

GIG HARBOR CITY COUNCIL MEETING

NOVEMBER 25, 1991

7:00 p.m. City Hall Council Chambers

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
NOVEMBER 25, 1991

PUBLIC COMMENT/DISCUSSION:

PRESENTATION:

- 700 1. Korean War Veterans Memorial. \$1,250 Request

CALL TO ORDER:

PUBLIC HEARINGS:

1. 1992 City Budget and 1992 City employees salary schedule.

725 APPROVAL OF MINUTES:

CORRESPONDENCE:

1. Pierce County notice of public meetings adopting fish and wildlife habitats and wetlands management regulations.

725 OLD BUSINESS:

1. Resolution regarding utility service extension.

~~2. Reconsideration of Personnel Policy - Pulled from Agenda~~

NEW BUSINESS:

- 720 1. 1992 Property Tax Levy Ordinance - 1st reading.

731 2. 1992 Police Guild Agreement and City Employees Salary Adjustment.

3. ~~Utility System Financial Overview.~~

742 Hearing Examiner report and recommendation on SDP90-02: Frisbie/Allen boat moorage expansion.

- 755 5. Resolution authorizing the public works director to approve projects.

757 6. Request for sewer capacity - Purdy area properties.

822 7. Resolution to form Gig Harbor North ULID. No. 3

8. Expansion of sewer utility capacity - Dept. of Corrections.

9. Creek identification signs.

10. New liquor license application - Gig Harbor Yacht Club.

902 11. Transfer of liquor license application - Golden Dragon Restaurant.

MAYOR'S REPORT:

1. Audit update.

APPROVAL OF BILLS: Warrants #8038 through #8118 for \$53,786.65.

ADJOURN:

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF GIG HARBOR, WASHINGTON, FOR THE 1992 FISCAL YEAR.

WHEREAS, the mayor of City of Gig harbor, Washington completed and placed on file with the city administrator/ clerk a proposed budget and estimate of the amount of the moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses of government of said city for the 1991 fiscal year, and a notice was published that the Gig Harbor City Council would meet on November 12 and 25, 1991 at 7:00 p.m., in the council chambers in the city hall for the purpose of making and adopting a budget for 1992 and giving taxpayers an opportunity to be heard on the budget; and

WHEREAS, the said city council did meet at the established time and place and did consider the matter of the 1992 proposed budget; and

WHEREAS, the 1992 proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Gig Harbor for the purposes set forth in the budget, and the estimated expenditures set forth in the budget being all necessary to carry on the government of Gig Harbor for 1992 and being sufficient to meet the various needs of Gig Harbor during 1992.

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

Section 1. The budget for the City of Gig Harbor, Washington, for the year 1992 is hereby adopted in its final form and content as set forth in the document entitled City of Gig Harbor 1992 Budget, three (3) copies of which are on file in the office of the city administrator/clerk.

Section 2. Estimated resources, including fund balances or working capital for each separate fund of the City of Gig Harbor, and aggregate totals (net of transactions between funds) for all funds combined, for the year 1992 are set forth in summary form below, and are hereby appropriated for expenditure during the year 1992 as set forth below:

<u>Fund</u>	<u>Department</u>	<u>Amount</u>
General (001)	Legislative	\$ 13,300
	Municipal Court	141,500
	Administration/Finance	194,180
	Legal Services	36,500
	Police	636,990
	Hearing Examiner	14,500
	Planning & Community Dev.	180,150
	Parks and Recreation	89,325
	Building	33,800
	Non-departmental	792,276
	Ending Fund Balance	131,899
	Total General Fund	\$ 2,257,120
Street Operating Fund (101)		\$ 864,371
Risk Management (103)		202,000
Trust Fund - Misc. (Performance Pay) (104)		20,670
Drug Investigation Fund (105)		10,800
Kimball/Hunt Construction (106)		683,500
Hotel/Motel Tax (107)		2,300
Soundview Drive Construction (108)		937,000
G.O. Fire - Debt Service (200)		20,930
G.O. Sewer - Debt Service (201)		85,500
G.O. P.W. Bldg. - Debt Service (202)		27,500
G.O. Sewer Bond Redemption (203)		679,200
Kimball/Hunt LID (206)		683,500
General Gov't Capital Asset Fund (301)		303,500
Capital Improvement Fund (305)		35,000
Water Operating Fund (401)		474,900
Sewer Operating Fund (402)		693,850
Sewer Capital Replacement (404)		96,000
Storm Drainage Operating Fund (411)		473,200
Utility Bond Redemption Fund (408)		490,276
Sewer Capital Asset Fund (410)		1,956,500
Utility Reserve (407)		415,350
Advanced Refunding Bond Redemption (413)		162,500
Water Capital Asset Fund (420)		227,500
Trust - Lighthouse Maintenance (605)		4,000
G.O. Soundview - Debt Service (208)		119,450
Total All Funds		\$ 11,814,417

Section 3. Attachment "A" is adopted as the 1992 personnel salary schedule.

1992 Budget Ordinance

Page 3

Section 4. The city administrator/clerk is directed to transmit a certified copy of the 1992 budget hereby adopted to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities.

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

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this _____ day of _____, 1991.

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 11/4/91
Passed by city council:
Date published:
Date effective:

ATTACHMENT "A"

1992 SALARY SCHEDULE

<u>POSITION</u>	<u>RANGE</u>	
	<u>Minimum</u>	<u>Maximum</u>
City Administrator	\$ 3,860	\$ 4,825
Public Works Director	3,505	4,380
Chief of Police	3,275	4,090
Finance Officer	2,840	3,550
Public Works Supervisor	2,805	3,505
Police Sergeant	2,735	3,415
Planning Director	2,700	3,375
Sewer Plant Supervisor	2,495	3,113
Fire Marshal/Building Official	2,450	3,060
Police Officer	2,375	2,965
Public Works Foreman	2,335	2,915
Sewer Plant Operator	2,270	2,835
Equipment Operator	2,215	2,770
Maintenance Worker	2,115	2,640
Engineering Technician	2,060	2,575
Administrative Assistant	1,975	2,465
Planning/Building Technician	1,975	2,465
Laborer	1,755	2,195
Court Clerk	1,710	2,135
Police Clerk	1,620	2,025
Accounting Clerk	1,620	2,025
Utility Clerk	1,620	2,025
Office Clerk	1,480	1,850
Administrative Receptionist	1,480	1,850
Police/Court Assistant Clerk	1,480	1,850

POSITION: Planning Director

<u>Employer</u>	<u>Class Title</u>	<u>Monthly Salary</u>	<u>Effect. Date</u>
Gig Harbor	Planning Director		1/1/90
<u>Comparable Cities</u>			
Sumner	Comm Dev Dir	3,600	
Fife	Dir of Admin	3,442 - 3,939	
Milton	---	---	
Port Orchard	---	2,849	
Fircrest	Planning Admin	pt time position	
Steilacoom	Comm Dev Coor	3,192	
Enumclaw	Dir Plan/Comm Dev	3,679	
Poulsbo	Planning Dir	3,215 - 3,967	
		Labor Market Top Step Median:	3,646
		Percent Above (Below) Top Step Median:	
<u>Control Cities/Counties</u>			
Bremerton	Planner - Sr	2,636 - 3,108	
Kitsap Co	Planning Div Head/Mgr.	3,619 - 4,619	
Tacoma	Urban Planner II	2,750 - 3,341	
Pierce Co	Planner IV	3,528 - 4,545	
Olympia	Contract out all planning matters		
Tumwater	Planning Director	3,840	
Lacey	Principal Planner	2,653 - 3,396	
Puyallup	Planner - Sr.	2,786 - 3,535	
		Labor Market Top Step Median:	3,535
		Percent Above (Below) Top Step Median:	
<u>All Survey Cities/Counties</u>			
		Labor Market Top Step Median:	3,590
		Percent Above (Below) Top Step Median:	

REGULAR GIG HARBOR CITY COUNCIL MEETING OF NOVEMBER 12, 1991

PRESENT: Councilmembers Frisbie, Hoppen, English, Perrow,
and Mayor Wilbert.

ABSENT: Councilmember Davis.

PUBLIC COMMENT/DISCUSSION: None scheduled.

CALL TO ORDER: 7:09 p.m.

PRESENTATION:

1. Rainier Cable Commission proposal - Dick Ferguson,
Pierce County Public Relations Officer.

Mr. Ferguson presented a video on the need for the establishment of a cable commission and asked the council to consider joining such a commission.

(Councilmember Perrow arrived after the presentation)

PUBLIC HEARINGS:

1. 1992 City Budget.
The public hearing was opened and since there was no public input, the council elected to discuss this item at the end of the agenda.

MINUTES:

MOTION: To approve the minutes of the meeting of October 28, 1991.
English/Frisbie - unanimously approved.

CORRESPONDENCE:

1. Apple for the students - Stock Market Foods.
2. Letter of commendation to the Fire Department from Dr. Peter Ivanovich.
3. Letter from Puget Sound Regional Council - notification of dues amount.

OLD BUSINESS:

1. Request for sewer utility service extension - Walt Smith.

Geoff Moore, agent for the applicant, asked to have the

agreement's beginning date be set for early in 1993 to allow for the installation of the sewer line.

Walt Smith was available to answer questions and compliment the city on the positive assistance he received while going through the application process.

Jack Bujacich asked questions of council regarding the policies established for extension of sewer service outside the city.

Mayor Wilbert expressed her views that the extension of service to this property outside the future annexation boundaries was setting a bad precedent.

MOTION: To approve the agreement with Walt Smith for sewer utility extension service as recommended by staff.
Frisbie/English - unanimously approved.

2. Wetland Management Ordinance - 3rd reading.
Planning Director Ray Gilmore presented the ordinance and Councilmember Frisbie suggested the city hire a consultant to identify and class the city's wetlands.

MOTION: To adopt Ordinance #611 as recommended by staff with the additional requirement that mapping be completed on or before June 15, 1992.
Perrow/Hoppen - unanimously approved.

MOTION TO AMEND ORIGINAL MOTION:
That the mapping would be completed on or before June 15, 1992 or the ordinance would be null and void.
Frisbie/Perrow - approved by a vote of 3 - 1 with English voting against.

MOTION TO AMEND ORIGINAL MOTION:
To authorize the staff to spend up to \$10,000 for consulting services for a wetland specialist to create this map and inventory.
Frisbie/English - unanimously approved.

3. Personnel Policies Resolution.

City Administrator Mike Wilson presented the amendments to the Personnel Policies.

(Councilmember Perrow left the meeting at this time)

Councilmember Frisbie suggested modifications to the amendment regarding reassignment of personnel and the council agreed with his recommendation.

MOTION: To approve Resolution #332 approving the Personnel Policies as outlined by staff and having an effective date of February 1, 1992. Frisbie/English - unanimously approved.

NEW BUSINESS:

1. Resolution relating to utility extension services.

MOTION: To table this item to the meeting of November 25, 1991 to allow for all councilmembers to be present. Frisbie/English - unanimously approved.

2. Liquor license renewal - Rib Ticklers.

No action was taken.

MISCELLANEOUS:

1. City of Gig Harbor Employees' Guild.

Councilmember Frisbie questioned why the council was not informed of the employees' desire to form a guild. Mr. Wilson explained his knowledge of the employees' actions. Karin Ashabraner, Administrative Assistant, provided information on the employees' major concerns.

DEPARTMENT MANAGERS' REPORTS:

1. Police.

Police Chief Denny Richards provided council with the police department's statistics for the month of October and reported that calls for service were greatly increased over 1990.

MAYOR'S REPORT:

1. City of Tacoma's intention to annex property on this side of the Narrows Bridge.

The mayor shared with council information regarding the City of Tacoma's recent actions to annex property in the area. The mayor was directed to write a letter to the mayor, city council, and city manager of the City

of Tacoma opposing the annexation of any property west of the Tacoma Narrows Bridge.

APPROVAL OF PAYROLL:

MOTION: To approve payment of warrants #6348 through #6448 in the amount of \$122,411.67.
English/Frisbie - unanimously approved.

APPROVAL OF BILLS:

MOTION: To approve payment of warrants #7963 through #8037 in the amount of \$48,198.30.
Hoppen/English - unanimously approved.

PUBLIC HEARING:

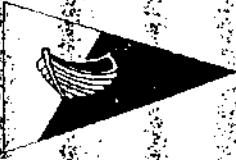
1. 1992 City Budget.
The mayor opened the public hearing and since there were no public comments, closed the hearing.

ADJOURN:

MOTION: To continue this meeting to November 18, 1991 at 7:00 p.m. for the purpose of discussing the 1992 City Budget.
Frisbie/English - unanimously approved.

Cassette recorder utilized.
Tape 254 Both sides.
Tape 255 Side A 000 - end
Side B 000 - 200.

Mayor



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

TO: Mayor Wilbert and City Council
FROM: Michael R. Wilson, City Administrator
SUBJECT: 1992 Salary Schedule
DATE: November 22, 1991

As a result of the lack of success we had last year in getting a new salary survey adopted, some problems still remain within our salary structure which need attention. I decided, however, not to pursue the preparation of a new salary survey this year unless the finance committee agreed in advance to a salary comparison formula.

Although many of the positions are in relatively decent shape, salary reviews should still be conducted by the city to assure we maintain "competitive" salaries. There are two positions which I believe do need immediate attention to correct some present inequities within the salary structure: Planning Director and Public Works Supervisor positions.

I am proposing a 5% decrease in the Public Works Supervisor position and approximately a 12% increase in the Planning Director position based on the attached salary assessment. Please find attached the revised salary schedule for your consideration and incorporation into the budget.

ATTACHMENT "A"

1992 SALARY SCHEDULE

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Utility Clerk	1,620	2,025
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Administrative Receptionist	1,480	1,850
Police/Court Assistant Clerk	1,480	1,850



Pierce County

Office of the County Council

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402
Tel. (206) 591-7777
FAX (206) 591-7509
1-800-992-2456

RECEIVED

NOV 12 1991

CITY OF GIG HARBOR

November 8, 1991

NOTICE OF PUBLIC MEETINGS

RE: Proposal No. 91-120, An Ordinance of the Pierce County Council Adopting a New Chapter of the Pierce County Code, 21.18, "Fish and Wildlife Habitat Areas"; and Adopting Findings of Fact.

Proposal No. 91-128, an Ordinance of the Pierce County Council Adopting a New Chapter of the Pierce County Code, 17.12, "Pierce County Wetland Management Regulations"; Adopting Interim Development Regulations; and Adopting Findings of Fact.

The following four public meetings have been scheduled concerning the above proposals. The meetings will be held in the Pierce County Council Chambers located in the County-City Building, 10th Floor, Room 1045, 930 Tacoma Avenue South, Tacoma, Washington.

The Pierce County Planning & Environment Committee

Meeting #1

Date: Thursday, November 14, 1991

Time: 3:30 p.m. through 4:30 p.m. - Proposal No. 91-128
4:30 p.m. through 5:30 p.m. - Proposal No. 91-120

Meeting #2

Date: Monday, November 18, 1991

Time: 4:00 p.m. through 6:00 p.m.

Meeting #3

Date: Wednesday, November 27, 1991

Time: 2:30 p.m. through 3:30 p.m. - Proposal No. 91-128
3:30 p.m. through 4:30 p.m. - Proposal No. 91-120

If you have any questions concerning these meetings, please call Cynthia Miller, Committee Secretary, at 596-6695.

-OVER-

Notice of Public Meetings
November 8, 1991
Page 2

Pierce County Council Meeting - Final Consideration

Meeting #4

Date: December 3, 1991

Time: Regular 4:00 p.m. Council meeting

If you have any questions concerning the Council meeting, please call the Clerk of the Council, Gerri Rainwater, at 591-7777.

You are encouraged to attend these meetings and present any comments you may have. Written comments are also welcome.

If you have technical questions concerning Proposal No. 91-120, please call Steve Salin at 596-2716, Pierce County Planning and Land Services (PALS). If you have any technical questions regarding Proposal No. 91-128, please call Steve Salin at 596-2716, or Sue Comis at 591-7361, PALS.

Sincerely,



PAUL CYR, CHAIR
PLANNING & ENVIRONMENT COMMITTEE



City of Gig Harbor "The Maritime City."

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

TO: Mayor Wilbert and City Council
FROM: Michael R. Wilson, City Administrator *Wilson*
SUBJECT: Extension of Sewer Utility Service Resolution
DATE: November 7, 1991

A draft resolution has been prepared for your consideration and action relative to the extension of sewer utility service.

The present extension of utility service policy is vague, subject to interpretation, and in need of updating to appropriately deal with the utility service needs within the city's urban area. The proposed changes will allow the city to be able to handle sewer utility extensions based on need to the customer (environment) and benefit to the city.

CITY OF GIG HARBOR

RESOLUTION NO. _____

A RESOLUTION relating to extension of sewer utility services: amending Resolution No. 173 to delete and replace obsolete references therein.

WHEREAS, the Gig Harbor City Council determined that the City may extend sewer utility service to properties where the land use is compatible with the City's comprehensive land use plan, there is a demonstrated need for such utility service, and such utility service extension will benefit the city;

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

Section 1.

Section 1 of Resolution No. 173 is hereby amended to read as follows:

- C. Extended lines may by-pass intervening properties for the first quarter of a mile outside the city limits to service proposed properties within the defined urban area. Beyond the distance intervening properties must participate in the extension. Intervening properties located within 200 feet of any proposed sewer utility service line extended outside the city limits will only be required to connect to the sewer utility when mandated by state law or because of a failing septic system or other pertinent environmental concerns are determined by the Pierce County Environmental Health Department and City of Gig Harbor Public Works Department."

PASSED this _____ day of _____, 1991.

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 11/4/91
Passed by city council:



City of Gig Harbor, The "Maritime" City."

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

TO: CITY COUNCILMEMBERS/
FROM: GRETCHEN WILBERT, MAYOR
SUBJECT: REQUEST FOR RECONSIDERATION OF THE PERSONNEL
POLICY FOR THE PURPOSE OF REVISITING THE DOCUMENT
FOR LEGAL CLARIFICATION AND POSSIBLE REFINEMENT.
DATE: NOVEMBER 22, 1991

It has come to my attention that the final version of the personnel policy passed at the November 12 council meeting to become effective February 1, 1991, has not been reviewed by our legal counsel. Also it appears to be unclear as to exactly who among the employees are covered under the policy. Section 1.2 does not identify exempt or non-exempt. The policy appears to cover all employees of the city.

I believe the city employees and the council will benefit by some additional time and thought being given to this very important document. I'm told the courts look upon this policy as a "contract". We need to be very clear in our understanding and intent.

Therefore, I recommend a motion to reconsider the Personnel Policy for the purpose of holding a council workshop with our legal counsel to clarify the intent and purpose of the policy.

Roberts' Rules of Order indicate this motion for reconsideration must be made by a voting member of the body who voted on the prevailing side of the original resolution.

CITY OF GIG HARBOR

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, LEVYING THE GENERAL PROPERTY TAXES FOR THE CITY OF GIG HARBOR FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1992.

WHEREAS, the City Council of the City of Gig Harbor has considered the city's anticipated financial requirements for 1992, and the amounts necessary and available to be raised by ad valorem taxes on real and personal property, and

WHEREAS, it is the duty of the City Council to certify to the board of county commissioners/council estimates of the amounts to be raised by taxation on the assessed valuation of property in the city,

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

Section 1. The ad valorem tax general levies required to raise estimated revenues for the City of Gig Harbor for the ensuing year commencing January 1, 1992, shall be levied upon the value of real and personal property which has been set at an assessed valuation of \$223,012,725. Taxes levied upon this value shall be:

- a. approximately \$1.71 per \$1,000 assessed valuation, producing estimated revenue of \$381,240 for general government; and

estimate
Section 2. The ad valorem tax excess levies required to raise estimated revenues for the City of Gig Harbor for the ensuing year commencing January 1, 1992, shall be levied upon the value of real and personal property which has been set at an assessed valuation of \$220,000,000. Taxes levied upon this value shall be:

- a. approximately \$0.171 per \$1,000 assessed valuation, producing an estimated amount of \$38,100 for sewer general obligation; and

General Property Tax Ordinance

Page 2

*Amended
to 1991 year
CJG*

b. approximately \$0.029 per \$1,000 assessed valuation, producing an estimated amount of \$6,570 for fire protection facilities general obligation.

approximately \$0.426 per \$1,000 assessed valuation, producing an estimated revenue of \$95,000 for the 1987 sewer bond redemption general obligation.

Section 3. This ordinance shall be certified by the city clerk to the clerk of the board of county commissioners/ council and taxes hereby levied shall be collected and paid to the Finance Officer of the City of Gig Harbor at the time and in a manner provided by the laws of the state of Washington for the collection of taxes.

Section 4. This ordinance shall be published in the official newspaper of the city, and shall take effect and be in full force five (5) days after the date of publication.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 10th day of December 1990.

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 11/4/91
Passed by city council:
Date published:
Date effective:

* College premium pay - same
* Standby pay - same
* Membership at health club
Not recommended

* 1992 COLA - 5.5%
* 3 yr agreement
w/ fixed response
below 2% or
above 8%
would be 80% of Seattle
CPI

A G R E E M E N T

By and Between

City of Gig Harbor

and

Gig Harbor Police Officer's Guild

1992

PREAMBLE

This Agreement is made and entered into by and between the City of Gig Harbor, hereinafter referred to as the "Employer", and the Gig Harbor Police Officer's Guild, hereinafter referred to as the "Guild". The purpose of this Agreement is to set forth the entire understanding reached between the parties with respect to wages, hours of work and conditions of employment for employees of the Employer who are represented by the Guild as set forth in Article I herein.

ARTICLE I - RECOGNITION

The Employer hereby recognized the Guild as the exclusive bargaining representative for employees employed by the Employer as certified by the State of Washington, Department of Labor and Industries in Case No. 06055-E-85-01085, issued January 6, 1986. This Agreement shall include those employees working full time as uniformed personnel for the Employer, but shall not include the Police Chief and Police Clerk.

ARTICLE II - MEMBERSHIP

Section 1. All employees who are members of the Guild on the effective date of this Agreement and all employees who may become members thereafter during the life of this Agreement shall as a condition of employment remain members of the Guild in good standing for the term of this Agreement.

Section 2. The Employer agrees to deduct initiation fees and monthly dues uniformly required in the bargaining unit from employees who voluntarily execute a wage assignment authorization form. The Employer shall transmit such deduction to the Guild by check payable to its order. Upon issuance and transmission of such deduction the Employer's responsibility shall cease with respect to such deductions.

The Guild and each employee authorizing the assignment of wages for payment of Guild dues hereby undertake to indemnify and hold the Employer harmless from all claims, demands, suits, or other forms of liability that may arise against the Employer for or on account of any deduction made from wages of such employee.

ARTICLE III - NONDISCRIMINATION

Section 1. The Employer and the Guild agree that the administration and application of this Agreement shall be consistent with applicable state and federal laws regarding nondiscrimination in employment.

Section 2. No employee covered by this Agreement shall be discriminated against because of his/her membership or nonmembership in the Guild, or activities on behalf of the Guild, provided, however, that such activity shall not be conducted during working hours nor be allowed to interfere with the Employer's operations.

ARTICLE IV - HOURS OF WORK AND OVERTIME

Section 1. The normal workweek shall consist of forty (40) hours. The normal workday shall consist of ten (10) hours per day in each of four (4) consecutive days or eight (8) hours per day in each of five (5) consecutive days. The normal workweek is a goal. The work year shall consist of two thousand and eighty (2,080) hours.

Section 2. Overtime as used in this Agreement shall mean that time an employee works in excess of the normal forty (40) hour workweek. Compensation for overtime shall be as set forth in subsections b, c, or d of this article.

a. All overtime must be authorized in advance by the City

Administrator or Chief of Police, except in cases of emergency.

- b. Overtime shall be compensated at the rate of one-and-one half (1-1/2) times the regular straight-time pay.
- c. Employees shall be compensated at one-and-one-half (1-1/2) times the employee's straight-time base hourly rate of pay with a minimum of two hours for hours in court appearance and for all meetings called by the employer, [other than training meetings] which shall be paid at straight time when such attendance is on the employee's scheduled day off.
- d. Mandatory training within required by State, City or Departmental regulations (such as breathalyzer, firearms, etc.) as determined by the Chief of Police shall be compensated an one-and-one-half (1-1/2) times the employee's straight-time base hourly rate of pay with a minimum of two hours compensation when such attendance is on the employee's scheduled day off.
- e. The Employer shall have the discretion to grant compensatory time off equivalent to one-and-one-half (1-1/2) times the actual overtime hours worked in lieu of paid overtime. The option to compensate by compensatory time shall be arranged by mutual agreement between the Employer and the Employee. Accrued compensatory time off shall be used within ninety (90) days from the date earned and at a time mutually agreeable to Employer and the Employee.

Section 3. The Employer retains the right to schedule the workweek in any manner which may be required in order to meet the needs of the community.

ARTICLE V - WAGE RATES

Section 1. The salary schedule, which is a non-negotiated item, effective January 1, 1992 through December 31, 1992. The sergeant classification may or may not be utilized at the sole discretion of the Employer.

Section 2. Effective January 1, 1992, members of the Guild shall receive a cost-of-living increase in their salaries of five percent (5%) and one-half percent (5.5%).

Section 3. Members of the Guild shall receive a cost-of-living increase in their salaries effective January 1, 1993 and 1994 at an amount based on 80% of the July Seattle Consumer Price Index, Urban Wage Earners. In the event the index is above or below the range of 2% - 8%, either party is entitled to open the agreement for negotiating wage rates only for 1993 and 1994 upon providing a written notice to the other party at least 90 days prior to the beginning of the new year.

Section 34. Movement within each salary range shall be governed by the City's Performance - Pay System and shall include the procedural amendment adopted by the City of Gig Harbor City Council in January 1986 (see Attachment B).

Section 45. Mileage shall be paid as prescribed by City Ordinance Chapter 2.28.010.

Section 56. Part-time employees, excluding nonpaid reserve officers, shall be compensated at an equivalent hourly rate of pay based on the current full-time monthly base rate of pay for the position classification held by the employee, computed in accordance with the standard payroll practices of the Employer.

Section 67. When an officer is appointed to the position of acting-sergeant for a period of not less than five (5) calendar days, he/she shall be compensated at the rate of 5% above the current salary for that period of time.

ARTICLE VI - VACATIONS

Vacations with pay shall be granted annually to all full-time employees based upon the following schedule:

<u>Months of Service</u>	<u>Earned working Hours per Month</u>	<u>Working Days Per Year Max.</u>
0 - 12	6.67	10
13 - 24	7.33	11
25 - 36	8.33	12.5

After each succeeding month of service, .67 additional hours of vacation hours per month (8 additional hours per year) shall be accumulated up to a maximum of two hundred forty (240) hours per year.

ARTICLE VII - HOLIDAYS

An employee shall be compensated for the eleven (11) holidays recognized by the Employer and as provided in RCW 1.16.050 as set forth in subsections A and B.

- A. The paid holiday commonly referred to as a "floating holiday" (City personnel rules and regulations section 6.1-K) shall be mandatory time off. The scheduling of this day shall be by mutual agreement between the Employer and the Employee.
- B. In lieu of the other ten (10) holidays, employees shall be paid an additional 8.33 hours pay per month based on the current full time base rate of pay for the position classification held by the employee, which is equivalent to 100 hours of pay on an annualized basis.

ARTICLE VIII - MEDICAL BENEFITS

The Employer shall pay 100% of the monthly premium for the following benefit plans for the Guild employee and eligible dependents:

- 1) Medical - Pierce County Medical Plan #7 or Association of Washington Cities Plan A with orthodontia coverage.
- 2) Dental - AWC Trust (Plan A - Washington Dental Service).
- 3) Vision - AWC Trust (Western Vision Service Plan).

ARTICLE IX - SICK LEAVE

Section 1. Full-time employees hired after October 1, 1977, shall accrue sick leave at the rate of one day per calendar month for each month compensated. Sick leave is accumulated to a maximum of one hundred and eighty (180) days. Sick leave may be used for time off with pay for bona fide cases of incapacitating illness, injury or disability. Abuse of sick leave shall be grounds for suspension or dismissal.

Section 2. A verifying statement from the employee's

physician may be requested by the Employer, at its option, whenever an employee claims sick leave for one day or longer. If absence extends beyond four days, certification of such absence must be supported by a certificate from the employee's physician, if requested by the Chief of Police.

Section 3. An employee who has taken no sick leave during any six (6) month period shall receive, as a bonus, one annual day off or one day's pay (eight hours) for each period during the term of this Agreement. It shall be the responsibility of the employee to notify the City of the employee's eligibility of the bonus day(s). No sick leave shall be allowed for the first day of absence when the employee has taken sick leave (other than for medical examinations, treatment of the employee by a physician, absence due to a job-related injury, or illness in the immediate family requiring the employee to remain at home) on three (3) separate occasions within the preceding six (6) month period.

ARTICLE X - RETIREMENT PLAN

The Employer shall participate in the state-wide system for pension, relief, disability and retirement for qualified employees as provided in RCW 41.44.050.

ARTICLE XI - COLLEGE PREMIUM PAY

An employee who holds a college degree from an accredited college or university shall receive a premium pay equal to two percent (2%) of his/her base salary for an associate degree, and three percent (3%) of his/her base salary for a bachelor degree. Premium pay will not be included as part of an employee's base salary.

ARTICLE XII - STAND-BY PAY

If an employee is directed to "stand-by" for duty he shall receive \$50.00 for the month in which the "stand-by" was worked. The compensation of \$50.00 a month is a fixed rate regardless of the number of stand-by hours worked within the month. An employee shall not be directed to work more than 30 hours of standby duty with any month unless the Chief of Police declares it necessary for the public's safety. When an employee works in excess of 30 hours stand-by duty within

a month, he/she shall receive an additional \$50.00 for that month. The method of scheduling personnel and the determination of period for stand-by assignments shall be directed by the Chief of Police. Stand-by is defined as: the employee being available at his residence to respond to any call for Police service during those hours designated by the Chief of Police.

ARTICLE XIII - RIGHT OF ACCESS--UNION REPRESENTATIVE

Section 1. Duly authorized representatives of the Guild shall be permitted to enter upon the Employer's premises at reasonable times for the purpose of observing working conditions and transacting Guild business that cannot be transacted elsewhere; provided, however, that the Guild representative first secures approval from the designated Employer representative as to time and place, and that no interference with the work of the employees or the proper operation of the Employer shall result.

Section 2. The Guild agrees that Guild business conducted by Guild members, including the investigation of grievances, shall occur during nonworking hours (e.g., coffee breaks, lunch period and before and after shift).

ARTICLE XIV - EMPLOYEE RIGHTS

Section 1. Any employee, when being questioned by his/her employer about matters which may result in suspension, without pay, loss of accrued leave, demotion and/or termination, has the right to:

- a. Receive the specific nature of the charge or allegation against him/her in writing.
- b. Have his/her choice of the Guild shop steward or a Guild representative present at his/her expense. The employer shall allow a reasonable length of time for the representative to arrive at the place of meeting.
- c. The questioning by the Employer shall be during normal Employer business hours unless agreed to be held at other times by the Employee.
- d. Any use of lie detector tests shall be in accordance with RCW 49.44.120.

- e. The employee may receive reasonable intermissions or breaks if the questioning exceeds approximately one hour.

Section 2. - Department Rules and Regulations. It is mutually agreed that the Employer has full responsibility and authority to adopt rules and regulations for the operation of the department and conduct of its employees. The Guild agrees that its members shall comply in full with such rules and regulations. Nothing in this Section shall be interpreted to restrict the Chief of the department the right to make decisions or to establish procedures consistent with the "emergency" nature of operating the department.

ARTICLE XV - NO STRIKES

Section 1. It is recognized that the Employer is engaged in a public service requiring continuous operation, and it is agreed that recognition of such obligation of continuous service is imposed upon both the employee and the Guild. Neither the Guild nor its members, agents, representatives, employees or persons acting in concert with them, shall incite, encourage, or participate in any strike, walkout, slowdown, or other work stoppage of any nature whatsoever for any cause whatsoever. In the event of any strike, walkout, slowdown, or work stoppage or a threat thereof, the Guild and its officers will do everything within their power to end or avert the same.

Section 2. Any employee authorizing, engaging in, encouraging, sanctioning, recognizing or assisting any strike, slowdown, picketing or other concerted interference, or who refuses to perform service duly assigned to him, shall be subject to immediate dismissal.

ARTICLE XVI - GRIEVANCE PROCEDURES

Grievance defined. A grievance is defined as an alleged violation of express terms and conditions of this Agreement. If any such grievance arises, it shall be submitted to the following grievance procedure or the Civil Service review procedure, whichever is applicable.

Time limits in the following steps may be extended only by mutual written consent of the parties hereto.

Step One - Police Chief.

The grievance in the first instance will be presented to the Police Chief, either orally or in writing, within ten (10) working days of the alleged breach of the express terms and conditions of this Agreement. Every effort shall be made to settle the grievance at this Step One.

Step Two - Mayor.

If the Police Chief does not adjust the grievance to the Complainant's satisfaction within ten (10) working days from the time the grievance was submitted in Step One, then the grievance may be presented to the Mayor or his/her designated representative. The grievance shall be presented to the Mayor or his/her designated representative in writing, setting forth detailed facts concerning the nature of the grievance, the contractual provisions allegedly violated, and the relief requested. Upon receipt of the written grievance, the Mayor or his/her designated representative shall, within ten (10) working days, meet with the grievant and/or the representative of the Guild in an attempt to resolve the grievance. Within ten (10) working days after such meeting, the Mayor or his/her designated representative shall send to Guild a written answer stating the Employer's decision concerning the grievance.

Step Three - Mediation.

In the event the grievant, Guild and Employer are not able to resolve the grievance to the employee's satisfaction at Step Two, the parties may request the assistance of the State Mediation Service.

Step Four - Arbitration.

A grievance may be submitted within ten (10) working days following the decision rendered in Step Three to the following arbitration procedure for resolution. The Employer shall select one (1) person and the Guild shall select one (1) person. Such selected persons shall then select a third impartial person who shall serve as chairman of the Arbitration Panel. A majority decision of the Arbitration Panel shall be made in writing within twenty (20) working days following the conclusion of the

Arbitration hearing(s). Such decision shall be final and binding on both the Guild and the Employer. The authority of the Arbitration Panel is limited to ruling on the correct interpretation or application of the Articles of this Agreement and shall not add to or take away therefrom. The costs of arbitration shall be borne equally between the Guild and the Employer.

ARTICLE XVII - PERSONNEL POLICIES

All employees of this bargaining unit, in addition to being governed by this Agreement, shall also be subject to the Personnel Policies published by the Employer having general applicability to all employees of the Employer and any subsequent personnel policies, rules and regulations that may be promulgated in the future, so long as they do not conflict with this Agreement. In case of any conflict, this Agreement shall be the controlling policy for the employees covered by this Agreement.

ARTICLE XVIII - UNIFORMS AND EQUIPMENT

At the time of employment, full time employees will be assigned the following equipment and uniform items:

A. Uniform:

1. 3 trousers
2. 3 short sleeve shirts
3. 3 long sleeve shirts
4. 1 pair shoes or boots
5. 1 summer jacket
6. 3 ties
7. 1 winter coat
8. 1 rain coat
9. 1 jumpsuit
10. 1 duty hat

B. Equipment

1. 1 basket weave duty gunbelt
2. 1 basket weave pants belt
3. 1 holster
4. 1 9mm S & W model 459 weapon
5. 1 leather handcuff case double
6. 2 sets of handcuffs

7. 1 leather key ring and holder
8. 1 baton & flashlight ring
9. 1 buckknife and case
10. 1 mace, canister and case
11. 2 extra 9 mm clips and case
12. 1 box of duty ammunition
13. 1 SL20 rechargeable flashlight
14. 1 mini mag flashlight with case
15. 1 portable radio and case
16. 1 bullet resistant vest

The uniform shall meet the approval of the Police Chief and all purchases shall be through his office's established procedures. The employee agrees to maintain and keep in good condition and repair all parts of the uniform, and will have available for inspection on due notice his complete uniform.

The employer shall be responsible for laundering uniforms. Frequency of laundering uniforms shall be established by employer management policy. Uniform clothing damaged as a result of unforeseen circumstances in the line of duty shall be repaired or replaced by the employer.

ARTICLE XIX - SAVING CLAUSE

If any article or section of this Agreement should be held invalid by operation of law or by any tribunal of competent jurisdiction, the balance of this Agreement shall continue in full force and effect. The article and section held invalid shall be modified as required by law or the tribunal of competent jurisdiction, or shall be re-negotiated for the purpose of adequate replacement. If such negotiations shall not result in mutually satisfactory agreement, the parties agree to be bound by the position of a tribunal of competent jurisdiction, or a tribunal agreed to by the parties.

ARTICLE XX - COMPLETE AGREEMENT

The parties acknowledge that during the negotiations which resulted in this Agreement, each had an unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective bargaining, and that the understanding and agreements arrived at by the parties after the exercises of that right and opportunity are set forth in this Agreement.

Therefore, the parties for the life of this Agreement voluntarily and unqualifiedly waive the right, and each agrees that the other shall not be obligated to bargain collectively with respect to any subject or matter referred to, or covered in this Agreement.

ARTICLE XXI - TERM OF AGREEMENT

This Agreement is effective January 1, 1992, and shall continue in full force and effect to and including December 31, 1994. This agreement may be reopened by the city or guild as provided under Article V of this agreement.

Notice to negotiate a new agreement shall be given within ninety (90) days prior to the expiration date.

IN WITNESS WHEREOF, we attached our signatures this _____ day of January 1, 1992.

CITY OF GIG HARBOR

GIG HARBOR POLICE OFFICERS GUILD

By _____
Gretchen Wilbert, Mayor

By _____
Mark Galligan, President

Kevin Entze,
Secretary/Treasurer

ATTEST:

Michael R. Wilson
City Administrator

ATTACHMENT "A"

1992 POLICE PERSONNEL SALARY RANGES

	<u>Monthly Minimum</u>	<u>Monthly Maximum</u>
Sergeant	\$ 2,735	\$ 3,415
Police Officer	2,375	2,965

ATTACHMENT "B"

PERSONNEL SALARIES

SALARY RANGE ADJUSTED ANNUALLY

1. The City Administrator shall brief the Mayor and City Council regarding timing and considerations for adjusting employee's compensation.
2. City employees shall have the opportunity to suggest modifications in salaries and other wage supplements to the City Administrator.
3. The City Administrator shall conduct annually a compensation survey in accordance with labor market and benchmark classifications.
4. The City Council shall give the Mayor and City Administrator policy guidance regarding adjustments to the employee compensation program, based on the following criteria:
 - a. Ability of city to pay;
 - b. Compensation survey information;
 - c. Changes in cost-of-living;
 - d. Desires of the employees;
 - e. Compensation adjustments for other employees.
5. The City Administrator shall make recommendations to the Mayor and City Council regarding salary range and fringe benefit modifications. Salary range adjustments shall be based on the compensation survey and the internal salary relationships.
6. Employees who have satisfactorily completed a six month employment probationary period shall be eligible for a performance pay increase from 0% to 5% and a one year employment probationary period shall be eligible for a performance pay increase from 0% to 8%.
7. Employees who have yet to reach the top of their salary range shall be eligible for performance pay increases of 0% to 8% each year. Such performance pay increases shall be added to their base rate of pay to compute the

employee's new salary. Performance pay increase shall be approved by the City Administrator. Once an employee has reached the top of his/her salary range (control point) the employee shall be eligible for merit/bonus compensation up to 5% of the employees annual base salary. Such merit/bonus pay increase shall not be added to the employee's base pay. This merit bonus pay is separate, non-cumulative compensation and must be earned through exemplary performance each evaluation period.

8. Once the salary ranges have been adjusted each fiscal year, the City Council will allocate a fixed dollar amount in a special budget/fund for merit/bonus pay increases for those eligible employees who have reached the top of their salary ranges (control point). The allocated merit/bonus pay fund may or may not be entirely distributed by the City Administrator, depending upon the performance evaluations of the eligible employees.

MERIT/BONUS PAY

Employees shall be eligible for merit/bonus pay salary increases in accordance with the provisions set forth below:

1. Merit/bonus pay increase shall be within the city's merit/bonus pay budget fund.
2. The amount of the merit/bonus pay salary increase for each employee shall be based solely on performance.
3. Merit/bonus pay salary increase shall be granted by the City Administrator and confirmed by the Mayor.



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: *City* GIL ALVARADO, PLANNING/BUILDING ASSISTANT
RE: HEARING EXAMINER DECISION -- SDP 91-03/SPR 91-04
(Robert Frisbie and Richard Allan).
DATE: November 25, 1991

Robert Frisbie and Richard Allan have requested a Shoreline Management Substantial Development permit and Site Plan approval for the construction of five (5) additional moorage slips to the Lucca's Landing Marina. The site is located at 3521 Harborview Drive. Staff recommended approval of the Shoreline Management Substantial Development permit and Site Plan in a report dated September 18, 1991.

The Hearing Examiner conducted a public hearing on this proposal October 16, 1991 and, in his report of October 29, 1991, approved the Shoreline Management Substantial Development permit and Site Plan application with conditions. A resolution adopting the Examiner's findings, conclusions and recommendations is attached, along with shoreline permit.

Attachments

Shoreline management

Must commence in 2 yrs

Must complete in 5 yrs

CITY OF GIG HARBOR
RESOLUTION No.

WHEREAS, Robert Frisbie and Richard Allan, have requested a Shoreline Management Substantial Development permit and Site Plan approval to allow the construction of five (5) additional moorage slips to the Lucca's Landing Marina located at 3521 Harborview Drive; and,

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

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated September 18, 1991; and,

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on October 16, 1991 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of in his reports dated October 29, 1991; 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 October 29, 1991 are hereby adopted and the application for Shoreline Management Substantial Development permit and Site Plan approval is granted subject to the following findings and conclusions:

- 1) The proposal shall conform to the Gig Harbor Fire Code, as per the City Fire Marshal's recommendations within this report.
- 2) The designated off-street parking spaces shall be striped and clearly visible.
- 3) In accordance with Section 17.96.070, construction on the project must commence within twenty-four (24) months from the date of final council action. Failure to commence construction within the allotted time period shall render approval null and void.

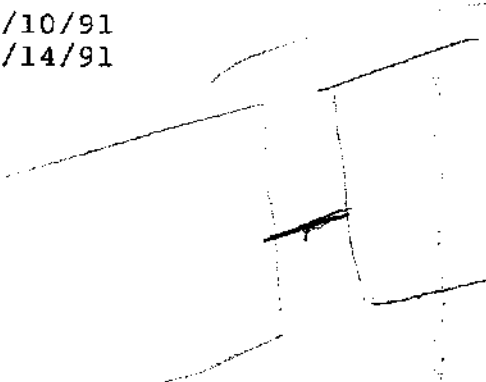
4) At such time, the city moves forward ^{on} the city boardwalk.
PASSED this 14th day of October, 1991. *applicant will participate.*

Gretchen A. Wilbert, Mayor

ATTEST:

Michael R. Wilson
City Administrator/Clerk

Filed with City Clerk: 10/10/91
Passed by City Council: 10/14/91



*1. Review
2. Council*

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

APPLICANT: Robert Frisbie/Richard Allen

CASE NO.: SDP 91-03/SPR 91-04

APPLICATION: Request for a shoreline management substantial development permit and site plan approval to allow the construction of five (5) additional moorage slips to the Lucca's Landing Marina.

SUMMARY OF RECOMMENDATIONS:

Planning Staff Recommendation: Approve with conditions
Hearing Examiner Recommendation: 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 Frisbie/Allen application was opened at 5:09 p.m., October 16, 1991, in City Hall Gig Harbor, Washington, and closed at 5:20 pm. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Planning Department.

FINDINGS CONCLUSIONS AND RECOMMENDATION:

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

I. FINDINGS:

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

II. CONCLUSIONS:


A. The findings and conclusions prepared by the Planning Staff and set forth on pages 5 through 7 of the Planning Staff's Advisory Report accurately sets forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.

III. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended the requested shoreline management substantial development permit and site plan be approved subject to the following conditions:

1. The proposal shall conform to the city of Gig Harbor Fire code, as per the City Fire Marshal's recommendations within this report.
2. The designated off-street parking spaces shall be striped and clearly visible.
3. In accordance with Section 17.96.070, construction on the project must commence within twenty-four (24) months from the date of final council action. Failure to commence construction within the allotted time period shall render approval null and void.

Dated this 29th day of October, 1991.


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.

COUNCIL ACTION:

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

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

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

**MINUTES OF THE OCTOBER 16, 1991
HEARING ON THE
FRISBIE/ALLEN APPLICATION**

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing was: Gil Alvarado, representing the City of Gig Harbor, and Robert Frisbie, the applicant.

The following exhibit was offered and entered into the record:

- A. Planning Staff's Advisory Report.

PARTIES OF RECORD:

Robert Frisbie and Richard Allen
9720 Woodworth Avenue
Gig Harbor, WA 98335

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 91-03/SPR 91-04

Administering Agency City of Gig Harbor

Date Received September 10, 1991

Approved _____ Denied _____

Date of Issuance _____

Date of Expiration _____

Pursuant to RCW 90.58, a permit is hereby granted/denied to

Robert Frisbie/Richard Allan
(name of applicant)

3521 Harborview Drive Gig Harbor, WA 98335
(address)

to undertake the following development _____

construct five (5) additional moorage slips to the Lucca's

Landing Marina, as per attachment Exhibit A.

upon the following property SW 1/4 5, T21N, R2E
(Section, Township, Range)

Within Gig Harbor Bay and/or its associated
wetlands. The project will 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 as per resolution # attached as Exhibit B

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 IS 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.

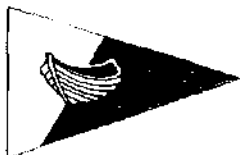
Date received by the department _____

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. 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*
DATE: NOVEMBER 8, 1991
RE: RESOLUTION AUTHORIZING PUBLIC WORKS DIRECTOR TO
APPROVE AND ACCEPT PUBLIC WORKS PROJECTS

The resolution before you has been prepared to formalize the process that the City of Gig Harbor has been practicing in the past. It authorizes the Public Works Director to accept and approve public works project.

Upon award of any contracts by the City Council, the Public Works Director compiles the necessary paperwork, i.e., performance bond, insurance certificate, etc., and then authorizes the contractor to begin work on the project. The Director administers the contract making sure the project is constructed according to state statutes, local ordinances, project plans and specifications.

The project must be formally accepted by the city in order to release the performance bond and the contract retainage upon completion of work. The Public Works Director has been formally accepting and approving the projects. The attached resolution simply formalizes the current practice.

RECOMMENDATION:

The Public Works Director recommends a Council motion to approve the attached resolution.

CITY OF GIG HARBOR
RESOLUTION NO. _____

WHEREAS, the State Statute title 39, "Public Works Contracts and Indebtedness" regulates the public works contracts; and

WHEREAS, the City Council of the City of Gig Harbor awards the contracts to low, qualified bidders; and

WHEREAS, the Public Works Director of the City of Gig Harbor administers contracts to make sure they are constructed according to pertaining state laws, city ordinances, plans and specifications; and

WHEREAS, the State Statute requires that the City Council accept and approve the project upon completion; and

WHEREAS, the City Council may authorize the Public Works Director to accept and approve the projects upon completion;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington hereby RESOLVE as follows;

Section 1 The City Council authorizes the Public Works Director to accept and approve the public works projects upon completion and initiate the project closure process thereafter.

Passed this 25th day of November, 1991.

Gretchen Wilbert, Mayor

Attest:

Michael R. Wilson
City Administrator/Clerk

Filed with City Clerk:
Passed by City Council:



COMMERCIAL DIVISION

November 18, 1991

City Council
City of Gig Harbor
PO Box 145
Gig Harbor, WA 98335

Subject: Request for Sewer Capacity for 3 Purdy Area
Commercial Properties

Dear Council Members and Mayor Wilbert:

First of all, I want to compliment the City and The Peninsula School District for their leadership in planning a sewer system capability in the Purdy area which will enhance the historical water quality concerns associated with Burley Lagoon and Henderson Bay. For approximately 3 years in the early 1980's I served as a volunteer on the Burley Lagoon "Sensitive Area" committee. This experience gave me in-depth appreciation for the concerns of the Department of Ecology and The County Health Department relative to the concerns of property owners in the Purdy area.

At this time, I respectfully request sanitary sewer capacity for three properties. These commercial properties are adjacent to the proposed community sewer system which will run from the Peninsula School District campus in Purdy to the existing Gig Harbor sewer system.

Property #1 - Purdy Shopping Center. This 1.3 acre site is zoned urban with existing uses including grocery, bank, restaurant, liquor store, auto parts, and retail.

Historically, this shopping center area has been the focus of attention from State and County Ecology and Health Departments as a potential pollution source to the Burley Lagoon shell fish sensitive area. To mitigate this potential, several years ago we placed a County approved remote drainfield east of Purdy Drive and adjacent to the proposed location of the Purdy Lift Station. We placed a "sleeve" under the road and currently pump septic affluent from the shopping center up on the hill near the high school property. We have calculated 2,000 gallons per day as the basis for this request.

PAGE TWO
City Council
Request for Sewer Capacity

Property #2 - Wynwood Center Property on Burnham Drive. This 6.5 acre site is zoned urban with existing uses including commercial warehouse, roofing company, Real Estate, Escrow, Commercial property management, appraisal, and mobile home sales. We have County approval for a 13,000 square foot professional office building -- and we calculate 5,000 gallons per day as the basis for this request.

Recently, we have been approached by School District sewer line engineers to consider negotiations for placement of the Woodhill sewer lift station and easement under highway 16 -- both to be located on Wynwood Center property. The proposed sewer line extends along Burnham Drive adjacent to our entire property.

Property #3 - South Purdy Associates Property. This 8 acre site has an existing County approved commercial warehouse-office space, retail shopping, and mini-storage. The site is encompassed by 3 road systems -- highway 16 on the east, Purdy Drive on the west, and Goodnough DR on the south. The proposed sewer line will be installed adjacent to the northwest corner of this site, where it will cross under Purdy DR and continue down Burnham DR to the Woodhill Lift Station. We calculate 10,000 gallons per day as the basis of this request.

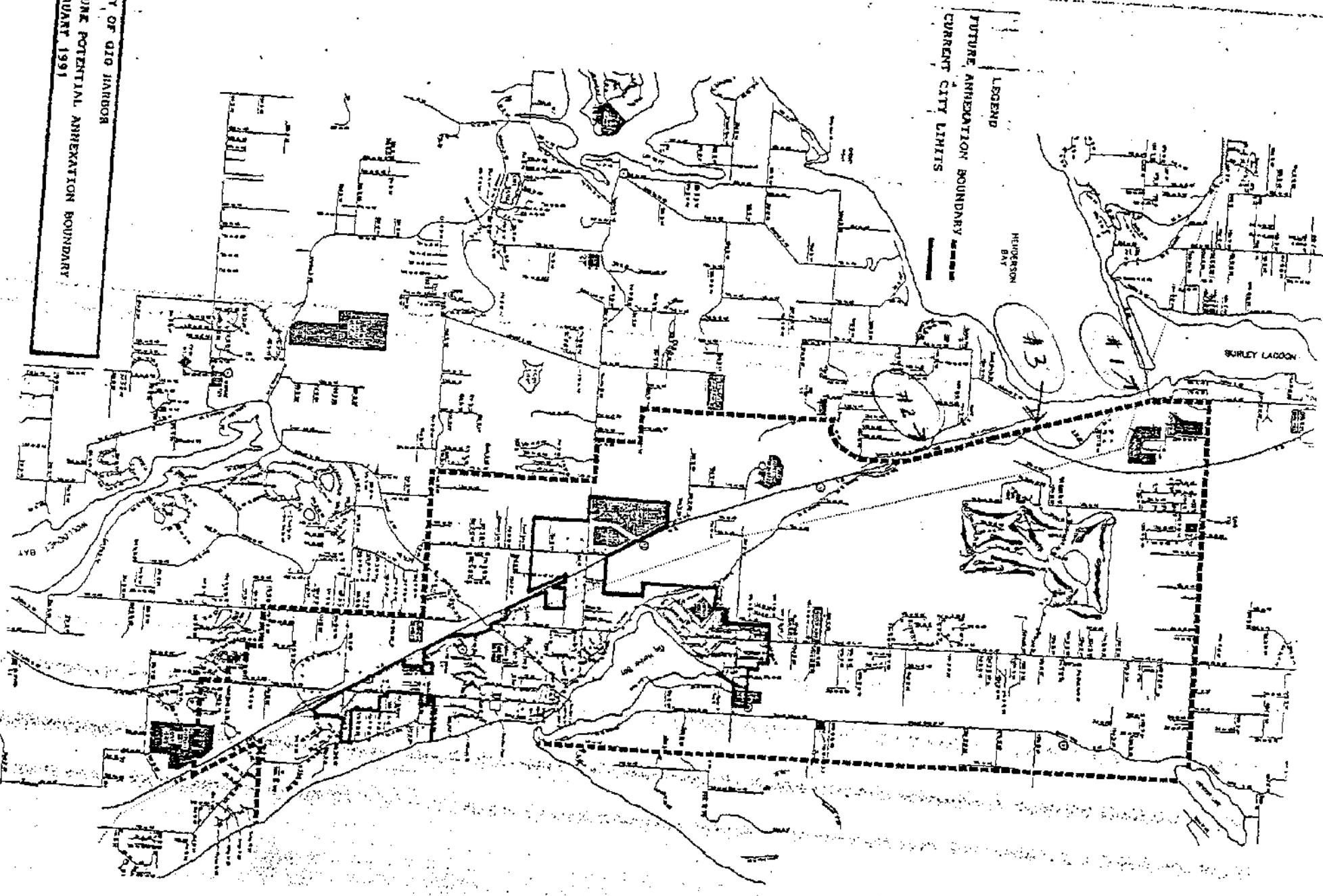
In summary, we request 2,000 gallons per day to be reserved at the Purdy Lift Station and 15,000 gallons per day at Woodhill. All three properties are unique in that they have current uses and approvals for a variety of commercial development on septic tank/drainfield systems; they are all adjacent to the proposed sewer line; they are all adjacent to, or upland from the Burley Lagoon/Henderson Bay areas of water quality concerns -- and they are all located adjacent and/or within existing potential annexation boundaries for the City of Gig Harbor. We understand and agree to comply with applicable city and county comprehensive land use plans and zoning regulations; and we agree to pay our fair and proportionate cost of the sewer facilities.

Please contact me if you have any questions -- and we ask that this request be scheduled for consideration at the next available council meeting.

Sincerely,

By: 

David R. Morris
Property Owner



LEGEND
FUTURE ANNEXATION BOUNDARY
CURRENT CITY LIMITS

CITY OF GJO HARBOR
FUTURE POTENTIAL ANNEXATION BOUNDARY
FEBRUARY 1991

GURLEY LAGOON

HERDSON BAY

3

1

2

KRISTINE M. GEBBIE
Secretary



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

Olympia, Washington 98504

August 19, 1991

TO: Darrel Anderson, DOE Southwest Regional Office
FROM: Frank Meriwether, DOH Shellfish Office *FM*
SUBJECT: Sewerage Collection System Extension to Purdy

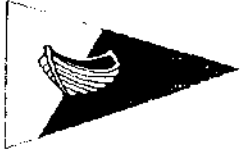
The Shellfish Program of the Department of Health (DOH) wishes to submit this letter of support to Ecology, in regards to the proposed sewerline extension to the Peninsula School campus and the shopping center complex in Purdy. As part of our commercial shellfish Restoration Program, the DOH Shellfish Office, in conjunction with the Tacoma-Pierce County Health Department (TPCHD), has recently been monitoring sources of pollution that could impact the water quality in Burley Lagoon. The attached letter of July 3, 1991 from TPCHD to the owners of the Purdy shopping center, summarizes the results of our efforts. Our findings are that the sewage system(s) at the shopping center are failing, and fecal coliforms are entering Burley Lagoon through storm drains.

The Shellfish Office and TPCHD have also talked with Peninsula School officials in regards to potential impacts from the school's collection system and emergency drainfield on water quality in Burley Lagoon. The attached letter of April 24, 1991 from TPCHD to the high school summarizes our findings. In effect, it is recommended that the school upgrade its sewage collection system and not use the emergency drainfield, to minimize public health risks.

An extension of the Gig Harbor sewerline to service the Purdy Commercial District and the high school is highly recommended and supported by the DOH Shellfish Office. The successful operation of the collection system and lift station(s) will reduce fecal coliform loadings into the lower arm of Purdy Creek, and improve water quality conditions in this area.

Thank you for your considerations. Should you have any questions, please contact me at 753-3517, or at Mail Stop LD-11.

Attachments



City of Gig Harbor. The "Maritime" City.

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

TO: Mayor Wilbert and City Council
FROM: Michael R. Wilson, City Administrator
SUBJECT: Gig Harbor North ULID
DATE: November 22, 1991

Please find attached a copy of a draft resolution for the formation of the Utility Local Improvement District (ULID) to encompass the Peninsula School District and the Gig Harbor North region for sewer service. More than a sufficient number of petitions have been submitted to form this ULID as you will see in the attachments.

I have prepared a budget estimate for the project work and a timetable for the formation of the ULID. Tom Seaman from Sitts and Hill will be in attendance to provide answers to your questions relative to the project.

The draft resolution for the formation of the ULID does not have all the detailed information in it relative to this particular project at this time. I will have an updated resolution at the time of the council meeting.

GIG HARBOR NORTH ULID FORMATION TIMETABLE

November 18, 1991

- 1) ULID petitions submitted Nov. 20, 1991
- 2) Resolution to form ULID Nov. 25
- 3) Notice of hearing Dec. 11, 18
- 4) Preliminary assessment hearing &
Ordinance authorizing creation of
ULID - 1st reading Jan. 13, 1992
- 5) Ordinance authorizing creation of
ULID - 2nd reading Jan. 27
- 6) 30 day protest period Feb. 27
- 7) ULID created by Ordinance published
& effective March 4
- 8) Selection of engineering firm March 9
- 9) Interim financing - BANS March 25
- 10) Design & contract document preparation
completed July 1
- 11) Construction bids accepted August 19
- 12) Bid award August 24
- 13) Construction begins Sept. 15
- 14) Construction completed Mar. 15, 1993
- 15) Final assessment determination May 1
- 16) Public hearing confirming assessment
roll May 24
- 17) Sell bonds June 15

GIG HARBOR NORTH
ULID BUDGET

November 18, 1991

I. Expenditures

<u>Items</u>	<u>Amount</u>
Engineering	116,000
Construction	889,000
Change Orders/Contingency	178,000
Construction Management, Inspection	45,000
Easements Acquisition	5,000
Administration Costs	15,000
Interest Expense (@6% - 16 mo.)	105,000
Bond Costs (interim, final)	38,000
Attorney's Fees	5,000
Miscellaneous	5,000
	<u>1,401,000</u>

II. Revenue

Bond Anticipation Notes	1,333,000
Interest - 1992	53,000
1993	<u>16,000</u>
	<u>1,401,000</u>

LOCAL IMPROVEMENT DISTRICT
FORMATION CHECKLIST

CITIES AND TOWNS

DATE	TAB	ACTION
<hr/>	1	(optional) Petition is filed with the Clerk of the City. The petition should be signed by the owners of at least 51% of the area of the proposed LID. No signer of the petition may withdraw his/her/its name following filing of the petition.
<hr/>	2	Designated board/officer/authority (e.g., City engineer) reviews the petition to determine whether (i) the petition is sufficient (signed by the appropriate number of property owners); (ii) the area is entirely within the City boundaries.
<hr/>	3	City council adopts a resolution determining that the petition is sufficient and also including the information set forth in the following sentence. If no petition was filed, City Council may initiate the formation by resolution stating the intention to order the improvement and the formation of a LID; setting forth the boundaries; stating the nature and territorial extent of the improvement; notifying all persons who may desire to object thereto to appear and present their objections at a time to be fixed in the resolution; setting a date, time and place for the public hearing (for trunk sewers and water mains, the route of the sewer/water main also must be included).
<hr/>	4	Engineer prepares certificate regarding proposed local improvement district.
<hr/>	5	SEPA compliance; the environmental checklist: (a) categorical exemption; or (b) declaration of nonsignificance, with appropriate publication; or (c) environmental impact statement.

- 6 Publish notice of the resolution of intent in two consecutive issues of official newspaper with the first publication at least 15 days prior to the public hearing.
- 7 Mail notice of public hearing to all property owners (as shown on the records of the County Assessor) at least 15 days prior to the public hearing. The notice should set forth the nature of the proposed improvement, the estimated cost and the estimated benefits (\$) of the particular lot, tract or parcel).
- 8 (For sanitary sewer service improvements, mail notice of formation to all owners of property outside of (adjoining) the proposed LID who would be required to connect to the project improvement as a condition of federal housing administration loan qualification.
- 9 City Council (or designated hearing officer in cities with population greater than 15,000) conducts public hearing on the formation of the LID. The board shall hear objections from any person affected by the formation. The Council may change the boundaries, but may not include property not previously included without giving new notices and adopting a new resolution of intention. At the conclusion of the hearing, the Council may overrule protests and proceed with the improvement.
- 10 Following the public hearing, the City Council passes an ordinance forming the LID and ordering the improvement. If the formation was initiated by resolution, jurisdiction shall be divested if the owners of more than 60% of the area (including federally-owned or other nonassessable property as shown by the preliminary assessment roll) protest within 30 days of the date of adoption of the ordinance forming the LID. If the LID included property outside of the boundaries of the City, the 60% test is measured separately against the aggregate amount of the property outside of the City. Restraint by protest will be ineffective if the ordinance authorizing the improvement

finds that it is necessary for the protection of the public health and safety and the ordinance is passed by unanimous vote of all council members present and in some circumstances for sanitary sewers or watermains or fire hydrants.

- 11 Publish ordinance forming the LID.
- 12 Within 15 days of the creation of the LID, file with the Treasurer (i) the ordinance creating the LID and (ii) a copy of the diagram or print showing the boundaries of the LID and preliminary assessment roll or abstract of the same showing the lots, tracts and parcels of land that will be specially benefited and the estimated cost and expense of the improvement to be borne by each tract or parcel of land.
- 13 If the LID contains any property classified as farm and agricultural as provided in RCW ch. 84.34, notice of the formation of the LID should be filed with the County Assessor and the County Commissioners/Council.
- 14 County Assessor shall mail notice of formation of LID to owners of "farm and agricultural lands" as defined in RCW 84.34.310.
- 15 Expiration of time limitation on litigation 30 days following the passage of the formation ordinance.
- 16 City commences with the project, adopting detailed plans of the LID, acquiring property, pay all damages caused thereby, commence eminent domain proceedings, etc.
- 17 City may finance the cost of the project with its own funds or may obtain interim financing for the project through the issuance of notes or warrants.

RESOLUTION NO. _____

A RESOLUTION of the City Council of Gig Harbor, Washington, declaring the intention of the Council to order the formation of a local improvement district for the construction and installation of improvements within the boundaries of said proposed local improvement district; setting forth the nature and territorial extent of such proposed improvements; describing the boundaries thereof; and fixing a date, time and place for a public hearing on the formation of the proposed local district.

WHEREAS, the City Council of the City of Gig Harbor, Washington (herein referred to as the "City"), [has received a petition from 100 % of the property owners and] has determined that it is necessary to provide for additions and betterments to a portion of the system of sewer utilities for the City in the Gig Harbor Northarea ^{situated north} of the City; and

WHEREAS, the City now desires to proceed with the carrying out of said improvements and to establish a local improvement district in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Gig Harbor, WASHINGTON, as follows:

Section 1. It is the intention of the Council to order the improvement of the area shown on Exhibit A attached hereto and incorporated herein by this reference, by the acquisition, design, construction and installation of the following improvements:

sewer utility collection system extending from and including the Wood Hill pump station to the city's sewer treatment plant including the construction, force mains, and sewer gravity lines and upgrade of existing sewer lines on Burnham Drive.

Section 2. The City shall acquire by gift, purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights-of-way, franchises, permits and easements which may be found necessary to acquire, construct, and install the above-described improvements.

Section 3. It is hereby further provided that the hereinbefore authorized plan of improvements shall be subject to such changes as to details of said plan, not affecting the service to be provided by the plan of improvements, as shall be authorized by the Council either prior to or during the actual course of construction.

Section 4. The cost of improvements described in Section 1 and costs of interim notes and bonds shall be assessed against the property specifically benefited by such improvements, on the basis of the amount of the special benefits to such property. The assessments shall be for the sole purpose of payment into such local improvement district bond fund as may be specified by the City Council for the payment of local improvement district bonds to be issued in part to defray the costs of such improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

Section 5. All persons who may desire to object to such improvements and the formation of a local improvement district are hereby notified to appear and present such objections at the meeting of the City Council to be held in the Council Chambers of the City Hall at Gig Harbor, Washington, at 7:00 p.m. on March 9,, ~~198~~92, which time and place are hereby fixed for hearing all matters relating to said proposed improvements and all objections thereto and for determining the method of payment of said improvements. The City Clerk is hereby directed to give notice of said hearing in the manner required by law, with the date of the first publication to be at least 15 days prior to the date of said hearing, and to mail a notice of such hearing setting forth the nature of the proposed improvements, the total estimated cost, the estimated benefits of improvements to the particular lot, tract or parcel of land, the time and date of said hearing, at least fifteen days before the date thereof, to each owner or reputed owner of any lot, tract, parcel of land, or other property specially benefitted by said improvements, at the address shown on the tax rolls of the County Assessor.

ADOPTED at a regular meeting of the City Council of _____, Washington, held on the _____ day of _____, 198_____.

By _____
Mayor

ATTEST:

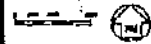


EXHIBIT "A"
ASSESSMENT MAP
U.I.D. PARTICIPANTS
PROPOSED PURDY SANITARY
SEWER SYSTEM
NOV. 21, 1981

- 0240
- GRAVITY SEWER
 - FORCE MAIN
 - WATERLINE

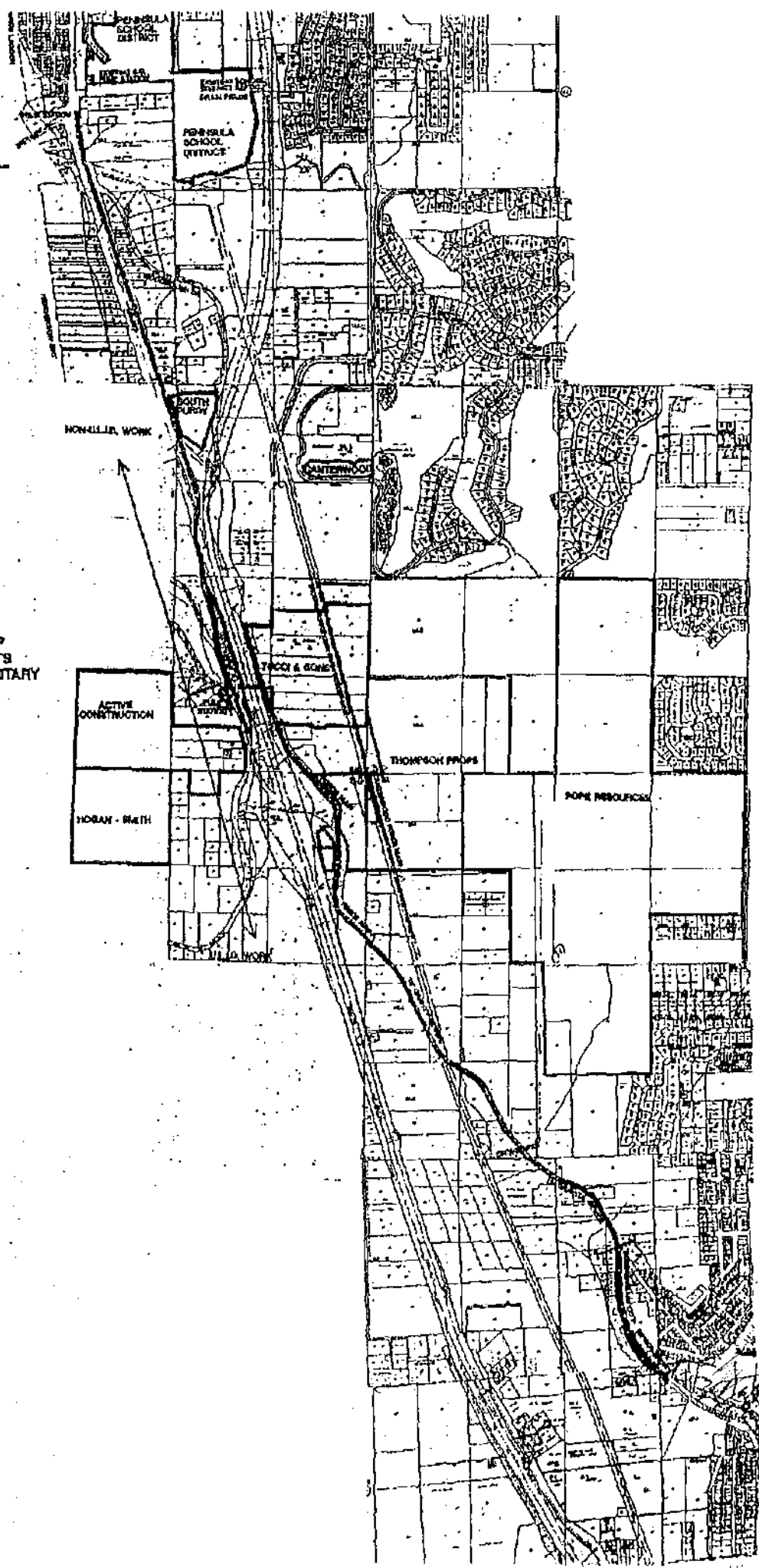


EXHIBIT B

NOTICE OF ADOPTION OF RESOLUTION OF INTENTION
TO CREATE AND NOTICE OF HEARING ON CREATION
OF LOCAL IMPROVEMENT DISTRICT

YOU ARE NOTIFIED that on _____, 198__, the City Council of _____, Washington (the "District"), adopted Resolution No. _____ declaring its intention to create a local improvement district ("LID") and to order the construction of certain improvements within said LID. The boundaries of the proposed LID are as set forth in that resolution.

The proposed improvements consist of the following:

The estimated cost of these improvements, and other expenses in connection with the improvements, is \$ _____, of which _____ % shall be paid by special assessments levied against the property within the proposed LID specifically benefited by the proposed improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

You are notified that a meeting of the City Council will be held at City Hall, City Council Chambers, _____, at _____ p.m., on _____, 198__, which time and place are fixed for hearing all matters relating to such formation and improvements and for determining the method of payment thereof. Persons desiring to object to the improvements and the formation of the proposed LID may appear at the hearing to state their views.

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the described lot, tract or parcel of land located in _____, Washington,