GIG HARBOR CITY COUNCIL MEETING

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JUNE 10, 1991

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AGENDA FOR GIG HARBOR CITY COUNCIL MEETING 7:00 p.m., JUNE 10, 1991

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

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PUBLIC HEARINGS:

1. Hunt/Kimball LID Ordinance - 1st Reading.

APPROVAL OF MINUTES:

APPOINTMENTS:

- 1. <u>Re-appointment of Corbett Platt to serve six year term</u> on the Planning Commission.
- 2. <u>Vacancy on the three-member Civil Service Commission</u> for a six year term.

PRESENTATION:

1. James Updike - Gatekeeper Program.

OLD BUSINESS:

1. Stroh Water Company request to modify intertie agreement.

NEW BUSINESS:

- 1. Amendments to Energy Code Ordinance 1st reading.
- 2. Hearing Examiner report and recommendation on SDP91-01/ VAR91-09: Tides Tavern.
- 3. <u>Request for sewer service Jeff Edwards (Grande Bank</u> Subdivision - Reid Road).

DEPARTMENT MANAGERS' REPORTS:

1. Police.

2. Public Works update.

ANNOUNCEMENT OF OTHER MEETINGS:

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 <u>Goals and objectives workshop - June 12, 1991, 7:00</u> p.m.

APPROVAL OF PAYROLL:

Warrants #5767 through #5869 in the amount of \$120,279.50.

APPROVAL OF BILLS:

Warrants #7310 through # in the amount of \$

EXECUTIVE SESSION:

1. Lawrence claim.

ADJOURN:



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: Michael R. Wilson, City Administrator M.A. SUBJECT: Hunt-Kimball LID Formation DATE: June 7, 1991

You will find attached a draft of the Hunt-Kimball LID formation ordinance which is presented to you for first reading and public hearing at 7:00 p.m., at the council's Monday evening meeting. I am attaching a copy of the amended LID timetable, a copy of the assessment roll, and a copy of the 1991-1995 city six-year street plan establishing this as priority project #2, which was adopted last year.

Ben and I conducted an informational meeting with the property owners within the local improvement district on Wednesday (June 5). We presented the proposed improvements and discussed the benefits and impacts caused by the LID project, in addition to identifying the LID assessment charges and assessment payment terms.

Yesterday, Mayor Wilbert asked me to address modifying this project by doing the following: a) reducing the number of lanes to two, b) eliminating the bike lane, c) eliminating one of the sidewalks, d) providing a four way stop at Soundview and Hunt, e) other changes. In addition, we have been asked to explore the following alternatives to this project: a) cul-de-sac Hunt Street, and b) develop a plan to extend Kimball as a frontage road to Olympic Village. Ben and I have not had any time to work on any of these items before the public hearing on Monday, although we wish to be responsive to this request. We have discussed with the property owners within the LID that the proposed improvements will be developed with minimal impact to vegetative buffers. We will be particularly sensitive to the Hunt Street area adjoining residential neighborhoods.

With respect to eliminating key elements to the project (such as the bike lane, sidewalk, and center turn lane), the city council would need to approve an amendment to the plan,

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ORDERING CERTAIN LOCAL IMPROVEMENTS AND CREATING A LOCAL IMPROVEMENT DISTRICT; PROVIDING FOR THE PAYMENT OF THE COST OF SUCH IMPROVEMENTS BY SPECIAL ASSESSMENTS; CREATING A LOCAL IMPROVEMENT DISTRICT FUND; AND PROVIDING FOR THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT BONDS AND INTERIM FINANCING WARRANTS OR NOTES.

WHEREAS, on ______, 1991, the City Council of the City of Gig Harbor, Washington (the "City") adopted Resolution No. 315 declaring its intention to order certain local improvements with the City and to create a local improvement district; and

WHEREAS, the proposed improvements are within the comprehensive plan of the six-year street program of the City, as amended; and

WHEREAS, an environmental review of the proposed improvements shall be undertaken prior to commencement of the construction project; and

WHEREAS, a hearing was held on June 10, 1991, after notice as provided by law, and after discussion of the proposed improvements and due consideration thereof and of all objections thereto, the Council has determined to order the local improvements described below and to create a local improvement district; and

WHEREAS, estimates of the costs and expenses of the proposed improvements, a description of the boundaries of the district, a statement of what portion of the cost and expenses of the improvements would be borne by the property within the proposed district, and a diagram showing the lots, tracts and parcels to be benefited and other information pertaining to the proposed district, have been filed with the City Clerk and certified to the City Council;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, ORDAINS as follows: Kimball/Hunt LID No. 4 Ordinance Page 3

Section 3.

There is hereby established a local improvement district of the City to be known as "Local Improvement District No. 4" (herein referred to as "LID No. 4"). The boundaries of LID No. 4 shall be described in Exhibit A attached hereto and incorporated herein by this reference. It is hereby found that the above-described boundaries embrace as nearly as practicable all the property specially benefited by the Improvements.

Section 4.

The total cost and expense of the Improvements thereto is estimated to be \$1,013,384, of which 95% shall be borne by and assessed against the property within LID No. 4 specially benefited by the Improvements. Assessments shall be made against the property within LID No. 4 in accordance with the special benefits accruing to such property.

Section 5.

Upon completion of the Improvements, as assessment roll shall be prepared and, after notice and hearing in the manner provided by law, an assessment roll shall be confirmed. Assessment not paid within the 30-day prepayment period provided by law shall be payable in installments and the City shall issue local improvement district bonds payable from such unpaid installments. The number of years said installments shall run, the dates of payment of the same and the rate of interest that the unpaid installment shall bear shall be hereafter fixed by ordinance.

Section 6.

There is hereby created a fund of the City to be know as the "Local Improvement District No. 4 Fund" for the purpose of paying the cost of the improvements provided for in this ordinance and into which there shall be paid all of the assessments collected in LID No. 4 as and when directed by the ordinance confirming the assessment roll. All moneys received from the sale of bonds, notes and warrants drawn on the LID No. 4 Fund shall be deposited into such Fund, and applied solely in payment of the costs and expenses of the Improvements.

EXHIBIT A

Map Showing Proposed Boundaries of Hunt/Kimball LID]



AMENDED

HUNT-KIMBALL LID FORMATION TIMETABLE

May 15, 1991

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1)	Resolution to form LID	May 13
2)	Notice of hearing	May 22,29
3)	Preliminary assessment hearing & Ordinance authorizing creation of LID - 1st reading	June 10
4)	Ordinance authorizing creation of LID ~ 2nd reading	June 24
5)	30 day protest period	July 24
6)	LID created by Ordinance published & effective	July 31, August 5
7)	Interim financing - BANS or bond	August 15
8)	Selection of engineering firm	Sept. 1
9)	Design and contract document preparation completed	Jan. 15, 92
10)	Construction bids accepted	March 5
11)	Bid award	March 10
12)	Construction begins	April 1
13)	Construction completed	October 1
14)	Final assessment determination	Nov. 1
15)	Public hearing confirming assessment	Nov. 24
16)	Sell bonds	Dec. 15

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KIMBALL-HUNT LOCAL IMPROVEMENT DISTRICT (ULID NO. 4)							
	INARY ASSESSMENT R		ADDRESS	SQ. FT	F.FT	(SQ.FT/F.FT)	
NUMBER	PARCEL NO.	OWNER	Do Day 7912 Universal City Ch	17,424.00	88.39	8,685.97	
1		Tacoma Orth. Association	P = 0 Box 40 Tac 98401	4,791.60	129.03	7,114.23	
2	022108-3-103	Pioneer Plaza Partnership	P.O. Box 40, Tac 98401 P.O. Box 401, Gig	34,848.00	200,00	18,419.74	
3		Wade Sumiho	314 S. K Suite 202, Tac 98405		0.00	14,679.36	
4	022108-3-015	Thomas Mozris	P.O. Box 401. Gig	5,924.16	135.00	7,688.95	
5	022108-3-112	James Ribary	P.O. Box 401, Gig 7108 Pioneer Way, Gig	6,969.60	193.75	10,621.88	
6	022108-3-131	Thomas Mozrís	P.O. Box 401, Gig		100.43	12,094.68	
7	022108-3-141	Ellen & Dennis Davenport	P.O. Box 401, Gig 7501 Artondale Dr W, Gig 7501 Artondale Dr W, Gig 521 S. K St, Tac 98405	54,458,80	18.75	18,226.45	
8	022108-7-003	Ellen & Dennis Davenport	7501 Artondale Dr W. Gig	26.136.00	137.50	13,250,74	
9	022108-7-004	Western Clinic	521 S. K St. Tac 98405	128.937.60	714.80	57,015.89	
10	022108-3-142	Western Clinic	571 S. K St. Tec 98405	58,762.44	528.13	39,673.70 -	
11	022108-3-082	Fire Protection Dist 5	521 S. K St, Tac 98405 6711 Kimball, Gig	176,853.60	275.00	60,087.87 ~	
12	022108-3-129 022108-7-016	DNC Capital Consultants	2300 SW 1st Ave, OR 97201	114,998.40	198.83	39,974.96	
13	022108-7-017	Keith Uddenberg	P.O. Box 444, Gig	103,672.80	207.38	37,307.47	
14	022108-3-145	Harbor Heigths Assoc.	201-A Broadway, Tac 98402	205,646.76	300.00	68,978.43	
15	022108-3-146	Harbor Heigths Assoc.	3408 Hunt St NW, Gig	217,800.00	450.00	79,023.57	
16	022108-7-012	PBA Int	103 Raft Island, Gig	28,314.00	136,76	13,804.53	
17	022108-7-012	Daniel and Sharon Snuffin	8817 Franklin Ave, Gig	27,878.40	135.77	13,642.42	
18 19	022108-7-001	Norwegian Wood Association	11027 NE 4th, Bellevue 98004		Q.QQ	29,123.85	
	022108-7-002	Ellen & Dennis Davenport	7501 Artondale Dr W, Gig	71,438.40	0.00	19,259.32	
20 21	022108-7-014	Laurelwood Associates	300 120th Bld 3, Bellevue 98005	33,976.80	0.00	9,159.92	
22	022108-7-015	Laurelwood Associates	300 120th Bld 3, Bellevue 98005	33,976.80	0.00	9,159.92	
	022108-3-040				10.00	35,094.54	
23 24	022108-3-040	Frederick Strob	3408 Hunt St., Gia	89,298.00	325.00	38,739.69	
	022117-2-006	Frederick Stroh	3408 Hunt St., Gig	21,600.00	175,00	13,720.05	
25 26	022117-2-063	Frederick Stroh	3408 Hunt St., Gig 3408 Hunt St., Gig 3408 Hunt St., Gig 3408 Hunt St., Gig 3408 Hunt St., Gig 01 Harbor Sunset Pl A-1, Gig 2005 Dutherses	3,485.00	12.00	1,481.03	
26 27	022117-2-028	Frederick Strob	3408 Hunt St., Gig	163,785.60	444.03		
28	435400-001-0	William & Irene Biedermann	01 Harbor Sunset Pl A-1, Gig	5,662.80	17.18		
29	435400-002-0	Marion Barger	2305 Ruthrauff, Tuscon AZ 85705	6,098.40			
30	435400-003-0	Barbara Hupe	2305 Ruthrauff, Tuscon AZ 85705 03 Harbor Sunset Pl, Gig	5,662.80	17.18		
31	435400-004-0	James & Kathleen Gee	04 Harbor Sunset Pl, Gig	5,098.40	17,18		
32	435400-005-0	Linda Barnett	05 Harbor Sunset Pl, Gig	5,662.80	17.18		
33	435400-006-0	Lois Reed	06 Harbor Sunset Pl Bld 2, Gig	6,098.40	17.18		
34	435400-007-0	Shirley Lusk			17.18		
35	435400-008-0	Herbert Hallberg	07 Harbor Sunset Pl B-3, Gig 08 Harbor Sunset Pl C-3, Gig	6,098.40	17,18	2,419.33	
36	435400-009-D	Gary Crosby	08 Harbor Sunset PI C-3, Gig 09 Harbor Sunset Pl C-1, Gig 3712 26th Ave Ct NW, Gig	5,662.80	17.18		
37	435400-010-0	Frederick & Kathleen Horne	3712 26th Ave Ct NW, Gig	6,098.40	17.18		
38	435400-011-0	Roger Olsen	11 Harbor Sunset Pl C-4, Gig 12 Harbor Sunset Pl C-4, Gig	5,662.80	17.1B		
39	435400-012-0	Karin McGuire	12 Harbor Sunset Pl C-4, Gig	6,098.40	17,18		
40	435400-013-0	Dudley Stair	3615 Forrest Beach Dr SW, Gig	5,662.80	17.18	2,301.90	
41	435400-014-0	David Hungerpiller	14 Harbor Sunset Pl D-2, Gig	6,098.40	17.18		
42	435400-015-0	Gale Hilstad	3615 Forrest Beach Dr SW, Gig 14 Harbor Sunset Pl D-2, Gig 15 Harbor Sunset Pl D-3, Gig	5,662.80	17.18		
43	435400-016-0	Patricia & W.D. Harter	8020 92nd St NW, Gig	5,662.80	17.18		
44	022117-6-015	Kristie Tedford	3012 Hunt Rd., Gig	13,068.00	100.50	8,058.08	
45	022117-6-016	Laurie A. Miner	9026 Maple Ave SW, Tac 98499	15,681.60	38.17	5,950.07	
46	022117-6-005	Joint Venture c/o B. Aspen	Raft Island #11, Gig	27,878.40	38.17	9,238.24	
47	475540-001-0	Alfred & Mildred Joseph	6330 Islandview Tr, Gig	9,000.00	23.77	3,498.96	
48	475540-002-0	Richard & Judith Kuehn	6328 Islandview Tr, Gig	9,000.00	23.77	3,498.96	
49	475540-003-0	Ingvald Berg	6326 Islandview Tr, Gig	9,000.00	23.77	3,498.96	
50	475540-004-0	Robert & Diana Logan	P.O. Box 429, Gig	9,000.00	23.77	3,498.96	
51	475540-005-0	Joseph & Linda Turner	3007 40th St E, Tac 98404	9,000.00	23.77	3,498.96	
52	475540-006-0	Joseph & Linda Turner	3007 40th St E, Tac 98404	9,000.00	23.77	3,498.96	
53	475540-007-0	Joseph & Linda Turner	3007 40th St E, Tac 98404	9,000.00	23.77	3,498.96	
54	475540-008-0	Joseph & Linda Turner	3007 40th St E, Tac 98404	9,000.00	23.77	3,498.96	
55	475540-009-0	Richard & Karen Adams	1490 El Cerrito, Thousand Oaks	39,950.00	38,17	12,492.67	
56	022108-3-123	Vincent Skansie/John Paglia	705 S.9th Suite 304, Tac 98405	16,552.00	0.00	4,462.31	
57	022108-3-122	Vincent Skansie/John Paglia	705 S.9th Suite 304, Tac 98405	57,934.80	0.00	15,618.84	
58	772300-011-0	G.H. Retirement Apartments	34004 16th Ave S, Fed W 98003	104,890.75	0.00	28,277.85 46,521.65	
59	022108-3-094	Prancis Clayton	2602 S Union 102D, Tac 98405	172,933.20	0,00 0.00	63,414.84	
60	022117-2-070	Rush Construction Co Inc	1318 Sunset Dr. S, Tac 98465	235,224.00		1,010,000.00	
			_ ·	2,809,786.95	2,222.00	1,010,000.00	
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CITY OF GIG HARBOR 1991 - 1995 SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN NARRATIVE

1) STINSON/PIONEER INTERSECTION IMPROVEMENTS

This project proposes to connect Stinson Avenue to Pioneer Street at the SR-16 northbound on ramp location. The project will also reconfigure the existing northbound on- and off-ramps of SR-16. The new traffic signal will be coordinated with the other signals in the vicinity of the project.

Preliminary Engineering and Design work of this project have been completed and the channelization plans have been approved by the WSDOT District 3 office. Final plans, specials, and estimates will be completed upon channelization approval by the WSDOT Headquarters.

Funding for this project has been secured with the city and WSDOT funds.

2) KIMBALL DRIVE AND HUNT STREET

The proposed improvements with this project consist of two through lanes (one each direction), one two-way left turn lane, bike lanes, curbs, gutters and sidewalks on both sides of the streets. A fully actuated traffic signal at the Kimball/Pioneer intersection, a flashing red beacon traffic light at the Hunt/Soundview intersection, enclosed storm drainage system and illumination along the length of the project will also be constructed.

Preliminary engineering work of this project has been completed. The preliminary assessment roll is being prepared now for the formation of a Local Improvement District (LID).

This project is expected to be funded through LID funds.

3) SOUNDVIEW DRIVE

The existing Portland Cement Concrete pavement has deteriorated. This project proposes to rebuild roadway structure with Asphalt Concrete Pavement. A two-way left turn lane, bike lanes, curbs, gutters, and

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Six-year Transportation Improvement Plan Page 2

> sidewalks on both sides of the street will be provided with this project. Also, power and telephone utility lines will be undergrounded as utility companies desire so. The existing safety problem at the Harborview and Soundview intersection will also be addressed.

Engineering work of this project is expected to begin early 1990.

Four hundred fifty thousand dollars Transportation Improvement Board funds will be requested to implement this project. The city matching funds can be available either through a loan from the Public Works Trust Fund or through the sale of bonds.

4) MILTON AVENUE

The portion of Milton Avenue between Vernhardson and Harborview has not been developed, but the right-ofways have been reserved for future developments. This project proposes to build this portion of Milton Avenue as a two-lane roadway with curb, gutter, and sidewalk on one side of the street. Enclosed drainage system will also be provided.

Preliminary engineering work for this project has been completed and submitted to the city by a developer for the city's review comments.

Funding for this project will be available through private developers. The city has already been approached by a developer to improve this portion of Milton Avenue.

5) PIONEER WAY

Engineering work for this project is scheduled to begin in 1993. The proposed improvements consist of minor widening, curb, gutter, sidewalk, and enclosed storm drainage system.

Funding sources for this project are not known at this point. It was put on the six-year plan to: 1) define the necessary improvements, and 2) to identify funding sources.

Six-year Transportation Improvement Plan Page 3

6) STINSON AVENUE

The purpose of this project is to rehabilitate the deteriorated existing pavement. Minor street widening will be included in the scope of this project to improve the surface of the existing shoulder and to improve the surface drainage.

Funding sources for this project are not known, but the local funds would most likely be the only source of funds to complete this project.

7) ROSEDALE STREET

The purpose of this project is to repair the existing pavement. The street should be overlayed with 1-1/2" thick asphalt concrete pavement one year after the various patching and crack sealing jobs completed with this project.

The city funds appear to be the only source of funds for this project.

The project is scheduled to be completed in 1992.

- 8) PRENTICE STREET
- 9) BURNHAM DRIVE

These projects propose to build curbs, gutters, and sidewalks along with an enclosed storm drainage system on one side of each street. The projects are being proposed primarily to address storm drainage problems and pedestrian safety issues.

Funding sources for these projects are not known at this point, however, some funds may be available from the school district as well as private developments.

10) NORTH HARBORVIEW DRIVE

This project consists of storm drainage, curbs, gutters, and sidewalk improvements. Existing pavement will be overlayed with asphalt concrete pavement and any deficiency related to signage will also be addressed. Six-year Transportation Improvement Plan Page 4

> Engineering work is scheduled to be completed in 1991 and construction work will commence in 1992. The city funds appear to be the only source of funds for this project.

11) REPAIR AND RESTORATION OF VARIOUS STREETS

12) VARIOUS OVERLAY

The city owns approximately 16 miles of asphalt paved roads within the city limits. The roads are very expensive to build. In order to protect the city's investment and to extend the useful life of roads, some type of maintenance should be implemented. The total of \$50,000 has been scheduled for 1990 with this sixyear plan to address such problems.

13) EMERGENCY

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 28, 1991

PRESENT: Councilmembers Frisbie, Hoppen, English, Perrow, and Mayor Wilbert. Councilmember Davis arrived later.

PUBLIC COMMENT/DISCUSSION: None scheduled.

CALL TO ORDER: 7:05 p.m.

PUBLIC HEARINGS: None scheduled.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the meeting of May 13, 1991 as corrected. English/Hoppen - approved by a vote of 3 - 0 with Perrow abstaining.

CORRESPONDENCE :

1. <u>Community partnership to develop effective prevention</u> <u>strategies to alcohol and drug use/abuse in youth.</u> Mayor Wilbert explained the request from the school district superintendent and provided her response to send a city representative to the meeting of the group.

OLD BUSINESS:

1. Ordinance revising zoning code - 3rd reading. Planning Director Ray Gilmore explained the changes made to the ordinance as requested by council.

John Miller spoke regarding property easements.

MOTION: To adopt Ordinance #601. English/Frisbie - unanimously approved.

NEW BUSINESS:

1. Request for annexation ANNEX 91-05: Shore Acres. Mr. Gilmore provided information on the annexation petition.

Charles Arnold, John Stafford, Patricia Suell, and Lucretia Devine, expressed opposition to the annexation.

(Councilmember Davis arrived during this discussion).

Minutes of 5/28/91 Page 2

Geoff Moore, agent for the applicants, explained the proposal.

City Administrator Mike Wilson explained the annexation process.

MOTION: To accept the 10% annexation petition. Frisbie/Davis - approved by a vote of 4 - 0 with Hoppen abstaining.

 Hearing Examiner report and recommendation on <u>SDP88-02/SP88-04</u>: Peter Darrah. Planning Director Ray Gilmore provided an overview of the application and the recommendation of the Hearing Examiner.

John Paglia, attorney for Mr. Darrah's neighbors, expressed opposition to the recommendation.

Pete Darrah spoke on behalf of his proposal.

MOTION: To table this issue until the meeting of September 23, 1991 to allow time for the applicant to submit:

> A plan, drawn to scale, specifically showing all existing improvements from Harborview Drive to the outer harbor line, and from the south property line limits of the Ross property, that which is owned by the Ross' and that leased from the State of Washington, to the north line of the old Union Oil property which is owned by the current owners of Union Oil as well as which is leased from the State of Washington Department of Natural Resources. And then for the parcel Mr. Darrah owns, that he also then show the vertical scale giving us an idea specifically of the contours of the property from Harborview out to the water and then on his specific property in addition to the existing improvements, specifically outline those that are proposed in this application. And then also on his specific property, indicate what is currently under lease for tidelands, what is specifically owned by Mr. Darrah for tidelands, and what is specifically under lease today for the harbor area and what is

Minutes of 5/28/91 Page 3

> specifically proposed to be leased within the harbor area. Frisbie/Davis - unanimously approved.

3. <u>Placement of Peninsula Light Company's transmission</u> <u>line.</u> Mayor Wilbert wished to get council's okay to send a letter to the Peninsula Light Company stating the city's objection to placement of transmission lines through a residential area.

Al Iverson, Dick Horrigan, Jackie Horrigan, and Bobbi Geary objected to transmission lines in their neighborhood.

Although a formal motion was not made, Councilmember Frisbie suggested the mayor write a letter to Peninsula Light stating the mayor and councilmembers Frisbie, Hoppen, and English were opposed to 115,000 volt overhead transmission lines in residential neighborhoods of Gig Harbor. Councilmember Davis did not wish to send such a statement; Councilmember Perrow abstained.

DEPARTMENT MANAGERS' REPORTS:

- 1. <u>Public Works update.</u> Public Works Director Ben Yazici provided council with information on several current projects currently being worked on by the Public Works Department.
- 2. <u>Administration/Finance.</u> City Administrator Mike Wilson provided council with a first quarter financial report and budget status.

MAYOR'S REPORT:

- 1. <u>City dwellers organization</u>. Mayor Wilbert announced that a city dwellers organization was beginning to take shape. The city mailed questionnaires to registered voters and the results obtained from those questionnaires will be presented by the organization to the council at a later date.
- 2. Set a date for council workshop on 1992 Goals and <u>Priorities.</u> Meeting set for June 12, 1991, at 7:00 p.m.

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APPROVAL OF BILLS:

MOTION: To approve payment of warrants #7269 through #7309 in the amount of \$20,859.56. Perrow/English -- unanimously approved.

Mayor Wilbert presented to council information regarding the selection of a new attorney to represent the city. Councilmembers questioned the need for a different attorney. Council agreed to meet on June 17, 1991, at 7:00 p.m. with Wayne Tanaka, of the city's law firm of Ogden, Murphy, and Wallace and James Mason, the attorney proposed by the mayor as replacement.

EXECUTIVE SESSION:

- MOTION: To go into executive session for the purpose of discussing personnel issues at 9:25 p.m. English/Hoppen - unanimously approved.
- MOTION: To return to regular session. Frisbie/English - unanimously approved.
- MOTION: To have Councilmember English work on getting a consultant for a personnel workshop. Davis/English - unanimously approved.

ADJOURN:

MOTION: To adjourn at 10:35 p.m. Davis/English - unanimously approved.

> Cassette recorder utilized. Tape 233 Both sides Tape 234 Side A 000 - end Side B 000 - 005.

> > i.

Mayor



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

TO: MAYOR WILBERT AND CITY COUNCIL FROM: BEN YAZICI, PUBLIC WORKS DIRECTOR STROH WATER COMPANY REQUEST DATE: JUNE 5, 1991

We have received the enclosed letter from Stroh Water Company requesting that the previously approved water intertie along Hunt Street between the City of Gig Harbor Water System and the Stroh Water System be conditioned such that the City provide water support additional water (100 gpm) to the Stroh Water Company

In early May, Mr. Stroh requested a water intertie between both water purveyors to be utilized strictly under emergency situations, i.e., any mechanical failure to either system. There was a mutual benefit from such intertie, and the Council approved the request.

It is now my understanding that Mr. Stroh is trying to expand his customer base. Because of his limited supply, the Department of Ecology is not approving his request unless he gets an additional source of supply. Consequently, he is now requesting from the City that we provide 100 gpm water to Stroh Water Company to be used when it is needed.

RECOMMENDATION

Staff does not see any benefit to the City for such request. Therefore we recommend a Council motion to deny the latest request of Stroh Water Company to use the City water system as an additional source of water. STROH WATER COMPANY 3408 HUNT STREET GIG HARBOR, WA. 98335

May 31, 1991

CITY OF GIG HARBOR 3105 JUDSON STREET GIG HARBOR, WA. 98335

This is a request by Stroh Water Company that the previously approved intertie along Hunt Street near Kimball Drive, between the City of Gig Harbor Water System and Stroh Water System be conditioned as follows;

For the next 18 months, or until Stroh Water Company's Well #5 has been drilled, tested and permitted for use by the Department of Ecology;

1. There be installed a mechanical intertie for use when and if low water is experienced by Stroh Water System;

2. Said intertie will not be activated until and unless such low water supply occurs;

City will be notified before said intertie is activated, and
Said use will be in an amount not to exceed 100 GPM.

At the end of the 18 months, or when Well #5 has bee approved for use, the intertie would be available for use by either party in the event of failure of a major source of supply on either water system or in the event of any emergency need where additional source is needed by either party.

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Thank you for your immediate attention to this matter.

Sincerely, STROH WATER COMPANY

Frederick Stroh, Owner



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

TO: Mayor and City Council

FROM: Steve Bowman, Building Official/Fire Marshal SW_{c}

RE: ADOPTION OF THE STATE BUILDING CODE AMENDMENTS

DATE: June 5, 1991

The Washington State Legislature has delegated the responsibility for revising the State Building Codes to the Building Code Council (BCC). The Association of Washington Cities notified the Gig Harbor Department of Community Development on May 16, 1991 of amendments to the State Building Code that should be adopted to allow enforcement by July 1, 1991. Attached for your consideration is an ordinance, for adoption by reference, of the BCC amendments. Included are revisions to the Energy Code. The City Attorney is reviewing this draft of the adopting ordinance and will be submitting comments for consideration prior to the second reading.

RECOMMENDATIONS:

The Mayor and City Council adopt the amendments to the 1988 Uniform Building Code as proposed by the Washington State Building Code Council after the second reading of the ordinance and inclusion of any required revisions.

FOR COUNCIL INFORMATION:

Complete copies of the Uniform Codes and their revisions are available for review in the Gig Harbor Department of Community Development.

Attachment

AWC ASSOCIATION OF WASHINGTON CITIES

May 16, 1991

TO: Mayors, Clerks, County Administrators, and County Commissioners City and County Building Departments

FROM: Mike McCourt, Energy Staff Associate

SUBJECT: VENTILATION AND INDOOR AIR QUALITY CODE UPDATE!

STATUS OF THE RADON LEGISLATION (SHB 1535)

During this legislative session, the Building Industries Association of Washington (BIAW) challenged a section of the new Ventilation and Indoor Air Quality Code by introducing a bill to change language in WAC 51-13-502.2.1 that deals specifically with radon testing. Called SHB 1535 the new language would have required local building inspectors, instead of builders, to leave radon monitors in all new dwellings meeting the new Ventilation and Indoor Air Quality Code goes into effect July 1, 1991. Although the bill successfully passed the House, it was never brought to a vote in the Senate. It died in Senate Rules Committee. <u>SHB 1535 did not pass this session</u>, therefore the original language about the builders stays intact.

STATE BUILDING CODE COUNCIL'S ACTION ON RADON PETITION

The BIAW, in addition to submitting SHB 1535 during the legislative session, also filed a petition with the State Building Code Council (SBCC) to have the section describing radon testing (WAC 51-13-502.2.1) deleted from the Ventilation and Indoor Air Quality Code. The section, as approved by the Council last November, requires builders to purchase and leave a radon testing kit and instructions in every new single family home and first floor units of multi family buildings at the time of final inspection. The specific language in the Ventilation and Indoor Air Quality Code states:

"Three Month Etched Track Radon Monitoring: A three month etched track radon monitor, installation instructions, and radon information sheets shall be provided by the builder at the final inspection to all single family residences and to all first floor dwelling units in multi unit structures. It is not the responsibility of the builder to administer the radon test."

On Friday, May 10, at the request of the BIAW, the State Building Code Council heard testimony on this petition. After some debate, the council voted to deny the builder's appeal and retain the language highlighted above.

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING THE WASHINGTON STATE BUILDING CODE AS AMENDED BY THE WASHINGTON STATE BUILDING CODE COUNCIL.

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

Section 1. Paragraph F. of the State Building Code, as adopted in Gig Harbor Ordinance No. 597 is hereby amended as follows:

F. The Washington State Energy Code (and the Ventilation and Indoor Air Quality Code) as amended by the Washington State Building Code Council on November 9, 1989 and published as WAC 51-12 11 and 13; and,

Section 2. Severability Clause. If any section or provision of this Ordinance or the State Building Code or its application to any person or circumstance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance.

<u>Section 3.</u> Whenever any conflict occurs between any section of this Ordinance and the Code referred to in this Ordinance, the Code shall prevail.

Section 4. This Ordinance shall take effect and be in full force five (5) days after passage and publication.

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Building Code Amendments Page 2

PASSED by the Gig Harbor City Council and approved by its Mayor at a regular meeting of the council held on the 24th day of June, 1991.

Gretchen A. Wilbert, Mayor

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ATTEST:

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Michael R. Wilson City Administrator/Clerk

Filed with city clerk: June 5, 1991 Passed by city council: Date published: Date effective:



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: GIL ALVARADO, PLANNING/BUILDING ASSISTANT RE: HEARING EXAMINER RECOMMENDATION -- SDP 91-01/VAR91-09 (TIDES TAVERN). DATE: JUNE 5, 1991

Dylan Enterprises has requested approval of a shoreline management substantial development permit and variance to construct 508 square feet additional kitchen space at existing Tides Tavern on Harborview Drive.

The Hearing Examiner conducted a public hearing on this proposal May 15, 1991 and, in his report of May 20, 1991, has recommended approval of the application. A copy of the Examiner's findings, conclusions and recommendations is attached. A Resolution adopting the Examiner's recommendation is also included.

Attachments

CITY OF GIG HARBOR RESOLUTION NO.

WHEREAS, Dylan Enterprises, has requested Shoreline Management Substantial Development permit and variance approval for the development of an additional 588 square feet to the existing Tides Tavern located at 2925 Harborview Drive; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management Substantial Development permits and variances and other land use issues; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended approval of the project, in a staff report dated May 10, 1991; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on May 15, 1991 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended approval of in his report dated May 20, 1991.

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

That the findings, conclusions and recommendations of the Hearing Examiner in his report dated May 20, 1991 is adopted and the application for Shoreline Management Substantial Development permit and variance is granted.

PASSED this _____ day of _____, 1991.

Gretchen A. Wilbert, Mayor

ATTEST:

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Michael R. Wilson

CITY OF GIG HARBOR Hearing Examiner

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FINDINGS CONCLUSIONS AND RECOMMENDATION_

APPLICANT: Tides Tavern

CASE NO.: SDP 91-01/VAR 91-09

APPLICATION: Shoreline substantial development permit to permit the addition of five hundred and eighty-eight square feet to the existing Tides Tavern.

Variance to allow the proposed construction to encroach nineteen feet within the front yard setback and seven feet within the side yard setback, where the zoning code requires twenty foot front yard setback and ten foot side yard setback.

Variance to allow the proposed construction to exceed the height standards to twenty-five feet, where the zoning code allows a maximum height of sixteen feet.

SUMMARY OF RECOMMENDATIONS:

Planning Staff Recommendation:ApproveHearing Examiner Recommendation:Approve

PUBLIC HEARING:

After reviewing the official file which included the Planning Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Tides Taverns application was opened at 5:24 p.m., May 15, 1991, in City Hall Gig Harbor, Washington, and closed at 5:29 pm. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Planning Department.

FINDINGS CONCLUSIONS AND RECOMMENDATION:

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

- I. FINDINGS:
 - A. The information contained on pages 1 through 5 of the Planning's Staff Advisory Report (Hearing Examiner Exhibit A) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.

RECONSIDERATION:

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

COUNCIL ACTION:

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

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

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

II. CONCLUSIONS:

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A. The staff evaluation prepared by the Planning Staff and set forth on pages 6 and 7 of the Planning Staff's Advisory Report accurately sets forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, the requested substantial development permit, and setback variance, and height variance should be approved.

Dated this 20th day of May, 1991.

Ron McConnell Hearing Examiner

MINUTES OF THE MAY 15, 1991 HEARING ON THE TIDES TAVERN APPLICATION

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing were: Gil Alvarado, representing the City of Gig Harbor, and representatives of applicant were at the hearing but did not testify.

The following exhibits were offered and entered into the record:

A. Planning Staff's Advisory Report.

PARTIES OF RECORD:

Tides Tavern P.O. Box 208 Gig Harbor, WA 98335

Architects Reed Reinvald 201 North I Street Tacoma, WA 98403 Dylan Enterprises, Inc. P.O. Box 2012 Gig Harbor



SECTION

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June 6, 1991 File #13971

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

Reference: Grande Bank Subdivision - Outside Sewer Extension Agreement

Dear Honorable Mayor and Council Members:

At your last meeting, Mr. Jeff Edwards presented a 10 percent annexation petition from the Shore Acres Community to formally initiate its annexation to the City of Gig Harbor. As indicated at the meeting, we found support for such a request, provided issues and questions can be worked out satisfactorily prior to annexation. We also saw, at the council meeting, several individuals who were opposed to annexation and heard timeframes for annexation ranging from several months to two years.

This causes us great concern. Mr. Edwards is in the process of constructing his residential subdivision. Currently, road right-of-ways are being cleared and construction plans prepared so that construction can commence this summer. For us to complete the subdivision this summer including provision of sanitary sewers, we need to enter into an outside sewer extension agreement so that plans can be finalized and the improvements installed during this construction season.

As requested by the Council, we have diligently pursued annexation of the area which, when included with the Frick Annexation, constitutes the entire Shore Acres area within the future city limits. We are prepared to continue that effort diligently, but need to resolve the sewer issue due to construction constraints. We believe all the reasons previously stated in our correspondence to you dated March 8 (see attached), are still valid and the property should receive service and be annexed. In addition, construction of the subdivision and its subsequent improvement is estimated to have an assessed evaluation of approximately \$7,000,000.00. That coupled with a covenant consenting to annexation, would certainly improve the chances for annexation of the area. We firmly believe that annexation and City services is in the long term best interest of all.

2601 South 35th - Suite 2007 Tacoma, WA 984097 473-44917 FAX 474-5871

6100 Southcenter Bivd. - Suite 100 / Seattle, WA 98188 / 243-7112 / FAX 243-7109 3721 Kitsap Way - Suite 4 / Bremerton, WA 98312 / 377-2053 / FAX 377-2293 City of Gig Harbor June 6, 1991 File #13971 Page 2

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Therefore, we would ask that the Council direct the staff to enter into an outside sewer service extension agreement with Mr. Edwards, so that the subdivision construction can move forward in a timely manner.

Sincerei **bore** Director of Planning

GVM/gt

c: Mr. Jeff Edwards Mr. Mike Wilson Mr. Ben Yazici



March 8, 1991 File #13971

Honorable Mayor and City Council Gig Harbor City Hall P.O. Box 145 Gig Harbor, WA 98335

Reference: Rushmore/Reid Road Annexation

Dear Honorable Mayor and Council Members:

I am writing on behalf of Mr. Jeff Edwards to request inclusion of his property within the Rushmore/Reid Road Annexation Application you have previously accepted. Attached is a map illustrating the property's location in relation to the pending application. As you can see, the property is adjacent and this addition is acceptable to the propents of the adjacent annexation. Mr. Edwards is in the process of developing the property for a single family subdivision intended to contain 29 dwellings (see attached preliminary plat).

We believe the property should be included within the annexation area for the following reasons:

- 1. The property lies within the future city limits as identified by the City of Gig Harbor.
- 2. The development occurring on the property is consistent with the City's Comprehensive Plan and Zoning Ordinance.
- 3. The applicant desires to improve the property in accordance with the City of Gig Harbor's Improvement Requirements.
- 4. The City of Gig Harbor's Improvement Requirements are higher than Pierce County's.
- 5. City services are currently adjacent to this site.
- 6. Provision of city sewers can allow for additional green belting along the southern property line.

2601 South 35th - Suite 200 / Tacoma, WA 98409 / 473-4491 / FAX 474-5871

In conversations with your staff, they expressed some concern with inclusion of this property. The concern centered around the fact the addition would isolate the Shore Acres area from adjacent unincorporated areas. It is important to note that the Shore Acres area is included within the future city limits and therefore is intended to become part of the City someday. Therefore, a decision to create such an island would not be inconsistent with the future planning for the area or the City/County Urban Area Agreement.

In addition, Mr. Edwards is willing to actively pursue his neighbors within the Shore Acre area to see if additional properties could be included at this point in time. We would propose to petition all the properties situated north of our site and east of the Reid Road to the northern boundary of the adjacent annexation request. In addition, Mr. Wilson has indicated that several individuals from the remaining Shore Acre area have expressed interest in annexation and we could help arrange a meeting, perhaps at City Hall, to explore that further.

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We look forward to reviewing this matter with you at the Monday evening hearing.

Sincerely. X. Moore

Director of Planning

GVM/gt

Attachment

c: Mr. Jeff Edwards / Mr. Ray Gilmore Mr. Mike Wilson





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GIG HARBOR POLICE DEPARTMENT

Denny Richards Chief of Police

MONTHLY POLICE ACTIVITY REPORT

	MAY		DATE: <u>06-01</u>	<u>91</u>
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FELONY ARRESTS	11	31	23	<u>+ 35</u>
MISDEMEANOR ARRESTS	10	60	42	+ 43
WARRANT ARRESTS	18	42	20	<u>+110</u>

P.O. Box 145 • Gig Harbor, WA 98335 (206) 851-2236



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: Michael R. Wilson, City Administrator SUBJECT: Lawrence Claim for Damages DATE: June 7, 1991

Please find attached a claim for damages submitted by Donna Lawrence for damage incurred by her vehicle during the severe rain storm we had in early April.

I have discussed with Ms. Lawrence her claim and conducted an investigation, including asking the public works department to review and comment on her claim. See the attached report from Ben Yazici.

The city was responsive to the various storm water problems throughout the city the evening Ms. Lawrence's vehicle was damaged, including tending to the drainage problem on Harborview. I do not believe the city was responsible for the damage to her vehicle and would, therefore, recommend denial of her claim.



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

TO:MICHAEL WILSON, CITY ADMINISTRATORFROM:BEN YAZICI, PUBLIC WORKS DIRECTORRE:DONNA LAWRENCE'S CLAIMDATE:JUNE 5, 1991

Early April of this year, Ms. Donna Lawrence was driving on Harborview Drive. At approximately 7:00 p.m., her car was stranded in the storm water in the vicinity of the Harborview Drive and Stinson Avenue intersection. She is now asking us to pay for damages to her car.

We were experiencing a severe storm water problem all over the City at the time when the incident occurred. The existing storm water system was clean and functioning fine in the vicinity of the Harborview Drive and Stinson Avenue intersection. However, it was only transporting as much as its capacity allowed and some excess water was accumulating on the roadway. Under similar circumstances, motorists generally pay extra attention and drive very slowly. We have not had any complaints regarding this situation, but Ms. Donna Lawrence's.

At about 8:00p.m., approximately one hour after the incident, the City crew was driving through the location to respond to a sewer alarm. The crew had noticed the problem and immediately set up necessary traffic control devices, signs and barricades to provide advance warning for the accumulated roadway run-off water. The catch basins and pipes were checked to make sure they were functioning, and they were.

I am sorry for what happened to Ms. Donna Lawrence. However, I do think that we have done whatever was necessary to do. Consequently, I do not think that we should pay for her damages.

RECEIVED MAY 1 0 1991 CITY OF GIG HARBOR

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May 8, 1991

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Mr. Mike Wilson 3105 Judson Gig Harbor, WA 98335

Dear Mr. Wilson,

This letter is in response to the incident that took place in April with my 1980 Volvo. The information that you requested is enclosed.

One of the questions asked was "Why do I feel the city to be responsible for the damages to my car?" My feelings on this subject is, the city should have place water ofver roadway signs. It's a blinded corner, therefore causing a great road hazard for anyone traveling a main road through the harbor. You stated, why did you go through the water? Had I known the water was over the roadway I can asure you that I would not have traveled through the water. As I'm sure you are aware that there were many people who were stranded in the water also that evening.

Also, you are aware that I did call for someone to place hazzards signs at the corner. This was not done for close to two hours.

I was asking for \$2000.00 for my Volvo in the newspaper. By the estimates given you can easily see the great expense it would be for me to fix my car due to the cities negligence.

Your prompt attention to this situation would be appriciated.

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Sincerely,

Donna Lawrence

April 9, 1991

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Denny Richards / Mike Wilson Cheif of Police Gig Harbor, Wa 98335

Dear Mr. Richards.

This letter is in regards to my 1980 Diesel Volvo. As of today, I have had the opportunity to speak with Ron at the Unical Service Station on Harborveiw drive. This is where my Volvo is being repaired. He has stated that he is still unsure as to the damage to my Volvo. He is somewhat worried my engine will no longer function. I have papers to show that a new engine in 1988 cost over \$3000.00. If this be the case, my car would need a new engine, then what I propose we do is just to give me my \$2000.00 that I have my Volvo advertised in the Tacoma News Tribune. As I have stated before, I'm more than willing to work this problem out. You have stated that your insurance company would possibly pay for the damages to my car. I'm hoping that this matter will be delt with out of court.

Please let me know what your proposal is concerning my car. Thank you again for your time.

Sincerely,

Donna Lawrence

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