

GIG HARBOR CITY COUNCIL MEETING

TUESDAY, MAY 26, 1992

7:00 p.m., City Hall Council Chambers



AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
TUESDAY, MAY 26, 1992

PUBLIC COMMENT/DISCUSSION:

CALL TO ORDER:

PUBLIC HEARINGS:

1. ANX92-01: City Shop property - 2nd reading.

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. FCC notice of granting license for radio service.
2. Letter from Viacom Cable describing theft of cable service.
3. Letter from DNR regarding relocating established harbor area.

OLD BUSINESS:

1. Ordinance adopting RCW 46.61.517 regarding refusal to submit to breath test - 2nd reading.

NEW BUSINESS:

1. Hearing Examiner report and recommendation on SDP92-01: Haub Bros. Trust Enterprises.
2. Hearing Examiner report and recommendation on SDP92-02: MCI Development Marina.
3. Request to Extend/Eliminate Expiration Date, Wetland Ordinance - 1st reading.
4. Request from Rainier View Water Company to sell water system.
5. Change order request to Pioneer & Stinson overlay projects.
6. Special occasion liquor license - Peninsula School District Retirement Club.

DEPARTMENT MANAGERS' REPORTS:

1. Public Works.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT:

1. Upcoming community activities.

ANNOUNCEMENTS OF OTHER MEETINGS:

APPROVAL OF BILLS:

Warrants # through # in the amount of \$

EXECUTIVE SESSION: None scheduled.

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:  Ray Gilmore
DATE: May 21, 1992
SUBJ.: Annexation of City Shop Property (ANX 92-01) --
Ordinance, 2nd Reading (Public Hearing)

Attached for your consideration is an ordinance for the annexation of two acres of city-owned property located west of Skansie Avenue. The site serves as the location of the Public Works shop and maintenance facility.

RCW 35A.14.300 provides that code cities, by majority vote of the legislative body, may annex property for municipal purposes regardless of whether or not it is contiguous. The ordinance provides for the annexation of the property with a zoning code designation of R-1 (single family). An R-1 district provides for public facilities as a conditional use and would render the city shop as a conforming use under the zoning code.

Council's favorable consideration is appreciated.

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE ANNEXING TO AND INCORPORATING WITHIN THE CITY OF GIG HARBOR CERTAIN UNINCORPORATED REAL PROPERTY OWNED BY THE CITY OF GIG HARBOR LYING NORTH OF THE CITY LIMITS, WEST OF 46TH AVENUE NW.

WHEREAS, it has been determined that the best interest and general welfare of the City of Gig Harbor would be served by the annexation of certain real property owned by the City of Gig Harbor as described in "Exhibit A" to this ordinance, and;

WHEREAS, Chapter 35A.14.300 provides for the annexation, by a majority vote of the legislative body, of territory outside of the city limits for municipal purposes, regardless of whether or not the territory is contiguous, and;

WHEREAS, criminal trespass and burglary have occurred at the city shop property, subject of this annexation; and,

WHEREAS, the annexation of the property is in the best interests and welfare of the city in providing fast emergency response and 24-hour police protection to city owned property, and;

WHEREAS, the annexation proposal is consistent with the criteria for annexations in accordance with Chapter 36.93.180 as the property is accessed by a public street (46th Avenue NW) and city utilities currently serve this site, and;

WHEREAS, the proposed annexation is in compliance with the Urban Area Agreement as entered into between Pierce County and the City of Gig Harbor, and;

WHEREAS, the proposed zoning designation of R-1 (low density single family) is consistent with the City of Gig Harbor Comprehensive Plan which designates this planning area as urban low density residential.

page 2

NOW, THEREFORE, the city council of the City of Gig Harbor
ORDAINS as follows:

Section 1. The real property described in this ordinance as
"Exhibit A" is hereby annexed into the City of Gig Harbor
and is accorded a zoning designation of R-1 (low density
single family residential).

Section 2. This ordinance shall be in full force and take
effect five (5) days after publication according to law,
after notification of approval by the Pierce County Boundary
Review Board.

PASSED by the City Council of the City of Gig Harbor,
Washington, and approved by its Mayor at a regular meeting
of the council on this 26th day of May, 1992.

Gretchen Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk/Treasurer

Filed with the City Clerk: 5/6/92
Passed by the City Council: 5/26/92
Date Published:
Effective Date:

EXHIBIT A

LEGAL DESCRIPTION

ANX 92-01 (City of Big Harbor Municipal Property)

Beginning at the southwest quarter corner of the northwest quarter of Section 6, Township 21 north, Range 2 East Willamette, thence easterly along the south line of said northwest quarter to the true point of beginning:

Thence north a distance of 306.86 feet; thence east a distance of 272.00 feet; thence south a distance of 306.86 feet; thence west a distance of 272.00 feet to the true point of beginning.

Property is also described as Lot 4 of Pierce County Short Plat 84-05-31-0234.

15

1

NW 6

ROAD 3,

SCHOOL 401,

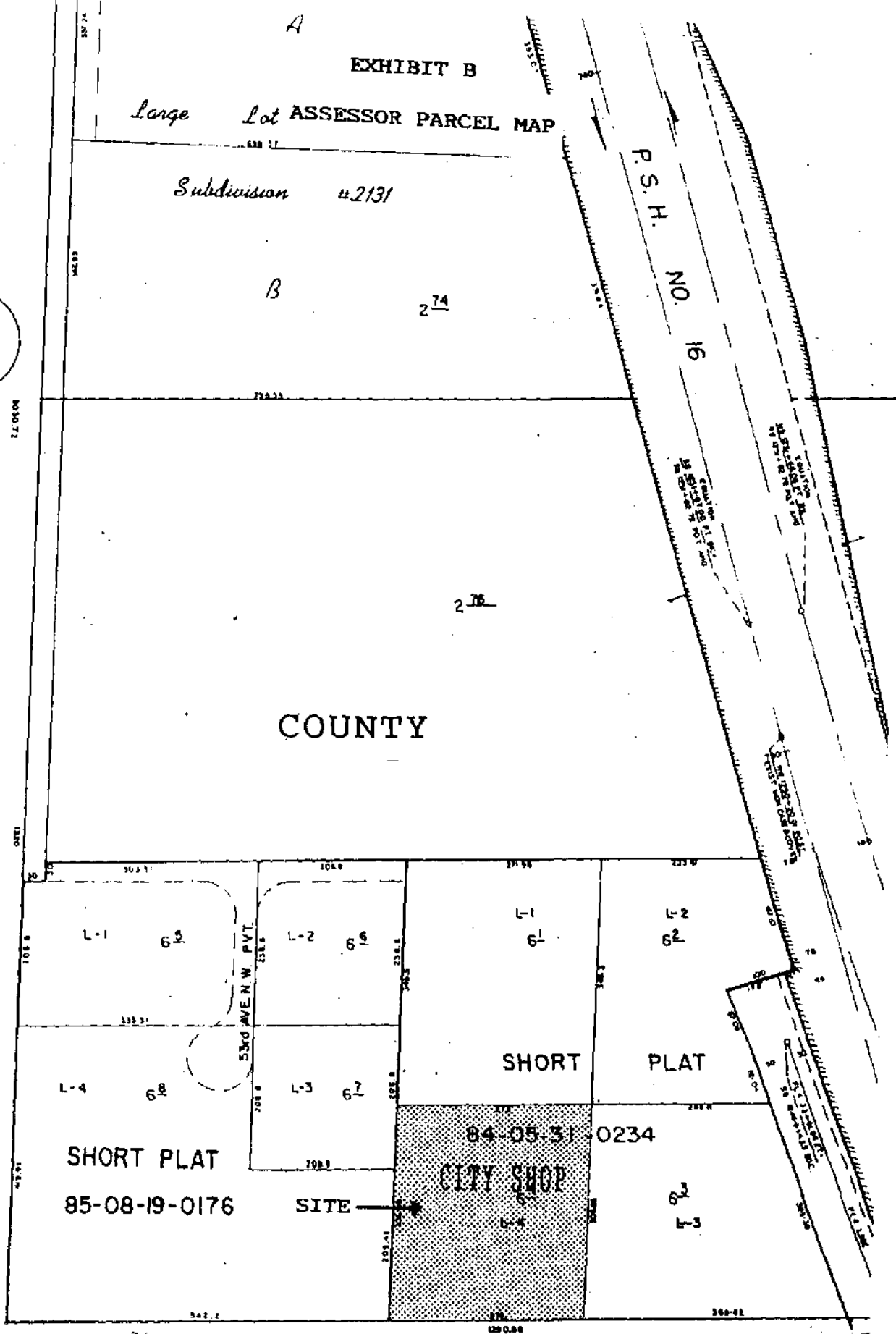
FRD. 5,

T 21

R 2 E

SCALE 1" = 50'

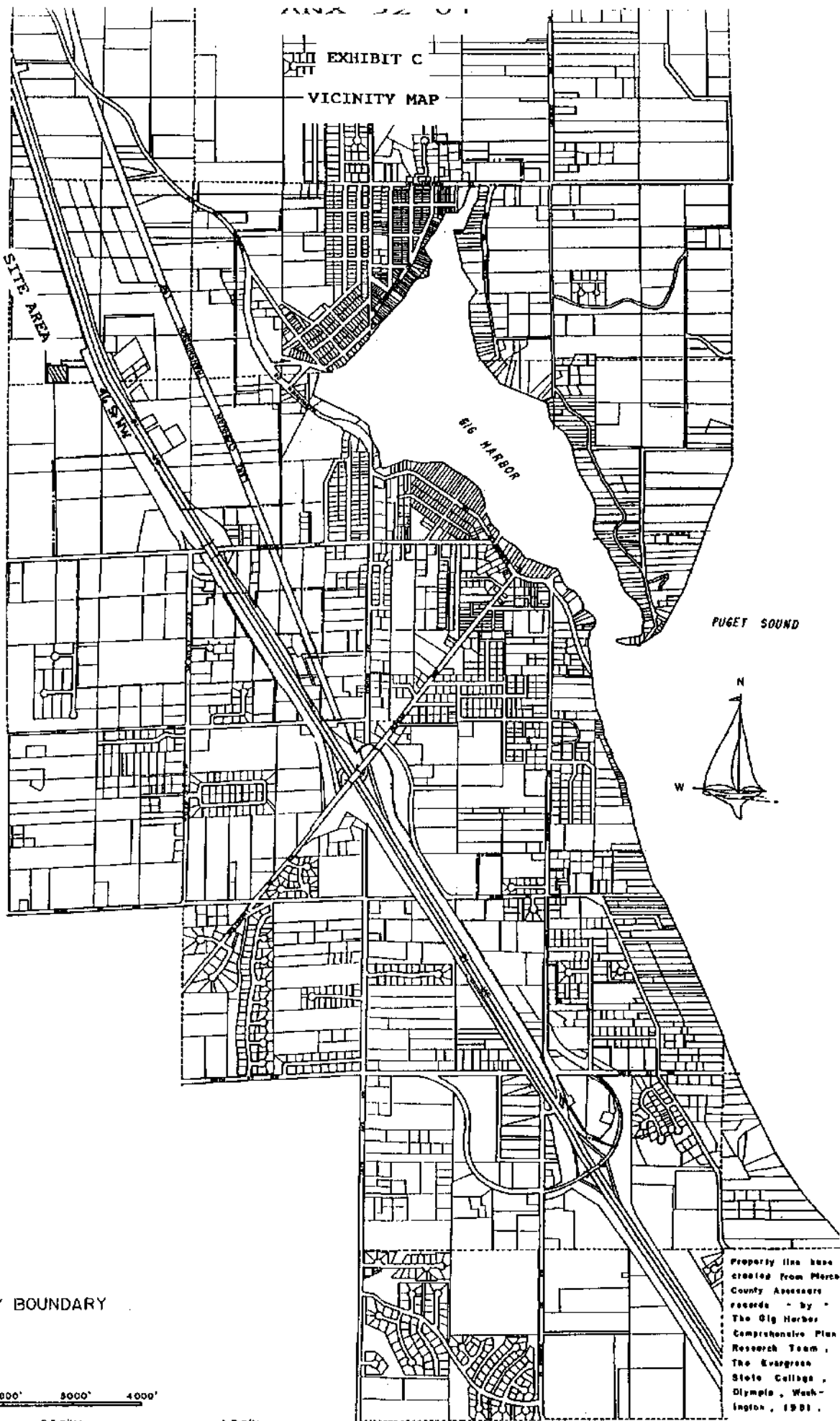
22



ANX 92-01

2

EXHIBIT C
VICINITY MAP



SITE AREA

GIG HARBOR

PUGET SOUND



— CITY BOUNDARY

000' 2000' 3000' 4000'

0.5 miles 1.0 mile

Property lines have been created from Pierce County Assessor's records - by - The Gig Harbor Comprehensive Plan Research Team, The Evergreen State College, Olympia, Washington, 1991.

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 11, 1992.

PRESENT: All present.

PUBLIC COMMENT/DISCUSSION: None scheduled.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the meeting of April 27, 1992.
Frisbie/English - unanimously approved.

CORRESPONDENCE: None.

OLD BUSINESS:

1. Ordinance revising the Uniform Building Code - Second Reading.
Planning Director Ray Gilmore explained revisions to the U.B.C., specifically fireflow. Ordinance number 623 was assigned.

MOTION: To accept revisions to the U.B.C..
Frisbie/English - unanimously approved.

NEW BUSINESS:

1. Award Construction Contract for Soundview Drive.
Public Works Director Ben Yazici reviewed the bid results for the Soundview Drive project, and made recommendations for Item inclusions.

After discussion, Council recommended including all the projects due to the inexpensive cost of asphalt at this time to lock in prices.

Mr. Yazici also asked Council to consider a motion to pay INCA Engineers an additional amount if the job is completed under budget to compensate their overage of \$12,000. Due to legality of the contract language, Councilmembers and legal counsel were reluctant. It may be brought before Council at a later date. No action was taken.

MOTION: To accept staff recommendation and to add the overlay of Stinson, thus accepting items 1, 2, 3, 4, 5, & 6; to authorize staff to pay an

additional \$4,000 for plan revision to reflect Item 6 (removal of concrete pavement); and to pay up to \$16,000 for construction inspection fees.
Frisbie/Stevens-Taylor - unanimously passed.

2. Ordinance RCW 46.61.517 - Refusal to Submit to Breath Test - First Reading.
Mr. Hoppen presented the first reading of the RCW. Chief Denny Richards answered questions.
3. ANX92-01: City Shop Property - First Reading.
Mr. Gilmore explained the desirability of annexing the city shop and answered questions. The public hearing will be held at the second reading.

DEPARTMENT MANAGERS' REPORTS:

1. Police.
Chief Richards showed pictures and answered questions regarding the recent drug bust at the old Coast Guard Station.

COUNCIL COMMITTEE REPORTS: None scheduled.

MAYOR'S REPORT:

1. Update on Pierce County Growth Management Comprehensive Plan.
Mayor Wilbert provided council with meeting information relative to the county's comprehensive plan, and urged attendance to those meetings. Jeanne Stevens-Taylor will attend the Mini-convention on 5/13/92.

APPROVAL OF PAYROLL:

MOTION: To approve payment of warrants #6972 through #7071 in the amount of \$134,540.62.
Platt/English - unanimously approved.

BILLS:

MOTION: To approve payment of warrants #8845 through #8923 - less 8849, plus 8806 in the amount of \$59,364.89.
Platt/Stevens-Taylor - unanimously approved.

EXECUTIVE SESSION:

- MOTION:** To go into executive session at 8:12 p.m. for the purpose of discussing claims and personnel.
Frisbie/English - unanimously approved.
- MOTION:** To return to regular session.
English/Platt - unanimously approved.

OTHER BUSINESS:

- MOTION:** To authorize the Mayor to sign a letter to honor the settlement to Mr. Michael Wilson for compensation in the amount of \$15,718.22 plus his contribution of \$1,376.92 to a 457 Plan, contingent on a full release on all claims by Mr. Wilson whatsoever, past, present and future.
Markovich/Stevens-Taylor - unanimously passed.
- MOTION:** To authorize officer to pay for scratch on car if State Patrol will not pay.
Frisbie/Markovich - unanimously passed.
- MOTION:** To adjourn at 8:45 p.m.
English/Platt - unanimously approved.

Cassette recorder utilized.
Tape 277 Side A 002 - end
Side B 000 - 380

Mayor

City Administrator/Clerk



Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

RECEIVED
MAY 18 1992
CITY OF GIG HARBOR
In Reply Refer To:
7110-23

May 13, 1992

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

Attn: Mayor Gretchen Wilbert

Dear Mayor Wilbert:

Special Temporary Authority is granted to the City of Gig Harbor effective May 13, 1992 and expiring August 13, 1992, under call sign KPD445, in the Local Government Radio Service to operate a base station on frequency .530 MHz. The base station will operate with a maximum output power of 10 watts/10 ERP, an antenna height of 45 feet AGL, and emission designator 6K00A3E, at 8800 State Road 16 Northwest, Gig Harbor, Pierce County, WA, coordinates 47-20-30 N 122-36-00 W.

This Special Temporary Authority is authorized on a secondary non-interference basis. This action will not prejudice the disposition of any formal application for these radio facilities. Retain the original of this authorization with station records and post a photocopy at the control point location.

Sincerely,

Linda S. Spence

for Terry L. Fishel
Chief, Land Mobile Branch

cc: Frank Wright, OET



RECEIVED

May 15, 1992

MAY 18 1992

CITY OF COVINGTON

Dear Community Leader:

Viacom Cable wants to call your attention to a very serious problem that we share with cable systems nationwide. The problem is theft of cable service.

Each year, theft of cable service is draining billions of dollars in revenue from cable companies across America. Beyond the direct economic injury suffered by the cable industry, unauthorized reception of cable service also translates into lost tax dollars and franchise fees for state and local governments, an especially difficult fact to accept in these tough economic times.

Theft of service occurs when people use unauthorized equipment, or when they actually hook themselves up to view cable programming without paying for the right to do so. Part of the problem is that many people do not perceive cable theft as a crime. In reality, theft of cable service is as criminal as shoplifting, with as many far reaching effects.

Theft of Cable TV also creates problems such as signal leakage and poor picture quality for authorized customers. Signal leakage has created interference with police, fire and other emergency radio frequencies, as well as air traffic control frequencies. The Federal Communications Commission has taken steps to control this problem by instituting fines for violations by cable operators; in some cases, certain cable system channels have been shut down completely by the FCC. This has resulted in lengthy loss of service for all customers. In short, cable theft is not only costly, it is a potentially dangerous practice.

We are committed to stopping theft of cable service in our systems, both for the public's safety and to insure that our honest customers no longer pick up the tab for those who do not pay for the cable service they enjoy. Toward this end, we are undertaking an information and education effort to inform our customers and employees about cable theft. In a further effort to minimize cable theft, we are committing resources to conduct audits and work with law enforcement agencies in order to prosecute distributors of illegal cable decoders.

We feel it is important that you, as a community leader, be provided with this information relating to theft of Cable TV service. If you have any questions, please feel free to contact me at (206) 597-7800, extension 7228.

Sincerely,

Diane R. Lachel
Community/Government Relations Manager





WASHINGTON STATE DEPARTMENT OF
Natural Resources

BRIAN BOYLE
Commissioner of Public Lands

OLYMPIA, WA 98504

May 13, 1992

Mr. Mark E. Hoppen
City Administrator
City of Gig Harbor
PO Box 145
Gig Harbor, WA 98335

Subject: Petition for Harbor Line Relocation in Gig Harbor

Dear Mr. Hoppen:

The Department of Natural Resources (DNR) has been contacted by several department lessees from Gig Harbor to consider relocating the established harbor area fronting the City of Gig Harbor, Washington.

Harbor areas are constitutionally authorized and are established to meet the present and future needs of navigation and commerce. The department's policy is to assess the needs of an entire harbor area when considering a change in harbor line relocation initiated by one or more individuals.

The department invites the City of Gig Harbor to consider beginning this process to Petition the Harbor Line Commission in the proposal for harbor line relocation that is supported by other proponents if you believe the City would benefit from this process.

As provided in WAC 332-30-116 upon receipt of a completed harbor line relocation proposal application and SEPA checklist, the DNR's staff will arrange for a public hearing and proceed with bringing this proposal to the commission.

Enclosed you will find the application and SEPA checklist.

If you have any questions regarding this matter or would like to meet to discuss it further, please call me at (206) 586-9036.

Sincerely,

Kathy Marshall

Kathy Marshall, Land Manager
Division of Aquatic Lands

Enc/c: Ann Essko
Dan Barth
Lisa Randlette



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

May 15, 1992

Ms. Kathy Marshall, Land Manager
Division of Aquatic Lands
Department of Natural Resources
Olympia, WA 98504

Subject: Enforcement of Existing Harbor Line in Gig Harbor

Dear Ms. Marshall:

Thank you for advising me of the interests of several department lessees from Gig Harbor who desire the consideration of relocation of the established harbor area fronting the City of Gig Harbor, Washington.

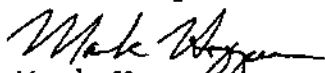
Currently, the City of Gig Harbor is interested primarily in the uniformity and consistency of marine construction in relation to the present outer harbor line. There is no apparent advantage to the public of increasing the length of docks throughout the City of Gig Harbor.

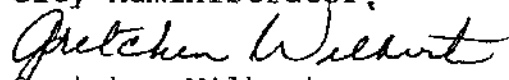
In fact, our prime desire at this time is to encourage the Division of Aquatic Lands to enforce its regulations and set aright any mistakes which have resulted in construction which is out of compliance with the present harbor line.

The best future is one where the outer harbor line is kept intact. The public interest from the perspective of the City of Gig Harbor is for no reconsideration to occur and for stringent enforcement of the existing harbor line with no exceptions.

Unless directed by our City Council, the city will not be submitting a relocation proposal.

Sincerely,


Mark Hoppen
City Administrator,


Gretchen Wilbert
Mayor

CITY OF GIG HARBOR

ORDINANCE NO.

AN ORDINANCE ADOPTING STATE STATUTE RCW 46.61.517, WHICH PROVIDES THAT EVIDENCE OF A PERSON'S REFUSAL TO SUBMIT TO A BREATH TEST IS ADMISSIBLE INTO EVIDENCE AT A SUBSEQUENT CRIMINAL TRIAL, AND SETTING AN EFFECTIVE DATE.

WHEREAS, RCW 46.61.517 states that the refusal of a person to submit to a test of the alcoholic content of the person's blood or breath under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial, and;

WHEREAS, breath test evidence is an important part of any DWI prosecution, and;

WHEREAS, the City of Gig Harbor relies on the Model Traffic Code and periodically enacts other state statutes that are not part of the code, and;

WHEREAS, the City of Gig Harbor has not yet adopted RCW 46.61.517, and;

WHEREAS, the City of Gig Harbor finds it necessary to definitively guarantee the admissibility of such evidence;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Section 10.04.010 is hereby amended as follows:

...

RCW 46.61.517, including all future amendments thereto.

Section 2. This ordinance shall be in full force and take effect five (5) days after publication, according to law.

PASSED by the City Council of the City of Gig Harbor and approved by its Mayor at a regular meeting of the Council held this _____ day of _____, 1992.

Gretchen A. Wilbert, Mayor

Ordinance No.

ATTEST:

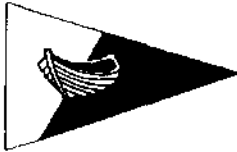
Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 5/8/92

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: Ray Gilmore, Planning Director
DATE: May 21, 1992
SUBJ.: Hearing Examiner Recommendation -- SDP 92-01, Haub Brothers Trust Enterprises

Attached for your consideration is the hearing examiner's report and recommendation for conditional approval of the above referenced shoreline management substantial development permit application. The project consists of the excavation of approximately 150 cubic yards (maximum) of petroleum contaminated soil with on-site remediation, in accordance with applicable County and State health requirements.

The hearing examiner has recommended approval subject to the following conditions:

- 1) Prior to excavation of the site, the applicant shall submit an application for a grading permit to the City of Gig Harbor, which shall include measures for erosion control for, during and after construction. Erosion control measures should, at a minimum, include provisions for siltation fences, hay bales or other appropriate siltation control methods. The grading plans shall also document the preconstruction elevation of the excavated portion of the property.
- 2) The applicant shall comply with the requirements of the Tacoma-Pierce County Health Department and the Department of Ecology in respect to soils analysis and on-site remediation of the contaminated material as detailed in the Tacoma-Pierce County Health Department's letter to Haub Brothers Enterprises Trust.
- 3) Perimeter vegetation inclusive of all existing vegetation within twenty feet of the front property line along Harborview Drive and within ten feet of the east property line shall be retained at the remediation portion of the site. If this is not feasible, the applicant shall submit a landscaping plan which will provide the same degree of screening currently in place.

page 2

Specimens selected for screening shall be capable of meeting the screening/buffering requirements as established in Section 17.78 of the zoning code. The landscape plan shall be submitted prior to issuance of the clearing/grading permit and approved landscaping shall be installed within one growing season after the approval date of the permit.

A resolution and documents pertinent to your review are attached.

CITY OF GIG HARBOR
RESOLUTION No. ____

WHEREAS, Haub Brothers Trust Enterprises have requested a Shoreline Management substantial development to permit the excavation and on-site remediation of approximately 150 cubic yards petroleum contaminated soil; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management permits; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated April 13, 1992; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on April 15, 1992 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 the application in his report dated May 6, 1992; and,

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 reports dated May 6, 1992 are hereby adopted and the application for a Shoreline Management Substantial Development permit is **APPROVED**, subject to the following conditions:

- 1) Prior to excavation of the site, the applicant shall submit an application for a grading permit to the City of Gig Harbor, which shall include measures for erosion control for, during and after construction. Erosion control measures should, at a minimum, include provisions for siltation fences, hay bales or other appropriate siltation control methods. The grading plans shall also document the preconstruction elevation of the excavated portion of the property.
- 2) The applicant shall comply with the requirements of the Tacoma-Pierce County Health Department and

the Department of Ecology in respect to soils analysis and on-site remediation of the contaminated material as detailed in the Tacoma-Pierce County Health Department's letter to Haub Brothers Enterprises Trust.

- 3) Perimeter vegetation inclusive of all existing vegetation within twenty feet of the front property line along Harborview Drive and within ten feet of the east property line shall be retained at the remediation portion of the site. If this is not feasible, the applicant shall submit a landscaping plan which will provide the same degree of screening currently in place. Specimens selected for screening shall be capable of meeting the screening/buffering requirements as established in Section 17.78 of the zoning code. The landscape plan shall be submitted prior to issuance of the clearing/grading permit and approved landscaping shall be installed within one growing season after the approval date of the permit.

PASSED this ____ day of May, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 5/21/92
Passed by City Council:

CITY OF GIG HARBOR
SHORELINE MANAGEMENT ACT OF 1971
PERMIT FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT,
CONDITIONAL USE, OR VARIANCE

- Substantial Development Permit
 Conditional Use
 Variance

Application No. SDP 92-01

Administering Agency City of Gig Harbor

Date Received March 1, 1992

Approved _____ Denied _____

Date of Issuance _____

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted/denied to
Haub Brothers Trust Enterprises, 1810 Island Blvd. W
Tacoma, WA 98466 (name of applicant)

(address)

to undertake the following development Excavate up to 150 cubic
yards of petroleum contaminated soil; remediate on-site in accordance
with Pierce County Health Department requirements.

upon the following property NE 1/4, Sec. 8, T 21N, Range 2E
(Section, Township, Range)

Within Gig Harbor Bay and/or its associated
wetlands. The project will not be within shorelines
(be/not be)

of statewide significance (RCW 90.58.030). The project will
be located within an Urban designation.
(environment)

Development pursuant to this permit shall be undertaken pursuant to the following terms and conditions _____

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.68.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR OS NOT AUTHORIZED UNTIL THIRTY DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCS 90.58.140(5)(a)(b)(c).

(Date)

Mayor, City of Gig Harbor

THIS SECTION FOR DEPARTMENT USE ONLY IN REGARD TO A
CONDITIONAL USE OR VARIANCE PERMIT.

Date received by the department _____

Approved _____

Denied _____

This conditional use/variance permit is approved/denied by the department pursuant to chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

(Date)

(Signature of Authorized Department
Official)

CITY OF GIG HARBOR
HEARING EXAMINER
FINDINGS CONCLUSIONS AND DECISION

APPLICANT: Haub Brothers Enterprises Trust

CASE NO.: SDP 92-01

LOCATION: 2907 Harborview Drive

APPLICATION: Request for a substantial development permit to excavate approximately 150 cubic yards of petroleum contaminated soil, regrade the site and remediate contaminated soil on-site in accordance with State of Washington requirements.

SUMMARY OF RECOMMENDATION AND DECISION:

Planning Staff Recommendation:	Approve with conditions
Hearing Examiner Decision:	Approve with conditions

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 Haub Brothers application was opened at 5:01 p.m., April 22, 1992, in City Hall, Gig Harbor, Washington, and closed at 5:01 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 DECISION:

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, 2, 3, and 4 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.
- B. The applicant's representative testified at the hearing that the tanks have been removed with the City's knowledge and there is some contaminated soil that needs to be removed. He said he had no problems with the conditions recommended by staff.

II. CONCLUSIONS:

- A. The conclusions contained on pages 4 of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference are adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.

III. DECISION:

Based upon the foregoing findings of fact and conclusions, the requested shoreline substantial development permit is approved, subject to the following conditions:

1. Prior to excavation of the site, the applicant shall submit an application for a grading permit to the City of Gig Harbor, which shall include measures for erosion control for, during and after construction. Erosion control measures should, at a minimum, include provisions for siltation fences, hay bales or other appropriate siltation control methods. The grading plans shall also document the preconstruction elevation of the excavation portion of the property.
2. The applicant shall comply with the requirements of the Tacoma-Pierce County Health Department and the Department of Ecology in respect to soils analysis and on-site remediation of the contaminated material as detailed in the Tacoma-Pierce County Health Department's letter to Haub Brothers Enterprises Trust.
3. Perimeter vegetation inclusive of all existing vegetation within twenty feet of the front property line along Harborview Drive and within ten feet of the east property line shall be retained at the remediation portion of the site. If this is not feasible, the applicant shall submit a landscaping plan which will provide the same degree of screening currently in place. Specimens selected for screening shall be capable of meeting the screening/buffering requirements as established in Section 17.78 of the zoning code. The landscape plan shall be submitted prior to issuance of the clearing/grading permit and approved landscaping shall be installed within one growing season after the approval date of the permit.

Dated this 6th day of May, 1992.



Ron McConnell
Hearing Examiner

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.

APPEAL OF EXAMINER'S DECISION:

Any party who feels aggrieved by the Examiner's decision may submit an appeal in writing to the Gig Harbor Planning Director within fourteen (14) days from the date the final decision of the Examiner is rendered, requesting a review of such decision.

Such appeal shall be upon the record, established and made at the hearing held by the Examiner. Whenever a decision of the Examiner is reviewed by the City Council pursuant to this section, other parties of record may submit written memoranda in support of their position. In addition, the Council shall allow each side no more than fifteen minutes of oral presentation. However, no new evidence or testimony shall be presented to the Council during such oral presentation. The City Council shall accept, modify or reject any findings or conclusions, or remand the decisions of the Examiner for conclusions, or remand the decisions of the Examiner for further hearing; provided that any decision of the City Council shall be based on the record of the hearing conducted by the Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion.

Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a review shall be held by the City Council. Such review shall be held in accordance with appeal procedures adopted by the City Council by resolution. If the Examiner has recommended approval of the proposal, such recommendation shall be considered by the City Council at the same time as the consideration of the appeal.

Further action by the Examiner shall be within thirty (30) days of the reconsideration request.

**MINUTES OF THE APRIL 22, 1992
HEARING ON THE HAUB BROTHERS ENTERPRISES TRUST
APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing were: Ray Gilmore, representing the City of Gig Harbor, and Bob Stoaks representing the applicant.

EXHIBIT:

The following exhibit was offered and entered into the record:

- A. Planning Staff's Advisory Report with attachments.

PARTIES OF RECORD:

Robert Stoaks
Haub Enterprises Trust
1810 Island Blvd. West
Tacoma, WA 98466

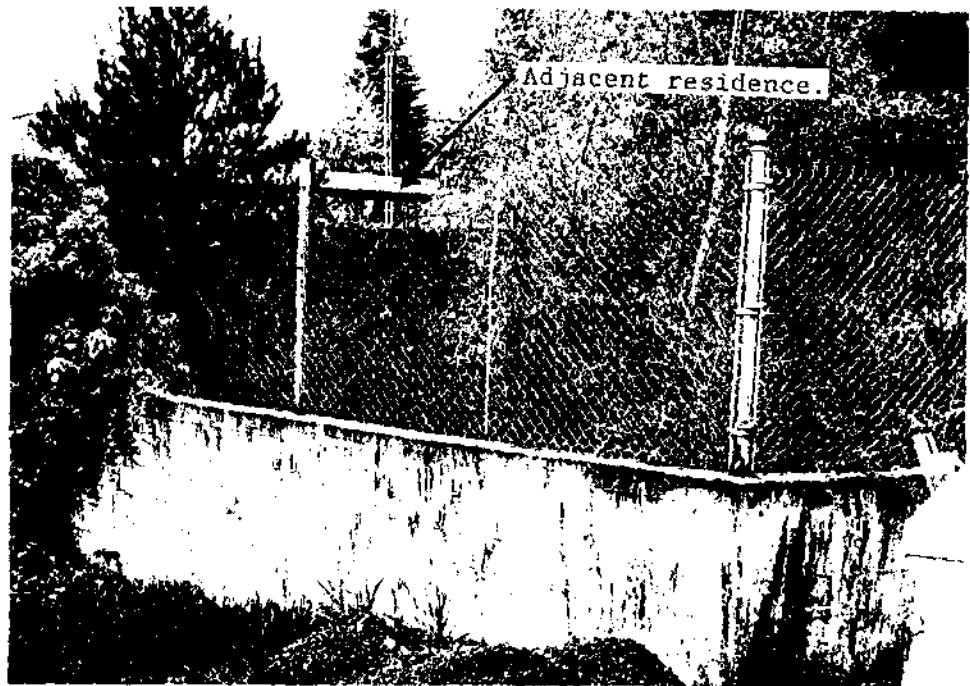
SDP 92-01 HAUB BROTHERS



PHOTOGRAPH BY J. J. HUBBARD

-- Street side view of disposal area and adjacent property. --

SDP 92-01




Disposal site, behind fence.





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

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore, Planning Director
DATE: May 21, 1992
SUBJ.: Hearing Examiner Recommendation -- SDP 92-02,
Monument Construction, Inc., Dorotich Marina

Attached for your consideration is the hearing examiner's report and recommendation for conditional approval of the above referenced shoreline management substantial development permit application. The project consists of the completion of the 48-slip Dorotich Marina.

The hearing examiner has recommended approval subject to the following conditions:

1. Pursuant to the City Shoreline Master Program which requires consistency with the Department of Fisheries guidelines, the applicant shall submit a design for stormwater management that meets the WDOF minimum guidelines. The stormwater plan shall also be consistent with the design standards of the City Department of Public Works for on-site stormwater retention and release.
2. A final landscaping plan meeting the requirements of Section 17.78 shall be submitted to the Planning Department for review and approval prior to issuance of the building permit for the project. Landscaping must be installed prior to issuance of a certificate of occupancy for the project.
3. A plan for exterior lighting and screening meeting the requirements of Section 17.48.090 shall be submitted for review and approval prior to the issuance of a building permit.
4. Fire protection improvements, including fire flow as required by the Gig Harbor Fire Code, shall be provided to the moorage facility.
5. Consistent with the City of Gig Harbor Shoreline Master Program which requires that no moorage or moored vessel shall extend beyond the outer harborline, the applicant or owner shall provide

verification by a drawing or sketch, signed by a licensed surveyor, the identification and reference to a local survey monument to document the outer harbor line. This shall be submitted prior to issuance of the certificate of occupancy.

6. Consistent with the City of Gig Harbor Shoreline Master Program, the applicant or owner shall submit a plan for waste disposal. The plan shall provide for a method to accommodate, process and convey sewage wastes from pleasurecraft moored as "liveaboards" at the facility and shall also include a waste pump-out facility for marina patrons. The plan shall be reviewed by the City Public Works Department for acceptance prior to implementation. The marina owner or operator will be responsible for maintenance and management of the waste disposal facility.
7. Informational signage shall be displayed at appropriate locations within the marina, and accessible to marina patrons, advising boaters of applicable federal and state laws governing the storage and disposal of sewage wastes.

A resolution and documents pertinent to your review are attached.

CITY OF GIG HARBOR
RESOLUTION No. ____

WHEREAS, Monument Construction, Inc., has requested a Shoreline Management substantial development to complete the construction of a 48 slip marina, including associated upland parking; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of Shoreline Management permits; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated April 13, 1992; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on April 15, 1992 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 the application in his report dated May 6, 1992; and,

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 reports dated May 6, 1992 are hereby adopted and the application for a Shoreline Management Substantial Development permit is **APPROVED**, subject to the following conditions:

1. Pursuant to the City Shoreline Master Program which requires consistency with the Department of Fisheries guidelines, the applicant shall submit a design for stormwater management that meets the WDOF minimum guidelines. The stormwater plan shall also be consistent with the design standards of the City Department of Public Works for on-site stormwater retention and release.
2. A final landscaping plan meeting the requirements of Section 17.78 shall be submitted to the Planning Department for review and approval prior to issuance of the building permit for the

project. Landscaping must be installed prior to issuance of a certificate of occupancy for the project.

3. A plan for exterior lighting and screening meeting the requirements of Section 17.48.090 shall be submitted for review and approval prior to the issuance of a building permit.
4. Fire protection improvements, including fire flow as required by the Gig Harbor Fire Code, shall be provided to the moorage facility.
5. Consistent with the City of Gig Harbor Shoreline Master Program which requires that no moorage or moored vessel shall extend beyond the outer harborline, the applicant or owner shall provide verification by a drawing or sketch, signed by a licensed surveyor, the identification and reference to a local survey monument to document the outer harbor line. This shall be submitted prior to issuance of the certificate of occupancy.
6. Consistent with the City of Gig Harbor Shoreline Master Program, the applicant or owner shall submit a plan for waste disposal. The plan shall provide for a method to accommodate, process and convey sewage wastes from pleasurecraft moored as "liveaboards" at the facility and shall also include a waste pump-out facility for marina patrons. The plan shall be reviewed by the City Public Works Department for acceptance prior to implementation. The marina owner or operator will be responsible for maintenance and management of the waste disposal facility.
7. Informational signage shall be displayed at appropriate locations within the marina, and accessible to marina patrons, advising boaters of applicable federal and state laws governing the storage and disposal of sewage wastes.

page 3

PASSED this _____ day of May, 1992.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 5/21/92
Passed by City Council:

CITY OF GIG HARBOR
SHORELINE MANAGEMENT ACT OF 1971
PERMIT FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT,
CONDITIONAL USE, OR VARIANCE

- Substantial Development Permit
 Conditional Use
 Variance

Application No. SDP 92-02

Administering Agency City of Gig Harbor

Date Received February 28, 1992

Approved _____ Denied _____

Date of Issuance _____

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted/denied to
Monument Construction, Inc. P.O. Box 2002
(name of applicant)

Gig Harbor, WA 98335
(address)

to undertake the following development Construct a 48 slip
Marina; provide upland parking for 51 vehicles

upon the following property SW 1/4, Sec. 2, T 21N, R 2E
(Section, Township, Range)

Within Gig Harbor Bay and/or its associated
wetlands. The project will not be within shorelines
(be/not be)

of statewide significance (RCW 90.58.030). The project will
be located within an Urban designation.
(environment)

Development pursuant to this permit shall be undertaken pursuant to the following terms and conditions _____

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.68.140(7) in the event the permittee fails to comply with the terms or conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR OS NOT AUTHORIZED UNTIL THIRTY DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCS 90.58.140(5)(a)(b)(c).

(Date) Mayor, City of Gig Harbor

THIS SECTION FOR DEPARTMENT USE ONLY IN REGARD TO A CONDITIONAL USE OR VARIANCE PERMIT.

Date received by the department _____

Approved _____ Denied _____

This conditional use/variance permit is approved/denied by the department pursuant to chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

(Date) (Signature of Authorized Department Official)

**CITY OF GIG HARBOR
HEARING EXAMINER
FINDINGS CONCLUSIONS AND DECISION**

APPLICANT: MCI Development
CASE NO.: SDP 92-02
LOCATION: 3323 Harborview Drive
APPLICATION: Request for a shoreline substantial development permit for the completion of a 48 slip marina and associated upland parking (previously approved as SDP 85-02)

SUMMARY OF RECOMMENDATION AND DECISION:

Planning Staff Recommendation:	Approve with conditions
Hearing Examiner Decision:	Approve with conditions

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 MCI Development application was opened at 5:13 p.m., April 22, 1992, in City Hall, Gig Harbor, Washington, and closed at 5:30 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 DECISION:

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 to 6 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 a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.
- B. Ray Gilmore reviewed the staff report at the hearing. He said the case is a re-application of a case that had been previously approved, but that the permit had expired. He said the landscape plan will need to be reviewed for consistency with the coe and he said condition #7 in the staff report (regarding signage) is a new requirement since the 1985 approach.

- C. A letter from the Washington State Department of Fisheries was entered into record. The letter raised a concern about impacts to marine waters stemming from runoff. The letter included an enclosure on stormwater guidelines (Exhibit B).
- D. The Fisheries letter was responded to by John Kerr, the applicant, (Exhibit C). His letter explained that the upland portion of the project had been completed under the previous permit.
- E. Jim Richardson, representing the applicant, reiterated that this application is for the "floating portion" of the development. He said since the upland portion of the project was built under previous permit, the stormwater issue raised by Fisheries is not applicable to this case. He also indicated that all the dredging was also completed under the old permit.
- F. Paul Gustafson testified that he was the former owner, that he lives on the property, and that he has personally reviewed the storm drainage system which had been installed under the old permit. He said he felt the stormwater system was worked completely.
- G. John Paglia said he felt the entire project should meet today's requirements. He also felt that further use of the property, such as parking for a restaurant, should not be allowed.
- H. Terry Donahue, representing the applicant, said this application is only for the marina and it does not include a restaurant.
- I. Jim Richardson said he objects to limiting the use to only that which is before us with this application.

II. CONCLUSIONS:

- A. The conclusions contained on pages 6 and 7 of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference are adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.
- B. The application is subject to all pertinent adopted regulations in effect at the time of the application.

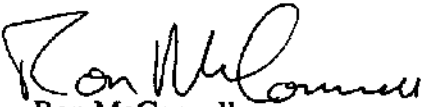
III. DECISION:

Based upon the foregoing findings of fact and conclusions, the requested shoreline substantial development permit is granted subject to the following conditions:

- 1. Pursuant to the City Shoreline Master Program which requires consistency with the Department of Fisheries guidelines, the applicant shall submit a design for stormwater management that meets the WEOF minimum guidelines. The stormwater plan shall also be consistent with the design standards of the City Department of Public Works for on-site stormwater retention and release.

2. A final landscaping plan meeting the requirements of Section 17.78 shall be submitted to the Planning Department for review and approval prior to issuance of the building permit for the project. Landscaping must be installed prior to issuance of a certificate of occupancy for the project.
3. A plan for exterior lighting and screening meeting the requirements of Section 17.48.090 shall be submitted for review and approval prior to the issuance of a building permit.
4. Fire protection improvements, including fire flow as required by the Gig Harbor Fire Code, shall be provided to the moorage facility.
5. Consistent with the City of Gig Harbor Shoreline Master Program which requires that no moorage or moored vessel shall extend beyond the outer harborline, the applicant or owner shall provide verification by a drawing or sketch, signed by a licenses surveyor, the identification and references to a local survey monument to document the outer harbor line. This shall be submitted prior to issuance of the certificate of occupancy.
6. Consistent with the City of Gig Harbor Shoreline Master Program, the applicant or owner shall submit a plan for waste disposal. The plan shall provide for a method to accommodate, process and convey sewage wastes from pleasurecraft moored as "liveaboards" at the facility and shall also include a waste pump-out facility for marina patrons. The plan shall be reviewed by the City Public Works Department for acceptance prior to implementation. The marina owner or operator will be responsible for maintenance and management of the waste disposal facility.
7. Informal signage shall be displayed at appropriate locations within the marina, and accessible to marina patrons, advising boaters of applicable federal and state laws governing the storage and disposal of sewage wastes.

Dated this 6th day of May, 1992.


Ron McConnell
Hearing Examiner

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.

APPEAL OF EXAMINER'S DECISION:

Any party who feels aggrieved by the Examiner's decision may submit an appeal in writing to the Gig Harbor Planning Director within fourteen (14) days from the date the final decision of the Examiner is rendered, requesting a review of such decision.

Such appeal shall be upon the record, established and made at the hearing held by the Examiner. Whenever a decision of the Examiner is reviewed by the City Council pursuant to this section, other parties of record may submit written memoranda in support of their position. In addition, the Council shall allow each side no more than fifteen minutes of oral presentation. However, no new evidence or testimony shall be presented to the Council during such oral presentation. The City Council shall accept, modify or reject any findings or conclusions, or remand the decisions of the Examiner for conclusions, or remand the decisions of the Examiner for further hearing; provided that any decision of the City Council shall be based on the record of the hearing conducted by the Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion.

Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a review shall be held by the City Council. Such review shall be held in accordance with appeal procedures adopted by the City Council by resolution. If the Examiner has recommended approval of the proposal, such recommendation shall be considered by the City Council at the same time as the consideration of the appeal.

Further action by the Examiner shall be within thirty (30) days of the reconsideration request.

**MINUTES OF THE APRIL 22, 1992
HEARING ON THE MCI DEVELOPMENT
APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing were: Ray Gilmore, representing the City of Gig Harbor; Jim Richardson and Terry Donahue, representing the applicant; also participating in the hearing were: Paul Gustafson, John Paglia and Michael Jackson.

EXHIBITS:

The following exhibits were offered and entered into the record:

- A. Planning Staff's Advisory Report with attachments.
- B. Letter from Neil Rickard, dated 4/2/92
- C. Letter from John Kerr, dated 4/13/92

PARTIES OF RECORD:

John Kerr
MCI Development
P.O. Box 2002
Gig Harbor, WA 98335

James Richardson
8811 North Harborview Drive
Gig Harbor, WA 98335

Paul Gustafson
8215 Dorotich Avenue
Gig Harbor, WA 98335

Neil Rickard
Habitat Management Division
Department of Fisheries
115 General Administration Building
Olympia, WA 98504

John Paglia
Suite 304
705 South 9th Street
Tacoma, WA 98405

Terry Donahue
1201 Pacific
Tacoma, WA 98402

Michael Jackson
15050 Crescent Valley S.E.
Gig Harbor, WA 98359

SDP 92-02 MONMENT DEV. INC.




— Marina site and uplands. —





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

TO: Mayor Wilbert and City Council
FROM:  Ray Gilmore
DATE: May 21, 1992
SUBJ.: Request to Extend/Eliminate Expiration Date,
Wetland Ordinance.

As Council may recall, the Interim Wetland Management Ordinance was adopted in November of 1991 with a provision that, upon the completion of wetland mapping, the ordinance will be reviewed by Planning Commission and City Council and revised as appropriate. This section also contained a "sunset clause" which mandates the ordinance to expire, in its current form, by no later than June 15, 1992.

The draft wetlands maps have been completed and a hearing is scheduled before the Planning Commission on May 19th. Given the time needed to review testimony and provide recommendations to the Council, it will be extremely difficult to have the maps adopted and the ordinance revised by Council by the June 15th deadline.

Staff recommends that, at a minimum, Section 4 of the interim wetland ordinance be amended to change the expiration date to August 31, 1992. This should allow adequate time to review the ordinance with the Planning Commission and make adjustments, as appropriate.

CITY OF GIG HARBOR
ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING ORDINANCE NO. 611, SECTION 4, TO REVISE THE EXPIRATION DATE OF THE ORDINANCE FROM JUNE 15, 1992 TO AUGUST 31, 1992.

WHEREAS, the City of Gig Harbor adopted Ordinance No. 611 on November 12, 1991; and,

WHEREAS, Section 4 of Ordinance No. 611 provided that upon the completion of wetlands mapping for the City, and upon further review by the planning commission and city council, the ordinance would be revised and its current form would expire no later than June 15, 1992; and,

WHEREAS, the City retained a consultant to delineate, identify and classify wetlands within the City, which has been accomplished as of May 1, 1992; and,

WHEREAS, for the Planning Commission to conduct a public hearing and worksession and City Council to complete its review of the mapping project and revisions to the ordinance would require additional time beyond the June 15 deadline; and,

WHEREAS, a revised expiration date of at least two months is reasonable to complete the review.

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

Section 1 Section 4 of Ordinance 611 is hereby amended as follows:

This ordinance shall take effect and be in full force five (5) days after the publication. Upon completion of the mapping of wetlands within the current city boundary, this ordinance will be reviewed by the Planning Commission and City Council and revised as appropriate. The ordinance, in this current form, will expire no later than ~~June 15~~ August 31, 1992.

Wetland Ordinance Time Extension
page 2

Gretchen Wilbert

ATTEST:

Mark E. Hoppen
City Administrator

Filed with City Clerk:
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 COUNCILMEMBERS
FROM: BEN YAZICI, DIRECTOR OF PUBLIC WORKS *BY*
DATE: MAY 21, 1992
SUBJECT: RAINIER VIEW WATER COMPANY -
SALE OF OLYMPIC WATER SERVICE

Attached please find a copy of the letter from Rainier View Water Company, Inc., asking if the City of Gig Harbor is interested in purchasing their Olympic Mall Water System.

Initial discussion with Rainier Water indicated that the subject system does not meet the city's standards and would require upgrading.

The purpose of this memo is to ask Council whether or not we would be interested in purchasing this system. If there is interest, it would be necessary to obtain more information on the system deficiencies and the related costs to bring the system to city standards.

Rainier Water Company would not place a purchase price on the system until they find out whether or not the city is interested in purchasing it.

RAINIER VIEW WATER CO., INC.
P.O. BOX 44427 - 219 115TH ST S.
TACOMA, WA 98444
PHONE: 537-6634
1-800-562-6542
FAX 537-7896

May 7, 1992

City of Gig Harbor
Ben Yazici
P.O. Box 145
Gig Harbor, Wa 98335

RE: Olympic Mall Water System

Dear Mr. Yazici,

Rainier View Water Co., Inc. is in the process of consolidating its service area and concentrating it's resources on it's major systems.

In an effort to achieve this consolidation we must sell several of our systems. We are looking to sell the systems to the adjoining water purveyors, which may augment both systems.

As an adjoining water purveyor, we would be interested in selling you the Olympic Mall Water System, before selling to another party that would operate it as a independent water system.

The Olympic Mall Water System is comprised of the following:

284 customers (Commercial, Multi-Family & Residential)

695,000 gallon standpipe

150,000 ground level conc. storage

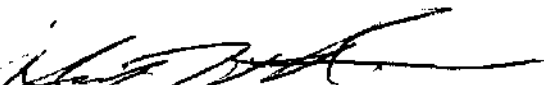
2 - 8" wells (250 gpm ea.)

Commercial Properties - 8", 10" & 12" Water Mains

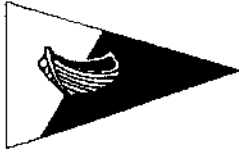
Residential Properties - 6" & 8" Water Mains

If you have any questions or request further information, please contact me.

Sincerely,



Neil H. Richardson
President



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

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: BEN YAZICI, PUBLIC WORKS DIRECTOR *BY*
SUBJECT: PIONEER WAY OVERLAY PROJECT, STINSON AVENUE
OVERLAY PROJECT - CONSTRUCTION CHANGE ORDERS
DATE: MAY 22, 1992

The City Council at their May 13, 1992 meeting awarded various street construction projects to Tucci & Sons for \$1,223,599.12. Overlaying the existing pavement on Pioneer Way and Stinson Avenue are part of the total scope of the work to be performed by Tucci & Sons. Before the overlay jobs are performed, curbs, gutters, sidewalks, and storm drainage systems on Stinson Avenue must be constructed in order to prevent any pavement cuts right after the streets are overlaid.

We have just completed the design of the Pioneer Way sidewalks and storm drainage improvements and we will complete the design of the Stinson Avenue storm drainage project by the end of next week. It will take at least another four weeks to complete the advertising, awarding the contract, and having the contractor begin the work on these streets.

In order to minimize the traffic disruption to the downtown merchants, it is imperative that the contractor not be working on two streets at the same time. I would like to see Tucci & Sons overlay Pioneer first, then overlay Stinson second, and start the Soundview Drive project last. To be able to follow this schedule and beat the rainy weather conditions on the last project (Soundview Drive), the contractor must proceed with the overlay of Pioneer no later than June 15, 1992.

If we do competitive bidding on the Pioneer Way sidewalk/storm drainage project and Stinson Avenue storm drainage project, I am concerned that the streets will not be ready to be overlaid before June 15, 1992.

We have the following options to eliminate this scheduling and traffic control problems:

- 1) If Tucci & Sons is willing to build the curbs, gutters, sidewalks, and storm drainage project on Pioneer Way and Stinson Avenue at the same unit bid prices as the Soundview Drive/Hunt Street project, have them do it as a construction change order to the original contract.

- 2) Have Tucci & Sons start working on Soundview Drive and Hunt Street as the first part of the task and overlay the Pioneer and Stinson Avenue projects when the streets are ready to be overlaid.
- 3) Construct only Soundview Drive and Hunt Street projects this year and postpone the overlay jobs to next year.

FINANCING

We have budgeted a total of \$130,000 for the Stinson Avenue storm drainage improvements and a total of \$90,000 for the Pioneer Way sidewalk and storm drainage improvements.

These funds are in addition to the funds of \$1,223,599.12 budgeted in 1992 for Soundview/Hunt Street, Pioneer overlay, Stinson overlay, city shop overlay, and Fuller Street paving projects.

RECOMMENDATION:

I recommend a council motion to authorize the staff to approve a change order to build the curbs, gutters, sidewalk, and storm drainage projects on Pioneer Way and Stinson Avenue if Tucci & Sons is willing to build them at the same unit bid prices as the Soundview Drive/Hunt Street unit bid prices.

Tucci & Sons have indicated that they are willing to build these projects at the same unit prices as the Soundview Drive project. I will have the complete proposal for you to review at the council meeting.

Tucci&Sons Inc.



May 22, 1992

Ben Yazici
City of Gig Harbor
P.O. Box 145
Gig Harbor, Washington 98335

Re: Soundview Drive/Hunt Street Improvements

Dear Ben:

Per our discussion, we would be willing to perform the additional change order storm drainage and concrete work on Pioneer Avenue at unit contract prices for any and all work performed along with the following additional unit prices:

Mobilization	Lump Sum	\$2,000.00
Survey	Lump Sum	2,050.00
Traffic Control	Lump Sum	9,430.00
12" Storm Drain	Per LF	19.15
Conversion of Gravel Borrow to Tonnage	Per Ton	10.00

We would be willing to perform the storm drainage and related work on Stinson Avenue also at unit contract prices along with the following additional prices:

Mobilization	Lump Sum	\$1,200.00
Survey	Lump Sum	1,560.00
Traffic Control	Lump Sum	3,830.00

If you have any questions, you may contact our office.

Sincerely,

TUCCI & SONS, INC.

Richard J. Day
Richard J. Day
Chief Estimator

RJD:dj





Return Original to: WASHINGTON STATE LIQUOR CONTROL BOARD
License Division - MS ES 31, Olympia, WA 98504-2531

RECEIVED

MAY 11 1992

TO: MAYOR OF GIG HARBOR

DATE: 5-6-92 CITY OF GIG HARBOR

RE: SPECIAL OCCASION #351502

NEVILLES SHORELINE
8827 N HARBORVIEW
GIG HARBOR, WA

CLASS I FOR: PENINSULA SCHOOL DISTRICT RETIREMENT CLUB

DATE: JUNE 5, 1992 TIME: 5PM TO 2AM

PLACE: GIG HARBOR YACHT CLUB,

CONTACT: SUSAN BOWMAN 851-6171

RETAIL LICENSES

- A - Restaurant or dining place - Beer on premises.
- B - Tavern - Beer on premises.
- C - Wine on premises.
- D - Beer by open bottle only - on premises.
- E - Beer by bottle or package - off premises.
- F - Wine by bottle or package - off premises.
- H - Spirituous liquor by individual glass and/or beer and wine on premises
- L - Spirituous liquor by individual glass and/or beer and wine on premises for non profit arts organization during performances.
- P - Gift delivery service or florist with wine.

SPECIAL OCCASION LICENSES

- G - License to sell beer on a specified date for consumption at specific place.
- I - Annual added locations for special events (Class H only).
- J License to sell wine on a specific date for consumption at a specific place.
- Wine in unopened bottle or package in limited quantity for off premises consumption.
- K - Spirituous liquor by the individual glass for consumption at a specific place.

NON-RETAIL LICENSES

- N1-Manufacturers, except Distiller, Breweries and Wineries
- N2-Distillers License
- N3-Distiller's License (Commercial Chemist)
- N4-Distiller's License (Fruit and/or Wine).
- N5-Liquor Importer
- NS-Ship Chandler - Duty Free Exporter
- B1-Domestic Brewers
- B2-Beer Wholesaler
- B3-Beer Certificate of Approval in state.
- B4-Beer Importer
- W1-Domestic Winery.
- W2-Wine Wholesaler
- W3-Wine Importer
- W4-Wine certificate of approval in state
- W5-Bonded Wine Warehouse
- W6-Growers License - to sell wine in bulk.

PERMITS

- Class 4 - Annual Permit
- Class 11 - Bed & Breakfast.

CCI

- CC11 - Interstate Common Carrier

Notice is given that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within 20 DAYS (10 days notice given for Class I) from the date listed above, it will be assumed that you have no objection to the issuance of the license. If additional time is required please advise.

- | | | |
|---|--------------------------|--------------------------|
| | YES | NO |
| 1. Do you approve of applicant ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken ? | <input type="checkbox"/> | <input type="checkbox"/> |

OPTIONAL CHECK LIST:	EXPLANATION	YES	NO
LAW ENFORCEMENT		<input type="checkbox"/>	<input type="checkbox"/>
HEALTH & SANITATION		<input type="checkbox"/>	<input type="checkbox"/>
FIRE, BUILDING, ZONING		<input type="checkbox"/>	<input type="checkbox"/>
OTHER		<input type="checkbox"/>	<input type="checkbox"/>

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based. See RCW 66.24.010(8)

DATE

SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

