

AGENDA
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, January 26, 2023 – 3:00 p.m.
Community Rooms

This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382.

CALL TO ORDER/ROLL CALL

DISCUSSION ITEMS

1. Proposed Code/Lease Changes Related to Alcohol in Park Buildings

Parks Manager Jennifer Haro

Documents:

[STAFF MEMO Alcohol in Parks.pdf](#)

2. Overview of Water System Emergency Response Plan

Public Works Director Jeff Langhelm

Documents:

[STAFF MEMO Water System Emergency Response Plan.pdf](#)

ADJOURN

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.



PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: City Council

FROM: Jennifer Haro, Parks Manager

DATE: January 26, 2023

SUBJECT: Code and lease changes related to alcohol in parks

The City was approached by the Gig Harbor BoatShop about their desire to be able to serve alcohol in City-owned buildings that they lease at Eddon Boat Park. In the Eddon Boat Building, they hold fundraising events to support their mission as a 501c(3) non-profit. They would also like renters of the Boatyard House to be able to serve alcohol at events.

Similarly, the Skansie Netshed Foundation would also like to serve alcohol at fundraising events, and Harbor WildWatch may want to in the future.

Currently, Gig Harbor Municipal Code 9.24.020 prohibits alcohol in parks, except for on a vessel at Jerisich Dock. We are proposing minor amendments to GHMC 9.24 to allow exceptions to the prohibition of alcohol in leased areas, as long as they follow all Liquor and Cannabis Board permitting and licensing requirements.

In addition, the specific leases are proposed to be amended to allow alcohol at events that support their mission as non-profits, such as concerts, auctions and other fundraising events. In the case of the Boatyard House, the lease amendment would allow alcohol for private events for people who rent the House. The lease currently limits events at the Boatyard House to 30 people.

In all cases, the non-profits and the Boatyard House renters would need to comply with Washington Liquor and Cannabis Board requirements. Most events require either a banquet permit or a special occasion license.

Staff will be asking Council to provide comments and direction on whether to proceed with the proposed municipal code change and lease amendments.

9.24.020 Alcohol prohibited in parks.



Except as permitted in GHMC [9.04.010](#) or except if consumed on a vessel moored at Jerisich Dock, and except if consumed in a leased area or rental area pursuant to the terms contained in the lease or rental agreement, no person shall open a package containing liquor or consume liquor in a park Alcohol consumed pursuant to one of the above exceptions must be in accordance with Washington State Liquor and Cannabis Board permit and license requirements. This section shall be prosecuted as set forth in Chapter [9.04](#) GHMC. (Ord. 1454 § 1, 2021).

9.24.040 Park operating hours.



All city parks shall be closed from dusk to dawn unless otherwise provided for in the municipal code, a lease or rental agreement, 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. (Ord. 1478 § 3, 2021; Ord. 1454 § 1, 2021; Ord. 1369 § 1, 2017. Formerly 9.24.015).

**FIRST AMENDMENT
TO
LEASE AGREEMENT BETWEEN
THE CITY OF GIG HARBOR AND
SKANSIE NETSHED FOUNDATION**

THIS FIRST AMENDMENT to the Lease Agreement between the City of Gig Harbor and the Skansie Netshed Foundation entered into on August 21, 2007 is made and entered into as of the date signed below by and between the CITY OF GIG HARBOR, a Washington municipal corporation (the “City”), and the SKANSIE NETSHED FOUNDATION, a Washington nonprofit corporation (“Foundation”), collectively referred to as the “parties.”

RECITALS

WHEREAS, the City currently leases to the Foundation the property located at 3207 Harborview Drive, Gig Harbor, Washington, which includes the building commonly known as the Skansie Netshed. This lease is memorialized in the Lease Agreement dated October 27, 2015 (the “Lease Agreement”).

WHEREAS, the Foundation hosts fundraising and community events as part of their mission as a nonprofit and desires to serve alcohol at some of these events in accordance with State law and permitting requirements at the Skansie Netshed; and

WHEREAS, Gig Harbor Municipal Code 5.28.105 states that *“Consumption of alcohol is illegal on public property. No special event shall allow the sale or consumption of alcoholic beverages. The only exceptions to this rule is where the city leases a structure to a tenant. In those instances, their approved lease may allow consumption of alcoholic beverages for approved events within the leased structure...; and*

WHEREAS, GHB’s current lease does not mention consumption of alcoholic beverages for approved events in accordance with Gig Harbor Municipal Code 5.28.105; and

WHEREAS, the City Parks Board was unanimously in favor of allowing alcohol at events at leased buildings in Parks at their December 7, 2022 meeting; and

WHEREAS, the City Council considered allowing alcohol at events at leased buildings in Parks at their January 26 study session and recommended approval.

NOW, THEREFORE, in consideration of the mutual promises below, the parties hereby amend the Lease as follows:

AMENDMENTS

Section 8. Restrictions on Use. A new Subsection A(5) shall be added to Section 8 as follows:

- 5. Events at the Skansie Netshed that support their mission as stated in the original lease may serve alcohol provided that they get permits from the Washington Liquor and Cannabis Board and comply with the terms of the permits. Alcohol consumption is limited to the building and may not be consumed in Skansie Park. A violation of this subsection will result in a written warning from the City. Further violations may result in penalties, including possible termination of the lease.

EXCEPT AS MODIFIED BY THIS FIRST AMENDMENT TO LEASE AGREEMENT, ALL TERMS AND CONDITIONS OF THE FOUNDATION LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the parties have executed this Amendment effective this _____ day of _____, 2023.

CITY OF GIG HARBOR

SKANSIE NETSHED
FOUNDATION

By: _____
Mayor Tracie Markley

By: _____
President

APPROVED AS TO FORM:

City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

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 _____ (officer) of the Board of Directors of Skansie Netshed Foundation to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2016.

Printed name: _____
NOTARY PUBLIC in and for the
State of Washington, residing at

My commission expires: _____.

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I certify that I know or have satisfactory evidence that Tracie Markley is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Mayor of the City of Gig Harbor to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2023.

Printed name: _____
NOTARY PUBLIC in and for the
State of Washington, residing at

My commission expires: _____.



PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor and City Council

FROM: Jeff Langhelm, PE, Public Works Director

DATE: January 19, 2023

SUBJECT: Overview of the City's Water System Emergency Response Plan

In 2022 the City embarked on an update to our water system's emergency response plan (ERP). The ERP was developed based on the initial risk and resiliency assessment presented to Council at the August 11, 2022, study session.

At the January 26 study session Staff will provide an overview of the final draft of the ERP that was provided to the Environmental Protection Agency. Due to security reasons, the ERP was not provided as an attachment to this memo.