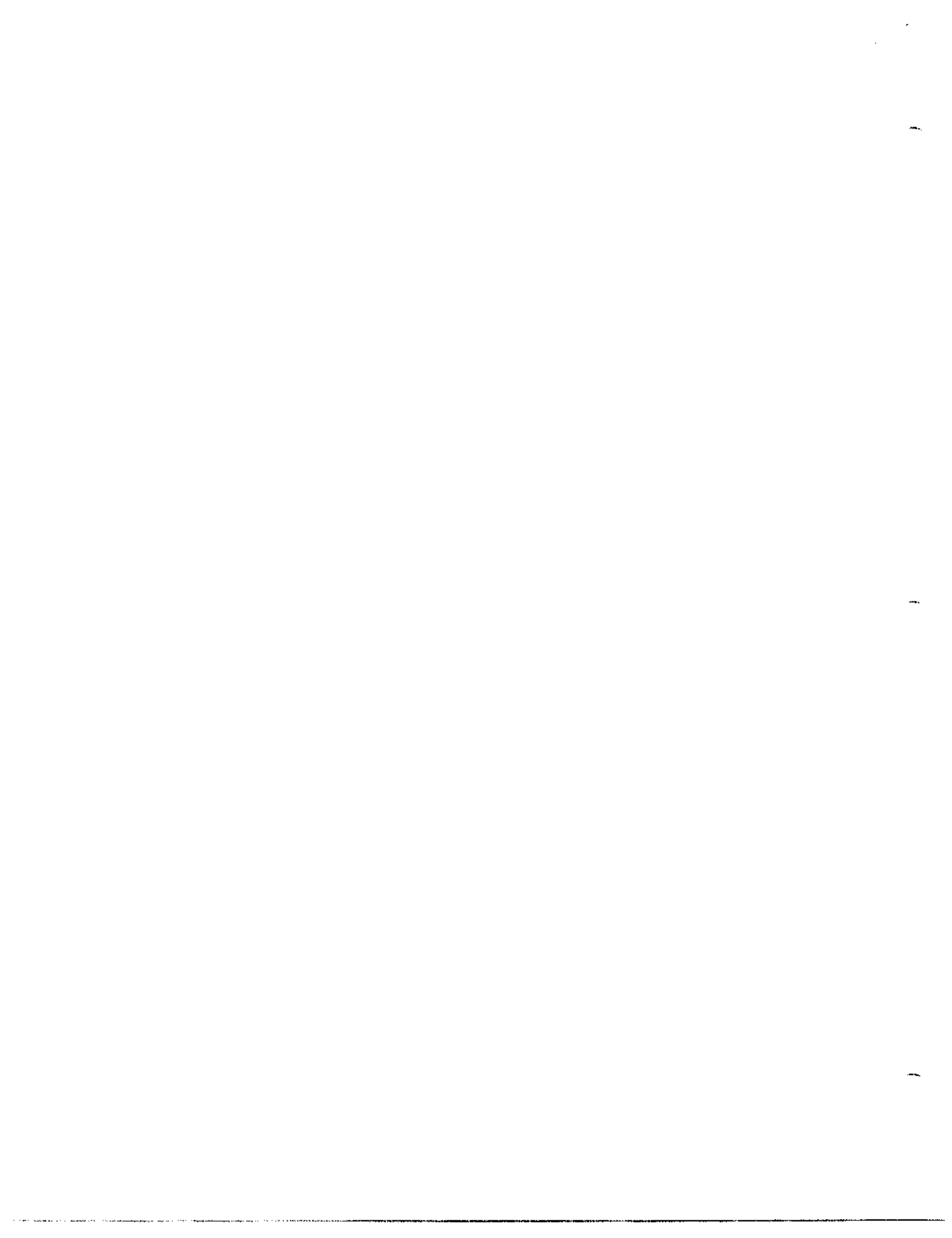


Gig Harbor City Council Meeting



June 28, 1999



AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
June 28, 1999 - 7:00 p.m.

CALL TO ORDER:

SPECIAL PRESENTATION:

1998 "Outstanding Wastewater Treatment Plant" award presentation - John Glynn, Section Manager, Water Quality - Northwest Region of the Department of Ecology.

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of the June 14, 1999, City Council meeting.
2. Correspondence / Proclamations:
 - a. Proclamation - Hire a Veteran Month.
3. Approval of Payment of Bills for June 28, 1999:
Checks #22784 through #22883 in the amount of \$116,963.19.
4. Liquor License Renewals: Puerto Vallarta; Round Table Pizza.

OLD BUSINESS:

1. Second Reading of Ordinance - Amending GHCM 2.12.080 - Elected Officials.
2. Adopt Findings and Facts for Gambling Moratorium.

NEW BUSINESS:

1. Sellers Street Improvement Project - Contract Closure.
2. Purchase Authorization - Watermain Materials.
3. First Reading of Ordinance - Prohibition of Commercial Card Games.
4. Re-appointment of Members to the Planning Commission.

PUBLIC COMMENT/DISCUSSION:

COUNCIL COMMENTS:

STAFF REPORTS:

Impact Fees Ordinance - Scheduling of Public Hearings.

ANNOUNCEMENT OF OTHER MEETINGS:

Finholm Viewclimb Ribbon Cutting Celebration - 12:00 noon on Saturday, July 10th.

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.30.110(b), and pending litigation per RCW 42.30.110(i). Action may be taken.

ADJOURN:





STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

RECEIVED

JUN 21 1999

CITY OF GIG HARBOR

June 16, 1999

The Honorable Gretchen Wilbert
Mayor of Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335

Dear Mayor Wilbert:

Congratulations to you and your community for having a top performing wastewater treatment plant! The Washington State Department of Ecology is recognizing the Gig Harbor Wastewater Treatment Plant with a 1998 "Outstanding Wastewater Treatment Plant" award.

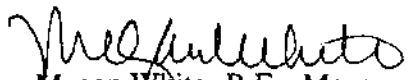
Ecology is recognizing 25 domestic wastewater treatment plants in the state for being in 100 percent compliance with their discharge permits in 1998. The permits place limits on the quantity and concentrations of contaminants that treatment plants may discharge. We evaluated the treatment plants for compliance with effluent limits, monitoring and reporting requirements, spill prevention planning, pretreatment, and other regulatory activities.

We are proud of the team effort that your staff performed day in and day out. It takes dedication for daily operation and maintenance and engineering and administrative support to ensure outstanding compliance. Your facility's operator staff played a key role in operating and maintaining the treatment system, performing laboratory analysis, and keeping daily monitoring records. Qualified operators are critical for successful plant operations and the protection of good water quality.

We're thankful to your community for the priority and efforts you are taking to protect water quality for people and fish. We will send you the "Outstanding Wastewater Treatment Plant" award. If you would like us to present the award at a city council meeting, please contact Rachel Best at (425) 649-7105 to schedule a convenient time for you.

Thanks again and congratulations!

Sincerely,


Megan White, P.E., Manager
Water Quality Program

MW:MG:pc

cc: Jerry Erb, Lead Operator
Wesley Hill, PWD
Mark Hoppen, City Administrator



DRAFT

REGULAR GIG HARBOR CITY COUNCIL MEETING OF JUNE 14, 1999

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

CALL TO ORDER: 7:00 p.m.

PUBLIC HEARING: Concurrency Ordinance and Moratorium on Card Rooms.

Mayor Wilbert opened the public hearing on the Concurrency Ordinance at 7:00 p.m.

Jim Pasin 2710 39th St. NW. Mr. Pasin said he was both representing the Chamber of Commerce and himself. He asked if the Councilmembers had received a copy of the letter from the Chamber requesting that the effective date of the Concurrency Ordinance be moved to January 1, 2000. He was assured that they had received the letter.

He then asked for clarification on several concerns he had with the ordinance such as computing the background traffic, and regional transportation plans and how they tie in with the city's plan, which staff responded to. Mr. Pasin added that his major concern was the time delay in responding to a submitted application. He said that applications need to be processed in a more timely manner. Carol Morris, Legal Counsel, explained that the application processing times are based on state law and regulatory reform. There was a great deal of discussion between Mr. Pasin, Staff and Councilmembers regarding permit application processing times.

Mayor Wilbert closed the public hearing at 7:26 p.m. and opened the public hearing on the Moratorium on Card Rooms at 7:27 p.m.

Carol Morris explained that this evening was a hearing to continue the moratorium that is already in effect and to adopt findings and conclusions to support the moratorium for another six-month period.

Robert McConnell - 4303 67th Ave NW. Mr. McConnell said he and his wife and he are opposed to gambling in any form having living in Las Vegas for awhile and seeing the futile waste of human capital. He said gambling seems to have taken root in many places in the northwest and it would be nice to have one enclave where it doesn't take place.

Janet McConnell - 4303 67th Ave NW. Ms. McConnell said she has done quite a bit of research on gambling and has worked with gambling addicts. She said that the studies that have been done say every dollar that is taken from gambling, three dollars are spent in the community solving gambling related crime, addiction, and other family problems. She summarized by giving a quote that "Gambling is a tax on the stupid," and that nothing good can come from it. She said that Gig Harbor is a darling community and that they would hate to see the elements that gambling could bring in come here.

Chuck Hunter 8829 Franklin Ave. Mr. Hunter urged Council to continue the moratorium. He said that gambling doesn't benefit anyone except the proprietors of an establishment and with the freeway so close, Gig Harbor is susceptible to a mini-casino.

There were no further comments from the public. The Mayor closed the public hearing at 7:33 p.m.

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of the May 24, 1999, City Council meeting.
2. Correspondence / Proclamations:
 - a. Pierce County - Notification of Availability of Grant Funds.
3. Approval of Payment of Bills for June 14, 1999:
Checks #22680 through #22783 in the amount of \$190,917.26
4. Approval of Payroll for May, 1999:
Checks #18262 through #18356 in the amount of \$275,370.50.
5. Liquor License Renewals: Puerto Vallarta; Round Table Pizza.

MOTION: Move to approve the consent agenda as presented.
Picinich/Young - Six Councilmembers voted in favor. Councilmember Owel abstained.

OLD BUSINESS:

1. Third Reading - Concurrency Ordinance. Mark Hoppen explained that currently, the city makes determinations that are very much like concurrency determinations through resolution. The Concurrency Ordinance changes the nature of the way this is accomplished to be consistent with the Growth Management Act and provides compliance with state law. Carol Morris explained that there were three typos in the ordinance needing correction and went over the changes. Councilmember Ekberg asked for comments on the letter from the Chamber of Commerce asking to delay the effective date. Mark Hoppen explained that these determinations are already being made and there will be little difference in what is currently being done in concurrency determinations. Carol Morris added that the requirement to have a Concurrency Ordinance in place has been in effect since 1995 and to delay it further is unnecessary.

MOTION: Move to adopt Ordinance No.818 with the changes suggested by Legal Counsel.
Dick/Owel - unanimously approved.

2. Hold Harmless Agreement - Talmo, Inc. Wes Hill, Public Works Director, explained that this agreement came before Council at the last meeting for consideration. He said that the purpose of the agreement is to approve a development, which will deviate from the public works standards to allow an off-site storm water detention facility, and utilized a wetland

owned also by the proponent. He added that this agreement will hold the city harmless for any action related to use of the wetland and the off-site facilities. He gave an overview of the revisions to the document since the last meeting.

MOTION: Move that we authorize deviations from the city's public works standards for storm water facilities to allow the development of the Memory Lanes Recreation Center.
Picinich/Markovich -

Councilmember Dick recommended approving the contract before the authorization to deviate from the standards. Carol Morris agreed that the indemnification agreement should come first.

MOTION: Move to lay this motion on the table.
Dick/Ekberg - unanimously approved.

Carol Morris gave an overview of corrections needing to be made to typos in the document.

MOTION: Move to authorize the Mayor to sign the Covenant Not to Sue and Indemnification Agreement, included the suggested corrections.
Young/Picinich - unanimously approved.

MOTION: Move to take from the table the motion to approve the deviation from the city's public works standards.
Owel/Picinich - unanimously approved.

AMENDED MOTION: Move to amend the original motion to add the language "contingent upon the execution of the Covenant Not to Sue and Indemnification."
Owel/Dick - unanimously approved.

MAIN MOTION: Move to authorize the deviation from the City's Public Works standards for development of the Memory Lanes Recreation Center contingent upon the execution of the Covenant Not to Sue and Indemnification.
Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. First Reading of Ordinance - Amending GHMC 2.12.080 - Elected Officials. Mark Hoppen explained that this was a code text housekeeping item to change the election of five Councilmembers to seven members. This will return for a second reading at the next meeting.
2. Special Benefits Study - Amendment to Contract. Mark Hoppen explained that as the

benefits study progressed, they discovered that the ratio of benefit inherent in the proposed LID would be improved by the addition of water and sewer to the mix. He added that the LID would pay the cost of the additional fees due to the evaluation of water and sewer, and recommended approval of the amendment to the contract to add these items.

MOTION: Move approval of this contract amendment for the special benefits study. Young/Owel - unanimously approved.

3. Interlocal Agreement for Mutual Police Services. Lieutenant Bill Colberg explained that due to the costs imposed by the Pierce County Sheriff's Department for special services, the Chiefs from various Pierce County cities and towns found it necessary to create teams to provide services to the communities involved in the teams. He described the Emergency Response Team / Crime Response Unit with specialized officers that had been formed and told of some of the situations in which they would respond. He said that at this point, the City of Gig Harbor had used the services the most, and that manpower issues make the teams necessary.

Councilmember Dick asked about the current contract with Pierce County, and how this other agreement would work in conjunction. Carol Morris explained that the second agreement was not intended to replace the one existing with Pierce County, but to enhance, yet it has provisions that are not totally consistent with the original. She added that she had recommended an amendment to the contract so that the first agreement with Pierce County would be eliminated and incorporated it into one, or make amendments to the second interlocal to make consistent provisions in both.

Councilmember Dick voiced concerns that due to the current agreement with Pierce County for services, there would be two agreements in place, with different indemnification language and confusion on which contract the teams would be responding under.

Mark Hoppen explained that while it appeared that there could be a problem, it was desirable to sign the agreement in the interim to allow time for the amended contract that Carol Morris had distributed to the Chiefs for consideration.

MOTION: Move to authorize the Mayor to sign this interlocal agreement, to remain in effect until a new agreement can be established. This agreement should not exceed the date of the second regular Council meeting of the year 2000.
Young/Ekberg -

There was a great deal of discussion on the merits of waiting until the current contract with Pierce County could be terminated to prevent the liability of two conflicting contracts as opposed to getting a signed agreement in place to show good faith and cover the possible need for the services.

MOTION: Call for the question.
Platt/Young - unanimously approved.

RESTATED MOTION: Move to authorize the Mayor to sign this interlocal agreement, to remain in effect until a new agreement can be established. This agreement should not exceed the date of the second regular Council meeting of the year 2000.
Young/Ekberg - Councilmembers Ekberg, Young, Platt, Picinich and Markovich voted in favor. Councilmembers Dick and Owel voted against.

4. Rosedale Street Improvement Project. Wes Hill explained that successful low bids for this project to reconstruct a portion of Rosedale. He added that as a federally funded project, agency review and approval of a biological assessment was required and it was determined that the addition of two oil/water separators for stormwater runoff, the project was approved. He recommended approval of the contract to Harlow Construction Company, Inc. He said that construction should begin a the second week in July.

MOTION: Move to authorize award and execution and execution of the contract for the Rosedale Street Improvement Project with Harlow Construction Company, Inc., as the lowest responsible bidder, for their bid proposal amount of one million two hundred thirty-seven thousand five hundred seventy dollars and twenty cents (\$1,237,570.20).
Picinich/Dick - unanimously approved.

PUBLIC COMMENT/DISCUSSION: None.

COUNCIL COMMENTS:

Councilmember Ekberg thanked Mark Hoppen and staff for the new informational sign at the entrance of the city at the top of Stinson. He suggested that the Gateway could take a photograph for their next issue. Mark Hoppen gave a description of the construction.

Councilmember Young asked when the work in the Impact Fee Ordinance would begin. Mark Hoppen said that it would be discussed at the next meeting as an issue and the worksessions could be scheduled at that time.

STAFF REPORTS:

Gig Harbor Police Department - May Stats. No verbal report was given.

ANNOUNCEMENTS OF OTHER MEETINGS:

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.30.110(b) and pending litigation per RCW 42.30.110(i). No action to be taken.

MOTION: Move to adjourn to Executive Session at 9:04 p.m. for approximately fifteen minutes.
Owel/Picinich – unanimously approved.

MOTION: Move to return to regular session at 9:16 p.m.
Picinich/Owel - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 9:16 p.m.
Owel/Picinich – unanimously approved.

Cassette recorder utilized
Tape 532 Both Sides.
Tape 533 Both Sides.
Tape 534 000 - 005

Mayor

City Clerk



STATE OF WASHINGTON
EMPLOYMENT SECURITY DEPARTMENT

JUNE 8, 1999

Mayor Gretchen Wilbert
City of Gig Harbor
3105 Judson St
Gig Harbor, WA 98335

Dear Mayor Wilbert,

We want to thank you for taking time out of your busy schedule to review our request for supporting Governor Locke's June 1999 "Hire A Veteran Month" Proclamation.

Last year, was the second time, we were able to contact Mayors statewide for support, of this event with great success. Over 100 Mayors responded, with support Proclamations. We want to thank all of the mayors that were able to participate last year and again invite you to be a part of this year's event.

Offices around the state work hard all yearlong helping veterans obtain employment and Veteran services. "Hire A Veteran Month" in June is a special time when we pay tribute to our veterans around the state, as a token of our appreciation for their sacrifices to make our country what it is today.

During the month of June special events will take place across the state for veterans. Your support for "Hire A Veteran Month" will be greatly appreciated.

To participate in this noteworthy event please forward a copy of your completed proclamation to our office so that a historical record can be maintained for future reference. Governor's proclamation and (sample only) enclosed for your information only, you may want to use your own, or change it and that's ok.

Please feel free to contact me if you have any questions. Again, thank you for supporting the community and our veterans.

Sincerely,

A handwritten signature in black ink, appearing to read "Sal Cantu", written over a horizontal line.

Sal Cantu, LVER
Lakewood Job Service Center
P.O. Box 99848
Tacoma, WA 98499
253-589-7345
(E-mail) salcantu@hotmail.com



PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS, Governor Locke has proclaimed June 1999 as "Hire-A-Veteran Month" in Washington State, in honor of the men and women that have served in our military in the 20th century; and

WHEREAS, the peace and accomplishments of the 20th century that our country enjoys and takes for granted today is due to the tireless efforts and sacrifices our military have endured to make our country a better place for all of us; and

WHEREAS, we need to recognize those men and women that have served to make our country free and those that are serving today, especially our peacekeeping troops in the Balkans and other troubled spots around the world; and


WHEREAS, the state of Washington and the Employment Security Department; are committed to provide quality employment and training opportunities to veterans and encourage events such as Hire-a-Vet job fair and other events that will secure employment for veterans.


NOW, THEREFORE, I, Gretchen A. Wilbert, Mayor of the City of Gig Harbor, hereby declare June 1999, as

HIRE-A-VETERAN MONTH

In the city of Gig Harbor and urge all citizens to join me in this special observance.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 28th day of June, 1999.


Gretchen A. Wilbert, Mayor


Date



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR
SUBJECT: SECOND READING OF ORDINANCE - SEVEN COUNCILMEMBERS
RATHER THAN FIVE SHALL BE ELECTED
DATE: JUNE 23, 1999

INFORMATION/BACKGROUND

The current Gig Harbor Municipal Code states that five councilmembers shall be elected for terms of four years each. This changed to seven members due to the annexations in 1997 and subsequent increase in population. This is a housekeeping item to update the code.

RECOMMENDATION

Move to adopt this ordinance at the second reading.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE ELECTION OF COUNCILMEMBERS; AMENDING GIG HARBOR MUNICIPAL CODE SECTION 2.12.080 TO REFLECT THE FACT THAT SEVEN COUNCILMEMBERS RATHER THAN FIVE SHALL BE ELECTED.

WHEREAS, due to the annexation of property into the city an increase in the population has occurred; and

WHEREAS, pursuant to RCW 35A.12.010, when the population of a mayor-council code city increases to five thousand or more inhabitants, the number of councilmanic offices in the city shall increase from five to seven members; and

WHEREAS, two persons have been appointed to serve in these offices until the next municipal general election,

WHEREAS, the municipal code needs to be updated to reflect the increase in offices; now, therefore,

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

Section 1. Section 2.12.080 of the Gig Harbor Municipal Code is hereby amended to read as follows:

2.12.080 Election of councilmembers - Vacancy.

~~Five~~ Seven councilmembers shall be elected for terms of four years each, with three such councilmembers being elected at one biennial election and ~~two~~ four councilmembers being elected at the subsequent biennial election, and shall serve until his or her successor is elected, qualified and assumes office in accordance with RCW 29.04.170. In the event of a vacancy in a councilmember office, the city council shall, by majority vote, choose and appoint a councilmember to fill said vacancy in the manner set forth in RCW 42.12.010 or other applicable state statute.

Section 2. In 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 3. 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 CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY: _____

Filed with the City Clerk: 6/9/99

Passed by the City Council:

Published:

Effective Date:

**SUMMARY OF ORDINANCE NO.
of the City of Gig Harbor, Washington**

On the ___ day of ____, 1999, 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 THE ELECTION OF COUNCILMEMBERS; AMENDING GIG HARBOR MUNICIPAL CODE SECTION 2.12. 080 TO REFLECT THE FACT THAT SEVEN COUNCILMEMBERS RATHER THAN FIVE SHALL BE ELECTED.

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

DATED this ___ day of _____, 1999.

Molly Towslee, City Clerk



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

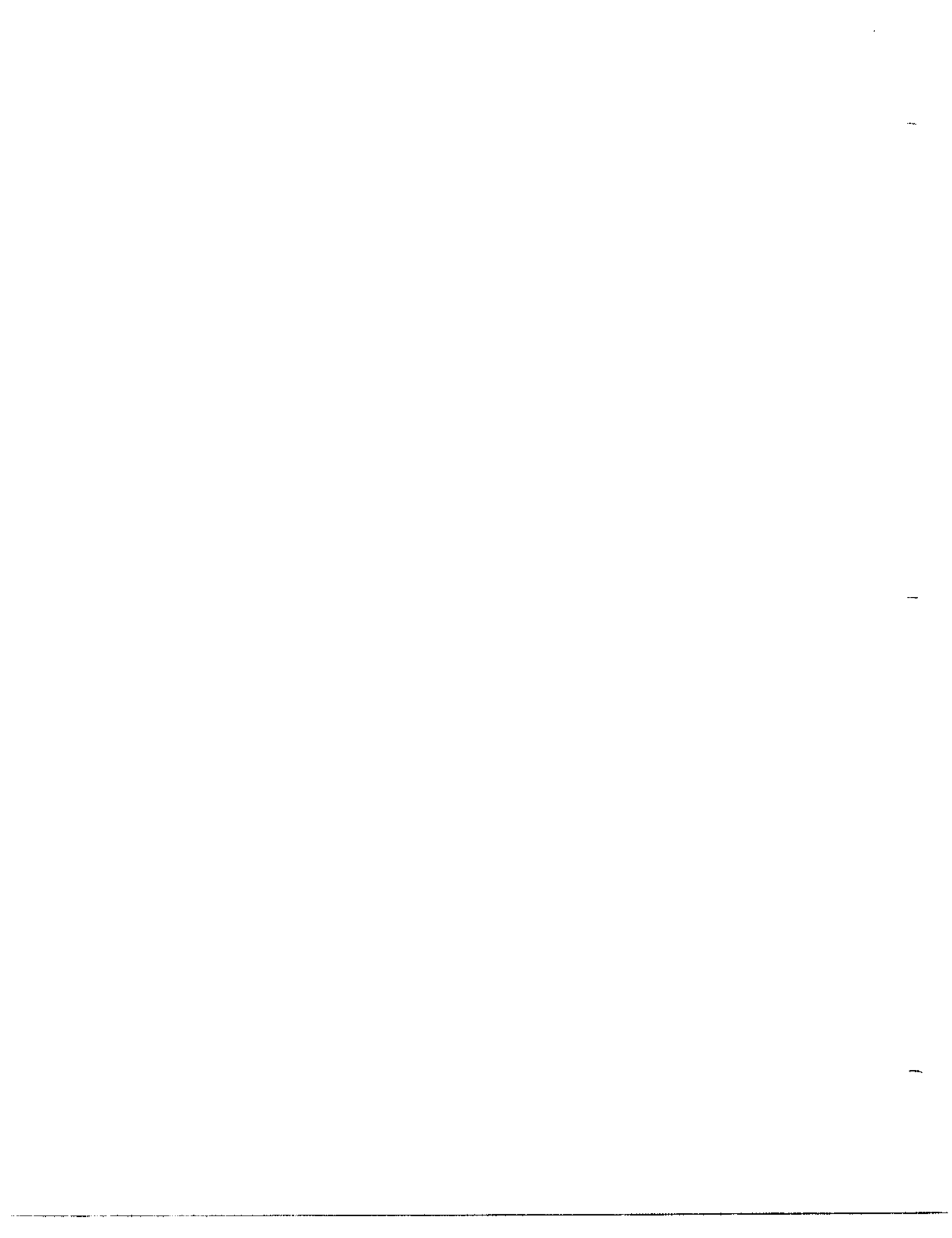
TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR, *MH*
SUBJECT: ADOPTING FINDINGS AND FACTS FOR GAMBLING
MORATORIUM
DATE: JUNE 22, 1999

INFORMATION/BACKGROUND

At the last Council Meeting, there was a public hearing on the continuation of the moratorium on Card Rooms. Public testimony was taken, and the City Attorney was instructed to come back with the Facts and Findings to support the moratorium. These Facts and Findings were not available at the time of the preparation of the agenda and packet, and will be presented at the meeting for review and adoption.

RECOMMENDATION

Move to adopt the Facts and Findings as prepared by the City Attorney, supporting the continuance of the moratorium on Card Rooms.





City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR
SUBJECT: SELLERS STREET IMPROVEMENT PROJECT
- CONTRACT CLOSURE
DATE: JUNE 21, 1999

INTRODUCTION/BACKGROUND

On October 23, 1998, the Council awarded the contract for the Sellers Street Improvement project to Woodworth & Company, Inc., for the base bid amount of \$43,940.00. The work was determined physically complete on April 21, 1999.

One change order was issued for this project. Council authorized Change Order No. 1 on October 23, 1998 for a reduction in the Contract amount of \$7,426.

The Contractor has submitted an acceptable Final Progress Estimate and Reconciliation of Quantities, and has executed the Certificate of Completion.

Council authorization is being requested to close the contract and accept the project through execution of the attached Final Contract Voucher Certificate.

ISSUES/FISCAL IMPACT

The original contract amount was \$43,940.00. One change order was executed bringing the total authorized contract amount to \$36,478.00.

RECOMMENDATION

I recommend that Council approve execution of the attached Final Contract Voucher Certificate.



City of Gig Harbor. The "Maritime City"

8105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851 8136

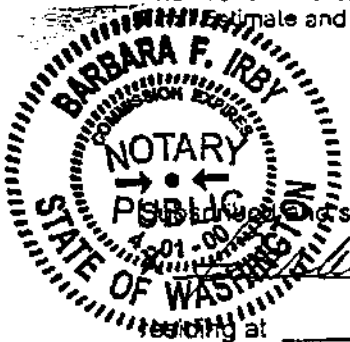
RECEIVED
CERTIFICATE OF
COMPLETION
MAY 19 1999

CONTRACTOR		CITY OF GIG HARBOR	
WOODWORTH & COMPANY, INC.		PUBLIC WORKS DEPT.	
STREET ADDRESS			
1200 EAST D STREET			
CITY	STATE	ZIP	DATE
TACOMA	WA	98421	4/22/99
STATE PROJECT NO.	FEDERAL-AID PROJECT NO.	OTHER	
N/A	N/A		
PROJECT:			
CITY OF GIG HARBOR SELLERS STREET IMPROVEMENT PROJECT CSP - 9808			
DATE WORK PHYSICALLY COMPLETED		FINAL AMOUNT	
4/21/99		\$ 36,478.00	

Contractor's Certification

I, the Undersigned, having first been duly sworn, certify that the attached Final Estimate and Reconciliation of Quantities is a proper charge for work performed and material furnished to the City of Gig Harbor for the above Project; that the same or any part thereof has not been paid; and that I am authorized to sign for the claimant (Contractor); that in connection with the work performed and to the best of my knowledge no loan, gratuity or gift of money in any form whatsoever has been extended to any employee of the City of Gig Harbor nor have I rented or purchased any equipment or materials from any employee of the City of Gig Harbor. I further certify that the attached Final Estimate and Reconciliation of Quantities is a true and correct statement showing all of the monies due me from the City of Gig Harbor under this contract; that I have carefully examined said Final Estimate and Reconciliation of Quantities and understand the same; and that I hereby release the City of Gig Harbor from any and all claims of whatsoever nature, which I may have arising out of the performance of said contract, which are not set forth in said Estimate and Reconciliation of Quantities. (See "Note" below)

X *Jeffrey A. Woodworth*
(Contractor Authorized Signature Required)
Jeffrey A. Woodworth, President
(Type Signature Here)



I was sworn to before me this 18th day of May, 19 99
Barbara F. Irby notary public in and for the State of Washington,
at Tacoma

City of Gig Harbor Certification

I certify the attached Final Estimate and Reconciliation of Quantities to be based upon actual measurements, and to be true and correct.

APPROVED Date 6/18/99
X *John Hill*
Public Works Director

X *David O. Shaw*
Project Manager - City Engineer

Date of Acceptance _____ By X _____

NOTE: Contractor's claims, if any, must be included and the Contractor's Certification must be labeled indicating a claim attached.



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR
SUBJECT: PURCHASE AUTHORIZATION
DATE: JUNE 23, 1999

INTRODUCTION/BACKGROUND

The 1999 budget provided for replacement of the undersized and aging asbestos-cement (A/C) water main in Judson Street. Public Works Department staff and equipment will perform water system work.

Price quotations for the water main materials (delivered) were obtained from three vendors in accordance with the City's Small Works Roster process for the purchase of materials (Resolution 411). The price quotations are summarized below:

<u>Respondent</u>	<u>Base Amt.</u>	<u>Sales Tax</u>	<u>Total</u>
H.D. Fowler	\$13,316.74	\$ 1,091.97	\$14,408.71
U.S. Filter/Pacific Waterworks	\$12,717.12	\$ 1,181.51	\$13,898.63
Western Utilities Supply Co.	no quote	no quote	no quote

The lowest price quotation received was from U.S. Filter, of Puyallup in the amount of \$13,898.63, including state sales tax.

Work is expected to begin following delivery of the material in late August or early September.

ISSUES/FISCAL IMPACT

Budgeted funds are available for purchase of the materials, and to complete the work using City forces.

RECOMMENDATION

Staff recommends that Council authorize purchase of the water main materials for the Judson Street water main replacement project from U. S. Filter, as the lowest responsible respondent, for their price quotation proposal amount of thirteen-thousand eight hundred ninety-eight dollars and sixty-three cents (\$13,898.63), including state sales tax.





City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
**SUBJECT: FIRST READING OF ORDINANCE – PROHIBITION OF
COMMERCIAL CARD GAMES**
DATE: JUNE 23, 1999

INFORMATION/BACKGROUND

The City of Gig Harbor has approved a moratorium on development permits for social card game developments. Facts and findings for that moratorium should be presented to Council at this meeting to continue the moratorium. The moratorium on development permits does not prevent the Washington State Gambling Commission from issuing permits in this jurisdiction. The Gambling Commission has reduced but not curtailed the issuance of permits at this time. Consequently, this ordinance is proposed in order to ban "social cards games as a commercial stimulant" within the city limits of Gig Harbor and to repeal the current moratorium.

POLICY CONSIDERATIONS

The City of Gig Harbor is limited in its authority to regulate gambling. It may: (1) tax certain gambling activities; (2) enact as local ordinances any of the state gambling statutes, the violation of which constitutes a misdemeanor or gross misdemeanor; and/or (3) prohibit any or all gambling activities for which licenses are required.

Under the statutory authority to prohibit gambling activities, at least 30 cities and one county have prohibited some type of gambling activity, and one of those cities has prohibited all gambling. Recently, both the City of Auburn and the City of Puyallup have banned commercial card game activities. Card rooms are the type of gambling activity most frequently prohibited by local governments. The statute that authorizes these local prohibitions, RCW 9.46.295, provides that cities and counties "may absolutely prohibit, but may not change the scope of license, of any or all of the gambling activities for which the license was issued." A city or county that prohibits any or all forms of gambling must notify the gambling commission in writing, so that the commission will not issue or renew a license, which is valid for one year, for the type of gambling prohibited within that jurisdiction (WAC 230-04-55).

There are currently no known licensed card rooms within the jurisdictional limits of the City of Gig Harbor.

RECOMMENDATION

I recommend that the proposed ordinance, as presented or as amended, be approved by the City Council at the second reading.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, ADDING A CHAPTER 5.26 TO THE GIG
HARBOR MUNICIPAL CODE IN ORDER TO PROHIBIT
THE CONDUCT OR OPERATION OF SOCIAL CARD
GAMES AS A COMMERCIAL STIMULANT WITHIN THE
CITY LIMITS.

WHEREAS, the State Legislature and State Gambling Commission have recently expanded the ability of gambling licensees to conduct social card games as a commercial stimulant for the licensee's business, and

WHEREAS, the City Council is concerned about the proliferation of gambling establishments which, under the expanded authority granted by the State Legislature and State Gambling Commission, may now operate up to 15 tables of social card games per establishment, and

WHEREAS, the City Council has no authority to regulate the scope of any gambling license and so the only way that the Council may stop the proliferation of such establishments is by absolutely prohibiting the same under the authority granted by RCW 9.46.295, NOW, THEREFORE,

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

Section 1. Social Card Games as Commercial Stimulant Prohibited. Chapter 5.26 of the Gig Harbor Municipal Code is hereby amended to read as follows:

5.26.010 State Law Applicable. Any license issued under the authority of state law to engage in any legal activity shall be legal authority to engage in the gambling activities for which the license

was issued throughout the City, except that the City, in accordance with RCW 9.46.295, as the same now exists or may hereafter be amended, prohibits the following gambling activities within the City:

1. The conduct or operation of social card games as commercial stimulants.

Section 2. New Section. The moratorium established pursuant to Ordinance No. 816 is hereby repealed.

Section 3. 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 4. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City's legislative body, shall take effect five (5) days from publication as required by law.

PASSED by the Council of the City of Gig Harbor, this ___ day of June, 1999.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, CITY CLERK

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

SUMMARY OF ORDINANCE NO. _____

CITY OF GIG HARBOR, WASHINGTON

On _____, 1999, the City Council of the City of Gig Harbor passed Ordinance No. _____ which provides as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON,
ADDING A CHAPTER 5.26 TO THE GIG HARBOR MUNICIPAL
CODE IN ORDER TO PROHIBIT THE CONDUCT OR OPERATION
OF SOCIAL CARD GAMES AS A COMMERCIAL STIMULANT
WITHIN THE CITY LIMITS.**

The full text of this ordinance will be mailed without charge to anyone who submits a written request to the City Clerk of the City of Gig Harbor for a copy of the text.

APPROVED by the City Council at their meeting of _____, 1999.

Molly M. Towslee, City Clerk



City of Gig Harbor. The "Maritime City"

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: CITY COUNCIL
FROM: MAYOR GRETCHEN WILBERT
SUBJECT: APPOINTMENT OF PLANNING COMMISSION MEMBERS
DATE: JUNE 24, 1999

INFORMATION/BACKGROUND

Two positions on the Planning Commission expire at the end of this month. Carol Davis and Mark Robinson have shown an interest in being reappointed to the commission for another year. Mark Robinson has submitted a letter expressing his interest.

RECOMMENDATION

A motion for the re-appointment of Carol Davis and Mark Robinson to another term on the Gig Harbor Planning Commission.

Dear Mayor Wilbert,

I have had the pleasure of serving on the Gig Harbor Planning Commission for long enough to decide I would like to continue to do so. Would you please consider re-appointing me to another term?

Sincerely,

Mark Robinson 6/23/99

Mark Robinson