

AGENDA
GIG HARBOR CITY COUNCIL MEETING
Monday, March 25, 2024 - 5:30 PM
Council Chambers

This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382. Please see the public comment & decorum section at the end of this agenda for information on options for making public comments.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGMENT

Before we begin this council meeting we would like to recognize that we are gathered on not only the ancestral and traditional lands of the sx̣wəbabč band of the Puyallup Tribe of Indians, but also on the site of one of the largest and longest standing historic villages of their people, the original inhabitants of the Gig Harbor area.

CHANGES TO THE AGENDA

PUBLIC COMMENT ON CONSENT AGENDA ITEMS AND NON-AGENDA ITEMS

CONSENT AGENDA

1. **City Council Minutes**
2. **Approval of Vouchers: Check Numbers 105589 Through 105707 and ACH Payments in the Amount of \$626,480.86.**
3. **Ordinance 1524 Amending the City's Personnel Salary Schedule**
Suggested Motion: Move to approve Ordinance 1524.
4. **Second Reading and Adoption of Ordinance 1523 Relating to Code Enforcement Procedures**
Suggested Motion: Move to approve Ordinance 1523.
5. **Professional Services Contract With BERK Consulting, Inc., for Assistance with Comprehensive Plan Periodic Update**
Suggested Motion: Move to authorize the mayor to execute the professional services contract for assistance with the

Comprehensive Plan Periodic Update with BERK Consulting, Inc. in an amount not to exceed \$136,780.

MAYOR'S REPORT

CITY ADMINISTRATOR'S REPORT

1. Department Updates - March 20, 2024

BUSINESS ITEMS

1. First Reading of Ordinance 1525 Creating the Complete Streets Policy

Suggested Motion: None.

- a. Staff Report: Public Works Director Jeff Langhelm
- b. Clarifying Questions
- c. Public Comment
- d. Council Deliberation and Action

2. First Reading of Ordinance 1526 Adding Chapter 10.32, Public Electric Vehicle Charging Stations, to the Gig Harbor Municipal Code

Suggested Motion: None.

- a. Staff Report: Public Works Director Jeff Langhelm
- b. Clarifying Questions
- c. Public Comment
- d. Council Deliberation and Action

3. Public Hearing: First Reading and Adoption of Ordinance 1527 Relating to Site Plan Review Amending 17.96.025.E. and 17.96.030.A.1.A. of the Gig Harbor Municipal Code

Suggested Motion: Move to approve Ordinance 1527

- a. Staff Report: Principal Planner Robin Bolster-Grant
- b. Clarifying Questions
- c. Public Hearing
- d. Council Deliberation and Action

4. Public Hearing: 2024 Comprehensive Plan Amendment Docket

Suggested Motion: Move to forward PL-COMP-23-0001 and PL-COMP-23-0002 to the planning commission for full review, consideration, and recommendation.

- a. Staff Report: Principal Planner Robin Bolster-Grant
- b. Clarifying Questions
- c. Public Hearing
- d. Council Deliberation and Action

5. Resolution 1310 Expressing Support for the August 6, 2024, City of Gig Harbor Proposition No. 1 Titled “Additional Sales and Use Tax for Police and Public Safety”

Suggested Motion: Move to approve Resolution 1310.

- a. Staff Report: City Clerk Josh Stecker
- b. Clarifying Questions
- c. Public Comment
- d. Council Deliberation and Action

6. Selection of "For" and "Against" Committees for Gig Harbor Proposition 1 on the August 6, 2024, Primary Election

Suggested Motion: Move to nominate members to the "For" and "Against" Committees.

- a. Staff Report: City Clerk Josh Stecker
- b. Clarifying Questions
- c. Public Comment
- d. Council Deliberation and Action

COUNCIL REPORTS/ COMMENTS

ANNOUNCEMENT OF UPCOMING MEETINGS

1. Upcoming City Meetings

EXECUTIVE SESSION - To Discuss Pending Litigation per RCW 42.30.110(1)(i)

ADJOURN

PUBLIC COMMENT & DECORUM

The city council desires to allow a maximum opportunity for public comment. However, the business of the city must proceed in an orderly, timely manner. The purpose of a council meeting is to conduct the city’s business; it is not a public forum.

Speakers will be allotted 3 minutes per individual, unless revised by the mayor. In-person comments shall be made from the microphone, first giving the speaker’s name and address. Anyone making “out of order” comments may be subject to removal from the meeting.

Public comment may be made remotely via Zoom or by phone during designated portions of the meeting. To speak during the meeting, press the raise hand button near the bottom of your Zoom window or press *9 on your phone. Please refrain from raising your hand until the mayor has announced that she has opened the public comment

portion of the meeting. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in, you may need to press *6 to unmute yourself. All speakers will have up to three minutes to speak.

Instead of making oral comments, written comments may be submitted to the city council at mayorandcouncil@gigharborwa.gov.

All remarks shall be addressed to the council as a body and not to any specific councilmember. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any councilmember, the mayor, or any member of the staff or the public.

There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding public meetings, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.

AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the city clerk at cityclerk@gigharborwa.gov or (253) 853-7613 at least 24 hours prior to the meeting.

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, February 15, 2024 – 3:00 p.m.
Civic Center Community Rooms A/B or Zoom

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 3:04 p.m. Councilmembers Barber, Coronado, Henderson, and Lykins were present. Councilmembers Rodenberg and Woock were excused. Councilmember Storset arrived at 3:47 p.m.

DISCUSSION ITEMS:

- 1. Potential Interlocal Agreement with PenMet Parks for Recreational Services** – Parks Manager Jennifer Haro reviewed PenMet Parks' new pricing and waiting period policy and asked council to authorize the City Administrator to enter into formal discussions with PenMet Parks regarding an interlocal agreement.

The council expressed its support for the City Administrator to enter into formal discussions with PenMet Parks.

- 2. Ancich Park Fishermen Pavers** – Parks Manager Jennifer Haro reviewed the proposal and options for replacing the pavers at Ancich Park and asked for council feedback.

Council was supportive of the replacement of etched pavers, paid for by the Commercial Fisherman's Club, but due to funding constraints are not supportive of replacing the non-etched pavers at this time.

- 3. Capital Improvement Projects StoryMap** – Public Works Director Jeff Langhelm provided an update on current and upcoming capital improvement projects and the associated storymap and answered questions.

Council suggested adding the funding source for each project to the storymap.

Council entered into a five-minute recess at 4:03 p.m. and returned from recess at 4:12 p.m.

- 4. Zoning Controls Pertaining to Site Specific Rezones and Height Restriction Area Variances** – Community Development Director Carl de Simas and Senior Planner Jeremy Hammar reviewed the proposal to move recommending authority from the Hearing Examiner to the Planning Commission.

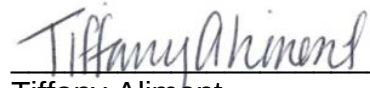
Council was supportive of the change. An ordinance will come before council for consideration on February 26.

- 5. Proposed UGA Retraction by Pierce County** – Principal Planner Robin Bolster-Grant reviewed the proposal from Pierce County, explained the opinion and recommendation of staff, and asked for council's support by way of a formal letter to Pierce County.

Council expressed support for the letter.

Councilmember Barber requested that staff prepare a resolution to place a 0.1% public safety sales tax increase on the August 6 ballot. The resolution will be considered at the February 26 city council meeting.

ADJOURN: The meeting adjourned at 4:43 p.m.



Tiffany Aliment
Assistant City Clerk

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, February 29, 2024 – 3:00 p.m.
Civic Center Community Rooms A/B or Zoom

CALL TO ORDER / ROLL CALL: Mayor Markley called the meeting to order at 3:04 p.m. Councilmembers Henderson and Woock were present in-person, Councilmembers Barber, Lykins, and Rodenberg were present online. Councilmember Storset was excused. Councilmember Coronado arrived in-person at 3:06 p.m.

DISCUSSION ITEMS:

1. **Introduction of Planning Commission Appointee Julie Martin and Salary Commission Appointees Matt Munkres, Kim Anderson, Nate Campen, Julie Martin, and Larry Bradbury** – The mayor's appointees to the Planning and Salary Commissions introduced themselves to the council and spoke about their interest in serving.

2. **Complete Streets Ordinance and Code Revisions** – Associate Engineer Chloe Wiser reviewed the Complete Streets program and explained that the city must officially adopt a complete streets ordinance to qualify for grant funding.

Council was supportive and will consider an ordinance at a future meeting.

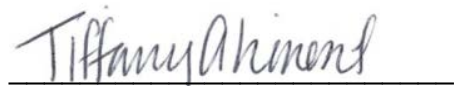
3. **EV Charging Ordinance and Resolution** – Associate Engineer Chloe Wiser reviewed current public charging station locations and fee rate options and asked for council feedback.

Council was supportive of instituting charging fees and enforcement fees but would like a separate fund account established if possible.

At 4:06 p.m., council entered into recess for five minutes and returned at 4:12 p.m.

4. **2024 Comprehensive Plan Amendment Docket** – Senior Planner Jeremy Hammar and Community Development Director Carl de Simas provided a brief review of the comp plan amendment docket process and answered council questions.

ADJOURN: The meeting adjourned at 4:38 p.m.



Tiffany Aliment
Assistant City Clerk

MINUTES
GIG HARBOR CITY COUNCIL MEETING
Monday, March 11, 2024 - 5:30 PM
Council Chambers

CALL TO ORDER/ROLL CALL Mayor Markley called the meeting to order at 5:30 p.m. Councilmembers Barber, Coronado, Lykins, Rodenberg, Storset, and Woock were present. Councilmember Henderson was excused.

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGMENT

CHANGES TO THE AGENDA

PRESENTATIONS

1. Recognition of Retiring Police Chaplain Roger Roth
2. Introduction of Police Chaplain Gary Rudd

PUBLIC COMMENT ON CONSENT AGENDA ITEMS

CONSENT AGENDA

MOTION: Move to approve the consent agenda (Brenda Lykins/Le Rodenberg).

VOTE: Yes: Mary Barber, Le Rodenberg, Brenda Lykins, Seth Storset, Ben Coronado; No: Jeni Woock

1. City Council Minutes: City Council Study Session Minutes - February 15, 2024; City Council Minutes - February 26, 2024
2. Approval of Vouchers: Check numbers 105514 through 105588 and ACH payments in the amount of \$1,846,081.79.
3. Approval of Payroll: Check numbers 8504 through 8505 and direct deposit transactions in the amount of \$570,625.88.
4. Confirmation of the Appointment of Julie Martin to the Planning Commission (Term Expiring on June 30, 2027)
5. Confirmation of the Appointment to the Salary Commission of Matt Munkres (Term Expiring September 30, 2025), Larry Bradbury (Term Expiring September 30, 2026), Kim Anderson (Term Expiring September 30, 2026), Nate Campen (Term Expiring September 30, 2027), and Julie Martin (Term Expiring September 30, 2027)
6. Lease Renewal with DNR for Tidelands at Maritime Pier

7. **Public Works Construction Contract Award for Skansie Netshed Structural, Reroof, and Repaint Improvements**
8. **Approval of Collective Bargaining Agreement with Teamsters Local Union No. 117 Representing General Non-Supervisory Employees**
9. **Approval of Collective Bargaining Agreement with Teamsters Local Union No. 313 Representing Supervisory Employees**

MAYOR'S REPORT Mayor Markley recognized the passing of former Chief of Police Denny Richards and announced Parks Appreciation Day on May 4.

CITY ADMINISTRATOR'S REPORT City Administrator Katrina Knutson reported on a change in consultants for the Comprehensive Plan update, Sports Complex Phase 1B construction contract out to bid, and International Women's Day.

1. **Department Updates - March 6, 2024**

BUSINESS ITEMS

1. **Resolution 1309 Adopting the Gig Harbor Sports Complex Phase 2 & 3 Feasibility Study** Parks Manager Jennifer Haro introduced the resolution. Public Comment was provided by Michael Perrow, Alan Gillette, Justin Cooper, Oscar Roberto, Christine Perrow, Mike Bell, Courtney Hewitson, and Gary Vastro.

MOTION: Move to approve Resolution 1309 (Brenda Lykins/Le Rodenberg).

VOTE: Yes: Mary Barber, Le Rodenberg, Brenda Lykins, Seth Storset, Ben Coronado; No: Jeni Woock

2. **First Reading of Ordinance 1523 Relating to Code Enforcement Procedures** Community Development Director Carl de Simas and Code Enforcement Officer Adam Blodgett introduced the ordinance.

COUNCIL REPORTS/ COMMENTS Councilmember Woock reported on the KGI Watershed Council Meeting. Councilmember Rodenberg reported on Sister City activities with Milna.

PUBLIC COMMENT ON NON-AGENDA ITEMS Public comment was provided by Matthew Cyr.

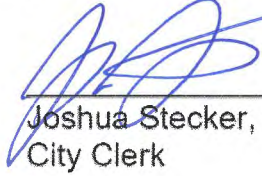
ANNOUNCEMENT OF UPCOMING MEETINGS

1. **Upcoming City Meetings**

EXECUTIVE SESSION - To Discuss Pending Litigation per RCW 42.30.110(1)(i) The mayor announced that the city council would go into

executive session to discuss pending litigation per RCW 42.30.110(1)(i) at 7:20 p.m. for 10 minutes with no action to be taken following the executive session. At 7:33 p.m. the executive session was extended an additional 5 minutes until 7:38 p.m. Council returned from executive session at 7:38 p.m.

ADJOURN The meeting adjourned at 7:39 p.m.



Joshua Stecker, CMC
City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Ordinance 1524 Amending the City's Personnel Salary Schedule

SUBMITTED BY: City Clerk Josh Stecker

DEPARTMENT: Administration

PHONE: (253) 853-7613

SUGGESTED MOTION: Move to approve Ordinance 1524.

BACKGROUND INFORMATION: At the March 11 city council meeting, council ratified collective bargaining agreements with the General Non-Supervisory Unit and the Supervisors Unit. These agreements set new salary schedules for the represented employees. Ordinance 1524 officially sets these agreed upon salary schedules within the 2023-24 budget.

FISCAL CONSIDERATION: None. The salary increases are accounted for in the 2024-25 Budget.

ATTACHMENTS:

1. Ordinance 1524
 2. Ordinance 1524 Exhibit A
-

STRATEGIC PLAN PRIORITY: Foster a healthy city organization

ORDINANCE 1524

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING THE CITY'S PERSONNEL SALARY SCHEDULE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the city council adopted the 2023-24 Budget and Salary Schedule through Ordinance 1502 on November 28, 2022; and

WHEREAS, it is necessary and appropriate to establish the salary schedule for employees of the City of Gig Harbor by ordinance; and

WHEREAS, pursuant to RCW 35A.11.020, the city council has the budget authority to correct the compensation of its officers and employees; and

WHEREAS, city staff have bargained with the General Non-supervisory Unit and the Supervisory Unit to establish new collective bargaining agreements which include revised salary schedules;

NOW THEREFORE, The City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Exhibit B of Ordinance 1502, which adopted the salary schedules shall be replaced with the salary schedules attached to this ordinance as Exhibit A.

Section 2. Exhibit A of Ordinance 1518, which previously amended Exhibit B of Ordinance 1502, is hereby repealed.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof,
held this 25th day of March, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk

EXHIBIT A SALARY SCHEDULES

2024 Executive Positions (Exempt)

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5
City Administrator	\$172,546	\$181,173	\$190,232	\$199,744	\$209,731
City Attorney	\$158,128	\$166,034	\$174,336	\$183,053	\$192,206
Chief of Police	\$148,827	\$156,268	\$164,081	\$172,285	\$180,899
Finance Director	\$139,525	\$146,501	\$153,826	\$161,517	\$169,593
Public Works Director	\$139,525	\$146,501	\$153,826	\$161,517	\$169,593
Community Development Director	\$139,525	\$146,501	\$153,826	\$161,517	\$169,593
Human Resources Director	\$132,828	\$139,469	\$146,442	\$153,764	\$161,452
Police Lieutenant	\$132,828	\$139,469	\$146,442	\$153,764	\$161,452
Housing, Health & Human Services Program Manager	\$109,598	\$115,078	\$120,832	\$126,874	\$133,218
Assistant City Attorney	\$108,829	\$114,270	\$119,984	\$125,983	\$132,282
City Clerk	\$99,993	\$104,993	\$110,243	\$115,755	\$121,543
Risk & Safety Program Manager	\$90,931	\$95,478	\$100,252	\$105,265	\$110,528
Human Resources Generalist	\$83,899	\$88,094	\$92,499	\$97,124	\$101,980

2024 Non-Represented Non-Supervisory Personnel

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Assistant City Clerk	\$82,778	\$85,468	\$88,246	\$91,114	\$94,075	\$97,132	\$100,289	\$103,548
Human Resources / Payroll Specialist	\$72,081	\$74,424	\$76,843	\$79,340	\$81,919	\$84,581	\$87,330	\$90,168
Human Resources Assistant	\$56,606	\$58,446	\$60,345	\$62,306	\$64,331	\$66,422	\$68,581	\$70,810

2024 Police Personnel (Local 117)

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5
Police Sergeant	\$117,051	\$122,904	\$129,049	\$135,501	
Police Officer	\$88,635	\$93,067	\$97,720	\$102,606	\$107,736

2024 Supervisor Unit (Local 313)

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
City Engineer	\$113,693	\$117,388	\$121,203	\$125,142	\$129,209	\$133,409	\$137,744	\$142,221
Information Technology Services Manager	\$113,693	\$117,388	\$121,203	\$125,142	\$129,209	\$133,409	\$137,744	\$142,221
Wastewater Superintendent	\$113,038	\$116,712	\$120,505	\$124,421	\$128,465	\$132,640	\$136,951	\$141,402
Building Official / Fire Marshal	\$108,851	\$112,389	\$116,041	\$119,813	\$123,707	\$127,727	\$131,878	\$136,164
Parks Manager	\$100,945	\$104,226	\$107,613	\$111,110	\$114,722	\$118,450	\$122,300	\$126,274
Principal Planner	\$100,945	\$104,226	\$107,613	\$111,110	\$114,722	\$118,450	\$122,300	\$126,274
Court Administrator	\$97,713	\$100,889	\$104,168	\$107,553	\$111,048	\$114,658	\$118,384	\$122,231
Public Works Superintendent	\$97,206	\$100,365	\$103,627	\$106,995	\$110,472	\$114,063	\$117,770	\$121,597

2024 Non-Supervisory Personnel (Local 117)

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Wastewater Lead Operator	\$102,761	\$106,101	\$109,549	\$113,109	\$116,785	\$120,581	\$124,500	\$128,546
Senior Engineer	\$102,660	\$105,996	\$109,441	\$112,998	\$116,671	\$120,462	\$124,377	\$128,420
Associate Engineer	\$94,938	\$98,023	\$101,209	\$104,499	\$107,895	\$111,401	\$115,022	\$118,760
Project Engineer	\$94,938	\$98,023	\$101,209	\$104,499	\$107,895	\$111,401	\$115,022	\$118,760
Senior Accountant	\$94,696	\$97,774	\$100,951	\$104,232	\$107,620	\$111,117	\$114,729	\$118,457
Senior Planner	\$94,640	\$97,716	\$100,892	\$104,171	\$107,556	\$111,052	\$114,661	\$118,387
Wastewater Operator III	\$89,357	\$92,261	\$95,260	\$98,356	\$101,552	\$104,853	\$108,260	\$111,779
Water Operator III	\$89,357	\$92,261	\$95,260	\$98,356	\$101,552	\$104,853	\$108,260	\$111,779
Infrastructure Systems Engineer	\$85,408	\$88,184	\$91,050	\$94,009	\$97,064	\$100,219	\$103,476	\$106,839
NPDES Coordinator - Stormwater	\$84,130	\$86,864	\$89,687	\$92,602	\$95,612	\$98,719	\$101,927	\$105,240
Assistant Building Official / Fire Marshal	\$83,688	\$86,408	\$89,216	\$92,116	\$95,109	\$98,200	\$101,392	\$104,687
Field Supervisor	\$83,688	\$86,408	\$89,216	\$92,116	\$95,109	\$98,200	\$101,392	\$104,687
Construction Supervisor	\$83,688	\$86,408	\$89,216	\$92,116	\$95,109	\$98,200	\$101,392	\$104,687
Wastewater Operator II	\$81,234	\$83,874	\$86,600	\$89,415	\$92,320	\$95,321	\$98,419	\$101,617
Water Operator II	\$81,234	\$83,874	\$86,600	\$89,415	\$92,320	\$95,321	\$98,419	\$101,617
Engineering Project Manager	\$81,003	\$83,636	\$86,354	\$89,160	\$92,058	\$95,050	\$98,139	\$101,328
GIS Coordinator	\$77,092	\$79,597	\$82,184	\$84,855	\$87,613	\$90,461	\$93,401	\$96,436
Payroll / Benefits Administrator	\$76,883	\$79,382	\$81,962	\$84,625	\$87,376	\$90,215	\$93,147	\$96,175
Associate Planner	\$75,723	\$78,184	\$80,725	\$83,349	\$86,057	\$88,854	\$91,742	\$94,724
Construction Inspector	\$73,880	\$76,281	\$78,760	\$81,320	\$83,963	\$86,692	\$89,509	\$92,418
Building Inspector / Plans Reviewer	\$73,880	\$76,281	\$78,760	\$81,320	\$83,963	\$86,692	\$89,509	\$92,418
Wastewater Operator I	\$73,849	\$76,249	\$78,727	\$81,286	\$83,928	\$86,655	\$89,472	\$92,379
Water Operator I	\$73,849	\$76,249	\$78,727	\$81,286	\$83,928	\$86,655	\$89,472	\$92,379
Code Enforcement Officer	\$72,778	\$75,143	\$77,585	\$80,107	\$82,710	\$85,399	\$88,174	\$91,040
Executive Assistant	\$72,778	\$75,143	\$77,585	\$80,107	\$82,710	\$85,399	\$88,174	\$91,040
Mechanic	\$71,444	\$73,766	\$76,163	\$78,639	\$81,194	\$83,833	\$86,558	\$89,371
Engineering Technician	\$69,909	\$72,181	\$74,527	\$76,949	\$79,450	\$82,032	\$84,698	\$87,451
Building Maintenance Technician	\$69,348	\$71,602	\$73,929	\$76,332	\$78,812	\$81,374	\$84,018	\$86,749
ITS Support Technician	\$68,389	\$70,612	\$72,907	\$75,276	\$77,722	\$80,248	\$82,857	\$85,549
Wastewater Operator in Training (OIT)	\$68,266							
Water Operator in Training (OIT)	\$68,266							
Wastewater Collection Systems Tech II	\$65,927	\$68,070	\$70,282	\$72,566	\$74,924	\$77,359	\$79,874	\$82,470
Assistant Planner	\$65,719	\$67,855	\$70,060	\$72,337	\$74,688	\$77,115	\$79,622	\$82,209
Permit Coordinator	\$65,719	\$67,855	\$70,060	\$72,337	\$74,688	\$77,115	\$79,622	\$82,209
Finance Technician	\$64,076	\$66,158	\$68,309	\$70,529	\$72,821	\$75,188	\$77,631	\$80,154
Utility Billing Technician	\$64,076	\$66,158	\$68,309	\$70,529	\$72,821	\$75,188	\$77,631	\$80,154
Planning Technician	\$63,745	\$65,817	\$67,956	\$70,164	\$72,445	\$74,799	\$77,230	\$79,740
Community Development Assistant	\$62,309	\$64,334	\$66,425	\$68,584	\$70,813	\$73,114	\$75,490	\$77,944
Public Works Assistant	\$62,309	\$64,334	\$66,425	\$68,584	\$70,813	\$73,114	\$75,490	\$77,944
Judicial Specialist	\$59,002	\$60,920	\$62,899	\$64,944	\$67,054	\$69,234	\$71,484	\$73,807
Property & Evidence Technician	\$58,659	\$60,565	\$62,534	\$64,566	\$66,665	\$68,831	\$71,068	\$73,378
Police Services Specialist	\$53,884	\$55,635	\$57,443	\$59,310	\$61,238	\$63,228	\$65,283	\$67,405
Court Clerk	\$53,155	\$54,883	\$56,666	\$58,508	\$60,409	\$62,373	\$64,400	\$66,493
Custodian	\$52,968	\$54,689	\$56,467	\$58,302	\$60,197	\$62,153	\$64,173	\$66,259
Public Works Clerk	\$52,936	\$54,656	\$56,433	\$58,267	\$60,160	\$62,116	\$64,134	\$66,219
Community Development Clerk	\$52,936	\$54,656	\$56,433	\$58,267	\$60,160	\$62,116	\$64,134	\$66,219
Laborer	\$50,299	\$51,934	\$53,622	\$55,364	\$57,164	\$59,021	\$60,940	\$62,920

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Maintenance Technician	\$61,842	\$63,852	\$65,927	\$68,070	\$70,282	\$72,566	\$74,925	\$77,360	\$79,874	\$82,470

The parties agree to continue the combination of Maintenance Technician I and II ranges. This classification requires a CDL Class B license with a Tanker Endorsement. Employees who do not have this required license must obtain it within 18 months.

*We agree to maintain the Letter of Agreement regarding Wastewater and Water positions.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Second Reading and Adoption of Ordinance 1523 Relating to Code Enforcement Procedures

SUBMITTED BY: Code Enforcement Officer Adam Blodgett

DEPARTMENT: Community Development

PHONE: (253) 853-2428

SUGGESTED MOTION: Move to approve Ordinance 1523.

BACKGROUND INFORMATION: This is the second reading of an ordinance related to the code compliance program.

The city council held its first reading of Ordinance 1523 on March 11. Community Development Director Carl de Simas summarized the ordinance and explained the reasons for the ordinance. Code Compliance Officer Blodgett took questions from council. Following deliberation, the council directed staff to bring the ordinance back on March 25 for a second reading.

The city council met on March 16, 2023, to discuss code compliance and enforcement. In that meeting, the historical approach to code compliance and how the program and hiring for the full-time code compliance officer position were discussed. Council expressed a desire to see a more robust enforcement program that clearly defines the process and includes consistent civil penalties, assessed fees, and penalties tailored specifically to certain aspects of the code (e.g. tree conservation).

The Gig Harbor Municipal Code authorizes the use of civil penalties and increased permit fees as a disincentive to violating the relative codes. However, the enforcement provisions are set forth very specifically chapter by chapter, creating an unwieldy web of differing processes, timelines, and civil penalties. This has led to increased staff time, often including city attorney time, to sort through the case and ensure the applicable and proper sections of code are utilized. It is sometimes unclear which department/division should be heading up an investigation and when and for what does the code compliance officer get involved. Finally, the current program can lead to uncertainty and frustration on the part of our community members who seek to see the codes enforced.

With the changes proposed under this ordinance, staff believe the program can better achieve the goals and vision provided by council while balancing compliance with education. This ordinance creates a clear and concise process for each section of code the city's code compliance officer is responsible for. It sets forth roles, responsibilities, civil penalties, and other repercussions for failure to comply. It creates a new chapter, setting forth a succinct process for the code compliance officer to follow.

What the ordinance does not do is address tree conservation specifically. While the

illegal removal of trees would lead to a code compliance action under this ordinance, the illegal activity would not generate a separate penalty or infraction as the council has expressed a desire to include. As the council is aware, the city has recently adopted an Urban Forest Management Plan. The implementation of that plan will lead to sweeping changes throughout the municipal code, but more importantly, to Chapter 17.78, Trees, Landscaping and Screening. Staff believes the appropriate place for illegal tree removal penalties, outside of the code compliance program, should be incorporated as part of the overall implementation strategy and amendments to Chapter 17.78.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Ordinance 1523

STRATEGIC PLAN PRIORITY: Maintain small town character and historic preservation while growing responsibly.

ORDINANCE 1523

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CODE ENFORCEMENT PROCEDURES; ENACTING A NEW CHAPTER 2.60, AMENDING CHAPTERS 8.04, 8.10, 12.17, 15.24, AND 18.10, AND REPEALING CHAPTER 19.16; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, at the July 14, 2022, city council study session, staff provided an overview of the code compliance program following the creation of a full-time code compliance officer position; and

WHEREAS, the City of Gig Harbor City Council at its March 16, 2023, study session identified the need for a more robust enforcement program; and

WHEREAS, staff conducted research of comparable jurisdictions to provide recommendations for improvements to the civil process, civil penalties, and operating procedures; and

WHEREAS, at the October 26, 2023, city council study session staff led a discussion regarding the city's existing code compliance program and provided recommendations for outreach and education in addition to recommended amendments to the municipal code; and

WHEREAS, Chapter 2.60 of the Gig Harbor Municipal code (GHMC) sets forth a consolidated code compliance process creating a standard approach which identifies the appropriate steps throughout a code compliance case; and

WHEREAS, the city recognizes that the goal of code compliance is the prevention, detection, investigation and enforcement of the violation of statutes or ordinances regulating public health, safety and welfare; and

WHEREAS, the city recognizes that new and/or revised processes and procedures for the code compliance program would support the council's strategic priority to maintain small town character and historic preservation while growing responsibly;

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

Section 1. Chapter 2.60 of the Gig Harbor Municipal is hereby added to read as follows:

Chapter 2.60
Code Compliance

Sections:

- 2.60.010 Purpose.**
- 2.60.020 Applicability.**
- 2.60.030 Violation review criteria.**
- 2.60.040 Stop work order.**
- 2.60.050 Voluntary compliance and Correction.**
- 2.60.060 Investigation and notice of violation.**
- 2.60.070 Civil penalty.**
- 2.60.080 Notice of violation and civil penalty appeals.**
- 2.60.085 Collection of civil penalty.**
- 2.60.090 Abatement.**
- 2.60.100 Criminal penalty.**
- 2.60.110 Additional relief.**

2.60.010 Purpose

The purpose of this title is to establish an effective and efficient system to ensure compliance with the City's adopted codes relative to building, land use and development, streets and sidewalks, and public nuisance, and generally protect the health and safety of the public (GHMC Titles 8, 12,14,15,16,17,18, and the shoreline master program). These regulations establish procedures and mechanisms to resolve violations, establish penalties for violations, provide an opportunity for a prompt hearing, decision, and appeal as to alleged code violations and provide for abatement when necessary.

2.60.020 Applicability.

This chapter establishes a civil method, where permitted under the law, to enforce violations of the chapters and titles of the code referenced in GHMC 2.60.010, provided an alternate civil method, other than abatement, is not specifically set forth in the code. Where the alternate civil method is abatement, both methods may apply.

A. The city administrator and/or his/her authorized representative (the "administrator") shall have the authority to enforce the land use codes of the city of Gig Harbor.

B. The code shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

C. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, lessee, occupier, or other person responsible for the condition of the land and buildings within the scope of this chapter.

D. No provision of or term used in this chapter is intended to impose upon the city, or any of its officers or employees, any duty that would subject them to damages in a civil action.

2.60.030 Violation review criteria.

The administrator will investigate and review each alleged violation or violation in accordance with the city policy. When enforcing code provisions, the administrator may, as practical and possible, seek to resolve violations without resorting to formal enforcement measures. Nothing herein shall be interpreted to require the administrator to follow a specific sequence or order of enforcement in circumstances when swifter response by the city may be reasonable or necessary. In addition, the administrator may consider a variety of factors when determining the appropriate enforcement sequence and response, including but not limited to:

A. Severity, duration, and impact of the violation(s), including whether the violation has a probability of placing a person or persons in danger of death or bodily harm, causing significant environmental harm, or causing significant physical damage to the property of another;

B. Compliance history, including any identical or similar violations or notice of violation at the same site or on a different site but caused by the same party;

C. Economic benefit gained by the violation(s);

D. Intent or negligence demonstrated by the person(s) responsible for the violation(s);

E. Responsiveness in correcting the violation(s); and

F. Other circumstances, including any mitigating factors.

2.60.040 Stop work order.

A. The administrator shall have the authority to issue a stop work order whenever any activity, work or development is being done in violation of the chapters and titles referenced in GHMC 2.60.010, or without a permit, required review or authorization or contrary to any permit, or authorization that may result in a violation. The stop work order shall be posted on the site of the violation containing the following information:

1. The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;

2. A description of the potential violation and a reference to the provisions of the code that may have been violated;

3. A description of the action required to remedy the potential violation, including but not limited to corrections, repairs, demolition, removal, restoration, time period to comply, after which a notice of violation may be issued, or any other appropriate action as determined by the administrator;

4. The appropriate department and/or division investigating the case and the contact person.

B. With the exception of emergency work determined by the administrator to be necessary to prevent immediate threats to the public health, safety and welfare

or stabilize a site or prevent further property or environmental damage, it is unlawful for any work to be done after the posting or service of a stop work order until authorization to proceed is provided by the administrator.

C. Proof of posting shall be made by a written declaration under penalty of perjury executed by the person effecting the posting, declaring the time and date of posting, and the manner by which the posting was made.

2.60.050 Voluntary compliance and Correction

The administrator may pursue a reasonable attempt to secure voluntary compliance by contacting the owner or other person responsible for any violation of this code, explaining the violation and requesting compliance.

2.60.060 Notice of Violation.

A. If the administrator has a reasonable belief based on evidence that a violation exists, and the stop work order and/or voluntary compliance measures outlined in GHMC 2.60.040 and 2.60.050 either have already been sought and have been unsuccessful, or are determined not to be appropriate for the circumstances, the administrator may issue a notice of violation containing the following to the owner or, if different and readily identifiable, to the lessee, the person in control of the property where the violation has occurred, or the person committing the violation:

1. The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;
2. A description of the violation and a reference to the provisions of the code that have been violated;
3. A description of the action required to remedy the violation, which may include corrections, repairs, demolition, removal, restoration, submittal of a work plan or any other appropriate action as determined by the administrator;
4. A statement that the required action must be taken or work plan submitted within the time period provided as set forth in the notice of violation, after which the city may impose monetary civil penalties and/or abate the violation in accordance with the applicable provisions of the relevant code section;
5. The appropriate department and/or division investigating the case and the contact person;
6. Unless subject to the provision of GHMC 2.60.050, a statement that the person to whom a notice of violation is directed may appeal the notice of violation to the hearing examiner, or his or her designee, including the deadline for filing such an appeal. Request for appeal must comply with requirements set forth in GHMC 2.60.080 and must be received by the city clerk's office no later than 10 days after the notice of violation has been served;
7. A statement that if the person to whom the notice of violation is issued fails to submit a written request for appeal within 10 working days of service, or fails to abate the violation, the city may assess civil penalties, as outlined

in GHMC 2.60.070, against the owner or, if different and readily identifiable, against the lessee, the person in control of the property where the violation has occurred, or the person committing the violation.

B. *Time to Comply.* When calculating a reasonable time for compliance, the administrator shall consider the following criteria:

1. The type and degree of violation cited in the notice;
2. The stated intent, if any, of a responsible party to take steps to comply;
3. The procedural requirements for obtaining a permit to carry out corrective action;
4. The complexity of the corrective action, including seasonal considerations;
5. Any other circumstances beyond the control of the responsible party; and
6. The responsible party may show as full or partial mitigation of liability:
 - a. That the violation is giving rise to the action caused by the willful act, or neglect, or abuse of another; or
 - b. That the correction of the violation was commenced promptly upon receipt of the notice, but that full compliance within the time specified was prevented by the inability to obtain necessary material or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the responsible party.

C. The notice of violation shall be served by any one or any combination of the following methods:

1. By certified mail to the last known address of the owner or, if different and readily identifiable, the lessee, the person in control of the property where the violation has occurred, or the person committing the violation as applicable;
or
2. By personal service upon the owner or, if different and readily identifiable, upon the lessee, the person in control of the property where the violation has occurred, or the person committing the violation as applicable; and
3. Additionally, the administrator may choose to post notice on the property.

D. The administrator may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter any building or premises subject to the consent or warrant to perform the duties imposed by this chapter.

F. If the violation has been properly corrected by the deadline imposed by the administrator, the case will be closed. If it has not, then civil penalties, abatement, or criminal penalties may be imposed against the person(s) named in the notice of violation as the party(ies) in violation, at the reasonable discretion of the administrator, in accordance with the provisions of this chapter.

2.60.070 Civil penalty.

A. Any person who fails to remedy a violation or take the corrective action described by the administrator in a notice of violation within the time period provided may be subject to monetary civil penalties. The civil penalty will be either:

1. Prepared and sent by first-class mail to the last known address(es) of the person(s) named in the notice of violation as the party(ies) in violation; or
 2. Personally served upon the person(s) named in the notice of violation as the party(ies) in violation; and
 3. The administrator may choose to post notice on the property.
- B. The civil penalty shall contain the following:
1. A statement indicating that the party(ies) in violation is being issued civil penalties for failing to properly or timely implement the corrective actions outlined by the city in the notice of violation, and that additional civil penalties may be issued until corrective actions are properly and timely implemented and the violation abated;
 2. The address of the site and specific details of the violation which is to be corrected;
 3. The appropriate department and/or division investigating the case and the contact person;
 4. The number of days in violation since the noted corrective action(s) deadline date in the notice of violation (in case of first civil penalty) or the most recently issued civil penalty on the same violation (in case of second or subsequent civil penalty) and amount of monetary penalty being assessed as a result;
 5. A statement that the person(s) to whom the civil penalty is issued may appeal it to the hearing examiner, or his or her designee, including the deadline for filing such an appeal. Request for appeal must comply with requirements set forth in GHMC 2.60.080 and must be received by the city clerk's office no later than 10 working days after the civil penalty has been served;
 6. A statement that if the person to whom the civil penalty is issued fails to submit a written request for appeal within 10 working days of service or fails to abate the violation, the city may continue to assess monetary penalties against the owner or, if different and readily identifiable, against the lessee, the person in control of the property where the violation has occurred, or the person committing the violation.
- C. Monetary Penalty. The monetary penalty for each violation per day or portion thereof shall be as follows:
1. First day of each violation: \$100.00;
 2. Second day of each violation: \$200.00;
 3. Third day of each violation: \$300.00;
 4. Fourth day of each violation: \$400.00;
 5. Each additional day of each violation beyond four days: \$500.00 per day.
1. Continued Duty to Correct. Payment of a monetary penalty pursuant to this chapter does not relieve the person to whom the notice of violation was issued of the duty to correct the violation.
- D. Daily penalties will continue to accumulate until the violation is corrected, but the accumulated amount, or part thereof, may only be assessed to party(ies) in violation by issuing and serving a civil penalty.

E. Any person to whom a civil penalty is issued and served may appeal it to the hearing examiner; provided, that any issue whatsoever, including but not limited to nature of violation, amount of penalty, corrective measures, abatement or payment made, that was previously appealed or could have been appealed earlier with the notice of violation or previously issued civil penalty on the same violation, but either was not properly/timely appealed or was sustained by the hearing examiner, shall not be subject to another appeal.

2.60.080 Notice of violation and civil penalty appeals.

A. A person to whom a notice of violation or civil penalty is issued and served may appeal the notice of violation or civil penalty by filing a written request for appeal with the city clerk no later than 10 working days after said notice of violation or civil penalty is served. Each request for appeal shall contain the required appeal fee, the address and telephone number of the person making the request and the name and address of any person who may represent him or her. Each request for appeal shall set out the basis for the appeal. Failure to submit specific grounds for appeal in writing in the request may result in the dismissal of the appeal by the hearing examiner prior to any hearing.

B. If an appeal is submitted, the hearing examiner, or his or her designee, will conduct a hearing at the next available hearing date for the hearing examiner after the city issues a notice of hearing. For good cause, the hearing examiner may, at his or her discretion, change a previously set hearing date.

C. If an appeal is submitted, the city shall mail a hearing notice giving the time, location, and date of the hearing by first-class mail to person(s) to whom the notice of violation or civil penalty was directed and any other parties identified in the appeal request.

D. The hearing examiner, or his or her designee, shall conduct a hearing on the violation or penalty. The administrator, as well as the person(s) to whom the notice of violation or civil penalty was directed, may participate as parties in the hearing and each party may call witnesses. The city shall have the burden of proof to establish, by a preponderance of the evidence, that the violation has occurred and that the required corrective action is reasonable, or that the civil penalty was appropriately assessed for noncompliance with this code.

E. The hearing examiner shall determine whether the city has established, by a preponderance of the evidence, that the violation has occurred and that the required corrective action is reasonable, or that the civil penalty was appropriately assessed and reasonable, and based on that determination shall issue a final order that affirms, modifies, or vacates the notice of violation or civil penalty being appealed. The city's hearing examiner rules shall apply. The hearing examiner's final order shall contain the following information:

1. The decision regarding the alleged violation including findings of facts and conclusion of law based thereon;
2. If applicable, a statement that the required corrective actions imposed by the city are affirmed, modified, or waived;
3. If applicable, any additional conditions imposed by the hearing examiner regarding the violation and any corrective action, and the date and time by

which the additional condition and/or correction must be met and/or completed; and

4. If applicable, a statement that any associated civil penalties are affirmed, modified, or waived.

F. If the appellant and/or any person(s) to whom the appealed notice of violation or civil penalty was directed fails to appear at the scheduled hearing, the hearing examiner shall proceed with the hearing and issue a final order based on the evidence submitted by the party(ies) in attendance.

G. The final order shall be prepared within 10 business days of the hearing and shall be served in person or by first-class mail on the appellant and any person(s) to whom the appealed notice of violation or civil penalty was directed.

H. A final order of the hearing examiner shall be considered the final administrative decision and may be appealed to a court of competent jurisdiction within 21 calendar days of its issuance or, if applicable, as provided in RCW 36.70C.040.

2.60.085 Collection of civil penalty.

A. The civil penalty constitutes an obligation of the person, firm, or corporation to whom the civil penalty is directed. The civil penalty assessed must be paid to the city within 30 calendar days from the date of service of the civil penalty or, if an appeal is filed, the time required in the hearing examiner's final order (30 days after issuance of order if no time requirement is specified). The civil penalty may also jointly and severally be assessed against the property where the violation occurred when permitted by law.

B. A civil penalty that is not paid within 30 days may be referred to a collection agency, officially approved by the city of Gig Harbor, for collection.

2.60.090 Abatement.

A. In the event that compliance is not achieved through the measures outlined in GHMC 2.60.040 through 2.60.080, or that said measures are not, at the reasonable discretion of the administrator, appropriate to remedy the violation, the city may declare the violation a public nuisance, and remove or correct the same through any lawful means of abatement that is determined to be proper by the city attorney.

B. Using any lawful means, the city may enter unsecured property and may remove or correct a violation which is subject to abatement with the consent of the owner and person in control of the premises. If the owner and person in control of the premises do not consent to entry, the city may seek such judicial process in Pierce County superior court as it deems necessary to effect the removal or correction of such condition.

2.60.100 Liens.

A. Generally. The city shall have a lien for any civil penalty imposed or for the cost of any abatement work done pursuant to this chapter, or both, against the real property on which the civil penalty was imposed or any of the abatement work was performed.

B. *Priority.* The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens, except for state and county taxes.

C. *Contents.* The claim of lien shall contain the following:

1. The authority for imposing a civil penalty or proceeding to abate the violation, or both;

2. A brief description of the civil penalty imposed or the abatement work done, or both, including the violations charged and the duration thereof, including the time the work is commenced and completed and the name of the persons or organizations performing the work;

3. A legal description of the property to be charged with the lien;

4. The name of the known or reputed owner, and, if not known, the fact shall be alleged;

5. The amount, including lawful and reasonable costs, for which the lien is claimed; and

6. Signed verification by the director or his/her authorized representative, under penalty of perjury under the laws of the state of Washington, that the declarant believes the claim is just.

D. *Recording.* The director shall cause a claim for lien to be filed for record in the Pierce County auditor's office within 90 days from the date the civil penalty is due or within 90 days from the date of completion of the abatement work performed pursuant to this chapter.

E. *Duration.* A lien created under this chapter shall be valid until the amount of money specified in the lien is paid in full.

F. *Foreclosure.* A lien created under this chapter may be foreclosed and enforced by a civil action in a court having jurisdiction. All persons who have legally filed claims or liens against the same property prior to commencement of the action shall be joined as parties, either as plaintiff or defendant. Dismissal of an action to foreclose a lien at the instance of a plaintiff shall not prejudice another party to the suit who claims a lien.

2.60.110 Criminal penalty.

In certain instances, where the aforementioned enforcement and penalty provisions outlined in this chapter do not result in compliance or are not appropriate for achieving compliance, the administrator may refer the matter to the police department for criminal investigation and prosecution. Unless a different criminal penalty is provided specifically for the violation, violations of chapters and titles of the code referenced in GHMC 2.60.020 shall constitute a gross misdemeanor as set forth in GHMC 1.16.010. Upon conviction and pursuant to a prosecution motion, the court shall also order immediate action to correct the condition constituting the violation and to maintain the corrected condition in compliance with this code.

In addition to any other sanction or remedial procedure the administrator may record a Certificate of Noncompliance on the parcel upon which the violation is located. Once the violation has been remedied, the administrator shall record a Certificate of Compliance. The property owner shall pay the cost of recording the

Certificates of Noncompliance and Compliance. Prior to recording a Certificate of Noncompliance, the administrator shall provide written notice of intent to record to the property owner. Notice shall be delivered as set forth in GHMC 2.60.060(C).

2.60.120 Additional relief.

Nothing in this chapter shall preclude the city from seeking any other relief as authorized in other provisions of this code, or by state or federal law or regulation. Enforcement of this chapter is supplemental to all other laws adopted by the city.

Section 2. Chapter 8.04 of the Gig Harbor Municipal Code is amended as follows:

**Chapter 8.04
PLANT NUISANCE**

Sections:

- 8.04.010 Duty to maintain trees or shrubs – Nuisance.**
- 8.04.020 Notice to trim or remove.**
- 8.04.030 Council hearing – Order.**
- 8.04.040 Nuisance abatement – Lien.**
- 8.04.050 Allowing noxious plants, overgrown vegetation, uncut weeds, etc.— Nuisance.**
- 8.04.060 Nuisance abatement order.**
- 8.04.070 Liability for costs of abatement.**
- 8.04.080 Penalty for violation.**
- 8.04.090 Enforcement**

8.04.010 Duty to maintain trees or shrubs – Nuisance.

All persons owning or maintaining shade or ornamental trees or shrubs upon or in front of the premises owned or occupied by them shall keep the same trimmed and in such condition so as not to interrupt a clear vision of both vehicles and foot traffic, or interfere with the wire, poles or fixtures maintained or owned by any department of the city, or permit the same to come in contact therewith or so obstruct or interfere with any lamp standard as to prevent the proper diffusion of light therefrom. Such owning or maintaining of trees or shrubs is declared to be a public nuisance. (Ord. 100 § 1, 1967).

8.04.020 Notice to trim or remove.

Whenever any such shade or ornamental trees or shrubs interrupt a clear vision of either vehicles or foot traffic or interfere with or come in contact with wires, poles or fixtures maintained or belonging to the city, the owner or occupant of the premises to which the same shall appertain may be notified in writing to trim or remove the same. Said notice shall be signed by the street superintendent of the city and such owner or occupant so notified shall within 10 days after the receipt

of such notice trim, prune or remove said trees and shrubs as required. Should the owner of such premises be unknown or a nonresident of Gig Harbor, or should personal service not be obtained upon the owner or occupant of such premises after reasonable diligence, such notice shall be posted in a conspicuous place upon said premises. (Ord. 100 § 2, 1967).

8.04.030 — Council hearing — Order.

~~If the owner or occupant aforesaid fails, neglects or refuses to trim or remove any such shade or ornamental trees or shrubs within 10 days after the receipt or posting of such notice as provided in GHMC 8.04.020, further notice may be served or posted as provided in GHMC 8.04.020 requiring such owner or occupant to appear before the city council of the city in the council chamber upon a day stated to show cause, if any there be, why such trees or shrubs should not be pruned, trimmed or removed in accordance with such notice, and at which time such owner or occupant shall be entitled to be represented by counsel and introduce evidence supporting his position relative thereto and if the council shall find that such trees or shrubs should be pruned, trimmed or removed and are a public nuisance it shall make a finding to that effect in its minutes. The city council of the city may thereupon order the pruning, trimming or removal of such trees or shrubs and the abatement of such nuisance in such manner as may to the council seem proper and reasonable, and either by the owner or by the city. The provisions of this section shall not be considered an exclusive procedure, but may be exercised either separately or in conjunction with any other remedy or procedure authorized by any other ordinance, law or statute. (Ord. 100 § 3, 1967).~~

8.04.040 Nuisance abatement – Lien.

~~If the nuisance is not abated or removed by the property owner within the time fixed by the city council pursuant to GHMC 8.04.030, Pursuant to 8.04.20 the city's street superintendent may abate the same, and he shall render a bill covering the cost to the city of such abatement, including the street superintendent's expense, and mail the bill to the property owner. If the property owner fails or refuses to pay the bill immediately, or if no bill is rendered because he cannot be found, the city clerk, in the name of the city, may file a lien therefor against the property, which lien shall be in the same form, filed with the same officer, and within the same time and manner and enforced and foreclosed as is provided by law for liens for labor and material. (Ord. 100 § 5, 1967).~~

8.04.050 Allowing noxious plants, overgrown vegetation, uncut weeds, etc.— Nuisance.

The following are declared to be a nuisance:-The maintaining, using, placing, depositing, causing, allowing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises:-Overgrown, uncultivated, unkempt, or potentially hazardous vegetation of any type, including but not limited to shrubs, brush, weeds, blackberry vines and grasses over one (1) foot in height or length, or any noxious or toxic weed in accordance and identified by the Pierce County

Weed Control Board, including vegetation which may harbor rodents or transient activity, or encroach onto adjoining public right of way.

Regulated or managed features such as, but not limited to, critical areas and public or private stormwater facilities are exempt from this section.

~~The maintaining, using, placing, depositing, causing, allowing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises or in or upon any street, avenue, alley, park, parkway or other public or private place in the city of any one or more of the following places, conditions, things or acts to the prejudice, danger or annoyance of others: Poison oak, poison ivy, deadly nightshade, or any noxious or toxic weed or uncultivated plant (whether growing or otherwise), weeds, tall grass, uncultivated shrubs or growth higher than two feet, or grass clippings, cut brush, cut weeds. (Ord. 132 § 1, 1970).~~

~~8.04.060 — Nuisance abatement order.~~

~~When judgment shall be rendered against any person, firm or corporation finding them guilty of creating, keeping or maintaining a nuisance, as herein provided, it shall be the duty of the court before whom the conviction is had, in addition to imposing the penalty or penalties herein provided, to order the defendant or defendants in such action to forthwith abate and remove such nuisance, and if the same is not done by such offender within 24 hours the same shall be abated and removed under the direction of the chief of police of the city or any other officer authorized by the order of said court, which said order of abatement shall be entered upon the docket of said court and made a part of the judgment in said action. (Ord. 132 § 2, 1970).~~

~~8.04.070 — Liability for costs of abatement.~~

~~Any person, firm or corporation found guilty of keeping or maintaining a nuisance, as herein provided, shall be liable for all costs and expenses of abating the same when said nuisance has been abated by any officer of the city which said costs and expenses shall be taxed as part of the costs of said prosecution against the party liable, to be recovered as other costs are recovered; provided, that in such cases the city shall be liable in the first instance to pay the same, and in all cases where the chief of police or other officer shall abate any such nuisance he shall keep an account of all expenses attending such abatement and in addition to other powers herein given to collect such costs and expenses, the city may bring suit for the same in any court of competent jurisdiction against the person, firm or corporation creating, keeping or maintaining the nuisance so abated. (Ord. 132 § 3, 1970).~~

~~8.04.080 — Penalty for violation.~~

~~Violation of any portion of this chapter is an infraction and subject to a penalty of \$500.00 as provided in GHMC [1.16.010\(D\)](#). (Ord. 460 § 3, 1985; Ord. 184 § 2, 1974; Ord. 132 § 4, 1970; Ord. 100 § 4, 1967).~~

8.04.090 Enforcement.

- A. The administrator shall have the authority to enforce this chapter. The administrator may call upon the building, fire, planning and community development or other appropriate city departments to assist in enforcement.
- B. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public and not for the benefit of any particular person or class of persons.
- C. It is the intent of this chapter to place the obligation of complying with its requirements upon the person owning, leasing, renting, or occupying the property upon which a nuisance is located.
- D. If the administrator determines that a violation has occurred, the administrator shall use the enforcement process found in Chapter [2.60](#) GHMC.
- E. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action. (Ord. 1162 § 1, 2009).

Section 3. Chapter 8.10 of the Gig Harbor Municipal Code is amended as follows.

Chapter 8.10 PUBLIC NUISANCES

Sections:

- 8.10.010 Purpose and construction.**
- 8.10.020 Definitions.**
- 8.10.030 Duty to maintain real property.**
- 8.10.040 Prohibited conduct.**
- 8.10.050 Public nuisances declared.**
- 8.10.060 Abatement of public nuisance.**
- 8.10.070 Enforcement.**
- ~~**8.10.080 Investigation and notice of violation.**~~
- ~~**8.10.090 Time to comply.**~~
- ~~**8.10.100 Hearing.**~~
- ~~**8.10.110 Municipal court order.**~~
- ~~**8.10.120 Abatement – Costs.**~~
- ~~**8.10.130 Civil penalties.**~~
- 8.10.140 Additional relief.**
- ~~**8.10.150 Liens.**~~

8.10.010 Purpose and construction.

The purpose of this chapter is to define, regulate and provide for the abatement of public nuisances; reduce fire, safety and health hazards; preserve and enhance the attractiveness of the city's neighborhoods; and protect property values within the city. This chapter is an exercise of the police power and is necessary for the health, safety and welfare of the city and to preserve and protect the public peace. Therefore, the provisions of this chapter shall be liberally construed for the accomplishment of such purposes. This chapter shall

not apply to piers, docks, and net sheds along the shoreline. (Ord. 1162 § 1, 2009).

8.10.020 Definitions.

All terms used in this chapter shall have their common definition meaning. In addition to the common definition meaning, the terms used shall mean as follows:

“Abate” means to repair, replace, remove, destroy or otherwise remedy a condition that violates this chapter.

“Building materials” means lumber, plumbing materials, wallboard, sheet metal, plaster, brick, cement, asphalt, concrete block, roofing materials, cans of paint and similar materials.

“Dilapidated” means a building that is generally in a deteriorated condition and meets two or more of the following conditions:

1. Exterior wall(s) and/or siding having loose or rotting materials or showing holes or breaks.
2. One or more windows that are missing glass or are boarded.
3. Roof, stairs, porch, or building structure that is sagging, leaning, or in a state of collapse.
4. At least 25 percent of a roof with missing shingles (or other roofing materials).
5. Roof, wall, or any portion thereof with tarps, plastic sheeting, or other temporary materials intended to compensate for leakage; provided, that said materials are attached for more than six months.
6. Any building which is determined to be a dangerous building pursuant to the Uniform Code for the Abatement of Dangerous Buildings as adopted by reference in the Gig Harbor Municipal Code.

“Garbage” means waste food products, other organic waste products and packaging materials from food products.

“Junk” means discarded, broken or disabled items, including, but not limited to, furniture, appliances, toys, vehicle parts, building materials, tools, machinery parts or other items that are not in functioning condition.

“Person” means human beings of either sex as well as firms, partnerships, corporations, and all associations of human beings, whether acting by themselves or by a servant, agent or employee.

“Premises” means any building, lot, parcel, real estate, land or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

“Public nuisance” means a thing, act, failure to act, occupation or use of property which (1) annoys, injures or endangers the comfort, repose, health or safety of the public; (2) unlawfully interferes with, obstructs, or renders dangerous for passage any stream, river, channel, public park, square, street, alley, highway or sidewalk; or (3) renders the public insecure in life or use of property. All of the conditions enumerated in GHMC 8.10.050 are “public nuisances.”

“Responsible party” means any person owning property, as shown on the real property records of Pierce County or on the last assessment roll for taxes, and

shall also mean any lessee, tenant or person having possession of the property. There may be more than one responsible party for a particular property. "Trash" includes, but is not limited to, used, discarded, torn or broken paper; plastic; glass; cardboard; packaging materials; small pieces of scrap metal; wire; pipe; stone; plaster; cement; office supplies; cosmetics; bottles; cans; jars; or boxes. (Ord. 1162 § 1, 2009).

8.10.030 Duty to maintain real property.

Any person owning, leasing, renting, occupying or in charge of any real property in the city, including vacant lots, has a duty to maintain the property free from junk, trash, and any other nuisance as defined in this chapter, in order that such property shall not endanger the safety, health or welfare of the general public. (Ord. 1162 § 1, 2009).

8.10.040 Prohibited conduct.

It is a violation of this chapter for any person to permit, create, maintain or allow upon any premises, any of the acts or things declared to be public nuisances herein. (Ord. 1162 § 1, 2009).

8.10.050 Public nuisances declared.

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, if such conditions are able to be viewed from the public right-of-way or adjacent public property:

- A. Any unfenced, uncovered, unguarded or abandoned pit, hole, excavation, well, septic tank, cesspool, or swimming pool into which a child or other person could fall. This paragraph does not pertain to residential and commercial decorative water features that are maintained and are in good working order.
- B. Attractive nuisances dangerous to children, including, but not limited to, abandoned, broken or neglected vehicles, boats, equipment and machinery; refrigerators, freezers or other insulated containers within which a child could suffocate; and abandoned, dilapidated or structurally unsound buildings.
- C. The existence or accumulation of any trash, litter or inorganic waste, including used, broken, torn or discarded paper, cardboard, plastic, rags, empty bottles, cans, glass, plaster, barrels, boxes, crates, packing cases, construction debris, styrofoam, hay, straw, packing materials, scrap metal, wire, pipe, crockery, and plaster not in covered and enclosed receptacles.
- D. The existence or accumulation of any junk, including broken, discarded, torn, or nonfunctional furniture, mattresses, bedding, appliances, toys, vehicle parts, or other articles of personal property.
- E. The existence or accumulation of building material, lumber, salvage materials, scrap iron, tin and other metal, wire, stone, cement or brick that are not associated with an active building permit, or are not neatly piled and screened from view from the public right-of-way or any adjacent public property.
- F. Any fence or structure which is sagging, leaning, fallen, or decayed, and is deemed a fire or safety hazard. Any building which is determined to be a

dangerous building pursuant to the Uniform Code for the Abatement of Dangerous Buildings as adopted by reference in the Gig Harbor Municipal Code. G. Any vacant building or accessory structure which is in a dilapidated condition. (Ord. 1162 § 1, 2009).

8.10.060 Abatement of public nuisance.

The responsible person or persons for any premises on which a nuisance as defined in GHMC 8.10.050 is found shall abate such nuisance by removal, trimming, demolition, rehabilitation or repair. (Ord. 1162 § 1, 2009).

8.10.070 Enforcement.

A. The enforcement officer shall have the authority to enforce this chapter. The enforcement officer may call upon the building, fire, planning and community development or other appropriate city departments to assist in enforcement.

B. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public and not for the benefit of any particular person or class of persons.

C. It is the intent of this chapter to place the obligation of complying with its requirements upon the person owning, leasing, renting, or occupying the property upon which a nuisance is located.

D. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action. (Ord. 1162 § 1, 2009).

E. If the administrator determines that a violation has occurred, the administrator shall use the enforcement process found in Chapter 2.60 GHMC.

~~8.10.080 Investigation and notice of violation.~~

~~A. *Investigation.* The enforcement officer shall investigate the premises which he/she reasonably believes does not comply with the standards and requirements of this chapter.~~

~~B. *Notice of Violation.* If, after investigation, the enforcement officer determines that the standards or requirements of this chapter have been violated, the enforcement officer shall serve a notice of violation upon the property owner, tenant, or other person responsible for the condition. The notice of violation shall contain the following information:~~

- ~~1. Name and address of the person(s) to whom the citation is issued;~~
- ~~2. The location of the subject property by address or other description sufficient for identification of the subject property;~~
- ~~3. A description of the public nuisance(s) present on the subject property;~~
- ~~4. A separate statement of each standard, code provision or requirement violated, and the reasons for which the city deems the condition of the property to constitute a public nuisance in violation of this chapter;~~
- ~~5. What corrective action, if any, is necessary to comply with the standards, code provisions or requirements;~~
- ~~6. A reasonable time for compliance;~~

7. ~~A statement that if the person(s) to whom the notice of violation is issued fails to complete the corrective action by the date required, the city or its designee shall abate the public nuisance and will assess all costs of administration and abatement against the owner of the property upon which the public nuisance is located or otherwise attempt to collect such costs against the tenant or person(s) responsible for the violation;~~
8. ~~A statement that the owner of the land on which the public nuisance is located may appear in person at the hearing and present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the public nuisance on the land, with his/her reasons for denial.~~
- C. ~~Service.~~ The notice shall be served on the property owner and the tenant or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person(s) is unknown or service cannot be accomplished and the enforcement officer makes an affidavit to that effect, then service of the notice upon such person(s) may be made by:
1. ~~Publishing the notice once each week for two consecutive weeks in the city's official newspaper; and~~
 2. ~~Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address as shown on the official Pierce County assessor's parcel data, or if unknown, to the address of the property involved in the proceedings.~~
- D. ~~Posting.~~ A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.
- E. ~~Amendment.~~ A notice or order may be amended at any time in order to:
1. ~~Correct clerical errors; or~~
 2. ~~Cite additional authority for a stated violation.~~
- F. ~~Withdrawal.~~ The city may choose to withdraw a notice of violation at any time without prejudice to the city's ability to reissue it if a certificate of compliance has not been obtained for the specific violations. (Ord. 1162 § 1, 2009).

8.10.090 — Time to comply.

- A. ~~Determination of Time.~~ When calculating a reasonable time for compliance, the enforcement officer shall consider the following criteria:
1. ~~The type and degree of violation cited in the notice;~~
 2. ~~The stated intent, if any, of a responsible party to take steps to comply;~~
 3. ~~The procedural requirements for obtaining a permit to carry out corrective action;~~
 4. ~~The complexity of the corrective action, including seasonal considerations; and~~
 5. ~~Any other circumstances beyond the control of the responsible party.~~
- B. ~~A copy of the notice may be recorded against the property with the Pierce County auditor. The enforcement officer may choose not to file a copy of the notice or order if the notice or order is directed only to a responsible person other than the owner of the property. (Ord. 1162 § 1, 2009).~~

8.10.100 — Hearing.

A. ~~The property owner, tenant, or other person responsible for the violation may appeal the notice of violation by requesting such appeal of the notice, accompanied by the appropriate appeal fee, within 15 calendar days after service of the notice. When the last day of the period so computed is a Saturday, Sunday, or federal or city holiday, the period shall run until 5:00 p.m. on the next business day. The request shall be in writing, and upon receipt of the appeal request, the enforcement officer shall forward the request to the municipal court judge.~~

B. ~~If a request for a hearing is received, a notice giving the time, location and date of the hearing shall be mailed, by certified mail, with a five-day return receipt requested, to the owner of the land as shown on the county assessor records and to the tenant or other person responsible for the violation.~~

C. ~~The owner of the land on which the public nuisance is located may appear in person at the hearing or present a written statement for consideration, and deny responsibility for the presence of the nuisance, with the reasons for denial. If it is determined that the public nuisance was present on the property without the consent of the landowner and that the landowner has not acquiesced in its presence, then the cost of removal shall not be assessed against the landowner.~~

D. ~~At or after the appeal hearing, the municipal court judge may:~~

- ~~1. Sustain the notice of violation and require that the public nuisance be abated at the request of the enforcement officer after a date certain;~~
- ~~2. Withdraw the notice of violation;~~
- ~~3. Continue the review to a date certain for receipt of additional information;~~
- ~~4. Modify the notice of violation, which may include an extension of the compliance date, and/or determine that the owner of the property is not responsible for the costs of removal, pursuant to subsection C of this section. (Ord. 1162 § 1, 2009).~~

8.10.110 — Municipal court order.

A. ~~Unless mutually agreed to by the appellant and the court, the order of the court shall be served upon the person to whom it is directed, either personally or by mailing a copy of the order to such person at his/her last known address as determined by the enforcement officer within 15 calendar days following the conclusion of testimony and hearings and the closing of the record.~~

B. ~~Proof of service shall be made by a written declaration by the person effecting the service, declaring the time and date of service and the manner by which service was made.~~

C. ~~The municipal court, in affirming the enforcement officer's notice of violation and abatement, may assess administrative costs or costs related to the abatement of the public nuisance. The court may also order the refund of hearings fees to parties deemed not responsible for the violation.~~

D. ~~If it is determined at the hearing that the public nuisance was present on the property without the consent of the landowner and that he or she has not subsequently acquiesced in its presence, then the municipal court's order shall~~

~~not assess costs of administration or removal of the public nuisance against the property upon which the public nuisance is located or otherwise attempt to collect the cost from the landowner. (Ord. 1162 § 1, 2009).~~

8.10.120 — Abatement – Costs.

~~A. Commencing 45 calendar days after service of the notice of violation and abatement, if no appeal has been filed, or 15 calendar days after the issuance of an order from the municipal court resulting in authority to remove, the enforcement officer shall supervise the abatement of the public nuisance.~~

~~B. The city's costs related to abatement of the public nuisance may be collected from the property owner unless the public nuisance existed on the property without the property owner's consent or acquiescence. If the city's costs cannot be collected from the property owner, the city may collect those costs from the tenant or other person responsible for the violation. (Ord. 1162 § 1, 2009).~~

8.10.130 — Civil penalties.

~~A. In addition to any other sanction or remedial procedure which may be available, any person, firm or corporation violating or failing to comply with any of the provisions of this chapter shall be subject to a cumulative civil penalty in the amount of \$100.00 per day for each violation from the date set for compliance until compliance with the order is achieved.~~

~~B. The penalty imposed by this section shall be collected by civil action brought in the name of the city. The enforcement officer shall notify the city attorney in writing of the name of any person subject to the penalty, and the city attorney shall, with the assistance of the enforcement officer, take appropriate action to collect the penalty. (Ord. 1162 § 1, 2009).~~

8.10.140 Additional relief.

The enforcement officer may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this chapter when civil penalties are inadequate to effect compliance. (Ord. 1162 § 1, 2009).

8.10.150 — Liens.

~~A. *Generally.* The city shall have a lien for any civil penalty imposed or for the cost of any abatement work done pursuant to this chapter, or both, against the real property on which the civil penalty was imposed or any of the abatement work was performed.~~

~~B. *Priority.* The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens, except for state and county taxes.~~

~~C. *Contents.* The claim of lien shall contain the following:~~

~~1. The authority for imposing a civil penalty or proceeding to abate the violation, or both;~~

~~2. A brief description of the civil penalty imposed or the abatement work done, or both, including the violations charged and the duration thereof,~~

~~including the time the work is commenced and completed and the name of the persons or organizations performing the work;~~

~~3. A legal description of the property to be charged with the lien;~~

~~4. The name of the known or reputed owner, and, if not known, the fact shall be alleged;~~

~~5. The amount, including lawful and reasonable costs, for which the lien is claimed; and~~

~~6. Signed verification by the director or his/her authorized representative, under penalty of perjury under the laws of the state of Washington, that the declarant believes the claim is just.~~

~~D. *Recording.* The director shall cause a claim for lien to be filed for record in the Pierce County auditor's office within 90 days from the date the civil penalty is due or within 90 days from the date of completion of the abatement work performed pursuant to this chapter.~~

~~E. *Duration.* A lien created under this chapter shall be valid until the amount of money specified in the lien is paid in full.~~

~~F. *Foreclosure.* A lien created under this chapter may be foreclosed and enforced by a civil action in a court having jurisdiction. All persons who have legally filed claims or liens against the same property prior to commencement of the action shall be joined as parties, either as plaintiff or defendant. Dismissal of an action to foreclose a lien at the instance of a plaintiff shall not prejudice another party to the suit who claims a lien. (Ord. 1162 § 1, 2009).~~

Section 4. Chapter 12.17 of the Gig Harbor Municipal Code is amended as follows.

Chapter 12.17 ENFORCEMENT

Sections:

12.17.002	Violations.
12.17.004	Enforcement. <u>Compliance</u>
12.17.006	Investigation and notice of violation.
12.17.008	Time to comply.
12.17.010	Stop work order.
12.17.012	Emergency order.
12.17.014	Criminal penalties.
12.17.016	Additional relief.

12.17.002 Violations.

A. It is a violation of GHMC Titles [12](#), [13](#) and/or [14](#) for any person to initiate, maintain or cause to be initiated or maintained the use of any structure, land or property within the city of Gig Harbor without first obtaining the permits or authorizations required for the use by the aforementioned codes.

B. It is a violation of GHMC Titles 12, 13 and/or 14 for any person to use, construct, locate, demolish or cause to be used, constructed, located, or

demolished any structure, land or property within the city of Gig Harbor in any manner that is not permitted by the terms of any permit or authorization issued pursuant to the aforementioned codes; provided, that the terms or conditions are explicitly stated on the permit or the approved plans.

C. In addition to the above, it is a violation of GHMC Titles 12, 13 and/or 14 to:

1. Remove or deface any sign, notice, complaint or order required by or posted in accordance with the aforementioned codes;
2. Misrepresent any material fact in any application, plans or other information submitted to obtain any building or construction authorization;
3. Fail to comply with any of the requirements of or violate any of the provisions of GHMC Titles 12, 13 and/or 14. (Ord. 870 § 1, 2001).

12.17.004 Compliance

A. The public works director has the authority to enforce this chapter and GHMC Titles 12, 13 and/or 14. The public works director may call upon the police, fire, building, planning or other appropriate city departments to assist in enforcement. As used in this chapter, "public works director" shall also mean his or her duly authorized representative.

B. Upon presentation of proper credentials, the public works director or designee may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building, facility, street, premises or right-of-way subject to the consent or warrant, in order to perform the duties imposed by GHMC Titles 12, 13 and/or 14.

C. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

D. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land and buildings within the scope of GHMC Titles 12, 13 and/or 14.

E. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action. (Ord. 870 § 1, 2001).

12.17.006 Compliance Process.

A. *Investigation.* The public works director shall investigate any structure, activity, facility, street or use which the public works director reasonably believes does not comply with the standards and requirements of GHMC Titles 12, 13 and/or 14.

B. *Voluntary Compliance.* If, after investigation, the public works director or designee determines that the standards or requirements of this title have been violated, the public works director or designee may pursue a reasonable attempt to secure voluntary compliance by contacting the owner or other person

responsible for any violation of this code, explaining the violation, and requesting compliance. This contact may be in person or in writing or both.

C. *Code Compliance*: If the public works director or designee has a reasonable belief based on evidence that a violation of any of the codes exists, and the stop work order and/or voluntary compliance measures either have already been sought and have been unsuccessful or are determined not to be appropriate for the circumstances, the public works director may seek compliance through the code compliance process as outlined in Chapter 2.60 GHMC.

~~F. *Optional Notice to Others*. The public works director may mail, or cause to be delivered to all residential and/or nonresidential rental units in the structure or post at a conspicuous place on the property, a notice which informs each recipient or resident about the notice of violation, stop work order or emergency order and the applicable requirements and procedures.~~

~~G. *Amendment*. A notice or order may be amended at any time in order to:~~

- ~~1. Correct clerical errors; or~~
- ~~2. Cite additional authority for a stated violation. (Ord. 870 § 1, 2001).~~

12.17.010 Stop work order.

~~Whenever a continuing violation of this code will materially impair the public works director's ability to secure compliance with this code, or when the continuing violation threatens the health or safety of the public or damage to public property, the public works director may issue a stop work order specifying the violation and prohibiting any work or other activity at the site. A failure to comply with a stop work order shall constitute a violation of this chapter. (Ord. 870 § 1, 2001).~~

A. The administrator shall have the authority to issue a stop work order whenever any activity, work or development is being done in violation of any of the land use codes, or without a permit, review or authorization required by the land use codes, or contrary to any permit, required review, or authorization that may result in violation of the land use codes. The Stop Work Order shall be posted and contain the information pursuant to GHMC 2.60.040.

1. The street address or a description of the building, structure, premises, or land where the violation has occurred, in terms reasonably sufficient to identify its location;
2. A description of the potential violation and a reference to the provisions of the code that may have been violated;
3. A description of the action required to remedy the potential violation, including but not limited to corrections, repairs, demolition, removal, restoration, time period to comply, after which a notice of violation may be issued, or any other appropriate action as determined by the administrator;
4. The appropriate department and/or division investigating the case and the contact person.

B. With the exception of emergency work determined by the administrator to be necessary to prevent immediate threats to the public health, safety and welfare or stabilize a site or prevent further property or environmental damage, it is

unlawful for any work to be done after the posting or service of a stop work order until authorization to proceed is provided by the administrator.

C. Proof of posting shall be made by a written declaration under penalty of perjury executed by the person effecting the posting, declaring the time and date of posting, and the manner by which the posting was made. (Ord. 1226 § 1, 2011).

12.17.012 Emergency order.

Whenever any use or activity in violation of GHMC Titles 12, 13 and/or 14 threatens the health and safety of the occupants of the premises or any member of the public or damage to public property, the public works director may issue an emergency order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety or public property be corrected. The emergency order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible. A failure to comply with an emergency order shall constitute a violation of this chapter.

Any condition described in the emergency order which is not corrected within the time specified is hereby declared to be a public nuisance and the public works director is authorized to abate such nuisance summarily by such means as may be available. The cost of such abatement shall be recovered from the owner or person responsible or both in the manner provided by law. (Ord. 870 § 1, 2001).

12.17.014 Criminal penalties.

A. Any person violating or failing to comply with any of the provisions of GHMC Titles 12, 13 and/or 14 and who has had a judgment entered against him or her pursuant to GHMC 12.17.016 or its predecessors within the past five years shall be subject to criminal prosecution and upon conviction of a subsequent violation shall be fined in a sum not exceeding \$5,000 or be imprisoned for a term not exceeding one year or be both fined and imprisoned. Each day of noncompliance with any of the provisions of GHMC Titles 12, 13 and/or 14 shall constitute a separate offense.

B. The above criminal penalty may also be imposed:

1. For any other violation of GHMC Titles 12, 13 and/or 14 for which corrective action is not possible; and
2. For any willful, intentional, or bad faith failure or refusal to comply with the standards or requirements of GHMC Titles 12, 13 and/or 14. (Ord. 870 § 1, 2001).

12.17.016 Additional relief.

The public works director may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of GHMC Titles 12, 13 and/or 14 when civil or criminal penalties are inadequate to effect compliance. (Ord. 870 § 1, 2001).

Section 5. Chapter 15.24 of the Gig Harbor Municipal Code is amended as follows.

Chapter 15.24 ENFORCEMENT

Sections

15.24.010	Violations.
15.24.020	Enforcement.
15.24.030	Investigation and notice of violation. Code Compliance
15.24.040	Time to comply.
15.24.050	Stop work order.
15.24.060	Emergency order.
15.24.070	No administrative appeal of notices of violation.
15.24.080	Penalties.
15.24.090	Additional relief.

15.24.010 Violations.

A. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by any code adopted in this title, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

B. *Additional Violations.* In addition to the above, it is a violation of this title to:

1. Remove or deface any sign, notice, complaint or order required by or posted in accordance with this chapter;
2. Misrepresent any material fact in any application, plans or other information submitted to obtain any building or construction authorization;
3. Fail to comply with any of the requirements of this title, including any requirement of the city's codes and state codes adopted by reference herein. (Ord. 983 § 21, 2005).
4. Expired permits shall constitute a violation subject to the enforcement provisions of Section 15.24.020 and Title 2.

15.24.020 Enforcement.

A. The building official/fire marshal shall have the ability to enforce this chapter. The building official/fire marshal may call upon the police, fire, planning and community development or other appropriate city departments to assist in enforcement. As used in this chapter, "building official/fire marshal" shall also mean his or her duly authorized representative.

B. Upon presentation of proper credentials, the building official/fire marshal may, with the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued inspection warrant, enter at reasonable times any building or premises subject to the consent or warrant, in order to perform the duties imposed by this title.

- C. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.
- D. It is the intent of this chapter to place the obligation of complying with its requirements upon the owner, occupier or other person responsible for the condition of the land and buildings within the scope of this title.
- E. No provision of or any term used in this chapter is intended to impose any duty upon the city or any of its officers or employees which would subject them to damages in a civil action. (Ord. 983 § 21, 2005).

15.24.030 ~~Investigation and notice of violation.~~ Compliance Process

A. *Investigation.* The building official/fire marshal shall investigate any structure or use which the building official/fire marshal reasonably believes does not comply with the standards and requirements of this title.

B. *~~Notice of Violation.~~ Voluntary Compliance* If, after investigation, the building official/fire marshal determines that the standards or requirements of this title have been violated, the building official/fire marshal shall ~~serve a notice of violation upon the owner, tenant or other person responsible for the condition.~~ The notice of violation shall contain the following information:

- ~~1. A separate statement of each standard, code provision or requirement violated;~~
- ~~2. What corrective action, if any, is necessary to comply with the standards, code provision or requirements;~~
- ~~3. A reasonable time for compliance;~~
- ~~4. A statement that if the violation is not already subject to criminal prosecution, any subsequent violations may result in criminal prosecution as provided in GHMC 15.24.080.~~

or designee may pursue a reasonable attempt to secure voluntary compliance by contacting the owner or other person responsible for any violation of this code, explaining the violation, and requesting compliance. This contact may be in person or in writing or both.

C. ~~*Service.* The notice shall be served on the owner, tenant or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person(s) is unknown or service cannot be accomplished and the building official/fire marshal makes an affidavit to that effect, then service of the notice upon such person(s) may be made by:~~

- ~~1. Publishing the notice once each week for two consecutive weeks in the city's official newspaper; and~~
- ~~2. Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address as shown on the official Pierce County assessor's parcel data, or if unknown, to the address of the property involved in the proceedings.~~

D. ~~*Posting.* A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.~~

~~E. *Other Actions May Be Taken.* Nothing in this section shall be deemed to limit or preclude any action or proceeding pursuant to GHMC 15.24.010, 15.24.020, 15.24.080 or 15.24.090.~~

~~F. *Optional Notice to Others.* The building official/fire marshal may mail, or cause to be delivered, to all residential and/or nonresidential rental units in the structure or post at a conspicuous place on the property, a notice which informs each recipient or resident about the notice of violation, stop work order or emergency order and the applicable requirements and procedures.~~

~~G. *Amendment.* A notice or order may be amended at any time in order to:~~

- ~~1. Correct clerical errors; or~~
- ~~2. Cite additional authority for a stated violation.~~

~~H. *Withdrawal.* The city may choose to withdraw a notice of violation at any time, without prejudice to the city's ability to reissue it, if a certificate of compliance has not been obtained for the specific violations. (Ord. 983 § 21, 2005).~~

C. *Notice of Violation.* If the building official / fire marshal or designee has a reasonable belief based on evidence that a violation of any of the building codes exists, and the stop work order and/or voluntary compliance measures either have already been sought and have been unsuccessful, or are determined not to be appropriate for the circumstances, the building official/ fire marshal may seek a compliance through the Code Compliance process as outlined in GHMC 2.60.

15.24.040 — Time to comply.

~~A. *Determination of Time.* When calculating a reasonable time for compliance, the building official shall consider the following criteria:~~

- ~~1. The type and degree of violation cited in the notice;~~
- ~~2. The stated intent, if any, of a responsible party to take steps to comply;~~
- ~~3. The procedural requirements for obtaining a permit to carry out corrective action;~~
- ~~4. The complexity of the corrective action, including seasonal considerations, construction requirements and the legal prerogatives of landlords and tenants; and~~
- ~~5. Any other circumstances beyond the control of the responsible party.~~

~~B. A copy of the notice shall be filed with the Pierce County auditor. The building official/fire marshal may choose not to file a copy of the notice or order if the notice or order is directed only to a responsible person other than the owner of the property. (Ord. 983 § 21, 2005).~~

15.24.050 Stop work order.

Whenever a continuing violation of this code will materially impair the building official/fire marshal's ability to secure compliance with this code, or when the continuing violation threatens the health or safety of the public, the building official/fire marshal may issue a stop work order specifying the violation and prohibiting any work or other activity at the site. A failure to comply with a stop work order shall constitute a violation of this chapter. The Stop Work Order shall

be posted and contain the information-pursuant to GHMC 2.60.040. (Ord. 983 § 21, 2005).

15.24.060 Emergency order.

Whenever any use or activity in violation of this title threatens the health and safety of the occupants of the premises or any member of the public, the building official/fire marshal may issue an emergency order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety be corrected. The emergency order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible. A failure to comply with an emergency order shall constitute a violation of this chapter. Any condition described in the emergency order which is not corrected within the time specified is hereby declared to be a public nuisance and the building official/fire marshal is authorized to abate such nuisance summarily by such means as may be available. The cost of such abatement shall be recovered from the owner or person responsible or both in the manner provided by law. (Ord. 983 § 21, 2005).

15.24.070 No administrative appeal of notices of violation.

There is no administrative appeal of a notice of violation issued pursuant to this chapter. (Ord. 983 § 21, 2005).

A. Criminal Penalty. In addition to or as an alternative to any other penalty provided in this chapter or by law, any person, firm or corporation who violates any provision of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of up to \$5,000 and/or imprisonment for a period of up to one year, or both such fine and imprisonment (as provided in RCW 35A.11.020).

B. Criminal Penalties for Violations of the IMC, IFGC, UPC and IFC. Any person, firm or corporation who violates any provision of the International Mechanical Code, International Fuel Gas Code, the Uniform Plumbing Code and the International Fire Code, as adopted in this title, is subject to the criminal penalties as set forth in subsection A of this section. (Ord. 983 § 21, 2005).

15.24.080 Penalties.

~~A. Civil Penalty.~~

~~1. In addition to any other sanction or remedial procedure which may be available, any person, firm or corporation violating or failing to comply with any of the provisions of this title shall be subject to a cumulative civil penalty in the amount of \$50.00 per day for each violation from the date set for compliance until compliance with the order is achieved.~~

~~2. The penalty imposed by this section shall be collected by civil action brought in the name of the city. The building official/fire marshal shall notify the city attorney in writing of the name of any person subject to the penalty, and the city attorney shall, with the assistance of the building official/fire marshal, take appropriate action to collect the penalty.~~

~~3. The violator may show as full or partial mitigation of liability:~~

- a. ~~That the violation giving rise to the action was caused by the willful act, or neglect, or abuse of another; or~~
- b. ~~That correction of the violation was commenced promptly upon receipt of the notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary materials or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.~~

~~B. *Criminal Penalty.* In addition to or as an alternative to any other penalty provided in this chapter or by law, any person, firm or corporation who violates any provision of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of up to \$5,000 and/or imprisonment for a period of up to one year, or both such fine and imprisonment (as provided in RCW 35A.11.020).~~

~~C. *Criminal Penalties for Violations of the IMC, IFGC, UPC and IFC.* Any person, firm or corporation who violates any provision of the International Mechanical Code, International Fuel Gas Code, the Uniform Plumbing Code and the International Fire Code, as adopted in this title, is subject to the criminal penalties as set forth in subsection B of this section. (Ord. 983 § 21, 2005).~~

15.24.090 Additional relief.

The building official/fire marshal may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this title when criminal penalties are inadequate to effect compliance. (Ord. 983 § 21, 2005).

In addition to any other sanction or remedial procedure the administrator may record a Certificate of Noncompliance on the parcel upon which the violation is located. Once the violation has been remedied, the administrator shall record a Certificate of Compliance. The property owner shall pay the cost of recording the Certificates of Noncompliance and Compliance. Prior to recording a Certificate of Noncompliance, the administrator shall provide written notice of intent to record to the property owner. Notice shall be delivered as set forth in GHMC 2.60.060(C).

Section 6. Chapter 18.10.050 of the Gig Harbor Municipal code is amended as follows:

18.10.050 General provisions.

A. *Lands to Which This Chapter Applies.* This chapter shall apply to all areas of special flood hazards within the jurisdiction of the city of Gig Harbor. GHMC 18.10.100 also applies to areas that include riparian buffer zone within the jurisdiction of the city of Gig Harbor.

B. *Basis for Establishing the Areas of Special Flood Hazard.* The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Pierce County, and Incorporated Areas," dated March 7, 2017, and any revisions thereto, with an accompanying Flood Insurance Rate Map (FIRM) dated March 7,

2017, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study and the FIRM are on file at the Gig Harbor Civic Center, 3510 Grandview St., Gig Harbor, WA 98335. The best available information for flood hazard area identification as outlined in GHMC 18.10.060 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under GHMC 18.10.060.

C. *Penalties for Noncompliance.* No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter for failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall be enforced according to the procedures in Chapter 17.07 GHMC 2.60 GHMC.

D. *Abrogation and Greater Restrictions.* This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. *Interpretation.* In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

F. *Warning and Disclaimer of Liability.* The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 1356 § 1, 2017; Ord. 1264 § 1, 2013; Ord. 1259 § 3, 2013; Ord. 1074 § 2, 2007).

Section 7. Section 19.16 of the Gig Harbor Municipal Code is hereby repealed.

Section 8. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 9. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited

to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 10. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 25th day of March, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Professional Services Contract With BERK Consulting, Inc., for Assistance with Comprehensive Plan Periodic Update

SUBMITTED BY: Principal Planner Robin Bolster-Grant

DEPARTMENT: Community Development

PHONE: (253) 853-7615

SUGGESTED MOTION: Move to authorize the mayor to execute the professional services contract for assistance with the Comprehensive Plan Periodic Update with BERK Consulting, Inc. in an amount not to exceed \$136,780.

BACKGROUND INFORMATION: The city is presently engaged in completing the 2044 Comprehensive Plan Periodic Update and requires the assistance of an experienced consultant in order to meet the December 31, 2024, Department of Commerce deadline.

An RFQ was distributed by the community development department for this work and BERK Consulting, Inc. was selected. BERK is widely regarded as one of the most experienced and respected public policy consulting firms in the region and has assisted the City of Gig Harbor previously, preparing the UGA Assessment and Guidelines Report and the Middle Housing Recommendations in 2023.

FISCAL CONSIDERATION: Payment for services rendered will come from the existing 2023-2024 budget; no additional funding is required.

Expenditure Required:	Amount Budgeted:	Appropriation
\$136,780.00	\$136,780.00	Required:
		\$0.00

ATTACHMENTS:

1. PSC with Berk Consulting

STRATEGIC PLAN PRIORITY: Maintain small town character and historic preservation while growing responsibly.

**PROFESSIONAL SERVICES CONTRACT
BETWEEN THE CITY OF GIG HARBOR AND
BERK CONSULTING, INC.**

THIS AGREEMENT is made by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and BERK Consulting, Inc. a Washington corporation (the "Consultant").

RECITALS

WHEREAS, the City is presently engaged in completing the 2044 Comprehensive Plan Periodic Update and desires that the Consultant perform services necessary to provide the following consultation services; and

WHEREAS, the Consultant agrees to perform the services more specifically described in the Scope of Work including any addenda thereto as of the effective date of this Agreement, all of which are attached hereto as **Exhibit A – Scope of Work**, and are incorporated by this reference as if fully set forth herein;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties as follows:

TERMS

1. Retention of Consultant - Scope of Work. The City hereby retains the Consultant to provide professional services as defined in this Agreement and as necessary to accomplish the scope of work attached hereto as **Exhibit A** and incorporated herein by this reference as if set forth in full. The Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. Payment.

A. The City shall pay the Consultant an amount based on time and materials, not to exceed One hundred thirty-six thousand seven hundred eighty dollars (\$136,780) for the services described in Section 1 herein. This is the maximum amount to be paid under this Agreement for the work described in **Exhibit A** and shall not be exceeded without the prior written authorization of the City in the form of a negotiated and executed supplemental agreement. The Consultant's staff and billing rates shall be as described in **Exhibit B – Schedule of Rates and Estimated Hours**. The Consultant shall not bill for Consultant's staff not identified or listed in **Exhibit A** or bill at rates in excess of the hourly rates shown in **Exhibit B**, unless the parties agree to a modification of this Contract, pursuant to Section 17 herein.

B. The Consultant shall submit monthly invoices to the City after such services have been performed, and a final bill upon completion of all the services described in this Agreement. The City shall pay the full amount of an invoice within 45 days of receipt. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within 15 days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

3. **Duration of Work.** The City and the Consultant agree that work will begin on the tasks described in **Exhibit A** immediately upon execution of this Agreement. The parties agree that the work described in **Exhibit A** shall be completed by December 31, 2024; provided however, that additional time shall be granted by the City for excusable days or extra work. Further, the parties may extend the duration of this Agreement consistent with the terms of Section 17 below.

4. **Termination.** The City reserves the right to terminate this Agreement at any time upon ten (10) days written notice to the Consultant. Any such notice shall be given to the address specified above. In the event that this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for all services performed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the notice to terminate. In the event that services of the Consultant are terminated by the City for fault on part of the Consultant, the amount to be paid shall be determined by the City with consideration given to the actual cost incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which would satisfactorily complete it to date of termination, whether that work is in a form or type which is usable to the City at the time of termination, the cost of the City of employing another firm to complete the work required, and the time which may be required to do so.

5. **Non-Discrimination.** The Consultant agrees not to discriminate against any customer, employee or applicant for employment, subcontractor, supplier or materialman, because of race, color, creed, religion, national origin, marital status, sex, sexual orientation, age or handicap, except for a bona fide occupational qualification. The Consultant understands that if it violates this provision, this Agreement may be terminated by the City and that the Consultant may be barred from performing any services for the City now or in the future.

6. **Independent Status of Consultant.** The parties to this Agreement, in the performance of it, will be acting in their individual capacities and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be considered or construed to be the employees or agents of the other party for any purpose whatsoever.

7. Indemnification.

A. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers, harmless from any and all claims, injuries, damages, losses or suits including reasonable attorneys fees, arising out of or resulting from the negligent or wrongful acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

B. In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees or volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. Insurance.

A. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

B. No Limitation. The Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City of Gig Harbor's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance. The Consultant shall obtain at no cost to the City and maintain said insurance in force for the duration of this agreement, insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Professional's profession.

D. Minimum Amounts of Insurance. The Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Employer's Liability, each accident \$1,000,000, Employer's Liability Disease-each employee \$1,000,000, and Employer's Liability Disease - Policy Limit \$1,000,000.
4. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim/aggregate.

E. Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respect to the City of Gig Harbor. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute to it.
2. The City of Gig Harbor will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the City of Gig Harbor will not waive its right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the City of Gig Harbor, or any self-insurance, or insurance pool coverage maintained by the City of Gig Harbor.
3. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, unless thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
4. If any coverage is written on a "claims made" basis, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

F. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII and licensed to conduct business in the State of Washington.

G. Verification of Coverage. The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily

limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

9. Ownership and Use of Work Product. Any and all documents, drawings, reports, and other work product produced by the Consultant under this Agreement shall become the property of the City upon payment of the Consultant's fees and charges therefore. The City shall have the complete right to use and re-use such work product in any manner deemed appropriate by the City, provided, that use on any project other than that for which the work product is prepared or modification of the work product shall be at the City's risk unless such use is agreed to by the Consultant.

10. City's Right of Inspection. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

11. Records.

A. The Consultant shall keep all records related to this Agreement for a period of three years following completion of the work for which the Consultant is retained. The Consultant shall permit any authorized representative of the City, and any person authorized by the City for audit purposes, to inspect such records at all reasonable times during regular business hours of the Consultant. Upon request, the Consultant will provide the City with reproducible copies of any such records. The copies will be provided without cost if required to substantiate any billing of the Consultant, but the Consultant may charge the City for copies requested for any other purpose.

B. Consultant acknowledges that the City is an agency governed by the public records disclosure requirements set forth in chapter 42.56 RCW. Consultant shall fully cooperate with and assist the City with respect to any request for public records received by the City concerning any public records generated, produced, created and/or possessed by Consultant and related to the services performed under this Agreement. Upon written demand by the City, the Consultant shall furnish the City with full and complete copies of any such records within ten business days. Consultant's failure to timely provide such records upon demand shall be deemed a material breach of this Agreement. To the extent that the City incurs any monetary penalties, attorneys' fees, and/or any other expenses as a result of such breach, the Consultant shall indemnify and hold harmless the City as set forth in Section 7. For purposes of this section, the terms "public records" and "agency" shall have the same meaning as defined by chapter 42.56 RCW, as construed by Washington courts.

C. The provisions of this section shall survive the expiration or termination of this Agreement.

12. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and subconsultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

13. Non-Waiver of Breach. The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be and remain in full force and effect.

14. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding, or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the City Engineer or Director of Operations and the City shall determine the term or provision's true intent or meaning. The City Engineer or Director of Operations shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the City Engineer or Director of Operations determination in a reasonable time, or if the Consultant does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney's fees, in addition to any other award.

15. Written Notice. All notices required to be given by either party to the other under this Agreement shall be in writing and shall be given in person, electronically delivered receipt confirmed, or by mail to the addresses set forth below. Notice by mail shall be deemed given as of the date the same is deposited in the United States mail, postage prepaid, addressed as provided in this paragraph.

CONSULTANT:
ATTN: Lisa Grueter
BERK Consulting, Inc.
2200 6th Ave. Suite 1000
Seattle, WA 98121-1896
206-324-8760

City of Gig Harbor
ATTN: Community Development Director
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335
253-851-6170

16. Subcontracting or Assignment. The Consultant may not assign or subcontract any portion of the services to be provided under this Agreement without the express written consent of the City.

17. Entire Agreement. This Agreement represents the entire integrated agreement between the City and the Consultant, superseding all prior negotiations, representations or agreements, written or oral. This Agreement may be modified, amended, or added to, only by written instrument properly signed by both parties hereto. If extending the duration of the Agreement only, the parties may agree to such duration extension by written instrument approved and signed by the Consultant and by the Department Director if all other terms of the Agreement are unchanged and remain in full force and effect for the entire new duration of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement this _____ day of _____, 2024.

CONSULTANT

CITY OF GIG HARBOR

By: 
Its: Principal

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Project Scope: Gig Harbor Comprehensive Plan

DRAFT: March 19, 2024

Task 1: Project Management

As part of our overall management of the project, we envision five primary areas of work:

1.1 Coordinate Project Startup and Orientation

We will initiate the project by organizing a kickoff meeting with City staff. This meeting will establish critical foundations beyond the contract specifics, including:

- Establishing project communication protocols, including key contacts.
- Developing a detailed timeline featuring key milestones.
- Outlining the major project deliverables with clear specifications.
- Determining project data requirements.
- Setting a schedule for regular project updates.

We will compile this information into a comprehensive Project Charter. This document will serve as a tool for continuous project management and will be submitted to City staff for review and approval, ensuring alignment with project objectives.

1.2 Provide for Existing Project Review and Assessment

Our initial steps involve evaluating the current status of the project. We will systematically organize existing work and assess how it integrates with our planned approach. This process includes:

- Reviewing existing project materials to understand the progress and quality.
- Identifying opportunities to incorporate this work into our strategy effectively.
- Collaborating with City staff to propose a streamlined approach that leverages previous efforts, aiming to optimize resource usage and minimize project timelines.

1.3 Coordinate Data Requests and Template Development

In parallel with the existing project review, our focus will also be on gathering and updating project data:

- We will compile a detailed data list as part of the Project Charter and coordinate with City planning and GIS staff to secure the necessary information.
- To ensure consistency in deliverables, we will develop and finalize templates for maps, documents, and other outputs. These templates will align with the City's branding and include formats compatible with Microsoft Word and ESRI ArcMap.

1.4 *Hold Ongoing Project Meetings*

To promote regular communication between City staff and the project team, we will coordinate regular meetings to reserve the time necessary to discuss key issues. This will be organized as follows:

- We will schedule biweekly meetings with City staff to review project progress, discuss deliverables, and seek guidance on project direction.
- Additional meetings will be convened as necessary to address specific issues or milestones.
- We will invite City staff on an as-needed basis to internal team workshops to provide a more detailed discussion of learnings and strategic policy development.

1.5 *Convene Project Close-Out Meeting*

To conclude the project:

- A final meeting will be arranged with City staff to ensure all deliverables are provided according to the contract requirements.
- We will submit all project materials to the City, including electronic copies of all deliverables and data, ensuring a thorough and organized handover.

Task 2: Comprehensive Plan Supporting Materials

As part of the development and adoption of the Comprehensive Plan, there are several different work products that will be necessary to ensure that different components of the Plan have a proper basis and rationale. Additionally, there are several key products from this work that will be necessary to support policy development for the Plan and ensure that it is compliant with requirements under state law.

This task will be divided into four key components.

2.1 *Develop Land Use Concepts and Future Land Use Map*

Building on existing work, we will operationalize and refine the developed land use concepts. This involves detailed articulation of expected development types, densities, and land needs. The culmination of this process will be a finalized Future Land Use Map, a key element of the Comprehensive Plan. This map will depict major land classifications that will be the basis for future zoning, and provide a guiding framework for future growth and development policies within the city.

2.2 *Conduct Land Capacity and Growth Distribution Analysis*

The Future Land Use Map will be instrumental in assessing policy impacts and achieving goals. This will result from two assessments:

- A land capacity analysis using the Future Land Use Map to evaluate the availability of developable land. This includes ensuring compliance with state-mandated housing affordability targets over the next 20 years.
- A development allocation analysis to distribute population and employment projections for 2044. These projections will inform transportation modeling through a rational distribution of expected growth.

2.3 Complete Code Audit and Policy Checklists

We will assist the City in responding to policy checklists mandated by the Washington Department of Commerce and the Puget Sound Regional Council (PSRC). This will involve:

- Highlighting compliance with current statutes, policies, and plans.
- Identifying areas of non-compliance and proposing actionable steps for alignment.
- Providing comprehensive documentation to demonstrate compliance with requirements.

In addition, we will provide a supplementary audit of the current Gig Harbor Municipal Code focusing on housing and zoning, and highlight specific recommendations for changes to reflect compliance with current state requirements.

2.4 Provide Additional Supporting Materials

Beyond the materials identified above, we will also supply additional resources to enhance the Comprehensive Plan update process:

- Graphics and materials to bolster City-led public engagement efforts.
- Rewrites and updates to existing supporting documents as required.
- A summarized version of the racial equity analysis conducted by SSHA^{3P}, highlighting its implications for the Comprehensive Plan.

Task 3: Comprehensive Plan Element Updates

Under this Task, we will coordinate updates to the elements of the Comprehensive Plan. This will be aligned with the work completed to date, and will provide:

- The elements to be included in the Comprehensive Plan.
- A guidance document showing how the policies of the 2018 Comprehensive Plan have been updated for this version.
- Supporting appendices providing background information to substantiate the changes provided.

We envision this task proceeding according to four steps:

3.1 Develop Policy Review Framework

We will coordinate a process with City staff to ensure the project materials are managed to minimize potential confusion and challenges with version control.

3.2 Provide Revised Element Drafts

We will revise and update various Comprehensive Plan elements, ensuring they reflect current needs and goals. These elements will include:

- Introduction
- Land Use
- Economic Development
- Housing

- Essential Public Facilities
- Utilities
- Capital Facilities
- Community Design
- Implementation Strategy

We will provide the corresponding documentation of policy changes and supporting information for these sections as necessary. Where possible, we will leverage and integrate recent policies, reports, and other documentation to ensure the plan is up-to-date and reflects current conditions (e.g. most recent system plans).

3.3 *Review Additional Element Drafts*

The remaining sections of the Comprehensive Plan will be reviewed and revised by City staff. Our team will provide support with a peer review of this material, which may include edits and supporting research as required.

3.4 *Coordinate the Development of Comprehensive Plan Draft*

The final step is the consolidation of all the revised elements into a cohesive Comprehensive Plan draft. This process will:

- Integrate all revised elements and appendices into a single, comprehensive document.
- Ensure consistency in style, tone, and approach across all sections.
- Prepare the draft for review, public consultation, and adoption.

This development of a draft of the Comprehensive Plan will include a detailed proofing and accessibility review prior to distribution of the draft.

Task 4: SEPA Evaluation

It is expected that as part of the Comprehensive Plan process a review under the State Environmental Policy Act (SEPA) will be required for the policy document. The final scope of this process will be dependent on the components of the final proposed Plan and ability to mitigate potential impacts with existing and updated policies. We expect to provide support for this process as follows:

4.1 *Develop the SEPA Evaluation for the Comprehensive Plan*

We will provide either a revised SEPA checklist and draft Determination of Non-Significance for the City to evaluate the changes provided in the revised Comprehensive Plan or a Notice of Adoption of the Pierce County Comprehensive Plan EIS (depending on timing of the County's Final EIS), and VISION 2050 EIS with an addendum.

4.2 *Create Supporting Materials Necessary for the SEPA Process*

We will also coordinate the development of other necessary supporting materials for the SEPA process, including a summary of technical work developed by the transportation element. The scope of this will be

defined once the SEPA process is determined, and may involve collaboration with City staff to ensure the necessary materials are provided.

4.3 Support Additional Steps in the Process

We will coordinate with City staff to ensure a timely and efficient process for this evaluation, and ensure that all statutory requirements are being fulfilled by providing draft notices per Task 4.1 and advice on distribution. Depending on the final scope of the process, this may require coordinating City staff effort to provide the necessary documentation.

Task 5: Engagement and Adoption Support

This project task will be related to providing ongoing support to the adoption process for the Comprehensive Plan. We envision this task proceeding according to two stages:

5.1 Support Public Engagement

As part of the ongoing process for plan adoption, City staff will be taking a primary role with respect to managing public engagement and coordinating with the Planning Commission and City Council. We will assist the City in the engagement process at several points:

- Back-end support for up to three public engagement events managed by the City through the development of charts, graphs, and presentation materials.
- Attendance at Planning Commission and City Council meetings to provide support for staff.

5.2 Provide Revised Plan Drafts

In addition to this involvement with public engagement, we will also provide two rewrites of the Comprehensive Plan at key stages in the process to acknowledge and incorporate feedback received from different stakeholders. These changes will be clearly documented in a separate memo to provide a consistent record for review as needed.

Project Budget

For the general services provided above, we propose a project budget not to exceed **\$136,780**. The division of estimated fees by Task are included below. Andrew Bjorn, AICP, PhD, Associate Principal will serve as the project lead for this work. Lisa Grueter, AICP, Principal, will serve as Project Director and provide project support for SEPA.

Task	Estimated Fee
Task 1: Project Management	\$13,600
Task 2: Comprehensive Plan Supporting Materials	\$30,160
Task 3: Comprehensive Plan Element Updates	\$55,120
Task 4: SEPA Evaluation	\$22,860
Task 5: Engagement and Adoption Support	\$15,040
TOTAL	\$136,780

Project fees will be billed by time expended monthly and incorporate any incidental disbursements as part of this fee. Any expenditure in excess of this budget will require approval from the City.

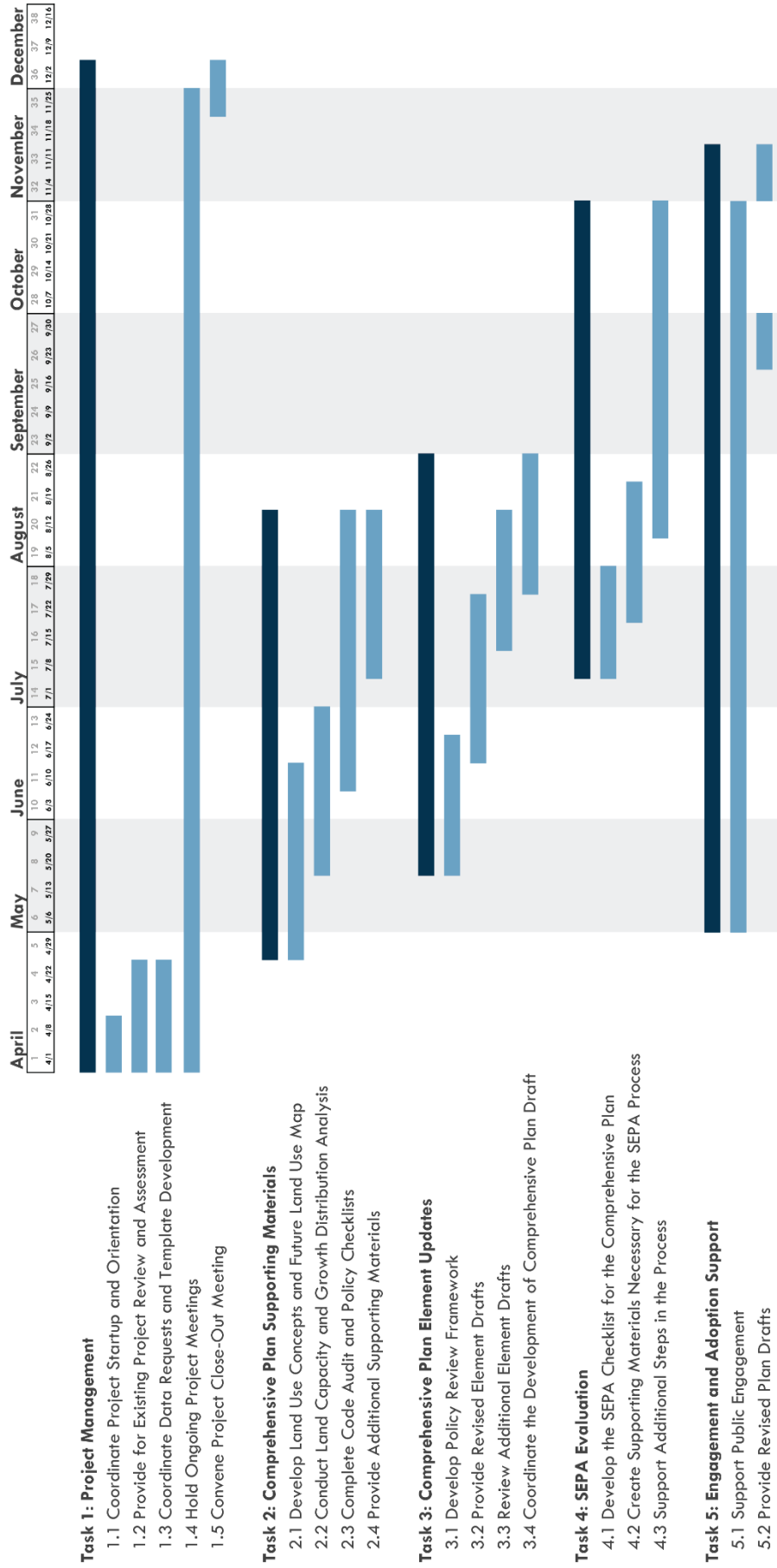
Line items in the budget are projected and may be reallocated on the basis of work requirements on the project. Note that the overall project budget may not be exceeded without approval from the City.

This fee schedule includes staff time for regular meetings with City staff. Note that project meetings will be carried out by phone or video conferencing to minimize costs.

Project Schedule

The proposed project schedule is provided below. The project is expected to commence the first week of April 2024 and be completed by December 2024.

Timeline



**BERK Consulting, Inc.
STANDARD BILLING RATES - 2024**

Allegra Calder	Principal	\$260.00
Lisa Grueter	Principal	\$260.00
Brian Murphy	Principal	\$260.00
Kevin Ramsey	Associate Principal II	\$215.00
Ferdouse Oneza	Associate Principal II	\$215.00
Andrew Bjorn	Associate Principal I	\$210.00

Katherine Cortes	Senior Associate III	\$195.00
Dawn Couch	Senior Associate III	\$195.00
Kevin Gifford	Senior Associate III	\$195.00
Casey Bradfield	Senior Associate II	\$190.00
Ben Han	Senior Associate II	\$190.00
Jessica Hartmann	Senior Associate II	\$190.00
Ann Mueller	Senior Associate II	\$190.00
Benjamin Silver	Senior Associate II	\$190.00
Katherine Goetz	Senior Associate I	\$180.00
Josh Linden	Senior Associate I	\$180.00
Michele Eakins-TeSelle	Senior Associate I	\$180.00
Julia Tesch	Senior Associate I	\$180.00
Maria Santiago	Senior Associate I	\$180.00
Stefanie Hindmarch	Senior Associate I	\$180.00

Madison Immel	Associate III	\$160.00
Sabrina Santos	Associate II	\$150.00
Kamal Raslan	Associate II	\$150.00
Ariel Hsieh	Associate II	\$150.00
Carmen Smith	Associate II	\$150.00
Isa Hirata	Associate II	\$150.00
Adam Greer	Associate II	\$150.00
Oliver Hirn	Associate II	\$150.00
Michelle Ellsworth	Associate II	\$150.00
Patricia Taylor	Associate I	\$135.00
Yasir Alfarag	Associate I	\$135.00

Intern	Project Associate	\$105.00
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Direct non-salary costs:

Mileage	\$0.670	per mile
Prints - B/W	\$0.15	per page
Prints - Color	\$0.40	per page
Prints - Large Format (34"x44")	At Cost	per page
Printing - Small Format (22"x44")	At Cost	each page
Parking	Direct charges	
Postage	Direct charges	
Courier services	Direct charges	
External printing	Direct charges	
Misc. items pertaining to the project	Direct charges	

A TWICE-MONTHLY SUMMARY FROM YOUR CITY OF GIG HARBOR LEADERSHIP TEAM

These department updates are an effort to increase our internal and external communication initiatives, to provide the mayor and city councilmembers with the information they need to serve the public and make informed decisions, and just as importantly, to share citywide information and updates with all staff and residents. Please feel free to send any questions, suggestions, or concerns about this document to communications@gigharborwa.gov.

ADMINISTRATION

City Administrator Katrina Knutson

Housing, Health, and Human Services Program: This past week, the city administrator and H3 program manager attended the [Habitat for Humanity](#) luncheon in Tacoma. There, they had the opportunity to engage with community partners and establish new connections. The stories shared were inspiring, serving as a poignant reminder of the importance of our efforts in affordable housing. In a time when affordable housing is needed more than ever it was great to see so many opportunities for affordable homeownership on the horizon, including three homes being built in the Canterwood area. To learn more or apply to own a home through Habitat for Humanity please visit their [website](#).

In addition to affordable homeownership, Habitat for Humanity offers a plethora of resources including [HUD-approved housing counseling](#), pathways to homeownership program, foreclosure prevention, and home repairs for aging in place. Staff was grateful for the opportunity to attend the luncheon and continue the city's partnership with Habitat for Humanity.



Creative District: Last week, City Administrator Knutson met with a group of community stakeholders interested in establishing a [creative district](#) in the city. Representatives from the Waterfront Alliance, Chamber of Commerce, ArtsWA, and the local arts community brainstormed on pathways forward. The next step will be to establish a planning committee to answer the basic, yet most important, questions. Who will develop the program? Who will administer it? How much staff time will this require and what are those associated costs? We will be sure to provide ongoing updates as the planning committee is formed and begins to address those unanswered questions.

Free Legal Aid Popups: This past week the Civic Center hosted the second Free Legal Aid Popup in partnership with Tacomaprobono Community Lawyers. The event was a success much like the first, having more individuals in need of legal aid than there was enough time allotted for. Although not everyone was able to be seen that evening, everyone was provided with information about other legal aid popup events and instructions on how to apply for Tacomaprobono Community Lawyer's services online. The city is beyond grateful for the partnership that has been forged with Tacomaprobono Community Lawyers. It is wonderful to see community members have low barrier access to services they need. Free Legal Aid Popups are hosted the second Tuesday of every month from 4-6 p.m.; the next one is scheduled for April 9.

COMMUNITY DEVELOPMENT

Community Development Director Carl de Simas

Spring is in the air! It's that time when folks start coming out from behind closed doors, working in their yards, playing in the parks, and walking around our beautiful city. As a result, this is also the time when we typically start to see more permitting activity and code enforcement action requests (CEAR). The uptick has begun already! We have received several CEAR over the past week or so that our dutiful officer is currently investigating.

Several permit applications have been submitted since the beginning of March – mostly single-family residential, but a few commercial projects as well. One of those commercial projects is a proposal known as the Erickson Buildings (3555 Erickson Street). The project proposes the construction of three office buildings, approximately 6,000 square feet each, and associated infrastructure, parking, landscaping, etc., behind the existing Hangar Clinic at Kimball Drive and Erickson Street. The project would incorporate the Hangar Clinic building into the site plan, essentially creating one campus.

In other news, we regret that we were unsuccessful in securing the 2024 Community Forestry Assistance Grant from the Department of Natural Resources. This is the second time we have applied and been turned down in as many years. The grant was to be used to implement phase 2 of our [Urban Forestry Management Plan](#) and provide some assistance to Public Works in their efforts to replace trees that will be lost to upcoming development projects, as well as some replanting resulting from past activities. We will apply again later this year for the 2025 round of grant funding.

PLANNING

At the March 25 city council meeting, planning staff will present the 2024 Comprehensive Plan Amendment Docket and will ask the council which items it wishes to forward for further processing. Any items selected by the council will then be heard by the planning commission at a public hearing in April. The planning commission will evaluate the selected applications for compliance with the approval criteria contained in [GHMC 19.09.170](#). The planning commission hearing will be the first opportunity to take an in-depth review of the merits of each project. The commission will then make a recommendation for project approval or denial to the council. A timeline of the docket process can be found [here](#).

Also on the March 25 city council agenda is staff's presentation on proposed text changes to [GHMC 17.96](#) (Site Plans) for a first reading. If approved, the changes would remove the exiting requirement that all commercial changes of use submit plans for site plan review. As written, this requirement adds an unnecessary layer of review and cost for minor use changes that do not have an impact to city infrastructure (water, sewer, transportation).

BUILDING

The Building Division has received 65 permit applications this reporting period, including those for six new homes and a remodel of the Starbucks on Borgen. We've issued 20 permits, including those for a new BECU at Gig Harbor North. Permit submittals are **up 45%** YTD over the same time last year.

Additionally, the Building Division is currently finishing up final inspections of a large remodel of the Gig Harbor Court Memory Care on 45th, as well as the new Hawkins Poe office on Pioneer.

CODE ENFORCEMENT

The ordinance adopting new code enforcement procedures was presented to Council on March 11. The second reading and potential adoption is scheduled for March 25.

- Found Property – Referred to Police
- Illegal Dumping – Letter Sent to Property Owner
- Temporary Signs Attached to Utility Poles – Removed by PW Crews
- Public Nuisance: Trash in Vegetative Buffer Area – Owner Contacted
- Material Placed in City Right-of-Way Causing Parking Issue – Letter Sent to Property Owner
- Temporary Sign Sweeps – Removed 21 Signs

Pending:

- Zoning Code Issue – Setbacks, Drainage on Property in R1 Zone – No Permits
- Zoning Code Issue – Business License / Home Occupation
- Zoning Code Issue – Business License / Home Occupation
- Zoning Code Issue – Impervious Surface, Site Work Without Permits

COURT

Court Administrator Stacy Colberg

Scam Alert: In recent months there has been an uptick in phone scams across the state related to missed court dates, missed jury duty, and arrest warrants. The fraudulent callers identify themselves as an officer with local law enforcement and use real names of police officers and judges to appear credible. Scammers report they can stop the warrant process to avoid arrest if you pay your fines.

Do not make any payments to them. **Do not** reply directly to texts or emails demanding personal information or money. Gig Harbor Municipal Court and Gig Harbor Police will never initiate a call to request payment of fines over the phone. If you receive a fraudulent email or phone call, reach out directly to the court or law enforcement agency named to verify or report the activity.

More information about these scams can be found on the Washington Courts website [jury scam calls, emails, and mailings targeting state residents](#). Please share this information with your friends and family to help protect them from falling victim to these threats.

FINANCE

Finance Director Dave Rodenbach

The table below shows a year-to-year comparison of selected revenue sources. These balances include year-end accruals.

Year to Year Comparison - Select Revenues

Category	2022	2023	\$ Change	% Change
Local Retail Sales & Use Tax	\$ 8,944,225	\$ 8,644,680	\$ (299,545)	-3%
Utility B & O	1,165,083	1,205,660	40,577	3%
Building Permits - Basic Fees	620,686	237,899	(382,787)	-62%
Bldg Permit - Plan Check Fee	167,131	212,852	45,721	27%
Real Estate Excise Tax	1,914,815	977,813	(937,002)	-49%
Transportation Impact Fees	1,035,774	298,050	(737,724)	-71%
Park Impact Fees	\$ 184,500	\$ 13,500	\$ (171,000)	-93%

HUMAN RESOURCES

Human Resources Director Shannon Costanti

ADVANCE YOUR CAREER

Are you looking to grow in your career? There are a variety of opportunities currently available throughout the city. [Take a look](#) and apply today! If you know someone who would be a great fit, please be encouraged to tell them about it!

Position	Type	Status
Finance Technician	FT	Open until 3/27
Seasonal Worker (4 Vacancies)	FT	Open until 4/14
Police Officer - Entry Level	FT	Continuous
Police Officer - Exceptional Entry	FT	Continuous
Police Officer - Lateral Entry	FT	Continuous
Police Services Specialist	FT	Closed - Kellee Venturi hired 3/18
Public Works Assistant	FT	Closed - selection pending

ITS

Information Technology Services Manager Keith Smith

No updates to report but stay tuned!

POLICE

Police Chief Kelly Busey

No updates to report but stay tuned!

PUBLIC WORKS

Public Works Director Jeff Langhelm

Wastewater Updates: (1) Wastewater staff is preparing to install the new backup generator at LS#2 (Bogue View Plaza). This work will require some of the wood planks at Bogue View Plaza to be dismantled, removal of the existing generator, placement of a new concrete pad, then installation of the new generator. Staff will be closing a majority of the Plaza for a few weeks during this project. (2) Wastewater staff and our GIS Coordinator are preparing for this year's annual gravity sewer main line inspection program. This program uses a sewer line rapid assessment tool (RAT) that finds obstructions in sewer lines using acoustics instead of a sewer line camera. This technology is very accurate and allows for the inspection of thousands of feet of sewer line per day instead of hundreds. (3) The city's wastewater treatment plant operates return-activated sludge (RAS) pumps that move sewer flows that contain high amounts of solids. These RAS pumps have been in operation for more than 10 years and the volutes are showing significant signs of wear due to the gritty material that moves through the pumps.

Parks, Grounds, and Facilities Maintenance: (1) Crews have begun lawn maintenance for the year, including fertilizing and mowing of parks and streetscapes. (2) Due to Marty West's recent retirement, Peter Frontiero is temporarily filling the Building Maintenance Tech position. Peter has begun assessing the building from a new point of view and is implementing a maintenance plan. (3) With the opening of the new Operations Center, staff is in the process of repurposing the existing shop building to allow for more storage and better organization of our existing materials.

Water Operations Updates: (1) Crews have been performing routine maintenance of the city's many air/vac (aka air release) valves scattered throughout our water system. These valves release air pockets that collect at each high point of our pressured water mains. The valves improve flow through the watermain and reduce the likelihood of water hammer. (2) Staff has begun the annual program to test the city's backflow assemblies, which are used to reduce the possibility of potential cross contamination in the city's water system.

Streets and Storm Operations Updates:

(1) The city has started performing shoulder maintenance along streets that have gravel shoulders instead of concrete curbs. This maintenance includes the use of the new front broom attachment to our side mower (see photo). (2) The city has numerous Peninsula Light Co. services that provide electricity to the city's street light cabinets. Crews have been improving the city's inventory of these street light electrical services. This includes verifying the meter numbers and account information are accurate and that the city's electrical cabinets are only powering city facilities. (3) Staff has been performing storm facility inspections to help guide upcoming maintenance tasks. (4) Crews have begun the quarterly maintenance of more than 2,600 street signs. As part of this work, staff will begin changing wood signposts to steel posts. Additionally, staff has been replacing street name signs to improve visibility and meet current standards. (5) Repairs of street light lamps continue. This work has continuously required a 2-man crew (minimum) to keep up with the failed LED lamps. Staff is preparing a plan to prioritize replacement of the LED lamps with high failure rates. (6) Crews are coordinating maintenance of the city's traffic signals with WSDOT signal crews. City staff will begin re-lamping our signals soon.



City Stormwater Participation in WSPER Technical Advisory Group: Last week, Michael Abboud joined West Sound Partners for Ecosystem Recovery (WSPER) in hosting technical advisors for the Salmon Recovery Funding Board, visiting ten sites across our watershed that are proposing projects to improve fish habitat. This included visiting the City of Gig Harbor's culvert replacement project at North Creek for which we are seeking a grant through the Large Cap Puget Sound Acquisition and Restoration (PSAR) Fund.

It was instructive to see all the exciting proposals in person. Gig Harbor, together with other jurisdictions and organizations throughout the peninsula, are working hard to recover and improve our watershed's ecological functions through a variety of strategies: acquisition and conservation, shoreline bulkhead and armoring removal, culvert replacement, data collection, etc.

Capital Improvement Project Status Updates: For the most recent updates on the city's design and construction projects, see our online [CIP StoryMap](#).

Gig Harbor Waterfront Alliance Pop-up Cleanup: Many thanks to the Waterfront Alliance for organizing the pop-up cleanup downtown on March 15. Over 100 volunteers came out to spruce up the downtown. City operations staff provided tools, equipment, mulch, and topsoil to volunteers, and hauled off debris.

City Council Adopts Sports Complex Feasibility Study: On March 11, city council adopted resolution 1309, adopting the feasibility study prepared by BCRA for phases 2 and 3 of the sports complex. The study adopts a preferred field layout and looks at costs, stormwater, environmentally sensitive areas, and traffic. Adoption of the resolution does not authorize funding design, permitting, or construction of these phases. Next steps will be to pursue partnerships with other agencies or nonprofits and evaluate financial feasibility based upon management models.

February 29, 2024 / Gig Harbor Sports Complex - Phase 2 and 3 Feasibility Study

Preferred Alternative
CONCEPTUAL FIELD LAYOUT



Legend

- | | | | | | |
|---|--|--|---|--|--|
| 01 180' Outfield | 07 Spectator Bleachers, typ. | 13 Maintenance Access Road & Main Pedestrian Access Between Upper and Lower Fields | 19 Connection to Phase 1C Parking | 25 Preserve Existing Historic Umpire Shack | 31 Parking Lot Restriped to add 10 Stalls |
| 02 Retaining Wall | 08 Comfort Station | 14 Accessible Ramp Connection from Parking to Fields | 20 200' Outfield | 26 Existing Lower Building to Remain | 32 Existing Soft-surface Trail |
| 03 Scoreboard | 09 Stair Connection Between Phase 2 and Phase 3 Fields | 15 Head in/Angled Parking (42 stalls) | 21 Outfield Fence | 27 Existing Dugout to Remain | 33 Existing Parking Along McCormick Creek Drive |
| 04 Trash Enclosure | 10 Drop-off Area | 16 Head in/Angled Parking (26 stalls) | 22 Reconfigured Soft Surface Trail (no significant grading anticipated) | 28 Existing Restroom/Snack Shack to Remain | 34 Full-size Baseball Outfield (300' but lines, 475' center field) |
| 05 Dugout, typ. | 11 Equipment/Storage Sheds (40' x 10') | 17 330' x 199' Soccer (FIFA), 360' x 180' Unified Lacrosse, 360' x 160' Football | 23 Accessible Ramp Connection Between Phase 2 and Phase 3 | 29 Existing Baiting Cages to Remain | 35 ADA Accessible Parking Stalls |
| 06 Relocated Existing Spectator Bleachers | 12 Parallel Parking (8 stalls) | 18 330' x 180' Soccer, 360' x 180' Unified Lacrosse, 360' x 160' Football | 24 Synthetic Turf Field (208' radius) | 30 Existing Retaining Wall | 36 Dense Vegetated Buffer at Phase 2 South Property Line |

Field Inventory

- 1 375' Outfield field (Baseball/Softball)
1 208' Outfield field (Baseball/Softball)
1 200' Outfield fields (Baseball/Softball)
2 180' Outfield fields (Baseball/Softball)
2 360' x 195' and 1 360' x 90' Multi-purpose fields (Football, Soccer, and Lacrosse)
1 150' x 225' L-11 Soccer/General practice field
- Total by Sport:**
5 Baseball/Softball
3 Football
3 Soccer (2 FIFA sized)
3 Lacrosse

Plant Salvage Event: On March 9, the city teamed up with the Gig Harbor Land Conservation Fund to host a plant salvage event at the Phase 1 site at the sports complex. About 20 people attended and dug out native plants for transplanting elsewhere. After the event, city crews went out with machinery to harvest some of the larger plants for replanting at the new operations center. The YMCA was kind enough to allow use of their parking lot and leased sports complex property for the event.





**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: First Reading of Ordinance 1525 Creating the Complete Streets Policy

SUBMITTED BY: Associate Engineer Chloe Wiser

DEPARTMENT: Public Works

PHONE: (253) 853-8182

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: A complete streets project is a roadway project that accommodates safe travel for all modes of transportation including pedestrians, bicyclists, motorists, and public transportation users. Complete streets are designed with shared use paths, sidewalks, bike lanes, or any features that promote the use of all modes of transportation. Moreover, complete streets policies are a key component of reducing greenhouse gas emissions in the transportation sector.

The city has incorporated complete streets policies and practices into our construction standards and capital roadway improvement projects over the years. However, we have never formalized complete streets practices via adoption of an ordinance.

Complete streets designs are currently supported in the Comprehensive Plan Transportation Element (TE) under Goal 1 which aims to implement transportation infrastructure to serve all users safely and conveniently, including motorist, pedestrians, bicyclists, and transit users. Furthermore, the 2018 Active Transportation Plan (ATP) cites the need for a complete streets ordinance and lists Goal 1 as encouraging public health through active transportation. The proposed ordinance will require the city to implement complete street infrastructure in any future street project where feasible, supporting Goal 1 of the TE and ATP. Many street projects listed in the city's six-year Transportation Improvement Program have already been identified as good complete streets grant candidates by staff.

The adoption of the complete streets ordinance enhances the experience for multimodal transportation users, promotes health, safety, and sustainability, and reduces greenhouse gas emissions. As an added benefit, many of the city's planned transportation projects become eligible for grants through the Transportation Improvement Board (TIB) that we would not have otherwise been eligible to receive. RCW 47.04.320 created a complete streets grant program managed by TIB. By adopting this ordinance, the city becomes eligible for next cycle of TIB complete streets grants. TIBs next call for projects is expected to be in June of 2024.

At the February 29 study session, staff discussed the proposed ordinance and received council feedback.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Ordinance 1525

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities.

ORDINANCE 1525

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADDING CHAPTER 12.24, COMPLETE STREETS POLICY, TO GIG HARBOR MUNICIPAL CODE TITLE 12, STREETS AND SIDEWALKS, CREATING THE COMPLETE STREETS POLICY THEREBY ENCOURAGING WALKING, BIKING, AND TRANSIT USE ALONG WITH THE SAFE OPERATION OF VEHICLES.

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel for all users, including pedestrians, bicyclists, motor vehicle drivers, transit users, emergency service providers and freight, and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities; and

WHEREAS, the Federal Highway Administration cites that 123,000 pedestrians and bicyclists are injured each year in roadway crashes in the United States with children and older adults at greatest risk and disproportionately affected; and

WHEREAS, the occurrence and severity of pedestrian and bicyclist injuries could readily be decreased by implementing Complete Streets practices; and

WHEREAS, the one-third of Americans who do not drive, disproportionately represented by older adults, low-income people, people with disabilities, and children would greatly benefit from the equitable distribution of safe, alternative means of travel that will result from Complete Streets practices; and

WHEREAS, the City of Gig Harbor wants to create convenient, enjoyable, and safe streets to improve walking and bicycling while connecting the neighborhoods and key destinations; and

WHEREAS, the City of Gig Harbor’s 2018 Transportation Element of the Comprehensive Plan seeks to implement transportation infrastructure to serve all users safely and conveniently, including motorists, pedestrians, bicyclists, and transit users (Goal 1); and

WHEREAS, the City of Gig Harbor’s 2018 Active Transportation Plan (Gig on the Go) promotes transportation equity and access for all citizens, sites a need for a Complete Streets Ordinance, and lists Goal 1 as encouraging public health through active transportation; and

WHEREAS, the Washington State Legislature adopted a Complete Streets Grant Program in 2011, codified in Section 47.04.320 of the Revised Code of Washington; and

WHEREAS, funding from the Washington State Complete Streets Grant Program will only be available to jurisdictions that have adopted a Complete Streets Ordinance;

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

Section 1. Gig Harbor Municipal Code Title 12, Streets and Sidewalks, is hereby amended to include a new Chapter 12.24, Complete Streets Policy, as shown in Exhibit A.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance shall take effect and be in full force thirty (30) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 8th day of April, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk

EXHIBIT A

Chapter 12.24

Complete Streets Program

12.24.010 Purpose and Vision

12.24.020 Definitions

12.24.030 Exceptions

12.24.040 Complete Streets Infrastructure

12.24.050 Goals to Foster Partnerships

12.24.060 Best Practices Criteria

12.24.070 Performance Measure

12.24.010 Purpose and Vision

The City of Gig Harbor shall, to the maximum extent practical, scope, plan, design, construct, operate and maintain appropriate facilities for the safe accommodation of pedestrians, bicyclists, transit users, motorists, emergency responders, freight and users of all ages and abilities in all new construction, retrofit or reconstruction projects. Through ongoing operations and maintenance, the City of Gig Harbor shall identify cost effective opportunities to include Complete Streets practices.

12.24.020 Definitions

“Complete Streets” means a road that is designed to be safe for drivers, bicyclists, transit vehicles and riders, and pedestrians of all ages and abilities.

“Street Project” means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any street, and includes the planning, design, approval and implementation processes.

“Users” means individuals and vehicles that use streets, including pedestrians, bicyclists, freight, automobiles, public transportation vehicles and riders, and people of all ages and abilities, including children youth, families, older adults, and individuals with disabilities.

“Complete Streets Infrastructure” means design features that contribute to a safe, convenient, or comfortable travel experience for users, including but not limited to features such as: sidewalks; shared use paths; bicycle lanes; automobile lanes;

paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bulb outs; crosswalks; refuge islands; pedestrian and traffic signals, including countdown and accessible signals; signage; street furniture; bicycle parking facilities; public transportation stops and facilities; traffic calming devices such as rotary circles, raised crosswalk, and surface treatments such as paving blocks, textured asphalt, and concrete, narrow vehicle lanes; and raised medians.

12.24.030 Exceptions

The public works director or city engineer may exempt the following projects from this policy as follows:

- A. If the application of the policy would require the accommodation of street uses prohibited by law;
- B. For ordinary maintenance such as mowing, sweeping, snow removal, spot repairs (joint or crack sealing, pothole filling) this policy shall not be applied beyond the scope of that activity;
- C. Street reconstruction and maintenance paving projects that involve widening pavement may exclude elements of this policy when the accommodation of a specific use is expected to:
 - 1. Require more space than is physically available; or
 - 2. Be located where there is no current or reasonably determined future demand; or
 - 3. Drastically increase project costs, if equivalent alternatives exist in close proximity to the project; or
 - 4. Have adverse impacts on environmental resources or critical areas, or on historic structures or sites that exceed the impacts of currently existing infrastructure; or
 - 5. Result in costs disproportionate to the current need or probable future use.
- D. In instances where a documented variance is granted by the city engineer.

12.24.040 Complete Streets Infrastructure

As feasible, the City of Gig Harbor shall incorporate "Complete Streets Infrastructure" into existing public streets to create a comprehensive, integrated, connected transportation network for the City of Gig Harbor that balances access, mobility health and safety needs of pedestrians, bicyclists, transit users, motorists, emergency responders, freight and users of all ages and abilities,

ensuring a fully connected, integrated network that provides transportation options.

12.24.050 Goals to Foster Partnerships

It is the goal of the City of Gig Harbor to foster partnerships with all Washington State transportation funding agencies including Washington State department of Transportation (WSDOT), Transportation Improvement Board (TIB), the Federal Highway Administration, Pierce County, Peninsula School District, citizens, businesses, interested groups, neighborhoods, and any funding agency assisting in the city's implementation of the Complete Streets ordinance.

12.24.060 Best Practice Criteria

The City Council or designee shall modify, develop and adopt policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction, and operations including but not limited to the latest adopted editions of the America Association of State Highway Transportation Officials (AASHTO) and the Institute of Transportation Engineers (ITE) manuals while reflecting the context and character of the surrounding built and natural environments and enhance the appearance of such.

12.24.070 Performance Measure

The public works director and /or designees shall maintain a summary of the six-year Transportation Improvement Program (TIP) and have the ability to explain the extent to which each of these projects has or will meet the objectives of Complete Streets.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: First Reading of Ordinance 1526 Adding Chapter 10.32, Public Electric Vehicle Charging Stations, to the Gig Harbor Municipal Code

SUBMITTED BY: Associate Engineer Chloe Wiser

DEPARTMENT: Public Works

PHONE: (253) 853-8182

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: The city installed two public electric vehicle (EV) charging station in 2017. No municipal code sections exist to govern the use of public charging stations in the city right of way. Additionally, the city has provided electricity free of charge to users since the installation of the charging stations.

It is staff's recommendation that the city begins to charge fees for electricity usage at our public charging stations. Fees collected would cover monthly operating expenses for the chargers, and any additional revenue could be used to fund future charging stations.

At the February 29 study session, staff discussed a charging station use fee structure and code language to define public EV charging in Gig Harbor Municipal Code. The accompanying resolution will be presented for adoption at the second reading of this ordinance, depending on the outcome of the first reading of this ordinance.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Ordinance 1526
2. EV Charging Resolution-DRAFT

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities.

ORDINANCE 1526

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADDING CHAPTER 10.32, PUBLIC ELECTRIC VEHICLE CHARGING STATIONS, TO GIG HARBOR MUNICIPAL CODE, TITLE 10, THEREBY ENCOURAGING AND SUPPORTING ELECTRIC VEHICLE USE IN THE CITY

WHEREAS, the city intends to expand a network of chargers that will serve the public and currently operates two public charging stations; and

WHEREAS, the creation of a robust charging infrastructure network will remove barriers to widespread adoption of electric vehicles; and

WHEREAS, the Gig Harbor Climate Action Plan Action ID TR1.1 seeks to implement public electric vehicle infrastructure; and

WHEREAS, the Gig Harbor Comprehensive Plan Transportation Element Goal 4 support the implementation of transportation technologies that are energy efficient; and

WHEREAS, the use of electricity as a transportation fuel instead of petroleum fuel, results in significant reductions in the emissions of pollutants including greenhouse gases, and is cheaper, making electrification of Gig Harbor's transportation one of the most promising opportunities for reducing the carbon impact of the city; and

WHEREAS, the city's 2023-24 strategic plan identifies assessing gaps in public charging stations for electric vehicles as an action under priority 'Promote environmental sustainability and preserve Gig Harbor's natural beauty'; and

WHEREAS, the city intentionally did not require payment for its existing two public charging stations when they were installed in 2017 to incentivize the use of electric vehicles and to incentivize bringing people into downtown Gig Harbor, where no other electric vehicle charging stations exist; and

WHEREAS, the city believes it is appropriate to begin charging for the use of these charging stations similar to other jurisdictions in our region; and

WHEREAS, by charging for the use of these and future charging stations the city can find a revenue source to operate, maintain, and expand its public electric vehicle charging stations.

WHEREAS, a separate account can be created within the street fund to track fee revenues generated at the city's charging stations.

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

Section 1. Gig Harbor Municipal Code Title 10, Vehicles and Traffic, hereby amended in include a new Chapter 10.32, Public Electric Vehicle Charging Stations, as shown in Exhibit A.

Section 2. The city shall create a separate account within the street fund to track fee revenues generated at the city's charging stations.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in full force thirty (30) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 8th day of April, 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk

EXHIBIT A

Chapter 10.32

Electric Vehicle Infrastructure

10.32.010 Purpose

10.32.020 Definitions

10.32.030 Location and Design Criteria for Public Charging Stations

10.32.040 Terms and Rules of Use for Public Charging Stations

10.32.050 Fee for Use of Public Charging Stations

10.32.010 Purpose

The purpose of this chapter is to set the policies and procedures for public use of electric vehicle charging stations located in public parking facilities owned or controlled by the city. The goal of the program is to encourage the public's equitable adoption of electric vehicles to support the city's Climate Action Plan.

10.32.020 Definitions

"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

"Public charging station" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multifamily parking lots).

10.32.030 Location and Design Criteria for Public Charging Stations

- A. The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.
1. Where provided, parking for electric vehicle charging purposes is required to include the following:
 - ii. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. All signs shall comply with RCW 46.08.185
 - iii. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
 - iv. Accessibility. Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
 - v. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
 2. Parking for electric vehicles should also consider the following:
 - ii. Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.
 - iii. Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).

10.32.040 Terms and Rules of Use for Public Charging Stations

- A. Electric vehicle charging station may be used by any member of the public, subject to the payment of applicable charges and any posted limitation on hours of operation and length of time a vehicle may be parking in a parking space.

10.32.050 Fee for Use of Public Charging Stations

- A. A per session fee for charging station use shall be established by City Council by periodic resolution
- B. The fee shall be cost-based and designed to recoup the operating cost of the charging equipment. For purposes of this subsection, "operating costs" shall

include electricity costs related to the charging stations and may include the city's costs of planning and administration, fees charged by vendors for management of the charging stations, maintenance costs, facility enforcement costs and other reasonable costs associated with vehicle charging station operations. The fee may also be designed to recoup the capital cost of the charging equipment as well as expand the electric vehicle charging network.

RESOLUTION XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING A FEE SCHEDULE FOR PUBLICUSE OF ELECTRICVEHICLE CHARGING STATIONS IN PUBLIC PARKING FACILITIES OWNED OR CONTROLLED BY THE CITY.

WHEREAS, City Council added a new Chapter 10.07 to the Gig Harbor Municipal Code in 2024 to establish policies and procedures for public use of electric vehicle charging stations located in public parking facilities owned or controlled by the city; and

WHEREAS, Gig Harbor Municipal Code 10.07.050 provides for City Council to establish by periodic resolution a per session fee charging station use; and

WHEREAS, city staff conducted research regarding median electric vehicle charging fees per kWh in neighboring jurisdictions; and

WHEREAS, city staff calculated the cost to install and maintain charging stations at a monthly rate to develop charging fees; and

WHEREAS, a separate account within the street fund is used to track fee revenues generated at charging stations.

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

Section 1. The mayor is hereby authorized to execute public electric vehicle charging rates as shown in Exhibit A.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 8th day of April, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO. XXXX

Exhibit A

The fee for public use of electric vehicle charging stations located in public parking facilities owned or controlled by the City of Gig Harbor shall be comprised of the following Base Rate plus applicable Surcharges.

Rate Type	Rate
Base Rate	\$0.25 per kWh
Surcharge for occupying parking space after vehicle charging is complete	\$0.40 per minute, including a grace period of 15 minutes after charging is complete



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Public Hearing: First Reading and Adoption of Ordinance 1527 Relating to Site Plan Review Amending 17.96.025.E. and 17.96.030.A.1.A. of the Gig Harbor Municipal Code

SUBMITTED BY: Principal Planner Robin Bolster-Grant

DEPARTMENT: Community Development

PHONE: (253) 853-7615

SUGGESTED MOTION: Move to approve Ordinance 1527

BACKGROUND INFORMATION: In October 2023 the community development and public works departments engaged in a process improvement workshop hosted by the Washington State Auditor's Office. The purpose of the workshop was to identify opportunities for increasing permitting efficiency and assisting small businesses with the permitting process. The workshop focused primarily on proposals seeking a change of use or a tenant improvement to an existing business. One potential improvement identified during the workshop was a text change to GHMC 17.96 which would reduce staff time processing minor change of use applications as well as reducing associated costs to permit applicants.

Chapter 17.96 provides the process for administering site plan permit applications, which apply to all development projects with the potential to impact public utilities and other infrastructure. Site plan reviews also address site design, access, landscaping, screening and layout of buildings and parking lots.

Chapter 17.96 requires all changes of use (e.g. retail business replacing a restaurant, etc.) to undergo a capacity evaluation by the public works department. This analysis determines whether the proposal may increase demand to water, sewer and transportation capacity. As currently written, Chapter 17.96 requires all project subject to a capacity evaluation to submit an application for a minor site plan review.

The result of the existing code requirement is that businesses seeking a change of use that does not trigger additional car trips, water or sewer use, must still apply for a minor site plan review. This represents an unnecessary extra layer of permitting, time and cost that does not provide any benefit. The proposed text amendment would eliminate the condition that subjects all changes of use to the minor site plan review permit process. Those use changes that create a need for additional parking or other site intensification would remain subject to the site plan review permit requirements.

The planning commission held a preliminary meeting on this proposed text amendment on February 1 and a public hearing was held on February 15.

No public comment was received at the February 15 hearing. Following the hearing, the commission deliberated and unanimously approved a motion to recommend approval of

the proposed amendment to GHMC 17.96 as presented in Ordinance 1527. Staff recommends adoption of Ordinance 1527 upon first reading.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Ordinance 1527

STRATEGIC PLAN PRIORITY: Foster a healthy city organization.

ORDINANCE 1527

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO SITE PLAN REVIEW AMENDING 17.96.025.e. AND 17.96.030.A.1.a. OF THE GIG HARBOR MUNICIPAL CODE; REMOVING THE REQUIREMENT THAT ALL CHANGES OF USE REQUIRING A CAPACITY ANALYSIS ARE SUBJECT TO A MINOR SITE PLAN REVIEW; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in October 2023 the community development and public works departments participated in a process improvement workshop (“Lean/Kaizan”) to identify opportunities for increased permitting efficiency and assistance to small businesses navigating the permitting process; and

WHEREAS, the October 2023 workshop identified a text change to the Gig Harbor Municipal Code (GHMC) Chapter 17.96 that, if approved, would eliminate an unnecessary obstacle to businesses seeking a change of use (e.g. a retail business replaced by a restaurant); and

WHEREAS, GHMC 17.96 provides procedures for processing site plan review permits, which apply to all development projects that have the potential to impact city infrastructure, parking requirements, or design standards; and

WHEREAS, as currently written, GHMC 17.96 requires all changes of use to undergo a capacity analysis by the public works department to evaluate potential impacts to water, sewer, and transportation network capacity; and

WHEREAS, GHMC 17.96.025.E and 17.96.030.A.1.a further require all projects subject to a capacity analysis to undergo a minor site plan review, with the associated costs and staff review time; and

WHEREAS, a minor site plan review is an unnecessary expenditure of resources for those businesses seeking a change of use, which does not entail any increase in automobile trips, water or sewer use; and

WHEREAS, the removal of the text contained in GHMC 17.96.025.E and 17.96.030.A.1. which references the capacity analysis would eliminate the need for automatic minor site plan review but would not preclude the use of the review process for those changes of use that increase parking or other site intensification; and

WHEREAS, the planning commission discussed the matter at a meeting on February 1, 2024, and at a public hearing on February 15, 2024; and

WHEREAS, the planning commission received no public comment on the matter and, following the public hearing, deliberated and unanimously approved a motion to recommend approval of the proposed text amendments to GHMC 17.96.024.E and 17.96.030.A.1.a;

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

Section 1. Gig Harbor Municipal Code Section 17.96.205.E “Exemptions” is hereby amended, to read as follows:

Change in use of an existing structure, provided the change in use does not increase the number of required off-street parking spaces ~~and does not require a change of use capacity evaluation as provided for in GHMC 19.10.004;~~

Section 2. Gig Harbor Municipal Code Section 17.96.030.A.1.a. “Minor Site Plan Review” is hereby amended as follows:

Change in use of an existing structure which increases the number of required off-street parking spaces; ~~and/or require a change of use capacity evaluation as provided for in GHMC 19.10.004;~~

Section 3. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance has been transmitted to the Washington State Department of Commerce, as required by law.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 5. Correction of Errors. The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting hereof, held this 25th day of March 2024.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Public Hearing: 2024 Comprehensive Plan Amendment Docket

SUBMITTED BY: Principal Planner Robin Bolster-Grant

DEPARTMENT: Community Development

PHONE: (253) 853-7615

SUGGESTED MOTION: Move to forward PL-COMP-23-0001 and PL-COMP-23-0002 to the planning commission for full review, consideration, and recommendation.

BACKGROUND INFORMATION: The community development department has docketed two proposed Comprehensive Plan amendments submitted for the 2024 annual review cycle. As required by Chapter 19.09 GHMC, the department reviewed the private-party applications and determined that they are complete for further processing. Per code, the city council makes the final decision on which amendments will proceed through the annual amendment process. Should the city council choose to deny initiation of either application, staff will return at the next available council meeting with a resolution outlining the council's findings for denial.

A public hearing is required this evening per GHMC 19.09.120.

1. **PL-COMP-23-0001: Henderson Burnham LLC.** A proposed land use map amendment, submitted by Barghausen Consulting Engineers, to amend the land use designation of approximately 23 acres to the Residential High Transition (RH) designation. The northern portion (approximately 10 acres) of the site is currently designated Residential Low, while the southern portion (approximately 13 acres) is currently designated Commercial Business (C/B).
2. **PL-COMP-23-0002: MP 12 INC.** A proposed text amendment submitted by Carl Halsan, to amend the wastewater comprehensive plan to allow sewage from a site located in Sewer Basin #10 to discharge to an active conveyance in the directly adjacent Basin #8.

POLICY ANALYSIS

At this first stage of review, the council shall consider the applications under the criteria set forth in GHMC 19.09.130 (listed below) and shall decide whether to process the applications during the current annual amendment cycle.

The council's findings and conclusions on any application that will not be processed shall be incorporated into a resolution. No findings and conclusions are required for an application that is forwarded for further processing.

A. Selection Criteria. Before deciding whether the individual comprehensive plan amendments proposed may move forward for processing during any year, the city council shall consider all relevant facts as well as the following items:

1. Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the comprehensive plan; and
2. Whether the assumptions upon which the comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the initial comprehensive plan adoption process or during previous annual amendment; and
3. For amendments that have been considered within the last three years, whether there has been a change in circumstances that makes reconsideration of the proposed amendment now appropriate. (GHMC 19.09.130).

B. Staff Recommendations. Staff believes that both applications submitted meet the above-referenced criteria and should be forwarded to the Planning Commission for consideration. Staff has included a brief analysis of the criteria as follows:

PL-COMP-23-0001: Henderson Burnham LLC. Since the adoption of the last Comprehensive Plan, the Washington State Legislature has passed several bills requiring cities to accommodate a variety of housing types that are affordable across all income bands. The Housing Needs Assessment completed for Gig Harbor in 2023 found that the current housing stock is not aligned well with the population in terms of unit size (68% of households in the city have only one or two members, yet 78% of housing units have two or more bedrooms). The proposed amendment would require a change to the zone district allowing a greater number of housing units and more variety in housing types than currently allowed.

The project site is located within one of the five designated Centers of Local Importance (CoLI), which are areas identified for future development. The need for allowing increased density as well as more diverse housing types is spelled out in current Comprehensive Plan policies, such as 6.7.1 (*Identify and retain parcels with the fewest environment and site constraints for high density and/or affordable housing*). Additionally, assumptions which were valid at the time of the current Comprehensive Plan are no longer valid in that housing costs have outpaced median income in a way which was not initially foreseen. The subject application has not been reviewed within the last 3 years.

PL-COMP-23-0002: MP 12 INC. The current development of the basin is inconsistent with the Wastewater Basin Map provided in the 2018 Wastewater Comprehensive Plan. The inconsistency of development constitutes a change in circumstance and an invalidation of the assumptions on which the comprehensive plan is based. The subject application has not been reviewed in previous annual cycles.

ENVIRONMENTAL ANALYSIS

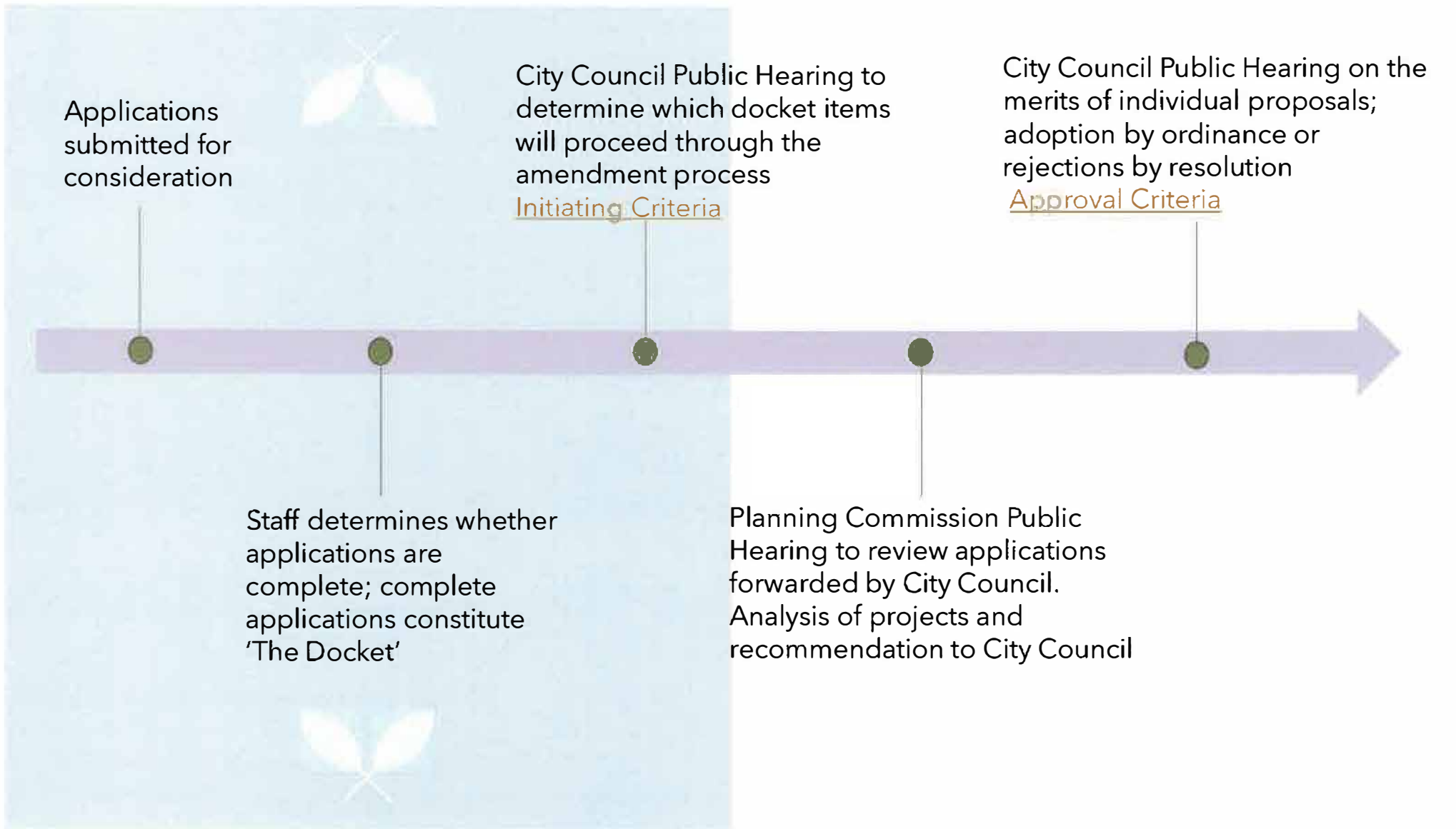
SEPA review will occur if the council forwards a Comprehensive Plan Amendment application to the planning commission.

FISCAL CONSIDERATION: N/A

ATTACHMENTS:

1. Comprehensive Plan Amendment Docket Timeline
-

STRATEGIC PLAN PRIORITY: Maintain small town character and historic preservation while growing responsibly.





**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Resolution 1310 Expressing Support for the August 6, 2024, City of Gig Harbor Proposition No. 1 Titled “Additional Sales and Use Tax for Police and Public Safety”

SUBMITTED BY: City Clerk Josh Stecker

DEPARTMENT: Administration

PHONE: (253) 853-7613

SUGGESTED MOTION: Move to approve Resolution 1310.

BACKGROUND INFORMATION: On February 26, council adopted Resolution 1307 causing Proposition No. 1 to be placed on the ballot of the August 6, 2024, special election. If approved, this proposition would increase the sales and use tax rate by one-tenth of one percent (0.1%) beginning in 2025.

Once placed on the ballot, the city is not authorized to undertake any activity to support or oppose the proposition, except that council may vote to support or oppose a proposition at a properly noticed meeting where equal opportunity is provided for councilmembers and the public to express opposing viewpoints.

Resolution 1310 expresses council's support for City of Gig Harbor Proposition1 and may be adopted by council after taking public comment.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. Resolution 1310

STRATEGIC PLAN PRIORITY: Provide a safe, healthy, and inclusive community.

RESOLUTION 1310

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, EXPRESSING SUPPORT FOR THE AUGUST 6, 2024, CITY OF GIG HARBOR PROPOSITION NO. 1 TITLED “ADDITIONAL SALES AND USE TAX FOR POLICE AND PUBLIC SAFETY”

WHEREAS, the City Council of the City of Gig Harbor, Washington has identified the need to provide for the continual provision of public safety services, such as providing adequate law enforcement staffing levels, reducing homelessness, and improving behavioral health; and

WHEREAS, in order to sustain the foregoing at levels which meet the city’s and community’s expectations, the city is in need of additional funds to supplement existing city general fund revenue which is applied for these purposes; and

WHEREAS, the city council has adopted Resolution 1307 causing Proposition No. 1 to be placed on the ballot of the August 6, 2024, primary election; and

WHEREAS, if approved, this proposition would increase the sales and use tax rate by one-tenth of one percent (0.1%); and

WHEREAS, at its meeting of March 25, 2024, the city council took public testimony on Proposition 1, allowing an equal opportunity for the expression of viewpoints supporting and opposing this measure;

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

Section 1. The Gig Harbor City Council strongly supports City of Gig Harbor Proposition No. 1 – Additional Sales and Use Tax for Police and Public Safety.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 25th day of March, 2024.

Tracie Markley
Mayor

Attest:

Joshua Stecker, CMC
City Clerk



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: March 25, 2024

SUBJECT: Selection of "For" and "Against" Committees for Gig Harbor Proposition 1 on the August 6, 2024, Primary Election

SUBMITTED BY: City Clerk Josh Stecker

DEPARTMENT: Administration

PHONE: (253) 853-7613

SUGGESTED MOTION: Move to nominate members to the "For" and "Against" Committees.

BACKGROUND INFORMATION: On February 26, Council adopted Resolution 1307 placing Proposition 1 to approve a 0.1% public safety sales tax on the August 6, 2024, special election. Council now has the opportunity to appoint "For" and "Against" committee members. These appointees will be responsible for writing the "for" and "against" statements that appear in the Voters' Pamphlet for the election. Anyone is eligible to be appointed to these committees, including elected officials and city staff. However, no city resources may be used in support of either committee.

The appointees must be persons known to favor the measure to serve on the "For" committee and persons known to oppose the measure to serve on the "Against" committee. An email is required for each committee appointed for correspondence with the Voters' Pamphlet Coordinator.

Each committee shall consist of not more than three members; however, a committee may seek the advice of any other person or persons. Titles for committee member names will not be published in the local voters' pamphlet.

One committee member will be designated as the First Committee Person (Spokesperson). The first committee member shall be considered the spokesperson and shall be responsible for submitting the statement and communicating with the Elections Division. The committees are solely responsible for submitting their statements by email to the Elections Division in accordance with the specified timeline for that election. Statements for the Voters' Pamphlet are due by May 7. Rebuttal statements are due on May 9.

Staff have requested that individuals interested in serving on a committee [submit an online application](#). These applications will be collected until 5:00 p.m. on March 25 and provided to council prior to the meeting. Any person attending the meeting may also step forward to volunteer to be on a committee.

Councilmembers should nominate any and all individuals they feel merit consideration for appointment to either committee. Once nominations are concluded, council will vote on each nominee until all positions are filled. Once all positions are filled, council will be asked to vote on the spokesperson for each committee.

Council is not required to provide committed members for the committees. If council chooses not to appoint any members to a committee the Pierce County Auditor may choose to solicit committee members on the city's behalf.

FISCAL CONSIDERATION: None.

ATTACHMENTS: None

STRATEGIC PLAN PRIORITY: Provide a safe, healthy, and inclusive community.

UPCOMING GIG HARBOR CITY MEETINGS

ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

Please see the meeting agenda for specific details on how to attend: <https://www.gigharborwa.gov/811/Agendas-Minutes>

Day	Date	Time	Group	Agenda Items
M	Mar. 25	5:30pm	City Council	See Agenda
TH	Mar. 21	5:30pm	Planning Commission	• Introduction new Planning Commissioner • Affordable/Workforce Housing Policy Discussion
TH	Mar. 28	3:00pm	City Council Study Session	• Well #9 Location Options • ADU Discussion • Park District Discussion • Council Guidelines & Procedures Updates
TH	Mar. 28	5:30pm	Design Review Board	CANCELLED
TU	April 2	1:30 pm	Hearing Examiner	Braaten Front Setback Variance
W	Apr. 3	5:30pm	Parks Commission	• Downtown Placemaking Project • GHCKRT Use of Skansie Park • Pavers at Old Ferry Landing Park • Parks Appreciation Day Planning
M	Apr. 8	5:30pm	City Council	Pledge of Allegiance: Girl Scout Troop 40137 Business Items: • Second Reading and Adoption of Ordinance 1525 Adopting Complete Streets Program • Second Reading and Adoption of Ordinance 1526 Adopting Public EV Charging Station Rules • Resolution 1311 EV Charging Station Setting Public Fee Rates • Public Works Construction Contract Award for Sports Complex Phase 1B • Professional Services Contract Amendment with Transportation Solutions Inc (TSI) for Misc Transportation Services
TH	Apr. 11	3:00pm	City Council Study Session	• Legislative Update • GHCKRT Use of Skansie Park • Special Event Code Updates • Conservation Property Management Plans
M	Apr. 22	5:30pm	City Council	Presentation: Downtown Waterfront Alliance Annual Report Consent: • Amendments to the Harbor Hill Storm and Sewer Maintenance Agreements Business Items: • Professional Services Contract for Cushman Trail Connection to Harborview Drive Staff Report: Quarterly Budget Report

UPCOMING GIG HARBOR CITY MEETINGS
ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

Please see the meeting agenda for specific details on how to attend: <https://www.gigharborwa.gov/811/Agendas-Minutes>

Day	Date	Time	Group	Agenda Items
	TBD		Salary Commission	Review of Mayor and Councilmember Salaries
TH	Apr. 25	3:00pm	City Council Study Session	• Lift Station 5 Feasibility Study • CIP StoryMap Update
M	May 13	5:30pm	City Council	Consent: • Public Works Construction Contract Award for Burnham Drive Half-Width Improvement Phase 1a • Public Works Construction Contract Award for Wollochet/Wagner Intersection Improvements Business Items:
TH	May 16	3:00pm	City Council Study Session	• PW Standards Update
TU	May 28	5:30pm	City Council	
TH	May 30	3:00pm	City Council Study Session	• 2025-2030 TIP Update
M	June 10	5:30pm	City Council	Presentation: Pierce County Library Update
TH	July 25	3:00 pm	City Council Study Session	Aquifer Level Review at City Wells and PFAS Testing

City of Gig Harbor Two-Year Strategic Plan 2023-2024

Adopted by Resolution 1280 on June 12, 2023

Vision Statement: *The City of Gig Harbor leads the way in livability, environmental stewardship, economic vitality, and municipal services.*

Priorities	Goals	Actions – Routine/Annual	Actions - Project
Foster a healthy city organization	- Be an exceptional employer - Retain existing workforce - Attract qualified applicants - Ensure safe work environment - Encourage staff training - Encourage and obtain employee feedback - Fill all vacancies in a timely manner	- Re-qualify for AWC Well City designation - Conduct annual employee satisfaction survey	- Develop a staff retention and attraction program - Review and update the city's DEI program - Update personnel policies manual - Update safety manual and accident prevention program - Revise employee evaluation process - Develop management training for all new supervisors - Update job descriptions and conduct salary & benefits study
Ensure sustainable future for public services and facilities	- Provide more effective municipal services - Increase city communication effectiveness - Listen to community needs and expectations - Source funding for parks, streets/transportation, and utilities - Ensure infrastructure to support community needs	- Update utility rates as needed - Continually improve permit and land use approval processes - Increase resources for capital projects - Review/amend TIP to improve motorized and non-motorized transportation	- Create a city-wide communications plan - Update public works standards - Conduct HOA fair - Implement hybrid court system/electronic case management - Parks division organizational assessment - Complete construction of Public Works Operations Center - Place parks bond on ballot
Maintain small town character and historic preservation while growing responsibly	- Promote responsible growth in keeping with small town character - Address infrastructure to relieve traffic issues - Ensure adequate affordable housing - Focus on character retention and historic preservation - Decrease distance to get to a park or open space - Enhance walkability and pedestrian/cyclist safety	- Annually docket specific priorities in the comprehensive plan - Fund Harbor History Museum operations - Monitor state legislative activity - Support the arts commission - Develop sister city program - Fund creative endeavor grants - Monitor short-term rentals	- Prepare 2044 Comprehensive Plan periodic update - Complete annexation study - Develop housing needs and action plan - Create historic preservation commission - Review businesses and off-street parking requirements - Develop 4th of July event - Establish process and procedure for code compliance program - Establish park standards
Promote environmental sustainability and preserve Gig Harbor's natural beauty	- Address climate change - Preserve tree canopy - Preserve and enhance natural character - Add undeveloped land to parks inventory	- Annually review climate & sustainability action plan (once developed) - Consider possible conservation properties and/or mitigation areas and activities	- Adopt climate & sustainability action plan - Form climate action committee - Adopt urban forest management plan/tree retention policies - Develop recycling program in city parks - Install Civic Center electric vehicle charging station - Annex parcels in city's parks system - Update stormwater manual - Assess gaps in public charging stations for electric vehicles
Promote and enhance a dynamic and robust economy	- Develop a plan to increase promotion of our local business community - Increase vitality of the city's small businesses - Attract larger business to industrial zone - Maintain and enhance commercial fishing	- Support Downtown Waterfront Alliance - Support Chamber of Commerce - Fund tourism with lodging tax grants - Promote downtown businesses/events - Collaborate with Pierce Transit for trolley	- Design and construct fishermen's home port - Create a business retention and attraction plan - Evaluate and amend development regulations and fees - Develop and implement a small business fair - Develop holiday display attractions
Provide a safe, healthy, and inclusive community	- Foster safe, livable and attractive community - Ensure city services are available to all residents - Implement DEI in city personnel practices	Provide funding for senior programming	- Develop housing, health, & human services coordinator position - Provide funding for senior center permanent home - Develop a plan to support youth and teen activities - Obtain police department accreditation - Update emergency management plan