

CITY COUNCIL MEETING

March 22, 2016
7:00 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.
www.ci.bonney-lake.wa.us

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

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

A. Flag Salute

B. Roll Call: Mayor Neil Johnson, Jr., Deputy Mayor Randy McKibbin, Councilmember Justin Evans, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember James Rackley, Councilmember Dan Swatman, and Councilmember Tom Watson.

C. Agenda Modifications:

D. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

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a. **AB16-47** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying The Mayor's Reappointments Of Arts Commissioners Alison Hudson (Position 1), Beverley Birmele (Position 6), And Carrie Maez (Position 9); Parks Commissioners Scott Anderson (Position 6) And Todd Haueter (Position 7); Design Commissioner Thomas Kennedy (Position 3); And Planning Commissioners Dennis Poulsen (Position 6) And L. Winona Jacobsen (Position 7), All With Terms Expiring April 6, 2019.

3. Presentations:

a. **Presentation:** East Pierce Fire & Rescue Foundation.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

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A. Public Hearings: **AB16-22 – Ordinance D16-22** – Creation of a Transportation Benefit District.

Citizens are invited to present their views on specific issues being considered by Council. A public hearing sign-in sheet is available at the information table. Those who do not sign up will be given opportunity to speak only if time allows. Comments are limited to 5 minutes per individual or 10 minutes for the designated representative of a group.

- B. Citizen Comments:
Citizens are encouraged to attend and participate at all Council Meetings. You may address the Mayor and City Council on matters of City business, or over which the City has authority, for up to 5 minutes. Sign-up is not required. When recognized by the Mayor, please state your name and address for the official record. Designated representatives recognized by the chair who are speaking on behalf of a group may have a total of 10 minutes to speak. Each citizen is allowed to speak only once during Citizen Comments.
- C. Correspondence

III. COUNCIL COMMITTEE REPORTS:

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

IV. CONSENT AGENDA:

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

- p. 21 A. **Approval of Corrected Minutes:** March 1, 2016 Workshop, and March 8, 2016 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:**
Accounts Payable checks/vouchers #73251-73288 in the amount of \$66,314.94.
Accounts Payable checks/vouchers #73289-73342 (including wire transfer numbers 20160301, 20160302, 20160303, 20160304, 20160305, and 2016031101) in the amount of \$424,620.38.
- p. 31 C. **AB16-40 – Resolution 2517** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Acknowledgement of Puget Sound Regional Council's Conditional Certification of the City's Comprehensive Plan.
- p. 57 D. **AB16-46 – Resolution 2519** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Developer Extension Agreement with JK Monarch LLC for Church Lake Estates for Extension of the Water and Sewer Systems.

V. FINANCE COMMITTEE ISSUES: None.

- p. 67 A. **AB16-41 – Ordinance D16-41** – An Ordinance Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.04.100(G) of the Bonney Lake Municipal Code Relating to Water Utility Charges and Adjustments.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES: None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES: None.

X. EXECUTIVE/CLOSED SESSION:

Pursuant to RCW 42.30, the City Council may hold an executive or closed session. The topic(s) and duration will be announced prior to the session.

XI. ADJOURNMENT

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

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

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

Department/Staff Contact: Administrative Services / Woody Edvalson	Meeting/Workshop Date: 22 March 2016	Agenda Bill Number: AB16-47
Agenda Item Type: Motion	Ordinance/Resolution Number:	Councilmember Sponsor: Deputy Mayor McKibbin

Agenda Subject: Ratifying the Mayor's Reappointments of Various Commissioners

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying The Mayor's Reappointments Of Arts Commissioners Alison Hudson (Position 1), Beverley Birmele (Position 6), And Carrie Maez (Position 9); Parks Commissioners Scott Anderson (Position 6) And Todd Haueter (Position 7); Design Commissioner Thomas Kennedy (Position 3); And Planning Commissioners Dennis Poulsen (Position 6) And L. Winona Jacobsen (Position 7), All With Terms Expiring April 6, 2019.

Administrative Recommendation: Approve.

Background Summary: Mayor Johnson invites the City Council to ratify the above reappointments of existing Arts, Design, Park, and Planning Commissioners. Those being reappointed are well known to the Council and expressed the desire to continue serving on their respective commissions.
Attachments: None.

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation: No budget impact.				

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

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 3/22/2016	Tabled to Date:

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

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 22 March 2016	Agenda Bill Number: AB16-22
Agenda Item Type: Public Hearing	Ordinance/Resolution Number: D16-22	Councilmember Sponsor:

Agenda Subject: Public Hearing - Creation of a Transportation Benefit District

Full Title/Motion: n/a - A Public Hearing On The Potential Creation Of The Bonney Lake Transportation Benefit District, Specifying The Boundaries For The Transportation Benefit District, Specifying The Maintenance And Preservation Of Existing Transportation Improvements, Authorizing The Transportation Benefit District Board To Establish An Annual Vehicle License Fee; Establishing An Effective Date; And, Providing For Severability .

Administrative Recommendation: Approve

Background Summary: The City of Bonney Lake has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, and protection of public ways within the corporate limits of the City. However, declining gas taxes and traffic impact fees are the only dedicated sources of revenues for maintaining street. The sources are woefully inadequate to fund the transportation improvement program of the City and otherwise meet our statutory obligations. A transportation Benefit District would provide an additional funding mechanism to fund local street. It is estimated that a \$20 tab fee would raise an esitimated \$260,000 annually for the street system. This public hearing is to get citizen input on the question of forming a Transportation Benefit District in accordance with RCW 36.73.050, prior to adopting an ordinance so doing. Any decision to impose a tab fee or other funding mechanisms would be made after the district is formed.

Attachments: Ordinance D16-22; TBD Revenue Estimates (2012); TBD District List; TBD Background Info

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

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

COUNCIL ACTION	
Workshop Date(s): March 1, 2016	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS

Director:

Mayor:

**Date Reviewed
by City Attorney:
(if applicable):**

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 1 March 2016	Agenda Bill Number: AB16-22
Agenda Item Type: Motion	Ordinance/Resolution Number: AB16-22	Councilmember Sponsor: TBD

Agenda Subject: Creation of a Transportation Benefit District

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing The Bonney Lake Transportation Benefit District, Specifying The Boundaries For The Transportation Benefit District, Specifying The Maintenance And Preservation Of Existing Transportation Improvements, Authorizing The Transportation Benefit District Board To Establish An Annual Vehicle License Fee; Establishing An Effective Date; And, Providing For Severability. .

Administrative Recommendation: Approve

Background Summary: The City of Bonney Lake has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, and protection of public ways within the corporate limits of the City. However, declining gas taxes and traffic impact fees are the only dedicated sources of revenues for maintaining street. The sources are woefully inadequate to fund the transportation improvement program of the City and otherwise meet our statutory obligations. A transportation Benefit District would provide an additional funding mechanism to fund local street. It is estimated that a \$20 tab fee would raise an esitmated \$260,000 annually for the street system. If the Council determined to move forward, the next step would be to hold a public hearing on the question of forming a Transportation Benefit District in accordance with RCW 36.73.050, prior to adopting the ordinance. Any decision to impose a tab fee would be made after the district is formed.

Attachments: Ordinance D16-22; TBD Revenue Estimates (2012); TBD District List

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

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

COUNCIL ACTION	
Workshop Date(s): March 1, 2016	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS

ORDINANCE NO. D16-22

AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON ESTABLISHING THE BONNEY LAKE TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE BOUNDARIES FOR THE TRANSPORTATION BENEFIT DISTRICT, SPECIFYING THE MAINTENANCE AND PRESERVATION OF EXISTING TRANSPORTATION IMPROVEMENTS, AUTHORIZING THE TRANSPORTATION BENEFIT DISTRICT BOARD TO ESTABLISH AN ANNUAL VEHICLE LICENSE FEE; ESTABLISHING AN EFFECTIVE DATE; AND, PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Bonney Lake has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, and protection of public ways within the corporate limits of the City pursuant to RCW 35A.11.020 and Chapter 35A.47 RCW; and

WHEREAS, the improvement, maintenance, and protection of public ways requires maintaining and preserving existing transportation improvements to avoid catastrophic failure of the improvements which would require significant additional funds to reconstruct; and

WHEREAS, the Washington State Transportation Commission (the "Commission") is mandated pursuant to RCW 47.01.071(4) to adopt the Washington Transportation Plan (WTP 2030) which is a comprehensive and balanced statewide transportation plan that establishes a 20-year vision for the development of the statewide transportation system, from state highways and ferries to sidewalks and bike paths, county roads, city streets, public transit, air and rail; and

WHEREAS, the WTP 2030 identifies the total unfunded statewide need over 20 years, identifies significant statewide transportation issues, and recommends statewide transportation policies and strategies reflecting the priorities of government based on five transportation policy goals established by the Legislature and set forth at RCW 47.04.280; and

WHEREAS, the number one priority in WTP 2030 is to maintain the capacity of the existing transportation system by providing for ongoing maintenance, upgrades, and replacement of aging infrastructure to ensure continued safety, improve mobility and preserve and extend prior investments in existing transportation facilities and the services they provide to people and commerce; and

WHEREAS, on average, cities invest approximately \$1 billion in transportation annually which amounts is estimated to be at least \$28.7 billion in year 2030; and

WHEREAS existing city street systems will continue to be the backbone of cities' transportation system; however, pavement ratings show the statewide average declined from an average score of 72 out of 100 in 2006 to 69 out of 100 in 2010; and

WHEREAS, the investment principles from the Puget Sound Regional Council "Destination 2030 Metropolitan Transportation Plan for the Central Puget Sound Region" states that the first priority should be to maintain, preserve, make safe, and optimize existing transportation infrastructure and services; and

WHEREAS, the City has extremely limited transportation funding to pay for necessary transportation preservation and maintenance and current revenues will not sustain the current City transportation system; and

WHEREAS, establishing a stable funding mechanism for partial funding for transportation infrastructure maintenance and preservation is essential to continued mobility and the economic health and quality of life that come from an integrated and connected transportation network; and

WHEREAS, the funding dedicated for the preservation and maintenance of the City's transportation infrastructure has been dramatically reduced due to the ongoing annual decrease in Gas Tax revenues; and

WHEREAS, while dedicated revenues have decreased, the ongoing annual costs to preserve and maintain the City's transportation infrastructure continue to rise leaving the City unable to continue to adequately preserve and maintain the City's transportation infrastructure; and

WHEREAS, Chapter 36.73 RCW provides for the establishment of transportation benefit districts and for the levying of additional revenue sources for transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, RCW 35.21.225 authorizes the City Council to establish a Transportation Benefit District subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, the City desires to form a Transportation Benefit District which includes the entire City of Bonney Lake as the boundaries currently exist; and

WHEREAS, prior to establishing a Transportation Benefit District, the City Council shall conduct a public hearing upon proper notice, which shall describe the functions and purposes of the proposed Transportation Benefit District; and

WHEREAS, the City provided notice of and conducted the public hearing on the proposed establishment of a Transportation Benefit District in accordance with RCW 36.73.050; and

WHEREAS, the City Council of the City of Bonney Lake finds it to be in the best interests of the City to establish a citywide Transportation Benefit District for the preservation and maintenance of the City's transportation infrastructure consistent with Chapter 36.73 RCW, to protect the City's long-term investments in that infrastructure, to reduce the risk of transportation facility failures and improve safety, to continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future; and

WHEREAS, the City Council of the City of Bonney Lake shall establish a governing body for the Transportation Benefit District comprised of the City Council acting in an *ex officio* and independent capacity;

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

Section 1. Purpose. The purpose of this Ordinance is to establish a Transportation Benefit District pursuant to RCW 35.21.225 and Chapter 36.73 RCW, as the City Council finds it is in the public interest to provide adequate levels of funding for the purposes of ongoing transportation improvements that preserve and maintain the transportation infrastructure of the City of Bonney Lake, consistent with Chapter 36.73 RCW.

Section 2. Creation of New City Code Chapter Providing for Formation of a Transportation Benefit District. The City of Bonney Lake adopts a new Chapter to Title 12 of the Bonney Lake Municipal Code, Ch. 12.36 entitled "Transportation Benefit District", which is set forth as follows:

(1) **Establishing Transportation Benefit District.** There is created a Transportation Benefit District to be known and referred to as the Bonney Lake Transportation Benefit District (the "District") with geographical boundaries comprised of the corporate limits of the City as they currently exist or as they may exist following future annexations.

(2) **Governing Board.**

(a) The governing board (the "Board") of the District shall be the Bonney Lake City Council acting in an *ex officio* and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.

(b) The treasurer of the District shall be the Chief Financial Officer of the City.

(c) The Board shall develop a "material change policy" to address major plan changes that affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in RCW 36.73.160(1).

(d) The Board shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2).

(3) **Transportation Improvements Funded.** The funds generated by the District shall be used for transportation improvements that preserve and maintain the transportation infrastructure of the City, consistent with the requirements of Chapter 36.73 RCW, and shall be used primarily for improvements to preserve and maintain the City's previous investments in the transportation infrastructure, reduce the risk of transportation facility failure, improve safety, continue the cost-effectiveness of the City's infrastructure investments, continue the optimal performance of the transportation system, to cure deficiencies in the transportation network, and to expand the transportation system generally as outlined in the adopted transportation plan of the City.

(4) **Establishment of Vehicle License Fee Revenue Source.** The Board shall have the authority to establish an initial annual vehicle license fee in the amount of twenty dollars (\$20), consistent with RCW 36.73.065, to be collected by the Washington Department of Licensing on qualifying vehicles, set forth in RCW 82.80.140 and Chapters 36.73 and 46.16 RCW.

(5) **Dissolution of District.** The Bonney Lake Transportation Benefit District shall be dissolved when all indebtedness of the district has been retired and when all of the district's anticipated responsibilities have been satisfied.

Section 3. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Bonney Lake Municipal Code, this ordinance is deemed to control.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after approval, and publication in accordance with law.

PASSED by the City Council and approved by the Mayor this 23rd day of February, 2016.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood Edvalson, City Clerk, MMC

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

TRANSPORTATION BENEFIT DISTRICT (TBD) REVENUE

May 1, 2012

Location	Count of Vehicles	Revenue generated by TBD \$20 Vehicle Fee
Auburn/King	43,039	\$ 860,780
Auburn/Pierce	4,289	\$ 85,780
Bonney Lake	12,554	\$ 251,080
Buckley	3,597	\$ 71,940
Carbonado	522	\$ 10,440
DuPont	5,259	\$ 105,180
Eatonville	2,349	\$ 46,980
Edgewood	7,035	\$ 140,700
Fife	6,812	\$ 136,240
Fircrest	5,039	\$ 100,780
Gig Harbor	5,407	\$ 108,140
Lakewood	34,363	\$ 687,260
Milton/Pierce	4,577	\$ 91,540
Milton/King	690	\$ 13,800
Orting	5,600	\$ 112,000
Pacific/King	4,272	\$ 85,440
Pacific/Pierce	379	\$ 7,580
Puyallup	25,723	\$ 514,460
Roy	778	\$ 15,560
Ruston	637	\$ 12,740
South Prairie	250	\$ 5,000
Steilacoom	4,545	\$ 90,900
Sumner	6,859	\$ 137,180
Tacoma	128,648	\$ 2,572,960
University Place	18,174	\$ 363,480
Wilkeson	352	\$ 7,040
Unincorporated Pierce County	241,182	\$ 4,823,640
Total (Includes King Co portions of cities)	572,931	\$11,458,620
Not including King Co portion of cities	524,930	\$10,498,600

List of Known Transportation Benefit Districts in Washington State

Jurisdiction	County	Year Established	Funding Mechanism
Aberdeen	Grays Harbor	2013	Sales Tax, 0.13%
<u>Airway Heights</u>	Spokane	2013	Sales Tax, 0.2%
<u>Anacortes</u>	Skagit	2014	Vehicle License Fee, \$20
<u>Arlington</u>	Snohomish	2013	Sales Tax, 0.2%
Auburn	King/Pierce	2011	Unfunded
<u>Bainbridge Island</u>	Kitsap	2012	Vehicle License Fee, \$20
<u>Battle Ground</u>	Clark	2014	Vehicle License Fee, \$20
<u>Bellingham</u>	Whatcom	2010	Sales Tax, 0.2%
Bothell	King/Snohomish	2015	Unfunded
<u>Bremerton</u>	Kitsap	2009	Vehicle License Fee, \$20
<u>Buckley</u>	Pierce	2012	Vehicle License Fee, \$20
Burien	King	2009	Vehicle License Fee, \$10
Carbonado	Pierce	2012	Vehicle License Fee, \$20
<u>Castle Rock</u>	Cowlitz	2012	Sales Tax, 0.2%
<u>Clarkston</u>	Asotin	2014	Vehicle License Fee, \$20
<u>Covington</u>	King	2013	Unfunded
Dayton	Columbia	2014	Sales Tax, 0.2%
<u>Des Moines</u>	King	2008	Vehicle License Fee, \$20
<u>DuPont</u>	Pierce	2013	Vehicle License Fee, \$20
<u>East Wenatchee</u>	Douglas	2012	Vehicle License Fee, \$20
<u>Eatonville</u>	Pierce	2012	Vehicle License Fee, \$20
<u>Edgewood</u>	Pierce	2013	Vehicle License Fee, \$20
<u>Edmonds</u>	Snohomish	2008	Vehicle License Fee, \$20
Electric City	Grant	2012	Vehicle License Fee, \$20
<u>Enumclaw</u>	King	2013	Vehicle License Fee, \$20
Everett	Snohomish	2014	Vehicle License Fee, \$20
<u>Ferndale</u>	Whatcom	2011	Sales Tax, 0.2%
Friday Harbor	San Juan	2014	Sales Tax, 0.2%
<u>Grandview</u>	Yakima	2011	Vehicle License Fee, \$20
Kalama	Cowlitz	2012	Vehicle License Fee, \$20
<u>Kelso</u>	Cowlitz	2012	Vehicle License Fee, \$20
<u>Kenmore</u>	King	2012	Vehicle License Fee, \$20
King County	King	2014	Unfunded
Kirkland	King	2014	Unfunded
Kittitas	Kittitas	2012	Vehicle License Fee, \$20
<u>Lake Forest Park</u>	King	2008	Vehicle License Fee, \$20
Lakewood	Pierce	2012	Vehicle License Fee, \$20
<u>Leavenworth</u>	Chelan	2010	Sales Tax, 0.2%
Liberty Lake	Spokane	2002	Unknown
<u>Lynden</u>	Whatcom	2012	Sales Tax, 0.2%
<u>Lynnwood</u>	Snohomish	2010	Vehicle License Fee, \$20
Mabton	Yakima	2011	Vehicle License Fee, \$20
<u>Maple Valley</u>	King	2012	Vehicle License Fee, \$20
<u>Marysville</u>	Snohomish	2013	Sales Tax, 0.2%
<u>Mercer Island</u>	King	2014	Vehicle License Fee, \$20

<u>Monroe</u>	Snohomish	2012	Sales Tax, 0.2%
<u>Mountlake Terrace</u>	Snohomish	2011	Vehicle License Fee, \$20
<u>North Bend</u>	King	2011	Sales Tax, 0.2%
<u>Olympia</u>	Thurston	2008	Vehicle License Fee, \$20
<u>Orting</u>	Pierce	2011	Vehicle License Fee, \$20
<u>Othello</u>	Adams	2012	Unfunded
<u>Point Roberts</u>	Whatcom	1992	Border Area Fuel Tax
<u>Prosser</u>	Benton	2009	Vehicle License Fee, \$20
<u>Ridgefield</u>	Clark	2008	Unfunded
<u>Roy</u>	Pierce	2014	Vehicle License Fee, \$20
<u>Royal City</u>	Grant	2012	Vehicle License Fee, \$20
<u>Seattle</u>	King	2010	Vehicle License Fee, \$80
<u>Sedro-Woolley</u>	Skagit	2014	Vehicle License Fee, \$20
<u>Sequim</u>	Clallam	2008	Sales Tax, 0.2%
<u>Shoreline</u>	King	2009	Vehicle License Fee, \$20
<u>Snohomish</u>	Snohomish	2010	Sales Tax, 0.2%
<u>Snohomish County (unincorporated)</u>	Snohomish	2011	Unfunded
<u>Snoqualmie</u>	King	2010	Vehicle License Fee, \$20
<u>Soap Lake</u>	Grant	2013	Vehicle License Fee, \$20
<u>Spokane</u>	Spokane	2011	Vehicle License Fee, \$20
<u>Stanwood</u>	Snohomish	2012	Sales Tax, 0.2%
<u>Tacoma</u>	Pierce	2012	Vehicle License Fee, \$20
<u>Toppenish</u>	Yakima	2012	Vehicle License Fee, \$20
<u>Tumwater</u>	Thurston	2014	Sales Tax, 0.2%
<u>University Place</u>	Pierce	2009	Vehicle License Fee, \$20
<u>Waitsburg</u>	Walla Walla	2012	Sales Tax, 0.1%
<u>Walla Walla</u>	Walla Walla	2011	Sales Tax, 0.2%
<u>Wapato</u>	Yakima	2012	Vehicle License Fee, \$20
<u>Wenatchee</u>	Chelan	2011	Vehicle License Fee, \$20
<u>Wilkeson</u>	Pierce	2014	Vehicle License Fee, \$20
<u>Zillah</u>	Yakima	2011	Vehicle License Fee, \$20

Transportation Benefit Districts

This report provides a general overview of transportation benefit districts (TBDs) in Washington State, including formation procedures, assumption of powers, revenue sources, reporting requirements, and sample documents.

Overview

Chapter 36.73 RCW authorizes cities (see also RCW 35.21.225) and counties to form transportation benefit districts (TBDs), quasi-municipal corporations and independent taxing districts that can raise revenue for specific transportation projects, usually through vehicle license fees or sales taxes.

RCW 36.73.015(6) allows TBD revenue to be used for transportation improvements included in a local, regional, or state transportation plan. Improvements can range from roads and transit service to sidewalks and transportation demand management. Construction, maintenance, and operation costs are eligible.

Formation

RCW 36.73.050 allows any city or county to form a TBD by ordinance, following a public hearing, if it finds that the action is in the public interest. The establishing ordinance must specify the boundaries of the district - which may include all or part of the city or county establishing the TBD - and the transportation improvements that will be funded. The boundaries and functions of the TBD may not be changed without further public hearings.

RCW 36.73.020(2) allows TBDs to include all or part of the territory in another jurisdiction (city, county, port district, county transportation authority, or public transportation benefit area) through interlocal agreement.

Governance

Almost all TBDs share the same boundaries as their establishing jurisdiction, in which case they must be governed by the members of that jurisdiction's legislative body, acting as a separate legal entity, unless the jurisdiction assumes the TBD's powers (see below). Even though they comprise the same members, the legislative body and the governing board are separate and distinct bodies and must hold separate and distinct meetings.

Note that in mayor-council cities, the mayor is not part of the legislative body and is not eligible for membership on the TBD board.

If a TBD includes territory in multiple jurisdictions, it must be governed under an interlocal agreement pursuant to chapter 39.34 RCW. Under RCW 36.73.020(3), the governing board must consist of at least five members, including at least one elected official from each participating jurisdiction, or - if the TBD has the same boundaries as the metropolitan planning organization (MPO) - it may be governed by the MPO governing body.

Assumption of Powers

New legislation in 2015 (2ESSB 5987) allows a city or county that forms a TBD with the same boundaries as the city or county to absorb the TBD and assume all of its “rights, powers, functions, and obligations,” with the result that the TBD would cease to exist as a separate entity. As of March 2016, MRSC is aware of almost 30 cities and towns that have assumed these powers.

Note: A section has been added to the BARS Manual discussing the requirements for jurisdictions that assume the powers of their TBDs. In particular, a jurisdiction assuming a TBD must (1) still file an annual financial report for the year in which the TBD was assumed and (2) submit a New Entity Creation or Dissolution Notification form. For more details, see the BARS Manual, Section 3.11.1.120.

Vehicle License Fees

The most common TBD funding source is a vehicle license fee in accordance with RCW 82.80.140, as authorized by RCW 36.73.040(3)(b). TBDs may impose vehicle license fees up to \$50 without a public vote, subject to the conditions below, or may impose fees up to \$100 with voter approval.

Until 2015, vehicle license fees of \$20 or less could be imposed without voter approval, but 2ESSB 5987 increased the allowable nonvoted vehicle license fee up to a \$50 maximum. However, a TBD may only impose a nonvoted vehicle license fee above \$20 as follows:

- Up to \$40, but only if a \$20 fee has been in effect for at least 24 months.
- Up to \$50, but only if a \$40 fee has been in effect for at least 24 months. Any nonvoted fee higher than \$40 is subject to potential referendum, as provided in RCW 36.73.065(6), as amended by Section 309 of 2ESSB 5987.

Any license fees over these amounts, up to \$100, must be approved by a simple majority of voters. However, voters have rejected these measures almost every time. The only TBD to successfully pass a voted vehicle license fee is the Seattle TBD, whose voters approved a \$60 fee increase in 2014 after rejecting a similar increase in 2011.

If two or more TBDs with the authority to impose a nonvoted fee overlap, credits must be issued so that the combined nonvoted fees do not exceed \$50 total.

If a countywide TBD wishes to impose a vehicle license fee, RCW 82.80.140(2)(a) requires it to distribute the revenues to each city in the county by interlocal agreement, which must be approved by 60% of the cities representing 75% of the city population. If this threshold cannot be met, RCW 36.73.065(5) allows a district that includes the unincorporated areas only to impose the nonvoted license fees discussed above.

Sales and Use Taxes

Another common TBD funding source is a sales and use tax of up to 0.2% in accordance with RCW 82.14.0455, as authorized by RCW 36.73.040(3)(a). This tax may not be imposed for longer than 10 years at a time, except to repay debt, and must be approved by a simple majority of voters.

In recent years, voters have approved the vast majority of all proposed TBD sales and use taxes. At least three jurisdictions - Seattle, Tacoma, and Enumclaw - have imposed a sales tax on top of an existing vehicle license fee. For individual results, see MRSC's Local Ballot Measure Database.

Other Funding Sources

Other potential funding sources include:

- **General obligation bonds** (RCW 36.73.070) - MRSC is only aware of one TBD that has attempted to pass a bond measure, and it failed with 50% of the vote (Auburn TBD, 2012).
- **Border area fuel tax**, only available to TBDs that include a Canadian border crossing (RCW 82.47.020). MRSC is aware of one TBD - Point Roberts - that uses this funding mechanism.
- **Impact fees** on commercial and industrial development in accordance with chapter 39.92 RCW (RCW 36.73.040(3)(c) and RCW 36.73.120).
- **Vehicle tolls** (RCW 36.73.040(3)(d)).
- **Excess property taxes** (RCW 36.73.060).
- **Local improvement districts** (RCW 36.73.080).

Material Change Policies

RCW 36.73.160(1) requires TBDs to adopt a material change policy that addresses significant changes to the transportation improvement finance plan that affect project delivery or the ability to finance the plan. The policy must at least address material changes to cost, scope, and schedule, the level of change that will require governing body involvement, and how the governing body will address those changes. At a minimum, the policy must require the governing body to hold a public hearing if the revised cost exceeds the original estimate by more than 20%.

Budgeting

State law does not clearly require TBDs to adopt an appropriations budget. However, adopting a budget would be considered a best practice, and a number of TBDs have done so, setting up the budget process to coincide with the annual/biennial process used by the establishing jurisdiction. It is up to the TBD governing board to develop and adopt a budget policy.

Under RCW 36.73.020(4), the treasurer of the establishing city or county must serve, in an independent and ex officio capacity, as the TBD treasurer.

Accounting and Financial Reporting

RCW 43.09.230 requires TBDs to submit annual financial reports to the State Auditor's Office using the BARS reporting templates.

For information on the specific TBD accounting requirements, see the BARS Manual, Section 3.11.1. For assistance developing financial reports, see MRSC's Annual Financial Reporting Checklists page.

Annual Transportation Improvement Report

In addition to the annual financial report, RCW 36.73.160(2) requires TBDs to issue a separate annual transportation improvement report detailing the district revenues, expenditures and the status of all projects, including cost and construction schedules. The report must be distributed to the public and newspapers of record in the district.

**CITY COUNCIL
WORKSHOP**

**March 1, 2016
5:30 P.M.**

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.

www.ci.bonney-lake.wa.us

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

- I. Call to Order** – Deputy Mayor Randy McKibbin called the meeting to order at 5:30 p.m.
- II. Roll Call:** Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Randy McKibbin, elected officials attending were, Councilmember Dan Swatman, Councilmember Justin Evans, Councilmember Donn Lewis, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis and Councilmember James Rackley were absent. Mayor Neil Johnson, Jr. arrived at 5:35 p.m.

Councilmember Watson moved to excuse Councilmember Minton-Davis and Councilmember Rackley. Councilmember Lewis seconded the motion.

Motion approved 5 - 0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, City Engineer John Woodcock, Community Development Director John Vodopich, Senior Planner Jason Sullivan, Chief Financial Officer Cherie Gibson, Chief of Police Dana Powers, City Attorney Kathleen Haggard, City Attorney Jeff Ganson, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. Agenda Items:

- A. Presentation:** Utility Bond – Public Works Center – Jim Nelson, D.A. Davidson.

Jim Nelson of D.A. Davidson presented a PowerPoint presentation/information regarding the proposed utility bond to finance the proposed new Public Works Center. He advised that the City of Bonney Lake has a revenue bond financing need to fund approximately \$12,000,000 in capital improvements for the City's water & sewer system; that the City is timing the revenue bond sale near a low in the interest rate market; that long-term interest rates have dropped 0.30% since the Federal Reserve raised short-term interest rates on December 16, 2015; that this revenue bond financing will require another presentation to Standard & Poor's, that the current rating grade for the City's water & sewer system is "AA+"; and that the bond financing process will take approximately 2 to 3 months to complete, involving drafting documents, adoption of the bond ordinance, and marketing the bonds to prospective investors. He said one way to increase the City's rating is to update its financial management policies.

Councilmember Watson asked how much the interest rate would drop with "AAA" rating. Mr. Davidson said that can depend on a variety of issues and strategies, and is a difficult question to answer. He advised that if Council authorized proceeding with two series of bonds which could lower the interest rate, there would be additional financing costs and the risk of interest rates moving during that period. He advised that this bond could/would include public and private loans/leases the City has that are bank qualified. Councilmember Swatman said it appears to be a good time to adjust interest rates, and Mr. Davidson agreed.

Councilmember Watson asked whether the bonding can include furnishings, copiers, partitions, equipment, etc., and Mr. Davidson advised that capital improvement purposes can include furnishings. City Administrator Morrison advised what the next steps would be to move forward, including getting building design, which would need to be completed within the three year period. Mr. Davidson advised that it would take 8-10 weeks to set the final interest rate, and calculate the parity debt service coverage ratio which looks at the last five years of the net operating revenue to make sure the City can cover the bond; otherwise a utility rate increase may be required. City Administrator Morrison said from what he has seen, a utility rate increase would not be necessary. Mr. Davidson said and there are options for a 25 year financing alternative which would lower the annual debt service payment.

This item was for presentation/ informational purposes only, and no action was taken.

B. Council Open Discussion

Lions Club Death by Chocolate. Councilmember Watson reminded everyone of the Lions Club, Death by Chocolate dinner/fundraising event on Saturday, March 12th at Bonney Lake High School. He said doors will open at 5:00 p.m., with dinner served at 6:00 p.m. which will be prepared by the Panthers Culinary Arts Nationals Team. He hopes to have Council in attendance. He summarized all of the events which the Lions Club supports and sponsors.

Bonney Lake Wrestling Team. Councilmember Lewis shared that the Bonney Lake Wrestling Team came in 3rd in the State last week, which is the highest ranking they have achieved to date. He said Adriana Dare finished 6th, making her the second girl in Bonney Lake to finish in the top 8. He said Avery Meyer and Brandon Kaylor both won state champion titles for their weight divisions.

Culinary Arts National Competition. Councilmember Lewis congratulated the Bonney Lake High School Culinary Arts team for their ProStart Invitation State championship, and earning the right to travel and cook at the national competition in April in Grapevine, Texas. He said the team also won the spirit award with a \$250 prize to use however the team chooses for the culinary program.

PCRC General Assembly Meeting/Alternates. Councilmember Lewis said he, Deputy Mayor McKibbin, and Councilmember Swatman attended the Pierce County Regional Council General Assembly meeting in DuPont on February 25th. He said during the meeting they found out that the City's Zoo/Trek Authority Board Nominee (Councilmember Justin Evans) has to be either the City's Pierce County Regional Council (PCRC) primary or alternate representative. He said he spoke with Deputy Mayor McKibbin who is willing to have Councilmember Evans serve as the City's PCRC alternate, and Councilmember Evans has agreed to serve as the PCRC alternate. Councilmember Lewis would like Council to modify the agenda, so Council can act on the motion to replace Deputy Mayor McKibbin with Councilmember Evans as the City's PCRC Alternate, so his name is not removed from the Zoo/Trek Authority Board Position No. 2 Voting Ballot, keeping Councilmember Evans eligible to serve.

Agenda Modification. Councilmember Lewis asked for a motion to suspend the rules to add an action item to the agenda, Item III.F.

Councilmember Lewis moved to suspend the Council rules to add an item to the agenda Item F, to replace Deputy Mayor McKibbin as the PCRC Alternate, with Councilmember Evans. Councilmember Watson seconded adding an Item F for discussion and action.

Motion approved 5 – 0.

2nd Annual A March to Give - Strong Against Cancer Toy Drive. Councilmember Evans provided a flyer and shared his families' involvement for the 2nd Annual A March to Give – Strong Against Cancer Foundation Toy Drive during the months of March and April to support the Seattle Children's Hospital Strong Again Cancer Campaign. He asked for support to reach this year's toy drive goal.

Sumner School District Superintendent. Mayor Johnson advised that Dr. Sara Johnson is retiring in June/July from the Sumner School District.

Sumner School District Parks and Recreation Program Ad-Hoc Committee. Mayor Johnson advised he has another meeting scheduled on March 3rd with the Sumner School District Parks and Recreation Program representatives to further discuss recreational opportunities at the WSU forest. He advised that he will report back to the Ad-Hoc Committee.

Passport Hours. Mayor Johnson said he is working on expanding the hours for processing passports to provide service during standard business hours. City Administrator Morrison said they are also considering changing to an appointment based process. He advised that last year the City processed 1,475 passports.

These items were for discussion purposes only, no action was taken.

- C. Review of Council Minutes:** February 16, 2016 Workshop, February 16, 2016 Special Council Meeting, and February 23, 2016 Meeting.

Councilmembers Lewis and Watson had minor corrections to the minutes, and the minutes were forwarded to the March 8, 2016 Meeting for action.

- D. Presentation:** AB16-15 – Land Use Matrix Amendment to Add NAICS to Code.

Senior Planner Jason Sullivan summarized the agenda bill and the memorandum contained in the agenda packet, and provided a presentation regarding the NAICS and Land Use Matrix Amendment. He advised that *Bonney Lake 2035* and the Planning Commission's 2016 – 2018 work plan directs staff to amend the City's land use matrix to include the NAICS code(s) for listed uses. The NAICS uses a production-oriented conceptual framework to group establishments into industries based on the primary activity of the business: in other words, establishments that do similar things in similar ways are classified together. He said given the size of the land use matrix and the NAICS, the City Council will have a number of

discussions focusing on different sections of the land use matrix. The focus of this presentation was regarding four sections of the land use matrix: (1) Educational Uses; (2) Cultural, Religious, Recreational, and Entertainment Uses; (3) Industrial Use; and (4) Essential Public Facilities. Council consensus was to delete Warehousing and Trailer-Mix Concrete Plant from the Industrial Use matrix.

Mr. Sullivan said the goal will be to review the general term currently in the land use matrix and identify the NAICS code or codes that should be associated with the current permitted uses. As part of this process, the City is not looking to add new uses to the land use matrix. He advised that the remaining sections to be reviewed and revised will be Resource Management Uses; Transportation, Communication, Utilities; and Commercial Uses. Mr. Sullivan advised there will be two additional presentations to come to future Council Workshops.

E. Discussion: AB16-22 – Ordinance D16-22 – Creation of a Transportation Benefit District.

City Administrator Morrison summarized the agenda bill and proposed ordinance regarding the creation of a Transportation Benefit District (TBD) for the City. He advised there was a minor revision to the proposed ordinance from the one contained in the agenda packet. He said this item was previously discussed by Council at the Council Retreat on January 23, 2016.

Councilmember Swatman asked about the formation of the board, and City Administrator Morrison said the formation would take place with the City Council taking action regarding the TBD. City Attorney Haggard provided clarification that the 2015 legislation amended the statute to allow a city or a county that forms a TBD to absorb the TBD. She advised that creation of a TBD needs to first be approved and adopted, and then the City can absorb the TBD back into the City. She said once a city or county has established their mission for creation of a TBD, they can consider dissolution once it is no longer needed. She addressed dissolution of the board, funds held by the TBD, and the County's lack of authority regarding a TBD.

Councilmember Swatman asked about language addressing sales tax as an option. City Administrator Morrison said he didn't believe the sales tax language needed to be included, and City Attorney Haggard advised that the language she provided accounts for the financial ability to allow the City to adopt any financing mechanism the City is allowed by statute. Councilmember Swatman asked about limiting financing options, and City Attorney Haggard responded that limiting the options is allowed, if Council deemed it necessary.

Council directed the City Clerk's Office to set a Public Hearing for this item.

F. Discussion/Action: Replace the City's Pierce County Regional Council Alternate Representative.

This item was added for action during Council Open Discussion. Pierce County Regional Council (PCRC) requires that for a councilmember to serve on the Zoo/Trek Authority Board, that councilmember must serve as either the City's primary or alternate representative for the Pierce County Regional Council. A Motion was approved on February 9, 2016, nominating Councilmember Evans for the Zoo/Trek Authority Board representative for Position 2. Approval of replacing Deputy Mayor McKibbin with Councilmember Evans as the City's alternate representative for the Pierce Council Regional Council allows for Councilmember Evans' nomination to the Zoo/Trek Authority to be considered.

Councilmember Watson moved to have Councilmember Evans replace Deputy Mayor McKibbin as the City’s Pierce County Regional Council Alternate Representative. Councilmember Lewis seconded the motion.

Motion approved 5 – 0.

IV. EXECUTIVE SESSION: Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive/ Closed Session with the City Attorney and selected staff at 6:28 p.m. for 30 minutes to discuss potential litigation. Mayor Johnson returned to chambers at 6:58 p.m. advising that pursuant to RCW 42.30.110 (1)(b), the Council would adjourn to an additional Executive/Closed Session with the City Attorney for an additional 10 minutes to discuss potential property acquisition. The Council returned to chambers at 7:10 p.m. No action was taken.

V. ADJOURNMENT:

Councilmember Watson moved to adjourn the Workshop at 7:10 p.m. Councilmember Evans seconded the motion.

Motion to adjourn approved 5 - 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the March 1, 2016 Workshop:

- Jim Nelson, D.A. Davidson – *PowerPoint Presentation re: Utility Bond – Public Works Center, as of February 26, 2016.*
- Councilmember Justin Evans – *2nd Annual A March to Give – Strong Again Cancer.*

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

CITY COUNCIL MEETING

March 8, 2016
7:00 P.M.

MINUTES



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

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

- A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Randy McKibbin, Councilmember Justin Evans, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember Dan Swatman, and Councilmember Tom Watson. Councilmember James Rackley was absent.

Councilmember Swatman moved to excuse Councilmember Rackley’s absence due to illness. Councilmember Lewis seconded the motion.

Motion to excuse Councilmember Rackley’s absence approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Cherie Gibson, Public Works Director Dan Grigsby, Police Chief Dana Powers, Community Development Director John Vodopich, City Attorney Kathleen Haggard, and Deputy City Clerk Susan Haigh.

C. Agenda Modifications:

Councilmember Lewis noted errors on the Agenda Bill forms for Community Development Committee items, which he had already discussed with the City Clerk. He said the names of Councilmembers in attendance had not been updated, and one item did not indicate the Committee’s votes and approval for Consent Agenda action.

D. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations:
 - a. **Presentation:** Friends At Your Metro Animal Shelter – Bonnie King.

Bonnie King spoke as a volunteer at Metro Animal Shelter and President of Friends At Your Metro Animal Shelter (FAYMAS) volunteer organization. She described the services provided by Metro Animal Services, and the mission and activities of FAYMAS (<http://faymas.org/>). She explained

various ways to support the shelter, including membership, donations, and sponsoring a page in the annual FAYMAS calendar.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Rachelle Leonard, 10423 210th Ave E, Bonney Lake, said she is a resident and a social worker and spoke about the lack of public transportation in and around Bonney Lake. She described the limitations of the current services available via the Sounder connector bus and the Beyond the Borders service, and the transportation needs of area residents. She suggested the issue be brought to a future ballot.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee: Councilmember McKibbin said the Committee met at 5:30 p.m. and discussed the Tarragon development proposal, pumping of the 62nd Street 'pot hole' flood area, comparison of City services, and the 4th quarter budget report.

B. Community Development Committee: Councilmember Lewis said the Committee met on March 1, 2016 and sent three items to the Consent Agenda and one item to the Community Development Issues on the current agenda for action.

C. Economic Development Committee: Councilmember Minton-Davis said the Committee met earlier in the afternoon. They plan to propose a new work plan item for the Planning Commission to study Park Impact Fees for multifamily developments. The Committee also discussed a vision statement and planning for a joint economic development commission for the area.

D. Public Safety Committee: Councilmember Watson said the Committee has not met since the last Council Meeting.

E. Other Reports: None.

IV. CONSENT AGENDA:

A. **Approval of Minutes**: February 16, 2016 Special Meeting, February 16, 2016 Workshop, and February 23, 2016 Meeting.

B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #73194-73212 (including wire transfer numbers 17444512, 20160206 and 2016021801) in the amount of \$123,962.79.

Accounts Payable checks/vouchers #73213-73250 (including wire transfer numbers 20160205, 2016022201 and 2016022202) in the amount of \$1,038,507.27.

- C. **Approval of Payroll:** Payroll for February 15-29, 2016 for checks #32875-32892 including Direct Deposits and Electronic Transfers is \$ 610,189.16.
- D. ~~**AB16-38 – Ordinance D16-38** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Granting A Non-Exclusive Telecommunications Franchise And Authorizing The Mayor To Execute A Franchise Agreement With Astound Broadband, LLC. *Moved to Full Council Issues, Item B.*~~
- E. **AB16-39 – Ordinance D16-39** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 3.90.050 Of The Bonney Lake Municipal Code And Ordinance No. 1534 Relating To Community Garden Fees.
- F. **AB16-23 – Resolution 2515** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Northwest Heritage Group For The Sky Island Division 6 Utility Extension.
- G. **AB16-42 – Resolution 2518** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With Mark Nelson For On-Call Building Inspection Services.

Councilmember Swatman requested Item D. (AB16-38) be moved to Full Council Issues for discussion.

Councilmember Watson 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 COMMITTEE ISSUES:

- A. **AB16-36 – Resolution 2516** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For Developing A Master Plan For Allan Yorke Park.

Councilmember Watson moved to approve Resolution 2516. Councilmember Lewis seconded the motion.

Mayor Johnson said this agreement will help the City move forward with plans for parks in Bonney Lake. Councilmember Swatman said this is an important first step in developing Allan Yorke Park and will identify costs for future park improvements.

He said the Council needs to be prepared for significant future spending on parks, and spoke in strong support of the proposed resolution.

Councilmember Watson, Lewis, McKibbin, and Minton-Davis expressed support for the proposed resolution. They noted it is a first step and will lead to future park development in other areas of the City. Deputy Mayor McKibbin reiterated that the Council should move forward now and be prepared to make future expenditures. Councilmember Lewis said the Council has pushed for a greater focus on parks and thanked the Mayor for making progress. He said the plan will provide blueprints so the City can move forward in a large project or phased projects.

City Administrator Morrison responded to a question from Councilmember Minton-Davis about funds in the 2015-2016 biennium to cover the costs of the contract.

Resolution 2516 approved 6 – 0.

VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES: None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES:

- A. **AB16-44** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Voting For Justin Evans To Serve As A Member Of The Zoo/Trek Authority Board, Position #2, For A 3 Year Term Representing The 11 Larger Cities And Towns Within The Pierce County Regional Council Boundary.

Councilmember Lewis moved to approve motion AB16-44 to vote for Justin Evans to serve on the Zoo/Trek Authority Board. Councilmember Watson seconded the motion.

Councilmember Lewis said several new names have been added to the ballot since Councilmembers first discussed the topic. He questioned why some jurisdictions had submitted multiple nominees.

Motion AB16-44 approved 6 – 0.

- B. **AB16-38 – Ordinance D16-38 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Granting A Non-Exclusive Telecommunications Franchise And Authorizing The Mayor To Execute A Franchise Agreement With Astound Broadband, LLC.** *Moved from Consent Agenda Issues, Item D.*

Mayor asked the Council to consider making a motion to make this the first reading of the ordinance, and table it to the next Council Workshop for action.

Councilmember Lewis moved to make a first reading of proposed Ordinance D16-38 and table the item to the next Council Workshop for action. Councilmember Watson second the motion.

City Attorney Haggard explained that per RCW 35A.47.040 the City Council must make two readings of a proposed franchise ordinance prior to taking action. Councilmember Lewis said this item was reviewed by the Community Development Committee and the company proposing the franchise is very qualified.

City Administrator Morrison explained that Astound Broadband has a contract with the Pierce County Library system to install fiber optic cable to all branches, including Bonney Lake, to provide high speed internet services to the library. Councilmember Swatman said at some point they will probably extend service offerings to other businesses in the area. Councilmember Lewis said the system would allow unlimited users. Councilmember Minton-Davis confirmed the Council's intent is to take action on the proposed ordinance at the next Council Workshop.

**Motion to table Ordinance
D16-38 approved 6 – 0.**

X. EXECUTIVE/CLOSED SESSION: None.

XI. ADJOURNMENT

At 7:37 p.m. the Meeting was adjourned by common consent of the City Council.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the March 8, 2016 Meeting:

- Bonnie King – FAYMAS informational materials.
- Administrative Services Director/City Clerk Harwood Edvalson – Revised Zoo/Trek Ballot form.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.

City of Bonney Lake
City Council Agenda Bill (AB)

Department / Staff Member: Community Development/ Jason Sullivan	Meeting/Workshop Date: March 22, 2016	Agenda Bill Number: AB16-40
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2517	Councilmember Sponsor: Donn Lewis

Agenda Subject: Acknowledgement of the Puget Sound Regional Council's Conditional Certification of the City's Comprehensive Plan

Full Title/Motion: A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, acknowledging the conditional certification of *Bonney Lake 2035* and stating the City's intent to update *Bonney Lake 2035* in order to meet the compliance requirements of the Puget Sound Regional Council.

Administrative Recommendation:

Background Summary:
 The Puget Sound Regional Council's has conditionally certify *Bonney Lake 2035*. One of PSRC's conditions is that the City adopt a resolution acknowledging the conditional certification and agreeing to amend *Bonney Lake 2035* to address the conditions by December 30, 2017.
Attachments: Administration Briefing Memo and Resolution 2517

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General
				<input type="checkbox"/> Utilities
				<input type="checkbox"/> Other
Budget Explanation:				

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

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

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

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Community Development Department Briefing Memorandum

Date: January 8, 2016
To: Mayor Johnson and Don Morrison – City Administrator
CC: Randy McKibbin – Deputy Mayor, Donn Lewis – Councilmember, and John Vodopich, AICP – Community Development Director
From: Jason Sullivan – Senior Planner
Re: **PSRC Conditional Certification of Bonney Lake 2035**

PURPOSE:

The purpose of this memorandum is to brief City Administration on the Puget Sound Regional Council's (PSRC) Growth Management Policy Board's recommendation to conditionally certify *Bonney Lake 2035*.

ATTACHMENT:

1. PSRC Draft Plan Review and Certification Recommendation
2. PSRC Small Cities Review Framework

BACKGROUND:

The Growth Management Act (GMA) directed that the City take legislative action to review and, if needed, revise the comprehensive plan for the City of Bonney Lake to ensure compliance with any new amendments to the GMA, Multicounty Planning Policies, (MPPs), and Countywide Planning Policies (CPPs) no later than June 30, 2015. The City adopted *Bonney Lake 2035* as the comprehensive plan for the City of Bonney Lake on June 30, 2015 to comply with this requirement.

PSRC must formally certify that *Bonney Lake 2035* conforms:

- (1) to the regional planning policies contained in *VISION 2040*;
- (2) to the adopted regional long-range transportation guidelines and principles contained in *Transportation 2040*; and

(3) to the transportation planning requirements of the GMA identified in RCW 36.70A.070.

PSRC determined that *Bonney Lake 2035*, along with the comprehensive plans for several “Small Cities” as classified in *VISION 2040*, was not in full compliance with *VISION 2040* as the City’s plan assumed future population levels that are higher than the growth targets adopted for Bonney Lake by Pierce County.

In accordance with the GMA, future population growth is allocated to individual cities, towns, and unincorporated areas. The Regional Growth Strategy (RGS) in *VISION 2040* identifies a preferred pattern of growth, quantified as shares of the region’s residential and employment growth located within each of several regional geographies: Metropolitan Cities, Core Cities, Large Cities, Small Cities, and Unincorporated Urban Growth Area.

Under the RGS, Metropolitan Cities are the preferred locations for housing and jobs, expected to receive the largest share of the region’s growth. Meanwhile, the RGS promotes a modest role and scale for Small Cities, which are “expected to stay small over the long term.”

Noting that growth trends would not precisely line up with the RGS, the PSRC Executive Board adopted a technical amendment to the RGS in 2009. Appendix II-B, which accompanied that action, laid out an approach for addressing this issue through local plan review and certification, as follows:

- *In developing their comprehensive plan updates, jurisdictions will be asked to explain what steps they are taking to **“bend the trend”** of recent growth to align with the concepts in VISION 2040.*
- *PSRC’s review and certification of plans will be based on the actions and measures already taken or proposed to be put in place to bend the trend, and not just on an assessment of the target alone. Jurisdictions whose growth targets are higher or lower than what would be expected from a straight-line application of the Regional Growth Strategy, should show the actions and measures that are being undertaken, or it expects to take, to bend the trend.*

While Appendix II-B provide general guidance, PSRC staff believed that it was not descriptive enough to provide an official framework to review local comprehensive plans of small cities that were planning to exceed the adopted growth targets. PSRC staff has adopted the following framework to review a “Small City’s” compliance with the Regional Growth Strategy:

1. **Document and explain rationale for local planning numbers.**

The plan and supporting documentation should make clear what factors were used to determine future growth estimates, including relevant detail on recent historical growth, development permits in the pipeline, and zoned capacity, recognizing that each city is facing unique local circumstances. The plan should include adopted targets and make clear assumptions about reasonable expectations for growth and local factors that may be beyond jurisdiction control. Cities should provide information, where appropriate, regarding

infrastructure plans to serve growth and how it will be paid for, including addressing impacts on schools.

It is important for cities to separate “unavoidable” from “aspirational” growth. Existing development that has already been built is clearly “unavoidable.” Permitted or vested development is also largely unavoidable, although there are cases where vested development stalls and does not get fully built out.

Cities should also discuss why countywide targeting processes were not used to better align with local growth expectations and opportunities to reconcile plans and targets through later countywide processes.

2. **Show support for the Regional Growth Strategy.**

The plan should include a *VISION 2040* context statement that acknowledges the Regional Growth Strategy, including the role of Small Cities to grow more slowly, along with a policy commitment to working toward achieving the RGS within the countywide framework for coordination around growth targets.

3. **Identify actions to “bend the trend” of future growth.**

Given that some growth above adopted targets may be unavoidable, the plan should include policies and actions that move the city toward greater alignment with the growth targets and the RGS over time, both within the 20-year planning period and beyond.

While cities do not have an on/off switch for growth, cities do have the ability to influence the rate of growth that occurs and the overall capacity for growth. Strategies to influence the amount and/or timing of growth could include:

- Planning for appropriate uses and densities
- Zoning for reserve capacity - limiting densities until appropriate timing or when infrastructure is in place
- Capacity and timing of infrastructure
- Full cost recovery of street, park, school and infrastructure improvements to support growth
- Development standards appropriate to retain small town character
- Use of SEPA and environmental protection tools

4. **Manage additional growth, and growth impacts, consistent with VISION 2040.**

The plan should include policies and actions that address the impacts of the higher anticipated growth on local and regional infrastructure and on the adjacent area, especially open space and the natural environment. Plans should demonstrate an extra effort to achieve

compact development patterns, reduce impacts on regional facilities, and protect adjacent rural and resource lands. The approach to this may vary between cities that are largely surrounded by other urban areas and those surrounded by rural areas.

Cities adjacent to rural areas may need to work to avoid spillover effects of growth beyond their boundaries. Cities place a lot of pressure on rural areas, such as through expanded roads, incompatibility with agricultural uses, new schools, expanded sewer service, and impacts to essential public facilities.

5. **Remove proposals to expand the Urban Growth Area boundary that would increase capacity.**

As guided by *VISION 2040*, plans should clarify the city's intention to pursue any UGA changes in coordination with the county and consistent with criteria established by the countywide planning policies to not increase development expectations for the city. Given the city's role as a Small City in the Regional Growth Strategy, and regional efforts to preserve the rural area, the city should consider removing support for UGA expansions.

6. **Coordinate with other jurisdictions and agencies.**

Regional coordination is a hallmark of *VISION 2040* and the countywide planning process. The plan should demonstrate a heightened degree of coordination with adjacent cities, towns, counties, and other agencies, such as WSDOT and transit agencies. Such coordination should address growth targets, transportation impacts, and compatibility of plans and investments where local planning departs from agreed-upon targets.

DISCUSSION:

During the development of *Bonney Lake 2035*, staff was aware that the plan assumed more growth than the adopted growth targets. As result, staff discussed this issue with PSRC in effort to ensure consistency between *Bonney Lake 2035* and the RGS adopted in *VISION 2040*. At the time of these discussions, the only guidance that PSRC had was Appendix II-B: the framework discussed above was not established until December 2015.

In order to comply with the guidance in Appendix II-B, staff prepared a section in the Introduction Element of *Bonney Lake 2035* entitled "Regional Growth Strategy." This section identified the steps that the City has taken to "bend the trend", discussed why the population numbers were reasonable, provided documentation that the growth was unavoidable, and how the plan was developed to support other components of the RGS (e.g. centers, transit ordinated development, etc.).

City staff prepared and a submitted a report to demonstrate that *Bonney Lake 2035* complied with all of the certification requirements to include the requirements of Appendix II-B. However, during the official review PSRC determined that the *Bonney Lake 2035* had not gone far enough to demonstrate not consistency with the RGS.

While PSRC has stated that the plan is very good and includes great examples of good planning, PSRC cannot fully certify *Bonney Lake 2035* until the plan is brought into better compliance with the RGS. PSRC staff has determined that the City complies with the adopted review framework for “Small Cities” that have housing and population growth that exceeds the adopted targets. (Attachment 2).

On January 7, 2016, PSRC’s Growth Management Policy Board reviewed the Plan Review Report and Certification Recommendation and voted to recommend that PSRC’s Executive Board conditionally certify *Bonney Lake 2035*. PSRC has identified the following conditions that to bring the plan into compliance with the RGS:

- Adjust the plan’s anticipated population and employment growth to more closely align with adopted countywide targets. It is recognized that the city’s ability to reduce planned growth levels may be limited by unavoidable factors, such as actual growth since the target base year and entitlement of additional housing growth in the pipeline.
- Recognize the objective of aligning with the Regional Growth Strategy, including the role of designated Small Cities and the objective to limit growth in those cities.
- Identify and prioritize strategies the city will take to appropriately manage growth and work toward better alignment with the Regional Growth Strategy. Strategies should address more fully the impacts of planned growth on regional and local infrastructure and services and on the environment. Where feasible, the city should adopt strategies intended to limit or slow future development.
- Modify the discussion of the Urban Growth Area to ensure that proposed expansions of the UGA are consistent with countywide planning policies and do not add capacity for growth that is inconsistent with the city’s role as a Small City.
- The city should also conduct enhanced coordination with Pierce County to review adopted growth targets, including potential revisions to those targets to better align with the city’s plan while maintaining consistency with the Regional Growth Strategy. Coordination with the county, state, and other agencies should also occur to more fully address the potential regional impacts of planned growth that exceeds agreed-upon targets.

While PSRC will not fully certify the City’s plan, the conditional certification will allow the City to compete and receive grants from PSRC and other state agencies, provided that the City complies with the conditions. The City would not receive any negative points or deductions during the competitions for having a conditionally certificated plan.

Staff has begun to identify some options to meet the above conditions of approval. Staff's preliminary options include the following:

1. Updated Future Growth Targets.

Under this option, the City would assume some of the projected growth for South Prairie and Wilkeson. Both of these cities have received conditional certifications for not having sufficient capacity to accommodate their adopted growth targets. Both PSRC and Pierce County have indicated that this approach would be acceptable since all three cities involved are considered small cities. This option alone will not solve the entire gap, but it would be a start.

2. Update the Growth Projections in Bonney Lake 2035.

Under this option, the City would assume that all of the pipeline projects are completed in the next 8 years and then assume a 0.5% growth rate after that, the 2035 population would be 25,408.

Over the last seven years, the City has grown to 19,490, which works out to be an approximately 3% annual growth rate. The City's growth rate between the 2014 OFM Projections and the 2015 OFM Projections was 5.2%. The City's current comprehensive plan was based on a lower 2.1% annual growth rate.

While this number is still higher than the allocation, it is less than current 2035 population projection of 28,654. This change would mean that the City population growth would be nine-percent higher than the adopted growth target.

PSRC has indicated a willingness to consider projected growth that is within five-percent of the adopted growth targets. The City's current projected growth is twenty-three percent higher than the adopted growth targets.

The change in percentage is based on the City's current adopted growth targets, if the City was able to assume some of the targets from South Prairie and Wilkeson the numbers would change. It is not known at this time how much of an impact that it would have on the City's growth target.

3. Zone Areas without Sewer to RC-5.

Under this option, the City would identify areas of the City that could be zoned RC-5 until City sewer service is provided. Areas that would be targeted would be areas that currently have large lots, approximately greater than 2 acres, and cannot be further developed as this time due to a lack of sewer infrastructure. Once the sewer is installed, the area would be rezoned back to its current density so that it could be developed. Given the amount of public expenditure and work, properties in Eastown would not be included in this analysis.

4. Update the UGA Expansion Discussion.

The City needs to update Section 4 of the Community Development Element and provide language that clearly demonstrates that the expansions will not increase the capacity of the UGA and explain how the expansion supports the RGS. The City may also need to consider removing some of the areas identified as possible expansion areas.

5. Update Regional Growth Strategy Discussion.

Update this existing discussion in Section 4 of the Introduction Element to further explain how *Bonney Lake 2035* supports the RGS and identify the specific goals, policies, and implementation measure that the City has adopted to support VISION 2040 and bring the City in to better alignment with the RGS.

The above list is not meant to be inclusive or that the City would adopt these options; there may be other options that are available to the City.

PSRC is requiring that conditions be addressed according to the following the schedule:

- Council adoption of a plan of work that addresses the condition identified in the certification report by April 30, 2016.
- Submission of a draft amended comprehensive plan and supporting documents that address the condition to PSRC for review and comment in advance of adoption.
- Once the condition is adequately addressed, submission of the adopted amended comprehensive plan and supporting documents by December 30, 2017, for review and certification by PSRC.

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PSRC PLAN REVIEW REPORT & CERTIFICATION RECOMMENDATION

CITY OF BONNEY LAKE COMPREHENSIVE PLAN

December 31, 2015



BACKGROUND

The Washington State Growth Management Act calls for coordination between local, regional, and state planning efforts. To advance this coordination, state law requires PSRC to certify that regional transit plans, countywide planning policies, and local comprehensive plans within the central Puget Sound region conform to: (1) established regional guidelines and principles, (2) the adopted long-range regional transportation plan, and (3) transportation planning requirements in the Growth Management Act. Within the central Puget Sound region, the multicounty planning policies in VISION 2040 have been established as the regional guidelines and principles under Revised Code of Washington (RCW) 47.80.026. Certification of local comprehensive plans is also a requirement for jurisdictions and agencies that intend to apply for PSRC funding or proceed with any project submitted into the Regional Transportation Improvement Program, regardless of funding source.

Within the central Puget Sound region, local governments and PSRC have worked together to develop an overall process ([Adopted Policy and Plan Review Process](#), Revised September 2003) for reviewing and certifying local, countywide, regional, and transit agency policies and plans.¹ This process also provides an opportunity to coordinate and share information related to local and regional planning. A set of materials, compiled in a [Plan Review Manual](#), provides details on the review and certification process, background, and framework. The manual also provides guidance and checklists for aligning plans and policies with [VISION 2040](#), [Transportation 2040](#), and [Growth Management Act](#) requirements.

DISCUSSION

This report summarizes the findings and recommendations regarding the periodic update to the comprehensive plan for the City of Bonney Lake, adopted by the city on June 30, 2015. Previously, PSRC conditionally certified the City of Bonney Lake's comprehensive plan in July 2011 and extended the deadline in November 2013, requiring that the city resolve internal inconsistencies in the plan between projected growth and available capacity and adopt an updated plan by June 2015. PSRC staff coordinated with city staff in the review of the updated 2015 comprehensive plan and development of this report. With the 2015 update, this recommendation finds that the prior conditional requirements have been met by the city and the internal inconsistency resolved.

CERTIFICATION RECOMMENDATION

Based on the review of Bonney Lake 2035, the city's comprehensive plan, the following action is recommended to the PSRC Growth Management Policy Board, Transportation Policy Board, and Executive Board:

The Puget Sound Regional Council conditionally certifies that the transportation-related provisions in Bonney Lake 2035, the city's comprehensive plan update, conform to the

¹ The certification requirement in the Growth Management Act is described in RCW 47.80. The specific requirements for transportation elements in local comprehensive plans are spelled out in RCW 36.70A.070. PSRC's Interlocal Agreement, Section VII, also provides direction for the review of local comprehensive plans and countywide policies (Resolution A-91-01, amended March 1998). The Council's Executive Board last updated its process for Policy and Plan Review in September 2003. The process is also described in VISION 2040, Part IV: Implementation.

Growth Management Act and are consistent with multicounty planning policies and the regional transportation plan.

Conditional status is in place until the city of Bonney Lake amends the comprehensive plan to address inconsistency between the anticipated growth included in the plan and the housing and employment growth targets adopted by Pierce County. This will include amending the comprehensive plan to:

- **Adjust the plan’s anticipated population and employment growth to more closely align with adopted countywide targets. It is recognized that the city’s ability to reduce planned growth levels may be limited by unavoidable factors, such as actual growth since the target base year and entitlement of additional housing growth in the pipeline.**
- **Recognize the objective of aligning with the Regional Growth Strategy, including the role of designated Small Cities and the objective to limit growth in those cities.**
- **Identify and prioritize strategies the city will take to appropriately manage growth and work toward better alignment with the Regional Growth Strategy. Strategies should address more fully the impacts of planned growth on regional and local infrastructure and services and on the environment. Where feasible, the city should adopt strategies intended to limit or slow future development.**
- **Modify the discussion of the Urban Growth Area to ensure that proposed expansions of the UGA are consistent with countywide planning policies and do not add capacity for growth that is inconsistent with the city’s role as a Small City.**

The city should also conduct enhanced coordination with Pierce County to review adopted growth targets, including potential revisions to those targets to better align with the city’s plan while maintaining consistency with the Regional Growth Strategy. Coordination with the county, state, and other agencies should also occur to more fully address the potential regional impacts of planned growth that exceeds agreed-upon targets.

These conditions will be addressed according to the following the schedule:

1. **Council adoption of a plan of work that addresses the condition identified in the certification report by April 30, 2016.**
2. **Submission of a draft amended comprehensive plan and supporting documents that address the condition to PSRC for review and comment in advance of adoption.**
3. **Once the condition is adequately addressed, submission of the adopted amended comprehensive plan and supporting documents by December 30, 2017, for review and certification by PSRC.**

The city acknowledges and understands these conditions.

This report contains a summary of the PSRC review of the City of Bonney Lake comprehensive plan update. Under each heading, the scope of the certification review, as guided by the [Plan Review Manual](#) and Local Comprehensive Plan Checklist, is listed in high level bullets. Discussion in each topic area highlights exemplary provisions of the plan, as well as issues identified through the certification review where future work on the part of the city is needed to more fully address VISION 2040, Transportation 2040, and Growth Management Act planning requirements.

Part I: Conformity with Growth Management Act Transportation Planning Requirements

SCOPE OF REVIEW

The Growth Management Act (RCW 36.70A.070(6)) includes several requirements related to transportation elements in local comprehensive plans. These requirements are summarized as follows:

Land use assumptions and forecasts of travel demand that are internally consistent and consistent with growth targets.

Service and facility needs, including inventories of existing facilities, and level-of-service standards and concurrency provisions that address multiple modes of travel, planned land uses and densities, and state highways.

Financing and investments, including a multiyear financing plan and reassessment strategy to address potential funding shortfalls.

Intergovernmental coordination with neighboring cities, counties, and regional and state agencies.

Demand management, including programs to implement the Commute Trip Reduction Act.

Pedestrian and bicycle planning, including project funding and capital investments, education, and safety.

Land uses adjacent to airports, identifying relevant facilities, existing and planned uses, and policies that discourage incompatible uses.

Air quality is largely an interjurisdictional issue in which each jurisdiction's travel behaviors, measured through vehicle emissions, affect the regional airshed. The Washington Administrative Code (WAC) requires local transportation elements and plans to include "policies and provisions that promote the reduction of criteria pollutants" for mobile sources (WAC 173-420-080). When PSRC reviews plans, it also certifies that the comprehensive plans include air quality policies and provisions, including a commitment to meeting the requirements of applicable federal and state air quality legislation.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

Bonney Lake 2035, the city's comprehensive plan, effectively addresses many of the transportation planning requirements of the Growth Management Act and includes adequate air quality policies and provisions.

Highlights include:

- The Community Mobility Element provides thorough information about multiple modes of travel, the need for future facility improvements, and opportunities to mitigate transportation impacts. The level of detail provided will aid the city as it responds to growth and plans capital investments.
- Inclusion of a list of specific transportation system needs, a financing plan, and a reassessment strategy for the 20- year period of the plan.
- The city demonstrates a commitment toward enhancing the walkability of the community and states an objective of people of all ages and abilities having easy access to their community "on foot." This objective is backed up by the adopted level-of-service standard for nonmotorized travel and planning for pedestrian mobility in several neighborhood nodes.
- Section 4 of the Community Mobility Element and Section 4 of the introduction both discuss coordination with state, regional and county-level plans to help ensure consistency with regional transportation planning.
- Policies support efforts to address air quality impacts associated with transportation (ES-9.1, 9.2, 9.3).

DISCUSSION: CONDITIONS FOR CERTIFICATION

- The certification conditions are discussed in detail under the Development Patterns section regarding consistency between the growth expectation of the comprehensive plan and the Regional Growth

Strategy. The estimate of demand for new infrastructure and transportation projects should be reviewed and revised as necessary to ensure the plan maintains internal consistency given the reassessment of planned growth. In response to anticipated higher levels of growth it may be appropriate to emphasize and prioritize transportation actions that help to mitigate the impacts of growth, including supporting walkable environments and enhancing transit access.

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comments at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- As noted above, the plan includes a number of important policies supportive of nonmotorized transportation. Additional subarea planning would help ensure that the plan’s neighborhood nodes are developed to be truly pedestrian friendly and comfortable places to walk. Per the Transportation 2040 Physical Design Guidelines, site and building design, pedestrian-oriented uses, sidewalks, landscaping and pathways all can play an important part in creating walkable communities. Actions to enhance the pedestrian environment could be prioritized for implementation.

Part II: Consistency with Regional Plans and Policies

OVERVIEW

This section discusses consistency with the adopted multicounty planning policies (established regional guidelines and principles under RCW 47.80.026) adopted in VISION 2040, and Transportation 2040, the region’s long-range transportation plan. In addition to the multicounty planning policies, VISION 2040 contains a regional growth strategy with a preferred distribution of the region’s residential and employment growth, as well as a number of implementation actions for local governments to carry out. Each policy area addressed in VISION 2040 is discussed in turn below.

VISION 2040 Context Statement

VISION 2040 calls for local plans to include a context statement that describes how the comprehensive plan addresses regional policies and provisions adopted in VISION 2040. The plan includes policies emphasizing consistency with VISION 2040. The city should consider describing in greater detail how the comprehensive plan addresses VISION 2040, including the MPPs and the Regional Growth Strategy, when the city next amends the plan. Examples of context statements are provided in PSRC’s Plan [Review Manual](#), page 2-1.

Environment

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following environmental policy topics:

Stewardship, including addressing the natural environment throughout the plan, decisions based on best-available science, and regional environmental initiatives.

Earth and habitat, including open space protection, restoration and protection of native vegetation, and coordination with adjacent jurisdictions.

Water quality, including actions that maintain hydrologic functions and reduce water pollution in ecosystems, watersheds, shorelines, and estuaries.

Air quality and climate change, addressing federal and state laws, reduction of pollutants, Puget Sound Clean Air Agency policies, and reduction of greenhouse gas emissions and adaptation to climate change.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Bonney Lake comprehensive plan addresses the environmental policy topics in VISION 2040 with strong goals and actionable policies. Highlights include:

- ☑ A goal to protect agricultural resource lands and opportunities for urban agriculture (ES-8).
- ☑ The depth of information about critical areas, including detailed maps of volcanic hazards and liquefaction zones, and the use of land use designations to reduce risks associated with natural hazards.
- ☑ The integration of the updated Shoreline Master Program with the comprehensive plan.
- ☑ Policies that address the city's urban forestry and a focus on the steps needed to maintain, preserve, and enhance Bonney Lake's tree canopy, including working towards a target of 50% tree canopy coverage (Goal ES-7).
- ☑ A goal to meet the state greenhouse gas reduction target to reduce emissions to 25% below 1990 levels by 2035 (Goal ES-9).

DISCUSSION: AREAS FOR FURTHER WORK

- ☐ The city should address the following comments at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans: The plan provides information about environmentally sensitive areas and resource lands associated with Fennel Creek while also promoting more intense development of the adjacent Midtown center area. Consistent with MPP-DP-32, the plan should consider specific strategies to ensure compatible development and opportunities to avoid impacts typically associated with urban development and transportation.

Development Patterns – Including Regional Growth Strategy

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following development patterns policy topics:

Urban areas, including targets for housing and employment growth, compact communities that support transit and walking, and provisions for redevelopment of underused land.

Centers, including planning for one or more central places as locations for compact, mixed-use development, with policies that prioritize funding to centers to advance development.

Unincorporated urban areas, including policies that advance annexation and orderly transition of governance.

Resource lands, including identification of steps to limit development.

Regional design, addressing local provisions that apply the Transportation 2040 Physical Design Guidelines, energy efficient building, historic preservation, and enhanced sense of community.

Health and active living, addressing healthy environment, physical activity and well-being, and safety.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The city's comprehensive plan effectively addresses many of the development patterns policies in VISION 2040. Highlights include:

- ☑ The plan includes policies that support future growth within Bonney Lake's mixed-use centers, Downtown, Midtown and Easttown, consistent with VISION 2040's support for directing growth to subregional and town centers. The plan anticipates 65% of housing growth and the majority of employment growth to occur in these center areas and directs transportation investments and services to support them.
- ☑ Support for the transformation of auto-oriented shopping centers into more pedestrian-oriented centers to generate foot traffic, create a stronger sense of place, and bring life to outdoor spaces (CD-2.16).

- ☑ Provisions that identify a number of walkable neighborhood nodes that are located for ease of non-motorized access and serve as a framework for prioritizing pedestrian improvements coordinated with the uses in these node areas.
- ☑ The plan’s incorporation of public health planning and support for active lifestyles is impressive. The plan benefits from the city’s coordination with Tacoma-Pierce County Health Department and incorporating health as a theme throughout the plan. Health and active living, addressing healthy environment, physical activity and well-being, and safety are all addressed in the plan.

DISCUSSION: CONDITIONS FOR CERTIFICATION

Bonney Lake must address the following provision of the Growth Management Act and VISION 2040 in order to maintain certified status:

- ☐ RCW 36.70A.130 requires that local comprehensive plan updates accommodate the growth projected to occur over the subsequent 20-year period. VISION 2040 (MPP-DP-3) calls for countywide adoption of housing and employment growth targets that promote the Regional Growth Strategy. MPP-T-9 calls for coordination of state, regional, and local transportation planning in support of that strategy. RCW 36.70A.070 requires the transportation element of local comprehensive plans to implement and be consistent with the land use element.

To implement the Regional Growth Strategy, Pierce County and its cities developed housing and employment targets for the 2008-2030 period. The targets allocate a modest amount of housing and jobs to Small Cities, which includes the City of Bonney Lake, as a reflection of the stated regional role for these cities to accommodate limited growth. The targets for Bonney Lake are to grow by 2,670 housing units and 1,141 jobs over the period of 2008-2030.

Bonney Lake 2035 (page 1-5) acknowledges the PSRC guidance for local comprehensive plans to use “land use assumptions that correspond with the most recently adopted growth targets” (pg. 3B-6) and focus transportation improvements to “support existing and planned development as allocated by the Regional Growth Strategy” (pg. 3B-5). However, the plan cites recent and ongoing growth as a way of estimating the addition of 3,363 housing units over the planning period 2014-2035 compared to the adopted target for 2008-2030 of 2,670 housing units. This planned level of growth significantly exceeds the expectations of the adopted target, even when accounting for the shift of the planning period from 2030 to 2035, and raises concerns about consistency with the regional transportation plan.

Countywide Adopted Housing Target 2008-2030	2,670
2008-2014 development	931
Pipeline development	1,218
Remaining target (target minus development and pipeline)	521
<i>Bonney Lake 2035</i> 2014-2035 planned growth	3,711
2014 Buildable Lands Report housing capacity (as of 2012)	4,197

In establishing the growth assumptions, the plan cites recent development, development proposals in the “pipeline,” and assumptions about future growth rates. Section 4 of the Introduction chapter acknowledges the need to implement VISION 2040’s Regional Growth Strategy and points to re-designating 163 acres to Open Space Conservancy to protect sensitive areas and manage growth.

However, the plan lacks sufficient measures to manage growth consistent with the adopted targets and appears to support a land use pattern and infrastructure development to support a pace of growth that exceeds the targets.

Development of the city's vacant and underdeveloped areas has the potential to be well-planned and managed in a way that fully meets the community's stated goals to be well-designed, pedestrian friendly, and supportive of transit service, while also timing support of development of these areas to better align with the growth targets.

To comply with VISION 2040, the plan requires amendments to address inconsistency between the anticipated growth included in the plan and the housing and employment growth targets adopted by Pierce County. Planning for transportation and other infrastructure should be based on a calculation of anticipated growth that is reasonably aligned with the adopted housing and employment growth targets. The city may work with Pierce County to adjust the growth targets, consistent with the Regional Growth Strategy. If unavoidable circumstances are such that the city's plan for growth cannot fully align with the adopted targets (as indicated in the comprehensive plan), the plan should be amended to demonstrate the city's efforts to better manage and mitigate growth and work towards alignment with the Regional Growth Strategy as discussed above. PSRC staff is available to provide technical guidance on reconciling the growth assumptions, documenting data sources, and identifying potential actions and measures.

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comments at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- Per MPP-DP-18, the city is encouraged to continue to coordinate with Pierce County regarding a logical framework for affiliating the adjacent unincorporated urban areas to provide predictability for the future of those areas.
- Bonney Lake is encouraged to continue to plan for its identified center areas. It may be appropriate to consider the size of the centers and to define core areas that are pedestrian focused. The core area of centers should be compact communities that support transit and walking, a mixture of uses, and redevelopment of underused land. More information on center planning can be found PSRC's [Plan Review Manual](#), page 3-1. The city could utilize resources such as PSRC's center plan checklist and Transportation 2040 Physical Design Guidelines to promote pedestrian-oriented places, manage parking, and plan for multimodal travel options.

Housing

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following housing policy topics:

Increased housing production opportunities, including diverse types and styles for all income levels and demographic groups.

Affordable housing needs, including an assessment of existing and future housing needs based on regional and local factors, including household income, demographics, special needs populations, and adequacy of existing housing stocks.

Regional housing objectives in VISION 2040, including promotion of housing diversity and affordability, jobs-housing balance, housing in centers, and flexible standards and innovative techniques.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The city's comprehensive plan effectively addresses the housing provisions contained in VISION 2040. Highlights include:

- ☑ A goal and policies that support providing a range of housing options and affordability to meet the needs of the community (Goal CD-3; CD-3.1) and detailed information about household incomes and housing needs within Bonney Lake.
- ☑ Policies that support housing for residents with special needs (CD-3.2).
- ☑ Policies to ensure a sufficient supply of affordable housing to all income levels and supporting participation in regional responses to housing needs (CD-3.5, 3.6).

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comment at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- ☐ The plan identifies that 13% of households have household incomes of less than \$25,000 and that a high proportion of jobs within the city are in retail. Therefore, the plan should more directly address how the housing needs of the community can be fully met through policies and actions. The plan should consider the funding needed for affordable housing that is not met through market conditions, such as for very low income households. Two potential strategies could be to encourage maintenance and preservation of existing affordable housing and evaluating surplus city land for potential use for affordable housing. For additional strategies and resources, see PSRC’s [Housing Innovations Program](#).

Economy

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following economic development policy topics:

Include an **economic development element** that addresses: business, people, and places.

Retention and recruitment efforts that support family wage jobs, industry clusters that export goods and services, and small businesses that are locally owned.

Equitable benefits and impacts, including provisions and programs that promote economic vitality in distressed areas or areas with disadvantaged populations.

Adequate housing growth in centers through collaboration with the private sector and provision of infrastructure.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The city’s comprehensive plan effectively addresses many of the economic provisions of VISION 2040.

Highlights include:

- ☑ A thorough economic development element, Economic Vitality, which includes an economic profile and analysis of future economic prospects for the community, and seeks to expand economic opportunity for the citizens of Bonney Lake (Goal EV-1).
- ☑ Policies that support subarea planning and regular updates for the Downtown, Midtown and Easttown centers so that they stay current with economic trends and promote an appropriate mix of businesses and uses.

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any major areas for improvement of the plan to better align with regional guidelines and principles on economic development.

Transportation

SCOPE OF REVIEW

VISION 2040 and Transportation 2040 call for local comprehensive plans to address the following transportation policy topics:

Maintenance, management, and safety, including clean transportation with reductions in pollution and greenhouse gas emissions, environmental factors, health and safety, stable and predictable funding sources, system and demand management strategies, and security and emergency response.

Support for the regional growth strategy, including system improvements that align with planned growth, prioritized investments that support compact development in centers, joint- and mixed-use development, complete streets and improvements to promote biking and walking, and context-sensitive design.

Improved transportation options and mobility, including alternatives to driving alone, facilities and services for special needs transportation, avoidance of new or expanded facilities in rural areas, and financing methods.

Linking land use and transportation, including integrating Transportation 2040 physical design guidelines in planning for centers and transit station areas, and land development tools that promote transportation alternatives.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Bonney Lake comprehensive plan addresses the major transportation emphases in VISION 2040 and Transportation 2040, including maintenance, management, and safety; support for the Regional Growth Strategy; and providing greater options and mobility. Highlights include:

- ☑ Policies establish mobility level-of-service standards for multiple modes of travel (CM section 8).
- ☑ A goal to increase mobility options by constructing a network of nonmotorized transportation facilities to provide convenient and affordable transportation alternatives for individuals of all ages and abilities to support healthy lifestyles (Goal CM-2).
- ☑ Identification of improvements to address the Americans with Disabilities Act (CM section 9).
- ☑ A goal to maintain and preserve the city's transportation system in order to provide a safe multimodal system, protect the investment in the existing system, and lower overall life-cycle costs (Goal CM-4).
- ☑ Policy to support regional transportation and land use planning efforts to balance jobs and housing, manage congestion, address auto-related emissions and greenhouse gases, and reduce the share of the region's trips made by single occupant vehicles (CM-8.1).

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any additional areas for improvement of the plan to better align with regional guidelines and principles on transportation (please see comments addressing Growth Management Act transportation planning requirements on page 3 and conditions relating to growth and transportation issues noted earlier in this report).

Public Services

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following public services policy topics:

Promote more efficient use of existing services, such as waste management, energy, and water supply, through conservation – including demand management programs and strategies.

Promote renewable energy and alternative energy sources.

Plan for long-term water needs, including conservation, reclamation and reuse.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Bonney Lake comprehensive plan update contains policies that address the public services provisions of VISION 2040. Highlights include:

- The plan includes a number of policies that support planning for the long-term needs of the community.
- The plan seeks to protect the aquifer recharge zone (CFS-8.5).

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comments at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- Consistent with the conditions related to growth listed above, the city is encouraged to review capital funding of new infrastructure development, such as impact fees and connection charges, to assure that growth-related infrastructure development is financially self-sufficient.
- It appears that portions of the Easttown area and other parts of the city lack sewer service. The city may consider plans for expanding sewer service more carefully to synchronize infrastructure development with the planned rate of growth that is consistent with the Regional Growth Strategy, while planning for appropriate urban services and protecting the environment (MPP-PS-2).
- The city could strengthen policy CFS-9.2 to clarify that extension of sewer services outside of the Urban Growth Area should be avoided, and if needed for environmental protection, must be designed to not support urban levels of development (MPP-PS-4).
- Policies would be strengthened by encouraging energy conservation and facilitating the conversion to alternative technologies and energy sources consistent with MPP-PS-13.

Conclusion

PSRC staff thanks the city for working through the plan review and certification process. PSRC is available to provide assistance for future plan updates. Additional planning resources can also be found at <http://www.psrc.org/growth/planreview/resources/>. If the city has questions or needs additional information, please contact Paul Inghram at 206-464-7549 or PInghram@psrc.org .

Bonney Lake Comprehensive Plan Review Framework

The Bonney Lake comprehensive plan, Bonney Lake 2035, establishes a long range vision for the community and is largely consistent with the Growth Management Act and VISION 2040. However, the plan as adopted supports residential growth that significantly exceeds the adopted growth targets. The plan acknowledges the PSRC guidance for local comprehensive plans to use “ ‘land use assumptions that correspond with the most recently adopted growth targets’ (pg. 3B-6) and focus transportation improvements to ‘support existing and planned development as allocated by the Regional Growth Strategy’ (pg. 3B-5)” (page 1-5). However, the plan cites recent and ongoing growth as a way of estimating growth of 3,363 housing units over the period 2008-2030 compared to the adopted target 2,670 housing units. The city’s plan assumes further growth of 3,711 housing units over the period of 2014-2035 that significantly exceeds the expectations of the adopted target, even when accounting for the shift of the planning period from 2030 to 2035, and raises concerns about consistency with the regional transportation plan.

Review Framework	Analysis of Plan												
<p>1. Where local plans exceed targets, explain rationale in light of local and regional factors</p>	<table border="0"> <tr> <td>Countywide Adopted Housing Target 2008-2030</td> <td style="text-align: right;">2,670</td> </tr> <tr> <td>2008-2014 development</td> <td style="text-align: right;">931</td> </tr> <tr> <td>Pipeline development</td> <td style="text-align: right;">1,218</td> </tr> <tr> <td>Remaining target 2008-2030</td> <td style="text-align: right;">521</td> </tr> <tr> <td><i>Bonney Lake 2035</i> 2014-2035 planned growth</td> <td style="text-align: right;">3,711</td> </tr> <tr> <td>2014 Buildable Lands Report housing capacity (as of 2012)</td> <td style="text-align: right;">4,197</td> </tr> </table> <p>The plan identifies that current pipeline development will exceed the remaining housing target and that sufficient capacity exists within the city for additional growth.</p>	Countywide Adopted Housing Target 2008-2030	2,670	2008-2014 development	931	Pipeline development	1,218	Remaining target 2008-2030	521	<i>Bonney Lake 2035</i> 2014-2035 planned growth	3,711	2014 Buildable Lands Report housing capacity (as of 2012)	4,197
Countywide Adopted Housing Target 2008-2030	2,670												
2008-2014 development	931												
Pipeline development	1,218												
Remaining target 2008-2030	521												
<i>Bonney Lake 2035</i> 2014-2035 planned growth	3,711												
2014 Buildable Lands Report housing capacity (as of 2012)	4,197												
<p>2. Include policies supporting the RGS</p>	<p>Section 4 of the Introduction supports the Regional Growth Strategy and VISION 2040 and the need for consistency. While the discussion acknowledges that the planned growth exceeds the adopted target, this section should be revised to acknowledge the role of Small Cities, along with a policy commitment to working toward achieving the Regional Growth Strategy within the countywide framework for coordination around growth targets.</p>												
<p>3. Include policies and actions to bring future growth into alignment with targets and the Regional Growth Strategy</p>	<p>Section 4 of the Introduction discusses how the city re-designated 163 acres to Open–Space Conservancy to better align growth with the adopted targets and to “bend the trend” consistent with Appendix II-B. This redesignation limits development to a density of 1 unit per 5 acres in an</p>												

	<p>environmentally sensitive area, and thereby reduces the city’s overall capacity. However, this section stops short of fully addressing the inconsistency with the targets. The plan should be amended to include policies and actions that further move the city toward alignment with the growth targets and the Regional Growth Strategy over time, both within the 20-year planning period and beyond.</p>
<p>4. Address impacts of planned growth on local and regional infrastructure and the environment</p>	<p>The plan includes a number of goals and policies to manage growth in an efficient manner, including:</p> <ul style="list-style-type: none"> • Targeting approximately sixty-five percent of projected growth to four designated centers of local importance. • Planning for multiple modes of travel, including designation of walkable nodes. • Goals to protect agricultural resource lands and environmentally critical areas. • Support of coordination at the state, regional and countywide levels. <p>However, the plan would be improved by addressing other potential impacts of the higher planned growth on the surrounding area and regional infrastructure, including actions such as:</p> <ul style="list-style-type: none"> • Review of potential impacts to environmentally sensitive areas and resource lands, such as those associated with Fennel Creek and the Midtown Center area. • Consideration of impacts to regional transportation facilities. • Consideration of opportunities to reduce vehicle trips, such as through increased transit service and land use development that encourages walking.
<p>5. Do not propose expanding Urban Growth Area</p>	<p>The plan includes Policy CD-1.4 that states: “Ensure that additional capacity associated with expansion of the BLUGA maintains the current capacity of the Pierce County urban growth area through targeted reductions to the CUGA.”</p> <p>However, the plan also includes discussion of a number of potential expansion areas, including some that are currently designated agricultural lands. It may be appropriate to amend the plan to clarify the city’s intention to pursue any UGA changes in coordination with the county and within a common framework and criteria established by the countywide planning policies so as to not increase development expectations for the city. Given the city’s role as a Small City in the Regional Growth Strategy, and</p>

	<p>regional efforts to preserve the rural area, the city should consider removing support for UGA expansions.</p>
<p>6. Demonstrate heightened degree of coordination with other jurisdictions and agencies</p>	<p>Bonney Lake has communicated extensively with the county and PSRC during its plan update process. The city and the county have agreed to work together to evaluate potential amendments to the adopted targets, which may partially address the current discrepancy. The city should continue to work with the county, WSDOT, transit agencies and others regarding the anticipation of growth impacts to the surrounding area, especially regional transportation facilities and services.</p>

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RESOLUTION NO. 2517

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ACKNOWLEDGING THE CONDITIONAL CERTIFICATION OF BONNEY LAKE 2035 AND STATING THE CITY'S INTENT TO UPDATE BONNEY LAKE 2035 IN ORDER TO MEET THE COMPLIANCE REQUIREMENTS OF THE PUGET SOUND REGIONAL COUNCIL.

WHEREAS, the City of Bonney Lake completed the periodic comprehensive plan update as required the Washington State Growth Management Act by adopting *Bonney Lake 2035* on June 30, 2015; and

WHEREAS, on December 31, 2015, the Puget Sound Regional Council (PSRC) issued a Plan Review Report and Certification Recommendation; and

WHEREAS, PSRC conditionally certified *Bonney Lake 2035* with a requirement to adjust the plan's anticipated population and employment growth to more closely align with adopted countywide targets and to better align the plan with the Regional Growth Strategy adopted by *Vision 2040*;

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

The City Council directs the staff to bring back amendments to *Bonney Lake 2035* to:

- Adjust the plan's anticipated population and employment growth to more closely align with adopted countywide targets.
- Recognize the objective of aligning with the Regional Growth Strategy, including the role of designated Small Cities and the objective to limit growth in those cities.
- Identify and prioritize strategies the city will take to appropriately manage growth and work toward better alignment with the Regional Growth Strategy.
- Modify the discussion of the Urban Growth Area to ensure that proposed expansions of the UGA are consistent with countywide planning policies and do not add capacity for growth that is inconsistent with the city's role as a Small City

BE IT FURTHER RESOLVED, that the City is committed to addressing these conditions by December 30, 2017.

PASSED by the City Council this ___ day of _____, 2016.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: CD / Cole Elliott	Meeting/Workshop Date: 22 March 2016	Agenda Bill Number: AB16-46
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2519	Councilmember Sponsor: Donn Lewis

Agenda Subject: Developer Extension Agreement with JK Monarch LLC for Church Lake Estates for extension of water and sewer systems.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water And Sewer Developers Extension Agreement Between JK Monarch LLC And The City Of Bonney Lake.

Administrative Recommendation:

Background Summary: The Developer of Church Lake Estates has requested the City provide water, fire protection and sanitary sewer services for Church Lake Estates Plat located along Church Lake Road East.

Attachments: Location Map

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
N/A				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation:				

COMMITTEE, BOARD & COMMISSION REVIEW				
Council Committee Review:	Community Development	<i>Approvals:</i>	Yes	No
	Date: 15 March 2016	Chair/Councilmember	Donn Lewis	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	Tom Watson	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	Dan Swatman	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:				
Hearing Examiner Review:				

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

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

RESOLUTION NO. 2519

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN AGREEMENT WITH JK MONARCH LLC FOR CHURCH LAKE ESTATES PLAT.

WHEREAS, Church Lake Estates is a plat located outside of the City limits along Church Lake Road East; and

WHEREAS, Church Lake Estates is located within the water and sewer service area of the City of Bonney Lake; and

WHEREAS, the City of Bonney Lake requires that a Developer have an approved Developer Extension Agreement for water and sewer improvements to the City's infrastructure; and

WHEREAS, the City Council finds that it is in the public interest that this agreement be carried out at this time;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Bonney Lake, Washington, does hereby authorize the Mayor to sign the attached Water and Sewer Developer Extension Agreement with JK Monarch LLC for the Church Lake Estates Plat.

PASSED by the City Council this ____ day of March, 2016.

Neil Johnson Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney



WATER & SEWER DEVELOPERS
AGREEMENT

PUBLIC WORKS DEPARTMENT

THIS AGREEMENT, by and between the City of Bonney Lake, a municipal corporation, hereinafter referred to as "City", and _____, hereinafter referred to as "Developer".

WITNESSETH: That whereas the City of Bonney Lake, a municipal corporation, provides WATER & SEWER service within the corresponding WATER & SEWER service area boundary, and the above-named Developer is preparing to construct a WATER & SEWER system, or additions thereto, and said development requires the City's WATER & SEWER service;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

- I. Developer agrees to design and/or construct the WATER & SEWER system, or additions thereto, to be connected to the City's WATER & SEWER lines, and to maintain such additions until such time as the improvements are accepted by the City, with the agreements conditioned as set forth below. The WATER & SEWER system, or additions thereto, shall be located within that area commonly referred to as _____, which property is described in Exhibit "A" attached hereto and referred to hereinafter as "Premises".
- II. As a condition precedent to City obligations under this agreement, the Developer shall design and/or construct the proposed WATER & SEWER system, or additions thereto, within said premises in conformance with the City's "Development Policies and Public Works Standards", as adopted (and by reference made a part hereof), together with any City approved amendments thereto made, and further to conform with the City's comprehensive WATER & SEWER plan, which agreement shall include oversizing of WATER & SEWER mains as may be identified in the City's adopted WATER & SEWER comprehensive plan.
 - A. Apply for irrigation meters separate from residential meters where the irrigation serves common areas or more than one single-family residence.
 - B. The applicant shall submit landscaping and irrigation plans for review and employ the best management practices available for the efficient use of water.
 - C. Shall loop the water system by extending the water main through an existing 30-foot easement to 196th Ave E.
- III. The developer agrees that the construction of the WATER & SEWER system, or additions thereto, shall not commence until the following conditions have been fulfilled:

- A. The developer shall furnish the City with three (3) sets of detailed plans for the water and sewer system, or additions thereto, at Developer's own expense, prepared by a qualified engineer licensed in the State of Washington.
- B. The above plans shall require the review and approval by the City and its Engineer, and the cost of such review shall be at the Developer's own expense.
- C. Minimum requirements for all plans for WATER & SEWER system, or additions thereto, submitted to the City for review are:
 - 1. Three (3) sets of plans and documents shall be submitted, wherein one (1) set will be returned to the applicant.
 - 2. A preliminary plat of the area in which said WATER & SEWER system, or additions thereto, are to be constructed, which plat has been approved by the City, or County as applicable.
 - 3. A map showing the location of the plat in relation to the surrounding area.
 - 4. A contour map of the plat with contour intervals of two feet or less.
 - 5. A map showing the location and depth of all proposed utilities and any connections and/or interconnections to existing facilities or future extensions and connections.
 - 6. A 1" = 50' plan of the water system showing streets, lot lines, dimensions, and location of bench marks and monuments for the proposed plat, together with an indication of the development of the adjacent property.
 - 7. A profile 1" = 50' horizontal and 1" = 5' vertical of the finished road grades with the water system and other pertinent underground utilities located, with elevations noted thereon. The elevation datum shall be the same as used by the City. It shall be the responsibility of the Developer to confirm such datum with the City.
 - 8. Full-sized detail sheets shall be included as part of the construction drawings, as required to clearly indicate the details for all of the water system, or additions thereto, to be constructed, consistent with City standards.
 - 9. Specifications sufficient to fully describe the work, consistent with City's "Development Policies and Public Works Design Standard".
 - 10. Approvals from all regulatory agencies.
- D. Construction requirements in addition to the City standards and details for developer extensions, as adopted, are as follows:

1. Unless otherwise approved in writing, by the City, all streets and/or roadways shall be graded to within six inches of final grade before installation of WATER & SEWER improvements.
 2. All lots shall be fully staked to assist all parties involved in the proper location of the WATER & SEWER system including services.
 3. All hydrants and valves shall be fully staked in the field and reviewed and approved by the City prior to installation of same. Adjustments to "approval construction drawings" may be warranted and required by the City, based on actual local field conditions.
 4. All contractors and subcontractors shall have a current Washington State Contractors License.
 5. The Developer's WATER & SEWER system, or additions thereto, on Premises shall not be connected to the City WATER & SEWER system until authorized by the City, and such connection shall be performed under the supervision and direction of the City.
- E. For the purpose of applying RCW 4.24.115 to this Contract, the Developer and the City agree that the term "damages" applies only to the finding in a judicial proceeding and is exclusive of third party claims for damages preliminary thereto.

The Developer agrees to defend and hold the City harmless from all claims for damages by third parties, including costs and reasonable attorney's fees in the defense of claims for damages, arising from performance of the Developer's express or implied obligations under this Agreement. The Developer waives any right of contribution against the City.

It is agreed and mutually negotiated that in any and all claims against the City or any of its agents or employees by any employee of the Developer, any contractor or subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the obligations hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Developer or any contractor or Subcontractor under Workman's Compensation Acts, disability benefits acts or other employees' benefit acts. The City and the Developer agree that all third party claims for damages against the City for which the Developer's insurance carrier does not accept defense of the City may be tendered by the City by the Developer who shall, if so tendered by the City, accept and undertake to defend or settle with the Claimant. All investigation and legal work product regarding said claim shall be performed under a fiduciary relationship to the City. In the event that the City agrees or a court finds that the claim arises from the sole negligence of the City, the City shall be responsible for all damages payable to the third party claimant. In the event that the City and the Developer agree or a court finds that the claim arises from or includes negligence of both the Developer and the City, the Developer shall be responsible for all damages payable by the Developer to the third party claimant under the court findings, and, in addition thereto, the Developer shall hereunder reimburse or pay the City for all damages paid or

payable to the City under the court findings in an amount not to exceed the percentage of total fault attributable to the Developer. For example, where the Developer is 25% negligent, the Developer shall not be required to indemnify the City for any amount in excess of 25% of the claimant's total damages.

The Developer shall ensure that all construction contracts entered into for the WATER and SEWER SYSTEM name the City of Bonney Lake as an additional insured.

- F. In the event the Developer in his operation damages or disrupts existing improvements, the repairs shall be made at the Developer's expense. In the event they are so damaged or the service disrupted and the Developer fails or is unable to immediately restore the service, then the Owners of the improvements may cause the repairs to be made by others and all costs for the same shall be at the Developer's own expense.

Where the construction crosses or is adjacent to existing utilities, the Developer shall exercise extreme care to protect such utilities from damage.

If any damage is done to an existing utility, the Developer shall notify the utility company involved who will dispatch a crew to repair the damage at the Developer's expense. All costs for the same shall be at the Developer's own expense.

The Developer shall be aware that some existing WATER & SEWER facilities are known to contain asbestos cement pipe. The Developer shall conduct all work related to existing asbestos cement pipe in strict accordance with WISHA safety regulations and provisions contained within WAC 296-62077. All costs related to work in compliance with established rules and regulations shall be the responsibility of the Developer. Demolition of existing, asbestos cement pipe, if required, will be permitted only after the proper permits are obtained from the Puget Sound Air Pollution Control Agency. The Developer shall be responsible for all associated fees and permits required for asbestos removal and disposal. Work crews shall be provided with proper protective clothing and equipment. Hand tools shall be used, and the asbestos cement pipe shall be scored and broken in lieu of the sawing or other methods which release fibers into the atmosphere. Waste asbestos pipe shall be buried in the trench. Asbestos pipe to be abandoned in – place shall not be disturbed, except as noted herein, and shall remain in its original position.

The Developer is cautioned that all existing drainage systems, whether open ditch, buried pipe, or drainage structures, are not on record. It shall be the responsibility of the Developer to repair or replace all such systems found during construction, which are damaged by the Developer's construction in a manner which is satisfactory to the City.

Where the Developer is allowed to use private property adjacent to the work, the property so used shall be returned to its original or superior condition. The Developer shall make all arrangements in advance with such property owners, to insure that no conflicts will ensue after the property is restored as described above. The Developer will be required to furnish the City with a written release

from said private property owners, if the City deems it to be necessary to obtain such document.

- IV. The construction, of the Developer's WATER & SEWER system, or additions thereto, on the Premises shall be supervised by the City in such a manner and at such times as the City deems reasonably necessary to assure that construction of the system will conform to the above-mentioned plans and specifications. The Developer herewith agrees to allow such inspections and agrees to cooperate providing reasonable advance notice on his construction schedule during, the various construction phases as requested by the City.
- V. The Developer further agrees to pay an estimated amount of money to cover the City's expected review fees and construction supervision expenses incurred.
- VI. The Developer's WATER & SEWER system, or additions thereto, on Premises shall not be accepted for service and use until the same have been fully inspected and approved, and the following requirements have been performed:
 - A. Submit to the City in PDF format and Auto-CADD format, latest revision (unless otherwise approved by the City), the computer file supplied on CD disc accompanied by the original mylars, with all changes from the original design clearly marked to reflect the as-built conditions. The Developer's Engineer shall certify the accuracy of the record drawings and shall affix his seal and signature.
 - B. Payment of all permit fees and equivalent assessment changes and any other applicable City charges required for Premises.
 - C. Payment of all plan check and inspection fees.
 - D. Prepare and furnish the required easements in compliance with the City's standard form, and furnish same to the City for approval by the City Attorney, prior to recording of same. The proponent shall pay all the necessary recording, fees.
 - E. Furnish the City with an affidavit warranting there are no liens against the improvements constructed on Premises by the Developers, this affidavit shall be in the form prescribed by the City.
 - F. Furnish the City with a Bill of Sale conveying, the WATER & SEWER system to the City.
 - G. Furnish a one year maintenance bond for 15% (or \$2,000 whichever is greater) of the amount of the Bill of Sale guaranteeing that the WATER & SEWER system will be free of defects in labor and materials. Form to be prescribed by the City.
- VII. In the event any warranty repairs are required, the City agrees, whenever feasible, to provide the Developer with reasonable notice, before directly undertaking such repairs. The City reserves the right, however, to effect emergency repairs as deemed

necessary by the City. The City shall be reimbursed by the Developer for all costs thereof.

VIII. Upon performing all requirements, including those as set forth in Paragraph 5 above , the City shall accept the WATER & SEWER system, and agree therewith to operate and maintain said system.

IX. Nothing in this Agreement shall be construed to excuse Developer from requirements and conditions found in any City ordinance, ~~resolution, plan or policy~~, with respect to the provision of utility service, ~~including without limitation requirements regarding annexation or execution of covenants to annex~~, and the City will not provide utility service to Developer prior to Developer's satisfaction of all such requirements and conditions.

SUBMITTED this _____ day of _____ 20____

DEVELOPER: _____ Date _____
Signature

Printed Name

Company Title (as applicable)

Address

City State Zip

Phone No. _____ FAX No. _____

CITY OF BONNEY LAKE
DEVELOPER AGREEMENT

ACCEPTED this ____ day of _____ 20____

Neil Johnson Jr., Mayor

CITY OF BONNEY LAKE

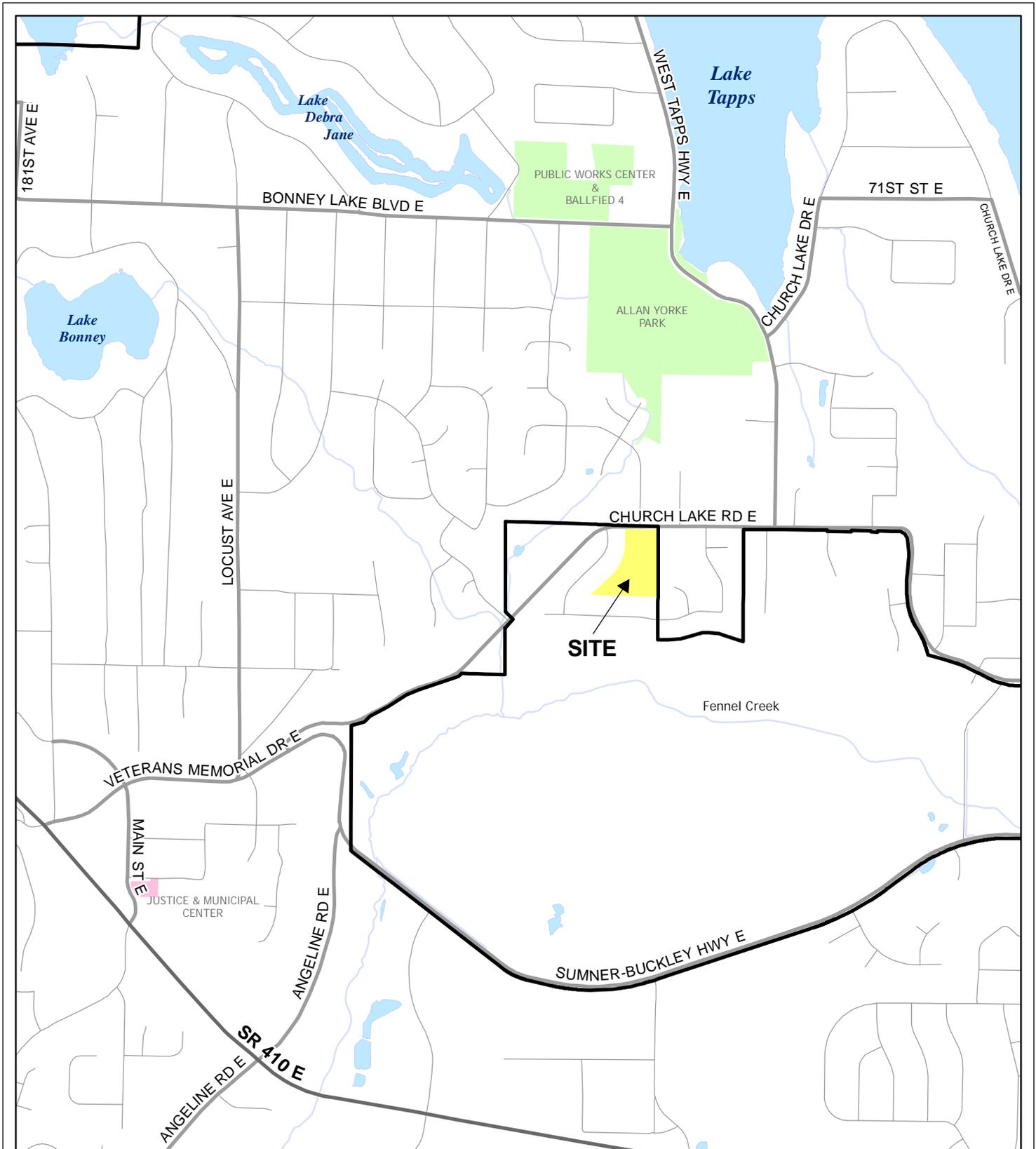
DEVELOPER AGREEMENT

EXHIBIT 'A'

PLAT NAME _____

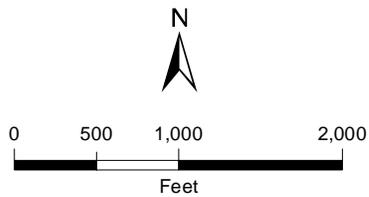
DEVELOPER: _____

LEGAL DESCRIPTION: _____



Legend

- Church Lake Estates
- Public Works Center & Parks
- Justice & Municipal Center
- Bonney Lake City Limits



City of Bonney Lake

1:14,000

March 9, 2016

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 22 March 2016	Agenda Bill Number: AB16-41
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D16-41	Councilmember Sponsor: Swatman

Agenda Subject: Water Utility Charges and Leak Adjustments

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.04.100(G) Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance Nos. 1151, 1429, 1430, 1440, And 1465 Relating To Water Utility Charges And Adjustments.

Administrative Recommendation: Approve

Background Summary: Section 13.04.100 of the Bonney Lake Municipal Code has been interpreted as to not allow water leak adjustments for anything other than leaks in the direct service line from the meter to the house. This amendment authorizes a more flexible interpretation based upon the circumstances, and could include adjustments for irrigation lines as well.

Attachments: Ord D16-41

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation: NA				

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	Finance Committee Date: 8 March 2016	<i>Approvals:</i> Chair/Councilmember McKibbin Councilmember Swatman Councilmember Watson	<table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Yes</td> <td style="text-align: left;">No</td> </tr> <tr> <td style="text-align: right;"><input checked="" type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input checked="" type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input checked="" type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	No										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
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Forward to: 3/22/16 Council Mtg		Consent Agenda:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
Commission/Board Review:											
Hearing Examiner Review:											

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

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

ORDINANCE NO. D16-41

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.04.100(G) OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NOS. 1151, 1429, 1430, 1440, AND 1465 RELATING TO WATER UTILITY CHARGES AND ADJUSTMENTS.

WHEREAS, the City Council wishes to clarify the code provisions regarding adjustments to water bills because of water leaks on the customer's side of the water meter;

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

Section 1. Subsection 13.04.100(G) of the Bonney Lake Municipal Code is hereby amended to read as follows:

13.04.100(G)

G. Leakage – Rate Reduction.

1. ~~In the event that there is a leak in the water service line only (on the property owner's side of the water meter between the water meter and the building), after the service line is repaired by the owner and upon written request by the property owner, the city finance department may make an adjustment in the water bill.~~ In the event that there is a water leak that is determined to have been undetectable by the water utility, after the service line is repaired by the owner and upon written request by the property owner, the city finance department may make an adjustment in the water bill. The maintenance of plumbing fixtures inside a structure is the responsibility of the property owner. No leak adjustments shall be made for water leaks due to faulty equipment or fixtures inside the structure, including leaky toilets, faucets, etc.

2. The adjustment shall be two-thirds of that portion of the customer's water bill determined by calculating the median consumption for the past five years for the same period the leak occurred. The adjustment shall be limited to the period of 120 days of consumptive use prior to the repair of the leak.

3. The city reserves the right to request documentation of the service line repair as a condition of granting a leak adjustment.

4. Should a customer who was granted a leak adjustment request a subsequent leak adjustment within 24 months of the previous adjustment due to an additional line break or leak, documentation, such as a receipt from a plumber, must again be provided to reasonably demonstrate that the leak has been repaired and that the repair is expected to be permanent.

5. No leak adjustments shall be authorized in the following situations:
- a. The leak was caused by a third party from whom the customer is able to recover their costs. Examples include, but are not limited to, theft, vandalism, negligence and construction damage, unoccupied or vacant properties.
 - b. The meter at said property has been accessed, tampered with, or turned on/off by anyone other than a city of Bonney Lake employee and that action results in loss of water.
 - c. The leaky line is subject to a valid warranty.
 - d. The current property occupant has already been granted two leak adjustments in the previous five years from the date of the current leak adjustment request.

Section 2. The Mayor is hereby authorized to implement such administrative policies, procedures and forms as may be necessary to carry out the intent of this ordinance.

Section 3. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force effect.

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 March, 2016.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney