

**CITY COUNCIL WORKSHOP**

**October 16, 2012  
5:30 p.m.**

**AGENDA**

City of



*“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](http://www.ci.bonney-lake.wa.us)*

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*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.*

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**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. Call to Order:** Mayor Neil Johnson

**II. Roll Call:**

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

**III. Agenda Items:**

- A. **Presentation:** Report on Recycling from DM Disposal (No advance materials provided).
- B. **Presentation:** Tehaleh Master Planned Community (No advance materials provided).
- C. **Council Open Discussion.**
- Pg. 3 D. **Review of Minutes:** October 2<sup>nd</sup> Workshop and October 9<sup>th</sup> Meeting.
- Pg. 15 E. **Discussion:** AB12-140 – Resolution 2247 – Awarding the Justice Center Tenant Improvement Phase 2 Contract to JB Construction.
- Pg. 23 F. **Discussion:** AB12-145 – Resolution 2248 – Intergovernmental Cooperative Purchasing Agreement between the City of Bonney Lake and Vancouver School District No. 37 (Office Furniture).
- Pg. 27 G. **Discussion:** AB12-142 – Ordinance D12-142 – Related to Traffic Impact Fees.
- Pg. 33 H. **Discussion:** AB12-143 – Ordinance D12-143 – Related to Water and Sewer System Development Charges.

**IV. Executive Session:** Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

**V. Adjournment**

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

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**CITY COUNCIL WORKSHOP**

**October 2, 2012  
5:30 P.M.**

**DRAFT MINUTES**

City of



*"Where Dreams Can Soar"*

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Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)

**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. CALL TO ORDER** – Mayor Neil Johnson called the workshop to order at 5:34 p.m.

**II. ROLL CALL:**

Records and Information Specialist Susan Duis called the roll. Elected officials attending were Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Assistant City Attorney Kathleen Haggard, Records and Information Specialist Susan Duis, and Administrative Specialist II Renee Cameron.

**AGENDA ITEMS:**

**A. Council Open Discussion:**

Local Newspapers: Mayor Johnson said he attended the Newspaper Association Convention in Yakima where the State's annual weekly newspapers awards are given out. The Bonney Lake Courier Herald received 3<sup>rd</sup> Place in General Excellence, and individual reporter awards went to Brian Beckley, Daniel Nash and Dennis Box. He said some of the local ads were also recognized. He said it was a great to see what the local papers throughout the State do and highlighted headlines throughout the different communities.

Public Safety Open House: Councilmember Minton-Davis attended the Public Safety Open House hosted by East Pierce County Fire & Rescue on Saturday, September 29<sup>th</sup> at the Public Safety Building. She said there was great attendance but believes it may have been down from last year. She said Maris Farms made a generous donation to the East Pierce County Fire Foundation of 1,200 tickets to Maris Farms. Councilmember Rackley said he was pleased with the attendance and it appeared that every parking spot was full.

Tehaleh Open House: Councilmember Watson said he attended the Tehaleh Open House, as well as some of the other Councilmembers. He said there was a great turnout with a very nice reception.

Naches Trail Tour: Councilmember Watson attended the tour with Councilmember Hamilton and said he learned a lot about the trail and the history of the Naches Trail.

Park Summit II: Councilmember Watson said he attended the Park Summit II and thought attendees were there for their individual interest. He said the Council needs to get a feel for what is really necessary to create a Metropolitan Park District (MPD).

Mayor Johnson said he doesn't think the City is ready to establish a MPD right now. He suggested an advisory vote to get a better sense of where everyone stands, how to accomplish these projects, and to educate the voters before it is put on the ballot. Councilmember Hamilton said he also attended and got the same sense. He said he felt the public thinks they need to include all of the options in the first vote, which is not the case. He believes it will take approximately 20 years for the City to get all of the projects completed. The current Park Plan is the City's 6 year plan and not all of the City's needs are being addressed in this 6 year plan.

Mayor Johnson said a MPD is the same as passing the maximum levy, so the key is for voters to identify projects so the City can consider how to list it on the ballot, otherwise the City should consider a park bond. Councilmember Hamilton said he thinks too much detail was being considered at the Summit. Councilmember McKibbin said he thinks the basic plans have been bypassed, and the Council is still trying to lay a foundation for a MPD. Councilmember Watson said he felt frustration from the Park Board and he is anxious to attend the Park Board meeting next Monday. He said Council and the Mayor want to hear the Board's ideas. Mayor Johnson said he plans to attend the Park Board on Monday and to figure out the best strategy for a MPD, or another option. Councilmember Lewis said Council needs to decide what is really needed, the cost of the projects, and then work out the details as the projects progress. Councilmember Watson said he doesn't want Council to lose momentum. Mayor Johnson agreed and reiterated his desire to hold an advisory vote to see what projects are of interest and could be completed.

Deputy Mayor Swatman said the attendees who attended in the Park Summit II are interested in participating in the City. He didn't think there were average everyday residents participating in the Summit. He is interested in an MPD, as that is where the money will come from to do the projects. He said another option is a Special Parks District, but, that option is much more limited and the MPD has many more advantages. Councilmember Hamilton said the City has previously had a tough time getting positions filled for Park Districts. Councilmember Rackley said with a Special Park District ran by a Commission, rather than the Council, a lot of the City's priorities may not get taken into account. Deputy Mayor Swatman said the MPD is dedicated money and can only be used for that purpose. Councilmember Lewis said as the City is growing he thinks it would be good for the Council to set a good basis for the plan, especially if it is a 30 year plan. He thinks the City needs to study the plan before it is locked in. He said since it is a growing plan it should be completed in phases. Mayor Johnson said he will see what is discussed at the Park Board meeting on October 8<sup>th</sup> and consider postponing placing the Park Plan on the ballot for an April 2013 election. Deputy Mayor Swatman asked Council if they would be interested in meeting with the Park Board for a joint meeting. Councilmembers agreed and asked that a special joint meeting be scheduled to discuss the Park Plan.

Eastown: Councilmember Watson asked for a status update. Councilmember Rackley handed out an e-mail from City Engineer John Woodcock regarding using the sewer development charges fees to pay for the project and said Council needs to move ahead and get the system started. Councilmember Watson said he is still supportive of the \$2 million project with Eastown LLC. Councilmember McKibbin said Eastown needs to be marketed it before it can be developed and he is working on a proposed plan. Councilmember McKibbin said there is no utility latercomer agreement (ULA) in his proposed plan and no partners. Councilmember Rackley said he just wants to know that

Council is moving forward with a plan to get sewer out to Eastown. Deputy Mayor Swatman said he is willing wait to hear more about Councilmember McKibbin's plan. He said sewer development charges (SDC) surcharges are still being considered. City Administrator Morrison said he is holding off doing a study on surcharges until he gets direction to do so, as it is a \$10,000 study. Councilmember Hamilton said his concern is the ability of the utility to pay for the project without raising rates. He is concerned that the City would not get all of its money back through a partnership. He said if the estimate from City Engineer John Woodcock is correct, then he thinks this is a good plan. He said if the City pay for the project with SDC surcharges, then the City could eventually get its money back through rates. He said he would vote for the partnership with the LLC, but wants to know that the utility will not be heavily impacted. Councilmember Lewis said he just wants to see the project completed, but he wants to make sure the Council considers all of the options before just making a choice. Mayor Johnson clarified the different plans; the \$2 million plan with a ULA partnership; the \$4 million plan with a ULA partnership; and a \$2 Million plan with no partnership, funded entirely by the City. An alternate plan would include conducting a study which the Council was not interested in pursuing. Councilmember McKibbin said he would provide more info on his plan at the next Council workshop.

Greater Bonney Lake Historical Society: Councilmember Watson inquired about the request from the Greater Bonney Lake Historical Society for relocation assistance, as the City has received the bids for the Justice Center Tenant Improvements. Mayor Johnson said City staff are working on the issue and hope to have a plan in a week or two to assist the Historical Society in their relocation.

Food Bank: Councilmember Rackley said he had heard that the Bonney Lake Food Bank – Bread of Life was going to be evicted from its current location. Mayor Johnson said there are no imminent plans to relocate the Food Bank, but he would eventually like to tear down the building that the currently houses the Food Bank, and find a new location for them. Mayor Johnson also said Lions 4 Kids is not being relocated.

Council Open Discussion: Cont'd on Page 6

**B. Presentation:** County Executive Pat McCarthy.

County Executive Pat McCarthy presented her yearly presentation, which she referred to as her "Budget on the Road," regarding County issues.

County Executive McCarthy was available for questions and answers from the Councilmembers and Mayor Johnson.

*At 7:10 p.m. Mayor Johnson recessed the Workshop for a short break. The Workshop resumed at 7:21 p.m.*

**C. Review of Draft Council Minutes:** September 18, 2012 Workshop, and September 25, 2012 Meeting.

The September 18, 2012 Workshop, and September 25, 2012 Meeting minutes were forwarded to the October 9, 2012 meeting for action, with one minor correction.

**D. Discussion:** AB12-133 – Ordinance D12-133 – Retention of Civil Service Status for Police Personnel Promoted to Civil Service Commission Exempt Positions.

Mayor Johnson advised it was his intent to appoint Interim Chief of Police Dana Powers as Chief of Police following her successful year of service as the Interim Chief. He said Interim Chief Powers requested “bumping rights” (reassignment back to Assistance Chief of Police) should the Mayor decide to change chiefs in the future. Both the Mayor and Council had concerns regarding this proposal, and an acceptable alternative is to “grandfather” Chief Powers under her current civil service status to assure that any adverse future employment action is based on just cause. The ordinance would allow internal police personnel who are promoted to a Civil Service exempt position to retain their civil service status. Councilmember Hamilton said he has always recognized the Civil Service Code and he wants to preserve the process, and Councilmember Watson agreed. Councilmember Minton-Davis asked if there was a reason that it was done away with in the past. Councilmember Rackley said he recalls the reasoning why it was protected was because every department head is responsible to report to the Mayor. He doesn’t believe the Chief of Police should be entitled to protection under the Civil Service, as none of the City’s department heads have protection and that they are all accountable to the Mayor and the City to do their job. Mayor Johnson said he thinks all department heads do their job and are accountable. Councilmember McKibbin reminded the Council that they all took an oath that they must uphold. Deputy Mayor Swatman reminded the Mayor and Council that they wanted an elected Mayor not a City Council run government. This proposal would allow a buffer for the Chief of Police which is not given to all of the department heads. He said the City needs to have a Mayor who has the ability to control the City. He doesn’t believe that Civil Service protection is necessary. All employees have to perform for their employers, not have a buffer of protection.

Mayor Johnson asked the Council how they feel about this request. Councilmember Lewis said he understands both sides. Councilmember Minton-Davis said she is undecided and would like to consider the issue a bit more. Deputy Mayor Swatman asked how many civil service staff would be protected. City Administrator Morrison said the proposed ordinance would protect the Chief and Assistant Chief, or those already in the City’s civil service. He gave a quick history of the civil service and how this request came about. Councilmember Watson said he wants to know the Chief of Police is making decisions on behalf of the department, not necessarily about their job as Chief of Police. Mayor Johnson said the City has a track record of continuity with its department heads and he feels the previous Chief, and Interim Chief Powers have been able to have their voice and positions. His main concern is that when a new mayor comes into office, they could clean house and the chief of police would at least have protection under Civil Service. Assistant City Attorney Kathleen Haggard said a future Council could revise the ordinance, but there would be an expectation that those given that protection would still be afforded it. Councilmember Minton-Davis inquired about the requirements of the Civil Service Commission. Councilmember Lewis spoke in favor of the proposed ordinance. Council Minton-Davis said she remained undecided and needed additional time for consideration. The proposed ordinance was forwarded to the October 9, 2012 meeting action.

**E. Discussion:** AB12-138 – Ordinance D12-138 – Adoption of alternative civil infraction process for code enforcement.

City Administrator Morrison advised that current City process for nuisance abatement and general code enforcement can be cumbersome, slow, and expensive. Adoption of a civil infraction process as provided in RCW 7.80 will provide City enforcement staff with an alternative process that can levy civil fines; this additional alternative will provide another tool to achieve code compliance. Councilmember Rackley said he knows of other cities which have adopted something similar and it has worked well for them. Councilmember Hamilton said he thinks it may actually save the City some money. Assistant City Attorney Kathleen Haggard said it would provide for faster resolution, not necessarily saving money, but it would provide the City with an improved process. She advised that fines can be elevated to a misdemeanor and lower level nuisances can be taken care of more efficiently. City Administrator Morrison said the code enforcement officer can either handle issuing infractions himself, send it to the court, or give it to the prosecutor for service. Councilmember Watson commended Assistant City Attorney Haggard for her work on this matter. Councilmember McKibbin asked about illegal signs and how they would be handled. Assistant City Attorney Haggard said signs would not be dealt with under this ordinance. City Administrator Morrison and Community Development Director Vodopich said the code enforcement officer is supportive of this ordinance and the new process and will be trained accordingly. The proposed ordinance was forwarded to the October 9, 2012 Meeting for action.

**A. Council Open Discussion: Continued**

Justice Center Tenant Improvements Bid: City Administrator Morrison provided an update regarding the Justice Center Tenant Improvement Phase II. He said the City opened the bids on October 1<sup>st</sup> and all of the needs are included in the bid. He proposed using either the \$100,000 from the feedback signs and/or \$100,000 from the funds set aside for the YMCA to help pay for the project. Mayor Johnson asked if the City could use some of the ending fund balance. City Administration said the cash flow is down to 11% and the City cannot use it, but believes there are ways the City could accomplish the necessary improvements.

City Budget: City Administrator Morrison said he is concerned about the Cost Allocation Study he received. He said the general fund is not cutting into utilities and that the utilities will be going up which will help the budget, but the revenues projected for next year will not cover basic operations. He discussed the debt service bond and the 800 MHZ bond and the cost to the City. He said there appears to be a budget shortfall of approximately \$900,000, which he believes can be reduced to \$500,000 by eliminating vacant positions, but it will be a challenge. He said that this amount includes no cost of living allowance for employees, except for the police guild, which is included in the guild contract. He said health insurance changes are not considered into this and he cannot give more options until he has met with the AFSCME union to start negotiations. Mayor Johnson said he will present a proposed budget list to Council soon, but he did not want the shortfall to come as a big surprise to the Council. He wants to give Council time to consider the plan and make suggestions. Councilmember Hamilton asked about revenues being considered. City Administrator Morrison said there will be some new revenue from the Town of Eatonville for court services, but no new taxes. Councilmember Lewis asked about the 911 Dispatch. City Administrator Morrison said Pierce County has grossly underestimated the costs of the system and the dispatch

centers, and he believes Pierce County will be assuming a large portion of the City's next system upgrade. He said there is a possible revenue opportunity for leasing the microwaves on the tower, but there will be no actual payback from the County. He said the City's debt on the tower would still continue, but future improvements to the system would likely be paid by the County. City Administrator Morrison said over time it will pay the City back.

**IV. ADJOURNMENT:**

**At 8:10 p.m., Councilmember Watson moved to adjourn the Council Workshop.  
Councilmember Rackley seconded the motion.**

**Motion to adjourn approved 7-0.**

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Harwood Edvalson, MMC  
City Clerk

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Neil Johnson, Jr.  
Mayor

Items presented to Council at the October 2<sup>nd</sup> Workshop:

- Councilmember Rackley - *October 1, 2012 Email from City Engineer John Woodcock regarding sewer development charges.*
- County Executive P. McCarthy – *Budget Presentation.*

CITY COUNCIL MEETING

October 9, 2012  
7:00 P.M.

DRAFT MINUTES

City of



"Where Dreams Can Soar"

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Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)

**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. CALL TO ORDER** – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

A. Flag Salute: Mayor Johnson 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 Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Assistant Public Works Director Charlie Simpson, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements:

a. **Proclamation:** Domestic Violence Awareness Month – October 2012.

Mayor Johnson read the proclamation aloud and invited Joe O'Neil from Exodus Housing to speak to the Council. Mr. O'Neil invited all to attend the organization's upcoming event, 'Take the Plunge Against Domestic Violence' on October 27<sup>th</sup> at Allan Yorke Park. He thanked the Council for recognizing Domestic Violence Awareness Month and said there are shelters in Bonney Lake and Buckley to help families escape from domestic violence. He said the annual event aims to provide information to the community and is also a fundraiser for the organization. He said participants at this year's event will include staff from the Police Department, East Pierce Fire and Rescue, and other City staff and councilmembers.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:

**Councilmember McKibbin made a motion to table Full Council Issues, Item A., Ordinance D12-133 to the October 16, 2012 Workshop for discussion. Councilmember Lewis seconded the motion.**

**Motion to amend the agenda approved 7 – 0.**

**Councilmember Rackley made a motion to move Full Council Issues, Item B., Ordinance D12-138, to Consent Agenda Issues, Item H. Councilmember Swatman seconded the motion.**

**Motion to amend the agenda approved 7 – 0.**

## **II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

A. Public Hearings: None.

B. Citizen Comments:

Brian Cebe, 9407 206<sup>th</sup> Ave E, Bonney Lake, said he is a long-time resident of the City and is irritated with how the City manages its parks system. He said the Park Board came up with a good plan, but it has been modified. He said he does not support the park proposals being considered for the ballot. He said things he, his family, and neighbors want are being changed based on the Mayor's or other peoples' agendas. He said the current plan calls for a pavilion instead of the community center people want, for example. He said the City needs a good quality parks department. Mr. Cebe said he has heard comments from residents who do not want the City Council to be involved in a Metropolitan Parks District. He said they feel it would be a conflict of interest. He said Councilmembers have stated in the past that they do not want to manage a community center, but now say they want to run a Parks District. He said he is in favor of having a Metropolitan Parks District but it should be managed by other people elected by the citizens, not the Council. He said the Park Board is only an advisory group and they have no power, and he feels the City should empower the Park Board. He said the City is growing and something needs to be done.

Mayor Johnson said the City Council will have a special joint meeting with the Park Board on October 30<sup>th</sup> at 6:00 p.m. He noted the City has a successful recreation program contract with Sunner Parks and Recreation. He said the past parks plan was developed years ago and would take \$39 million to complete all the proposed projects. He said the Council has been discussing how to raise funds for projects, either through a MPD or through park bonds. He said the Council does not want to throw out the long-range plan, and wants to get some projects started. Mayor Johnson said he hopes the joint meeting will get the Council and Park Board on the same path. He said the Park Board has been a good source of ideas and the Council wants to find ways to implement the plan.

Fred Jacobsen, 9100 189<sup>th</sup> Ave Ct E, Bonney Lake, said he read about concerns with the City's 2013 budget in the newspaper, and he said now is the time to move forward with a Metropolitan Parks District. He said the City should push forward with a large project and a community center, instead of making do with smaller projects. He said kids in the City need a place to spend time and the City should move forward with parks plans.

Lillian McGinnis, 11002 203<sup>rd</sup> Ave E, Bonney Lake, said the annual Beautify Bonney Lake event for 2012 was very successful. She read aloud a letter to the Mayor and Council summarizing the event and thanking the City for its support. She said the tenth annual Beautify Bonney Lake event is scheduled for September 21, 2013. She presented a certificate of appreciation on behalf of Beautify Bonney Lake to Assistant Public Works Director Simpson. Mr. Simpson thanked Ms. McGinnis and said City staff members have been responsive and dedicated to City and community events.

Winona Jacobsen, 9100 189<sup>th</sup> Ave Ct E, Bonney Lake, said the Greater Bonney Lake Historical Society hosted a tour of the Naches Trail on September 29<sup>th</sup>. She said the event was a great success with 34 attendees representing a wide range of areas and interests. She said members of the California Trails Association attended and they plan to include information on the trail in their upcoming publication. She said participants learned a lot about the trail and got to see several historic sights. She thanked the City's GIS Analyst, Al Catanzaro, for assisting in research and creating maps, and to Councilmember Hamilton for his participation.

Mrs. Jacobsen also invited everyone to attend the first annual Milotte Film Festival on October 20, 2012 from 11:00 a.m. to 4:00 p.m. at the Justice Center. She said the Society has received a lot of interest in the event and on the website. She said the event is free and donations will be accepted. Mayor Johnson said the City has advertised the event and will include it in the monthly newsletter as well.

- C. Correspondence: None.

### 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 Ordinance D12-139, updating the salary grade chart for non-represented employees, which was forwarded for future Council action.
- B. Community Development Committee: Councilmember McKibbin said the committee met on October 2<sup>nd</sup> and forwarded four items to the current Consent Agenda for action. He said Committee notes are available for review on the City website.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on October 1<sup>st</sup> and discussed a possible new jail contract.
- D. Other Reports:

Road Safety: Mayor Johnson said he received a letter from a man who lives on Vandermark Road near 214<sup>th</sup> Ave E who requested that the City install speed bumps to control speeding on the road. Mayor Johnson said he referred the resident to the Public Safety Committee to discuss his concerns. He said the Police Department has a lot of data on this roadway, but as most of the speeding occurs on 214th outside the City limits it is not clear how much the City can do about the issue.

Community Updates: Councilmember Lewis said he attended the Communities for Families meeting on October 4<sup>th</sup> in Sumner. They heard a presentation about an upcoming training program on November 27-29 by the grant-funded drug free communities group. The event will train people in the community to teach others about preventing drug use.

Councilmember Lewis said the next Youth Forum is November 8<sup>th</sup> and he believes the City plans to participate again this year. He noted that Green Mountain Coffee is hiring for 30 new jobs at their plant in Sumner and wanted to let people in the area know about the opportunities. He said representatives from the Bonney Lake Police Department highlighted the upcoming prescription drug drop-off event on November 3<sup>rd</sup>. He said

residents can drop off expired prescription drugs at the Police Department any time, and this event helps to highlight this service to the community.

Councilmember Watson said he attended the Park Board meeting on October 8<sup>th</sup>. Citizens spoke to the board about the existing park plan, the Green Trails Conference, and about alternative ways to get trails built in the City. The Park Board also reviewed the results of the Parks Summit II and discussed the Council's position on lifeguards at Allan Yorke Park. He said the next Park Board Meeting is scheduled for November 19<sup>th</sup>.

Lake Tapps Safety: Mayor Johnson said he will be attending a kick-off meeting on October 26<sup>th</sup> with representatives from the City, East Pierce Fire and Rescue, Cascade Water Alliance, and School Districts to discuss water safety educational programs. He said he hopes this will be the first of several meetings. He said he also invited Representative Pam Roach and County Executive Pat McCarthy and hopes they can send a representative or attend in person. He said he plans to have a program ready by spring 2013. Mayor Johnson added that staff is working to bring forward an agreement for an emergency phone at Allan Yorke Park. He said staff has found a less expensive option that does not require a new phone line that will work during the busy summer months. He said the Public Safety Committee is already aware of the proposal and it will come forward to the Council at a future meeting.

#### IV. CONSENT AGENDA:

- A. **Approval of Minutes:** September 18, 2012 Workshop and September 25, 2012 Meeting.
- B. ~~**Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #64575 in the amount of \$3,197.00. Accounts Payable checks/vouchers #64576-64632 in the amount of \$190,393.32. Accounts Payable checks/vouchers #64633-64669 (including wire transfers 9935887 & 20120917) in the amount of \$103,273.92. Accounts Payable checks/vouchers #64670-64702 in the amount of \$716,019.67. Moved to Full Council Issues, Item C.~~
- C. **Approval of Payroll:** Payroll for September 16th-30th, 2012 for checks #30707-30735 including Direct Deposits and Electronic Transfers in the amount of \$ 671,211.15.
- D. **AB12-129 – Resolution 2242** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The SR 410/Main Street Improvements Project To Icon Materials, Inc.
- E. **AB12-132 – Resolution 2244** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Professional Services Agreement To Whitney Equipment Company, Inc. For The Purchase And Installation Of Flygt Pumps At Lift Station 9.
- F. **AB12-136 – Resolution 2245** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Amendment To The Professional Service Agreement With Shea, Carr, Jewell Engineering For The SR 410 – Main Street/Sky Island Blvd Intersection Improvement Project.
- G. **AB12-137 – Resolution 2246** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Street Light Authorization Letters From Intolight (Puget Sound Energy) And The City Of Bonney Lake To Purchase

And Install Street Lighting For The SR 410 Portion Of The SR 410-Main Street/Sky Island Blvd Intersection Improvements Project.

- H. **AB12-138 – Ordinance 1436 [D12-138]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Section 8.20.100 To The Bonney Lake Municipal Code, Relating To Code Enforcement And Nuisance Abatement. *Moved from Full Council Issues, Item B.*

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

Councilmember Watson requested that Consent Agenda Item B., Approval of Accounts Payable and Utility Refund Checks/Vouchers, be moved to Full Council Issues, Item C. Mayor Johnson acknowledged Councilmember Watson's desire to have discussion on this item, and without Council objection moved the item to Full Council Issues for further discussion and consideration.

**Consent Agenda approved as amended 7 – 0.**

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB12-114 – Resolution 2231** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Increase The Salary And Benefits Of The Community Development Director.

**Deputy Mayor Swatman moved to approve Resolution 2231. Councilmember Watson seconded the motion.**

Mayor Johnson said this issue was discussed in Finance Committee, and offers a way to compensate the Director for fulfilling the duties of the unfilled Building Official position.

**Resolution 2231 approved 7 – 0.**

**VI. COMMUNITY DEVELOPMENT ISSUES: None.**

**VII. PUBLIC SAFETY COMMITTEE ISSUES: None.**

**VIII. FULL COUNCIL ISSUES:**

- A. ~~**AB12-133 – Ordinance D12-133**~~ – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.08.080(B) Of The Bonney Lake Municipal Code And Section One Of Ordinance No. No. 1399 Relating To Police Position Exempt From Civil Service. *Tabled during Agenda Modifications to the October 16, 2012 Workshop for discussion.*
- B. ~~**AB12-138 – Ordinance D12-138**~~ – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Section 8.20.100 To The Bonney Lake Municipal Code, Relating To Code Enforcement And Nuisance Abatement. *Moved during Agenda Modifications to Consent Agenda Issues, Item H.*

- C. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #64575 in the amount of \$3,197.00. Accounts Payable checks/vouchers #64576-64632 in the amount of \$190,393.32. Accounts Payable checks/vouchers #64633-64669 (including wire transfers 9935887 & 20120917) in the amount of \$103,273.92. Accounts Payable checks/vouchers #64670-64702 in the amount of \$716,019.67. Moved from Consent Agenda Issues, Item B.

**Councilmember Rackley moved to approve the Accounts Payable and Utility Refund Checks/Vouchers. Councilmember Watson seconded the motion.**

Councilmember Watson questioned why the City rents equipment from a company outside the City and suggested staff use local rental locations such as 410 Rentals. Mayor Johnson noted this business is also outside City limits. Councilmember Watson asked for background information on a website expenditure for the 'MapCaster' program. Records & Information Specialist Susan Duis explained that the expenditure was necessary to keep the City website interactive Current Projects page functioning due to Google Maps application updates. Councilmember Watson questioned why the City needed to spend extra funds for online advertising and a DJ for Bonney Lake Days, which is already a very popular event. Mayor Johnson said he would have Special Event Coordinator David Wells provide a response.

**Checks/Vouchers Approved 7 – 0.**

**IX. EXECUTIVE SESSION:** None.

**X. ADJOURNMENT:**

**At 7:49 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.**

**Motion to adjourn approved 7 – 0.**

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Harwood Edvalson, MMC  
City Clerk

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Neil Johnson, Jr.  
Mayor

Items presented to Council at the October 9, 2012 Meeting:

- Lillian McGinnis – *Letter to Mayor and Council re: Beautify Bonney Lake 2012 Annual Event* – Beautify Bonney Lake.

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison/ Gary Leaf	<b>Meeting/Workshop Date:</b> 16 October 2012	<b>Agenda Bill Number:</b> 12-140
<b>Agenda Item Type:</b> Discussion	<b>Ordinance/Resolution Number:</b> 2247	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Justice Center Tenant Improvement Phase 2 Project Bid Award

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The City Of Bonney Lake Justice Center Tenant Improvement Phase 2 Project Contract To Jb Construction Consulting, Inc.

**Administrative Recommendation:** Approve

**Background Summary:** The City advertised the City of Bonney Lake Justice Center Tenant Improvement Phase 2 Project on September 5, 2012 and opened bids on October 1, 2012. JB Construction Consulting, Inc. was the low bidder for the project. Value engineering reduces the bid by \$9,799.62. A 15% contingency is included.  
**Attachments:** Resolution No. 2247; Bid tabulation; Staff memorandum

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
\$600,000.00	\$578,158.34	\$454,017.20	\$124,141.10
<b>Budget Explanation:</b> Base bid with 15% contingency			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	<b>Consent</b>		
	<b>Agenda:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b> <i>Don Morrison</i>	<b>Mayor:</b>	<b>Date Reviewed</b> <b>by City Attorney:</b> N/A (if applicable):

## RESOLUTION NO. 2247

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AWARDED THE CITY OF BONNEY LAKE JUSTICE CENTER TENANT PHASE 2 IMPROVEMENT PROJECT CONTRACT TO JB CONSTRUCTION CONSULTING, INC.

**WHEREAS**, the City advertised the City of Bonney Lake Justice Center Tenant Improvement Phase 2 Project on September 5, 2012 and opened bids on October 1, 2012 and has determined that the lowest responsible bid for this contract was received from JB Construction Consulting, Inc.;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Bonney Lake Council does hereby authorize the Mayor to sign the attached contract with JB Construction Consulting, Inc. for the base bid in the amount of \$404,597.18 which includes state sales tax, less \$9,799.62 in value engineering savings.

**BE IT FURTHER RESOLVED** that the City of Bonney Lake Council does hereby authorize a 15% Construction Contingency (\$59,219.63) based on the contract amount.

**PASSED** and adopted by the City Council this 23<sup>rd</sup> day of October 2012.

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Neil Johnson, Jr. Mayor

ATTEST:

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Harwood T. Edvalson, CMC  
City Clerk

APPROVED AS TO FORM:

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James Dionne, City Attorney

**CITY OF BONNEY LAKE CONTRACT**

THIS CONTRACT, is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the CITY OF BONNEY LAKE, a Washington municipal corporation, hereinafter referred to as the "Owner" and \_\_\_\_\_, hereinafter referred to as the "Contractor."

WITNESSETH:

WHEREAS, the Owner desires to have certain work, services and/or tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, the Contractor represents that the Contractor is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, to perform the work, services and/or tasks set forth in this Agreement; and

WHEREAS the Owner has heretofore caused to be prepared certain plans and specifications described as the \_\_\_\_\_ and the Contractor did on the \_\_\_\_ day of \_\_\_\_\_, 2012, file with the Owner a proposal to construct said work and agreed to accept as payment therefore the sum fully stated and set forth in the proposal; and

WHEREAS, the said Contract Documents fully and accurately described the terms and conditions upon which the Contractor proposes to furnish said equipment, labor, materials, and appurtenances and perform said work, together with the manner and time of furnishing same;

IT IS THEREFORE AGREED, first, the Contractor shall perform such work and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as Contractor responsibilities throughout this Agreement and as detailed in the plans and specifications described as \_\_\_\_\_. It is agreed that a copy of said General Conditions and other Contract Documents filed with the Owner, as aforesaid, do, in all particulars, become a part of this Agreement by and between the parties hereto in all matters and things therein set forth and described;

AND FURTHER, that the Owner and the Contractor hereby accept and agree to the terms and conditions of said Contract Documents as filed as completely as if said terms and conditions and plans were herein set out in full.

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

CITY OF BONNEY LAKE

CONTRACTOR: \_\_\_\_\_

\_\_\_\_\_  
Neil Johnson, Jr., Mayor

By \_\_\_\_\_  
Title \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

City of Bonney Lake  
 Justice Center Tenant Improvement Phase 2  
 Engineers Estimate of Probable Construction Costs and Bid Tabulation

Description	Engineers Estimate		JB Construction Inc.		Beisley Inc.		Stetz Construction		Shinstine Associates		Jones & Roberts Co.	
	unit price	total price	unit price	total price	unit price	total price	unit price	total price	unit price	total price	unit price	total price
Base Bid	\$350,000.00	\$350,000.00	\$371,872.41	\$371,872.41	\$408,674.62	\$408,674.62	\$395,737.00	\$395,737.00	\$383,000.00	\$383,000.00	\$397,800.00	\$397,800.00
Base Bid with 8.8% sales tax	\$380,800.00	\$380,800.00	\$404,597.18	\$404,597.18	\$444,637.99	\$444,637.99	\$430,561.86	\$430,561.86	\$416,704.00	\$416,704.00	\$432,806.40	\$432,806.40
Base + Alternate #1 Bid		\$347,000.00	\$369,107.41	\$369,107.41	\$400,589.62	\$400,589.62	\$391,475.00	\$391,475.00	\$378,765.00	\$378,765.00	\$387,100.00	\$387,100.00
Base + Alternate #1 Bid with 8.8% sales tax	\$0.00	\$377,536.00	\$401,588.86	\$401,588.86	\$435,841.51	\$435,841.51	\$425,924.80	\$425,924.80	\$412,096.32	\$412,096.32	\$421,164.80	\$421,164.80
Base + Alternate #2 Bid		\$359,792.00	\$388,682.41	\$388,682.41	\$427,501.62	\$427,501.62	\$417,737.00	\$417,737.00	\$401,776.00	\$401,776.00	\$415,900.00	\$415,900.00
Base + Alternate #2 Bid with 8.8% sales tax	\$0.00	\$391,453.70	\$422,886.46	\$422,886.46	\$465,121.76	\$465,121.76	\$454,497.86	\$454,497.86	\$437,132.29	\$437,132.29	\$452,499.20	\$452,499.20

# Justice Center Tenant Improvement Cost Summary

		Notes
Tenant Improvement construction base bid	\$ 404,678.00	Agenda Bill adds 15% for contingency
Tenant Improvement value engineering	\$ (9,799.62)	Remove dimmer switches
Office furniture & partitions	\$ 203,494.08	Vancouver contract provides 58.2% discount off list price
Phones, switches, and cables	\$ 64,692.88	Assumes re-use of 25% of phones
Vault setup	\$ 6,348.23	
Copiers (does not include per copy fee)	\$ 43,884.48	5 year lease option: \$10,596.51 per year
Rolled storage for CD (estimate)	\$ 10,712.45	
Concrete floors (estimate)	\$ 2,937.60	
Shelving in storage rooms	\$ 5,000.00	
Permit Center Counter Slots (estimate)	\$ 5,000.00	
Appliances (\$3000 allowance)	\$ 3,264.00	
<b>Subtotal</b>	<b>\$ 740,212.11</b>	
<b>Spent to date</b>	<b>\$ 21,841.66</b>	
<b>Total</b>	<b>\$ 762,053.77</b>	
<b>Other Future Improvements</b>		
Offsite Parking Improvements	TBD	
Generator	\$ 200,000.00	
Key Card Access Control System	\$ 25,358.38	Doors to Main Floors/Depts Only (not private offices)
<b>Grand total, except for parking improvements</b>	<b>\$ 987,412.14</b>	



Executive  
Department

## Memo

**Date** : October 16, 2012  
**To** : City Council  
**From** : Don Morrison, City Administrator  
**Re** : Justice Center Phase II Tenant Improvements

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As you know, staff has been working for the past six months coming up with the most efficient and affordable package to re-locate as many employees as possible to the Justice Center. Design used much of what was prepared in Tenant Improvements Phase 1, and Facilities staff and using a design/build approach for the HVAC saved more than \$20,000 in design costs. Like we did for Phase I, we intend to use competitively bid contracts from other agencies to save on office furniture, partitions, phones, and computer and communications cabling. We plan to reuse existing phones and one network switch which should save about \$15,000. Also, the existing vault storage system in City Hall will be relocated to the JC. This should save about \$12,000. We have secured a separate bid for building plan storage that is more than \$7,000 less than the lowest bidder.

The construction bid for Tenant Improvement Phase 2 came in about what was expected when factoring in electrical, mechanical, and plumbing. We propose including a 15% contingency in case unforeseen issues arise. In addition to this bid, we must add price quotes for office furniture and partitions; phones, switches, and cables; moving and setup of the vault; copiers; additional required storage and shelving; finishing of the bare concrete floors in common areas; and appliances in the third floor break room. Adding these items together, but not including the 15% contingency, the total cost is \$744,000. We have the option of leasing the copiers for \$10,600 per year for five years in lieu of a lump sum purchase price of \$44,000.

Later improvements we may want to make in the future as additional funding becomes available include a backup generator, additional offsite parking, and a keycard access control system for main doors. We don't yet have an estimate of the cost of additional parking, but the generator and access control system are estimated to cost about \$225,000. This would bring the total cost, including \$22,000 already spent for design but not including the 15% construction contingency or the additional parking, to \$991,000. The attached spreadsheet summarizes the cost estimates summarized above.

There is currently \$600,000 budgeted to carryout this project (\$500,000 GF Bal. Council transferred for the TI improvements in 2011, and \$100,000 remaining from Fund 320). The cost to complete the project will be around \$744,000 (making no allowance for contingencies or change orders). So, minimally, another \$144,000 is needed to complete the project.

It is assumed Council would prefer to complete the move now, rather than breaking the current phase II TI into a phase II and future phase III by leaving some staff at the Annex and/or City Hall for an indefinite period.

Some viable options for the additional +/- \$144,000 include:

- *Mayor's preferred option:* Lease the 6,250sf in City Hall to the utility funds for use as their administrative offices until the new public works center is constructed. A two (2) year pre-paid lease at a discounted rate of \$11.52/sf would be around \$144K. A new public works center likely won't be completed in less than two years.
- Use of a portion of the \$100,000 previously set aside for the radar feedback signs
- Use of a portion of the \$1,000,000 previous set aside for the community recreation center/YMCA
- An interfund loan between Fund 320 and some other fund with available resources.
- "Sell" City Hall to the utility fund for use as their administrative offices until the new public works center is constructed. The City Hall parcel (#0520281035) includes the entire city parcel (including senior center) except the shops area and ball field #4). The assessed value is \$4.29M. City Hall proper would need to be apportioned out if this larger site through a lot line adjustment or short plat to separate out the portion that would remain General Fund (e.g. senior center, dedicated park land)

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City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Gary Leaf	<b>Meeting/Workshop Date:</b> 16 October 2012	<b>Agenda Bill Number:</b> AB12-145
<b>Agenda Item Type:</b> Resolution	<b>Ordinance/Resolution Number:</b> 2248	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Intergovernmental Cooperative Purchasing Agreement between the City of Bonney Lake and Vancouver School District No. 37 (Office Furniture)

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Intergovernmental Cooperative Purchasing Agreement With Vancouver School District No. 37.

**Administrative Recommendation:** Approve

**Background Summary:** The Tenant Improvement Phase 2 project includes office furniture and partitions. The City of Bonney Lake can qualify for a 58.2% discount for office furniture by piggybacking on a contract established by the Vancouver School District in 2011. This furniture will be compatible with that purchased for Tenant Improvement Phase 1.  
**Attachments:** Resolution 2248, Bid

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
<b>Budget Explanation:</b>			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	<i>Approvals:</i>		<b>Yes No</b>
Date:	Chair/Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	<b>Consent Agenda:</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s): 10/16/2012	Public Hearing Date(s):
Meeting Date(s): 10/23/2012	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> (if applicable):

**RESOLUTION NO. 2248**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH VANCOUVER SCHOOL DISTRICT NO. 37 FOR THE PURCHASE OF OFFICE, PRINTER, ART, HEALTH SUPPLIES AND FURNITURE.**

**WHEREAS**, Vancouver School District No. 37 and the City of Bonney Lake are duly constituted school districts and political subdivisions within the States of Washington and Oregon; and

**WHEREAS**, Vancouver School District No. 37, pursuant to RCW 28A.335.190, has completed all components of the competitive bidding process for the purchase of Office, Printer, Art, Health Supplies, and Furniture; and

**WHEREAS**, the City Council finds that it is in the public interest to participate in the cooperative bid for the purchase of these materials and/or services;

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Bonney Lake, Washington, does hereby authorize the Mayor to sign the attached Intergovernmental Cooperative Purchasing Agreement (Bid No. 1689) with Vancouver School District No. 37.

**PASSED** by the City Council this 23<sup>rd</sup> day of October, 2012.

\_\_\_\_\_  
Neil Johnson Jr., Mayor

ATTEST:

\_\_\_\_\_  
Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James Dionne, City Attorney

## INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

BID NO. 1689

### Office, Printer, Art, and Health Supplies, and Furniture

Pursuant to RCW chapter 39.34, 28A.320.080 and other related provisions of Washington law, **Vancouver School District No. 37** and the **City of Bonney Lake** hereby agree to a cooperative governmental bid for the purchase of the specified materials and/or services upon the following terms and conditions:

1. **Vancouver School District No. 37** and the **City of Bonney Lake** are duly constituted school districts and political subdivisions within the States of Washington and Oregon.
2. Vancouver School District No. 37, pursuant to RCW 28A.335.190, has completed all components of the competitive bidding process for the purchase of the following materials or services:  
**Office, Printer, Art, and Health Supplies, and Furniture**
3. **Vancouver School District No. 37**, in contracting for the purchase of office, printer, art, health supplies, and furniture for the **City of Bonney Lake** agrees to contract to the extent permitted by law and agreed upon by the parties during the contract period of **October 1, 2012 to June 30, 2016**. The **City of Bonney Lake** accepts responsibility for compliance with any additional or varying laws or regulations governing purchases on behalf of the **City of Bonney Lake**.
4. Whenever Vancouver School District No. 37 contracts to purchase materials or services on behalf of other political subdivisions, the **City of Bonney Lake** may also purchase materials or services at the same terms and conditions as Vancouver School District No. 37. Vancouver School District No. 37 accepts no responsibility for the performance of the vendor in any contract entered into as a result of the cooperative bid; makes no warranty, express or implied, for any materials or services acquired under this agreement; and accepts no responsibility for the payment of the contract or purchase price by the **City of Bonney Lake**.
5. The **City of Bonney Lake** reserves the right to contract independently for the purchase of any particular office, printer, art, health supplies and furniture with or without notice to Vancouver School District No. 37.
6. This Agreement shall continue to be in full force and effect until the expiration date of the bid and contract. Either party may cancel this Agreement at any time prior to the expiration of the term of this bid and contract only upon written notice to the other

party. The effective date of termination of the terms and conditions of this Agreement shall be fifteen (15) days from the date of receipt of notice of cancellation.

7. In the event this Agreement is terminated before the expiration of the terms of the Agreement, office, printer, art, health supplies and furniture purchased and paid for by the **City of Bonney Lake** shall be considered the property of the **City of Bonney Lake** and the Vancouver School District No. 37 shall have no interest therein.
  
8. The **City of Bonney Lake**, by appropriate action of the City Council, has authorized the Mayor or his designee to execute and deliver all necessary documents to effect the terms and conditions of this Agreement.

VANCOUVER SCHOOL DISTRICT NO. 37  
P.O. Box 8937  
Vancouver, WA 98668-8937

CITY OF BONNEY LAKE  
P.O. Box 7380  
Bonney Lake, WA 98391

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President  
Board of Directors

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Mayor  
City of Bonney Lake

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Secretary  
Board of Directors

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City Attorney

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Date

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Date

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 16 October 2012	<b>Agenda Bill Number:</b> AB12-142
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D12-142	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Business Recruitment Incentive Through TIF Reduction

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 19.04 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance No. 1282 Related To Transportation Impact Fees.

**Administrative Recommendation:** Approve

**Background Summary:** Policy P 1.10 of the adopted Economic Development Element of the Comprehensive Plan provides that the City will review and update its zoning, impact fees, and incentives to better encourage prioritized economic development. This ordinance would grant a 100% traffic impact fee (TIF) reduction to eligible businesses through a \$500,000 TIF reimbursement account. The City Council may at any time vote to close the Fund for any fiscal purpose. This TIF reduction would expire and be of no further effect two years after taking effect, if the City Council votes to close the Fund, or when the earmarked funds have been fully exhausted, whichever occurs first. New sales taxes generated by the qualifying business would be earmarked to reimburse the account from which the up to \$500,000 TIF reimbursements were made.

**Attachments:** Ord D12-142

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
<b>Budget Explanation:</b> Up to \$500,000			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	<i>Approvals:</i>		<b>Yes No</b>
Date:	Chair/Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	<b>Consent Agenda:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> (if applicable):

**ORDINANCE NO. D12-142**

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY,  
WASHINGTON, AMENDING CHAPTER 19.04 OF THE BONNEY LAKE MUNICIPAL  
CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NO. 1282  
RELATED TO TRANSPORTATION IMPACT FEES**

WHEREAS, in 2008 the City of Bonney Lake enacted Ordinance No. 1282, which allows for funding source adjustments in the Transportation Impact Fee (TIF) for businesses considered “eligible” under criteria set forth in the Code; and

WHEREAS, Ordinance No. 1282 was enacted under the authority of RCW 82.02.060, which requires municipalities to pay for transportation improvement projects out of a mix of TIF and other monies, and allows municipalities to grant credits off impact fees in order to achieve a “broad public purposes” as long as the fees are paid from other city funds; and

WHEREAS, Ordinance No. 1282 was enacted in response to the economic collapse of 2007 and 2008, which undermined the City’s fiscal base by causing existing businesses to fail and creating financial obstacles to the formation of new businesses; and

WHEREAS, Ordinance No. 1282 offered a sales tax rebate program for eligible businesses paying TIF; and

WHEREAS, businesses are the City’s major source of tax revenue, and Ordinance No. 1282 has been unsuccessful in attracting eligible businesses with high tax generation potential; and

WHEREAS, further loss of businesses will have a devastating impact on the City’s ability to provide public services unless high tax generating businesses are persuaded to locate within the City; and

WHEREAS, the economic collapse has eliminated the need for certain general funds that had been earmarked for general government purposes (hereinafter “earmarked funds”), and the City therefore has funds available to devote to transportation projects; and

WHEREAS, with an upturn in the economy expected within the next two years, the City Council believes the time is ripe for extending the TIF funding source adjustment program to allow for a 100% reduction in TIF for eligible businesses, and a corresponding payment of the TIF from the earmarked funds, for the next two years or until the earmarked funds have been fully expended.

NOW, THEREFORE, the City Council of the City of Bonney Lake does hereby ordain as follows:

**Section 1.** BLMC § 19.04.150 and the corresponding portions of Ordinance No. 1282 are hereby amended to read as follows:

**19.04.150 Traffic impact fee (TIF) funding source adjustments.**

A. Traffic Impact Fee Funding Source Adjustment Established – Purpose. The purpose of this policy is to encourage and facilitate certain businesses to locate in designated areas of the city where development is desired, and to recruit into the city those types of businesses deemed beneficial to the city and the community and/or which the city currently lacks in sufficient number or volume. Pursuant to RCW 82.02.060(2) and (4) there is hereby established a funding source adjustment from the traffic impact fee set forth in this chapter for development activity which meets the criteria of subsection C of this section.

B. Application for Traffic Impact Fee Adjustment. Any developer applying for or receiving a building permit which meets the criteria set forth in subsection C of this section may apply to the mayor or designee for an adjustment from the traffic impact fee established pursuant to this chapter. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. A full and complete application must be filed on or before the date of certificate of occupancy in order to be eligible for a potential adjustment to the TIF.

C. Funding Source Adjustment Criteria. To be eligible for the traffic impact fee adjustment established by this section, the applicant shall be a commercial retail business which locates or establishes a commercial retail business that is not considered to be ineligible pursuant to subsection (C)(5) of this section. Qualified applicants must meet each of the following criteria as applicable:

1. Downtown. The applicant must be a retail business, either new or existing, located within the downtown core (DC) or downtown mixed use (DM) zoning district. Any permitted commercial uses in the DC or DM district are eligible to apply for the TIF adjustment. In order to qualify for a TIF adjustment in the downtown, the retail applicant or underlying developer must redevelop a portion of the downtown core or downtown mixed use zone. Said redevelopment shall include, at a minimum, the demolition of an existing structure on the site of the proposed new construction, and the subsequent construction of a new structure of not less than 10,000 square feet in conformance with the downtown plan and accompanying design guidelines.

2. Easttown Zone. The applicant must be a new retail business located within the Easttown combined retail-commercial, warehousing and light manufacturing zone, and not considered to be an ineligible business under subsection (C)(5) of this section. Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least \$15,000 per year over the three-year period commencing from date of certificate of occupancy.

3. Midtown and Other Areas Outside Downtown or Easttown. The applicant must be a new retail business located within a C1, C2, or C3 zoning district, and not considered an ineligible business

under subsection (C)(5) of this section. Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least \$15,000 per year over the three-year period commencing from date of certificate of occupancy.

4. Special Criteria for Sit-Down Restaurants. The applicant must be a new otherwise eligible sit-down restaurant in which patrons are typically served by wait-staff and orders are not normally placed at a counter or drive-through window, and which employs 18 or more full-time equivalent (FTE) employees, or which generates to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least \$250,000 per year over the three-year period commencing from date of certificate of occupancy.

5. Ineligible Businesses. The council finds that there are several types of businesses which are either currently well represented in the city, or otherwise do not have a broad public purpose, and thus no TIF incentive is appropriate. The following business types are hereby expressly excluded from application for the TIF adjustment program in all areas outside of the downtown: fast food restaurants, sandwich, teriyaki and other related eating establishments in which orders are normally placed at a counter or drive-through window; coffee stands; beauty, nail, or hair salons; adult entertainment establishments; kennels; salvage yards; antique shops; convenience stores; gas stations; bars and taverns; thrift shops; self storage units; second hand or antique stores.

#### D. Funding Source Adjustment Amount.

~~1. Sit-Down Restaurants and All Areas Outside Downtown. For any commercial retail business, including a qualified sit-down restaurant, which is deemed to qualify under the provisions of subsections (C)(1), (C)(2), (C)(3), or (C)(4) of this section, there shall be a 100% an adjustment to the TIF. The City shall calculate the amount of the TIF that otherwise would have been due at the time of building permitting, and this amount shall be paid out of the earmarked funds. The earmarked funds shall be deposited into the Transportation Impact Fund (Fund 136) and used as necessary for eligible and budgeted transportation purposes. equal to 75 percent of the three-year city of Bonney Lake portion of sales and use tax revenue, but not to exceed 75 percent of the traffic impact fees otherwise due pursuant to this chapter. The amount of the TIF adjustment shall be refunded, without interest. The remainder of the funds deposited pursuant to subsection F of this section shall remain with the city. In those cases in which the applicant is not the business which had paid the traffic impact fee, the city will refund the TIF to the developer or building owner who paid the TIF, absent an assignment to the applicant.~~

~~2. Downtown. For any commercial retail business which is deemed to qualify under the provisions of subsection (C)(1) of this section, there shall be an adjustment to the TIF equal to 100 percent of the three-year city of Bonney Lake portion of sales and use tax revenue, but not to exceed 100 percent of the traffic impact fees otherwise due pursuant to this chapter. The amount of the TIF adjustment shall be refunded, without interest. The remainder of the funds deposited pursuant to subsection E of this section shall remain with the city. In those cases in which the applicant is not the business which had paid the traffic impact fee, the city will refund the TIF to the developer or building owner who paid the TIF, absent an assignment to the applicant.~~

~~E. Administration of Traffic Impact Fee Adjustment.~~

~~1. Upon acceptance of an application for adjustment from traffic impact fees pursuant to subsection B of this section, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to this chapter. Following receipt of the traffic impact fees, the city shall deposit and manage the fees as set forth in subsection E of this section. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy, the mayor's designee, with the assistance of the chief financial officer, shall determine the city of Bonney Lake portion of sales and use tax revenue received by the city during the three-year period commencing from the date of issuance of a certificate of occupancy.~~

~~2. For any commercial retail business which is deemed to qualify under the provisions of subsection C of this section, there shall be an adjustment to the TIF as provided in subsection D of this section.~~

~~F. Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to this section and the provisions of this chapter shall be deposited by the city into Fund 136 (Transportation Impact). The city may at its option utilize said funds at any time for eligible and budgeted transportation purposes.~~

~~E. Amount of earmarked funds. The Finance Director shall be authorized to create a City Fund for the earmarked funds in the amount of five hundred thousand dollars (\$500,000.00). The City Council may at any time vote to close the Fund for any fiscal purpose.~~

~~F. Sunset. This Section shall expire and be of no further effect two years after taking effect, if the City Council votes to close the Fund, or when the earmarked funds have been fully exhausted, whichever occurs first.~~

~~GF. Appeals. Any applicant aggrieved by the determination of the mayor or designee as to whether the criteria of subsection C of this section have been met, or regarding eligibility for an adjustment from this chapter, or the amount of refund to which an applicant is entitled pursuant to subsection D of this section, may file a written appeal to the city's hearing examiner as established by Chapter [2.18](#) BLMC. The city hearing examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be the final action of the city and subject to further appeal pursuant to BLMC [2.18.180](#).~~

~~HG. Application of Sales and Use Tax Revenue from Businesses Which Apply for and/or that Receive an Adjustment or Partial Adjustment. An estimated amount of sales and use tax received by the city from applicants who apply for receive an adjustment or partial adjustment from the requirements of this title TIF shall be placed in an appropriate account within the general fund. Said account shall be established to replenish earmarked funds expended on the TIF. pay traffic impact fees that otherwise would have been paid had an adjustment or partial adjustment not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this title and the provisions of the city's capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees~~

received by the city from the applicant shall be deposited in the city's general fund and may be expended for any lawful purpose as directed by the city council.

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

**PASSED** by the City Council and approved by the Mayor this \_\_\_\_<sup>th</sup> day of November, 2012.

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Neil Johnson, Jr., Mayor

ATTEST:

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Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

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James Dionne, City Attorney

Passed:

Valid:

Published:

Effective Date:

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 16 October 2012	<b>Agenda Bill Number:</b> AB12-143	
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D12-143	<b>Councilmember Sponsor:</b>	
<b>Agenda Subject:</b> Water and Sewer System Development Charge Reductions			
<b>Full Title/Motion:</b> A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 13.04.070 And 13.12.100 Of The Bonney Lake Municipal Code Relating To Water And Sewer System Development Charges.			
<b>Administrative Recommendation:</b> Approve			
<b>Background Summary:</b> The City's current water and sewer system development charges (SDCs) were calculated in 2008, prior to an unprecedented economic collapse that caused a sharp decline in development and anticipated growth within the City. The decline in development has caused a corresponding slow-down in the need for new water and sewer infrastructure, which is funded primarily through SDC. A temporary reduction in the water and sewer SDCs could help to stimulate development and growth, which benefits the utilities through the construction of infrastructure, increases in economy of scale, and the growth of the City's ratepayer base. This reduction should be considered a temporary measure lasting no longer than two years, in order to ensure that reductions do not compromise the solvency of the utilities. The City anticipates revising its SDCs in light of growth trends and infrastructure needs within the next two years. The proposed reduction is 25% for water, and 20% for sewer.			
<b>Attachments:</b> Ord D12-143			
<b>BUDGET INFORMATION</b>			
<b>Budget Amount</b>	<b>Current Balance</b>	<b>Required Expenditure</b>	<b>Budget Balance</b>
<b>Budget Explanation:</b>			
<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	<i>Approvals:</i>	<b>Yes</b>	<b>No</b>
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	<b>Consent</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			
<b>COUNCIL ACTION</b>			
Workshop Date(s):	Public Hearing Date(s):		
Meeting Date(s):	Tabled to Date:		
<b>APPROVALS</b>			
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> (if applicable):	

**ORDINANCE NO. D12-143**

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY,  
WASHINGTON, AMENDING SECTIONS 13.04.070 AND 13.12.100 OF THE BONNEY  
LAKE MUNICIPAL CODE RELATING TO WATER AND SEWER SYSTEM  
DEVELOPMENT CHARGES**

WHEREAS, the City's current water and sewer system development charges (SDCs) were calculated in 2008, prior to an unprecedented economic collapse that caused a sharp decline in development and anticipated growth within the City; and

WHEREAS, the decline in development has caused a corresponding slow-down in the need for new water and sewer infrastructure, which is funded primarily through SDCs; and

WHEREAS, a temporary reduction in the water and sewer SDCs could help to stimulate development and growth, which benefits the utilities through the construction of infrastructure, increases in economy of scale, and the growth of the City's ratepayer base; and

WHEREAS, the reduction in the SDCs should be a temporary measure lasting no longer than two years, in order to ensure that reductions do not compromise the solvency of the utilities; and

WHEREAS, the City anticipates revising its SDCs in light of growth trends and infrastructure needs within the next two years.

NOW, THEREFORE, the City Council of the City of Bonney Lake does hereby ordain as follows:

Section 1. BLMC § 13.04.070 is hereby amended to read as follows:

**13.04.070 Water service application.**

A. All applications for water service shall be made at the City Hall by the property owner or his authorized agent. The records of the Pierce County auditor shall be prima facie proof of property ownership. The applicant shall furnish the city such information as may be required on the city's application form. At the time of filing the application the applicant shall pay the fee for such water services as required in this chapter. The applicant shall agree to conform to the rules and regulations for the operation of the city's water system as set forth in Articles I, II, III and V of this chapter.

B. Water Taps. The city reserves the right to regulate the size of water taps. Taps will be made only by a Bonney Lake water crew or a licensed contractor for an approved water extension.

C. Water Service Connection Charges. Effective September 1, 2010, all connections to the water system of the city and the charges to be paid by the property owner toward the construction thereof shall be as provided in this subsection:

1. Installation Charge. The following installation charges will be paid by the property owner as part of their connection charge at the time application is made for water service.

Meter Size	Meter Set Only	Meter Set and Service Line
5/8"	\$192.00	\$1,292
3/4"	\$228.00	\$1,328
1" with fire sprinkler system	\$228.00	\$1,328
1" without fire sprinkler system	\$283.00	\$1,383
1-1/2" or larger	Actual time and materials plus indirect costs. If installation involves work underneath the roadway surface, the fee shall be according to the actual time and materials plus 20 percent for indirect costs.	

2. Charge for Equitable Share of System. Each new connection to the water system shall pay as part of their connection charges their equitable share of the cost of the system according to the following schedule:

a. Residential System Development Charge (SDC).

i. Single-Family.

Meter Size	City and County SDC Charge
5/8" or 3/4"	<u>\$7,7456,095.25</u>
1" with fire sprinkler	<u>\$7,7456,095.25</u>

system	
1" without fire sprinkler system	\$17,276,095.25
1-1/2" or larger	To be determined on each individual case, based on the projected amount of usage and peaking expected from the customer. These charges shall reflect residential equivalence (RE) values used for individual residential customers.

ii. Two-Living-Unit Residential Homes. Each duplex and townhouse-style building unit will have a separate water meter and service for each living unit.

iii. Accessory Dwelling Units (ADU). If no additional meter is required, no SDC will be charged. If a second meter is required, an SDC of \$5,965,695 (77 percent of the single-family rate) will be charged when that new meter is five-eighths inch or three-quarters inch. An SDC of \$13,303,470 (77 percent of the single-family rate) will be charged if the new, second meter is a one-inch meter. If the existing meter is replaced with a larger meter, the difference in the current SDC rates for the two meter sizes will be charged.

iv. Multifamily and Mobile Home Parks.

(A) Each unit shall be charged \$5,965,695 (77 percent of the SDC charged to single-family units).

(B) SDC charges for meters one and one-half inches or larger shall be determined on each individual case, based on the projected amount of usage and peaking expected from the customer. These charges shall reflect residential equivalence (RE) values used for individual residential customers.

(C) There shall be only one water meter installed for each building housing multiple residential units.

b. Nonresidential System Development Charge (SDC).

Meter Size	City and County SDC Charge
5/8"	<u>\$9,848,750</u>
3/4"	<u>\$13,027,252</u>

1"	\$ <u>19,374,15,247</u>
1-1/2" or larger	To be determined on each individual case, based on the projected amount of usage and peaking expected from the customer. These charges shall reflect residential equivalence (RE) values used for individual residential customers.

c. Irrigation Only System Development Charge (SDC).

Meter Size	City and County SDC Charge
5/8"	\$ <u>6,3474,995.75</u>
3/4"	\$ <u>9,5267,497</u>
1"	\$ <u>15,88312,501</u>
1-1/2" or larger	To be determined on each individual case, based on the projected amount of usage and peaking expected from the customer. These charges shall reflect residential equivalence (RE) values used for individual residential customers.

d. The charges set out in this subsection (C)(2) shall not be applicable to an accessory dwelling unit (ADU) permitted pursuant to BLMC [18.22.090](#), so long as a second or larger water meter is not required by applicable codes or requested by the owner. Should the property upon which an accessory dwelling unit is located be sold, platted or otherwise segregated from the property upon which the primary residence is located, and, because of the exemption provided for in this subsection, the owner of the accessory dwelling unit did not previously pay a full, separate connection charge including equitable share charge for the accessory dwelling unit, then the following shall apply:

i. If no additional connection charge was paid for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay a connection charge, including single-family equitable share charge, in the amounts provided for in this section at the time of segregation. A new water meter will be provided.

ii. If a reduced connection charge was paid for a second or larger meter and/or connection for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay the difference between that reduced charge and the amount of the connection charge,

including single-family equitable share charge, provided for in this section at the time of segregation. A new water meter will be provided if necessary.

e. Annual Adjustment. Beginning January 1, 2009, and for every year thereafter, the installation and connection charges listed in this section shall be updated annually at a rate adjusted in accordance with the Engineering News Record (ENR) Construction Cost Index (CCI) for the Seattle area, using a November through November annual measure to establish revised fee schedules effective January 1st of each year.

f. These charges are to apply in all cases where distance from the water main to the meter location does not exceed 60 feet. In such cases where the distance is over 60 feet there shall be an additional fee, based on cost of labor and materials.

g. Property Owner's Responsibility. Property owners are responsible for all leaks or damage due to leaks from privately installed and owned water lines. The property owner shall install and maintain at his own expense all water service from the water meter to the place of use.

**Section 2.** BLMC § 13.12.100 is hereby amended to read as follows:

**13.12.100 System development charges.**

A. The fees for connection to the city's sewer utility shall be due and payable at the time of building permit issuance, as follows:

1. The fee for a single-family residence (new construction) shall be ~~\$9,099~~7,509.
2. The fee for an existing single-family residence served by an on-site septic disposal system shall be ~~\$9,099~~7,509.
3. The fee for duplexes shall be ~~\$9,099~~7,509 per dwelling unit.
4. The fee for multifamily residential buildings with more than two units shall be as follows:
  - a. Eighty percent of ~~\$9,099~~7,509 per dwelling unit for three or more bed/bonus room units;
  - b. Seventy percent of ~~\$9,099~~7,509 per dwelling unit for two bed/bonus room units;
  - c. Sixty percent of ~~\$9,099~~7,509 per dwelling unit for one bed/bonus room units;
  - d. Fifty percent of ~~\$9,099~~7,509 per dwelling unit for studio/efficiency units.
5. CCI Adjustment. Beginning January 1, 2010, and for every year thereafter, the SDCs shall be adjusted by the annual change in the most recent Engineering News Record (ENR) Construction Cost (CCI) for the Seattle area, using a November through November annual measure to establish revised fee schedules effective January 1st of each year.

B. SDCs shall be due and payable at the time of building permit issuance, and shall be charged at the rate in effect at the time of application for sewer service. An application for sewer service will only be accepted if a complete building permit application is submitted concurrently or is already on file, or from an applicant with an existing residence served by a septic system and that also has sewer available. If the building permit expires through suspension or abandonment under BLMC [15.04.081](#), the SDC shall be refunded at the request of the applicant; provided, that if the applicant chooses to leave the SDC on deposit with the city and re-applies for a new building permit pursuant to BLMC [15.04.081](#), the SDC shall be re-calculated at current rates and the amount of the SDC already paid and not refunded may be credited toward the new SDC.

C. The charges set out in this section shall not be applicable to an accessory dwelling unit permitted pursuant to BLMC [18.22.090](#), so long as a second connection to the city's sewer system is not required by applicable codes or requested by the owner. Should the property upon which an accessory dwelling unit is located be sold, platted or otherwise segregated from the property upon which the primary residence is located, and, because of the exemption provided for in this subsection, the owner of the accessory dwelling unit did not previously pay a full, separate sewer connection charge for the accessory dwelling unit, then the following shall apply:

1. If no additional connection charge was paid for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay a connection charge in the amount provided for in this section at the time of segregation.

2. If a reduced connection charge was paid for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay the difference between that reduced charge and the amount of the connection charge provided for in this section at the time of segregation.

D. When connection to the sewer system for an existing residence becomes mandatory due to a failed septic system, septic design flaw, or other reason, and the home is not being sold contemporaneously with the mandatory sewer application, a homeowner may apply to the city to pay the connection fee on an installment payment plan. The application shall state that paying the connection fee poses a financial hardship. The city may permit the applicant to pay the fee in monthly or annual installments (not both) for a period of not more than 10 years. A reasonable interest rate, as determined by the city's chief financial officer, will be charged on the balance owing to the city. The entire remaining balance of the connection fee plus interest shall be due and payable at the time of sale of the home. Any past-due installments and any remaining balance that is not paid at the sale of the home will become a lien on the property pursuant to BLMC [13.12.110](#).

**Section 3.** This Ordinance shall sunset and be of no further effect two years after enactment. If the City Council has set new SDCs upon expiration, those SDCs shall apply. If the City Council has not acted to set new SDCs upon expiration, the SDCs in effect immediately prior to this Ordinance, adjusted according to the CCI, shall apply.

**Section 4.** This Ordinance shall take effect and be in force thirty (30) days after passage, approval, and publication as required by law.

**PASSED** by the City Council and approved by the Mayor this \_\_\_\_<sup>th</sup> day of November, 2012.

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Neil Johnson, Jr., Mayor

ATTEST:

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Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

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James Dionne, City Attorney

Passed:

Valid:

Published:

Effective Date: