

## **GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 13, 2008**

**PRESENT:** Councilmembers Ekberg, Young, Franich, Conan, Kadzik, Payne and Mayor Hunter. Councilmember Malich joined the meeting at 6:45 p.m.

**CALL TO ORDER:** 5:00 p.m. (early start time due to the number of public hearings.)

**PLEDGE OF ALLEGIANCE:**

### **CONSENT AGENDA:**

1. Approval of the Minutes: a) Budget Retreat – September 12, 2008; b) City Council Meeting of September 22, 2008.
2. Receive and File: a) Building / Fire Safety Monthly Report. b) GHPD Monthly Report. c) Harborview Judson Workstudy Session September 16, 2008.
3. Council Committee Reports: Finance / Safety Committee September 15, 2008.
4. Correspondence / Proclamations: a) Domestic Violence Prevention Month. b) Work Progress Administration (WPA) 75<sup>th</sup> Anniversary Celebration.
5. Liquor License Application: Il Lucan.
6. Resolution – Surplus Equipment.
7. Prosecuting Attorney – Contract Renewal.
8. CERB Grant Authorization.
9. Wastewater Facilities Easement and Maintenance Agreements – Kvinsland.
10. Traffic Counts for Intersections – All Traffic Data Services (ATD) Consultant Services Contract.
11. Eddon Boat – Amendment to GeoTech Contract.
12. Crescent Creek Property Acquisition / Pierce County Conservation Futures Grant Agreements.
13. Appointment of Committee: Skansie Brothers Pier Options Feasibility Options.
14. Approval of Payment of Bills for Oct. 13, 2008: Checks #59000 through #59175 (59043 void) in the amount of \$1,334,277.29.
15. Approval of Payroll for the month of September: Checks # 5242 through #5267 and direct deposits in the total amount of \$361,238.40.

Councilmember Ekberg asked that Consent Agenda Items number 7 through 11 be moved to New Business.

**MOTION:** Move to adopt the Consent Agenda as amended.  
Kadzik / Conan – unanimously approved.

**PUBLIC MEETING:** Canterwood Annexation Request.

Tom Dolan presented this request to annex 714 acres. He explained that due to the complexity of this annexation, the city hired a consultant to do an analysis of the proposal. Mr. Dolan recommended that because Council just received the consultant's report they may wish to hold the public meeting tonight and make a recommendation at the next meeting. He introduced the consultant, John Spencer, who gave a 30 minute

presentation on the estimated impacts of annexing this property. He explained the necessary steps if Council made the decision to move forward with the annexation.

Russell Tanner – President of Canterwood Development Company and member of the Homeowners Board. Mr. Tanner said that this “win-win situation” benefits Canterwood by better police presence and potentially lower taxes. The benefit to the city would be additional revenues. He clarified that Canterwood is 85% built out and so some of the planning cost presented by Mr. Spencer seemed high. They maintain their own roads and stormdrains which are cost benefits to the city. He said that the zoning issues were addressed when the UGA was established. Canterwood has always been a master planned community; the city did the R-1 overlay and so now there are non-conforming uses which can be fixed through this process. He addressed comments about the water, system and stormwater systems. He said that they are working with the city to resolve the issues with the step-system and that switching out the entire sewer system would cost millions. He questioned the budget numbers in the presentation, commenting that they seem extremely high. He said that expanding a master planned community with defined borders seems to cloud the issue. Mr. Tanner said that they will take the information presented this evening to the golf course and members of the community to review. He stressed that this is a unique opportunity for the city because from a revenue stream standpoint, this kind of annexation doesn’t happen often. He addressed the question regarding ownership of the golf course by responded that it is separate from Canterwood Homeowners.

Norbed Medven – lives in Canterwood. Mr. Medven asked for clarification on the availability of sewer and how long there will be capacity.

Mayor Hunter and Rob Karlinsey described the plans to expand the Wastewater Treatment Plant by 50% next year, and that no one knows how long the capacity will last.

John Morrison – 1300 750<sup>th</sup> St. Ct. NW. Mr. Morrison, Development Manager for Canterwood, presented a brief history of the working relationship with the city during the sewer extension for Peninsula High School. He said that annexation has been part of Canterwood’s intent for at least 22 years and during that time he has never heard that the city or the citizens were unhappy with the idea.

Doug Allen – Chair of the Government Relations Committee for Canterwood – 11714 Hunter Lane NW. Mr. Allen clarified that the 2-3 police officers hired as a result of the additional revenue from the Canterwood assessed valuation would not be dedicated to patrolling Canterwood. They would be additional staffing for the city that could be utilized in whatever capacity needed. He suggested that perhaps the city could be divided into patrol districts.

Clifford Derbin – 4929 Canterwood Drive. Mr. Derbin asked for the current level of city indebtedness considered in the analysis and if there is a 3-5 year plan for future debt.

He referenced an article in the Gateway that the city's future debt was approximately 70 million.

Mr. Spenser responded that the city has approximately 3.1 in voted debt and 11 million in non-voted. Rob Karlinsey further explained that the city only has one voted debt, Eddon Boat Park.

**MOTION:** Move to table action on the Canterwood Annexation until the next meeting.  
Kadzic / Payne – unanimously approved.

The public meeting on the Canterwood Annexation was closed at 6:05 p.m.

**PRESENTATIONS:** Domestic Violence Month – Ann Eft, Executive Director, Committee Against Domestic Violence and Paul Nelson, Municipal Court Administrator.

Mayor Hunter presented the proclamation to Ms. Eft who said thank you and described the activities that the city has been involved in to increase awareness of the issues surrounding Domestic Violence.

Paul Nelson, Court Administrator described the partnerships formed with Municipal Court, Pierce County and the Gig Harbor Police Department. He stressed that current financial conditions may lead to more domestic violence issues and talked about the plans for GPS Supervision of known offenders in 2009.

Mayor Hunter recommended skipping to New Business to accommodate the public hearing on the Comprehensive Plans. Council agreed to the agenda change.

**NEW BUSINESS:**

1. First Reading of Ordinance – Retroactive Marina Fire Protection Requirements. Dick Bower, Building and Fire Safety Manager, presented the information on this ordinance to retroactive apply code requirements for marina fire protection to address safety issues. He explained that several stakeholder meetings have been held with minimal opposition expressed. This will return for a second reading at the next meeting.

2. Public Hearing and First Reading of Ordinance – 2008 Comprehensive Plan Amendments. Tom Dolan, Planning Director, explained that nine comp plan amendments were forwarded to the Planning Commission for consideration. Public hearings and workstudy sessions were held on these nine, and the Planning Commission formulated a recommendation to Council.

Mr. Dolan gave a brief presentation on each amendment before the public hearing was opened to allow public testimony.

**COMP 07-0005: Gig Harbor Wastewater Comprehensive Plan Amendment to Sewer Basin C14.** The proposed Comprehensive Plan amendment, requested by

Harbor Reach Estates LLC, would amend text and maps related to the Sewer Basin C14 in the Gig Harbor Wastewater Comprehensive Plan.

Mayor Hunter opened the public hearing at 6:21 p.m. As there were no comments the public hearing closed.

**COMP 08-0001: 3700 Grandview Street Comprehensive Land Use Map**

**Amendment.** The proposed Comprehensive Plan amendment, requested by MP8 LLC and Pioneer & Stinson LLC, would change the land use designation for 4.27 acres of property located at 3700 Grandview Street from a Residential Low (RL) designation to a Residential Medium (RM) designation.

Mayor Hunter opened the public hearing at 6:25 p.m.

Carl Halsan – Agent for the Applicant. Mr. Halsan asked Council to consider approving the proposal as amended over the past months. He said that the latest site plan addresses the concerns raised by the Planning Commission and the neighbors. The plan is different than the one included in the packet in that it depicts a suggestion to go with a 40' wide, dense vegetative screen along the southern border where it interfaces with the single-family development on Butler; substantially more than what is required by code in an attempt to give the neighbors a screened view of the mixed-use project. He also said that they are dropping the request for duplexes as suggested by the Planning Commission which would result in another 40 feet of dense screening and single family homes before the mixed use structure. He said that the code requires preservation of 20% significant trees and they will work with staff to do more. He said that they are willing to leave the downhill portion of the project in single-family homes to address the concerns of commercial “creep” down the hill towards the existing neighborhood. Mr. Halsan then addressed Council questions about the project. He said that they could present a development agreement for consideration very quickly.

It was determined that due to the substantial changes to the proposal that this would require another public hearing before adoption.

Bill Fogerty – 3614 Butler Drive. Mr. Fogerty voiced appreciation for the amendments. He said that this is a far different plan that they had seen previously and said he had no objections to this new proposal.

Mike Paul – 3720 Horsehead Bay Drive. Mr. Paul, applicant for this proposed amendment, gave a brief overview of his family history stressing how much he cares about the community. He described what could have legally been built on the property that he referred to as “heirloom.” He stressed how much time and effort has been put into designing something that wanted his great-grandchildren to be proud of but which was met with so much negativity from those who didn’t take the time to learn what it was about. He then described the project as a daylight basement with underground parking, commercial at the main level and condos above. He said no plans have been made for

the RB property below, and said that he is willing to enter into a development agreement.

Bill Fogerty made a comment on how the height of the structure is measured. He said it should be based on the bluff because the issue is looking up at a three-story building.

There were no further public comments and the hearing closed at 6:46 p.m.

**COMP 08-0002: Parks, Recreation and Open Space Element Update.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor, would update, revise and add to the list and descriptions for current and planned parks, recreation and open space projects. The amendment will allow the City to update its park impact fees.

Mayor Hunter opened the public hearing at 6:48 p.m. As there were no comments the public hearing closed.

**COMP 08-0003: 3720 Harborview Drive Land Use Map Amendment.** The proposed Comprehensive Plan amendment, requested by Michael Averill of Lighthouse Square LLC, would change the land use designation for one parcel of property (approximately ¼ acre) located at 3720 Harborview Drive, currently occupied by Lighthouse Marine and Speedy Auto Glass, from a Residential Low (RL) designation to a Residential Medium (RM) designation.

Mayor Hunter opened the public hearing at 6:51 p.m.

Richard Swanson – 14618 42<sup>nd</sup> Ave Ct NW. Mr. Swanson, one of the property owners in this amendment, showed a photo of the property from the 1930's. He described 80 years of heavy commercial use at this site. He explained that they are not asking for a rezone, but for something more appropriate than residential. The request would be consistent with the adjacent Yacht Club. He said they would appreciate Council support for this request that would allow them to plan for a project at a later date. He stressed that they have no current plans, but hopefully, whatever they do would result is less congestion that what they have now.

There were no further public comments and the public hearing closed at 6:53 p.m.

**COMP 08-0004: Area-Wide Land Use Map Amendment.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor Planning Commission, would correct inconsistencies between the Land Use Map and the Zoning Map. The three amendments include:

**1. A land use designation change from Residential Medium (RM) to Residential Low (RL) of approximately 38 acres along the west side of Soundview Drive zoned R-1;**

Mayor Hunter opened the public hearing on **Area 1** at 6:58 p.m.

Ron Ebersode – 3004 Islandview Court. Mr. Ebersode said that they talked it over with the most of the neighbors on the street, and it seems like an insignificant change as these are all established homes and there isn't very much property that could be changed to condos or apartments. Because of this, and because it cost time and money to change the zoning they, recommended not to do it.

Carla Martin – 6775 Weatherglass Lane. Ms. Martin said that there is property adjacent to Spinnaker Ridge that is undeveloped and the neighbors she has spoken to would prefer that it be zoned R-1. She said that keeping noise down is important as theirs is a pretty calm neighborhood most of the time. She mentioned that there could be a potential for duplexes on the property with this amendment. She said that there is an easement across Spinnaker Ridge and so driveways could be accessed off Erickson.

Eric Barron – 3171 Soundview Court. Mr. Barron, Vice-President of the Soundview Court Homeowners Association, said that they are in favor of the amendment, or re-alignment of the Comprehensive Plan with the zoning. They felt that in the past there were errors which created island zoning of R-2 on both sides of their neighborhood which are inappropriate, based on the halted Autumn Crest development there. He said that if that would have been zoned R-1 it would have been built, sold and done with. He voiced concern with the Stewart Property, adding that Mr. Stewart has inferred that any further development will probably be single family dwellings.

Jeff Meredith – 3225 Soundview Court. Mr. Meredith concurred what was just said. He said that they would appreciate if that land would remain single-family residential with no multiple family or duplex in there due to the significant and inappropriate impacts to the rest of the neighborhood.

There were no further public comments and the public hearing closed at 7:04 p.m. and the hearing on **Area 2** opened.

**2. A land use designation change from Residential Low (RL) to Residential Medium (RM) of approximately 16.5 acres between Soundview Drive and Harborview Drive near the old ferry landing zoned R-2;**

Mayor Hunter opened the public hearing at 7:11 p.m.

Richard Kemp – 7155 Grandview Place. Mr. Kemp thanked staff for taking the initiative to let them know of the proposed zoning issue. He then described the properties surrounding his parcel and said that he is opposed to any zoning change. There is multi-family on both sides of his property and asked that his not be down-zoned as he bought it as R-2 with the ability to develop in mind. He asked that the property not be singled out.

Lisa Clark – adjacent property owner. Ms. Clark said that along with Beverly McMann, she wants to go on record to oppose any changes to the zoning because they were

never made aware of the change to begin with. She said that Ms. McMann is a fifty year resident and she is an 18 year resident and they were never made aware of the change to R-2; it has always been R-1 in this area. She said that the reason that they oppose the change is that Grandview Place is a private road in which they own a share. Any access to any sort of multi-family dwellings would be through a private road. With all due respect to Mr. Kemp, a Real Estate Agent; who probably would like to turn his property into a multi-family dwelling in the future.

Tom Dolan said that this area has been zoned R-2 for many years.

Marion Hansen – 7507 Hill. Ms. Hansen voiced concern that if properties are purchased as R-2, then 10-20 years down the line, the entire area would go to condos. Mr. Kemp's property has a 4-plex on one side and condos on the other and further down the road. In her neighborhood, there is an 8-plex on one side of her and office buildings in front. She said that if you downzone Mr. Kemp's property, the next might be her's which would then have no value due the surrounding multi-family dwellings. There is a proposed development of expensive homes not far from her that may want it down-zoned, but because it's been R-2 for a long time she doesn't support a change.

Kirk St. Johns – 7201 Soundview Drive. Mr. St. Johns, speaker for his father, said that they have a great relationship with their neighbor Lisa; the neighborhood is a wonderful place and that is why they love Gig Harbor and why he and his brother encouraged their parents to buy this property (corner of Grandview and Soundview). He explained that currently the property is a non-conforming duplex but a downzone to R-1 would hamper their ability to plan for any future use. There are condos and other multi-family units nearby; it is important to recognize that the property is zoned R-2, and so it isn't a question of rezoning but of leaving it as is. He said that they sincerely appreciate the neighbor's concerns and asked Council to recognize the future value of his parent's property and ability to use it as a retirement home and supplemental income.

Mr. St. Johns' father spoke and said that they bought the property because it was zoned R-2 to make a place for himself, his wife and his two sons so that they would be able to take care of their parents. He respectfully asked Council to leave it at the R-2 zoning designation which has been there many years.

There were no further public comments and so the hearing closed at 7:21 p.m.

### **3. A land use designation change from Residential Low (RL) to Residential Medium (RM) of approximately 250 acres between Burnham Drive and State Route 16 in the Urban Growth Area with pre-annexation zoning of R-2.**

Tom Dolan clarified that the Planning Commission did not perform specific analysis of this large area to determine whether the zoning is appropriate, but accepted the fact that pre-annexation zoning has been established at R-2 and agreed to by Council in the pending annexation. He said that the goal of this Comp Plan amendment is to bring the map into conformance with this zoning.

Mayor Hunter opened the public hearing on **Area 3** at 7:30 p.m. There were no public comments and so it was closed.

Tom Dolan explained that the next four Comp Plan Amendments are city sponsored and deal with elements of the Comprehensive Plan Updates.

**Application COMP 08-0005: Gig Harbor Wastewater Comprehensive Plan Amendments to Sewer Basins C1, C5 and C8.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor, would amend sewer basin boundaries to reflect actual conditions for Sewer Basins C1, C5 and C8 contained in the Gig Harbor Wastewater Comprehensive Plan.

Mayor Hunter opened the public hearing at 7:32 p.m. There were no public comments and so it was closed.

**Application COMP 08-0006: Utilities Element Update.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor, would add a goal to the Utilities Element to allow for the potential creation and utilization of reclaimed (Class A) water at the City's Wastewater Treatment Plant.

Mayor Hunter opened the public hearing at 7:33 p.m. There were no public comments and so it was closed.

**Application COMP 08-0007: Capital Facilities Plan Update.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor, would amend the Capital Facilities Plan to update the stormwater, wastewater, water system, parks, recreations and open space, and transportation improvement projects included in the six-year and twenty-year improvement project lists. The City currently has a consultant under contract to assist with the development of the City's Future (Six-Year horizon) and Long Range (Twenty-Year horizon) traffic models. The models will then be used to test and finalize the six-year and long range transportation improvement project list included in the Capital Facilities Plan. This work is currently in progress and is scheduled to be completed in draft form by May 23<sup>rd</sup> with a final report due June 16<sup>th</sup>. This will allow staff the time to incorporate changes into the proposed amendments sent to the Planning Commission.

Mayor Hunter opened the public hearing at 7:35 p.m.

John Alexander – Master Builders Association, 1120 Pacific Avenue, Tacoma. Mr. Alexander asked if the traffic modeling is estimated to be done by May 2009. He said that they are following actual projects, the costs and how the shares will be divided. He asked when they could expect to see that information.



Emily Appleton, Senior Engineer, responded that the traffic modeling was completed in May of 2008. Once the Six-Year TIP is adopted the impact fees will be calculated. The TIP is scheduled for adoption at the end of October.

There were no further public comments and so the hearing closed at 7:37 p.m.

**Application COMP 08-0008: Transportation Element Update.** The proposed Comprehensive Plan amendment, requested by the City of Gig Harbor, would amend the Transportation Element, correcting inconsistencies and incorporating new information resulting from work in progress to identify key transportation capacity improvement projects using updated growth and traffic modeling information. As discussed above, the staff will update this amendment, as appropriate, based on the information garnered from the Future (Six-Year horizon) and Long Range (Twenty-Year horizon) traffic models which are currently being developed.

Mayor Hunter opened the public hearing at 7:38 p.m. There were no further public comments and so it was closed and staff addressed Council questions regarding the changes.

Mayor Hunter asked for a brief recess at 7:44 p.m. Councilmember Young left the meeting at this time.

The meeting resumed at 7:55 p.m. and Mayor Hunter asked to go back to Old Business.

**OLD BUSINESS:**

1. Second Reading of Ordinance – Prentice Avenue and Sutherland Street Vacation / Gary Stainbrook. David Stubchaer, Public Works Director, presented this ordinance to vacate a portion of Prentice Avenue and Sutherland Street per the non-user statute.

**MOTION:** Move to adopt Ordinance No. 1140 as presented.  
Ekberg / Conan – Five voted in favor. Councilmember Malich voted no.

1. Second Reading of Ordinance – Prentice Avenue and Sutherland Street Vacation / Paul Crow. David Stubchaer presented another ordinance to vacate a portion of Prentice Avenue and Sutherland Street per the non-user statute.

**MOTION:** Move to adopt Ordinance No. 1141 as presented.  
Payne / Ekberg – Five voted in favor. Councilmember Malich voted no.

2. Second Reading of Ordinance – Woodworth Avenue Street Vacation / Mark & Lynn Stonestreet. David Stubchaer presented this ordinance to vacate a portion of Prentice Woodworth Avenue per the non-user statute.

**MOTION:** Move to adopt Ordinance No. 1142 as presented.  
Payne / Ekberg – Five voted in favor. Councilmember Malich voted no.

2. Second Reading of Ordinance – Harborview Drive Street Vacation / City of Gig Harbor. David Stubchaer presented this ordinance to vacate a portion of Harborview for setback purposes in conjunction with the Wastewater Treatment Plant Expansion Project.

**MOTION:** Move to adopt Ordinance No. 1143 as presented.  
Malich / Conan – unanimously approved.

The agenda moved back into New Business.

4. First Reading of Ordinance – LTGO Bond. David Rodenbach, Finance Director, presented the information on this ordinance providing for the issuance and sale of a limited tax general obligation bond for the purpose of financing transportation and park improvements. He introduced the city's bond structuring agent David Trageser, Vice-President of D.A. Davidson. Mr. Tregeser answered questions about the bond market and interest rates. He offered to prepare a benchmark report of other jurisdiction's Councilmanic bond debt.

Staff and Council discussed city debt concerns. Rob Karlinsey clarified that the LTGO Bond was discussed as part of the 2008 Budget Process. After this bond the city will have approximately 13 million in debt with 20 million in debt capacity.

This will return for a second reading at the next meeting.

5. Resolution – Authorizing an Interfund Loan – Eddon Boat Remediation Project. David Rodenbach presented the information on this resolution to address the need for working capital to access the re-imbursement grant funds for the clean-up of the Eddon Boat Park property. He explained that the city has grant funding for this project and the seller, Harbor Cove Group is under contract to pay the balance of remediation costs not funded by the grant.

Council and Staff discussed the terms of the grant and how the loan would be re-paid with interest back to the Civic Center Debt Reserve Fund. David Rodenbach said that based on current conditions, a recommendation will be made to suspend the yearly contribution to the debt reserve fund in 2008 and 2009.

David Tregeser responded to a question about retiring the Civic Center debt early with lower interest rate loans by explaining that due to the call date on the bond, you can't pay it off until 2011. The cost of advanced re-funding and refinancing doesn't pencil out in today's market.

There was further discussion on other options for funding. Mr. Tregeser addressed the suggestion of a line-of-credit with a local bank. He explained that there are fixed cost associated with this option and if the intent it to pay the loan off in a short time, then the

interest rate on a line of credit is comparable to what is being proposed with the interfund loan. He recommended the internal mechanism.

**MOTION:** Move to adopt Resolution 769 authorizing an Interfund Loan from Civic Center Debt Reserve Fund, No. 110 to the Park Development Fund, No. 109 in the amount of \$1,040,098.  
Kadzik / Payne – five voted in favor. Councilmember Franich voted no.

6. Harborview / Pioneer Update. Rob Karlinsey presented information on the work done by CTS Engineers on a conceptual for the replacement barrier at Harborview and Pioneer.

Council and staff discussed the two concepts, the amount of protection that they would provide, and the city's liability. Frustration was expressed on the length of time it took to get these concepts and the results obtained.

Mr. Karlinsey further described a concept for a 1-2-3 approach to include double protection in front of Harbor Inn and a median up further on Pioneer to slow traffic. There was continued discussion on the design of the median and options to prevent truck traffic down Pioneer.

The following goals were identified:

- Slow traffic to avoid another high-speed impact accident.
- Primary and secondary method of protection in front of Harbor Inn.
- Prohibit heavy truck traffic on Pioneer.

Carl Moraldi 8223 Goodman Dr. NW. Mr. Moraldi, owner of the Harbor Inn, voiced appreciation for the consideration of the safety of the driver, but said time is wasting and his tenants won't move in and the insurance company won't insure him until he gets something from the city stating what is going to be done. He stressed that safety is the key. He said he likes the idea of the curvature in the roadway but wants to make sure that the planter box is sturdy enough and the seating area is protected by a second barrier. He urged Council to get this done immediately.

Tish Mactoff – Owner of 123 Fit. Ms. Mactoff recommended the following: curvature coming down Pioneer to prevent a straight shot, changing Pioneer to one-way up from Harborview to Judson, the barrier at Harbor Inn, and some deterrent up the hill as well. She thanked Councilmember Franich for his comments and said that she too would like to know at what speed the bollards would stop a vehicle. She said she understands the desire to rush this along but we aren't there yet. She stressed that the whole idea isn't aesthetics but the prevention of loss of life.

7. Prosecuting Attorney – Contract Renewal. Councilmember Ekberg asked for clarification on the requirement for auto liability coverage and the recommended increase in fees. Mr. Karlinsey explained that the Prosecutor's current coverage amount was used as AWC RMSA had no recommendation for auto coverage at all and

the aggregate limit is greater than the expired contract. He further explained that this contract proposed that the city be represented by the prosecutor on contested traffic infractions when the person cited brings legal counsel. The prosecutor's previous scope of work was strictly criminal.

After further discussion on the workload and fee increase, Council recommended that staff go out for a Request for Proposals.

**MOTION:** Move to direct staff to go for a Request for Proposals for Prosecuting Attorney.  
Ekberg / Conan – unanimously approved.

Carol Morris asked to be excused to go home at this time as she has an early court date. She said that her portion of the Executive Session could be postponed.

8. CERB Grant Authorization. Councilmember Ekberg commented that he thought this should be considered in New Business because the City Attorney hadn't initialed the Council Bill.

**MOTION:** Authorize the Mayor to sign the CERB Agreement.  
Conan / Kadzik – unanimously approved.

9. Wastewater Facilities Easement and Maintenance Agreements – Kvinsland. Councilmember Ekberg said that this is another one with no sign off from the City Attorney. He asked how you reserve connections to the sewer in June 2007, and the recommendation mentions two agreements and he only saw one in the packet.

At the recommendation of Rob Karlinsey, this will be deferred to the next meeting.

10. Traffic Counts for Intersections – All Traffic Data Services (ATD) Consultant Services Contract. Councilmember asked for clarification on why there was a budgeted item of \$50,000 and an expenditure of only \$7,000.

Emily Appleton said that a higher cost was estimated and when the request for intersection counts came back it was lower.

**MOTION:** Move to authorize the award and execution of the Consultant Services Contract for City-wide traffic counts of 66 intersections for the not-to-exceed amount of \$7,000.00.  
Ekberg / Conan – unanimously approved.

11. Eddon Boat – Amendment to GeoTech Contract. Councilmember Ekberg said that this is another without the City Attorney initials. Rob Karlinsey described the difficulty in obtaining Carol's signature as she isn't coming into the office. Mayor Hunter pointed out that this Carol approved the original contract.

**MOTION:** Move to authorize the Mayor on behalf of Council to execute a Contract Amendment between the city of Gig Harbor and Geo Resources LLC.  
Conan / Kadzik – Councilmembers Malich, Conan, Payne and Kadzik voted yes. Councilmembers Ekberg and Franich voted no.

**STAFF REPORT:**

1. City Attorney Request for Proposals. Rob Karlinsey said proposals are due on October 21<sup>st</sup> and November 10<sup>th</sup> will be the interviews. He encouraged Council to set that day aside to participate.

2. Wastewater Treatment Plant Update. Rob reported that the city received the Army Corp of Engineers Permit for the whole project. Due to the timing, the bid may be postponed or contractors allow the option to begin construction later so they won't be working in the heavy rain.

Mayor Hunter said that he has asked for a plan on how the city will pay for the whole project because it's more than we have on hand now. Rob said that we are projecting a dramatic drop in sewer connection fees and so staff is discussing the impact. We would have to delay other projects to allow the treatment plant expansion to go forward. More information will be coming forward.

3. BB16 Long-term Solutions. Rob read the schedule of upcoming meetings and said that Council will be asked to make a final choice on November 24<sup>th</sup>. The stakeholders have been notified of the amended schedule.

4. Eddon Boat Night Work. Starting tomorrow, there will be night work on Harborview; the neighbors have been notified.

5. Harborview Road Closure. Wednesday night there is a meeting on the Harborview road closure and all impacts.

6. Canterwood Boulevard Construction Schedule. Rob announced that there will be a four-week delay in the opening date due to the delay in essential materials because of hurricane Ian. The road will be open to emergency traffic in the evenings and weekends.

7. Olympic / 56<sup>th</sup> Street. Rob said that we are in the process of closing out this project and staff is negotiating the final amount due as it is coming in several thousand dollars more than anticipated due to the quantities of materials.

**PUBLIC COMMENT:** None.

**MAYOR'S REPORT / COUNCIL COMMENTS:** None.

**ANNOUNCEMENT OF OTHER MEETINGS:**

1. Community Meeting – WWTP Road Closure: Wed. Oct. 15<sup>th</sup> at 6:00 p.m.
2. Operations Committee: Oct. 16<sup>th</sup> at 3:00 p.m.
3. Joint City Council / Parks Commission Worksession: Monday, Oct. 20<sup>th</sup> at 5:30 p.m.
4. City Council Budget Update: Monday, Oct. 20<sup>th</sup> following the joint meeting.
5. Budget Worksession: Court, Admin, Finance, Planning, Building/Fire Safety, Police, Tourism – Monday, November 3<sup>rd</sup> at 6:00 p.m.
6. Budget Worksession: Public Works – Tuesday, November 4<sup>th</sup> at 6:00 p.m.

**EXECUTIVE SESSION:** For the purpose of discussing pending and prospective litigation per RCW 42.30.110(1)(i), property acquisition per RCW 42.30.110(1)(b) and Guild Negotiations per RCW 42.30.140(4)(a).

**MOTION:** Move to adjourn to Executive Session at 9:45 p.m. for fifteen minutes to discuss Guild Negotiations per RCW 42.30.140(4)(a). Payne / Malich – unanimously approved.

**MOTION:** Move to go back into regular session at 10:04 p.m. Payne / Conan – unanimously approved.

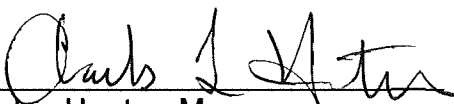
**MOTION:** Move to adjourn back to Executive Session at 10:04 p.m. for an additional 30 minutes to discuss Guild Negotiations per RCW 42.30.140(4)(a). Payne / Conan – unanimously approved.

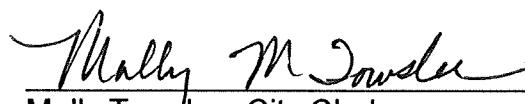
**MOTION:** Move to go back into regular session at 10:33 p.m. Payne / Conan – unanimously approved.

**ADJOURN:**

**MOTION:** Move to adjourn at 10:33 p.m. Payne / Conan – unanimously approved.

CD recorder utilized:  
Tracks 1001 – 1061.

  
Charles Hunter, Mayor

  
Molly Towse, City Clerk