

AGENDA
GIG HARBOR CITY COUNCIL MEETING
Monday, November 22, 2021 – 5:30 p.m.
Council Chambers

This 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 City Council Meeting Procedures at the end of this agenda for information on options to make public comment.

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 sx̌wəbabč band of the Puyallup Tribe of Indians, but also on the site of one of the largest and longest standing historic villages of the people, the original inhabitants of Gig Harbor.

CHANGES TO THE AGENDA

CONSENT AGENDA

1. City Council Minutes

Documents:

[City Council Special Meeting Minutes - October 18, 2021.pdf](#)
[City Council Study Session Minutes - October 18, 2021.pdf](#)
[City Council Study Session Minutes - October 19, 2021.pdf](#)
[City Council Special Meeting Minutes - November 8, 2021.pdf](#)
[City Council Minutes - November 8, 2021.pdf](#)

2. Receive & File

Documents:

[Parks Commission Minutes - October 6, 2021.pdf](#)
[Planning Commission Minutes - October 7, 2021.pdf](#)

3. Advisory Board Appointments and Removals

Documents:

[AGENDA BILL Advisory Board Appointments.pdf](#)

4. Approval to Hire Parks Manager Above Mid-Point of Salary Range

Documents:

[AGENDA BILL Authorization to Hire Parks Manager.pdf](#)

5. Agreement with FISH Food Bank

Documents:

[AGENDA BILL Agreement with FISH Food Bank.pdf](#)

6. Purchase Authorization for Street Lights

Documents:

[AGENDA BILL Purchase Authorization for Street Lights.pdf](#)

7. Approval of Vouchers

Check numbers 96551 through 96673, cashier's check and ACH payments in the amount of \$855,479.96.

PRESENTATIONS

1. Oath of Office for Municipal Court Judge Sandy Allen
2. Conservation Property Acquisition - Mayor Kuhn

MAYOR'S REPORT

CITY ADMINISTRATOR'S REPORT

PUBLIC COMMENT ON NON-AGENDA ITEMS

OLD BUSINESS

1. Public Hearing: Second Reading and Adoption of Ordinance 1474 2022 Budget

- a) Report: Finance Director Dave Rodenbach
- b) Clarifying questions from Council
- c) Public Hearing
- d) Council deliberation and action

Documents:

[AGENDA BILL Ordinance 1474.pdf](#)

NEW BUSINESS

1. Public Hearing: Presentation of Draft ADA Self-Evaluation and Transition Planning Program

- a) Report: City Engineer Trent Ward
- b) Clarifying questions from Council
- c) Public Hearing
- d) Council deliberation and action

Documents:

[AGENDA BILL ADA Self-Evaluation and Transition Planning Program.pdf](#)
[STAFF MEMO Draft ADA Transition Plan.pdf](#)

2. First Reading of Ordinance 1476 Codifying the Municipal Court

- a) Report: Interim City Clerk Joshua Stecker
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Ordinance 1476.pdf](#)

3. Resolution 1224 Adopting LTAC Recommendations

- a) Report: Tourism & Communications Director Laura Pettitt
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Resolution 1224.pdf](#)

4. First Reading and Adoption of Ordinance 1475 Temporary Suspension of Special Use Provisions

EXECUTIVE SESSION: To discuss potential litigation per RCW 42.30.110(i).

- a) Report: Community Development Director Katrina Knutson
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Ordinance 1475.pdf](#)

5. First Reading of Ordinance 1477 2021 Comprehensive Plan Amendment

- a) Report: Principal Planner Carl de Simas
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Ordinance 1477.pdf](#)
[Additional Written Comment.pdf](#)

6. Resolution 1222 Establishing Fees for Public Rental of Ancich Human Powered Craft Storage Racks

- a) Report: Public Works Director Jeff Langhelm
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Resolution 1222.pdf](#)

7. First Reading of Ordinance 1478 Parks-Related Code Updates

- a) Report: Public Works Director Jeff Langhelm
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Ordinance 1478.pdf](#)

8. Public Hearing: Resolution 1223 Burnham Ridge Sewer and Water Utility Extension Agreements

- a) Report: Public Works Director Jeff Langhelm
- b) Clarifying questions from Council
- c) Public comment
- d) Council deliberation and action

Documents:

[AGENDA BILL Resolution 1223.pdf](#)

COUNCIL REPORTS / COMMENTS

- 1. Public Works Committee Meeting of November 9, 2021 - Councilmember Franich**

ANNOUNCEMENT OF UPCOMING MEETINGS

- 1. City Offices Closed Thursday, November 25 and Friday, November 26 for Thanksgiving Holiday**
- 2. Planning & Building Committee Meeting - Monday, December 6 at 3:00 p.m.**

**3. City Council/Parks Commission Joint Study Session -
Thursday, December 9 at 3:00 p.m.**

**4. Board & Commission Candidate Review Committee Meeting
- Monday, December 13, 2021**

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. The Open Public Meetings Act does not require that members of the public be allowed to participate or speak.

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. When there are 30 seconds remaining, a yellow light will alert you to summarize your comments. At the end of your comments, the light will turn red and you will hear a beep signifying the end of your comment period. 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 he 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 speaking live, you may submit comments in writing by email before the meeting. Your comments must be provided to the City Clerk by 3:00 p.m. on the day of the meeting. All written comments must be able to be read in 3 minutes or less to be included in the record and must state "FOR PUBLIC COMMENT" in the subject line of the email. In addition, comments must include the name and address of the person submitting the comments. Email comments to cityclerk@gigharborwa.gov. Written comments will be read during the appropriate agenda item.

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 a public meeting, 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 SPECIAL MEETING
Monday, October 18, 2021 – 1:00 p.m.

CALL TO ORDER / ROLL CALL: Mayor Kuhn called the meeting to order and called roll. Councilmembers Abersold, Denson, Franich, Himes, Markley, Rodenberg, and Woock were present.

EXECUTIVE SESSION

Mayor Kuhn announced that Council would go into Executive Session to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price per RCW 42.30.110(b). Council will return to open session at 1:45 p.m.

Mayor Kuhn announced an extension of the Executive Session until 1:55 p.m.

Council returned to open session at 2:02 p.m.

ADJOURN: The meeting adjourned at 2:03 p.m.

Joshua Stecker, CMC
Interim City Clerk

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Monday, October 18, 2021 – 2:00 p.m.

CALL TO ORDER / ROLL CALL: Mayor Kuhn called the meeting to order and called roll. Councilmembers Abersold, Denson, Franich, Himes, Markley, Rodenberg, and Woock were present.

BUDGET DISCUSSION: Council reviewed the 2022 Preliminary Budget with staff, covering Legislative, Non-Departmental, Court, Administration, Finance, Information Technology, Police, Community Development, and Arts Commission budgets.

Council directed staff to prepare allocation of \$500,000 in ARPA funds for the construction FISH Food Bank's new facility out of the 2021 Budget.

Council scheduled another study session for October 28, 2021 to discuss the budget further.

ADJOURN: The meeting adjourned at 5:35 p.m.

Joshua Stecker, CMC
Interim City Clerk

MINUTES
GIG HARBOR CITY COUNCIL STUDY SESSION
Monday, October 19, 2021 – 2:00 p.m.

CALL TO ORDER / ROLL CALL: Mayor Kuhn called the meeting to order and called roll. Councilmembers Abersold, Denson, Franich, Himes, Markley, Rodenberg, and Woock were present.

BUDGET DISCUSSION: Council reviewed the 2022 Preliminary Budget with staff, covering Tourism & Communications and Public Works budgets.

Further discussion of the budget, including direction for changes, was deferred to a study session scheduled for October 28, 2021.

ADJOURN: The meeting adjourned at 5:35 p.m.

Joshua Stecker, CMC
Interim City Clerk

MINUTES
GIG HARBOR CITY COUNCIL SPECIAL MEETING
Monday, November 8, 2021 – 5:00 p.m.

CALL TO ORDER / ROLL CALL: Mayor Kuhn called the meeting to order and called roll. Councilmembers Abersold, Denson, Franich, Himes, Markley, Rodenberg, and Woock were present.

EXECUTIVE SESSION

Mayor Kuhn announced that Council would go into Executive Session to discuss potential litigation per RCW 42.30.110(i). Council will return to open session at 5:25 p.m.

Mayor Kuhn announced an extension of the Executive Session until 5:30 p.m.

Council returned to open session at 5:32 p.m.

ADJOURN: The meeting adjourned at 5:32 p.m.

Joshua Stecker, CMC
Interim City Clerk

MINUTES FOR GIG HARBOR CITY COUNCIL MEETING
Monday, November 8, 2021 – 5:30 p.m.
Council Chambers

CALL TO ORDER / ROLL CALL: Mayor Kuhn called the meeting to order at 5:30 p.m. Councilmembers Abersold, Denson, Franich, Himes, Markley, Rodenberg, and Woock were present.

CHANGES TO THE AGENDA: New Business 1 was moved to before Old Business 1.

CONSENT AGENDA:

1. City Council Minutes - October 25, 2021
2. Receive & File – no items
3. Interlocal Agreement with Pierce County for Comprehensive Solid and Hazardous Waste Management Planning
4. Second Reading and Adoption of Ordinance 1471 Municipal Court Judge's Salary
5. Contract for Municipal Court Judge
6. Prosecuting Attorney Agreement
7. Approval of Vouchers - Check numbers 96467 through 96550 and ACH payments in the amount of \$964,173.02.
8. Approval of Payroll for the Month of October - Checks #8313 through #8320 and direct deposit transactions in the total amount of \$485,564.63.

MOTION: Move to approve the Consent Agenda (Abersold Franich).

VOTE: Unanimously approved.

PRESENTATIONS: Volunteers from Mary Bridge Thrift Store spoke about their mission and accomplishments in Gig Harbor since 1949.

MAYOR'S REPORT: The Mayor reported on the installation of the pylon panels at Austin Park. He also reported on the possibility of acquiring several parcels of conservation property along Burnham Drive north of the Wastewater Treatment Plant.

CITY ADMINISTRATOR'S REPORT: Interim City Administrator Tony Piasecki reported that he has selected a candidate to fill the vacant Parks Manager position starting in mid-December.

PUBLIC COMMENT ON NON-AGENDA ITEMS: Juanita Martinelli commented on homelessness issues at Veteran's Memorial Park.

NEW BUSINESS:

1. **Resolution 1218 Adopting Legislative Agenda:** Josh Weiss and Annika Vaughn of Gordon Thomas Honeywell presented the 2022 Legislative Agenda as developed by the Intergovernmental Affairs Committee.

The Mayor opened the public comment period. There was no public comment.
The Mayor closed the public comment period.

MOTION: Move to approve Resolution 1218 (Abersold/Woock).

VOTE: Unanimously approved.

OLD BUSINESS:

1. **Ordinance 1472 SMP Periodic Update:** Principal Planner Carl de Simas presented the ordinance which updates the City's Shoreline Master Program to comply with applicable laws and ensure consistency with the City's Comprehensive Plan.

The Mayor opened the public comment period. There was no public comment.
The Mayor closed the public comment period.

MOTION: Move to approve Ordinance 1472 (Himes/Abersold).

VOTE: Unanimously approved.

2. **Ordinance 1470 Revising GHMC 2.21 Related to the Design Review Board:** Interim City Clerk Joshua Stecker introduced the ordinance which will revise the roster requirements for the Design review Board as recommended by the Board & Commission Candidate Review Board.

The Mayor opened the public comment period. There was no public comment.
The Mayor closed the public comment period.

MOTION: Move to approve Ordinance 1470 (Woock/Abersold).

VOTE: Unanimously approved.

3. **Ordinance 1473 Amending the 2021 Budget:** Finance Director Dave Rodenbach introduced the ordinance which allows the City to use ARPA funds to support FISH Food Bank's construction of a new facility.

The Mayor opened the public comment period. Pamela Leazar thanked Council for their support of the project. The Mayor closed the public comment period.

MOTION: Move to approve Ordinance 1473 with and amendment to the 7th Whereas section to reference that funds can only be used for building construction purposes. (Abersold/Markley).

VOTE: Unanimously approved.

Council entered into recess at 6:28 p.m. Council reconvened at 6:36 p.m.

NEW BUSINESS (continued):

2. **Resolution 1217 Setting Public Hearing Date for Hall Street ROW Vacation:** Public Works Director Jeff Langhelm introduced the Resolution and showed the

location of the right-of-way to be vacated. The resolution sets a public hearing date for the street vacation on December 13, 2021.

The Mayor opened the public comment period. There was no public comment. The Mayor closed the public comment period.

MOTION: Move to approve Resolution 1217 (Himes/Markley).

VOTE: Unanimously approved.

- 3. Public Hearing on Revenue Sources:** Finance Director Dave Rodenbach reviewed the city's revenue sources.

The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing.

- 4. Resolution 1219 2022 Property Tax Levy and Resolution 1220 2022 Excess Property Tax Levy:** Finance Director Dave Rodenbach presented the resolutions which establish the city's property tax levies for 2022.

MOTION: Move to approve Resolution 1219 (Himes/Woock).

VOTE: Unanimously approved.

MOTION: Move to approve Resolution 1220 (Woock/Himes).

VOTE: Unanimously approved.

- 5. Ordinance 1474 2022 Budget:** Finance Director Dave Rodenbach presented the 2022 Preliminary Budget as revised during council study sessions.

The Mayor opened the public hearing. Joyce Schultz voiced support for an additional \$100,000 to support the Senior Center. Michael Perrow commented on the proposed usage of ARPA funds. Dennis Hardman voiced support for the Harbor History Museum Maritime Gallery project. The Mayor closed the public hearing.

MOTION: Authorize the Mayor to sign a purchase and sale agreement in accordance with the terms discussed in the October 18 executive session and complete all necessary steps to satisfy the City's due diligence process. (Denson/Woock).

VOTE: Unanimously approved.

- 6. Resolution 1221 - Authorization to Apply for a Pierce County Conservation Futures Grant:** Interim City Administrator Tony Piasecki reported on the opportunity to apply for conservation grant funding from Pierce County to acquire land located on Burnham Drive.

The Mayor opened the public comment period. There was no public comment. The Mayor closed the public comment period.

MOTION: Move to approve Resolution 1221 (Markley/Denson).
VOTE: Unanimously approved.

COUNCIL REPORTS / COMMENTS:

Intergovernmental Affairs Committee Meeting of November 1: Councilmember Denson reported that the committee discussed the 2022 Legislative Agenda.

Parks Commission Meeting of November 3: Councilmember Abersold reported that the Commission discussed the PROS Plan and a proposal for a dog park at Shaw Park.

Board & Commission Candidate Review Committee Meeting of November 8: Councilmember Abersold reported the committee interviewed LTAC candidates and recommended Lindsey Stover for appointment.

Councilmember Denson announced a November 11 Veteran's Day event.

ADJOURN: The meeting adjourned at 7:44 p.m.

Joshua Stecker
Interim City Clerk

MINUTES
GIG HARBOR PARKS COMMISSION
Wednesday, October 6, 2021 – 5:30 p.m.
Virtual Meeting (via Zoom webinar)

CALL TO ORDER / ROLL CALL

Parks Commission Members: Present – Chair Ben Coronado, Vice Chair Mary Barber, Roger Henderson, Louise Tieman, Will Appleton. Absent – Anastasia Wright (excused), Doug Terrien (unexcused)

City Council Liaison: Spencer Abersold (excused)

Staff: Public Works Director Jeff Langhelm, Public Works Assistant Terri Garrison

APPROVAL OF MINUTES

Approval of September 1, 2021 Parks Commission Meeting Minutes

MOTION: Move to approve the September 1, 2021 Parks Commission Minutes

Barber / Tieman - Motion passed unanimously

PUBLIC COMMENT

Sarah Lindhartsen, 3506 107th St Ct, GH, 98332 - I am here to propose the idea that some of the open space at Shaw Park be developed into a community garden. Every day I pass by the park, and I have noticed the small improvements, but much of it remains empty. I keep thinking to myself that it would make a great place for a community garden and here's why:

- It is already cleared and it receives full sun from the south
- It is a central location in Gig Harbor, and easy to walk or bus to
- It is close to a retirement community, Swift Water Elementary, the YMCA and many neighborhoods. A garden could provide intergenerational community building and education
- It would provide additional community gardening area to the growing city, which would increase community interaction and food resiliency
- It could potentially provide ecosystem services in slowing down and cleaning water that runs down into the water catchment pond behind the retirement community, especially if we don't use pesticides or herbicides

Since community gardens need people to get them going and keep them growing, I inquired in my Gig Harbor FB gardening groups about the idea and got some feedback. Some sounded like they would be interested in participating in some way if a community garden was started. Many others commented that they also thought it would be a good community garden site.

I know there are other groups suggesting different use and development ideas for this park, like maybe a playground or a dog park, but I don't think a community garden is incompatible with those things. It is a fairly small park, but if the back half of it was made into a community garden, it would be about the same size as the community garden at the Wilkinson Farm Park (about 11,000 sq ft). This could support both individual plots and community growing areas. If a smaller area of the park is available for a community garden, we can design a communal vegetable garden that can be harvested by those who tend it or a food forest that is open harvest to the community. There are many potential options.

So there are many things to consider when developing a community garden, foremost of which is asking what the community wants. Water access and fencing would need to be figured out and would likely be the most costly initial financial input. However, there is the potential of donations for these costs from individuals, fundraisers or organizations like the Master Gardener program. If the parks commission decides to further explore the community garden idea, I would be happy to be part of a committee or group to determine the best course of action in engaging the community and putting together a design for the site.

PARKS UPDATE REPORT – Public Works Director Langhelm provided general park update information and answered questions, noting a few recent developments not included in the published update.

- Parks Manager position – Interviews for this position are being scheduled.
- Eddon Boat Carriages – The inside rail carriage is nearing completion.
- Eddon Boat Brick House – The roundabout project landscape plan was viewed.
- Ancich Boat Storage Building - Gig Harbor Canoe and Kayak Race Team will have their storage racks in place soon.

OLD BUSINESS

1. **Pros Plan Update** – Commission Vice-Chair Barber provided the PROS Plan Subcommittee reports.

Summary of the public input received from the online and mail-in survey:

- People are generally satisfied and support the parks.
- They visit the larger, waterfront parks more than others.
- There continues to be confusion about what is a GH vs PenMet vs KeyPen park.
- Respondents cite things like safety more than any other general improvement.
- More than half those who responded have not visited the parks that cater to a specific activity, except for the sports fields.
- People in north GH visit parks differently than those in south/central, especially as it relates to sports fields.
- Generally, people feel there are enough amenities but when you look at younger residents that is not as true.
- Younger people, including those with families are more likely to want improvements in the parks than older people.
 - o They cite overcrowding as a reason they don't visit more
 - o They also use the specific use parks more and want more of those types of parks
- Interest in new amenities is standard across the board-

- There has been talk of adding things like an off-leash dog area and community garden. Those are in the middle of the list for interest and support with a dog leash area being higher.
- People don't want us to acquire new parks or open space; they do want us to maintain what we have; preserve and protect the feel and image of the city.
- The other three items in the "investments list" flip between mail/online surveys — develop owned property, install new amenities, expand trails.
- There is higher interest in preserving greenspace;
 - o maintaining/expanding Cushman;
 - o expanding/maintaining waterfront parks;
 - o Connecting waterfront and other parks to other neighborhoods
- Some folks are willing to pay \$10/month more for parks, but the majority want to pay less than that.

The next step in the PROS process is the stakeholder meetings being held in the next few weeks. Also, next week the consultant and the subcommittee will be meeting with the Public Works Committee to update them on the survey and our progress on the plan.

After those meetings happen, we'll move to the drafting of the plan and testing ideas/plans with the general public using virtual open houses. The consultant has been using some interesting techniques with virtual open houses for his clients. We believe these methods will help us get a better result since we can't meet in person. Once we determine when the open houses are, we'll be asking Commissioners to help spread the word to park users in the area.

NEW BUSINESS

2022 Parks Commission Work Plan - The draft work plan for 2022 was discussed. The process is to prioritize items and then have a work session with Council. Items discussed that were not included in the draft Work Plan emailed in the packet include:

- o Adopt-A-Park Program – Implement the Adopt-A-Road Program.
- o Amend List of Master Plans for Parks – Prioritize the master plan list and determine a way to create a shorter "plan" for all parks so their purpose and use are documented.
- o Identify Open Space for the City to acquire.

The Parks Commission suggested having a work study session with Council before the budget is finalized and having a special Parks Commission meeting to prioritize work items.

COMMITTEE REPORTS

None

ADJOURN

MOTION: Move to adjourn at 7:14 p.m.

Coronado / Barber - Motion passed unanimously



**Minutes Planning Commission
Gig Harbor Civic Center
Thursday, October 7, 2021
5:00 P.M.**

5:00 p.m. - Call to order, roll call Chair Hoeksema, Commissioner Bennett, Commissioner Krawczyk, Commissioner Grina, Commissioner Bradbury, Commissioner Soltess & Commissioner Brown at 6PM
Staff Katrina Knutson, AICP, Community Development Director & Michelle Thomas, Planning Technician

Approval of Minutes: September 16, 2021 Motion Krawczyk/Bradbury all in favor
Minutes Approved as written

Agenda Items

- I. [Arts & Culture Study Session](#) – Presentation Katrina Knutson & Commission Discussion
- II. [Urban Growth Area Analysis Study Session #2](#) – Presentation Andrew Bjorn & Dawn Couch from Berk & Planning Commission Discussion

Other Business

Next meeting Thursday, October 21, 2021 at 6 PM Comp Plan Amendment Arts & Culture Open Public Hearing

Adjournment Motion to adjourn Krawczyk/Grina All in favor meeting adjourned at 7:17PM



Business of the City Council City of Gig Harbor, WA

Subject: Advisory Board Appointments and Removals

Proposed Council Action: Move to approve the appointment of Lindsey Stover (Receiver Position) to the Lodging Tax Advisory Committee with a term expiring September 30, 2023 and to remove Doug Terrien from the Parks Commission.

Dept. Origin: Administration

Prepared by: Josh Stecker

For Agenda of: November 22, 2021

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Initial &
Date

✓✓ 11-16-21

N/A

N/A

N/A

N/A

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

The Board & Commission Candidate Review Committee met on November 8 and interviewed candidates for the Lodging Tax Advisory Committee. The committee recommends appointment of Lindsey Stover (Receiver Position) to the Lodging Tax Advisory Committee (partial term expiring September 30, 2023).

In addition, the committee recommended removal of Doug Terrien from the Parks Commission due to attendance issues.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

See above.

RECOMMENDATION/MOTION

Move to approve the appointment of Lindsey Stover (Receiver Position) to the Lodging Tax Advisory Committee with a term expiring September 30, 2023 and to remove Doug Terrien from the Parks Commission



Business of the City Council City of Gig Harbor, WA

Subject:

Council approval to hire Parks
Manager above mid-point of salary range.

Dept. Origin: Administration

Prepared by: Tony Piasecki, Interim
City Administrator

For Agenda of: November 22, 2021

Exhibits: N/A

Proposed Council Action:

Grant to hire Parks Manager applicant
above mid-point of current salary range.

Initial & Date

Concurred by Mayor:

✓✓ 11/12/21

Approved by City Administrator:

AP 11/8/21

Approved as to for by City Atty:

Via Email

Approved by Finance Director:

DF 11/9/21

Approved by Department Head:

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	N/A
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INFORMATION / BACKGROUND

The Parks Manager position has been vacant since July 2020. Due to the COVID-19 pandemic the position was placed on hold until February 2021. The City conducted a recruitment process earlier this year that was suspended before a final decision was made because of it was decided to change to whom the Parks Manager reported from the Public Works Director to the City Administrator.

A second recruitment process to fill this vacant position began this past summer. The process has culminated in an offer to a preferred candidate. The preferred candidate is Matthew Keough. He is currently the Parks Planning and Development Manager for the City of Covington, a position he has held since August 2018. He has also held several other planning positions, including,

- Planning and Business Operations Manager, Metro Parks Tacoma
- Senior Planner, City of Raleigh, North Carolina
- Planning Project Manager, Kitsap County Department of Parks and Recreation
- Associate Planner, City of Gig Harbor

Mr. Keough has a Bachelor's in Liberal Arts/Urban Planning and a Master's in Urban and Regional Planning. He has extensive experience in parks master planning, capital improvement programs, and public engagement. He has written Park, Recreation, and Open Space Plans (PROS Plans) and has general urban planning experience.

He currently is paid a wage higher than the mid-point. In addition, at his currently position, he will receive a 6% cost-of-living increase. The 2021 monthly salary range for the Parks Manager is \$7,322 to \$9,153, with a mid-point of \$8,238. Negotiations with Mr. Keough have resulted in a proposed monthly salary of \$8,818.66.

Current City of Gig Harbor Personnel Regulations indicate:



Business of the City Council City of Gig Harbor, WA

A new employee shall enter the pay range for their position at the minimum level unless the Mayor and/or the City Administrator determine that the employee's qualifications warrant a position higher in the range. A new employee shall not enter their pay range higher than mid-range unless prior approval is received from the City Council.

FISCAL CONSIDERATION

The additional cost of a starting salary above mid-point is \$580 per month. Adding benefits that are based on salary (PERS, 401(a), etc.) brings the total additional monthly cost to \$679. There is adequate budgetary capacity for this action.

BOARD OR COMMITTEE RECOMMENDATION

None. Recommended by Interim City Administrator and Mayor.

RECOMMENDED / MOTION

Move to: Authorize the Interim City Administrator to hire Matthew Keough as the Parks Manager at a starting hourly wage of \$50.87 (\$8,818.66 monthly).



Business of the City Council City of Gig Harbor, WA

Subject: Agreement with FISH Food Bank

Dept. Origin: Administration

Proposed Council Action: Move to authorize the City Administrator to sign the agreement with FISH Food Bank

Prepared by: Tony Piasecki

For Agenda of: November 22, 2021

Initial &
Date

Concurred by Mayor:

✓✓ 11-16-21

Approved by City Administrator:

Approved as to form by City Atty:

Email 11/10

Approved by Finance Director:

✓ 11/15/21

Approved by Department Head:

N/A

Expenditure Required	\$500,000	Amount Budgeted	\$500,000	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

On November 8, Council approved Ordinance 1473 which amended the 2021 budget to allow the City to allocate \$500,000 of American Rescue Plan Act funds to FISH Food Bank to use for the construction of its new facility.

This agreement provides the terms for FISH to receive the \$500,000 allocation and specifies that the funds will be used to pay for the construction of its new building. The allocation will be paid to FISH upon signing of the agreement.

FISCAL CONSIDERATION

Budget previously amended by Ordinance 1473.

BOARD OR COMMITTEE RECOMMENDATION

See above.

RECOMMENDATION/MOTION

Move to authorize the City Administrator to sign the agreement with FISH Food Bank.

**2021 AGREEMENT FOR SERVICES
BETWEEN THE CITY OF GIG HARBOR AND
THE GIG HARBOR PENINSULA FISH FOOD BANK**

THIS AGREEMENT is entered this 12 day of NOV, 2021, by and between the City of Gig Harbor, hereinafter "the City," and the Gig Harbor Peninsula FISH Food Bank, hereinafter "the Food Bank" a charitable 501(c)(3) non-profit corporation.

**I
RECITALS**

A. The Food Bank provides vital services for all residents of the City of Gig Harbor and the Gig Harbor Peninsula.

B. The Food Bank is currently constructing a new building to allow it to better provide services.

C. The City can assist the Food Bank in the construction of its new building through direct financial assistance or in-kind assistance.

D. The City can use ARPA Funds to provide assistance to the Food Bank, because the Food Bank provides assistance to households related to the economic impacts of COVID-19.

**II
AGREEMENT**

1. The Food Bank shall provide the following services to residents of the City of Gig Harbor:

- a. Emergency food assistance.
- b. Financial aid for utility bills, rent, prescriptions, and other emergency needs.
- c. Student aid for books and supplies, GED exam fees, CNA licenses, etc.
- d. Referrals for other services such as Medicare, food stamps, housing, Northwest Furniture bank, etc.
- e. Clothing and home goods.
- f. Urgent transportation

2. To help the Food Bank pay for the construction of its new building, the City shall pay the Food Bank the sum of five hundred thousand dollars (\$500,000.00). Funds shall be paid in one installment upon the Food Bank's approval and signature on this agreement.

4. The Food Bank shall expend funds received under this agreement only for construction of its new building and for no other purposes.

5. The duration of this Agreement is from the date of execution until December 31, 2023, unless sooner terminated.

6. The Food Bank shall maintain books and records that sufficiently and accurately reflect direct expenditures by the Food Bank in the performance of this agreement. Such records shall be maintained for a period of seven years after termination of this agreement unless permission has been received from the State Archivist and the City pursuant to chapter 40.14 RCW. The Food Bank shall submit a yearly written report to the City by December 31, 2022, and December 31, 2023 which shall include expenditures by date, payee and purpose. Such report shall also report the breakdown of the number of Gig Harbor residents receiving services from the Food Bank.

7. The City and the Food Bank agree that the Food Bank is independent with respect to the services provided pursuant to this Agreement. Neither the Food Bank nor any employee of the Food Bank shall be entitled to any benefits accorded City employees by virtue of the services provided under this Agreement. The City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers compensation, or otherwise assuming the duties of an employer with respect to the Food Bank or any employee of the Food Bank.

8. The Food Bank shall indemnify, defend, and hold harmless the City, its agents, and employees from and against any and all liability arising from injury or death to persons or damage to property resulting in whole or in part from negligent or intentional acts or omissions of the Food Bank, its agents, servants, officers, or employees in the performance of the contracted services. The Food Bank shall procure and maintain during the term of this agreement, and provide a Certificate of Insurance evidencing such coverage, for the following: Automobile Liability, with limits of One Million Dollars (\$1,000,000) combined single limit per accident if the Food Bank will be using an automobile while performing the essential functions of this agreement; and Commercial General Liability insurance with limits of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence and Two Million Dollars (\$2,000,000) aggregate. Food Bank's insurance shall be primary as respects the City, and the City shall be given thirty (30) days written notice prior to any cancellation, suspension or material change in coverage.

9. In the event of material non-performance of the contracted services by the Food Bank, the City shall have the right to the return of all funds paid to Food Bank and to withhold payment of any remaining funds. However, the City shall not exercise this right until it has given written notice to the Food Bank, and ten days have passed since the giving of such notice. This is in addition to and not in lieu of any right which state law provides for breach of contract.

10. The Food Bank shall conduct its business in a manner which assures fair, equal and non-discriminatory treatment of all persons, including maintaining open hiring and employment practices, and compliance with all requirements of applicable federal, state or local laws or regulations relating to hiring and employment practices and providing services to all persons, without discrimination as to any person's race, color, religion, sex, Vietnam era veteran's status, disabled veteran condition, physical or mental handicap or national origin.

11. This Agreement is the complete expression of the terms hereto and any oral representation or understanding not incorporated herein is excluded. Any modification of the Agreement shall be in writing and signed by both parties.

CITY OF GIG HARBOR

GIG HARBOR PENINSULA FISH FOOD
BANK

Tony Piasecki
City Administrator



BOARD PRESIDENT

Attest:

Joshua Stecker
City Clerk

Approved as to form:

Daniel Kenny
City Attorney



Business of the City Council City of Gig Harbor, WA

Subject: Purchase Authorization for Street Lights

Proposed Council Action: Authorize the purchase of street lights from Rosedale Village LLC for their price quotation of sixty four thousand nine hundred thirty seven dollars and forty one cents (\$64,937.41) including tax.

Dept. Origin: Public Works/Operations

Prepared by: Jeff Langhelm, PE
Public Works Director

For Agenda of: November 22, 2021

Exhibits: Purchase Authorization Form

Initial &
Date

Concurred by Mayor:

Approved by City Administrator: [Signature] 11/17/21

Approved as to form by City Atty: VIA EMAIL 11/17/21

Approved by Finance Director: [Signature] 11/17/21

Approved by Department Head: [Signature] 11/17/21

Expenditure Required	\$64,937.41	Amount Budgeted	See Fiscal Consideration	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

The City has been made aware of a unique opportunity to purchase nine (9) new 30 ft. street lights that meet City standards that may be priced as low as last year's pricing and at contractor's cost that are already in stock.

As you may know, simply acquiring these types of materials in a timely manner can be a challenge. In the City's preliminary 2022 budget the City will need four (4) such street lights for the Streets Capital Objective 9. Additionally, the City currently needs one (1) new street light immediately to replace a pole damaged by an errant vehicle. Lastly, the City desires to keep at least two (2) street lights in stock at any one time in case of a need to replace damaged street lights.

Bid Summary

The City received one (1) price quotations for the street lights following the process outlined in RCW 35.23.352 for the purchase of materials. Below is a list of the bid we received. For reference, the current list price for the City's standard street lights is approximately \$14,000 per pole, including shipping.

BIDDER	TOTAL BID AMOUNT
1. Rosedale Village, LLC	\$ 64,937.41

FISCAL CONSIDERATION

The material cost for four (4) street lights are proposed in the City's 2022 preliminary budget in the Streets Division Capital Fund (Objective 9) at \$40,000. Additional funding is available in the Streets Capital fund to pay for this purchase.

City crews will install the streetlights.

BOARD OR COMMITTEE RECOMMENDATION

This item was not presented to the Public Works Committee.

RECOMMENDATION/MOTION

Authorize the purchase of street lights from Rosedale Village LLC for their price quotation of sixty four thousand nine hundred thirty seven dollars and forty one cents (\$64,937.41) including tax.

**AGREEMENT FOR PURCHASING MATERIALS
BETWEEN CITY OF GIG HARBOR
AND ROSEDALE VILLAGE, LLC**

THIS AGREEMENT is made this _____ day of _____, 20____, by and between the City of Gig Harbor, a Washington municipal corporation (the "City"), and Rosedale Village, LLC a Washington corporation ("Vendor").

WHEREAS, the City desires to purchase Nine (9) Decorative 30 foot LED Street Lights from the Vendor, as described in Exhibit A and the Vendor agrees to sell and/or deliver such items under the terms set forth in this Agreement; and

WHEREAS, in the process of selection of the Vendor and award of this contract, the City has utilized the applicable procedures in RCW 39.04.190, 35A.40.210(2) and 35.23.352 and Resolution No. 1066;

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

I. Description of Products, Materials, Supplies, Tools or other items.

The Vendor shall sell and provide for purchase of Nine (9) Decorative 30 foot LED Street Lights and/or deliver all products, materials, supplies, tools or other items to the City, as described in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Products and Materials").

II. Payment.

A. The City shall pay the Vendor the total sum of sixty-four thousand nine hundred thirty seven dollars and forty one cents dollars (\$64,937.41), including sales tax, for the Products and Materials. This is the maximum amount to be paid under this Agreement, and shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed contract amendment.

B. After delivery of the Products and Materials, the City shall inspect the same, and if acceptable, shall pay the Vendor the full amount of the invoice corresponding to this Agreement. If the Products and Materials are not acceptable to the City for any reason or are delivered in a damaged or unusable condition, the City shall not be obligated to accept delivery or to make any payment.

III. Deadline for Delivery.

The City and the Vendor agree that the items described in Exhibit A will be delivered to within 25 miles of the City's Operations Shop, 5118 89th St, Gig Harbor, WA 98335 by the Vendor on or before December 31, 2021.

IV. Termination.

Either party shall have the ability to terminate this Agreement no later than 30 days prior to the delivery date, as long as written notice of termination is faxed, e-mailed or hand delivered to the other party at the addresses set forth in this Agreement.

V. Indemnification.

The Vendor shall indemnify, defend and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or lawsuits, including costs and attorneys fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

VI. Insurance.

The Vendor shall procure and maintain for the duration of this Agreement commercial general liability insurance to cover claims for product liability and injuries to persons or damage to property which may arise from or in connection with the Products and Materials supplied to the City. The Vendor shall assume all liability relating to damage or loss of the products and materials until acceptance by the City.

VII. Written Notice

All communications regarding this Agreement shall be sent to the parties at the addresses listed below, unless notified to the contrary. Any written notice hereunder shall become effective as of the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.

To the Vendor:

Rosedale Village, LLC
Attn: Todd Steel
PO Box 2131
Tacoma, WA 98401
Phone: 253-377-8711

To the City:

City of Gig Harbor
Attn: Jeff Langhelm, PE
3510 Grandview Street
Gig Harbor, WA 98335
Phone: 253-851-6170

IX. Modification

No waiver, alteration or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Vendor.

X. Assignment

Any assignment of this Agreement by the Vendor without the written consent of the City shall be void.

XI. 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.

XII. Resolution of Disputes

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 Administrator, and the City Administrator shall determine the term or provisions' true intent or meaning.

If any dispute arises between the City and the Vendor under any of the provisions of this Agreement which cannot be resolved by the City's determination in a reasonable time, or if the Vendor does not agree with the City's decision on the disputed matter, jurisdiction of any resulting litigation shall be with the 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 shall be reimbursed by the other party for its costs, expenses, and reasonable attorney's fees incurred in any litigation arising out of the enforcement of this Agreement.

XIII. Entire Agreement

The written provisions and terms of this Agreement, together with all exhibits attached hereto, all bids specifications and bid documents shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of, or altering in any manner whatsoever, this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year above written.

VENDOR

THE CITY OF GIG HARBOR

By: _____
Its _____

Mayor

ATTEST:

Josh Stecker, Interim City Clerk

Approved as to form:
Office of the City Attorney

City Attorney



Business of the City Council City of Gig Harbor, WA

Subject: Public Hearing and second reading of the 2022 budget ordinance

Proposed Council Action: Hold public hearing adopt 2022 budget

Dept. Origin: Finance

Prepared by: David Rodenbach, Finance Director

For Agenda of: November 22, 2021

Exhibits: Budget Ordinance & supporting items
Initial & Date

Concurred by Mayor: ✓ 11-16-21

Approved by City Administrator

Approved as to form by City Atty: by e-mail

Approved by Finance Director: DR 11/15/21

Expenditure	Amount	Appropriation
Required \$118,213,082	Budgeted 0	Required \$118,213,082

INFORMATION / BACKGROUND

The total city budget, which includes all funds, is \$118,213,082. Total budgeted revenues for the 2022 budget year are \$42.9 million, budgeted beginning fund balances total \$56.8 million and interfund transfers and other revenues are \$18.5 million. Total budgeted expenditures, less internal transfers, are \$59.7 million and budgeted ending fund balances total \$41.7 million.

The budget for the Senior Reserve fund was increased by \$100,000 to \$200,599. This brings the total city-wide budget across all funds to \$118,213,082.

FISCAL CONSIDERATION

Total budgeted uses and resources for the 2022 budget year are \$118,213,082. This is a \$17.2 million or 17.0 percent increase over expected year-end 2021. The table below shows where the changes are expected to occur in the upcoming budget year.

RESOURCES	2019 Actual	2020 Actual	2021 Budget	2021 Actual	2022 Proposed	% Change from 2021 Budget
Beginning Balance	\$ 36,540,235	\$ 43,017,132	\$ 48,088,510	\$ 49,814,032	\$ 56,796,066	32.0%
Total Taxes	16,567,877	16,534,477	17,186,745	20,101,745	21,266,924	28.6%
Total Licenses & Permits	1,543,189	1,544,284	1,472,956	1,593,977	1,652,306	7.0%
Total Intergovt Revenues	1,474,901	1,148,891	3,213,889	2,949,522	5,649,261	391.7%
Total Charges For Services	13,725,232	14,638,105	11,565,750	14,240,509	13,804,844	-5.7%
Total Fines & Forfeits	149,964	91,673	88,151	77,047	77,047	-16.0%
Total Misc. Revenues	1,387,052	656,955	624,848	330,737	447,060	-31.9%
Transfers In	11,079,758	9,636,858	17,856,074	11,936,214	16,849,000	74.8%
Other	939,742	33,869	1,939	7,693	1,670,574	
Total Resources	\$ 83,407,950	\$ 87,302,244	\$ 100,098,862	\$ 101,051,476	\$ 118,213,082	35.4%

USES	2019 Actual	2020 Actual	2021 Budget	2021 Actual	2022 Proposed	% Change from 2021 Budget
Salaries	\$ 8,818,241	\$ 8,997,931	\$ 9,564,600	\$ 9,464,444	\$ 10,906,677	21.2%
Benefits	3,630,034	3,554,462	4,334,531	3,941,459	4,930,480	38.7%
Supplies	1,299,095	1,470,892	1,830,045	1,215,676	1,987,072	35.1%
Services	3,994,177	4,720,072	7,347,567	4,912,580	8,892,648	88.4%
Intergov't Charges	604,893	898,336	1,035,389	1,066,191	986,892	9.9%
Capital Outlays	5,218,330	3,841,091	19,791,185	7,417,141	29,075,775	657.0%
Transfers Out	10,116,974	9,454,485	15,851,474	10,708,013	16,849,000	78.2%
Other	6,422,341	5,469,461	3,901,958	5,526,242	2,894,964	-47.1%
Ending Balance	43,303,865	48,895,514	36,442,113	56,799,730	41,689,574	-14.7%
Total Uses	\$ 83,407,950	\$ 87,302,244	\$ 100,098,862	\$ 101,051,476	\$ 118,213,082	35.4%

BOARD OR COMMITTEE RECOMMENDATION

Summarized below are changes from the Preliminary Budget resulting from City Council Study sessions which were held October 18, 19, 28 and November 2:

General Fund

Non-Departmental:

- Transfer out – Senior Reserve fund \$100,000

Administration – Human Resources:

- Add Employee satisfaction survey 5,000

Park Development Fund

- Jerkovich Pier advanced mitigation - moved forward to 2022 (\$380,000)
- Commercial Fishing Homeport – 2022 - \$110,000; 2023 - \$1,500,000

RECOMMENDATION / MOTION

Hold public hearing and adopt 2022 budget ordinance..

ORDINANCE 1474

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING THE 2022 ANNUAL BUDGET; ESTABLISHING APPROPRIATIONS OF FUNDS FOR THE 2022 FISCAL YEAR; TRANSMITTING BUDGET COPIES TO THE STATE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mayor of the City of Gig Harbor, Washington completed and placed on file with the City Clerk a proposed budget and estimate of the amount of the monies required to meet the public expenses, bond retirement and interest, reserve funds and expenses of government of the City for the 2022 fiscal year; and

WHEREAS, the City of Gig Harbor published notice that the Gig Harbor City Council would meet on November 8, 2021 and November 22, 2021 at 5:30 p.m., in the Gig Harbor Council Chambers for the purpose of providing the public an opportunity to be heard on the proposed budget for the 2022 fiscal year and to adopt the budget; and

WHEREAS, the City Council did meet at the dates and times so specified, and heard testimony of interested citizens and taxpayers; and

WHEREAS, the 2022 proposed annual budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Gig Harbor for the purposes set forth in the budget, and the estimated expenditures set forth in the budget being all necessary to carry on the government of Gig Harbor for the 2022 fiscal year;

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

Section 1. Budget Adopted. The budget for the City of Gig Harbor, Washington, for the 2022 fiscal year, on file with the City Clerk, is hereby adopted in its final form and content.

Section 2. Funds Appropriated. Estimated resources, including beginning fund balances, for each separate fund of the City of Gig Harbor, and aggregate total for all funds combined, for the 2022 fiscal year are set forth in summary form below, and are hereby appropriated for expenditure during the 2022 fiscal year as set follows:

2022 BUDGET APPROPRIATIONS	
FUND / DEPARTMENT	AMOUNT
001 GENERAL GOVERNMENT	
01 Non-Departmental	\$ 8,601,530
02 Legislative	73,000

03	Municipal Court	535,000
04	Administrative / Financial /	2,406,700
06	Police	4,637,843
14	Community Development	2,814,246
15	Park Operating	1,836,694
16	Buildings	710,030
19	Ending Fund Balance	2,693,061

TOTAL GENERAL FUND - 001

\$24,308,104

101	STREET OPERATING	5,647,720
102	STREET CAPITAL	9,857,152
650	TRANSPORTATION BENEFIT	4,849,000
103	SENIOR SERVICES	200,599
104	PEDESTRIAN SAFETY	215,027
105	DRUG INVESTIGATION STATE	18,279
106	DRUG INVESTIGATION FEDERAL	11,514
107	HOTEL / MOTEL FUND	1,315,527
108	PUBLIC ART CAPITAL PROJECTS	51,657
109	PARK DEVELOPMENT FUND	3,811,320
111	STRATEGIC RESERVE	3,600,464
112	EQUIPMENT REPLACEMENT	539,855
208	LTGO BOND REDEMPTION	341,879
211	UTGO BOND REDEMPTION	556,731
301	CAPITAL DEVELOPMENT FUND	1,361,698
305	GENERAL GOVT. CAPITAL	1,260,827
309	IMPACT TRUST FEE	5,835,068
310	HOSPITAL BENEFIT ZONE	8,605,679
401	WATER OPERATING	4,751,531
402	SEWER OPERATING	12,415,396
403	SHORECREST RESERVE	242,195
407	UTILITY RESERVE	1,437,497
408	UTILITY BOND REDEMPTION	2,330,101
410	SEWER CAPITAL CONSTRUCTION	9,455,963
411	STORM SEWER OPERATING	2,647,507
412	STORM SEWER CAPITAL	3,676,179
420	WATER CAPITAL ASSETS	8,718,613

TOTAL ALL FUNDS

\$118,213,082

Section 3. Salary Schedule. Attachment "A" is adopted as the 2022 personnel salary schedule for all employees.

Section 4. Transmittal. The City Clerk is directed to transmit a certified copy of the 2022 budget hereby adopted to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities.

Section 5. 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 6. Effective Date. This ordinance shall be in force and take effect five (5) days after its publication according to law.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 22nd day of November, 2021.

Kit Kuhn
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker
Interim City Clerk

PUBLICATION DATE: 11/25/21
EFFECTIVE DATE: 11/30/21

Attachment A

2022 Salary Schedule Executive Positions

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5
City Administrator	\$157,991	\$165,890	\$174,185	\$182,894	\$192,039
City Attorney	\$144,789	\$152,029	\$159,630	\$167,612	\$175,993
Chief of Police	\$136,272	\$143,086	\$150,240	\$157,752	\$165,640
Finance Director	\$127,755	\$134,143	\$140,850	\$147,893	\$155,288
Public Works Director	\$127,755	\$134,143	\$140,850	\$147,893	\$155,288
Community Development Director	\$127,755	\$134,143	\$140,850	\$147,893	\$155,288
Human Resources Director	\$121,623	\$127,704	\$134,090	\$140,794	\$147,834
Police Lieutenant	\$121,623	\$127,704	\$134,090	\$140,794	\$147,834
Assistant City Attorney	\$99,649	\$104,632	\$109,863	\$115,356	\$121,124
City Clerk	\$91,558	\$96,136	\$100,943	\$105,990	\$111,289
HR Analyst	\$76,803	\$80,643	\$84,675	\$88,909	\$93,354

2022 Salary Range 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	\$75,794	\$78,257	\$80,801	\$83,427	\$86,138	\$88,938	\$91,828	\$94,813
Human Resources Assistant	\$51,830	\$53,515	\$55,254	\$57,049	\$58,904	\$60,818	\$62,795	\$64,835

2022 Salary Range Police Personnel

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5
Police Sergeant	\$8,683	\$9,117	\$9,573	\$10,052	
Police Officer	\$6,575	\$6,903	\$7,248	\$7,611	\$7,991

*2022 Salary Range Supervisory Personnel

Job Title	Minimum	Maximum
City Engineer	\$8,247	\$10,309
Information Systems Manager	\$8,247	\$10,309
Building Official / Fire Marshal	\$7,896	\$9,870
Parks Manager	\$7,322	\$9,153
Principal Planner	\$7,322	\$9,153
Tourism & Communications Director	\$7,142	\$8,928
Court Administrator	\$7,088	\$8,860
Public Works Superintendent	\$7,051	\$8,814
Wastewater Treatment Plant Suprv.	\$7,051	\$8,814

*Contract currently under negotiations.

2022 Salary Range
Non-Supervisory Personnel

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Senior Engineer	\$94,000	\$97,055	\$100,210	\$103,466	\$106,829	\$110,301	\$113,886	\$117,587
Associate Engineer	\$86,930	\$89,755	\$92,672	\$95,684	\$98,793	\$102,004	\$105,319	\$108,742
Project Engineer	\$86,930	\$89,755	\$92,672	\$95,684	\$98,793	\$102,004	\$105,319	\$108,742
Senior Accountant	\$86,708	\$89,526	\$92,435	\$95,439	\$98,541	\$101,744	\$105,050	\$108,464
Senior Planner	\$86,657	\$89,473	\$92,381	\$95,383	\$98,483	\$101,684	\$104,989	\$108,401
Infrastructure Systems Engineer	\$78,203	\$80,745	\$83,369	\$86,078	\$88,876	\$91,764	\$94,747	\$97,826
Assistant Building Official / FM	\$76,628	\$79,119	\$81,690	\$84,345	\$87,086	\$89,916	\$92,839	\$95,856
Field Supervisor	\$76,628	\$79,119	\$81,690	\$84,345	\$87,086	\$89,916	\$92,839	\$95,856
Construction Supervisor	\$76,628	\$79,119	\$81,690	\$84,345	\$87,086	\$89,916	\$92,839	\$95,856
Senior WWTP Operator	\$72,144	\$74,488	\$76,909	\$79,409	\$81,990	\$84,654	\$87,405	\$90,246
GIS Coordinator	\$68,867	\$71,105	\$73,416	\$75,802	\$78,265	\$80,809	\$83,435	\$86,147
Payroll / Benefits Administrator	\$70,397	\$72,685	\$75,047	\$77,486	\$80,004	\$82,604	\$85,289	\$88,061
Associate Planner	\$69,336	\$71,589	\$73,916	\$76,318	\$78,798	\$81,359	\$84,003	\$86,733
Construction Inspector	\$67,648	\$69,847	\$72,117	\$74,461	\$76,881	\$79,379	\$81,959	\$84,623
Building Inspector/Plans Reviewer	\$67,648	\$69,847	\$72,117	\$74,461	\$76,881	\$79,379	\$81,959	\$84,623
Executive Assistant	\$66,639	\$68,805	\$71,041	\$73,350	\$75,734	\$78,195	\$80,736	\$83,360
Mechanic	\$65,416	\$67,542	\$69,738	\$72,004	\$74,344	\$76,760	\$79,255	\$81,831
WWTP Operator	\$64,539	\$66,636	\$68,802	\$71,038	\$73,347	\$75,731	\$78,192	\$80,733
Engineering Technician	\$64,013	\$66,093	\$68,241	\$70,459	\$72,749	\$75,113	\$77,555	\$80,075
Building Maintenance Technician	\$63,498	\$65,562	\$67,693	\$69,893	\$72,164	\$74,510	\$76,931	\$79,431
Information Systems Assistant	\$62,620	\$64,655	\$66,756	\$68,926	\$71,166	\$73,479	\$75,867	\$78,333
WWTP Collection Systems Tech II	\$60,366	\$62,328	\$64,354	\$66,446	\$68,605	\$70,835	\$73,137	\$75,514
Assistant Planner	\$60,175	\$62,130	\$64,150	\$66,235	\$68,387	\$70,610	\$72,905	\$75,274
Code Enforcement Officer	\$60,175	\$62,130	\$64,150	\$66,235	\$68,387	\$70,610	\$72,905	\$75,274
Permit Coordinator	\$60,175	\$62,130	\$64,150	\$66,235	\$68,387	\$70,610	\$72,905	\$75,274
Community Services Officer	\$59,641	\$61,579	\$63,580	\$65,646	\$67,780	\$69,983	\$72,257	\$74,606
Finance Technician	\$58,670	\$60,577	\$62,546	\$64,579	\$66,677	\$68,844	\$71,082	\$73,392
Utility Billing Technician	\$58,670	\$60,577	\$62,546	\$64,579	\$66,677	\$68,844	\$71,082	\$73,392
Planning Technician	\$58,367	\$60,264	\$62,223	\$64,245	\$66,333	\$68,489	\$70,715	\$73,013
Administrative Assistant	\$57,054	\$58,908	\$60,822	\$62,799	\$64,840	\$66,947	\$69,123	\$71,370
Community Development Assistant	\$57,054	\$58,908	\$60,822	\$62,799	\$64,840	\$66,947	\$69,123	\$71,370
Public Works Assistant	\$57,054	\$58,908	\$60,822	\$62,799	\$64,840	\$66,947	\$69,123	\$71,370
Police Services Specialist	\$49,338	\$50,942	\$52,597	\$54,307	\$56,072	\$57,894	\$59,776	\$61,718
Court Clerk	\$48,671	\$50,253	\$51,886	\$53,573	\$55,314	\$57,111	\$58,968	\$60,884
Custodian	\$48,500	\$50,076	\$51,704	\$53,384	\$55,119	\$56,910	\$58,760	\$60,670
Public Works / Utility Billing Clerk	\$48,470	\$50,045	\$51,671	\$53,351	\$55,085	\$56,875	\$58,723	\$60,632
Community Development Clerk	\$48,470	\$50,045	\$51,671	\$53,351	\$55,085	\$56,875	\$58,723	\$60,632
Laborer	\$46,056	\$47,553	\$49,098	\$50,694	\$52,341	\$54,042	\$55,799	\$57,612

Job Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
Maintenance Technician	\$56,626	\$58,466	\$60,366	\$62,328	\$64,354	\$66,446	\$68,605	\$70,835	\$73,137	\$75,514

The parties agree to continue the combination of Maintenance Technician I and II ranges. Employees will not be able to exceed the mid-range of this classification until they have been with the City for at least 5 years and have achieved goals, licenses and/or certifications. 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.

WWTP - Operator In Training (OIT)	\$62,507
-----------------------------------	----------

OIT is an automatic progression into WWTP Operator once employee receives Group 1 Certification.

Updated 9/16/2021



Business of the City Council City of Gig Harbor, WA

Subject: Public Hearing and Presentation of Draft ADA Self-Evaluation and Transition Planning Program

Proposed Council Action: Review and comment on the Draft ADA Self-Evaluation and Transition Plan

Dept. Origin: Public Works/Engineering

Prepared by: Trent Ward, PE *TW*
City Engineer

For Agenda of: November 22, 2021

Exhibits: Draft ADA Self-Evaluation and Transition Plan

Initial &
Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty: *by email: 11/15/21*

Approved by Finance Director:

Approved by Department Head: *11/16/21*

Expenditure Required	\$0	Amount Budgeted	\$100,000	Appropriation Required	\$0
-----------------------------	------------	------------------------	------------------	-------------------------------	------------

INFORMATION/BACKGROUND

Development, adoption, and implementation of an Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Plan) is in response to the Americans with Disabilities Act of 1990, which is a Federal civil rights statute that mandates all cities with over 50 employees to adopt and implement such a plan.

As identified in the 2021 Street Division budget – Operating Objective No. 1, staff have been directed to complete the Public Works ADA Self-Evaluation and Transition Plan (Plan) for adoption by City Council this year, in order to formally establish the City's proposed timeline and funding strategies for the continued replacement of non-conforming curb ramps within City Rights-of-Way, in compliance with this federal mandate.

A professional services contract with Transportation Solutions, Inc. (TSI) was executed on August 12, 2021 to assist the City with developing the Plan. TSI and staff provided a presentation of the Plan at the November 9 Public Works Committee meeting.

Attached for your review and consideration is the proposed draft Plan. Staff will present the final Plan to City Council for adoption on December 13, 2021.

The following Plan development schedule and tasks have been achieved and/or are underway:

- 10/15/21: Launched the ADA Transition Plan Project Webpage with links to both map-enabled and screen reader-friendly surveys, and links to the ADA Public Notice and ADA Grievance Procedure. To view webpage, please click link: <https://www.cityofgigharbor.net/CivicAlerts.aspx?AID=759>
- 10/25/21: Staff report presented to Council.
- 11/05/21: Consultant submitted Draft ADA Transition Plan (Plan) to the City.
- 11/09/21: Present Draft Plan and Presentation to PW Committee
- 11/09/21 – 11/30/21: Public Comment period begins with Draft Plan posted to webpage with directions to send comments to ADACoordinator@gigharborwa.gov.
- 11/22/21: Public Hearing and Presentation of Draft Plan to City Council.
- 11/30/21: Surveys and Draft Plan comment period closes.
- 12/09/21: Consultant submits Final Plan to City inclusive of requested revisions and public comments received.
- 12/13/21: Scheduled for adoption by City Council.

FISCAL CONSIDERATION

As identified in the 2021 Street Division budget – Operating Objective No. 1, staff have been directed to complete the Public Works ADA Self-Evaluation and Transition Plan (Plan) for adoption by City Council this year. The 2021 Budget allocated \$100,000 towards the completion of the ADA Self-Evaluation and Transition Planning Program. TSI's contract to complete the Plan was executed by the City on August 12, 2021 for \$31,079.00.

This Plan obligates the City to allocate funding on an annual basis in the future for the replacement of non-conforming curb ramps within the public right-of-way until full ADA compliance for pedestrian ramps within the City is achieved.

BOARD OR COMMITTEE RECOMMENDATION

Presented the Draft Plan and Presentation to the Public Works Committee on November 9, 2021.

RECOMMENDATION/MOTION

Review and comment on the Draft ADA Self-Evaluation and Transition Plan

DRAFT

**City of Gig Harbor
Americans With Disabilities Act (ADA)
Transition Plan for the Public Right-of-Way**



Gig Harbor, WA

November 2021

Prepared by



The Americans with Disabilities Act Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Gig Harbor will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

ADA/504 Coordinator

The ADA/504 Coordinator is responsible for responding to grievances, complaints and other alleged ADA discrimination concerns, as well providing materials in alternative formats. Jeff Langhelm, Public Works Director, is the City of Gig Harbor's ADA/504 Coordinator and can be contacted at:

Phone: (253) 851-8136

Washington Relay System: 7-1-1

E-mail: ADACoordinator@gigharborwa.gov

Mail: 3510 Grandview Street, Gig Harbor, WA 98335

Acknowledgements

The City of Gig Harbor wishes to thank the organizations and individuals who contributed to this project. This was truly a collaborative venture that could not have happened without the input, creativity, and participation of many people. Thank you all.

Gig Harbor City Council

Kit Kuhn, Mayor

Jeni Woock, Council Member Position 1

Bob Himes, Council Member Position 2

Jim Franich, Council Member Position 3

Tracie Markley, Council Member Position 4

Robyn Denson, Council Member Position 5

Le Rodenberg, Council Member Position 6

Spencer Abersold, Council Member Position 7

City of Gig Harbor Project Team

Trent Ward, City Engineer

Aaron Hulst, Senior Engineer/Project Manager

Maureen Whitaker, Executive Assistant

Mike Simmons, GIS Coordinator

Jeff Langhelm, ADA/504 Coordinator



"THE MARITIME CITY"

Consultant Team - Transportation Solutions, Inc.

Victor Salemann, Principal

Kirk Harris, Project Manager

Jennifer Salemann, Planner



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Appendix B2 - GIS Curb Ramp Prioritization

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Appendix D - ADA Grievance Procedure

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Appendix F - Public Engagement Strategy

Appendix G - Public Engagement Findings

List of Abbreviations

ADA - American with Disabilities Act

ADA/504 - Americans With Disabilities Act/Section 504 of the Rehabilitation Act of 1973

APS - Accessible Pedestrian Signal

CFR - Code of Federal Regulations (United States)

COVID-19 - Coronavirus Disease of 2019

DOJ - Department of Justice (United States)

DOT - Department of Transportation (United States)

DWS - Detectable Warning System

GIS - Geographic Information System

LAG - Local Agency Guidelines (published by Washington State Department of Transportation)

NCHRP - National Cooperative Highways Research Program

PROWAG - Public Right of Way Accessibility Guidelines

SR - State Route

USDOT - United States Department of Transportation

WSDOT - Washington State Department of Transportation

A. Introduction & Legal Requirements

The City of Gig Harbor is committed to removing barriers to accessibility in its public right-of-way facilities. To achieve this end, the City has completed a Public Right-of-Way Americans with Disabilities Act (ADA) Transition Plan.

This introduction summarizes the legal precedent for and the required components of an ADA Self-Evaluation and Transition Plan. It also provides an overview of the scope and organization of the City's Public Right-of-Way ADA Transition Plan with respect to these requirements.

A.1 Legal Precedent

The following federal laws and local Washington State guidelines informed the content and scope of this ADA Self-Evaluation and Transition Plan. See also Washington State Department of Transportation (WSDOT) Local Agency Guidelines Chapter 29 (June 2021).

A.1.1 Section 504 of the Rehabilitation Act (1973)

Section 504 of the Rehabilitation Act of 1973 states that no person with a disability shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity that receives Federal funding. This includes both transportation and non-transportation funding.

Section 504 extends to the entire operations of a recipient or subrecipient, regardless of the specific funding source of a particular operation. Section 504 Regulations (49 CFR Part 27.5) define a recipient as any public entity that receives Federal financial assistance from the United States Department of Transportation (USDOT) or its operating administrations either directly or through another recipient. An example of a recipient is WSDOT. An example of a subrecipient is a local agency receiving USDOT funds through WSDOT, for projects/programs/activities administered by the local agency.

A.1.2 American with Disabilities Act

The *Americans with Disabilities Act* of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. There are five separate Titles, or sections, of the Act that cover different aspects of potential discrimination. These include:

- Title I – Employment
- Title II – Public Services and Transportation
- Title III – Public Accommodations
- Title IV – Telecommunications, and
- Title V – Miscellaneous

Title II of the Act specifically addresses the subject of making public services and public transportation accessible to those with disabilities. Designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The ADA is mirrored after Section 504 but extends the reach of Federal accessibility laws to include those agencies that are not recipients or subrecipients of Federal funding. Title II (28 CFR Part 35) of the ADA specifically pertains to state and local governments.

The ADA applies to all facilities, including both facilities built before and after 1990. State and local government and public entities or agencies are required to perform self-evaluations of their current facilities relative to the accessibility requirements of the current ADA accessibility standards. The requirements of the ADA apply to all public entities or agencies, no matter the size. The transition plan formal procedures as outlined in 28 C.F.R. section 35.150 only governs those public entities with more than 50 employees.

A.2 Scope of ADA Transition Plan

The Federal requirements for preparing and implementing an ADA Transition Plan are outlined in specific code sections. Certain code sections also identify accessibility requirements for existing facilities, new construction and alterations of existing facilities. In addition, WSDOT provides local agency guidelines on ADA Transition Plan content. These codes and guidelines utilized in preparing the City's ADA Self-Evaluation and Transition Plan as well as the steps undertaken to engage the public in the process are included for reference in **Appendix A**.

The City is undertaking this Plan in phases. The initial scope of the City's ADA Transition Plan includes curb ramps within the City's public right-of-way and select administrative policies and procedures. Other City facilities and infrastructure in public right-of-way, City buildings and park facilities, and City programs, services and activities will be evaluated and added I future Phases of the City's ADA Transition Plan.

A.2.1 Federal ADA Transition Plan Requirements

Under Title II of the ADA, Section 28 CFR Part 35.150 (d) - Transition Plan outlines four requirements of an ADA Transition Plan. For full code text, see **Appendix A**.

- Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one (1) year, identify steps that will be taken during each year of the transition period; and
- Indicate the official responsible for implementation of the plan.

A.2.2 Federal Accessibility Requirements for Existing Facilities

Section 28 § 35.150 of Title II of the ADA identifies the accessibility requirements for existing facilities. For full code text, see **Appendix A**.

A.2.3 Federal Accessibility Requirements for New Construction or Alterations

Section 28 § 35.151 of Title II of the ADA identifies the accessibility requirements for new construction or alterations to existing facilities. For full code text, see **Appendix A**.

A.2.4 Washington State Department of Transportation (WSDOT) Local Agency Guidelines

WSDOT's Local Agency Guidelines (LAG) Chapter 29 includes additional ADA Transition Plan items per Section 504 listed below. For full local agency guidelines text, see **Appendix A**.

- Designate an ADA/504 Coordinator
- Maintain Public Notice of ADA Provisions
- Adopt and publish Grievance Procedure
- Adopt an Accessible Pedestrian System (APS) Policy

A.3 Organization of Document

The National Cooperative Highway Research Program (NCHRP) No. 20-7 (232) ADA Transition Plans: *A Guide to Best Practices* (May 2009) report demonstrates how the federal ADA Transition Plan requirements give agencies flexibility on how to format their Transition Plans.

The City of Gig Harbor is preparing its Public Right-of-Way Transition Plan in phases across multiple budget years. This first phase of the Transition Plan addresses these components related to accessibility barriers in the City's public right-of-way::

- Administrative Policies and Procedures
- Self-Evaluation and Compliance Activities to Date
- Barrier Prioritization & Removal Recommendations
- Barrier Removal Schedule and Costs
- Strategy for Funding Barrier Removal

The remaining sections address:

- Public Engagement
- Future Actions to Maintain and Achieve Compliance
- Accessibility Guidelines, Standards, and Resources
- Appendices

B. Administrative Policies and Procedures

In August 2021, Transportation Solutions, Inc., conducted a self-evaluation inventory of the City's existing ADA-related administrative policies and procedures identified in the WSDOT LAG Manual Chapter 29 Checklist (see **Appendix A**).

B.1 Official Responsible to Implement the ADA Transition Plan

The City has designed Jeff Langhelt, ADA/504 Coordinator/Public Works Director and Trent Ward, City Engineer, as the officials responsible to implement this Plan as part of this ADA Transition Plan; their contact information is provided below and available on the City's ADA webpage [here](#):

Jeff Langhelt, ADA Coordinator, Public Works Director
3510 Grandview Street
Gig Harbor, WA 98335
253-851-6170
Washington Telecommunication Relay Services: 7-1-1
Email: ADACoordinator@gigharborwa.gov

Trent Ward, City Engineer
3510 Grandview Street
Gig Harbor, WA 98335
253-853-7637
Washington Telecommunication Relay Services: 7-1-1
Email: TWard@gigharborwa.gov

B.2 ADA/504 Coordinator

The City has designated Jeff Langhelt, ADA/504 Coordinator/Public Works Director, as part of this ADA Transition Plan; their contact information is provided below and available on the City's ADA webpage [here](#).

Jeff Langhelt, ADA Coordinator, Public Works Director
3510 Grandview Street
Gig Harbor, WA 98335
253-851-6170
Washington Telecommunication Relay Services: 7-1-1
Email: ADACoordinator@gigharborwa.gov

B.3 Public Notice of ADA Provisions

The notice requirement applies to all state and local governments covered by Title II, even localities fewer than 50 employees. The target audience for public notice includes anyone who may potentially interact with the agency and must be accessible to all. An effective notice states the basis of what the ADA requires of the public agency in clear, concise language and should include the name and contact information of the ADA Coordinator. It addresses the public agency's commitment to non-discrimination on the basis of disability and addresses the agency's associated policies regarding employment, effective communication, modifications to policies and procedures, provision of auxiliary aids, scope of the ADA, complaints, and provision of aid/services at no additional cost. The U.S. Department of Justice's ADA Best Practices Tool Kit for Local and State Governments provides a [template ADA Notice](#) for use by public agencies.

The City has publicly posted its Public Notice of ADA Provisions as part of this ADA Transition Plan; the public notice is posted on the City's webpage [here](#) and is provided in **Appendix C**.

B.4 ADA Grievance Procedure

The City has publicly posted its ADA Grievance Procedure and established an ADA Complaint Record as part of this ADA Transition Plan; the Grievance Procedure is posted on the City's webpage [here](#) and is provided in **Appendix D**.

B.5 Accessible Pedestrian Signal (APS) Policy

The City established an APS Policy as part of this ADA Transition Plan; the APS Policy is posted [here](#) and is provided in **Appendix E**.

C. Public Right-of-Way

This chapter describes the City's efforts to address public right-of-way ADA barriers within the Phase 1 scope of the Public Right-of-Way ADA Transition Plan according to the following steps:

- Self-Evaluation and compliance activities to date.
- Barrier prioritization and removal recommendations.
- Barrier removal schedule and costs.
- Strategy for funding barrier removal.

The Phase 1 scope focuses on curb ramps. Some information related to Accessible Pedestrian Signal (APS) features is discussed. Other public right-of-way facilities, such as sidewalks, driveway interface with sidewalks, accessible parking and fully-compliant APS systems, will be covered in future phases/updates to this ADA Transition Plan.

C.1 Self-Evaluation and Compliance Activities to Date

C.1.1 Curb Ramps

Starting in 2013, the City's curb ramp assets were mapped in CAD and GIS without an entirely comprehensive system to keep the assets in sync. The City started using an asset management software, Cartegraph, in 2016 to track work on City assets. At that time, some assets were loaded into Cartegraph from existing CAD/GIS, while other assets were created directly in Cartegraph. There was still no entire synchronization of the systems.

In 2019, the City started a new GIS program to create that comprehensive, synchronized system. Much time has been dedicated over the past 2+ years to compile the City's data from CAD, GIS and Cartegraph in order to create a master database of the City assets into a comprehensive GIS (a major City effort took place in April 2020 to sync the GIS with Cartegraph). This GIS is now synchronized with Cartegraph for most of the applicable assets. City staff confirmed there were ramps that had been re-configured, moved, or removed since April 2020.

C.1.1.1 PDF Attachments of Curb Ramp Evaluations

Of the City's original inventory, most curb ramp features (503 out of 572 total) include a pdf attachment of the Washington State Department of Transportation (WSDOT) Curb Ramp Evaluation Form used to assess ramp compliance. City staff believe the evaluations were based on the 2010 Standards because the majority of the inventory efforts were done in 2014.

C.1.1.2 GIS Attribute Data

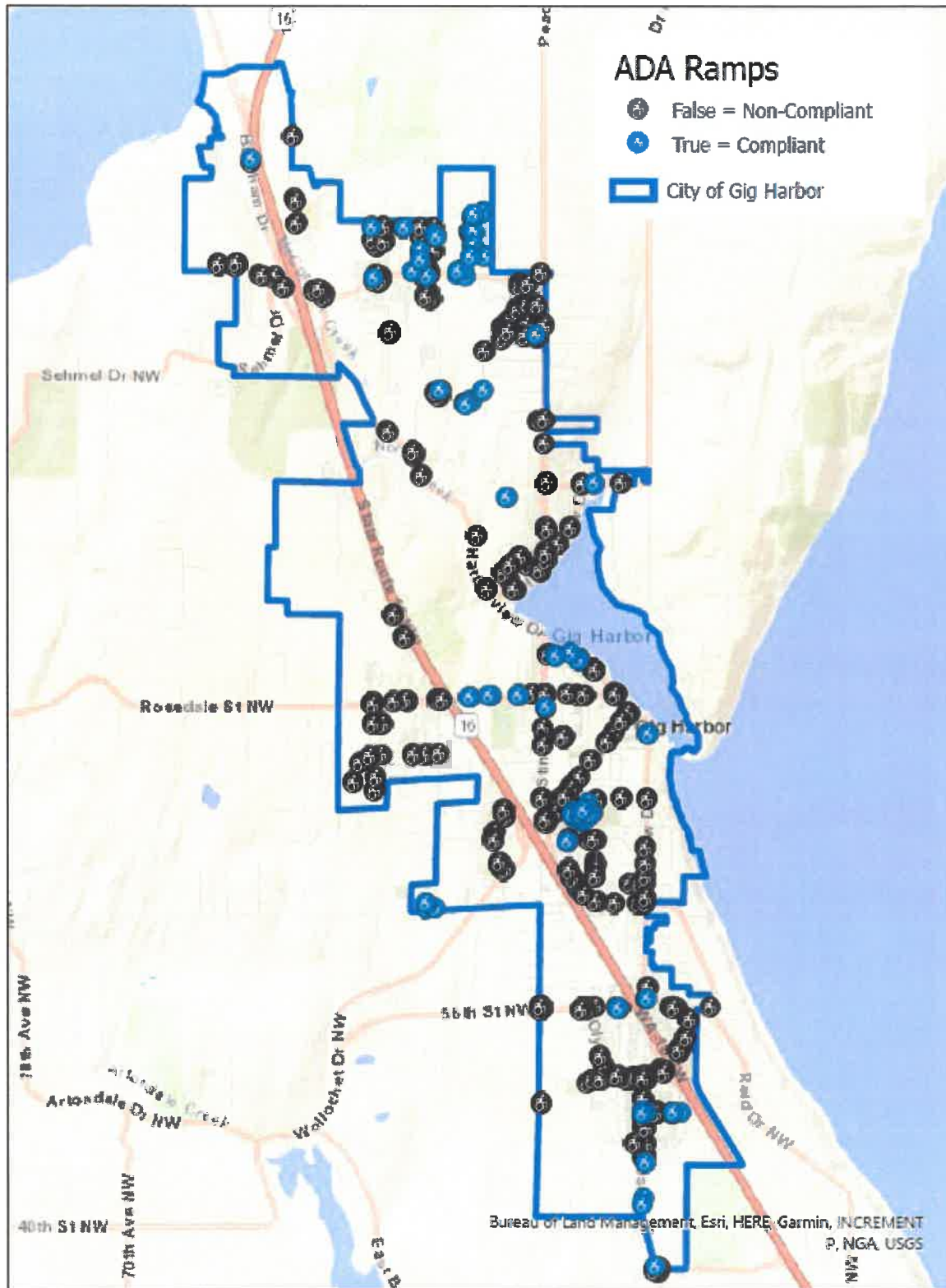
The City's **ADA_Ramps** GIS feature class includes thirty-six (36) attribute fields, roughly half of which relate to measures of ADA compliance. While these fields are present, many fields include blank <Null> values. Additional information may be present in the PDF attachments. See

Table 1. The most significant field is the “Compliant” attribute field. If a curb ramp does not meet a single technical standard, it can be marked as non-compliant. See **Figure 1**.

Table 1. City of Gig Harbor Curb Ramp Inventory - ADA Compliance-Related Field Attributes

No	Field	Attribute
1	Clear Width (assumed feet)	Values range from blank to 4.5 to 9
2	Cross Slope (assumed %)	Values range from blank to 0 to 3
3	Detectable Warning	0 (Not Present) 1 (Present)
4	Slope (assumed %)	Values range from blank to 0 to 8.2
5	Type (included for 98 out of 572 features; count for type provided in parentheses)	Combination (6) Commercial Driveway/Entrance (4) Missing (8) Parallel (16) Perpendicular (53) Raised Crossing (2) Blank (474), Null (2) or Not Surveyed (7)
6	Audible Components	TRUE (Present) FALSE (Not Present)
7	Crosswalk Marking	Null None Piano Keys Stamped Concrete Blank
8	In Pavement Lighting	TRUE (Present) FALSE (Not Present)
9	MEF (Maximum Extent Feasible)	Null (Blank) FALSE (Does not have documented MEF)
10	Pedestrian Push Button	TRUE (Present) FALSE (Not Present)
11	Pedestrian Signal Head	TRUE (Present) FALSE (Not Present)
12	Ramp Serves Multiple Crossings	Null (Blank) TRUE (Yes) FALSE (No)
13	RRFB (Rectangular Rapid Flashing Beacon)	TRUE (Present) FALSE (Not Present)
14	Compliant	TRUE (Compliant) FALSE (Not Compliant)

Figure 1. Existing Curb Ramp Compliance Inventory Map (August 2021)



C.1.1.3 2021 ADA Curb Ramp Inventory Update

Transportation Solutions, Inc., revised and updated the GIS curb ramp inventory to reflect current conditions through October 2021. The WSDOT Curb Ramp Evaluation Form pdf attachments were reviewed and Google Maps street view was utilized to validate changes before updating GIS attribute data.

Curb ramp features were reassigned as necessary to match the below groups:

- Compliant
 - True (compliant to 2010 ADA Standards)
 - True-BT (compliant Blended Transition locations)
 - True-MEF (compliant to Maximum Extent Feasible or other exception)
- Non-Compliant
 - False-Newer (appears recently constructed; minor or few non-compliant features)
 - False-Older (older construction; multiple non-compliant features)
 - False-BT (Blended Transition candidates)
- Missing (no ramp is present but one is required)
- Deleted ramps (ramp not needed/no longer exists, etc.)

Over 200 curb ramp locations were added to the inventory, many for recently constructed compliant ramps related to City improvement projects and new residential development.

This more detailed categorization enables City staff to identify corridors or clusters of older non-compliant barriers that may present more barriers than recently constructed curb ramps with minor non-compliance issues. It also helps City staff identify ramps that may fall within the Safe Harbor provisions of the 2010 ADA Standards. For a summary of the revised curb ramp compliance statistics, see **Tables 2-3** and **Figure 2**. For further inventory information, see **Appendix B1**.

Figure 2. Revised City of Gig Harbor Curb Ramp Inventory Compliance Summary Chart

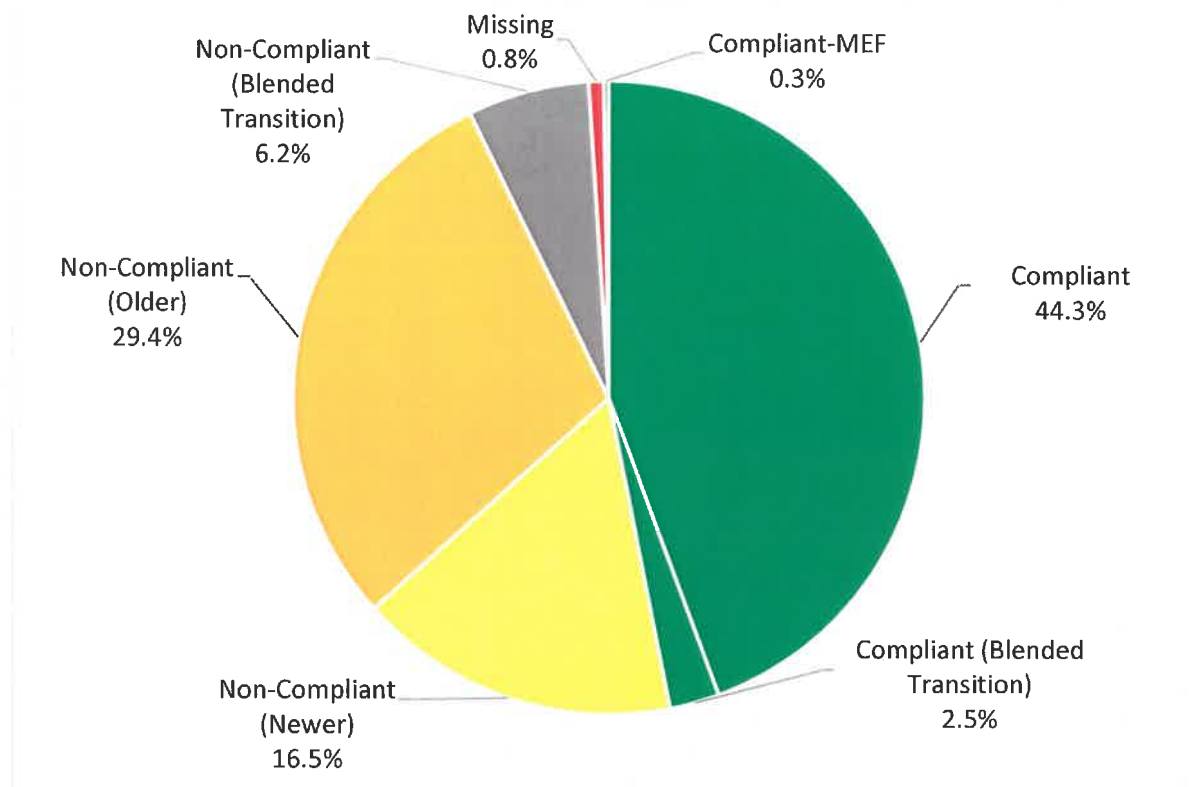


Table 2. Revised City of Gig Harbor Curb Ramp Inventory Compliance Summary Table

Revised ADA "Compliant" Status	"Compliant" Field Definition	# of Locations	%	
True	Compliant to 2010 Standards	349	44.3%	47.1%
True-BT	Compliant Blended Transition	20	2.5%	
True-MEF	Compliant to Maximum Extent Feasible or other justification	2	0.3%	
False-Newer	Newer condition, not compliant to 2010 Standards (may be minor non-compliant feature)	130	16.5%	52.1%
False-Older	Older condition, not Compliant to 2010 Standards (may be built to older standard)	231	29.4%	
False-BT	Blended Transition and/or DWS not present	49	7.9%	
Missing	No ramp is present but one is required	6	0.8%	0.8%
TOTAL		787	100%	100%
Deleted	No ramp required; crossing no longer exists, etc.	7		

C.1.1.4 Blended Transitions

Some locations within the City's curb ramp inventory are better described as blended transition candidates. Blended transitions are defined as "a raised pedestrian street crossing, depressed corner, or similar connection between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that has a grade of 5 percent or less" (2011 [PROWAG](#), Section R105.5). See west side of intersection at 56th St and 38th Ave in **Figure 4**.

Figure 4. Blended Transition Candidate Locations

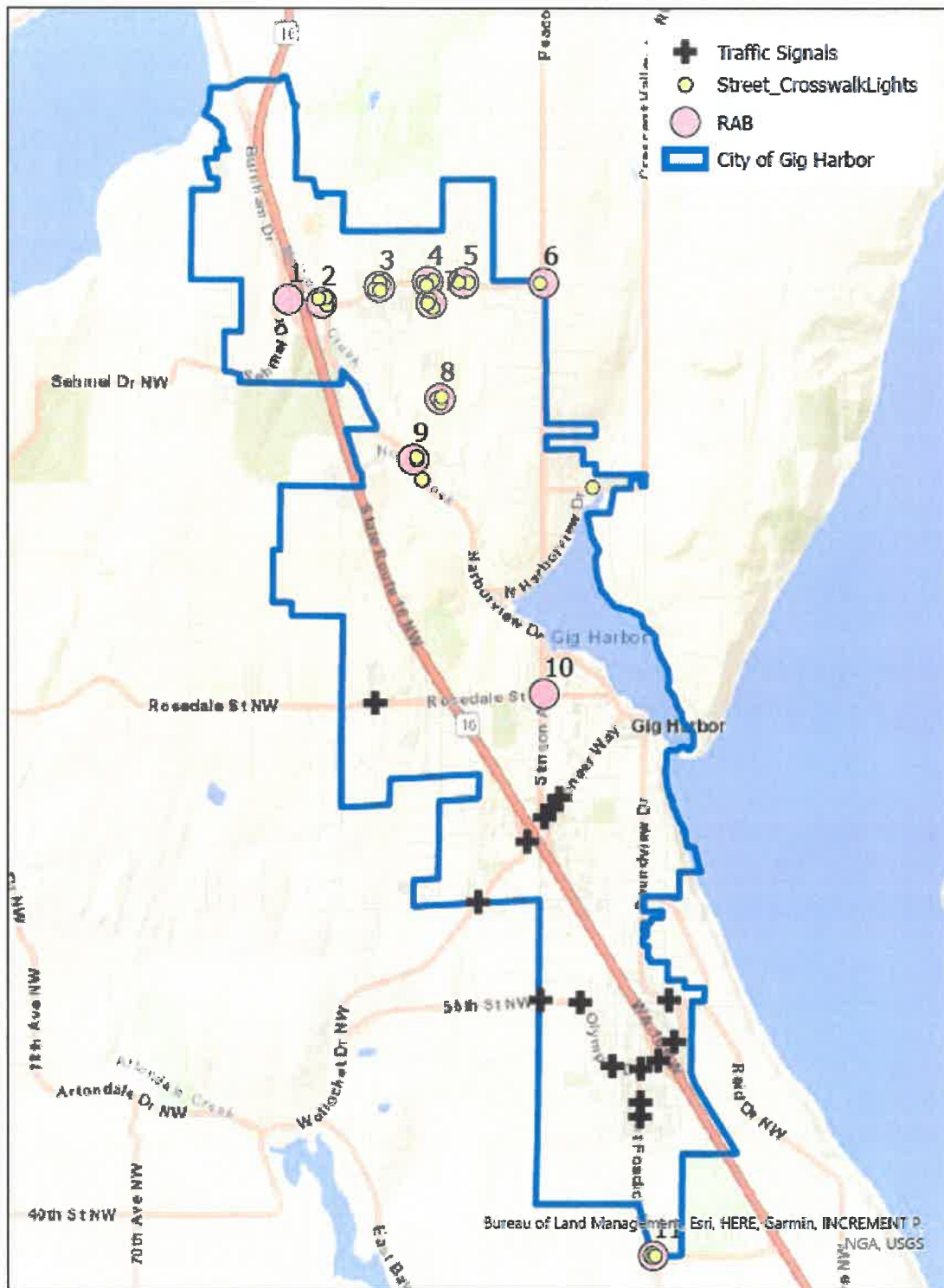


The presence of a pedestrian crossing suggests pedestrian activity in the area. Such crossings require blended transitions with detectable warning surfaces (DWS) to inform persons with visual disabilities that they are entering a roadway (2011 [PROWAG](#), Section R207). The DWS component of blended transitions may also be needed at roundabout splitter islands. Of the city's eleven (11) existing roundabouts, five (5) lack detectable warning surfaces at splitter islands. See **Table 3** and **Figure 5**.

Table 3. City of Gig Harbor Roundabout Locations and DWS Status

RAB_ID	RAB Location	DWS Status at Center Islands
1	Burnham Dr / WA-16 SB ramps	N/A (no center islands)
2	Borgen Blvd / Canterwood Blvd / WA-16 NB ramps	Missing DWS on E and NE approaches
3	Borgen Blvd / 51 st Ave NW	Missing DWS
4	Borgen Blvd / Borgen Loop / Harbor Hill Dr	DWS exists
5	Borgen Blvd / Olympus Way	Missing DWS
6	Borgen Blvd / Peacock Hill Dr / 112 th St	Missing DWS on N approach
7	51 st Ave / Harbor Hill Dr	DWS exists
8	Harbor Hill Dr / Sentinel Dr	DWS exists
9	Burnham Dr / Harbor Hill Dr	DWS exists
10	Rosedale St NW / Stinson Ave	N/A (no center islands)
11	36 th St / Point Fosdick Rd	Missing DWS

Figure 5. City of Gig Harbor Crosswalk Lights, Roundabout and Signalized Intersections Map



C.1.2 Accessible Pedestrian Signal (APS) Features

The City's curb ramp inventory included fields for Accessible Pedestrian Signal (APS) related components with limited data recorded. Attribute fields include audible components, pedestrian pushbuttons, pedestrian signal head, and presence of Rectangular Rapid Flashing Beacons (RRFB).

A fully ADA-compliant APS system at a pedestrian crossing includes audio, visual, and vibro-tactile components, as well as pole placement. While presence of a pedestrian pushbutton enhances accessibility, pushbuttons alone do not meet current ADA requirements.

The "Street_Crosswalk Lights" GIS inventory includes information on pedestrian pushbutton locations but not all APS component features. Most of the roundabouts in the City include pedestrian pushbuttons at RRFBs. There are no inventoried crosswalk lights (pedestrian pushbuttons) for signalized intersections in the City. Some roundabouts and signalized intersections do not include pedestrian facilities on one or all approaches and therefore do not require APS features on those approaches.

For a map of the City's roundabouts, signalized intersections and existing pedestrian pushbutton ("Streets_Crosswalk Lights") inventory, see **Figure 5**. For associated spreadsheet data, see **Appendix B1**.

The City's APS Policy guides the installation of new APS features. For more information, see **Section B.5 and Appendix E**.

C.1.3 Recent Compliance Activities

The City has completed the following actions to increase accessibility within the City's PROW:

C.1.3.1 Curb Ramps

- Inventoried and assessed ADA compliance of over 70% of curb ramps based on WSDOT Curb Ramp Evaluation form (2010 ADA Standards).
- Created a GIS database of its existing curb ramp assets.
- Upgraded or installed new ramps as part of recent City improvement projects or as a result of new residential developments at the following locations:
 - Roundabouts along Harbor Hill Dr
 - Burnham Dr between 50th Ave NW and 96th St
 - Olympic Dr intersections at 50th St Ct, Key Bank driveway, and Point Fosdick Rd
 - Neighborhoods
 - North of 112th St (65th and 66th Avenues/115th St Ct/116th St Ct)
 - Between Sentinel Dr and Peacock Hill Ave NE south of Borgen Blvd
 - Along McCormick Creek Dr and Driftwood Ave
 - West of Burnham Dr and north of 96th St
 - West of 46th Ave and north of Hunt St NW
 - North and south of 72nd St
 - Stinson Corridor (Grandview St to Rosedale St)

C.1.3.2 APS Features

- Began inventory of APS-related features (RRFBs at roundabouts and select pedestrian crossings).

C.2 Barrier Prioritization & Removal Recommendations

An ADA Transition Plan is required to provide a detailed outline of the methods to be used to remove barriers to accessibility. It is the City's responsibility to determine how to make reasonable progress toward the removal of accessibility barriers. Agencies may determine their own prioritization methodology to comply with the ADA:

- **ADA Requirement:** [Section 28 CFR 35.150 \(d\)\(2\)](#) identifies locations of priority for curb ramps: *If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.*
- **ADA Requirement:** Agencies should respond to grievances or complaints regarding ADA barriers in accordance with their ADA Grievance Procedure.
- **ADA Requirement:** [2013 DOJ Technical Memo Regarding Installation of Curb Ramps](#) and [Supplement](#) provide additional details related to provision of curb ramps during resurfacing, alteration and maintenance projects. See **Appendix A**.
- **Guidance:** [NCHRP No 20-7 \(232\) ADA Transition Plans: A Guide to Best Management Practices](#) recommends consideration of curb ramp barrier location, degree of utilization and degree of non-compliance.

This ADA Transition Plan utilizes both generic and barrier-specific prioritization criteria. The first section describes the generic prioritization criteria applicable to all barrier types. The subsequent sections focus on prioritization criteria unique to individual barrier types with a recommended schedule for removal of barriers.

C.2.1 Generic Prioritization Criteria

It is recommended the City consider this generic schema as the guiding prioritization policy for all barrier types:

C.2.1.1 Higher Priority

- Barriers to accessibility identified in filed grievances/complaints (see Note below).
- Barriers to accessibility identified through public engagement efforts.
- Barriers to accessibility correlated to planned capital improvement project improvements or department upgrades.

C.2.1.2 Lower Priority

- Barriers for services not frequently used by the public.
- Barriers to accessibility in buildings or facilities slated for demolition or pending renovation.
- Barriers to accessibility where alternative locations or communication formats make programs, services, or activities accessible (i.e. situations wherein accommodations can be made to provide alternative equal access).

Note: It is assumed that formally filed grievances/complaints about barriers to accessibility be considered high priority for a response and resolution in accordance with the City's adopted ADA Grievance Procedure and any other established relevant policies.

ADA Transition Plan best practices recommend that Plans be guided by the principle that the barriers identified or experienced by people within the ADA community are of higher priority for removal than other barriers. Public outreach efforts were therefore a critical component of the prioritization process. The criteria also take into consideration concurrent City projects and planning efforts to maximize the efficiency of accessibility barrier removal.

C.2.2 Curb Ramps

In addition to the **generic prioritization schema** described previously in this document, it is recommended the City utilize the following location-based prioritization methodology to group the City's ADA curb ramp barriers into three priority tiers:

- **Priority 1** - Proximity to Transportation Improvement Program (TIP) Projects
- **Priority 2** - Proximity to Pedestrian Trail Routes and Transit Corridors
- **Priority 3** - Proximity to Centers of Local Importance (CoLIs)

It is also recommended the City consider the **severity of non-compliance** when selecting locations for barrier removal. The curb ramp inventory "Compliant" attribute distinguishes between newer and older non-compliant ramps as well as locations where ramps are missing or in need of blended transitions/ detectable warning surface (DWS). Newer ramps may have minor technical non-compliance issues but are otherwise functional. Older ramps with more non-compliant features (steep slopes, narrow path of travel, no detectable warning surface, no landing, etc.) likely present a greater barrier than newer ramps while still providing some functionality as compared to a location that is missing a ramp. This "Compliant" attribute serves as a measure of non-compliance severity and is included in the summary tables and maps for each priority group below. For detailed GIS Curb Ramp Barrier Prioritization Model Documentation and GIS Curb Ramp Barrier Priority Group Spreadsheets, see **Appendix B2**.

C.2.2.1 Priority Level 1 - Proximity to Planned Transportation Improvement Program (TIP) Projects

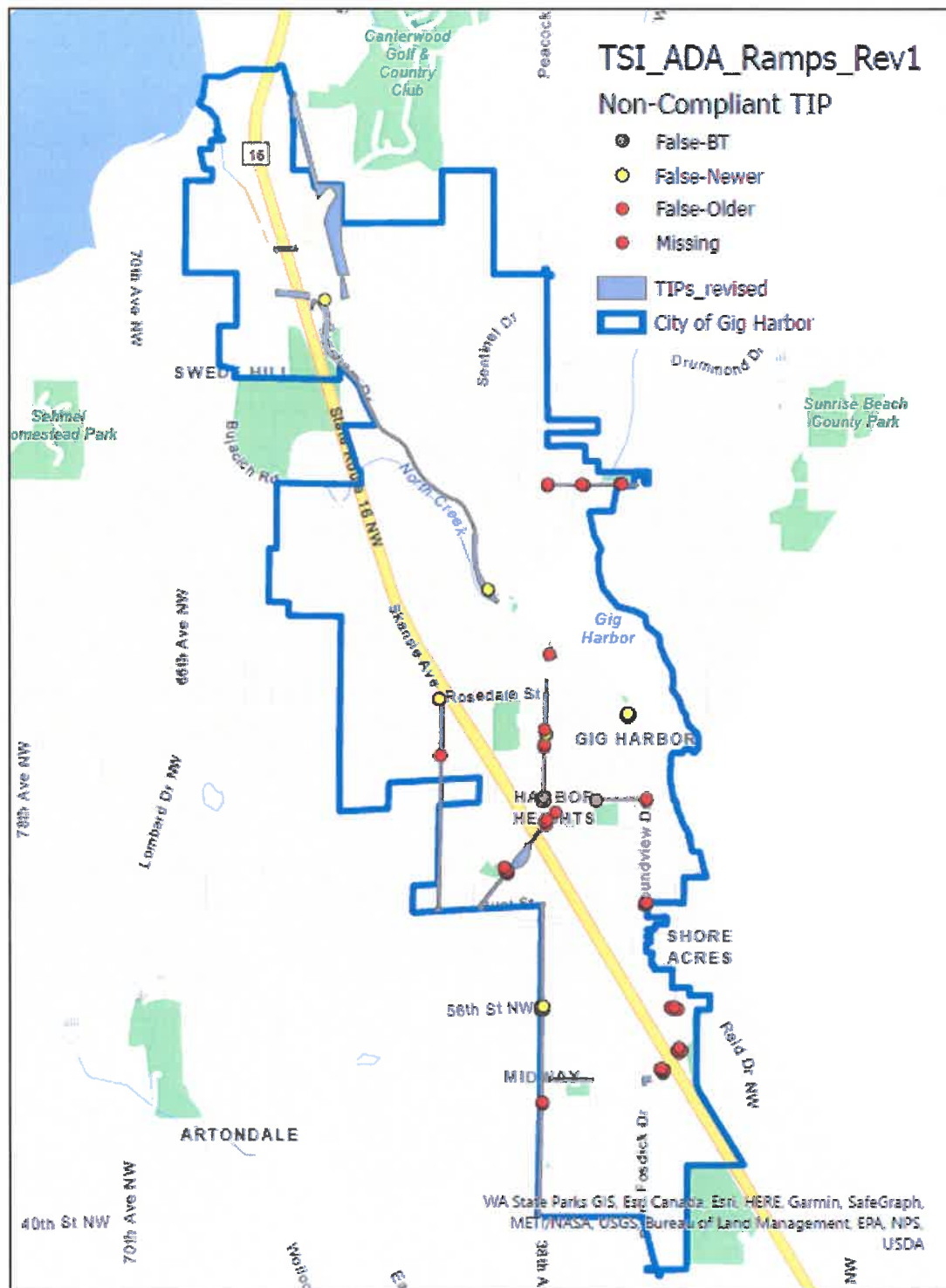
The City's six-year TIP project locations have been mapped using GIS. These **TIP** polygons represent a likely buffer around the project area to capture curb ramp barriers that may be

upgraded as part of the projects. It is estimated that approximately 65 curb ramp barriers could be addressed by these improvement projects. See **Table 4** and **Figure 6**. Note: **TIPs_revised** in the map legend refers to the updated TIP feature class provided by City Staff; name has been retained in ArcGIS Pro map project files.

Table 4. Priority 1 Curb Barriers Within TIP Project Areas

"Compliant" Status	"Compliant" Field Definition	# of Locations within TIP Project Areas
False-Newer	Newer condition, not compliant to 2010 Standards (may be minor non-compliant feature)	13
False-Older	Older condition, not Compliant to 2010 Standards (may be built to older standard; *5 duplicates removed)	41
False-BT	Blended Transition and/or DWS not present (*2 duplicates removed)	9
Missing	No ramp is present but one is required	2
TOTAL (*7 duplicates removed due to overlapping TIP project areas)		65

Figure 6. Priority 1 Curb Ramp Barriers Within TIP Project Areas



C.2.2.2 Priority Level 2 - Proximity to Pedestrian Trails and Transit Routes

The City of Gig Harbor is a maritime tourist destination with nine designated trail routes including the 2.2 mile long Harborview Trail along the City's waterfront. Other trails connect the City's Centers of Local Interest (CoLIs) to each other (see [City of Gig Harbor Parks and Trails map](#)).

Pierce County transit routes and the Gig Harbor trolley route overlap portions of the City's trails network and provide additional connections along principal and minor arterials within City limits.

For this GIS prioritization model, the pedestrian trail routes and transit corridors data sets were merged and a fifty foot buffer to them was added to capture nearby curb ramp barrier locations. It is estimated that approximately 221 curb ramp barriers are within this "PED_BUS" buffer area. See **Table 5** and **Figure 7**.

- 47 curb ramp barriers within the PED_BUS buffer are also within TIP project areas.
- 174 curb ramp barriers within the PED_BUS buffer are outside TIP project areas.

Table 5. Priority 2 Curb Ramp Barriers within 50 Feet of Pedestrian Trail Routes and Transit Corridors

"Compliant" Status	"Compliant" Field Definition	# of Locations in PED_BUS Buffer	# of Locations in PED_BUS Buffer within TIP Areas	# of Locations in PED_BUS Buffer outside TIP Areas
False-Newer	Newer condition, not compliant to 2010 Standards (may be minor non-compliant feature).	55	10	45
False-Older	Older condition, not Compliant to 2010 Standards (may be built to older standard)	132	33	99
False-BT	Blended Transition and/or DWS not present.	34	4	30
Missing	No ramp is present but one is required	0	0	0
TOTAL		221	47	174

C.2.2.3 Priority Level 3 - Proximity to Centers of Local Importance (CoLIs)

The [City of Gig Harbor Comprehensive Plan Transportation Element](#) defines Centers of Local Importance (CoLIs) as *compact, mixed-use centers that promote pedestrian-oriented development, provide diverse services, and include a variety of high and medium density housing. The CoLIs and their associated transportation corridors tend to accommodate and attract a high level of travel by all modes and include commercial services.* CoLIs include priority destinations identified in [Section 28 CFR 35.150 \(d\)\(2\)](#) (state and local government offices and facilities, transportation, places of public accommodation, and employment centers). The City's five CoLIs are:

- Gig Harbor North
- Westside
- Downtown
- Kimball
- Finholm

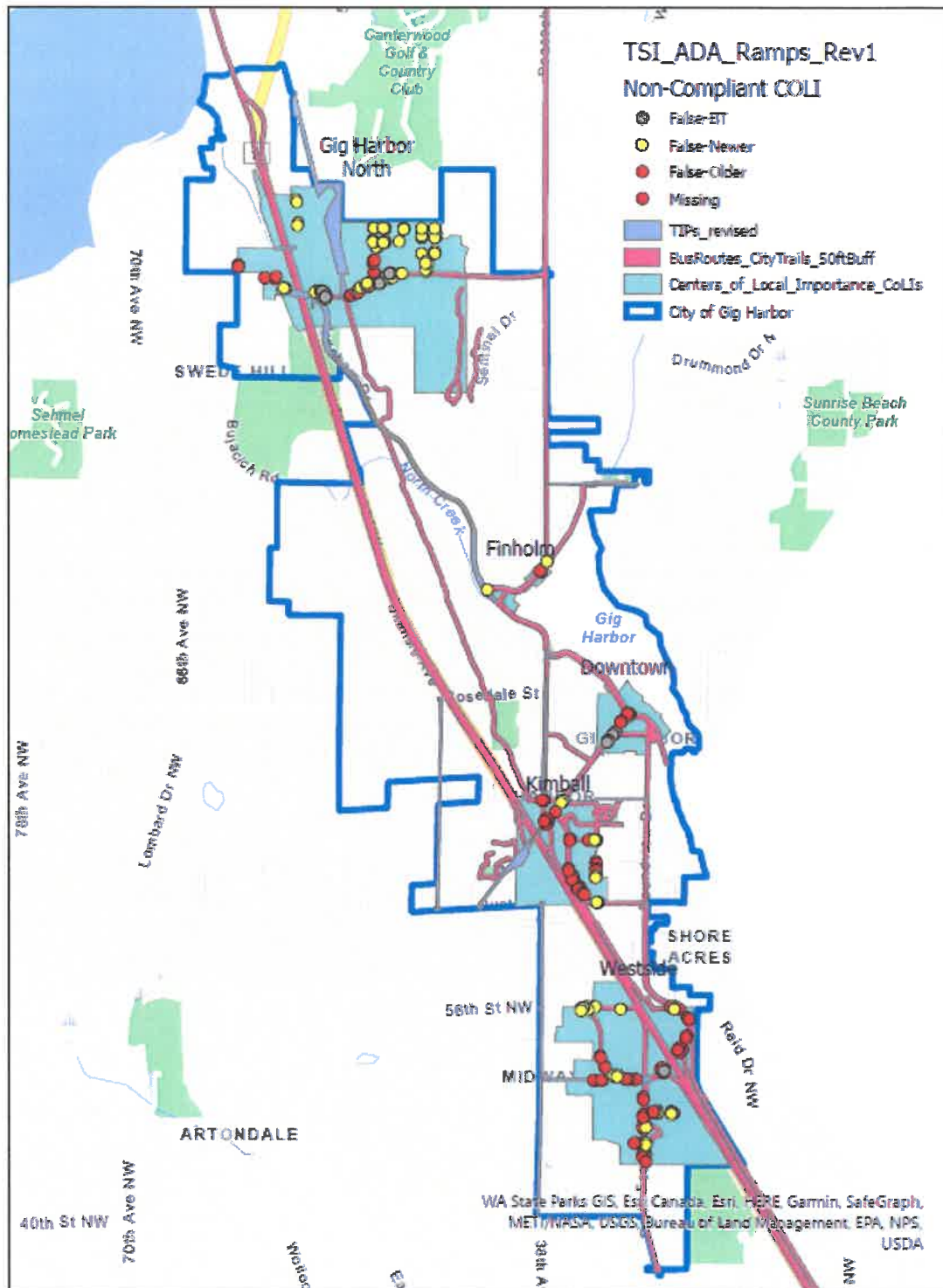
In this GIS prioritization model, curb ramp barriers located within the City's CoLI polygons are identified by the "COLI" attribute. It is estimated that approximately 207 curb ramp barriers are within COLI areas. See **Table 6** and **Figure 8**.

- 122 curb ramp barriers within the COLI polygons are also within TIP or PED_BUS areas.
- 85 curb ramp barriers within the COLI polygons are outside TIP or PED_BUS areas.

Table 6. Priority 3 Curb Ramp Barriers within Centers of Local Importance (CoLIs)

"Compliant" Status	"Compliant" Field Definition	# of Locations in COLI	# of Locations in COLI within TIP or PED_BUS	# of Locations in COLI outside TIP or PED_BUS
False-Newer	Newer condition, not compliant to 2010 Standards (may be minor non-compliant feature).	93	41	52
False-Older	Older condition, not Compliant to 2010 Standards (may be built to older standard)	94	68	26
False-BT	Blended Transition and/or DWS not present.	20	13	7
Missing	No ramp is present but one is required	0	0	0
TOTAL		207	122	85

Figure 8. Priority 3 Curb Ramp Barriers within Centers of Local Importance (COLIs)



C.2.2.4 Remaining Curb Ramp Barriers

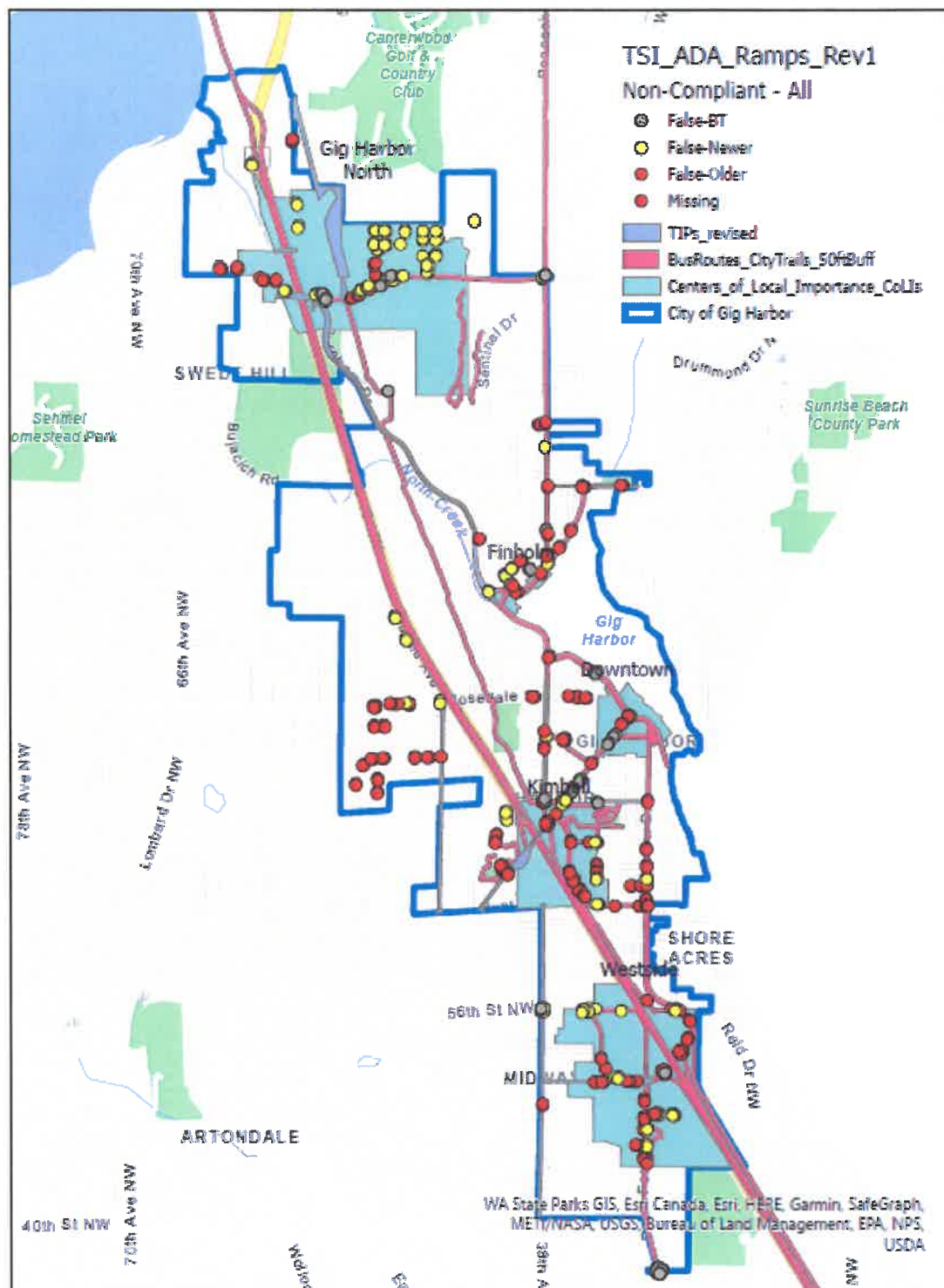
92 ramps are located outside the geographic boundaries of all three priority groups. These ramps are considered lower priority based on location, however four of the barriers in this remainder group are locations where ramps are missing.

Table 7 and **Figure 9** provide a summary of all 416 curb ramp barriers by priority level including the remainder group.

Table 7. Curb Ramp Barrier Priority Levels by Compliance Status, Count, and Percentage

Priority Level	Priority Group Name	Priority Group Description	ADA Compliance Status	Count	%
1	TIP	Within 50 feet of planned TIP Project	False-Newer	13	-
			False-Older	41	-
			False-BT	9	-
			Missing	2	-
Priority Level 1 Sub-Total				65	16%
2	PED_BUS	Beyond planned TIP Project areas and within ($\leq$) 50 feet of Pedestrian Trail Routes and Transit Corridors	False-Newer	45	-
			False-Older	99	-
			False-BT	30	-
			Missing	0	-
Priority Level 2 Sub-Total				174	42%
3	COLI	Beyond planned TIP project areas and beyond ($>$) 50 feet of Pedestrian Trail Routes and Transit Corridors	False-Newer	52	-
			False-Older	26	-
			False-BT	7	-
			Missing	0	-
Priority Level 3 Sub-Total				85	20%
4	Remainder	Beyond planned TIP project areas, beyond ($>$) 50 feet of Pedestrian Trail Routes and Transit Corridors, and outside COLI areas	False-Newer	20	-
			False-Older	65	-
			False-BT	3	-
			Missing	4	-
Group 4 Remainder Sub-Total				92	22%
Curb Ramp Barrier Total				416	100%

Figure 9. Curb Ramp Barriers within All Priority Level Groups



C.2.2.5 Curb Ramp Barrier Removal Recommendations

It is recommended the City:

- Recognize these priority groupings are for planning purposes and are not intended to represent a specific implementation schedule or sequence by the City.
- Utilize the GIS Prioritization Model as a tool for selection and monitoring of curb ramp barrier removal.
- Consider barriers identified by the public through grievances when selecting high priority barriers for removal during annual budgeting activities.
- Consider establishing a policy for how to respond to public requests for curb ramp barrier removal.
- Consider grouping barriers by corridor or intersections to provide for cost effective barrier removal.
- At future updates of the plan, or annual reporting activities, identify curb ramp upgrades completed by private development frontage improvements in the PROW.
- At future updates of the plan, consider developing similar GIS prioritization models based on TIP, pedestrian route/transit corridor and CoLI overlays for other PROW barriers.
- At future updates of the plan, consider establishing a policy for how to respond to public requests for other PROW barrier removal.

C.2.3 APS Features

ADA upgrades of non-compliant APS features will be prioritized according to the City's Accessible Pedestrian Signal Policy adopted in this Transition Plan. The APS Policy guides the installation of new APS facilities as well as addressing replacement of existing APS facilities and public requests. See **Appendix E**.

C.2.4 Other Public Right-of-Way Facility Prioritization

Whereas the focus of this ADA Transition Plan is on curb ramp barriers, future ADA Transition Plan efforts may consider the following prioritization criteria for other PROW barriers. See **Table 8**.

Table 8. Other PROW Barrier Prioritization

Barrier Type	Prioritization
Sidewalks	Grievances, Planned TIP Projects, and Public Requests
Pedestrian Crossings	Grievances, Planned TIP Projects, Proximity to Pedestrian Routes/ Transit Corridors/CoLIs, and Public Requests

C.3 Barrier Removal Costs and Schedule

C.3.1 Barrier Removal Cost Estimates

C.3.1.1 Curb Ramps Cost Estimate

A planning level estimated cost for replacing one (1) curb ramp is \$15,000. See Table 9.

Table 9. Individual ADA-Compliant Curb Ramp Cost Estimates

Unit	Cost (\$2021)
Survey/Map	\$1,600.00
Design	\$1,900.00
CM	\$1,500.00
Construction	\$7,500.00
Subtotal	\$12,500.00
Contingency (15%)	\$2,500.00
Cost (\$) per Curb Ramp	\$15,000.00

To estimate the probable program cost to remove all curb ramp and blended transition barriers, a cost estimate ranges from \$12,500 (85%) to \$17,500 (115%) per barrier has been provided.

In addition to design and construction of the curb ramp itself, additional costs may arise from addressing issues such as relocation of existing utilities, acquisition of new public right of way, and other roadway improvements such as curb bulbs and new enclosed drainage. Removal of blended transition barriers may cost less than estimated if installation of detectable warning surfaces is sufficient to remove barriers to accessibility.

Note regarding Safe Harbor: Any ramp location should be re-evaluated for Safe-Harbor and accessibility as part of the survey/design phase of a specific project/request for an upgrade. Non-compliant newer ramps may meet Safe Harbor provisions and potentially reduce the cost estimate. Non-compliant older ramps are not likely to meet Safe Harbor due to lack of a detectable warning system.

To remove and replace all 416 curb ramp and blended transition barriers, it would cost an estimated \$5.3 to \$7.2 million. See Table 10.

Table 10. Curb Ramp and Blended Transition Barrier Removal Cost Estimates

Overall Probable Program Cost for 416 Curb Ramp and Blended Transition Barriers			
Cost Range	LOW	MED	HIGH
Cost Percentage (%) of Estimate	85%	100%	115%
Cost (\$2021) per Ramp	\$12,750	\$15,000	\$17,250
Total Curb Ramp Program	\$5,304,000	\$6,240,000	\$7,176,000

C.3.1.2 Accessible Pedestrian Signals Cost Estimate

For informational purposes, the following cost estimates have been provided for new APS facilities in **Table 11**.

Table 11. New Accessible Pedestrian Signals Construction Cost Estimates

Accessible Pedestrian Signal (APS) Type	Construction Cost Estimates (\$2021)
Full APS (at signalized intersection)	\$35,000
Rapid Rectangular Flashing Beacon (with audible features and vibro-tactile pushbuttons)	\$15,000

C.3.2 Barrier Removal Schedule

C.3.2.1 Curb Ramp Barriers

For the period 2022-2027, the City estimates approximately \$1.5 million in funding to remove curb ramp barriers. This includes an estimated \$500,000 for the year 2022 from the City's Pavement Maintenance & Repair Program. It is estimated that the City will remove all 416 curb ramp barriers within the next 25 year planning horizon, averaging \$250,000 annually. For more information, see most recent City of Gig Harbor budget. See **Table 12**.

Table 12. Curb Ramp Barrier Removal Schedule with Estimated Funding

Estimated Curb Ramp Barrier Removal Schedule	Estimated Amount (\$2021)
Total Estimated Curb Ramp Barrier Removal Costs	\$6,240,000
2022 Pavement Maintenance & Repair Program	(\$500,000)
2022-2027 TIP Projects and 2023- Pavement Maintenance & Repair Program	(\$1,000,000)
2028-2053 Remaining Curb Ramp Barrier Costs (25-Year horizon averaging 16 ramps or \$250,000 per year)	\$4,740,000

C.4 Strategy for Funding Barrier Removal

C.4.1 Curb Ramp Barrier Removal

Funding for curb ramp barrier removal is anticipated to come from:

- General Fund
- Annual Pavement Maintenance and Repair Program
- HBZ (hospital Benefit Zone)
- Solicitation of future State and Federal grants as they are available.

D. Future Actions to Achieve Compliance

D.1 Future Actions Needed

The City is pursuing a phased approach to its ADA Self-Evaluation and Transition Plan. This first phase focused on self-evaluation, barrier prioritization, and initial barrier removal scheduling for curb ramp barriers in the public right-of-way.

The City owns/maintains other public right-of-way facilities as well as facilities of other types that were not part of the first phase of self-evaluation and will be evaluated for ADA barriers at a future update to the Plan. These facilities include but are not limited to:

- Public right-of-way: sidewalks, driveway interface with sidewalks, accessible parking and accessible pedestrian signals
- City buildings with publicly accessible areas
- City park facilities including building structures, restrooms, and recreational areas
- City trails

The City of Gig Harbor also provides programs, services and activities at its facilities. The City addressed the policy and procedure requirements identified in **Section B** as part of this initial phase. The City will conduct an internal self-assessment and barrier prioritization for programmatic barriers at a future update to the Plan.

Cost estimates for barrier removal for these outstanding facilities and programming will be included in a future update to the Plan.

D.2 Annual Report of Barriers Removed

To ensure implementation of this ADA Transition Plan, it is recommended that the City incorporate an annual review/update process to track ADA self-evaluation and barrier removal progress. It is recommended that the official responsible for implementation of the ADA Transition Plan coordinate this effort in cooperation with relevant City staff from other departments who are involved with projects that remove ADA barriers.

D.3 Five-Year ADA Transition Plan Update Schedule

This Plan is intended to be reviewed and updated at five year intervals. As the Plan is updated, an updated barrier removal schedule will be identified. With each five-year Plan update, an official public comment period is recommended to continue public engagement. The inventories and cost estimates will be re-analyzed at each five-year Plan update to determine patterns of need as it relates to the complete facility inventory and barrier removal prioritization.

E. Public Engagement

E.1 Public Engagement Strategy

The City's developed the following public engagement strategy to inform interested members of the public of the undertaking of this Plan and to invite participation in the process. This strategy included digital announcements, direct stakeholder engagement with existing contacts within and organizations that provide services to members of the ADA community, and opportunities for the general public to report ADA barriers and comment on the Draft Plan. For documentation of public engagement, see **Appendix F**.

E.1.1 Project Webpage

The project webpage content was launched in mid-October 2021. The project webpage included:

- Project description
- Schedule
- Public Involvement section:
 - Links to online surveys:
 - Map-enabled ArcGIS Survey123® version
 - Screen-reader friendly Survey Monkey® version
 - Virtual City Council meeting information
- City staff contacts and other ADA resources
- Documents section for posting the draft version for public comment
- Recent and annual accomplishments section for further tracking of ADA Transition Plan implementation progress

The ADA Transition Plan Project webpage is available at:

<https://www.cityofgigharbor.net/CivicAlerts.aspx?AID=759>

E.1.2 Web-Based Publications

The following web-based publications promoted the project, online surveys, and virtual City Council meeting in October with reminder posts through November 29, 2021:

- News Flash posting on City's website on October 15, 2021.
- Mayor's Facebook Live Q&A on October 22, 2021.
- Shared to Gig Harbor Positive Town Talk
- Shared on NextDoor
- Emailed to Constant Contact lists

E.1.3 Direct Engagement with Local ADA Community Organizations

City staff contacted the following organizations via direct e-mail in October 2021, to seek out interest in the online survey and public comment opportunities. A follow-up email was sent in November 2021 to promote review/comment on the Draft Plan.

- Washington State Department of Services for the Blind <https://dsb.wa.gov/>
- Tacoma Area Coalition of Individuals with Disabilities <https://tacid.org/>
- Greater Gig Harbor Foundation – Gig Harbor Senior Center
<https://gigharborfoundation.org/ghseniorcenter>
- Gig Harbor Pierce County Library <https://www.piercecountylibrary.org/>
- Peninsula School District <https://www.psd401.net/>
- Saint Anthony's Hospital <https://www.chifranciscan.org/st-anthony-hospital.html>
- MultiCare Gig Harbor Medical Park <https://www.multicare.org/location/wic-gig-harbor/>
- Pierce County Aging and Disability Resources
<https://www.piercecountywa.gov/2128/About-Aging-Disability-Resources>
- PC Coalition for Development Disabilities <https://www.pc2online.org/>
- PAVE Partnerships for Action <https://wapave.org/>
- Support Services for Developmentally Disabled <https://www.supportservicesdd.org/>
- Disabled American Veterans <http://www.davwa.org/>

In addition, the following assisted living facilities were contacted:

- Heron's Key: https://www.heronkey.org/penrose-harbor/?utm_source=google&utm_medium=organic&utm_campaign=gmb&utm_content=ph
- The Lodge at Mallard's Landing: https://www.seniorservicesofamerica.com/senior-living/wa/gig-harbor/the-lodge-at-mallards-landing/?utm_source=GMB&utm_medium=organic
- Village Concepts of Gig Harbor: <https://villageconcepts.com/communities/village-concepts-of-gig-harbor-sound-vista-village/>
- ManorCare Health Services – Gig Harbor:
<https://promedicaskillednursing.org/GigHarbor>
- Family First Adult Family Homes: <https://www.familyfirstafh.com/>
- Atria Retirement - Peninsula <https://www.atriaretirement.com/retirement-communities/peninsula/>

E.1.4 Online Surveys

In consultation with City staff, a 3-5 minute survey was created on two digital platforms. The map-enabled ArcGIS Survey123® survey gave respondents the option to mark barrier locations on a map. The screen-reader friendly Survey Monkey® version was built to accommodate persons with visual disabilities. Links to the online surveys were activated from October 15 through November 30, 2021.

E.1.5 Public Hearing Opportunities

A presentation reviewing the Draft ADA Transition Plan was presented to the City of Gig Harbor's Public Works Committee at their meeting held November 9, 2021, on the Zoom® platform from 5:30-6:30pm. The Public Works Committee was open to the public for comment.

The same presentation on the Draft Plan was presented to the City of Gig Harbor City Council at their meeting held November 22, 2021, on the Zoom® platform from 5:30-6:30pm. This meeting was promoted on the ADA Transition Plan webpage for public comment.

Presentation materials were provided in accessible formats with alternative text prior to the event. The presentation explained the reasons for and required content of an ADA Transition Plan and the City's phased approach to self-evaluation and barrier removal implementation focused first on curb ramps within the public right-of-way. An open comment opportunity followed each presentation.

E.2 Public Engagement Findings

The virtual platform of online surveys, and virtual city meetings provided the public with an accessible and safe participation method in the midst of the COVID-19 pandemic. The findings are helpful in guiding City staff in the selection and prioritization of barrier removal. For further documentation, see **Appendix G**.

E.2.1 Online Survey Responses

The online SurveyMonkey® and ArcGIS Survey123® surveys yielded a combined total of 23 responses. Nine people submitted a survey on ArcGIS Survey123. 13 people submitted a survey on the Survey Monkey platform (7 were paper surveys entered into the SurveyMonkey® platform by City staff). Some survey respondents identified barriers outside of City limits; this feedback is not included below. See **Table 13**.

Table 13. Survey Responses by Platform

Survey Platform	Number of Responses
ArcGIS Survey123®	9 (8 provided rankings)
SurveyMonkey®	14 (7 paper surveys entered by City staff)
Total	23

E.2.1.1 Narrative Survey Feedback

Beyond the ranking questions, narrative data from the surveys include the following themes:

- **Sidewalks:** Many comments were sidewalk related regarding lack of paths and/or sidewalks, lack of ADA-compliant sidewalks, and sidewalk cracks/bumps that limit mobility. Locations identified include:
 - Lack of connection between the Harbor and Downtown districts.
 - Missing sidewalk along Gig Harbor Pierce County Library on 45th St Ct.
 - Near For the Love of Spice - elevation change is patched with asphalt.
 - Lack of ADA-compliant sidewalk up/down Pioneer Way, including downhill of Pioneer Duplex project above the intersection of Uddenberg Ln/Pioneer Way.
 - Lack of contiguous sidewalk citywide (two responses)
 - Trees planted in narrow sidewalk on North Harborview after turning from Vernhardsen near assisted living facility.
 - Rosedale St., including at Stinson roundabout.
 - Burnham Dr.
 - Harborview Dr has some uneven sidewalks with unexpected dips.
- **Ramps**
 - Problematic ramps on Library side of 45th St Ct.
 - Ramps in City Parks (steep approaches to restroom facilities, next to The Tides, Crescent Creek Park lower and upper tennis courts)
 - Galaxy Theatre brick path with narrow curb.
 - Harbor (no specific location(s) identified).
- **Accessible Parking**
 - One respondent said they rarely go downtown due to lack of parking.
 - Request for van accessible parking further away from entrance to discourage small vehicles from parking in van access area.
 - Another respondent would like to see ordinances enforced and homeowners notified if they are blocking sidewalk access with parked vehicles.
- **Pedestrian Crossings**
 - Request for Cushman Trail crossing at Hollycroft St.
 - Request for cross walk on Pt Fosdick Rd from bus stop to library.
- **Transit:** Mini Shelter for rainy days (no location provided)
- **Other**
 - Request for handrails on steep sidewalks.
 - Request for ADA-accessible playground equipment (swing, no wood bark);
 - Lack of pedestrian paths in large parking lots
- **Public Engagement Recommendations**
 - Inclusion of persons with disabilities in how the City creates accessibility.
 - Contact information for inclusive advocacy related to playgrounds.
 - See all known barriers on a map.
 - Comment regarding making barrier photo component of survey ADA accessible has been noted.

E.2.1.2 Ranked Question Survey Feedback

The results from both survey platform cohorts were combined to identify trends for all 21 survey respondents who completed ranked questions.

For both survey cohorts, the top priority location for barrier removal was paved pedestrian routes (sidewalks, shared use paths) barriers followed by parking, unpaved pedestrian routes (trails), and beach access barriers (see **Figure 10** and **Table 14**).

Figure 10. Combined Results for Results for Most Wanted Barrier Removal Locations by Score

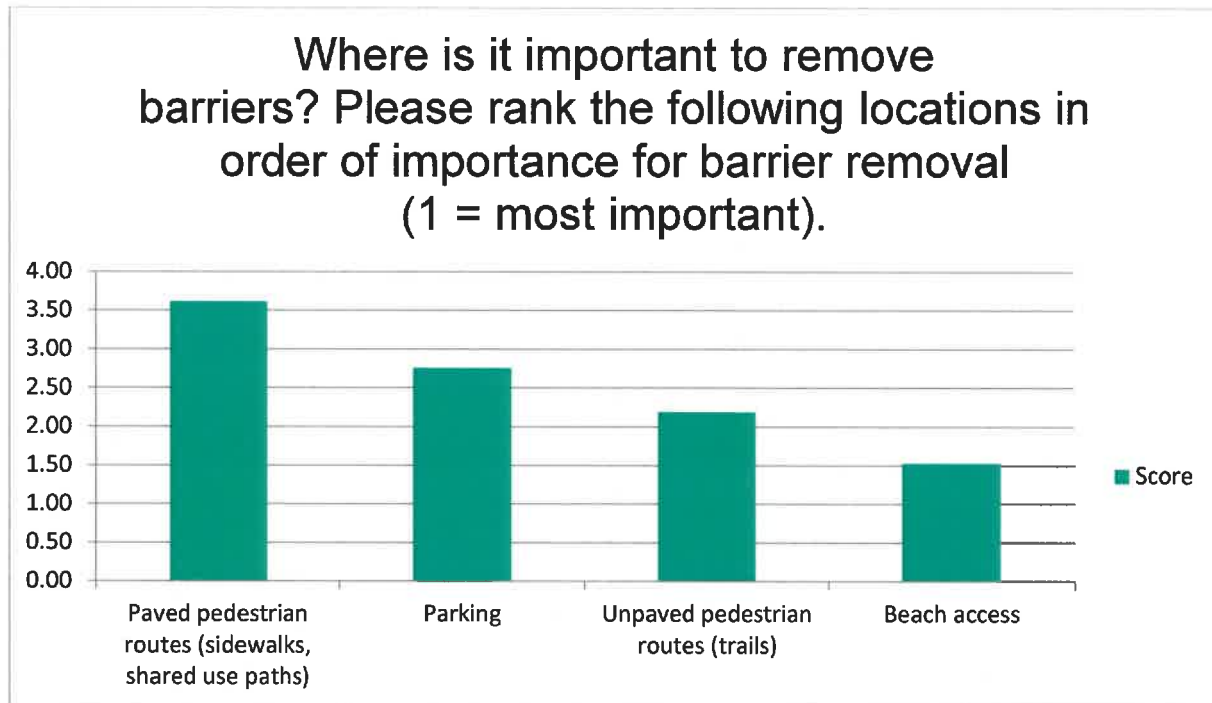


Table 14. Combined Ranked Score for Results for Most Wanted Barrier Removal Locations

Answer Options	Rank 1		Rank 2		Rank 3		Rank 4		# Surveys	Score
Paved pedestrian routes (sidewalks, shared use paths)	71.43%	15	23.81%	5	0.00%	0	4.76%	1	21	3.62
Parking	23.81%	5	42.86%	9	19.05%	4	14.29%	3	21	2.76
Unpaved pedestrian routes (trails)	5.00%	1	30.00%	6	50.00%	10	20.00%	4	21	2.19
Beach Access	0.00%	0	0.00%	1	41.18%	7	52.94%	9	17*	1.53

*Some respondents did not rank all answer options.

For both survey cohorts, the most wanted barrier type for removal was missing curb ramps.
(see **Figure 11** and **Table 15**).

Figure 11. Combined Results for Most Wanted Barrier Types for Removal by Score

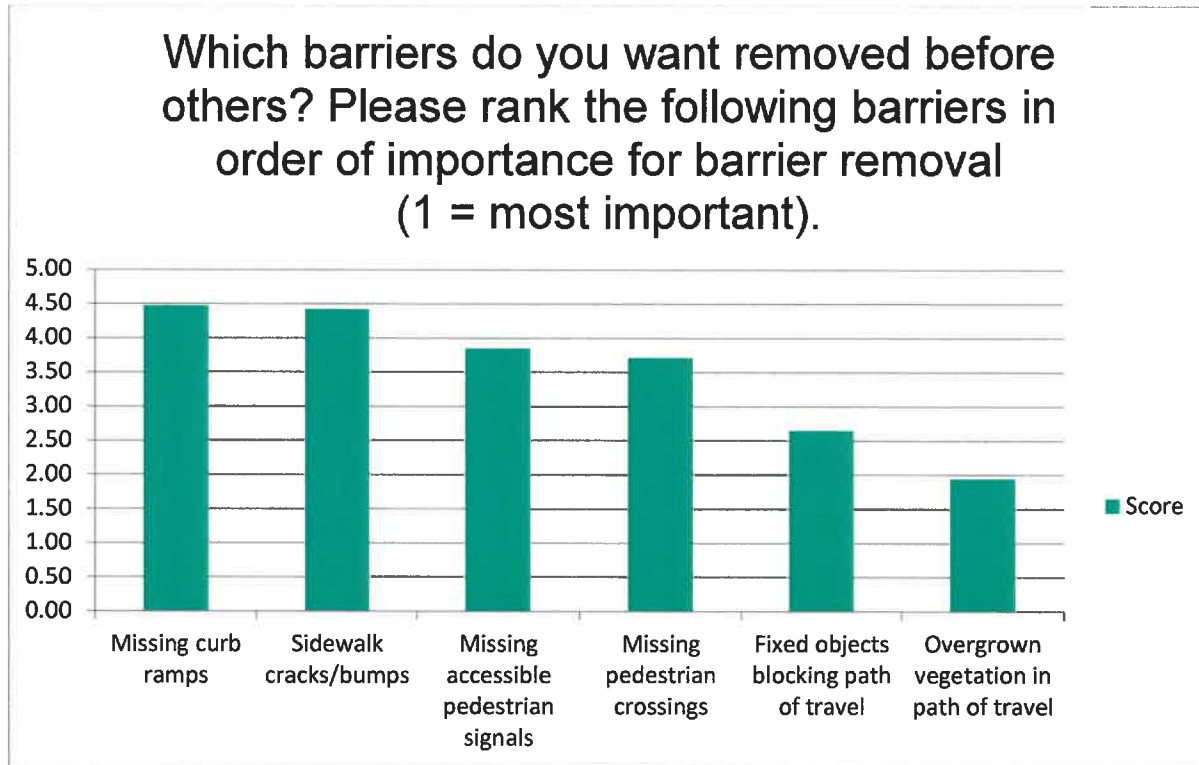


Table 15. Combined Ranked Score for Most Wanted Barrier Types for Removal

Answer Options	Rank 1		Rank 2		Rank 3		Rank 4		Rank 5		Rank 6		# Surveys	Score
Missing curb ramps	19.05%	4	33.33%	7	28.57	6	14.29%	3	4.76%	1	0.00%	0	21	4.48
Sidewalk cracks/ bumps	33.33%	7	19.05%	4	14.29%	3	23.81%	5	9.52%	2	0.00%	0	21	4.43
Missing accessible pedestrian signals	4.76%	1	23.81%	5	42.86%	9	14.29%	3	9.52%	2	4.76%	1	21	3.86
Missing pedestrian crossings	38.10%	8	0.00%	0	4.76	1	23.81%	5	19.05%	4	14.29%	3	21	3.71
Fixed objects in path of travel	0.00%	0	20.00%	4	10.00%	2	10.00%	2	35.00%	7	25.00%	5	20*	2.65
Overgrown vegetation in path of travel	5.00%	1	5.00%	1	0.00%	0	15.00%	3	20.00%	4	55.00%	11	17*	1.95

*Some respondents did not rank all answer options.

E.2.2 Public Hearing Comments

of comments were received at the City of Gig Harbor's Public Works Committee meeting held November 9, 2021. These included:

- Comment

of comments were received at the City of Gig Harbor's City Council Meeting held November 22, 2021. These included:

- Comment

E.2.3 Draft ADA Transition Plan Public Comments

public comments were received via email on the Draft ADA Transition Plan from the public comment period between November 9 and 30, 2021. These included:

- Comment

E.3 Recommendations

It is recommended that the City:

- Utilize the City of Gig Harbor ADA Transition Plan project webpage as a tool for future public outreach efforts related to ADA Transition Plan barrier removal progress updates.
- Utilize a GIS-enabled Survey123® survey and a SurveyMonkey® screen-reader friendly survey option to function as a barrier reporting tool for the public to report accessibility barriers.

F. Accessibility Regulations, Standards & Guidelines Resources

This ADA Transition Plan is based on the most recent federal and state ADA regulations, standards, and guidelines. The resources are divided into general and barrier specific groups with links to websites. For the WSDOT Local Agency Guidelines Chapter 29 ADA Title II Checklist of requirements for ADA transition plans, see **Appendix A**.

F.1 General Resources

Federal ADA Regulations

- [ADA Title II Regulations \(28 CFR Part 35\)](#)
- [ADA Title III Regulations \(28 CFR Part 36\)](#)

U.S. Access Board Standards

- [U.S. Access Board DOJ ADA Accessibility Standards \(2010\)](#)

U.S. Department of Justice Guidelines

- [U.S. DOJ ADA Best Practices Tool Kit for State and Local Governments](#)

WSDOT Local Agency Guidelines

- [Local Agency Guidelines: Chapter 29 Section 504 of the Americans with Disabilities Act](#)

F.2 Barrier-Specific Resources

Curb Ramps:

- [ADA Title II Technical Assistance Manual](#)
- [Public Rights-of-Way Accessibility Guidelines \(PROWAG\) \(2011\)](#)
- [WSDOT Field Guide for Accessible Pedestrian Facilities \(2012\)](#)

Draft City of Gig Harbor ADA Transition Plan for the Public Right-of-Way



Appendix A

Federal and Washington State Regulations

28 CFR Part 35 Documentation

**Nondiscrimination on the Basis of Disability in State and Local
Government Services Subpart D - Program Accessibility Sections
35.150 - 35.151**

Washington Local Agency Guidelines Manual Chapter 29

November 2021

Prepared by



28 CFR § 35.150 - Existing facilities.

§ 35.150 Existing facilities.

(a) **General.** A [public entity](#) shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This paragraph does not -

- (1) Necessarily require a [public entity](#) to make each of its existing facilities accessible to and usable by individuals with disabilities;
- (2) Require a [public entity](#) to take any action that would threaten or destroy the historic significance of an historic property; or
- (3) Require a [public entity](#) to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the [public entity](#) believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a [public entity](#) has the burden of proving that compliance with [§ 35.150\(a\)](#) of this part would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a [public entity](#) or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, a [public entity](#) shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the [public entity](#).

(b) **Methods** -

(1) **General.** A [public entity](#) may comply with the requirements of this section through such means as redesign or acquisition of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities. A [public entity](#) is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. A [public entity](#), in making alterations to existing buildings, shall meet the accessibility requirements of [§ 35.151](#). In choosing among available methods for meeting the requirements of this section, a [public entity](#) shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

(2)

(i) **Safe harbor.** Elements that have not been altered in existing facilities on or after March 15, 2012 and that comply with the corresponding technical and scoping specifications for

those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS), Appendix A to [41 CFR part 101-19.6](#) (July 1, 2002 ed.), [49 FR 31528](#), app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards.

(ii) The safe harbor provided in [§ 35.150\(b\)\(2\)\(i\)](#) does not apply to those elements in existing facilities that are subject to supplemental requirements (*i.e.*, elements for which there are neither technical nor scoping specifications in the 1991 Standards). Elements in the 2010 Standards not eligible for the element-by-element safe harbor are identified as follows -

- (A) ***Residential facilities dwelling units***, sections 233 and 809.
- (B) ***Amusement rides***, sections 234 and 1002; 206.2.9; 216.12.
- (C) ***Recreational boating facilities***, sections 235 and 1003; 206.2.10.
- (D) ***Exercise machines and equipment***, sections 236 and 1004; 206.2.13.
- (E) ***Fishing piers and platforms***, sections 237 and 1005; 206.2.14.
- (F) ***Golf facilities***, sections 238 and 1006; 206.2.15.
- (G) ***Miniature golf facilities***, sections 239 and 1007; 206.2.16.
- (H) ***Play areas***, sections 240 and 1008; 206.2.17.
- (I) ***Saunas and steam rooms***, sections 241 and 612.
- (J) ***Swimming pools, wading pools, and spas***, sections 242 and 1009.
- (K) ***Shooting facilities with firing positions***, sections 243 and 1010.
- (L) ***Miscellaneous***.
 - (1) Team or player seating, section 221.2.1.4.
 - (2) Accessible route to bowling lanes, section 206.2.11.
 - (3) Accessible route in court sports facilities, section 206.2.12.

(3) ***Historic preservation programs***. In meeting the requirements of [§ 35.150\(a\)](#) in [historic preservation programs](#), a [public entity](#) shall give priority to methods that provide physical access to individuals with disabilities. In cases where a physical alteration to an historic property is not required because of paragraph (a)(2) or (a)(3) of this section, alternative methods of achieving program accessibility include -

- (i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;
- (ii) Assigning persons to guide individuals with handicaps into or through portions of [historic properties](#) that cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(4) *Swimming pools, wading pools, and spas.* The requirements set forth in sections 242 and 1009 of the 2010 Standards shall not apply until January 31, 2013, if a [public entity](#) chooses to make structural changes to existing swimming pools, wading pools, or spas built before March 15, 2012, for the sole purpose of complying with the program accessibility requirements set forth in this section.

(c) *Time period for compliance.* Where structural changes in facilities are undertaken to comply with the obligations established under this section, such changes shall be made within three years of January 26, 1992, but in any event as expeditiously as possible.

(d) *Transition plan.*

(1) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a [public entity](#) that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A [public entity](#) shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

(2) If a [public entity](#) has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the [Act](#), including [State](#) and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

(3) The plan shall, at a minimum -

(i) Identify physical obstacles in the [public entity](#)'s facilities that limit the accessibility of its programs or activities to individuals with disabilities;

(ii) Describe in detail the methods that will be used to make the facilities accessible;

(iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(iv) Indicate the official responsible for implementation of the plan.

(4) If a [public entity](#) has already complied with the transition plan requirement of a Federal agency regulation implementing section 504 of the [Rehabilitation Act of 1973](#), then the requirements of this paragraph (d) shall apply only to those policies and practices that were not included in the previous transition plan.

(Approved by the Office of Management and Budget under control number 1190-0004)
[[56 FR 35716](#), July 26, 1991, as amended by Order No. 1694-93, [58 FR 17521](#), Apr. 5, 1993; AG Order No. 3180-2010, [75 FR 56180](#), Sept. 15, 2010; AG Order 3332-2012, [77 FR 30179](#), May 21, 2012]

28 CFR § 35.151 - New construction and alterations.

§ 35.151 New construction and alterations.

(a) *Design and construction.*

(1) Each [facility](#) or part of a [facility](#) constructed by, on behalf of, or for the use of a [public entity](#) shall be designed and constructed in such manner that the [facility](#) or part of the [facility](#) is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992.

(2) *Exception for structural impracticability.*

(i) Full compliance with the requirements of this section is not required where a [public entity](#) can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.

(ii) If full compliance with this section would be structurally impracticable, compliance with this section is required to the extent that it is not structurally impracticable. In that case, any portion of the [facility](#) that can be made accessible shall be made accessible to the extent that it is not structurally impracticable.

(iii) If providing accessibility in conformance with this section to individuals with certain disabilities (*e.g.*, those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities, (*e.g.*, those who use crutches or who have sight, hearing, or mental impairments) in accordance with this section.

(b) *Alterations.*

(1) Each [facility](#) or part of a [facility](#) altered by, on behalf of, or for the use of a [public entity](#) in a manner that affects or could affect the usability of the [facility](#) or part of the [facility](#) shall, to the maximum extent feasible, be altered in such manner that the altered portion of the [facility](#) is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992.

(2) The path of travel requirements of [§ 35.151\(b\)\(4\)](#) shall apply only to alterations undertaken solely for purposes other than to meet the program accessibility requirements of [§ 35.150](#).

(3)

(i) Alterations to [historic properties](#) shall comply, to the maximum extent feasible, with the provisions applicable to [historic properties](#) in the design standards specified in [§ 35.151\(c\)](#).

(ii) If it is not feasible to provide physical access to an historic property in a manner that will not threaten or destroy the historic significance of the building or [facility](#), alternative methods of access shall be provided pursuant to the requirements of [§ 35.150](#).

(4) Path of travel. An alteration that affects or could affect the usability of or access to an area of a [facility](#) that contains a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the cost and scope of such alterations is disproportionate to the cost of the overall alteration.

(i) Primary function. A “primary function” is a [major](#) activity for which the [facility](#) is intended. Areas that contain a primary function include, but are not limited to, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the [public entity](#) using the [facility](#) are carried out.

(A) Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, and corridors are not areas containing a primary function. Restrooms are not areas containing a primary function unless the provision of restrooms is a primary purpose of the area, *e.g.*, in highway rest stops.

(B) For the purposes of this section, alterations to windows, hardware, controls, electrical outlets, and signage shall not be deemed to be alterations that affect the usability of or access to an area containing a primary function.

(ii) A “path of travel” includes a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the [facility](#), and other parts of the [facility](#).

(A) An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms, and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements.

(B) For the purposes of this section, the term “path of travel” also includes the restrooms, telephones, and drinking fountains serving the altered area.

(C) Safe harbor. If a [public entity](#) has constructed or altered required elements of a path of travel in accordance with the specifications in either the 1991 Standards or the Uniform Federal Accessibility Standards before March 15, 2012, the [public entity](#) is not required to retrofit such elements to reflect incremental changes in the 2010 Standards solely because of an alteration to a primary function area served by that path of travel.

(iii) Disproportionality.

(A) Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.

(B) Costs that may be counted as expenditures required to provide an accessible path of travel may include:

(1) Costs associated with providing an accessible entrance and an accessible route to the altered area, for example, the cost of widening doorways or installing ramps;

(2) Costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls;

(3) Costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); and

(4) Costs associated with relocating an inaccessible drinking fountain.

(iv) *Duty to provide accessible features in the event of disproportionality.*

(A) When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs.

(B) In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order -

(1) An accessible entrance;

(2) An accessible route to the altered area;

(3) At least one accessible restroom for each sex or a single unisex restroom;

(4) Accessible telephones;

(5) Accessible drinking fountains; and

(6) When possible, additional accessible elements such as parking, storage, and alarms.

(v) *Series of smaller alterations.*

(A) The obligation to provide an accessible path of travel may not be evaded by performing a series of small alterations to the area served by a single path of travel if those alterations could have been performed as a single undertaking.

(B)(1) If an area containing a primary function has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area, or a different area on the same path of travel, are undertaken within three years of the original alteration, the total cost of alterations to the primary function areas on that path of travel during the preceding three year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.

(2) Only alterations undertaken on or after March 15, 2011 shall be considered in determining if the cost of providing an accessible path of travel is disproportionate to the overall cost of the alterations.

(c) Accessibility standards and compliance date.

(1) If physical construction or alterations commence after July 26, 1992, but prior to September 15, 2010, then new construction and alterations subject to this section must comply with either UFAS or the 1991 Standards except that the elevator exemption contained at [section 4.1.3\(5\)](#) and [section 4.1.6\(1\)\(k\)](#) of the 1991 Standards shall not apply. Departures from particular requirements of either standard by the use of other methods shall be permitted when it is clearly evident that equivalent access to the [facility](#) or part of the [facility](#) is thereby provided.

(2) If physical construction or alterations commence on or after September 15, 2010 and before March 15, 2012, then new construction and alterations subject to this section may comply with one of the following: The 2010 Standards, UFAS, or the 1991 Standards except that the elevator exemption contained at [section 4.1.3\(5\)](#) and [section 4.1.6\(1\)\(k\)](#) of the 1991 Standards shall not apply. Departures from particular requirements of either standard by the use of other methods shall be permitted when it is clearly evident that equivalent access to the [facility](#) or part of the [facility](#) is thereby provided.

(3) If physical construction or alterations commence on or after March 15, 2012, then new construction and alterations subject to this section shall comply with the 2010 Standards.

(4) For the purposes of this section, ceremonial groundbreaking or razing of structures prior to site preparation do not commence physical construction or alterations.

(5) Noncomplying new construction and alterations.

(i) Newly constructed or altered facilities or elements covered by [§§ 35.151\(a\)](#) or (b) that were constructed or altered before March 15, 2012, and that do not comply with the 1991 Standards or with UFAS shall before March 15, 2012, be made accessible in accordance with either the 1991 Standards, UFAS, or the 2010 Standards.

(ii) Newly constructed or altered facilities or elements covered by [§§ 35.151\(a\)](#) or (b) that were constructed or altered before March 15, 2012 and that do not comply with the 1991 Standards or with UFAS shall, on or after March 15, 2012, be made accessible in accordance with the 2010 Standards.

APPENDIX TO [§ 35.151\(C\)](#)

Compliance dates for new construction and alterations	Applicable standards
Before September 15, 2010	1991 Standards or UFAS.
On or after September 15, 2010 and before March 15, 2012	1991 Standards, UFAS, or 2010 Standards.
On or after March 15, 2012	2010 Standards.

(d) *Scope of coverage.* The 1991 Standards and the 2010 Standards apply to fixed or built-in elements of buildings, structures, site improvements, and pedestrian routes or vehicular ways located on a site. Unless specifically [stated](#) otherwise, the advisory notes, appendix notes, and figures contained in the 1991 Standards and the 2010 Standards explain or illustrate the requirements of the rule; they do not establish enforceable requirements.

(e) *Social service center establishments.* Group homes, halfway houses, shelters, or similar social service center establishments that provide either temporary sleeping accommodations or residential dwelling units that are subject to this section shall comply with the provisions of the 2010 Standards applicable to residential facilities, including, but not limited to, the provisions in sections 233 and 809.

(1) In sleeping rooms with more than 25 beds covered by this section, a minimum of 5% of the beds shall have clear floor space complying with [section 806.2.3](#) of the 2010 Standards.

(2) Facilities with more than 50 beds covered by this section that provide common use bathing facilities shall provide at least one roll-in shower with a seat that complies with the relevant provisions of section 608 of the 2010 Standards. Transfer-type showers are not permitted in lieu of a roll-in shower with a seat, and the exceptions in [sections 608.3](#) and 608.4 for residential dwelling units are not permitted. When separate shower facilities are provided for men and for women, at least one roll-in shower shall be provided for each group.

(f) *Housing at a place of education.* [Housing at a place of education](#) that is subject to this section shall comply with the provisions of the 2010 Standards applicable to transient lodging, including, but not limited to, the requirements for transient lodging guest rooms in sections 224 and 806 subject to the following exceptions. For the purposes of the application of this section, the term “sleeping room” is intended to be used interchangeably with the term “guest room” as it is used in the transient lodging standards.

(1) Kitchens within housing units containing accessible sleeping rooms with mobility features (including suites and clustered sleeping rooms) or on floors containing accessible sleeping rooms with mobility features shall provide turning spaces that comply with [section 809.2.2](#) of the 2010 Standards and kitchen work surfaces that comply with [section 804.3](#) of the 2010 Standards.

(2) Multi-bedroom housing units containing accessible sleeping rooms with mobility features shall have an accessible route throughout the unit in accordance with [section 809.2](#) of the 2010 Standards.

(3) Apartments or townhouse facilities that are provided by or on behalf of a place of education, which are leased on a year-round basis exclusively to graduate students or faculty, and do not contain any public use or common use areas available for educational programming, are not subject to the transient lodging standards and shall comply with the requirements for residential facilities in sections 233 and 809 of the 2010 Standards.

(g) Assembly areas. Assembly areas subject to this section shall comply with the provisions of the 2010 Standards applicable to assembly areas, including, but not limited to, sections 221 and 802. In addition, assembly areas shall ensure that -

- (1) In stadiums, arenas, and grandstands, [wheelchair](#) spaces and companion seats are dispersed to all levels that include seating served by an accessible route;
- (2) Assembly areas that are required to horizontally disperse [wheelchair](#) spaces and companion seats by [section 221.2.3.1](#) of the 2010 Standards and have seating encircling, in whole or in part, a field of play or performance area shall disperse [wheelchair](#) spaces and companion seats around that field of play or performance area;
- (3) [Wheelchair](#) spaces and companion seats are not located on (or obstructed by) temporary platforms or other movable structures, except that when an entire seating section is placed on temporary platforms or other movable structures in an area where fixed seating is not provided, in order to increase seating for an event, [wheelchair](#) spaces and companion seats may be placed in that section. When [wheelchair](#) spaces and companion seats are not required to accommodate persons eligible for those spaces and seats, individual, removable seats may be placed in those spaces and seats;
- (4) Stadium-style movie theaters shall locate [wheelchair](#) spaces and companion seats on a riser or cross-aisle in the stadium section that satisfies at least one of the following criteria -
 - (i) It is located within the rear 60% of the seats provided in an auditorium; or
 - (ii) It is located within the area of an auditorium in which the vertical viewing angles (as measured to the top of the screen) are from the 40th to the 100th percentile of vertical viewing angles for all seats as ranked from the seats in the first row (1st percentile) to seats in the back row (100th percentile).

(h) Medical care facilities. Medical care facilities that are subject to this section shall comply with the provisions of the 2010 Standards applicable to medical care facilities, including, but not limited to, sections 223 and 805. In addition, medical care facilities that do not specialize in the treatment of conditions that affect mobility shall disperse the accessible patient bedrooms required by [section 223.2.1](#) of the 2010 Standards in a manner that is proportionate by type of medical specialty.

(i) Curb ramps.

- (1) Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway.
- (2) Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways.

(j) Facilities with residential dwelling units for sale to individual owners.

(1) Residential dwelling units designed and constructed or altered by public entities that will be offered for sale to individuals shall comply with the requirements for residential facilities in the 2010 Standards, including sections 233 and 809.

(2) The requirements of paragraph (1) also apply to housing programs that are operated by public entities where design and construction of particular residential dwelling units take place only after a specific buyer has been identified. In such programs, the covered entity must provide the units that comply with the requirements for accessible features to those pre-identified buyers with disabilities who have requested such a unit.

(k) *Detention and correctional facilities.*

(1) New construction of jails, prisons, and other detention and correctional facilities shall comply with the 2010 Standards except that public entities shall provide accessible mobility features complying with [section 807.2](#) of the 2010 Standards for a minimum of 3%, but no fewer than one, of the total number of cells in a [facility](#). Cells with mobility features shall be provided in each classification level.

(2) ***Alterations to detention and correctional facilities.*** Alterations to jails, prisons, and other detention and correctional facilities shall comply with the 2010 Standards except that public entities shall provide accessible mobility features complying with [section 807.2](#) of the 2010 Standards for a minimum of 3%, but no fewer than one, of the total number of cells being altered until at least 3%, but no fewer than one, of the total number of cells in a [facility](#) shall provide mobility features complying with [section 807.2](#). Altered cells with mobility features shall be provided in each classification level. However, when alterations are made to specific cells, detention and correctional [facility](#) operators may satisfy their obligation to provide the required number of cells with mobility features by providing the required mobility features in substitute cells (cells other than those where alterations are originally planned), provided that each substitute cell -

(i) Is located within the same prison site;

(ii) Is integrated with other cells to the maximum extent feasible;

(iii) Has, at a minimum, equal physical access as the altered cells to areas used by inmates or detainees for visitation, dining, recreation, educational programs, medical services, work programs, religious services, and participation in other programs that the [facility](#) offers to inmates or detainees; and

(iv) If it is technically infeasible to locate a substitute cell within the same prison site, a substitute cell must be provided at another prison site within the corrections system.

(3) With respect to medical and long-term care facilities in jails, prisons, and other detention and correctional facilities, public entities shall apply the 2010 Standards technical and scoping requirements for those facilities irrespective of whether those facilities are licensed.

[[56 FR 35716](#), July 26, 1991, as amended by Order No. 1694-93, [58 FR 17521](#), Apr. 5, 1993; AG Order No. 3180-2010, [75 FR 56180](#), Sept. 15, 2010; [76 FR 13285](#), Mar. 11, 2011]

Chapter 29 Section 504 and the Americans with Disabilities Act

29.1 General Discussion

This chapter summarizes the regulations and implementing requirements local agencies shall follow regarding services, programs, and activities in or that affect the public right of way.

Section 504 of the *Rehabilitation Act of 1973* (Section 504) states that no person with a disability shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity that receives Federal funding. This includes both transportation and non-transportation funding. Transportation funding includes funding from the United States Department of Transportation (USDOT) or the operating administrations under it (Federal Highway Administration, Federal Transit Administration, Federal Railroad Administration, Federal Aviation Administration, Research and Special Programs Administration, National Highway Traffic Safety Administration, or the U.S. Coast Guard).

Section 504 extends to the entire operations of a recipient or subrecipient, regardless of the specific funding source of a particular operation. Section 504 Regulations (49 CFR Part 27.5) define a recipient as any public entity that receives Federal financial assistance from the USDOT or its operating administrations either directly or through another recipient. An example of a recipient is WSDOT an example of a subrecipient is a local agency receiving USDOT funds through WSDOT, for projects/programs/activities administered by the local agency.

All public entities shall follow the *Americans with Disabilities Act of 1990* (ADA), regardless of funding sources. The ADA is mirrored after Section 504 but extends the reach of Federal accessibility laws to include those agencies that are not recipients or subrecipients of Federal funding. Title II (28 CFR Part 35) of the ADA specifically pertains to state and local governments.

The respective Federal funding agency (FHWA) and WSDOT will ensure that local agencies comply with Section 504 and the ADA. For more information about Section 504 and the ADA, please see WSDOT Equal Opportunity ADA website: www.wsdot.wa.gov/EqualOpportunity/ADA.htm

Local agency public works staff should also refer to Chapter 42 of the Local Agency Guidelines (LAG) for technical information specific to public right-of-way facilities.

29.2 Assurances

Each local agency that receives Federal funding from the USDOT or its operating administrations (such as FHWA) shall submit a written assurance that all of its services, programs, and activities will be conducted in compliance with Section 504 and the ADA. The assurance shall be signed by the Agency Executive, and submitted to each agency (such as WSDOT) administering funds for the USDOT or an operating administration.

Federal aid projects administered through WSDOT require a Local Agency Agreement between the local agency and WSDOT. That agreement may serve as the local agency's assurance of compliance with Section 504 and the ADA as long as it is signed by the Agency Executive and states the following:

In accordance with Section 504 and the ADA, the Agency shall not discriminate on the basis of disability in any of its programs, services, or activities.

29.3 Administrative Requirements

The following list and [Appendix 29.11](#) summarize some of the key requirements of Section 504 and the ADA. Note that when a requirement cites a number of employees, that number is the number of paid permanent, temporary, and contract employees regardless of whether the employees are full or part time.

- Each agency, regardless of the number of employees and funding sources, shall ensure that its services, programs, and activities are accessible to persons with disabilities. Some things this includes are:
 - Transportation and community evacuation elements of emergency management programs/plans
 - Communications. Communications with persons with disabilities shall be as effective as communications with other persons. This applies to all forms of communications, including information posted on an agency's website (ref. Section 508 of the Rehabilitation Act and the ADA), emergency services communications, pedestrian signal systems, etc.
 - Maintenance of programs and facilities. This includes maintaining accessibility of pedestrian facilities that may be impacted by overgrown vegetation, snow/ice, severe heaving/cracking of surfaces, construction work zones, etc. Pedestrian signals/pushbuttons must also be accessible and maintained in working order.
 - New construction and altered facilities.
- Each agency regardless of the number of employees shall designate at least one person as its ADA/504 Coordinator. The individual designated as the ADA/504 Coordinator is responsible for coordinating ADA/Section 504 compliance throughout the agency. The agency shall provide the name, office address, and telephone number of the ADA/504 Coordinator both internally and externally. This information is required to be posted in areas likely to be viewed by employees and the general public (such as the agency's Web page, etc.).
- Each agency regardless of the number of employees shall adopt and publish grievance/complaint procedures. These procedures shall be posted internally and externally and be made available in alternative formats that address the needs of persons with mobility, visual, and hearing disabilities. This information is required to be posted in areas likely to be viewed by employees and the general public (such as the agency's Web page).

- Each agency, regardless of the number of employees, shall provide public notice of its ADA provisions. This notice shall contain a brief description about how the agency will address ADA accessibility in its employment, communications, policies, and resolution of complaints. This notice shall be placed in locations and/or facilities that are accessible internally and externally and be available in alternative formats that address the needs of persons with mobility, visual, and hearing disabilities. Information placed on the agency's Web page counts as posting externally.
- Each agency, regardless of the number of employees, shall conduct a self-evaluation of its policies, programs, services, and activities to determine whether Section 504/ADA accessibility requirements are being met. This includes all public right-of-way facilities. See [Appendix 29.11](#). Each agency shall provide an opportunity for interested parties (i.e., persons with disabilities/advocacy groups) to participate in the process.
- Each agency with 50 or more employees shall develop a transition plan (See Section 29.4) when structural modifications, identified through a self-evaluation process, are necessary to achieve program accessibility under the ADA. While Section 504 regulations contain similar requirements, there is no employee threshold and the regulation is not as descriptive as the ADA regulations. Therefore, each agency with fewer than 50 employees that is a recipient or subrecipient of Federal financial assistance shall develop a program access plan. See [Section 29.4](#) for the requirements of these plans.

An agency's self-evaluation and transition plan must cover all of the agency's programs (including facilities), services, and activities. The information contained in this chapter is intended to provide local agency transportation departments (i.e., public works) with guidance/expectations for addressing ADA accessibility requirements associated with public right-of-way facilities.

29.4 Transition Plan, Program Access Plan, and Accessible Pedestrian Signal and Pushbutton Policy

Each agency shall provide an opportunity for interested parties (i.e., persons with disabilities/advocacy groups) to participate in the process to develop a transition plan or program access plan.

FHWA considers transition plans and program access plans to be living documents. The applicable plan should be used in conjunction with the planning and prioritizing of projects, and for monitoring progress on completing modifications. If the time period of the plan is longer than one year, the plan shall identify steps that will be taken during each year of the transition period. FHWA also recommends that the plan be updated annually until all planned modifications have been completed.

Transition Plan

As stated in [Section 29.3](#) of this chapter, agencies with 50 or more employees (ADA), regardless of funding source, shall develop a transition plan when structural modifications are necessary to achieve ADA compliance. Based on the agency's self-evaluation, at a minimum the plan shall:

- Identify the physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities, including those within the public right of way.

- Describe in detail the methods that will be used to make the facilities accessible.
- Specify the schedule for each facility and/or obstacle to be retrofitted. FHWA recommends that an agency include the estimated cost of each modification as part of the schedule, to assist in the budget and/or Transportation Improvement Program (TIP) preparation.
- Identify the official responsible for implementation of the plan. This is typically the agency's Executive, or the agency's designated ADA/504 Coordinator who has the authority to act on behalf of the agency's Executive.

Program Access Plan

As stated in [Section 29.3](#), agencies with fewer than 50 employees and a recipient of Federal financial assistance are required to develop a program access plan. Similar to a transition plan, agencies shall:

- Identify the physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities, including those within the public right of way.
- Describe in detail the methods/actions needed to make the facilities accessible.
- Specify a schedule (milestones) of when the agency plans to make the necessary modifications.

Accessible Pedestrian Signal and Pushbutton (APS) Policy

Based on input from the U.S. Department of Justice (DOJ), it is FHWA's policy to require recipients and subrecipients (of FHWA funding) to establish a "reasonable and consistent" policy for installing accessible pedestrian signals and pushbuttons (APS) on all alteration and new construction projects, consistent with the requirements of Title II of the ADA ([28 CFR Part 35.151](#)) and Section 504 regulations ([49 CFR Part 27.7\(c\)](#)). This policy should be part of a transition plan, program access plan, or a stand-alone document if a transition plan or program access plan has not yet been completed. FHWA and WSDOT will work with local agencies to ensure that all new and altered pedestrian signal and pushbutton installations are usable by persons with visual disabilities.

29.5 Requirements for New Construction and Alterations in the Public Right of Way

Title II of the ADA requires that new and altered facilities be designed and constructed to be readily accessible to and usable by persons with disabilities.

New Construction

New construction projects address the construction of a new roadway, interchange, or other transportation facility where none existed before. New construction is expected to meet the highest level of ADA accessibility unless it is structurally impracticable to achieve full compliance. Full compliance will be considered structurally impracticable only when, in rare circumstances, the unique characteristics of terrain prevent full compliance.

Alterations

The vast majority of construction projects undertaken by local agency public works/ transportation departments are classified as alterations. An alteration is a change that affects or could affect the usability of a facility or part of a facility. Alterations include reconstruction, major rehabilitation, widening, resurfacing (e.g., asphalt overlays and mill and fill), signal installation and upgrades, and projects of similar scale and effect. Alterations to existing facilities shall meet new construction standards unless it is technically infeasible to do so. If full ADA compliance cannot be achieved in an alteration, the agency shall alter the facility to provide the maximum degree of accessibility possible. The feasibility meant by this standard is physical possibility only. Neither cost nor schedule are factors in determining whether the ADA standards can be met, nor are they factors in determining the feasibility of complying with the standard.

An alteration project shall be planned, designed, and constructed so that the required accessibility improvements occur at the same time as the alteration. If a project involves resurfacing the street, connections between the sidewalk and street crossings (i.e., curb ramps) are considered to be within the scope of the alteration project. Any accessibility issues shall be addressed in conjunction with the resurfacing project, either prior to or at the same time as the resurfacing project. For the requirements for curb ramps during resurfacing projects, see USDOJ-USDOT's Joint Technical Assistance document, dated July 8, 2013 and the Supplement to this document, dated December 1, 2015; and a FHWA recorded webinar from FHWA, dated March 1, 2016.

Safe Harbor for Alterations

Both the Section 504 and ADA requirements contain a "safe harbor" provision. However, there is a difference in the timeline associated with the Section 504 safe harbor provision and the ADA safe harbor provision.

If an agency receives Federal financial assistance from USDOT – either directly or through another USDOT recipient (such as WSDOT), the agency is subject to the 2004 ADA Accessibility Guidelines (2004 ADAAG).

This became effective in 2006 when the USDOT adopted the 2004 ADA Accessibility Guideline (2004 ADAAG) into its Section 504 regulations. This document is known as the 2004 ADA Standards. The 2004 Standards have a "safe harbor" provision for curb ramps. The provision is that if a curb ramp was constructed or altered prior to November 29, 2006, and complies with either the 1991 ADA Standards for Accessible Design (1991 ADA Accessibility Guidelines) or the Uniform Federal Accessibility Standards (UFAS), it does not need to be modified as part of a roadway resurfacing project. If this is not the case, or if the curb ramp is in disrepair then the curb ramp and its detectable warnings (truncated domes) must be brought into compliance with the 2004 Standards at the time of an alteration. As mentioned above in Section 29.1, if an agency receives Federal financial assistance from USDOT – either directly or through another DOT recipient (such as WSDOT), then the agency is subject to the 2004 ADAAG as part of the USDOT Section 504 regulations.

For those agencies who are not a recipient or subrecipient of Federal financial assistance from USDOT, the safe harbor provision in the 2010 ADA Standards for Accessible Design (2010 Standards) applies. Under the 2010 Standards' safe harbor provision, if curb ramps were built or altered (in existing facilities) prior to March 15, 2012 and if they

comply with the 1991 Standards or the UFAS, they do not need to be modified as part of a resurfacing project.

However, if an existing curb ramp does not comply with either the 1991 Standards or the UFAS (including if the curb ramp is in a state of disrepair), then the Safe Harbor provision does not apply and the curb ramp would need to be brought into compliance with the 2010 Standards at the time of roadway alteration.

When curb ramps or abutting sidewalks abutting ramps are altered, they shall be reconstructed to meet the 2010 Standards. For additional curb ramp design guidance, see LAG manual Chapter 42.

Documentation for Structural Impracticability and Maximum Extent Feasible

While ADA/Section 504 regulations do not require documentation of the application of structural impracticability nor maximum extent feasible, both FHWA and the U.S. Access Board recommend that these instances be documented so the agency can support its decisions if challenged at a later date. The documentation of these instances should reveal the standard of care that guided engineering judgments. While careful documentation will not protect an agency against complaint, evidence of the considerations that led to the specific project solution may be persuasive in discussions with stakeholders or in court.

As described in the [Design Manual](#) M 22-01, WSDOT has a documentation procedure for applications of maximum extent feasible in alteration projects on state routes. If a local agency applies maximum extent feasible to a pedestrian facility located on a state route, it is WSDOT's expectation that the agency follow the WSDOT documentation procedure described in the [Design Manual](#) M 22-01. The completed documentation should be contained in local agency project files to document the agencies design efforts in complying with the ADA/Section 504 requirements.

If a local agency finds the need to apply maximum extent feasible to a pedestrian facility that is not located on a state route, the WSDOT documentation procedure does not need to be followed. However, it is highly recommended that the agency develop its own documentation protocol for such situations that is consistent with the FHWA and U.S. Access Board recommendations.

29.6 Monitoring and Enforcement

Responsibility for monitoring and enforcement of Section 504 rests with the Federal funding agency (such as FHWA). While USDOJ has the ultimate enforcement authority for ADA compliance, USDOJ has delegated monitoring and enforcement responsibility to several Federal executive agencies including the USDOT and its operating administrations (such as FHWA).

FHWA requires WSDOT to monitor and enforce the compliance with both Section 504 and the ADA of any entity receiving disbursement of either state or Federal funding through WSDOT. FHWA monitors WSDOT and local agency compliance through various means such as process and program reviews, construction inspections, PS&E reviews, and complaint investigations. If noncompliance is found, and the noncompliance is not corrected to FHWA's satisfaction, FHWA may terminate existing Federal funding or refuse to grant future funding.

29.7 Laws

- 29 USC 794 - Section 504 of the Rehabilitation Act of 1973 (as amended by the Civil Rights Restoration Act of 1987)
- 42 USC 12111 - Americans with Disabilities Act (Title II)

29.8 Regulations

- [28 CFR Part 35](#) (Title II) "Nondiscrimination on the Basis of Disability in State and Local Government Services"
- [49 CFR Part 27](#) (Section 504) "Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance"
- [49 CFR Part 37](#) "Transportation Services for Individuals with Disabilities (ADA)"
- [49 CFR Part 38](#) "Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles"

29.9 Resources

- Chapters [1510](#) and [1515](#) of the [Design Manual](#) M 22-01
- Chapter 42 of this manual

29.10 Appendices

- [29.11](#) ADA Title II and Section 504 Regulatory References

Appendix 29.11 ADA Title II and Section 504 Regulatory References

ADA Title II and Rehabilitation Act Section 504 Regulatory References	Requirements for agencies with less than 50 employees	Requirements for agencies with 50 or more employees
Programs, Services, and Activities: Ensure that programs, services, and activities are accessible to persons with disabilities. (28 CFR Part 35.150(a) and (c))	✓	✓
ADA/504 Coordinator: Designate at least one responsible employee (ADA/504 Coordinator) and make the name and contact information available internally and externally. (28 CFR Part 35.107(a) and 49 CFR Part 27.13(a))	✓	✓
Complaint/Grievance Procedures: Adopt and publish complaint/grievance procedures. (28 CFR Part 35.107(b) and 49 CFR Part 27.13(b))	✓	✓
Notice of ADA Provisions: Provide a public notice of how the agency will address ADA accessibility in its employment, communications, policies, and resolution of complaints. (28 CFR 35.106)	✓	✓
Self-evaluation²: Evaluate all services, policies, and practices for barriers that restrict / limit persons with disabilities from access to services, programs, and activities. (28 CFR Part 35.105(a) and 49 CFR Part 27.11(c)(2)(i) and (v))	✓	✓
Self-evaluation²: Maintain the completed self-evaluation on file and make it available for public inspection for at least three years following its completion. (28 CFR Part 35.105(c) and 49 CFR Part 27.11(c)(3)(ii):	✓	✓
Transition Plan²/Program Access Plan: Develop a transition plan or program access plan that outlines the structural modifications that must be made to those services, programs, and activities that are not accessible. (28 CFR Part 35.150(d) and 49 CFR Part 27.11(c)(2)(ii))	✓ program access plan	✓ transition plan (post it on the agency's website)
Accessible Pedestrian Signal and Pushbutton (APS) Policy²: Develop a "reasonable and consistent" policy for installing accessible pedestrian signals and pushbuttons when a transition plan has not yet been completed. (28 CFR Part 35.130 and 35.160a(1) and 49 CFR Part 27.7(c))	✓	✓

Notes:

¹Employees include paid permanent, temporary, and contract employees regardless of whether the employees are full or part time.

²Complete self-evaluations, and develop transition plans, program access plan and APS policies by engaging persons with disabilities and/or their advocates (28 CFR Parts 35.105 and 35.150 and 49 CFR Part 27.11(c)(2)).

Draft City of Gig Harbor ADA Transition Plan for the Public Right-of-Way



Appendix B1

Revised ADA Inventory Data

Curb Ramps

Roundabouts

Signalized Intersections

November 2021

Prepared by



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GH_TSI_Revised_ADA_Inventory_Data_10-06-2021.xlsx/RAB_ID

OBJECTID *	RAB_ID	Street_No1	Street_No2	GlobalID *	Shape *
3	1	Burnham Dr	WA-16 SB ramps	{C68C24FF-E21E-485A-AFFF-C576B181FF9E}	Point
14	2	Burnham Dr / Borgen Blvd	WA-16 NB ramps / Canterwood Blvd	{4EE66759-1C91-4895-A12C-A8B4044A80F1}	Point
5	3	Borgen Blvd	51st Ave NW	{C14727CA-AB4D-41F2-A1E5-3F3E29733795}	Point
6	4	Borgen Blvd	Borgen Loop / Harbor Hill Dr	{35D981A5-7D2E-41D6-8CED-7B4F301FD7FF}	Point
7	5	Borgen Blvd	Olympus Way	{30254814-0862-496E-8E93-3FC42B9F33B7}	Point
8	6	Borlgen Blvd / 112th St NW	Peacock Hill Ave	{DA6F8199-711E-4D28-ABD5-C834455A4726}	Point
9	7	51st Ave	Harbor Hill Dr	{F10A48F5-1C3F-4A15-9F46-E08B1BB9EF10}	Point
10	8	Harbor Hill Dr	Sentinel Dr	{EADCFDD0-7673-4710-8F14-9580C0FFC272}	Point
11	9	Burnham Dr	Harbor Hill Dr	{63F978C1-3B70-4C6F-9CC5-B1F07B9336BC}	Point
12	10	Rosedale St NW	Stinson Ave	{C2D46891-5ECF-4A9C-8C99-19F2F8FEFFB4}	Point
13	11	36th St	<Null>	{5AA11406-A78D-48AB-8EDE-4BB8DC1AEAB6}	Point

GH_TSI_Revised_ADA_Inventory_Data_10-06-2021.xlsx/Signal_ID

OBJECTID *	Signal_ID	Street_No1	Street_No2	GlobalID *	Shape *
3	1	Rosedale St NW	Schoolhouse Ave NW	{44DE64FD-026C-4692-B3AC-DD278BAF9F57}	Point
4	2	Hunt St	Wollochet Dr	{A52A493B-3ABB-445C-AD95-FFB0A5AB4F3C}	Point
5	3	Wollochet Dr	WA-16 SB ramps	{D4D6FC34-41A1-4011-9729-DB76C6C7BF64}	Point
6	4	Wollochet Dr / Pioneer Way	Stinson Ave / WA-16 NB ramps	{1A2B8F37-0AE8-45A6-B0C4-C0601B646ED1}	Point
7	5	Pioneer Way	Kimball Dr	{3DCED42A-4021-4255-947F-CB3850B2CAE6}	Point
8	6	Grandview St	Pioneer Way	{6C76163A-FE49-416A-BBD9-47FC7F69A6E5}	Point
9	7	56th St	38th Ave	{7F020C67-3822-4B7A-8089-9AF9762436A8}	Point
10	8	56th St / Olympic Dr	56th St	{70D08D53-85A6-49D3-90B2-9E19D73031DD}	Point
11	9	Hollycroft St	Olympic Df	{AABB6E6D-2E20-4FE0-BFBC-D56C499D0183}	Point
12	10	50th St Ct / 32nd Ave	Olympic Dr	{7FDF9C97-09D8-498F-8613-F2869F6EDCC1}	Point
15	11	Olympic Dr	Point Fosdick Dr	{3DDE142D-252B-41C2-BB49-98D908EC7B33}	Point
16	12	Olympic Dr	WA-16 SB ramps	{60F7BCB9-AC6C-4FB9-B309-EDBD936B1E96}	Point
17	13	Olympic Dr	WA-16 NB ramps	{22069D0D-0552-4B52-A8BB-29C23F2DA093}	Point
18	14	Bank of America driveway	Point Fosdick Rd	{119E82D9-62D9-49A0-BA15-B504CA40C10A}	Point
19	15	46th St Ct	Point Fosdick Rd	{55C623C8-EA54-4B13-8E28-DD158341D318}	Point

Draft City of Gig Harbor ADA Transition Plan for the Public Right-of-Way



Appendix B2

GIS Curb Ramp Prioritization Model and Spreadsheets

November 2021

Prepared by



10/6/2021

GIS Steps for City of Gig Harbor Barrier Prioritization

Priority 1 TIP Ramps

- 1) Query to isolate only Non-compliant ramps (416) in TSI_ADA_Ramps_Rev1
- 2) Run Intersect Tool
Inputs: TSI_ADA_Ramps_Rev1 and TIPs_revised
Output: TSI_ADA_Ramps_Rev1_TIP
- 3) Add Field **TIP** (text) to TSI_ADA_Ramps_Rev1
Code curb ramp locations from intersect in TSI_ADA_Ramps_Rev1 with **TIP**
- 4) Checked for **CartegraphID_No** duplicates due to overlapping polygons

Priority 2 Pedestrian Trail Routes and Transit Corridors (PED_BUS) Ramps

- 1) Merge Bus Routes and City Trails line features
Inputs: Bus Routes and City Trails
Output: BusRoutes_CityTrails_Merge
- 2) Create 50 foot buffer around BusRoutes_CityTrails_Merge
Inputs: BusRoutes_CityTrails_Merge
Output: BusRoutes_CityTrails_50ftBuff
Distance: 50 feet
Dissolve Type: Dissolve all output features into one feature
- 3) Run Intersect Tool
Inputs: BusRoutes_CityTrails_50ftBuff and TSI_ADA_Ramps_Rev1 (with Query to display only non-compliant ramp locations turned on)
Output: BusRoutes_CityTrails_50ftBuff_Ramps
Output Type: point
- 4) Copy data points to spreadsheet
- 5) Add Field **PED_BUS** (text) to TSI_ADA_Ramps_Rev1
Code curb ramps locations from intersect in TSI_ADA_Ramps_Rev1 with **PED_BUS**

Priority 3 COLI Ramps

- 1) Query to isolate only Non-compliant ramps (416) in TSI_ADA_Ramps_Rev1
- 2) Run Intersect Tool
Inputs: TSI_ADA_Ramps_Rev1 and Centers_of_Local_Importance_COLIs
Output: COLIs_Ramps
- 3) Add Field **COLI** (text) to TSI_ADA_Ramps_Rev1
Code curb ramp locations from intersect in TSI_ADA_Ramps_Rev1 with **COLI**

Group 4 Remainder

- 1) Query to isolate only Non-compliant ramps (416) in TSI_ADA_Ramps_Rev1) and not TIP = TIP and not PED_BUS = PED_BUS and not COLI = COLI

10/14/2021

[illegible]

Draft City of Gig Harbor ADA Transition Plan for the Public Right-of-Way



Appendix B3

**DOJ/DOT Joint Technical Assistance on Title II of the ADA
Requirements to Provide Curb Ramps when Streets,
Roads, or Highways are Altered through Resurfacing
(2013)**

Supplement to DOJ/DOT Joint Technical Assistance (2015)

November 2021

Prepared by





U.S. Department of Justice
Civil Rights Division
Disability Rights Section



U.S. Department of Transportation
Federal Highway Administration

Department of Justice/Department of Transportation Joint Technical Assistance¹ on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are *altered* to provide curb ramps where street level pedestrian walkways cross curbs.² This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

An alteration is a change that affects or could affect the usability of all or part of a building or facility.³ Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, *resurfacing*, widening, and projects of similar scale and effect.⁴ Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations.

Without curb ramps, sidewalk travel in urban areas can be dangerous, difficult, or even impossible for people who use wheelchairs, scooters, and other mobility devices. Curb ramps allow people with mobility disabilities to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination; some people with disabilities may simply choose not to take this risk and will not venture out of their homes or communities.

Because resurfacing of streets constitutes an alteration under the ADA, it triggers the obligation to provide curb ramps where pedestrian walkways intersect the resurfaced streets. See *Kinney v. Yerusalim*, 9 F 3d 1067 (3rd Cir. 1993). This obligation has been discussed in a variety of technical assistance materials published by the Department of Justice beginning in 1994.⁵ Over the past few years, state and local governments have sought further guidance on the scope of the alterations requirement with respect to the provision of curb ramps when streets, roads or highways are being resurfaced. These questions have arisen largely due to the development of a variety of road surface treatments other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Public entities have asked the Department of Transportation and the Department of Justice to clarify whether particular road surface treatments fall within the ADA definition of alterations, or whether they should be considered maintenance that would not trigger the obligation to provide curb ramps. This Joint Technical Assistance addresses some of those questions.

Where must curb ramps be provided?

Generally, curb ramps are needed wherever a sidewalk or other pedestrian walkway crosses a curb. Curb ramps must be located to ensure a person with a mobility disability can travel from a sidewalk on one side of the street, over or through any curbs or traffic islands, to the sidewalk on the other side of the street. However, the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. Nor are curb ramps required in the absence of a curb, elevation, or other barrier between the street and the walkway.

When is resurfacing considered to be an alteration?

Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling. Examples include, but are not limited to the following treatments or their equivalents: addition of a new layer of asphalt, reconstruction, concrete pavement rehabilitation and reconstruction, open-graded surface course, micro-surfacing and thin lift overlays, cape seals, and in-place asphalt recycling.

What kinds of treatments constitute maintenance rather than an alteration?

Treatments that serve solely to seal and protect the road surface, improve friction, and control splash and spray are considered to be maintenance because they do not significantly affect the public's access to or usability of the road. Some examples of the types of treatments that would normally be considered maintenance are: painting or striping lanes, crack filling and sealing, surface sealing, chip seals, slurry seals, fog seals, scrub sealing, joint crack seals, joint repairs, dowel bar retrofit, spot high-friction treatments, diamond grinding, and pavement patching. In some cases, the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps.

What if a locality is not resurfacing an entire block, but is resurfacing a crosswalk by itself?

Crosswalks constitute distinct elements of the right-of-way intended to facilitate pedestrian traffic. Regardless of whether there is curb-to-curb resurfacing of the street or roadway in general, resurfacing of a crosswalk also requires the provision of curb ramps at that crosswalk.

¹ The Department of Justice is the federal agency with responsibility for issuing regulations implementing the requirements of title II of the ADA and for coordinating federal agency compliance activities with respect to those requirements. Title II applies to the programs and activities of state and local governmental entities. The Department of Justice and the Department of Transportation share responsibility for enforcing the requirements of title II of the ADA with respect to the public right of way, including streets, roads, and highways.

² See 28 CFR 35.151(i)(1) (Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway) and 35.151(i)(2) (Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways).

³ 28 CFR 35.151(b)(1).

⁴ 2010 ADA Accessibility Standards, section 106.5.

⁵ See 1994 Title II Technical Assistance Manual Supplement, Title II TA Guidance: The ADA and City Governments: Common Problems; and ADA Best Practices Tool Kit for State and Local Governments: Chapter 6, Curb Ramps and Pedestrian Crossings under Title II of the ADA, available at ada.gov.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.



U.S. Department of Justice
Civil Rights Division
Disability Rights Section



U.S. Department of Transportation
Federal Highway Administration

QUESTIONS & ANSWERS

Supplement to the 2013 DOJ/DOT Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements To Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

The Department of Justice (DOJ)/Department of Transportation (DOT) [Joint Technical Assistance on the Title II of the Americans with Disabilities Act \[ADA\] Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing](#) (Joint Technical Assistance) was published on July 8, 2013. This document responds to frequently asked questions that the Federal Highway Administration (FHWA) has received since the technical assistance document was published. In order to fully address some questions, the applicable requirements of Section 504 of the Rehabilitation Act of 1973 that apply to public entities receiving Federal funding from DOT, either directly or indirectly, are also discussed. This document is not a standalone document and should be read in conjunction with the [2013 Joint Technical Assistance](#).

Q1: *When a pavement treatment is considered an alteration under the ADA and there is a curb ramp at the juncture of the altered road and an existing sidewalk (or other prepared surface for pedestrian use), but the curb ramp does not meet the current ADA Standards, does the curb ramp have to be updated to meet the current ADA Standards at the time of the pavement treatment?*

A1: It depends on whether the existing curb ramp meets the appropriate accessibility standard that was in place at the time it was newly constructed or last altered.

When the Department of Justice adopted its revised title II ADA Regulations including the updated ADA Standards for Accessible Design (2010 Standards,¹ as defined in 28 CFR 35.151), it specified that "(e)lements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS) ... are not required to be modified in order to comply with the requirements set forth in the 2010 Standards." 28 C.F.R. 35.150(b)(2)(i). As a result of this "safe harbor" provision, if a curb ramp was built or altered prior to March 15, 2012, and complies with the requirements for curb ramps in either the 1991 ADA Standards for Accessible Design (1991 Standards, known prior to 2010 as the 1991 ADA Accessibility Guidelines, or the 1991 ADAAG) or UFAS, it does not have to be modified to comply with the requirements in the 2010 Standards. However, if that existing curb ramp did not comply with either the 1991 Standards or UFAS as of March 15, 2012, then the safe harbor does not apply and the curb ramp must be brought into compliance with the requirements of the 2010 Standards concurrent with the road alteration. See 28 CFR 35.151(c) and (i).

Note that the requirement in the 1991 Standards to include detectable warnings on curb ramps was suspended for a period between May 12, 1994, and July 26, 1998, and again between December 23, 1998, and July 26, 2001. If a curb ramp was newly constructed or was last altered when the detectable warnings requirement was suspended, and it otherwise meets the 1991 Standards, Title II of the ADA does not require that the curb ramp be modified to add detectable warnings in conjunction with a road resurfacing alteration project. See Question #14 however, for a discussion of the DOT Section 504 requirements, including detectable warnings.

Q2: *The Joint Technical Assistance states that “[r]esurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling.” What constitutes “overlays of additional material to the road surface” with respect to milling, specifically, when a roadway surface is milled and then overlaid at the same height (i.e., no material is added that exceeds the height of what was present before the milling)?*

A2: A project that involves milling an existing road, and then overlaying the road with material, regardless of whether it exceeds the height of the road before milling, falls within the definition of “alteration” because it is a change to the road surface that affects or could affect the usability of the pedestrian route (crosswalk). See *Kinney v. Yerusalim*, 9 F.3d 1067 (3rd Cir. 1993). Alterations require the installation of curb ramps if none previously existed, or upgrading of non-compliant curb ramps to meet the applicable standards, where there is an existing pedestrian walkway. See also Question 8.

Q3: *If a roadway resurfacing alteration project does not span the full width of the road, do I have to put in curb ramps?*

A3: It depends on whether the resurfacing work affects a pedestrian crosswalk. If the resurfacing affects the crosswalk, even if it is not the full roadway width, then curb ramps must be provided at both ends of the crosswalk. See 28 CFR 35.151(i).

Public entities should not structure the scope of work to avoid ADA obligations to provide curb ramps when resurfacing a roadway. For example, resurfacing only between crosswalks may be regarded as an attempt to circumvent a public entity’s obligation under the ADA, and potentially could result in legal challenges.

If curb ramp improvements are needed in the vicinity of an alteration project, it is often cost effective to address such needs as part of the alteration project, thereby advancing the public entity’s progress in meeting its obligation to provide program access to its facilities. See Question 16 for further discussion.

Q4: *When a road alteration project triggers the requirement to install curb ramps, what steps should public (State or local) entities take if they do not own the sidewalk right-of-way needed to install the required curb ramps?*

A4: The public entity performing the alteration is ultimately responsible for following and implementing the ADA requirements specified in the regulations implementing title II. At the time an alteration project is scoped, the public entity should identify what ADA requirements apply and whether the public entity owns sufficient right-of-way to make the necessary ADA modifications. If the public entity does not control sufficient

right-of-way, it should seek to acquire the necessary right-of-way. If a complaint is filed, the public entity will likely need to show that it made reasonable efforts to obtain access to the necessary right-of-way.

Q5: *The Joint Technical Assistance is silent on when it becomes effective. Is there an effective date for when States and local public entities must comply with the requirements discussed in the technical assistance?*

A5: The Joint Technical Assistance, as well as this Supplement to it, does not create any new obligations. The obligation to provide curb ramps when roads are altered has been an ongoing obligation under the regulations implementing title II of the ADA (28 CFR 35.151) since the regulation was initially adopted in 1991. This technical assistance was provided to respond to questions that arose largely due to the development of a variety of road surface treatments, other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Although the Joint Technical Assistance was issued on July 8, 2013, public entities have had an ongoing obligation to comply with the alterations requirements of title II and should plan to bring curb ramps that are or were part of an alteration into compliance as soon as possible.

Q6: *Is the curb ramp installation work required to be a part of the Plans, Specifications and Estimate package for an alteration project or can the curb ramp work be accomplished under a separate contract?*

A6: The curb ramp installation work can be contracted separately, but the work must be coordinated such that the curb ramp work is completed prior to, or at the same time as, the completion of the rest of the alteration work. See 28 CFR 35.151(i).

Q7: *Is a curb ramp required for a sidewalk that is not made of concrete or asphalt?*

A7: The Joint Technical Assistance states that “the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use.” A “prepared surface for pedestrian use” can be constructed out of numerous materials, including concrete, asphalt, compacted soil, decomposed granite, and other materials. Regardless of the materials used to construct the pedestrian walkway, if the intent of the design was to provide access to pedestrians, then curb ramps must be incorporated where an altered roadway intersects the pedestrian walkway. See 28 CFR 35.151(i).

Q8: *If an existing curb ramp is replaced as part of a resurfacing alteration, is there an obligation to address existing obstacles on the adjacent sidewalk at the same time?*

A8: No. The Joint Technical Assistance addresses those requirements that are triggered when a public entity alters a roadway where the roadway intersects a street level pedestrian walkway (28 CFR 35.151(i)). Public entities are required to address other barriers on existing sidewalks, such as steep cross slopes or obstructions, as part of their on-going program access and transition plan obligations under title II of the ADA and Section 504 and in response to requests for reasonable modifications under the ADA or reasonable accommodations under Section 504. See 28 CFR 35.105, 35.130(b)(7), and 35.150(d); see also 49 CFR 27.7(e), 27.11(c)(2).

Q9: *Several pavement preservation treatment types are not listed in the technical assistance. If the treatment type is not specifically on the list of maintenance treatments, is it an alteration?*

A9: New treatments are always being developed and the best practice is for the City or other local public entity conducting the work, the State transportation agency, and FHWA to work together to come to an agreement on a reasonable determination of whether the unlisted treatment type is an alteration or maintenance and document their decisions. If the new treatment can be deemed to be the equivalent of any of the items listed as alterations, it is a reasonable interpretation that they are in fact alterations and should be treated as such.

Q10: *When does a combination of two or more 'maintenance' treatments rise to the level of being an alteration?*

A10: The list of the pavement types that are considered maintenance, as stated in the 2013 Joint Technical Assistance document, are Chip Seals, Crack Filling and Sealing, Diamond Grinding, Dowel Bar Retrofit, Fog Seals, Joint Crack Seals, Joint Repairs, Pavement Patching, Scrub Sealing, Slurry Seals, Spot High-Friction Treatments, and Surface Sealing. The combination of two or more maintenance treatments may rise to the level of being an alteration.

The best practice is for the City or other local public entity conducting the work, the State transportation agency, and FHWA to work together to come to an agreement on a reasonable determination, document their policies, and apply that determination consistently in their locality.

Q11: *When will utility trench work require compliance with ADA curb ramp requirements?*

A11: The answer to this question depends on the scope and location of the utility trench work being done. If the utility trench work is limited to a portion of the pavement, even including a portion of the crosswalk, repaving necessary to cover the trench would typically be considered maintenance and would not require simultaneous installation or upgrading of curb ramps. Public entities should note that the ADA requires maintenance of accessible features, and as such, they must ensure that when the trench is repaved or other road maintenance is performed, the work does not result in a lesser level of accessibility. See 28 CFR 35.133(a). If the utility work impacts the curb at a pedestrian street crossing where no curb ramp exists, the work affecting the curb falls within the definition of "alteration," and a curb ramp must be constructed rather than simply replacing the curb. See 28 CFR 35.151(b) and 35.151(i).

If a public entity is unsure whether the scope of specific trench work and repair/repaving constitutes an alteration, the best practice is for the public entity to work together with the State transportation agency and the FHWA Division to come to an agreement on how to consistently handle these situations and document their decisions.

Q12: *Is full-depth pavement patching considered maintenance?*

A12: The answer to this question depends on the scope and location of the pavement patch. If the pavement patch work is limited to a portion of the pavement, even including a portion of the crosswalk, patching the pavement would typically be considered maintenance and would not require simultaneous installation or upgrading of curb ramps. Public entities should note that the ADA requires maintenance of accessible features, and as such, they should ensure that when the pavement is patched or other road maintenance is performed, the work does not result in a lesser level of accessibility. See 28 CFR 35.133(a). If the pavement

patching impacts the curb at a pedestrian street crossing where no curb ramp exists, the work affecting the curb falls within the definition of "alteration," and a curb ramp must be constructed rather than simply replacing the curb. See 28 CFR 35.151(b) and 35.151(i).

If a public entity is unsure whether the scope of specific full-depth pavement patching constitutes an alteration, the best practice is for the public entity to work together with the State transportation agency and the FHWA Division to come to an agreement on how to consistently handle these situations and document their decisions.

Q13: Do any other requirements apply to road alteration projects undertaken by public entities that receive Federal financial assistance from DOT either directly or indirectly, even if such financial assistance is not used for the specific road alteration project at issue?

A13: Yes, if a public entity receives any Federal financial assistance from DOT whether directly or through another DOT recipient, then the entity must also apply DOT's Section 504 requirements even if the road alteration project at issue does not use Federal funds. See 49 CFR 27.3 (applicability of DOT's Section 504 requirements) and 27.5 (definition of "program or activity").

DOT's Section 504 disability nondiscrimination regulations are found at 49 CFR Part 27. These regulations implement Section 504 of the Rehabilitation Act of 1973 (Section 504). In 2006, DOT updated its accessibility standards by adopting the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG²) into its Section 504 regulations at 49 CFR 27.3 (referencing 49 CFR Part 37, Appendix A). These requirements replaced the previously applicable ADA Standards for Accessible Design (1991) (formerly known as 1991 ADAAG). At that time, DOT's regulation adopted a modification to Section 406 of the 2004 ADAAG which required the placement of detectable warnings on curb ramps.

The revised DOT Section 504 regulation also provided a "safe harbor" provision (similar to the ADA provision discussed in Question 1) that applies to curb ramps that were newly constructed or altered by entities receiving Federal financial assistance from DOT and that were in compliance with the 1991 ADAAG requirements prior to November 29, 2006. If the "safe harbor" applies, these curb ramps are still considered compliant and do not have to be modified to add detectable warnings unless they are altered after November 29, 2006. The DOT "safe harbor" provision is found at 49 CFR 37.9(c). DOT's Section 504 regulations (49 CFR 27.19(a)) require compliance with 49 CFR Part 37.

The Section 504 safe harbor does not apply, however, if, at the time of the road alteration project, the existing curb ramp does not comply with the 1991 ADAAG and at that time it must be brought into compliance with the current DOT Section 504 requirements (2004 ADAAG) including detectable warnings.

Q14: Does the Section 504 safe harbor apply to curb ramps built in compliance with 1991 ADAAG during the time period when the requirement for detectable warnings was suspended and the roadway is now being resurfaced where it intersects the pedestrian walkway?

A14: If the curb ramps that were built or altered prior to November 29, 2006 were fully compliant with 1991 ADAAG at the time that the detectable warnings requirements were suspended, then the DOT Section 504

safe harbor applies to them and the recipient does not have to add detectable warnings as a result of a resurfacing project.

Q15: In addition to the obligations triggered by road resurfacing alterations, are there other title II or Section 504 requirements that trigger the obligation to provide curb ramps?

A15: In addition to the obligation to provide curb ramps when roads are resurfaced, both DOJ's title II ADA regulation and DOT's Section 504 regulation (applicable to recipients of DOT Federal financial assistance), require the provision of curb ramps if the sidewalk is installed or altered at the intersection, during new construction, as a means of providing program accessibility, and as a reasonable modification under title II or a reasonable accommodation under Section 504.

New Construction and Alterations

DOJ's title II ADA regulation provides that newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway. In addition, the regulation provides that newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways. See 28 CFR 35.151(i). These curb ramps must comply with the 2010 Standards.³

DOT's Section 504 Federally assisted regulation also requires the provision of curb ramps in new construction and alterations. See 49 CFR 27.19(a) (requiring recipients of DOT financial assistance to comply with DOJ's ADA regulation at 28 CFR Part 35, including the curb ramp requirements at 28 CFR 35.151(i)); 49 CFR 27.75 (a)(2) (requiring all pedestrian crosswalks constructed with Federal financial assistance to have curb cuts or ramps).

Program Accessibility

Both DOJ's title II ADA regulation and DOT's Section 504 regulation require that public entities/recipients operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This obligation, which is known as providing "program accessibility," includes a requirement to evaluate existing facilities in the public right-of-way for barriers to accessibility, including identifying non-existent or non-compliant curb ramps where roads intersect pedestrian access routes (sidewalks or other pedestrian walkways). After completing this self-evaluation, a public entity/recipient must set forth a plan for eliminating such barriers so as to provide overall access for persons with disabilities. See 28 CFR 35.150, and 49 CFR 27.11(c).

Since March 15, 2012, the DOJ title II regulation requires the use of the 2010 Standards for structural changes needed to provide program access. However, in accordance with the ADA safe harbor discussed in Question 1, if curb ramps constructed prior to March 15, 2012 already comply with the curb ramp requirements in the 1991 Standards, they need not be modified in accordance with the 2010 Standards in order to provide program access, unless they are altered after March 15, 2012.

Similarly, DOT's Section 504 "safe harbor" allows curb ramps that were newly constructed or altered prior to November 29, 2006, and that meet the 1991 ADAAG to be considered compliant.⁴ Elements not covered

under the safe harbor provisions may need to be modified to provide program access and should be incorporated into a program access plan for making such modifications. 49 CFR 27.11(c)(2).

Under Section 504, self-evaluations and transition plans should have been completed by December 29, 1979. Under the ADA, transition plans should have been completed by July 26, 1992, and corrective measures should have been completed by January 26, 1995. While these deadlines have long since passed, entities that did not develop a transition plan prior to those dates should begin immediately to complete their self-evaluation and develop a comprehensive transition plan.

Reasonable Modification /Accommodation

In addition to alteration and program accessibility obligations, public entities may have an obligation under title II and Section 504 to undertake curb ramp construction or alteration as a "reasonable modification/accommodation" in response to a request by, or on behalf of, someone with a disability. Such a request may be made to address a non-compliant curb ramp outside of the schedule provided in the public entity's transition plan. A public entity must appropriately consider such requests as they are made. 28 CFR 35.130(b)(7); 49 CFR 27.7(e).

¹ The 2010 Standards can be found on DOJ's website at

http://www.ada.gov/2010ADAstandards_index.htm.

² In 2004, the United States Architectural and Transportation Barriers Board (U.S. Access Board) published the Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG), which serve as the basis of the current enforceable ADA standards adopted by both DOT and DOJ.

³ The 2010 Standards include a provision on equivalent facilitation that allows covered entities to use other designs for curb ramps if such designs provide equal or greater access. See section 103 of the [2010 Standards](#).

⁴ The DOT "safe harbor" provision is found at 49 CFR 37.9(c). DOT's Section 504 regulations (49 CFR 27.19(a)) require compliance with 49 CFR Part 37.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The

Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.



PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor Kuhn
City Council Members

FROM: Trent A. Ward, PE, City Engineer *TW*

DATE: November 18, 2021

SUBJECT: Draft ADA Transition Plan Presentation at the November 22, 2021 City Council Meeting

Development, adoption and implementation of an Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Plan) is in response to the Americans with Disabilities Act of 1990, which is a Federal civil rights statute that mandates all cities with over 50 employees to adopt and implement such a plan.

The City of Gig Harbor is committed to removing barriers to accessibility in its public right-of-way facilities, and to achieve this, City staff, with the assistance of consultant Transportation Solutions, Inc., has prepared a draft Public Right-of-Way Americans with Disabilities Act (ADA) Transition Plan (Plan), as identified in the 2021 Street Division budget – Operating Objective No. 1.

The draft Plan includes and outlines the following elements by Section:

- Section A - Legal basis for the Plan;
- Section B - Administrative Policies and Procedures, which identifies officials responsible to implement the Plan, Public Notice requirements, Grievance procedures, and Accessible Pedestrian Signal policy;
- Section C - Public Right-of-Way pedestrian ramp inventory, prioritization criteria for barrier (non-conforming ramp) removals and replacement, estimated costs for barrier removals and replacements in 2021 dollars, proposed curb ramp barrier removal schedule and estimated costs, and proposed funding strategies to pay for barrier removals (See Attached “Barrier Removal Implementation (1)” for per-ramp replacement estimated costs and “Barrier Removal Implementation (2)” for curb ramp barrier removal schedule and estimated costs);

- Section D - Identifies Future actions the City must take in order to achieve compliance with federal ADA regulations, as well as a proposed schedule to incorporate future Plan updates and actions;
- Section E - Public engagement processes, findings and recommendations (See attached “Figure 10” and “Figure 11” for summaries of public survey data, to date, ranking types of barriers removals, locations and their respective importance);
- Section F - Accessibility regulations, standards & guidelines resources.

This Plan will formally establish the City’s proposed timeline and funding strategies for the continued replacement of non-conforming pedestrian curb ramps within City Rights-of-Way, and will obligate the City to allocate funding on an annual basis, into the future, for the replacement of non-conforming curb ramps within the public right-of-way until full ADA compliance for pedestrian ramps within the City is achieved.

Further, beginning 2022, adoption and implementation of this Plan will be a requirement of WSDOT, in order for the City to continue to be eligible for federal highway funding.

The draft Plan was presented to the Public Works Committee on November 9, 2021.

The presentation of the draft Plan to City Council and Public Hearing will occur on November 22, 2021.

The Plan is currently scheduled for adoption by Ordinance by City Council at their December 13, 2021 Council Meeting.

Figure 1. Combined Results for Results for Most Wanted Barrier Removal Locations by Score

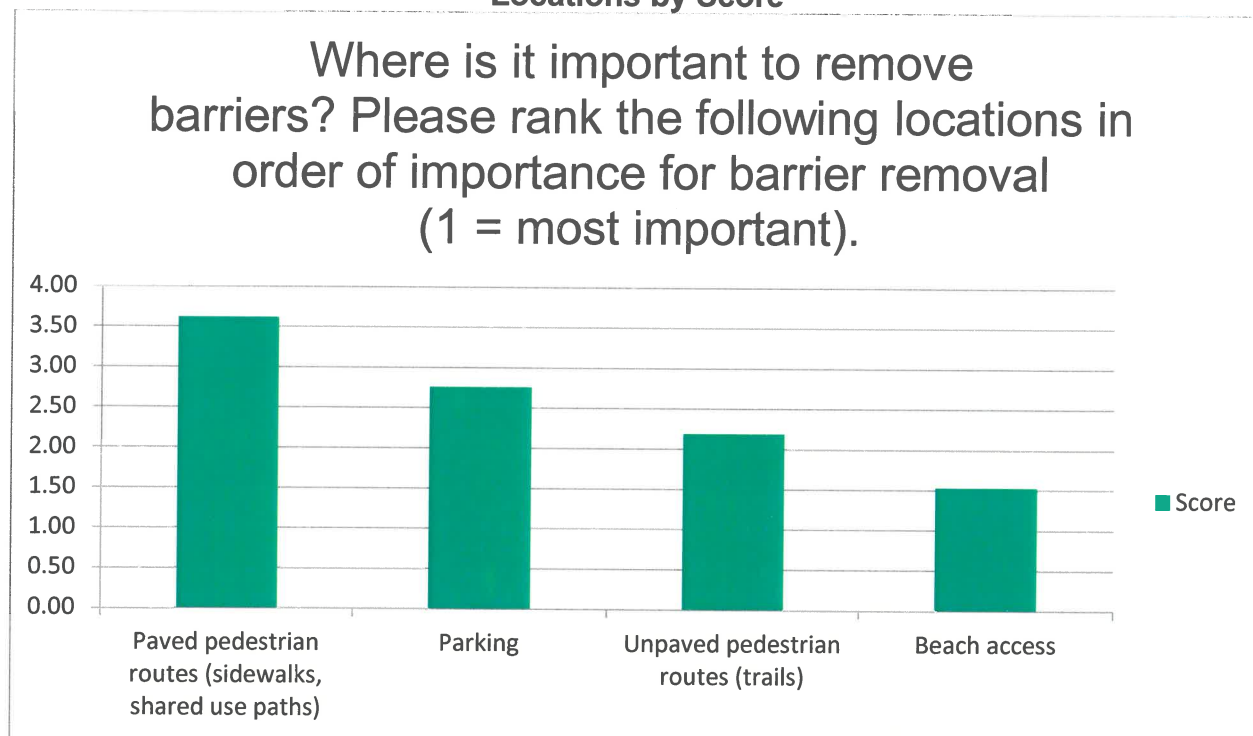
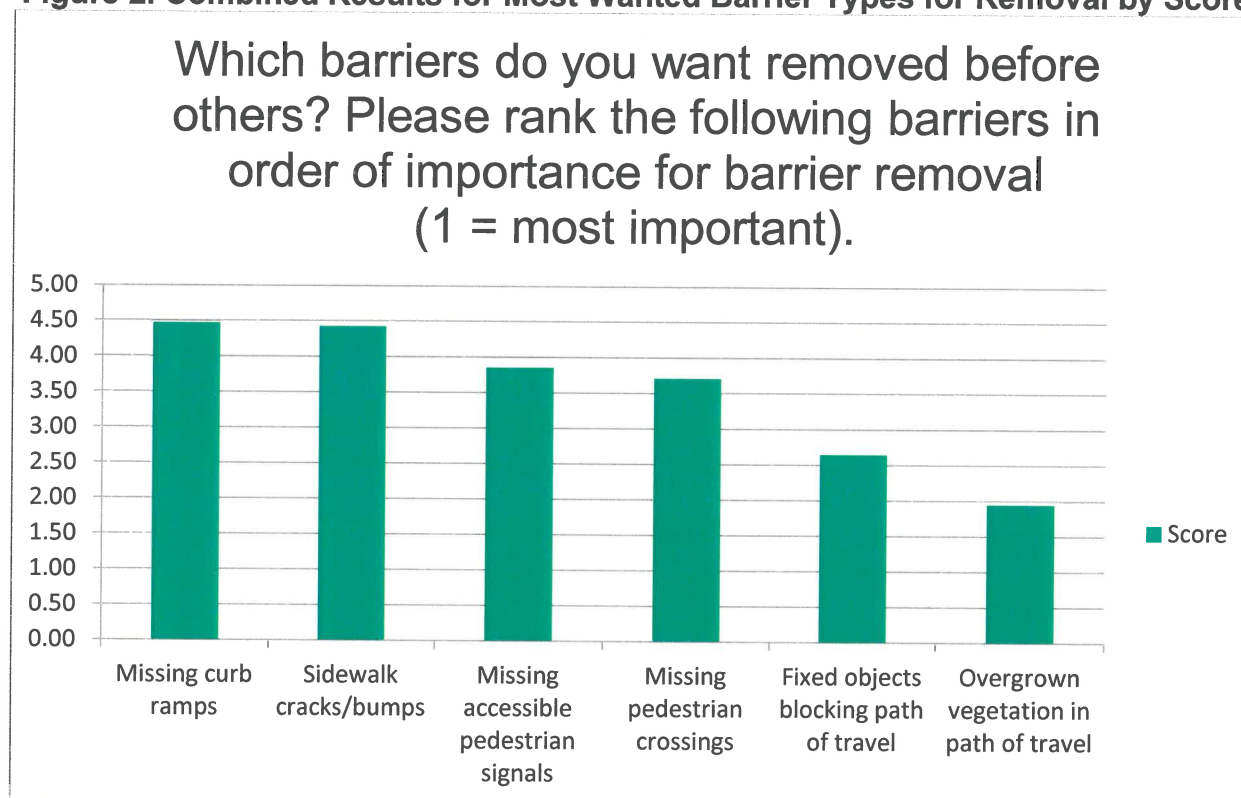


Figure 2. Combined Results for Most Wanted Barrier Types for Removal by Score



Barrier Removal Implementation (1)

Curb Ramp Cost Category	Estimated Cost in 2021 Dollars
Survey/Map	\$1,600.00
Design	\$1,900.00
CM	\$1,500.00
Construction	\$7,500.00
Contingency	\$2,500.00
Cost (\$) per Curb Ramp	\$15,000.00

Barrier Removal Implementation (2)

Curb Ramp Barrier Removal Schedule (6-Year and 25-Year Horizon)

Estimated Curb Ramp Barrier Removal Schedule	Estimated Amount in 2021 dollars
Total Estimated Curb Ramp Barrier Removal Costs	\$6,240,000
2022 Pavement Maintenance & Repair Program	(\$500,000)
2022-2027 TIP Projects and 2023- Pavement Maintenance & Repair Program	(\$1,000,000)
2028-2047 Remaining Curb Ramp Barrier Costs (25-year horizon averaging 17 ramps or \$250,000 per year)	\$4,740,000



Business of the City Council City of Gig Harbor, WA

Subject: First Reading of Ordinance 1476
Codifying the Gig Harbor Municipal Court

Proposed Council Action: None. Ordinance 1476 will return for second reading on December 13.

Dept. Origin: Administration

Prepared by: Interim City Clerk Josh Stecker

For Agenda of: November 22, 2021

Exhibits: Ordinance 1476
Ordinance 447 and subsequent amending ordinances

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

Initial & Date

✓✓ 11-16-21

Email 11/15

N/A

N/A

Expenditure Required	\$0	Amount Budgeted	\$0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

The Gig Harbor Municipal Court was originally created by Ordinance 447 in 1984. Ordinance 447 has been modified on several occasions over the years which has resulted in a confusing trail of revisions that make it difficult to locate the most current provisions for the court.

Ordinance 1476 repeals Ordinance 447 and subsequent amending ordinances and codifies the municipal court as Chapter 2.54 of the Gig Harbor Municipal Code. This codification will allow quick access to the most current provisions for the court while keeping a historical record of any amendments to the code.

This ordinance includes the newly adopted salary for the municipal court judge, as approved by Ordinance 1471 on November 8. It also contains a new provision that delegates to the municipal court judge the authority to prescribe regular and special court session times. Without this provision, changes to the court schedule would require Council approval.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

None.

RECOMMENDATION/MOTION

None. Ordinance 1476 will return for second reading on December 13.

ORDINANCE 1476

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, CREATING GIG HARBOR MUNICIPAL CODE CHAPTER 2.54 RELATING TO THE GIG HARBOR MUNICIPAL COURT; REPEALING ORDINANCES 447, 502, 659, 781, 1240, 1282, and 1471; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Forty-eighth Legislature of the State of Washington, as its 1984 regular session enacted Chapter 258, the Court Improvement Act of 1984; and

WHEREAS, said Chapter 258 and Chapter 3.50 RCW delegate authority to the cities and towns of the State of Washington to create and establish a municipal court; and

WHEREAS, after due deliberation the Council of the City of Gig Harbor determined that it would be in the best interests of the citizens of Gig Harbor to create and establish a Municipal Court of the City of Gig Harbor;

WHEREAS, by way of Ordinance 447 adopted on June 25, 1984, the City established a municipal court as authorized under Chapter 3.50 RCW; and

WHEREAS, Ordinance 447 was subsequently modified by Ordinances 502, 659, 781, 1240, 1282, and 1471; and

WHEREAS, the City Council desires to codify the establishment of the Municipal Court to make the provisions for the Municipal Court more accessible; and

WHEREAS, the City Council desires to delegate to the municipal court judge the authority to prescribe regular and special court session times;

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

Section 1. **Repeal.** Ordinances 447, 502, and 1471 are hereby repealed.

Section 2. **Gig Harbor Municipal Code Chapter 2.54 created.** Chapter 2.54 of the Gig Harbor Municipal Code is hereby created as follows:

Chapter 2.54 MUNICIPAL COURT

2.54.010 Municipal court established.

The provisions of Chapter 3.50 of the Revised Code of Washington, and all subsequent amendments thereto, are hereby adopted by reference for the

purposes of creating, establishing and regulating a judicial court in and for the City of Gig Harbor, said court to be known and designated as The Municipal Court of The City of Gig Harbor.

2.54.020 Appointment of municipal court judge.

The judge of the municipal court shall be appointed by the mayor and confirmed by the city council in accordance with the provisions of Chapter 3.50 of the Revised Code of Washington.

2.54.030 Provision for holding regular court sessions.

The municipal court of the city of Gig Harbor shall hold regular and special sessions at such times as may be prescribed by the judge of the municipal court. The judge of the municipal court may adjourn the regular session to special days and hours when, in the opinion of the judge, the orderly and efficacious prosecution of the court's business so demands such adjournments. Whenever the regular sessions of the court fall on a judicial holiday the judge shall designate another day and other hours to hold the regular session; or shall cancel such session if the business of the court so allows.

2.54.040 Municipal court judge salary.

The monthly base salary for the municipal court judge shall be \$5,500.00 for general administrative time, jury and non-jury trials and hearings, occasional in-custody arraignments, regular court calendars, and related activities.

2.54.050 Pro tempore judge salary.

The hourly base rate for municipal court judge pro tempore shall be \$60.00.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion 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 13th day of December, 2021.

Kit Kuhn
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker
Interim City Clerk

PUBLICATION DATE: December 16, 2021

EFFECTIVE DATE: December 21, 2021



Business of the City Council City of Gig Harbor, WA

Subject: Resolution 1224 Approving 2022
Lodging Tax Expenditures

Proposed Council Action: Move to
approve Resolution 1224

Dept. Origin: Tourism &
Communications

Prepared by: Laura Pettitt

For Agenda of: November 22, 2021

Attachment: Resolution 1224

**Initial &
Date**

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

eng 11/17
AK 11/17/21
n/a
CDP 11/12/21
n/a

Expenditure Required	\$615,000	Amount Budgeted	\$615,000	Appropriation Required	\$0
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INFORMATION/BACKGROUND

Chapter 67.28 of the Revised Code of Washington and Chapter 3.27 of the Gig Harbor Municipal Code authorizes the City to collect an excise tax on lodging. The funds generated by this tax are to be used for tourist promotion, subject to recommendation by the Lodging Tax Advisory Committee (LTAC). All recipients of lodging tax funds must apply to LTAC for funding, including the City itself.

LTAC met on October 12 and 18 to review all of the applications for the use of 2022 lodging tax funds. Their recommendations are as follows:

Recipient	Purpose	Recommended Expenditure
Gig Harbor Senior Center	Shamrockin Run	500
PTSD Foundation	Race for a Soldier, Pull for a Soldier, Prayer Breakfast	15000
Greater Gig Harbor Foundation	Cider Swig	5000
Gig Harbor Boat Shop	Operations	2000
Crescent Valley Lavender Farm	2022 Summer operations	5000
Greater Gig Harbor Foundation	Rattle Dem Bones	1000
Dunagan Brewing	Celtic Music Festival	6000
Harbor History Museum	Operations/Exhibit	11500

GH Sportsman Club	Sea Food Shoot	4500
Rotary North	Gallopin Gertie Half Marathon	8000
Harbor WildWatch	SVIC Operations	11000
Harbor WildWatch	Chum Fest	2500
Gig Harbor Arts Center	Sister Cities	3000
GH Canoe and Kayak Racing Team	Paddlers Cup	5000
GH Canoe and Kayak Racing Team	Narrows Challenge	5000
Peninsula Art League	Open Juried Art Show	3000
Peninsula Art League	Summer Arts Festival	4000
Downtown Waterfront Alliance	Farmers Market	17000
Gig Harbor Film Festival	2022 Festival	16000
	TOTAL EXTERNAL GRANTS	125,000
City of Gig Harbor	Operational, Event and Destination Marketing Expenses	490,000
	TOTAL RECOMMENDED EXPENDITURES	615,000
	ESTIMATED 2022 BEGINNING FUND BALANCE	919,527
	ESTIMATED 2022 REVENUES	396,000
	ESTIMATED 2022 ENDING FUND BALANCE	700,527

The City's Hotel/Motel Tax Fund has an estimated 2022 beginning balance of \$919,527. With projected 2022 revenues of \$396,000 and recommended expenditures of \$615,000 (this includes potential partnership funds received of \$115,000), the projected 2021 ending fund balance would be \$700,527.

LTAC has also recommended funding the City's Tourism and Communications Department with \$375,000 of lodging tax funds, and a potential of an additional \$115,000 spent in partnership funds (trolley, etc) for a total spend of \$490,000. This allocation will cover 50% of the salary and benefits for the two Department employees and all of the City's marketing budget. The remaining 50% of Department salaries and benefits are covered by the General Fund as shown in the 2022 Budget.

Resolution 1224 authorizes the Mayor to enter into agreements with the recommended organizations for the stated purposes and for the recommended amounts. Council may modify the amounts of the allocations, subject to review and comment by LTAC. Council may not allocate lodging tax funds to a recipient that has not been recommended by LTAC.

FISCAL CONSIDERATION

The allocation of Lodging Tax funds is provided for in the 2022 Budget.

BOARD OR COMMITTEE RECOMMENDATION

The recommendation of the Lodging Tax Advisory Committee is stated above.

RECOMMENDED MOTION

Move to approve Resolution 1224

RESOLUTION 1224

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, APPROVING 2022 LODGING TAX EXPENDITURES

WHEREAS, Chapter 67.28 of the Revised Code of Washington and Chapter 3.27 of the Gig Harbor Municipal Code authorizes the City to collect an excise tax on lodging, which tax is to be used for tourist promotion; and,

WHEREAS, the City Council established a Lodging Tax Advisory Committee in GHMC Chapter 2.53 to make recommendations to the Council for expenditure of the funds; and,

WHEREAS, on October 12 and 18, 2021, the Committee adopted its recommendations for 2022; and,

WHEREAS, having reviewed the recommendations of the Committee;

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

Section 1. The City Council adopts the 2022 recommendations for recipients and expenditures of lodging tax revenues in substantially the same form as at Exhibit A.

Section 2. The Mayor is authorized to enter into agreements with the recipients of these revenues up to the amounts authorized by this Resolution.

Section 3. This Resolution takes effect on its adoption.

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 22nd day of November, 2021.

Kit Kuhn
Mayor

Attest:

Joshua Stecker
Interim City Clerk

EXHIBIT A

2022 Gig Harbor Lodging Tax Advisory Committee Budget Recommendations

Recipient	Purpose	Recommended Expenditure
Gig Harbor Senior Center	Shamrockin Run	500
PTSD Foundation	Race for a Soldier, Pull for a Soldier, Prayer Breakfast	15000
Greater Gig Harbor Foundation	Cider Swig	5000
Gig Harbor Boat Shop	Operations	2000
Crescent Valley Lavender Farm	2022 Summer operations	5000
Greater Gig Harbor Foundation	Rattle Dem Bones	1000
Dunagan Brewing	Celtic Music Festival	6000
Harbor History Museum	Operations/Exhibit	11500
GH Sportsman Club	Sea Food Shoot	4500
Rotary North	Gallop in Gertie Half Marathon	8000
Harbor WildWatch	SVIC Operations	11000
Harbor WildWatch	Chum Fest	2500
Gig Harbor Arts Center	Sister Cities	3000
GH Canoe and Kayak Racing Team	Paddlers Cup	5000
GH Canoe and Kayak Racing Team	Narrows Challenge	5000
Peninsula Art League	Open Juried Art Show	3000
Peninsula Art League	Summer Arts Festival	4000
Downtown Waterfront Alliance	Farmers Market	17000
Gig Harbor Film Festival	2022 Festival	16000
	TOTAL EXTERNAL GRANTS	125,000
City of Gig Harbor	Operational, Event and Destination Marketing Expenses	490,000
	TOTAL RECOMMENDED EXPENDITURES	615,000
	ESTIMATED 2022 BEGINNING FUND BALANCE	919,527
	ESTIMATED 2022 REVENUES	396,000
	ESTIMATED 2022 ENDING FUND BALANCE	700,527



Business of the City Council City of Gig Harbor, WA

Subject: Ordinance 1475 Suspending Certain Provisions of Chapter 17.65 GHMC (Special Use Permits) and Fees Associated with Chapter 12.02 GHMC (Encroachment Permits) for the Purpose of Facilitating Commerce During the COVID-19 Pandemic

Proposed Council Action:

Move to approve Ordinance 1475 at First Reading.

Dept. Origin: Community Development

Prepared by: Katrina Knutson, AICP
Community Development Director

For Agenda of: November 22, 2021

Exhibits: Ordinance 1475

Initial & Date

Concurred by Mayor:

VX 11-16-21

Approved by City Administrator:

Approved as to form by City Atty: 11/12/2021

Approved by Finance Director:

NA

Approved by Department Head:

KNK 11/12/21

Expenditure Required	0	Amount Budgeted	0	Appropriation Required	0
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INFORMATION / BACKGROUND

On March 23, 2020, Mayor Kuhn signed a Proclamation of Emergency declaring a State of Emergency due to the outbreak of the COVID-19 virus. On June 5, 2020, the Mayor issued an additional Emergency Proclamation suspending certain provisions of Chapter 17.65 GHMC (Special Use Permits) and fees associated with Chapter 12.02 GHMC (Encroachment Permits) for the purpose of facilitating commerce during the Governor's "Safe Start Washington" Order.

On November 23, 2020, the City Council unanimously voted to extend the temporary suspension of special use regulations and encroachment permit fees until December 31, 2021 or 90-days after the Statewide COVID-19 Emergency Order is lifted.

The City Council, at their October 26, 2021 work-study session, directed staff to prepare an Ordinance to extend the expiration of the relief described above to 120-days after the Statewide COVID-19 Emergency Order is lifted.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Move to approve Ordinance 1475 at First Reading.

ORDINANCE NO. 1475

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, TEMPORARILY SUSPENDING PROVISIONS OF CHAPTER 17.65 A LIMITED DURATION DECLARING AN EMERGENCY AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, on March 13, 2020, the Mayor of the City Gig Harbor issued a Proclamation of Emergency declaring that an emergency exists within the City of Gig Harbor due to the outbreak of novel coronavirus (COVID-19); and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Inslee issued a proclamation closing restaurants, bars, entertainment and recreation venues, and certain service businesses in order to promote social distancing and self-isolation and therefore slow the spread of COVID-19. The closure does not affect grocery stores, pharmacies, gas stations, and convenience stores; and

WHEREAS, as people self-isolate and social distance, access to groceries, pharmaceuticals, and other retail goods is imperative and should be facilitated; and

WHEREAS, many local businesses have been closed since March due to the health emergency which has affected local jobs and economy; and

WHEREAS, on May 29, 2020, Washington Governor Jay Inslee issued Order 20-25.3 "Safe Start – Stay Healthy" Phased Reopening Plan,

WHEREAS, Chapter 17.65 of the Gig Harbor Municipal Code (GHMC) requires a Special Use permit to be obtained by a business or entity to temporarily locate a use in an unapproved area; and

WHEREAS, Chapter 12.02 of the Gig Harbor Municipal Code (GHMC) requires an Encroachment Permit be obtained before work is commenced on any public right-of-way or easement in the City; and

WHEREAS, the Mayor has determined that it is necessary to take action under the authority of Revised Code of Washington (RCW) 38.52.070 and GHMC 9.12.020 to temporarily suspend GHMC 17.65.020, GHMC 17.65.050 and temporarily waive fees associated with 12.02 GHMC only for retail businesses with a physical location within the City of Gig Harbor with an existing approved Gig Harbor Business License;

WHEREAS, on June 5, 2020, Mayor Kuhn issued an additional emergency declaration temporarily suspending certain provisions of Chapter 17.65 GHMC and fees associated with Chapter 12.02 GHMC; and

WHEREAS, the Gig Harbor City Council took formal action to temporarily suspend certain provisions of Chapter 17.65 GHMC and fees associated with Chapter 12.02 GHMC to approve and ratify the actions of the Mayor on July 27, 2020 by adoption of Ordinance 1448; and

WHEREAS, Ordinance 1448 is set to expire on December 31, 2021 or 90-days after the Washington State COVID-19 Emergency Order is lifted, whichever is later; and

WHEREAS, City Council wishes to extend temporary provisions to 120-days after the Washington State COVID-19 Emergency Order is lifted;

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

Section 1. Certain Code Provisions Suspended. The provisions of Chapter 17.65.020 and 17.65.050 GHMC and fees associated with Chapter 12.02 are hereby suspended subject to the following: Must be an existing business with a physical location within the City of Gig Harbor carrying an existing approved Gig Harbor Business License. Temporary suspension of Special Use provisions does not grant a use to a property or business that has not already been approved by the City of Gig Harbor. These provisions apply to businesses for COVID-19 purposes only.

Section 2. Enforcement. Any business found to be operating in violation of this Ordinance will be subject to Code Enforcement per Chapter 19.16 GHMC.

Section 3. Consistency with Governor's Proclamations and Other Federal and State Laws. All businesses are lawfully required to maintain consistency with the Governor's Orders/Proclamations or other federal or state law. This Ordinance does not grant exemptions to the Governor's Orders/Proclamations or relief from any federal or state law.

Section 4. Duration of Suspension. The suspensions provided for in this Ordinance shall remain in effect until December 31, 2021 or until 120-days after Statewide COVID-19 Emergency Order is lifted.

Section 5. Corrections. The City Clerk and codifiers of this 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. Ratification. All actions taken in furtherance of and not inconsistent with this Ordinance are ratified and confirmed in all respects.

Section 7. Severability. The provisions of this Ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 8. Declaration of Emergency – Immediate Effective Date. For the reasons set forth in this Ordinance and in the emergency proclamations of Mayor Kuhn, Governor Inslee, and Presidents Trump and Biden, the Gig Harbor City Council finds and declares that a public emergency exists due to the outbreak of COVID-19 that makes this Ordinance necessary for the immediate protection of the public health, public safety, public property, and public peace. This Ordinance, having been declared an emergency and having received the affirmative votes of at least a majority plus one of the whole membership of the Gig Harbor City Council, is not subject to referendum and shall become effective immediately upon adoption. The City Clerk shall publish this Ordinance or a summary thereof in the ordinary course of business.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 22nd day of November, 2021.

Kit Kuhn
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker
Interim City Clerk

PUBLICATION DATE: November 25, 2021

EFFECTIVE DATE: November 22, 2021



Business of the City Council City of Gig Harbor, WA

Subject: Ordinance No. 1477 -
Arts and Culture Element

Proposed Council Action: Consider the draft Ordinance and Planning Commission Recommendation relating to the 2021 Comprehensive Plan Amendment Docket Cycle, proposing a new Arts and Culture Element to the plan.

Dept. Origin: Community Development – Planning Division

Prepared by: Carl de Simas
Principal Planner

For Agenda of: November 22, 2021

Exhibits: 1) Planning Commission Recommendation, 2) Public Comment, 3) Draft Ordinance and Exhibit "A", 4) Public Record

Initial & Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty:

Approved by Finance Director:

Approved by Department Head:

KK 11/16/21

Email 11/12/2021

AK 11/15/21

Expenditure	Amount	Appropriation
Required 0	Budgeted 0	Required 0

INFORMATION / BACKGROUND

The proposal is a non-project, legislative action to amend the City of Gig Harbor Comprehensive Plan ("Plan") related to the 2021 Docket Cycle. On February 22, 2021, the City Council held a public hearing to consider five docketed applications proposing to amend the Plan. The Council chose to initiate all five applications, directing staff to present the applications to the Planning Commission, hold public hearings, and bring back recommendations for Council's consideration and decision.

Two of the initiated applications, PL-COMP-21-0002 and PL-COMP-21-0003, are amendments relative to the Gig Harbor Shoreline Master Program (GHSMP). Gig Harbor Municipal Code (GHMC) 19.09.020 provides an exception from the typical Plan amendment process for amendments to the GHSMP. As such, these applications were processed independent of the other three applications and were adopted by Council via Ordinance 1472 and Ordinance 1462, respectively.

Of the other three applications, only one is being brought back for Council's consideration at this time – PL-COMP-18-0001: Arts and Culture Element. The other two – PL-COMP-21-0001: Land-use Element Amendment and PL-COMP-21-0004: Housing Element Amendment – are proposed for retention of the Docket and further review as part of the 2022 Docket Cycle. As these two amendment proposals relate to two projects that were on the 2021 workplan, but are not yet complete – Housing Attainability Analysis and Urban Growth Area Analysis – proposals to amend the Plan are premature.

GHMC 19.09.050 sets forth the annual Plan review process and SEPA review requirements. All of the requirements and processes therein were followed, timelines met, and notices timely issued for the Arts and Culture Element amendment proposal. The project record is provided as an exhibit to this Council Bill.

In 2018, the City of Gig Harbor Arts Commission submitted an application and associated materials to the Planning Division for processing with the 2019 Comprehensive Plan Amendment Docket. The application seeks to include a new Arts and Culture Element to the Plan that would provide for goals and policies in support of the Art's Commission's work beyond what is already set forth in the Parks, Recreation and Open Space Element. The application was presented to the City Council during the 2019 Docket Hearing. Council chose to initiate the proposed amendment, but only as Staff time allowed. Staff did not have time to bring the amendment to Planning Commission due to other workload commitments and the Covid-19 Pandemic throughout 2019 and 2020, respectively. Therefore, the amendment was brought back to Council at the 2021 Docket Hearing to determine if the application should continue to be processed. Council chose to continue processing of the application, directing Staff to send it to the Planning Commission for study and to take it through the required public process.

ENVIRONMENTAL ANALYSIS

The SEPA Responsible Official issued a threshold determination of non-significance on October 19, 2021 for this non-project action per WAC 197-11-340(2). The threshold determination was not appealed.

FISCAL CONSIDERATION

None

BOARD OR COMMITTEE RECOMMENDATION

The Planning Commission has recommended adoption via a written recommendation dated November 10, 2021.

RECOMMENDATION / MOTION

Consider the draft Ordinance and Planning Commission Recommendation relating to the 2021 Comprehensive Plan Amendment Docket Cycle, proposing a new Arts and Culture Element to the plan.

City Council
November 22, 2021
Exhibit 1



COMMUNITY DEVELOPMENT DEPARTMENT

TO: MAYOR KUHN AND MEMBERS OF THE CITY COUNCIL

FROM: GREG HOEKSEMA, CHAIR, PLANNING COMMISSION

SUBJECT: PL-COMP-18-0001 ARTS AND CULTURE ELEMENT

DATE: NOVEMBER 10, 2021

BACKGROUND / INFORMATION:

On February 22, 2021, the City Council initiated the review of five docketed Comprehensive Plan Amendments and forwarded them to the Planning Commission for review. The amendment that is the subject of this recommendation is relative to the Arts Commission's proposal to include an Arts and Culture Element in the Comprehensive Plan.

In 2018, the City of Gig Harbor Arts Commission submitted an application and associated materials to the Planning Division for processing with the 2019 Comprehensive Plan Amendment Docket. The application was presented to the City Council during the 2019 Docket Hearing. Several public comments were received by the Council, who chose to initiate the proposed amendment, but only as Staff time allowed. Staff did not have time to take the amendment to the Planning Commission due to other workload commitments and the Covid-19 Pandemic throughout 2019 and 2020, respectively. Therefore, the amendment was taken back to Council at the 2021 Docket Hearing to determine if the application should continue to be processed. Council chose to continue processing of the application and directed Staff to send it to the Planning Commission for study and to take it through the required public process.

The Planning Commission studied the proposed amendment at a regularly scheduled meeting on October 7, 2021 and held a public hearing on November 4, 2021. Several written comments were received during the comment period leading up to the hearing and two verbal comments were provided at the hearing. All public comments received were in support of including an Arts and Culture Element in the Comprehensive Plan. Prior to deliberations, the Planning Commission heard a presentation from the Arts

Commission. A question-and-answer session was then conducted to clarify some of the finer points within the proposed amendment and to understand how the Arts Commission operates under the current Comprehensive Plan.

RECOMMENDATION:

After substantial consideration and discussion of the pros and cons of maintaining the status quo versus adopting this amendment, the Planning Commission voted 5-1 on a motion recommending the City Council amend the Comprehensive Plan to include an Arts and Culture Element, as presented by Staff at the public hearing on November 4, 2021, with the following edits:

1. Remove the Citizens Advisory Committee's Survey highlights and statistics.
(Commissioners found that including this information did not add value to the Element and that the data is likely outdated at this point)
2. Remove Policy 14.3.3. *(Commissioners found this policy to be an overreach as the school district's curriculum is not the purview of the City)*
3. Remove the blue highlighting from the Gig Harbor Arts Commission description.
(Commissioners found the graphic to be atypical of the current Comprehensive Plan's format)

Exhibit "A" includes the Planning Commission's recommended edits to the draft Element for Council's consideration.

Greg Hoeksema, Chair
Planning Commission



Date 11 / 10 / 2021

Exhibits

Exhibit A: Draft Arts and Culture Element with Planning Commission
Recommended Edits

City Council
November 22, 2021
Exhibit 2

From: [Carl Desimas](#)
To: [Charli Meacham](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts and culture in Gig Harbor
Date: Thursday, February 18, 2021 1:20:08 PM

Hello Charli,

Thank you for your interest in the 2021 Comprehensive Plan Amendment Docket. Your comment will be filed and provided to the City Council for consideration during the hearing on February 22nd.

If you have any questions or need any clarifications, please feel free to reach out at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Charli Meacham <charli.meacham@gmail.com>
Sent: Wednesday, February 17, 2021 1:43 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts and culture in Gig Harbor

I would just like to add my voice to those in support of art and culture in the plan for Gig Harbor. I am a musician, music teacher and visual artist. Because of these interests I have also been in community with like minded friends. I enjoy our beautiful area physically and it also inspires my music and art. It is a priority in the life of my husband and I. We attend concerts, plays, art openings, and artistic events of all types. Life without these perks would be sadly limited. I would like to see art being prioritized just like sports, parks, stores, and other elements of Gig Harbor. We are a well known tourist area and I believe making this a priority for our city can only make it an even better place.

Thank you,
Charli Meacham
Live well, laugh often, love much!

From: [Carl Desimas](#)
To: ed@ahbainbridge.org
Cc: [Michelle Thomas](#)
Subject: RE: Letter of Support for Gig Harbor Cultural Element
Date: Thursday, February 18, 2021 4:24:03 PM

Hello Anne,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

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From: Anne Smart <ed@bainbridgeartshumanities.org>
Sent: Thursday, February 18, 2021 3:17 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Letter of Support for Gig Harbor Cultural Element

Attached is a letter from Arts & Humanities Bainbridge in support of the Gig Harbor Cultural Element.

Re: Gig Harbor Arts Commission and Inclusion in the Cultural Element

As Executive Director for Arts & Humanities Bainbridge (AHB), I have worked with the City of Bainbridge Island, City Council and staff, in a variety of ways to support the creative sector within our city.

A critical aspect of the Cultural Element, one of the 11 elements of the Comprehensive Plan, is the acknowledgment of the significant impact that the arts, culture and humanities play in our local economy, sense of place and our identity. It was through this support that representatives

from our cultural sector, namely the executive directors of our major cultural organizations, were able to successfully recently re-instate cultural funding for our sector. This funding, through grants to cultural organizations, has been significant, particularly during this difficult time of the global pandemic.

Additionally, AHB administers the city's public art committee. Through this collaborative partnership, we were able to establish a public art sub fund that is dedicated to the promotion of public art, including it's management, acquisition and inquiries into new and exciting forms of art for our city.

Our Cultural Element also recognizes our unique history and heritage which is something AHB supports, not just through public art but through our efforts to showcase our indigenous people and celebrate their history, often in partnership with our Historical and art museums.

AHB strongly supports the inclusion of a Cultural Element as part of our comprehensive plan and believes it represents a significant statement of support from our city.

Thank you,

Anne Smart

Executive Director



Anne Smart, Executive Director

Arts & Humanities Bainbridge

221 Winslow Way W, Ste 201, Bainbridge Island, WA 98110

| [206.842.7901](tel:206.842.7901) | ed@bainbridgeartshumanities.org | www.ahbainbridge.org |





Arts & Humanities Bainbridge
221 Winslow Way West, Suite 201
Bainbridge Island, WA 98110
Phone 206.842.7901

www.ahbainbridge.org

February 18, 2021

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Anne Smart
Executive Director

Re: Gig Harbor Arts Commission and Inclusion in the Cultural Element

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Additionally, AHB administers the city's public art committee. Through this collaborative partnership, we were able to establish a public art sub fund that is dedicated to the promotion of public art, including its management, acquisition and inquiries into new and exciting forms of art for our city.

Our Cultural Element also recognizes our unique history and heritage which is something AHB supports, not just through public art but through our efforts to showcase our indigenous people and celebrate their history, often in partnership with our Historical and art museums.

AHB strongly supports the inclusion of a Cultural Element as part of our comprehensive plan and believe it represents a significant statement of support from our city.

Thank you,
Anne Smart
Executive Director

From: [Carl Desimas](#)
To: [PATRICIA FRISINO](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts and Culture
Date: Monday, February 22, 2021 8:12:36 AM

Hello Ms. Frisino,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: PATRICIA FRISINO <patfrisino@comcast.net>

Sent: Friday, February 19, 2021 12:55 PM

To: Carl Desimas <cDesimas@gigharborwa.gov>

Subject: Arts and Culture

Adding an Arts and Culture element to the comprehensive plan is extremely important. This growing city seriously needs a space where theatre productions could be staged, concerts presented, art - of all kinds - displayed. Such a location would be in constant use - very needed. Thank you.

Patricia Frisino

From: [Carl Desimas](#)
To: [Pam Jenkins](#)
Cc: [Michelle Thomas](#)
Subject: RE: Art
Date: Monday, February 22, 2021 8:14:17 AM

Hello Ms. Jenkins,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Pam Jenkins <pamjenkins77@gmail.com>
Sent: Friday, February 19, 2021 3:11 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Art

I love the art community in Gig Harbor. The Arts are an Economic driver. Please support the Arts & Culture Element in the Comprehensive Plan.

Thank you
Pam Jenkins
2011 17th Ave nw
Gig Harbor, WA 98335

Sent from my iPhone

From: [Carl Desimas](#)
To: lucidluellen@gmail.com
Cc: [Michelle Thomas](#)
Subject: RE: Incorporating the Arts in the Gig Harbor Comprehensive Plan
Date: Monday, February 22, 2021 9:18:13 AM

Greetings,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

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From: lucidluellen@gmail.com <lucidluellen@gmail.com>
Sent: Friday, February 19, 2021 6:20 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Incorporating the Arts in the Gig Harbor Comprehensive Plan
Importance: High

It is critical that Gig Harbor incorporate the arts – performing and visual – in the city's comprehensive plan. I have served on the Gig Harbor Arts Alliance Board established to create an Arts Center in Gig Harbor. I still believe this is an important undertaking. Currently, I travel to Seattle to attend theater performances and have season subscriptions to the major theaters in Seattle. I would love to be able to attend performing arts in Gig Harbor and think there is a broad audience for it in the South Puget Sound. Gig Harbor is also home to many visual artists. It can be a great economic advantage to our city to be perceived as the central location for the arts on this side of the Narrows Bridge.

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts in Gig Harbor
Date: Monday, February 22, 2021 8:28:35 AM

From: edonehower@aol.com <edonehower@aol.com>
Sent: Saturday, February 20, 2021 7:18 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts in Gig Harbor

Dear Mayor Kuhn and City Council

I am writing to request that promoting and protecting the creative spirit in all forms of art should be a priority in our community. My family and I moved here from Hawai'i some forty years ago mainly because of the beautiful natural environment, the excellent schools with strong programs in all the arts, and the community which encouraged the arts and artists of all kinds. To fail to continue that artistic spirit that has thrived in the area would be a sad consequence of postponing the city's support for the arts.

I am a retired teacher from the Peninsula School District, having taught for nearly thirty years, mostly in a program called Cultural Enrichment....a geography-based tour of the world through environment, folk art, folk music, folklore and examination of artifacts. We learned about the world's places and peoples but we also created works of art in the style of these places and people. Though retired, I still get requests all the time for presentations in classrooms learning about different places or periods of history. I think the kids look forward especially to the artistic aspects of my presentations. They always know there will be a project where they get to be the artist. Lately, my volunteer work has been mostly by Zoom, but the teachers tell me that the kinds of things that I do get the kids excited to participate in a time when teaching and learning have been a struggle for all. It seems to me that the arts have helped to keep students and families involved in some good learning in this trying time. I have also helped young people preparing to be teachers learn about ways to engage students and become effective teachers. You can believe that one of my key ingredients for success is having a strong connection to the arts in almost all subjects.

Our city and our area appeal to those who visit as a special place in so many ways. I believe a vital part of that appeal is the apparent support for a strong artistic presence. So many of my friends and acquaintances are involved in some way with the arts. That is something I like to brag about to friends who live elsewhere and do not enjoy the same vibe we have here. Please continue to support the arts in the community....it's especially important now!

Sincerely,

Ernie Donehower and Family
9925 Cherry Lane NW
Gig Harbor, WA 98332

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: The Arts
Date: Monday, February 22, 2021 8:28:48 AM

From: Serap Frank <serapfrank@comcast.net>
Sent: Saturday, February 20, 2021 5:34 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: The Arts

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because without arts there can be no soul for our community.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Serap Frank

253-853-4514
Serapfrank@msn.com

From: [Carl Desimas](#)
To: [Wendy Givan](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts +Culture Element for consideration by the City Council—Vote request
Date: Monday, February 22, 2021 9:22:06 AM

Hello Ms. Givan-Hess,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Wendy Givan <wendy.word@hotmail.com>
Sent: Saturday, February 20, 2021 11:41 PM
To: Mayorandcouncil@cityofgigharbor.net
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts +Culture Element for consideration by the City Council—Vote request

Dear Mayor Kuhn,, Members of the Gig Harbor City Council and Carl Desimas,

I write today in support of the Council's review of The Arts+Culture Element Amendment for this budget cycle. I understand that it may not be considered until 2024 even though it was originally submitted in 2018 for approval. I realize the Council has many competing proposals and issues to address, but I would argue that the support of Art and Cultural programs (since they are so interrelated and mutually beneficial to one another) are as important as anything we do to build a strong and vibrant community.

I was fortunate last year to volunteer on behalf of the Gig Harbor Poetry Collective and it was truly astonishing how many poets and publishers (from the Greater Seattle area, Tacoma, Port Townsend, the Skagit Valley and all points East and West)) were excited that we had initiated the poetry series, even in the midst of Covid 19. There is truly a hunger right now for communities to be nourished by creative work and endeavors. What we call "Art" is so vast in scope (visual; written; theatre; dance to name only a few) that it truly touches all of our lives in some way and, as a culture, it is critically important that we find ways as communities to nourish and develop the Arts with the care and regard they so richly deserve.

I urge you not to delay or defray considering the fine proposal before you now that argues so comprehensively and forcefully for why this Amendment should be adopted and supported. Gig Harbor, of all the cities in the South

Sound, is known as a hub for art and cultural programs and events. So the time to step up and explore (and continue) all the wonderful possibilities Arts and Cultural programs bring to our community seems to be NOW—when artistic expression and the gifts it so readily gives are urgently needed and appreciated.

Again, thank you for all the fine work you do. Your leadership has enlivened our community and we are all grateful for your efforts on our behalf.

Sincerely,

Wendy Givan-Hess
The Harbor Poetry Collective

Sent from my iPhone

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts Element
Date: Monday, February 22, 2021 8:38:37 AM

From: Mark Hoppen <hoppenm@gmail.com>
Sent: Saturday, February 20, 2021 6:29 AM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Robert (Bob) Larson <rlarson@gigharborwa.gov>
Subject: Fwd: Arts Element

Council and Mayor,

My apology. I noticed an error of number in the last subordinating clause, relating to the word "data." I should never compose anything on my phone. Please accept this revision. (As an old high school English composition teacher, I can't stand such things.) The error is corrected below.

Also, it can't possibly take much time to review and approve already packaged material from extensive prior work by the Arts Commission. So, there is no workload-related reason not to move the Arts Element forward.

Mark Hoppen

Begin forwarded message:

From: Mark Hoppen <hoppenm@gmail.com>
Date: February 19, 2021 at 8:58:40 PM PST
To: mayorandcouncil@cityofgigharbor.net
Cc: Robert Larson <larsonr@cityofgigharbor.net>
Subject: Arts Element

Dear Council and Mayor,

An Arts Element of the City of Gig Harbor Comprehensive Plan is a simple inclusion in '21 and the only studied, proven, economic development planning option that grows the Gig Harbor retail economy, given largely fixed zones.

Any and all innovation within the arts arena, ***big or small***, will add in-fill city tax revenue and jobs in greater proportion than **any other retail sector currently available or anticipated in the City of Gig Harbor Comprehensive Plan.**

Given the "Eyman" property tax 1% limitation, it is vital to expand the City of Gig Harbor's sales tax horizons. The arts element is not only the most job-creating, sales tax

producing, quality of life enhancing, economic sector available, it is the only significant mid- to long-term means to avoid municipal budgetary problems and not cut staff. Gig Harbor is currently liquid and solvent, but within the Comprehensive Plan 20-year horizon that may be a severe question unless Council grows the arts sector as a means to enhance retail capacity.

Right now, parks investment and arts investment are mixed in the same planning pot. **Parks are always a net drain, or at best break even, whereas arts are a potential big economic gain.** Mixing the two areas in one pot confuses public investment focus, diminishes arts investment, and tends to restrict city economic growth.

The arts sector is also an effective way to grow small business in the downtown area. Please approve an arts comprehensive plan element as soon as possible. Having a properly focused comprehensive plan is always the best first step toward strategic municipal budget solvency and fiscal health.

The \$50K arts study conducted for the Gig Harbor Arts Center Alliance several years ago by Johnson Consulting, Inc., of Chicago, provides hard data that completely substantiate all my observations in this note.
<https://www.gigharborartscenter.org/wp-content/uploads/2018/01/CHJC-Gig-Harbor-Performing-Art-Center-Feasibility-Study-Report-081016-1.pdf>

Mark Hoppen
8133 Shirley Avenue
(253) 279-2415 cell

From: [Carl Desimas](#)
To: [JAY, HANNAH G](#)
Cc: [Michelle Thomas](#)
Subject: RE: In support of the HeARTS!
Date: Monday, February 22, 2021 9:21:23 AM

Hello Ms. Jay,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
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From: JAY, HANNAH G <jayh@psd401.net>
Sent: Saturday, February 20, 2021 8:44 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: In support of the HeARTS!

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, it's citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because our city is turning into a dull version of itself. We have such potential to be the art capital of the Pacific Northwest!!!!

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review ***until 2024 is unacceptable***. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Hannah Jay

253-509-4423

jayh@psd401.net

Hannah Jay

Purdy Elementary Visual Art Specialist

"The ARTs dust off the soul of everyday life"

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Please do not drop consideration of Arts + Culture Element
Date: Monday, February 22, 2021 8:32:14 AM

From: Anne Knapp <annemknapp@gmail.com>
Sent: Saturday, February 20, 2021 11:16 AM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Please do not drop consideration of Arts + Culture Element

Please leave the Arts + Culture Element on the agenda.

The Ad Hoc Committee (which included Council members and the GH Arts Commission) has been working on this since before 2015, and deserves to be moved forward.

The Arts + Culture idea will become very important for our community to capture the money the City needs for future budgets, to promote small businesses (not limited to the Arts/Culture community!) and to foster the best quality of life by adding Arts and Culture events for all ages.

Thank you,

Anne Moore Knapp

President Gig Harbor Arts Center Alliance

Board Member and Newsletter Editor for Peninsula Art League

Small Business Owner

Member of Ad Hoc Committee who worked to write the Arts + Culture Element

Donator and Supporter of many local groups and charities

Volunteer Teacher in the community (Art Specialist K-12)

Voter

--

Anne Knapp

website www.annemooreknapp.com

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts & Culture
Date: Monday, February 22, 2021 8:29:03 AM

From: Terry and Patty MCCLELLAND <tandpmcc@comcast.net>
Sent: Saturday, February 20, 2021 5:10 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts & Culture

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

I strongly believe that the Arts & Culture Element amendment must be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and the greater GH community. The Arts & Culture Element is a clear and strong statement that Gig Harbor is a city that values and supports our wide array of arts, artists, and cultural organizations.

The Arts are important to me because, as a former (30 year) PSD teacher, I saw how Hands on Art, for example, connected teachers and parents with the area arts community in a strong way. I've seen the creation of the Gig Harbor Peninsula Civic Orchestra, Gig Harbor Museum, my sons took piano and guitar lessons from local musicians ... the list goes on and on. The arts are vital to our way of life.

I understand that the city has many items to address- all demanding attention- along with the unprecedented challenge of COVID, but a delay in this review until 2024 sends the wrong signal to the community.

I realize I cannot vote in city elections but Gig Harbor is more than the technical city limits. Things you decide affect all of us. Arts must play an important part of our community's future.

Sincerely,

Terry McClelland
253-858-9765
tandpmcc@comcast.net

From: [Carl Desimas](#)
To: [marla.morgan](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts & Cultural Element Amendment
Date: Monday, February 22, 2021 9:19:30 AM

Greetings Ms. Morgan,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

The Gig Harbor Civic Center is closed to the general public. The status of the Civic Center and the Gig Harbor Municipal Court is available on our website at www.cityofgigharbor.net and will be updated as necessary. City Staff are working to conduct much-needed services, so please feel free to contact us by phone or email (Main City Phone Number 253-851-8136).

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From: marla.morgan <mmm19622002@yahoo.com>
Sent: Saturday, February 20, 2021 4:39 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts & Cultural Element Amendment

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

Over the past 17 years I have helped build a foundation of art education and cultural appreciation in Gig Harbor. I have seen the positive impact that a strong art and cultural presence has on students, families and society as a whole and understand that this commitment to "Arts and Culture" is an essential building block to sustaining and enhancing the type of community that we all want Gig Harbor to be. It is imperative that the City of Gig Harbor and its elected officials recognize this communities love of the arts and officially commit to its importance by reviewing and adopting the proposed Arts and Culture Element.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Marla

Marla Morgan
Peninsula *Hands On Art*
253-732-7222

"It is our programs foundational belief that students across all socioeconomic backgrounds should have the same educational opportunity and ability to access artist quality materials and art education."

From: [Carl Desimas](#)
To: [Anne Knapp](#)
Cc: [Michelle Thomas](#)
Subject: RE: Comment for Council Mtg Feb 22nd 2021/Arts
Date: Monday, February 22, 2021 9:25:52 AM

Hello Ms. Knapp,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

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From: Anne Knapp <annemknapp@gmail.com>
Sent: Sunday, February 21, 2021 7:22 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Comment for Council Mtg Feb 22nd 2021/Arts

Comment from Anne Moore Knapp

for Gig Harbor City Council Meeting February 22nd 2021

Re: vote on moving Arts+Culture Element forward

If there ever was an important time to move the Arts+Culture Element forward so that it will be on a fast track to be incorporated the Gig Harbor Comprehensive Plan- this is it!

We have weathered one year of the Covid Epidemic and things are turning around, but our most useful tool for resilience and recovery is not in place- The ARTS + Culture Element in our Comprehensive Plan. When we finally emerge to enjoy the resurgence of the economy, we must be ready to take advantage of any available programs, grants and opportunities! If an Arts+Culture

Element is not mentioned in the Comprehensive Plan, we will be unable to capture these additional funds for our City.

As we move into recovery, Arts + Culture can be our Economic Driver:

- We will need to grab every dollar possible to use in our community- having a priority for Arts+ Culture can get money/grants/endowments for many programs. This will come from National, State and County programs and if we set it up properly, we could also acquire ongoing endowments from within our community.
- Gig Harbor has already been cited by the 2016 CH Johnson Economic Feasibility Study as an ideal location to generate additional money into our economy through the Arts via Direct and Indirect Spending, Induced Spending, Increased Earnings, and Increased Employment. It is a very clean and forward-thinking Industry to have generating income for our community as we all try to reduce our Carbon footprint.
- Our community clearly supports the idea of promoting the Arts + Culture. A survey done of local Citizens showed 90% of our community is involved in some sort of creative endeavor and craves more Artistic and Cultural enrichment.

We must not delay putting the Arts + Culture Element into our Comprehensive Plan- it needs to be put into the Docket and moved forward rapidly, if we hope to capture any available, appropriate funds provided as stimulus.

Thank you-

Anne Moore Knapp

President Gig Harbor Arts Center Alliance

Board Member and Newsletter Editor for Peninsula Art League

Small Business Owner

Member of Ad Hoc Committee who worked to write the Arts + Culture Element

Donator and Supporter of many local groups and charities

Volunteer Teacher in the community (Art Specialist K-12)

Voter

--

Anne Knapp

website www.annemooreknapp.com

From: [Molly Towslee](#)
To: [Carl Desimas](#); [mayorandcouncil](#)
Subject: FW: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan
Date: Monday, February 22, 2021 9:03:35 AM

From: Scott Markowitz <scott_markowitz@yahoo.com>
Reply-To: Scott Markowitz <scott_markowitz@yahoo.com>
Date: Sunday, February 21, 2021 at 6:30 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because art crosses all divides and is the thread through which a community is held together.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Scott Markowitz

(253) 245-6122
scott_markowitz@yahoo.com

From: [Carl Desimas](#)
To: [MARTA C O'NEILL](#)
Cc: [Michelle Thomas](#)
Subject: RE: Proposed Arts & Culture amendment to GH's Comprehensive Plan
Date: Monday, February 22, 2021 9:25:10 AM

Hello Ms. O'Neill,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: MARTA C O'NEILL <martaone26@comcast.net>

Sent: Sunday, February 21, 2021 6:47 PM

To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>

Subject: Proposed Arts & Culture amendment to GH's Comprehensive Plan

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

I would like the City Council to immediately review the proposed Arts & Culture Element amendment to the Comprehensive Plan. I feel that this amendment needs to be a fundamental part of Gig Harbor's foundation moving forward. To delay its review until 2024 is damaging to the City of Gig Harbor.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning

process and identifies ways in which arts and culture can be incorporated into Gig Harbor. The Arts & Culture Element shows that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because it enhances my life by seeing sculptures around town, listening to concerts in the park, and attending theater performances by locals on summer evenings.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, perhaps an outside agency or can make it assist in making it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.
Sincerely,

Marta O'Neill
martaone26@comcast.net
253-691-9957

From: [Carl Desimas](#)
To: [LANCE TRATHEN](#)
Cc: [Michelle Thomas](#)
Subject: RE: arts& culture vote
Date: Monday, February 22, 2021 9:24:29 AM

Greetings Lance and Gregori,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
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From: LANCE TRATHEN <llkt1942@comcast.net>
Sent: Sunday, February 21, 2021 12:19 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: arts& culture vote

As a member of PAL I am asking that the council vote to approve the Arts & Culture Element for the year and beyond. The peninsula is a vibrant art community and we need resources to thrive. In light of the pandemic I am sure you can see the need for this. Please consider our artists and all of the Gig Harbor residents when discussing this. Thank you....Gregori Trathen

Lance & Gregori

From: [Carl Desimas](#)
To: [Barb Turecky](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan
Date: Monday, February 22, 2021 9:23:29 AM

Hello Ms. Turecky,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

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From: Barb Turecky <barbturecky@gmail.com>

Sent: Sunday, February 21, 2021 10:54 AM

To: Carl Desimas <cDesimas@gigharborwa.gov>

Subject: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan

Dear Mr. De Simas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, it's citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because art is something that everyone, young and old, educated or not, regardless of race, socioeconomic status or religious persuasion can enjoy and appreciate. Sculptures grace our city, enhance the beauty of our streets and display the history and culture of our place in the State. Pictures in City Hall and the Chamber of Commerce reflect the talent and history of our citizens. An emphasis on arts and culture will provide a medium for students to develop their talent and express their pride in our City.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Barbara Turecky

253 265 3552

barbturecky@gmail.com

Sent from [Mail](#) for Windows 10



This email has been checked for viruses by Avast antivirus software.
www.avast.com

The Arts + Culture Element

AN OPPORTUNITY

FOR ARTS + CULTURE + HERITAGE

TO CREATE COMMUNITY

A COMMUNITY
INITIATIVE
SUBMITTED BY
**THE GIG HARBOR
ARTS
COMMISSION
AND
COMMUNITY
STAKEHOLDERS**



“

ART IS AS
IMPORTANT AS
ROADS AND
INFRASTRUCTURE
IN A COMMUNITY.

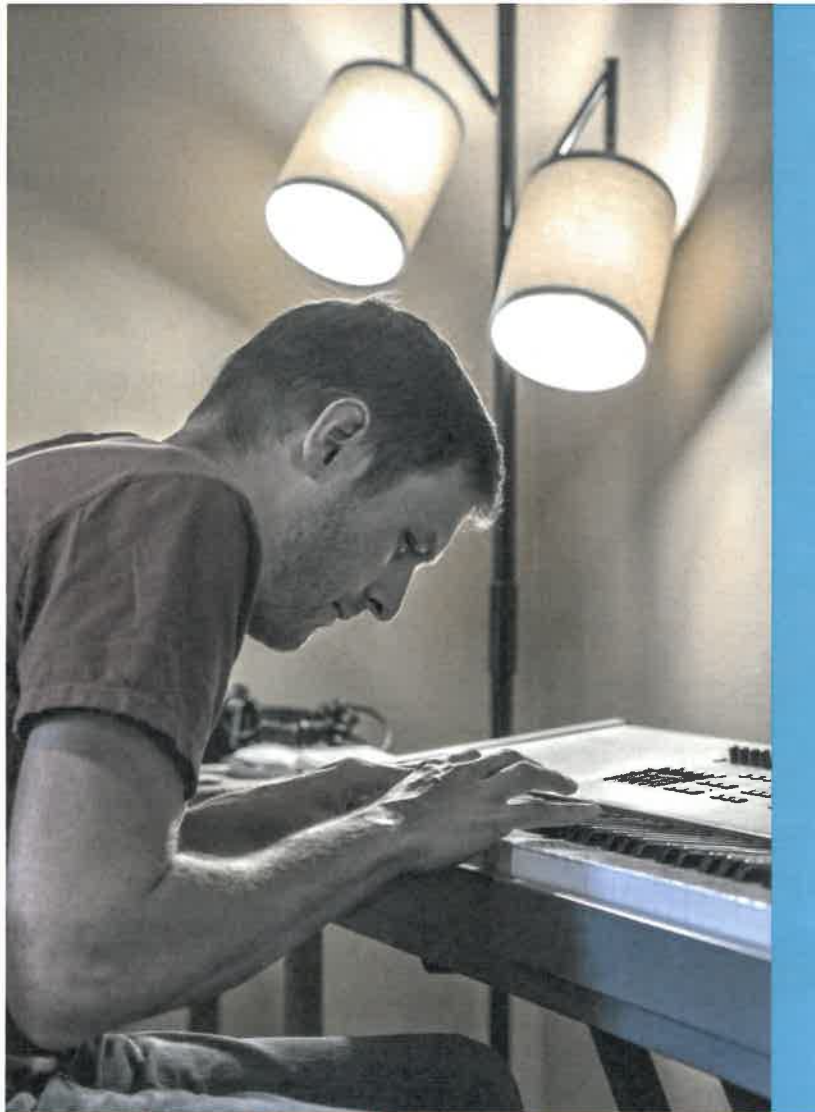
IT BRINGS
everyone
TOGETHER.

CULTURAL ARTS SURVEY
RESPONDENT

JULY 2018



SUMMER SOUNDS AT SKANSIE PARK



MUSICIAN ELIJAH BOSSENBROEK DURING REHEARSAL

SURVEY Highlights

Of note is that the Gig Harbor community, and their attitudes about arts and culture, align with, or at times even exceed, national attitudes in the most recent *Americans for the Arts* survey.

Arts + Culture are a community asset and image builder

- ✓ **96%** believe that arts and cultural activities offer positive experiences for the Gig Harbor community
- ✓ **83%** “*Strongly Agree*” that arts and cultural activities are an asset to the community
- ✓ **73%** “*Strongly Agree*” that the Arts improve the image and identity of the community

Arts provide meaning to GH residents’ lives

- ✓ **79%** have household members involved in artistic activities
- ✓ **78%** believe that the arts “lifts my spirits”

ARTS + CULTURE

...are tools for accomplishing the larger community goals of **economic vitality, quality education and community planning and design.**

Investment in the arts is an investment in making Gig Harbor a better place to live and work for all its citizens.

A COMMUNITY
INITIATIVE
SUBMITTED BY
**THE GIG
HARBOR ARTS
COMMISSION
AND
COMMUNITY
STAKEHOLDERS**



“

GIG HARBOR HAS
THE OPPORTUNITY
TO ESTABLISH ITSELF
AS A REAL ARTS
COMMUNITY.
CONSIDER THIS:
DO WE WANT ONLY
COMMERCIAL
INFLUENCE
TO AFFECT US?

CULTURAL ARTS SURVEY
RESPONDENT
JULY 2018



CREATIVE + ECONOMIC VITALITY

ENHANCE THE
QUALITY OF LIFE
IN GIG HARBOR
BY CREATING
AN ENVIRONMENT
IN WHICH ARTISTIC
AND CULTURAL
ACTIVITIES FLOURISH.

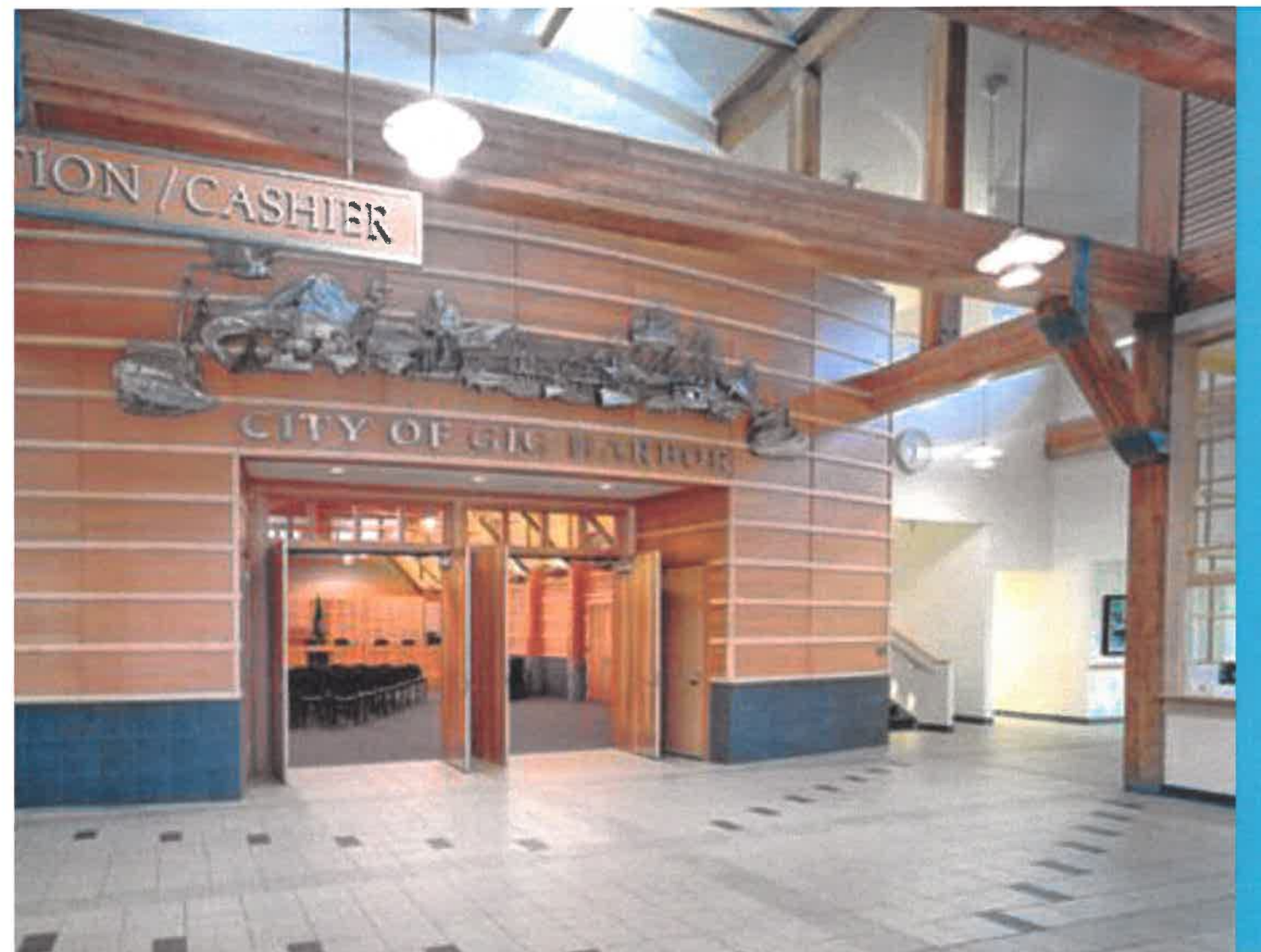


BALLET CLASS AT HARBOR DANCE



PUBLIC ARTS + COMMUNITY DESIGN

STRENGTHEN AND EXPAND
THE PUBLIC ART PROGRAM
TO CREATE VISIBLE
LANDMARKS AND CULTURAL
POINTS OF REFERENCE
THAT REINFORCE THE
HARBOR'S IDENTITY,
CULTURE AND CHARACTER.



GIG HARBOR CIVIC CENTER



EDUCATION + ENGAGEMENT

FOSTER A UNIQUE,
PLENTIFUL AND
LEARNING-ORIENTED
ARTS AND CULTURAL
ENVIRONMENT.



PAINTING IN MARDIE REES'S APPRENTICE ACADEMY STUDIO



SPACES + PLACES

ENCOURAGE THE
DEVELOPMENT
OF ADEQUATE,
AFFORDABLE AND
APPROPRIATE SPACES
FOR ARTISTIC AND
CULTURAL ACTIVITIES
FOR ALL.



CHALK THE HARBOR



CULTURE + HERITAGE

IDENTIFY, PRESERVE,
AND ADVANCE THE
CITY'S CULTURAL
HERITAGE AND HISTORY.



THE HARBOR



“

I HOPE THAT ART WILL CONTINUE TO BE TAKEN SERIOUSLY IN THIS AMAZING
COMMUNITY. I TRULY BELIEVE KEEPING IT IN THE FOREFRONT WILL ONLY
CONTINUE TO ENHANCE OUR COMMUNITY ON ALL LEVELS.

CULTURAL ARTS SURVEY RESPONDENT
JULY 2018

“

GIG HARBOR IS A UNIQUE LOCALE.

WE HAVE THE OPPORTUNITY TO GROW INTO A

destination of distinction

ALL THE GREAT TOWNS AND CITIES OF THE WORLD HAVE BEEN ABLE

TO POINT TO THE EVOLUTION AND INCLUSION OF ARTS AND CULTURE INTO

ALL ASPECTS OF CITY PLANNING AS A HALLMARK OF THAT SUCCESS.

—
CULTURAL ARTS SURVEY RESPONDENT

JULY 2018

ORDINANCE NO. 1477

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO GROWTH MANAGEMENT AMENDING THE CITY OF GIG HARBOR COMPREHENSIVE PLAN FOR THE 2021 ANNUAL CYCLE: ADDING A NEW ELEMENT FOR ARTS AND CULTURE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor plans under the Growth Management Act (chapter 36.70A RCW); and

WHEREAS, the Act requires the City to adopt a Comprehensive Plan; and

WHEREAS, the City adopted a revised GMA Comprehensive Plan as required by RCW 36.70A.130 (4) in 2015; and

WHEREAS, the City is required to consider suggested changes to the Comprehensive Plan (RCW 36.70A.470); and

WHEREAS, except under circumstances not applicable here, the City may not amend the Comprehensive Plan more than once a year (RCW 36.70A.130); and

WHEREAS, the City is required to provide public notice and public hearing for any amendments to the Comprehensive Plan and the adoption of any elements thereto (RCW 36.70A.035, RCW 36.70A.130); and

WHEREAS, on February 22, 2021, the City Council evaluated the comprehensive plan amendment applications submitted for the 2021 annual cycle, held a public hearing on such applications, and forwarded those initiated to the Planning Commission for further processing; and

WHEREAS, Applications PL-COMP-18-0001, PL-COMP-21-0001, PL-COMP-21-0002, PL-COMP-21-0003, PL-COMP-21-0004 were initiated by City Council; and

WHEREAS, Applications PL-COMP-21-0002 and PL-COMP-21-0003 are proposed amendments to the City of Gig Harbor Shoreline Master Program and were approved under separate ordinances consistent with GHMC 19.09.020; and

WHEREAS, Applications PL-COMP-21-0001 and PL-COMP-21-0004, respectively proposing amendments to the Land-use and Housing elements of the Comprehensive Plan, are not under consideration through this ordinance, and will be retained on the Docket and presented as part of the 2022 Comprehensive Plan Amendment proposals; and

WHEREAS, on October 19, 2021, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) for the comprehensive plan amendments pursuant to WAC 197-11-340(2), which was not appealed; and

WHEREAS, the Director notified the Washington State Department of Commerce of the City's intent to amend the Comprehensive Plan and forwarded a copy of the proposed amendments on October 14, 2021 pursuant to RCW 36.70A.106; and

WHEREAS, the Planning Commission held a work study session on October 7, 2021 to discuss Application PL-COMP-18-0001; and

WHEREAS, the Planning Commission held a public hearing on Application PL-COMP-18-0001 on November 4, 2021; and

WHEREAS, after the public hearing on November 4, 2021, the Planning Commission voted to recommend approval of the proposed Arts and Culture Element as documented in the Planning Commission's written recommendations signed and dated November 10, 2021; and

WHEREAS, on November 22, 2021, the Gig Harbor City Council held a public hearing and first reading of Ordinance 1477 amending the Comprehensive Plan as recommended by the Planning Commission; and

WHEREAS, December 13, 2021, the Gig Harbor City Council conducted a second reading of Ordinance 1477 amending the Comprehensive Plan;

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

Section 1. Revisions. The City of Gig Harbor Comprehensive Plan shall be amended to include the Arts and Culture Element as set forth in Exhibit A.

Section 2. Adoption.

Notice. The City Clerk confirmed that public notice of the public hearing held by the City Council on the following applications was provided.

Hearing Procedure. The City Council's consideration of the comprehensive plan text amendments is a legislative act. The Appearance of Fairness doctrine does not apply.

Testimony. *To be inserted after public hearing*

Criteria for Approval. The process for Comprehensive Plan amendments (Chapter 19.09) states that the City Council shall consider the Planning Commission's recommendations and after considering the criteria found in GHMC 19.09.170 shall

make written findings regarding each application's consistency or inconsistency with the criteria. The criteria found in GHMC 19.09.170 are as follows:

- A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and
- B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and
- C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and
- D. The proposed amendment advances the public interest; and
- E. For text amendments which propose to increase density or intensity of permitted development and all land use map amendments, the following approval criteria also apply:
 - 1. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of this amendment, according to one of the following provisions:
 - a. The city has adequate funds for needed infrastructure, facilities and services to support new development associated with the proposed amendments; or
 - b. The city's projected revenues are sufficient to fund needed infrastructure, facilities and services, and such infrastructure, facilities and services are included in the schedule of capital improvements in the city's capital facilities plan; or
 - c. Needed infrastructure, facilities and services will be funded by the developer under the terms of a development agreement associated with the comprehensive plan amendment; or
 - d. Adequate infrastructure, facilities and services are currently in place to serve expected development as a result of this comprehensive plan amendment based upon an assessment of land use assumptions; or
 - e. Land use assumptions have been reassessed, and required amendments to other sections of the comprehensive plan are being processed in conjunction with this amendment in order to ensure that adopted level of service standards will be met; and
 - 2. For a land use map amendment, the subject parcels being redesignated are physically suitable for the allowed land uses in the designation being requested, including compatibility with existing and planned surrounding land uses; and
 - 3. The proposed amendment will not create a demand to change land use designations of other properties, unless the change in land use designation for other properties is in the long-term interest of the community in general.

Applications. The City Council hereby enters the following findings and conclusions for each application:

1. PL-COMP-18-0001 – Arts and Culture Element.

Summary: Adding a new element to the Comprehensive Plan – Arts and Culture.

Findings:

- A. Council finds that the proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan.

The Parks, Recreation and Open Space Element offers support of public art and the arts in general. A section of the element, entitled Cultural Arts Programs and Resources provides support for arts programs and emphasizes the importance of “The Arts” to include: visual art, music, theater, dance poetry and prose, film and other creative endeavors. The section further supports the arts through goals and policies lending credence and direction to the Arts Commission as the overseer of acquisition and placement of public art, and the entity fostering the arts and cultural programs. As an example, Goal 11.10 states: Celebrate the creative spirit of our community and encourage fine and performing arts partnerships and programs that reflect the community's vision and culture.

- B. The Council finds that the proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws.

An arts and culture element is not a mandatory element as required by the Growth Management Act (GMA; RCW 36.70A.070). However, GMA does allow a plan to incorporate “additional elements, items or studies dealing with other subjects relating to the physical development within its jurisdiction...” (RCW 36.70A.080). Therefore, in this sense, an Arts and Culture Element would be consistent with GMA.

- C. The City Council finds that the proposed amendment will not adversely impact the City’s ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services.

- D. The proposed amendment advances the public interest.

Based on the survey conducted by the Arts Commission in 2017, the public interest would appear to be served through the adoption of an Arts and Culture Element. The survey had approximately 900 respondents, most of whom appear to enjoy arts and culture in a variety of ways, and most of

whom appear to support and value arts and culture in their community. While the number of respondents offers a small sample size when compared to the City's gross population, it is still noteworthy and does show, at least some advancement of the public interest around the subject.

E. Not applicable to this amendment.

Conclusion: After consideration of the materials in the file, staff presentation, the Planning Commission recommendation, the City's Comprehensive Plan, criteria for approval found in Chapter 19.09 GHMC, applicable law, and public testimony, the City Council hereby **approves** application PL-COMP-18-0001 and hereby adds the Arts and Culture Element to the Comprehensive Plan.

Section 3. Transmittal to State. The Planning Director is directed to forward a copy of this ordinance, together with all of the exhibits, to the Washington State Commerce Department within ten days of adoption, pursuant to RCW 36.70A.106.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should 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, sections/subsection numbers and any references thereto.

Section 4. 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 ____ day of _____, 2021.

Kit Kuhn
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Josh Stecker
Interim City Clerk

PUBLICATION DATE:
EFFECTIVE DATE:

Exhibit “A”

Chapter 14 – Arts + Culture Element

Introduction

The arts and cultural activities are valuable tools for accomplishing larger community goals including economic vitality, quality education, and community design. Investment in the arts is an investment in making Gig Harbor a better place to live and work.

This Arts + Culture Element identifies ways in which the City's goals and aspirations can be realized through inclusion of arts and culture among other considerations in comprehensive planning.¹ The vision for the City's arts and cultural future is expressed here, identifying relationships with other City policy, and presenting specific policies and strategies the City may pursue to realize desired outcomes.

This element also recognizes the essential nature of arts and cultural activities as ways to express, honor, and educate residents about the past, from the community's early formation to narratives rooted in native culture and pre-history.

Using this Element

The City of Gig Harbor hopes to realize the expansive potential of local arts and culture, addressing the community's needs for artistic involvement and expression and recognizing how powerful the arts can be in achieving multiple community aspirations. This element serves multiple roles and multiple audiences, seeking to:

- Clarify City policy related to arts and culture;
- Guide decision-making and future investments by other City departments, the Gig Harbor Arts Commission and other local groups and organizations;
- Identify complementary policies and community initiatives including land use, community design, transportation, economic development, parks and recreation, and capital facilities.

This element is organized to provide a brief introduction to arts and cultural advocacy in Gig Harbor and a summary of associated benefits, followed by a three-part listing of related policy. The policy is categorized and expressed from broad-brush and aspirational (“goals”), to more topical and directive (“policies”). Readers may note the facility of this approach as providing flexibility for implementation, where aspirational objectives are supplied to guide – rather than attempt to anticipate and direct – ever-evolving behavioral patterns and activity needs. This approach is dynamic, benefitting from regular review and coordination and updating with the rest of the comprehensive plan.

History

Arts and cultural activities have long played an important role in establishing Gig Harbor's visual identity and pride of place. But prior to 2001, there were no city-sponsored cultural art grants or monies for

¹ Considerations regarding the Arts in this element to include “visual art, music, theater, dance, poetry and prose, film and other creative endeavors...”, per 2018 Gig Harbor Comprehensive Plan amendment application.

public art. In 1999, the idea for a memorial celebrating Gig Harbor's maritime history spurred formation of a group that championed the installation of such a feature and later became the City's first Gig Harbor Arts Commission (GHAC) in 2001.¹ Since then, the GHAC has helped lead and support a wide range of arts and cultural activities including art fairs, festivals, concerts, theatrical and dance performances, workshops and lectures – all helping draw tourists to Gig Harbor and boosting local revenues. In addition, the GHAC has led the commission of numerous artworks in the city, including several important installations in City Hall and sculptures at the Bogue Viewing Platform, Maritime Pier and in Ancich Park.

Gig Harbor incorporated arts-related policy in its 2012 comprehensive plan's parks and recreation element. In February 2018, City Council approved a work plan including the goal to create a separate and distinct arts and culture element for the Gig Harbor Comprehensive Plan. By this, the City set a course to more effectively coordinate its resources with arts and cultural activities, boosting the city's unique position in the region and helping realize the many of the community's long-term goals.

The 2018 work plan also led to the creation of a Citizens Advisory Committee (CAC), which reviewed numerous other regional and state arts and culture plans, reports and economic studies. Among benefits seen in their research findings, the CAC noted numerous outcomes applicable to in Gig Harbor and its goals, including:

- Arts, culture and creativity contribute to the physical, mental, social, and economic well-being of communities;
- Arts and culture nurture creative thought and expression and encourage an exchange of ideas among citizens;
- The arts provide tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design;
- The arts help strengthen the cultural fabric of communities and enrich the lives and spirits of residents;
- Arts and culture activities contribute to local prosperity by providing employment, attracting out of town visitors and boosting sales tax revenues;
- Arts and cultural programs can enhance the image of a community, thereby attracting new businesses and workers;

The CAC, with the help of the City's Tourism & Marketing Department, also created a widely-distributed and successful survey regarding arts and culture values in Gig Harbor. Findings from this questionnaire – reflecting responses from 915 community members – show strong support for the idea that arts and culture are essential in creating a healthy, vibrant and prosperous city.

These and other findings show that Gig Harbor residents understand and support the value of arts and culture as a means of strengthening the community and fostering economic growth.

¹ The famed Fishermen's Memorial in Jerisich Park is a bronze statue by Russian artist Alexandre Safonov.

The Gig Harbor Arts Commission

The Gig Harbor Arts Commission (GHAC) plays a vital role in local culture by supporting and promoting the arts and arts organizations. The Commission oversees the acquisition and placement of public art, fosters arts and cultural programs for the enrichment of citizens and visitors, encourages an environment for the success of working artists and strengthens new and existing arts organizations. The Arts Commission supports the following statements:

- The arts provide tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design.
- Arts and culture are essential to the continuing growth and development of our community's economy, education, and quality of life. Support of the arts is an investment in making our community a better place to live.
- The arts help strengthen our cultural fabric and enrich the lives and spirits of our citizens.
- Arts and cultural programs are a powerful economic development tool in their ability to enhance Gig Harbor's image and thereby entice new businesses to locate here.
- The arts can be a source of civic pride and Gig Harbor is a place where citizens and visitors alike can be engaged and inspired.

Goals & Policies

Creative + Economic Vitality

Acknowledging the important dynamic between creative enterprise and economic vitality.

Goal 14.1 Enhance the quality of life in Gig Harbor by creating an environment in which artistic and cultural activities flourish.

Related Policies

14.1.1 Provide arts and cultural leadership for the city as advocates to the Mayor and Council for the development of arts and cultural activities for the benefit of its citizens.

14.1.2 Collaborate with the Gig Harbor Tourism and Marketing Department and Pierce County Tourism to increase artistic, historic, and cultural tourism in Gig Harbor.

14.1.3 Strengthen the operational capacity of the arts, heritage, and cultural community through the development of a city arts fund to support grants for artists/writers/performers and non-profit organizations that offer creative and cultural experiences.

- 14.1.4** Keep current with community arts and culture needs and trends, shaping actions to be adaptive and relevant to changing conditions.

Public Arts + Community Design

Sponsoring functional anchors for pride of place that are unique to the community.

Goal 14.2 Strengthen and expand Gig Harbor's public art program to create visible landmarks and cultural points of reference to reinforce the harbor's identity, culture and character.

Related Policies

- 14.2.1** Advocate for the development of creative public spaces; create a cohesive wayfinding and interpretive signage strategy, including the identification of unique city landmarks.
- 14.2.2** Consider expansion of the Public Art Fund to acquire and manage works of public art through commissioned works, temporary works, direct purchases, and community projects;
- 14.2.3** Advocate for the inclusion of quality public art in new construction projects.
- 14.2.4** Manage the community's resources dedicated to arts and culture and provide tools to guide grant programs for the arts, protocols for accepting donated art, a framework for arts commissions, locational criteria for public art, and other needs as they may arise in Gig Harbor's evolving arts environment.

Education + Engagement

Supporting ways to engage citizens in lifelong arts- and culture-related learning opportunities.

Goal 14.3 Foster a unique, plentiful and learning-oriented arts and cultural environment.

Related Policies

- 14.3.1** Demonstrate a commitment to quality arts education and life-long learning by advocating for comprehensive inclusion of the arts throughout our community.
- 14.3.2** Foster partnerships between the city, the business community and arts and culture organizations to create and produce education and engagement opportunities for Gig Harbor citizens through the sponsorship of arts and cultural programming.
- 14.3.3** Explore opportunities for the public to watch artists, conservators, and historic preservationists at work and to observe the creative process as well as participate in hands-on learning experiences.

Spaces + Places

Recognizing the need for space and facilities to foster culture activities.

Goal 14.4 Encourage the development of adequate, affordable and appropriate spaces for artistic and cultural activities for all.

Related Policies

14.4.1 Respond to the growing need for artistic and cultural facilities; identify short-and long-term facility needs and priorities.

14.4.2 Encourage the development of venues suitable for cultural and artistic activities including visual and performing arts centers, marketplaces, performance and exhibition spaces and maker spaces.

14.4.3 Advocate for current and future arts-related businesses, open studio spaces and live-work housing.

Culture + Heritage

Understanding the past to guide plans for the future.

Goal 14.5 Identify, preserve, and advance the city's cultural heritage and history.

Related Policies

14.5.1 Advocate for the preservation, interpretation, and adaptive reuse of historic and cultural sites in partnership with local entities devoted to preservation.

14.5.2 Recognize the value of heritage and cultural arts to promote tourism for Gig Harbor using geographic and historic themes that complement other types of visitation and travel experiences.

14.5.3 Support projects that use the arts as a vehicle for understanding and celebrating other cultures and Gig Harbor heritage.

City Council
November 22, 2021
Exhibit 4



**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission
FROM: Planning Staff
DATE: October 28, 2021

RE: **PL-COMP-18-0001: Arts and Culture Element Comprehensive Plan
Amendment
Public Hearing: November 4, 2021**

I. GENERAL INFORMATION

Applicant: City of Gig Harbor Arts Commission
3510 Grandview Street
Gig Harbor, WA 98335

Owner: Area Wide Amendment – Not site specific

II. PROJECT DESCRIPTION

The request is a City-wide text amendment to create a new Arts and Culture Element to the City's Comprehensive Plan. The request was brought forward by the City's Arts Commission. The applicants believe embracing and encouraging the arts is an important tool in building community and the economy; and, that Gig Harbor should be a place where things aren't just done efficiently and professionally, but artfully and gracefully.

City Council docketed upon the Planning Commission's request a review of the Mixed Use Land Use designation with a consideration for removal of the text designation from the Comprehensive Plan and the associated Official Land Use Map.

III. BACKGROUND

Gig Harbor incorporated arts-related policy in its 2012 comprehensive plan's parks and recreation element. In 2018, the Arts Commission proposed elevating arts-related policy to become its own plan element. The commission believed arts in the community warranted a more extensive policy treatment. The 2018 draft element is the foundation for this current effort, and it reflects extensive Arts Commission work to explore the community's awareness of and hopes for arts and culture expression. In 2018, the Arts Commission provided an extensive narrative in support of their effort and, 2017, conducted a community survey that garnered more than 900 responses. Both the narrative and the survey results are provided as Exhibit B to this report.

The application was placed on the 2019 City Council Docket and was heard by the Council on July 8, 2019. The Council chose to initiate the amendment as staff time allowed. Since staff time did not allow and, as such, the proposed amendment was docketed and reinitiated on February 22, 2021. The Council received several comments related to the proposed amendment which are attached to this report as Exhibit C. The comments received were generally in support of adding the element to the Comprehensive Plan.

City Staff worked with the Arts Commission to hone the proposed amendment, resulting in the text presented at this hearing as Exhibit A. The Planning Commission studied the amendment at a study session on October 7, 2021. The Staff memo presented to the Commission is attached here as Exhibit E.

IV. APPLICABLE CODES AND POLICIES

Chapter 19.09 Amending the Comprehensive Plan

19.09.170 Criteria for approval.

The city's comprehensive plan was developed and adopted after significant study and public participation. The goals and policies contained therein shall therefore be granted substantial weight when considering a proposed amendment. The city council shall make written findings regarding each application's consistency or inconsistency with the following criteria:

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan; and

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws; and

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services; and

D. The proposed amendment advances the public interest; and

E. For text amendments which propose to increase density or intensity of permitted development and all land use map amendments, the following approval criteria also apply:

1. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of this amendment, according to one of the following provisions:

a. The city has adequate funds for needed infrastructure, facilities and services to support new development associated with the proposed amendments; or

b. The city's projected revenues are sufficient to fund needed infrastructure, facilities and services, and such infrastructure, facilities and services are included in the schedule of capital improvements in the city's capital facilities plan; or

c. Needed infrastructure, facilities and services will be funded by the developer under the terms of a development agreement associated with the comprehensive plan amendment; or

d. Adequate infrastructure, facilities and services are currently in place to serve expected development as a result of this comprehensive plan amendment based upon an assessment of land use assumptions; or

e. Land use assumptions have been reassessed, and required amendments to other sections of the comprehensive plan are being processed in conjunction with this amendment in order to ensure that adopted level of service standards will be met; and

2. For a land use map amendment, the subject parcels being redesignated are physically suitable for the allowed land uses in the designation being requested, including compatibility with existing and planned surrounding land uses; and

3. The proposed amendment will not create a demand to change land use designations of other properties, unless the change in land use designation for other properties is in the long-term interest of the community in general.

V. ENVIRONMENTAL REVIEW:

The SEPA Responsible Official issued a threshold determination of non-significance on October 19, 2021. The comment period ends November 3, 2021 and the appeal period ends on November 10, 2021. To date, the City has received one comment from the Squaxin Island Tribe. The SEPA record is included as Exhibit D and the comments as Exhibit F.

VI. STAFF ANALYSIS:

Staff has analyzed the application under the criteria of GHMC 19.09.170 and found as follows:

A. The proposed amendment will further and be consistent with the goals, policies and objectives of the comprehensive plan.

- Staff finds that the criterion, even though an Arts and Culture Element currently does not exist in the adopted plan, is satisfied. The Parks, Recreation and Open Space Element does offer support of public art and the arts in general. A section of the element, entitled Cultural Arts Programs and Resources provides support for arts programs and emphasizes the importance of "The Arts" to include: *visual art, music, theater, dance poetry and prose, film and other creative endeavors*. The section further supports the arts through goals and policies lending credence and direction to the Arts Commission as the overseer of acquisition and placement of public art, and the entity fostering the arts and cultural programs. For example, Goal 11.10 states: *Celebrate the creative spirit of our community and encourage fine and performing arts partnerships and programs that reflect the community's vision and culture*. This section of the Comprehensive Plan has been included as Exhibit X as it does exhibit the proposed amendment's consistency with existing goals, policies, and objectives.

B. The proposed amendment is consistent with the Growth Management Act, the countywide planning policies and other applicable interjurisdictional policies and agreements, and/or other state or local laws.

- An arts and culture element is not a mandatory element as required by the Growth Management Act (RCW 36.70A.070). However, GMA does allow a plan to incorporate "additional elements, items or studies dealing with other subjects relating to the physical development within its jurisdiction..." (RCW 36.70A.080). Therefore, in this sense, an Arts and Culture Element would be consistent with GMA. Art is not mentioned in the Countywide Planning Policies of Pierce County nor any other interjurisdictional policy or agreement that Staff is aware of.

C. The proposed amendment will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services.

- Staff finds that the proposed amendment would not adversely impact the City's ability to provide essential public facilities or services.

D. The proposed amendment advances the public interest.

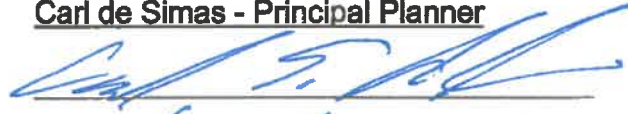
- Based on the survey conducted by the Arts Commission in 2017 and provided here as Exhibit B, the public interest would appear to be served through the adoption of and Arts and Culture Element. The survey had approximately 900 respondents, most of whom appear to enjoy arts and culture in a variety of ways, and most of whom appear to support and value arts and culture in their community. While the number of respondents offers a small sample size when compared to the City's gross population, it is still noteworthy and does show, at least some advancement of the public interest around the subject.

E. For text amendments which propose to increase density or intensity of permitted development and all land use map amendments, the following approval criteria also apply:

1. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of this amendment, according to one of the following provisions:
 - a. The city has adequate funds for needed infrastructure, facilities and services to support new development associated with the proposed amendments; or
 - b. The city's projected revenues are sufficient to fund needed infrastructure, facilities and services, and such infrastructure, facilities and services are included in the schedule of capital improvements in the city's capital facilities plan; or
 - c. Needed infrastructure, facilities and services will be funded by the developer under the terms of a development agreement associated with the comprehensive plan amendment; or
 - d. Adequate infrastructure, facilities and services are currently in place to serve expected development as a result of this comprehensive plan amendment based upon an assessment of land use assumptions; or
 - e. Land use assumptions have been reassessed, and required amendments to other sections of the comprehensive plan are being processed in conjunction with this amendment in order to ensure that adopted level of service standards will be met; and
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- This final criterion is not applicable to the proposed amendment.

Project Planner: Carl de Simas - Principal Planner

A handwritten signature in blue ink, appearing to read 'Carl de Simas', written over a horizontal line.

Date:

A handwritten date '10/28/2021' in blue ink, written over a horizontal line.

Exhibits

Exhibit A: Proposed Text Amendment

Exhibit B: Application Materials: Narrative, Survey Results

Exhibit C: Council Hearing Materials

Exhibit D: SEPA Materials

Exhibit E: Staff Memo October 4, 2021

Exhibit F: SEPA and Public Hearing Comments

Chapter 14 – Arts + Culture Element

Introduction

The arts and cultural activities are valuable tools for accomplishing larger community goals including economic vitality, quality education, and community design. Investment in the arts is an investment in making Gig Harbor a better place to live and work.

This Arts + Culture Element identifies ways in which the City's goals and aspirations can be realized through inclusion of arts and culture among other considerations in comprehensive planning.¹ The vision for the City's arts and cultural future is expressed here, identifying relationships with other City policy, and presenting specific policies and strategies the City may pursue to realize desired outcomes.

This element also recognizes the essential nature of arts and cultural activities as ways to express, honor, and educate residents about the past, from the community's early formation to narratives rooted in native culture and pre-history.

Using this Element

The City of Gig Harbor hopes to realize the expansive potential of local arts and culture, addressing the community's needs for artistic involvement and expression and recognizing how powerful the arts can be in achieving multiple community aspirations. This element serves multiple roles and multiple audiences, seeking to:

- Clarify City policy related to arts and culture;
- Guide decision-making and future investments by other City departments, the Gig Harbor Arts Commission and other local groups and organizations;
- Identify complementary policies and community initiatives including land use, community design, transportation, economic development, parks and recreation, and capital facilities.

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History

Arts and cultural activities have long played an important role in establishing Gig Harbor's visual identity and pride of place. But prior to 2001, there were no city-sponsored cultural art grants or monies for public art. In 1999, the idea for a memorial celebrating Gig Harbor's maritime history spurred formation of a group that championed the installation of such a feature and later became the City's first Gig Harbor Arts Commission (GHAC) in 2001.² Since then, the GHAC has helped lead and support a wide range of arts and cultural activities including art fairs, festivals, concerts, theatrical and dance performances, workshops and lectures – all helping draw tourists to Gig Harbor and boosting local revenues. In addition, the GHAC has led the commission of numerous artworks in the city, including

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The 2018 work plan also led to the creation of a Citizens Advisory Committee (CAC), which reviewed numerous other regional and state arts and culture plans, reports and economic studies.³ Among benefits seen in their research findings, the CAC noted numerous outcomes applicable to in Gig Harbor and its goals, including:

- Arts, culture and creativity contribute to the physical, mental, social, and economic well-being of communities;
- Arts and culture nurture creative thought and expression and encourage an exchange of ideas among citizens;
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- Arts and cultural programs can enhance the image of a community, thereby attracting new businesses and workers;

The CAC, with the help of the City's Tourism & Marketing Department, also created a widely-distributed and successful survey regarding arts and culture values in Gig Harbor. Findings from this questionnaire – reflecting responses from 915 community members – show strong support for the idea that arts and culture are essential in creating a healthy, vibrant and prosperous city. Highlights from questionnaire include:

- 96% of survey participants rated the need to "consider the residents of the city when planning for public and private arts and cultural events" as important, underscoring the need for this element's place in the comprehensive plan;
- 87% of respondents rated the arts as "Very Important" to the quality of life in Gig Harbor;
- 79% of respondents indicated members of their household are personally involved in artistic activities;
- 87% rated the need for gathering spaces for art and culture events and activities as "Very Important."

These and other findings show that Gig Harbor residents understand and support the value of arts and culture as a means of strengthening the community and fostering economic growth.⁴

³ See <Appendix X> for a detailed listing of reviewed material and CAC findings.

⁴ See <Appendix X> for additional findings and details regarding the 2017 Arts & Culture questionnaire.

The Gig Harbor Arts Commission

The Gig Harbor Arts Commission (GHAC) plays a vital role in local culture by supporting and promoting the arts and arts organizations. The Commission oversees the acquisition and placement of public art, fosters arts and cultural programs for the enrichment of citizens and visitors, encourages an environment for the success of working artists and strengthens new and existing arts organizations. The Arts Commission supports the following statements:

- The arts provide tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design.
- Arts and culture are essential to the continuing growth and development of our community's economy, education, and quality of life. Support of the arts is an investment in making our community a better place to live.
- The arts help strengthen our cultural fabric and enrich the lives and spirits of our citizens.
- Arts and cultural programs are a powerful economic development tool in their ability to enhance Gig Harbor's image and thereby entice new businesses to locate here.
- The arts can be a source of civic pride and Gig Harbor is a place where citizens and visitors alike can be engaged and inspired.

Goals & Policies

Creative + Economic Vitality

Acknowledging the important dynamic between creative enterprise and economic vitality.

Goal 14.1 Enhance the quality of life in Gig Harbor by creating an environment in which artistic and cultural activities flourish.

Related Policies

14.1.1 Provide arts and cultural leadership for the city as advocates to the Mayor and Council for the development of arts and cultural activities for the benefit of its citizens.

14.1.2 Collaborate with the Gig Harbor Tourism and Marketing Department and Pierce County Tourism to increase artistic, historic, and cultural tourism in Gig Harbor.

14.1.3 Strengthen the operational capacity of the arts, heritage, and cultural community through the development of a city arts fund to support grants for artists/writers/performers and non-profit organizations that offer creative and cultural experiences.

14.1.4 Keep current with community arts and culture needs and trends, shaping actions to be adaptive and relevant to changing conditions.

Public Arts + Community Design

Sponsoring functional anchors for pride of place that are unique to the community.

Goal 14.2 Strengthen and expand Gig Harbor's public art program to create visible landmarks and cultural points of reference to reinforce the harbor's identity, culture and character.

Related Policies

14.2.1 Advocate for the development of creative public spaces; create a cohesive wayfinding and interpretive signage strategy, including the identification of unique city landmarks.

14.2.2 Consider expansion of the Public Art Fund to acquire and manage works of public art through commissioned works, temporary works, direct purchases, and community projects;

14.2.3 Advocate for the inclusion of quality public art in new construction projects.

14.2.4 Manage the community's resources dedicated to arts and culture and provide tools to guide grant programs for the arts, protocols for accepting donated art, a framework for arts commissions, locational criteria for public art, and other needs as they may arise in Gig Harbor's evolving arts environment.

Education + Engagement

Supporting ways to engage citizens in lifelong arts- and culture-related learning opportunities.

Goal 14.3 Foster a unique, plentiful and learning-oriented arts and cultural environment.

Related Policies

14.3.1 Demonstrate a commitment to quality arts education and life-long learning by advocating for comprehensive inclusion of the arts throughout our community.

14.3.2 Foster partnerships between the city, the business community and arts and culture organizations to create and produce education and engagement opportunities for Gig Harbor citizens through the sponsorship of arts and cultural programming.

14.3.3 Advocate for the inclusion of the Arts in the Peninsula School District's STEM (Science, Technology, Engineering and Math) programming - creating STEAM with the integration of Arts+ Design in K-12 education.

14.3.4 Explore opportunities for the public to watch artists, conservators, and historic preservationists at work and to observe the creative process as well as participate in hands-on learning experiences.

Spaces + Places

Recognizing the need for space and facilities to foster culture activities.

Goal 14.4 Encourage the development of adequate, affordable and appropriate spaces for artistic and cultural activities for all.

Related Policies

14.4.1 Respond to the growing need for artistic and cultural facilities; identify short-and long-term facility needs and priorities.

14.4.2 Encourage the development of venues suitable for cultural and artistic activities including visual and performing arts centers, marketplaces, performance and exhibition spaces and maker spaces.

14.4.3 Advocate for current and future arts-related businesses, open studio spaces and live-work housing.

Culture + Heritage

Understanding the past to guide plans for the future.

Goal 14.5 Identify, preserve, and advance the city's cultural heritage and history.

Related Policies

14.5.1 Advocate for the preservation, interpretation, and adaptive reuse of historic and cultural sites in partnership with local entities devoted to preservation.

14.5.2 Recognize the value of heritage and cultural arts to promote tourism for Gig Harbor using geographic and historic themes that complement other types of visitation and travel experiences.

14.5.3 Support projects that use the arts as a vehicle for understanding and celebrating other cultures and Gig Harbor heritage.

COMPREHENSIVE PLAN AMENDMENT APPLICATION
29 June 2018

JUL 31 2018

• **Introduction:**

CITY OF GIG HARBOR

Arts and culture are essential elements in the quality of life of Gig Harbor residents and the economic vitality of our city. By embracing and encouraging the arts as an important tool in building community and the economy, Gig Harbor creates an environment that benefits all its citizens.

Gig Harbor should be a place where things aren't just done efficiently and professionally, but artfully and gracefully. Investment in arts and culture is investment in the growth of our community and in making Gig Harbor a better place to live and work.

By approving the addition of this Arts + Culture element to the comprehensive plan, Gig Harbor affirms that:

- Arts, culture and creativity are essential components of Gig Harbor's unique and distinctive identity.
- Arts, culture and creativity contribute to the physical, mental, social and economic well being of our community.
- Arts and culture nurture creative thought and expression and encourage an exchange of ideas between Gig Harbor citizens by facilitating community discussions.
- Arts and culture engage the community in public dialog to acknowledge and appreciate different ways of living, thinking, believing and behaving in society.
- The arts provide tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design.
- The arts help strengthen our cultural fabric and enrich the lives and spirits of our citizens.
- Arts and culture contribute directly and indirectly to Gig Harbor's prosperity by providing artistic and cultural experiences, providing employment, attracting out-of-town visitors, boosting sales tax revenues.
- Arts and cultural programs are powerful economic development tools in their ability to enhance Gig Harbor's image and thereby entice new businesses, and new workers, to locate here.
- The arts can be a source of civic pride and Gig Harbor is a place where citizens and visitors alike can be engaged and inspired.
- Gig Harbor values and supports the full spectrum of arts — written, visual, musical, traditional and performing arts, artists and arts and cultural organizations for their ability to entertain, inspire, challenge and add dimension and enjoyment to the lives of its citizens.

In presenting this Arts + Culture element, the Gig Harbor Arts Commission recognizes the value of creating partnerships between the City and other public and private entities to:

- Promote the development of strong, vibrant arts and heritage organizations that enrich our lives by providing artistic and cultural experiences, events and programming.
- Identify public visual, written and performing art opportunities that highlight the cultural and historical connections within our community through local history, environmental systems, cultural traditions and visual symbols.
- Assess the needs of artistic and cultural organizations to better recognize and act on opportunities to support them, including supporting their needs for space(s) to practice, perform and share their talents.
- Enhance the reputation of Gig Harbor as a livable and creative community by encouraging artists of all types to create, display and perform their work and supporting opportunities for creative expression.
- Increase opportunities for artists to apply their skills and creativity in the delivery of public services, in the planning and design of capital improvements and/or in the design and delivery of public information.
- Use public art to create visible landmarks and artistic points of reference to reinforce Gig Harbor's identity, unique culture and character.
- Acquire works of art through a variety of methods including commissioned works, temporary works, direct purchases and community projects.
- Encourage public and private participation in and support of arts and cultural experiences.
- Encourage collaborations between artists and the public to create "hands on" creative experiences in which all can participate and share.
- Encourage private developments to incorporate arts presence into buildings and other permanent structures with a value of more than (a to-be-determined amount) by allocating one percent of their project budget for this purpose.

- Encourage support for cultural resources through individual and corporate philanthropy; show how contributions will benefit both the donor and recipient.
- Publicly recognize and celebrate gift giving of all types and levels.

This Art + Culture Element carries forward these affirmations and identifies ways in which the City's goals and aspirations can be realized.

The following are included with this application:

- responses to Comprehensive Plan Amendment Application requirements I GHMC19.0.080 (A)
- SEPA checklist
- proposed Arts + Culture element
- response to Criteria for Initiation of an application per GHMC 19.09.130 and GHMC 19.09.170
- removal of existing text amendment from PROS plan
- survey conducted in spring 2018 to gauge community interest in and support of arts and culture
- Appendix:
 - how this Arts + Culture element was created
 - summary of survey results
 - summary of recent Arts Commission activities

ARTS + CULTURE ELEMENT — COMPREHENSIVE PLAN AMENDMENT

- Name and address of person or persons proposing the amendment: Gig Harbor Arts Commission
- An environmental checklist (SEPA), including a completed part D is attached
- A description ... of the proposed amendment is attached

A. Purpose of the proposed amendment:

Arts and culture are part of Gig Harbor's legacy and its future as a vital, thriving, welcoming city. The purpose of this Arts + Culture element is to link arts and cultural planning to larger community issues and to set directions for integrating the arts, culture and history with urban design, economic development, education and other community development initiatives that shape the quality of life that nurtures Gig Harbor. Further, the purpose of this element is to create a new, stand-alone Arts + Culture Element that supersedes and replaces the "Cultural Arts Programs and Resources" text amendment added to the comp plan in 2015-16.

- The intent of the Arts + Culture Element is to help the city direct its efforts and resources toward a clearly defined vision for its future that reflects community desires, current and future trends and bolsters the city's unique position in the region.
 - The arts are tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design. Investment in the arts is investment in the growth of the community and in making Gig Harbor a better place to live and work.
 - There are a variety of artistic and cultural organizations in Gig Harbor whose creative efforts will benefit from a Plan and a growth strategy that takes full advantage of what the arts offer.
- In addition to the goals outlined in this Element, we also request that the Arts Commission be re-named the Gig Harbor Arts + Culture Commission to better describe its scope and responsibilities.

B. Consistency with the Growth Management Act

Underlying the **Growth Management Act** is the concept that any community plan that requires a public investment should be linked or incorporated as an amendment to the Comprehensive Plan. Adding this Arts + Culture Element meets those requirements.

C. Consistency with countywide planning policies

The Pierce County comprehensive plan describes countywide policies and outlines specific community plan goals. The purpose of the **Pierce County's Countywide Planning Policies** is, in part, to achieve consistency between and among the plans of cities and the county on regional matters. This Arts + Culture Element is consistent with the countywide planning policies in a number of ways:

- Arts and Culture impart a sense of community and a sense of place and help preserve local character.
- There is much evidence that Arts and Culture have a positive economic impact. Arts and cultural organizations create jobs, diversify the economic base and generate labor income and business sales.
- Arts and culture encourage and reward life-long learning.
- Arts and culture contribute to the social health and well-being of Gig Harbor citizens. They contribute to the physical health of citizens by encouraging walking tours of public artworks, cultural landmarks and other outdoor points of interest.

D. Consistency with Gig Harbor's comprehensive plan

The proposed Arts + Culture Element **further the purpose of the city's comprehensive plan** by outlining goals and policies related to the arts and culture, all of which encompass a broad range of people, activities, spaces and levels of involvement. It makes a statement that the City is committed to supporting the arts, artists, creative expression and cultural experiences both for art "consumers" and creators in our city.

Gig Harbor is growing by leaps and bounds and a recent survey of area residents (included in the Appendix) indicates a growing interest and support of arts and culture. Arts and culture are essential for the continuing growth and development of Gig Harbor's citizens, economy and quality of life. This Arts + Culture Element speaks to the growing desire for a variety of artistic and cultural experiences. The Element also creates pathways to preserving the sense of character that is so important to Gig Harbor citizens. In addition, as it replaces the earlier "Cultural Arts Programs and Resources" text amendment added to the PROS Element. This new Arts + Culture Element more accurately delineates specific goals and strategies for accomplishing the larger community objectives of economic vitality, quality education and community planning and design.

Experiencing arts and culture should be fun, sometimes challenging and enjoyed regularly by all residents. Art encompasses a wide range of creative expression from tangible, physical objects such as paintings, sculpture, ceramics and fiber arts; to literary and poetic expression; to film and digital works; to performance experience such as dance, music and theater. Cultural and creative spaces may likewise include a wide range of types from traditional theaters, galleries and studios to schools, parks, coffee shops and restaurants and even historic buildings.

E. Consistency with Gig Harbor's comp plan and other city plans and codes

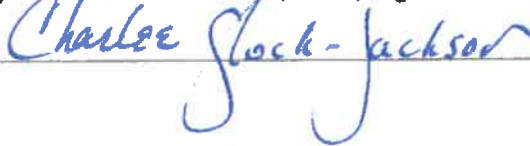
The proposed Arts + Culture Element is **consistent with the city's comprehensive plan** in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and arts and cultural organizations including written, visual, musical, traditional and performing arts for their ability to entertain, inspire, challenge and add dimension and enjoyment to the lives of its citizens.

This proposed Element **meets the criteria for initiation of an application** as follows:

- It will further and be consistent with the goals, policies and objectives of the comprehensive plan.
- It is consistent with the Growth Management Act, Puget Sound Regional Council multi-county planning policies, the countywide planning policies and other applicable inter-jurisdictional policies and agreements, and/or other state or local laws.
- It will not adversely impact the city's ability to provide sewer and water, and will not adversely affect transportation facilities and other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
- It advances the public interest.
- It does not increase density or intensity or increase any need for infrastructure or services.
- It will not create a demand to change land use designations of other properties.

Submitted on June 29, 2018 / updated July 27, 2018

By Charlee Glock-Jackson, Chair, Gig Harbor Arts Commission

A handwritten signature in blue ink, reading "Charlee Glock-Jackson", written over a horizontal line.

Cultural Elements Survey

Final-v8-5/24

Thank you for taking this five-minute survey to help the Gig Harbor Arts Commission better understand the needs of its citizens. This survey was created by an ad hoc committee of citizens and business owners on behalf of the Gig Harbor Arts Commission.

Your responses, which are anonymous, will give the Arts Commission and others involved in the planning of cultural activities, important insights into how Gig Harbor residents experience and value arts and culture in our community now and in the future.

The term "arts and culture" encompasses a very broad range of activities by which people express their creativity or enjoy the creativity of others. You'll find examples of these activities are in the questions.

QUESTION 1

Thinking about art and culture, and how we have defined above, have you or any member of your household, visited or attended one or more of the following in the past 12 months? Please choose all that apply.

- ☐ Zoo, aquarium, or botanical garden
- ☐ Historic site
- ☐ Musical performance
- ☐ Community festival
- ☐ Culinary events
- ☐ Museum of history or science
- ☐ Theater performance
- ☐ Museum of art
- ☐ Children's museum
- ☐ Visual arts, crafts exhibition, art gallery
- ☐ Opera/musical theater
- ☐ Dance performance
- ☐ Art event (festival, show)
- ☐ Movie
- ☐ Literary event (Book club or author reading)
- ☐ Other _____
- ☐ None

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QUESTION 2

There are many public places and private venues in the Gig Harbor area to experience art, music and other cultural events. Have you, or any member of your household, visited or attended one or more of the following in the past year in the Gig Harbor area? Please choose all that apply.

- ☐ Historic site
- ☐ Musical performance
- ☐ Community festival
- ☐ Culinary events
- ☐ Museum
- ☐ Theater performance
- ☐ Museum of art
- ☐ Visual arts, crafts exhibition, art gallery
- ☐ Musical theater

- ☐ Dance performance
- ☐ Art event (festival, show)
- ☐ Movie
- ☐ Literary event (Book club or author reading)
- ☐ Other _____
- ☐ None

QUESTION 3

Have you, or a family member, ever attended a local Gig Harbor event in any of the locations below with the last 12 months? Please choose all that apply.

- ☐ Parks
- ☐ Public spaces or plazas
- ☐ Events, festivals and tours
- ☐ Private retail or restaurants
- ☐ Public or Private Schools
- ☐ Street or sidewalks
- ☐ Shopping malls
- ☐ Places of worship
- ☐ Community centers
- ☐ Airports
- ☐ Museums
- ☐ Hospitals
- ☐ Workplace
- ☐ Other _____
- ☐ None

QUESTION 4

Do you, or any members of your household, display art or other cultural objects in your home, such as painting, sculpture, photography or decorative objects such as ceramics or quilts? Do you listen to music, watch movies, or read? Please choose all that apply.

- ☐ Paintings
- ☐ Photographs
- ☐ Ceramics
- ☐ Tapestries or other crafts
- ☐ Sculpture
- ☐ Digital arts
- ☐ Music
- ☐ Books
- ☐ Movies
- ☐ Other _____
- ☐ None

QUESTION 5

Are you, or any member of your household, personally involved in any artistic activities such as music, painting, drawing, quilting, ceramics, acting, dancing or singing (either at home or in the Gig Harbor community)? Please choose all that apply.

- ☐ Photography
- ☐ Paint

- ☐ Sew
- ☐ Play an instrument with a group
- ☐ Play an instrument solo
- ☐ Woodworking
- ☐ Write or read
- ☐ Quilt
- ☐ Dance
- ☐ Cook
- ☐ Sing with a group or in a choir
- ☐ Sing solo
- ☐ Work with my hands
- ☐ Ceramics
- ☐ Sculpt
- ☐ Act or participate in theater
- ☐ Filmmaking
- ☐ Other _____
- ☐ None

For respondents who (1) display art in their homes or (2) are personally involved in making art should be given the next question:

QUESTION 5a

Thinking about why you chose to pursue creative activities. What emotional aspect is most valuable to you personally? Please choose all that apply.

- ☐ It makes me feel creative
- ☐ It beautifies my home
- ☐ It lifts my spirits
- ☐ It increases my sense of self-worth
- ☐ It is inspiring
- ☐ It takes me to another place
- ☐ It connects me with someone or something or some place
- ☐ It allows for spiritual reflection
- ☐ It is a memento
- ☐ It makes me feel closer to friends or family
- ☐ Other _____
- ☐ None

QUESTION 6

Have you, or someone in your household, ever earned any income from the creative arts?

- ☐ Yes
- ☐ No

QUESTION 7

Thinking about any kind of arts and cultural activities you might experience outside of your own home, to what extent do you agree or disagree with the following:

Strongly agree, Somewhat Agree, Neither Agree nor Disagree, Somewhat Disagree, Strongly Disagree

- a. The arts give me pure pleasure to experience or participate in

- b. The arts can help to unify communities
- c. The arts help us understand other cultures better
- d. The arts improve the image and identity of my community

QUESTION 8

Do the Gig Harbor arts and cultural events and activities offer positive experiences for the Gig Harbor community?

- ☐ Yes
- ☐ No

QUESTION 9

How important do you think it is to the quality of life in Gig Harbor to have gathering spaces like museums, cultural events, theaters, art galleries, performance spaces and music venues available? Please choose one:

- ☐ Very important
- ☐ Somewhat important
- ☐ Not very important
- ☐ Not at all important
- ☐ Don't know

QUESTION 10

Does everyone in the Gig Harbor community have access to arts and cultural opportunities?

- ☐ Yes
- ☐ No
- ☐ Don't know

QUESTION 11

How do you, and members of your household, find out about arts and cultural events in Gig Harbor? Please choose all that apply:

- ☐ Newspaper
- ☐ TV
- ☐ email
- ☐ Newsletters
- ☐ At other arts + cultural events
- ☐ Posters + Bulletin Boards
- ☐ Social Media (Facebook, twitter, Instagram)
- ☐ Friends
- ☐ Other _____
- ☐ None

QUESTION 12

How much do you, and members of your family spend for art and cultural activities (museums, cultural events, musical events, movie events, etc.) on a monthly basis? Please choose one:

- | <u>Total</u> | <u>In Gig Harbor</u> |
|------------------------------------|------------------------------------|
| ☐ \$0 to \$100 | ☐ \$0 to \$100 |

- | | |
|---------------------------------------|---------------------------------------|
| ☐ \$101 to \$250 | ☐ \$101 to \$250 |
| ☐ \$251 to \$500 | ☐ \$251-\$500 |
| ☐ More than \$500 | ☐ More than \$500 |
| ☐ None | ☐ None |

QUESTION 13

How important do you think it is to Gig Harbor's businesses and economy to have facilities such as museums, events, theaters, art galleries, performance spaces and music venues available? Please choose one:

- ☐ Very important
- ☐ Somewhat important
- ☐ Not very important
- ☐ Not at all important
- ☐ Don't know

QUESTION 14

To what extent do you agree or disagree with the statement: The arts and cultural activities are an asset to the Gig Harbor community? Please choose one.

- ☐ Strongly Agree
- ☐ Somewhat Agree
- ☐ Neither Agree nor Disagree
- ☐ Somewhat Disagree
- ☐ Strongly Disagree

QUESTION 15

How important do you feel it is to plan for the role of arts and culture is for Gig Harbor's future? Please choose one:

- ☐ Very important
- ☐ Somewhat important
- ☐ Not very important
- ☐ Not at all important
- ☐ Don't know

Can you tell us in your own words why you chose your answer?

QUESTION 16

Which of the following groups do you feel Gig Harbor needs to consider in planning for public and private arts and cultural events? Please choose all that apply:

- ☐ Residents
- ☐ Tourists
- ☐ Local businesses owners
- ☐ Non-profit organizations and groups
- ☐ Don't know

QUESTION 17

Are you a resident of Gig Harbor?

- ☐ Yes
- ☐ No

QUESTION 18

What is your zip code?

- ☐ 98332
 - ☐ 98335
 - ☐ 98333
 - ☐ 98329
 - ☐ 98394
 - ☐ 98349
 - ☐ 98351
 - ☐ Other _____
-

QUESTION 19

What is your age?

- ☐ 19 or younger
- ☐ 20-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55 -64
- ☐ 65 or older

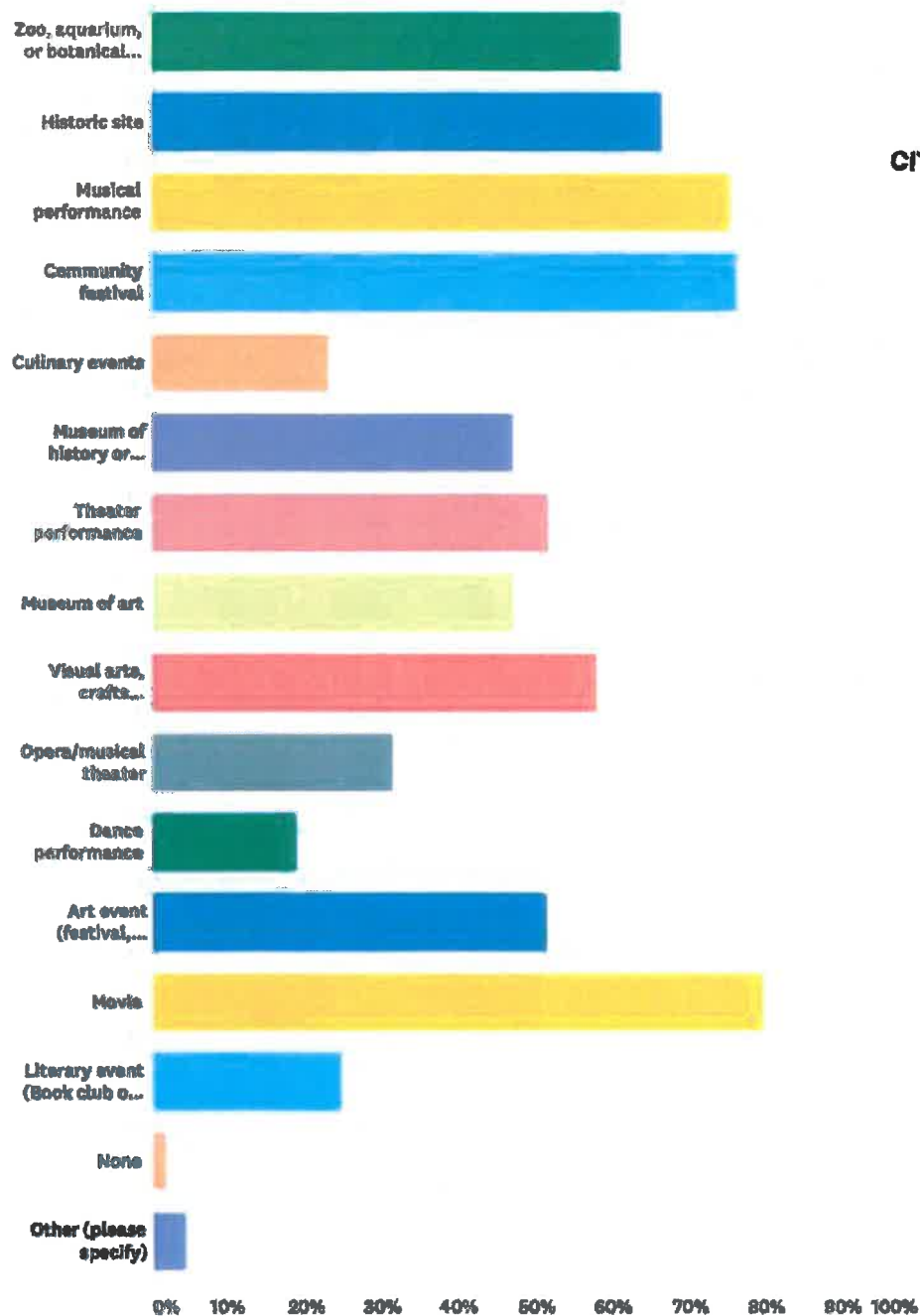
Anything additional you would like to add or comment?

Cultural Elements Survey

SurveyMonkey

Q1 Thinking about art and culture, and how we have defined above, have you or any member of your household, visited or attended one or more of the following in the past 12 months? Please choose all that apply.

Answered: 915 Skipped: 0



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Cultural Elements Survey

SurveyMonkey

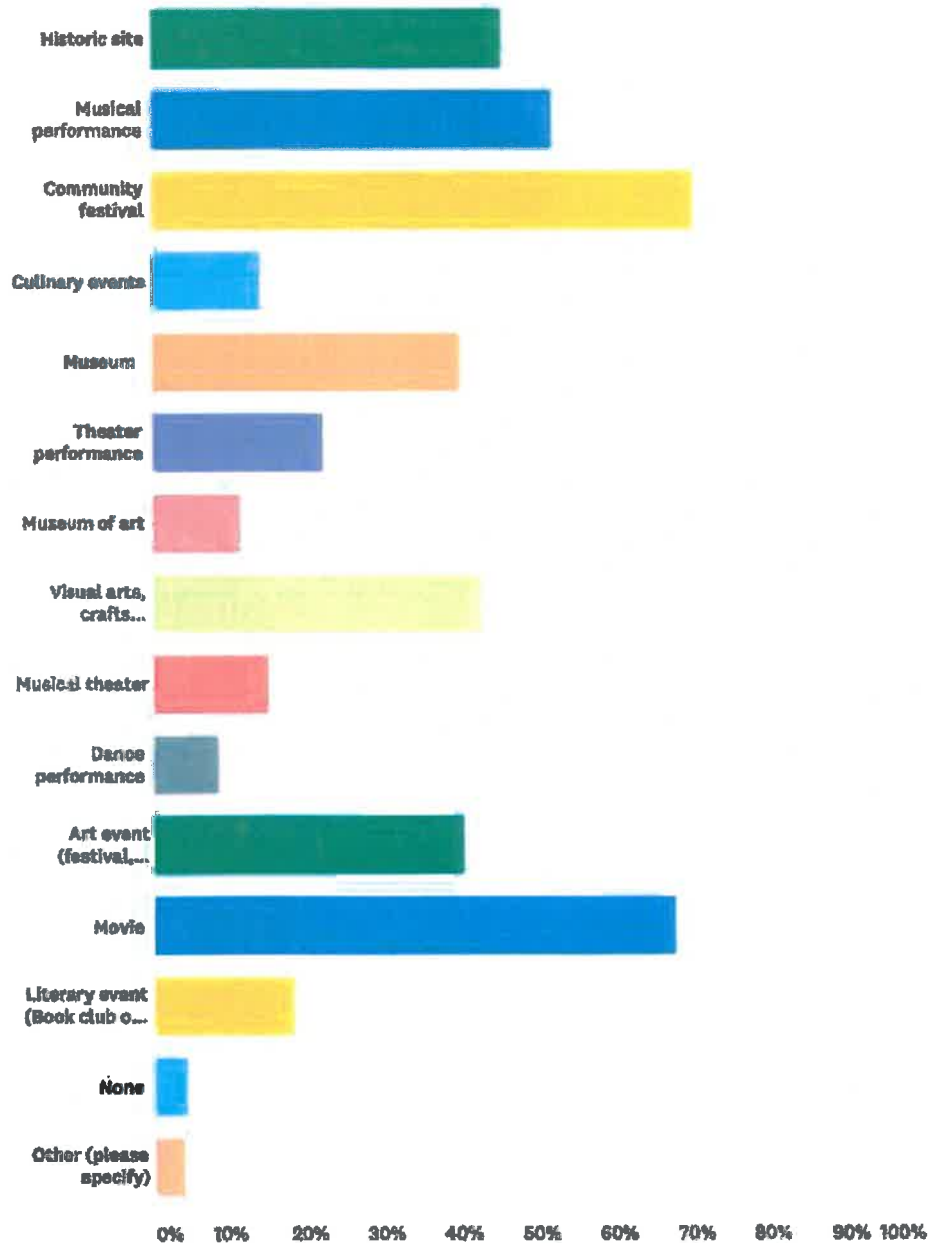
ANSWER CHOICES	RESPONSES	
Zoo, aquarium, or botanical garden	61.20%	560
Historic site	66.76%	611
Musical performance	75.63%	692
Community festival	76.61%	701
Culinary events	23.28%	213
Museum of history or science	47.21%	432
Theater performance	51.80%	474
Museum of art	47.32%	433
Visual arts, crafts exhibition, art gallery	58.14%	532
Opera/musical theater	31.58%	289
Dance performance	18.91%	173
Art event (festival, show)	51.37%	470
Movie	80.00%	732
Literary event (Book club or author reading)	24.70%	226
None	1.97%	18
Other (please specify)	4.37%	40
Total Respondents: 915		

Cultural Elements Survey

SurveyMonkey

Q2 There are many public places and private venues in the Gig Harbor area to experience art, music and other cultural events. Have you, or any member of your household, visited or attended one or more of the following in the past year in the Gig Harbor area? Please choose all that apply.

Answered: 915 Skipped: 0



Cultural Elements Survey

SurveyMonkey

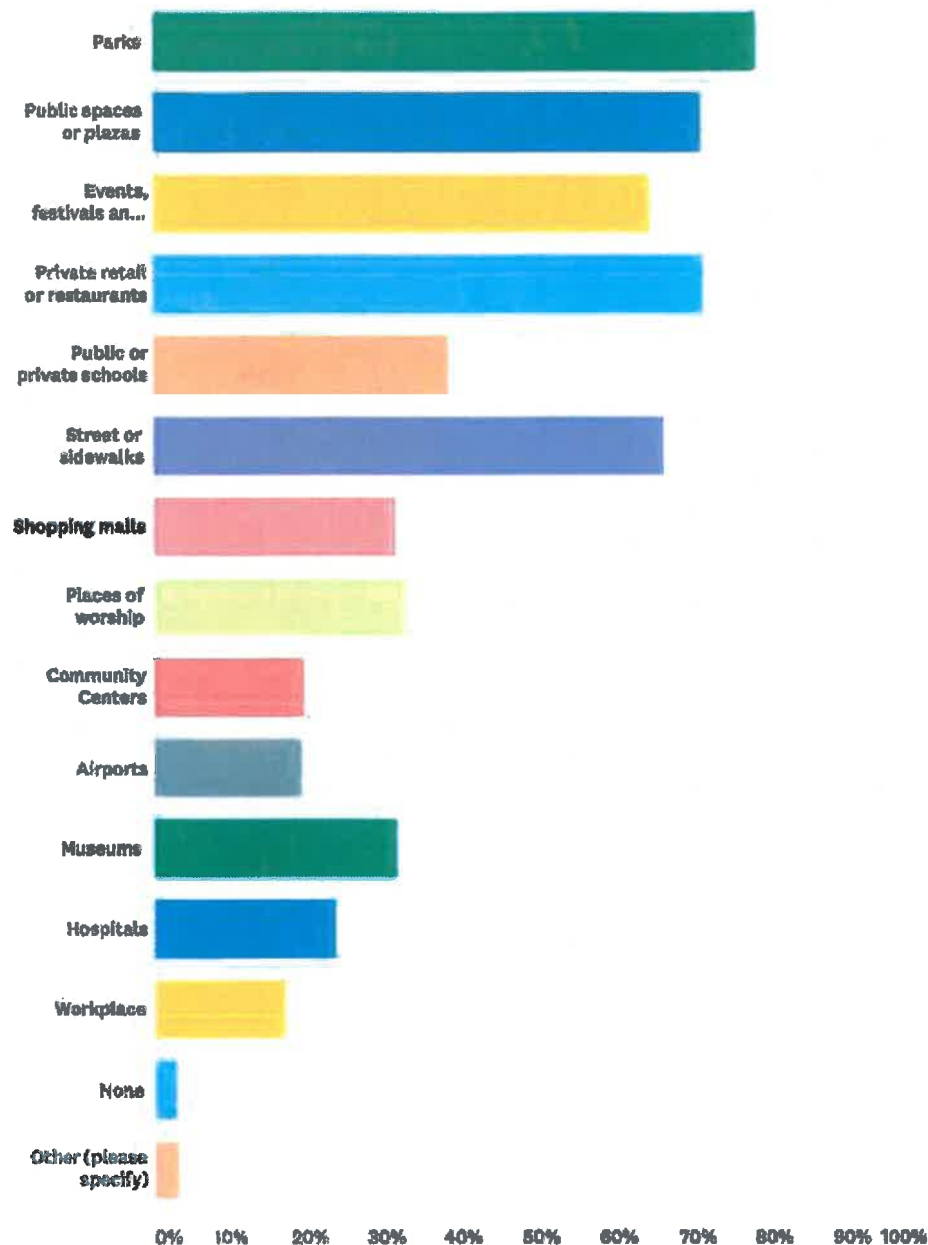
ANSWER CHOICES	RESPONSES	
Historic site	45.36%	415
Musical performance	51.91%	475
Community festival	70.27%	643
Culinary events	14.10%	129
Museum	39.89%	365
Theater performance	22.19%	203
Museum of art	11.48%	105
Visual arts, crafts exhibition, art gallery	42.73%	391
Musical theater	14.97%	137
Dance performance	8.52%	78
Art event (festival, show)	40.11%	367
Movie	67.65%	619
Literary event (Book club or author reading)	18.14%	166
None	4.26%	39
Other (please specify)	4.04%	37
Total Respondents: 915		

Cultural Elements Survey

SurveyMonkey

Q3 Have you, or a family member, ever attended a local Gig Harbor event in any of the locations below within the last 12 months? Please choose all that apply.

Answered: 915 Skipped: 0



ANSWER CHOICES

Parks

RESPONSES

78.03%

714

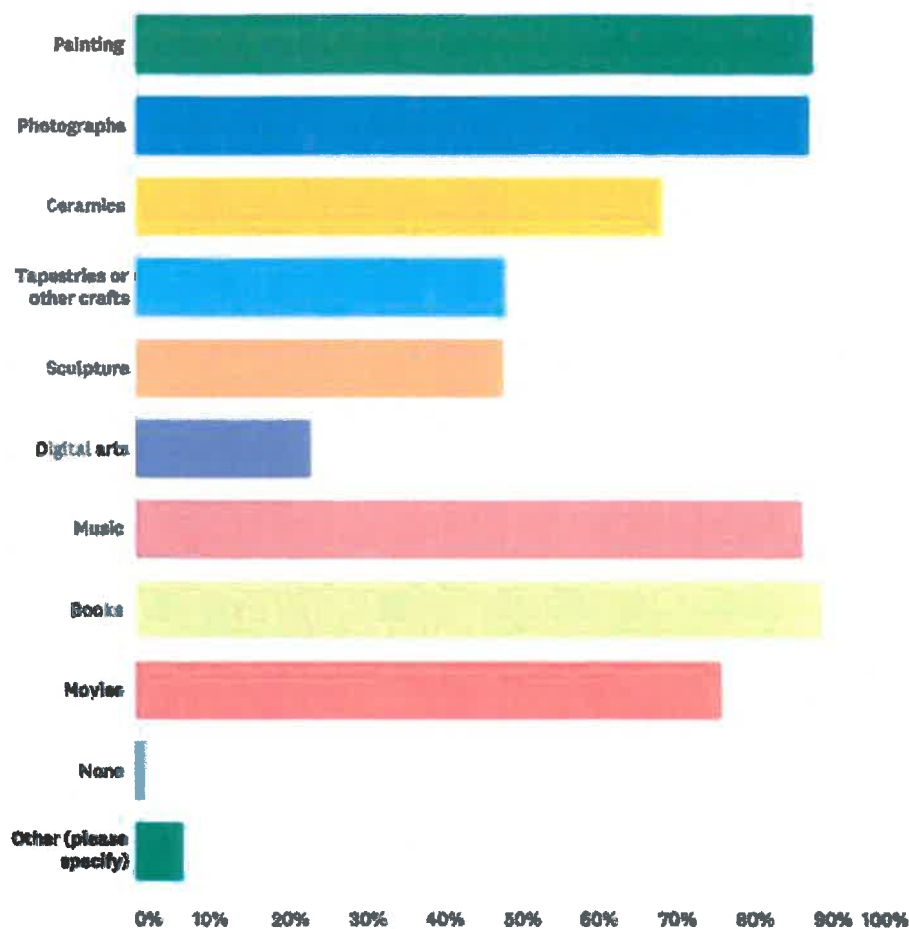
Cultural Elements Survey

SurveyMonkey

Public spaces or plazas	70.82%	648
Events, festivals and tours	64.37%	589
Private retail or restaurants	71.04%	650
Public or private schools	38.36%	351
Street or sidewalks	68.01%	604
Shopping malls	31.48%	288
Places of worship	32.90%	301
Community Centers	19.45%	178
Airports	19.13%	175
Museums	31.37%	287
Hospitals	23.39%	214
Workplace	17.05%	158
None	2.73%	25
Other (please specify)	3.06%	28
Total Respondents: 915		

Q4 Do you, or any members of your household, display art or other cultural objects in your home, such as painting, sculpture, photography or decorative objects such as ceramics or quilts? Do you listen to music, watch movies, or read? Please choose all that apply.

Answered: 915 Skipped: 0



ANSWER CHOICES	RESPONSES	
Painting	87.65%	802
Photographs	87.32%	799
Ceramics	68.42%	626
Tapestries or other crafts	47.98%	439
Sculpture	47.76%	437
Digital arts	22.73%	208
Music	86.34%	790

Cultural Elements Survey

SurveyMonkey

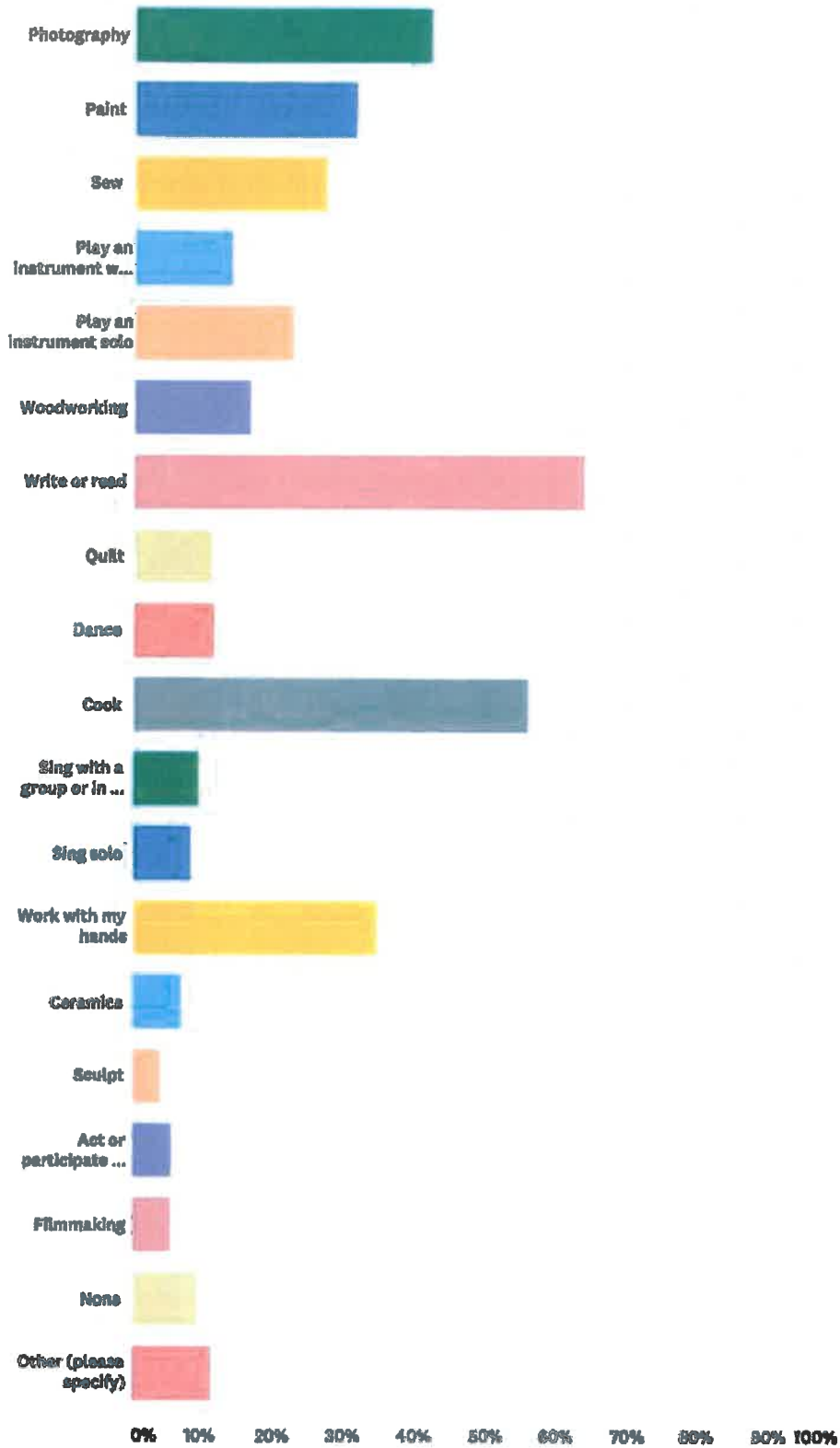
Books	89.07%	815
Movies	75.98%	695
None	1.31%	12
Other (please specify)	6.23%	57
Total Respondents: 915		

Q5 Are you, or any member of your household, personally involved in any artistic activities such as music, painting, drawing, quilting, ceramics, acting, dancing or singing (either at home or in the Gig Harbor community)? Please choose all that apply.

Answered: 915 Skipped: 0

Cultural Elements Survey

SurveyMonkey



ANSWER CHOICES

RESPONSES

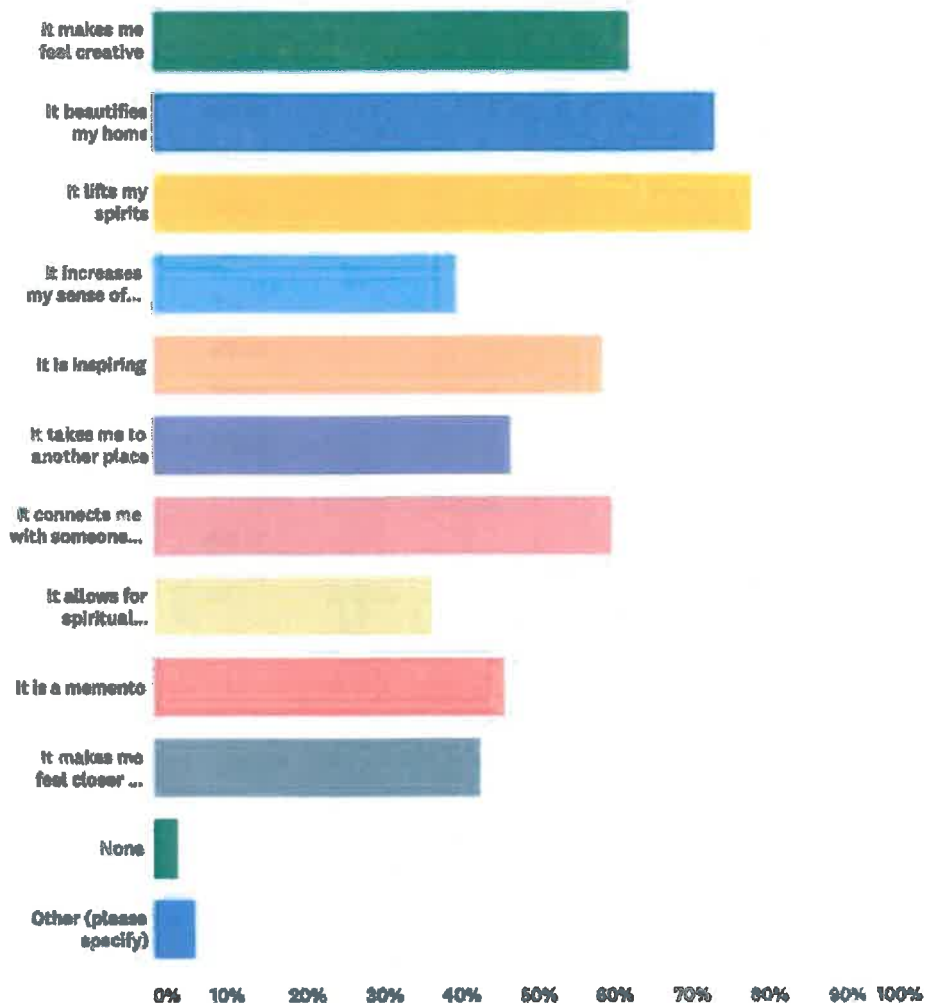
Cultural Elements Survey

SurveyMonkey

Photography	41.86%	383
Paint	31.37%	287
Sew	27.10%	248
Play an instrument with a group	13.88%	127
Play an instrument solo	22.62%	207
Woodworking	16.50%	151
Write or read	63.72%	583
Quilt	11.28%	103
Dance	11.48%	105
Cook	55.85%	511
Sing with a group or in a choir	9.18%	84
Sing solo	8.20%	75
Work with my hands	34.54%	316
Ceramics	6.89%	63
Sculpt	4.04%	37
Act or participate in theater	5.57%	51
Filmmaking	6.48%	60
None	9.51%	87
Other (please specify)	11.26%	103
Total Respondents: 915		

Q6 (If you (1) display art in your home or (2) are personally involved in making art - please answer this question. Otherwise, please skip to Question 7.)Thinking about why you chose to pursue creative activities. What emotional aspect is most valuable to you personally? Please choose all that apply.

Answered: 858 Skipped: 57



ANSWER CHOICES

RESPONSES

It makes me feel creative	61.89%	531
It beautifies my home	73.18%	628
It lifts my spirits	78.09%	670
It increases my sense of self-worth	38.39%	338

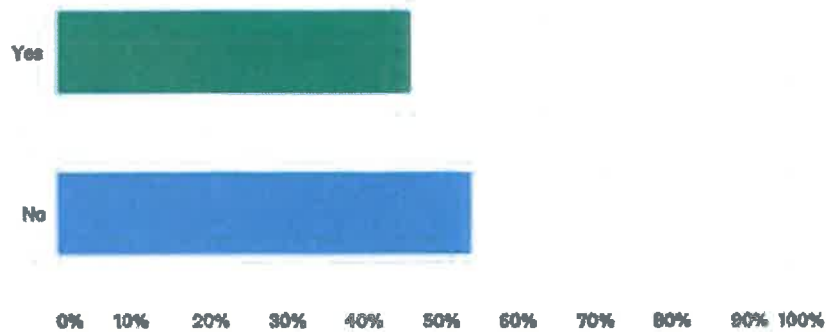
Cultural Elements Survey

SurveyMonkey

It is inspiring	58.62%	503
It takes me to another place	46.50%	399
It connects me with someone or something or some place	59.91%	514
It allows for spiritual reflection	36.13%	310
It is a memento	45.57%	391
It makes me feel closer to friends or family	42.54%	365
None	3.15%	27
Other (please specify)	5.48%	47
Total Respondents: 858		

Q7 Have you, or someone in your household, ever earned any income from the creative arts?

Answered: 915 Skipped: 0



ANSWER CHOICES

Yes

No

TOTAL

RESPONSES

46.12%

53.88%

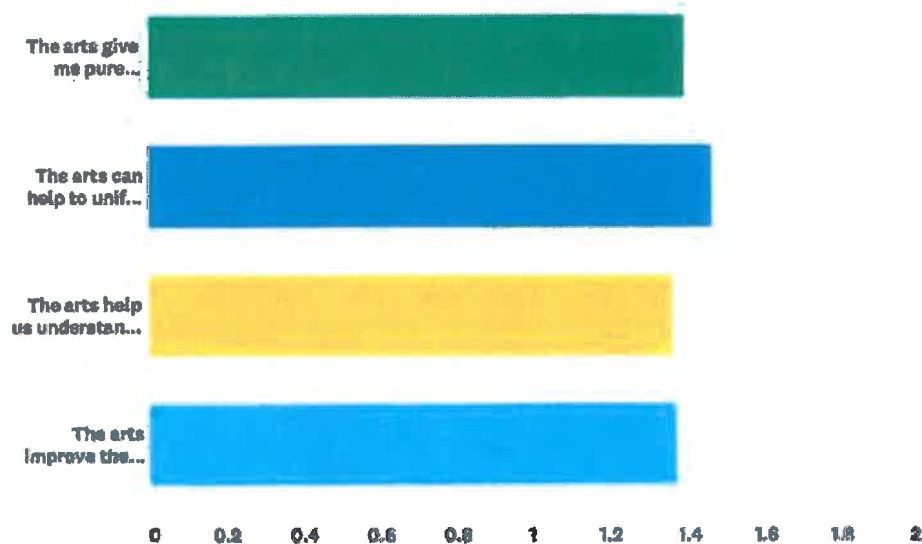
422

493

915

Q8 Thinking about any kind of arts and cultural activities you might experience outside of your own home, to what extent do you agree or disagree with the following:

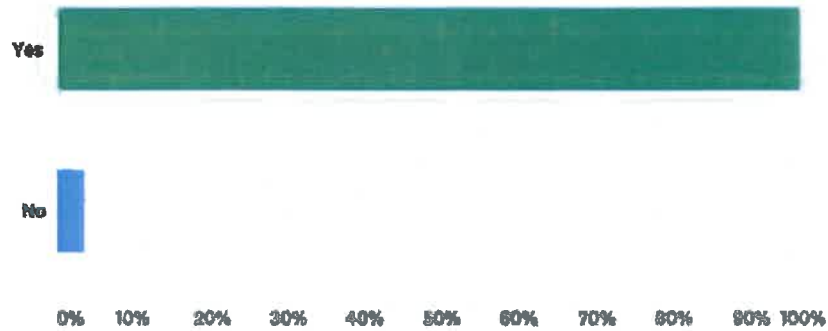
Answered: 915 Skipped: 0



	STRONGLY AGREE	SOMEWHAT AGREE	NEITHER AGREE NOR DISAGREE	SOMEWHAT DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
The arts give me pure pleasure to experience or participate in	70.83% 646	22.48% 205	5.04% 46	0.44% 4	1.21% 11	912	1.39
The arts can help to unify communities	67.29% 615	23.19% 212	6.89% 63	1.09% 10	1.53% 14	914	1.46
The arts help us understand other cultures better	72.81% 664	21.38% 195	4.06% 37	0.55% 5	1.21% 11	912	1.36
The arts improve the image and identity of my community	73.19% 666	18.45% 177	5.49% 50	0.44% 4	1.43% 13	910	1.37

Q9 Do the Gig Harbor arts and cultural events and activities offer positive experiences for the Gig Harbor community?

Answered: 915 Skipped: 0



ANSWER CHOICES

Yes

No

TOTAL

RESPONSES

96.50%

3.50%

883

32

915

Cultural Elements Survey

SurveyMonkey

Q10 How important do you think it is to the quality of life in Gig Harbor to have gathering spaces like museums, cultural events, theaters, art galleries, performance spaces and music venues available? Please choose one:

Answered: 915 Skipped: 0

(no label)

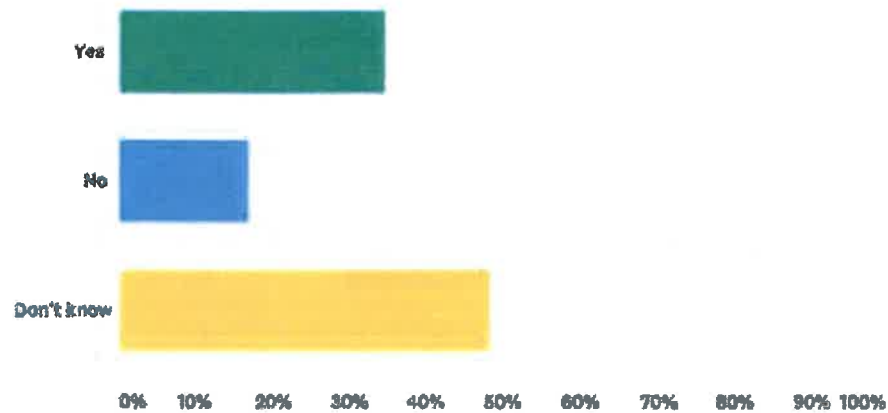


0 0.2 0.4 0.6 0.8 1 1.2 1.4 1.6 1.8 2

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT VERY IMPORTANT	NOT AT ALL IMPORTANT	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
(no label)	87.32% 799	10.27% 94	1.42% 13	0.55% 6	0.44% 4	915	1.17

Q11 Does everyone in the Gig Harbor community have access to arts and cultural opportunities?

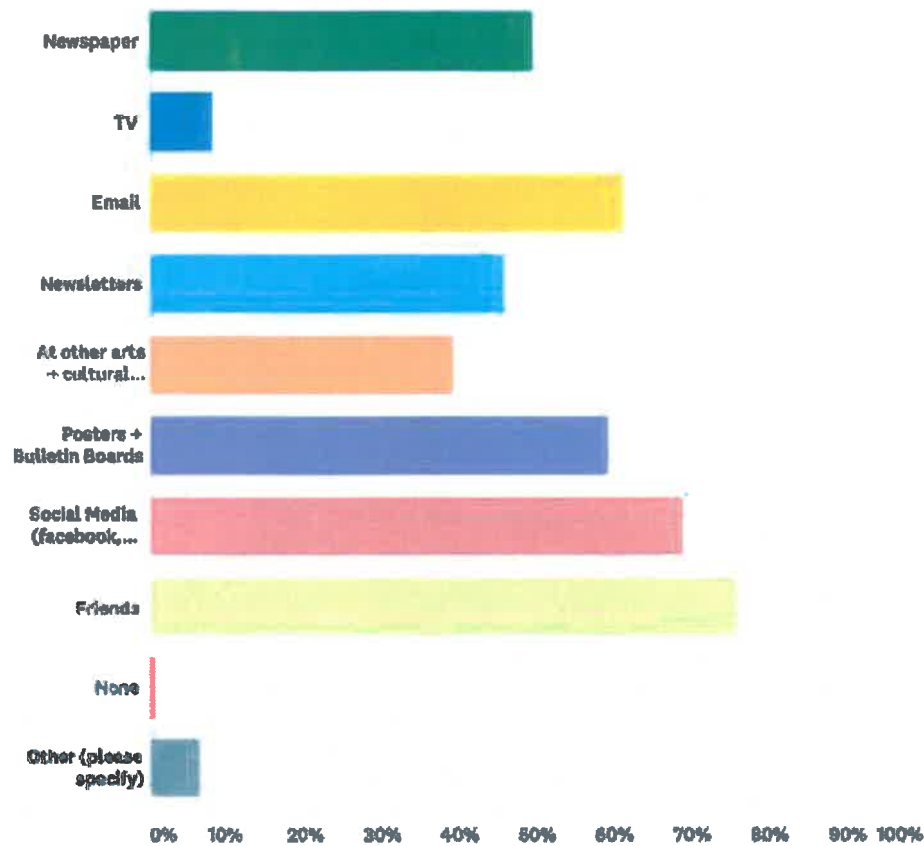
Answered: 915 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	34.54%	318
No	16.83%	154
Don't know	48.63%	445
TOTAL		915

Q12 How do you, and members of your household, find out about arts and cultural events in Gig Harbor? Please choose all that apply:

Answered: 915 Skipped: 0



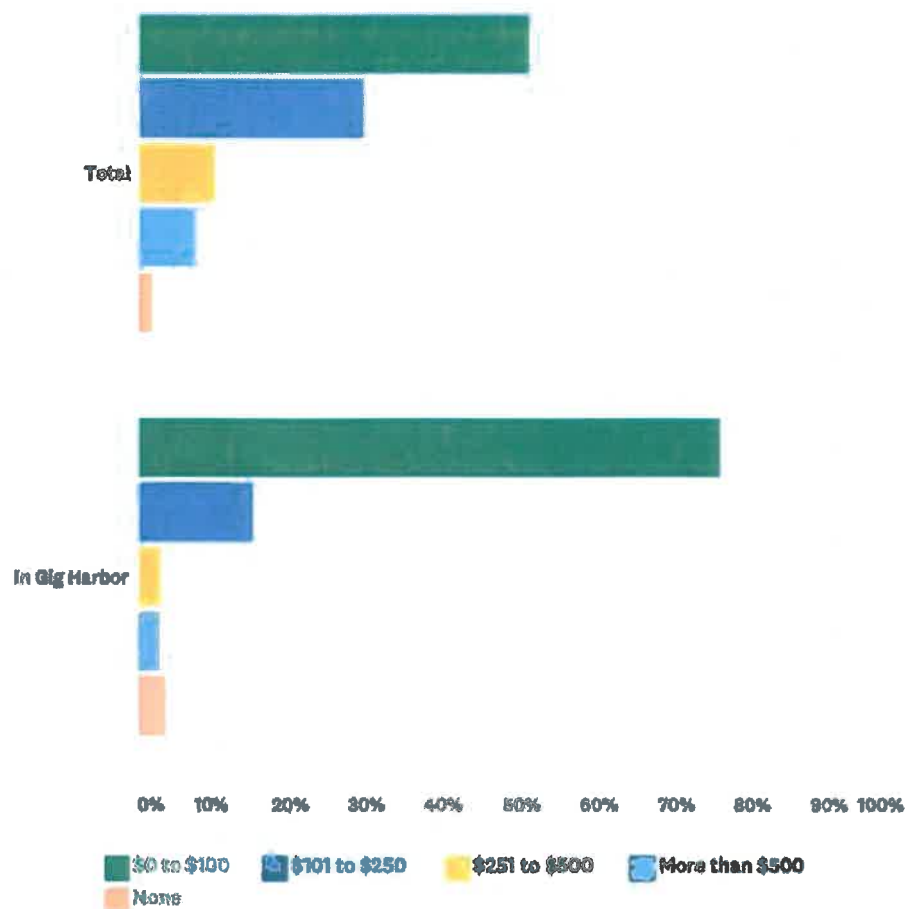
ANSWER CHOICES

RESPONSES

Newspaper	49.82%	454
TV	8.20%	75
Email	61.53%	563
Newsletters	45.90%	420
At other arts + cultural events	39.23%	359
Posters + Bulletin Boards	59.34%	543
Social Media (facebook, twitter, Instagram)	69.18%	633
Friends	76.17%	697
None	0.55%	5
Other (please specify)	6.45%	59

Q13 How much do you, and members of your family spend for art and cultural activities (museums, cultural events, musical events, movie events, etc.) on a monthly basis? Please choose one in each row:

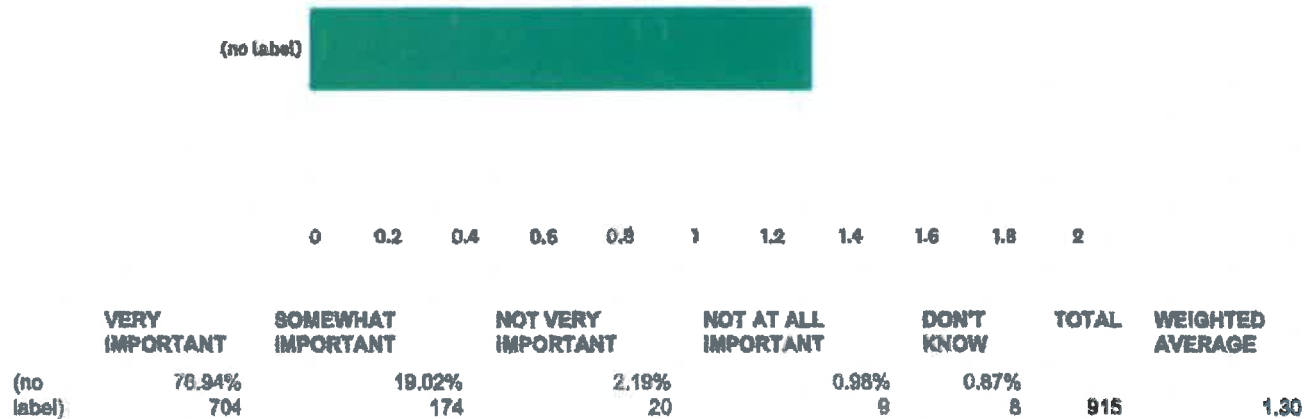
Answered: 915 Skipped: 0



	\$0 TO \$100	\$101 TO \$250	\$251 TO \$500	MORE THAN \$500	NONE	TOTAL
Total	50.94% 407	29.54% 236	10.01% 80	7.83% 61	1.88% 15	789
In Gig Harbor	75.79% 620	15.04% 123	2.93% 24	2.69% 22	3.55% 29	818

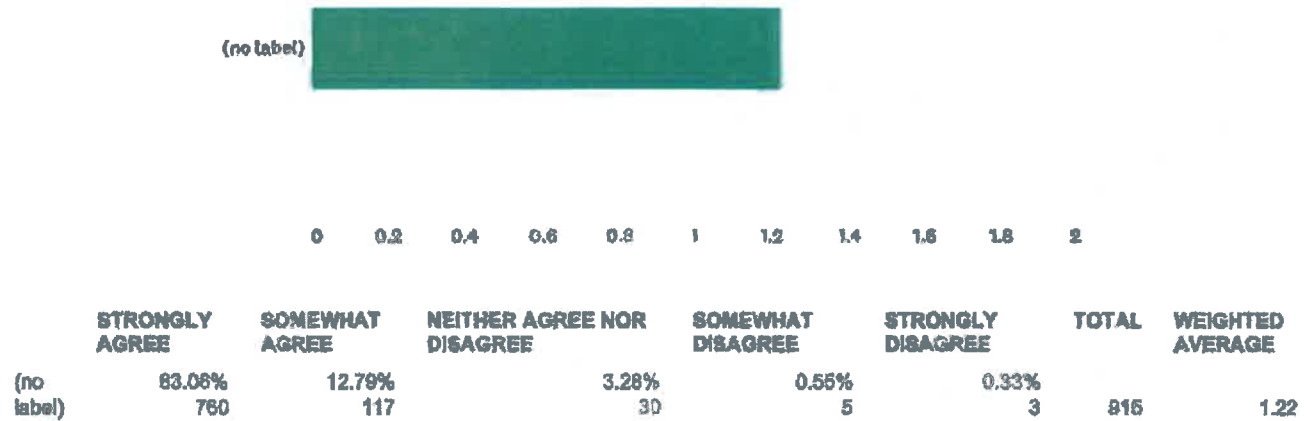
Q14 How important do you think it is to Gig Harbor's businesses and economy to have facilities such as museums, events, theaters, art galleries, performance spaces and music venues available? Please choose one:

Answered: 915 Skipped: 0



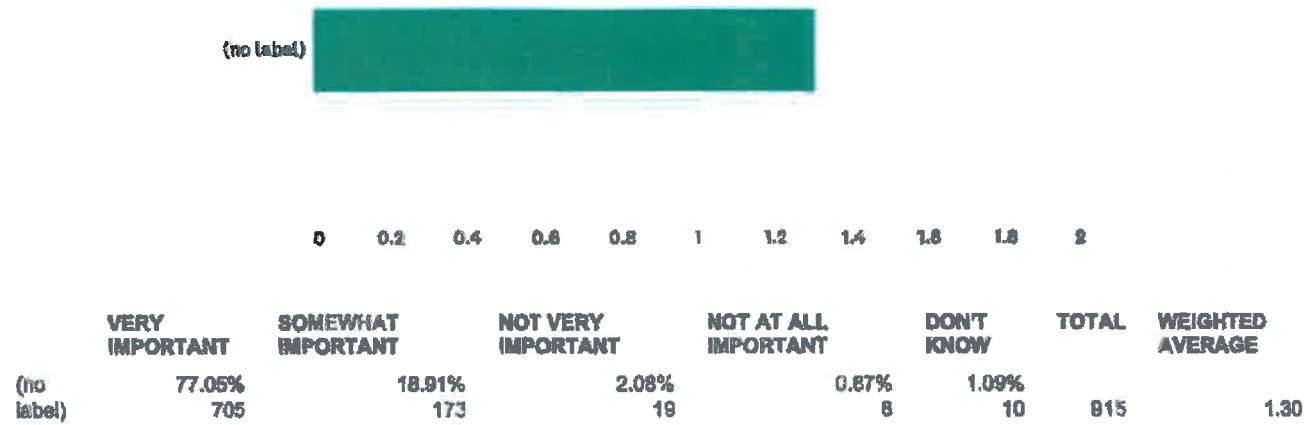
**Q15 To what extent do you agree or disagree with the statement: The arts and cultural activities are an asset to the Gig Harbor community?
Please choose one.**

Answered: 915 Skipped: 0



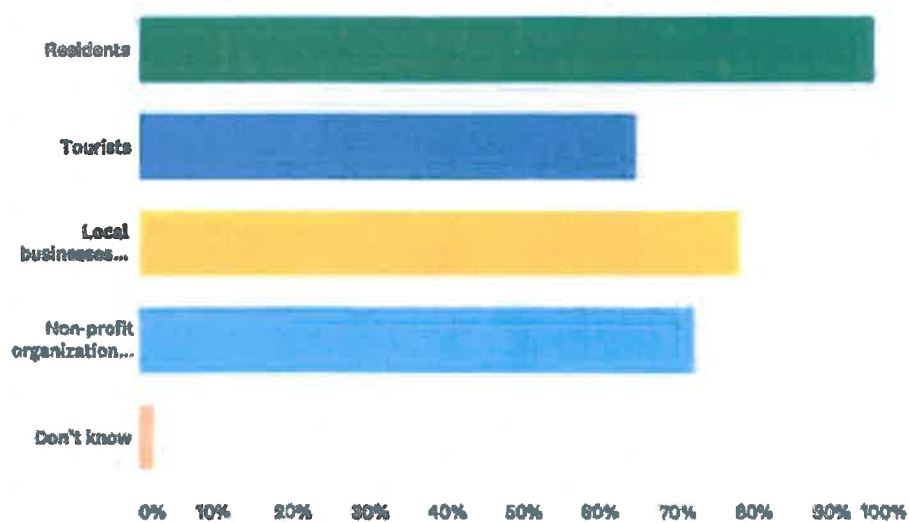
Q16 How important do you feel it is to plan for the role of arts and culture is for Gig Harbor's future? Please choose one:

Answered: 915 Skipped: 0



**Q17 Which of the following groups do you feel Gig Harbor needs to consider in planning for public and private arts and cultural events?
Please choose all that apply:**

Answered: 915 Skipped: 0



ANSWER CHOICES

Residents

Tourists

Local businesses owners

Non-profit organizations and groups

Don't know

Total Respondents: 915

RESPONSES

85.83%

64.70%

78.14%

72.35%

2.10%

875

592

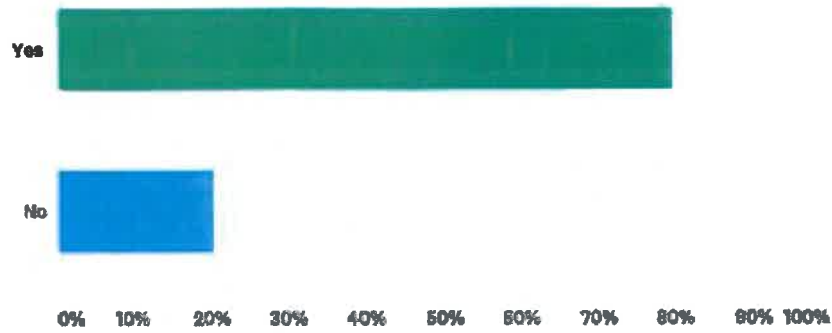
715

662

20

Q18 Are you a Gig Harbor resident?

Answered: 915 Skipped: 0



ANSWER CHOICES

Yes

No

TOTAL

RESPONSES

79.67%

20.33%

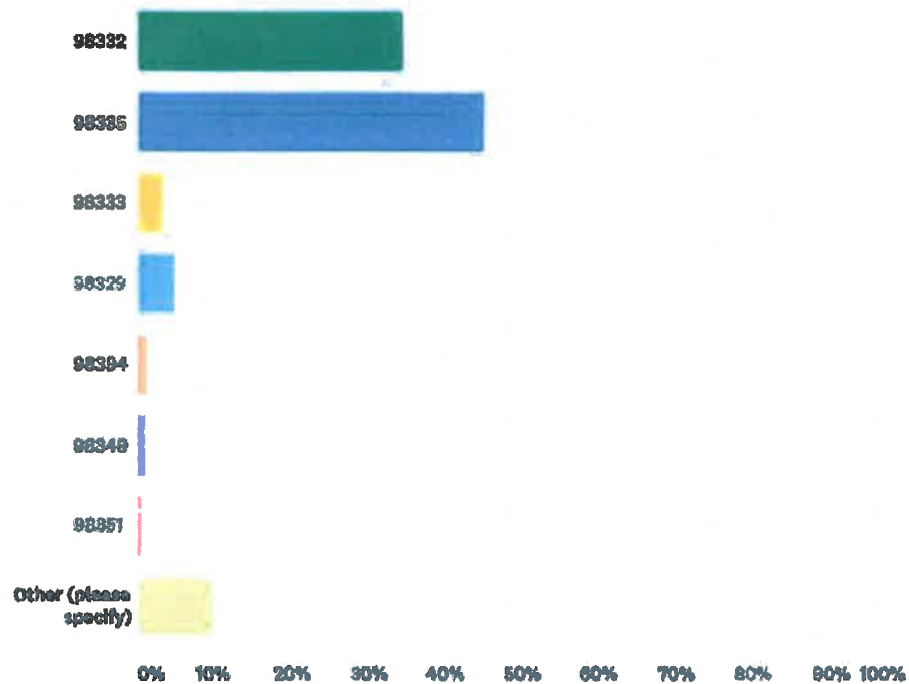
729

186

915

Q19 Zip code

Answered: 915 Skipped: 0



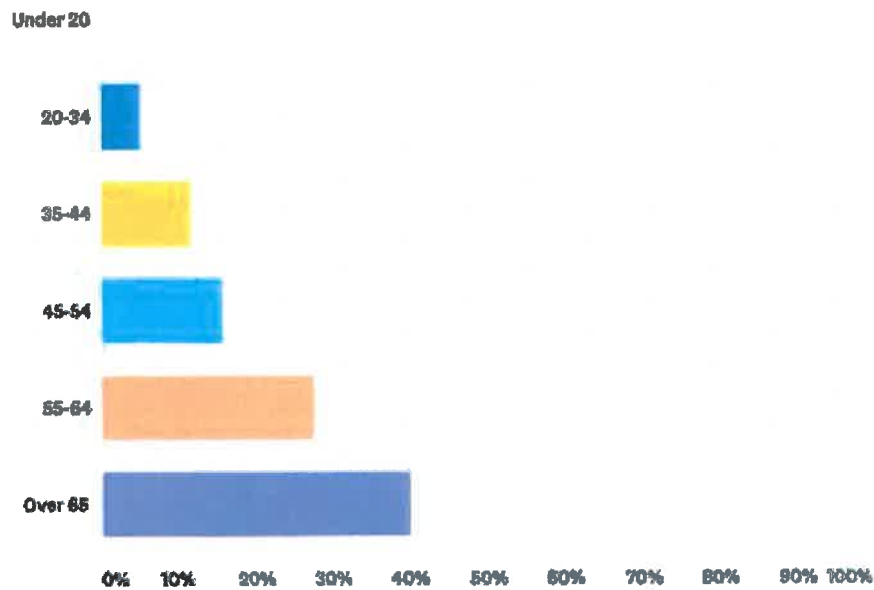
ANSWER CHOICES	RESPONSES	
98332	34.32%	314
98335	45.03%	412
98333	3.28%	30
98329	4.81%	44
98394	1.20%	11
98349	0.87%	8
98351	0.44%	4
Other (please specify)	10.05%	92
TOTAL		915

Cultural Elements Survey

SurveyMonkey

Q20 Age:

Answered: 915 Skipped: 0



ANSWER CHOICES	RESPONSES	
Under 20	0.22%	2
20-34	4.92%	45
35-44	11.80%	108
45-54	15.63%	143
55-64	27.54%	252
Over 65	39.89%	365
TOTAL		916

Q21 Anything additional you would like to add or comment?

Answered: 291 Skipped: 624

From: [Carl Desimas](#)
To: [Charli Meacham](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts and culture in Gig Harbor
Date: Thursday, February 18, 2021 1:20:08 PM

Hello Charli,

Thank you for your interest in the 2021 Comprehensive Plan Amendment Docket. Your comment will be filed and provided to the City Council for consideration during the hearing on February 22nd.

If you have any questions or need any clarifications, please feel free to reach out at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Charli Meacham <charli.meacham@gmail.com>
Sent: Wednesday, February 17, 2021 1:43 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts and culture in Gig Harbor

I would just like to add my voice to those in support of art and culture in the plan for Gig Harbor. I am a musician, music teacher and visual artist. Because of these interests I have also been in community with like minded friends. I enjoy our beautiful area physically and it also inspires my music and art. It is a priority in the life of my husband and I. We attend concerts, plays, art openings, and artistic events of all types. Life without these perks would be sadly limited. I would like to see art being prioritized just like sports, parks, stores, and other elements of Gig Harbor. We are a well known tourist area and I believe making this a priority for our city can only make it an even better place.

Thank you,
Charli Meacham
Live well, laugh often, love much!

From: [Carl Desimas](#)
To: ed@ahbainbridge.org
Cc: [Michelle Thomas](#)
Subject: RE: Letter of Support for Gig Harbor Cultural Element
Date: Thursday, February 18, 2021 4:24:03 PM

Hello Anne,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: Anne Smart <ed@bainbridgeartshumanities.org>
Sent: Thursday, February 18, 2021 3:17 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Letter of Support for Gig Harbor Cultural Element

Attached is a letter from Arts & Humanities Bainbridge in support of the Gig Harbor Cultural Element.

Re: Gig Harbor Arts Commission and Inclusion in the Cultural Element

As Executive Director for Arts & Humanities Bainbridge (AHB), I have worked with the City of Bainbridge Island, City Council and staff, in a variety of ways to support the creative sector within our city.

A critical aspect of the Cultural Element, one of the 11 elements of the Comprehensive Plan, is the acknowledgment of the significant impact that the arts, culture and humanities play in our local economy, sense of place and our identity. It was through this support that representatives

from our cultural sector, namely the executive directors of our major cultural organizations, were able to successfully recently re-instate cultural funding for our sector. This funding, through grants to cultural organizations, has been significant, particularly during this difficult time of the global pandemic.

Additionally, AHB administers the city's public art committee. Through this collaborative partnership, we were able to establish a public art sub fund that is dedicated to the promotion of public art, including its management, acquisition and inquiries into new and exciting forms of art for our city.

Our Cultural Element also recognizes our unique history and heritage which is something AHB supports, not just through public art but through our efforts to showcase our indigenous people and celebrate their history, often in partnership with our Historical and art museums.

AHB strongly supports the inclusion of a Cultural Element as part of our comprehensive plan and believes it represents a significant statement of support from our city.

Thank you,

Anne Smart

Executive Director



Anne Smart, Executive Director

Arts & Humanities Bainbridge

221 Winslow Way W, Ste 201, Bainbridge Island, WA 98110

| [206.842.7901](tel:206.842.7901) | ed@bainbridgeartshumanities.org | www.ahbainbridge.org |





Arts & Humanities Bainbridge
221 Winslow Way West, Suite 201
Bainbridge Island, WA 98110
Phone 206.842.7901

www.ahbainbridge.org

February 18, 2021

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Christopher Snow

Anne Smart
Executive Director

Re: Gig Harbor Arts Commission and Inclusion in the Cultural
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Our Cultural Element also recognizes our unique history and heritage which is something AHB supports, not just through public art but through our efforts to showcase our indigenous people and celebrate their history, often in partnership with our Historical and art museums.

AHB strongly supports the inclusion of a Cultural Element as part of our comprehensive plan and believe it represents a significant statement of support from our city.

Thank you,
Anne Smart
Executive Director

From: [Carl Desimas](#)
To: [PATRICIA FRISINO](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts and Culture
Date: Monday, February 22, 2021 8:12:36 AM

Hello Ms. Frisino,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: PATRICIA FRISINO <patfrisino@comcast.net>
Sent: Friday, February 19, 2021 12:55 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts and Culture

Adding an Arts and Culture element to the comprehensive plan is extremely important. This growing city seriously needs a space where theatre productions could be staged, concerts presented, art - of all kinds - displayed. Such a location would be in constant use - very needed. Thank you.

Patricia Frisino

From: [Carl Desimas](#)
To: [Pam Jenkins](#)
Cc: [Michelle Thomas](#)
Subject: RE: Art
Date: Monday, February 22, 2021 8:14:17 AM

Hello Ms. Jenkins,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Pam Jenkins <pamjenkins77@gmail.com>
Sent: Friday, February 19, 2021 3:11 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Art

I love the art community in Gig Harbor. The Arts are an Economic driver. Please support the Arts & Culture Element in the Comprehensive Plan.

Thank you
Pam Jenkins
2011 17th Ave nw
Gig Harbor, WA 98335

Sent from my iPhone

From: [Carl Desimas](#)
To: lucidluellen@gmail.com
Cc: [Michelle Thomas](#)
Subject: RE: Incorporating the Arts in the Gig Harbor Comprehensive Plan
Date: Monday, February 22, 2021 9:18:13 AM

Greetings,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
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From: lucidluellen@gmail.com <lucidluellen@gmail.com>
Sent: Friday, February 19, 2021 6:20 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Incorporating the Arts in the Gig Harbor Comprehensive Plan
Importance: High

It is critical that Gig Harbor incorporate the arts – performing and visual – in the city’s comprehensive plan. I have served on the Gig Harbor Arts Alliance Board established to create an Arts Center in Gig Harbor. I still believe this is an important undertaking. Currently, I travel to Seattle to attend theater performances and have season subscriptions to the major theaters in Seattle. I would love to be able to attend performing arts in Gig Harbor and think there is a broad audience for it in the South Puget Sound. Gig Harbor is also home to many visual artists. It can be a great economic advantage to our city to be perceived as the central location for the arts on this side of the Narrows Bridge.

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts in Gig Harbor
Date: Monday, February 22, 2021 8:28:35 AM

From: edonehower@aol.com <edonehower@aol.com>
Sent: Saturday, February 20, 2021 7:18 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts in Gig Harbor

Dear Mayor Kuhn and City Council

I am writing to request that promoting and protecting the creative spirit in all forms of art should be a priority in our community. My family and I moved here from Hawai'i some forty years ago mainly because of the beautiful natural environment, the excellent schools with strong programs in all the arts, and the community which encouraged the arts and artists of all kinds. To fail to continue that artistic spirit that has thrived in the area would be a sad consequence of postponing the city's support for the arts.

I am a retired teacher from the Peninsula School District, having taught for nearly thirty years, mostly in a program called Cultural Enrichment....a geography-based tour of the world through environment, folk art, folk music, folklore and examination of artifacts. We learned about the world's places and peoples but we also created works of art in the style of these places and people. Though retired, I still get requests all the time for presentations in classrooms learning about different places or periods of history. I think the kids look forward especially to the artistic aspects of my presentations. They always know there will be a project where they get to be the artist. Lately, my volunteer work has been mostly by Zoom, but the teachers tell me that the kinds of things that I do get the kids excited to participate in a time when teaching and learning have been a struggle for all. It seems to me that the arts have helped to keep students and families involved in some good learning in this trying time. I have also helped young people preparing to be teachers learn about ways to engage students and become effective teachers. You can believe that one of my key ingredients for success is having a strong connection to the arts in almost all subjects.

Our city and our area appeal to those who visit as a special place in so many ways. I believe a vital part of that appeal is the apparent support for a strong artistic presence. So many of my friends and acquaintances are involved in some way with the arts. That is something I like to brag about to friends who live elsewhere and do not enjoy the same vibe we have here. Please continue to support the arts in the community....it's especially important now!

Sincerely,

Ernie Donehower and Family
9925 Cherry Lane NW
Gig Harbor, WA 98332

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: The Arts
Date: Monday, February 22, 2021 8:28:48 AM

From: Serap Frank <serapfrank@comcast.net>
Sent: Saturday, February 20, 2021 5:34 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: The Arts

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because without arts there can be no soul for our community.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Serap Frank

253-853-4514
Serapfrank@msn.com

From: [Carl Desimas](#)
To: [Wendy Givan](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts +Culture Element for consideration by the City Council—Vote request
Date: Monday, February 22, 2021 9:22:06 AM

Hello Ms. Givan-Hess,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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-----Original Message-----

From: Wendy Givan <wendy.word@hotmail.com>
Sent: Saturday, February 20, 2021 11:41 PM
To: Mayorandcouncil@cityofgigharbor.net
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts +Culture Element for consideration by the City Council—Vote request

Dear Mayor Kuhn,, Members of the Gig Harbor City Council and Carl Desimas,

I write today in support of the Council's review of The Arts+Culture Element Amendment for this budget cycle. I understand that it may not be considered until 2024 even though it was originally submitted in 2018 for approval. I realize the Council has many competing proposals and issues to address, but I would argue that the support of Art and Cultural programs (since they are so interrelated and mutually beneficial to one another) are as important as anything we do to build a strong and vibrant community.

I was fortunate last year to volunteer on behalf of the Gig Harbor Poetry Collective and it was truly astonishing how many poets and publishers (from the Greater Seattle area, Tacoma, Port Townsend, the Skagit Valley and all points East and West)) were excited that we had initiated the poetry series, even in the midst of Covid 19. There is truly a hunger right now for communities to be nourished by creative work and endeavors. What we call "Art" is so vast in scope (visual; written; theatre; dance to name only a few) that it truly touches all of our lives in some way and, as a culture, it is critically important that we find ways as communities to nourish and develop the Arts with the care and regard they so richly deserve.

I urge you not to delay or defray considering the fine proposal before you now that argues so comprehensively and forcefully for why this Amendment should be adopted and supported. Gig Harbor, of all the cities in the South

Sound, is known as a hub for art and cultural programs and events. So the time to step up and explore (and continue) all the wonderful possibilities Arts and Cultural programs bring to our community seems to be NOW—when artistic expression and the gifts it so readily gives are urgently needed and appreciated.

Again, thank you for all the fine work you do. Your leadership has enlivened our community and we are all grateful for your efforts on our behalf.

Sincerely,

Wendy Givan-Hess
The Harbor Poetry Collective

Sent from my iPhone

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts Element
Date: Monday, February 22, 2021 8:38:37 AM

From: Mark Hoppen <hoppenm@gmail.com>
Sent: Saturday, February 20, 2021 6:29 AM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Robert (Bob) Larson <rlarson@gigharborwa.gov>
Subject: Fwd: Arts Element

Council and Mayor,

My apology. I noticed an error of number in the last subordinating clause, relating to the word "data." I should never compose anything on my phone. Please accept this revision. (As an old high school English composition teacher, I can't stand such things.) The error is corrected below.

Also, it can't possibly take much time to review and approve already packaged material from extensive prior work by the Arts Commission. So, there is no workload-related reason not to move the Arts Element forward.

Mark Hoppen

Begin forwarded message:

From: Mark Hoppen <hoppenm@gmail.com>
Date: February 19, 2021 at 8:58:40 PM PST
To: mayorandcouncil@cityofgigharbor.net
Cc: Robert Larson <larsonr@cityofgigharbor.net>
Subject: Arts Element

Dear Council and Mayor,

An Arts Element of the City of Gig Harbor Comprehensive Plan is a simple inclusion in '21 and the only studied, proven, economic development planning option that grows the Gig Harbor retail economy, given largely fixed zones.

Any and all innovation within the arts arena, **big or small**, will add in-fill city tax revenue and jobs in greater proportion than **any other retail sector currently available or anticipated in the City of Gig Harbor Comprehensive Plan**.

Given the "Eyman" property tax 1% limitation, it is vital to expand the City of Gig Harbor's sales tax horizons. The arts element is not only the most job-creating, sales tax

producing, quality of life enhancing, economic sector available, it is the only significant mid- to long-term means to avoid municipal budgetary problems and not cut staff. Gig Harbor is currently liquid and solvent, but within the Comprehensive Plan 20-year horizon that may be a severe question unless Council grows the arts sector as a means to enhance retail capacity.

Right now, parks investment and arts investment are mixed in the same planning pot. **Parks are always a net drain, or at best break even, whereas arts are a potential big economic gain.** Mixing the two areas in one pot confuses public investment focus, diminishes arts investment, and tends to restrict city economic growth.

The arts sector is also an effective way to grow small business in the downtown area. Please approve an arts comprehensive plan element as soon as possible. Having a properly focused comprehensive plan is always the best first step toward strategic municipal budget solvency and fiscal health.

The \$50K arts study conducted for the Gig Harbor Arts Center Alliance several years ago by Johnson Consulting, Inc., of Chicago, provides hard data that completely substantiate all my observations in this note.
<https://www.gigharborartscenter.org/wp-content/uploads/2018/01/CHJC-Gig-Harbor-Performing-Art-Center-Feasibility-Study-Report-081016-1.pdf>

Mark Hoppen
8133 Shirley Avenue
(253) 279-2415 cell

From: [Carl Desimas](#)
To: [JAY, HANNAH G](#)
Cc: [Michelle Thomas](#)
Subject: RE: In support of the HeARTS!
Date: Monday, February 22, 2021 9:21:23 AM

Hello Ms. Jay,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: JAY, HANNAH G <jayh@psd401.net>
Sent: Saturday, February 20, 2021 8:44 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: In support of the HeARTS!

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, it's citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because our city is turning into a dull version of itself. We have such potential to be the art capital of the Pacific Northwest!!!!

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review ***until 2024 is unacceptable***. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Hannah Jay

253-509-4423

jayh@psd401.net

Hannah Jay

Purdy Elementary Visual Art Specialist

"The ARTs dust off the soul of everyday life"

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Please do not drop consideration of Arts + Culture Element
Date: Monday, February 22, 2021 8:32:14 AM

From: Anne Knapp <annemknapp@gmail.com>
Sent: Saturday, February 20, 2021 11:16 AM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Please do not drop consideration of Arts + Culture Element

Please leave the Arts + Culture Element on the agenda.

The Ad Hoc Committee (which included Council members and the GH Arts Commission) has been working on this since before 2015, and deserves to be moved forward.

The Arts + Culture idea will become very important for our community to capture the money the City needs for future budgets, to promote small businesses (not limited to the Arts/Culture community!) and to foster the best quality of life by adding Arts and Culture events for all ages.

Thank you,

Anne Moore Knapp

President Gig Harbor Arts Center Alliance

Board Member and Newsletter Editor for Peninsula Art League

Small Business Owner

Member of Ad Hoc Committee who worked to write the Arts + Culture Element

Donator and Supporter of many local groups and charities

Volunteer Teacher in the community (Art Specialist K-12)

Voter

--

Anne Knapp

website www.annemooreknapp.com

From: [Molly Towslee](#)
To: [Carl Desimas](#)
Subject: FW: Arts & Culture
Date: Monday, February 22, 2021 8:29:03 AM

From: Terry and Patty MCCLELLAND <tandpmcc@comcast.net>
Sent: Saturday, February 20, 2021 5:10 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts & Culture

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

I strongly believe that the Arts & Culture Element amendment must be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and the greater GH community. The Arts & Culture Element is a clear and strong statement that Gig Harbor is a city that values and supports our wide array of arts, artists, and cultural organizations.

The Arts are important to me because, as a former (30 year) PSD teacher, I saw how Hands on Art, for example, connected teachers and parents with the area arts community in a strong way. I've seen the creation of the Gig Harbor Peninsula Civic Orchestra, Gig Harbor Museum, my sons took piano and guitar lessons from local musicians ... the list goes on and on. The arts are vital to our way of life.

I understand that the city has many items to address- all demanding attention- along with the unprecedented challenge of COVID, but a delay in this review until 2024 sends the wrong signal to the community.

I realize I cannot vote in city elections but Gig Harbor is more than the technical city limits. Things you decide affect all of us. Arts must play an important part of our community's future.

Sincerely,

Terry McClelland
253-858-9765
tandpmcc@comcast.net

From: [Carl Desimas](#)
To: [marla.morgan](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts & Cultural Element Amendment
Date: Monday, February 22, 2021 9:19:30 AM

Greetings Ms. Morgan,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: marla.morgan <mmm19622002@yahoo.com>
Sent: Saturday, February 20, 2021 4:39 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Arts & Cultural Element Amendment

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

Over the past 17 years I have helped build a foundation of art education and cultural appreciation in Gig Harbor. I have seen the positive impact that a strong art and cultural presence has on students, families and society as a whole and understand that this commitment to "Arts and Culture" is an essential building block to sustaining and enhancing the type of community that we all want Gig Harbor to be. It is imperative that the City of Gig Harbor and its elected officials recognize this communities love of the arts and officially commit to its importance by reviewing and adopting the proposed Arts and Culture Element.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Marla

Marla Morgan
Peninsula *Hands On Art*
253-732-7222

"It is our programs foundational belief that students across all socioeconomic backgrounds should have the same educational opportunity and ability to access artist quality materials and art education."

From: [Carl Desimas](#)
To: [Anne Knapp](#)
Cc: [Michelle Thomas](#)
Subject: RE: Comment for Council Mtg Feb 22nd 2021/Arts
Date: Monday, February 22, 2021 9:25:52 AM

Hello Ms. Knapp,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: Anne Knapp <annemknapp@gmail.com>
Sent: Sunday, February 21, 2021 7:22 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Comment for Council Mtg Feb 22nd 2021/Arts

Comment from Anne Moore Knapp

for Gig Harbor City Council Meeting February 22nd 2021

Re: vote on moving Arts+Culture Element forward

If there ever was an important time to move the Arts+Culture Element forward so that it will be on a fast track to be incorporated the Gig Harbor Comprehensive Plan- this is it!

We have weathered one year of the Covid Epidemic and things are turning around, but our most useful tool for resilience and recovery is not in place- The ARTS + Culture Element in our Comprehensive Plan. When we finally emerge to enjoy the resurgence of the economy, we must be ready to take advantage of any available programs, grants and opportunities! If an Arts+Culture

Element is not mentioned in the Comprehensive Plan, we will be unable to capture these additional funds for our City.

As we move into recovery, Arts + Culture can be our Economic Driver:

- We will need to grab every dollar possible to use in our community- having a priority for Arts+ Culture can get money/grants/endowments for many programs. This will come from National, State and County programs and if we set it up properly, we could also acquire ongoing endowments from within our community.
- Gig Harbor has already been cited by the 2016 CH Johnson Economic Feasibility Study as an ideal location to generate additional money into our economy through the Arts via Direct and Indirect Spending, Induced Spending, Increased Earnings, and Increased Employment. It is a very clean and forward-thinking Industry to have generating income for our community as we all try to reduce our Carbon footprint.
- Our community clearly supports the idea of promoting the Arts + Culture. A survey done of local Citizens showed 90% of our community is involved in some sort of creative endeavor and craves more Artistic and Cultural enrichment.

We must not delay putting the Arts + Culture Element into our Comprehensive Plan- it needs to be put into the Docket and moved forward rapidly, if we hope to capture any available, appropriate funds provided as stimulus.

Thank you-

Anne Moore Knapp

President Gig Harbor Arts Center Alliance

Board Member and Newsletter Editor for Peninsula Art League

Small Business Owner

Member of Ad Hoc Committee who worked to write the Arts + Culture Element

Donator and Supporter of many local groups and charities

Volunteer Teacher in the community (Art Specialist K-12)

Voter

--

Anne Knapp

website www.annemooreknapp.com

From: [Molly Towslee](#)
To: [Carl Desimas](#); [mayorandcouncil](#)
Subject: FW: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan
Date: Monday, February 22, 2021 9:03:35 AM

From: Scott Markowitz <scott_markowitz@yahoo.com>
Reply-To: Scott Markowitz <scott_markowitz@yahoo.com>
Date: Sunday, February 21, 2021 at 6:30 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, its citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because art crosses all divides and is the thread through which a community is held together.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Scott Markowitz

(253) 245-6122
scott_markowitz@yahoo.com

From: [Carl Desimas](#)
To: [MARTA C O'NEILL](#)
Cc: [Michelle Thomas](#)
Subject: RE: Proposed Arts & Culture amendment to GH's Comprehensive Plan
Date: Monday, February 22, 2021 9:25:10 AM

Hello Ms. O'Neill,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: MARTA C O'NEILL <martaone26@comcast.net>
Sent: Sunday, February 21, 2021 6:47 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Proposed Arts & Culture amendment to GH's Comprehensive Plan

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

I would like the City Council to immediately review the proposed Arts & Culture Element amendment to the Comprehensive Plan. I feel that this amendment needs to be a fundamental part of Gig Harbor's foundation moving forward. To delay its review until 2024 is damaging to the City of Gig Harbor.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning

process and identifies ways in which arts and culture can be incorporated into Gig Harbor. The Arts & Culture Element shows that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because it enhances my life by seeing sculptures around town, listening to concerts in the park, and attending theater performances by locals on summer evenings.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, perhaps an outside agency or can make it assist in making it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.
Sincerely,

Marta O'Neill
martaone26@comcast.net
253-691-9957

From: [Carl Desimas](#)
To: [LANCE TRATHEN](#)
Cc: [Michelle Thomas](#)
Subject: RE: arts& culture vote
Date: Monday, February 22, 2021 9:24:29 AM

Greetings Lance and Gregori,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: LANCE TRATHEN <llkt1942@comcast.net>

Sent: Sunday, February 21, 2021 12:19 PM

To: Carl Desimas <cDesimas@gigharborwa.gov>

Subject: arts& culture vote

As a member of PAL I am asking that the council vote to approve the Arts & Culture Element for the year and beyond. The peninsula is a vibrant art community and we need resources to thrive. In light of the pandemic I am sure you can see the need for this. Please consider our artists and all of the Gig Harbor residents when discussing this. Thank you....Gregori Trathen

Lance & Gregori

From: [Carl Desimas](#)
To: [Barb Turecky](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan
Date: Monday, February 22, 2021 9:23:29 AM

Hello Ms. Turecky,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: Barb Turecky <barbturecky@gmail.com>

Sent: Sunday, February 21, 2021 10:54 AM

To: Carl Desimas <cDesimas@gigharborwa.gov>

Subject: Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan

Dear Mr. De Simas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment needs to be a critical part of Gig Harbor's foundation moving forward and to delay its review until 2024 is detrimental to the city, it's citizens, and disrespectful to the committee who has worked diligently to prepare and present this document.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor. The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and art and cultural organizations including written, visual, musical traditional and performing arts.

"The Arts" are important to me because art is something that everyone, young and old, educated or not, regardless of race, socioeconomic status or religious persuasion can enjoy and appreciate. Sculptures grace our city, enhance the beauty of our streets and display the history and culture of our place in the State. Pictures in City Hall and the Chamber of Commerce reflect the talent and history of our citizens. An emphasis on arts and culture will provide a medium for students to develop their talent and express their pride in our City.

I understand that the city has many items to address, along with the unprecedented challenge of COVID, but a delay in this review until 2024 is unacceptable. If the city does not have the internal resources to make the requested changes to the Comprehensive Plan, then please hire an outside agency or individuals to make it happen.

The citizens of Gig Harbor and the Arts & Cultural Element ad hoc committee deserve timely consideration by the representatives they elect.

Sincerely,

Barbara Turecky

253 265 3552

barbturecky@gmail.com

Sent from [Mail](#) for Windows 10



This email has been checked for viruses by Avast antivirus software.
www.avast.com

The Arts + Culture Element

AN OPPORTUNITY

FOR ARTS + CULTURE + HERITAGE

TO CREATE COMMUNITY

A COMMUNITY
INITIATIVE
SUBMITTED BY
**THE GIG HARBOR
ARTS
COMMISSION
AND
COMMUNITY
STAKEHOLDERS**



“

ART IS AS
IMPORTANT AS
ROADS AND
INFRASTRUCTURE
IN A COMMUNITY.

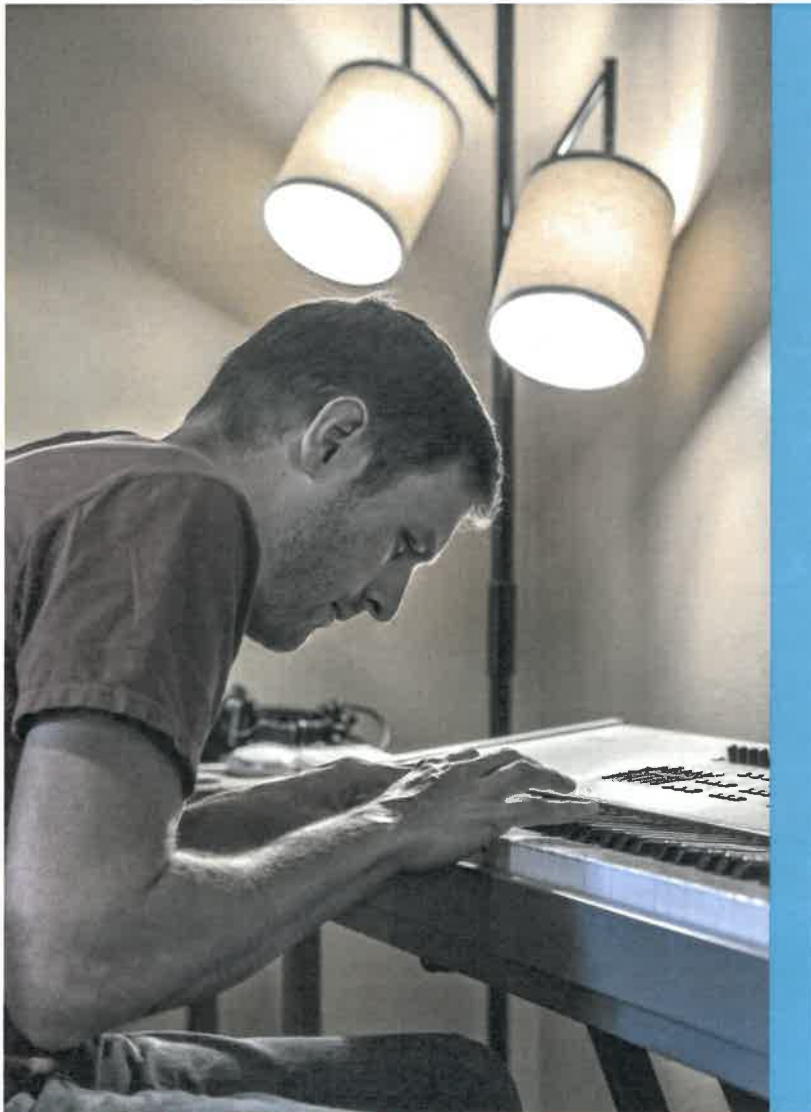
IT BRINGS
everyone
TOGETHER.

CULTURAL ARTS SURVEY
RESPONDENT

JULY 2018



SUMMER SOUNDS AT SKANSIE PARK



MUSICIAN ELIJAH BOSSENBROEK DURING REHEARSAL

SURVEY Highlights

Of note is that the Gig Harbor community, and their attitudes about arts and culture, align with, or at times even exceed, national attitudes in the most recent *Americans for the Arts* survey.

Arts + Culture are a community asset and image builder

- ✓ **96%** believe that arts and cultural activities offer positive experiences for the Gig Harbor community
- ✓ **83%** “*Strongly Agree*” that arts and cultural activities are an asset to the community
- ✓ **73%** “*Strongly Agree*” that the Arts improve the image and identity of the community

Arts provide meaning to GH residents’ lives

- ✓ **79%** have household members involved in artistic activities
- ✓ **78%** believe that the arts “lifts my spirits”

ARTS + CULTURE

...are tools for accomplishing the larger community goals of economic vitality, quality education and community planning and design.

Investment in the arts is an investment in making Gig Harbor a better place to live and work for all its citizens.

A COMMUNITY
INITIATIVE
SUBMITTED BY
**THE GIG
HARBOR ARTS
COMMISSION
AND
COMMUNITY
STAKEHOLDERS**



GIG HARBOR HAS
THE OPPORTUNITY
TO ESTABLISH ITSELF
AS A REAL ARTS
COMMUNITY.
CONSIDER THIS:
DO WE WANT ONLY
COMMERCIAL
INFLUENCE
TO AFFECT US?

CULTURAL ARTS SURVEY
RESPONDENT
JULY 2018



CREATIVE + ECONOMIC VITALITY

ENHANCE THE
QUALITY OF LIFE
IN GIG HARBOR
BY CREATING
AN ENVIRONMENT
IN WHICH ARTISTIC
AND CULTURAL
ACTIVITIES FLOURISH.



BALLET CLASS AT HARBOR DANCE



PUBLIC ARTS + COMMUNITY DESIGN

STRENGTHEN AND EXPAND
THE PUBLIC ART PROGRAM
TO CREATE VISIBLE
LANDMARKS AND CULTURAL
POINTS OF REFERENCE
THAT REINFORCE THE
HARBOR'S IDENTITY,
CULTURE AND CHARACTER.



GIG HARBOR CIVIC CENTER



EDUCATION + ENGAGEMENT

FOSTER A UNIQUE,
PLENTIFUL AND
LEARNING-ORIENTED
ARTS AND CULTURAL
ENVIRONMENT.



PAINTING IN MARDIE REES'S APPRENTICE ACADEMY STUDIO



SPACES + PLACES

ENCOURAGE THE
DEVELOPMENT
OF ADEQUATE,
AFFORDABLE AND
APPROPRIATE SPACES
FOR ARTISTIC AND
CULTURAL ACTIVITIES
FOR ALL.



CHALK THE HARBOR



CULTURE + HERITAGE

IDENTIFY, PRESERVE,
AND ADVANCE THE
CITY'S CULTURAL
HERITAGE AND HISTORY.



THE HARBOR



“

I HOPE THAT ART WILL CONTINUE TO BE TAKEN SERIOUSLY IN THIS AMAZING COMMUNITY. I TRULY BELIEVE KEEPING IT IN THE FOREFRONT WILL ONLY CONTINUE TO ENHANCE OUR COMMUNITY ON ALL LEVELS.

CULTURAL ARTS SURVEY RESPONDENT

JULY 2018

“

GIG HARBOR IS A UNIQUE LOCALE.

WE HAVE THE OPPORTUNITY TO GROW INTO A

destination of distinction

ALL THE GREAT TOWNS AND CITIES OF THE WORLD HAVE BEEN ABLE
TO POINT TO THE EVOLUTION AND INCLUSION OF ARTS AND CULTURE INTO
ALL ASPECTS OF CITY PLANNING AS A HALLMARK OF THAT SUCCESS.

CULTURAL ARTS SURVEY RESPONDENT

JULY 2018

From: [Carl Desimas](#)
To: [Michelle Thomas](#)
Cc: [Katrina Knutson](#)
Subject: FW: FOR PUBLIC COMMENT: The Arts + Cultural Amendment and the City's Comprehensive Plan
Date: Monday, February 22, 2021 11:08:03 AM
Attachments: [GH Cultural Element Presentation FINAL 6_4.pdf](#)

Hi Michelle,

Please add below and attached to "Batch 2" in the file. You'll need to associate the attachment with the comment in some manner.

Thanks,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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From: Robin Avni <robinavni@msn.com>

Sent: Monday, February 22, 2021 10:57 AM

To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>

Cc: Molly Towslee <mtowslee@gigharborwa.gov>; Molly Towslee <mtowslee@gigharborwa.gov>

Subject: FOR PUBLIC COMMENT: The Arts + Cultural Amendment and the City's Comprehensive Plan

Dear Mayor Kuhn, Gig Harbor City Council, and Carl DeSimas,

Thank you for taking the time to consider my request for the City Council's immediate review of the proposed Arts & Culture Element amendment to the City of Gig Harbor's Comprehensive Plan. To delay a review until 2024 is ultimately "kicking the can" down the road into certain oblivion.

I write you to you as Vice-Chair of the Gig Harbor Arts Commission, a member of the team who spent many volunteer months to research, write and review the Arts + Culture Element (see attached ppt), a member of the Peninsula Art League, and as a State Arts Commissioner for ArtsWA who champions the arts across Washington State.

But most importantly, I write you as an engaged citizen of Gig Harbor. One who believes that delaying this amendment until 2024 is detrimental to the city, its citizens, and is woefully out-of-step with understanding the importance that the arts plays in the day-to-day lives of the members of our community.

Culture and Art are tools for accomplishing larger community goals such as economic vitality, quality education and community planning and design. Investment in the arts is investment in the community and in making Gig Harbor a better place to live and work for all its citizens.

Of note is the Cultural Element Committee's research of the Gig Harbor community, and how their attitudes about arts and culture, align with, or at times even exceed, national attitudes (Americans for the Arts). The survey of Gig Harbor residents provided the following insights:

Arts + Culture are a community asset and image builder.

- 96% believe that arts and cultural activities offer positive experiences for the Gig Harbor community
- 83% "Strongly Agree" that arts and cultural activities are an asset to the community
- 73% "Strongly Agree" that the Arts improve the image and identity of the community

Arts provide meaning to Gig Harbor residents' lives.

- 79% have household members involved in artistic activities
- 78% believe that the arts "lifts my spirits"

The arts are vital to the region's economic health in terms of its impact on the community-at-large. One needs to look no further that the economic devastation of COVID19 and the shuttering of venues, museums, and theaters and the dramatic wallop it has had on adjacent businesses and local economies.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of Arts and Culture in the city's planning process and identifies ways in which Arts and Culture are critical to a thriving and vital community – *especially* in these times.

I certainly understand that the city has many items to address, along with the COVID's unprecedented challenge -- which only serves to underscore why the inclusion of the Cultural Element Plan is important to address *now* rather than later.

Thank you for your consideration.

Sincerely,

Robin Avni
Engaged Citizen of Gig Harbor

From: [Molly Towslee](#)
To: [Carl Desimas](#); [Michelle Thomas](#)
Subject: FW: Public Comment - Arts + Culture proposal
Date: Monday, February 22, 2021 10:25:02 AM

From: lori bonvicini <lvbonvicini@yahoo.com>
Sent: Monday, February 22, 2021 10:24 AM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Subject: Public Comment - Arts + Culture proposal

To whom it may concern,

As a forty year resident of Gig Harbor, I am writing to heartily support the inclusion of the Arts + Culture proposal THIS year. Many people have been working very hard and very steadily to accomplish this very important addition to our wonderful Gig Harbor. There is no downside to this, only upside. We as a community deserve this spotlight on arts and culture. It will further refine and distinguish our very fine little village.

It is my understanding that it will take your staff very little time to include this amendment as the work has so largely been done. I urge you to please include Arts + Culture on your agenda for THIS year. Please, please do not kick this forward to 2024. Please help to make this a reality, now!

Many thanks.

Sincerely,
Lori Bonvicini

From: [Carl Desimas](#)
To: [Charlee Glock-Jackson](#)
Cc: [Michelle Thomas](#)
Subject: RE: Public Comment in support of Arts + Culture Comp Plan amendment
Date: Monday, February 22, 2021 3:57:25 PM

Hello Charlee,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: Charlee Glock-Jackson <charlee@centurytel.net>
Sent: Monday, February 22, 2021 3:01 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>
Cc: Carl Desimas <cDesimas@gigharborwa.gov>
Subject: Public Comment in support of Arts + Culture Comp Plan amendment
Importance: High

Mayor Kuhn, City Council and Carl DiSimmis —

This is to urge you to add the proposed Arts + Culture Element to this year's (2021) Comprehensive Plan docket.

A bit of background —

In 2018, I formed an ad hoc committee of citizens, art and culture organizations and business

owners for the purpose of crafting an Arts + Culture element for inclusion in the city's comprehensive plan.

Our first step was to create and distribute a survey to gauge our community's interest in and support of arts and culture. We had 915 responses to our survey — a record for city-sponsored surveys: The results spoke loudly and clearly:

- 96% believe that arts and cultural activities offer positive experiences for the Gig Harbor community
- 83% "Strongly Agree" that arts and cultural activities are an asset to the community
- 73% "Strongly Agree" that the Arts improve the image and identity of the community
- 79% have household members involved in artistic activities
- 78% believe that the arts "lifts my spirits"

Based on the survey results and careful research of arts and culture elements in other cities' comp plans, our ad hoc group crafted what we believe is the best direction for Gig Harbor.

We submitted our proposed Element to the Planning Department in June 2018. It should be noted that we received thoughtful and generous guidance from former Senior Planner Lindsey Sehmel as we worked through our application. Ms. Sehmel took time to answer questions and clarified anything we didn't understand and she made sure that every detail was properly covered. Her hand-holding was indispensable to our "getting it right."

Robin Avni (now Vice Chair of our Arts Commission and also a member of the State Arts Commission) was very helpful in putting our vision and goals into words.

Our proposed amendment has been in the City's hands for nearly three years. I would hope that's long enough for the current planning department to look over it and act on it. That they now propose delaying consideration of our amendment for three more years is simply not acceptable. This is not rocket science. It does not require zoning changes or variances to city code. Our proposed amendment is a simple, succinct declaration — with several specific, achievable goals — that arts and culture are important to our community, economically and to our quality of life. It affirms that Gig Harbor is a city that values and supports the full spectrum of arts, artists and arts and cultural organizations and their ability to entertain, inspire, challenge and add dimension and enjoyment to the lives of our citizens.

It's time for this proposed Element to be moved forward and added to the Comp Plan. I urge you to move it onto the 2021 Comp Plan Docket and to instruct Planning to "get it done."

Thank you all for all you do for our community.

Charlee Glock-Jackson

Chair, Gig Harbor Arts Commission

The answer must be, I think, that beauty and grace are performed whether or not we will or sense them. The least we can do is try to be

there. ~ Annie Dillard

From: [Carl Desimas](#)
To: [Nora Eckstein](#)
Cc: [Michelle Thomas](#)
Subject: RE: Arts in the Comprehensive plan
Date: Monday, February 22, 2021 3:57:58 PM

Hello Ms. Eckstein,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

The Gig Harbor Civic Center is closed to the general public. The status of the Civic Center and the Gig Harbor Municipal Court is available on our website at www.cityofgigharbor.net and will be updated as necessary. City Staff are working to conduct much-needed services, so please feel free to contact us by phone or email (Main City Phone Number 253-851-8136).

Disclaimer: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56.) The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

From: Nora Eckstein <noraeckstein@gmail.com>
Sent: Monday, February 22, 2021 2:49 PM
To: Carl Desimas <cDesimas@gigharborwa.gov>
Cc: Nora Eckstein <noraeckstein@gmail.com>
Subject: Arts in the Comprehensive plan

Carl Desimas –

I'm writing to voice my support for including The Arts and Culture Element in our comprehensive plan.

I believe it is vital to have strong support for arts and culture in Gig Harbor. The arts are an enormous benefit to our town, both for business and pleasure. Certainly, most artists are small business owners, and they have suffered greatly from the pandemic, particularly performing artists. Performing art experiences inherently create a sense of shared commonality and would be instrumental (*pun intended*) in bringing life back to our town.

Additionally, Gig Harbor benefits greatly from our wonderful visual artists, our galleries are a major

attraction, the studio tours are a delightful community activity. Public art installations create a civic vibrancy and pride in community.

Art and culture can be enjoyed by everyone - all ages, all walks of life.

Art sparks thought, conversation and wonder. It touches us in a thousand ways.

Encouraging a thriving artistic community should be a priority; it is not a luxury – it is an invaluable asset. Art is the heart and soul of a community. Arts and artists are essential. They should be championed – not deferred.

Thank you for your time,

Nora Eckstein Sekowski

Ciao,

Nora

From: [Carl Desimas](#)
To: [Lynn Stevenson](#)
Cc: [Michelle Thomas](#)
Subject: RE: For public comment: Arts & Culture Element in the Comp Plan
Date: Monday, February 22, 2021 1:42:14 PM

Hello Ms. Stevenson,

Thank you for your comments. We will provide them to the City Council for their consideration at the hearing on February 22, 2021.

If you have any further comments or need any clarifications, please feel free to contact me at your convenience.

Thank you,

Carl

Carl de Simas | Senior Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

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Disclaimer: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56.) The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

From: Lynn Stevenson <Lynn@CrazyHappy.com>
Sent: Monday, February 22, 2021 1:38 PM
To: mayorandcouncil <mayorandcouncil@cityofgigharbor.net>; Carl Desimas <cDesimas@gigharborwa.gov>
Cc: Molly Towslee <mtowslee@gigharborwa.gov>
Subject: For public comment: Arts & Culture Element in the Comp Plan

22 February 2021

re: The Arts & Culture Element addition to the City's Comprehensive Plan

Dear Mayor, City Council members and Mr. Carl DeSimas,

In 2018, the Arts Commission took on the task of defining an "Arts &

Culture” Element for the city’s Comprehensive Plan. It was a rigorous process, involving a committee devoted to researching the comp plans of other cities, designing and distributing a public survey, collecting and tabulating responses, and writing and re-writing multiple drafts to perfect the language of the element.

Our city officials understand the economic value and also the experiential value that the Arts bring to its residents and visitors, but this is not reflected in our city’s own master plan. It’s time to update the Comprehensive Plan to *accurately* reflect this city’s commitment to nurturing an artistically-thriving, culturally-rich community.

Adopting the Arts & Culture Element will also give us an advantage in acquiring funding (grant support) from outside resources like the Washington State Arts Commission. Additional funding would allow us to bring more superior artistic experiences to our residents and guests.

There is a tendency for the Arts to take a backseat to the “more important” things, I get that. But we are already three years into this process, and if this current administration chooses to NOT act now, will it ever get done? Please don’t make us wait another three years to make this happen.

Thank you, sincerely.

Lynn Stevenson
7406 Hill Ave, Gig 98335



310 428-5966

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Comprehensive Plan - Arts and Culture Element
Date: Wednesday, November 3, 2021 7:36:46 AM

Please add to comments for tomorrow night. We'll want to read this and others we receive into the record.

Thanks!

Carl

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Jeremy Broderick <broderickjeremy@gmail.com>
Sent: Tuesday, November 2, 2021 10:44 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Comprehensive Plan - Arts and Culture Element

Dear Mr DeSimas,

I recently heard that there is a proposed update to the Comprehensive Plan of the City of Gig Harbor slated to be discussed this week. I just wanted to take this opportunity to express my full support for such an initiative. I have three elementary age kids who, together with my wife and myself, make every attempt to pursue arts and culture related activities that we can find locally. To have language in the comprehensive plan aligned with such themes would be a tremendous positive for the residents of Gig Harbor and surrounding communities, and greatly enrich the identity of the city.

Please adopt the proposed Arts and Cultural Element - Gig Harbor has nothing to lose and much to gain from such a proposal. With its inclusion, I very much look forward to the future of the Maritime City.

Sincerely,
Jeremy Broderick
253-279-3244

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Support for an Arts Element in the City's Comprehensive Plan
Date: Wednesday, November 3, 2021 7:37:56 AM

And.....another.

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Leonard Hill <leonard.a.hill@gmail.com>
Sent: Tuesday, November 2, 2021 4:26 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Support for an Arts Element in the City's Comprehensive Plan

As one of the many citizens involved in the effort to draft an Arts Element for the City's Comprehensive Plan, I write to voice my support for this overdue recognition of the significance of the arts in the lives of Gig Harbor and area residents.

People who live here have spoken quite clearly: they feel that the arts are an important aspect of the quality of life in our city. Public art and performances are not viewed as frivolous extras, but rather as important amenities and a valued part of the fabric of life in Gig Harbor. The Comprehensive Plan amendment formally recognizes what people have been saying for a long time.

The benefits to a city like ours of a vibrant arts sector have been studied extensively. They are not only qualitative -- a sense of pride in the community and a sense of being welcome to express creatively -- but also economic -- tourism and retail sales. Gig Harbor has a fine reputation as a place to live. Recognizing the importance of the arts in civic life adds to that positive reputation.

I urge everyone to support the Arts Element in Gig Harbor's Comprehensive Plan.

Best regards, Leonard Hill

Leonard Hill
3838 Regatta Ct
Gig Harbor, WA 98335

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Arts Element support
Date: Wednesday, November 3, 2021 12:17:25 PM

Please add to the public record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Erin Knuth <erin.m.webster@gmail.com>
Sent: Wednesday, November 3, 2021 10:57 AM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Arts Element support

Dear Carl DeSimas,

My name is Erin Knuth and I would like to voice my support of the Arts & Cultural Element amendment to the City of Gig Harbor's Comprehensive Plan. I feel that this amendment is a critical part of Gig Harbor's foundation moving forward, and that culture and creativity contribute to the physical, mental, social, and economic wellbeing of our community.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into our community.

The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and cultural organizations including written, visual, musical, traditional and performing arts. Arts and cultural programs are powerful economic development tools in their ability to enhance Gig Harbor's image and entice new businesses to locate here, while engaging and inspiring residents and visitors alike.

"The Arts" are important to me because I have growing children who find connection to self and others through creativity.

Please make the proposed Arts & Cultural Element part of The City of Gig Harbor's Comprehensive Plan.

Sincerely,
Erin Knuth

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: City of Gig Harbor Arts Element
Date: Wednesday, November 3, 2021 7:37:33 AM

Hi Michelle,

Here's another one...

Thanks!

Carl

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: marla morgan <mmm19622002@yahoo.com>
Sent: Tuesday, November 2, 2021 9:49 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: City of Gig Harbor Arts Element

Dear Carl DeSimas,

My name is Marla Morgan and I would like to voice my support of the Arts & Cultural Element amendment to the City of Gig Harbors Comprehensive Plan. I feel that this amendment is a critical part of Gig Harbor's foundation moving forward, and that culture and creativity contribute to the physical, mental, social, and economic well being of our community.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor.

The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and cultural organizations including written, visual, musical traditional and performing arts. Arts and cultural programs are powerful economic development tools in their ability to enhance Gig Harbors image and entice new businesses to locate here, while engaging and inspiring residents and visitors alike.

As Executive Director of Peninsula *Hands On Art*, an art education program serving 4,000+ K-5 students in the greater Gig Harbor area, I understand

the importance and need for a strong and vibrant arts community. I have dedicated the last 18 years of my life to building a foundation of citizens who love and understand the importance of art education and the arts. It is time the city of Gig Harbor makes Arts and Culture a priority as well.

Please make the proposed Arts & Cultural Element part of The City of Gig Harbors Comprehensive Plan.

Sincerely,

Marla

Marla Morgan / Executive Director
Peninsula *Hands On Art*
253-732-7222

"It is our programs foundational belief that students across all socioeconomic backgrounds should have the same educational opportunity and ability to access artist quality materials and art education."

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Arts & Cultural Element amendment
Date: Wednesday, November 3, 2021 8:48:37 AM
Attachments: [image005.png](#)

Here is another public comment for the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Jessica Rogg <jessica@custompnw.com>
Sent: Wednesday, November 3, 2021 8:45 AM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Arts & Cultural Element amendment

Dear Carl DeSimas,

My name is Jessica Rogg and I would like to voice my support of the Arts & Cultural Element amendment to the City of Gig Harbors Comprehensive Plan. I feel that this amendment is a critical part of Gig Harbor's foundation moving forward, and that culture and creativity contribute to the physical, mental, social, and economic well being of our community.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor.

The Arts & Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and cultural organizations including written, visual, musical traditional and performing arts. Arts and cultural programs are powerful economic development tools in their ability to enhance Gig Harbors image and entice new businesses to locate here, while engaging and inspiring residents and visitors alike.

"The Arts" are important to me because they keep the community engaged, spark interest and creativity which is crucial for our overall development as a society.

Please make the proposed Arts & Cultural Element part of The City of Gig Harbors Comprehensive Plan.

Sincerely,

Jessica Rogg
Owner & Designer

[Custom PNW](#)

253.225.7725 call or text

follow us on [Facebook](#) and [Instagram](#)



How do we build a more resilient community? Add in the Arts!

I'm not merely talking about some art works in our parks- I am talking about 'capital letter' ARTS !

We need ARTS across the full spectrum:

Visual Arts and Craft, all forms of Music, Performance, Writing, and Culture- and the groups involved. We also need to support our Community that passively enjoys or actively participates in the Arts.

We need ARTS across all ages:

- Local Art and Culture events and hands on opportunities for young families to develop and incubate the Arts in their children and their lives.
- Teens involved in the Arts do better in school and are more likely to stay in school (and out of trouble).
- Having local venues for all types of Art can create and support business and employment opportunities. Art not only fosters the human need for self-expression and fulfillment; it is also economically viable. The creation, management and distribution of art employs many people.
- Businesses, workers and families prefer to live, work and spend money in an Art-filled community. Independent business, a core value in our community, are best supported by engaged communities.
- Having accessible locations for Arts, Culture and Life Long Learning for an ageing population keeps all of us healthy and engaged.

We need ARTS across all Cultures:

We need to honor our early Heritage (Native and Immigrant) and learn more about new Cultures joining our community. There is much to be learned from other cultures. There is much to share about ways to care for our environment and how to cope as we head into climate change challenges. This is how we will thrive amid adversity.

We need the Arts to increase our Resiliency:

The Arts can bring together people physically and digitally for exhibits, performances, classes, cultural events, lectures. This build connections within our community. We did not anticipate Covid, but It was a crying shame that we had not already started this process beforehand. We could have weathered this challenge better with increased communication and "artistic distractions and learning" while still maintaining our social distancing. We know how to design for better air quality, we know how to use technology to spread information and do livestreaming events. Despite increasing globalization, communities need to recognize their own identity (Culture) and know the value of working together at the local level. The ARTS in the 21st Century will be an important part to create a forward thinking and engaged community. Yes, the ARTS can create a more resilient community- and the ARTS/Culture Element needs to be in our Comprehensive Plan.

Sincerely,

Anne Moore Knapp (currently on Boards of Gig Harbor Arts Center Alliance, Peninsula Art League)

8914 Prentice Avenue Gig Harbor, Wa 98332

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Letter of support for the Arts & Culture elements
Date: Wednesday, November 3, 2021 2:58:57 PM
Attachments: [image001.png](#)
[Supporting Arts in Gig Harbor.docx](#)

For the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Miriam Battson <mbattson@gigharborchamber.com>
Sent: Wednesday, November 3, 2021 1:47 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Cc: 'Charlee Glock-Jackson' <charlee@centurytel.net>
Subject: Letter of support for the Arts & Culture elements

Hi Carl,

Charlee mentioned the Arts & Culture elements meeting coming up and how helpful it may be for the community. We wanted to express our appreciation and support of this effort as it does have an economic impact for businesses in our community. Please feel free to read the letter in the meeting if appropriate.

All the best,

Miriam Battson
President/CEO
Gig Harbor Chamber of Commerce
3125 Judson St - PO Box 102 - Gig Harbor, WA 98335

253-851-6865 o | 253-226-2845 c | 253-851-6881 f



[If you'd like to schedule a time to meet click here](#)

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Go Gig Harbor App](#)



Via Email

November 3, 2021

Carl de Simas, Principal Planner
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

RE: Gig Harbor Chamber of Commerce Support of the Arts Commission element

Dear Mr. Carl de Simas,

The Gig Harbor Chamber of Commerce ("Chamber"), on behalf of its nearly 500 members and the more than 2,100 businesses in the greater Gig Harbor area **supports the Arts Commission proposed elevating arts-related policy to become its own plan element.**

There is significant research showing that arts and culture are important economic contributors to a city's revenue. Events and displays have had positive economic impacts on our local businesses. The tourists who come through the chamber office frequently ask for what to see and do. The summer concerts and films in Skansie Park are fantastic for local restaurants.

Respectfully,

Gig Harbor Chamber of Commerce

Miriam Battson

President/CEO

Hayley Nichols

Chamber Board of Directors, Chair

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Comp Plan Arts and Culture Amendment - Comment from Mark Hoppen
Date: Wednesday, November 3, 2021 2:59:28 PM
Attachments: [Arts Element Letter.pdf](#)

For the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: hoppenm@gmail.com <hoppenm@gmail.com>
Sent: Wednesday, November 3, 2021 2:34 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Cc: Robyn Denson <rdenson@gigharborwa.gov>; Tracie Markley <tmarkley@gigharborwa.gov>; Spencer Abersold <SAbersold@gigharborwa.gov>; Le Rodenberg <lrodenberg@gigharborwa.gov>; 'Jeni Woock' <jeniawoock@gmail.com>; JFranich@cityofgigharbor.net; Bob Himes <bhimes@gigharborwa.gov>; Kit Kuhn <Kkuhn@gigharborwa.gov>; Tony Piasecki <Tpiasecki@gigharborwa.gov>
Subject: Comp Plan Arts and Culture Amendment - Comment from Mark Hoppen

Carl,

Attached is my comment for the Planning Commission public hearing on the proposed arts and culture element. My comments are based on the \$50K+ feasibility study conducted by the Gig Harbor Arts Center Alliance in 2016 by Johnson Consulting, Inc, of Chicago. Much of the study assesses the local and regional market for the arts. This assessment clearly identifies the unique potential of arts and culture in our community to support an economic cluster of sales tax and jobs growth. Although the study was about the potential for a facility development, the data developed are generally applicable to whatever a Gig Harbor City Council chooses to program, promote, fund, or build.

Mark E. Hoppen
8133 Shirley Avenue
Gig Harbor, WA 98332
(253) 279-2415 cell

Dear Planning Commissioners,

The City of Gig Harbor and its surrounding catchment basin have key characteristics and requirements necessary to support arts programs and facilities, as part of budgetary choices of the City Council, as part of long-term debt issues, or as part of a Public Facilities District (PFD).

The Gig Harbor community can grow the arts as a local cluster of the economy because local conditions meet fundamental economic criteria for arts growth: 1) a significant surrounding area population with over 500,000 within a 30-minute drive-time of Gig Harbor; 2) a highly educated population; 3) steady population growth; 4) an above average, median household income; and 5) accessibility to and from local and regional transportation options. (Johnson Consulting, Chicago, 2016)

While these factors do not guarantee the success of arts programs and facilities, they are certainly necessary prerequisites. There is an extensive, well-documented, strong correlation between education and the pursuit of arts and cultural activities. This is evident by the number of arts groups that exist in the community. These art groups thrive in areas with residents who have disposable income and ample free time to participate in arts and cultural events. With its higher median household income (\$119,032) and near majority of citizens over age 50, the City of Gig Harbor is a demographically excellent population base for supporting arts programs and facilities.

Investment in arts-and-culture programs and facilities will not only attract the residents of the Gig Harbor and Key Peninsula areas, public and private investments will draw visitors from all across Puget Sound, as well as the South Kitsap and Tacoma region, having a positive impact on local businesses and tax revenues.

The key implications from the 2016 Performing Arts Center interviews and regional facilities analysis, conducted by Johnson Consulting of Chicago (Gig Harbor Arts Center Alliance Feasibility Study 501c(3), 2016), indicate an area of opportunity for a new arts programs and facilities. The study explained, in part, that there is a significant, underserved local population base.

A key local challenge to serve this base is to address date availability, since most current programs and facilities are school-focused, allowing outside users on an as-available basis. (Given school focus on education and learning, space commitment is ancillary to school programs.) The 2016 study indicates that programming opportunities are immense, given the depth of the arts community, and the passion and financial support that are available.

Moreover, in addition to arts-and-culture programming, social and meeting space is important for the long-term well-being and cultural development of Gig Harbor-Key Peninsula youth, young adult, mature adult, and senior populations.

There is great interest in unique meeting venues and social spaces. The Tacoma Regional Convention and Visitors Bureau has indicated that there are a large number of small events that could currently be accommodated in the City of Gig Harbor, if provided additional suitable venues. Arts facilities provide multiple function community programming and event meeting space.

The key ingredients for the success of arts and culture program and facilities are all present in the regional marketplace and place the City of Gig Harbor as an opportune locale for arts enhancement; regardless, none of this happens without formal comprehensive planning.

With the slow *but assured* degradation of property tax revenues relative to municipal service levels – the Eyman initiative – the City of Gig Harbor has an underlying need to diversify and increase sales tax revenue streams. Without this increase, the City of Gig Harbor faces the inevitable erosion of municipal service levels across the board. The best way for this economic sales growth and budget balance to occur is by growing local business. The 2016 study of local and regional arts capability shows the potential revenue increase of the arts sector to be around \$11m per year, with a \$230,000 increase in **city** sales tax revenues, and at least a \$20,000 increase in **city** lodging tax revenues. No other sector of the economy has this add-in public tax revenue potential. See <https://www.gigharborartscenter.org/feasibility>

The inclusion of the arts in the *Parks and Recreation Element* (2018) was a good first step, but incomplete, because parks (i.e. fields, pools, ice rinks, trails, recreation facilities...) are always a net drain, or at best a break-even budgetary obligation. If one aspect of parks tends to be a money generator, then excess revenue funds other recreation programs.

Arts-and-Culture, however, per the 2016 Johnson Consulting study, are a potential economic engine, especially in the City of Gig Harbor, and need special attention in the city's Comprehensive Plan as result. **Parks and Arts-and-Culture should be distinct in the City of Gig Harbor Comp Plan, and in the city budget, because it is more transparent and strategic: 1) to review Parks as a self-supporting fund and 2) to review Arts-and-Culture as an expanding economic engine in the community.**

The Arts and Culture Element will be a positive long-range planning step toward securing the health of the community and *toward maintaining municipal service levels in all service areas, including police, parks, streets and sidewalks, and general city services.*

Please recommend the Arts and Culture Element to the City Council for approval as drafted or amended.

Mark Hoppen, Ed.D.
8133 Shirley Avenue
Gig Harbor, WA 98332
253 279-2415 cell

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Arts and Culture Element
Date: Wednesday, November 3, 2021 4:16:52 PM

For the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

-----Original Message-----

From: kathykuhn <kathleenkuhn@comcast.net>
Sent: Wednesday, November 3, 2021 3:09 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Arts and Culture Element

Dear Carl DeSimas,

My name is Kathy Kuhn and I would like to voice my support of the Arts & Culture Element amendment to the City of Gig Harbors Comprehensive Plan. I feel that this amendment is a critical part of Gig Harbor's foundation moving forward, and that culture and creativity contribute to the physical, mental, social and economic well being of our community.

The proposed Arts & Culture Element is consistent with the city's comprehensive plan in that it clarifies and defines the importance of arts and culture in the city's planning process and identifies ways in which arts and culture can be woven into the beautiful tapestry we call Gig Harbor.

The Arts and Culture Element makes a bold and succinct statement that Gig Harbor is a city that values and supports the full spectrum of arts, artists, and cultural organizations including written, visual, musical traditional and performing arts. Arts and cultural programs are powerful economic development tools in their ability to enhance Gig Harbors image and entice new businesses to locate here, while engaging residents and visitors alike.

"The Arts" are important to me because that is how my husband and I were able to make a living, raise our family and retire all in Gig Harbor.

Please make the proposed Arts & Cultural Element part of The City of Gig Harbors Comprehensive Plan.

Sincerely,

Kathy Kuhn
253-225-7316
kathleenkuhn@comcast.net

Sent from my iPad

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: For Planning Commission public hearing on the proposed Arts Element
Date: Wednesday, November 3, 2021 4:17:06 PM

For the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: Barbara Hammerman <barbarahammerman@gmail.com>
Sent: Wednesday, November 3, 2021 3:40 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Cc: Charlee Glock-Jackson <charlee@centurytel.net>
Subject: For Planning Commission public hearing on the proposed Arts Element

November 3, 2021

To: Planning Commissioners, City of Gig Harbor

From: Barbara Hammerman

Re: Arts & Culture Element

I am writing in support of the proposal for adopting the Arts & Culture Element in order to further benefit the economic development and vibrancy of life and institutions in Gig Harbor, Washington.

The data available in the reports generated for this proposal, public testimony and other communication contain specific examples from other cities as well as projected benefits for Gig Harbor. I have been privileged to serve on the Arts Commission committee that has considered this for some years and believe the proposal is strong and will have committed support from the people, businesses and organizations in the Gig Harbor area and beyond.

Several points are especially persuasive for me and which bode success for the adoption of this proposal:

1. A populace which has a higher than average level of education
2. Community organizations dedicated to pursuit and preservation of art are abundant.

3. Sufficient population, plus growth of the demographic population element supporting and seeking art engagement.
4. A transportation system that supports participation
5. Greater than average income.

We know that people are attracted to locations which consistently offer visual and performing arts engagement opportunities. This, in turn, supports lodging and food service and is a magnet for people to move into as area that has demonstrated this commitment.

Economic health is only one of the measurements for an overall assessment of livability in any community. The data support the understanding that vibrancy of the arts is proven to be among the highest rated in overall health of a populace in any community.

Those of us in the United by Music North America program and band are grateful to have been selected for grants from the city's Creative Endeavor Fund and the Lodging & Tax Fund. Our personal experience in preparing for and executing the those activities have provided numerous examples of people seeking and appreciating artistic expression and participation in our community. Adopting the proposed Arts Element within our governance system will demonstrate sustained commitment to creating more of those opportunities and the institutions and infrastructure to support those activities.

Respectfully submitted,

Barbara Hammerman

Barbara G.Hammerman, J.D.
President/Co-founder
United by Music North America
www.UBMNA.org

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Please support Arts and Culture
Date: Wednesday, November 3, 2021 4:21:29 PM

For the record. Thx!

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: edonehower@aol.com <edonehower@aol.com>
Sent: Wednesday, November 3, 2021 4:20 PM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Please support Arts and Culture

As a long time resident of the Gig Harbor area, I have always appreciated the wealth of artistic talent that exists on the Peninsula and the aesthetic appreciation of those talents by our community and by visitors alike. Please make these strengths a part of the plan as our town moves forward to a new appreciation of the arts as a part of what makes Gig Harbor so special.

Thanks for considering this request,

Ernie Donehower



Business of the City Council City of Gig Harbor, WA

Subject: Resolution 1222 Establishing Fees for Public Rental of Ancich Human Powered Craft Storage Racks

Proposed Council Action: Adopt Resolution 1222 establishing fees for the public rental of Ancich human powered craft storage racks.

Dept. Origin: Public Works

Prepared by: Jeff Langhelm, PE
Public Works Director

ALX

For Agenda of: November 22, 2021

Exhibits: Resolution 1222

Initial &
Date

Concurred by Mayor:

✓ 11-16-21

Approved by City Administrator:

Approved as to form by City Atty: *VIA EMAIL 11/10/21*

Approved by Finance Director:

DP 11/15/21

Approved by Department Head:

ALX 11/15/21

Expenditure Required	\$0	Amount Budgeted	\$ 0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

The City of Gig Harbor completed the construction of Ancich Waterfront Park and the associated boat storage building in late 2018. The City, the Gig Harbor Canoe and Kayak Race Team, and the Jerkovich family have partnered together in various ways since 2018 to progress the final design, permitting, and construction of the human powered watercraft launch floats located at Ancich Park, which is now known as the Community Paddler's Dock.

Now that the Community Paddler's Dock is under construction, the final steps required to allow the public access and use of the boat storage building is the order the public storage racks, develop the rental terms, and establish the rental fees. Staff is finalizing the layout in preparation for ordering the racks and Administration has developed the storage rental terms. This proposed council action will establish the rental fees.

Attached for your review and consideration is the proposed Ancich Boat Storage fee table. These fees have been reviewed with the Mayor and discussed at the November 9 Public Works Committee meeting.

FISCAL CONSIDERATION

The fees collected by the City for the public storage racks will pay for the City equipment and salaries necessary to maintain the boat storage building. Additionally, the total estimated public storage fees collected on an annual basis are similar in scale to the annual rental fee paid by the Gig Harbor Canoe and Kayak Race Team for rental of their portion of the Ancich boat storage building.

BOARD OR COMMITTEE RECOMMENDATION

This fee table was presented to the Public Works Committee at their November 9, 2021 meeting. The Committee requested Staff provide comparison fees from other similar storage facilities in the region. These comparisons will be provided during the presentation of this agenda item.

RECOMMENDATION/MOTION

Adopt Resolution 1222 establishing fees for the public rental of Ancich human powered craft storage racks.

RESOLUTION 1222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ESTABLISHING FEES FOR THE PUBLIC RENTAL OF ANCICH HUMAN POWERED CRAFT STORAGE RACKS

WHEREAS, the City of Gig Harbor completed the construction of Ancich Waterfront Park and the associated boat storage building in late 2018; and

WHEREAS, the City, the Gig Harbor Canoe and Kayak Race Team, and the Jerkovich family have partnered together in various ways since 2018 to progress the final design, permitting, and construction of the human powered watercraft launch floats located at Ancich Park, which is now known at the Community Paddler's Dock; and

WHEREAS, now that the Community Paddler's Dock is under construction, the final steps required to allow the public access and use of the boat storage building is the order the public storage racks, develop the rental terms, and establish the rental fees; and

WHEREAS, staff is finalizing the layout in preparation for ordering the racks and Administration has developed the storage rental terms;

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

Section 1. The City of Gig Harbor City Council hereby establishes the fees for the public rental of Ancich human powered craft storage racks as set forth in Exhibit A

ADOPTED by the City Council of the City of Gig Harbor at a regular meeting thereof, held this 22nd day of November, 2021.

Kit Kuhn
Mayor

Attest:

Joshua Stecker
Interim City Clerk

EXHIBIT A

City Resident Rate per 6-Month Rental Period

Boat Type	Base Rate	Surcharge \$/ft	Example	
			Length	Total
SUP	\$90	\$9	11	\$189
Kayak	\$108	\$9	12	\$216
Canoe	\$132	\$9	17	\$285

Non City Resident Rate per 6-Month Rental Period

Boat Type	Base Rate	Surcharge \$/ft	Example	
			Length	Total
SUP	\$132	\$12	11	\$264
Kayak	\$156	\$12	12	\$300
Canoe	\$180	\$12	17	\$384

Ancich Locker Fees

All Users \$60 per 6-Month Rental Period

Application Fee

All Users \$5 each application



Business of the City Council City of Gig Harbor, WA

Subject: First Reading of Ordinance for Parks Operations-Related Code Updates

Proposed Council Action: Consider adoption of an ordinance establishing new Parks Operations-related code updates at the second reading.

Dept. Origin: Public Works

Prepared by: Jeff Langhelm, PE
Public Works Director

For Agenda of: November 22, 2021

Exhibits: Draft Ordinance

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty: via email 11/16/21

Approved by Finance Director: OK 11/15/21

Approved by Department Head: AK 11/15/21

Initial &
Date

JK 11-16-21

Expenditure Required	\$0	Amount Budgeted	\$ 0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

Staff is proposing to update multiple sections of the City's municipal code to better manage Parks Operations. The proposed updates include the following:

Community Paddler's Dock Rules

Despite the City's public overwater structures being located adjacent to and included as City parks, the overwater structures require specialized rules that are not covered by existing rules established for City Parks under GHMC 9.24. This proposed ordinance creates a new chapter 8.23 in the municipal code that establishes specialized rules and provides a mechanism for enforcement for the City's Community Paddler's Dock, which is currently under construction at the City's Ancich Waterfront Park. This new chapter also addresses the Jerkovich family's existing access to their existing float system that is water-ward of the Community Paddler's Dock.

Park Operating Hours

Chapter 8.28 GHMC and Chapter 9.24 GHMC currently include the establishment of operating hours for Jerisich Dock and parks in general, respectively. The proposed ordinance clarifies and defines the operating hours for all parks.

Prohibition of Fireworks in City Parks

Chapter 9.24 GHMC currently does not prohibit the use or discharge of fireworks in the City's parks. Therefore, the City's Police Department cannot enforce against the use of fireworks in parks. The proposed ordinance would prohibit the use and discharge of fireworks in parks.

FISCAL CONSIDERATION

None.

BOARD OR COMMITTEE RECOMMENDATION

This ordinance was not presented to the Public Works Committee.

RECOMMENDATION/MOTION

Consider adoption of an ordinance establishing new Parks Operations-related code updates at the second reading.

ORDINANCE 1478

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, UPDATING PARKS-RELATED CODES BY ADDING A NEW CHAPTER 8.23 ADOPTING REGULATIONS FOR THE CITY'S COMMUNITY PADDLER'S DOCK AT ANCICH WATERFRONT PARK, AMENDING CHAPTERS 8.28 PUBLIC DOCKS – JERISICH, AND AMENDING CHAPTER 9.24 PARKS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City's Ancich Waterfront Park, guided by Resolution No. 949, has been constructed in phases and provides new access between the land and water for commercial fishing operators and the general public wanting to launch nonmotorized watercraft; and

WHEREAS, a portion of the Gig Harbor bay in front of the Park includes an existing float system used by the Jerkovich family for mooring vessels, including their own commercial fishing vessels; and

WHEREAS, the Jerkovich family and the City have worked together to provide for a portion of the Jerkoviches current aquatic land lease from the Washington State Department of Natural Resources to be sublet to the City for public use and access for the purposes of providing launch floats for nonmotorized watercraft; and

WHEREAS, the City is currently under construction with the public launch floats for nonmotorized watercraft, commonly known as Community Paddler's Dock, located along the outer end of Jerkovich Pier; and

WHEREAS, these regulations may need to be amended as the City further develops the next phases of Ancich Waterfront Park; and

WHEREAS, the Community Paddler's Dock requires specialized rules that are not covered by existing rules established for City Parks under GHMC 9.24 and the City Council desires to codify regulations regarding use of the Dock; and

WHEREAS, GHMC 9.24 and GHMC 8.28 are also amended to reduce a potential conflict in code related to park operating hours; and

WHEREAS, GHMC 9.24 is also amended to clearly prohibit fireworks in city parks;

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

Section 1. Chapter 8.23 - Added. A new chapter 8.23 entitled "Public Docks – Community Paddler's Dock" is added to the Gig Harbor Municipal Code to read as follows:

8.23.010 Public use.

The Community Paddler's Dock (Dock), located at approximately N 47° 20' 03", W 122° 35' 09", is part of the city of Gig Harbor's Ancich Waterfront Park and extends over the waters of Gig Harbor for the use and enjoyment of the general public for launching nonmotorized watercraft, with limitations set forth in this chapter.

8.23.020 Definitions.

For the purposes of this chapter, the definitions listed under this section shall be construed as specified in this section:

"Community Paddler's Dock" or "Dock" includes the floats and the gangway waterward of the City's Jerkovich Pier and located in the City's aquatic sublease area recorded with the Pierce County Auditor.

"Moor" or "mooring" is to secure by rope, cable, chain, or other connection, a watercraft to the dock.

"User," also known as an operator, is the person responsible for, or in control of, watercraft.

"Watercraft," also known as a vessel or boat, includes every description of watercraft on the water used or capable of being used as a means of transportation on the water, other than a seaplane.

8.23.030 Mooring watercraft prohibited.

Users are allowed use the Dock to actively launch human-powered watercraft into or out of Gig Harbor bay. Moorage of watercraft at the Dock is prohibited.

8.25.040 Alcoholic beverages prohibited.

There shall be no alcoholic beverages consumed on the Dock.

8.23.050 Dock operating hours.

The public is prohibited from accessing the Dock from dusk to dawn as defined in GHMC 9.24. The tenants of the private float system water-ward of the Dock shall be allowed access to the Dock 24 hours a day for the purposes of accessing their private float system.

8.23.050 Fueling, repairing, and maintaining of Watercraft.

There shall be no fueling, repairing, or maintaining of watercraft while located at or on the Dock.

8.23.060 Motorized watercraft.

Motorized watercraft are prohibited from being located at or on the Dock.

8.23.070 General public use.

The Dock is available to the general public for free public use and access on a first-come, first-served basis.

8.23.080 Queuing of watercraft

Any watercraft queued at the Dock, either from land or from water, shall be allowed access based on their place in the queue and may access the Dock in the order in which watercraft arrive at the dock.

8.23.090 Commercial activity.

There shall be no commercial activity conducted from the Dock.

8.23.100 Storage - Restrictions

Users are prohibited from placement of watercraft or equipment on the Dock for a period of more than 15 minutes and no allowed placement shall create a hazard for other dock users.

8.23.110 Penalties and remedies.

Violations of this chapter shall be remedied in accordance with GHMC 9.24.050

Section 2. Chapter 8.28 - Amended. Jerisich Dock Code Chapter 8.28 adds subsection 8.28.055 as follows:

8.28.055 Dock operating hours.

The public is prohibited from accessing the dock from dusk to dawn as defined in GHMC 9.24. Only those owning boats moored to the dock may access the dock and associated upland dock facilities between dusk and dawn.

Section 3. Chapter 9.24 - Amended. Parks Code Chapter 9.24 is amended as follows:

9.24.005 Definitions.

For the purposes of this chapter, the definitions listed under this section shall be construed as specified in this section:

- A. "Dawn" means the time at one-half hour before sunrise as published by the National Weather Service.
- B. "Dusk" means the time at one-half hour after sunset as published by the National Weather Service.
- C. "Park" means any public facility permitted for use by the general public for human enjoyment and recreation purposes. This shall include associated parking areas, water access areas, trails, trailheads, and open spaces, located on city-owned real property and in the City's right of way, as identified in the city's adopted Parks Recreation and Open Space Plan.

9.24.040 Park operating hours.

~~A. All city parks, except Jerisich Dock, shall be closed from dusk to dawn unless otherwise provided for in the municipal code or posted by the city of Gig Harbor. It is unlawful to enter or remain on any park property while closed unless operating under the authority of a special event or special use permit.~~

~~B. "Dawn" means the time at one half hour before sunrise as published by the National Weather Service~~

~~C. "Dusk" means the time at one half hour after sunset as published by the National Weather Service.~~

9.24.045 Fireworks prohibited in parks.

Any type of fireworks, as defined by RCW 70.77.126, are prohibited in city parks.

Section 4. 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 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 and be in full force and effect five 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 13th day of December, 2021.

Kit Kuhn
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker
Interim City Clerk

PUBLICATION DATE: December 16, 2021
EFFECTIVE DATE: December 21, 2021



Business of the City Council City of Gig Harbor, WA

Subject: Public Hearing and Resolution 1223
– Burnham Ridge Sewer and Water Utility
Extension Agreements.

Proposed Council Action: Move to approve
Resolution 1223 for sewer and water utility
extension agreements with Rush Residential.

Dept. Origin: Public Works

Prepared by: Jeff Langhelm, PE
Public Works Director

For Agenda of: November 22, 2021

Exhibits: Resolution and Utility Extension
Agreements

Initial &
Date

Concurred by Mayor:

Approved by City Administrator:

Approved as to form by City Atty: VIA EMAIL 11/19/21

Approved by Finance Director:

Approved by Department Head:

✓ 11-16-21

✓ 11/15/21

Expenditure Required	\$ 0	Amount Budgeted	\$ 0	Appropriation Required	\$ 0
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INFORMATION/BACKGROUND

Rush Residential is in the process of permitting through Pierce County a twenty (20) lot residential subdivision, known as the Burnham Ridge Plat, outside city limits but inside the City's urban growth area. They have requested 20 ERUs of sewer and 21 ERUs of water (lots and irrigation). RCW 35.67.310 and RCW 35.92.200 authorize the City to provide water and sewer utility services to property beyond the City limits. Ordinance No. 1235 allows the extension of water and sewer utilities to properties within the City's urban growth areas without the requirement to first annex. Ordinance No. 1235 further provides conditions in Chapter 13.34 of the Gig Harbor Municipal Code (GHMC) for connection to such utilities.

Following the requirements of Chapter 13.34 GHMC, Rush Residential has requested the City of Gig Harbor's water and sewer utility serve their subdivision. This plat, located at 10202 Burnham Road, would require an extension of the City's water and sewer systems into the plat within the new road the plat will construct from Burnham Drive. The City currently has capacity to provide the requested utility connections.

FISCAL CONSIDERATION

The proposed utility extension agreements require Rush Residential to pay all costs for designing, constructing, and permitting the necessary extension of the City's water and sewer utility.

Lastly, as prescribed by Chapter 13.32 GHMC and noted in each proposed utility extension agreement, all general facilities charges and monthly services charges for water and sewer services outside the city limits shall be charged at 1.5 times the in-city rates.

BOARD OR COMMITTEE RECOMMENDATION

The sewer utility extension agreements were presented to the Public Works Committee at their November 9th meeting with no opposition to the proposed agreements.

RECOMMENDATION/MOTION

Move to approve Resolution 1223 for water and sewer utility extension agreements with Rush Residential.

RESOLUTION NO. 1223

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO EXTENDING WATER AND SEWER SERVICE OUTSIDE THE CITY, AUTHORIZING THE EXECUTION OF ONE SEWER UTILITY EXTENSION AGREEMENT AND ONE WATER UTILITY EXTENSION AGREEMENT WITH RUSH RESIDENTIAL, TO A TWENTY (20) LOT RESIDENTIAL SUBDIVISION IN PIERCE COUNTY, WASHINGTON.

WHEREAS, Rush Residential is in the process of permitting through Pierce County a twenty (20) lot residential subdivision outside city limits but inside the City's urban growth area and have requested twenty-one (21) connections (lots and irrigation; and

WHEREAS, Rush Residential has requested connection to the City of Gig Harbor's water and sewer utility to serve their subdivision known as the Burnham Ridge Plat and located at 10202 Burnham Road; and

WHEREAS, RCW 35.67.310 and RCW 35.92.200 authorize the City to provide water and sewer utility services to property beyond the City limits; and

WHEREAS, Chapter 13.34 of the Gig Harbor Municipal Code (GHMC) requires the property owner seeking a utility extension to enter into a utility extension agreement with the City as a condition of a utility extension; and

WHEREAS, the City currently has capacity to provide the requested utility connections; and

WHEREAS, on November 22, 2021, the Gig Harbor City Council held a public hearing on Rush Residential requested utility extension agreement;

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

Section 1. The City Council hereby authorizes the Mayor to execute the Utility Extension Agreements attached hereto as Exhibit A, with the owner, Rush Residential.

Section 2. The City Council hereby directs the City Clerk to record the Utility Extension Agreements against the Property legally described in Exhibit A of each Utility Extension Agreement, at the cost of the applicant.

PASSED by the City Council this 22nd day of November 2021.

APPROVED:

MAYOR KIT KUHN

ATTEST/AUTHENTICATED:

CITY CLERK, JOSH STECKER

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL: 11/22/21
RESOLUTION NO. 1223

AFTER RECORDING RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3510 Grandview Street
Gig Harbor, WA 98335

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM

Document Title(s) (or transactions contained therein):

Utility Extension, Capacity Agreement and Agreement Waiving Right to Protest LID

Grantor(s) (Last name first, then first name and initials)

Grantee(s) (Last name first, then first name and initials)

City of Gig Harbor

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)

Section 31 Township 22 Range 02 Quarter 32 : THAT PART OF GOVT LOT 3 LY W OF GHLB HWY & N OF A LI 270 FT N OF N LI OF S 1/2 OF FOLL DESC PROP THAT POR OF S 1/2 OF S 1/2 OF NW OF SW LY W OF R/W OF TLCT LI EXC R/W OF GHLB HWY EXC THAT POR DEEDED TO STATE OF WASH 2/27/43 FOR HWY ALSO EXC POR TO STATE OF WASH # 1567621 # 1785851 & # 2413879 ALSO EXC N 500 FT THEREOF SEG G 3500 T/E 1997 HBNW EVERGREEN S#1489 27X56 (P55555-10717) VS 7/99

Assessor's Property Tax Parcel or Account Number: 0222313042

Reference Number(s) of Documents assigned or released: _____

**UTILITY EXTENSION, CAPACITY AGREEMENT
AND AGREEMENT WAIVING RIGHT TO PROTEST LID**

THIS AGREEMENT is entered into this _____ day of _____, 2021, between the City of Gig Harbor, Washington, a municipal corporation of the State of Washington (the "City"), and The Rush Companies, a _____ (the "Owner").

RECITALS

WHEREAS, the Owner is the owner of certain real property located in Pierce County which is legally described as set forth in Exhibit "A" and shown in the location map in Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, the Owner's property is not currently within the City limits; and

WHEREAS, the Owner desires to connect to the City's water utility system, hereafter referred to as the "utility," and the City is willing to allow connection only upon certain terms and conditions in accordance with Title 13 of the Gig Harbor Municipal Code, as now enacted or hereinafter amended; and

WHEREAS, on November 22, 2021, the City Council held a public hearing on this Utility Extension Capacity Agreement; NOW, THEREFORE,

FOR AND IN CONSIDERATION of the mutual benefits and conditions hereinafter contained, the parties agree as follows:

TERMS

1. Warranty of Title. The Owner warrants that Owner is the owner of the property described in Exhibit 'A', which is attached hereto and incorporated herein by this reference, and is authorized to enter into this Agreement.

2. Extension Authorized. The City hereby authorizes the Owner to extend service to Owner's property from the existing utility line on Burnham Drive NW (street or right-of-way) at the following location: 10202 Burnham Dr NW, Gig Harbor, WA 98332.

3. Costs. Owner will pay all costs of designing, engineering and constructing the extension. All construction shall be done to City standards and according to plans approved by the City Engineer. Any and all costs incurred by the City in reviewing plans and inspecting construction shall be paid for by the Owner.

4. Water Capacity Commitment. The City agrees to provide to the Owner water utility service and hereby reserves to the Owner 20 ERU's; provided however, that the City retains the authority to temporarily suspend such capacity where it is necessary to comply with other permits required by any agency with jurisdiction. These capacity rights are allocated only to the Owner's system as herein described. Any modification to this system must first be approved by the City. Capacity rights acquired by the Owner pursuant to this Agreement shall not constitute ownership by the Owner of any facilities comprising the City's water system. The City agrees to reserve to the Owner this capacity as set forth in GHMC 13.34.030.

5. Capacity Commitment Payment.

A. The Owner agrees to pay the City within 30 days of execution of this Agreement and prior to the recording of this agreement the sum of \$ 34,492, which is fifteen percent (15%) of the current general facilities charge, to reserve the above specified capacity. This payment shall reserve the specified capacity for a period of up to three years from the date of payment.

B. In the event the Owner has not made connection to the City's utility system by the date set forth above and no extension of the commitment period occurs as outlined below, such capacity commitment shall expire and the Owner shall forfeit one hundred percent (100%) of this capacity commitment payment to cover the City's administrative and related expenses.

C. In the event the Pierce County Boundary Review Board should not approve extension of the City's water system prior to the expiration of the commitment period, the Owner shall be entitled to a refund of the capacity commitment payment (without interest), less a five percent (5%) administrative fee.

6. Extension of Commitment Period. The Owner may extend the capacity commitment period for the life of the underlying development application or the underlying development approval upon payment of a capacity commitment payment of 100% of the value of the current general facilities charge. At the time of actual connection, per GHMC 13.34.040(7), if the water general facilities charge has increased, the Owner shall pay the difference between what was paid for the capacity commitment payment and the actual cost of the current general facilities charge.

7. Permits; Easements. Owner shall secure and obtain, at Owner's sole cost and expense, any and all necessary permits, easements, approvals, and licenses to construct the extension, including, but not limited to, all necessary easements, excavation permits, street use permits, or other permits required by state, county and city governmental departments including, but not limited to, the Pierce County Planning & Public Works Department, Pierce County Environmental Health Department, State Department of Ecology, Pierce County Boundary Review Board, and City of Gig Harbor.

8. Turn Over of Capital Facilities. If the extension of utility service to Owner's property involves the construction of water or sewer main lines, pump stations, wells, and/or other City required capital facilities, the Owner agrees if required by the City to turn over and dedicate such facilities to the City, at no cost, upon the completion of construction and approval and acceptance of the same by the City. As a prerequisite to such turn over and acceptance, the Owner will furnish to the City the following:

A. Record drawings in a form acceptable to the City Engineer;

B. Any necessary easements, permits or licenses for the continued operation, maintenance, repair or reconstruction of such facilities by the City, in a form approved by the City Attorney;

C. A bill of sale in a form approved by the City Attorney; and

D. A bond or other suitable security in a form approved by the City Attorney and in an amount approved by the City Engineer, ensuring that the facilities will remain free from defects in

workmanship and materials for a period of two years.

9. General Facilities Charges. The Owner agrees to pay the applicable general facilities charges, in addition to any costs of construction, as a condition of connecting to the City utility system at the rate schedules applicable at the time the Owner physically connects his/her property to the system. Any commitment payment that has not been forfeited shall be applied to the City's general facilities charges. Should the Owner not connect 100% of the Water Capacity Commitment, the Capacity Commitment payment shall be credited on a prorated percentage basis to the general facilities charges as they are levied.

10. Service Charges. In addition to the general facilities charges, the Owner agrees to pay for utility service rendered according to the rates for services applicable to properties outside the city limits as such rates exist (which is presently at 150% the rate charged to customers inside city limits) or as they may be hereafter amended or modified.

11. Annexation.

A. Owner understands that annexation of the property described on Exhibit 'A' to the City will result in the following consequences:

- i. Pierce County ordinances, resolutions, rules and regulations will cease to apply to the property upon the effective date of annexation;
- ii. City of Gig Harbor ordinances, resolutions, rules and regulations will apply to the property upon the effective date of annexation;
- iii. Governmental services, such as police, fire and utility service will be provided to the property by the City of Gig Harbor upon the effective date of annexation;
- iv. The property may be required to assume all or any portion of the existing City of Gig Harbor indebtedness, and property tax rates and assessments applicable to the property may be different from those applicable prior to the effective date of annexation;
- v. Zoning and land use regulations applicable to the property after annexation may be different from those applicable to the property prior to annexation; and
- vi. All or any portion of the property may be annexed and the property may be annexed in conjunction with, or at the same time as, other property in the vicinity.

B. With full knowledge and understanding of these consequences of annexation and with full knowledge and understanding of Owner's decision to forego opposition to annexation of the property to the City of Gig Harbor, Owner agrees to sign a petition for annexation to the City of the property described on Exhibit "A" as provided in RCW 35.14.120, as it now exists or as it may hereafter be amended, at such time as the Owner is requested by the City to do so. The Owner also agrees and appoints the Mayor of the City as Owner's attorney-in-fact to execute an annexation petition on Owner's behalf in the event that Owner shall fail or refuse to do so and agrees that such signature shall constitute full authority from the Owner for annexation as if Owner had signed the petition himself. Owner further agrees not to litigate, challenge or in any manner contest, annexation to the City. This Agreement shall be deemed to be continuing, and if Owner's

property is not annexed for whatever reason, including a decision by the City not to annex, Owner agrees to sign any and all subsequent petitions for annexations. In the event that any property described on Exhibit 'A' is subdivided into smaller lots, the purchasers of each subdivided lot shall be bound by the provisions of this paragraph.

12. Public Works Standards and Utility Regulations. Owner agrees to comply with all of the requirements of the City's public works standards relating to water and utility regulations when developing or redeveloping all or any part of the property described on Exhibit "A", and all other applicable water standards in effect at the time.

13. Liens. The Owner understands and agrees that delinquent payments under this agreement shall constitute a lien upon the above-described property. The lien shall be as provided in RCW 35.67.200, and shall be enforced in accordance with RCW 35.67.220 through RCW 35.67.290, all as now enacted or hereafter amended.

14. Termination for Noncompliance. In the event Owner fails to comply with any term or condition of this Agreement, the City shall have the right, at any time, to enter onto the Owner's property and for that purpose disconnect the water, in addition to any other remedies available to the City.

15. Waiver of Right to Protest LID. (If applicable)

A. Owner acknowledges that the entire property legally described in Exhibit 'A' would be specially benefited by the following improvements (specify):

Extension of public Water Main and all associated appurtenances from Burnham Drive into the Burnham Ridge Plat, located at 10202 Burnham Dr. NW, Gig Harbor, WA 98332

B. Owner agrees to sign a petition for the formation of an LID or ULID for the specified improvements at such time as one is circulated and Owner hereby appoints the Mayor of the City as his attorney-in-fact to sign such a petition in the event Owner fails or refuses to do so.

C. With full understanding of Owner's right to protest formation of an LID or ULID to construct such improvements pursuant to RCW 35.43.180, Owner agrees to participate in any such LID or ULID and to waive his right to protest formation of the same. Owner shall retain the right to contest the method of calculating any assessment and the amount thereof, and shall further retain the right to appeal the decision of the City Council affirming the final assessment roll to the superior court. Notwithstanding any other provisions of this Agreement, this waiver of the right to protest shall only be valid for a period of ten (10) years from the date this Agreement is signed by the Owner.

16. Specific Enforcement. In addition to any other remedy provided by law or this Agreement, the terms of this Agreement may be specifically enforced by a court of competent jurisdiction.

17. Covenant. The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties. The Owner, and every purchaser, assignee or transferee of an interest in the Property, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Property, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of the Owner contained in this Agreement, as such duties and obligations pertain to the portion of the Property sold, assigned or transferred to it. All costs of recording this Agreement with the Pierce County Auditor shall be borne by the Owner.

18. Attorney's Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. In any suit or action seeking to enforce any provision of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other remedy provided by law or this agreement. Venue of such action shall lie in Pierce County Superior Court or the U.S. District Court for Western Washington.

19. Notices. Notices and correspondence to the City and Owner shall be sufficiently given if dispatched by pre-paid first-class mail to the addresses of the parties as designated below. Notice to any person who purchases any portion of the Property from the Owner shall be required to be given by the City only for those property purchasers who provide the City with written notice of their address. The parties hereto may, from time to time, advise the other of any new addresses for notice and correspondence.

TO THE CITY:

City Clerk
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

TO THE OWNER:

Rush Residential
6622 Wollochet Dr NW
Gig Harbor, WA 98335

20. Severability and Integration. This Agreement and the Exhibits attached hereto constitute the agreement between the parties on this subject matter, and there are no other understandings, verbal or written, that modify the terms of this Agreement. If any phrase, provision, or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of this Agreement, such invalidity shall not affect the other terms of this Agreement.

DATED this _____ day of _____, 2021.

OWNER:

CITY OF GIG HARBOR

By: _____
Its _____
(Owner, President, Managing Member)

By: _____
Its Mayor

Attest:

City Clerk, Josh Stecker

Approved as to form:
Office of the City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

I certify that I know or have satisfactory evidence that Jill Guernsey is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of Gig Harbor, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at: _____
My appointment expires: _____

EXHIBIT A
PROPERTY LEGAL DESCRIPTON

EXHIBIT B
PROPERTY LOCATION MAP

AFTER RECORDING RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3510 Grandview Street
Gig Harbor, WA 98335

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM

Document Title(s) (or transactions contained therein):

Utility Extension, Capacity Agreement and Agreement Waiving Right to Protest LID

Grantor(s) (Last name first, then first name and initials)

Grantee(s) (Last name first, then first name and initials)

City of Gig Harbor

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)

Section 31 Township 22 Range 02 Quarter 32 : THAT PART OF GOVT LOT 3 LY W OF GHLB HWY & N OF A LI 270 FT N OF N LI OF S 1/2 OF FOLL DESC PROP THAT POR OF S 1/2 OF S 1/2 OF NW OF SW LY W OF R/W OF TLCT LI EXC R/W OF GHLB HWY EXC THAT POR DEEDED TO STATE OF WASH 2/27/43 FOR HWY ALSO EXC POR TO STATE OF WASH # 1567621 # 1785851 & # 2413879 ALSO EXC N 500 FT THEREOF SEG G 3500 T/E 1997 HBNW EVERGREEN S#1489 27X56 (P55555-10717) VS 7/99

Assessor's Property Tax Parcel or Account Number: 0222313042

Reference Number(s) of Documents assigned or released:

**UTILITY EXTENSION, CAPACITY AGREEMENT
AND AGREEMENT WAIVING RIGHT TO PROTEST LID**

THIS AGREEMENT is entered into this _____ day of _____, 2021, between the City of Gig Harbor, Washington, a municipal corporation of the State of Washington (the "City"), and The Rush Companies, a _____ (the "Owner").

RECITALS

WHEREAS, the Owner is the owner of certain real property located in Pierce County which is legally described as set forth in Exhibit "A" and shown in the location map in Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, the Owner's property is not currently within the City limits; and

WHEREAS, the Owner desires to connect to the City sewer utility system, hereafter referred to as the "utility," and the City is willing to allow connection only upon certain terms and conditions in accordance with Title 13 of the Gig Harbor Municipal Code, as now enacted or hereinafter amended; and

WHEREAS, on November 22, 2021, the City Council held a public hearing on this Utility Extension Capacity Agreement; NOW, THEREFORE,

FOR AND IN CONSIDERATION of the mutual benefits and conditions hereinafter contained, the parties agree as follows:

TERMS

1. Warranty of Title. The Owner warrants that Owner is the owner of the property described in Exhibit 'A', which is attached hereto and incorporated herein by this reference, and is authorized to enter into this Agreement.

2. Extension Authorized. The City hereby authorizes the Owner to extend service to Owner's property from the existing utility line on Burnham Drive (street or right-of-way) at the following location: 10202 Burnham Dr NW, Gig Harbor, WA 98332.

3. Costs. Owner will pay all costs of designing, engineering and constructing the extension. All construction shall be done to City standards and according to plans approved by the City Engineer. Any and all costs incurred by the City in reviewing plans and inspecting construction shall be paid for by the Owner.

4. Sewer Capacity Commitment. The City agrees to provide to the Owner sewer utility service and hereby reserves to the Owner the right to discharge to the City's sewage system 20 ERU's; provided however, that the City retains the authority to temporarily suspend such capacity where necessary to protect public health and safety, or where required to comply with the City's NPDES permit, or any other permits required by any agency with jurisdiction. These capacity rights are allocated only to the Owner's system as herein described. Any modification to this system must first be approved by the City. Capacity rights acquired by the Owner pursuant to this Agreement shall not constitute ownership by the Owner of any facilities comprising the City sewage system. The City agrees to reserve to the Owner this capacity as set forth in GHMC 13.34.030.

5. Capacity Commitment Payment.

A. The Owner agrees to pay the City within 30 days of execution of this Agreement and prior to the recording of this agreement the sum of \$ 44,549, which is fifteen percent (15%) of the current general facilities charge, to reserve the above specified capacity. This payment shall reserve the specified capacity for a period of up to three years.

B. In the event the Owner has not made connection to the City's utility system by the date set forth above and no extension of the commitment period occurs as outlined below, such capacity commitment shall expire and the Owner shall forfeit one hundred percent (100%) of this capacity commitment payment to cover the City's administrative and related expenses.

C. In the event the Pierce County Boundary Review Board should not approve extension of the City's sewer system prior to the expiration of the commitment period, the Owner shall be entitled to a refund of the capacity commitment payment (without interest), less a five percent (5%) administrative fee.

6. Extension of Commitment Period. The Owner may extend the capacity commitment period for the life of the underlying development application or the underlying development approval upon payment of a capacity commitment payment of 100% of the value of the current general facilities charge. At the time of actual connection, per GHMC 13.34.040(7), if the sewer general facilities charge has increased, the Owner shall pay the difference between what was paid for the capacity commitment payment and the actual cost of the current general facilities charge.

7. Permits; Easements. Owner shall secure and obtain, at Owner's sole cost and expense, any and all necessary permits, easements, approvals, and licenses to construct the extension, including, but not limited to, all necessary easements, excavation permits, street use permits, or other permits required by state, county and city governmental departments including, but no limited to, the Pierce County Planning & Public Works Department, Pierce County Environmental Health Department, State Department of Ecology, Pierce County Boundary Review Board, and City of Gig Harbor.

8. Turn Over of Capital Facilities. If the extension of utility service to Owner's property involves the construction of water or sewer main lines, pump stations, wells, and/or other City required capital facilities, the Owner agrees if required by the City to turn over and dedicate such facilities to the City, at no cost, upon the completion of construction and approval and acceptance of the same by the City. As a prerequisite to such turn over and acceptance, the Owner will furnish to the City the following:

A. Record drawings in a form acceptable to the City Engineer;

B. Any necessary easements, permits or licenses for the continued operation, maintenance, repair or reconstruction of such facilities by the City, in a form approved by the City Attorney;

C. A bill of sale in a form approved by the City Attorney; and

D. A bond or other suitable security in a form approved by the City Attorney and in an amount approved by the City Engineer, ensuring that the facilities will remain free from defects in

workmanship and materials for a period of two years.

9. General Facilities Charges. The Owner agrees to pay the applicable general facilities charges, in addition to any costs of construction, as a condition of connecting to the City utility system at the rate schedules applicable at the time the Owner physically connects his/her property to the system. Any commitment payment that has not been forfeited shall be applied to the City's general facilities charges. Should the Owner not connect 100% of the Sewer Capacity Commitment, the Capacity Commitment payment shall be credited on a prorated percentage basis to the general facilities charges as they are levied.

10. Service Charges. In addition to the general facilities charges, the Owner agrees to pay for utility service rendered according to the rates for services applicable to properties outside the city limits as such rates exist (which is presently at 150% the rate charged to customers inside city limits) or as they may be hereafter amended or modified.

11. Annexation.

A. Owner understands that annexation of the property described on Exhibit 'A' to the City will result in the following consequences:

- i. Pierce County ordinances, resolutions, rules and regulations will cease to apply to the property upon the effective date of annexation;
- ii. City of Gig Harbor ordinances, resolutions, rules and regulations will apply to the property upon the effective date of annexation;
- iii. Governmental services, such as police, fire and utility service will be provided to the property by the City of Gig Harbor upon the effective date of annexation;
- iv. The property may be required to assume all or any portion of the existing City of Gig Harbor indebtedness, and property tax rates and assessments applicable to the property may be different from those applicable prior to the effective date of annexation;
- v. Zoning and land use regulations applicable to the property after annexation may be different from those applicable to the property prior to annexation; and
- vi. All or any portion of the property may be annexed and the property may be annexed in conjunction with, or at the same time as, other property in the vicinity.

B. With full knowledge and understanding of these consequences of annexation and with full knowledge and understanding of Owner's decision to forego opposition to annexation of the property to the City of Gig Harbor, Owner agrees to sign a petition for annexation to the City of the property described on Exhibit "A" as provided in RCW 35.14.120, as it now exists or as it may hereafter be amended, at such time as the Owner is requested by the City to do so. The Owner also agrees and appoints the Mayor of the City as Owner's attorney-in-fact to execute an annexation petition on Owner's behalf in the event that Owner shall fail or refuse to do so and agrees that such signature shall constitute full authority from the Owner for annexation as if Owner had signed the petition himself. Owner further agrees not to litigate, challenge or in any manner contest, annexation to the City. This Agreement shall be deemed to be continuing, and if Owner's

property is not annexed for whatever reason, including a decision by the City not to annex, Owner agrees to sign any and all subsequent petitions for annexations. In the event that any property described on Exhibit 'A' is subdivided into smaller lots, the purchasers of each subdivided lot shall be bound by the provisions of this paragraph.

12. Public Works Standards and Utility Regulations. Owner agrees to comply with all of the requirements of the City's public works standards relating to sewer and utility regulations when developing or redeveloping all or any part of the property described on Exhibit "A", and all other applicable sewerage standards in effect at the time.

13. Liens. The Owner understands and agrees that delinquent payments under this agreement shall constitute a lien upon the above-described property. The lien shall be as provided in RCW 35.67.200, and shall be enforced in accordance with RCW 35.67.220 through RCW 35.67.290, all as now enacted or hereafter amended.

14. Termination for Noncompliance. In the event Owner fails to comply with any term or condition of this Agreement, the City shall have the right, at any time, to enter onto the Owner's property and for that purpose disconnect the sewer, in addition to any other remedies available to the City.

15. Waiver of Right to Protest LID. (If applicable)

A. Owner acknowledges that the entire property legally described in Exhibit 'A' would be specially benefited by the following improvements (specify):

Extension of public Sanitary Sewer Gravity Main from Burnham Drive into the Burnham Ridge Plat, located at 10202 Burnham Dr. NW, Gig Harbor, WA 98332

B. Owner agrees to sign a petition for the formation of an LID or ULID for the specified improvements at such time as one is circulated and Owner hereby appoints the Mayor of the City as his attorney-in-fact to sign such a petition in the event Owner fails or refuses to do so.

C. With full understanding of Owner's right to protest formation of an LID or ULID to construct such improvements pursuant to RCW 35.43.180, Owner agrees to participate in any such LID or ULID and to waive his right to protest formation of the same. Owner shall retain the right to contest the method of calculating any assessment and the amount thereof, and shall further retain the right to appeal the decision of the City Council affirming the final assessment roll to the superior court. Notwithstanding any other provisions of this Agreement, this waiver of the right to protest shall only be valid for a period of ten (10) years from the date this Agreement is signed by the Owner.

16. Specific Enforcement. In addition to any other remedy provided by law or this Agreement, the terms of this Agreement may be specifically enforced by a court of competent jurisdiction.

17. Covenant. The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties. The Owner, and every purchaser, assignee or transferee of an interest in the Property, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Property, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of the Owner contained in this Agreement, as such duties and obligations pertain to the portion of the Property sold, assigned or transferred to it. All costs of recording this Agreement with the Pierce County Auditor shall be borne by the Owner.

18. Attorney's Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. In any suit or action seeking to enforce any provision of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other remedy provided by law or this agreement. Venue of such action shall lie in Pierce County Superior Court or the U.S. District Court for Western Washington.

19. Notices. Notices and correspondence to the City and Owner shall be sufficiently given if dispatched by pre-paid first-class mail to the addresses of the parties as designated below. Notice to any person who purchases any portion of the Property from the Owner shall be required to be given by the City only for those property purchasers who provide the City with written notice of their address. The parties hereto may, from time to time, advise the other of any new addresses for notice and correspondence.

TO THE CITY:

City Clerk
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

TO THE OWNER:

Rush Residential
6622 Wollochet Dr NW
Gig Harbor, WA 98335

20. Severability and Integration. This Agreement and the Exhibits attached hereto constitute the agreement between the parties on this subject matter, and there are no other understandings, verbal or written, that modify the terms of this Agreement. If any phrase, provision, or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of this Agreement, such invalidity shall not affect the other terms of this Agreement.

DATED this _____ day of _____, 2021

OWNER:

CITY OF GIG HARBOR

By: _____
Its _____
(Owner, President, Managing Member)

By: _____
Its Mayor

Attest:

City Clerk, Josh Stecker

Approved as to form:
Office of the City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of Gig Harbor, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at _____
My appointment expires: _____

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

EXHIBIT B
PROPERTY LOCATION MAP