

CITY COUNCIL WORKSHOP

**March 19, 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. **Council Open Discussion.**
- Pg. 3 B. **Review of Council Minutes:** March 5, 2013 Workshop and March 12, 2013 Council Meeting.
- Pg. 15 C. **Discussion:** Finalize Council Retreat Agenda
- Pg. 19 D. **Discussion:** AB13-32 – Ordinance D13-32 - Amending Section 13.12.130 And Repealing Sections 13.12.140 13.12.150 Of The Bonney Lake Municipal Code Related To Temporary Private Sewer Connections.
- Pg. 31 E. **Discussion:** AB13-39 – Resolution 2286 – Authorizing the Contract with Shea, Carr, Jewell Alliance for the Completion of the Design Effort of the SR410 Sidewalk Improvements from Angeline Bridge to 192nd Ave E.
- Pg. 59 F. **Discussion:** AB13-43 – Resolution 2288 – Amending the WSU Property Development Agreement Relating to a New Traffic Signal at 204th Ave E and SR410.
- Pg. 77 G. **Discussion:** AB13-49 – Resolution 2294 - Amending Resolution 1695 Designating and Appointing the City Clerk and/or City Administrator as Agents of the City of Bonney Lake to Receive Claims for Damages Under the Provisions of RCW 4.96.020.

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

March 5, 2013
5:30 P.M.

DRAFT MINUTES



“Where Dreams Can Soar”

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

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

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

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

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Randy McKibbin, Councilmember Mark Hamilton, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, Councilmember Donn Lewis, 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, City Attorney Kathleen Haggard, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. Council Open Discussions:

Council Standing Committees. Councilmember Watson said there had been some discussion among the Councilmembers about changing the Standing Committee members and if that is something that would be considered. Councilmember McKibbin said he was of the understanding that this is an item for discussion at the Council Retreat. It was agreed to discuss this issue during the Council Retreat on March 30th.

Transit Survey. Councilmember Lewis said he knows that the City of Buckley is starting their discussion regarding transportation and he thinks the best thing for the different cities to do is to form their own transportation improvement plan for each cities' needs, which could be linked later. Mayor Johnson said the cities need to figure out their best approach, whether it be with Bonney Lake and Sumner joining together, or something else. Right now all the cities are gathering their data and then will determine whether they will link with other cities for their proposals. He said no matter how the cities choose to proceed, their decision will have to go to a vote of the people for approval. Councilmember Lewis said he thinks the problem will continue where some smaller cities are in jeopardy of losing their public transportation. Mayor Johnson said there are 22 transit agencies in Western Washington which have no real linkage and he hopes that something can be done about linking these agencies together to assist transportation in all the areas. Councilmember Lewis asked if the City was at jeopardy of losing the Sounder bus route. Mayor Johnson said so far so good, and he thinks that since it is such a popular route that it should not be at risk of being terminated. Councilmember Watson thinks the riding demand between Buckley and Enumclaw is huge. City Administrator Morrison said about 100 people have completed the transit survey and he gave a breakdown of percentages he has received from the survey. Councilmember Rackley asked how the survey was worded. Mayor Johnson said it asked what people's needs were, location, etc. He said the issue will not be fixed overnight and the cities need to keep gathering the necessary data to make a determination on how to proceed.

B. Review of Council Minute: February 19, 2013 Workshop, and February 26, 2013 Meeting.

The February 19, 2013 Workshop, and February 26, 2013 Meeting minutes were forwarded to the March 12, 2013 Council Meeting for action, with minor corrections by Councilmembers Watson and Lewis.

C. Discussion: AB13-04 – Mandatory Refuse Collection Enforcement Issue.

Facilities and Special Projects Manager Gary Leaf introduced Manager Keith Kovalenko and Operation Manager Mark Gingrich from DM Disposal. Councilmember Hamilton said the issue of mandatory service was discussed at the Public Safety Committee on March 4th. The Committee did not have a solution to the problem of non-compliance residents, but there was a consensus to continue to work with the existing system in place. He said the Committee did not have a solution to the problem, but they did not support the City doing full time billing. He said the code and fines are already in effect, even though Council has chosen not to enforce fines at this time. Facilities and Special Projects Manager Leaf said if the City were to recreate a solid waste utility that a new rate study would have to be done and because of the month to monthly billing fluctuations the City would have to return \$130,000 to the general fund from the solid waste utility that was dissolved 9 years ago, meaning there would be a significant budget impact to the general fund if the City was to resume billing.

Mayor Johnson asked for the current status of non-compliant residents, how this impacts the City, and whether DM Disposal has any solutions. Facilities and Special Projects Manager Leaf said the number of non-compliant customers when they first looked was approximately 500 residences, and it is now down to approximately 350. He said the majority of non-compliance customer are residents who have moved out and the homes were left vacant, and there were a small number of residences that qualified for the handicapped disability exemption. He thinks there are opportunities to get residents on the mandatory service without having to enforce fines or liens. He said there are exceptions for some, such as “snow birds” who are only part-time residents. This is an accommodation that DM Disposal can make with their customer(s).

Mr. Gingrich from DM Disposal said that they would love to get City residents to 100% compliance and they could do more outreach to the non-compliant customers to make them aware of the fines that can be levied.

Councilmember Rackley said the utility department staff follow up with water and sewer customers who are not paying their bills. He thinks the City and/or DM Disposal need to have someone follow up with these non-compliant residents. Mayor Johnson said it is a matter of how stern the Council wants to be in regards to the non-compliant customers, and whether they would in fact levy penalties. He asked how high of a priority this issue is for the Council.

Councilmember Lewis said if the City has a mandatory policy then it should be treated as mandatory, especially if it is a matter of public health. He expressed concern that if 3-4% are disregarded, then the City is not enforcing its code. He said it would be good to figure out the amount that is not collected, but budgeted. He said he knows for a fact that many new residents are not aware of the mandatory garbage service, so steps need to be taken to make sure residents are aware of the requirements. Mr. Gingrich suggested that the utility department provide additional information in their mailings about the mandatory garbage service. Councilmember Minton-Davis said that obviously residents are affected by not having water and/or sewer, but that isn't an issue regarding garbage.

Mr. Gingrich said this isn't just an issue in Bonney Lake, and that many cities are dealing with non-compliant residents. He said that is why they came to the workshop to bring awareness for the greater good for everybody in every city. Mayor Johnson said the City has a framework to work on the non-compliant customers and hopes to achieve 100% compliance.

Councilmember Watson said when property owners or tenants come in to sign up for utility service that they need to be provided the information regarding the mandatory garbage service.

Facilities and Special Projects Manager Leaf said that the minimum fee for a single dump service at the local transfer station is \$25.00, so non-compliant customers who have contacted him stating they do their own dumping are not saving any money by using the transfer stations when monthly charges that allow for residential pickup once a week for a month is about the same amount, and then there would be no code violation or public health concern. Councilmember Hamilton said the Public Safety Committee will be reviewing this issue and plans to bring it back to Council to discuss the fine structure to be imposed on non-compliant customers.

Deputy Mayor Swatman asked City Attorney Haggard about the possibility of a fee for availability charges. City Attorney Haggard said that the availability fee is for water and sewer and the City cannot charge an availability fee for mandatory garbage service because the City does not collect on the garbage fees. Mayor Johnson said it would cost more in staff time to have staff every month track down and remind non-compliant residents and then fine them. He said he thinks a charge on their utility bill would be less onerous. Mayor Johnson said if the City is allowed to mandate service how can the City not charge a micro can service. City Attorney Haggard said that if the City takes over the billing then they have the right to charge a minimum service fee. Mayor Johnson said he would like to see DM Disposal charge all non-compliant residents the micro-can charge.

Mayor Johnson said the City will work with DM Disposal to minimize the non-compliance. Councilmember Hamilton said the City has in place an agreement with DM Disposal which can be renegotiated. He asked why the City is even involved in this issue as he believes it is DM Disposal's job to get compliance from their customers. City Attorney Haggard said there is a public health concern that affects the City. Councilmember Hamilton said that when this contract is re-negotiated he would suggest that it is not the City's issue and concern. He believes it is an enforcement issue and he thinks the City needs to work through the process and collect from them.

Councilmember Minton-Davis asked how many of the non-compliant homes are owner occupied, she said if there is not a way to track these then it needs to be reviewed. Councilmember Lewis said if the renter does not pay, DM Disposal can go to the landlord and get payment.

City Administrator Morrison asked how many customers in the County are mandatory. DM Disposal said that the County is focusing on increasing recycling. They said the Prairie Ridge area has about 75-80% of the residents utilizing garbage service.

Mr. Kovalenko thanked the Council for their time and vowed to work with the City to increase compliance.

Mayor Johnson said the City will do the best they can to minimize the non-compliance and work with DM Disposal to accomplish that. This agenda item was for discussion purposes only, not action.

D. Discussion: AB13-26 – Resolution 2277 – Declaring Surplus Property, And Authorizing The Mayor To Sell Said Property As Established In BLMC Section 2.70.100.

City Administrator Morrison said this is a routine ministerial action to surplus City property enumerated in Exhibit A of the resolution, which was included in the agenda packet. He said the surplus property includes an old single wide trailer recently acquired in the downtown, and vehicles and Equipment Repair & Replacement (ERR) equipment scheduled to be replaced this year. He said some of the ERR equipment would not be officially taken out of commission until the new equipment was received and put into service. Another option to consider was that instead of surplusing the old Senior Center Van is to use it to transport inmates on probation. He spoke about the values that GSA believes they could get for many of the items. Councilmember McKibbin said he did not think the City should have to pay to have the mobile home that is included in Exhibit A removed from a City property. Resolution 2277 was forwarded to the March 12, 2013 Council meeting for action.

E. Discussion: AB13-38 – Evergreen Point Leaky Water Main Replacement Project.

Public Works Director Grigsby provided an additional document to the Council that was not included in the agenda packet regarding the Evergreen Point Leaky Water Main Replacement Project. He said that Public Works Operations & Maintenance staff has patched many sections of the Evergreen Point water main over the last number of years and they are now patching patches. He said in December 2011 a basement flooded due to a water leak in this area and the City received a claim for damages from the property owner. He said this project was designed in 2012 using Public Works Trust Fund (PWTF) money. Due to higher costs to replace the Ponderosa leaky water main, insufficient PWTF money remains to fully fund the Evergreen Point Project. He said this project will require approximately \$384,000 of Water SDC funds combined with the remaining PWTF money. At the beginning of 2013, there was approximately \$6.5 million available in the Water SDC fund balance. He said 6" and 4" steel pipes will be replaced with 8" ductile iron water pipe and old water meters will be replaced with new radio read meters and that this is the highest priority "shovel ready" water project.

He said staff previously came to Council in December 2012 for authorization to bid the Locust Avenue and 84th Avenue Extension Project, however, the bids came in too high so that project was put on hold. Councilmember Hamilton asked about the amount of funds in the PWTF and Director Grigsby provided an explanation and said that the City does not have to use water from Tacoma Water or SDC funds. Councilmember Lewis asked if there was a recommendation from the Community Development Committee and Councilmembers McKibbin and Rackley recommended approval. Mayor Johnson suggested that Council move the Evergreen Point Water Main Replacement Project forward and consider the Locust Avenue for the future "shovel ready" water project. Council consensus was to take the Locust Avenue project back to the Community Development Committee. The Evergreen Point project was forwarded to the March 12, 2013 Council meeting for action.

IV. Executive Session: Pursuant to RCW 42.30.140(4)(b), the Council entered a closed session with the Human Resources Manager at 6:50 p.m. to discuss labor negotiations for 15 minutes. At 7:07 the closed session was extended for 10 minutes. The Council returned to chambers at 7:14 p.m. No action was taken.

V. **ADJOURNMENT:**

**At 7:14 p.m., Councilmember Rackley moved to adjourn the Council Workshop.
Councilmember Watson seconded the motion.**

Motion to adjourn approved 7-0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the March 5th Workshop:

- Public Works Director Dan Grigsby - *Comments Re: Agenda Item III.E. AB13-38 Evergreen Point Leaky Water Main Replacement Project – City of Bonney Lake*

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CITY COUNCIL MEETING

March 12, 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 – Deputy Mayor Dan Swatman called the meeting to order at 7:04 p.m.

A. Flag Salute: Deputy Mayor Swatman led the audience in the Pledge of Allegiance.

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Neil Johnson and Councilmember Randy McKibbin were absent.

Staff members in attendance were City Administrator Don Morrison, Assistant Public Works Director Charlie Simpson, 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:

a. **Oath of Office:** Sergeant Ryan Boyle and Sergeant Rob Hoag.

Judge Ron Heslop administered the oaths of office to Police Sergeants Boyle and Hoag. Councilmembers congratulated the Sergeants. Police Chief Powers thanked the Council and said the department was able to promote from within to fill the sergeant positions after the assistant chief positions were filled. She thanked the Council for their support.

D. Agenda Modifications:

Councilmember Hamilton requested to add agenda item AB13-48 – Resolution 2293 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Rejecting Bids For The Fennel Creek Trail And 192nd Avenue Sidewalks Project Phase 2 And Authorizing A Rebid Of The Project Construction, to the agenda as Full Council Issues, Item A. Councilmember Lewis seconded the motion.

Councilmember Rackley noted that the City Administrator had provided copies of this item to the Council at the Meeting for consideration.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Merilee Hill-Anderson, Sumner School District, spoke on behalf of the S.T.A.R.R. program and Bonney Lake & Sumner Communities For Families (CFF). She invited all to attend the 20th Annual Community Summit on March 21, 2013 at Bonney Lake High School from 3:00 p.m. to 8:15 p.m. She said over the years thousands of kids have provided input and addressed their concerns through these forums. The group received a Pierce County Community Connections grant, which is being used to bring a guest speaker to talk about illicit drugs and community coalitions. She thanked the City for its support of these programs and encouraged them to attend the Summit. She also thanked organizations and businesses in Sumner and Bonney Lake for their financial support.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening, and Councilmember McKibbin was absent. The Committee reviewed its meeting notes, reviewed a proposed ordinance from the Public Safety Committee for changes to boat launch fees, and reviewed the State Auditor's findings. The Committee also reviewed a draft accounts receivable policy and a proposed hiring policy ordinance. The Committee heard an update from Human Resources regarding hiring for several positions: probation officer, senior accountant, and temporary court clerk.

B. Community Development Committee: Reporting for Committee Chair McKibbin, Councilmember Rackley said the committee met on Monday, March 11th.

C. Public Safety Committee: Councilmember Hamilton said the committee met on March 4th and discussed mandatory garbage service; the Committee recommended the fines listed in the code be revised. City Prosecutor Maili Barber proposed an amendment to the Chapter 9 of the Municipal Code which is on the current agenda for consideration (AB13-44). He said a citizen spoke about traffic congestion issues at the Allan Yorke Park boat launch. Police Chief Powers described plans to help mitigate traffic issues on busy summer days. The Committee also discussed the boat launch fee schedule and recommended the City provide an annual launch card for those outside the city limits.

D. Other Reports:

Community Leaders Breakfast: Councilmember Rackley said he and Mayor Johnson attended a Community Leaders breakfast at the School District the previous week. He said Councilmembers are invited to meet the new Sumner School District Superintendent on Thursday, March 14th at the School District offices.

Community Updates: Councilmember Watson said he and Special Events Coordinator David Wells attended the Communities for Families (CFF) meeting on March 7th. The group discussed CFF's upcoming Community Summit on March 21st and the Bonney Lake Lions Club's 'Death by Chocolate' fundraiser on March 23rd. The group also got updates on the Drug-Free Communities group, Project Homeless Connect, and the Youth Forums. He said the meeting was well-attended once again.

Park Board: Councilmember Watson said he attended the Park Board meeting on March 11th. The Board discussed the Allan Yorke Park / Dike 13 project, which is underway and looks very nice so far. They discussed issues with bids for the Safe Routes Trail project, which may cause a delay. The Board suggested the City place its electronic reader board along major roads before each election to remind people to vote. The Board also discussed parking fees and limiting boat launches to maximize use at Allan Yorke Park.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** February 19, 2013 Workshop and February 26, 2013 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65669-65725 including wire transfer #20130215 (voiding checks #65705, 65706, and 65707 due to multiple page remittances) in the amount of \$280,171.63. Accounts Payable check/voucher #65726 in the amount of \$32.00 for an AR deposit refund. Accounts Payable checks/vouchers #65727-65738 in the amount of \$2,637.66 for utility refunds. Accounts Payable checks/vouchers #65739-65750 in the amount of \$96,550.42. For a grand total of \$379,391.71.
VOIDS: Check #64663 – replaced with check #65556; Check #64768 – replaced with check #65497; Check #65175 – paid in error; Check #63774 – replaced with check #65400; Check #65138 – replaced with check #65524; Check #65250 – replaced with check #65749; Check #64977 – replaced with check #65549.
- C. **Approval of Payroll:** Payroll for February 16-28th 2013 for checks #30980 - 31001 including Direct Deposits and Electronic Transfers in the amount of \$ 628,791.69.
- D. **AB13-44 – Ordinance D13-44** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Title 9 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance No. 1444 Related To Crimes Against Public Decency.
- E. ~~**AB13-26 – Resolution 2277** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Declaring Surplus Property, And Authorizing The Mayor To Sell Said Property Pursuant To BLMC Section 2.70.100. Moved to Full Council Issues, Item B.~~
- F. **AB13-37 – Resolution 2285** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Roman I, LLC For The Sunset RV And Truck Site.
- G. **AB13-38 – Resolution 2289** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Call For Bids For The Replacement Of Water Main In Evergreen Point.

Deputy Mayor Swatman asked that Item E. be moved to Full Council Issues, Item B.

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

Consent Agenda approved as amended 6 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-48 – Resolution 2293** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Rejecting Bids For The Fennel Creek Trail And 192nd Avenue Sidewalks Project Phase 2 And Authorizing A Rebid Of The Project Construction. *Added to agenda during Agenda Modifications.*

Councilmember Lewis moved to approve Resolution 2293. Councilmember Rackley seconded the motion.

Councilmember Watson asked why staff didn't catch the errors before the bids were sent to the State for review. City Administrator Morrison said staff review all bid materials after bids are opened publically. In this case, the bidders failed to complete the bid forms correctly and when the State reviewed the bids, it responded that these bids had to be rejected.

Councilmember Minton-Davis said she initially had concerns about rejecting the bids, but she spoke to the City Attorney and learned that WSDOT had given its blessing to re-bid the project. Councilmember Rackley noted that federal funds were being used for the project and asked whether the City would do its own project accounting. Facilities & Special Projects Manager Gary Leaf, who was in attendance, said the City will use in-house staff for all financial paperwork.

Resolution 2293 approved 6 – 0.

- B. **AB13-26 – Resolution 2277** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Declaring Surplus Property, And Authorizing The Mayor To Sell Said Property Pursuant To BLMC Section 2.70.100. *Moved from Consent Agenda Issues, Item E.*

Councilmember Lewis moved to approve Resolution 2277. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said a concern was raised whether the old Senior Center bus should be surplussed or refurbished. Assistant Public Works Director Simpson said the old bus was replaced early due to expensive repairs needed, including to the wheelchair lift. He said the City had good reasons to purchase a new bus. He said in recent years his

department has worked to eliminate 'ghost fleet' vehicles that are not in use or are not worth keeping in the fleet.

Councilmember Rackley said the old van needed too many repairs to make it worth keeping. Councilmember Lewis said he has experience working with this type of vehicle when working at a Veterans Affairs Home in Orting. They found that it was more cost-effective to rent a van temporarily if one of the vans was out of service, rather than keeping an old vehicle around too long.

Resolution 2277 approved 6 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:30 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 6 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the March 12, 2013 Meeting:

- City Administrator Don Morrison – *AB13-48 – Resolution 2293 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Rejecting Bids For The Fennel Creek Trail And 192nd Avenue Sidewalks Project Phase 2 And Authorizing A Rebid Of The Project Construction* – City of Bonney Lake.

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DISCUSSION DRAFT

Agenda Council Retreat

Saturday, March 30, 2013, 9am -3pm
Hartstene Pointe, WA

8:30am Continental Breakfast

9:00am Call to Order and Roll Call

9:05am Council Committees

Policy Questions:

1. Should Council Committees (primarily Public Safety and Community Development) be restructured and functions reallocated?
2. Should Economic Development be a regular function of committee work, either as a separate committee or part of a revised committee? If so, what should be the function of the EDC?
3. In light of any decision regarding an economic development committee, should the associated vision statement be revised? If so, how?

10:35am Rest Break

10:45am The Legislative Agenda of the City

Policy Questions:

1. What should be the legislative agenda of the City for 2013-2014 at the county, state and federal level?
2. How should the lobbying function be “staffed”, and at what cost?

11:30am Review and Discuss the Service Priorities of the City of Bonney Lake

- Assistance to Non-Profit Groups
- Big Picture budget balancers: Sale of “Target” and other parcels

Policy Questions:

1. To what degree, if any, can/should the City fund local community based groups, e.g. food bank, Lions 4 Kids, Veterans Memorial, Historical Society, Sumner Family Center, etc.
2. The Mayor has proposed to balance the 2013-2014 budget for JMC and Motorola debt service payments through the sale of property. With the upcoming bond refinance, should that still be the plan?

12:30pm Working Lunch

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12:45pm- Review and Update Various Council Vision Statements and associated goals (In following order of priority until we run out of time)

OVERALL VISION: The City of Bonney Lake is a balanced community with a residential character that conserves natural amenities while supporting a diverse mix of economic activities. The community provides places for children and residents to meet and socialize, and is a center for diverse cultural and social opportunities such as theater, art, social organization meetings and celebrations. The City promotes a safe, attractive and healthful living environment for residents' various physical, educational, economic and social activities while maintaining an adequate tax base to provide a high level of accountable, accessible, and efficient local government services. The City is an active participant in inter-local and regional services and planning organizations.

GROWTH VISION: The City of Bonney Lake is a residential community with open space and trees. The community provides places for children and residents to meet and socialize, and Bonney Lake is a center for diverse cultural and social opportunities such as theater, art, social organization meetings and celebrations. The City is careful not to jeopardize scarce resources, such as water, through unwarranted growth. Needed facilities and services are concurrent with growth. The City infrastructure features streetlights, sidewalks, and other suburban amenities. Attractive transportation corridors provide easy access to local destinations. A trail system has been developed in partnership with local developers.

Adopted Goals:

- Study the implications of CUGA annexation through cost/benefit and fiscal study (completed).
- Implement East Town Plan to include utilities, roadways, lighting, sidewalks, and streetscapes (completed).
- Square up city limits along north and south sides of 410, east of 214th.
- Develop a tri-city agreement with Sumner and Auburn on future boundaries and UGA for the north Lake Tapps area.

ECONOMIC DEVELOPMENT VISION: The City has an active Economic Development Committee (EDC) for Bonney Lake including the Mayor and staff, Council, Business, Chamber, Development Community, and MBA. The EDC works to balance retail and light manufacturing that co-exists with the character of the community. The EDC focuses on attracting sustainable businesses, businesses to the view corridor, educational institutions, restaurants, lodging, and boutique shops. The economic development activities of the City promote a Town Center concept, recreation, tourism, history, natural beauty, and private-public partnerships.

DISCUSSION DRAFT

Council Retreat Agenda Continued
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Adopted Goals:

- Develop a closer relationship with the Chamber, including involvement in Bonney Lake Days, beautification projects, and farmer's market.
- Increase efforts to implement economic development plan and goals on all levels.
- Upgrade infrastructure in the downtown to support and facilitate economic development.

PUBLIC SAFETY VISION: The City envisions a community in which citizens feel safe and protected. There is open communication, participation and trust between the public and the City. Police respond quickly when called. The City operates an efficient and effective municipal court. There is a positive working relationship between the City and the fire District, with timely responses to fire and emergency medical calls. The City has an effective emergency management program.

Adopted Goals:

- Resolve issues and lease with Fire District about usage of PSB (completed)
- Develop an 800 MHz radio system in cooperation with Puyallup and adjoining agencies (completed)
- Develop a Bonney Lake animal shelter
- Update the City's emergency management plan, including extended response capability in which the City can operate essential systems for 7-10 days (partial)

Adjourn

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

Department/Staff Contact: Community Development / John P. Vodopich, AICP	Meeting/Workshop Date: 19 March 2012	Agenda Bill Number: AB13-32
Agenda Item Type: Discussion	Ordinance/Resolution Number: D13-32	Councilmember Sponsor: McKibbin

Agenda Subject: Ordinance Related To Temporary Private Sewer Connections

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 13.12.130 And Repealing Sections 13.12.140 13.12.150 Of The Bonney Lake Municipal Code Related To Temporary Private Sewer Connections.

Administrative Recommendation:

Background Summary: On December 11, 2012 the City Council passed Ordinance 1446 which amended the section of the municipal code which addresses connection to the public sewer system. At that meeting, concern was expressed that this Ordinance did not go far enough to allow for the expansion of existing septic systems or the installation of new septic systems. For consideration are proposed revisions to that Ordinance which would allow for new and expanded septic systems.

Attachments: Draft Ordinance, Eastown Sewer Map and proposed standard agreement to connect

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Community Development	<i>Approvals:</i>	Yes No
	Date: January 15, February 5 & February 19, March 5, 2013	Chair/Councilmember Randy McKibbin	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember James Rackley	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember Katrina Minton-Davis	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

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

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: February 26, 2012 (if applicable):

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ORDINANCE NO D13-32

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REPEALING SECTIONS 13.12.130, 13.12.140, AND 13.12.150 OF THE BONNEY LAKE MUNICIPAL CODE AND ENACTING A NEW SECTION 13.12.130 RELATED TO SEWER CONNECTIONS

WHEREAS, the Bonney Lake City Council wishes to amend the municipal code to clarify the circumstances under which property owners can install private wastewater disposal systems, or maintain existing systems, and when property owners shall be required to connect to the public sewer system.

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

Section 1: Article III of Chapter 13.12 of the Bonney Lake Municipal Code shall be re-titled from “Private Wastewater Disposal” to “Sewer Connections Mandatory.”

Section 2: Sections 13.12.130, 13.12.140, and 13.12.150 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1446 are hereby repealed in their entirety.

Section 3: A new Section 13.12.130 of the Bonney Lake Municipal Code is hereby enacted to read as follows:

Section 13.12.130 – Sewer connections mandatory.

- A. Sewer connections mandatory. All new development must connect to the public sewer system unless an exception or special provision in this Section has been met.
- B. Exception for single-family residential and duplex. Where a public sanitary sewer is over 250 feet from a lot of record (as measured along centerline of right-of-way or easement from end of sewer main to intersection of right-of-way centerline and extension of the nearest property line), a private wastewater disposal system may be installed in conjunction with the construction of an individual single-family home or duplex if the Tacoma-Pierce County Health Department has issued a permit for the private wastewater disposal system.
- C. Limits on use of private waste-water disposal systems. Where a private waste-water disposal system pre-dates the enactment of this Section or has been permitted pursuant to this subsection B of this Section, the private waste-water disposal system may be used so long as it is functioning properly, provided that:

1. When a public sewer main has been installed within 250 feet of the property line, the property must connect to the public sewer at the time of sale or substantial improvement as defined in BLMC 16.20.030; and
2. When a public sewer main has been installed within 250 feet of the property line, the property must connect to the public sewer if the private wastewater disposal system fails or requires replacement.
3. If a property is not connected to the public sewer at the time a connection is required under this Section, the City shall levy penalties in an amount equivalent to such charges that would be levied if said property were connected, pursuant to RCW 35.67.190.

D. Special Conditions for Easttown Zoning District. Properties within the Easttown Zoning District may continue to use existing private waste-water disposal systems for existing or changed uses, and may install new private waste-water disposal systems in conjunction with changes of use or new construction. The Tacoma-Pierce County Health Department must issue a permit for all private wastewater disposal systems. Applicants for development approvals or permits, including but not limited to site plan approvals, building permits, tenant improvements, and certificates of occupancy shall, at the time of permitting, execute an agreement with the City containing the following provisions:

1. A covenant, which shall run with the land and bind future owners of the property, to connect to public sewer service within one year of when sewer service becomes available. For purposes of this Section, sewer service is available when an active public sewer main reaches the property line or is within 250 feet of the property line;
2. An agreement that system development charges and related charges, latecomer fees, and monthly sewer fees shall be due at the time public sewer service becomes available, and that unpaid charges will become a lien on the property;
3. An agreement to install public sewer infrastructure required by then current Bonney Lake Municipal Code, including dry lines located in a public sewer easement, at the time of temporary septic system construction;
4. An agreement that if future construction increases the sewer capacity required by the property, additional system development charges shall be paid.
5. A requirement to decommission the private wastewater disposal system at the time of sewer connection.

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

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2013.

Neil Johnson, Mayor

ATTEST:

Harwood Edvalson
City Clerk

APPROVED AS TO FORM:

KATHLEEN HAGGARD
City Attorney

Passed:

Valid:

Published:

Effective Date:

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After recording return to:
City of Bonney Lake
9002 Main Street E
Bonney Lake, WA 98391
Attn: John Vodopich

Grantor:

Grantee: City of Bonney Lake

Property Tax Parcel Number:

Abbreviated legal description:

AGREEMENT TO CONNECT TO PUBLIC SEWER

WHEREAS, Bonney Lake Municipal Code § 13.12.130 allows an owner of commercial property to utilize a temporary private wastewater disposal system when public sewer is not available, if certain conditions are met; and

WHEREAS, Grantor has applied for approvals to develop Grantor’s commercial property, and public sewer is not available to the property as availability is defined in BLMC § 13.12.130; and

WHEREAS, the Code requires any property owner applying for development approvals, who desires to continue utilizing an existing private wastewater disposal system on the property or to install a new private wastewater disposal system, to execute an agreement with the City to connect to the public sewer system within twelve (12) months of when public sewer becomes available; and

WHEREAS, pursuant to RCW 35.67.190, the City has authority to require all properties to connect to the public sanitary sewer system, and may impose financial penalties for failure to connect in amounts equivalent to charges that would be incurred if the property were connected; and

WHEREAS, it is of vital public importance to ensure timely connections to public sewer service, in order to safeguard the environment and build the City’s sewer rate base, thereby keeping utility rates affordable and stable.

NOW, THEREFORE, the Property Owner (“Grantor”) hereby agrees as follows:

1. In exchange for the City’s granting of development approvals, Grantor agrees to make all connections to the public sewer system that shall be required under City codes and regulations. Such connection(s) shall be made at Grantor’s sole expense within

- twelve (12) months of receipt of written notification that a public sewer main is available to the property.
2. The twelve month compliance period shall begin to run when the City provides the Grantor with written notification of the requirement to connect (hereinafter “Notice of Availability”). The Notice of Availability shall be recorded against the Property in the records of the Pierce County Auditor.
 3. As a condition of approval for the current development permits, Grantor shall install public sewer infrastructure, including dry lines, across the frontage of the property in compliance with all city standards. Each end of the sewer line, at the property line, shall terminate in a sewer manhole. The City shall review and approve the pipe location, slope, and elevations at each end of the pipe. This frontage may be within a public road, private road, or sewer easement. Grantor shall execute a developer extension agreement with the City, on such form as is acceptable to the City, prior to making the extension. If Grantor is required to or wishes to extend the sewer main across adjacent property not owned by Grantor in order to connect to the public sewer, the City shall, upon request, execute a latecomer agreement with Grantor pursuant to Chapter 35.91 RCW. The Grantor shall be responsible for acquiring any easement crossing other private properties for which the City does not already have an easement or right of way.
 4. Connections to the public sewer main shall comply with all City Code and public works standards.
 5. Within sixty (60) days of connecting the property to the public sewer, Grantor shall, at its sole effort and expense, decommission the private waste-water disposal system in accordance with all applicable laws and regulations of the Tacoma Pierce County Health Department.
 6. Grantor shall pay sewer System Development Charges (SDCs) and related connection charges at the rates in effect at the time the connection is made.
 7. In the event a connection is not made within twelve (12) months of written notice of availability, the City shall assess applicable SDCs, latecomer fees, and related charges against the property at the rates in effect at that time. Grantor shall pay the SDCs and related charges within sixty (60) days of receiving an invoice from the City. Grantor shall commence paying the current monthly sewer availability charge and consumption charge (8 CCF) starting at time of connection or twelve months after written notice of public sewer system availability, whichever comes first. Failure to pay within sixty (60) days of receiving an invoice from the City will give rise to a lien on the property under RCW 35.67.200.

8. Additional changes in use of the property subsequent to connection or assessment under Section 5 of this Agreement, when such change(s) result in an increase in equivalent residential units, shall require payment of the incremental increase in the SDC paid and the SDC due.

9. Grantor may at any time prior to the effective date of the requirement to connect apply for a hardship extension for a period of time not to exceed twelve (12) months. The Mayor or designee may grant the hardship extension in its sole discretion for good cause shown, provided that the Grantor shall be charged the applicable monthly sewer availability charge during the period of extension.

10. This Agreement shall run with the land and bind Grantor and all subsequent and successor owners of the Property. Wherever the term "Grantor" appears in this Agreement, it shall be interpreted to include the Grantor and successor property owners.

GRANTOR:

XXXXXXXXXXXX and XXXXXXXXXXXXXXXX

By: _____
 Name:
 Title: Property Owner

By: _____
 Name:
 Title: Property Owner

GRANTEE:

CITY OF BONNEY LAKE

By: _____
 Name: Neil Johnson Jr.
 Title: Mayor

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the person who signed as [property owner or authorized agent], who the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said [property owner or authorized agent] for the uses and purposes therein mentioned, and on oath stated that the signatory was duly authorized to execute said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

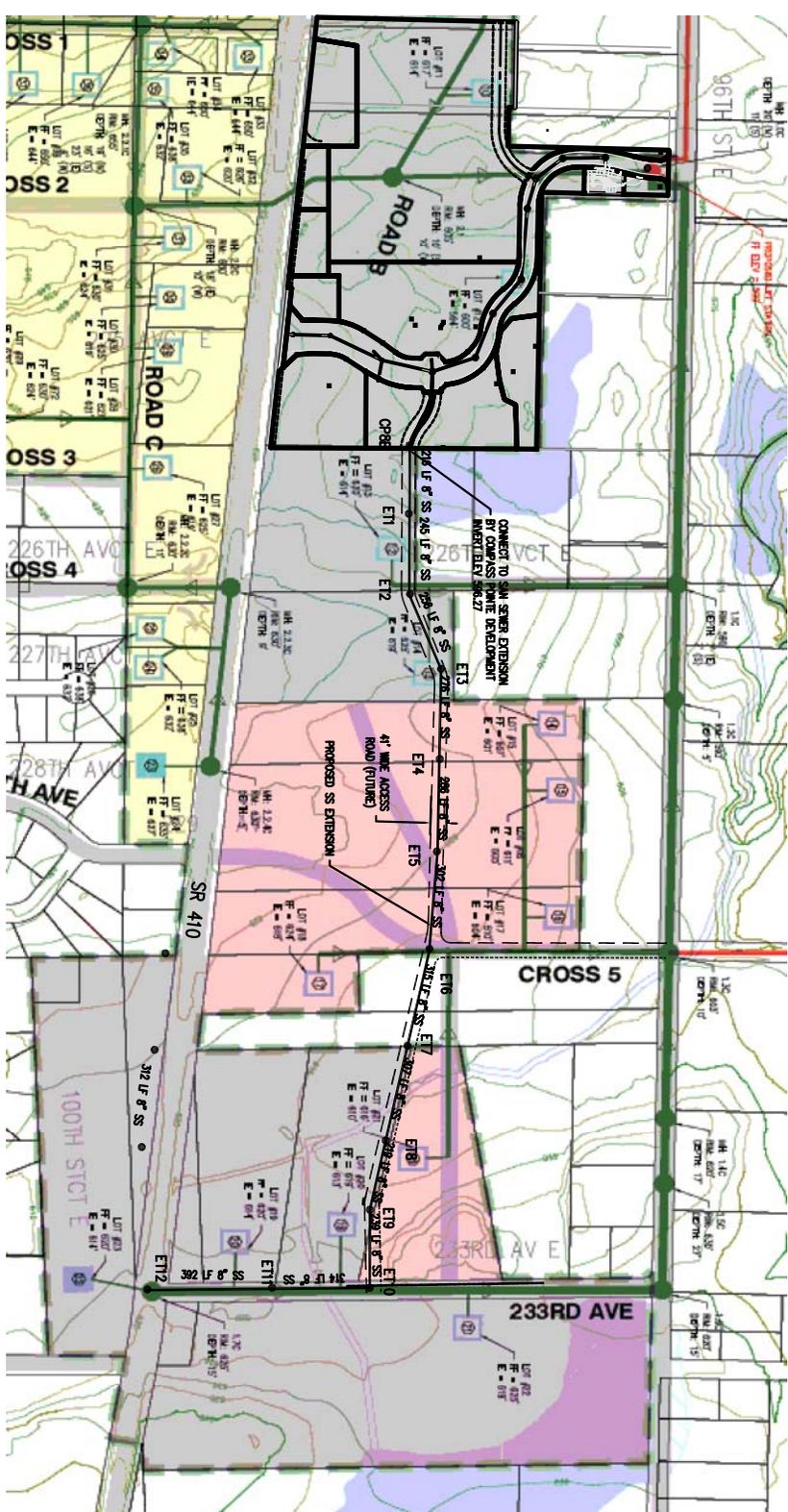
(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____
My appointment expires: _____

EAST TOWN SEWER

CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON.



EAST TOWN SEWER EXTENSION

EAST TOWN SANITARY SEWER RELOCATION
EAST TO 233RD AVE
PIPE DIA (INCHES) 9 MINIMUM SLOPE 0.50%

CP/RB	R/W ELEV	SLOPE	LENGTH	I/N IN	I/N OUT	DEPTH
ET1	610.0	0.50%	216	596.37	597.25	12.75
ET2	600.0	0.50%	245	598.48	598.39	21.63
ET3	605.0	0.50%	298	599.66	599.56	25.45
ET4	600.0	0.50%	276	600.84	600.84	19.17
ET5	622.0	0.50%	288	602.27	602.17	19.84
ET6	615.0	0.50%	302	603.68	603.58	11.43
ET7	612.0	1.00%	315	606.73	606.63	5.38
ET8	612.0	0.75%	307	608.93	608.83	3.17
ET9	616.0	0.50%	219	609.82	609.82	6.18
ET10	622.0	0.50%	239	611.02	610.92	11.08
ET11	600.0	0.50%	314	612.49	612.39	7.61
ET12	600.0	0.50%	392	614.35	614.25	5.75



SCALE 1" = 200' HORIZONTAL
CONTOUR INTERVAL 5 FEET
CITY OF BONNEY LAKE COMPREHENSIVE PLAN



PROJECT NO.	SS-1
SHEET	SS-1
DATE	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
APPROVED BY	

PRELIMINARY SEWER PLAN, BONNEY LAKE, WA
EAST TOWN DEVELOPMENT GROUP
OWNER: AUBURN COMMERCIAL CONSTRUCTION, ATTN: BOB STOBIE
CONTACT: AUBURN COMMERCIAL DEVELOPMENT
3240 "B" STREET NW, UNIT A, AUBURN, WA 98001

	RYKELS ENGINEERING GROUP, INC. Consulting Engineers - Civil, Municipal, Subdivisions, Land Development 28301 163rd Ave SE, Kent, WA 98042 Ph 253-631-6586 Fax 253-636-1962	REVISIONS	DATE
	A. RYKELS PROJECT NO. SHEET DATE		

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

Department/Staff Contact: PW / John Woodcock	Meeting/Workshop Date: 19 March 2013	Agenda Bill Number: AB13-39
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2286	Councilmember Sponsor: Randy McKibbin

Agenda Subject: Authorize the contract with Shea, Carr, Jewell Alliance for the completion of the design effort of the SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East.

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Authorize The Contract With Shea, Carr, Jewell Alliance For The Completion Of The Design Effort Of The SR 410 Sidewalk Improvements From Angeline Bridge To 192nd Avenue East.

Administrative Recommendation:

Background Summary: The Public Works Department (PWD) applied for and received a \$445,000 grant from the Transportation Improvement Board (TIB) in the latter half of 2012. This grant will cover approximately half of the expected design and construction costs. Recently Counsel signed both the Fuel Tax Grant Agreement and the Project Funding Status Form (Res. 2264) as TIB requirements before funding can be processed as well as its placement on the State Transportation Improvement Plan (STIP). At this point in time the PWD is beginning the Plans, Specifications, and Engineering (PS&E) phase of the project with the design team from Shea, Carr, Jewell Alliance which completed the survey element of this project while designing the SR 410/Main Street E/Sky Island Drive E Intersection Improvements Project currently underway.

This design effort will deal with the crossing of the Angeline Bridge, structural wall designs to support the sidewalk over the fill section of the highway, and the lighting infrastructure for the addition of street lighting along this pedestrian pathway.

Attachments: Resolution 2286; Contract; Map

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
\$41,000	\$41,000	\$133,276	\$-92,276
Budget Explanation: The current Budget Balance deficit will be addressed through the mid-Biennial budget amendment as well as the use of the TIB Grant dollars received. Revenue: TIB grant \$445,000 & matching funds (50%) from City.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Community Development Date: 5 March 2013	<i>Approvals:</i> Chair/Councilmember Randy McKibbin Councilmember James Rackley Councilmember Katrina Minton-Davis	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Commission/Board Review:	Forward to: 19 March 2013 Council Workshop		
Hearing Examiner Review:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		

COUNCIL ACTION

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s):

Tabled to Date:

APPROVALS

Director:

Dan Grigsby, P. E.

Mayor:

Neil Johnson Jr.

Date Reviewed

by City Attorney:
(if applicable):

RESOLUTION NO. 2286

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AWARDED THE PROFESSIONAL SERVICES AGREEMENT FOR THE SR 410 SIDEWALK IMPROVEMENTS FROM ANGELINE BRIDGE TO 192ND AVENUE EAST TO SHEA, CARR, JEWELL ALLIANCE.

WHEREAS, the City's non-motorized Plan for the city recognizes the pedestrian pathway along SR 410, from the Angeline Bridge to 192nd Ave, as a missing link needed to complete the City's non-motorized plan;

WHEREAS, the Council approved this portion of the missing link to be surveyed for this future design effort by Shea, Carr, Jewell Alliance by Resolution 2162 on October 25, 2011; and

WHEREAS, the City of Bonney Lake submitted an application for the Urban Sidewalk Program through the Transportation Improvement Board (TIB) and was awarded \$445,000 grant with a 50% matching fund requirement to address the SR 410 "missing link" occurring between the Angeline Road Bridge and 192nd Avenue East; and

WHEREAS, the Council approved the TIB grant process by authorizing the signing the of the Fuel Tax Grant Distribution agreement and the Project Funding Status Form by Resolution 2264 on January 22, 2013; and

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake Council does hereby authorize the Mayor to sign the Shea, Carr, Jewell Alliance Professional Services Agreement to complete the design of this project and prepare the documents and contract for advertisement in the amount of \$133,276.00 which includes tax.

PASSED by the City Council this 26th day of March, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2013, by and between the City of Bonney Lake ("City") and Shea, Carr, Jewell Alliance ("Consultant").

The parties hereby agree as follows:

1. **Scope of Work.** The Consultant shall perform all work and provide all materials described in the Scope of Work set out in Exhibit A attached hereto and incorporated herein by this reference. Such work shall be performed using facilities, equipment and staff provided by Consultant, and shall be performed in accordance with all applicable federal, state and local laws, ordinances and regulations. The Consultant shall exercise reasonable care and judgment in the performance of work pursuant to this Agreement. The Consultant shall make minor changes, amendments or revisions in the detail of the work as may be required by the City, such work not to constitute Extra Work under this Agreement.
2. **Ownership of Work Product.** Documents, presentations and any other work product produced by the Consultant in performance of work under this Agreement shall be tendered to the City upon completion of the work, and all such product shall become and remain the property of the City and may be used by the City without restriction; *provided*, that any such use by the City not directly related to the particular purposes for which the work product was produced shall be without any liability whatsoever to the Consultant.
3. **Payment.** The Consultant shall be paid by the City for completed work and services rendered under this Agreement pursuant to the rates and charges set out in Exhibit B, attached hereto and incorporated herein by this reference. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment, and incidentals necessary to complete the work. All billings for compensation for work performed under this Agreement shall list actual time and dates during which the work was performed and the compensation shall be figured using the rates set out in Exhibit B; *provided*, that payment for work within the Scope of Work (Exhibit A) shall not exceed the fee/hour estimate set out in Exhibit B without written amendment to this Agreement, agreed to and signed by both parties.

Acceptance of final payment by the Consultant shall constitute a release of all claims, related to payment under this Agreement, which the Consultant may have against the City unless such claims are specifically reserved in writing and transmitted to the City by the Consultant prior to acceptance of final payment. Final payment shall not, however, be a bar to any claims that the City may have against the Consultant or to any remedies the City may pursue with respect to such claims.

The Consultant and its sub consultants shall keep available for inspection, by the City, for a period of three years after final payment, the cost records and accounts pertaining to this Agreement and all items related to, or bearing upon, such records. If any litigation, claim or audit is started before

the expiration of the three-year retention period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved. The three-year retention period shall commence when the Consultant receives final payment.

4. **Changes in Work.** The Consultant shall make all revisions and changes in the work completed under this Agreement as are necessary to correct errors, when required to do so by the City, without additional compensation.

5. **Extra Work.** The City may desire to have the Consultant perform work or render services in addition to or other than work provided for by the expressed intent of the Scope of Work. Such work will be considered Extra Work and will be specified in a written supplement which will set forth the nature and scope thereof. Work under a supplement shall not proceed until authorized in writing by the City. Any dispute as to whether work is Extra Work or work already covered by this Agreement shall be resolved before the work is undertaken. Performance of the work by the Consultant prior to resolution of any such dispute shall waive any claim by the Consultant for compensation as Extra Work.

6. **Employment.** Any and all employees of Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of said employees, while so engaged; any and all taxes arising out of Consultant's or Consultant's employees' work under this Agreement; and any and all claims made by a third party as a consequence of any acts, errors, or omissions on the part of the Consultant's employees, while so engaged, shall be the sole obligation and responsibility of the Consultant, except as provided in Section 12 of this agreement. The Consultant's relation to the City shall at all times be as an independent contractor.

7. **Nondiscrimination and Legal Compliance.** Consultant agrees not to discriminate against any client, employee or applicant for employment or for services because of race, creed, color, national origin, marital status, gender, age or handicap except for a bona fide occupational qualification with regard to, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training; and rendition of services. The consultant represents and warrants that it is in compliance with and agrees that it will remain in compliance with the provisions of the Immigration Reform and Control Act of 1986, including but not limited to the provisions of the Act prohibiting the hiring and continued employment of unauthorized aliens and requiring verification and record keeping with respect to the status of each of its employees' eligibility for employment. The consultant shall include a provision substantially the same as this section in any and all contracts with sub consultants performing work required of the contractor under this contract. The consultant agrees to indemnify and hold the City harmless from any and all liability, including liability for interest and penalties, the City may incur as a result of the consultant failing to comply with any provisions of the Immigration Reform and Control Act of 1986. Consultant understands and agrees that if it violates this section, this Agreement may be terminated by the City, and that Consultant shall be barred from performing any services for the

City in the future unless and until a showing is made satisfactory to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

8. **Term.** This Agreement shall become effective upon the day of its execution by both parties, and shall terminate upon completion of the work and delivery of all materials described in Exhibit A.

9. **Termination by City.** The City may terminate this Agreement at any time upon not less than ten (10) days written notice to Consultant, subject to the City's obligation to pay Consultant in accordance with subsections A and B below.

A. In the event this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for actual cost of work complete at the time of termination of the Agreement. In addition, the Consultant shall be paid on the same basis as above for any authorized Extra Work completed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the termination notice. If the accumulated payment(s) made to the Consultant prior to the termination notice exceeds the total amount that would be due as set forth in this subsection, then no final payment shall be due and the Consultant shall immediately reimburse the City for any excess paid.

B. In the event the services of the Consultant are terminated by the City for fault on the part of the Consultant, subsection A of this section shall not apply. In such event the amount to be paid shall be determined by the City with consideration given to the actual costs incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which was satisfactorily completed to date of termination, whether that work is in a form or of a type which is usable by the City at the time of termination, the cost to the City of employing another person or firm to complete the work required and the time which may be required to do so, and other factors which affect the value to the City of the work performed at the time of termination. Under no circumstances shall payment made under this subsection exceed the amount which would have been made if subsection A of this section applied.

C. In the event this Agreement is terminated prior to completion of the work, the original copies of all work products prepared by the Consultant prior to termination shall become the property of the City for its use without restriction; *provided*, that any such use by the City not directly related to the particular purposes for which the work product was produced shall be without any liability whatsoever to the Consultant.

10. **Termination by Consultant.** Consultant may terminate this Agreement only in response to material breach of this Agreement by the City, or upon completion of the work set out in the Scope of Work and any Extra Work agreed upon by the parties.

11. **Applicable Law; Venue.** The law of the State of Washington shall apply in interpreting this Agreement. Venue for any lawsuit arising out of this Agreement shall be in the Superior Court of the State of Washington, in and for Pierce County.

12. Indemnification / Hold Harmless

Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees arising out of or resulting from the negligent acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

Insurance

The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. Minimum Scope of Insurance

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

B. Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

C. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
2. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

D. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. Verification of Coverage

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

13. **Subletting or Assigning.** The Consultant shall not sublet or assign any of the work covered by this Agreement without the express written consent of the City.

14. **Entire Agreement.** This Agreement represents the entire Agreement between the parties. No change, termination or attempted waiver of any of the provisions of the Agreement shall be binding on any party unless executed in writing by authorized representatives of each party. The agreement shall not be modified, supplemented or otherwise affected by the course of dealing between the parties.

15. **Waiver.** Failure by any party to this Agreement to enforce any provision of this Agreement or to declare a breach shall not constitute a waiver thereof, nor shall it impair any party's right to demand strict performance of that or any other provision of this Agreement any time thereafter.

16. **Severability.** If any provision of this Agreement or its application is held invalid, the remainder of the Agreement or the application of the remainder of the Agreement shall not be affected.

17. **Execution and Acceptance.** This Agreement may be executed in several counterparts, each of which shall be deemed to be an original having identical legal effect. The Consultant hereby ratifies and adopts all statements, representations, warranties, covenants, and agreements contained in the supporting materials submitted by the Consultant, and does hereby accept the Agreement and agrees to all of the terms and conditions thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CITY OF BONNEY LAKE

CONSULTANT

By: _____
Neil Johnson Jr., Mayor

By: _____

Attachments:

Exhibit A: Scope of Work/Deliverables/Fee

Exhibit B: Rates

EXHIBIT A
SCOPE OF WORK
SR 410 SIDEWALK IMPROVEMENTS FROM ANGELINE BRIDGE TO 192ND
AVENUE EAST
BONNEY LAKE, WA

Prepared for: John Woodcock, PE, City Engineer
City of Bonney Lake

Prepared By: Perry Shea, PE, Principal
Scott Sawyer, PE, Senior Project Manager

Date prepared: February 27, 2013

Overview

The objective of this project is to prepare final engineering design plans, specifications and estimates (PS&E) for the extension of the sidewalk on the north side of SR 410 from the easterly terminus of the current SR 410/Main Street/Sky Island Drive construction project (including bid additions) to the northwesterly curb return at 192nd Avenue East.

SCJ previously contracted with the City of Bonney Lake (City) to prepare concept design and a technical memorandum for the sidewalk as part of the scope of work for final design of the SR 410/Main Street/Sky Island Drive project.

The work will consist of the following tasks:

- Project management
- SEPA / Permitting
- Supplemental geotechnical design
- Agency coordination
- Final design
 - 60% PS&E
 - 90% PS&E
 - Final PS&E
- Bidding and Pre-award Assistance

Assumptions

1. Additional survey is not required. Field topography is available from the SR 410/Main Street/Sky Island Drive project.

2. Existing right of way discrepancies within the project limits will not be resolved with WSDOT, since additional right of way is not required. Consultant will best fit existing right of way per monuments surveyed as part of the SR 410/Main Street/Sky Island Drive project and WSDOT right of way maps and/or records of survey.
3. WSDOT will require a Plan for Approval for the sidewalk because of the reduced shoulder width and revised lane widths in the vicinity of the Angeline Road bridge.
4. Pavement design is not required. Pavement restoration will match existing depths as determined by cores collected as part of the geotechnical investigation program.
5. Structural design is not required for the sidewalk across the bridge. If it is determined during the work that structural design is desired to retrofit the Angeline Road bridge to accommodate the proposed sidewalk, structural design services may be added as an addendum to the scope of work and budget.
6. Cut and fill slopes will receive seeding, fertilizer and mulch. No landscaping and/or irrigation is included.

Phase 1 Project Management

This phase includes tasks to plan, manage, and administer the work; attend project meetings and City Council study sessions; and provide quality assurance/quality control.

Task 1 Management

- 1) Management: Manage the project by directing and supervising staff and reviewing work for the duration of the project. This management is for the overall work rather than specific tasks.
- 1) Schedule and Budget: Develop a critical path project schedule to match the scope of work. Identify task durations, predecessors, CITY reviews, WSDOT reviews, deliverables, and milestones. Review and update the schedule on a monthly basis. Monitor earned value and actual costs on a bi-weekly basis. Provide monthly billing statements to the City including overall budget and schedule confirmation and review for each progress billing period.

Task 2 Administration

- 1) Weekly Progress Reports: Review and verify weekly project charges. Prepare and submit a weekly progress report. Weekly progress reports will show: (1) work performed last week, (2) work planned this week, (3) schedule and budget status (including a 3-line earned value chart), (4) a summary of scope changes/added value, and (5) items needed from the CITY and/or others.
- 2) Progress Billings: Prepare a monthly progress bill with weekly progress reports attached. Bills will show staff hours for each phase (i.e., Phase 1: Project Management).
- 3) Filing: Develop a project filing system and maintain project files in one centralized location. Periodically purge draft and redundant documents.
- 4) Subconsultant Administration: Execute and administer sub agreements. Review and approve monthly invoices.

Task 3 Project Meetings

- 1) Management Meetings: Attend up to eight (8) Management Team meetings. The meetings will be attended by the City Engineer, the SCJ Project Manager, and one SCJ staff (average) to review project status and schedule. Prepare minutes for each meeting.

Task 4 Quality Assurance/Quality Control

- 1) Quality Control: Provide senior level review of task deliverables before submittal to the CITY.
- 2) Quality Assurance: Audit quality check activities and documentation on a periodic basis.

Phase 1 Understanding

- Project management will be provided over a 8-month time frame and the estimated number of meetings and project coordination is reflected in the budget.
- Progress billings will be submitted monthly to the City.
- Timelines and milestones will be outlined in a master schedule using Microsoft Project and will be updated for each progress billing.

Phase 1 Deliverables

- Weekly Progress Report submitted via email in PDF format.
- Progress billings submitted monthly submitted via email in PDF format and submitted via US Mail.
- MS Project schedule updates submitted via email in PDF format.
- Minutes for Management Meetings submitted via e-mail in PDF format.

Phase 2 30% Design

The preliminary design completed under separate contract will require modifications to account for changes in the project scope and to reflect proposed “built” conditions.

Task 1 Bridge Crossing

- 1) Bridge Options: Identify and evaluate up to three design options to provide a continuous pedestrian pathway across the bridge deck. Options may include: raised sidewalk treatment; paved at-grade sidewalk separated by K-rail, and travel lane and/or shoulder narrowing.
- 2) Meetings with WSDOT: Meet with WSDOT up to three times to discuss design criteria, design preferences, and design options. Select a preferred option for crossing the bridge.
- 3) Technical Memorandum: Prepare a technical memorandum to summarize the design options and the selection of a preferred option.

Task 2 Pedestrian Pathway

- 1) Sidewalk Layout: Prepare horizontal and vertical layout for a 6-foot wide pedestrian sidewalk. Narrow the existing shoulder width to 5 feet to accommodate bike traffic.
- 2) Retaining Wall Layout: Prepare horizontal and vertical layout of approximately 500 linear feet of retaining walls to accommodate the proposed sidewalk. Discuss cut and fill wall types with City staff and select wall types. Prepare a technical memorandum documenting the selection of wall types.
- 3) Stormwater: Layout the collection/conveyance system and develop a hydraulic model to verify the existing conveyance system is adequate for additional runoff from the proposed sidewalk. Prepare a basin analysis and quantify the amount of runoff discharging to the natural bio retention area. Prepare a technical memorandum documenting the stormwater design for the project.
- 4) Cost Estimate: Prepare a preliminary project cost estimates for the proposed improvements to compare to available funding.

Task 3 Plan for Approval

- 1) Plan for Approval: Prepare a Plan for Approval for the proposed sidewalk in accordance with the *Plan for Approval Checklist* and submit to WSDOT Olympic Region Development Services for review. Respond to review comments, revise the Plan for Approval and resubmit for approval.

Phase 3 Understanding

- Structural analysis of the Angeline Road bridge will not be required to confirm structural adequacy given additional load created by a sidewalk. If structural analysis is required, it may be added to the scope and budget by addendum.
- Retaining walls are structural earth walls (SEW) designed by the contractor, or standard cast-in-place concrete walls per WSDOT Standard Plans. If it is determined other wall types are appropriate, structural design for walls may be added to the scope and budget by addendum.
- Existing stormwater runoff is conveyed via a closed system to an existing natural dispersion area just south of Angeline Road. This natural dispersion area is adequate to accommodate additional runoff from the proposed sidewalk. No design of treatment and/or flow control facilities is needed. If it is determined the natural dispersion area is not adequate, design of additional facilities may be added to the scope and budget by addendum.

Phase 3 Deliverables

- Bridge crossing technical memorandum
- Retaining wall technical memorandum
- Stormwater technical memorandum
- Preliminary project cost estimate
- Plan for Approval package

Phase 3 SEPA / Permitting

Task 1 SEPA

- 1) SEPA Checklist: Prepare a SEPA Checklist.
- 2) DAHP Coordination: Provide the City with a EO 050-05 technical memorandum describing the following:
 - Project description
 - Location
 - Proposed ground disturbance
 - Summary of buildings or structures over 50 years of age
 - Photographs of the existing conditionSchedule and attend a meeting with DAHP to review the technical memorandum so DAHP can determine the need for site investigations.

Phase 3 Understanding

- No federal funds will be used for the project.
- State funds (TIB grant) will be used for the project.
- There are no wetland impacts.
- There are no discipline reports required for the SEPA Checklist.
- The City will contact interested tribes prior to the meeting with DAHP.

Phase 3 Deliverables

- SEPA Checklist
- EO 05-05 technical memorandum.

Phase 4 Cultural and Archeological Resources Report

Task 1 Conduct Archival Background Research:

- 1) Conduct a records search using the DAHP's web portal WISAARD to determine what previous studies have been conducted within and in the vicinity of the proposed Project. Research on DAHP's online database also will identify previously recorded archaeological sites in the Project vicinity.
- 2) Collect copies of the records for these resources. Additional background research will be conducted in HRA's cultural resource reference library. Use historic General Land Office (GLO) maps to provide historic land use data. Information obtained from these repositories will help to establish the context for potential resources in the vicinity and will be used to write the background sections of the study report.

Task 2 Conduct Archaeological Fieldwork

- 1) Arrange for utility locates to meet the requirements of RCW 19.122. Consultant will provide the locate service with maps, text description, and field markings of proposed excavation.
- 2) Conduct up to a one hundred percent archaeological pedestrian survey of the APE. Consultant will walk parallel transects along the north side of SR410. During the inventory, the Consultant will seek out and examine ground exposures (e.g., ditches, plowed areas, etc.). The project area is narrow and mostly steeply sloped and is expected to offer few locations of archaeological probability to excavate archaeological shovel probes in areas that are not covered by impervious surfaces (concrete, asphalt, etc.). As a result, Consultant is budgeting for less than 6 probes to further assess the probability for buried cultural materials. The probes will be placed based on the Field Supervisor's judgment of where any archaeological materials are most likely to be within the Project APE.

Task 3 Prepare Technical Report

- 1) Prepare one Archaeological Resource Inventory Report summarizing the results of the background research, consultation and field work. This report will reflect professional standards for format and content as expressed in the guidelines prepared by DAHP. The report will include:
 - A description of the Project and applicable laws and regulations,
 - A summary of the results of the background literature and records research,
 - The methods used during the archaeological fieldwork and the results of the archaeological inventory,
 - A description of any archaeological resources found,
 - A summary assessment of potential effects to any identified resources based on our knowledge of the resource type, soil conditions, and extent to which the proposed project may affect the resource,
 - Recommendations for completion of any additional cultural resources compliance obligations stemming from the results of our study,
 - A summary of Project procedures that should be followed in the event of an unanticipated discovery of buried cultural materials or human remains during construction, and
 - References cited.

The report will include such tables, maps, photographs, and other graphics as are needed to depict the scope of the study and results. Forms for any recorded resources will be included in an appendix to the report.

Phase 4 Understanding

- Because the project is funded with State Transportation Infrastructure Board (TIB) monies, this Phase is intended to comply with Executive Order 05-05.
- Prior to commencing Phase 4, the City will consult with the Washington State Department of Archaeology and Historic Preservation (DAHP) and affected Native American tribes (see Phase 3).

- City will receive approval of the Project Area definition and cultural resources scope from DAHP (as part of their EO 05-05 consultation) prior to commencement of the Phase 4 work. If DAHP determines the project does not require site investigations, Phase 4 work will be deducted from the scope and budget.
- All consultation with DAHP and tribes will be conducted by the City.
- No archaeological site or isolated find will be identified and recorded.
- No buildings, structures or objects will be affected by the Project; therefore an architectural inventory will not be conducted.
- Reporting will not include the preparation of NEPA or SEPA document sections or agreement documents (e.g., Memoranda of Agreement).

Phase 4 Deliverables

- Draft Archaeological Resource Inventory Report in PDF format submitted via email.
- Final Archaeological Resource Inventory Report in PDF format submitted via email.

Phase 5 Supplemental Geotechnical Services

Task 1 Engineering Analysis for Retaining Walls

- 1) Geotechnical Explorations: Complete geotechnical explorations along the SR 410 corridor between Main Street and 192nd Avenue East to characterize subsurface soil and groundwater conditions for analysis and evaluations of the slopes and wall treatments proposed along SR 410. The field exploration program will include:
 - A geologic reconnaissance of the roadway corridor to map exposed geologic conditions on the existing slopes along the roadway.
 - One boring to depths of about 25 ft below ground surface (BGS) to characterize subsurface soil and groundwater conditions along the cut wall portion of the alignment.
 - Two borings to depths of about 35 ft BGS to characterize subsurface soil and groundwater conditions along the fill wall portion of the alignment.
 - Mark the exploration locations in the field and complete an underground utility locate (1-800... "Call Before You Dig") for each exploration location and review each location prior to the start of work. Where underground utilities conflict with proposed exploration locations, these locations will be relocated and a recheck of utilities will be conducted.
 - Prepare and submit a traffic control plan for review by the City and/or WSDOT to handle traffic safety issues on SR 410 which may be impacted during subsurface investigations. Provide necessary traffic control measures to complete the explorations.
 - Obtain the necessary permits from the City and/or WSDOT for work within the street right-of-way.
 - Geotechnical laboratory testing on selected samples for the borings to determine pertinent engineering properties of the soil. Geotechnical laboratory testing will

consist of 10 moisture content determinations and 6 index tests (grain size analysis and/or Atterberg limit determinations).

- 2) Engineering Analysis: Complete geotechnical engineering analyses and develop geotechnical conclusions and recommendations for slopes and wall treatments proposed along SR 410.
- 3) Geotechnical Report: Prepare a geotechnical report summarizing the analysis and evaluations of the slopes and wall treatments proposed along SR 410. The technical memorandum will include:
 - A site map showing the approximate locations of the retaining walls.
 - A site map showing the approximate locations of the explorations completed for this project.
 - Summary logs of the conditions encountered in the borings.
 - Results of the geotechnical laboratory testing.
 - Summary of the subsurface soil and groundwater conditions encountered in the explorations and observed during the geological reconnaissance of the existing slopes along the roadway corridor.
 - Recommendations for earthwork including clearing, grubbing, and stripping; wet weather construction considerations; maximum temporary and permanent cut slopes; subgrade preparation; structural fill; and fill placement and compaction criteria.
 - Evaluation of appropriate retaining wall types for use along the roadway corridor. It is anticipated that soldier pile or soil nail walls may be utilized for the cut wall. Structural earth walls (SEWs) or soldier pile walls may be utilized for the fill wall. Recommendations will be provided in accordance with the 2012 AASHTO LRFD Bridge Design Specifications and the WSDOT Geotechnical Design Manual.
 - Recommendations for structural earth walls including foundation subgrade preparation, minimum embedment depth, nominal bearing resistance, foundation settlement, recommended resistance factors, soil parameters for contractor internal wall design, and minimum length of reinforcement needed to ensure global stability (if feasible).
 - Recommendations for soldier pile walls including static and dynamic lateral earth pressures, maximum allowable end bearing and shaft friction for soldier piles, tieback anchors, facing design, and wall drainage considerations (if feasible).
 - Recommendations for other feasible wall types selected by the design team.

Phase 5 Understanding

- The total length of wall will be less than 500 ft.
- The fee for the street right-of-way permit will be less than \$300.
- The borings will be drilled with a truck-mounted, hollow-stem auger drill rig by a reputable drilling company under subcontract to Landau Associates.
- Soil samples will be collected from the borings on a 2½ or 5 ft sampling interval in accordance with the ASTM D1586 (Standard Penetration Test procedure).

- Groundwater levels (if present) encountered in the borings at the time of drilling will be recorded on the field log. We do not plan to install piezometers as part of this project. Upon completion of drilling and sampling, the boreholes will be decommissioned in accordance with Washington Administrative Code (WAC) 173-160.
- Each exploration area will be cleaned of waste soil and restored to near its original condition with the equipment on hand. Waste soil from the borings will be placed in drums and hauled away for disposal at an offsite location.
- The existing pavement consists of asphalt and Portland cement concrete coring will not be required.
- The field exploration program will be completed between the hours of 9:00 AM and 3:00 PM between Monday and Friday.
- Traffic control is anticipated to consist of a truck-mounted attenuator with flashing arrow-board, traffic control signs, and cones.
- The locations and elevations of all borings will not be surveyed as part of this task. A drawing showing the approximate locations of the borings will be given to SCJ Alliance so that SCJ Alliance survey crews may pick up the locations.
- Soil samples will be disposed of 90 days after the date of the final report.

Phase 5 Deliverables

- Draft geotechnical report submitted via email in PDF format.
- Electronic PDF copy and four paper copies of a signed and sealed final geotechnical report.

Phase 6 Agency Coordination

Task 1 WSDOT Full Package Submittal (FPS)

- 1) 1st Review: Submit 90% plans, special provisions, and estimate of work to be completed within WSDOT right of way to WSDOT for 1st review of Full Package Submittal.
- 2) 2nd Review: Revise 90% FPS package based on WSDOT 1st review comments and resubmit.
- 3) Final Review: Revise 90% FPS package based on WSDOT 2nd review comments and submit Final plans, special provisions and estimate for final review and approval.
- 4) Coordination: Attend up to four meetings with WSDOT to process the FPS to approval. An average of two SCJ staff will attend each WSDOT meeting.

Phase 6 Understanding

- Budgets for preparation of the 90% Full Package Submittal and Final Full Package Submittal are included in Phase 7.

Phase 6 Deliverables

- None: Deliverables to WSDOT are accounted for in Phase 7.

Phase 7 Final Design

Task 1 Utility Coordination

- 1) Data Collection: Collect data from utility providers. Check survey data against utility maps and coordinate with utility providers to reconcile discrepancies.
- 2) Identify Conflicts: Identify utilities requiring relocation and notify utility providers by phone, email and US mail. Determine if providers will relocate conflicting utilities prior to or during construction.
- 3) Technical Memorandum: Prepare a technical memorandum documenting the mapping of existing utilities, potential conflicts, and resolution of conflicts (prior or during construction).

Task 2 Sidewalk

- 1) Layout: Finalize horizontal and vertical alignment of the sidewalk per comments received during Phase 2.
- 2) Earthwork: Create a proposed surface model to calculate earth work and determine cut/fill limits.

Task 3 Illumination

- 1) Coordination: Coordinate with IntoLight to extend lighting along the north side of SR 410 in accordance with IntoLight's master plan for the corridor.

Task 4 Design Documentation

- 1) Design Report: Prepare a memorandum to document the basis for design and major design decisions.

Task 5 60% Plans

- 1) The following 60% plans will be prepared:
 - Cover Sheet (1 sheet)
 - Summary of Quantities (1 sheet)
 - Horizontal Alignment Plan (1 sheet)
 - Roadway Sections (1 sheets)
 - Removal Plans (4 sheets @ 40 scale)
 - Temporary Erosion and Sediment Control Plans (4 sheets @ 40 scale)
 - Roadway and Drainage Plan and Profiles (4 sheets @ 40 scale)
 - Retaining Wall Plan and Elevations (4 sheets @ 20 scale)
 - Illumination Plans (4 sheets @ 40 scale)

Task 6 60% Engineers Estimate

- 1) 60% Engineer's Estimate: Develop quantities based on the 60% plans. Assign unit costs for quantified items and assign lump sum costs to other items based on professional judgment. Develop a 60% construction cost estimate that includes a 25% contingency.

Task 7 60% Special Provisions

- 1) 60% Special Provisions: Identify non-standard items. Prepare an outline identifying key requirements to include in the specifications.

Task 8 90% Comment Resolution

- 1) 90% Comment Resolution: Respond to 60% review comments in a matrix format. Attend one meeting with the CITY to resolve comments from the 60% review.

Task 9 90% Plan Sheets

- 1) The following 60% plans will be updated according to the 60% review comments:
 - Cover Sheet (1 sheet)
 - Summary of Quantities (1 sheet)
 - Horizontal Alignment Plan (1 sheet)
 - Roadway Sections (1 sheets)
 - Removal Plans (4 sheets @ 40 scale)
 - TESC (4 sheets @ 40 scale)
 - Roadway and Drainage Plan and Profiles (6 sheets @ 40 scale)
 - Drainage BMP Plans (2 sheet @ 40 scale)
 - Retaining Wall Plan and Elevations (4 sheets @ 20 scale)
 - Illumination Plans (4 sheets @ 40 scale)
- 2) The following 90% plan sheets will be created:
 - General notes (1 sheet)
 - Sidewalk/Grading Details (1 sheet)
 - Drainage Details (1 sheet)
 - Illumination Details (1 sheet)

Task 10 90% Engineer's Estimate

- 1) 90% Engineer's Estimate: Develop quantities based on the 90% plans. Assign unit costs for quantified item and assign lump sum costs to other items based on professional judgment. Develop a 90% construction cost estimate that includes a 10% contingency.

Task 11 90% Contract Documents

- 1) 90% Contract Documents: Write specifications for all non-standard items. Compile the City's General Provisions, and the special provisions into one Project Manual document.

Task 12 Final Comment Resolution

- 1) Final Comment Resolution: Respond to 90% review comments in a matrix format. Attend one meeting with the City to resolve comments from the 90% review.

Task 13 Final PS&E Package

- 1) Final Plans: Update the plans per the 90% review comments.

- 2) Final Engineer's Estimate: Update the quantities to reflect the plan updates. Prepare Unit Price Worksheet including item descriptions, unit, quantity and cost. Update the engineer's estimate with revised quantities.
- 3) Final Contract Documents: Assemble the General Provisions, Special Provisions, and Unit Price Worksheet into one Project Manual document.

Phase 7 Understanding

- Coordination with utility providers will require up to 40 hours of effort.
- Schedule 74 is not included in the project.
- SCJ will not prepare temporary traffic control plans. The contractor will be required by specification to prepare Traffic Control Plans.
- Channelization and/or signing plans are not required, since there are no revisions to these features.
- IntoLight will perform all lighting calculations and will provide light spacing to the Consultant.

Phase 7 Deliverables

- 1st 90% FPS submitted to WSDOT on 11x17 paper (12 copies).
- 2nd 90% FPS submitted to WSDOT on 11x17 paper (12 copies).
- Final FPS submitted to WSDOT on 22x34 vellum (six copies).
- Notice of FPS approval submitted electronically via email.
- Constructability (60%) review package including 11x17 plans, special provision, and engineer's estimate (6 copies).
- Draft PS&E (90%) review package including half-size plans, special provisions, and engineers estimate submitted via courier to the City (6 copies).
- PS&E (Final) approval package including half-size plans, special provisions, and engineers estimate submitted via courier to the City (6 copies).

Phase 8 Bidding Services

Task 1 Bidding Services

- 1) Bidding Services: Support City staff during the bidding period as directed. For budget purposes, 24 hours of support are assumed.

END OF SCOPE OF SERVICE

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EXHIBIT B

SCJ Alliance Labor Hour Estimate Client: City of Bonney Lake Project: SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East Job #: 0610.10 File #: 2013-0227_410_fee_sidewalk_angeline to 192.xls									
Task No.	Task Description	Perry	Jean	Scott	Manuel	Matt	Candace	Alissa	Total Hours
		Principal Engineer	Principal Planner	Senior Project Manager	Project Engineer I	Design Engineer	Senior Planner	Project Coord I	
Phase 1 - Project Management									
<i>Task 1 - Management</i>									
1	Management			8.0					8.0
2	Schedule and Budget			8.0					8.0
<i>Task 4 - Administration</i>									
1	Weekly Progress Reports			8.0					8.0
2	Progress Billings			8.0				12.0	20.0
3	Filing							8.0	8.0
4	Subconsultant Administration			2.0				6.0	8.0
<i>Task 5 - Project Meetings</i>									
1	Management Meetings			4.0	4.0			2.0	10.0
<i>Task 5 - Quality Assurance/Quality Control</i>									
1	Quality Control	8.0							8.0
2	Quality Assurance	2.0							2.0
Phase 1 Total Hours:		10.0		38.0	4.0			28.0	80.0
Billing Rate by category:		\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00	
Total Phase Cost by Category:		\$2,250.00		\$7,410.00	\$472.00			\$2,240.00	\$12,372.00
Phase 2 - 30% Design									
<i>Task 1 - Bridge Crossing</i>									
1	Bridge Options			4.0	8.0	8.0			20.0
2	Meeting with WSDOT			3.0					3.0
3	Technical Memorandum			1.0	12.0	2.0			15.0
<i>Task 2 - Pedestrian Pathway</i>									
1	Sidewalk Layout					16.0			16.0
2	Retaining Wall Layout			6.0	8.0	32.0			46.0
3	Stormwater				40.0				40.0
4	Cost Estimate				4.0	16.0			20.0
<i>Task 3 - Plan for Approval</i>									

EXHIBIT B

Labor Hour Estimate										
SCJ Alliance										
Client: City of Bonney Lake										
Project: SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East										
Job #: 0610_10										
File #: 2013-0227_410_fee_sidewalk_angeline to 192.xls										
		Perry	Jean	Scott	Manuel	Matt	Candace	Alissa		
Task No	Task Description	Principal Engineer	Principal Planner	Senior Project Manager	Project Engineer I	Design Engineer	Senior Planner	Project Coord I	Total Hours	
1	Plan for Approval			2.0	4.0	16.0			22.0	
	Phase 2 Total Hours:			16.0	76.0	90.0			182.0	
	Billing Rate by category:	\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00		
	Total Phase Cost by Category:			\$3,120.00	\$8,968.00	\$8,550.00			\$20,638.00	
Phase 3 - SEPA / Permitting										
<i>Task 1 - SEPA</i>										
1	SEPA Checklist		2.0		2.0		12.0		16.0	
2	DAHP Coordination			4.0	8.0	8.0			20.0	
	Phase 3 Total Hours:		2.0	4.0	10.0	8.0	12.0		36.0	
	Billing Rate by category:	\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00		
	Total Phase Cost by Category:		\$410.00	\$780.00	\$1,180.00	\$760.00	\$1,260.00		\$4,390.00	
Phase 4 - Cultural and Archeological Resources (HRA)										
Phase 5 - Geotechnical Report (Landau)										
Phase 6 - Agency Coordination										
<i>Task 1 - WSDOT Full Package Submittal</i>										
1	1st Review			1.0	2.0				3.0	
2	2nd Review			1.0	2.0	4.0			7.0	
3	Final Review			1.0	2.0	4.0			7.0	
4	Coordination			1.0	2.0				3.0	
	Phase 6 Total Hours:			4.0	8.0	8.0			20.0	
	Billing Rate by category:	\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00		
	Total Phase Cost by Category:			\$780.00	\$944.00	\$760.00			\$2,484.00	
Phase 7 - Final Design										
<i>Task 1 - Utility Coordination</i>										
1	Data Collection				4.0				4.0	
2	Identify Conflicts					8.0			8.0	
3	Technical Memorandum					8.0			8.0	
<i>Task 2 - Sidewalk</i>										
1	Layout					4.0			4.0	
2	Earthwork					24.0			24.0	

EXHIBIT B

Labor Hour Estimate									
BCJ Alliance Client: City of Bonney Lake Project: SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East Job #: 0610.10 File #: 2013-0227_410_fee_sidewalk_angeline to 192.xls									
		Perry	Jean	Scott	Manuel	Matt	Candace	Alissa	
Task No.	Task Description	Principal Engineer	Principal Planner	Senior Project Manager	Project Engineer I	Design Engineer	Senior Planner	Project Coord I	Total Hours
<i>Task 3 - Illumination</i>									
1	Coordination				6.0				6.0
<i>Task 4 - Design Documentation</i>									
1	Design Report			2.0	12.0	4.0			18.0
<i>Task 5 - 60% Plans</i>									
1	Cover Sheet				2.0	4.0			6.0
2	Summary of Quantities			1.0	4.0	8.0			13.0
3	Horizontal Alignment Plan					4.0			4.0
4	Roadway Sections			1.0	4.0	12.0			17.0
5	Removal Plans			1.0	4.0	16.0			21.0
6	TESC				2.0	8.0			10.0
7	Roadway and Drainage Plan and Profiles			2.0	16.0	24.0			42.0
8	Retaining Wall Plans			2.0		32.0			34.0
9	Illumination Plans				4.0	6.0			10.0
<i>Task 6 - 60% Engineer's Estimate</i>									
1	60% Engineer's Estimate			2.0	4.0	16.0			22.0
<i>Task 7 - 60% Special Provisions</i>									
1	60% Special Provisions			8.0	16.0				24.0
<i>Task 8 - 90% Comment Resolution</i>									
1	90% Comment Resolution			2.0	4.0				6.0
<i>Task 9 - 90% Plan Sheets</i>									
UPDATE FOLLOWING PLANS									
1	Cover Sheet					2.0			2.0
2	Summary of Quantities				1.0	2.0			3.0
3	Horizontal Alignment Plan					1.0			1.0
4	Roadway Sections			1.0	2.0	4.0			7.0
5	Removal Plans				2.0	8.0			10.0
6	TESC				1.0	4.0			5.0
7	Roadway and Drainage Plan and Profiles			2.0	4.0	12.0			18.0
8	Retaining Wall Plans			2.0	4.0	12.0			18.0

EXHIBIT B

Labor Hour Estimate									
SCJ Alliance									
Client: City of Bonney Lake									
Project: SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East									
Job #: 0610.10									
File #: 2013-0227_410_fee_sidewalk_angeline to 192.xls									
		Perry	Jean	Scott	Manuel	Matt	Candace	Alissa	
Task No	Task Description	Principal Engineer	Principal Planner	Senior Project Manager	Project Engineer I	Design Engineer	Senior Planner	Project Coord I	Total Hours
9	Illumination Plans				2.0	2.0			4.0
CREATE THE FOLLOWING PLANS									
10	General Notes					2.0			2.0
11	Sidewalk/Grading Details			1.0	2.0	8.0			11.0
12	Drainage Details				4.0	8.0			12.0
13	Illumination Details				2.0	2.0			4.0
Task 10 - 90% Engineer's Estimate									
1	90% Engineer's Estimate			1.0	4.0	4.0			9.0
Task 11 - 90% Contract Documents									
1	90% Contract Documents			6.0	24.0				30.0
Task 12 - Final Comment Resolution									
1	Final Comment Resolution			2.0	4.0				6.0
Task 13 - Final PS&E Package									
1	Final Plans			12.0	12.0	24.0			48.0
2	Final Engineer's Estimate			1.0	4.0	8.0			13.0
3	Final Contract Documents			8.0	12.0			6.0	26.0
Phase 7 Total Hours:				57.0	166.0	281.0		6.0	510.0
Billing Rate by category:		\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00	
Total Phase Cost by Category:				\$11,115.00	\$19,588.00	\$26,695.00		\$480.00	\$57,878.00
Phase 8 - Bidding Services									
Task 1 - Bidding Services									
1	Bidding Services			8.0	12.0	4.0			24.0
Phase 8 Total Hours:				8.0	12.0	4.0			24.0
Billing Rate by category:		\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00	
Total Phase Cost by Category:				\$1,560.00	\$1,416.00	\$380.00			\$3,356.00
Total Hours All Phases:		10.0	2.0	127.0	276.0	391.0	12.0	34.0	852.0
Billing Rate by category:		\$225.00	\$205.00	\$195.00	\$118.00	\$95.00	\$105.00	\$80.00	
Total Cost by Category:		\$2,250.00	\$410.00	\$24,765.00	\$32,568.00	\$37,145.00	\$1,260.00	\$2,720.00	\$101,118.00

Consultant Fee Estimate

SCJ Alliance

Client: City of Bonney Lake

Project: SR 410 Sidewalk Improvements from Angeline Bridge to 192nd Avenue East

Job #: 0610.10

File #: 2013-0227_410_fee_sidewalk_angeline to 192.xls

Consultant Fee Determination

DIRECT LABOR REVENUE

<u>Discipline</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Principal Engineer	10.0	\$225	\$2,250
Principal Planner	2.0	\$205	\$410
Senior Project Manager	127.0	\$195	\$24,765
Project Engineer I	276.0	\$118	\$32,568
Design Engineer	391.0	\$95	\$37,145
Planner	12.0	\$105	\$1,260
Project Coordinator I	34.0	\$80	\$2,720

Subtotal SC&J: 852 \$101,118

INDIRECT COSTS

Subconsultant Fees:	HRA (Phase 4)	\$7,390
	Landau (Phase 5)	\$20,500
	Subtotal:	\$27,890

Subconsultant Admin Fee (10%) \$2,789

Total Subconsultant: \$30,679

Expenses:

Copies, Reproductions, etc (1.0% of fee)	\$1,011
Mileage (800 miles @ \$0.585)	<u>\$468</u>

Total Expenses: \$1,479

TOTAL ESTIMATED FEE \$133,276



- Proposed SR410 Sidewalk
- Existing SR410 Sidewalk
- SR410 Sidewalk to be Completed in 2012
- Fennel Creek
- Bonney Lake City Limits
- Traffic Signal

SR410 HIGHWAY PROPOSED NEW SIDEWALK

Main Street to 192nd Street



August 22, 2012

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

Department/Staff Contact: Community Development / John P. Vodopich, AICP	Meeting/Workshop Date: 19 March 2013	Agenda Bill Number: AB13-43
Agenda Item Type: Presentation	Ordinance/Resolution Number: 2288	Councilmember Sponsor: McKibbin

Agenda Subject: First Amendment to the WSU Property Development Agreement

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The WSU Property Development Agreement Relating To A New Traffic Signal At 204th Avenue E And SR410.

Administrative Recommendation:

Background Summary: On December 22, 2009, the City entered into a Development Agreement for the WSU Property that, in part stipulated that the parties agreed that the intersection of 204th Avenue E. and SR 410 will not be signalized, and will have right-in, right-out access only. Experience since 2009 has shown that limiting the 204th/SR 410 intersection to right in/right out has been a key factor inhibiting development of the Commercial/Medical area of the property and that a connector arterial with full access is important to the success of the Commercial/Medical area. With this proposed amendment, the City will support a traffic signal at the intersection of 204th/SR 410 and, as appropriate will assist in efforts to persuade WSDOT to grant approval for a new traffic signal on SR 410 at 204th Avenue E.

Attachments: Draft Amendment to the Development Agreement, engineering reviews and graphic

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

COMMITTEE, BOARD & COMMISSION REVIEW					
Council Committee Review:	Community Development Date: November 20, 2012 & February 19, 2013	<i>Approvals:</i> Chair/Councilmember Councilmember Councilmember	Randy McKibbin James Rackley Katrina Minton-Davis	Yes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <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): March 19, 2013	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

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RESOLUTION No. 2288

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

RECITALS

- A. On December 22, 2009 Weyerhaeuser Real Estate Development Company (“WY”), Washington State University (“WSU”), and the City of Bonney Lake (“City”) entered into a Development Agreement, Resolution 1991 for property consisting of 149.1 acres of land lying south of SR-410 between South Prairie Road E. and 214th Avenue E. in the City of Bonney Lake (the “Property”).
 - B. In the Development Agreement the parties agree that the intersection of 204th Avenue E. and SR-410 will not be signalized, and will have right-in, right-out access only.
 - C. A primary reason the Development Agreement prohibited a signal at the 204th Avenue E./SR-410 intersection was a concern that an additional signal would result in slower travel times on SR-410.
 - D. Experience since 2009 has shown that limiting 204th Avenue E/SR 410 intersection to right in/right out has been a key factor inhibiting development of the Commercial/Medical Area of the Property.
 - E. A connector arterial with full access is important to the success of the Commercial/Medical Area. Without a signal, 204th Avenue E. will not function as a collector arterial.
 - F. A connector arterial with full access is also important to the success of the YMCA and the City Property.
 - G. Engineering analyses indicate that, under full buildout of the Property, projected for 2015, a signal will result in slightly faster travel times during afternoon peak hour traffic for both east and west bound traffic between 184th Avenue E and 234th Avenue E.
 - H. Transportation analyses indicate that limiting 204th Avenue E./SR-410 intersection to right in/right out will cause the level of service (LOS) at the following key intersections to deteriorate:
 - S. Prairie Road E./SR-410 deteriorates from LOS E to LOS F
 - 214th Ave E./SR-410 deteriorates from LOS E to LOS F
 - 200th Ave. Ct. E./SR-410 deteriorates from LOS E to LOS F
 - S. Prairie Road E./214th Ave E. deteriorates from LOS D to LOS E
- These intersections are key to the success of the City's Midtown and Eastown subareas.
- I. The Eastown area needs adequate levels of service and travel times on SR-410 and restricting the new road be to right-in/right-out only would compromise these goals and jeopardize the City's investment in Eastown.

AMENDMENT

NOW, THEREFORE, the Development Agreement is amended as follows:

1.0 Section 6.6.1.4 shall be replaced with the following:

The City will support traffic signals at the intersections of 204th Avenue E. with SR-410 and South Prairie Road E., and City representatives as appropriate will assist in efforts to persuade WSDOT to grant approval for a new traffic signal on SR-410 at 204th Avenue E. If approval for the traffic signal is obtained, the City will, in its next Comprehensive Plan Amendment cycle, amend the transportation element and update the TIF list to add 25% of the project costs. The City will provide WSU and WY a credit against future transportation impact fees, and WSU/WY shall be responsible for allocating the credit to individual developers within the Project. Each developer of the Property shall be responsible for impact fees in effect at the time of building permit issuance. If the developer is using a credit allocated to it by WSU/WY, it must provide the City with evidence of the allocation.

**WEYERHAEUSER REAL ESTATE
DEVELOPMENT COMPANY**

By: _____

Its: _____

WASHINGTON STATE UNIVERSITY

By: _____

Its: _____

The City of Bonney Lake

By: _____
Neil Johnson, Jr.

Its: Mayor

STATE OF WASHINGTON)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that Neil Johnson, Jr. is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Bonney Lake, Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

Notary Public in and for the State of Washington,
residing at _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that Scott Dahlquist is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Vice-President, West of Weyerhaeuser Real Estate Development Company, a wholly owned subsidiary of Weyerhaeuser Company, a Washington Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

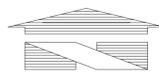
Notary Public in and for the State of Washington,
residing at _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the _____ of Washington State University, a _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

Notary Public in and for the State of Washington,
residing at _____
My appointment expires: _____



1"=100'



COMMERCIAL PROPERTY SITE EXHIBIT WSU / BONNEY LAKE SITE

PORTIONS OF SECTION 3, TOWNSHIP 19 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, BONNEY LAKE, WASHINGTON



No.	Date	By	Cd.	Appr.	Revision

Title:

COMMERCIAL PROPERTY SITE EXHIBIT

For: **WASHINGTON STATE UNIVERSITY/WEYERHAUSER**

C/O QUADRANT CORPORATION

14725 SE 36TH STREET, SUITE 200

BELLEVUE, WA 98006

Designed	_____	Scale:
Drawn	_____	Horizontal
Checked	_____	1"=100'
Approved	_____	Vertical
Date	01/11/16	N/A

18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222 FAX
(425)251-8782
CIVIL ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES



Job Number
14239

Sheet

1 of 1



MEMORANDUM

TO: John Vodopich, AICP, Community Development Director
FROM: Eric Johnston, PE, Principal
DATE: February 12, 2013
PROJECT #: 0610.13.02
SUBJECT: TENW Analysis of Proposed Signal at SR 410/204th Ave E

John-

We have reviewed the memorandum TENW prepared in support of the proposed signal at SR 410 and 204th Ave E. I believe the memorandum summarizes adequately the benefits to the City of signaling the intersection when conditions warrant rather than limiting the intersection to right-in/right-out movements.

- The supporting analysis indicates traffic flow along SR 410 can be improved with the signal.
- The signal location is consistent with the spacing of other signalized intersections on SR 410 in the Midtown area.
- The signalized intersection will facilitate circulation and access in the Midtown area of the City.
- Allowing left-turns at this location will alleviate to some degree the operations issues at 214th Ave E and S Prairie Rd.

We believe this memorandum in conjunction with the prior analysis completed for the EIS demonstrate the proposed signalized intersection would provide benefit to the City of Bonney Lake.

The applicant will still need to satisfy WSDOT's requirements for analysis and documentation to construct a signal at this location, which may differ from the analysis provided to the City.

Please let me know if you request anything further from SCJ to complete this project.

DATE: February 11, 2013

TO: Honorable Mayor Neil Johnson, Jr. and the Bonney Lake City Council

FROM: Michael J. Read, P.E.
Transportation Engineering NorthWest, LLC 

RE: North-South (204th Avenue E) Public Roadway – WSU Demonstration Forest
(Expanded from July 2012 Presentation)

This document summarizes the transportation benefits of the new North-South public roadway (204th Avenue E) that will be constructed as part of redevelopment of the WSU Demonstration Forest site, including the importance and beneficial effects of signaling its intersection with SR 410. Originally presented to the City in July 2012, the City, through its on-call traffic engineer Shea Carr Jewell, conducted a review and recommended approval of signal installation pending completion of detailed signal timing/phasing plans during four different time periods as outlined in *Review and Recommendation – North-South (204th Avenue E) Public Roadway and Proposed Signalized Intersection at 204th Ave E/SR 410*, Shea Carr Jewell, August 2012.

In making a recommendation, Shea Carr Jewell Prior stated that, prior to approving the new traffic signal on the corridor, a detailed timing plan should be prepared by the project proponent showing appropriate signal cycle lengths, signal timing and phasing, and platoon progression for affected upstream and downstream intersections. This analysis now includes the results of these detailed signal timing/phasing plans as requested by the City, and concludes that overall corridor benefits could be achieved through signal installation at 204th Avenue E in conjunction with other corridor timing/phasing plans as presented in this memorandum and supporting attachments.

Project Context

In 2005, WSU began a planning process with the City of Bonney Lake in redevelopment of the WSU Demonstration Forest site. This process culminated in creation of an Environmental Impact Statement (EIS) of redevelopment in 2009 and adoption of an amendment to the Comprehensive Plan Future Land Use Map in 2009. Subsequent to these efforts by WSU, the City Council adopted the Midtown Element of the Comprehensive Plan in 2011. Within the Midtown Element of the Comprehensive Plan, it explains that Midtown is the City's "commercial center of gravity". As the WSU Demonstration Forest site property is located within the Midtown area of Bonney Lake, and remains largely undeveloped, these properties have been planned and entitled with land uses critical to the success of the Midtown area, key community features, and creation of new transportation and public infrastructure. The WSU Demonstration Forest is the only remaining parcel of land large enough for anchor retailers to locate west of 214th, which further underscores the importance of the availability of infrastructure to serve those user's needs for access.

A key component of the planning and infrastructure developed as part of this joint process is the transportation infrastructure system that serves the site. Site access, egress, and off-site impacts not only considered redevelopment land uses, but also carefully considered City-wide needs in the development of new roadways. Critical to this long range planning for transportation and circulation is a new signal at the intersection of the North-South roadway (204th Avenue E) within the site and SR 410.

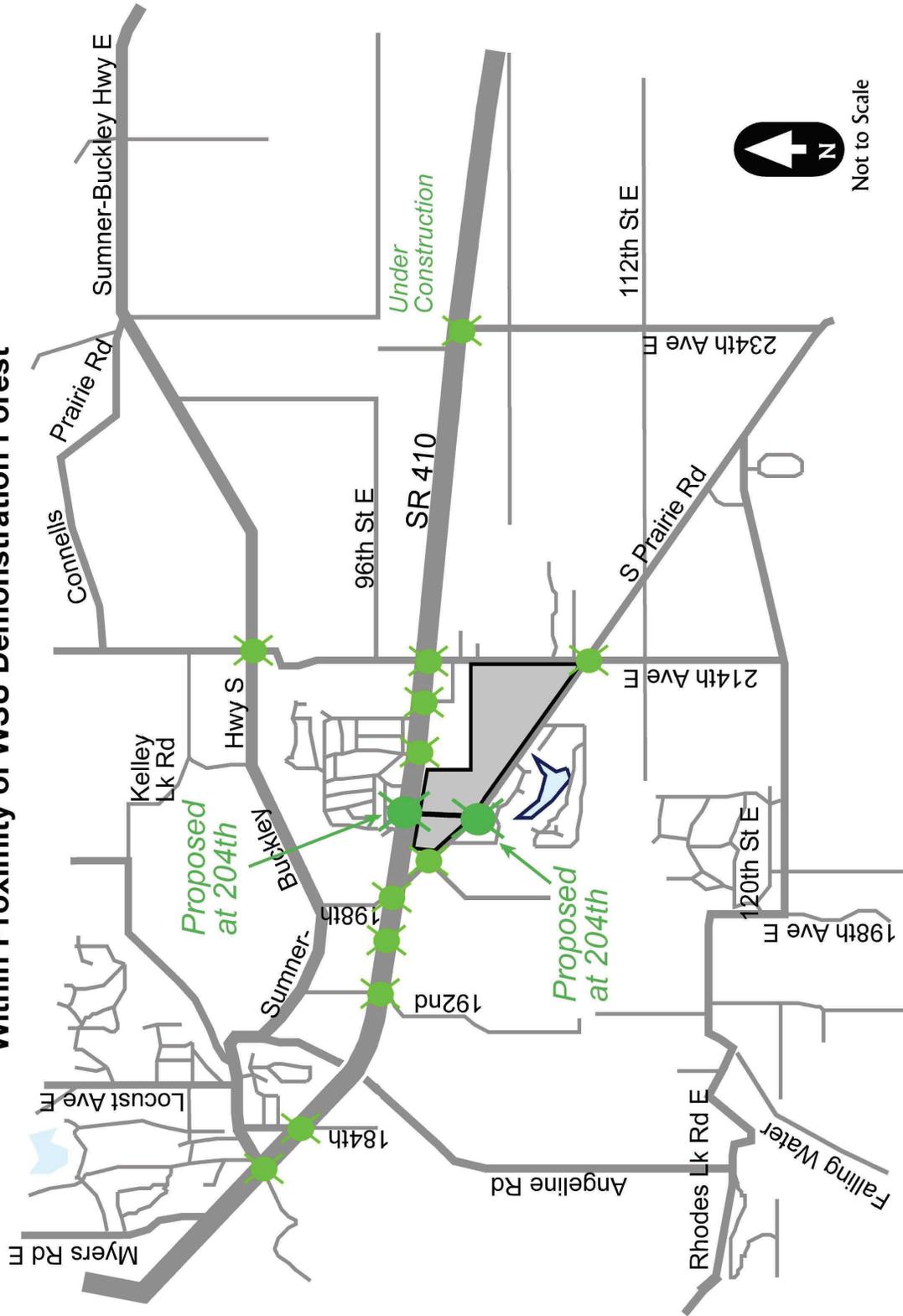
If approved by the City Council, this signal would not be constructed immediately. The applicant anticipates beginning design work on the signal permit in 2013, but will only build the signal when the traffic warrants are met (as part of redevelopment that serves the Midtown area within the site). The signal will also be accompanied by a new eastbound “third lane”, adding capacity to SR 410, as well as completion of the sidewalk system along the south side of SR 410 on the property’s frontage. These sidewalk improvements would provide a safe and pedestrian friendly connection from S. Prairie road along 204th Ave SE, across SR 410 to the north side of SR 410 where the City recently completed its new sidewalk improvements.

Key Design Considerations and Qualitative Benefits

General key design elements and qualitative benefits of 204th Avenue E, and its signalized intersection on SR 410, have been planned to include:

- Given that north-south travel options within the site vicinity are limited to 214th Avenue E, the proposed roadway connection would provide the ability for future extension of a parallel corridor to 214th Avenue E, between S Prairie and Sumner Buckley Highway, as new development and redevelopment of properties north and south of the SR 410 corridor occur in the future.
- Given this long range transportation planning determination, 204th Avenue E was adopted as an amendment to the Transportation Element of City’s Comprehensive to address both short term and long term transportation needs of the City of Bonney Lake.
- To allow for construction of the roadway and connection onto SR 410, removal of a portion of the median barrier and arterial widening would be needed to provide for a left turning lane. To provide for future extension of 204th Avenue E north of SR 410, widening improvements should also be made to provide for an eastbound left turning lane at this signal in the future.
- The conceptual location of the new arterial (204th Avenue E) is approximately 1,000 feet west of the existing SR 410 and 208th Avenue E signal, and approximately 1,700 feet east of the SR 410 and S Prairie Road signal. The conceptual roadway alignment was developed to provide for at least 1,000 foot minimum spacing between signalized locations along SR 410 in order to provide for adequate vehicle signal progression and to provide adequate queuing space for left turn queuing that would not conflict with upstream/downstream intersections.
- As shown in the attached **Exhibit**, this new arterial roadway and signalized intersection would be constructed along a 1.5 mile segment of SR 410 that already exhibits similar signal spacing for both arterial connections and local access to critical commercial districts within the City.

**Existing and Proposed Signalized Intersections
 Within Proximity of WSU Demonstration Forest**



- The kinds of retail/commercial/medical uses the City envisions for the WSU property cannot feasibly operate with such restricted access and the significant congestion that would result at key area intersections. A connector arterial with full access is important to the success not only of the commercial/medical area, but also the YMCA and the City Property.
- The signal also enhances the value of the City Property deeded to the City by WSU. Under the Development Agreement, WSY/WY will grant the City a 30' access easement to the new road. If the intersection of this new road and SR 410 is limited to right-in, right-out only, the new road no longer functions as an arterial roadway, but as an access driveway for the project. Assuming the City wishes to sell land for commercial or residential uses, many of these trips will go west via SR 410. The difficult access will affect sales time and limit retail tenants.
- While the proposed segment of roadway would likely not be constructed without redevelopment, a sensitivity analysis of 204th Avenue E's benefits was conducted to evaluate its ability to replace and/or delay planned improvements in the vicinity of SR 410 and S Prairie Road. It was determined through the EIS process that this new roadway and associated signalized intersection would assist in alleviating affects of future growth in the 214th Avenue E corridor via future extension of the roadway as a parallel route to 214th Avenue E between S Prairie Road and Sumner Buckley Highway within Bonney Lake.
- When the site is fully built in the future, TENW has determined (through detailed traffic analysis completed as part of the EIS process) that providing a signal at 204th Avenue E would not impair travel time in the critical afternoon peak hour. In fact, it would result in slightly faster travel times during afternoon peak hour traffic for both east and west bound traffic between 184th Avenue E and 234th Avenue E.
- The Midtown Element Plan envisions a grid network of interconnected streets creating continuous alternative transportation routes throughout the area and alternative routes for local traffic which will allow drivers alternatives to traveling SR 410 to access establishments in the Midtown area. Signalization of the 204th Avenue E/SR 410 intersection promotes this vision by providing the ability for future extension of a parallel corridor to 214th Avenue E, between S Prairie and Sumner Buckley Highway.

Summary of Traffic Operational Benefits

The Midtown Element explains that Midtown is the City's "commercial center of gravity." Without signalization of the 204th Avenue E and SR 410 intersection, limited access would negatively affect the area by causing deterioration in the level of service (LOS) at vicinity intersections that are key to the success of the City's Midtown and Easttown subareas. Without signal installation, critical left turns from the WSU Demonstration Forest site onto SR 410 could not be provided, therefore, forcing circuitous routing of existing and new trips onto alternative vicinity arterials.

Using existing signal timing parameters at intersections along the corridor, the following corridor level of service benefits would be derived from installation of the signal by itself with the WSU Demonstration Forest Project in 2015:

- S. Prairie Road E/SR 410 improves from LOS F to LOS E
- 214th Ave E/SR 410 improves from LOS F to LOS E
- 200th Ave. Ct. E/SR 410 improves from LOS F to LOS E
- S. Prairie Road E/214th Ave E. improves from LOS E to LOS D

Additionally, signalization of the 204th Avenue E/SR 410 intersection maintains arterial level of service eastbound and westbound on SR 410, maintains through volume travel time eastbound, and slightly improves travel time westbound as shown from the results of an arterial analysis. As documented previously, subsequent to the EIS process an arterial travel time analysis was conducted on SR 410 between 184th Avenue E and 234th Avenue E with 204th Avenue E under Full Buildout of the Preferred Alternative using existing signal timing/phasing plans (optimized). This analysis was done to provide further documentation as to the impacts and benefits of signal installation of the proposed 204th Avenue E collector arterial between SR 410 and South Prairie Road E.

As summarized in **Table 1**, overall corridor level of service improvements are estimated with installation of a traffic signal, with slight improvements in arterial travel speeds between 184th Avenue E and 234th Avenue E. Without a new signal at 204th Avenue E, the slight degradation in average arterial travel speeds would fall to LOS F eastbound and LOS D westbound along SR 410.

Table 1
TRAVEL TIME ANALYSIS ON SR 410

Roadway	Section	Direction	Distance	2009 Existing			2015 With Project With New N-S Roadway (Signalized)			2015 With Project With New N-S Roadway (Unsignalized)		
				Travel Time	Arterial Speed	Arterial LOS	Travel Time	Arterial Speed	Arterial LOS	Travel Time	Arterial Speed	Arterial LOS
SR 410	184th Ave E to 234th Ave E	EB	1.61 miles	231	25.1	C	346	16.7	E	458	12.6	F
		WB	1.61 miles	196	29.4	B	253	22.9	C	275	21.0	D

Note: Analysis based on Synchro 6.0 results using HCM 2000 control delays and LOS as presented by TENW to the City in July 2012.

Subsequently, in response to the City’s request, TENW developed a more detailed coordination signal timing/phasing plan (summarized in the next section of this report). It shows that, during the p.m. peak hour, intersection level of service at signalized intersections within the corridor segment would all improve to LOS C or better with the WSU Demonstration Forest project, the new 204th Avenue E/SR 410 signal, and signal timing/coordination plan.

Signal Timing/Progression Analysis

The following paragraphs summarize the results of the detailed traffic operations and signal timing plan analysis prepared by TENW for the section of SR 410 from 192nd Avenue E to 214th Avenue E in response to the City's request. The purpose of these plans are to demonstrate that, with the addition of a new traffic signal at 204th Avenue E as part of the WSU Demonstration Forest project, no detrimental impacts to traffic flow along SR 410 would occur while increasing local access and capacity for north-south flow between South Prairie Road and SR 410 during peak or off-peak periods. The new signal on SR 410 is proposed at the yet to be constructed 204th Avenue E arterial approximately 1,000 feet west of 208th Avenue. Note: In development of this detailed signal timing, phasing, and progression plans, a comprehensive evaluation of cycle length, phasing plans, progression factors, and other timing parameters were calibrated by TENW during each time of day period.

Time Periods Evaluated

As requested by the City, four time periods were selected for evaluation to determine if the addition of a signal at this location would adversely affect the travel time on the SR 410 corridor, and provide recommendations for a timing plan to provide progression within the corridor. Per direction from the City of Bonney Lake, time periods selected were the morning (7:00 a.m. – 9:00 a.m.), midday (11:00 a.m. – 1:00 p.m.), and evening (4:00 p.m. – 6:00 p.m.) peak hours, as well as an off-peak hour that occurred during the midday count period (11:00 a.m. – 12:00 p.m.). Given the City's request, historical count data was not available during the time periods required for review. As such, existing turning movement counts were conducted at each study intersection on Tuesday December 11, 2012 for the morning, midday, and evening peak hours and are provided as **Attachment A**.

2015 Traffic Volume Projections

Traffic forecast data for this study was established from the WSU Bonney Lake Site Environmental Impact Statement (EIS), 2009. Pipeline trips and growth rates from the p.m. peak hour analysis conducted for the WSU EIS were used as the basis for pipeline and background growth estimates in the other analysis time periods. WSU project trips were also estimated for each analysis time period based on the land uses from the EIS. Turning movement projections for each analysis period are provided as **Attachment B**.

2015 With-Project Traffic Operations

Consistent with previous analyses, *Synchro 6* software was used to conduct the analysis of 2015 corridor operations, prepare signal timing/phasing plans, and more detailed analysis of travel time. **Table 2** summarizes the corridor travel time, average speed, and level-of-service (LOS) by direction for each analysis period. Note that the extent of this timing study is along a shorter section of SR 410 than previous analyses of traffic flow operational impacts of a new signal, as signalized intersections east and west of this segment are roughly one mile beyond these limits and cannot be effectively integrated into a coordinated signal control network based on standard transportation engineering practice.

As **Table 2** indicates, both directions of this SR 410 segment are projected to operate at LOS C (over 25 mph) in 2015 with a signal at 204th Avenue E. As such, there would be no adverse effect to the operations of SR 410 from the installation of this signal. In fact, the signal is shown to improve vehicle platooning behavior and, therefore, maximize throughput along this nearly 1-1/2 mile segment of SR 410. Summary reports of the detailed corridor analysis are provided as **Attachment C**.

Table 2: 2015 Travel Time Analysis on SR 410 – With Signal/Timing Coordination Plan, New Signal, and WSU Demonstration Forest Project at Full Buildout

Roadway Section	Distance	Direction	A.M. Peak Hour ¹			Off-Peak Hour ²			Midday Peak Hour ³			P.M. Peak Hour ⁴		
			Travel Time ⁵	Arterial Speed	Arterial LOS	Travel Time	Arterial Speed	Arterial LOS	Travel Time	Arterial Speed	Arterial LOS	Travel Time	Arterial Speed	Arterial LOS
SR 410 – 192 nd Ave E to 214 th Ave E	1.39 miles	EB	265	28.5	B	276	27.4	C	290	26.0	C	332	22.7	C
SR 410 – 192 nd Ave E to 214 th Ave E	1.39 miles	WB	324	28.7	B	319	29.3	B	317	29.4	B	343	27.1	C

1 – Peak hour during 2-hour weekday count (7am-9am).
 2 – 11am-12pm weekday count.
 3 – Peak hour during 2-hour weekday count (11am-1pm).
 4 – Peak hour during 2-hour weekday count (4pm-6pm).
 5 - Travel time is in seconds, Arterial Speed is in miles-per-hour, LOS assumes a Class II arterial.

Signal Timing Results

When optimizing the corridor cycle length for each time period, a minimum cycle length of 90-seconds was used. This was assumed to be the shortest practical cycle length for a highway such as SR 410. The maximum cycle length allowed was 150 seconds.

Table 3 summarizes intersection LOS and important summary signal timing parameters for coordination of phases 4 and 8 in the Synchro model (EB and WB SR 410), offsets shown refer to the “start of green” phase at each signal assuming the intersection of SR 410 and S Prairie Road is the master control location.

Detailed signal timing/coordination parameters are provided in **Attachment D** for each time period. Intersection level of service summary sheets are provided as **Attachment E**.

Conclusion

The results of the traffic operational and signal timing analysis indicate that no increase in arterial delays within the corridor segment would result during peak or off-peak periods, and that substantial local access benefits could be achieved without degradation in traffic flow along the SR 410 corridor. As this comprehensive analysis confirms that installation of a new traffic signal access at 204th Avenue E on SR 410 effectively meets local mobility goals of the City without negatively impacting progression on the corridor, the Shea Carr Jewell recommendation that the City should support the proposed new 204th Ave E connection and traffic signal is affirmed.

Table 3: 2015 Signal Timing Summary

SR 410 Intersection	Int. #	Master	A.M. Peak Hour ¹			Off-Peak Hour ²			Midday Peak Hour ³			P.M. Peak Hour ⁴		
			Cycle Length	Offset	LOS ⁵	Cycle Length	Offset	LOS	Cycle Length	Offset	LOS	Cycle Length	Offset	LOS
192 ^d Ave E	101		90	44	C	90	51	C	90	49	C	150	133	C
1,070feet														
196 th Ave E	102		90	49	A	90	62	B	90	61	B	150	138	C
1,245feet														
S Prairie Rd	1	X	90	0	B	90	0	B	90	0	C	150	0	D
1,741 feet														
New N-S Rd	37		90	12	A	90	28	A	90	12	A	150	47	B
1,031 feet														
208 th Ave E	2		90	59	A	90	38	A	90	55	B	150	94	B
1,134feet														
211 th Ave E	3		90	65	B	90	56	B	90	64	B	150	72	C
1,083feet														
214 th Ave E	4		90	5	C	90	13	C	90	9	C	150	93	D

- 1 – Peak hour during 2-hour weekday count (7am-9am).
- 2 – 11am-12pm weekday count.
- 3 – Peak hour during 2-hour weekday count (11am-1pm).
- 4 – Peak hour during 2-hour weekday count (4pm-6pm).
- 5 – Intersection Level-Of-Service (LOS)



February 5, 2013

Pete Lymberis, AVP
Quadrant Homes
14725 SE 36th, Ste 100
Bellevue, WA 98006

RE: Bonney Lake SR 410 Signal Light

Dear Pete:

It's my understanding that Quadrant has a large commercial site fronting SR410 in the City of Bonney Lake, but there is a prior land use permit prohibits a signal light at the site's entrance. Given the site's location and land use designation, a retail center anchored by a big box retailer appears to be what the city would like to see developed. However, it is unlikely that you'll be able to secure a big box retail anchor tenant without signalization into the center, as signalization is a very common site selection requirement for large format tenants such as Target or TJ Maxx (two tenants that are actively seeking to expand in the Puget Sound region).

Without an anchor tenant, it is unlikely that you'll be able to secure construction financing anytime in the near future. Additionally, Junior Anchors such as Petsmart or Office Depot more often than not are seeking to co-locate with the big box tenant. Accordingly, unless you can obtain a signalization permit into your site, a retail center may not be economically feasible.

Sincerely,

INTEGRA REALTY RESOURCES- SEATTLE

A handwritten signature in blue ink, appearing to read "Allen Safer", is written over a white rectangular area.

Allen N. Safer, MAI
Senior Managing Director

Allen Safer, MAI, MRICS

Experience

Managing Director for Integra Realty Resources-Seattle in Washington State. Integra Realty Resources Seattle is part of Integra Realty Resources (IRR), a national valuation and consulting firm with 59 offices in the U.S. and Mexico.

Mr. Safer and his firm are experienced in the analysis of various property types including: vacant land, residential plats, master planned communities, multi family developments, retail, office, industrial and special purpose properties in Washington State and Alaska. Clients served include various financial concerns, law and public accounting firms, private and public agencies, pension and advisory companies, investment firms, and the general public. Further, utilizing the resources of Integra's nationwide coverage, the firm is actively involved in the completion of large portfolio engagements.

Mr. Safer's background includes 30+ years of consultation and valuation analysis for the general public on commercial and residential properties in Washington and Alaska. Entered the appraisal profession with Coldwell Banker Appraisal Services from 1977 to 1981. Founded Safer & Company in 1982 and transitioned to Property Counselors from 1986 to 2001.

Professional Activities & Affiliations

Appraisal Institute, Member (MAI)

President: Local Chapter of the Appraisal Institute, January 2007 - December 2007

Chairman: Seattle Chapter Real Estate Fall Conference, January 2008 - December 2010

Chairman: National Appraisal Institute Regional Chairs, January 2000 - December 2000

Chairman: National Appraisal Institute Executive Committee, January 2000 - December 2000

Chairman: Pacific NW Region 1 Board of Directors, January 1998 - December 1999

Board of Director: Appraisal Institute, January 1996 - December 2001

Member: Appraisal Institute Finance Committee, January 1996 - December 1997

Board of Director: General Appraisal Board of the Appraisal Institute, January 1994 - December 1996

Chairman: National Comprehensive Exam Subcommittee of the Appraisal Institute, Jan. 1990 -Dec.1992

Member: National Comprehensive Exam Subcommittee of the Appraisal Institute, Jan. 1983 -Dec.1992

Member: Government Relations Committee, January 2002 - December 2004

Member: National Admissions Committee of the Appraisal Institute, January 1990 - December 1993

Board of Director: Seattle Chapter of the Appraisal Institute, January 1989 - December 1992

Member: Regional Professional Standards Panel of the Appraisal Institute, January 1984

Chairman: Local Chapter Admissions and Programs, January 1986 - December 1991

Licenses

Alaska, Appraiser, 412

Washington, Appraiser, 1100662, Expires September 2013

Washington, Designated Broker, 3341, Expires December 2013

Education

Bachelor of Science, Real Estate, University of Colorado, Boulder, Colorado

Qualified Before Courts & Administrative Bodies

United States Bankruptcy Court, Seattle Washington

King County Superior Court, Washington

King County Board of Equalization

Pierce County District Court

Washington State Board of Tax Appeals

Various Arbitration & Land Use Hearings

Miscellaneous

Recipient of the Seattle AI Chapter's "Appraiser of the Year" Award for 2001.

Recipient of the Seattle AI Chapter's 2009 "President's Award".

asafer@irr.com - 206.436.1190

Integra Realty Resources Seattle

600 University Street
Suite 310
Seattle, WA 98101

T 206.903.6700x190
F 206.623.5731

irr.com



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

Department/Staff Contact: Admin Srvc / Edvalson	Meeting/Workshop Date: 19 March 2013	Agenda Bill Number: AB13-49
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2294	Councilmember Sponsor:

Agenda Subject: Updating the Address for the Agents of Record for Claims Filed with the City.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing the City Clerk and/or City Administrator as Agents of the City of Bonney Lake to Receive Claims for Damages Under the Provisions of RCW 4.96.020.

Administrative Recommendation: Approve.

Background Summary: In 2007, the Council took action to designate the City Clerk and City Administrator as the City's designated agents to receive claims for damages under the provisions of RCW 4.96.020. Notice was filed with the County Auditor as required by law. The street address for both of these officers has now changed to the Justice & Municipal Center. It is recommended the Council approve the accompanying resolution which will be filed with the County Auditor to update the street address for in-person delivery.
Attachments: none

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation: No budget impact to this action.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember Dan Swatman		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember Randy McKibbin		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember Mark Hamilton		<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): 3/19/2013	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

RESOLUTION NO. 2294

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, DESIGNATING AND APPOINTING THE CITY CLERK AND/OR CITY ADMINISTRATOR AS AGENTS OF THE CITY OF BONNEY LAKE TO RECEIVE CLAIMS FOR DAMAGES UNDER THE PROVISIONS OF RCW 4.96.020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON AS FOLLOWS:

1. Pursuant to RCW 4.96.020, the designated agent and address for the receipt of any claim for damages pursuant to Chapter 4.96 RCW:

City Clerk and/or City Administrator
City of Bonney Lake
9002 Main Street East. (street address)
P. O. Box 7380 (mailing address)
Bonney Lake, WA 98391

2. Other than vacation, sick leave, and other temporary absences, the City Clerk and/or City Administrator shall be available to receive claims for damages during normal business hours at the City Hall.
3. This Resolution shall be recorded with the Pierce County Auditor.
4. All claims for damages against the City of Bonney Lake shall be presented to one of the above-designated agents within the applicable period of limitations within which an action must be commenced.

PASSED by the City Council this 26th day of March, 2013.

Neil Johnson Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Harwood T. Edvalson, MMC, City Clerk

Kathleen Haggard, City Attorney