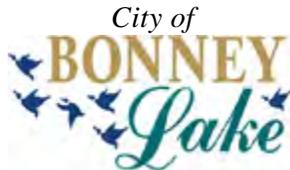


CITY COUNCIL WORKSHOP

**April 20, 2010
5:30 p.m.**

AGENDA



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

The City Council may act on items listed on this agenda, or by consensus give direction for future action. The council may also add and take action on other items not listed on this agenda.

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

Page

I. Call to Order:

Mayor Neil Johnson @ Bonney Lake City Hall - 19306 Bonney Lake Blvd.

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley.

Expected Staff Members: City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.

III. Agenda Items:

A. Council Open Discussion

3-16

B. Review of Draft Council Minutes: April 6, 2010 Workshop and April 13, 2010 Meeting.

17-22

C. Discussion: AB10-74 – Ordinance D10-74 - Ordinance Updating The Sign Code To Allow For Civic and Non-profit Signs In The Right Of Way.

23-43

D. Discussion: AB10-76 - CUGA Annexation Process, Alternatives and Timing

45-48

E. Discussion: AB 10-75 – Ordinance D10-75 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.20 Of The Bonney Lake And Section 2 Of Ordinance No. 1213 Relating To The Park Board.

49-60

F. Discussion: AB10-60 - Resolution 2023 - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington authorizing the Mayor to sign an interlocal agreement with Pierce County for certain amendments to the Pierce County Countywide Planning Polices as recommended by the Pierce County Regional Council

61-68

G. Discussion: AB10-63 - Resolution 2025 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bonney Lake Community Resources (Bonney Lake Food Bank) To Operate A Community Garden On City Property From May 2010 Until April 2011. ***An updated agreement will be provided for review at the Workshop.***

Page

IV. Executive Session:

Executive Session: Pursuant to RCW 42.30.110, the City Council may meet in executive session. The topic(s) and duration will be announced prior to the executive session.

V. Adjournment:

For citizens with disabilities requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.

**CITY COUNCIL
WORKSHOP**

**April 6, 2010
5:30 p.m.**

DRAFT MINUTES



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

Audio Time
Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. Call to Order: Mayor Neil Johnson, Jr. called the workshop to order at 5:30 p.m.

II. Roll Call: [A1.3]

Records & Information Specialist Susan Duis called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

[Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Planning Manager Heather Stinson, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney Jim Dionne and Records & Information Specialist Susan Duis.]

III. Agenda Items:

5:32:15

A. Discussion: AB10-18 – Ordinance D10-18 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, to Allow Approval of a Single Cottage Housing Project as a Demonstration of a Housing Choice Not Currently Available in Bonney Lake.

Planning Manager Heather Stinson said the proposed ordinance is based on Planning Commission recommendations with amendments based on Council input and review by the City Attorney’s office. The draft ordinance would set up a 180-day period for the City to accept applications for one single cottage development in the City. The ordinance requires neighborhood meetings, sets design requirements, and requires the development to be within ½-mile distance of SR 410.

Councilmembers discussed transit concerns, demonstration vs. permanent ordinances, and zoning. They stressed that if the Council decides to adopt permanent cottage development regulations, they would go through the full ordinance process and could incorporate any changes the Council desires. Planning Manager Stinson noted that the proposed ordinance allows twice the maximum density in R-1 zoned areas. She noted that developers would pay multi-family impact fee rates, and reduced Traffic Impact Fees. Councilmembers noted that the proposed ordinance does not allow for accessory dwelling units (ADU’s), which are also not allowed in R-1 zoned areas. The item was forwarded to the April 13, 2010 Meeting for action.

5:46:09

B. Council Open Discussion:

Community Garden & Dog Park: Mayor Johnson presented Councilmembers with a press release announcing a “trial” Community Garden and a “trial” Dog Park in the City. The trial garden will be located at 18424 89th St E, next to Lions 4 Kids, and

the trial dog park will be located at Viking Park. The City will provide some labor and water at the garden, but volunteer groups will handle most of the costs and management responsibilities. Mayor Johnson said that the City will monitor the sites and the Council can discuss options to find permanent sites for the park and garden after the one-year trial period. Councilmember Rackley said an advisor who has worked with Sumner and Orting on their community gardens is providing tips for the Food Shelf on how to manage the garden and avoid issues. Councilmember Carter suggested that the Dog Park group attend the Kiwanis Club Dog Days event on April 10th to provide information to the public.

Heritage Trees: Mayor Johnson said he received a proposal for heritage trees from the Willowbrook HOA. The HOA is completing the Heritage Tree application, which will be forwarded to the Park Board for review.

Transit Issues: Mayor Johnson said the City will take part in a meeting on April 15th with other area cities to discuss options for de-annexation from the Pierce Transit benefit area and manage their own transit systems. Deputy Mayor Swatman said he attended the Pierce Transit public meeting in Sumner, as did City Administrator Morrison and members of the Park Board and Planning Commission. He proposed that Pierce Transit return a portion of the RTA tax back to the City for use in providing local transit services. Councilmember Carter has written an editorial in the Tacoma News Tribune about the issue.

Family First Coalition & Local Schools: Councilmember Carter attended the White River School District Families First Coalition meeting. She said volunteers are needed for the summer feeding program, and those interested should contact the Food Bank. The food bank has seen a 66% increase in visitors. She said the Exodus House has funds available for the homeless and others who need assistance. She said the group is seeking funding for the May 2010 summit as well, and will hold its next meeting on April 26th. She said volunteers are needed to judge senior projects in White River School District on April 27-28, 2010, and in Sumner School District on May 19-20, 2010.

Upcoming Events: Councilmember Carter said the Kiwanis Club's 'Dog Days' event is Saturday, April 10th. The Kiwanis staffed the snack shack during the Easter Egg Hunt on April 3rd, and will be participating in the Daffodil Parade as well. She said the group is accepting donations for a fund to assist area senior citizens.

Councilmember Carter said the March 27th Food Handler Card class was very well attended and a great opportunity for area residents to get certified. She said Parks Appreciation Day is April 24th and volunteers will work to clean up the WSU forest.

Sign Code: Mayor Johnson said City staff are working on a draft ordinance that would allow non-profit and civic groups to place signs in the right-of-way. The draft ordinance should be available for review at the April 20, 2010 Workshop.

New Judge and Commissioners: Councilmember Carter asked whether applicants for the Municipal Judge, Board and Commission openings were notified that the positions were filled. Mayor Johnson said he sends letters to board and commission applicants, and all the finalists for Municipal Court Judge were also notified.

Road Cleaning: Councilmember Carter noted that Myers Road has been cleaned of debris from the Corliss logging outside City limits. She said this issue might come up again when the WSU forest is cleared for development. She suggested that City ordinances or procedures could be amended to ensure roads are kept clear.

WSU Forest: Councilmember Hamilton thanked members from 'Rails to Trails' who helped clean up some areas of the WSU forest over the weekend. He said a lot of the litter was around the edge of the forest, next to parking lots for area businesses. He asked if the City could require businesses adjacent to the forest to clean up garbage from their businesses. Director Vodopich said the City is responsible for maintenance in the forest. He said he has previously worked with businesses to get their help keeping City parks clean and the City could talk with the business owners about options for garbage cans, etc. City Attorney Dionne noted that the businesses let the City access the park through their parking areas currently. Community Services Director Leaf said if the City places garbage cans near the forest edge, it would likely encourage illegal dumping.

Church Lake & Lake Tapps: Councilmember Hamilton said that in recent years, the City and local newspapers no longer refer to Church Lake, the original lake which is now the southern part of Lake Tapps. He suggested the City continue to use 'Church Lake' when referring to the lake, since the City's borders lie along the original lakeshore. He said the future for Lake Tapps is unclear and wants to maintain the Church Lake name as long as possible. Councilmembers suggested including the name on City maps and making a note of the historic name in the City newsletters.

Deputy Mayor Swatman said he attended a public hearing about milfoil on Lake Tapps. He said the Cascade Water Alliance may treat the lake later this year, which could close the lake to public use for a short period.

Green Conference: Deputy Mayor Swatman attended the 'Tacoma Green' conference at the University of Washington-Tacoma. The group discussed green jobs and buildings in the area. He said he thinks it is important for each city to do what works for them, not try to compare themselves to other cities.

Annexation Update: Deputy Mayor Swatman suggested the Council discuss potential future annexations at a future workshop. He said annexation creates costs for the City in the short term, but would be beneficial to the City and annexed areas in the long term. Councilmember Hamilton said he supports annexation, but is not convinced that now is a good time to consider annexing new areas. He said annexation could negatively affect utilities, public safety, and development in other parts of the City. Councilmember Rackley spoke in support of considering annexation. He noted that until the plateau area is annexed, the City does not receive any development fees or tax revenues for those areas. He said therefore it is better to annex the area sooner rather than later.

Public Art: Deputy Mayor Swatman asked whether the City was able to acquire any of the glass panels available from Pierce Transit for possible use as public art pieces at City facilities. Mayor Johnson said Special Events Coordinator David Wells picked up several panels, though not all the panels the Council was interested in were available. Deputy Mayor Swatman said a member of the Historic Society has

found a painting by a local artist that depicts a historic Bonney Lake scene. He suggested the City purchase the painting if the price is reasonable.

Council Salary: Councilmember Rackley said the last Council salary increase was in 1999. He said a salary commission could be activated if the Council is interested. Councilmember Lewis said it is healthy to compare the City’s salaries with others. Councilmember Decker said the Council should not consider a salary increase when City employees are taking unpaid furloughs. Councilmember Hamilton agreed, but said the Council could consider ways to compensate Councilmembers who serve on many outside boards and committees, as Councilmember Rackley does. He added that he feels the Mayor deserves better compensation, such as medical coverage or a salary increase. Councilmember Rackley noted that the City compensates Councilmembers for travel costs through the ‘claim for expenses’ process. Mayor Johnson thanked the Council for their support, and said the Finance Committee can discuss Council salaries again and determine if there is sufficient interest to move forward with an advisory committee.

At 6:47 p.m., Mayor Johnson recessed the Workshop for a short break. The Workshop was brought back to order at 6:56 p.m.

6:56:25

- C. **Review of Draft Council Minutes:** February 27, 2010 Council Retreat Minutes, March 16, 2010 Workshop Minutes and March 23, 2010 Council Meeting.

Councilmember Carter asked that the Council’s goals and vision be attached to the February 27, 2010 Retreat minutes. The revised minutes were forwarded to the April 13, 2010 Council Meeting for action.

6:58:04

- D. **Discussion:** AB 10-57 – A Motion of the Bonney Lake City Council Ratifying the Mayor’s Appointment of Winona Jacobsen, Katrina Minton-Davis, Richards Rawlings and Brad Doll to the Planning Commission, and Tom Kennedy to the Design Commission.

Mayor Johnson said he is reappointing several commissioners and appointing new commissioners to the Design and Planning Commissions. He said there is still a vacancy on the Design Commission, and two Park Board members’ terms end this month. He said he plans to discuss the format of the Park Board in the future.

Councilmember Decker moved to Ratify the Mayor’s Appointment of Winona Jacobsen, Katrina Minton-Davis, Richards Rawlings and Brad Doll to the Planning Commission, and Tom Kennedy to the Design Commission. Councilmember McKibbin seconded the motion.

Motion approved 7 – 0.

7:00:18

- E. **Discussion:** AB10-52 – A Motion of the City Council of the City of Bonney Lake Setting a Public Hearing at 7:00 P.M., or as Soon Thereafter as Possible, During the Regular Council Meeting of April 13, 2010 for the Surplus and Disposal of City Vehicles and City Utility Equipment.

City Administrator Morrison said the City is required to gain Council approval to surplus utilities equipment and other items over a certain value. The proposed motion

would set a Public Hearing for the surplus items at the April 13, 2010 Meeting. The resolution to surplus the items would be considered later at the same meeting.

Councilmember Carter moved to set a Public Hearing at 7:00 P.M., or as soon thereafter as possible, during the regular Council Meeting of April 13, 2010 for the surplus and disposal of City vehicles and City utility equipment. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

7:01:31

F. **Discussion:** AB10-62 – Resolution 2024 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Approving an Agreement Between the Cities of Auburn, Bonney Lake, and Sumner, Washington; the Valley Regional Fire Authority; and Pierce County Fire District No. 22 Regarding Municipal Annexation.

Mayor Johnson said acting Sumner City Administrator Diane Supler drafted the proposed resolution. The agreement sets up a process for future annexations in any of the cities where boundaries may overlap between agencies. For Bonney Lake, it would apply to areas north of the City where services intersect and potential issues could arise. He said all the agencies plan to pass the agreement this month, and he hopes the Council will approve it at their April 13, 2010 Meeting.

Mayor Johnson added that a confirmation for the new judge, Ron Heslop, is scheduled for the April 13th Meeting. City Administrator Morrison said if Judge Heslop were approved he would be sworn in by outgoing Municipal Court Judge Jim Helbling at that meeting, and begin work on April 16th.

IV. **Executive Session:** None.

7:05:26

V. **Adjournment:**

At 7:05 p.m., Councilmember Decker moved to adjourn the workshop. Councilmember Lewis seconded the motion.

Motion approved 7 -0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to the Council Workshop of April 6, 2010:

- City of Bonney Lake – *City Council Update – Eastown ULA* – Public Works Director Dan Grigsby.
- City of Bonney Lake – *Sewer Fund Yearly/Monthly Cost per Customer* – Public Works Director Dan Grigsby.
- City of Bonney Lake – *Press Release: “Mayor Johnson announces the location and collaboration with local citizens to create a “trial” Dog Park and Community Garden* – Mayor Neil Johnson.

CITY COUNCIL MEETING

**April 13, 2010
7:00 P.M.**



The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

DRAFT MINUTES

"Where Dreams Can Soar"

Audio Time
Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

A. Flag Salute: Aiden and Axton Bullock from Boy Scout Troop #595 led the audience in the Pledge of Allegiance.

B. Roll Call:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

a. **AB10-70** – A Motion of the Bonney Lake City Council Confirming the Mayor's Appointment of Ronald Heslop as Municipal Court Judge.

Councilmember Decker moved to confirm the Mayor's appointment of Ronald Heslop as Municipal Court Judge. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

Councilmember Hamilton said he participated in the interview process, and there were many great candidates to choose from. He said he was pleased to welcome Judge Heslop. Mayor Johnson thanked outgoing Judge Jim Helbling for his work and giving input about the interview and selection process.

Judge Helbling administered the oath of office to Judge Helsop. The Council congratulated and welcomed him to the City.

3. Presentations:

- a. **Proclamation:** Domestic Violence Awareness – Nancy Wozny-Karnik, Victim Services Advocate, Crystal Judson Family Justice Center.

Mayor Johnson presented the proclamation to Ms. Wozny-Karnik from the Crystal Judson Family Justice Center. She thanked the Mayor and Council for being proactive in the fight against domestic violence. She said Bonney Lake provides one of the few domestic violence kiosks in the area. She said this resource and referrals from the Police Department are helping victims of domestic violence become survivors and move on with their lives.

- D. Agenda Modifications: None.

The City Clerk said item E. on the Consent Agenda should be moved to Community Development Committee Issues, Item A. Mayor Johnson noted that Resolution 2024, regarding a five-party agreement on municipal annexation, was omitted in error from the current agenda and will be considered at the April 27, 2010 Meeting.

7:10:06

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings:

1. **AB10-53 – Resolution 2021** – Public Hearing for Declaring City Vehicles and Utility Items as Surplus.

Mayor Johnson opened the public hearing at 7:10 p.m. No one came forward to address the Council. Mayor Johnson closed the public hearing at 7:11 p.m.

- B. Citizen Comments:

Raymond Frey, Halsen-Frey LLC, 12356 Northup Way, Suite 119, Bellevue, commented on the proposed cottage development ordinance. He said he emailed the Council requesting they consider amendments to the submittal period section. He said the ordinance is very good and has tight design restrictions, but he feels the Council should approve as a full ordinance, not a demonstration ordinance. He said the submittal process outlined in the draft ordinance seems awkward and difficult to figure out. He noted that he has attended all meetings when Council discussed this item, and did not see any other developers at those meetings.

Deputy Mayor Swatman asked Community Development Director about the selection process. Director Vodopich said he (the Community Development Director) would be able to pick the best application, not simply the first one completed. He confirmed that the ordinance gives him authority to reject proposals for any reason and select the final application. The ordinance allows applicants to appeal the Director's decision to the City Council. Deputy Mayor Swatman said he hopes the City receives multiple applications for the project.

- C. Correspondence: None.

7:20:17

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed personnel updates; he noted that the Parks Department hired the first temporary employee for the summer. The committee discussed Resolution 2020 (concession stand agreement), Resolution 2025 (community garden agreement), Resolution 2027 (high-efficiency toilet rebate program), Resolution 2028 (courier services), and a proposed ordinance regarding permits for peddlers. The Committee continued discussions about the sewer system budget and rates and a proposed water agreement with Joe Fessler.
- B. Community Development Committee: Councilmember Rackley reported that the committee met on April 5th and forwarded Resolution 2018 (sidewalk design contract), Resolution 2019 (construction management contract) and Resolution 2022 (street striping contract). The committee also discussed unaccounted for water, the Falling Water septic system and sidewalk construction from 192nd to 208th St E.
- C. Public Safety Committee: Councilmember Hamilton reported that the committee met on April 5th and discussed the Metro Animal Services contract. Legal staff has revised the contract and the committee will review it next month, and then forward it to the Council for action. The committee also discussed drag boat regulations on Church Lake. The committee is collecting applications for a citizen's advisory committee and heard comments from citizens at the April 5 meeting.
- D. Other Reports: None.

7:23:19

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: February 27, 2010 Council Retreat, March 16, 2010 Council Workshop and March 23, 2010 Council Meeting.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #58235 thru 58277 (including wire #'s 3122010, 3152010 & 5691166) in the amount of \$674,379.02. Accounts Payable checks/vouchers #58278 thru 58291 for a Utility Refunds in the amount of \$1,186.11. Accounts Payable checks/vouchers #58292 thru 58339 (including wire transfer # 3242010) in the amount of \$888,081.37. Accounts Payable checks/vouchers #58340 thru 58381 in the amount of \$152,547.39. Accounts Payable checks/vouchers #58382 thru 58383 for A/R Refunds in the amount of \$421.19.
- C. **Approval of Payroll**: Payroll for March 16-31 2010 for checks 28897-28927 including Direct Deposits and Electronic Transfers in the amount of \$585,339.03.
- D. **AB10-49 – Resolution 2019** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Agreement with Parametrix for Construction Management Services During Construction of Phase 1 of the Fennel Creek Trail and 192nd Sidewalks Project.

- E. ~~AB10-55 – Resolution 2022~~ – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Professional Services Agreement with Stripe Rite, Inc. for the 2010 Street Striping and Pavement Markings Project. *Moved to Community Development Issues, Item A.*
- F. **AB10-53 – Resolution 2021** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Surplus Vehicles and City Utility Items to the State of Washington, General Administration (GA) Surplus Program.

**Councilmember Rackley moved to approve the Consent Agenda.
Councilmember Lewis seconded the motion.**

Consent Agenda approved 7 – 0.

7:23:42

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-50 – Resolution 2020** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Agreement with Bonney Lake Community Resources (Bonney Lake Food Bank) to Operate the Concession Stand at Allan Yorke Park for May 2010 Until April 2011.

Councilmember Decker moved to approve Resolution 2020. Deputy Mayor Swatman seconded the motion.

Mayor Johnson said the Food Bank has done a great job managing the concession stand in past years and has increased business.

Resolution approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB10-55 – Resolution 2022** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Professional Services Agreement with Stripe Rite, Inc. for the 2010 Street Striping and Pavement Markings Project. *Moved from Consent Agenda, Item E.*

Councilmember Rackley moved to approve Resolution 2022. Councilmember Decker seconded the motion.

Councilmember Rackley said he moved the item to make sure the Council can consider why the City stripes streets every year. Director Grigsby said the City reviewed the street striping process several years ago, and now only stripes roads required by the Manual on Uniform Traffic Control Devices (MUTCD), including those that are chip sealed and roads that have heavy volumes or pose safety concerns. Director Grigsby said the bid amounts often vary, but the quality of the striping paint does not vary between the vendors.

Resolution approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

7:26:15

VIII. FULL COUNCIL ISSUES:

- A. **AB10-56** – A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Casting the Council's Vote for Mayor Neil Johnson, Jr. to Serve as a Member of the Board of Commissioners for Pierce Transit for a Three-Year Term, May 1, 2010 to April 30, 2013, Representing the Fourteen Small Cities and Towns within Pierce Transit's Boundary.

Councilmember Decker moved to approve the motion. Deputy Mayor Swatman seconded the motion.

Mayor Johnson thanked Councilmember Carter for her work letting people know he is on the ballot, and now he will have to wait for the election results.

Motion approved 7 – 0.

- B. **AB10-18 – Ordinance 1347** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, to Allow Approval of a Single Cottage Housing Project as a Demonstration of a Housing Choice Not Currently Available in Bonney Lake.

Councilmember Decker moved to approve Ordinance 1347. Deputy Mayor Swatman seconded the motion.

Councilmember Lewis moved to amend Section 4 (8), Location, to read: “In R-1 zones. ~~Entire development must be contained within one-half mile from the SR 410 corridor.~~” Councilmember Rackley seconded the motion.

Councilmember Lewis said this item was considered by the Planning Commission when he was a member, and the Commission recommended limiting cottage developments to R-1 zoning areas, but not the restriction that developments be within ½ mile of SR 410. He said the proximity restriction allows very few properties to qualify and makes it difficult for staff and Planning Commissioners to determine whether an application meets criteria. Deputy Mayor Swatman spoke in favor of the amendment. He said if a developer presents a proposal for a cottage development outside the SR 410 corridor, the City should consider it.

Amendment approved 7 – 0.

Director Vodopich noted, in response to questions posed during citizen comments, that the ordinance allows only one project, and states that “The first applicant to receive a determination of completeness shall acquire the right to have his or her proposal considered ahead of other proposals, provided, however, that the City

retains the right to reject any and all proposals.” Mayor Johnson noted that the Director will determine completion and can reject proposals.

Councilmember Carter noted that the timeline for submittal and review is quite long, and a development might not get started until spring or summer 2011. She said the 180-day submittal period can be extended another 180 days, and then the application would start the approval process. City Administrator Morrison noted that if an application is submitted in the first month, the City must still wait the full 180 days before it can close the submittal process and consider that application, even if no others are submitted. Councilmembers discussed the process and options to reduce the time for submittal, approval and completion. Deputy Mayor Swatman suggested reducing the submittal period and extension period from 180 days to 90 days each.

Councilmember Rackley moved to amend all references of “180 days” in Section 3 (A), Step 1: Submittal Period, and Step 2: Pre-application meeting, to “90 days.” Councilmember Carter seconded the motion.

Amendment approved 7 – 0.

Amended ordinance approved 7 – 0.

- C. **AB10-64 – Resolution 2026** – A Resolution of the City of Bonney Lake, Pierce County, Washington, Ratifying a Purchase and Sale Agreement to Acquire the Reed Property, Pierce County Parcel Numbers 0520261700 and 0520261009.

Councilmember Rackley moved to approve Resolution 2026. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said the public may not be aware of all the work that went into this agreement, which is connected to the larger agreement with Cascade Water Alliance (Resolution 2009). The CWA agreement gave the City the option for a future water right, and if the City finds a usable water source on this site it could reduce water costs over time, since the City would not have to purchase water from an outside source. He said if the City does not find a usable water source, the site could be sold or used for other purposes. He said he feels this is an outstanding investment and thanked staff for bringing the agreement forward.

Councilmember Hamilton moved to amend the background history to include “trails” in the list of uses. Councilmember Decker seconded the motion. Councilmember Hamilton said the property is near the flume and could be used for a trailhead for a planned trail from the flume that would connect with the Fennel Creek Trail. Councilmember Carter noted that the site also has historical significance and moved that “historical” be added to the background summary list as well. Mayor Johnson said he supported adding both items to the background history, and could make the amendments administratively without a full Council motion.

City Attorney Dionne noted that any changes to the background summary text do not affect the resolution or set restrictions for use of the property in any way. He advised Councilmember Hamilton to withdraw his amendment. He said if the Council wishes

to restrict uses on the site, they would need to amend the resolution and deed, but he does not believe that is the Council's intent. He said that as written, the agreement does not restrict use of the property in any way. He noted that regardless, the Councilmembers' comments will be noted in the official minutes.

Councilmember Hamilton said he wants the Council to have more influence on the use of the property. He said his caution stems from the City's purchase of the Moriarty property, which the previous Mayor fought, then closed off to public use. He said the City still uses the Moriarty site for Public Works vehicles and it is not accessible to the public. He said he does not want the same thing to happen with the Reed property and asked for assurances that it will not simply be handed over for use by Public Works and closed to the public. He said the Council should have a site visit and open discussions about use of the property.

Mayor Johnson noted that the property will be purchased by the Water fund. Councilmember Hamilton noted that existing outbuildings on the site could be used to store the new Police boat or other vehicles. Mayor Johnson said he has always been open with the Council and assured Councilmember Hamilton that he will ask for Council direction about how the City should use the property. Councilmember Hamilton withdrew his motion, and Councilmember Decker withdrew his second.

City Attorney Dionne said any councilmember can propose a resolution regarding the use of this or other properties at any time. Councilmember Decker noted that the Moriarty property is the site of a Native American campground and he participated in digs through Green River Community College in the past. He said the Council should be cautious about the use of the Reed property and Moriarty property.

Mayor Johnson said the City considered purchasing this property in the past, and the price for the property under the present agreement is actually lower.

Resolution approved 7 – 0.

- D. **AB10-67 – Ordinance 1348** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Chapter 16.14 to Address Provisions for the Maintenance of Required Landscaping.

Councilmember Decker moved to approve Ordinance 1348. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman noted that the agenda packet includes several versions of the proposed ordinance, and he believes the Council plans to act on the version noted as the 'legal changes to PC recommendation – clean version' in the agenda packet. Council consensus was to act on this version of the proposed ordinance.

Ordinance approved 7 – 0.

- E. **AB10-48 – Resolution 2018** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with KPG

Engineering for the Design of the SR 410 Sidewalks from 198th Avenue East to 208th Avenue East.

Councilmember Rackley moved to approve Resolution 2018. Councilmember Carter seconded the motion.

Deputy Mayor Swatman thanked staff for securing grant funds and finalizing the agreement, and the CDC for bringing it forward. Deputy Mayor Swatman asked about the sidewalk width and street lighting. Director Grigsby confirmed that the sidewalks are designed to be 10 feet wide, which is the minimum width to classify it as a ‘trail,’ which can be used by both pedestrians and bicycles. Deputy Mayor Swatman noted that the plan does not include streetlights along the sidewalk. Director Grigsby said the City’s streetlight plan is to install streetlights only on the south side of SR 410 in midtown, as it would be too costly to run electrical lines and install streetlights on both sides of the highway.

Resolution approved 7 – 0.

7:57:34 IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(g), the City Council and Mayor adjourned to an Executive Session with the City Attorney at 7:59 p.m. for 15 minutes to review the performance of a public employee. The Executive Session was extended by 5 minutes at 8:15 p.m. The Meeting reconvened at 8:23 p.m. No action was taken.

8:23:54 X. ADJOURNMENT:

At 8:23 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council Meeting of April 13, 2010: None.

**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> CD / John P. Vodopich, AICP	<u>Workshop / Meeting Date:</u>	<u>Agenda Bill Number:</u> AB10-74
<u>Ordinance Number:</u> D10-74	<u>Resolution Number:</u>	<u>Councilmember Sponsor:</u> Mayor Johnson

Agenda Subject: Proposed update of the Sign Code to allow nonpolitical campaign signs in the right of way

Proposed Motion: DISCUSSION OF A PROPOSED ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, UPDATING THE SIGN CODE TO ALLOW NONPOLITICAL CAMPAIGN SIGNS IN THE RIGHT OF WAY

Administrative Recommendation: Discuss the proposed ordinance.

Background Summary: Various community organizations have expressed an interest in the ability to post signs in visible areas throughout the city. Our current sign code does not allow for this use. The attached draft ordinance attempts to allow reasonable and limited posting of community signs.

This is an initial draft only and will need to go through environmental, state and Planning Commission review prior to a City Council vote pursuant to BLMC 14.140

<u>BUDGET INFORMATION:</u>			
Budget Amount	Required Expenditure	Budget Impact	Budget Balance
Budget Explanation:			

<u>COMMITTEE/BOARD REVIEW:</u>
Subcommittee Review Date: -
Commission/Board Review Date: -
Hearing Examiner Date:

<u>COUNCIL ACTION:</u>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled To Date:

Signatures:

Director Authorization John P. Vodopich, AICP	Mayor	Date City Attorney Reviewed
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ORDINANCE NO. D10-74

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, UPDATING THE SIGN CODE TO ALLOW NONPOLITICAL CAMPAIGN SIGNS IN THE RIGHT OF WAY

WHEREAS, The purpose of this ordinance is to allow for nonpolitical campaign signs in the right of way; and

WHEREAS, the State Environmental Policy Act was complied with through the issuance of a DNS on _____; and

WHEREAS, the Planning Commission conducted a public hearing on _____; and

WHEREAS, the Planning Commission issued a recommendation for passage of this Ordinance on ____; and

WHEREAS, a letter informing the state department of community trade and economic development was mailed on _____, more than 60 days ago informing it about the possible adoption of this ordinance;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. BLMC Chapter 15.28.010 is hereby amended to read as follows:

15.28.010 Purpose.

The primary purpose of this chapter shall be to regulate the type, placement, and physical dimensions of signs within the different land use zones through implementation of the goals, objectives, and policies of the city's comprehensive plan as amended from time to time including, without limitation, the community character and design element of the plan. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety, or be adverse to property values, business opportunities and the city's appearance and to prevent and abate public nuisances. This is intended to afford noncommercial speech the same or greater protection afforded commercial speech, and to not regulate noncommercial speech to a stricter standard than commercial speech, to recognize noncommercial communication requirements of all sectors of the business community, encourage the innovative use of design, promote both renovation and proper sign maintenance, allow for special circumstances as determined by the sole discretion of the planning and community development director or administrative designee, and promote a positive visual image of the city and protect property values by encouraging signs that are appropriate and consistent with surrounding buildings and landscape in both scale and design, the size of the subject property and building, and the amount of street frontage adjacent to the subject property. These purposes shall be accomplished by

regulation of the display, construction, use, and maintenance of signs. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this chapter.

Section 2. BLMC Chapter 15.28.030 is hereby amended to read as follows:

15.28.030 Definitions.

“Nameplate” means a nonelectric on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

“Nit” means a luminance unit equal to one candle per square meter measured perpendicular to the rays from the source.

“Nonpolitical campaign sign” means a temporary sign for civic, religious, or other fund drives or events.

“Nonconforming sign” means a sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations; a sign which does not conform to the sign code requirements but for which a special permit has been issued.

Section 3. BLMC Chapter 15.28.080(A) is hereby amended to read as follows:

A. Civic Organization Signs. Permanent nonilluminated signs used by churches, schools, or civic organizations not over 12 square feet in area when the sign is located on the institution’s premises.

B. Construction/Contractor Signs. One construction sign for each street frontage of a construction project, not to exceed six square feet per face in area in residential zones or 24 square feet in area in all other zones. Such signs may be erected seven days prior to commencement of construction and shall be removed within seven days following completion of construction or issuance of the final certificate of occupancy. In addition, failure to remove signs within 48 hours following completion of the project may result in an assessment in the cost of their removal pursuant to Chapter [14.130](#) BLMC.

C. Directional/Informational Signs. Total of two or less square feet per face. In addition, failure to remove signs within 48 hours following completion of event or activity may result in an assessment in the cost of their removal pursuant to Chapter [14.130](#) BLMC.

D. Garage/Yard Sale Signs. A maximum of two movable A-frame signs or signs on stakes may be placed on rights-of-way for any garage/yard sale. Such signs shall only be displayed between dawn and dusk on the days of the sale. A maximum of four square feet per face is allowed. Any such sign in violation of these requirements shall be removed in accordance with Chapter [14.130](#) BLMC. Garage/yard sale signs are not allowed to be affixed to utility poles or light standards and traffic signs. In addition, failure to remove signs within 48 hours following completion of event or activity may result in an assessment in the cost of their removal pursuant to Chapter [14.130](#) BLMC.

E. Incidental Signs. Incidental signs and sandwich board signs are permitted in all commercial and manufacturing zones not to exceed eight square feet in aggregate sign area per occupancy. A double-sided sandwich board with no other incidental sign may be no greater than two feet by two feet. A single-sided sandwich board with no other

incidental sign may be no greater than four feet by two feet. Sandwich board signs are to be maintained on the business' premises, not in a public right-of-way.

F. Nameplates. Nameplates identifying the occupant of a residence or business office shall not exceed two square feet in area per face.

G. Political Signs. Political signs may be permitted up to a maximum of four square feet per face in area without a sign permit. In no case shall political signs in rights-of-way exceed four square feet in area. Political signs shall be removed within seven days following the election or referendum for which they were posted, except that signs promoting successful candidates in a primary election may remain displayed until seven days following the subsequent general election. Such signs shall not be posted on any public utility pole, public building, public information or traffic sign, or public structures. Political signs may be placed on parking strips/public rights-of-way where such signs are installed pursuant to the permission of the owner of the property abutting said parking strip and within public rights-of-way; provided, that they are installed in such a manner as not to constitute a traffic hazard or impair or impede pedestrian thoroughfares. Political signs may be placed on private property only with the permission of the property owners. Spacing of signs and total numbers of signs are not regulated. In addition, failure to remove signs within 48 hours following completion of event or activity may result in an assessment in the cost of their removal pursuant to Chapter [14.130](#) BLMC.

H. Public Signs or Notices. Public signs or notices such as, but not limited to, notice of land use action signs, posted by the city of Bonney Lake, or any sign relating to an emergency.

I. Subdivision Signs, Off-Premises. A maximum of one off-premises temporary sandwich board sign per direction-altering intersection (intersection in which the home-shopper would have to alter direction) per residential subdivision or group of residences, not to exceed six square feet in sign area per face, shall be permitted. The following conditions shall apply to all off-premises real estate signs: the signs shall be displayed only during the time that the premises are actually being shown for "open house" and shall not be placed so as to cause a hazard (for example, blocking sight distances at intersections); the signs shall only be displayed between dawn and dusk; no more than one sign per property at any street intersection shall be permitted for any developer, broker, or seller; signs cannot be located within the public right-of-way. In addition, failure to remove signs the same day of event or activity such as an open house may result in an assessment in the cost of their removal pursuant to Chapter [14.130](#) BLMC.

J. Real Estate Signs, Group Sale/Rent/Lease. Signs advertising the sale of lots and/or houses in a subdivision or multifamily units may be located at the entrance of the development; provided, that no more than one such sign no larger than 12 square feet in area per face, and eight feet in height, may be installed at one time at any entrance. The signs shall not be located on a public right-of-way. The maximum duration for any such sign shall be two years or whenever the property advertised is sold, rented, or leased, whichever occurs first. The applicant may request one extension not to exceed one year; otherwise the sign shall be removed.

K. Real Estate Signs, Residential Individual Sale/Rent/Lease. Such signs shall not exceed six square feet in area per face. Only one sign is permitted per street frontage. Sign height shall not exceed eight feet. Any such sign shall not be located within a public right-of-way. Such sign shall advertise only the property on which the sign is located, and

the sign shall be removed by the owner or agent within seven days of the sale closing date or the occupancy of the rental unit.

L. Real Estate Signs, Commercial Individual Sale/Rent/Lease. Signs advertising commercial or industrial property shall not exceed 24 square feet in area per face. Only one sign is permitted per street frontage. Sign height shall not exceed eight feet. Such signs shall be located completely on the property for sale, rent, or lease and are not permitted within a public right-of-way. Such signs may only be displayed while the building or portion thereof is actually for sale, rent, or lease, and the sign shall be removed by the owner or agent within seven days of the sale closing date.

M. Window Signs. Signs installed inside a window of a business establishment which are intended to be viewed from the outside and which are only legible from a distance of eight feet or less.

N. Nonpolitical Campaign Signs. Temporary nonpolitical signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization may be allowed upon any lot up to a maximum of four square feet per face in area without a sign permit and up to a total of 40 signs within City limits. Such signs may be placed on parking strips/public rights-of-way where such signs are installed pursuant to the permission of the owner of the property abutting said parking strip and within public rights-of-way; provided, that they are installed in such a manner as not to constitute a traffic hazard or impair or impede pedestrian thoroughfares. Sign height shall not exceed four feet. Such signs may be posted 30 days prior to the event, drive, campaign, etc. provided that the organization's representative submit, in writing, a notice to the Community Development department of the name and contact information of the responsible party at least 10 days prior to posting. Such signs shall not be posted on any public utility pole, public building, public information or traffic sign, or public structures. Such signs shall be removed within five days after the event, drive, campaign, etc. In addition, failure to remove signs within five days following completion of event or activity may result in an assessment in the cost of their removal pursuant to Chapter 14.130 BLMC

Section 4. A new Section of Chapter 15.28 is hereby added to read as follows:

15.28.300 Liability of city. This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, building, altering, constructing or moving any sign in the city for damages to anyone injured or damaged either to person or property by any defect therein; nor shall the city, or any agent thereof, be held as assuming such liability by reason of a permit or inspection authorized in this chapter or a certificate of inspection issued by the city or any of its agents

Section 5. If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 6. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:

Valid:

Published:

Effective Date:

**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> Exec / Don Morrison	<u>Workshop / Meeting Date:</u> 19 Apr 2010	<u>Agenda Bill Number:</u> AB10-76 CUGA Annexation
<u>Ordinance Number:</u>	<u>Resolution Number:</u>	<u>Councilmember Sponsor:</u>

Agenda Subject: Annexation of a portion of the Comprehensive Urban Growth Area (CUGA)

Proposed Motion: Discussion only at this point in time

Administrative Recommendation: Proceed with the annexation of Subareas 1, 2, and 3 via the process outlined in RCW 35A.14.015, the "Resolution/Election Method", with a special election to be held February 2011, and an annexation effective date of 1/1/12 - if successful. It is also proposed that the resolution provide for the simultaneous adoption of the proposed zoning regulation upon approval of annexation by the electorate subject to RCW 35A.14.330 (this would require the area to be pre-zoned prior to the election)

Background Summary: The Council has been asked by various individuals and/or HOAs in the CUGA to annex to the City. Various city officials have met with representatives of the area and affected local agencies to discuss the potential annexation of a portion of the CUGA. In 2008 an annexation study was undertaken. An annexation Q&A brochure has been prepared. This topic was discussed at the 2010 Council Retreat. It is the intent of the Washington Growth Management Act that urban areas be located in municipalities in order to receive urban services. The portion of the area under consideration consist of an estimated 7,600 residents primarily located in urbanized residential subdivisions.

BUDGET INFORMATION:

Budget Amount	Required Expenditure	Budget Impact	Budget Balance
Budget Explanation:			

COMMITTEE/BOARD REVIEW:

Subcommittee Review Date: -
 Commission/Board Review Date: -
 Hearing Examiner Date:

COUNCIL ACTION:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled To Date:

Signatures:

Director Authorization	Mayor	Date City Attorney Reviewed
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City of Bonney Lake Frequently Asked Questions About Annexation



Do I currently pay taxes that I will no longer have to pay if I annex to the City? Yes.

Upon annexation, you will no longer have to pay the Pierce County Road levy. All other levies will remain the same, such as the East Pierce Fire District, the Pierce County Library District, and the Sumner

School District, as the city is a part of those districts. You would be also required to contribute to the current bond levy that was issued to build the police/fire station. That bond will be paid off in 2011, and will be discontinued. The City has no other current voted approved bonded indebtedness for which you would be taxed.

Does the City have taxes I do not currently pay in unincorporated Pierce County? Yes.

City residents pay a regular city levy on their property taxes, which funds the general operations of the City. Additionally, city residents pay utility taxes on natural gas, garbage, cable TV, telephone, electric, and water/sewer services. The City property tax and utility taxes are just a little less than Rural Road Levy. So in balance, your taxes would go down slightly upon annexation.

Will my property taxes change upon annexation?

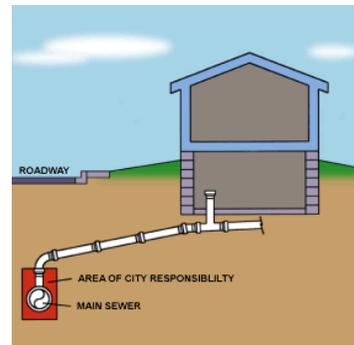
Your property taxes will decrease if you annex to the City of Bonney Lake. There are some new taxes that you will pay as a city resident, however, there are also taxes that you are currently paying that you will no longer pay. The City estimates that property taxes for the owner of a home with an assessed valuation of \$200,000 will decrease approximately \$82 per year upon incorporation.

Will existing land uses be allowed to continue?

Yes. All legally established existing uses within the annexation area will be allowed to continue. Any nonconforming use(s) are issued a conditional use permit, which stays with the property and will transfer to any subsequent owners, provided the nonconforming use(s) do not cease for a period of at least 6 months. Once the nonconforming use(s) cease for a period of at least 6 months, the city zoning designations will apply. The City will initiate a process to plan and zone the area to fit City zoning designations. The process will include extensive citizen input and public hearings. Given that the area is currently zoned predominantly as single family residential, it is unlikely that designation will change much.

Will the City require me to hook up to the sewer system?

Property owners may continue to use their private wastewater disposal system, provided it is functioning properly, or can be made to function in an appropriate

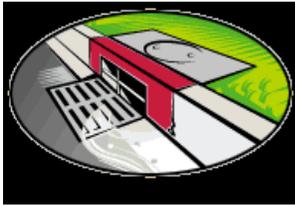


reserve area, as determined by Pierce County health department. However, connection to the City sewer system is required when one of the following applies: A) Wherever gravity sewer mains have been installed across the frontage of a property, a direct connection to public sewer will be required when the property is sold; B) Development of all subdivisions, short plats, multifamily construction, commercial construction, or change of use; or C) If a private wastewater facility fails and the property is within 250 feet of City sewer lines. (See BLMC 13.12.150).

City of Bonney Lake Frequently Asked Questions About Annexation

Will schools change as a result of annexation?

No. School Districts are independent jurisdictions with independent boundaries - just like water or fire districts. Annexation does not change school district boundaries.



What are the differences in stormwater charges and services?

Both the City and the County operate stormwater utilities. The 2009 County rate for a single family residence in the annexation area is \$95.70 per year. The 2009 Bonney Lake rate is \$10.00 per month (\$120/Year). As part of its long range planning, the City would establish a specific program to improve stormwater facilities in the annexation area.

What about Utility Taxes? Utility taxes are taxes levied on the gross operating revenues earned by public & private utilities from operations within the city limits. The City of Bonney Lake receives utility taxes from natural gas, garbage collection, cable television, telephone, electric, and water/sewer services. Most of the utilities pass this along as a surcharge to their utility bills. The current utility tax rate is 6%. State law caps private utility tax rates at 6%. A utility tax would not automatically be imposed on Tacoma Public Utility water customers. That would be subject to a franchise fee agreement between the City and TPU.



Will annexation affect fire protection services?

No. there would be no change to fire and emergency medical services. Both Bonney Lake and the annexation area are part of the East Pierce Fire and Rescue (PCRFD #22), pay the same tax rates, and receive the same services.



How will annexation affect police services?

The Bonney Lake Police Department provides police protection services. 911 calls are dispatched under a contract with the City of Puyallup. The City's Police Department provides law enforcement services, which include vehicle patrols, investigations, and marine services. Animal control services are provided through a contract with METRO Animal Services (Sumner/Puyallup). The current Bonney Lake police force consists of 2 commanders, 5 sergeants, 21 police officers (4 of whom are assigned to the investigations unit), 2 community service officers, and 4 support staff.



Police specialty units include a 2 person traffic unit, a school resource officer, a 4-person detective unit, 24/7 patrol, limited Lake Tapps summer marine services, and participating in regional drug enforcement and auto theft task force units. It is anticipated that upon annexation the City would add 7 additional police personnel the

first year, plus 1 additional code enforcement officer. Additional personnel would be added as revenues allowed.

The City's current rate of commissioned personnel per 1,000 population (2 per 1000) is higher than many comparable Central Puget Sound cities and much higher than the Pierce County Sheriff's Office, which has 0.7 deputies per 1,000 unincorporated residents. Current City response times for emergencies are generally five (5) times faster than the County, with a 3-5 minute response time for City priority calls, while the county average is around 17 minutes.



If I am annexed, will I have to switch refuse services? No. Garbage service will continue to be provided through DM (Murrey's) Disposal. However, refuse service is mandatory in Bonney Lake. All City residents are required to subscribe to at least the minimum service option,

a 20 gallon mini-can, which includes recycling. There are a number of reasons why citizens must sign up for at least the minimum (single 20 gal. can) level of service: 1) It helps pay the public share of refuse collection from public parks, facilities, streets, etc.; 2) It promotes health and safety by helping assure that refuse is disposed off and not left to pile up and become a public nuisance and health hazard, and 3) City residents get a lower rate from DM Disposal because everyone is participating. There is an economy of scale from having mandatory service, which benefits everyone.



What about streets and street lights? The City will assume control of all County-owned streets upon annexation, and will maintain them thereafter. All private roads will remain private unless homeowners bring the roads up to current city standards and then deed them to the city.

If streetlights are maintained privately by a homeowner's association, they will continue to be maintained privately after annexation. County maintained lights will be transferred to the city upon annexation.

What are the City's tree cutting regulations? If you own a single family lot, you do not need City permission or a permit to cut down a tree. If your property is large enough to be subdivided, you need to get a tree cutting permit. Trees less than six inches in diameter measured 54 inches above grade may be removed under any circumstances.

Will I be required to license my animals upon annexation? Yes. Both the City and the County have similar animal licensing requirements. Animal control services are provided through a contract with METRO Animal Services (Sumner/Puyallup).



The animal shelter is located on South Hill, East of the Mall near Pierce College.

What about livestock and other animals? Under current City code, animals must be kept in such a manner that meet all of the following minimum standards so that a nuisance is not created that would impact adjacent property owners: A. Stables or pasture for horses and other livestock shall be placed on a lot no less than one acre and there shall be no more than two livestock per acre of enclosed usable pasture area; B. The pastoral roaming area for livestock shall be maintained no closer than 45 feet from a dwelling on an adjacent lot;



C. No structure used primarily to house or feed livestock shall be closer than 45 feet from an adjacent property line; D. Small

animals and poultry may be maintained provided they do not constitute a nuisance, are properly housed in a suitable sanitary structure no closer than 18 feet from any property line, and there must be at least 1,000sf of space, exclusive of buildings, for each such animal.



Does the City allow home occupations? Yes, under reasonable standards. Home occupations must be licensed. Home occupations in a residential zone are not allowed to become retail outlets, except for: 1. Mail order sales; or 2. Telephone sales with off-site delivery; or 3. Nonprofit organizations sponsoring fundraisers. Home occupations involving the following activities are prohibited: 1. Auto, watercraft, aircraft & heavy equipment engine repair over 10 horsepower; 2. Auto, watercraft, aircraft & heavy equipment body work/painting; 3. Parking or storage of heavy equipment; 4. Storage of building materials for use offsite; 5. Fabrication/repair of items that can not be physically carried by an average sized person.



Does the City provide parks and recreation services?

The City of Bonney Lake provides recreation services through a joint program with Sumner, and the Sumner School District. The City sponsors a variety of special events such as Stars on Stage, Tunes at Tapps, Kids Club, Friday Night Flicks, Boater Safety Courses, and much more. City residents may also obtain an annual \$25 boat launch pass to the Allen Yorke Park Lake Tapps launch. The Bonney Lake Senior Center is open 5 days a week, and includes a lunch program. There are many other activities and programs. The

For more information about annexing to the City of Bonney Lake, contact the Community Development Department at (253) 447-4356. Also visit the City's web site at: www.citybonneylake.org

What are the principal benefits of annexation?

In general, annexation to the City would increase service levels for the citizens annexed with no increase in property taxes. Annexation benefits would include:

- Slightly lower property taxes;
- Faster police response; more neighborhood police patrol; access to local community crime prevention programs;
- Land value protection through the City's Comprehensive Plan, land use controls, and code enforcement program;
- Participation in city government including the opportunity to be appointed to city boards/commissions and/or run for City Council;
- Opportunity to vote in both City and County elections, permitting greater access and influence with local elected officials.
- Reduced need to travel to Tacoma for permits, court, etc.
- Enhanced essential services
- Lower refuse rates
- A voice in local community decisions

2009 Property Tax Levy Comparison

Taxing Jurisdiction	In City Rate	Out of City Rate
*City of Bonney Lake	1.175	0
Pierce County	1.042	1.042
Fire District #22 (EPFR)	1.998	1.998
PC Rural Road Levy	0	1.411
PC Library District	0.443	0.443
Sumner School District	4.560	4.560
Port of Tacoma	0.182	0.182
PC Conservation Futures	0.039	0.039
State of Washington	2.023	2.023
TOTAL	11.462	11.698

* Includes voter approved bonds. Source: Pierce County Assessor

RCW 35A.14.015**Election method -- Resolution for election -- Contents of resolution.**

When the legislative body of a charter code city or non-charter code city shall determine that the best interests and general welfare of such city would be served by the annexation of unincorporated territory contiguous to such city, such legislative body may, by resolution, call for an election to be held to submit to the voters of such territory the proposal for annexation. The resolution shall, subject to RCW [35.02.170](#), describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and shall provide that said city will pay the cost of the annexation election. The resolution may require that there also be submitted to the electorate of the territory sought to be annexed a proposition that all property within the area annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property of such annexing city is assessed and taxed to pay for all or any portion of the then-outstanding indebtedness of the city to which said area is annexed, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the date of annexation. Whenever such city has prepared and filed a proposed zoning regulation for the area to be annexed as provided for in RCW [35A.14.330](#) and [35A.14.340](#), the resolution initiating the election may also provide for the simultaneous adoption of the proposed zoning regulation upon approval of annexation by the electorate of the area to be annexed. A certified copy of the resolution shall be filed with the legislative authority of the county in which said territory is located. A certified copy of the resolution shall be filed with the boundary review board as provided for in chapter [36.93](#) RCW or the county annexation review board established by RCW [35A.14.200](#), unless such annexation proposal is within the provisions of RCW [35A.14.220](#).

RCW 35A.14.330**Proposed zoning regulation -- Purposes of regulations and restrictions.**

The legislative body of any code city acting through a planning agency created pursuant to chapter [35A.63](#) RCW, or pursuant to its granted powers, may prepare a proposed zoning regulation to become effective upon the annexation of any area which might reasonably be expected to be annexed by the code city at any future time. Such proposed zoning regulation, to the extent deemed reasonably necessary by the legislative body to be in the interest of health, safety, morals and the general welfare may provide, among other things, for:

- (1) The regulation and restriction within the area to be annexed of the location and the use of buildings, structures and land for residence, trade, industrial and other purposes; the height, number of stories, size, construction and design of buildings and other structures; the size of yards, courts and other open spaces on the lot or tract; the density of population; the set-back of buildings and structures along highways, parks or public water frontages; and the subdivision and development of land;
- (2) The division of the area to be annexed into districts or zones of any size or shape, and within such districts or zones regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land;
- (3) The appointment of a board of adjustment, to make, in appropriate cases and subject to appropriate conditions and safeguards established by ordinance, special exceptions in harmony with the general purposes and intent of the proposed zoning regulation; and

(4) The time interval following an annexation during which the ordinance or resolution adopting any such proposed regulation, or any part thereof, must remain in effect before it may be amended, supplemented or modified by subsequent ordinance or resolution adopted by the annexing city or town.

All such regulations and restrictions shall be designed, among other things, to encourage the most appropriate use of land throughout the area to be annexed; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote a coordinated development of the unbuilt areas; to encourage the formation of neighborhood or community units; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.

RCW 35A.14.480

Annexation of territory served by fire districts — Interlocal agreement process.

(1)(a) An annexation by a code city proposing to annex territory served by one or more fire protection districts may be accomplished by ordinance after entering into an interlocal agreement as provided in chapter 39.34 RCW with the county and the fire protection district or districts that have jurisdiction over the territory proposed for annexation.

(b) A code city proposing to annex territory shall initiate the interlocal agreement process by sending notice to the fire protection district representative and county representative stating the code city's interest to enter into an interlocal agreement negotiation process. The parties have forty-five days to respond in the affirmative or negative. A negative response must state the reasons the parties do not wish to participate in an interlocal agreement negotiation. A failure to respond within the forty-five day period is deemed an affirmative response and the interlocal agreement negotiation process may proceed. The interlocal agreement process may not proceed if any negative responses are received within the forty-five day period.

(c) The interlocal agreement must describe the boundaries of the territory proposed for annexation and must be consistent with the boundaries identified in an ordinance describing the boundaries of the territory proposed for annexation and setting a date for a public hearing on the ordinance. If the boundaries of the territory proposed for annexation are agreed to by all parties, a notice of intention must be filed with the boundary review board created under RCW 36.93.030. However, the jurisdiction of the board may not be invoked as described in RCW 36.93.100 for annexations that are the subject of such agreement.

(2) An interlocal annexation agreement under this section must include the following:

(a) A statement of the goals of the agreement. Goals must include, but are not limited to:

(i) The transfer of revenues and assets between the fire protection district and the code city;

(ii) A consideration and discussion of the impact to the level of service of annexation on the unincorporated area, and an agreement that the impact on the ability of fire protection and emergency medical services within the incorporated area must not be negatively impacted at least through the budget cycle in which the annexation occurs;

(iii) A discussion with fire protection districts regarding the division of assets and its impact to citizens inside and outside the newly annexed area;

(iv) Community involvement, including an agreed upon schedule of public meetings in the area or areas proposed for annexation;

(v) Revenue sharing, if any;

(vi) Debt distribution;

(vii) Capital facilities obligations of the code city, county, and fire protection districts;

(viii) An overall schedule or plan on the timing of any annexations covered under this agreement;

and

(ix) A description of which of the annexing code cities' development regulations will apply and be enforced in the area.

(b) The subject areas and policies and procedures the parties agree to undertake in annexations. Subject areas may include, but are not limited to:

(i) Roads and traffic impact mitigation;

(ii) Surface and storm water management;

(iii) Coordination and timing of comprehensive plan and development regulation updates;

(iv) Outstanding bonds and special or improvement district assessments;

(v) Annexation procedures;

(vi) Distribution of debt and revenue sharing for annexation proposals, code enforcement, and inspection services;

(vii) Financial and administrative services; and

(viii) Consultation with other service providers, including water-sewer districts, if applicable.

(c) A term of at least five years, which may be extended by mutual agreement of the code city, the county, and the fire protection district.

(3) If the fire protection district, annexing code city, and county reach an agreement on the enumerated goals, the annexation ordinance may proceed and is not subject to referendum. If only the annexing code city and county reach an agreement on the enumerated goals, the code city and county may proceed with annexation under the interlocal agreement, but the annexation ordinance provided for in this section is subject to referendum for forty-five days after its passage. Upon the filing of a timely and sufficient referendum petition with the legislative body of the code city, signed by qualified electors in a number not less than ten percent of the votes cast in the last general state election in the area to be annexed, the question of annexation must be submitted to the voters of the area in a general election if one is to be held within ninety days or at a special election called for that purpose according to RCW 29A.04.330. Notice of the election must be given as provided in RCW 35A.14.070, and the election must be conducted as provided in the general election laws under Title 29A RCW. The annexation must be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition to the annexation.

After the expiration of the forty-fifth day from, but excluding, the date of passage of the annexation ordinance, if a timely and sufficient referendum petition has not been filed, the area annexed becomes a part of the code city upon the date fixed in the ordinance of annexation.

[2009 c 60 § 9.]

ANNEXATION CHECKLIST

Code Cities

Election Method Initiated by Resolution

Action	Date Completed
1. Public hearing on annexation (optional, but adequate notice required if held).	
2. City/town council resolution adopted (after determination that best interests and general welfare of city/town would be served). <ul style="list-style-type: none"> ● Assumption of indebtedness referred to voters? ● Simultaneous adoption of proposed zoning regulation referred to voters? ● Establishment of community municipal corporation or inclusion of area into existing named community municipal corporation referred to voters? 	 <hr/> <hr/> <hr/>
3. Certified copy of resolution filed with county legislative authority	
4. Review. If a boundary review board has been established in the county, utilize its procedures. Otherwise, refer to procedures of ad hoc annexation review board. <p>Boundary Review Board (Procedures vary between counties; contact applicable review board for detailed procedures):</p> <ul style="list-style-type: none"> ● Notice of intention, copy of resolution, and petition filed. ● Jurisdiction of board invoked (within 45 days of filing of notice of intention). ● Hearing held. <p>Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Modified <input type="checkbox"/> Disapproved</p> <p>County Annexation Review Board for Code Cities</p> <ul style="list-style-type: none"> ● Copy of petition and resolution filed (unless annexation exempt - less than 50 acres or less than \$2 million in assessed valuation). ● Hearing held. <p>Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved</p>	 <hr/> <hr/> <hr/> <hr/> <hr/>
5. Favorable determination of review board filed with county legislative authority.	
6. County legislative authority sets date for election.	

Action	Date Completed
7. Notice of election: <ul style="list-style-type: none"> ● Posted in four public places in area proposed for annexation (at least two weeks prior to election). ● Published by officer conducting election (not more than 10 nor less than three days prior to election). 	 <hr/> <hr/>
8. Election: <input type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable	
9. Canvass (by county canvassing board on Monday after election).	
10. Submission of statement of canvass to county legislative authority.	
11. County legislative authority makes minute entry finding on election outcome and transmits certified copy of minutes to city clerk together with abstract of vote.	
12. Transmission by city clerk to council of minutes and abstract (at next regular meeting or soon thereafter).	
13. Annexation Ordinance No. _____ : <ul style="list-style-type: none"> ● Presented to council ● Adopted ● Submitted for publication ● Published ● Affidavit of publication received 	 <hr/> <hr/> <hr/> <hr/>
14. Effective date of annexation _____ (as fixed in ordinance).	
15. Three copies of ordinance, including one certified copy, and map filed with county legislative authority (notice to county auditor, assessor, and other officers requesting notice where legislative authority may not readily forward information).	
16. Conduct census of annexation area.	
17. Certificate of Annexation filed in triplicate with state Office of Financial Management (as soon as possible, not later than 30 days of effective date of annexation).	

Action	Date Completed
18. Notice to: <ul style="list-style-type: none"> ● Washington State Department of Revenue ● U.S. Bureau of Census (<i>optional</i>) ● County treasurer and assessor (30 days before effective date of annexation) ● City or town departments <ul style="list-style-type: none"> Public works Fire Police Park and recreation Other 	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

Appendix “A”

Fiscal and Service Review

*Prepared by Don Morrison, City Administrator
City of Bonney Lake Annexation Study
Comprehensive Urban Growth Area (CUGA)
March, 2009*

Introduction

This section of the annexation study looks at the revenues that would likely flow to the City if the area were annexed. It also lists the general services that the City would provide to the annexation area, and the options and costs of specified levels of service.

In general, annexation to the City would increase service levels for the citizens annexed. Annexation benefits would include:

- Lower property taxes;
- Faster Police response;
- Participation in city government including the opportunity to be appointed to city boards/commissions and/or run for City Council;
- Opportunity to vote in City and County election, permitting greater access and influence with local elected officials.
- Land value protection through the City’s Comprehensive Plan, land use controls, and code enforcement program;
- Reduced need to travel to Tacoma for permits, court, etc.

Summary

The tax revenues generated by the area provide a revenue stream that can initially support a level of municipal service that meets or exceeds that currently provided by Pierce County. However, because the area currently consists of little commercial tax base, the tax revenues generated from low density single family housing developments will not provide the same level of financial support provided by the City generally, especially in the area of police service. That means that initially either service levels would need to be phased in and increased over time, or else the overall service level of the existing community diluted somewhat to spread equally across the new service base. If annexed, the City could begin with a service level that exceeds current County levels, and gradually increase service and improvements over time as additional revenues became available.

The Plateau 465 area is a significant area that is yet to develop. When developed, the infrastructure would be new, and likely include higher densities and possible neighborhood commercial areas. The development of Plateau 465 would generate not only significant new revenues from development fees, but infrastructure maintenance costs would be lower, and additional revenue sources may be available. Revenue Table II shows the City development fees

that would be generated if Plateau 465 proceeded as a City development. No analysis has been done for Cascadia.

The condition of the general infrastructure in the annexation area is not significantly different than that in the existing City limits. There are no out-of-the-ordinary infrastructure burdens that would be assumed by the City if annexation were to occur.

The annexation would afford area residents a greater voice in their local government, and bring their local government headquarters much closer to home.

Pierce County has a number of capital improvement projects planned for the area. A pre-annexation agreement with Pierce County should be negotiated with Pierce County prior to annexation that addresses the transition of services, and includes a cost-sharing arrangement for the planned county capital improvements.

Fiscal Review

The annexation area consists of moderate to middle income single family housing. There are no commercial, manufacturing, or industrial uses in the area. Accordingly, the tax revenues generated by the area do not provide a revenue stream that can support a high level of municipal service. However, the revenues generated will support a level of service that is considerably higher than currently provided by Pierce County. Residents in the annexed area do not expect to be taxed without benefits, but they should also not expect disproportionate improvements or service enhancements at the expense of current City residents.

Revenue Table I lists those revenues only for Subareas 1, 2, and 3. It does not include any fiscal analysis of the Cascadia subarea. Plateau 465 is included as a portion of Subarea 3. Since Plateau 465 is currently undeveloped, there is little revenue that would be generated from the area, but also very little expense incurred. Revenue Table II shows the City development fees that would be generated if Plateau 465 proceeded as a City development. No analysis has been done for Cascadia.

The annexation area would generate approximately \$2,467,408 in General Funds. The initial start-up staffing costs, including benefits, associated services, and equipment is estimated at \$1,692,152, leaving a balance of \$775,256 for the incremental costs not captured in the staffing cost model such as overhead, professional services, etc., or for service enhancements or modest capital improvements to the area.

Revenues generated from the area will not be sufficient to initially fund any substantial capital improvements in the area. Capital funding will need to come from grants obtained, impact fees generated, local improvement districts, or voter approved levies or bonds. On behalf of the annexation area, the City will vigorously seek grant funds for needed projects in the area for which the City would be eligible and competitive.

There is a bill pending in the legislature (HB 5321) that would continue a program in which large annexations of 10,000 residents or more would be granted a share of the state sales tax annually

PRELIMINARY DISCUSSION DRAFT – FOR INTERNAL CITY REVIEW ONLY

for a 10 year period. The current population estimate of the annexation area is 7,263 (excluding 315 living in the Cascadia area). It is unknown at this writing whether the legislation will be renewed. The City has been lobbying to reduce the threshold in the renewal bill from 10,000 to 7,000 population. If this annexation were to be able to take advantage of such legislation, that would result in an estimated \$800,000 per year for 10 years of supplemental revenue to address capital deficiencies in the area.

Taxes. The property taxes of annexation area residents would decrease slightly upon annexation. Area residents would continue to pay the County general levy, the library district levy, and the fire district levy. However, area residents would no longer pay the rural road levy (1.50 mills), but would pick up the City levy (1.01 mills). This is a net savings of 0.49 mills, or 49 cents in taxes for every \$1,000 in assessed value. This means that if someone owned a \$300,000 property, they would pay \$147.00 less per year in the City than in the County. Also, refuse service costs would be lower in the City due to the favorable contract the City has with DM Disposal (Murray's). This would be reduced somewhat by increased utility taxes of approximately \$30 per year.

Service Review

There are a number of services that would continue to be provided by existing service providers, including power, water, fire protection, and refuse collection.

Water service would continue to be provided by Tacoma Public Utilities. Power would continue to be provided by Puget Sound Energy which currently serves both Bonney Lake and the CUGA.

Fire protection and emergency medical services would continue to be provided by East Pierce Fire and Rescue, as both Bonney Lake and the CUGA share a common fire district service.

Refuse collection would be provided by DM Disposal (Murray's). However, refuse rates would decrease as the refuse collector has agreed to merge annexed areas into the City contract, which offers lower rates than the general UTC tariff applied to the unincorporated area. However, minimum levels of service are mandatory, and those annexation area residents not currently subscribing to refuse collection/recycling service (self-hauling) would be required to subscribe to the minimum level of service (mini-can).

Except for Cascadia, the developed portion of the CUGA (Subareas 1, 2 and 3) is already part of the Bonney Lake sewer service area. However, there are currently no sewers in the area, and all residences are still on septic tanks. The City's comprehensive sewer plan makes provisions for future sewer service to the area, preferably through a membrane bioreactor plant (MBR). This would not likely be constructed until the Plateau 465 area developed.

Police Protection. Police protection would shift to the City of Bonney Lake, unless a service contract with Pierce County was negotiated to continue to serve the area. It would be the intent of the City to assume police protection and law enforcement in the annexation area. Pierce County currently provides approximately 0.6 deputies per 1,000 population in the annexation area. Given the revenue base available for municipal services, the City would need to phase in

police service levels over time, but would be able to provide an initial response level much higher than that provided by the Pierce County Sheriff currently – likely at 1.0 officers per thousand. This initial service level should be sufficient to respond to all calls for service in a timely manner, but not engage in significant amounts of random patrol or crime prevention activities. It is anticipated that one (1) additional police investigator would be added to the department’s investigations unit. Also, one (1) additional code enforcement officer would be added, although the position may or may not be housed in the police department.

Municipal Court. Those misdemeanors and infractions currently handled by the Pierce County District Court would be adjudicated in the Bonney Lake Municipal Court. Citizens in the area would no longer need to travel to Tacoma for court. The impact of the annexation on the municipal court would be largely dependent on the number and type of police enforcement actions in the area. Initially, the City would likely need to add another 1.5 court clerks, and increase judge time by the equivalent of a half-time position. This would put the judge into a full-time position. The balance of bench time could be provided by either pro-tems, or by the appointment of a regular part-time judge. The increased court load would also impact the City prosecutor’s office, necessitating the equivalent of a half-time prosecutor either on staff or through contracted legal services. Public defender costs would also likely increase, as would jail costs.

Public Works. City public works would assume current County services for streets (including street lighting and sweeping), and surface water (storm drainage). To assume these services, the City would initially hire five (5) additional maintenance workers (street/stormwater), as well as one engineering technician, and one administrative support person. Existing City fleet and contractor’s equipment is currently sufficient to absorb the additional work load, although some of the equipment would log more hours, thus requiring an increase in the street and stormwater operations and maintenance costs, and perhaps a more aggressive replacement schedule due to a somewhat shorter life span. The gas tax and the street CIP’s share of the Real Estate Excise Tax (REET) would provide approximately \$344,999 per year in funding for a street improvement program such as the recurring street overlay and chip-sealing program. This is exclusive of any grants that may be obtained for street reconstruction or sidewalks.

As with “old” Bonney Lake, most of the annexation area was built before sidewalks were required. Most of the streets in the annexation area do not have sidewalks. Sidewalk funds in Bonney Lake are provided by a small share of the Real Estate Excise Tax fund and gas tax funds. Sidewalk improvements in the area would be slowly made over time as these funds were available, unless a neighborhood itself wanted to form a local improvement district (LID) to install sidewalks. Over the next few years, the non-motorized transportation plan would need to be updated to include the annexation area.

Community Development. The City would assume all planning and building services for the area. Residents would be able to obtain their building permits locally from the City in an expeditious manner, rather than having to travel to Tacoma. The City’s Comprehensive Plan would need to be updated to include the annexation area, and would subsequently need to be zoned in accordance with the comprehensive plan. The City could either adopt current Pierce County zones for the area until the City completed it’s update, place a moratorium on building

PRELIMINARY DISCUSSION DRAFT – FOR INTERNAL CITY REVIEW ONLY

until the comprehensive plan and accompanying zoning ordinances were adopted, or pre-plan the area and adopt pre-annexation zoning so that the regulations would be in place at the time of annexation. The latter is the recommended approach. There would also be some work to do to transfer the area's infrastructure and planning data into the City's GIS system. The City currently employs a temporary full-time GIS special project assistant. If the annexation were to occur, it is recommended that this position be made permanent.

Under normal circumstances, annexing an area the size of the CUGA would initially require at least 1 additional current planner and 1 additional building inspector, depending on the amount of building activity. However, given the downturn in the economy and the drastic drop off in development activity, current staffing levels should be able to absorb the additional activity until building resumes in pre-2008 levels. The revenue estimates for development related activity are conservative and based on current low levels of permit activity. Should building pick back up, the additional permit revenues generated would cover the costs of any additional staff required.

Community Services. In Bonney Lake, the Community Services Department is responsible for facilities, parks, special events, senior services, customer service, and recreation program coordination with the joint Sumner, Bonney Lake, Sumner School District tri-agency recreation program. Initially, the only increase in staffing recommended would be moving the 4/5 time van driver to full-time. Should the department experience increased service demands from the area, an additional staff person may need to be added.

Parks and Open Space. County parks are not automatically transferred to the City upon annexation. It would be up to the City and County to determine if or how current County park and open space lands would be transferred to the City. There currently are no active County parks in the annexation area. There are a number of small private parks associated with home owner associations. The County does own 80 acres for a planned regional County park. The County should cooperate with the City and the area residents to revisit the Master Plan to determine if changes are desired. Given the amount of parks funds the County has diverted from the area previously, it is recommended that the City not assume any responsibility for current County park and open space lands. The City could consider assuming the 80 acre regional park once the County has constructed it as per the agreed upon master plan. It would be ideal if this arrangement were memorialized in a pre-annexation agreement between the City and the County. The agreement should also address other current deficiencies in the area that should be brought up to standard by the County prior to annexation.

Special Events. Annexation would not likely change the nature of the City's special events, such as Bonney Lake Days, etc. Many of the residents of the area participate in the City's special events now; and annexation is not likely to change participation levels significantly.

Senior Services. Annexation would not likely change the nature of the City's Senior Services. Many of the residents of the area participate in the City's senior center programs now. The senior van makes regular stops in the area to pick up seniors, and annexation is not likely to change participation levels significantly.

Administration and Finance. Annexation would have an incremental impact on the administration and finance of the City. Increased city-wide staffing would create increased work loads in human resources, records management, and payroll, among others. There would also be added utility accounts for periodic stormwater utility charges, as well as an increased number of financial transactions. With the annexation, the City will have reached a size that warrants a modest reorganization consistent with the organizational models of other similarly sized cities.

City Facility Impacts. The City currently has no excess facility capacity. City Hall, the PW Shops, and the City Hall Annex are all at capacity. The number of new employees required to service the annexation area would require an eventual expansion of City facilities. The City is currently in the process of planning a new maintenance center, and will go to bid for the Interim Justice Center (IJC) this spring. That will free up some space in City Hall and the Annex sufficient to house the initial staffing contingent needed to service the annexation area. Additional space in the Public Safety Building will be needed for police, and that will likely need to come from space previously occupied by the Fire District. Depending on the organizational model, startup staffing for the annexation area would likely require an additional 3 work spaces in City Hall, 2 in the Annex, 1 in the Shops (plus some shared space), and up to 8 in the Public Safety Building, although some of it could be shared space. 3 additional work spaces would be needed at the IJC.

The annexation will require the City to speed up planned construction of the maintenance center and the civic center. While the Interim Justice Center could house additional employees if needed, it is recommended that most spare space in the IJC be leased out in order to generate needed revenue to offset the principal and interest payments on the bonds.

Attachments

- Revenue Table I
- Revenue Table II (Plateau 465 Development Fees)
- Initial Staffing/Service Plan
- Staffing/Service Plan – Ideal (depending on revenue availability)

REVENUE TABLE I

**CUGA Annexation Study
Annual Revenue Estimates**

Revenue Category	Revenue Estimate
General Fund Revenues	
Property Tax	\$581,384
Sales Tax (1)	\$214,000
B&O Tax	\$0
State Shared Revenues	\$195,443
Criminal Justice Sales Tax Distribution	\$136,538
Utility Taxes - Electric (2)	\$221,478
Utility Taxes - Gas	\$104,280
Utility Taxes - Refuse	\$85,974
Utility Taxes - Telephone	\$74,068
Utility Taxes - Water (3)	\$135,000
Utility Taxes - Sewer (4)	\$0
Franchise Fees- CATV	\$128,000
Licenses and Permits (5)	\$201,069
Fines and Forfeitures	\$285,874
Miscellaneous	\$64,300
Investment Interest	\$40,000
SubTotal Annual General Revenues	\$2,467,408
Fees Restricted to Stormwater Use	
Stormwater Fees	\$344,000
Fees Restricted to Capital Use	
Real Estate Excise Tax	\$410,000
Park Impact Fees (6)	\$50,558
Transportation Impact Fees (7)	\$68,731
Gas Tax	\$138,699
SubTotal Restricted Revenues	\$667,988
Total Revenues	

- 1: Est. sales tax from taxable destination based sales in annexation area
- 2: Assume TPU agrees to utility tax imposed in service area
- 3: Utility tax on area in City water service area; Plus est. 5% franchise fee if Tacoma agrees to fee
- 4: No sewer utility tax until area has sewers installed
- 5: Normal infill development only, plus remodels. See appendix "X" for Plateau 465 estimate
- 6: Assumes 17 units per year at \$2974 PIF Rate; Excludes 465 & Cascadia
- 7: Assumes 17 units per year at \$4,043 TIF Rate

Subareas 1, 2, and 3 only. Cascadia excluded.

REVENUE TABLE II

PLATEAU 465
DEVELOPMENT FEE ESTIMATES

Type of Fees	Fees For One Home	Fees For 2833 Homes
Building, Mech, Plumb	\$4,238.00	\$12,006,254.00
State Bldg Code Fee	\$4.50	\$12,748.50
Energy	\$60.00	\$169,980.00
Storm SDC	\$338.00	\$957,554.00
Infiltration	\$64.00	\$181,312.00
Park	\$2,980.00	\$8,442,340.00
Traffic	\$4,043.00	\$11,453,819.00
Site Plan Review	\$40.00	\$113,320.00
Water Fees	\$7,106.00	TPU
Sewer Fees	\$8,487.00	\$24,043,671.00
Total	\$27,360.50	\$57,380,998.50

Affordable Housing	Fees For One Home	Fees For 135
Building, Mech, Plumb	\$2,687.00	\$362,745.00
State Bldg Code Fee	\$4.50	\$607.50
Energy	\$60.00	\$8,100.00
Storm SDC	\$338.00	\$45,630.00
Infiltration	\$64.00	\$8,640.00
Park	\$2,980.00	\$402,300.00
Traffic	\$4,043.00	\$545,805.00
Site Plan Review	\$40.00	\$5,400.00
Water Fees	\$7,106.00	TPU
Sewer Fees	\$8,487.00	\$1,145,745.00
Total	\$25,809.50	\$2,524,972.50

Total Fees For All 2968 Units

Building, Mech, Plumb	\$12,368,999.00
State Bldg Code Fee	\$13,356.00
Energy	\$178,080.00
Storm SDC	\$1,003,184.00
Infiltration	\$189,952.00
Park	\$8,844,640.00
Traffic	\$11,999,624.00
Site Plan Review	\$118,720.00
Water Fees	TPU
Sewer Fees	\$25,189,416.00
Total	\$59,905,971.00

Police Commander	4	58,800	21,168	319,872	22,391	31,507	600	153,355
Police Officer/Investigator	2	48,000	17,280	130,560	9,139	13,056	300	63,312
Community Service Officer	1	39,600	14,256	53,856	3,770	5,386		
Records Clerk								
Public Works								
Eng Tech/Asst Engineer	1	64,200	23,112	87,312	6,112	8,731	2,000	104,155 Annualized equipment costs
Administrative Specialist	1	33,000	11,880	44,880	3,142	4,488	2,000	54,510
Maintenance Worker I	5	36,000	12,960	244,800	17,136	24,480	10,000	296,416 Street & Stormwater
Community Development								
Planner	0	48,000	17,280	0	0	0	0	0 1 if permit activity rebounds
Asst GIS Tech	1	45,600	16,416	62,016	4,341	6,202	2,000	74,559 Convert temp to regular
Administrative Specialist	0	33,000	11,880	0	0	0	0	0 1 if permit activity rebounds
Building Inspector	0	48,000	17,280	0	0	0	0	0 1 when Plateau 465 develops
Asst. Eng. - Dev. Review	0	64,200	23,112	0	0	0	0	0 1 when Plateau 465 develops
Code Enforcement Officer	1	48,000	17,280	65,280	4,570	6,528	2,000	78,378 May be assigned to PD
Community Services								
Administrative Specialist	0.5	33,000	11,880	22,440	1,571	2,244	1,000	27,255
Senior Center Aide	0.5	26,400	9,504	17,952	1,257	1,795	1,000	22,004
Parks/Fac Maintenance Worker	0	36,000	12,960	0	0	0	0	0 1 if City assumes County Park
Court								
Court Clerk	1.5	34,000	12,240	69,360	4,855	6,936	3,000	84,151
Judge	0.5	57,000	20,520	38,760	2,713	3,876		45,349
Administration and Finance								
Administrative Specialist-HR	1	33,000	11,880	44,880	3,142	4,488	2,000	54,510
Administrative Specialist-Admin	1	33,000	11,880	44,880	3,142	4,488	2,000	54,510
Accounting Specialist	1	34,000	12,240	46,240	3,237	4,624	2,000	56,101
Asst. City Attorney/Prosecutor	0.5	75,600	27,216	51,408	3,599	5,141	1,000	61,147
Total	22.5			\$1,344,496	\$94,115	\$134,450	\$66,900	1,639,960
General Fund Share				\$1,231,398	\$86,198	\$123,140	\$62,700	1,503,436
Stormwater Fund Share				\$113,098	\$7,917	\$11,310	\$4,200	136,524

Equipment Costs are annualized over life of equipment

**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> Exec / Don Morrison	<u>Workshop / Meeting Date:</u> 19 Apr 2010	<u>Agenda Bill Number:</u> AB10-75
<u>Ordinance Number:</u> D10-75	<u>Resolution Number:</u>	<u>Councilmember Sponsor:</u>

Agenda Subject: Amendments to the Park Board Ordinance

Proposed Motion: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 2.20 OF THE BONNEY LAKE AND SECTION 2 OF ORDINANCE NO. 1213 RELATING TO THE PARK BOARD

Administrative Recommendation: Approve

Background Summary: One of the goals of the mayor and council is to substantially enhance the park system of the City. There are many park related capital projects the mayor and council would like to undertake in the next few years. This will require closer communication and collaboration with the Parks Board. In order to develop a closer connection between the Parks Board and the City Council, and assure integration of the goals between the elected officials of the city and the appointed members of the park board, it is proposed that the park board be reconstituted in a manner that assures greater communication and collaboration, and strengthens the role and responsibilities of the board.

BUDGET INFORMATION:

Budget Amount	Required Expenditure	Budget Impact	Budget Balance
Budget Explanation:			

COMMITTEE/BOARD REVIEW:

Subcommittee Review Date: -
 Commission/Board Review Date: -
 Hearing Examiner Date:

COUNCIL ACTION:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled To Date:

Signatures:

Director Authorization	Mayor	Date City Attorney Reviewed
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DISCUSSION DRAFT

ORDINANCE NO. D10-75

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 2.20 OF THE BONNEY LAKE AND SECTION 2 OF ORDINANCE NO. 1213 RELATING TO THE PARK BOARD

WHEREAS, the City Council finds it desirable to develop a closer connection between the Parks Board and the City Council;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. BLMC Section 2.20 is hereby amended to read as follows:

2.20.010 Created. There is ~~hereby~~ created an advisory park board ~~created a board of park commissioners to study and recommend park policies and rules, assist in the development of the parks element of the comprehensive plan and make other recommendations to the mayor and city council regarding related systems such as trails and open space.~~ to act in an advisory capacity to the Mayor and City Council in all matters pertaining to parks, including park, athletic and recreation facilities, public open space, trails, and community forestry.

2.20.020 Membership. ~~The board shall consist of seven members who shall be appointed by the mayor, with the consent of the city council. Four members shall constitute a quorum. The park board shall be composed of seven voting members: the mayor, a councilmember appointed by a majority of the council membership, and five citizens. The mayor shall serve as the chair of board, and the councilmember shall serve as the vice-chair. The other five members shall be citizens of Bonney Lake appointed by the mayor with the consent of the city council. Four members shall constitute a quorum. The terms of the citizen members shall be three two years, with initial terms staggered so that no fewer more than three two terms expire in any given year. There shall be no limit to the number of terms a member may serve if reappointed. The department head of the City charged with the operation and maintenance of the City's park system shall serve as an ex officio member of the Board, and shall have a right to fully participate in all discussions of the Board, but shall have no vote.~~

2.20.030. Removal. Members of the Parks Board may be removed by a majority vote of the entire City Council for neglect of duty, conflict of interest, malfeasance in office or other just cause, or for unexcused absence for more than three consecutive regular meetings. The decision of the City Council shall be final and there shall be no appeal.

2.20.040. Vacancies. Vacancies, occurring other than through the expiration of term, shall be filled for the unexpired term in the same manner as for appointments as provided in Section 2.20.020.

DISCUSSION DRAFT

~~**2.20.030 Powers and duties.** The board of park commissioners shall act in an advisory capacity to the mayor and city council and shall make recommendations from time to time concerning the acquisition, improvement and use of parks, playgrounds and recreational equipment and facilities. It shall recommend rules and regulations governing the use and management thereof to the city council. The board of park commissioners may adopt appropriate rules governing the organization and conduct of its meetings.~~

2.20.050 Duties and Responsibilities. The Parks Board shall act in an advisory capacity to the Mayor and City Council in all matters pertaining to parks, trails, open space and community forestry. Specifically, it shall be the duty and responsibility of the Park Board to:

- A. Advise and make recommendations to the City Council for the acquisition, control, improvement, beautification and planning of all municipal parks, trails and open spaces of the City;
- B. Periodically review whether the lands being used for park purposes are adequate and shall recommend to the City Council what additional lands and grounds should be acquired and used for park and recreation purposes;
- C. Explore and recommend park related public/private partnerships where appropriate and feasible;
- D. Guide, review and recommend to the Planning Commission and City Council a draft Parks Element of the City's Comprehensive Plan, and to assist in the update of said plan at least every five years; and to comply with the planning requirements of the Washington State Recreation and Conservation Office grant in aid programs;
- E. Assist in the review, planning, and advocacy of park bond measures which the City Council may propose.
- F. Cooperate with other advisory bodies of the city and with public school authorities, Pierce County, the State of Washington, other cities and public and private entities in the furtherance of a well rounded parks program;
- G. Review and comment on proposed legislative or administrative polices, rules or regulations regarding use of City park facilities to best serve the interests of the public;
- H. Advise the City Council and Administration on the City's community forestry program, and pursuant to BLMC Section 12.24.130(C) consider applications for Heritage Tree designation.
- I. Review and comment on the proposed capital improvement plan (CIP) for parks.
- J. Carry out other parks related subjects assigned by the City Council or by ordinance.

2.40.060 Meetings. The Parks Board shall provide a regular meeting schedule, including time, place and frequency of meetings as necessary, but no less frequent than once a month unless there is no business to conduct. The Park Board may, from time to time, provide for special meetings in accordance with RCW 42.30. All meetings shall be open to the public, in accordance with RCW 42.30, the Open Public Meetings Act. The Board shall insure that written minutes of the meeting are kept including a record of all motions and votes of the Board.

DISCUSSION DRAFT

2.40.070 Administrative Support and Participation. The Mayor shall appoint suitable staff to assist the Board in its work, including the preparation of the agenda and minutes.

2.20.0480 Compensation. The ~~board of park commissioners~~ park board shall serve without salary.

2.20.050 Statutory authority. The ~~board of park commissioners~~ park board is created pursuant to RCW 35A.11.020.

Section 2. This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this ____th day of , 2010.

Neil Johnson, Jr.
Mayor

ATTEST:

Harwood T. Edvalson
City Clerk, CMC

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date:

RESOLUTION NO. 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY
LAKE, PIERCE COUNTY, WASHINGTON AUTHORIZING THE
MAYOR TO SIGN AN INTERLOCAL AGREEMENT WITH PIERCE
COUNTY FOR CERTAIN AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICES AS RECOMMENDED BY THE
PIERCE COUNTY REGIONAL COUNCIL**

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the attached Interlocal attached hereto as Exhibit "A" and incorporated herein by this reference.

PASSED by the City Council this _____ day of _____ 2010.

Mayor Neil Johnson, Jr.

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney

EXHIBIT A

INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY COUNTYWIDE PLANNING POLICIES

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

BACKGROUND:

- A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.
- B. The Pierce County Countywide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement or by a new interlocal agreement. The Pierce County Countywide Planning Policies may be amended upon the adoption of amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County (13 of 20) representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification.
- C. Substantive policy amendments are based on a comprehensive review and update to the Affordable Housing Countywide Planning Policies by the Pierce County Regional Council.
- D. The Pierce County Regional Council conducted discussions in open public meetings in 2007, 2008, and 2009, to address the amendments. The Pierce County Regional Council subsequently recommended adoption of the proposed amendments on May 21, 2009, related to affordable housing.

PURPOSE:

This agreement is entered into by the cities and towns of Pierce County and Pierce County for the purpose of ratifying and approving the attached amendments to the Pierce County Countywide Planning Policies (Attachment).

DURATION:

This agreement shall become effective upon execution by 60 percent of the jurisdictions in Pierce County, representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification. This agreement will remain in effect until subsequently amended or repealed as provided by the Pierce County Countywide Planning Policies.

SEVERABILITY:

If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

FILING:

A copy of this agreement shall be filed with the Secretary of State, Washington Department of Community, Trade and Economic Development, the Pierce County Auditor and each city and town clerk.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by the signature page affixed to this agreement.

INTERLOCAL AGREEMENT
AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County Countywide Planning Policies.

IN WITNESS WHEREOF

This agreement has been executed the City of Bonney Lake.

PASSED by the City Council this _th day of _____, 2010.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Approved:

By: _____
(Pierce County Executive)

Proposed Amendments to the

Countywide Planning Policies

for Pierce County, Washington

**COUNTYWIDE PLANNING POLICY ON THE "NEED
FOR AFFORDABLE HOUSING FOR ALL ECONOMIC SEGMENTS
OF THE POPULATION AND PARAMETERS FOR ITS DISTRIBUTION"**

§ **Background - Requirement of Growth Management Act**

The Washington Growth Management Act identifies as a planning goal to guide the development and adoption of comprehensive plans and development regulations that counties and cities encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types, and encourage preservation of the existing housing stock. [RCW 36.70A.020(4)] The term "affordable housing" is not defined, but the context in which it appears suggests that its meaning was intended to be broadly construed to refer to housing of varying costs, since the reference is to all economic segments of the community.

The Washington Growth Management Act requires the adoption of countywide planning policies for affordable housing in order to establish a consistent county-wide framework from which county and city comprehensive plans are developed and adopted. These policies are required to, at a minimum, "consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution" [RCW 36.70A.210(3)(e)].

The Washington Growth Management Act also identifies mandatory and optional plan elements. [RCW 36.70A.070 and .080]. A Housing Element is a mandatory plan element that must, at a minimum, include the following [RCW 36.70A.070(2)]:

- (a) an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- (b) a statement of goals, policies and objectives, and mandatory provisions for the preservation, improvement and development of housing, including single-family residences;
- (c) identification of sufficient land for housing, including, but not limited to, government-assisted housing, housing for low income families, manufactured housing, multi-family housing, group homes, and foster care facilities, and senior housing;
- (d) adequate provisions for existing and projected housing needs of all economic segments of the community.

Since the Comprehensive Plan of every city and county must be an internally consistent document [RCW 36.70A.070] and all plan elements must be consistent with the future land use map prepared as part of the required land use element [RCW 36.70A.070], these other plan elements will, to a great extent, dictate what will be in the housing element.

Thus, the land use element, relying upon estimates of future population, growth, average numbers of persons per household, and land use densities, will indicate how much (and where) land needs to be made available to accommodate the identified housing needs. The capital facilities, transportation and utilities elements will then indicate when and how public facilities will be provided to accommodate the projected housing, by type, density and location.

§ **Countywide Planning Policy**

1. The County, and each municipality in the County, shall determine the extent of the need (~~i.e., the demand~~) for housing for all economic segments of the population ~~that are, both existing and projected for the community~~ its jurisdiction over the planning period.
 - 1.1 ~~the projection shall be made in dwelling units, by type, provided, that the projection may be a range and that the types of dwelling units may be in broad categories, such as single-family detached, single-family attached, duplex, triplex, fourplex, apartments and special housing types;~~
 - 1.2 ~~the projection shall be reflective of census or other reliable data indicating the economic segments of the population for whom housing needs to be provided, and shall incorporate the jurisdiction's fair share of the County's housing needs;~~
 - 1.3 ~~the projections shall be reflective of the Countywide fair share housing allocation as shall be established pursuant to federal or state law and supplemented by provisions established in intergovernmental agreements between County jurisdictions.~~
2. ~~The County and each municipality in the County shall meet their projected demand for housing by one or more or all of the following:~~
 - 2.1 ~~preservation of the existing housing stock through repair and maintenance, rehabilitation and redevelopment;~~
 - 2.2 ~~identification of vacant, infill parcels appropriately zoned for residential development with assurances that neighborhood compatibility and fit will be maintained through appropriate and flexible zoning and related techniques, such as:~~
 - 2.2.1 ~~sliding-scale buffering and screening requirements based on adjacent use considerations;~~
 - 2.2.2 ~~performance standards;~~
 - 2.2.3 ~~height and bulk limitations;~~
 - 2.2.4 ~~provision of open space;~~
 - 2.2.5 ~~front, side and rear yard requirements;~~
 - 2.2.6 ~~protection of natural resources and environmentally sensitive lands;~~
 - 2.2.7 ~~architectural controls and design standards.~~
 - 2.3 ~~identification of other vacant lands suitable for residential development and permitting sufficient land through zoning to meet one or more or all of the following types and~~

densities, of housing:

- 2.3.1 multi-family housing
- 2.3.2 mixed-use development
- 2.3.3 cluster development
- 2.3.4 planned-unit development
- 2.3.5 non-traditional housing

2.4 In determining the suitability of the location and identification of sites for affordable housing, the jurisdictions shall consider the availability and proximity of transit facilities, governmental facilities and services and other commercial services necessary to complement the housing.

2. The County, and each municipality in the County, should explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation.

3. The County, and each municipality in the County shall assess their success in meeting the housing demands and shall monitor the achievement of the housing policies not less than once every five years.

3. The County, and each municipality in the County, shall encourage the availability of housing affordable to all economic segments of the population for each jurisdiction.

3.1 For the purpose of the Pierce County Countywide Planning Policies the following definitions shall apply:

3.1.1 "Affordable housing" shall mean the housing affordable to households earning up to 80 percent of the countywide median income.

3.1.2 "Low income households" shall mean households earning 80 percent or less of the countywide median income.

3.1.3 "Moderate income households" shall mean households earning 80 to 120 percent of the countywide median income.

3.1.4 "Special Needs Housing" shall mean supportive housing opportunities for populations with specialized requirements, such as the physically and mentally disabled, the elderly, people with medical conditions, the homeless, victims of domestic violence, foster youth, refugees, and others.

3.2 Affordable housing needs not typically met by the private housing market should be addressed through a more coordinated countywide approach/strategy.

3.2.1 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies,

development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation.

- 3.3 It shall be the goal of each jurisdiction in Pierce County that a minimum of 25% of the growth population allocation is satisfied through affordable housing.
4. ~~The County, and each municipality in the County, shall maximize available local, state and federal funding opportunities and private resources in the development of affordable housing.~~
 4. The County and each municipality in the County should establish a countywide program by an organization capable of long-term consistent coordination of regional housing planning, design, development, funding, and housing management. All jurisdictions should be represented in directing the work program and priorities of the organization.
 5. ~~The County, and each municipality in the County, shall explore and identify opportunities for non-profit developers to build affordable housing.~~
 5. Jurisdictions should plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that will result in the preservation of existing, and production of new, affordable and moderate-income housing.
 - 5.1 Techniques to preserve existing affordable and moderate-income housing stock may include repair, maintenance, and/or rehabilitation and redevelopment in order to extend the useful life of existing affordable housing units.
 - 5.1.1 Jurisdictions should seek and secure state funds such as the Housing Trust Fund, and federal subsidy funds such as Community Development Block Grant, HOME Investment Partnership, and other sources to implement housing preservation programs.
 - 5.2 Jurisdictions should promote the use of reasonable measures and innovative techniques (e.g. clustering, accessory dwelling units, cottage housing, small lots, planned urban developments, and mixed use) to stimulate new higher-density affordable and moderate-income housing stock on residentially-zoned vacant and underutilized parcels.
 - 5.3. To promote affordable housing, jurisdictions should consider the availability and proximity of public transportation, governmental and commercial services necessary to support residents' needs.
 - 5.4 Jurisdictions should consider providing incentives to developers and builders of affordable housing for moderate- and low-income households, such as but not limited to:
 - 5.4.1 A menu of alternative development regulations (e.g. higher density, reduced lot width/area and reduced parking stalls) in exchange for

- housing that is ensured to be affordable.
- 5.4.2 A toolkit of financial incentives (e.g. permit and fee waivers or multi-family tax exemptions) and grant writing assistance, through the regional housing organization, that may be dependent on the amount of affordable housing proposed.
- 5.4.3 A toolkit of technical assistance (e.g. mapping, expedited processing and permit approval) to affordable housing developers that may be dependent on the amount of affordable housing proposed.
- 5.5 Jurisdictions should consider inclusionary zoning measures as a condition of major rezones and development.
 - 5.5.1 New fully contained communities in unincorporated Pierce County shall contain a mix of dwelling units to provide for the affordable and moderate-income housing needs that will be created as a result of the development.
- 6. The County, and each municipality in the County, should cooperatively maximize available local, state, and federal funding opportunities and private resources in the development of affordable housing for households.
 - 6.1 All jurisdictions should jointly explore opportunities to develop a countywide funding mechanism and the potential for both voter approved measures (bond or levy), and nonvoter approved sources of revenue to support the development of affordable housing.
 - 6.2 All jurisdictions should pursue state legislative changes to give local jurisdictions the authority to provide tax relief to developers of affordable housing.
 - 6.3 All jurisdictions should explore opportunities to dedicate revenues from sales of publicly owned properties, including tax title sales, to affordable housing projects.
 - 6.4 All jurisdictions should explore the feasibility of additional resources to facilitate the development of affordable housing such as a new countywide organization (based on inter-local agreements), expansion of existing non-profit partnerships, increased coordination with local public housing authorities, a county-wide land trust, as well as future involvement of larger County employers, in the provision of housing assistance for their workers.
- 6.7. The County, and each municipality in the County, should explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the Countywide policy on historic, archaeological and cultural preservation to reduce land costs for non-profit and for-profit developers to build affordable housing.

- 7.1 Jurisdictions should explore options to dedicate or make available below market-rate surplus land for affordable housing projects.
- 7.2 All jurisdictions should explore and identify opportunities to assemble, reutilize, and redevelop existing parcels.
7. ~~New fully-contained communities shall comply with the requirements set forth in the Growth Management Act and shall contain a mix in the range of dwelling units to provide their "fair share" of the Countywide housing need for all segments of the population that are projected for the County over the planning period.~~
8. The County, and each municipality in the County, shall periodically monitor and assess their success in meeting the housing needs to accommodate their 20-year population allocation.
 - 8.1 Jurisdictions should utilize the available data and analyses provided by federal, state, and local sources to monitor their progress in meeting housing demand as part of the required Growth Management Act comprehensive plan update process.
 - 8.2 Countywide housing allocations shall be periodically monitored and evaluated to determine if countywide needs are being adequately met; the evaluation should identify all regulatory and financial measures taken to address the allocation need.
 - 8.3 Each jurisdiction should provide, if available, the quantity of affordable housing units created, preserved, or rehabilitated since the previous required update.
 - 8.4 Jurisdictions should consider using a consistent reporting template for their evaluations to facilitate the countywide monitoring and assessment.
 - 8.5 In conjunction with the Growth Management Act Update schedule, a report should be forwarded to the Pierce County Regional Council addressing the progress in developing new affordable housing.

**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> CS / Gary Leaf	<u>Workshop / Meeting Date:</u> 27 Apr 2010	<u>Agenda Bill Number:</u> AB10-63
<u>Ordinance Number:</u>	<u>Resolution Number:</u> 2025	<u>Councilmember Sponsor:</u>

Agenda Subject: Community Garden

Proposed Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bonney Lake Community Resources (Bonney Lake Food Bank) To Operate A Community Garden On City Property From May 2010 Until April 2011.

Administrative Recommendation: Approve

Background Summary: Over the past six months, city staff has been discussing a potential partnership with Bonney Lake Community Resources (the Bonney Lake Food Bank) to implement a community garden in Bonney Lake. Beautify Bonney Lake has also agreed to sponsor a community garden as a BBL project. Partnering with a nonprofit organization that is providing a community service (such as providing assistance to the poor) is commonplace among Washington municipalities. In this particular proposal the City will provide water for irrigation (expected to be between \$1,000 and \$2,000) and some staff time (up to 40 hours of an equipment operator) to help set up the community garden. The lease agreement would be for \$1 for one year. This arrangement is meant to be an experiment to see how it works. Towards the end of the lease agreement staff will review success of this endeavor with the City Council to consider if the agreement should continue beyond the first year.

<u>BUDGET INFORMATION:</u>			
Budget Amount	Required Expenditure	Budget Impact	Budget Balance
N/A	\$2,000	\$2,000	
Budget Explanation: Irrigation cost will be charged to the Utilities line item of the Facilities budget.			

COMMITTEE/BOARD REVIEW:

Subcommittee Review Date: Finance Committee - 13 Apr 2010
Commission/Board Review Date: -
Hearing Examiner Date:

COUNCIL ACTION:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 27 Apr 2010	Tabled To Date:

Signatures:

Director Authorization	Mayor	Date City Attorney Reviewed 5 Apr 2010
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RESOLUTION NO. 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN AGREEMENT WITH BONNEY LAKE COMMUNITY RESOURCES (BONNEY LAKE FOOD BANK) TO OPERATE A COMMUNITY GARDEN ON CITY PROPERTY FROM MAY 2010 UNTIL APRIL 2011.

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the agreement attached hereto and incorporated in "Attachment A."

PASSED by the City Council this 13th day of April, 2010.

Mayor Neil Johnson, Jr.

AUTHENTICATED:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

FINANCE COMMITTEE

DATE: April 13, 2010

ORIGINATOR: Gary Leaf

TITLE: Community Services Director

SUBJECT/DISCUSSION: Staff recommends approving a one-year lease in the amount of \$1 with Bonney Lake Community Resources (the Bonney Lake Food Bank) to operate a community garden on city property. City will provide water for irrigation at no charge plus up to 40 hours of equipment operator time.

ORDINANCE/RESOLUTION NUMBER: 2025

REQUEST OR RECOMMENDATION BY ORIGINATOR: Approve

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE MAYOR

FINANCE DIRECTOR _____

CITY ATTORNEY Yes

BUDGET INFORMATON

<u>2010 Budget Amount</u>	<u>Required Expenditure</u>	<u>Remaining Balance</u>
N/A	\$2,000.00	N/A

Explanation: Will be charged to Facilities budget. This amount does not include staff time.

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

	DATE	APPROVED	DISAPPROVED
Dan Swatman, Chair, Finance	_____	_____	_____
Mark Hamilton, Chair, Public Safety	_____	_____	_____
James Rackley, Chair, CDC	_____	_____	_____

COMMITTEE COMMENTS: _____

COMMITTEE'S RECOMMENDATION TO FORWARD TO:

CITY CLERK

FINANCE DIRECTOR

CITY ATTORNEY

Please schedule for Council Meeting date of: April 13, 2010

Consent Agenda: X

**LEASE AGREEMENT
FOR A COMMUNITY GARDEN
ON DOWNTOWN PROPERTY**

This Agreement, by the City of Bonney Lake, Pierce County, Washington, hereinafter called the City, and **Bonney Lake Community Resources**, hereinafter called BLCR, is made on the following terms and conditions:

BLCR has the necessary experience and personnel, and is willing to enter into this Agreement to operate said community garden; and

The City desires to partner with BLCR to successfully provide a community garden for community benefit and mutual benefits for BLCR patrons and the Bonney lake Senior Center;

Witnesseth, that in consideration of the mutual covenants and agreements herein contained, the parties hereto do mutually agree as follows:

I. Grant, Term, and Operation of Concession

1.1 The City, acting pursuant to its vested authority, grants to BLCR, for the term and upon the conditions and provisions hereafter specified the right and privilege to operate and maintain a community garden on City property located at 18417-18429 89th Street East. This grant is expressly conditioned on operation of a community garden that is consistent with and in furtherance of the public's use.

1.2 The term of the concession shall be from May 1, 2010 , to April 30, 2011.

1.3 BLCR will maintains its 501(c)3 status for the duration of this agreement.

1.4 BLCR shall coordinate all volunteer efforts. The Mayor and/or his designee shall provide ongoing, general guidance and input to the City's need for a successful community garden, but such guidance shall not be construed to create an employment relationship between the parties. BLCR will administer the project as an independent contractor, and its employees, agents, and

volunteers will not be under the control or supervision of Bonney Lake, or its employees, agents or volunteers.

1.5 A lease payment of \$1.00 shall be remitted to the City of Bonney Lake upon signing of this Agreement.

1.6 The community garden will be located on three City owned lots located at 18417-18429 89th Street East, Bonney Lake.

1.7 The City shall provide irrigation for the community garden with garden hoses hooked up from the adjacent City-owned parcel to the east. BLCR shall remove solid waste from the site.

1.8 BLCR may collect voluntary, charitable donations while running the community garden and may charge a fee up to, but no more than, \$10.00 per plot.

1.9 BLCR agrees to purchase and maintain a Liability insurance policy from an insurance company licensed in Washington and rated with AM Best no lower than a B+ in the amount of \$1,000,000.00, and to hold the City harmless, defend, and indemnify it from any accidents, injuries or claims of any kind resulting from BLCR's operations. BLCR agrees to include the City as a co-insured on the insurance policy required above in this paragraph. BLCR shall provide a certificate of insurance to the City.

1.8 BLCR shall not erect any sign on the City property or in the vicinity thereof without obtaining the advance approval of the City.

1.9 BLCR shall strictly obey all laws of the State of Washington and all Ordinances of the City of Bonney Lake, and will not allow the violation of any of these laws, or ordinances by any other party on or adjacent to the premises in which this concession is operated.

II. Non-Discrimination Policy

2.1 Concessionaire agrees that in all hiring or employment made possible or resulting from this Agreement:

(1) There shall be no discrimination against any employee or volunteer because of sex, age, race color, creed, national origin, marital status, veteran status, or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification, and this requirement shall apply to but not be limited to the following: employment (including , advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

(2) No person shall be denied, or subjected to discrimination in receipt of, the benefit of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, national origin, age (except minimum age and retirement provisions), veteran status, marital status, or the presence of any sensory, mental or physical handicap.

(3) Any violation of this provision shall be considered a violation of a material provision of this Agreement and shall be grounds for cancellation, termination or suspension in whole or in part, of the Agreement by the parties and may result in ineligibility for further agreements.

III Termination by City

3.1 If, in the judgment of the Mayor, the manner of operation of the community garden does not meet the requirements of this Agreement, or if BLCR is in default of any other term of this Agreement, City shall give BLCR a written notice specifying the particulars of the unsatisfactory performance.

3.2 If BLCR fails or refuses to remedy such unsatisfactory performance or default within five (5) calendar days after receipt of such notice, the City may terminate this Agreement immediately. The decision of the Mayor on any such matter shall be final.

3.3 Notwithstanding the above, nonpayment of the lease amount or of any installment thereof five (5) calendar days after said fee is due shall be full justification for the City to take immediate possession of the concession and premises, and for immediate cancellation of this Agreement.

IV. Termination by BLCR

4.1 BLCR may terminate this Agreement by giving thirty (30) days written notice to City of such intention to terminate.

V. No Assignment

5.1 Neither this Agreement nor any rights or privileges hereunder shall be assigned or sublet without the consent of the City. Consent to assignment shall not be unreasonably withheld by the City.

VI. Interpretive Provisions

6.1 The terms and conditions of this Agreement shall be binding on the parties hereto, their heirs, successors, administrators, and assigns, and shall be construed in accordance with the laws of the State of Washington.

6.2 TIME IS OF THE ESSENCE of this Agreement, and of each and every term, condition and provision herein.

6.3 The waiver by the City of any breach of any term contained in this Agreement shall not be deemed to be a waiver of such term for any subsequent breach of the same or any other term.

6.4 Each term of this Agreement is material and breach by BLCR of any one of the terms herein shall be a material breach of the entire Agreement and shall be grounds for the termination of the entire Agreement by the City.

6.5 If any term or provision of this Agreement or the application of any term or provision to any person or circumstance is invalid or unenforceable, the remainder of this Agreement, or the application of the term or provision or persons or circumstances other than those as to which it is held invalid, or unenforceable, will not be affected and will continue in full force.

6.6 This Agreement contains the entire agreement between BLCR and the City of Bonney Lake and there are no promises, conditions, terms, obligations, statements, or guarantees other than those contained herein. No modifications or amendments shall be valid unless in writing and fully executed by all parties.

6.7 This Agreement shall be governed by the laws of the State of Washington. Venue for any lawsuit arising out of this Agreement shall be in Pierce County, Washington. The prevailing party in any such action shall be entitled to an award of reasonable attorney's fees and costs.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

ATTEST:

CITY OF BONNEY LAKE

Harwood T. Edvalson
City Clerk

Neil Johnson Jr.
Mayor

APPROVED AS TO FORM:

BLCR

James J. Dionne,
City Attorney

CEO