City of Bonney Lake

"Where Dreams Can Soar"

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

I. CALL TO ORDER – Deputy Mayor Dan Swatman

A. Flag Salute:

B. Roll Call: [A1.3]

Elected Officials: Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

[Staff expected to be in attendance: City Administrator Don Morrison, Planning & Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe, Interim Police Chief Buster McGehee and City Attorney Jim Dionne.]

C. Announcements, Appointments and Presentations: [A1.6.9]

1. Announcements:

2. Appointments:
   a. Administration of Oath of Office: Police Officers Chad C. Kiblinger and Nathan J. Vance

3. Presentations:

D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:


B. Citizen Comments: [A1.5]

You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the “Consent Agenda” should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated speakers representing a group may take up to 10 minutes on matters of general City business.

C. Correspondence:
III. COUNCIL COMMITTEE REPORTS: [A3.6-4]

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

IV. CONSENT AGENDA: [A3.6]

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.

A. Checks/Vouchers: Accounts payable checks/voucher #44717 thru #44834 and wire transfer #2139807 in the amount of $576,606.47. [F6.9]

B. Payroll: Payroll for August 1-15, 2006 for checks 25204-25246, including Deposits and Electronic Transfers in the amount of $297,557.60. [F6.9]


E. AB06-183 – A Motion Of The Bonney Lake City Council Setting A Public Hearing for September 12, 2006 At 7:00 p.m., or as soon thereafter as possible, regarding the Six Year Transportation Improvement Plan for 2007 – 2012. [A3.6.10] [A3.6.12]

F. AB06-184 – A Motion Of The Bonney Lake City Council Accepting The Asphalt Matt Project At 8002 182nd Ave. E. By Pacific Paving As Complete. [A3.6.10] [C 4.10.2]

V. FINANCE COMMITTEE ISSUES:


B. AB06-187 – A Motion Of The Bonney Lake City Council Authorizing Out-Of-State Travel For Planning Manager Ladd To Salem, OR. [A 3.6.10] [A 4.7]

C. AB06-188 – A Motion Of The Bonney Lake City Council Authorizing The Mayor To Sign WSDOT and WDOE Grant Applications. [A3.6.10] [A4.11.1]

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. AB06-185 – Resolution 1605 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Annexation And Utilities Agreements For Ptarmigan Ridge And Kelly Lake Park. [A3.13.12]
B. **AB06-166** – A Motion Of The Bonney Lake City Council Accepting The 10% Petition For Annexation Area 3, Designating The Zoning As R-1, And Authorizing Circulation Of Official 60% Petitions. [A3.6.10][O 3.2.2]

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

VIII. **FULL COUNCIL ISSUES:**

A. **AB06-180 – Ordinance D06-180A** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting An Updated Schedule Of Transportation Impact Fees. [O 4.9.3][F 4.3]

B. **AB06-180 – Ordinance D06-180B** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting An Updated List Of Traffic Impact Fee Eligible Improvement Projects. [O 4.9.3][F 4.3]


D. **AB06-169** – A Motion Of The Bonney Lake City Council Approving The Preliminary Plat For Ashton Village Subject To The Conditions Recommended By The Hearing Examiner. [A3.6.10][O 3.7.1]

IX. **EXECUTIVE SESSION:** Pursuant to RCW 42.30.110(1)(c) and RCW 42.30.140(4)(a), the City Council will hold an executive session to discuss the acquisition of real estate and labor negotiations.

X. **ADJOURNMENT**

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

**THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA**
ACCOUNTS PAYABLE AND
UTILITY REFUND CHECKS/VOUCHERS

08/22/2006

Accounts payable checks/voucher #44717 thru #44834 and wire transfer #2139807 in the amount of $576,606.47.
PAYROLL CERTIFICATION
2006

Payroll for August 1-15, 2006 for checks 25204-25246, including Deposits and Electronic Transfers in the amount of $297,557.60.
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

A. Flag Salute - Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Interim Police Chief ‘Buster’ McGehee, Planning and Community Development Director Bob Leedy, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe, City Engineer John Woodcock, Assistant City Engineer Doug Budzynski and Planning Manager Steve Ladd.

C. Announcements, Appointments and Presentations [A3.6.9]

1. Announcements: None.

2. Appointments: Mayor Johnson introduced Joel Thompson as the new Executive Assistant in the Executive Department.

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


B. Citizen Comments:

Todd Olsen, 19803 103rd St. E., spoke to the Council about traffic and the proposed Lowe’s Development. He said he has no problem with Lowe’s in general, but is
concerned with the associated traffic and it being funneled onto 200th from such a large store.

**Margie Duggan, 10105 199th Ave. E.,** said she doesn’t blame Lowe’s for wanting to locate in Bonney Lake, but is concerned about the traffic. She added she has reviewed the initial traffic study from Lowe’s and is concerned about the decrease in service level for some of the adjacent intersections and potential safety issues. Ms. Duggan said 200th is an inappropriate entrance to a major facility. She said the initial submittals for SEPA do not adequately address noise and light pollution from the project. She added that the proposed development represents a major inconvenience to the surrounding community. She noted the number of additional residential developments planned in the general area and commented that a roundabout is not the best solution for the Lowe’s development.

**Cecil Sidwell, 10302 179th Ave. E.,** noted that traffic currently on 200th is at a standstill from 2 – 3 p.m. when school is in session. He predicted the standstill will reach well into the evening if Lowe’s is allowed to develop as now planned. He said there is no apparent improvement in traffic from the proposed traffic improvements. He suggested the residential property values will be negatively impacted from the Lowe’s development.

**Keith Stanley, 10900 193rd Ave. E.,** said Lowe’s is a bad idea for the proposed site. He suggested it would be a more appropriate use in Eastown. He noted that any proposed traffic relief from improvements to the Rhodes Lake Road corridor are years into the future.

Councilmember Rackley noted the millions of dollars currently going into improvements along SR410 and South Prairie Road. He said all intersections in the City are currently designed to Level of Service D. He said the City’s growth planning is impacted by the Growth Management Act. He added the County’s development in the area outside the City limits is irresponsible. He concluded the City can’t tell a property owner they can’t build, as long as the property is properly zoned.

Mr. Stanley asked who will make the decision on the Lowe’s proposed traffic. Director Grigsby said the City is waiting for the traffic analysis to be finalized. He said the next step is for the City’s independent consultant to analyze the proposal and analysis. He added Lowe’s has agreed to use 2010 as the traffic planning horizon, even though they could have used 2008 as their event horizon.

Councilmember Hamilton noted the City originally encouraged Lowe’s to look at alternative access to connect to 195th Ave. E. behind City Spas. Councilmember King said the City needs to consider all the collective impacts of the proposed development. He said the analysis of the project’s impacts requires juggling a lot of data from multiple jurisdictions. He said the City must assure that due diligence is done.

**Michelle Cook, 19802 101st St. E.,** noted Lowe’s must gain access across Tract M if
it is to exit from the development as they’ve proposed. She said there has been no contact with the Brookwater Homeowners Association from Lowe’s. She said she had been informed that Lowe’s is waiting for the City to condemn the needed access across Tract M. She urged the Council to refrain from condemnation of the land, forcing Lowe’s to consider other alternatives. She described safety issues anticipated for the school children of Brookwater if the proposed roundabout is installed.

David Ambrose, said he is a property owner in Eastown and would be more than willing to negotiate with Lowe’s.

Keola Pang-Ching, 20004 104th St. E., described the wait for traffic coming out of Albertson’s he experienced on his way to the meeting tonight. He said the Albertson’s parking lot is already a roundabout in the area. He asked the Council not to condemn Tract M. He urged the Council to look at the proposed Lowe’s project in light of the City’s mission statement. He asked what level of citizen input would be required to get the Council’s attention.

Director Leedy said citizen input is desirable and welcome. Deputy Mayor Swatman informed the audience of the Pierce County meeting regarding the development of the 198th Ave. E. corridor. He said the meeting will be at the high school on July 18th from 5 – 8 p.m. He encouraged the audience to participate and express their feelings about traffic in the area.

Mayor Johnson responded that the design for 192nd Ave. E. is in progress. City Engineer Woodcock said the corridor is in the 30% design stage and some of the needed right-of-way is being acquired. He said the project cost will be $8 to $14 million. He added the Lowe’s proposal is still being reviewed.

Laurie Martin, 19809 103rd St. E., asked the Council to do something to separate the residential neighborhood from large commercial. She said she does not want to have to look at Lowe’s from her front window.

Councilmember Rackley assured Ms. Martin that there will be screening and buffering required of the project. He said the Design Review Commission will also have input on the project.

Don Sangesand, 5616 195th Pl. E., asked why the new street signs are not marked clearly. He described situations where the design can lead to misunderstanding of the street numbers. He also referenced his ongoing comments about the Ball Park Well water quality. He asked how long they would be forced to put up with the conditions.

Mayor Johnson replied that the Community Development Committee has issued an RFP for a study of the issues involved at the Ball Park Well. Director Grigsby added that the selected consultant will look at things not readily visible before the water is treated and chlorinated. Mayor Johnson asked that Mr. Sangesand be kept informed of progress on the study and conditions. Councilmember Hamilton said the CDC is
committed to resolving the issues.

Brian Duggan, 10105 199th Ave. E., said he is happy to hear the level of concern expressed concerning the proposed Lowe's development this evening. He said the initial submitted proposal is unacceptable and would cut off access to his new neighborhood. He asked Council to block the Lowe's development at the currently proposed location.

Dan Schwartz, 20017 105th St. E., said the Lowe's issue has only recently come to his attention. He said a company like Lowe's will not present their bottom-line up front. He asked the Council to remember Lowe's is not particularly interested in the community, but in profits.

Dave Morehouse, 11022 197th Ave. E., noted the City needs the revenues generated by a Lowe's to help with its infrastructure needs. He said the City must, however, consider the impacts to the current residents. He added the impacts from school traffic will only worsen. He urged the City to work with the County to blend jurisdictional needs in the area.

Anthony Cochilla, 19807 103rd St. E., said he does not understand why the property is zoned commercial. He said Lowe's does not fit into the neighborhood. He noted traffic is already failing in the area. He suggested a strip mall would be better than a Lowe's.

Councilmember Rackley advised Mr. Cochilla the Lowe's parcel was annexed into the City as a commercial property a number of years ago. Councilmember DeLeo urged Mr. Morehouse and audience members to speak to the County about the traffic issues. Councilmember Hamilton noted Lowe's wants to build in the proposed location because of the potential for Cascadia customers.

Dan Decker, 20401 76th St. E., suggested the City lacks foresight in dealing with its traffic issues. He suggested zoning to allow buildings of 7 – 8 stories where underground parking could be accommodated. He asked why the Council would even consider condemnation of private property for a commercial entity.

Councilmember Noble asked why Lowe's is limited in the timeframe for which it must plan for traffic. Directed Grigsby responded state law provides that an applicant only has to plan for the horizon year, which is the year the project is completed. He said Lowe's voluntarily agreed to plan out to 2010.

Councilmember Bowen said the traffic and parking issues should have been mitigated years ago. He agreed that taller buildings should be considered by the City in certain areas. He urged the Council to look to the future when considering present actions.

Deputy Mayor Swatman asked for clarification on the question of eminent domain. City Attorney Dionne assured the Council it is a legislative decision to pursue eminent domain, not the developer's.
Laura Brannon, 9910 198th Ave. Ct. E., said she is all for growth in Bonney Lake. She said, however, her family chose to locate in Bonney Lake to avoid the traffic problems of Puyallup. She said they wanted a safe community, and the discussion tonight about the Lowe’s development has raised several issues of alarm for the safety of residents in the community.

Councilmember Rackley assured her the Design Commission will make sure the applicant complies with the City’s code. Councilmember Hamilton said the residents who own Tract M are in control because Lowe’s needs access across the tract to build the proposed roundabout. He said it is unlikely the City will condemn the property for Lowe’s use.

Robert Ceola, 9104 189th Ave. Ct. E., described the process he pursued to have a revaluation of his property after receiving a substantial increase in his property taxes.

Kathy Brown, 10103 199th Ave. E., said the current traffic is difficult. She predicted the traffic circle will effectively block exit from her neighborhood.

Leota Musgrave, 9308 202nd Ave. E., thanked the Council for the honorary bench and plaque at Cedarview Park.

Councilmember Rackley moved the Council take a ten minute break in their proceedings. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

The break commenced at 8:32 p.m. The Council resumed their business at 8:49 p.m.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:
[A3.6.4]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening and discussed the following:
1. Proposed Resolution 1596 – Bank of America Treasury Services;
2. LID 05-13 – 95th St. and the need to go back and pursue some additional steps in the LID process; and
3. Discussion regarding the structure of permit fees.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee did not meet last week.
C. **Public Safety Committee**
Councilmember DeLeo said the Public Safety Committee met last week and discussed:
1. Towing rotation and criteria for tow companies;
2. Congestion, use and night disturbances at Allan Yorke Park. He added the suggestion was made to close the street and reroute traffic; and
3. The 800 MGHZ radio system.

He said the Committee also received a tour of the buoy system on the lake. He added the Committee heard from Mr. Cantrell, a neighbor to Allan Yorke Park who described the noise of kids at night in the swim area and on the floating dock. He said the Committee will soon meet with the Police Chief to discuss department policies and changes implemented based on a survey last year.

D. **Other Reports:**

Mayor Johnson said the Citizen’s Advisory Council met on June 29th. He said the discussion was very good. He noted the minutes from the meeting were forwarded to the Council today.

Mayor Johnson reported his attendance at a meeting with other local Mayor’s and Congressman Dave Reichert. He listed a number of projects for which neighboring cities have received funding through the Congressman. He said he spoke to the Congressman about Cascadia and noted the Congressman was unaware Cascadia is not within Bonney Lake’s Urban Growth Area.

Councilmember DeLeo urged the Council to complete their NIMS 700 test as a follow-up to the training completed last weekend.

**IV. CONSENT AGENDA:** [A3.6]

Councilmember Rackley moved to approve the Consent Agenda as printed. Deputy Mayor Swatman seconded the motion.

A. **Checks/Vouchers:** Accounts payable checks/voucher #44350 thru #44461 in the amount of $449,878.87. Accounts payable checks/voucher #44298 thru #44349 for utility refunds in the amount of $3,765.68. [F4.9]

B. **Payroll:** Payroll for June 16-30, 2006 for checks 25045-25101, including Deposits and Electronic Transfers in the amount of $431,450.62. [F4.9]

C. **AB06-105 - Resolution 1569 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For A Canon C-5870u Copier, 60 Month Lease With 0 Down And A Fair Market Value Buyout.** [A2.6]

**Motion approved 7 – 0.**

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

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

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

VIII. **FULL COUNCIL ISSUES:**

A. **Discussion: AB06-146 – Ordinance D06-146** – An Ordinance Of The City Council Of The City Of Bonney Lake Adopting, As Part Of The Comprehensive Plan, A New Utilities Element Incorporating A New Comprehensive Sewer Plan And Comprehensive Water Plan. [O3.5.1.5]

B. **Discussion: AB06-147 – Ordinance D06-147** – An Ordinance Of The City Council Of The City Of Bonney Lake Adopting, As Part Of The Comprehensive Plan, A New Transportation Element. [O3.5.1.4]

Councilmember Rackley moved to table Items A & B to the next Council workshop. Councilmember Hamilton seconded the motion.

**Motion approved 7 – 0.**

C. **AB06-154** – A Motion of the City Council Of The City of Bonney Lake Postponing The July 18, 2006 Council Workshop to the Night of July 19th. [A1.1.2]

Councilmember Rackley moved to postpone the July 18th Council Workshop to the night of July 19th. Councilmember Noble seconded the motion.

Deputy Mayor Swatman said the suggestion to move the Council meeting was to accommodate both the citizens and Council participation at the County’s meeting on the 198th Ave. He added the citizens should not have to choose between participation at the Council meeting and participation at this important meeting on transportation planning. Mayor Johnson confirmed that representatives of Quadrant affirmed their ability to make the presentation at the Wednesday night meeting.

A brief discussion followed about the delay of consideration of the proposed Comprehensive Plan Elements. Planning Manager Ladd advised the Council that the
Comprehensive Plan could be amended only once per year by the City. Deputy Mayor Swatman said the Council’s focus should be on the Transportation Element first, although he acknowledged that both would have to be adopted at the same time.

Councilmember DeLeo moved to amend the motion to add that the meeting will be held at the Bonney Lake High School. Councilmember Noble seconded the amendment.

Amendment approved 7 – 0.
Amended Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 9:08 p.m., Councilmember Noble moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.

______________________________
Harwood T. Edvalson, CMC
City Clerk

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Mayor Neil Johnson, Jr.
Call to Order:
Mayor Neil Johnson, Jr. called the July 19th Council Workshop to order at 5:30 p.m. The meeting was advertised and held at the Bonney Lake High School Commons located at 10920 199th Ave Ct. E.

Roll Call:
Also in attendance were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Phil DeLeo joined the meeting in progress.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Chief Financial Officer Beth Anne Wroe, Community Services Director Gary Leaf, Interim Police Chief Buster McGehee, City Attorney Jim Dionne and Administrative Services Director / City Clerk Harwood Edvalson.]

Agenda Items:

1. Presentation and Discussion: Quadrant Plans for WSU Demonstration Forest – Wally Costello, Quadrant Homes.

Mayor Johnson introduced Wally Costello, Senior Vice President, Quadrant Homes. Mr. Costello presented two poster-board displays showing the most recent proposal for use of the WSU Demonstration Forest. He summarized a letter provided earlier to the Mayor and Council. He described how the latest proposal includes the granting of 45 contiguous acres of forest to the City of Bonney Lake. He valued the land at between $15 and $20 million dollars. He described how the remainder of the site is proposed for development of over 500 single family homes. He said there will be additional neighborhood parks, and the street access points to the development will be located along SR410, 214th Ave. E and South Prairie Road.

Mr. Costello advised the Council this would be their preferred plan for their current application and Environmental Impact Statement review. He explained a pre-development timeline which would give the City control of the 45-acre parcel by the 3rd or 4th Quarter of 2007.

Councilmembers questioned Mr. Costello about some of the perceived shortcomings in the proposal. Their comments included a concern the proposed housing will generate greater traffic volumes during peak traffic hours than commercial uses would generate. Also expressed was a concern for the proposed density of 5 to 7.7 units per acre for the single family homes. Security for the homes abutting the commercial areas was mentioned, and the proposed addition to an already abundant housing stock in the City. Councilmember Hamilton noted the development of the WSU Demonstration Forest has not been included in the City’s sewer capacity planning.
A discussion followed about the timeline for amendments to the City’s General Comprehensive Plan. Mayor Johnson thanked Mr. Costello for his presentation and response to Council’s questions.

2. Presentation and Discussion: Eastown ULID Update.

Director Grigsby explained the staff’s current understanding of Council’s intent for the Eastown ULID. He said it is his understanding the water system development for those within the City’s service area will be done by developer initiative. He said he also understands the sewer system development will include not only the backbone lift station and pressure system, but the gravity lines as well. He said he believes there is no further plan at this time to include intersection or transportation improvements in the ULID. There was general council consensus on this approach to the Eastown ULID.

Councilmember DeLeo noted the presence of Bonney Lake High School Principal Linda Mastellar and asked if the Council would allow her to address them. Mayor Johnson invited Ms. Mastellar to address the Council. Ms. Mastellar welcomed the City and expressed pleasure the high school is able to serve as a useful community facility. She said when she heard about the Quadrant Homes proposal for the WSU property and the desire to add value to the community, she was impressed that a portion of the property could be used for a performing arts center. She described how the Sumner performing arts facility at Sumner High is used a great deal by the local community. She noted the high school property also has space to build a facility. Ms. Mastellar introduced Brenda Williams who is the Drama Director for Bonney Lake. Ms. Williams encouraged consideration and support for a performing arts center for Bonney Lake. She noted the community clearly benefits from a performing arts center to provide cultural opportunities.

3. Council Open Discussion.

Agenda Modification. Deputy Mayor Swatman proposed to amend the current agenda with the addition of discussion on proposed ordinances to assist with the implementation of the Nestor Traffic Enforcement Systems. He proposed they be added between Agenda Items 4 and 5.

Councilmember DeLeo moved to add discussion of the proposed ordinances to the meeting agenda. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Fuel Conservation Plans. Councilmember Hamilton asked if the City has considered plans for fuel conservation in light of projected increases in fuel costs. City Administrator Morrison replied that some thought has been given the issue. Councilmember advocated a specific plan for the Public Works and Police Departments on fuel conservation. Director Leaf noted the City has currently budgeted for fuel costs of $3.00/gal.

Fireworks Violations. Councilmember Hamilton said he has received several comments about the discharge of fireworks before and after the City’s allowed time period. Chief McGehee responded his officers seized 25 lbs of fireworks, but were also working 3 major incidents on July 4th. He cited a possible conflict between the City’s noise and fireworks ordinances. Mayor Johnson asked if the Public Safety Committee would look into and make recommendations on the enforcement issues. He noted the City of Auburn spent $12,000 in overtime to provide additional enforcement.
Allan Yorke Park Restrooms. Councilmember Hamilton said he received some comments from visitors to Allan Yorke Park who generally enjoyed the park very much. He said they commented on the lack of doors on the stalls in the women’s restroom. Director Leaf said he would check into it. Park Commissioner Leota Musgrave said the doors were removed long ago due to continued vandalism. Deputy Mayor Swatman said the issue appears to be the stalls are not shielded when the outside door is opened. Mayor Johnson said the staff will address the issue.


There were no suggested corrections from the City Council.

At 6:37 p.m., Councilmember Rackley moved the Council take a ten-minute break in their meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 - 0.

Mayor Johnson brought the meeting to order again at approximately 7:00 p.m.

5. Discussion: Proposed Ordinances to Facilitate the Nestor Traffic Enforcement Systems.

The City Council discussed the proposed ordinances. One is to update the penalty for violation of any vehicle code provision relating to stopping, standing or parking. The Council agreed by majority consensus to increase this penalty to $41 plus court costs and statutory assessments, if any. The second ordinance allows for the implementation of the Nestor automated traffic safety program and the use of cameras to detect violations of WAC Sections 308-330-421 and 423. The City Council had a majority consensus to set this fine at $101.00.


After a brief Council discussion, Councilmember DeLeo suggested the City explore the possibility of transferring some of the capacity from the 198th Ave. E. corridor to the 192nd Ave. E. corridor. He stressed the benefit of relieving some of the pressure on South Prairie Road and its intersection with SR410. Director Grigsby discussed with the Council the possibility of talking to the County about the transferring or some their planned capacity for the second phase of Cascadia to the City’s 192nd Ave. E. corridor. There was general Council consensus to change 192nd Ave. E. from a collector street to a minor arterial in the Transportation Element. A brief discussion followed about method and timelines for adoption of the Transportation and Utilities Elements.


As part of the discussion of the Utilities Element, the City Council discussed the use of MBR sewage treatment facilities to meet future demand for treatment capacity south of the City. Use of treated discharge was also mentioned for use to recharge aquifers. Sewer connection to King County Metro through Auburn to the north was also mentioned.
Water service boundaries in the north Lake Tapps area with respect to Auburn were discussed. Opposition was expressed to any action which would increase the rates to “in-city” rate payers.


The City Council again discussed the pros and cons to this proposed zoning text amendment. Opposition was expressed because of the potential impacts of the proposed ordinance on older established neighborhoods. Support was expressed over the potential for encouragement of “entry-level” homes and townhouses permitted by the proposed ordinance. There was a majority consensus to not move forward with the proposed ordinance, but to look at the issues again in about one year when the City will have completed its Buildable Lands Inventory.

9. Adjournment

At 8:10 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

A. Flag Salute - Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley. Councilmember Cheryle Noble was absent.

Staff members present were City Administrator Don Morrison, Interim Police Chief ‘Buster’ McGehee, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe.

Councilmember Rackley moved to excuse Councilmember Noble from the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

C. Announcements, Appointments and Presentations [A3.6.9]

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

B. Citizen Comments:

Don Sangesand, 5616 195th Pl. E., asked the City to investigate other cities which may have dealt with problems similar to those experienced with Bonney Lake’s Ball Park Well. He suggested specifically contacting the Federal Way – Lake Haven Utility District to see if they’ve had similar experiences.

Councilmember Rackley asked Director Grigsby if an RFP for water analysis at the well had been issued. Director Grigsby responded that a request for qualifications had been issued for consultant services to respond by the end of August. He added once consultants have been identified, then the City will issue a request for proposal based on the scope of work which has already been developed.

Robert Ceola, 9104 189th Ave. Ct. E., said he has had further discussions with the County Assessor’s Office about the apparent miscalculations of property values. He said contrary to his earlier belief the County would be sending out correction notices to all residents, it appears the Assessor will only be looking at those who have filed an appeal. He advised audience members to file an appeal to preserve their opportunity to address the apparent miscalculations.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening and discussed the following:

1. A motion on this evening’s agenda to set a public hearing for the 95th St. local improvement district;
2. Out-of-state travel for the GIS analyst; and
3. A proposed budget amendment which may be the means of adopting the transportation and utilities elements.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee met on July 18th and discussed the following three items which were forwarded to tonight’s agenda.

1. Resolution 1531 – proposing the annexation of Area A-1; and
2. Resolution 1598 – an agreement with Stripe Rite for street striping; and
3. AB06-159 - a motion to accept completion of Ball Park Off-site Water Main project.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.
D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

Councilmember DeLeo asked that Items D & E be removed from the consent agenda. There was general consensus to rename and discuss Item D as Item VIA. And Item E as VIA. Councilmember Rackley moved to approve the Consent Agenda as modified. Deputy Mayor Swatman seconded the motion.

A. Approval of Minutes: June 6th Council Workshop, June 13th Council Meeting, June 27th Council Meeting, July 8th Special Council Meeting.

B. Checks/Vouchers: Accounts payable checks/voucher #44462 thru #44600 and wire transfer #2057094 in the amount of $1,707,277.65. [F4.9]

C. Payroll: Payroll for July 1 - 15, 2006 for checks 25102-25148, including Deposits and Electronic Transfers in the amount of $332,576.75. [F4.9]


E. AB06-26 – Resolution 1531 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1-A” To The City Pursuant To RCW 35A.14.295-299. [O3.2.3] (Signifies City’s intent to annex, provides certain information and sets date for public hearing.)


G. AB06-161 – Resolution 1598 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement For The 2006 Street Striping To Stripe Rite, Inc. [O4.8.1]

H. AB06-159 – A Motion Of The Bonney Lake City Council Accepting Completion Of The Ball Park Off-Site Water Main Project. [O4.10.2]

Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-157 - A Motion Of The Bonney Lake City Council setting A Public Hearing For August 22, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, On the Final Assessment Roll For Local Improvement District No. 05-13. [A3.6.12]
Councilmember Rackley moved to set the public hearing as proposed. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

B. AB06-162 - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel for GIS Analyst Catanzaro to San Diego, CA. [A4.7]

Councilmember Rackley moved to authorize the out-of-state travel. Councilmember King seconded the motion.

Director Leedy explained that Pierce County is funding the conference registration costs, and Mr. Catanzaro is taking care of his own food and lodging. He added the City’s only cost will be the estimated $500 airfare.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. AB06-26 - Resolution 1531 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1-A” To The City Pursuant To RCW 35A.14.295-299. [O3.2.2] (Signifies City’s intent to annex, provides certain information and sets date for public hearing.)

Councilmember Rackley moved to approve Resolution 1531. Deputy Mayor Swatman seconded the motion.

Director Leedy explained the City identified several years ago three areas for annexation. He said Area 1-A is at least 80% surrounded by Bonney Lake’s corporate limits. He added this qualifies the area for the “island” method of annexation. Director Leedy said the proposed resolution gives notice of the City’s intent, sets a public hearing and does other things outlined in the accompanying agenda bill.

Motion approved 6 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES:


Councilmember DeLeo moved to adopt Ordinance 1194. Deputy Mayor Swatman seconded the motion.
Councilmember DeLeo noted the proposed ordinance makes it illegal to possess drug paraphernalia rather than just using it. Councilmember Bowen asked if cigarette papers fall under the ordinance. He observed more people are rolling their own cigarettes again with the increased costs of packaged cigarettes. Chief McGehee said they are not covered by the ordinance.

Motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES:

A. AB06-163 – Ordinance 1195 [D06-163] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 10.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 660 § 2, 1992; 540 § 1, 1984; And 461 § 3, 1977 Relating To Penalties For Driving And Parking Violations. [A3.5.5] [O1.2]

Councilmember Rackley moved to approved Ordinance 1195. Deputy Mayor Swatman seconded the motion.

The City Council discussed the proposal to set the parking violation at $41. Councilmember King questioned the source of the proposed figure. Court Administrator Seymour indicated the $41 figure suggested at the last meeting was a clerical error. Councilmember Rackley suggested a fine of $35 to be more in line with the $20 - $30 range suggested by the City Attorney’s Office. City Attorney Dionne suggested the Council act with consideration for the next ordinance and set the parking penalty at the same level as the moving violations when caught by a camera.

Director Morrison observed the state statutes seem to imply, and other cities have interpreted them as giving cities discretion within a range of from $20 - $250 to set parking fines. He noted the $250 is the state fine for violation of a disabled parking space. City Attorney Dionne noted this discussion might be appropriate for an executive session.

Deputy Mayor Swatman moved the Council adjourn to executive session for 15 minutes to discuss potential litigation. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

The session started at 7:25 p.m., and the regular meeting resumed at 7:41 p.m.

City Attorney Dionne noted Seattle, Auburn and Lakewood have all set fines of $101 for red light violations recorded by camera. He said the justification is this falls within the range of fines established by the state of between $20 and $150.
Motion approved 5 – 1. Councilmember Hamilton voted no.


Councilmember King moved to adopt Ordinance 1196. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman moved to amend Ordinance 1196 at Section 10.36.050 – Monetary Penalties – the last words to be, …including disabled parking infractions. Councilmember DeLeo suggested the period after the word City be changed to a comma. Deputy Mayor Swatman agreed. Councilmember DeLeo seconded the motion.

Councilmember King asked if the proposed ordinance is consistent with the intent of the original Nestor Agreement. City Attorney Dionne said it is.

Motion to Amend approved 4 – 2. Councilmembers Bowen and Hamilton voted no.

Amended original motion approved 4 – 2. Councilmembers Bowen and Hamilton voted no.

IX. EXECUTIVE SESSION: Mayor Johnson announced the City Council will meet in executive session for 15 minutes to discuss property acquisition. The session started at 7:47 p.m. At 8:02 p.m., it was announced the executive session would be extended five minutes. The session concluded at 8:08 p.m.

At 8:08 p.m., Mayor Johnson announced the Council would again hold an executive session for 20 minutes to discuss potential litigation. The executive session started at 8:09 p.m. and concluded at 8:27 p.m.

X. ADJOURNMENT

At 8:27 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.
Documents submitted for or at the Council Meeting of July 25, 2006:

- Bonney Lake Resident – *Bonney Lake City Council Meeting 7-25-06* – Don Sangesand.
Location: Kent Station Development – 512 Ramsay Way, Kent, WA. [The meeting venues also included the Redmond Town Center and Mill Creek Town Center.]

Elected Officials In Attendance: Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley. Councilmember Phil DeLeo and Councilmember Cheryle Noble were absent.

Appointed Officials In Attendance: Planning Commission Chairman Randy McKibbin, Vice Chairman Grant Sulham, Planning Commissioner David Eck, Planning Commissioner Winona Jacobsen, Planning Commissioner Katrina Minton-Davis, Planning Commissioner Dennis Poulsen, Design Commissioner Tom Kennedy.

Appointed Staff In Attendance: Planning Manager Steve Ladd, Executive Assistant Joel Thompson and Associate Planner Heather Stinson.

Agenda Items:

1. Kent Station. The meeting convened at 10:00 a.m. at Kent Station in the City of Kent, WA. Angela Wingate of Investco officially began the tour by welcoming everyone and briefly reviewing the day’s schedule. Ms. Wingate’s opening remarks were followed by self-introductions of those in attendance. Michael Luis, a consultant for the City of Bonney Lake passed out sheets of paper for those on the tour to write down thoughts and comments regarding the sites visited.

   John Hodgson, the Chief Administrative Officer for the City of Kent, spoke about the creation of Kent Station and what the City’s role is and has been in the project. He next introduced Tarragon representatives President Joe Blattner and Senior Development Manager Kristin Jensen. Tarragon is the company the City engaged to develop Kent Station. Mr. Blattner and Ms. Jensen spoke about the creation of Kent Station and cited the building of the parking structure and movie theater as key elements of the project’s development. Lunch was provided following the tour.

2. Redmond City Hall and The Redmond Town Center. The next stop on the schedule was Redmond City Hall. The group met with Redmond Mayor Rosemarie Ives and Development Review Planning Manager Judd Black. Mayor Ives shared some of the background regarding the Redmond Town Center and its relationship to the City of Redmond. She also addressed questions from tour members and discussed possible future plans relating to the Town Center.

   Upon arrival at Redmond Town Center, Senior Manager of Property Development Kim Campbell led a tour and answered questions.
3. **Mill Creek City Hall and Town Center.** Bill Trimm, Community Development Director for Mill Creek, made a presentation and answered questions about the Mill Creek Town Center. He escorted the group on a walking tour of Town Center.

4. **Adjournment.** The group returned by bus to their starting point at Kent Station, where the meeting was adjourned by common consent at approximately 6:30 p.m.

Harwood T. Edvalson, CMC  
City Clerk

Neil Johnson, Mayor
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:01 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

A. Flag Salute - Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe. Community Services Director Gary Leaf joined the meeting in progress.

C. Announcements, Appointments and Presentations [A3.6.9]

1. Announcements:
Mayor Johnson announced that the developer of the “French” property in the Eastown area has indicated they will be designing and building the sewer system for Eastown and creating a latecomer’s agreement for others to join. He observed it appears to be Council’s desire to stop further efforts toward an Eastown ULID. He said more information would be provided as it becomes available.

Councilmember Hamilton said he would like as much information as possible to make sure the latecomer’s agreement will accomplish the Council’s goal for that area. Councilmember Bowen urged the location of sewer facilities in the SR410 right-of-way if there is no other access to the sewer at the time the parcel is being developed. Director Grigsby added there is a very detailed plan for sewer location in the Eastown Comprehensive Plan. He said the only lift station needed is on the “French” property, and all other lines should be a gravity system.

Mayor Johnson introduced State Senator Pam Roach as an attendee at tonight’s meeting.
2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:
Deputy Mayor Swatman moved to remove Agenda Item VA – AB06-167 from the evening’s agenda. Councilmember DeLeo seconded the motion.

Responding to Councilmember Hamilton’s inquiry, Deputy Mayor Swatman explained the ordinance requires further study and preparation before the full Council considers it.

Motion approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


B. Citizen Comments:

David Konmo, PO Box 1962, Auburn, spoke about the Eastown ULID. He said the majority of property owners in the area have signed a petition. He said the Council informed them at the July 19th meeting that staff would prepare the legal petitions for the property owners to circulate. While he supported any workable solution to the infrastructure deficiencies in the Eastown area, he objected to the lack of information being provided to the property owners. He urged any solution be applicable to all property owners. He asked that water and sewer availability certificates be issued to all property owners. He also asked that work continue on the ULID until the owners in the Eastown area are satisfied with the new proposal.

Councilmember Noble noted the Council has taken no formal action on an Eastown ULID. Councilmember Rackley said the announcement of a potential latecomer’s agreement is new to the Council as well. Deputy Mayor Swatman said the upfront costs to the City of a ULID might stop the process. Mr. Cosmo offered the services of the property owners to help keep the ULID moving forward until the latecomer’s agreement is better understood. Mayor Johnson said information would be made available as soon as there is something in writing. Councilmember Rackley asked if it might be ready for review by the CDC at their meeting next Monday. He invited Mr. Frey to come to the CDC meeting.

Bob Stoby, 3240 B. St. N.W., said he is a property owner in Eastown. He said the City would be reimbursed for the ULID’s upfront costs. He expressed concern the improvements proposed for the latecomer’s agreement will not benefit the properties at the far end of the area. He suggested incorporating the latecomer’s agreement into the ULID plans for Eastown and moving forward with the ULID.

Don Sangesand, 5616 195th Pl. E., said he is fed up with the bad water from the Ball
Park Well. He reminded Council he had asked that someone contact the Lakehaven Water District to see if they have had solutions to similar experiences. Mr. Sangesand said no one called. He noted some of the residents regularly forced to use Ball Park Well water have unknowingly gone to the expense of replacing pipes in their homes. He claimed after all this time, the City did not even know the source of the problem. On another topic, Mr. Sangesand noted occurrences at Allan Yorke Park where he observed the improper parking and operation of fire district and City vehicles. He said these are further examples of inadequate safety training and management on the part of the City.

Gary Johnson, 1615 West Tapps Hwy., congratulated the Parks Department for having Allan Yorke Park picked up so quickly after a busy weekend. He suggested the use of school resource officers at the park. He reported his observations of aggressive behavior at the park by teens who might be well served by turning the Moriarty House into a teen center. He asked if there might be a committee appointed to look at the problems before they escalate.

Councilmember Noble informed Mr. Johnson there is a Park Board working to address these issues. She invited him to speak with the Park Commissioners.

Cheryl Laurendeau, 19010 63rd St. E., encouraged the Council not to allow the development of the WSU Demonstration Forest. She said most people she’s talked to do not want it. With respect to Allan Yorke Park, she offered her experience managing properties to implement some solutions for park control. She said she has contacted a security agency who has visited the park and proposed some suggestions for crowd control. She suggested using the gravel area near the dike on Lake Tapps as handicapped parking.

Councilmember Noble observed that handicapped parking is currently located near the restrooms. Councilmember DeLeo reported the Public Safety Committee recommends the closure of the Moriarty property until adequate passage can be arranged from the property to the rest of the park. He said the Committee has also discussed the further control or closure of the floating swim dock at Allan Yorke Park for safety issues. He invited Mr. Laurendeau to the Public Safety Committee meetings which generally meet on the first and third Mondays of the month at 5:00 p.m. at the Public Safety Building. Deputy Mayor Swatman suggested the Park Board needs to further discuss these issues and make recommendations.

Louisa Smith, 20112 Church Lake Road, said the proposal for security gates and key cards is an interesting proposal for the park. She praised the work of Chief McGehee and the Police Guild for arranging for off-duty officers to provide security at a recent band concert for her husband’s band, the Great Pretenders. She also noted the marvelous work being done by David Wells for Bonney Lake Days. She added he has brought the event to a new level of professionalism.

Mayor Johnson said Mr. Wells is an intern with the City for this event. He added that data is being collected during this event for use in next year’s celebration. He noted nearly ninety booths have been reserved for the event.
Vera Lockwood, 19814 99th St. Ct. E., said she is a property owner in Area 44 and has an interest in seeing Lowe’s developed. She said the Lowe’s representatives have gone to great effort to reduce the impacts to the residents in the area. She urged the Council and citizens to have an open mind about the proposed development. She noted Lowe’s will make traffic improvements via the installation of a large roundabout which will further help with existing and future circulation issues in an area where no improvements from the City are planned.

Judy Reano, 19815 99th St. Ct. E., said there are no traffic improvements proposed by the City for 100th and 200th. She said Lowe’s will provide a solution. Regarding the recent announcement of a new police chief, she noted this is the first time the City has selected a chief from the outside.

Linda Youngberg, 8507 182nd St. E., urged the Council to hold off on the adoption of the transportation element until it can specifically address the proposed Lowe’s development. She asked if the plan can be amended later to address this development proposal.

A general discussion between Ms. Youngberg, the Mayor and Council and the City Attorney ensued about the purpose of comprehensive plans as planning tools. Ms. Youngberg again urged the Council to hold off adoption until the Lowe’s proposed traffic study could be properly reviewed.

Dan Decker, 20401 70th St. E., first spoke regarding proposed Resolution 1600. He urged the Council to not vacate streets and abandon rights-of-way which may have use in the future. He urged the Council to reconsider the City’s development height limitations. He said raising the height limits would increase property values and help address some of the density issues the City faces.

Councilmember Rackley said the City is not giving the property away, but selling it. He said the right-of-way at issue is not needed by the City. Councilmember Bowen said he supports the increase in height limitations.

Ron Newman, Milestone Homes and Developer of Orchard Grove Plats, said he is speaking in support of several homeowners adjacent to the property who are requesting removal of the requirement to install sidewalks. He said the property was originally platted without sidewalks. He said the requirement to install sidewalks is negatively affecting some of the neighbors.

Mayor Johnson urged Mr. Newman to speak with the City Attorney during the anticipated break in the Council meeting this evening.

Andy Gellar, 18216 84th St. E., said there was a prior verbal agreement with the previous plat developer that there would be no sidewalks. He said the installation of sidewalks will remove on-street parking and bring foot traffic in front of their homes. He said he has observed vandalism and fighting as the result of foot traffic in the area and does not want it shifted to the front of his house.
Doug McCoy, 18218 84th St. E., says his property fronts both 184th and 183rd. He opposes installation of a sidewalk at this time.

Councilmember Rackley observed the improvements are needed as the City grows. Councilmember DeLeo said most citizens want sidewalks and requiring new development to provide them is one mechanism to accomplish this.

At 8:21 p.m., Councilmember Rackley moved the Council take a ten-minute break. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.

Mayor Johnson reconvened the meeting at 8:41 p.m.

C.

Correspondence:
Although not discussed, the City received the following prior to the meeting:
Bonney Lake Resident – Dear City Council of Bonney Lake – Michele Johnson –
Letter opposing placement of a sidewalk in front of her home on 84th.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening at 5:30 p.m. and discussed the following:
1. Resolution 1597 – a consultant agreement to assist with grant applications;
2. Out-of-state travel for the Finance Officer and Information Services Coordinator; and
3. A new date for the public hearing on the assessment roll for the LID 05-13;
4. Developments in the process for payback and billing to Cascadia for street improvements along South Prairie Road;
5. A proposed renewal of the contract for public defender services; and
6. A recommendation to pull the budget amendment from the agenda.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee did not have a meeting since the last Council meeting.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee met last Monday evening and discussed the following:
1. Criteria for assignment of tow truck services for police department service calls;
2. Solutions to unsafe conditions at the floating swim dock; and
3. The closure of overflow parking on the Moriarty property until safe access issues to the rest of Allen Yorke Park can be addressed.

Councilmembers discussed the impacts and safety of overflow parking on the Moriarty property. Director Grigsby said a quick plan to address the concerns would be returned to the Public Safety Committee for review.

D. Other Reports:

Councilmember Noble reminded the audience of the Relay for Life Event on August 11th and 12th at the Sunset Chevrolet Stadium in Sumner. She offered raffle tickets for sale and urged more participation in the event from Bonney Lake.

Councilmember DeLeo said he handed out a small packet of information to the Councilmembers about proposed legislation regarding restriction of franchising of cable TV services. He urged Councilmembers to provide their reactions to congressional and senate representatives.

IV. CONSENT AGENDA: [A3.6]

Councilmember Rackley moved to approve the Consent Agenda as presented. Deputy Mayor Swatman seconded the motion.

A. Checks/Vouchers: Accounts payable checks/voucher #44601 thru #44716 in the amount of $216,926.72. Accounts payable checks/voucher #44717 thru 44718 in the amount of $1,690.00. [F4.9]

B. Payroll: Payroll for July 16 - 31, 2006 for checks 25147-25203, including Deposits and Electronic Transfers in the amount of $412,785.28. [F4.9]

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-167 - Ordinance D06-167 - An Ordinance Of The City Of Bonney Lake, Washington, Amending Ordinance No. 1178 And The Annual Budget For The Calendar Year 2006. [F2.9] (Removed from the Agenda. See Agenda Modifications.)

B. AB06-158 - Resolution 1597 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For WSDOT And DOE Grant Application Assistance. [04.11.1]

Councilmember Rackley moved to approve Resolution 1597. Deputy Mayor Swatman seconded the motion.
Director Leaf explained the triple grant opportunity available to the City which may provide up to $1 million for use in improvements for the Fennel Creek Trail. Councilmember Hamilton asked if delay in adoption of the Non-Motorized Transportation plan will negatively impact the grant opportunity. Director Leaf said he believes it will have no impact. Mayor Johnson said he has asked our local state legislators for their support with this grant.

**Motion approved 7 – 0.**

C. **AB06-171 - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel To Scottsdale, AZ For Beth Anne Wroe And Chuck McEwen. [A3.6.10] [A4.7]**

Councilmember Rackley moved to authorize the out-of-state travel. Deputy Mayor Swatman seconded the motion.

City Administrator Morrison explained the City has put a lot of time and money into the Eden software for a variety of uses in the City. He added this training opportunity will help the City more efficiently use the software.

**Motion approved 7 – 0.**

D. **AB06-172 - A Motion Of The Bonney Lake City Council Rescheduling A Public Hearing to October 10, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, For The Final Assessment Roll For Local Improvement District No. 05-13. [A6.10] [A3.6.12]**

Councilmember Rackley moved to reschedule the public hearing for the final assessment roll for LID 95-13 as provided in the printed motion. Deputy Mayor Swatman seconded the motion.

Chief Financial Officer Wroe explained the need to verify the use of proper procedures for the financing of the local improvement district. She said the delay in the public hearing will allow the City to put in place an ordinance to handle the financing of the district.

**Motion approved 7 – 0.**

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

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

A. **AB06-146 – Ordinance D06-146** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting, As Part Of The Comprehensive Plan, A New Utilities Element Incorporating A New Comprehensive Sewer Plan And Comprehensive Water Plan. [A3.5.1.5]

B. **AB06-147 – Ordinance D06-147** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A New Transportation Element As Part Of The Comprehensive Plan. [A3.5.1.4]

Deputy Mayor Swatman discussed the appropriate procedure to combine the two proposed ordinances into one new proposed ordinance. City Attorney Dionne suggested a motion to amend the agenda would be appropriate to introduce the new ordinance.

Councilmember Rackley moved to amend the agenda to add a single substitute ordinance, Ordinance D06-147, in place of Ordinances D06-147 and D06-147 which appear on the evening's agenda. Councilmember DeLeo seconded the motion.

The Council discussed the need to adopt the proposed comprehensive plan elements in this manner, and the potential impacts of delay on these and other elements in process. City Attorney Dionne helped clarify how the ordinances should be framed to accomplish the various stated purposes of the Council.

Motion to amend the agenda approved 7 – 0.


Councilmember DeLeo moved to adopt Ordinance 1197 [D06-147]. Deputy Mayor Swatman seconded the motion.

Councilmembers discussed concerns which delay in adoption of the elements would reduce the amount of revenues to the City for construction of needed traffic improvements. Other concerns were expressed about the differing opinions between the City staff and City Attorney on the method of adoption. Deputy Mayor Swatman urged Councilmembers to individually seek legal advice if they felt uncomfortable with the proposed action.

At 9:23 p.m., Councilmember Bowen moved the Council take a five-minute break. Councilmember Noble seconded the motion.

Motion to break approved 7 – 0.
Mayor Johnson brought the meeting back to order at 9:28 p.m., and invited comment from the audience.

Linda Youngberg asked for clarification on the proposed ordinance. She asked if the comprehensive plan is just for City streets, or if it also regulates future street development by developers.

Discussion with Council and the City Attorney ensued. Ms. Youngberg again urged the Council to table the motion to adopt the proposed ordinance for a few weeks. She added she would like to be part of any future Transportation Impact Fee discussions.

Vera Lockwood asked for clarification on the purpose of the comprehensive plan elements. Mayor Johnson responded it is a planning document for the City’s development.

Judy Reano asked if the City had received the proposed Lowe’s traffic plan. Director Grigsby said he has not seen the Lowe’s plan, but acknowledged it may have been submitted by the developer. Ms. Reano urged the Council to put off adoption of this ordinance if it could impact the Lowe’s roundabout.

Dan Decker urged tabling the proposed ordinance for further discussion at the next Council workshop.

Motion to adopt ordinance approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1600. Deputy Mayor Swatman seconded the motion.

Councilmember DeLeo asked if a better map could be provided defining the sidewalk locations in this area. Director Leedy said staff would try, but added the sidewalks are a different issue than the proposed street vacation. He said the preliminary plat application will have a hearing before the Hearing Examiner and a recommendation which will require a closed-record hearing by the City Council. He said the staff will show where the sidewalk is proposed to be and why. Councilmember Rackley asked if the rights-of-way were purchased by the City. Director Leedy responded the rights-of-way have been owned by the City for more than 25 years, so there should be some monetary exchange involved in the street vacation.

Motion approved 7 – 0.
D. **AB06-155 – A Motion Of The Bonney Lake City Council Accepting The Petition To Commence Annexation Proceedings And Authorizing Circulation Of The Official 60% Petitions For Annexation Area 1-B. [A3.6.10] [O3.2.2]**

Councilmember Rackley moved to accept the petition to commence annexation proceedings and authorize circulation of the official petitions for annexation of Area 1-B. Councilmember Deleo seconded the motion.

Director Leedy explained this proposed annexation is consistent with the Council’s direction in the past.

**Motion approved 7 – 0.**

IX. **EXECUTIVE SESSION:** Pursuant to authority of RCW 42.30.110(1)(b), Mayor Johnson announced an executive session for 10 minutes to discuss potential property acquisition. The session started at 9:44 p.m. and concluded at 9:53 p.m.

X. **ADJOURNMENT**

At 9:53 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Noble seconded the motion.

**Motion approved 7 – 0.**

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for or at the Council Meeting of August 8, 2006:

➢ Bonney Lake Resident – *Dear City Council of Bonney Lake* – Michele Johnson.
ITEM: Minutes: Workshop - August 15, 2006

Normally the minutes of a meeting are not presented for Council approval until they have been reviewed at a Council Workshop. Approval of the minutes from the Council Workshop of August 15th, which include the minutes of the public hearing on Annexation Area 1-A, need to be expedited. An approved set of minutes are needed to continue the annexation process.
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.

City of

COUNCIL WORKSHOP
AND SPECIAL JOINT
MEETING OF THE
COUNCIL AND PLANNING
COMMISSION

"Where Dreams Can Soar"

August 15, 2006
5:30 p.m.

MINUTES

Call to Order:
Mayor Neil Johnson called the August 15th Council Workshop to order at 5:31 p.m. The meeting was held at Bonney Lake Council Chambers at 19306 Bonney Lake Blvd.

Roll Call:
Also in attendance were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Cheryl Noble and Councilmember Jim Rackley. Councilmember Dave King was absent.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Chief Financial Officer Beth Anne Wroe, Planning Manager Steve Ladd, Associate Planner Heather Stinson, Assistant Planner Ellen Talbo, City Attorney Jim Dionne and Administrative Services Director / City Clerk Harwood Edvalson.]

AGENDA ITEMS:

1. Action: Motion Of The Bonney Lake City Council To Immediately Adjourn The Regular Council Workshop To A Joint Special Meeting Of The City Council And Planning Commission. (It is anticipated the Council will reconvene their regular workshop after completion of the Special Joint Meeting.)

Councilmember Rackley moved to adjourn to the Special Joint Meeting of the City Council and Planning Commission.

Motion approved 6 – 0.

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND PLANNING COMMISSION

Roll Call:
City Clerk Edvalson noted for the record that all the Councilmembers were present except for Councilmember King.
Planning Commissioners in attendance: Planning Commission Chairman Randy McKibbin, Vice-Chairman Grant Sulham, Commissioner Quinn Dahlstrom, Commissioner David Eck, Commissioner Winona Jacobsen, Commissioner Katrina Minton-Davis and Commissioner Dennis Poulsen.

Agenda Items:

A. Joint Public Hearing Of The Planning Commission And City Council To Hear Testimony On The Proposed Annexation Of Area 1-A And The Proposed R-1 Zoning.

Mayor Johnson opened the public hearing at 5:34 p.m. Deputy Mayor Swatman noted the presence of a property owner in the proposed annexation area and asked if he would like to address the Council.

Mike Sajjadi, 7509 West Tapps Highway E., addressed the Council and Planning Commission. He said he was concerned that his property would be less valuable with the proposed R-1 zoning than it would be with the current residential zoning in the County. He said many developers have indicated the property would be less valuable if annexed because the allowed density is lower in the City than in the County. He described his understanding of the differences in the density calculations and the perceived monetary impacts to his property. He said he favored annexation, but was concerned for the potential economic loss. He asked that the City work with him to mitigate his potential loss.

City Consultant Shannon Mayfield-Porter said it was her experience in conversations with developers that a property’s value goes down if it is determined the property is not soon going to be in a City and have appropriate utilities available to it.

Mayor Johnson asked Mr. Sajjadi if he is willing to meet with City staff to discuss his concerns. Mr. Sajjadi responded, yes.

There were no other members of the public wishing to address the City Council and Planning Commission. At 5:48 p.m., Mayor Johnson closed the public hearing on behalf of the City Council and Planning Commission.

B. Presentation: AB06-175 – Recap of Downtown Centers Tour.

Associate Planner Stinson and Economic Consultant Kevin Grossman gave a PowerPoint summary of the recent tour of the town center developments of Kent Station, Redmond Town Center and Mill Creek Town Center. The various styles and methods of development were described. Audience members were allowed to comment and ask questions. Councilmembers and Planning Commissioners discussed the tour and information presented. Councilmembers Rackley and Hamilton expressed a preference for the more natural surroundings of the Mill Creek Town Center.

It was Mr. Grossman’s opinion that Mill Creek was most like Bonney Lake. He explained many of his findings regarding the economic viability of a downtown area for Bonney Lake. He concluded there is sufficient land to create a unique destination which will draw
people to the area. He suggested the City would need to jump start the process through land acquisition and that flexibility on zoning and parking requirements would be necessary. He added that infrastructure improvements would help increase the desirability of the land for developers. He summarized by saying the creation of a downtown for Bonney Lake is realistic—perhaps not easy, but realistic.

C. Discussion: AB06-173 – 2007 Pierce County Comprehensive Plan Amendment Applications.

Director Leedy explained that staff proposes the Council support straightening out the line of properties along 96th St. which would be in the City. He said the parcel of land for the Peaking Storage Tank should also be included.

Some of the Planning Commissioners noted they did not receive the materials before the meeting. Director Leedy apologized that only some had received the materials. In addition to 96th Street, the Council and Commission also discussed the Fennel Creek/Kelly Creek Farm area and the County Urban Growth Area to the south of the City as potential candidates for application for inclusion in the City’s urban growth area. There was a consensus to have staff develop some proposals for review by the Planning Commission and then by the City Council. Director Leedy noted the Council would need to complete their deliberations by early October for the staff to be able to submit the applications to the County by December 1st.

D. Adjournment of Special Meeting

At 7:10 p.m., Councilmember Rackley moved to adjourn the special joint meeting back to the regular Council workshop. Councilmember DeLeo seconded the motion.

Motion approved unanimously by both Council and Commission.

Regular Council Workshop - Resumed

At 7:10 p.m., Mayor Johnson reconvened the regular Council workshop.

Councilmember Rackley moved the Council take a break. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Mayor Johnson called the meeting back to order at 7:32 p.m.

2. Discussion and Action: AB06-179 – A Motion of the Bonney Lake City Council Confirming the Mayor’s Appointment of Michael L. Mitchell as Police Chief.

Mayor Johnson said his initial intent was to give the Council an opportunity to meet Michael Mitchell. He noted, however, that he and Councilmembers Noble and King will be absent from next week’s meeting and suggested the Council may wish to take action this evening to confirm his appointment of Mr. Mitchell. Mayor Johnson noted that Councilmembers DeLeo and Hamilton participated in the interview process for the chief’s position. He asked the Council if they had questions for Mr. Mitchell.
Mr. Mitchell introduced his wife, Sue, and responded to questions. He voiced his support for community-oriented policing, block watch programs, the citizen academy, reserve officers and the use of volunteers.

Councilmember Rackley moved to confirm Michael L. Mitchell's appointment as Chief of Police. Councilmember Noble seconded the motion.

Motion approved 6 – 0.


City Administrator Morrison took the opportunity to remind Councilmembers to help staff the City's booth at Bonney Lake Days. He also asked the Council if they would support an interim use of the City's house on 184th by the Lion's Club for their clothing drive for underprivileged children. City Attorney Dionne advised he look at the arrangement to make sure it does not violate state law. There was general consensus of the Council to support the interim use subject to the City Attorney's review.


Councilmember DeLeo asked about the time stamps in the margins of the minutes. City Clerk Edvalson explained the marks reference the meeting recordings to allow listeners to go to a specific point on the recording. He added that the two different recording systems the City uses, one for meetings in the Council Chambers and the other for off-site meetings, have different time references. One is the amount of time elapsed in the meeting, and the other refers to the time of day.

Councilmember Noble asked that a comment by Councilmember Hamilton be included in the July 19th meeting minutes related to his observation that development of the WSU Demonstration Forest has not been factored into the City's projections for sewer needs. She also handed the City Clerk her copy of the minutes highlighting some typographical errors in the minutes for August 8th.


Planning Manager Ladd explained the origin of the documents. Deputy Mayor Swatman observed the Impact Fee Ordinance lists a lot of business categories not previously included. Director Grigsby explained the staff uses the ITE Manual to determine impacts for businesses not listed in the ordinance. Councilmember Hamilton asked if the Comprehensive Plan Amendments need to refer to these ordinances. Director Grigsby responded the Comprehensive Plan is a guideline. He said these ordinances are the implementation of those guidelines.

City Administrator Morrison distributed a substitute ordinance modifying the impact fees in the downtown corridor to promote redevelopment and the retention of small business. The City Council discussed this proposal and the philosophy behind assessment of transportation impact fees. The majority consensus was to hold the City Administrator's substitute ordinance for future study and discussion, and proceed with the previously proposed ordinances. The Council referred
the philosophical discussion about the assessment of traffic impact fees to the Community Development Committee for further study and recommendation. Director Grigsby informed the Council the ordinances coming forward in next week’s agenda packet will be based on the adjusted fees for 2006. He said the Municipal Code provides for annual adjustment of the fees based on the change in the Construction Cost Index. He noted the fee increase calculation has not yet been implemented for 2006.


Planning Manager Ladd said the ordinance was created to deal with new streets and frontage roads in the City. He said it requires developers to place streets where they’re shown in the transportation element. Director Grigsby said this ordinance will encourage the creation of frontage roads along SR410. He said the ordinance refers to sections of the Municipal Code which refer to the Community Design Manual. Deputy Mayor Swatman asked that flexibility for private roads in Easttown developments be preserved in the ordinance. Planning Manager Ladd suggested a specific reference in 12.30.01 to the Transportation Element be removed to make it applicable to Eastown. Councilmember Rackley expressed concern for the enforcement of maintenance of private roads. Director Leedy said maintenance of private road facilities will be built into the approval process. He added that common usage of private frontage roads between signalized intersections will be required. There was general Council consensus to move the ordinance forward for Council action at the next Council meeting.

7. Council Open Discussion

Relay for Life. Councilmember Noble said the Relay had exceeded its goal by raising $167,000.

Ball Park Well Water Issue. Deputy Mayor Swatman asked about the need to continue the expenditure of funds on the Ball Park Well. Councilmember Rackley said the Community Development Committee wants to know if there is a problem as reported by some citizens. Director Grigsby said the two issues appear to be the initial milky appearance of the water due to the presence of nitrogen and the changing residual chlorine content. He said the maximum allowed by the State is 4 parts per million. He said the treated water from Ball Park Well averages between .3 and .6 ppm. He added the maximum level has been .9 ppm.

Councilmember DeLeo suggested the water from the tap at two residences be tested specifically for manganese and iron to see if there are residual deposits affecting the water in the home. Director Grigsby said his staff will pursue these tests.

Citizen Comment Period. Deputy Mayor Swatman cautioned the Councilmembers about providing responses to the public during the Citizen Comment Period of the meeting agendas. City Attorney Dionne said the Council needs to be careful not to make real or implied special promises for individuals. There was a general consensus of the Council to have the Mayor explain at the start of Citizen Comments that the Council will not generally act immediately on issues raised at the meeting.

9. Adjournment

At 9:09 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion. Motion approved 6 – 0.
Harwood T. Edvalson, CMC  
City Clerk

Mayor Neil Johnson, Jr.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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<th>Council Meeting Date:</th>
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<tr>
<td>Don Morrison</td>
<td>August 22, 2006</td>
<td>06-170</td>
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**BUDGET INFORMATION**

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<th>Required Expenditure</th>
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**Explanation:**

**Agenda Subject:** A Resolution of the City of Bonney Lake, Pierce County, authorizing agreement with Law Office of Hal J. Geiersbach for Public Defender Services

**Administrative Recommendation:** Authorize Mayor to sign agreement.

**Background Summary:**

The Law Office of Hal Geiersbach has had a contract with the City of Bonney Lake since 1999 with no increase in costs for services. Due to the substantial increase in Public Defender appointments and time spent in the Bonney Lake Municipal Court each week, the Law Office of Hal Geiersbach requests a $50.00 (3%) per case increase for services.

**Council Committee Dates:**

- Finance Committee: 8/8/06
- Public Safety Committee: Community Development & Planning Committee:
- Council Workshop:

**Commission Dates:**

- Planning Commission:
- Civil Service Commission:

**Board/Hearing Examiner Dates:**

- Park Board:
- Hearing Examiner:

**Council Action:**

- Council Call for Hearing:
- Council Hearings Date:
- Council Referred Back to: Workshop: Committee
- Council Tabled Until: Council Meeting Dates:

**Signatures:**

Dept. Dir: [Signature] Mayor: [Signature] Date City Attorney reviewed: 7/24/06
DATE: August 7, 2006

ORIGINATOR: Don Morrison TITLE: City Administrator

SUBJECT/DISCUSSION: Public Defense Contract with Hal J. Geiersbach

ORDINANCE/RESOLUTION # R1601

REQUEST OR RECOMMENDATION BY ORIGINATOR: See attached

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE:

MAYOR
FINANCE DIRECTOR
CITY ATTORNEY Yes

BUDGET INFORMATION:

BUDGETED ITEM: N/A TOTAL COST:

(Note: If budgeted item, attach copy of budget page and identify)

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Explanation:
The city has already spent approximately $75,000.00 for both through June, 2006. The public defense expenditure through June 2006 is approximately $32,850.00. The new public defense contract provides for an additional $50.00 per case assignment with an approximate increase of $32,000.00 for a total of $64,850.00. This does not include additional fees that would be charged for trials and/or appeals.

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

Dan Swatman, Chair, Finance DATE 8-8-06 APPROVED DISAPPROVED

Phil DeLeo, Chair, Public Safety 8-8-06

James Rackley, Chair, CDC 8-8-06

COMMITTEE COMMENTS:

COMMITTEE’S RECOMMENDATION TO FORWARD TO:
CITY CLERK FINANCE DIRECTOR CITY ATTORNEY

Please schedule for Council Meeting date of: August 22, 2006
RESOLUTION NO. 1601

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING CONTRACT FOR PUBLIC DEFENSE SERVICES WITH THE LAW OFFICE OF HAL J. GEIERSBACH

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to execute the agreement attached hereto as Exhibit "A" and incorporated herein by this reference.

PASSED by the City Council this _____ day of ______________________ 2006

__________________________  
Neil Johnson Jr., Mayor

ATTEST:

__________________________  
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

__________________________  
James Dionne, City Attorney
PUBLIC DEFENSE SERVICES CONTRACT

This contract made and entered into this day of July, 2006, by and between the City of Bonney, a municipal corporation of the State of Washington (hereafter "City"), the Bonney Lake Municipal Court (hereafter "Court"), and Law Office of Hal J. Geiersbach (hereafter "Public Defender") on the following terms and conditions pursuant to Ch.10.101 RCW:

1. Appointment of Public Defender to Represent Indigent Defendants

Screening to determine eligibility for defendant legal representation at public expense will be provided by the court or an independent public defense screener. The Public Defender shall provide criminal defense services in accordance with the Rules of Professional Conduct, Court Rules and decision law. The Court shall provide the Public Defender written notice of the name, address, and phone number of each eligible defendant, together with the charge and cause number, within a reasonable time after the determination of eligibility. Receipt of the written notice shall constitute appointment to provide legal services. In addition, the Judge may order direct appointment in open court.

2. Scope of Public Defense Services

(a) All defendants charged in the Court who are found eligible for legal representation at public expense shall be referred to Public Defender. The Public Defender shall represent each defendant for whom Public Defender has been appointed from the date of appointment through final resolution of the case, including sentencing, all post sentence hearings scheduled at the time of sentencing, and the first appeal of right under the Rules for Appearances of Decisions of Courts of Limited Jurisdiction. If a defendant fails to maintain contact with Public Defender or fails to appear for Court, Public Defender shall be allowed to withdraw with the Court’s approval. In the event the defendant is brought back before the Court, the defendant shall be re-screened. If the defendant is still eligible for the Public Defender and less than six months has elapsed from the date of withdrawal and the reappointment, the reappointment will not be considered a new appointment per Section 3 of this agreement. If more than six months have elapsed, such reappointment would be considered a new appointment pursuant to Section 3.

(b) The Public Defender may associate or employ additional or different attorneys or legal interns, subject to approval of the City, to represent defendants at no extra cost to the City. Upon discovery of any conflict with the representation of a specific defendant by the Public Defender, the Public Defender shall inform the Court and the defendant in writing of the conflict by issuing a Notice of Intent to Withdraw. Upon receiving notice of a conflict and agreeing thereto, it will be the City’s financial responsibility to pay alternate counsel to represent the defendant. The Court shall be responsible for locating alternate counsel for a specific defendant where the Public Defender has been allowed to withdraw by the Court due a conflict.

(c) Office appointments for the defendants with Public Defender should be made available at least during regular business hours of 8:30 a.m. until 5:00 p.m. Monday through Friday. Office appointments should be available within a reasonable distance from the Court and on a public transportation service route.
Appointments shall be available at the Court for Defendants who are otherwise unable to obtain transportation to Public Defender’s office. Local non-service charge phone service throughout the municipality shall be available as well as toll free service from the Jail if a defendant is held in custody.

(d) The City shall provide a meeting room for Public Defender to meet with clients. The room must be conducive to attorney/client privacy issues, no less than 12’ by 12’ in size and must be approved by Court Security

(e) A twenty-four hour emergency phone service or pager service number shall be provided to the City Police Department for emergency phone contact with Public Defender as required by statute, case law and applicable court rules in municipal criminal cases.

3 Compensation of Public Defender

(a) Pre Trial & Reviews. Public Defender shall be compensated by the City at the rate of $250.00 per case assigned. This fee shall cover all services provided through disposition by pre trial, review hearings or closure of the case. If no appeal is taken within the time limits provided by court rules, the Public Defender’s responsibility for the case shall terminate upon final disposition of the case (dismissal or closure).

(b) Jury/Bench Trial. The City shall pay Public Defender an additional $250.00 for cases which proceed to a trial. If no appeal is taken within the time limits provided by court rules, the Public Defender’s responsibility for the case shall terminate upon final disposition of the case (dismissal or closure).

(c) Appeals. The Public Defender shall be compensated by the City at the rate of Three Hundred Dollars ($300.00) per appeal to the Superior Court, which sum is over and above all compensation paid for legal services before the Court. The City will pay transcription costs associated with appeals.

(d) In Custody Hearings. The Public Defender shall be compensated by the City at the rate of One Hundred Seventy Five Dollars ($175.00) per In Custody Session attended.

(e) Billing/Report. The Public Defender shall submit a monthly billing itemizing the cases assigned and the charge for each case. The billing shall include the name and case number/s of each defendant represented by the Public Defender. The Public Defender shall not bill the City for any specific cases until after the case has been disposed of by trial or by other pre trial order. The Public Defender shall also immediately bill the City for cases which they are appointed for the first time following disposition (for review purposes only).

(f) Payment. The City shall pay billings submitted by the Public Defender within thirty (30) days of receipt of such billings.

(g) Fees for Expert/Professional Services. The Public Defender shall apply to the Court for expert witness fees, translation, investigative, psychological and social services whenever the same is necessary to the defense of an individual defendant’s case. The above mentioned services will be paid for, either partly or wholly, by the City, or as the Court may order, in a prompt manner as the Court may order.

(h) Video Hearings. If the Public Defender is required to appear for in-custody sessions at any location other than Bonney Lake Municipal Court for any proceeding, including but not limited to a video hearing of any kind, the Public Defender shall be compensated at a rate to be negotiated at a later date. If in-custody sessions are held simultaneously at the Bonney Lake Municipal Court
and any other location and the Public Defender is required to provide attorneys at simultaneous sessions at different locations, the Public Defender shall be compensated independently for each session for which an attorney is provided.

4 Relationship of Parties

The parties understand and agree that the Public Defender is skilled in matters pertaining to criminal law services and will perform independent functions and responsibilities in the area of his/her particular field of expertise. The Public Defender and his personnel shall act as independent contractors and not employees of the City. As such, they have no authority to bind the City or control employees of the city, contractors, or other entities.

5 Discovery

All Discovery information will be provided by the City to the Public Defender without cost upon assignment of representation.

6 Nondiscrimination

The Public Defender shall not discriminate in employment practices on the basis of race, color, national origin, sex, religion, age, marital status or disability. The Public Defender shall comply with all local, state, and federal laws regarding discrimination.

7 Insurance and Indemnification

(a) The Public Defender shall defend, indemnify, and hold the City and Court, its elected officials, officers, and employees harmless from any and all claims, injuries, damages, losses or suits including attorney’s fees, arising out of or in connection with the Public Defender’s performance of obligations under this Agreement.

(b) The Public Defender shall procure and maintain for the duration of this Agreement a policy of professional liability insurance, and/or errors and omissions insurance, providing coverage of at least Five Hundred Thousand Dollars ($500,000.00) against professional liability or errors and omissions in connection with the work to be performed by Public Defender under this Agreement.

(c) The Public Defender shall provide the City with a Certificate of Insurance evidencing compliance with requirements under the Agreement. The City shall be provided thirty (30) days written notice of any cancellation of said liability insurance.

8 Term

(a) The term of this Agreement shall commence on May 1, 2006 and shall be in effect until terminated. Either party may terminate this Contract by 30 day written notice to the other.

(b) In the event of termination of this Agreement, the following conditions shall apply: 1) The Public Defender shall be relieved of any further responsibility for receiving new case assignments under this Agreement; 2) The Public Defender will continue to represent those defendants assigned prior to the date of
termination who have a trail date set or for which The Public Defender has billed the City and for which payment has been received prior to the date of termination. The Public Defender will complete those cases provided that, after termination or completion of the Agreement and pursuant to the court rules and Rules of Professional Conduct, the Public Defender may withdraw from any case as permitted by court rule.

9 Merger and Modification

This Agreement contains the entire understanding of the parties with respect to the matters set forth herein and any prior or contemporaneous understandings are merged herein. This Agreement shall not be modified except by written instrument executed by the parties hereto.

CITY OF BONNEY LAKE

Mayor Neil Johnson, Jr.

Don Morrison, City Administrator

James J. Helbling, Judge

Katheryn Seymour, Court Administrator

LAW OFFICE OF HAL J. GEIERSBACH

Hal J. Geiersbach, P.S. E. President

ATTEST:

Harwood T. Edvalson, CMC

APPROVED AS TO FORM:

James Dionne, City Attorney
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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Ordinance Number: |
Resolution Number: |
Councilmember Sponsor: |

**BUDGET INFORMATION**

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**Explanation:**

**Agenda Subject:**
Set a Public Hearing on the Six Year Transportation Improvement Plan for September 12, 2006.

**Administrative Recommendation:**
Set a Public Hearing for September 12, 2006.

**Background Summary:**
RCW requires an annual public hearing for any updates to the local 6 Year Transportation Improvement Program (TIP) in order to be eligible for most grant funding. Recommend that the City Council set the Public Hearing for the 6 Year TIP for the September 12, 2006 Council meeting.

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**Council Action:**
Council Call for Hearing: |
Council Hearings Date: |
Council Referred Back to: |
Workshop: |
Committee |
Council Tabled Until: |
Council Meeting Dates: |

**Signatures:**
Dept. Dr. | Mayor | Date City Attorney reviewed |
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COMMUNITY DEVELOPMENT COMMITTEE

DATE: August 14, 2006

ORIGINATOR: John Woodcock

TITLE: City Engineer

SUBJECT: Set the Public Hearing for the 6 Year TIP

RCW requires an annual public hearing for any updates to the local 6 Year Transportation Improvement Program (TIP) in order to be eligible for most grant funding. Recommend that the City Council set the Public Hearing for the 6 Year TIP for the August 22, 2006 Council meeting.

ORDINANCE/RESOLUTION #

REQUEST OR RECOMMENDATION BY ORIGINATOR:

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE FINANCE DIRECTOR

CITY ATTORNEY N/A

BUDGETED ITEM: Budget Impact: $ 0

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

DATE APPROVED DISAPPROVED

James Rackley, Chairman 8-14-06

Mark Hamilton 6-14-06

David Bowman Bowen 8-14-06

COMMITTEE COMMENTS:

COMMITTEE’S RECOMMENDATION TO FORWARD TO:

CITY CLERK
CITY ATTORNEY

Please schedule for City Council Meeting date of: August 22, 2006

Consent Agenda: □ Yes □ No
August 9, 2006

PUBLIC WORKS DEPARTMENT
STAFF REPORT

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.”

2006 Six Year Transportation Improvement Program

The Public Works Department is requesting the adoption of the proposed 2006 Six-year Transportation Improvement Program (TIP). The proposed TIP was developed to meet the needs and demands for both the traffic element and pedestrian element within the City of Bonney Lake for the next six years.

The 6 year TIP is broken down into five categories from A to E. Category A - intersection improvements, Category B – Arterial roadway Major Improvements, Category C – Roadway reconstruction, asphalt overlay, or Chip Seal, Category D – Transportation Studies, and Category E – Trail Projects. Below is a brief descriptions of the new items added to the list from the 2005 Six year TIP.

Category A

A-4 (2008)
Signal at 214th and Kelly Lake Road will be paid for by developers.

A-8 (2009)
Signal at 199th and 109th has been funded by mitigation dollars by the school district.

Category B

B-3 (2008)
192nd Avenue Connection Phase 1-A connects SR410 to 103rd Street East. This will allow the Brookfield traffic access from 192nd Avenue East.

B-5 (2009)
This project will widen 214th Avenue East to 5 lanes from 96th Street East to SR 410.
B-6 (2010)
This project will widen 214th Avenue East to 5 lanes from SR 410 South to City Limits.

Category C
An incremental increase has been added to address cost inflation issues for Chip Seal and Sidewalk programs.
CITY OF BONNEY LAKE

Public Works Department

Six Year Transportation Improvement Program
(2007-2012)

List project categories

Category A - Intersection Improvements
Traffic signalization and channelization improvements at intersections to be funded by agency, county, WSDOT, federal or state grant funding, and/or developer mitigation

Category B - Arterial Roadway Major Improvements
Major roadway improvements, for Collector and Minor Arterial Classified roadways including right of way acquisition when required, state or federal grant funding, potential developer mitigation, city, county and/or WSDOT participation, environmental compliance, permitting, storm drainage, domestic water extension, sanitary sewer upgrades, roadway widening, bridge, curb, gutter, sidewalks on both sides, signalization, channelization, street lighting, landscaping, street trees, benches, etc. Also included will be a community involvement element.
The project phases are as follows:
  - Pre-Design by agency/consultant
  - Environmental Permitting by agency/consultant
  - Right-of-Way acquisition by agency
  - Design/P.S.&E. by agency/consultant
  - Ad and Award by agency
  - Construction by contractor
  - Construction Management
  - Project Completion

Category C - Roadway reconstruction, asphalt overlay, or chip seal
Roadway maintenance and/or reconstruction of existing pavement with minor drainage, shoulder improvements, signing and channelization, etc. Project design by agency and funded by agency, county, state or federal grant funds, and potential developer mitigation.

Category D - Transportation Studies
Transportation or traffic studies including computer traffic modeling and Sub Area Planning to be funded by agency and performed by consultants.

Category E - Trail Projects
Non-motorized transportation facilities including walking trails, bicycle routes, and other projects directed to the enhancement of pedestrian and bicycle facilities.
## Six Year Transportation Improvement Program

### Category "A" – Intersection Improvements

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<td></td>
<td>(new signal and additional turn lanes)</td>
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<tr>
<td>2008</td>
<td>SR 410 at 234th Ave E – (WSDOT)</td>
<td>WSDOT</td>
<td>$300,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SR 410 at 192nd Ave E. Phase 1-A</td>
<td>TIF/City/Grant</td>
<td>$150,000</td>
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<tr>
<td></td>
<td>(new signal arm and additional turn lanes)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>214th Ave E at Kelly Lake Rd</td>
<td>Developer</td>
<td>$275,000</td>
</tr>
<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
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<tr>
<td>2009</td>
<td>SR 410 at 225th Avenue E</td>
<td>Developer</td>
<td>$300,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
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<tr>
<td></td>
<td>Angeline Rd E at Sumner-Buckley HWY</td>
<td>Dev/City</td>
<td>$500,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>SR 410 at 214th Ave E</td>
<td>Dev/City/ WSDOT</td>
<td>$750,000</td>
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<tr>
<td></td>
<td>(signal upgrade and additional turn lanes)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>199th Ave at 109th Street E</td>
<td>School</td>
<td>$175,000</td>
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<td></td>
<td>(new signal and additional turn lanes)</td>
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<tr>
<td>2010</td>
<td>Sumner - Buckley HWY at 198th Ave E</td>
<td>City/Dev</td>
<td>$320,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>200th Avenue CT E at 104th Street E</td>
<td>Dev/City</td>
<td>$250,000</td>
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<td></td>
<td>(new signal and additional turn lanes)</td>
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<td></td>
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<tr>
<td>2011</td>
<td>Church Lake Rd at West Tapps HWY E</td>
<td>TIF, City, Dev</td>
<td>$250,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
<td></td>
<td></td>
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<tr>
<td>2012</td>
<td>Angeline Rd E at Rhodes Lake Rd E</td>
<td>TIF, City, Dev</td>
<td>$275,000</td>
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<tr>
<td></td>
<td>(new signal and additional turn lanes)</td>
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### Category “A” Total

$3,855,000
### Six Year Transportation Improvement Program

**Category "B" Arterial Roadway Major Improvements**

<table>
<thead>
<tr>
<th>Year</th>
<th>Project description</th>
<th>Funding Source</th>
<th>Estimated Cost</th>
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<tbody>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B – 1</td>
<td>S-B HWY to SR 410 to 184&lt;sup&gt;th&lt;/sup&gt; Ave E</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(widen to 5 lanes and additional turn lanes)</td>
<td>Loan/TIB/TIF/Dev</td>
<td>$3,150,000</td>
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<tr>
<td>B – 2</td>
<td>184th Ave E connection to 182nd Ave E</td>
<td>City/Dev</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B – 3</td>
<td>192&lt;sup&gt;nd&lt;/sup&gt; Avenue Connection Phase 1-A</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(SR 410 to 103&lt;sup&gt;rd&lt;/sup&gt; St E, roundabout)</td>
<td>TIF/City/SDC</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B – 4</td>
<td>Angeline Rd – 110&lt;sup&gt;th&lt;/sup&gt; St to Rhodes Lake Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(widen to 3 lanes)</td>
<td>TIF/Dev</td>
<td>$2,140,000</td>
</tr>
<tr>
<td>B – 5</td>
<td>214&lt;sup&gt;th&lt;/sup&gt; from 96&lt;sup&gt;th&lt;/sup&gt; Street E to SR-410</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(widen to 5 lanes and additional turn lanes)</td>
<td>TIF/City/Dev/DOT</td>
<td>$1,400,000</td>
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<tr>
<td>2010</td>
<td></td>
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<tr>
<td>B – 6</td>
<td>214&lt;sup&gt;th&lt;/sup&gt; from SR 410 South to City Limits</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(widen to 5 lanes and additional turn lanes)</td>
<td>TIF/City/Dev</td>
<td>$1,740,000</td>
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<tr>
<td>B – 7</td>
<td>B.L. Blvd Connection to Myers Road</td>
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<tr>
<td></td>
<td>(new road)</td>
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<td>$4,580,000</td>
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<td>2011</td>
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<tr>
<td>B – 8</td>
<td>Church Lk Rd Ph. 1 (S-B HWY -W.Tapps)</td>
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<tr>
<td></td>
<td>(widen to 3 lanes)</td>
<td>City/TIB</td>
<td>$5,610,000</td>
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<tr>
<td>2012</td>
<td></td>
<td></td>
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<tr>
<td>B – 9</td>
<td>Church Lk Rd Ph. 2 (W.Tapps-Kelly Lake)</td>
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<tr>
<td></td>
<td>(widen to 3 lanes)</td>
<td>City/TIB</td>
<td>$3,080,000</td>
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<tr>
<td>B – 10</td>
<td>192&lt;sup&gt;nd&lt;/sup&gt; Avenue Connection Phase 1-B</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(103&lt;sup&gt;rd&lt;/sup&gt; St E to 192&lt;sup&gt;nd&lt;/sup&gt; and 104&lt;sup&gt;th&lt;/sup&gt; Street)</td>
<td>TIF/City/SDC</td>
<td>$3,000,000</td>
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**Category “B” Total**

$32,700,000
Six Year Transportation Improvement Program

Category "C" Roadway reconstruction, asphalt overlay, or chip seal

<table>
<thead>
<tr>
<th>Year</th>
<th>Project description</th>
<th>Funding Source</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - 1 Sumner-Buckley HWY (184th to Locust Ave E)</td>
<td>City</td>
<td>$350,000</td>
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<tr>
<td>C - 2 Drainage on Angeline Rd (104th to 108th St. E)</td>
<td>City</td>
<td>$100,000</td>
<td></td>
</tr>
<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$185,000</td>
<td></td>
</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
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<tr>
<td>2008</td>
<td></td>
<td></td>
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<tr>
<td>C - 3 75th Street E. from Locust Ave E to 193rd Ave E</td>
<td>City</td>
<td>$350,000</td>
<td></td>
</tr>
<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$195,000</td>
<td></td>
</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$85,000</td>
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</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - 4 B.L. Blvd from Locust Ave E to 181st Ave E (phase 1)</td>
<td>City</td>
<td>$695,000</td>
<td></td>
</tr>
<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$205,000</td>
<td></td>
</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$90,000</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - 5 B.L. Blvd from Locust Ave E to 181st Ave E (phase 2)</td>
<td>City</td>
<td>$695,000</td>
<td></td>
</tr>
<tr>
<td>C - 6 198th Ave E / S-B Hwy E to SR-410</td>
<td>City/Dev</td>
<td>$1,760,000</td>
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<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
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</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$95,000</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - 7 Church Lake Dr from 71st St. W. to 71st St. E.</td>
<td>City</td>
<td>$350,000</td>
<td></td>
</tr>
<tr>
<td>C - 8 84th St E from 182nd Ave E to Locust Ave E (phase 1)</td>
<td>City/Dev</td>
<td>$660,000</td>
<td></td>
</tr>
<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$225,000</td>
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</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>City</td>
<td>$100,000</td>
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</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - 9 W. Tapps Hwy from 77th St. E. to BL Blvd</td>
<td>City</td>
<td>$350,000</td>
<td></td>
</tr>
<tr>
<td>C - 10 84th St E from 182nd Ave E to Locust Ave E (phase 2)</td>
<td>City/Dev</td>
<td>$660,000</td>
<td></td>
</tr>
<tr>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$235,000</td>
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</tr>
<tr>
<td>Sidewalk Improvements</td>
<td>City</td>
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</tr>
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</table>

Category “C” Total $7,785,000
Six Year Transportation Improvement Program

**Category "D" Transportation Studies**

<table>
<thead>
<tr>
<th>Year</th>
<th>Project description</th>
<th>Funding Source</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>Update City Traffic Model (and update City wide traffic counts)</td>
<td>City</td>
<td>$50,000</td>
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</tbody>
</table>

**Category “D” Total**

$50,000

**Category "E" Trail Projects**

<table>
<thead>
<tr>
<th>Year</th>
<th>Project description</th>
<th>Funding Source</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>Fennel Creek Pedestrian Trail</td>
<td>Dev/City</td>
<td>$2,018,100</td>
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</table>

**TOTAL PROGRAM COST**

$44,390,000
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department/Staff Contact:</th>
<th>Council/Wrkshp Mtg Date:</th>
<th>Agenda Bill Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dan Grigsby – PW Director</td>
<td>August 22, 2006</td>
<td>AB06-184</td>
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<table>
<thead>
<tr>
<th>Ordinance Number:</th>
<th>Resolution Number:</th>
<th>Councilmember Sponsor:</th>
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**BUDGET INFORMATION**

<table>
<thead>
<tr>
<th>Contract Amount</th>
<th>Required Expenditure</th>
<th>Impact</th>
<th>Remaining Balance</th>
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<tbody>
<tr>
<td>$10,817.44</td>
<td>$10,817.44</td>
<td>$10,817.44</td>
<td>$0</td>
</tr>
</tbody>
</table>

**Explanation:**
Retainage release of $497.12 once contract closeout documents/requirements are met.

**Agenda Subject:**
Project Completion of the Asphalt Matt at 8002 182nd Ave E Project.

**Administrative Recommendation:**

**Background Summary:** To accept the Asphalt Matt at 8002 182nd Ave E Project as Complete.

The Asphalt Matt at 8002 182nd Ave E Project has been completed. Pacific Paving has submitted their final pay estimate and the project has been accepted by the Assistant Public Works Director. The City must formally accept the project as complete to start the project closeout and waiting period to release the retainage.

<table>
<thead>
<tr>
<th>Council Committee Dates:</th>
<th>Commission Dates:</th>
<th>Board/Hearing Examiner Dates:</th>
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</thead>
<tbody>
<tr>
<td>Finance Committee:</td>
<td>Planning Commission:</td>
<td>Park Board:</td>
</tr>
<tr>
<td>Public Safety Committee:</td>
<td>Civil Service Commission:</td>
<td>Hearing Examiner:</td>
</tr>
<tr>
<td>Community Development &amp; Planning Committee: 8/14/06</td>
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<td></td>
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<tr>
<td>Council Workshop:</td>
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<table>
<thead>
<tr>
<th>Council Action:</th>
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</thead>
<tbody>
<tr>
<td>Council Call for Hearing:</td>
<td>Council Hearings Date:</td>
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<tr>
<td>Council Referred Back to:</td>
<td>Workshop: Committee</td>
</tr>
<tr>
<td>Council Tabled Until:</td>
<td>Council Meeting Dates:</td>
</tr>
</tbody>
</table>

**Signatures:**

Dept. Dir: [Signature]
Mayor: [Signature]
Date City Attorney reviewed: N/A
DATE: August 14, 2006

ORIGINATOR: Dan Grigsby TITLE: Public Works Director

SUBJECT: Asphalt Matt @8002 182nd Project Completion – Pacific Paving

The Asphalt Matt @ 8002 182nd Ave. E. project has been completed. Pacific paving has submitted their final pay estimate and the project has been accepted by the Assistant City Engineer. The City must formally accept the project as complete to start the project closeout and waiting period to release the retainage.

ORDINANCE/RESOLUTION #

REQUEST OR RECOMMENDATION BY ORIGINATOR:

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE
FINANCE DIRECTOR
CITY ATTORNEY N/A

BUDGETED ITEM: Budget Impact: $0
Release Retainage $497.12

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

<table>
<thead>
<tr>
<th>DATE</th>
<th>APPROVED</th>
<th>DISAPPROVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-14-06</td>
<td>James Rackley, Chairman</td>
<td></td>
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<tr>
<td>8-14-06</td>
<td>Mark Hamilton</td>
<td></td>
</tr>
<tr>
<td>8-14-06</td>
<td>David Bowen</td>
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COMMITTEE COMMENTS:

COMMITTEE’S RECOMMENDATION TO FORWARD TO:
CITY CLERK
CITY ATTORNEY

Please schedule for City Council Meeting date of: August 22, 2006
Consent Agenda: ☐ Yes ☐ No
City of Bonney Lake
Small Public Works Project
Prevailing Wages are required to be paid

Invitation to Quote
Date: April 14, 2006

The City of Bonney Lake is accepting bids for a Small Public Works Project. As a contractor on our Small Works Roster, you are invited to submit a quote on this project.

Project Title: Bid for Asphalt Matt @ 8002 182nd Ave E

Scope of Work:

- Excavate sub-grade of approach area to a 2% slope.
- Apply and compact a minimum of 2” 5/8- crushed rock to sub-grade of approach.
- Excavate sub-grade of parking area to a 2% slope.
- Apply and compact a minimum of 2” 5/8- crushed rock to sub-grade of parking area.
- Pave approach and parking area with 2” minimum of commercial grade asphalt, tamp and seal edges with AR4000.
- Contractor must provide “Temporary Traffic Control” for all work performed in the “Public Right-of-Way”. Work that impedes the normal flow of traffic will require flaggers.

The City will be installing a storm drain culvert and a Type 1 Catch Basin at the base of the hill, near the approach to 182nd Ave E (Page 1). I imagine that we will just pile gravel around it to grade, and you will have to rake down to reveal a 2” lip around the grate. The second page is the actual dimension of the area to be paved. I will need a quote for the “Scope of work”.

Date Proposals are Requested: April 26, 2006 at 3:00 pm

The walk thru will be April 21, 2006 at 8002 182nd Ave. E. at 10 AM. If you are interested in submitting a quote or have any questions regarding the scope of work on this project please contact Steve Willadson at (253) 261-5224. Please submit quote at City of Bonney Lake Annex located at 8720 184th Ave. E or mail to PO Box 7380, Bonney Lake, WA 98391.

City of Bonney Lake
(253) 862-8602 Fax (253) 826-1921

Mail to: PO Box 7380
Bonney Lake, WA 98391
City of Bonney Lake
Small Public Works Project
Bid Sheet

Company Name: Pacific Manholes Construction, Inc.
Address: P.O. Box 4275
Federal Way, WA 98063
Phone Number: 253.826.1408
Fax Number: 253.826.1409
Contact Name: Kevin Smith

Project Title:

Having carefully examined all documents enclosed herein, the Contractor proposes to perform all work in strict compliance with all documents, for the amount set forth below.

Schedule: Work shall be completed within 30 calendar days after the indicated starting date appearing in an official “Notice to Proceed” issued by Bonney Lake. Liquidated damages shall be imposed as specified in the contract documents for each day Contractor fails to meet the completion date.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
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</thead>
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<td>Scope of Work Provided</td>
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<td>LS</td>
<td>9,942.50</td>
</tr>
<tr>
<td>#2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#3</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>9,942.50</td>
</tr>
<tr>
<td>Washington State Sales Tax (8.8%)</td>
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<td></td>
<td></td>
<td>874.94</td>
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<tr>
<td>Total Bid</td>
<td></td>
<td></td>
<td></td>
<td>10,817.44</td>
</tr>
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</table>
PACIFIC PAVING
P.O. Box 4275
Federal Way, WA 98063-4275
Office: (253) 826-1408
Fax: (253) 826-1409

BILL TO
City of Bonney Lake
P.O. Box 7380
Bonney Lake, WA 98391

JOB ADDRESS
ASPHALT MATT @
8002 - 182ND AVENUE EAST

LOCATION | TERMS | DUE DATE
----------|-------|----------
BONNEY LAKE | Net 30 | 8/10/2006

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QTY</th>
<th>UNIT</th>
<th>RATE</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>Asphalt</td>
<td>SCOPE OF WORK DESCRIBED IN ATTACHED EXHIBIT &quot;A&quot;, AND BID PROPOSAL EXHIBIT &quot;B&quot;.</td>
<td>1</td>
<td>LMP SM</td>
<td>9,942.50</td>
<td>9,942.50T</td>
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CITY OF BONNEY LAKE
Approved by:
Date: 8/10/06
P O #:

Subtotal $9,942.50
Sales Tax (8.8%) $874.94
Total $10,817.44

Terms: Net due upon 30 days of invoice date. 1.5% per month charged on past due accounts. Please pay from invoice, no statement will be sent.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

| Department/Staff Contact: Admin Srvc/Edvalson |
| Council/Wrkshp Mtg Date: August 22, 2006 |
| Ordinance Number: |
| Resolution Number: 1604 |
| Agenda Bill Number AB06-182 |
| Councilmember Sponsor: |

**BUDGET INFORMATION**

<table>
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<tr>
<th>2006 Budget Amount</th>
<th>Required Expenditure</th>
<th>Impact</th>
<th>Remaining Balance</th>
</tr>
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**Explanation:**

**Agenda Subject:** Designation of Tacoma News Tribune as Official Newspaper for 2006-2007.

**Administrative Recommendation:** That the City Council approve Resolution 1604 and award the bid for the Bonney Lake Official Newspaper to the Tacoma News Tribune for the period of August 2006 – August 2007.

**Background Summary:**

Bonney Lake Municipal Code 1.20.010 requires the City annually designate an official newspaper. The same criteria used in years past was repeated in the advertised request for bids, including the requirement for daily publication. Use of a daily newspaper helps the City move its work forward without having to wait for a once per week publication deadline. This provides the greatest flexibility for the City to meet public notice requirements.

The Tacoma News Tribune (TNT) is the only provider that meets or exceeds the bid specifications and is, therefore, a sole source provider. It is additionally the only respondent to the City’s published request for bid, and has been the City’s Official Newspaper for a number of years. They did not increase their rates for 2005-2006. However, rates have increased 4.5% for 2006-2007 on daily publication rates to $25.08 per hundred words. By way of comparison, the rate quoted last year by the Courier-Herald for legal notices was $24 per hundred words as provided in their bid for Local Source Newspaper.

| Council Committee Dates: Finance Committee: August 22, 2006 |
| Commission Dates: Planning Commission: |
| Public Safety Committee: Community Development & Planning Committee: Council Workshops: |
| Civil Service Commission: |
| Board/Hearing Examiner Dates: Park Board: |
| Hearing Examiner: |

**Council Action:**

Council Call for Hearing: Council Hearings Date:

Council Referred Back to: Workshop: Committee:

Council Tabled Until: Council Meeting Dates: August 22, 2006

**Signatures:**

Dir. Authorization [Signature]

Mayor [Signature]

Date City Attorney Reviewed:

-- Same Resolution approved in 2005.
FINANCE COMMITTEE

DATE: 08-22-06

ORIGINATOR: Harwood Edvalson TITLE: City Clerk

SUBJECT/DISCUSSION: Official Newspaper
Council designation of the Tacoma News Tribune as the City’s Official Newspaper.

ORDINANCE/RESOLUTION Resolution # 1604

REQUEST OR RECOMMENDATION BY ORIGINATOR:
Forward the attached resolution with the Committee’s endorsement to designate the Tacoma News Tribune as the City’s Official Newspaper.

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE MAYOR OK
FINANCE DIRECTOR OK
CITY ATTORNEY OK

BUDGET INFORMATION

BUDGETED ITEM: TOTAL COST: N/A
(Note: If budgeted item, attach copy of budget page and identify)

2006 Budget Amount | Required Expenditure | Impact | Remaining Balance

Explanation: Publication costs will increase generally by 4.5% from Aug. 2006 to Aug. 2007.

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

COMMITTEE COMMENTS:

COMMITTEE’S RECOMMENDATION TO FORWARD TO:
CITY CLERK FINANCE DIRECTOR CITY ATTORNEY

Include on the Consent Agenda for Council Meeting date of: August 22, 2006

Yes. No.
RESOLUTION NO. 1604

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE,
PIERCE COUNTY, WASHINGTON DESIGNATING THE TACOMA NEWS

WHEREAS, BLMC 1.20.010 requires the City to call for bids for the services of an official
newspaper; and

WHEREAS, RCW 65.16.020 sets out the minimum qualifications for official newspapers; and

WHEREAS, BLMC Section 1.20.010 further provides that bids may be dispensed with and
competitive bidding requirements waived pursuant to RCW 39.04.280(1)(a) if the City Clerk
determines that only a single newspaper meets the qualifications; and

WHEREAS, the City Council affirms that daily publication of its official newspaper and
circulation for the combined 98390 and 98391 Zip Codes in excess of 4,000 Monday - Saturday
and 5,000 for Sunday are desirable qualifications; and

WHEREAS, the City Clerk’s Office issued a request for bids and has determined that only one
newspaper, the Tacoma News Tribune, meets the publication and circulation criteria.

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

Section 1. There exists a single source of supply meeting the City’s qualifications for its official
newspaper.

Section 2. The bidding requirements of BLMC 1.20.010 and RCW 39.04.280 are hereby waived.

Section 3. The Tacoma News Tribune is designated as the City’s official newspaper for a period
of one year through August 2007.

PASSED by the City Council this 22nd day of August, 2006.

ATTEST:

Mayor Neil Johnson, Jr.

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney
August 16, 2006

City of Bonney Lake
19306 Bonney Lake Boulevard
P.O. Box 7380
Bonney Lake, WA 98390
ATTN: Woody Edvalson

RE: BID – OFFICIAL NEWSPAPER

The News Tribune is a major newspaper, qualified as a legal publication, in both Pierce and South King counties, publishing 7 days a week, 365 days a year, with a general circulation of 138,729 daily; 156,919 Sunday.
Circulation for Zip Code 98390 Tuesday, Wednesday, and Thursday: 5,019
Friday: 6,203; Saturday: 6,257; Sunday: 6,522
(Figures as of July 1, 2006)

Legal notices received for publication will be confirmed as requested.

Daily deadlines for legal publications are:
10 am. Monday-Thursday for next day’s edition
9 a.m. Friday for Saturday’s edition
2 p.m. Friday for Sunday-Monday editions

3 days prior to publication for display”” ads (2-column width or greater)

Affidavits for legal requirements are mailed by request at a $9.00 per ad fee. Tearsheets are available by request at no charge.

The News Tribune’s bid for legal advertising rates, as follows, is valid for 1 year from the date of bid acceptance:

$1.14 per column line; per insertion DAILY
$1.30 per column line, per insertion SAT/SUN (Both at a $.05 per line, per day increase)

* No minimum charge
* Cost is the same for subsequent insertions
Cost for publication per 100 words equates to $25.08 daily, $28.60 Sat/Sun
Thank you for your consideration of this bid.

NOTE: On a regular basis our reporters cover East Pierce County and Bonney Lake/Sumner areas

Respectfully,

Lester Havard,
Call Center Sales Manager
The News Tribune

Ellen M. Orr
Phone: (253) 597-8605
FAX: (253) 597-8473
EMAIL: legals@thenewstribune.com
The News Tribune Legal Advertising Representative
Laura Bastin
The News Tribune Legal Advertising Representative
Phone: (253) 597-8605
FAX: (253) 597-8473
EMAIL: legals@thenewstribune.com
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

Department/Staff Contact: Planning (Leedy)
Council Meeting Date: August 22, 2006
Agenda Item Number AB06-187

Ordinance Number: Resolution Number: Councilmember Sponsor:

BUDGET INFORMATION

2006 Budget Amount Required Expenditure Impact Remaining Balance
$5,000 $600 $600 $3,763

Explanation:
$5,000 is the Planning Dept.'s 2006 Travel budget. $3,763 is the budget less past expenditures and the present expenditure. $600 is the approximate cost of the registration, book, and one night in a hotel.

Agenda Subject:
Approval of out-of-state training for Planning Manager Steve Ladd.

Administrative Recommendation:
Approve out-of-state training.

Background Summary:
The “Complete Management Course for Planning Directors” is a two-day course put on by Paul Zucker in Salem, OR on October 2-3, 2006. This course teaches planning directors how to develop work plans, arrange permit processes, manage personnel, increase automation, etc.

Council Committee Dates: Commission Dates: Board/Hearing Examiner Dates:
Finance Committee: 8/21/06 Planning Commission: Park Board:
Public Safety Committee: Civil Service Commission: Hearing Examiner:
Comm. Dev. & Planning Committee: Council Workshop:
Council Workshop:

Council Action:
Council Call for Hearing: Council Hearings Date:
Council Referred Back to: Workshop: Committee
Council Tabled Until:

Signatures:
Dept. Dir. Mayor/City Administrator Date City Attorney reviewed
DATE: August 15, 2006

ORIGINATOR: Bob Leedy TITLE: Director, P&CD

SUBJECT/DISCUSSION: Approval of out-of-state training for Planning Manager Steve Ladd

ORDINANCE/RESOLUTION:

REQUEST OR RECOMMENDATION BY ORIGINATOR: Approve out-of-state training

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE:

MAYOR
FINANCE DIRECTOR
CITY ATTORNEY

BUDGET INFORMATION
BUDGETED ITEM: Yes TOTAL COST: $600 (registration, book, hotel for one night)

Explanation: The “Complete Management Course for Planning Directors” is a two-day course put on by Paul Zucker in Salem, OR on October 2-3, 2006. This course teaches planning directors how to develop work plans, arrange permit processes, manage personnel, increase automation, etc.

<table>
<thead>
<tr>
<th>COMMITTEE ACTION:</th>
<th>RECOMMEND APPROVAL TO COUNCIL</th>
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<tbody>
<tr>
<td>DATE</td>
<td>APPROVED</td>
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<tr>
<td>Dan Swatman, Chairperson</td>
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<td>Jim Rackley, Chair CDC</td>
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<td>Phil DeLeo, Chair, Public Safety</td>
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COMMITTEE COMMENTS: __________________________________________________________

COMMITTEE’S RECOMMENDATION TO FORWARD TO:
CITY CLERK FINANCE DIRECTOR CITY ATTORNEY

Please schedule for Council Meeting date of: August 15, 2006
Testimonials From Prior Courses

"I learned more in the first week than I have in 10 years!" - Michael Smith

"This course is a game-changer for me. I feel empowered to make a difference!" - Sarah Rodriguez

"The material is presented in a way that I can apply to my own business immediately." - John Doe

Courses Dates and Locations

2006
- September 11-12: San Diego, CA
- October 2-3: Phoenix, AZ
- November 12-13: Denver, CO
- December 9-10: Orlando, FL

2007
- January 29-30: Miami, FL
- February 26-27: Phoenix, AZ
- March 19-20: Chicago, IL
- April 16-17: San Francisco, CA
- May 21-22: Los Angeles, CA

Contact Us

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Website: www.planningdecisions.com