

AGENDA
GIG HARBOR CITY COUNCIL MEETING
Monday, April 11, 2022 – 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

CHANGES TO THE AGENDA

CONSENT AGENDA

1. City Council Minutes

Documents:

[City Council Meeting Minutes - March 28, 2022.pdf](#)

2. Agreement for Animal Control Services with Kitsap Humane Society

Documents:

[AGENDA BILL Agreement for Animal Control Services with Kitsap Humane Society.pdf](#)

3. Approval of Payroll

Checks #8348 through #8352 and direct deposit transactions in the total amount of \$509,235.60.

4. Approval of Vouchers

Check numbers 97583 through 97671 and ACH payments in the amount of \$1,119,922.48.

PRESENTATIONS

1. Volunteer Appreciation Week Proclamation

Documents:

[Volunteer Appreciation Week 2022.doc](#)

MAYOR'S REPORT

CITY ADMINISTRATOR'S REPORT

PUBLIC COMMENT ON NON-AGENDA ITEMS

OLD BUSINESS

1. Second Reading and Adoption of Ordinance 1485 Approving a Biennial Budget Process

Suggested Motion: Move to approve Ordinance 1485

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

Documents:

[AGENDA BILL Ordinance 1485.pdf](#)

NEW BUSINESS

1. First Reading of Ordinance 1486 Repealing GHMC 2.51 Standing Committees

Suggested Motion: None. Ordinance 1486 will be considered at second reading on April 25.

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

Documents:

[AGENDA BILL Ordinance 1486.pdf](#)

COUNCIL REPORTS / COMMENTS

ANNOUNCEMENT OF UPCOMING MEETINGS

Documents:

[City Meetings Calendar.pdf](#)

[City of Gig Harbor Two-Year Strategic Plan 2022-2023.pdf](#)

EXECUTIVE SESSION

To discuss potential litigation per RCW 42.30.110(i).

ADJOURN

PUBLIC COMMENT & DECORUM

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

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

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 FOR GIG HARBOR CITY COUNCIL MEETING
Monday, March 28, 2022 – 5:30 p.m.
Council Chambers

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

Following the Pledge of Allegiance, Police Chief Kelly Busey led the Council in a moment of silence in memory of the law enforcement officers who gave their lives in the line of duty in recent weeks.

CONSENT AGENDA:

1. City Council Minutes - City Council Study Session Minutes - March 10, 2022; City Council Meeting Minutes - March 14, 2022; City Council Study Session Minutes - March 17, 2022
2. Acceptance of Bid – Replacement Patrol Car
3. Resolution 1236 Declaring an Emergency for Borgen Blvd. Pavement Repair
4. City Administrator Employment Agreement
5. Approval of Agreement with Gig Harbor Downtown Waterfront Alliance
6. Approval of Vouchers - Check numbers 97480 through 97582 and ACH payments in the amount of \$640,304.20.

MOTION: Move to approve the Consent Agenda (Rodenberg/Barber).

VOTE: Unanimously approved.

EXECUTIVE SESSION: Council went into executive session for 10 minutes at 5:38 p.m. to discuss potential litigation per RCW 42.30.110(i). Mayor Pro Tempore Denson announced that no action would be taken following the executive session. Council returned to regular session at 5:48 p.m.

PRESENTATIONS: Mayor Pro Tempore Denson presented a Parks Appreciation Day proclamation. Gig Harbor Fire and Medic One Chief Dennis Doan provided an update on the services provided by the department and its future goals and needs. Pierce County Planner Chris Brown gave a presentation on the upcoming Tacoma-Pierce County Solid and Hazardous Waste Management Plan.

MAYOR'S REPORT: Mayor Pro Tempore Denson acknowledged the birthdays of Councilmember Storset and Public Works Director Jeff Langhelm.

CITY ADMINISTRATOR'S REPORT: Interim City Administrator Piasecki and Public Works Director Jeff Langhelm reported on the need to bring on a new contractor for the emergency pavement repair on Borgen Boulevard due to the discovery of unexpected soil erosion. He also reported that the deadlines for federal project funding applications are approaching in early April. The City plans to seek funding for 38th Street Phase 2, the

Commercial Fishermen's Homeport and the Sports Complex. Mr. Piasecki also reminded Council and attendees of the rules of decorum for public comment.

PUBLIC COMMENT ON NON-AGENDA ITEMS: Bill Sehmel commented on the potential to expand PenMet Parks to include the City of Gig Harbor.

NEW BUSINESS:

1. **Professional Services Contract for Gig Harbor Sports Complex Phase 1B Design, Permitting, and Bid Support** – Public Works Director Jeff Langhelm presented the contract to begin the design and permitting process for Phase 1B of the Sports Complex.

Public Comment: Georgina Armstrong commented on the need for an environmental impact statement for the project.

MOTION: Move to authorize the Mayor to execute a Professional Services Contract with BCRA in an amount not to exceed \$599,451.00 (Storset/Rodenberg).

VOTE: Motion passed 5-2 with Councilmembers Denson and Henderson opposed.

2. **Public Hearing: First Reading and Adoption of Ordinance 1483 Renewing Interim Zoning Controls Related to Transitional Housing, Permanent Supportive Housing, Emergency Shelters and Emergency Housing** – Community Development Director Katrina Knutson introduced the ordinance which will extend the interim zoning controls for another 6 months. A permanent ordinance is expected to be brought to Council in the next month.

MOTION: Move to approve Ordinance 1483 (Barber/Lykins).

VOTE: Unanimously approved.

3. **Public Hearing: First Reading and Adoption of Ordinance 1484 Renewing the Moratorium on Acceptance of New Lodging, Level 1 Applications** – Community Development Director Katrina Knutson introduced the ordinance which will extend the moratorium for another 6 months. A permanent ordinance is expected to be brought to Council in less than three months.

MOTION: Move to approve Ordinance 1483 (Woock/Barber).

VOTE: Unanimously approved.

MOTION: Move to direct the Mayor to prepare an ordinance for first reading by June 13 (Lykins/Barber).

VOTE: Motion failed Councilmembers Denson, Rodenberg, Storset, and Woock opposed.

4. **First Reading of Ordinance 1485 Adopting a Biennial Budget Process –**
Finance Director Dave Rodenbach introduced the ordinance which will return the City to a biennial budget process. The ordinance will return for second reading on April 25.
5. **Resolution 1237 Adopting the 2022-23 Strategic Plan –** City Administrator Tony Piasecki presented the resolution which adopts the City Council's 2022-23 Strategic Plan.

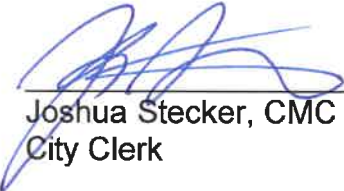
MOTION: Move to approve Resolution 1237 (Woock/Lykins).

VOTE: Unanimously approved.

COUNCIL REPORTS / COMMENTS:

- Councilmember Woock reported on the most recent PCRC meeting and the adoption of growth target numbers. She also acknowledged Women's History Month.
- Councilmember Rodenberg reported on the upcoming virtual tour of the new FISH foodbank building.
- Councilmember Barber expressed support for the citizens of Ukraine.

ADJOURN: The meeting adjourned at 7:54 p.m.



Joshua Stecker, CMC
City Clerk



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

Meeting Date: April 11, 2022

SUBJECT: Contract for Animal Control Services – Kitsap Humane Society

PURPOSE & RECOMMENDATION: The purpose of this agenda bill is to authorize the Mayor to execute a contract with Kitsap Humane Society to provide animal control services to the City of Gig Harbor via the Police Department. Staff recommends approval.

SUGGESTED MOTION: Move to authorize the Mayor to execute a contract with Kitsap Humane Society for animal control services.

SUBMITTED BY: Kelly Busey

DEPARTMENT: Police

PHONE: (253) 853-2422

BACKGROUND INFORMATION: The City of Gig Harbor utilizes Kitsap Humane Society (formerly Kitsap Animal Control) for animal control services to be performed within the city limits. This includes animal impoundment, boarding, and dangerous animal investigations.

DISCUSSION: Utilizing Kitsap Humane Society is more cost-effective than contracting for similar services with the Tacoma-Pierce County Humane Society. This relationship has been in place for approximately ten years and has proven successful.

FISCAL CONSIDERATION: The costs are outlined in the contract and are paid on a services rendered basis. Expenditure for services in 2021 was \$1,618.16.

Expenditure Required: \$ 2,000 (estimated)	Amount Budgeted: \$ Incl w professional services	Appropriation Required: \$ 0
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BOARD/COMMISSION/COMMITTEE RECOMMENDATION: None.

ATTACHMENTS: Contract with Kitsap Humane Society.

REVIEWED BY:

- ☐ Mayor
☐ City Administrator
☒ City Attorney (via email)

- ☐ Finance Director
☒ Department Head

Agreement for Animal Control Services

THIS AGREEMENT is entered into between the City of Gig Harbor, hereinafter referred to as "City," a Washington municipal corporation, and the Kitsap Humane Society, a nonprofit corporation organized under the laws of the State of Washington, hereinafter referred to as the "Society."

WHEREAS, the Society has been appointed to act as the official Animal Control and impounding authority for the City of Gig Harbor under Ordinances codified in Title 6 of the Gig Harbor Municipal Code and

WHEREAS, pursuant to the said appointment, the City desires to contract with the Society for the performance of the duties and services required of the official Animal Control authority of the City and the Society is agreeable to performing such duties and services according to certain terms and conditions, now, therefore,

IN CONSIDERATION of the mutual benefits and conditions hereinafter specified, the parties agree as follows:

1. Scope of Services. The Society agrees to furnish all labor, materials, equipment, and facilities to perform the duties and services required of the official Animal Control Authority of the City. Such duties and services shall include the following:
 - a) Impounding Authority. The Society shall act as the impounding authority for the City and shall provide impound services and facilities for all animals for which impounding is authorized or ordered by the City Pursuant to City ordinances.
 - b) Enforcement of Ordinances. The Society is designated as the Animal Control Authority and shall enforce all non-criminal ordinances of the City now in effect or hereinafter enacted relative to the care, treatment, control, and impounding of animals.
 - c) Quarantine. The Society, under the authority and at the direction of the City, shall, pursuant to the direction of the City or in accordance with the request of the owner, quarantine all animals that shall have bitten a person so as to have broken the skin, for a period of 10 days. It is the understanding of the parties that the City has the responsibility to monitor animals under quarantine and the Society shall cooperate with the City in the record keeping necessary to monitor the keeping of quarantined animals.
 - d) Clearing of Livestock. The Society shall, upon request, assist officers of the Gig Harbor Police Department and other employees of the City of Gig Harbor in clearing the city streets and roads of livestock or any other animals at large upon said roads and streets; provided, however, that nothing contained herein shall be construed to place responsibility on the Society for the removal of livestock or any other animals, whether living or dead, from public roads, streets and highways, nor from public or private property.

- e) Assistance in prosecution. To the extent allowed by law, the Society shall assist all officers of the City in obtaining and presenting evidence in connection with the prosecution of all violations of City ordinances pertaining to animals covered by this Agreement.
- 2. Application of Agreement. The duties of the Society as set forth herein shall pertain to all domestic animals and to wild animals which have been tamed or kept in captivity. The duties of the Society as set forth herein shall not pertain to wild, predatory, or game animals or birds which have not been tamed, except in case of injury and/or suffering of such animal.
- 3. Status of Society.
 - a) Independent Contractor. The Society and the City agree that the Society is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Society nor any employee of the Society 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 withholding or otherwise deducting federal income tax or social security or for contributing to the State Industrial Insurance program, or otherwise assuming the duties of an employer with respect to the Society or any employee of the Society.
 - b) Nonprofit Corporation. The Society, during the term of this contact, shall function as a nonprofit corporation, provided, that nothing contained in this Agreement shall be construed to prevent the Society from selling impounded animals, strays or gift animals, nor from boarding for a fee, animals under quarantine, at the request of the owners.
- 4. Records. The Society shall maintain complete and accurate records of all animals and complaints handled and of all income and expenditures related to the performance of the Society's duties under the Agreement. Such records shall be kept for a period of six (6) years.
- 5. Term of Agreement. This Agreement shall be in full force and effect for a period of four years commencing May 1, 2022, and ending December 31, 2025, unless sooner terminated under the provisions hereinafter specified.

Early Terminations. If the authority of the Society granted by Kitsap County is not renewed, then this agreement terminates 30 days after the Society received notice of Kitsap County's non-renewal. In the event of non-renewal, the Society will give the City of Gig Harbor, reasonable written notice of the termination of this agreement.

6. Compensation: For and in consideration of the services to be performed by the Society under this Agreement, the City agrees to pay the Society the following:

- a) The Kitsap Humane Society Animal Control will bill a flat rate fee of \$90.00 per hour for any services provided to the City of Gig Harbor, this includes travel and transport for any services provided.
- b) The boarding fees through the stray period of 96 hours (four days) will be \$20.00 per day, applicable vaccinations of \$50.00 per animal, an impound fee of \$45.00 per animal, and any medical costs during the stray hold period. Any medical costs incurred, other than those required to relieve immediate suffering of an animal, shall be authorized in advance by a representative of the City. Phone consultation for this preauthorization with subsequent documentation by the Society shall suffice.

Authorization to intake a stray must also be approved by the City at the time of the intake in order to confirm the jurisdiction responsible for the recovered animal.

- c) The fee for euthanasia is based on the weight (see attached).
- d) If cremation is requested, the fee is based on weight (see attached).
- e) Provide care and feeding of impounded/seized animals for 30 days without further charge to the City while the Gig Harbor municipal Court adjudicates the impoundment/seizure. If the impoundment/seizures extend beyond 30 days, the City will incur a cost of \$20.00 per day for boarding of said animal(s) until resolution of the associated court case.

7. Indemnification.

- a) The Society shall hold harmless, indemnify, and defend the City, its officers, agents, and employees, from and against any and all claims, losses, or liability, for injuries, sickness or death of persons, including employees of the Society, or damage to property, arising out of any willful misconduct or negligent act, error, or omission of the Society, its officers, agents, subconsultants or employees, in connection with the services required by this Agreement; provided, however, that: The Society's obligations to indemnify, defend and hold harmless shall not extend to injuries, sickness death or damage caused by or resulting from the sole willful misconduct or sole negligence of the City, its officers, agents, or employees.
- b) With respect to the City, the Society expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the obligation to indemnify, defend and hold

harmless the City extends to any claim, demand or action brought by or on behalf of any employee of the Society and includes any judgment, award and cost thereof, including attorney's fees.

8. Insurance. Prior to commencing work, the Society shall procure and maintain at the Society's own cost and expense for the duration of the Agreement the following insurance against claims for injuries to persons or damages to property which may rise from or in connection with the performance of the work of services hereunder by the Society, its agents, representatives, employees or subcontractors.

Minimum Limits of Insurance: The Society shall maintain limits no less than:

Commercial General Liability: One million dollars (\$1,000,000) combined single limit per occurrence for bodily injury and property damage, and two million dollars (\$2,000,000) aggregate. Coverage shall be on an "occurrence" basis. Gig Harbor shall be named, by endorsement, as an additional insured on the Contractor's insurance policy as respects to this contract.

Professional Liability (Errors and Omissions) Insurance: With a limit of not less than one million dollars (\$1,000,000).

Workers' Compensation and Employer's Liability: Workers' Compensation coverage as required by the State of Washington.

9. Termination. It is agreed by the parties hereto that this Agreement may at any time be terminated by the City of Gig Harbor giving to the Society thirty (30) days written notice of the City's intention to terminate the same, but that in the absence of such notice, the contract shall run for the full term named above.

10. Notices: Notices to the City of Gig Harbor shall be sent to the following address:

City of Gig Harbor
City Clerk
3510 Grandview Street
Gig Harbor, WA 98335

Notices to the Society shall be sent to the following:

Kitsap Humane Society
9167 Dickey Road NW
Silverdale, WA 98383

11. In the event that any provision shall be deemed to be invalid or otherwise unenforceable, the rest of the agreement shall still be valid and binding agreement.
12. Attorney Fees. In the event that either party needs to enforce the terms of this agreement, the prevailing party will be entitled to an award of attorney fees and cost expended therein.

13. Entire Agreement. This Agreement contains the entire agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this contact, shall be deemed to exist or to bind any of the parties hereto.

DATED this _____ day of _____, 2022

City of Gig Harbor

Kitsap Humane Society

By: _____
Tracie Markley, Mayor

By: _____

Attest:

By: _____
Joshua Stecker, City Clerk

Approved as to Form:

By: _____
Office of the City Attorney:

EUTHANASIA & SERVICE FEES

GROUP

Cremation Fees

Only charge PTS fee if KHS euthanized

Weight	Euthanasia Fee	Group Cremation Fee	Total
0-2	35.00	40.00	75.00
3-10	50.00	60.00	110.00
11-50	60.00	90.00	150.00
51-100	70.00	120.00	190.00
101-150	90.00	150.00	240.00
151-200	125.00	175.00	300.00
201-300	125.00	200.00	325.00
Over 300			

PROCLAMATION OF THE MAYOR OF THE CITY OF GIG HARBOR

WHEREAS, volunteering of an individual's time and resources is an essential part of our Gig Harbor pride; and

WHEREAS, each year many of our Gig Harbor residents commit their time and talents to improve the quality of life for our entire community; and

WHEREAS, our Gig Harbor volunteers show every day through their dedication and actions that they truly care about our community; and

WHEREAS, the volunteer spirit that helped to build the Gig Harbor community is alive and strong today;

NOW, THEREFORE, I, Tracie Markley, Mayor of the City of Gig Harbor, do hereby proclaim the week of April 19 through April 25, 2022 as

VOLUNTEER APPRECIATION WEEK

and encourage all citizens to express their appreciation to our volunteers for their selfless efforts to promote and help meet the needs of Gig Harbor.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Gig Harbor to be affixed this 11th day of April, 2022.

Tracie Markley, Mayor

Date



City of Gig Harbor City Council Meeting Agenda Bill

Meeting Date: April 11, 2022

SUBJECT: Second Reading and Adoption of Ordinance 1485 Adopting a Biennial Budget Process

PURPOSE & RECOMMENDATION: The purpose of this agenda bill is to adopt a biennial budget process, which will be effective for the 2023 – 2024 budget period. Staff recommends adoption.

SUGGESTED MOTION: Move to approve Ordinance 1485.

SUBMITTED BY: Dave Rodenbach, Finance Director

DEPARTMENT: Finance

PHONE: 253-853-7610

BACKGROUND INFORMATION: March 24, 2014, the city council passed ordinance 1287 adopting a biennial budget process. The city operated under biennial budgeting for the 2015-2016 and 2017-2018 budget periods. From a fiscal management perspective, biennial budgeting worked well.

June 25, 2018, the city council passed ordinance 1390, repealing ordinance 1287 thus reverting the city back to an annual budgeting process. The city prepared annual budgets for the 2019 through 2022 budget periods.

The ordinance to use a biennial budget must be adopted at least six months prior to the start of the biennium, and the biennium must start on an odd-numbered year.

DISCUSSION: The first reading of this ordinance was presented to Council at the February 14 meeting where no revisions were requested by Council.

Budgeting for a two-year biennium has been permitted for Washington cities since 1985 and for counties since 1995. The commonly noted advantages and disadvantages are noted below:

Advantages of a Biennial Budget

- Time savings, both for staff and councilmembers. The additional time it may take to prepare a 24-month budget pales in comparison to having to prepare a new budget each year. This leaves time for staff and Council to work on other issues in the off year.
- Encourages strategic thinking and planning over multiple years as opposed to balancing for one year.
- Removes the budget from political influence in that under state law, biennial budgets may only be adopted in even-numbered (non-election) years.

Disadvantages of a Biennial Budget

- Perceived loss of control by the legislative body, since they are approving the budget for two years at a time,
- More difficulty and uncertainty forecasting revenues/expenditures further into the future, and
- Some jurisdictions spend too much time on budget amendments or mid-biennium review, thus eliminating any time savings in year two.

The city's experience with estimating in the biennial environment as compared with annual is shown in the table below.

Budget Cycle	Budgeted Revenues	Actual Revenues	Variance
2014 Budget	\$ 10,712,575	\$ 11,674,190	9%
2015-16 Budget	23,509,221	26,595,498	13%
2017-18 Budget	28,866,480	29,926,074	4%
2021 Budget	\$ 14,366,149	\$ 17,896,828	25%

	Budgeted Expenditures	Actual Expenditures	Variance
2014 Budget	\$ 11,728,190	\$ 11,202,027	-4%
2015-16 Budget	23,860,248	22,915,330	-4%
2017-18 Budget	30,332,088	30,902,959	2%
2021 Budget	\$ 18,555,838	\$ 15,483,215	-17%

The numbers in table do not include budget amendments.

FISCAL CONSIDERATION: No additional expenditures are required.

The biennial budget process is like that of the annual, therefore, we should be able to move to a biennial process seamlessly.

The major process difference for biennial budgeting is the mid-biennial review. The mid-biennial review must occur between September 1 and December 31 of the first (odd-numbered). This will occur in Fall of the odd-numbered year (1st year of budget).

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: No previous review of biennial budgeting has occurred.

ATTACHMENTS: Ordinance 1485

REVIEWED BY:

☒ Mayor
☒ City Administrator
☒ City Attorney

☒ Finance Director
☐ Department Head

ORDINANCE 1485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING ORDINANCE 1390 WHICH REESTABLISHED AN ANNUAL BUDGET; AND ADOPTING A BIENNIAL BUDGET AND BIENNIAL BUDGET PROCESS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 35A.34 RCW, the City of Gig Harbor, Washington is authorized to adopt a biennial fiscal budget; and

WHEREAS, Chapter 35A.34.040, RCW provides that such ordinance must be enacted at least six months prior to the start of the fiscal biennium; and

WHEREAS, the City Council previously repealed adoption of the biennial process through Ordinance 1390; and

WHEREAS, the City Council has determined that it would be in the best interest of the city to re-establish a biennial budget process to be effective January 1, 2023;

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

Section 1. Ordinance 1390 Repealed. Ordinance No. 1390, which repealed the biennial budget and established an annual budget is hereby repealed in its entirety, effective January 1, 2023.

Section 2. Establishment of a Biennial Budget. The City of Gig Harbor hereby adopts a fiscal biennial budget process as authorized pursuant to Chapter 35A.34 RCW, as now or hereafter amended.

Section 3. Mid-Biennial Review and Modification. Mid-biennial reviews and modifications of the biennial budget are hereby provided. The review of the mid-biennial budget shall commence no sooner than eight months after the start nor later than 12 months after the start of the biennium. The mayor shall prepare the proposed budget modification and shall provide for publication of notice of hearings consistent with publication of notices for adoption of other city ordinances. The mayor shall distribute the proposed modification to members of the city council, with copies available to the public at City Hall. Public hearings on the proposed budget modification shall be conducted prior to the adoption of the ordinance modifying the biennial budget.

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 January 1, 2023.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 11th day of April, 2022.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk



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

Meeting Date: April 11, 2022

SUBJECT: First Reading of Ordinance 1486 Repealing GHMC 2.51 Standing Committees

PURPOSE & RECOMMENDATION: The purpose of this agenda bill is to remove reference to the standing City Council committees from the Gig Harbor Municipal Code.

SUGGESTED MOTION: None. Ordinance will return for second reading on April 25.

SUBMITTED BY: Josh Stecker, City Clerk

DEPARTMENT: Administration

PHONE: 853-7613

BACKGROUND INFORMATION: At the March 10 City Council Study Session, Council provided direction to prepare an ordinance to repeal the standing Council committees from the Gig Harbor Municipal Code. Ordinance 1486 repeals GHMC Chapter 2.51 which established these committees and further amends other sections of the Municipal Code where the individual committees were referenced.

The Board & Commission Candidate Review Committee, in particular, is referenced on multiple occasions in the GHMC due its role in the appointment of volunteers to the City's various advisory boards, committees and commissions. Each of these references is removed by this ordinance.

DISCUSSION: A provision for holding study sessions in lieu of the standing committees along with new appointment process for the advisory boards will be found in Council Guidelines & Procedures. Council intends to adopt the updated guidelines along with second reading of this ordinance on April 25.

FISCAL CONSIDERATION: None.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: None.

ATTACHMENTS: Ordinance 1486

REVIEWED BY:

☒ Mayor
☒ City Administrator
☒ City Attorney

☐ Finance Director
☐ Department Head

ORDINANCE 1486

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REPEALING GIG HARBOR MUNICIPAL CODE CHAPTER 2.51 RELATED TO STANDING COMMITTEES; REVISING CHAPTERS 2.21.020, 2.49.010, 2.50.010, 2.20, AND 2.53.020 OF THE GIG HARBOR MUNICIPAL CODE RELATED TO ADVISORY BOARDS, COMMISSIONS AND COMMITTEES, AND REVISING CHAPTER 5.28.100 OF THE GIG HARBOR MUNICIPAL CODE RELATED TO SPECIAL EVENTS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to discuss all business of the Council during study sessions or regular meetings instead of in committee meetings; and

WHEREAS, the City Council has established by resolution processes and rules for the conduct of its various advisory boards, commissions and committees in its Council Guidelines & Procedures;

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

Section 1. Chapter 2.51 – Repealed. Chapter 2.51 of the Gig Harbor Municipal Code is hereby repealed.

Section 2. Chapter 2.21.020 – Revised. Chapter 2.21.020 of the Gig Harbor Municipal Code related to the Design Review Board is hereby revised to read as follows:

2.21.020 Terms, qualifications and appointment of members.

A. Members of the design review board shall be appointed by the City Council and shall serve terms of three years. The terms shall be staggered. All terms shall expire on September 30th. Members of the design review board shall continue to serve until their successors are appointed and qualified. The city council shall appoint a new DRB member to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.

B. Design review board members shall have qualifications, skills or demonstrated interest in urban design or historic preservation and must be able to demonstrate the ability to read and interpret site plans, elevation drawings, landscape plans, architectural details and other design details and specifications as may be depicted on plans. All DRB members shall reside in the greater Gig Harbor area within Pierce County (west of the Tacoma Narrows Bridge and east of the Purdy Bridge). ~~Preference will be given to city residents. Members appointed prior to November 8, 2021, who live outside of this boundary shall be allowed to serve the remainder of their term.~~

Members shall be selected by the council from at least four of the following categories:

1. A licensed architect with demonstrated experience in urban or historic building design (at least one member shall be selected from this category and no more than one member shall be selected from this category; any person who meets the qualifications of this category may not be appointed under another category);
 2. A city resident with interest and knowledge of urban design (no more than two members shall be selected from this category);
 3. A member from the Gig Harbor planning commission (no more than one member shall be selected from this category);
 4. A member with a professional background relating to urban design (e.g., a professional artist, a civil engineer, planner, building contractor or professional building designer) as determined by the city council;
 5. A member with demonstrated interest and knowledge of landscaping, horticulture, arboriculture or forestry;
 6. An individual with a background in identifying, evaluating and protecting historic resources, selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation or landscape architecture, or related disciplines. (At least two members should be selected from this category.)
- Members in this category may participate in all applications reviewed by the DRB pursuant to Chapter 17.99 GHMC (Design Manual), but shall participate in applications received pursuant to Chapter 17.97 GHMC (Historic Preservation).

The DRB action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the required categorical positions, as long as there is a quorum, unless DRB action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the city and the State Historic Preservation Officer on behalf of the mayor, and the State Historic Preservation Officer on behalf of the state.

Members appointed prior to November 8, 2021, who do not fall into the category restrictions listed above shall be allowed to serve the remainder of their term.

~~C. Application for Design Review Board Appointment. Individuals wishing to serve, or to be reappointed to serve, on the design review board shall submit a letter of interest to the city clerk. The letter of interest shall state which category of subsection B of this section the individual wishes to serve under, and shall cite personal experience or credentials in that category. All applicants for appointment to the design review board shall be interviewed by the city council board and commission candidate review committee. The city council shall consider which individual has the most direct experience in that category and give weight in their decision to experience over general interest.~~

Section 3. Chapter 2.49.010 – Revised. Chapter 2.49.010 of the Gig Harbor Municipal Code related to the Arts Commission is hereby revised to read as follows:

2.49.010 Commission established – Membership.

A. The Gig Harbor arts commission, consisting of seven members appointed by the vote of a majority of the members of the city council, is established. The term of office shall be three years. Commission members shall be selected for staggered terms. Three commissioners or their successors will serve a one-, two- or the full three-year term based on the position. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire on March 31st and all successive terms shall commence on April 1st. Members may continue to serve past their term expiration if no replacement has been appointed.

B. Commission members shall be appointed upon the basis of demonstrated interest, knowledge and support of the arts. Members shall serve without salary or other compensation; provided, that members shall be reimbursed for necessary expenses actually incurred with prior administrative approval. Commissioners may be selected from the Gig Harbor community at large. ~~Preference will be given to city residents. All applicants for appointment to the arts commission shall be interviewed by the city council board and commission candidate review committee.~~

~~C. Prior to appointing initial members and filling each vacancy in the membership of the commission, public notice of available positions shall be posted on the city's website at least two weeks in advance of appointment. Applicants for vacant positions shall apply to the office of the city clerk.~~

Section 4. Chapter 2.50.010 – Revised. Chapter 2.50.010 of the Gig Harbor Municipal Code related to the Parks Commission is hereby revised to read as follows:

2.50.010 Parks commission established.

A. The city of Gig Harbor parks commission, consisting of seven members, appointed by a vote of the majority of the city council, is hereby established.

B. The purpose of the parks commission is to advise the mayor and city council on park and recreation facilities, open space acquisition and development, maintenance and operation of parks and recreation public facilities, operation of parks and recreation programs, and other matters as directed by the city council.

C. Commission members shall initially be selected for staggered terms. Three commissioners or their successors will serve a one-, two- or three-year term based on the position, except that Position 7 shall initially serve a two-year term. All subsequent appointments shall be for three years, or for the duration of an unexpired term in the case of an appointment to a vacancy. All commission members' terms shall expire on March 31st and all successive terms shall commence on April 1st. ~~Members may continue to serve past their term expiration if no replacement has been appointed.~~

D. Commission Appointments.

~~1. Appointments to the parks commission will be by the city council during a regularly scheduled meeting.~~

~~2. Each member of the commission shall be a resident of the city of Gig Harbor or residing within the city's urban growth area (UGA) at the time of appointment and throughout her or his time in office. At no time shall there be more than two residents of the UGA serving on the commission. When reviewing appointments to the parks commission, residents of the city of Gig Harbor will be given preference.~~

~~3. The council shall seek the advice and input of the commission prior to making any commission appointments. All applicants for appointment to the parks commission shall be interviewed by the city council board and commission candidate review committee.~~

~~E. Vacancies occurring other than through the expiration of terms shall be filled by the council, in consultation with the parks commission, within 90 days of the vacancy, for the unexpired term.~~

~~F. Members may be removed by the city council for any reason.~~

Section 5. Chapter 2.20 – Revised. Chapter 2.20 of the Gig Harbor Municipal Code related to the Planning Commission is hereby revised to read as follows:

2.20.010 Created – Terms of office.

~~Pursuant to the authority conferred by Chapter 35.63 RCW, there is created a city planning commission consisting of seven members who shall be selected as follows: all seven members shall be appointed by the mayor and confirmed by a majority of the city council. All applicants for appointment to the planning commission shall be interviewed by the city council board and commission candidate review committee.~~ Each member of the planning commission shall be a resident of the city of Gig Harbor or residing within the city's urban growth area (UGA) at the time of appointment and throughout her or his time in office. At no time shall there be more than two residents of the UGA serving on the commission. When reviewing appointments to the planning commission, residents of the city of Gig Harbor will be given preference. Members of the planning commission shall serve terms of four years. Those members currently serving shall continue to serve for the remainder of their appointed terms. Terms shall be staggered. Terms expire on June 30th, but members of the planning commission shall continue to serve until their successors are appointed and qualified.

2.20.020 Vacancies.

~~Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms. Members may be removed by the mayor, with the approval of a majority of the council, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. The members shall be selected without respect to political affiliations and they shall serve without compensation. (Ord. 74, 1964).~~

Section 6. Chapter 5.28.100 – Revised. Chapter 5.28.100 of the Gig Harbor Municipal Code related to Special Events is hereby revised to read as follows:

5.28.100 Traffic control.

A. The chief of police may require any reasonable and necessary traffic control. If such traffic control cannot be handled by the sponsor and shall require the deployment of additional police personnel, the permittee shall be responsible for the expense. The chief of police or his designee shall notify the applicant(s) of the actual projected expense.

B. If a special event constitutes a road closure, request for such closure must be submitted in the special event application no less than 90 days prior to the event. Road closure requests for special expressive events with less than 90 days' notice shall be reviewed in accordance with the other provisions of this chapter.

C. Road closure requests not associated with a city or city-sponsored event must receive approval from the ~~city's finance and safety committee~~ chief of police in consultation with the city administrator. This requirement does not apply to special expressive events.

D. Events with grandfathered road closure approvals are: Maritime Gig Festival, Beatnik's Concert, National Night Out, Trick or Treat, PAL Arts Festival, Turkey Trot and Race for a Soldier.

E. Roads that may not be closed: Olympic Drive, Point Fosdick Drive, 56th Street, Soundview Drive (between Olympic Drive and Grandview Street), Stinson Avenue (between Pioneer Way and Rosedale), Borgen Boulevard (between Burnham Drive and Harbor Hill Drive), Wollochet Drive, 38th Avenue (between 56th Street and Hunt Street), Skansie Avenue (between 72nd Street and Rosedale Street), and Rosedale Street (between Skansie Avenue and 54th Avenue).

F. Harborview Drive may not be closed more than once per calendar month for special event purposes.

Section 7. 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 8. 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 9. 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 25th day of April, 2022.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker, CMC
City Clerk

UPCOMING CITY MEETINGS
ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

Day	Date	Time	Group	Agenda Items
M	Apr. 11	5:30pm	City Council	See Agenda
W	Apr. 13	10:00am	Arts Commission	
TH	Apr. 14	11:00am	Lodging Tax Advisory Committee	
TH	Apr. 14	2:00pm	City Council Study Session	UGA Analysis Stormwater Source Control Program 2022 Active CIP Schedule Update Council Procedures & Guidelines Update
TH	Apr. 14	3:00pm	Civil Service Commission	CANCELLED
TH	Apr. 14	5:00pm	Design Review Board	CANCELLED
TH	Apr. 21	5:00pm	Planning Commission	Short Term Rentals
M	Apr. 25	5:30pm	City Council	Consent Agenda: - Resolution XXXX RCO Grant applications North Creek Culvert Project - Resolution XXXX RCO Grant applications for Parks projects - Professional Services Contract for On-Call Arborist Services Old Business: - Second Reading and Adoption of Ordinance 1486 Repealing GHMC 2.51 Standing Committees New Business: - Public Hearing: First Reading of Ordinance XXXX Transitional Housing, Permanent Supportive Housing, Emergency Shelters, and Emergency Housing - Resolution XXXX Revising Council Guidelines & Procedures - First Reading of Ordinance XXXX Water System Plan Revision - Austin Honoring Art Foundation – Public Works Contract Award - Prentice Avenue/Fennimore Street Half-Width Roadway Improvements Final Design – Professional Services Contract Staff Report: Quarterly Budget Update
TH	Apr. 28	2:00pm	City Council Study Session	2:00 Urban Forestry Presentation – DNR 3:00 Legislative Session Wrap Up Sister City Discussion Climate Change Stakeholder Group Discussion
TH	Apr. 28	5:00pm	Design Review Board	
TBD	TBD	TBD	Salary Commission	Must meet before April 30
W	May 4	5:30pm	Parks Commission	
TH	May 5	5:00pm	Planning Commission	Short Term Rentals
M	May 9	5:30pm	City Council	Consent Agenda:

UPCOMING CITY MEETINGS
ALL AGENDA ITEMS TENTATIVE – SUBJECT TO CHANGE

				- North Creek Culvert Replacement Feasibility Study – Professional Services Contract Old Business: - Second Reading and Adoption of Ordinance XXXX Transitional Housing, Permanent Supportive Housing, Emergency Shelters, and Emergency Housing - Second Reading of Ordinance XXXX Water System Plan Revision New Business: - Public Works Operations Center Building Construction – Public Works Contract Award
W	May 11	10:00am	Arts Commission	
TH	May 12	11:00am	Lodging Tax Advisory Committee	
TH	May 12	2:00pm	City Council Study Session	Review of 2023-28 Transportation Improvement Program 2022 Active CIP Schedule Update
TH	May 12	3:00pm	Civil Service Commission	
TH	May 12	5:00pm	Design Review Board	
TU	May 17	1:30 pm	Hearing Examiner	Burnham Drive Apartments
TH	May 19	5:00pm	Planning Commission	
M	May 23	5:30pm	City Council	New Business: First Reading of Ordinance XXXX Fireworks
TH	May 26	2:00pm	City Council Study Session	
TH	May 26	5:00pm	Design Review Board	
M	June 13	5:30pm	City Council	New Business: Public Hearing Resolution XXXX Adopting 2022 TIP
TH	June 16	2:00pm	City Council Study Session	Holiday Display Policy 2022 Active CIP Schedule Update
M	June 27	5:30pm	City Council	
TH	June 30	2:00pm	City Council Study Session	

City of Gig Harbor Two-Year Strategic Plan 2022-2023

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

Priorities	Goals	Actions – Routine/Annual	Actions - Project
Foster a healthy City organization	- Be an exceptional employer - Retain existing workforce - Attract qualified applicants - Ensure safe work environment - Encourage staff training - Encourage and obtain employee feedback	- Fill all vacancies in a timely manner - Maintain effective procedures to respond to ADA, FMLA, etc. issues and situations - Maintain collaborative relationships with union representatives - Re-qualify for AWC Well City designation	- Develop a staff retention and attraction program* - Review and update the City's DEI program* - Develop an employee recognition and appreciation program - Update Personnel Policies Manual - Update Safety Manual and Accident Prevention Program - Conduct employee satisfaction survey - Revise employee evaluation process - Develop management training for all new supervisors*
Ensure sustainable future for public services and facilities	- Provide more efficient and effective municipal services - Improve public outreach on capital projects - Increase communications between the City and residents - Better understand community needs and service expectations - Make city meetings more accessible to residents online - Source funding and implement plans for City Parks & Rec, streets/transportation options, utilities - Ensure adequate infrastructure to support community needs	- Update utility rates as needed - Support free vessel pump-out service - Continue implementing permit and land use approval process improvements - Continue and when possible, increase resources dedicated to capital improvement projects - Review/amend TIP to improve motorized and non-motorized transportation	- Develop an online citizen comment/reporting form - Conduct a citizen satisfaction survey* - Create a City-wide Communications Plan* - Update Public Works Standards - Conduct HOA fair - Implement hybrid Court system/electronic case management - Implement hybrid city meetings platform - Develop neighborhood traffic calming policy
Maintain small town character and historic preservation while growing responsibly	- Promote responsible growth in keeping with small town character - Address infrastructure issues to relieve traffic issues - Ensure adequate affordable housing - Focus on character retention and historic preservation - Foster safe, livable and attractive community - Decrease distance to get to a park or open space - Enhance walkability and pedestrian/cyclist safety	- Annually docket specific priorities in the Comprehensive Plan - Provide funding support for Harbor History Museum - Monitor State legislative activity - Provide funding support for Senior Center programming - Maintain/expand support for the Arts Commission and the arts in the city - Implement and support Sister City program* - Continue to fund Creative Endeavor Grants - Implement pedestrian and bicycle projects consistent with adopted Transportation Element	- Revise Municipal Code for short term rentals - Prepare 2024 Comprehensive Plan Periodic Update - Provide funding for Harbor History Museum Maritime Gallery project - Provide funding for Senior Center permanent home - Complete annexation study - Review Design Manual - Develop Housing Needs and Action Plan - Create Historic Preservation Committee - Review parking requirements for businesses and off-street parking - Support funding for youth and teen activities*
Promote environmental sustainability and preserve Gig Harbor's natural beauty	- Address climate change - Preserve tree canopy - Preserve and enhance natural character - Add undeveloped land to parks inventory	- Support free vessel pump-out service - Annually review Climate & Sustainability Action Plan (once developed)*	- Adopt Climate & Sustainability Action Plan* - Incorporate climate change into the City's Comprehensive Plan - Form Climate Action Committee* - Adopt Urban Forest Management Plan and update tree retention policies* - Develop recycling program in City parks - Install Civic Center electric vehicle charging station - Pursue opportunities to buy conservation parcels* - Annex parcels in City's park system - Update Stormwater Management and Site Development Manual - Assess gaps in public charging stations in the ROW for electric vehicles
Promote and enhance a dynamic and robust economy	- Develop a plan to increase promotion of our local business community - Increase vitality of the city's small businesses - Attract larger business to industrial zone - Maintain and enhance commercial fishing	- Support Downtown Waterfront Alliance and Chamber of Commerce - Promote tourism-related activities through lodging tax grants - Promote downtown businesses and events to bring in visitors - Continue collaboration with Pierce Transit for downtown trolley service - Produce annual Visitor's Guide - Annually evaluate effectiveness of tourism promotion and lodging tax - Continue supporting visitor-oriented media relations	- Design and construct Fishermen's Home Port - Create a Business Retention and Attraction Plan* - Evaluate and amend (if necessary) development regulations and fees - Develop and implement a small business fair*