

CITY COUNCIL WORKSHOP

**January 15, 2013
5:30 p.m.**

AGENDA



"Where Dreams Can Soar"

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

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

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

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

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

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

III. Agenda Items:

- A. Presentation: Concession Stand / Community Garden Updates - Stew Bowen. (No advance materials provided)
- B. Council Open Discussion.
- Pg. 3 C. Review of Minutes: December 4, 2012 Workshop, December 11, 2012 Special Meeting, December 11, 2012 Meeting, January 8, 2013 Meeting.
- Pg. 25 D. Discussion: AB13-05 – Ordinance D13-05 – Non-Represented Employee Salaries.
- Pg. 31 E. Discussion: AB13-08 – Resolution 2266 – Setting the ballot language for the Metropolitan Park District April 23, 2013 Special Election.
- F. Discussion: Process to select MPD Ballot Proposition Pro – Con Committees. (No advance materials provided)
- G. Discussion: Proposed Council Planning Retreat. (No advance materials provided)
- H. Discussion: AB13-10 – Resolution 2261 – Maintenance Agreement with Sound Transit for the Bonney Lake Park & Ride. (No advance materials provided).
- Pg. 37 I. Discussion: AB13-12 – Resolution 2267 – Approval of CDBG Grant Application.
- Pg. 41 J. Discussion: AB13-13 – Resolution 2268 – Contract renewal with South Sound 911 (formerly LESA)

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

V. Adjournment

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

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CITY COUNCIL WORKSHOP

**December 4, 2012
5:30 P.M.**

DRAFT MINUTES

City of



"Where Dreams Can Soar"

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

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

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the workshop to order at 5:31 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Deputy Mayor Dan Swatman, Councilmember Randy McKibbin, Councilmember Mark Hamilton, Councilmember Jim Rackley, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, and Councilmember Tom Watson. Mayor Johnson was not in attendance.

III. Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Court Administrator Kathy Seymour, Assistant City Attorney Kathleen Haggard, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

Councilmember Watson moved to excuse Councilmember Minton-Davis from the October 30, 2012, Special Joint Council/Park Board Meeting and the November 27, 2012 Council Meeting. Councilmember Lewis seconded.

**Motion to excuse
Councilmember Minton-Davis
approved 7-0.**

IV. AGENDA ITEMS:

A. Public Hearing (Continued): AB12-156 – A Public Hearing for Proposed Ordinance D12-157, Adopting the 2013-2014 Biennial Budget.

Deputy Mayor Swatman opened the public hearing at 5:32 p.m. Administrative Services Director/City Clerk Edvalson said there were no speakers signed up to speak for the public hearing. The public hearing was closed at 5:33 p.m.

B. Review of Draft Minutes: November 20th Workshop, and November 27th Meeting.

The November 20, 2012 Council Workshop, and the November 27, 2012 Council Meeting minutes were forwarded to the December 11, 2012 Council Meeting for action, with minor corrections noted by Councilmember Lewis.

C. Council Open Discussion.

Gas Leak on Main Street: Chief of Police Powers provided a response to Councilmember Watson's request for information regarding the gas leak which occurred at the construction site on Main Street on November 28th. Chief Powers said Puget Sound Energy was contacted,

responded, shut down the gas line and the incident was issued an all clear very quickly. She said during the incident officers responded, SR 410 was shut down, and evacuations occurred at the Justice Center and the children and employees at KinderCare were taken to the Library. She said that social media, via Facebook and Twitter, provided important notification and information quickly to law enforcement, citizens, residents and businesses. Public Works Director Grigsby also provided information regarding the occurrence.

D. Discussion: AB12-110 – Resolution 2258 – Stating the Council’s Intent to Call for a Special Election for a Metropolitan Park District.

Deputy Mayor Swatman said last month, the Park Board passed a motion requesting a Metropolitan Park District (MPD) proposition be placed on the April 2013 ballot. He said there are three options for a proposed resolution for a future MPD election: A) setting an April 2013 date; B) setting a late 2013/early 2014 date that will be determined later; and C) does not set a specific date at this time and which would be determined later.

Councilmember Lewis said he does not like Option C and he would like to see action taken with either Option A or B. Councilmember Rackley said he would like to see the Park Board’s Work Plan and said he thinks that Option A to have it on the ballot in April 2013 is too soon. Deputy Mayor Swatman said it’s not a matter of whether it is on the ballot, but when, and the \$25,000 cost to have an election is the same whenever it is placed on the ballot. Councilmember Rackley said he supports the concept he just wants to know that it is done right. Councilmember Watson said he would like to see it on the ballot in the spring, and thinks it would be in the City’s best interest to move forward with Option A. Councilmember Lewis said he thinks putting it on the April 2013 ballot is too soon, however, he thinks the MPD is the right proposal. He said if the MPD is put on the ballot and it does not pass, he said at least it would help to make the voters familiar with the issue and give it good publicity for future consideration. Councilmember Rackley said his only objection to Option A is it only gives the City four (4) months to educate the voters regarding the MPD. Councilmember Watson said if Council chooses to move forward with a April 2013 election then he thinks it will bring voters out to ask more questions. Councilmember Minton-Davis said one of the City’s biggest needs is parks and would prefer an April vote when more voters are out and about thinking about using parks, whether in 2013 or 2014. She said she believes the Council needs to be unanimous in wanting to form a MPD.

Councilmember McKibbin said he wants to know what Council’s role is to move forward with a Park Plan if the MPD fails. Councilmember Lewis said with the City’s population growing it is important to support and encourage park growth. Councilmember Hamilton said if a November election occurred he thinks it would be a good time for consideration because of the rain that voters will be thinking about the usage of indoor recreation facilities, however, he doesn’t think waiting to until 2014 is the right thing to do. He said he is concerned about educating the voters about what the MPD is and what it does, and about the cost associated with forming a MPD. He said he supports putting it on the April 2013 ballot to see what the voters say. Councilmember Lewis said he does not like the idea of an election in November when there are other issues and elections occurring. He would like to see it on the April ballot when it is an exclusive issue. Councilmember Minton-Davis said she thinks the voters need to have information in front of them as to what the MPD means to them and what they can expect if the MPD is approved. Councilmember Lewis said it is important that the Council all be on the same page and there needs to be talking points and information established to educate the voters who will support a MPD.

Deputy Mayor Swatman said there is sufficient consensus to move a resolution forward to the December 11th meeting for Option A to place the MPD on the April 2013 ballot.

E. Discussion: Review of Proposed 2013-2014 Biennial General Fund Budget: Legislative, Judicial, Executive, Finance, Legal.

Deputy Mayor Swatman congratulated the Councilmembers who have worked and met with staff in preparing for adopting the 2013-2014 Biennial Budget.

City Administrator Morrison said it is Administration's intent to highlight one or two points on each portion of the budget. He provided a breakdown on the travel and training legislative budget for the Councilmembers. Councilmember Lewis asked about the election data, costs and the amount the State passes on to the City. City Administrator said there are a lot of variables depending on what is on the ballot and the per capita costs.

Council and staff briefly discussed the Legislative, Judicial, Executive, Finance and the Legal budgets and determined that they were making good progress on their budget questions and could adjourn the workshop and continue their budget discussions during a Special Council Meeting scheduled for 5:30 p.m. on December 11th.

F. Discussion: AB12-173 – Regarding Council Meeting/Workshop Times for December 2012 and January 2013.

Deputy Mayor Swatman said the Council has informally discussed extended meeting hours on December 11th to discuss the 2013-2014 Biennial Budget. In contrast to the Council's regular practice of cancelling the final two meetings of the year, there has been discussion regarding holding the December 18th Workshop in anticipation of adoption of the next biennial budget on that date if they are unable to adopt the budget on December 11th. Also, the first workshop of 2013 will fall on New Year's Day, therefore it will be cancelled. The first Council meeting for 2013 will be held on January 8, 2013. Councilmember Rackley said he will be unavailable on December 18th if a workshop is held. Deputy Mayor Swatman said the Committee Chairs will need to cancel any of their Committee meetings, if necessary.

Council consensus was to hold a Special Council Meeting for December 11th at 5:30 p.m. to discuss the budget. The regular Council Meeting will still be held at 7:00 p.m. on December 11th.

IV. ADJOURNMENT:

At 7:13 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7-0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the December 4th Workshop:

- Jaime Trejo– *Letter to Brian Beckley regarding the Park Board vote.*

**CITY COUNCIL
SPECIAL MEETING**

**December 11, 2012
5:30 P.M.**

DRAFT MINUTES

City of



"Where Dreams Can Soar"

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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 5:32 p.m.
- II. 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, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, Assistant Public Works Director Charles Simpson, Information Services Manager Chuck McEwen, Human Resources Manager Jenna Richardson and Senior Services Manager Sue Hilberg.

III. FULL COUNCIL ISSUES:

- A. Discussion: Review of proposed 2013-2014 Biennial General Fund Budget: Administrative Services, Community Development, Police, Public Works and Non-departmental.

Administrative Services Department. City Administrator Morrison introduced this portion of the proposed budget, and mentioned the staffing in the Senior Center. Councilmembers asked for clarification on some of the departmental performance measures listed in the budget. Director Edvalson provided responses with additional input from his division managers. Councilmembers also questioned the proposed upgrade in desktop software licenses. Manager McEwen provided answers to their questions citing the lack of industry support for the current version commonly in use by the City. Councilmembers requested staff prepare cost information on live audio/video streaming of Council meetings for the Council retreat to be held in February 2013.

Community Development Department. Administrator Morrison also introduced this department's proposed budget discussing the administration efforts over the past few years to right-size this department to match the amount of development activity in the City. Councilmembers asked about the impact of lower home remodel permit fees and expressed concerns about temporary permits. Director Vodopich addressed their questions. He expressed his opinion that lowering home remodel permit fees would have little impact toward stimulating the local economy. He also noted the Planning Commission would soon be discussing proposed changes to the sign code to address temporary sign permits.

Police Department. Administrator Morrison discussed the proposed staffing for the department to include two second-in-command positions. One would handle administration and the other operations. He said the plan was to promote to these positions and those vacated in the lower ranks from within the department. The result would be to increase the number of command positions in the department. Police Chief Powers said the department has reached sufficient size that a greater command structure is necessary. Councilmembers asked about perimeter fencing for the police station. Chief Powers said this was one of the items that were sacrificed to minimize the proposed budget. She said officers and staff will remain extra vigilant while outside the station. Errors in the budget document concerning staff numbers were noted and identified for correction in the final document. Administrator Morrison identified current issues related to the jail budget, dispatch services and the use of LESA for management of certain records.

Public Works (General Fund). Administrator Morrison called the Council's attention to a few errors in the budget document which did not impact the bottom line for expenditures in this department. He also explained some of the numbers which seem to have changed from previous years are because of changes in the way the City accounts for the expenditures. Councilmembers asked about the sewer budget, the proceeds from the revenue bond, and why the beginning fund balance in the SDC fund has been diminishing over the past few years. Administrator Morrison and Director Grigsby responded to the questions, particularly noting that the beginning cash available in the SDC fund has diminished over the past few years because of the construction projects pursued during those years to take advantage of lower construction costs during the years of recession. They also noted the cash in this fund fluctuates based on the number of system development charges collected in a given year.

Non-department. Administrator Morrison summarized the uses for this category of the general fund.

IV. ADJOURNMENT:

At 6:45 p.m., Mayor Johnson adjourned the special meeting by common consent of the Council.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the December 11, 2012 Special Meeting:

- Proposal – *Creation of an Economic Development Committee* – Councilmember Randy McKibbin.

CITY COUNCIL MEETING

December 11, 2012
7:00 P.M.

DRAFT MINUTES

City of



“Where Dreams Can Soar”

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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 7:00 p.m.

- A. Flag Salute: Connor Smith from Boy Scout Troop #525 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, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, Human Resources Manager Jenna Richardson, Facilities & Special Projects Manager Gary Leaf, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations:

a. **Presentation:** Recognition of Adopt-A-Street Volunteers.

Mayor Johnson said the City had invited all Adopt-A-Street program volunteers to the Meeting to be recognized for their contributions to the community. He said nearly all the major roads in the City are adopted currently.

Public Works Administrative Specialist II Christy McQuillen gave a presentation about the adopt-a-street program, including photographs sent in by volunteers. She presented Jim Snyder and the ‘Friends of Fontana’ with certificates of recognition for participating in the Adopt-A-Street program since its inception in 2005. Mr. Snyder shared memories of his experience picking up litter on the roads of Bonney Lake. Colleen Hogan thanked the Council and spoke about Mike Fontana, who died in a car accident in 2004 and is the namesake of their adopt-a-street group. She said Mike’s family is very pleased about the recognition. Mayor Johnson and the Council thanked all the volunteers who were in attendance at the meeting.

D. Agenda Modifications:

Councilmember Rackley moved to amend the agenda by moving all full Council Issues, except AB12-141 and AB12-167, to the Consent Agenda. The motion failed for lack of a second.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **AB12-150** – A Public Hearing 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. (Continued from November 6, 2012)

Mayor Johnson re-opened the public hearing at 7:25 p.m. No one had signed up to speak on the issue. The hearing was closed at 7:25 p.m. with no speakers.

2. **AB12-169** – A Public Hearing On Community Development Needs For The HUD Community Development Block Grant Program Benefitting Low And Moderate Income Persons.

City Administrator Don Morrison said the City has not held this type of hearing in a long time. He said the City is part of federally-funded Community Development Block Grant (CDBG) program for Washington State. He said the City’s last CDBG grant was in 2004 to expand and remodel the Senior Center. The grants are intended to benefit low and moderate income persons. He said he recently attended a workshop on the program and reviewed possibilities for a project to benefit the Cedarview neighborhood, which qualifies for this funding. He said their ideas for projects in Cedarview would have a slim chance of winning so other projects were considered. The City is now focusing on funds to remodel or move the Food Bank. He said the CDBG program requires a public hearing to get input from the community on projects that would benefit the community. He said the City wants to hear about general needs that fit the program goals, and more specifically about a possible project for a new or remodeled food bank.

Mayor Johnson opened the public hearing at 7:28 p.m.

Stewart Bowen, 1416 193rd Ave E, Bonney Lake, said he started at the Bonney Lake Food Bank in 2007. Last year the food bank served 6,960 families and distributed about 1.2 million pounds of food. He said in the current Food Bank location, they have to move food from the truck and stack and move the food several times before it gets to visitors of the Food Bank. They have also had difficulties with parking around the Food Bank. Mr. Bowen said he wants to shift the focus from just providing food to empowering people and ending hunger in the community. He said the Food Bank is a great asset of the community, and thanked the Council for their past support. He encouraged them to volunteer and learn more about out how it works.

City Administrator Morrison said the next step is to draft a resolution for the City’s application to the program. He said grants of up to \$750,000 are available in the coming year, with applications due January 31st. He said if the Council authorizes the

application staff will work with Mr. Bowen to complete the application and bring it forward for action in January. Awards would be announced in May 2013.

Louisa Smith, 20112 Church Lake Rd E, Bonney Lake, said the Food Bank is very important to the community. She said no one can know when they may end up relying on the Food Bank. She said last year the Giving Tree program gave gifts to 700 kids, a lot of whom also need the Food Bank. She said the Food Bank used to be just a room at City Hall. She said the community will support any plan to build a new building and there is an urgent need to keep the Food Bank open.

Tim Brown, 12905 195th Ave Ct E, Bonney Lake, said he has lived in the community for 15 years and was the past manager at Albertson's grocery store, which recently closed. He said he is also the President of the Food Bank Board. He said the Food Bank has worked hard to provide more programs in recent years, such as the backpack program for schoolchildren. He said they have been looking for a new location for the past year to provide not only food but also outreach programs. He asked the Council to consider applying for the CDBG grant, and said the board is willing to work with City on the application.

Fred Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said he fully supports the proposed grant application, and gave a donation for the Food Bank to Stuart Bowen.

City Clerk Harwood Edvalson said several people signed up to speak under this item, but have said they do not plan to speak.

Laurie Carter, 9418 184th Ave E, Bonney Lake, said Mr. Bowen has been very innovative with programs like the Snack Shack, which provides kids a place to work. She said the Food Bank has maximized the space available and worked out parking issues, but some parts of the current building are not usable. She said City staff hold a food drive challenge during the holidays, and this is another opportunity to help the Food Bank and the people who need it.

Sherry See, 20203 71st St E, Bonney Lake, said she believes in the Food Bank's cause. She said she runs the backpack program for kids and works with the summer feeding program. She said there is a need for a new building as the current Food Bank building is not efficient or sufficient. She said Mr. Bowen does a good job with what is available, but they could do much more with a new building.

Glenn Wedin, 17312 51st St Ct E, Bonney Lake, said he has a daughter who is disabled who volunteers at the Food Bank each week packaging commodities. He said there is not enough room at the current Food Bank and food gets distributed as quickly as they can package it. He said they need a bigger building with a better lay out to get food in and out. He said the City should be proud of Mr. Bowen and the volunteers, and there will always be need. He said as donations from grocery stores fluctuate, they need space for large donations. He said a grant would be a great help.

David Bowen, 22523 SR 410, Bonney Lake, said he is very proud of the work his brother, Stewart Bowen, does for the Food Bank. He said they have trained people and have very efficient programs. He said a lot goes on behind the scenes, including backpack and summer programs. He said volunteers do a lot of work with very little, and the Council can feel proud supporting the grant application.

Administrative Services Director/City Clerk Edvalson said a letter from Debbie McDonald, written in favor of the use of CDBG funds for the Food Bank, was received by email and entered into the record.

The hearing was closed at 7:49 p.m.

B. Citizen Comments:

Rachel Barter, 17807 114th St Ct E, Bonney Lake, spoke about a letter she received from DM Disposal regarding requirements for garbage services. She spoke with Facilities & Special Projects Manager Gary Leaf the previous day. Mr. Leaf told her many residents had called who were upset about the letters. She said the City is mandating citizens to use only one option for refuse service. She said DM Disposal has charged her with overage charges multiple times and she feels it is a monopoly to only offer one service option.

Mayor Johnson said the City code requires garbage/refuse service through the approved provider, which is DM Disposal. He said currently about 500 homes do not have service. He said DM's rates are based on all residents having service, and a change in this requirement could impact rates for all customers. He said it is difficult to be sure customers without service will manage their garbage properly and take it to a transfer station. He said the number of customers without service has grown over the past few years, and DM was within its rights to send out these notification letters. He said City staff will gather information for Council to discuss at a workshop in January.

Laurie Carter, Bonney Lake, 9418 184th Ave E, thanked the Council for their past discussions for the proposed Metropolitan Parks District and the biennial budget. She said the budget has been thoughtfully prepared. She said the City needs a dedicated source of funding for the adopted park plan and projects. She said a MPD is the most feasible option to develop a sports complex, playgrounds, trails, a recreation center, and other improvements. She said she hopes there is time to get the proposed MPD on the April 2013 ballot. She said parks are an important factor of a package that make people want to live here. She said citizens have the right to decide by their vote whether to spend money on parks. She said the next biennial budget maintains the status quo for parks funding. She said there is no parks department currently. She said there a lot of information is available on MPDs. She said an MPD is funded by property taxes, and is a public corporation that is publically accountable. She thanked the Council for its support of parks and working toward an MPD.

Shawnta Mulligan, 11329 177th Ave E, Bonney Lake, thanked the Council for a wonderfully formatted and clear budget. She said due to the City's foresight, Bonney Lake is not suffering the same consequences as other cities. She asked the Council to show restraint and reject the proposed MPD measure. She said creating a parks district will not guarantee funding, and questioned whether funds would be used more efficiently with another layer of administration. She said she also opposes the MPD as it only requires a simple majority, while bonds require a super majority and often do not pass. She said the MPD gets around the two-thirds requirement to impose new taxes. She said increased taxes can have a big impact on some people in the community. She said the proposed biennial budget has numerous flags and potential shortfalls. She asked the Council to wait for a better time and not burden the citizens with an additional tax.

John Millan, 19522 100th St E, Bonney Lake, said he has attended Council meetings for several weeks and knows how important parks are to the community. He spoke in

opposition to the creation of a MPD due to the economy. He said the MPD is a local tax levy which circumvents the tax system people voted for. He said home values are dropping, and other MPDs in the area are facing shortfalls currently. He asked the Council not to move forward with a MPD until the economy recovers.

Chris Tiffany, 19524 100th St E, Bonney Lake, said many people in his neighborhood are no longer there and 34% of the people in his HOA can't afford to pay their dues and many are on the verge of foreclosure. He spoke against the formation of a MPD. He said as a small business owner it is difficult to pay his employees and he knows they are struggling in the current economy.

David Hoble, 11204 193rd Av E, Bonney Lake, said he attended the budget meeting earlier in evening, where the Council discussed ways to reduce permit fees, funding the Police Department, and reprioritizing critical projects due to budget issues. He said the food bank also needs support in the down economy. He said he experienced homelessness and knows a lot of people are experiencing difficulties. He said people in the community will suffer if taxes increase. He said he loves parks but they are a luxury and now is not the time to raise taxes.

James Kelly McClimans, 19025 68th St E, Bonney Lake, thanked the City for having a reasonable 'safe and sane' fireworks ordinance. He spoke in opposition to the proposed MPD. He said he sees a lot of parks and schools with fields and facilities in the community today, and questioned why the City needs money for more parks and facilities. He said if the City creates a new entity that can tax, it won't be able to stop it later on. He asked the Council to think about the long-term and details before moving forward. He said people feel good about parks, but may not realize the costs over time.

James Bouchard, 20303 108th St Ct E, Bonney Lake, said information on the proposed MPD is available on the City website. He said the City has no Parks & Recreation department today, and parks funding in the next budget will mostly go towards the Safe Routes trail system and maintaining existing facilities. He said the City has had many discussions and surveys, and has promoted the idea of parks since 2004. He said the Council can now let the residents decide whether to form parks district. He noted that the proposed action is only to put the issue on ballot. He said people can read the Revised Code of Washington (RCW) for information on MPDs. He said the Council and staff have done commendable job with the budget, and the MPD is one way to assure funding for parks, fields and trails in the future. He said he has been active with little league in the past and knows there is a need for quality, safe fields. He said the City has grown from about 9,000 people to over 17,000 people, and parks have not kept pace with this growth. He said there are 15 MPDs in Washington State, providing dedicated funding for parks. He asked the Council to bring the issue to the ballot in April 2013.

Jaime Trejo, 10219 188th Ave E, Bonney Lake, spoke as a citizen and Park Board member. He said he voted 'no' on this issue on the Park Board. He said it is the wrong time to move forward with a MPD and there is also not enough time to educate citizens for an April vote. He said he disagrees with the proposed composition of the MPD board.

Teresa McClimans, 19025 68th St E, Bonney Lake, said she and her husband have raised children and grandchildren in Bonney Lake, and she appreciates the parks in the City. She said the amount, quality, and locations of the parks currently available in the City is adequate. She said families need to take care of each other and not spend excessively. She ceded her remaining 3 minutes of citizen comment time to her husband.

James McClimans (address above) said the City has fabulous parks. He said in the past he wanted more parks, and was told by the then-Mayor and Council that the City could not afford more parks. He said today he agrees. He said voters will think positively about having more parks, and not consider that a legal entity is being created that is also a taxing authority. He said it is the Council's job to think about these issues and be responsible.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said the Council can make a resolution to allow citizens to make the choice. She said she is retired and doesn't need parks facilities as much but still wants these services. She said she has lived in the City for 40 years and seen the population grow, but parks have not kept pace. She asked the Council to approve the resolution and let the people decide whether to support parks in the community.

Fred Jacobsen, 9100 189th Ave Ct E, Bonney Lake, also asked the Council to place this issue before the citizens to make a decision.

Will Goodland, 19519 103rd St E, Bonney Lake, said he runs a daycare in his home and even a small tax increase impacts his family. He said many homes in his neighborhood are in foreclosure and he has friends who are struggling to pay bills. He said he is a goalkeeper trainer for the Rainier Football Club and though the club sometimes struggles to find field space, it works out. He asked that his remaining time be given to John Millan to speak again.

John Millan said it is fine to give people the option to vote but all the facts must be laid out, not just the good parts of having new facilities. He said the numbers provided on the City website are not accurate. He said people do not need more money taken from them.

At 8:39 p.m. Mayor Johnson recessed the Meeting for a five-minute break. The Meeting reconvened at 8:48 p.m.

C. Correspondence:

Administrative Services Director/City Clerk Edvalson said he received correspondence regarding proposed Ordinance D12-141 from Keith Schlemlein and Teresa Goetz, which were distributed via email to the Council.

Councilmember Rackley moved to suspend rules to make an agenda modification. The motion died for lack of a second.

III. COUNCIL COMMITTEE REPORTS

- A. Finance Committee: Deputy Mayor Swatman said the committee has not met since the last Council Meeting.
- B. Community Development Committee: Councilmember McKibbin said the committee met on December 4th and forwarded 3 items to the consent agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on December 3rd and discussed traffic enforcement issues around Bonney Lake High School. The Committee also discussed the decrease in the number of tickets issued by the Police

Department. He said per the Chief, this is not due to a policy shift. He said the Committee plans to monitor this and get feedback from the Court. Police Chief Powers said ticket numbers fluctuate over time, and Bonney Lake is known as a place where you should not speed. Councilmember Hamilton said the Committee discussed the incident response to a gas leak SR410 and Main Street when a City contractor broke a line. The Committee felt that the Police and Fire responders handled the incident well. Mayor Johnson said he was notified when the incident occurred and the Justice Center was evacuated, and he thinks everyone responded well.

D. Other Reports:

Mobile Tower Property Flag: Mayor Johnson said the City received several complaints about a damaged U.S. flag on a site owned by a mobile phone company near Prime Fitness. City staff have contacted the owners, who say they are working to replace it.

Communities for Families: Councilmember Watson said he and Special Events Coordinator David Wells attended the CFF meeting on December 6, 2012. They heard a presentation on a child care program for parents in trouble. The Drug Free Community group presented information. The Youth Forums provided input from kids who say they like having more sidewalks but there are concerns about a lack of street lights, and the need for a recreation facility. He said he plans to attend a 'Go Team Jacoby' fundraiser in Tacoma the following week.

Park Board: Councilmember Watson said he attended the December 10th Park Board Meeting. The Board discussed a proposed Eagle Scout project. Laurie Carter discussed the proposed MPD and potential trails, fields, and other projects. Mayor Johnson said the City is working with the Eagle Scout on potential projects.

IV. **CONSENT AGENDA:**

- A. **Approval of Minutes:** November 20, 2012 Workshop and November 27, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65009-65026 in the amount of \$17,357.64. Accounts Payable checks/vouchers #65027-65049 in the amount of \$78,380.26.
- C. **Approval of Payroll:** Payroll for November 16-30th, 2012 for checks #30801-30826 including Direct Deposits and Electronic Transfers in the amount of \$ 620,201.18.
- D. **AB12-170 – Resolution 2259** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The 184th Water Main Project To Pape & Sons.
- E. **AB12-171 – Resolution 2260** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Professional Service Agreement With Parametrix For Surveying Services During Construction For The 184th Water Main Project.
- F. **AB12-159** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Prairie Ridge Booster Pump Station Project With Waunch Construction & Trucking Inc.

Councilmember Lewis moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB12-148 – Ordinance 1445 [D12-148]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing Pre-Annexation Zoning For The 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.

Councilmember Lewis moved to approve Ordinance 1445. Councilmember Watson seconded the motion.

Ordinance 1445 approved 7 – 0.

- B. **AB12-157 – Ordinance 1447 [D12-157]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Biennial Budget For Calendar Years 2013 And 2014.

Councilmember Rackley moved to approve Ordinance 1447. Deputy Mayor Swatman seconded the motion.

Mayor Johnson said the budget is a working document and Council will continue to discuss it in 2013. He said staff have been answering Council questions in past weeks. Councilmember Watson thanked the staff and said he appreciates the time they have given to help him understand the budget as new councilmember.

Ordinance 1447 approved 7 – 0.

- C. **AB12-163 – Ordinance 1448 [D12-163]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Amending The Biennial Budget For Calendar Years 2011 And 2012.

Councilmember Rackley moved to approve Ordinance 1448. Councilmember Watson seconded the motion.

Ordinance 1448 approved 7 – 0.

- D. **AB12-167 – Resolution 2256** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Identifying Principles And Actions Needed To Develop Eastown Sewers.

Councilmember Rackley moved to approve Resolution 2256. Deputy Mayor Swatman seconded the motion.

Mayor Johnson said the Council has been working on this ongoing project for some time.

Resolution 2256 approved 7 – 0.

- E. **AB12-141 – Ordinance 1446 [D12-141]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 13.12.130 And 13.12.150 Of The Bonney Lake Municipal Code Relating To Connection To The Public Sewer System.

Councilmember Lewis moved to approve Ordinance 1446. Councilmember Rackley seconded the motion.

Mayor Johnson said this item is tied with Resolution 2256 and 2257. Councilmember Watson said this is a good action and it shows the Council’s concern to help businesses in Eastown until sewer is available at their properties. Councilmember Rackley said the Community Development Committee needs to review and possibly change additional language from the ordinance, but he feels the proposed ordinance can be passed as-is and the other language revised later. Deputy Mayor Swatman agreed that this portion of the code needs additional work. He said some needs in Eastown will not be met by this ordinance, but it will help with some of the issues.

Ordinance 1446 approved 7 – 0.

- F. **AB12-168 – Resolution 2257** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Identifying Council Goals For Certain Public Works And Park Facilities.

Councilmember Watson moved to approve Resolution 2257. Deputy Mayor Swatman seconded the motion.

Mayor Johnson said the Council has discussed this item at a previous workshop.

Resolution 2257 approved 7 – 0.

- G. **AB12-110 – Resolution 2258** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Stating The City Council’s Intent To Hold A Special Election For A Metropolitan Park District On The April 23, 2013 Ballot.

Councilmember Rackley moved to approve motion Resolution 2258. Councilmember Lewis seconded the motion.

Mayor Johnson said several people had signed up to speak on the issue.

Jim Bouchard said the City has no dedicated way to fund parks, and the current budget doesn’t provide funds to build what the community wants. He said the City has identified this shortfall. He said he was President of the Labor of Love Triathlon event. He said the 1,200 participants who visited Bonney Lake provided over \$100,000 in revenue for the City. He said it is time to develop a Midtown Park and asked the Council to let the voters decide whether to form a MPD.

Jaime Trejo, said the vote from the Park Board to move this item forward was 4 to 1, and the Council should not place too much weight on this vote. He said as real estate agent he can see the issues of the struggling economy. Citizens at the Parks Summits expressed concern that it will be a conflict of interest to have Councilmembers serve as the MPD Board. He said it is also not the appropriate time to form a MPD and asked the Council to vote 'no'.

Shawnta Mulligan said she hoped the Council would show the leadership, courage and prudence not to put this item on the ballot. She asked them to find funds elsewhere and not create another entity.

Mark Bennett, 7015 183rd Ave E, Bonney Lake, said he has lived in the City for over 19 years. He said parks are a luxury, and the City must concentrate on what is necessary and important, such as police, fire, and streets. He said the federal government borrows a lot and he is worried about a financial collapse. He said taxpayers should not be burdened with new taxes. He said the people voted for the Councilmembers to be representatives, and asked them to vote 'no' on establishing a new taxing authority.

Dave Hogley said now is not the time for a MPD. He said it is not a good time to spend money on luxuries and the City needs to fund other things like a K-9 unit.

Bob Ecklund, President/CEO YMCA Pierce Kitsap Counties, said the voters have expressed interest in having indoor recreation. He said 1 in 2 people said they would join a YMCA if one was available in the area. He said discussions have gone on a long time and the YMCA has worked with the City on a potential Y in the WSU Forest site. He said teens want a safe place like a teen center. He asked the Council to remember that some people cannot come to Council meetings to speak. He said recreation centers help fight childhood obesity and provide resources for water safety.

Michelle LaRue, Communications & Capital Campaign Director, YMCA of Pierce and Kitsap Counties, said the City has been working on this for a long time. She said she and Mr. Ecklund wanted to show support for this proposed resolution. She said parks services are necessary for the community, and the YMCA wants to be a partner in the community.

Councilmember Hamilton said this is an extremely difficult issue for him. He said he has more trust in the voters and democracy than some of the speakers seem to have. He said the City has planned and talked about parks for a long time but there is no mechanism to fund them. He said a MPD is not a panacea, but he feels if it exists within the city limits it is the best plan available. He said the voters can decide whether they want to spend more on parks and the Council will show its leadership by putting the issue on the ballot.

Councilmember Rackley said he supports the proposed resolution. He said even if it is approved in the election, no new taxes would be assigned until 2014. He said he hopes the economic turmoil will be over by then.

Councilmember Lewis said there are good arguments on both sides. He said the voters have the right to decide on the issue and he supports the proposed resolution. He said he hopes all those who have spoken will campaign and help inform the voters for the April ballot. He said he works in the school district and knows kids want indoor areas for activities and recreation. He said the MPD provides a structure and way to move forward with a plan for parks.

Councilmember Watson said he will vote in favor of the proposed resolution. He said many people have told him there are not enough facilities and trails in the area and other nearby communities have better trails, youth centers, and sports centers. He said growing the parks will increase retail sales by bringing more people into the community. He said if the voters do not approve the MPD the City will do something else, but if they vote 'yes' it will move forward.

Councilmember Minton-Davis said she has been waffling on this issue for some time. She thanked all those who spoke on both sides. She said everyone agrees parks are a good thing, but the issue in question is whether to put the MPD on the ballot. She said she cannot vote 'yes' in good conscience, and added that her family has been affected by the economy.

Councilmember McKibbin said he plans to vote 'no' on the proposed resolution.

Deputy Mayor Swatman thanked all those who came to the Meeting to listen and speak. He said he feels the voters are intelligent and can decide on the issue. He said he appreciates those who spoke against the proposed resolution, and said they made good points. He said the City has undeveloped properties adjacent to Allan Yorke Park and the WSU Forest area. He said there is a lot of potential but no funds available to develop these sites. He said the Fennel Creek Trail offers great potential for a dedicated trail that would connect with Pierce County trails. He said this Council action gives voters the opportunity to decide what to do. He said this will help the Council prioritize where to put resources.

Mayor Johnson said the comments from both sides are great, and it is important for people to speak on these issues. He said as Mayor he feels it is important to let the people decide what to do with parks and how to fund them. He said nothing will happen immediately, but the City needs something for the future. He said if the citizens vote 'no' the City will respect that and figure out another option. If they vote 'yes' the City will move forward with the MPD option. He said the Council and staff are very good about respecting the will of people. He said the Council has considered the issue carefully.

**Resolution 2258 approved 5 – 2.
Councilmembers McKibbin
and Minton-Davis voted no.**

- H. **AB12-173** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Cancel The December 18, 2012 Council Workshop, December 25, 2012 Council Meeting, And January 1, 2012 Council Workshop, And All Remaining Council Standing Committee Meetings Through January 1, 2013.

Councilmember Rackley moved to approve motion AB12-173. Councilmember Watson seconded the motion.

Motion AB12-173 approved 7 – 0.

IX. CLOSED SESSION:

Pursuant to RCW 42.30.140(4)(a), the Council adjourned to a Closed Session with the Human Resources Manager at 9:28 p.m. for 20 minutes to discuss labor negotiations. The Council

returned to Chambers at 9:46 p.m. No action was taken.

X. ADJOURNMENT:

At 9:47 p.m., Councilmember Minton-Davis 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 December 11, 2012 Meeting:

- Theresa Goetz – *Letter re: Proposed Amendment to Bonney Lake Municipal Code [AB12-141]* – Schlemlein Goetz Fick & Scruggs, PLLC.
- Keith Schlemlein – *Email re: Proposed Eastown Ordinance No. D12-141* – REO Asset Management NW, Inc.
- Debbie McDonald – *Letter re: Block Grant* – Bread of Life Food Bank Board Member.

CITY COUNCIL MEETING

**January 8, 2013
7:00 P.M.**

DRAFT 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 7:03 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, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments: None.
- 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. The Committee discussed proposed Ordinance D13-05, and recommended the item be tabled to the next Workshop. The Committee discussed the current Accountant position vacancy in the Finance Department and options to change the position title, which will come forward for Council discussion at the next Workshop. They also discussed utility rates and items for discussion in the coming year.

- B. Community Development Committee: Councilmember McKibbin said the committee has not met since the last Council meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on January 7, 2013. The Committee forwarded a proposed contract with South Sound 9-1-1, which replaces the past contract with LESA. The Committee discussed a citizen's concern about parking on streets. He said the consensus of the Committee was that changing the City code to restrict street parking would be cost-prohibitive, but there is a requirement in the fire code that there be unobstructed travel of 20' for public safety travel.

Councilmember Hamilton said the Committee also discussed school safety considerations in light of the shootings at Sandy Hook Elementary in Connecticut in December. He said the Police and Fire departments have a program and work with the school districts regularly. Armed police officers in each school would be a positive change, but requires additional costs to school districts. Councilmember Hamilton said it is very difficult to prevent this type of incident, but steps can be taken to mitigate some of the risks.

Mayor Johnson said he attended a Pierce County School Safety Meeting on January 7th, which was attended by representatives from cities, police and fire departments, and school districts around the County, as well as Pierce County Executive Pat McCarthy. The group discussed how to prepare, respond, recover and move forward after events like the Connecticut school shooting. He said a plan has been in place across school districts in the County for some time, and staff are trained to work together to respond. He noted that some school districts in Pierce County have police officers in each school, but these positions are funded by the school district. He said currently Bonney Lake has one School Resource Officer which is funded by the City. He said he will share a summary of the meeting with the Council and keep them informed as discussions continue. He said Pierce County schools are relatively well-prepared. Councilmember Lewis said the design of school buildings and access points are important safety factors to consider.

- D. Other Reports:

Senator Roach Town Meeting: Mayor Johnson said Senator Pam Roach will hold a town hall meeting on January 19th at 10:00 am at the Public Safety Building in Bonney Lake. She will hold a second meeting at the South Prairie Community Center at 1:00 p.m. the same day. On January 12th, she will hold a meeting in Edgewood at 10:00 a.m.

Communities for Families: Councilmember Watson said he, Councilmember Lewis and Special Events Coordinator David Wells attended the CFF meeting on January 3rd. The group heard an update from Klados Ministries on human trafficking, and a presentation on the 20th Annual Community Summit in March.

IV. CONSENT AGENDA:

- A. ~~**Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65077—65126 including wire transfers #10383365, 12012012, 12112012, 20121203, 2012121701 in the amount of \$669,246.88. Accounts Payable checks/vouchers #65127 #65160 in the amount of \$4,375.31. Accounts Payable checks/vouchers #65161—#65196 in the amount of \$231,248.35. Accounts Payable/Utility Refunds #65197—#65213 in the amount of \$1,348.60. Accounts Payable checks/vouchers #65214-65255 including wire transfers #20121217 in~~

~~the amount of \$ 126,587.59.
Accounts Payable checks/vouchers #65256 #65260 in the amount of \$4,768.50.
Accounts Payable checks/vouchers #65261 #65263 in the amount of \$8,658.37.
Void check: 64436. Void Check: 65034. Void Check: 65100 replaced with check #65169.~~
Moved to Full Council Issues, Item D.

- B. **Approval of Payroll:** Payroll for December 1-15th, 2012 for checks #30827-30846 including Direct Deposits and Electronic Transfers in the amount of \$ 420,645.66.

Consent Agenda Issues, Item A. was moved to full council issues per Councilmember Watson's request.

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

Consent Agenda approved as amended 7 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

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

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

VIII. **FULL COUNCIL ISSUES:**

- A. **AB13-05 – Ordinance D13-05** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1403 Relating To Salaries For Non-Represented Employees.

Deputy Mayor Swatman said this action can be done retroactively, and there are items that may need additional discussion such as the level and amount of increases and the update to the position table for the accountant position.

Deputy Mayor Swatman moved to table Ordinance D13-05. Councilmember Watson seconded the motion.

Motion to table Ordinance D13-05 approved 7 – 0.

- B. **AB13-07 – Ordinance D13-07** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 12.30.020 Of The Bonney Lake Municipal Code Related To Mapped Streets.

Councilmember Lewis moved to approve Ordinance 1449. Councilmember Watson seconded the motion.

Ordinance 1449 approved 7 – 0.

- C. **AB13-03** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible,

During The Regular Council Meeting Of January 22, 2013, Regarding Proposed Resolution 2265, To Establish The Eastown Sewer Utility Latecomer Agreement.

Councilmember Rackley moved to approve Motion AB13-03. Councilmember Lewis seconded the motion.

Roger Watt, 12029 225th Ave Ct E, Bonney Lake, read a statement on behalf of the members of the Eastown Development Association, LLC in favor of the proposed motion. The group thanked the Mayor and staff for revising the scope of the sewer project. He said the proposed ULA is unanimously supported by the LLC members and they ask that the Council approve the item and move forward.

Councilmember McKibbin said the agenda bill for this item shows it came out of the Community Development Committee, which does not match with the meeting notes. Public Works Director Grigsby clarified that this item came before the CDC on November 20th and was forwarded for discussion at the Council Workshop the same day.

**Motion AB13-03 approved 6 – 1.
Councilmember McKibbin voted No.**

- D. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65077 – 65126 including wire transfers #10383365, 12012012, 12112012, 20121203, 2012121701 in the amount of \$669,246.88. Accounts Payable checks/vouchers #65127-#65160 in the amount of \$4,375.31. Accounts Payable checks/vouchers #65161 - #65196 in the amount of \$231,248.35. Accounts Payable/Utility Refunds #65197- #65213 in the amount of \$1,348.60. Accounts Payable checks/vouchers #65214-65255 including wire transfers #20121217 in the amount of \$ 126,587.59. Accounts Payable checks/vouchers #65256-#65260 in the amount of \$4,768.50. Accounts Payable checks/vouchers #65261-#65263 in the amount of \$8,658.37. Void check: 64436. Void Check: 65034. Void Check: 65100 replaced with check #65169. *Moved from Consent Agenda Issues, Item A.*

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

Councilmember Watson said he did not receive the voucher listings until the day before the Council Meeting. He said staff should shop locally for supplies and ask local businesses if they will match prices. He said he sees supplies, such as paint, that were bought outside the City. He said he has some other questions but will bring them forward at the upcoming Council Workshop.

Accounts Payable and Utility Refund Checks/Vouchers approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

**At 7:35 p.m., Councilmember Lewis 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 January 8, 2013 Meeting:

- Roger Watt – *Statement in Support of proposed Eastown ULA* – Eastown Sewer Development Association LLC.

DRAFT

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 15 January 2013	Agenda Bill Number: AB13-05
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D13-05	Councilmember Sponsor:

Agenda Subject:

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1403 Relating To Salaries For Non-Represented Employees..

Administrative Recommendation: Approve

Background Summary: The Consumer Price Index (CPI-U) for the Seattle-Tacoma-Bremerton area increased 3.20 percent during the past year (measured June 2011 Through June 2012 - the period we use for collective bargaining). The Police Guild received a 2.88% cost-of-living-adjustment (COLA) for 2013 as a result of their current collective bargaining agreement. The collective bargaining with AFSCME Local 120 on a new agreement for 2013 and beyond is still in negotiation. The Mayor recommended a 1.5% COLA for nonrepresented employees, which is what was adopted in the 2013-2014 budget. This ordinance formalizes the COLA adopted in the budget for nonunion employees for 2013.
Attachments: Ordinance No. D13-05; Attachment "B"

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: The cost to implement for nonunion employees is \$33,413, and has been included in the adopted 2013-2014 biennial budget.			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	Finance Committee Date: January 8, 2013	<i>Approvals:</i> Chair/Councilmember Dan Swatman Councilmember Mark Hamilton Councilmember Randy McKibbin	<table style="margin-left: auto; margin-right: 0;"> <tr> <td style="padding: 0 10px;">Yes</td> <td style="padding: 0 10px;">No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>					
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Forward to: 1/15/13 Workshop		Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No									
Commission/Board Review:											
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s): January 15, 2013	Public Hearing Date(s):
Meeting Date(s): January 8, 2013	Tabled to Date:

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

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ORDINANCE NO. D13-05

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING ORDINANCE NO. 1403 RELATING TO SALARIES FOR NON-REPRESENTED EMPLOYEES.

WHEREAS, the Consumer Price Index (CPI-U) for the Seattle-Tacoma-Bremerton area increased 3.20 percent during the past year (measured June 2011 Through June 2012); and

WHEREAS, the Police Guild received a 2.88% cost-of-living-adjustment (COLA) for 2013 as a result of their current collective bargaining agreement; and

WHEREAS, collective bargaining with AFSCME Local 120 on a new agreement for 2013 and beyond is still in negotiation; and

WHEREAS, the City Council desires to amend the salary schedule for non-represented employees in order to provide a modest COLA for non-represented employees in accordance with the adopted 2013-2014 biennial budget of the City;

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

Section 1. Section 2 of Ordinance No. 1403 is hereby amended to read as follows:

Section 2. Attachment “A1,” last updated by the City Council on October 18²³, 2011⁴² by Ordinance No. 1400³⁸, consisting of a Position Classification Matrix, is hereby readopted and incorporated herein by this reference. These position classifications and salary grades for non-represented employees remain in effect until amended by subsequent ordinance of the City Council. A new Attachment “A2” of Ordinance No. 1299¹⁴⁰³, attached hereto and incorporated herein by reference, is hereby adopted, and shall remain in effect until amended by subsequent ordinance of the City Council. Said Attachment “A2” reflects the salary rates and pay ranges for non-represented employees for 2012²³. All non-represented employees shall be granted a 1.5% cost-of-living-adjustment (COLA), effective January 1, 2012²³. Said Attachment “A2” reflects said 1.5% COLA and the accompanying salary rates and pay ranges for non-represented employees for 2013.

Section 3. This Ordinance concerns compensation and working conditions of city employees and is not subject to referendum. It 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 _____ day of January, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

Attachment "A1" to Ordinance No. D13-05: Non Represented Employee Classification and Salary Grade Matrix
 (Revision History: D12-139; D11-113; D11-148)

GRADE	FINANCE & ADMINISTRATION	PUBLIC SAFETY	COMMUNITY DEVELOPMENT	PUBLIC WORKS	GRADE
1-9					1-9
10					10
11	Records and Information Specialist Special Events Coordinator				11
12	Executive Assistant			Support Services Coordinator	12
13	Accountant	Probation Officer		Project Manager	13
14	Financial Operations Supervisor; Senior Services Manager				14
15	<u>Senior Accountant</u>		Senior Planner		15
16	Accounting Manager				16
17	Human Resources Manager	Court Administrator		Transportation Supervisor; Utilities Supervisor	17
18	Prosecuting Attorney		Development Review Engineer		18
19				Assistant City Engineer - Utilities	19
20	Information Systems Manager	Police Lieutenant	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

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

Department/Staff Contact: Executive / Don Morrison, Gary Leaf	Meeting/Workshop Date: 15 January 2013	Agenda Bill Number: AB13-08
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2266	Councilmember Sponsor:

Agenda Subject: Setting the ballot language for the Metropolitan Park District April 23, 2013 Special Election

Full Title/Motion: A Resolution Confirming April 23, 2013 As The Date For The Metropolitan Park District Election, And Setting Forth The Ballot Title.

Administrative Recommendation:

Background Summary: On December 11th Council approved placement of the Metropolitan Park District election on the April 2013 ballot. A ballot resolution for the April 23, 2013 election is attached.

Attachments: No

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
N/A	N/A	N/A	N/A
Budget Explanation: Election cost is estimated at \$25,000 in April 2013.			

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 checked="" type="checkbox"/> No	
Commission/Board Review:	11/19/2012		
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 9/6/2011; 7/17/2012; 8/21/2012; 9/18/2012; 12/4/2012	Public Hearing Date(s):
Meeting Date(s): 12/11/2012	Tabled to Date:

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

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RESOLUTION NO. 2266

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, PROVIDING FOR THE SUBMISSION OF A PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF BONNEY LAKE AT A SPECIAL ELECTION TO BE HELD ON APRIL 23, 2013, FOR THEIR APPROVAL OR REJECTION THE CREATION OF A METROPOLITAN PARK DISTRICT PURSUANT TO CHAPTER 35.61 RCW.

WHEREAS, RCW 35.61.010 provides that a Metropolitan Park District may be created for the management, control, improvement, maintenance, and acquisition of parks, parkways, boulevards, and recreational facilities; and

WHEREAS, the City has updated the Parks Element of the Comprehensive Plan which identified millions of dollars of unmet park, trail, open space, and recreation facility needs; and

WHEREAS, the City's General Fund continues to face stagnant revenues and increasing general government costs; and

WHEREAS, Bonney Lake parks and recreation derives substantially all its funding from the General Fund and limited park impact fees; and

WHEREAS, the City Council has taken steps to increase user fees and charges for facilities and services provided by Parks and Recreation and to obtain grants where possible, but funding for parks remains insufficient; and

WHEREAS, a metropolitan park district offers additional capacity to levy funds through a property tax up to a maximum of \$0.75 per \$1,000 of assessed valuation, which funds are restricted to parks and recreation purposes provided for in Chapter 35.61 RCW; and

WHEREAS, Bonney Lake parks, trails, open space and recreation centers are an essential element of the livability, public health, safety and welfare of Bonney Lake residents; and

WHEREAS, the City of Bonney Lake does not have available sufficient moneys to sustain and maintain the facilities and services of Parks and Recreation departments of the City; and

WHEREAS, in order to provide and maintain the Parks and Recreation facilities and services an additional source of funding is necessary; and

WHEREAS, on December 11, 2012 the City Council passed Resolution No. 2258 calling for the question of creating a Bonney Lake Metropolitan Park District to be submitted to the voters.

NOW, THEREFORE, the City Council of the City of Bonney Lake, Washington hereby resolves as follows:

Section 1. Proposed metropolitan park district. The City Council proposes that the metropolitan park district be called “Bonney Lake Metropolitan Park District,” that its boundaries be co-extensive with the Bonney Lake corporate limits, and that the Bonney Lake City Council serve as the *ex officio* board of parks commissioners.

Section 2. Call for election. Pursuant to RCW 35.61.020, the City Council of the City of Bonney Lake hereby calls for submission of a proposition to the qualified voters of the City asking whether a metropolitan park district shall be created. The Pierce County Auditor, as *ex officio* supervisor of elections in Pierce County, is hereby requested to call a special election in the City of Bonney Lake on April 23, 2013.

Section 3. Ballot Proposition. The proposition to be submitted to the voters of the City of Bonney Lake shall read substantially as follows:

CITY OF BONNEY LAKE
PROPOSITION NO. 1
METROPOLITAN PARK DISTRICT

The Bonney Lake City Council passed Resolution 2266 to allow voters to decide whether to create the “Bonney Lake Metropolitan Park District,” with boundaries co-extensive with the City limits, to be governed by the City Council as the *ex officio* board of parks commissioners. If created, the metropolitan park district would have all powers under Chapter 35.61 RCW, including authority to levy a general property tax, and provide improved parks and recreation facilities and services.

Shall the Bonney Lake Metropolitan Park District be so created and governed?

For the formation of a metropolitan park district to be governed by the Bonney Lake City Council as the *ex officio* board of parks commissioners.

Against the formation of a metropolitan park district.

Section 4. The City Clerk shall present a copy of this Resolution to the Pierce County Auditor no later than January 31, 2013.

PASSED by the City Council this ____ day of January, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC

City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, 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: 15 January 2013	Agenda Bill Number: AB13-12
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2267	Councilmember Sponsor:

Agenda Subject: CDBG Application Authorization

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Apply For A State CDBG Grant To Build A New Food Bank..

Administrative Recommendation: Approve

Background Summary: For some time, the City has been trying to find a better location and facility in which to house the food bank. The current facility is crowded, and the building is in very poor condition. There is an opportunity to apply for a 100% grant from the state administered HUD CDBG program to construct a new food bank on a new site and demolish the existing building. State grant requirements require passage of a resolution in substantially the form prescribed by the state authorizing the application and stating that if the grant is awarded, the City will abide by all state and federal grant requirements.
Attachments: Resolution

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: NA. The grant would be for \$750,000			

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): January 15, 2013	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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RESOLUTION NO. 2267

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING SUBMISSION OF A HUD COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE WA DEPARTMENT OF COMMERCE FOR THE DEVELOPMENT OF A NEW FOOD BANK.

WHEREAS, the City of Bonney Lake is applying to the state Department of Commerce for funding assistance to construct a new food bank; and

WHEREAS, it is necessary that certain state and federal conditions be met as part of the application requirements; and

WHEREAS, Mayor Neil Johnson, Jr. is authorized to submit this application to the State of Washington on behalf of the City of Bonney Lake;

NOW THEREFORE, the City Council of the City of Bonney Lake, Washington hereby resolves as follows:

Section 1. The Mayor is hereby authorized to submit a CDBG application to the state Department of Commerce to request seven hundred and fifty thousand dollars (\$750,000) to construct a new food bank as outlined in the grant application.

Section 2. The City of Bonney Lake certifies that, if funded, it:

- A. Will comply with applicable provisions of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable state and federal laws;
- B. Has provided opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a)(2)(3) of the Housing and Community Development Act of 1974, as amended); and has complied with all public hearing requirements and provided citizens, especially low- and moderate-income persons, with reasonable advance notice of and the opportunity to present their views during the assessment of community development and housing needs, during the review of available funding and eligible activities, and on the proposed activities;
- C. Has provided technical assistance to citizens and groups representative of low- and moderate-income persons that request assistance in developing proposals;
- D. Will provide opportunities for citizens to review and comment on proposed changes in the funded project and program performance;
- E. Will not use assessments against properties owned and occupied by low- and moderate-income persons or charge user fees to recover the capital costs of CDBG-funded public improvements from low- and moderate-income owner-occupants;
- F. Will establish a plan to minimize displacement as a result of activities assisted with CDBG funds; and assist persons actually displaced as a result of such activities, as provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended;

- G. Has adopted or will adopt a policy(s) to reduce greenhouse gas emissions in accordance with RCW 70.235.070 and certifies this project will adhere to this policy(s).
- H. Will conduct and administer its program in conformance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act; will affirmatively further fair housing (Title VIII of the Civil Rights Act of 1968); has adopted (or will adopt) and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and has adopted (or will adopt) and implement a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstration within its jurisdiction, in accordance with Section 104(1) of the Title I of the Housing and Community Development Act or 1974, as amended; and

Section 3. City Administrator Don Morrison is authorized to act as the Chief Administrative Officer and the authorized City representative in all official matters in connection with this application and Bonney Lake’s participation in the State of Washington CDBG Program.

PASSED BY THE CITY COUNCIL this _____ day of MONTH, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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RESOLUTION NO. 2268

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A SERVICE AGREEMENT BETWEEN THE CITY OF BONNEY LAKE, WASHINGTON AND SOUTH SOUND 911 FOR THE CONTINUED SERVICES FROMERLY PROVIDED BY LAW ENFORCEMENT SUPPORT AGENCY (LESA).

WHEREAS, The City of Bonney Lake currently has a contract with Law Enforcement Support Agency (LESA) to provide services associated with Records Management Systems (RMS) and Information Technology support.

WHEREAS, LESA has changed it's name to South Sound 911; and

WHEREAS, a service contract to reflect the new name South Sound 911 is required.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to sign the South Sound 911 services agreement.

PASSED BY THE CITY COUNCIL this _____ day of January 22, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

SOUTH SOUND 9-1-1 SERVICES AGREEMENT

THIS AGREEMENT is entered between SOUTH SOUND 9-1-1 (hereinafter “SS911”) and the City of Bonney Lake, (hereinafter “USER”) to delineate the terms and conditions upon which “USER” will be allowed access to the information, data bases and/or computer systems controlled, operated or accessed by SS911.

In consideration of the mutual promises and obligations hereinafter set forth, the Parties hereto agree as follows:

1. Definitions

- A. Agency: Means South Sound 9-1-1.
- B. User: Means a criminal justice agency as defined in RCW 10.97, and who is a signatory to this Agreement.
- C. Information: Means any data maintained by SS911 in manual or automated files, and data obtained through SS911 from other non-SS911 agency files or systems such as ACCESS (Washington Central Computerized Enforcement Service System).
- D. Office of Record: SS911 is the office of record for the incident data (CAD system - Computer Aided Dispatch, the historical CLEAR system - Consolidated Law Enforcement Automated Records), WebRMS, and local Criminal History. Pierce County Corrections is the office of record for JMS (Jail Management System). The Washington State Patrol controls the ACCESS/WACIC (Washington Crime Information Center)/NCIC (National Crime Information Center) systems. Pierce County Juvenile Courts is the office of record for JUDI (Juvenile Detention Information).
- E. Records Custodian: SS911 is the records custodian for applications residing on the SS911 servers, such as local warrant data, and data residing in the data warehouse.
- F. Member Agency: Includes Pierce County, City of Tacoma, City of Lakewood, City of Fife, Pierce County Fire District No. 3, and any municipality or special district that becomes a party to the agreement establishing South Sound 911.

2. Scope of Services

- A. It is further understood and agreed that USER acknowledges all specific agreement clauses which are attached hereto.
- B. USER further agrees that if USER has connectivity to the ACCESS/WACIC/NCIC system that it has executed and is bound by and shall abide by the ACCESS/WACIC/NCIC User Acknowledgment.

3. Access to Information

- A. It is understood and agreed that SS911 has sole authority to determine which of its information, data bases and/or computer systems will be subject to access by USER.
- B. It is understood and agreed that the information maintained or obtained by SS911 is solely for its Agency purposes and that USER shall have no right to require or request modifications to the method of retrieval of information. SS911 will forward all suggestions for changes and revisions to the SS911 Executive Director or designee for review.
- C. It is understood and agreed that SS911 shall maintain control over its personnel, including all policies and procedures relating to personnel.
- D. It is understood and agreed that USER shall at all times act in strict accordance with the provisions of the Criminal Records Privacy Act, RCW 10.97 and Public Disclosure Law, RCW 42.56, and further, to ensure security and privacy, USER agrees that:
 - i. All users shall treat information as confidential.
 - ii. Dissemination of information shall be pursuant to established Agency Policy and Procedures.
 - iii. Requesters for Agency Criminal History Information or copies of Agency documents shall be directed to SS911 Information Services for processing and dissemination, unless authorized by established Agency Policy and Procedures.
 - iv. Secondary dissemination of information provided to USER by SS911 shall not be made other than as required by law. If dissemination is contemplated, SS911 is to be notified consistent with the law.
 - v. Reproduction of information contained in computerized and manual files shall not be made except as required by law.
 - vi. Disposal of printed information shall be by destruction.
 - vii. USER shall ensure that physical security measures are present to prevent loss, modification, and unauthorized access to information.
- E. It is further understood and agreed that USER shall limit access to criminal justice employees who are authorized to access such information, and further, ensure that the use of such information is limited to the purposes of criminal justice, as set forth in RCW 10.97. Further, USER agrees that the placement of the computer

shall be in a secure location, with access limited to the aforementioned criminal justice employees whom shall have individually identified user accounts.

4. Fees for Services

- A. It is understood and agreed that SS911 reserves the right to impose reasonable charges to USER for the use of and/or connection to the Agency's system as now constituted or as it may be modified, and USER agrees to pay such reasonable charges.
- B. Fees for services will be calculated based on information contained in "Attachment D".
- C. The annual charges will be calculated and delivered, per the current cost allocation model, to the USER on or before August 31st for the up-coming year of service.

5. Contract Administration and Right to Audit

It is further agreed between the parties that SS911 is authorized to audit the use of the system by USER, and further, is authorized to immediately disconnect USER in the event of any perceived violation of the conditions of this Agreement herein.

6. Terms of Agreement

This agreement will be effective on the effective date listed below and will remain in effect until canceled. Either the USER or SS911 may terminate this Agreement at any time, with or without cause, by notice in writing to the other. This notice is to be given a minimum of sixty (60) days prior to the termination date, except as provided in Section 5 of this Agreement. Written notices shall be provided, in the case of SS911, to:

Executive Director
South Sound 9-1-1
955 Tacoma Ave. S., Suite 102
Tacoma, WA 98402

7. Indemnification

The USER agrees to defend, indemnify and hold harmless the Agency, its Member Agencies and its officers, agents and employees from and against any and all loss, damage, injury, liability suits and proceeding however caused, arising directly from, or indirectly out of, any action or conduct of the USER in the exercise or enjoyment of this Agreement.

8. Changes to Agreement

Either party may request changes in this Agreement. Any and all modifications shall be mutually agreed upon and incorporated by written amendment to this Agreement and executed by the parties hereto.

This agreement represents the entire agreement between those parties and supersedes any prior oral agreements, discussions, or understandings between the parties.

DATED this ____ day of _____, _____.

EFFECTIVE the 1st day of **JANUARY, 2013**

IN WITNESS WHEREOF the parties hereto have accepted and executed this Agreement as of the day and year written above.

SOUTH SOUND 9-1-1

USER

Interim Executive Director Michael Carson

Approved as to Budget:

Janet Caviezel
Budget & Finance Manager

Approved as to Form:

Jon Walker
Legal Advisor

Title

Address:

City/State/Zip

**ATTACHMENT “A”
Information Services Policy**

Purpose: The purpose of this policy is to delineate the responsibilities of South Sound 911 and user agencies in regard to Information Technology activities such as Internet access, security, acquisition and maintenance of applications, work stations, and printers, and to establish a protocol for connecting to the South Sound 911 network and computer systems.

1. Acquisition and Maintenance

- A. Work stations, and printers presently in use by user agencies that were supplied by the Law Enforcement Support Agency (LESA) may continue in use. When such units need to be replaced, it is the responsibility of the user agency to provide the replacement. The unit supplied by LESA shall be returned to South Sound 9-1-1 (SS911) for disposal and removal from inventory.
- B. Additional work stations, printers, and connectivity devices shall be the responsibility of the user agency. Any wiring, modems, phone lines, etc. required to connect the devices to the computer is the responsibility of the user agency, unless, specifically covered by this Agreement in “Attachment B”. Any such items that relate to the SS911 system shall be approved by SS911 to insure that it is compatible with the system, will not degrade other users and that SS911’s systems have the capacity to accept the device.
- C. Maintenance of both existing and additional user related equipment is the responsibility of the user.
- D. Any user-supplied software that has the capability of impacting the SS911 Systems shall be approved by SS911 prior to installation.
- E. SS911 will provide technical assistance through SS911 Information Technology staff, per the hourly cost set by the SS911 Policy Board.
- F. SS911 is responsible for maintaining the SS911 system, including the connectivity devices, work stations, monitors, and printers used solely in SS911. SS911 is also responsible for CAD work stations and monitors that are owned by SS911.

2. Internet Access

- A. Internet access will be for business purposes only. Entertainment or convenience use is not acceptable.
- B. Access to the Internet from any PC connected to SS911’s wide area network is only allowed via SS911’s centralized Internet connection. Alternate methods of Internet access compromise SS911’s network security exposing it to potential harm from computer hackers. Alternate methods further violate access rights to other systems connected to SS911’s wide area network. Requests for exceptions to this rule must be reviewed and approved by the South Sound 911 Information Services Assistant Director.

3. Internet and Intranet Use

- A. All USER employees are responsible for using computer resources in an ethical, responsible and legal manner.
- B. Use of the Internet, including e-mail to and from the Internet, through USER or SS911 equipment will only be for USER employees, and/or only for USER business related purposes.
- C. USER Management is responsible for managing use of the Internet by their staff, restricting use or limiting time as they see appropriate.
- D. USER employees should consider their Internet activity as public information and manage their activity accordingly. All Internet traffic goes out beyond the protected SS911 network into a wide reaching network that is not secured.
- E. SS911 Information Technology monitors and reports on the Internet activity on SS911's network.
- F. The viewing and downloading of offensive material from the Internet or any non-official (non-SS911) use is not allowed.
- G. All copyrighted information and software found on the Internet must be respected.
- H. Virus checks must be completed on all files and e-mail attachments downloaded from the Internet.
- I. When using the Internet through USER or SS911 resources, USER employees are representing the USER and SS911, thus all communications across the Internet shall be professional and appropriate.
- J. Software packages, including screen savers, should not be configured to automatically retrieve updated information from the Internet during normal SS911 business hours (7:30am to 5:00pm). Request for exceptions to this can be directed to the Information Services Assistant Director for analysis of impact on SS911 resources.

4. Electronic Mail

- A. The SS911 Electronic Mail system is to be used only for SS911 and USER business. As such, SS911 officials may inspect messages at any time.
- B. While in the office, all employees have the responsibility to check their mailbox once per day and to delete all old E-Mail envelopes in a timely manner.
- C. Do not send junk mail or other non-business mail. The E-mail system will not be used as a method of communicating non-essential, non-official or non-SS911 information to other system users.
- D. System-wide messages will only be used by the E-Mail administrator.
- E. A username unique throughout SS911 will be assigned to each SS911 E-Mail user. This allows the SS911 E-Mail system to work properly when sharing messages with other organizations and the Internet.
- F. Each message you receive and each message you send is stored on your server until you delete the envelope. Over time the accumulation of all these messages for all the users takes up quite a bit of disk space.
- G. All E-Mail messages can be requested from the system under legal actions and by the SS911 system Administrators or as authorized by SS911 Administration.

H. Generic names for E-Mail users will not be allowed except as authorized by the Information Services Assistant Director.

5. General Use

- A. USER will establish a central point of contact for SS911 so that USER can be notified of impending changes, system non-availability and other technical issues.
- B. USER is responsible for ensuring USER employees understand how to get assistance from SS911 should problems occur.
- C. SS911 will provide support in accordance with terms outlined above or as published in the Agency Fee Schedule.

**ATTACHMENT “B”
Dispatch Services Agreement**

Purpose: The purpose of this attachment is to delineate the responsibilities of SS911 and USER in regard to police dispatch services and fees associated therewith.

1. South Sound 911 Responsibilities

- A. Receive and accept emergency and routine police calls from within the boundaries of areas served by USER.
- B. Handle calls according to the procedures established by SS911.
- C. Maintain radio and support communications with USER from the time of the initial call and provide additional assistance as needed within customary support as provided by SS911.
- D. Record and maintain a record of radio and telephone communications relating to all emergency incidents as required by SS911.
- E. The services to be provided by SS911 shall be provided twenty-four (24) hours per day; seven (7) days per week, during the term of this agreement.

2. USER Responsibilities

- A. USER shall comply with the standard operating procedures for services as may be established from time to time by SS911.
- B. USER is responsible for maintaining its equipment. Any phone line or device charges for SS911 to share data shall be the responsibility of USER.

3. Fee Assessments

- A. Charges for dispatch services shall be based on cost allocations determined by the SS911 Policy Board.
- B. Charges for services are calculated based on information contained in Attachment “D” Term Sheet.

ATTACHMENT “C”
Records Management Services Agreement

Purpose: The purpose of this attachment is to delineate the responsibilities of SS911 and USER in regard to Records Management Services (RMS) and fees associated therewith.

1. South Sound 911 Responsibilities (will vary depending on services selected by USER)

- A. Provide records management support for WebRMS data entry and approvals using IBR/NIBR standards in the form of training, problem solving, auditing and statistical gathering.
- B. Provide additional services as selected by USER including:
 - i. Court ordered Expungements and Sealing
 - ii. UCR/IBR Reporting
 - iii. Distribution of Incident Reports
 - iv. Warrants
 - v. Data Entry – Police Records
 - vi. Subpoena Processing
 - vii. Public Counter Assistance (which may include public disclosure requests, fingerprinting series and concealed pistol license applications)
 - viii. Pistol Transfer Applications
 - ix. Records Checks
 - x. Court Dispositions
 - xi. General Copying/Special Requests
 - xii. Criminal History Requests
 - xiii. Archiving and Storage of Law Enforcement Records

2. USER Responsibilities

- A. USER shall comply with the standard operating procedures for records management as may be established from time to time by SS911.
- B. USER is responsible for maintaining its equipment. Any phone line or device charges for SS911 to share data shall be the responsibility of USER.

3. Fee Assessments

- A. Charges for records management services shall be based on cost allocations determined by the SS911 Policy Board.
- B. Charges for services are calculated based on information contained in Attachment “D” Term Sheet.

ATTACHMENT "D"
Term Sheet

This Term Sheet shall be updated annually to identify services to be provided to USER by SS911 and certify number of commissioned officers and user accounts.

INFORMATION SERVICES:

Number of User Accounts: 42

Number of Full-Contributors 39 Number of Search/Read Only 3

Non-Universal Charges:

E-Mail Services Yes _____ No X Number of Accounts _____

NetMotion Yes X No _____ Number of Accounts 1

Web Hosting Yes _____ No X Public Facing Yes _____ No X

Internet Access Yes _____ No X

COMMUNICATIONS SERVICES: Yes _____ No X

RECORDS MANAGEMENT SERVICES:

Number of Commissioned Officers 33

Service Provided	Yes	No
Court Ordered Expungements and Sealing	X	
UCR/IBR Reporting	X	
Distribution of Incident Reports		X
Warrants		X
Data Entry – Police Records		X
Subpoena Processing		X
Public Counter		X
Pistol Transfer Applications		X
Records Checks		X
Court Dispositions		X
Gen. Copying/Special Requests		X
Criminal History		X
Archiving		X