

CITY COUNCIL MEETING

**October 23, 2012
7:00 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

SIGN-UP TO SPEAK FOR SPECIFIC ACTION ITEMS ON THE AGENDA: *If you have signed up prior to the Council meeting to speak with respect to a particular ordinance or resolution appearing on the agenda, you will be recognized to address the Council for up to one minute before the Council takes action on that item. Those wishing to address such items on the “Consent Agenda” should do so during the “Citizen Comments” portion of the Agenda. If the Council chooses to discuss the item further after taking comments, they may restrict additional public comment before taking action. Please look for the sign-up sheets near the Council Chamber doorway. (See Item II.B. for Citizen Comments on other items of City business.)*

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

I. CALL TO ORDER – Mayor Neil Johnson, Jr.

- A. Flag Salute
- B. Roll Call: 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.
- C. Announcements, Appointments and Presentations:
 - 1. Announcements:
 - a. **Proclamation:** Veterans Day.
 - 2. Appointments: None.
 - 3. Presentations: None.
- D. Agenda Modifications

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II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments:
You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the “Consent Agenda” should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated representatives speaking on behalf of a group may take up to 10 minutes on matters of general City business.
- C. Correspondence

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee
- B. Community Development Committee
- C. Public Safety Committee
- D. Other Reports

IV. CONSENT AGENDA:

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

- p. 7 A. **Approval of Minutes:** October 2, 2012 Workshop, October 9, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #64703-6478 (including wire transfers (20121003, 20121015, 2012101701) in the amount of \$84,417.41.
Void Checks: Check #64570 replaced with Check #64758.
- C. **Approval of Payroll:** Payroll for October 1-15th, 2012 for checks #30736-30757 including Direct Deposits and Electronic Transfers in the amount of \$ 422,545.40.
- p. 19 D. **AB12-140 – Resolution 2247 –** 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.
- p. 27 E. **AB12-145 – Resolution 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.
- p. 31 F. **AB12-144 –** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The 2012 Chip Seal Project With Doolittle Construction LLC.

V. FINANCE COMMITTEE ISSUES:

- p. 39 A. **AB12-139 – Ordinance D12-139 –** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Attachment A-1 Of Ordinance No. 1400 Relating To The Position Classification And Salary Grades Of Non-Represented Employees.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.**VII. PUBLIC SAFETY COMMITTEE ISSUES:** None.**VIII. FULL COUNCIL ISSUES:**

- p. 43 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. 1399 Relating To Police Position Exempt From Civil Service.
- p. 47 B. **AB12-142 – Ordinance 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.
- p. 55 C. **AB12-143 – Ordinance 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.

- p. 63 D. **AB12-150** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting Public Hearings On November 6, 2012 At 5:30 P.M. And On December 11, 2012 At 7:00 P.M., Or As Soon Thereafter As Possible, For Proposed Ordinance D12-148, Establishing Pre-Annexation Zoning For Falling Water Subdivision And Identifying The Falling Water Subdivision And The Tehaleh Planned Community As “Proposed UGA” On The City’s Future Land Use Map.

IX. EXECUTIVE SESSION:

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

X. 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**

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PROCLAMATION

WHEREAS, there are tens of millions of veterans who have taken up arms to defend and maintain the core principles of the Declaration of Independence and the United States Constitution; and

WHEREAS, the residents of Bonney Lake are deeply indebted to this nation's veterans for the protection of their most basic freedoms; and

WHEREAS, Bonney Lake has traditionally been a home to many service men and women due to its close proximity to Joint Base Lewis-McChord; and

WHEREAS, due to its pleasant and livable character, many veterans have made Bonney Lake their permanent residence; and

WHEREAS, the City of Bonney Lake has donated land on a heavily traveled transportation corridor for the development of a veteran's memorial; and

WHEREAS, despite some public opposition the Bonney Lake City Council took action to rename one of its prominent streets to -- "Veterans Memorial Highway;" and

WHEREAS, this act is consistent with the City's respect and honor for Veterans of the United States Military.

NOW, THEREFORE, I, Mayor Neil Johnson, Jr., by virtue of the authority vested in me by the City of Bonney Lake, do hereby join the nation in proclaiming

Sunday, November 11, 2012 as

VETERANS DAY

and urge all citizens to recognize the valor and sacrifice of our veterans.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Bonney Lake to be affixed this 23rd day of October, 2012.

Neil Johnson, Jr., Mayor

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CITY COUNCIL WORKSHOP

October 2, 2012
5:30 P.M.

MINUTES

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

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.

III. 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 3rd 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 29th 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 in 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 said attendees attended based on their individual interests. He said the Council needs to know what is necessary to create a Metropolitan Park District (MPD). Mayor Johnson said he doesn't think the City is ready to establish a MPD yet. 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

attended the Summit and has the same sense. He said the public thinks all of the options need to be in the first vote, which is not the case. He said it could take 20 years for the City to complete all of the planned projects. The current Park Plan is the City's 6-year plan and not all of the City's needs are being addressed in this plan.

Mayor Johnson said a MPD is the same as passing the maximum levy, and voters need to identify projects so the City can consider how to list them on the ballot, otherwise the City should consider a park bond. Councilmember Hamilton said he thinks too much detail was 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 upcoming Park Board meeting. 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 very interested in participating in the City, and he did not think that those who attended the were average residents. He said he is interested in an MPD. He said another option is a Special Parks District, but that option is much more limited. 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 said 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 8th and consider postponing placing the Park Plan on the ballot for an April 2013 election. Deputy Mayor Swatman asked the 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 his plan does not include a utility latercomer agreement (ULA). 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) are still being considered. City Administrator Morrison said he is waiting on a SDC study until he gets direction to do so, as it would cost \$10,000. Councilmember Hamilton said his concern is the ability of the utility to pay for the project without raising rates and 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 continued 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 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 for their input. Councilmember Lewis said he understands both sides. Councilmember Minton-Davis said she is undecided and would like to consider the issue 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 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 for 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. He said the proposed ordinance would provide staff with an alternative process to levy civil fines and provides 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 it may actually save the City some money. Assistant City Attorney Kathleen Haggard said it would provide for faster resolution and improved process, and not necessarily save money. 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 issue infractions himself, send them to the court, or give them 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 will be trained accordingly. The proposed ordinance was forwarded to the October 9, 2012 Meeting for action.

A. Council Open Discussion: *Continued from page 3*

Justice Center Tenant Improvements Bid: City Administrator Morrison provided an update regarding the Justice Center Tenant Improvement Phase II project. He said the City opened bids on October 1st 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 Administrator Morrison 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 surprise to the Council. He said he wants to give Council time to consider the plan and make suggestions. Councilmember Hamilton asked about revenues being considered. City Administrator Morrison said some new revenue will come from the Town of Eatonville court services contract, but no new taxes are being considered. Councilmember Lewis asked about the 911 Dispatch. City Administrator Morrison said Pierce County grossly underestimated the costs of the system and the dispatch centers, and he believes the 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.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the October 2nd Workshop:

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

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CITY COUNCIL MEETING

October 9, 2012
7:00 P.M.

MINUTES

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

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 27th 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 206th 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 30th 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 189th 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 203rd 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 189th Ave Ct E, Bonney Lake, said the Greater Bonney Lake Historical Society hosted a tour of the Naches Trail on September 29th. 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 2nd 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 1st 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 214th 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 4th 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 8th 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 3rd. 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 8th. 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 19th.

Lake Tapps Safety: Mayor Johnson said he will be attending a kick-off meeting on October 26th 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.

Harwood Edvalson, MMC
City Clerk

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)

Department/Staff Contact: Executive / Don Morrison/ Gary Leaf	Meeting/Workshop Date: 16 October 2012	Agenda Bill Number: AB12-140
Agenda Item Type: Resolution	Ordinance/Resolution Number: Resolution 2247	Councilmember Sponsor:

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 J.B. 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

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<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:	Consent		
	Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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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 IMPROVEMENT PHASE 2 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 23rd day of October 2012.

Neil Johnson, Jr. Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney

CITY OF BONNEY LAKE CONTRACT

THIS CONTRACT. is made and entered into this 23rd day of October, 2012 by and between the CITY OF BONNEY LAKE, a Washington municipal corporation, hereinafter referred to as the "Owner" and JB Construction Consulting, Inc. 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 Tenant Improvements Phase 2 Project and the Contractor did on the 1st day of October, 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 Tenant Improvements Phase 2 Project. 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: JB Construction Consulting, Inc.

Neil Johnson, Jr., Mayor

By [Signature] Title President

Date:

Date: 10-17-2012



Executive
Department

Memo

Date : October 18, 2012
To : City Council
From : Don Morrison, City Administrator
Re : Justice Center Phase II Tenant Improvements

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 if none of the contingency funds are needed, or up to \$199,000 if there are change orders that draw down the contingency.

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-\$199,000 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 lease at a rate of between \$11.52/sf and \$15.92/sf would be an estimated \$144K-\$199K. 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 previously 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)

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)	\$ <u>3,264.00</u>	
 Subtotal	 \$ 740,212.11	
 Spent to date	 \$ 21,841.66	
 Total	 \$ 762,053.77	
 Other Future Improvements		
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)
 Grand total, except for parking improvements	 \$ 987,412.14	

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

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

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

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

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
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:	Consent Agenda:		<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

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

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (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 23rd 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

President
Board of Directors

Mayor
City of Bonney Lake

Secretary
Board of Directors

City Attorney

Date

Date

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

Department/Staff Contact: Public Works / Marlyn Campbell	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-144
Agenda Item Type: Motion	Ordinance/Resolution Number:	Councilmember Sponsor: Randy McKibbin

Agenda Subject: Accept 2012 Chip Seal with Doolittle Construction LLC as Complete

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The 2012 Chip Seal Project With Doolittle Construction Llc.

Administrative Recommendation:

Background Summary: Resolution 2216 dated June 12, 2012 awarded the construction contract to Doolittle Construction LLC for the 2012 Chip Seal project. This project chip sealed 60,329 square yards, five miles of streets in various locations within the City of Bonney Lake. See attached Project Completion Report for detail information on this project. As a matter of housekeeping, this project has been reconciled, accepted by the City Engineer and project close out documents are complete. DOR, Employment Security and L & I have been notified and we are awaiting confirmation from these three organizations that there are no unpaid taxes and wages.

Attachments: Project Completion Report, Final cost and locations report, Notice of Completion of Public Works Contract and 6 photos of project, before (2), during (2) and after (2).

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
N/A			
Budget Explanation: Release of Retainage in the amount of \$8,862.32			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Community Development Date: 16 October 2012	<i>Approvals:</i> Chair/Councilmember Randy McKibbin Councilmember James Rackley Councilmember Katrina Minton-Davis	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>Dan Grigsby</i>	Mayor: <i>Neil Johnson Jr.</i>	Date Reviewed by City Attorney: (if applicable):

PUBLIC WORKS - PROJECT COMPLETION REPORT

Project Title: 2012 Chip Seal

Project Financing Summary:

Project Revenue Sources:

Budget Authorized by City Council:		179,000	\$179,000
City Fund Source(s):	Streets CIP- Chip Seal Program	179,000	
Total Project Budget Utilized=			\$177,226

Project Expenditures:

Study =			N/A
Design =			N/A
<u>Total Construction</u>			<u>\$177,226</u>
Engineer's Estimate =	N/A		
	<u>Contract Award Amount</u>	<u>Actual</u>	
Low Quote/Contract=	\$178,205	177,226	
Contingency- 10%=	\$0	0	
Field Engineering Services- 5% =	\$0	0	
	<u>\$178,205</u>	<u>177,226</u>	

Total Project Cost = **\$177,226**

Total Budget for construction= **\$178,205**
Actual **Under Budget=** **-\$979**

Actual Revenue Sources utilized for project:

Budget Authorized by City Council:		179,000	\$179,000
Actual City Funds utilized:	Streets CIP- Chip Seal Program	177,226	

Planning

Actual Costs

Comprehensive Facilities Plan Approved by City Council:		<u>N/A</u>
Study Required:	<u>N/A</u>	
FY Funding in Budget:	<u>N/A</u>	
Study Contract NTP Date:	<u>N/A</u>	
Study Contract Completion Date:	<u>N/A</u>	

Planning Actual Total	\$0
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Design

Date RFP Issued	<u>N/A</u>
Design Contract Award Date:	<u>N/A</u>
Design Contract Completion Date:	<u>N/A</u>
Design Consultant(s):	<u>N/A</u>

\$0

Construction

Date of Advertisement:	5/18/2012
Invitation to Quote Due Date:	5/30/2012
Engineer's Estimate:	N/A
Low Responsive/Responsible Quote:	\$178,205
Contract Award Date:	6/13/2012
Contract Completion Date:	8/9/2012
Closeout Date:	

\$177,226

Date

Scope of Work Changes:
1

Change Order Summary:
1

\$0

Other Construction

\$0

Construction Actual Total =	\$177,226
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Total Project Cost=	\$177,226
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NOTICE OF COMPLETION OF PUBLIC WORKS CONTRACT

Contractor's UBI Number: 602 351 934

Date: 10/11/2012

Name & Address of Public Agency
City of Bonney Lake 8720 Main Street East Bonney Lake, WA 98391 UBI Number: 277000893

Department Use Only
Assigned to:
Date Assigned:

Notice is hereby given relative to the completion of contract or project described below

Project Name 2012 Chip Seal	Contract Number	Job Order Contracting <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description of Work Done/Include Jobsite Address(es) The scope of work includes chip sealing of 60,329 square yards, five miles of streets in various locations within the City of Bonney Lake.		
Contractor's Name Doolittle Construction LLC		Telephone Number 425-455-1150
Contractor Address 1900 118th Ave SE Bellevue, WA 980005		
If Retainage is Bonded, List Surety's Name (or attach a copy)		
Surety Agent's Address		
Date Contract Awarded 6/12/2012	Date Work Commenced 8/6/2012	Date Work Completed 8/9/2012
		Date Work Accepted council action scheduled-10/23/12

Contract Amount	\$				
Additions (+)	\$	178,204.46		Liquidated Damages \$	
Reductions (-)	\$	938.01		Amount Disbursed \$	168,364.04
Sub-Total	\$	177,266.45		Amount Retained \$	8,862.32
Amount of Sales Tax Paid at <u>0.000%</u>					
(If various rates apply, please send a breakdown)	\$				
TOTAL	\$	177,266.45		TOTAL \$	177,226.36

NOTE: These two totals must be equal

Please List all Subcontractors Below:

Subcontractor's Name:	UBI Number:	Affidavit ID (if known)
<i>Agenda Packet p. 34 of 64</i>		

Road #	STREET Name/Number	2012 Width	Length	Sq Yards	Scope of Work Comments:	Striping	
Inlet Island:							
108	OLYMPIC DR	16	363	645	From South Vista Drive to South Island Drive	Exchange	
109	SO. VISTA DR.	21	1760	4107	From Cascade Drive to South Island Dr.		
113	NO. VISTA DR.	21	1185	2765	From Cascade Drive to North Island Dr.		
Church Lake Drive:							
140	207th AVE E (DEAD END)	16	610	1084	From Church Lake Drive to Cul de sac		
	207th AVE E (Culdesac)	35	35	427	Chip Seal Cul de sac	Exchange	
Interlake Island:							
150	61st ST E	16	640	1138	From 195th Ave E to 195th Ave Place E		
152	56th ST E	21	446	1041	From 195th Ave E to West Tapps Drive E	Striping	
153	WEST TAPPS Dr (E)	21	275	642	From 56th St E to West Tapps Drive E	Striping	
Bonney Lake BLVD/Myers Road							
223	181ST AVE E (2)	21	823	1920	From Bonney Lake BLVD to 70th St E	Striping	
224	70TH ST EAST	21	1030	2403	From 181st Ave E to Myers Road	Stop Bar Striping	
301	CHURCH LAKE ROAD	Deleted - Received Overlay Funding for 2013. Church Lake Road Deletion (6,268 Sq Yards)					
Bonney Lake BLVD/Bonnie Brae:							
310	79TH ST E	21	714	1666	From 193rd Ave E to 194th Ave E		
311	194TH AVE E (3)	21	2254	5259	From 79th St E to Bonney Lake BLVD		
Locust Ave:							
336	MT VIEW DRIVE	21	978	2282	From Locust Ave E to 84th St E		
337	LOCUST AVENUE	21	900	2100	From Bonney Lake BLVD to McGhee Drive		
Sumner/Buckley HWY							
351	182ND AVE E (3)	30	228		From Veterans Memorial Drive to 230' north	Bonus	
351	182ND AVE E (3)	21	3446	8041	From 230' north of Veterans Memorial Drive to 77th St E	Striping	
Hilcrest:							
355	83RD ST E	27	544	1632	From 182nd Ave E to 179th St E		
356	179TH AVE E	24	1025	2733	From 179th Ave E to 81st St E		
SR 410							
4149	192ND AVE EAST	21	1691	3946	From 200' south of SR 410 to 190th Ave E	Striping	
4150	190th Ave E	24	309	824	From 192nd Ave to 101st St E		
Cedar View:							
510	95TH ST E	21	647	1510	From 208th Ave E to 210th Ave E		
514	202ND AVE E	21	1132	2641	From 96th St E to 93rd St E		
515	203RD AVE E	21	737	1720	From 96th St E to 204th Ave E		
520	207TH AVE E	21	800	1867	From 93rd St E to 91st St E	Mask 20MPH	
521	91ST ST E	20	1635	3633	From 207th Ave E to end cul de sac	Exchange	
	91ST ST E (Culdesac)	35	35	427	Cul de sac	Exchange	
522	92ND ST E	21	1318	3075	From 207th Ave E to 91st St E		
Allan Yorke Park Access Road							
		12	300	400	1st Application 3/8 chip seal	Exchange	
		12	300	400	2nd Application 3/8 chip seal	Exchange	

Total Chip Seal Length Miles 5.0 60329

(\$2.93/sq yd)

Was 60,561 Sq yards
Original Bid \$178,204.46

Change from Original Contract: Sq yds:

	Original Quantity	60561
minus	Church Lake Road Deletion	6268
	Remainder	54293
plus	Exchange Streets for Deletion:	6036
	New Quantity	60329
	Remainder	232

(Including Allan Yorke Park Access Road)

Actual Cost:

Budget - \$ 179,000

\$	60329 Total Square Yards
\$	177,226.36 Actual Contract Billing (plus \$ 1,812 for striping)
\$	2.93 Cost Per Square Yard



192nd Ave E





181st Ave E



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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-139
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-139	Councilmember Sponsor:

Agenda Subject: Position classification and salary grades of non-represented employees.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Attachment A-1 Of Ordinance No. 1400 Relating To The Position Classification And Salary Grades Of Non-Represented Employees..

Administrative Recommendation: Approve

Background Summary: A number of non-represented City positions have been reclassified, added or planned since the last adoption of the position classification and salary table for non-represented employees. The Finance Committee has stated a desire to have the position classification and salary table officially amended before advertising and/or filling a position. This table simply lists the positions and accompany salary grade of non-represented employees. The ordinance provides that “No position included in the position classification schedule may be filled unless the position has been included and funded in the adopted budget of the City.” This assures that the Administration will not fill a listed position unless it has also been included in the adopted budget of the City.

Attachments: Ordinance D12-139; Attachment A-1

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	Finance Committee Date: 9 October 2012	<i>Approvals:</i> Chair/Councilmember Don Swatman Councilmember Mark Hamilton Councilmember Randy McKibbin	<table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Yes</td> <td style="text-align: left;">No</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	No										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Commission/Board Review:											
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

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ORDINANCE NO. D12-139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING ATTACHMENT A-1 OF ORDINANCE NO. 1400 RELATING TO THE POSITION CLASSIFICATION AND SALARY GRADES OF NON-REPRESENTED EMPLOYEES.

WHEREAS, a number of non-represented City positions have been reclassified, added or planned since the last adoption of the position classification and salary table for non-represented employees; and

WHEREAS, the City Council desires to amend Attachment “A-1” of Ordinance 1400 to reflect said grade and/or title changes of these position classifications;

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

Section 1. Attachment “A-1” of Ordinance No. 1400 is hereby amended as attached.

Section 2. No position included in this position classification schedule may be filled unless the position has been included and funded in the adopted budget of the City.

Section 3. This Ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this 23rd day of October, 2012.

Neil Johnson, Jr., Mayor

ATTEST:

Woody Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Attachment "A1" to Ordinance No. D12-139: Non Represented Employee Classification and Grade Matrix
 (Revision History: D11-113 and D11-148)

GRADE	FINANCE & ADMINISTRATION	PUBLIC SAFETY	COMMUNITY DEVELOPMENT	PUBLIC WORKS	GRADE
1-9					1-9
10					10
11	Records and Information Specialist; Customer Service Specialist , Special Events Coordinator				11
12	Executive Assistant			Support Services Coordinator	12
13	Accountant	<u>Probation Officer</u>		Project Manager	13
14	Financial Operations Supervisor; Senior Services Manager				14
15			<u>Senior Planner</u>		15
16	Accounting Manager				16
17	Human Resources Manager	Court Administrator		Transportation Supervisor; Utilities Supervisor	17
18	Prosecuting Attorney		Development Review Engineer		18
19		<u>Police Lieutenant</u>	<u>Planning Manager</u>	Assistant City Engineer - Utilities	19
20	Information Systems Manager	<u>Police Lieutenant</u>	Building Official		20
21					21
22	Facilities & Special Projects/Events Mgr			City Engineer; Assistant Public Works Dir.	22
23		Assistant Police Chief			23
24	Administrative Services Director; Chief Financial Officer				24
25		Police Chief	Community Development Director	Public Works Director	25
26		Municipal Judge			26
27	City Administrator				27
28					28

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-133
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-133	Councilmember Sponsor: Mark Hamilton

Agenda Subject: Retention of Civil Service Status for Police Personnel Promoted to CSC Exempt Positions

Full Title/Motion: 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. 1399 Relating To Police Position Exempt From Civil Service.

Administrative Recommendation: Approve

Background Summary: Dana Powers was hired and promoted through the Bonney Lake Civil Service system. Mayor Johnson intends to appoint her as the regular police chief following her successful year of service as the Interim Chief. Powers requested "bumping rights" (reassignment back to Asst. Chief) should the mayor determine to make a change chiefs at some time in the future. Both the mayor and council had a variety of concerns regarding this proposal. However, an alternative is to "grandfather" Dana under her current civil service status to assure that any adverse future employment action is based on a just cause. This ordinance allows internal police personnel who are promoted to Civil Service exempt position to retain their civil service status.

Attachments: Ordinance

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: NA			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: 25 September 2012	Approvals: Chair/Councilmember Dan Swatman Councilmember Mark Hamilton Councilmember Randy McKibbin	Yes <input type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Forward to: Workshop without recommendation	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): October 2, 2012	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed

by City Attorney:
(if applicable):

ORDINANCE NO. 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. 1399 RELATING TO POLICE POSITION EXEMPT FROM CIVIL SERVICE.

WHEREAS, BLMC Section 2.08.080(B) currently exempts the positions of chief of police, assistant police chief, and department assistant from civil service; and

WHEREAS, the code is not clear as to whether existing police department employees currently covered by Civil Service would lose civil service status upon appointment to a civil-service exempt position; and

WHEREAS, the Council finds it appropriate to grandfather existing Bonney Lake civil service employees upon promotion to a civil-service exempt position;

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

Section 1. Chapter 2.08.080(B) of the Bonney Lake Municipal Code and the corresponding Section One of Ordinance No. 1399 are hereby amended to read as follows:

Police Positions Exempted from Civil Service – Existing Employees May Retain For-Cause Protection. The positions of chief of police, assistant police chief (or similar command position title denoting the second-in-command), and department assistant shall be excluded from civil service and the Bonney Lake civil service commission rules and regulations pursuant to RCW 41.12.050; provided, however, that any current Bonney Lake civil service employee who is promoted to a civil service-exempt position may elect to retain his or her right to discipline or dismissal only for cause and related rights under RCW 41.12.080-.090 and the corresponding provisions of the commission rules and regulations.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. Effective Date. 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 23rd day of October, 2012.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-142
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-142	Councilmember Sponsor:

Agenda Subject: Business Recruitment Incentive Through TIF Reduction

Full Title/Motion: An Ordinance 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 one year 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

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
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:	Consent	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Agenda:		
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): October 16, 2012	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

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ORDINANCE NO. D12-142

AN ORDINANCE 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

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 one year 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 s~~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 23rd day of October, 2012.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-143
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-143	Councilmember Sponsor:

Agenda Subject: Water and Sewer System Development Charge Reductions

Full Title/Motion: An Ordinance 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.

Administrative Recommendation: Approve

Background Summary: 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 one year, 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 biennium. The proposed reduction is 30% for both water and sewer.

Attachments: Ord D12-143

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
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:	Consent	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Agenda:			
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): October 16, 2012	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

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ORDINANCE NO. D12-143

AN ORDINANCE 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

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 one year, 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"	\$7,745 <u>\$5,689</u>
1" with fire sprinkler system	\$7,745 <u>\$5,689</u>
1" without fire sprinkler system	\$17,276 <u>\$12,690</u>
1-1/2" or larger	To be determined on each individual case, based on the projected amount

larger	of usage and peaking expected from the customer. These charges shall reflect residential equivalence (RE) values used for individual residential customers.
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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~~ 4,382 (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~~ 9,772 (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~~ 4,382 (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"	\$9,848 <u>7,234</u>
3/4"	\$13,027 <u>9,569</u>
1"	\$19,374 <u>14,231</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"	\$6,347 <u>4,663</u>
3/4"	\$9,526 <u>6,997</u>

1"	\$ 15,883 11,668
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~~ 6,571.
2. The fee for an existing single-family residence served by an on-site septic disposal system shall be ~~\$9,099~~ 6,571.
3. The fee for duplexes shall be ~~\$9,099~~ 6,571 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~~ 6,571 per dwelling unit for three or more bed/bonus room units;
 - b. Seventy percent of ~~\$9,099~~ 6,571 per dwelling unit for two bed/bonus room units;
 - c. Sixty percent of ~~\$9,099~~ 6,571 per dwelling unit for one bed/bonus room units;
 - d. Fifty percent of ~~\$9,099~~ 6,571 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 one year 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 23rd day of October, 2012.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

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

Department/Staff Contact: Community Development / John P. Vodopich, AICP	Meeting/Workshop Date: 23 October 2012	Agenda Bill Number: AB12-150
Agenda Item Type: Motion	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: Motion to Set Public Hearing Dates for Pre-Annexation Zoning

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting Public Hearings On November 6, 2012 At 5:30 P.M. And On December 11, 2012 At 7:00 P.M., Or As Soon Thereafter As Possible, For Proposed Ordinance D12-148, Establishing Pre-Annexation Zoning For Falling Water Subdivision And Identifying The Falling Water Subdivision And The Tehaleh Planned Community As “Proposed U G A” On The City’s Future Land Use Map.

Administrative Recommendation: Approve

Background Summary: Two public hearings at least thirty days apart are required in order to establish pre-annexation zoning. This motion sets those dates as November 6 and December 11, 2012.

Attachments: none

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:		<i>Approvals:</i>	Yes No
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:		Consent Agenda:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: October 12, 2012 <small>(if applicable):</small>

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