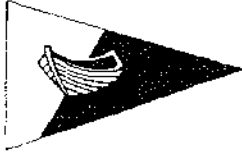
C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 6/03/94

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
FOR EXPIRATION DATE OF 8/31/94

	LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1	TWETEN, DELMER L TWETEN, GLORIA R	HARVESTER RESTAURANT WEST 5601 SOUNDVIEW DR GIG HARBOR WA 98335 0000	366707	H
2	ANDRADE'S, INC.	PUERTO VALLARTA - GIG HARBOR #2 4225 HARBORVIEW DR GIG HARBOR WA 98335 0000	364637	H
3	PENDRAGON MANAGEMENT CO., A PA WYVERN RESTAURANTS, INC. CAROL M VINUM MICHAEL MC GIMPSEY MICHELLE MC GIMPSEY	ROUND TABLE PIZZA 5500 OLYMPIC DR BLDG H GIG HARBOR WA 98335 0000	076725	A C



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS
SUBJECT: KIMBALL DRIVE PROJECT GRANT APPROVAL
DATE: JUNE 8, 1994

I am very pleased to share with you the enclosed letter that I received from Department of Transportation informing us that our grant application for the Kimball Drive/Pioneer Way Improvements/Park & Ride Expansion Project has been approved. We will be receiving \$ 939,850 Surface Transportation Competitive Program for the completion of this project. Our financial participation on this project is \$25,000.

ULID#3
ALLOCATION OF FINAL COST

Participant	Flow	Cost	Flow	Cost	Flow	Cost	Total	
	Woodhill to 15" Swr		15" Swr, Burnham to 96		15" Swr, 96th to STP		Project	
PENINSULA SCHOOL DIST.	0.101	128,552	0.101	53,018	0.101	81,788	263,358	17.16%
POPE RESOURCES (1)		0		0	0.272	220,260	220,260	14.35%
POPE RESOURCES (2)	0.024	30,547	0.024	12,598	0.024	19,435	62,580	4.08%
THOMPSON PROPERTIES	0.150	190,919	0.150	78,740	0.150	121,467	391,126	25.49%
TUCCI AND SONS	0.127	161,645	0.127	66,667	0.127	102,842	331,153	21.58%
ACTIVE CONSTRUCTION	0.012	15,274	0.012	6,299	0.012	9,717	31,290	2.04%
WYNWOOD CENTER	0.005	6,364	0.005	2,625	0.005	4,049	13,038	0.85%
SOUTH PURDY ASSOC.	0.010	12,728	0.010	5,249	0.010	8,098	26,075	1.70%
CANTERWOOD (LORIGAN)	0.075	95,459	0.075	39,370	0.075	60,733	195,563	12.74%
FINAL ASSESSMENT ROLL	0.504	641,487	0.504	264,567	0.776	628,389	1,534,443	100.00%



**Washington State
Department of Transportation**

Sid Morrison
Secretary of Transportation

Transportation Building
P. O. Box 47300
Olympia, WA 98512-47300

May 31, 1994

Mr. Ben Yazici
Public Works Director
City of Gig Harbor
P. O. Box 145
Gig Harbor, WA 98335

STP Competitive Program

Ben.
Dear Mr. Yazici:

We are pleased to advise you that the Multimodal Programs and Projects Selection Committee has selected your **Kimball Drive Park & Ride Expansion** project for funding through the STP Competitive Program.

You will need to amend your 1994 Transportation Improvement Program (TIP) to include your STP Competitive project if it is not already included. For agencies within a MPO, the MPO must amend the TIP to include the selected STP Competitive project. Once the MPO's amend the TIPs the DOT will request approval from the Governor's office. Any funds not obligated before December 31, 1994 will have to be shown in the 1995 TIP.

Funding of this project will be in the following stages:

STAGE 1: Funding for Preliminary Engineering upon receipt of:

- a. Project prospectus, cover the entire project (reflecting latest cost estimate and completed in accordance with Local Agency Guidelines).
- b. Municipal Agreement showing PE amounts only.

STAGE 2: Construction funding after completion of PS&E and upon receipt of:

- a. R/W Certification
- b. Municipal Agreement supplemented to reflect the entire cost of the project.
- c. Environmental documentation.

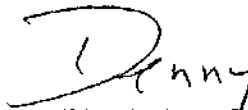
Federal-aid funding for this project will be limited to **\$939,850** as agreed to by the committee.

Mr. Ben Yazici
May 31, 1994
Page 2

To obligate funding for this project, submit the items indicated in Stage 1 to your District Local Programs Engineer. Project expenditures are not eligible for reimbursement until after we provide notice that funds are obligated. Please be reminded that one of the selection criteria was to be able to obligate this project by September 30, 1995. We urge you to proceed in obligating funds for this project at the earliest possible date.

Should you have any questions on how to pursue this project, please contact you District Local Programs Engineer.

Sincerely,


DENNIS B. INGHAM
Assistant Secretary
Local Programs

DBI:ch
kdgighr
cc: Bob Holcomb, Dist. 3 /7440

MAYOR'S REPORT
June 13, 1994
GIG HARBOR - KITSAP PENINSULA CROSS SOUND INTEREST GROUP

The first of several scheduled meetings to research the alternatives to a second Narrows Bridge was held on June 3rd. Attendees included representatives from Pierce Transit, PNA, WSDOT, Representative Ron Meyer's office, Kitsap Transit, 26th Legislative District candidate, City of Gig Harbor, The Gateway, and concerned citizens.

Summary notes from the June 3rd meeting indicate the agenda course for the remainder of the meetings.

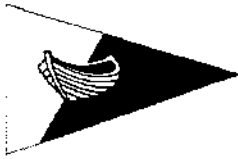
Meeting II - Presentation by Kitsap Transit and Pierce Transit coordinating the components, HOV, Ferries, Park-N-Rides, Cost Effective Ridership, Express Busses, and Fares.

Meeting III - Presentation by DOT - David Dye on HOV and/or light rail system. Where to place one, and how to go about it. Information on bridge mechanisms and signage, i.e., the feasibility of removing the yellow signs, and utilizing electronic signs to maintain the 55 mph speed limit when possible.

Meeting IV - Presentation - The Ferry System

Meeting V - Interest Group forms recommendations.

The order of presentations may change.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET • P.O. BOX 145
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

Gig Harbor - Kitsap Peninsula Cross Sound Interest Group

To: *Participants in the Cross Sound Transportation Discussion*
From: *Mayor Gretchen Wilbert*
Subject: *Notes from Friday, June 3, 1994 at Gig Harbor City Hall*
Date: *June 6, 1994*

Thank you for your participation in our initial discussion. The opportunity to dialogue about issues relative to the movement of people from the west side of Puget Sound to the east side was enlightening. I proposed a goal to "see if we can all go in the same direction."

*Over the course of the dialogue, the goal articulated into two facets: 1) to provide a forum to encourage an on-going focus on the link between ferry capacity and Narrows Bridge capacity and 2) to help focus support for Narrows Bridge Steering Committee decision alternatives which define a **one bridge** solution for increased Narrows Bridge capacity.*

The group present at the first meeting expressed unanimity that no more SOV lanes should be created throughout the Narrows Bridge and Highway 16 corridor. Rather, throughout the Highway 16 corridor, HOV and rapid transit alternatives should be planned and implemented in the short term, and light rail alternatives should be added to the RTA service area for the long term.

Bridge improvements should consider mechanisms for improving flow on the existing bridge, including the construction of HOV and rapid transit lanes (capable of eventual light rail conversion). Numerous means to improve bridge capacity should be implemented, such as functional signage, wider existing SOV lanes, and refined bridge approaches.

A key to HOV success will be effective parking management and creation of useful park-n-ride locations with efficient load and unload capability. Much of the success of HOV implementation will depend on complementary commuter trip analysis, land use patterns, job development patterns, and commuter trip reduction implementation. Chiefly, however, the construction of HOV lanes must be comprehensively planned and implemented throughout the Highway 16 corridor, from Kitsap County through an Interstate 5 connection.

Northern ferry developments should focus on auto-carrying and passenger-carrying capacity. These improvements should plan for more frequent service in effective locations. Moreover, effective transit connections should be planned and implemented from all ferry terminals.

The June 10 meeting has been cancelled due to a conflict with a scheduled RTA meeting. The next meeting of the Gig Harbor -Kitsap Peninsula Cross Sound Interest Group will be held Friday, June 17th, Gig Harbor City Hall Conference Room, from 2 p.m. to 4 p.m.