CITY COUNCIL MEETING

September 26, 2006
7:00 P.M.

AGENDA

"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 – Mayor Neil Johnson

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, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe and City Attorney Jim Dionne.]

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

1. Announcements:

2. Appointments:
   a. Administration of Oath of Office – Michael L. Mitchell, Police Chief

3. Presentations:
   a. Proclamation – YWCA Pierce County 100th Anniversary – accepting the proclamation will be Neel Parih, YWCA Boardmember.

D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: [A3.6.12]

1. Proposed Six Year Transportation Improvement Plan (2007-2012)

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
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 Councillor may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

A. Approval of Minutes: September 5, 2006 Council Workshop Minutes and September 12, 2006 Council Meeting Minutes.

B. Checks/Vouchers: Accounts payable checks/voucher #45099 and #45100 in the amount of $6,949.78. Accounts payable checks/vouchers #45101 in the amount of $132.00 for Utility refund. Accounts payable checks/vouchers #45102 in the amount of $246.11 for Utility refund. Accounts payable checks/vouchers #45103 thru #45215 and wire transfer #2195371 in the amount of $1,202,278.83. [F4.9]

C. Payroll: Payroll for September 1-15, 2006 for checks 25299-25342, including Deposits and Electronic Transfers in the amount of $306,351.41. [F4.9]

D. AB06-211 – Resolution 1614 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into An Agreement Between The City Of Bonney Lake And Washington State Surplus. [A3.13.3.3]

E. AB06-213 – Resolution 1615 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into An Agreement For The 2006 Overlay Project With Icon Materials. [O 4.8.2]

F. AB06-193 – A Motion Of The Bonney Lake City Council Setting A Joint Council/Planning Commission Public Hearing For October 10, 2006 At 6:30 P.M. During A Special Meeting Of The City Council And Planning Commission To Receive Testimony On The Proposed Annexation And Related Zoning Of Annexation Area 3. [A 3.6.10] [A3.6.12] [O 3.2.2]

G. AB06-224 – A Motion Of The Bonney Lake City Council Setting A Public Hearing For The Regular Council Meeting Of October 24, 2006 At 7:00 P.M. To Take Testimony Regarding A Proposed Increase In Storm Water Utility Rates. [A3.6.10] [A3.6.12]
V. FINANCE COMMITTEE ISSUES:
   A. AB06-230 – Resolution 1618 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into A Personal Services Agreement With Dennis Tompkins For Arborist Services. [O 3.1]

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:
   A. AB06-198 – Resolution 1609 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With DDJ Construction, Inc. For The Replacement Of The Catch Basin Located At Old Sumner Buckley Hwy. And 188th Ave. E. [O 4.7.2]
   B. AB06-219 – Resolution 1617 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With ______________ For The Connell’s Prairie Road East Overlay. [O 4.8.2]

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:
   A. AB06-221 – Resolution 1619 – A Resolution Of The City Council Of City Of Bonney Lake, Pierce County, Washington, Expressing The Council’s Intent To Pursue An Interlocal Agreement Between The City Of Bonney Lake And Lakewood Water District For Purchase Of Wholesale Water. [O 4.10.1]

IX. EXECUTIVE SESSION: Pursuant to RCW 42.30.110(1)(c) the City Council will hold an executive session to discuss the sale of real estate.

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
PROCLAMATION

WHEREAS, the YWCA USA is a women's membership movement formed to create opportunities for women's growth, leadership, and power in order to attain a common vision: peace, justice, freedom, and dignity for all people; and

WHEREAS, the first YWCA chapter in Washington State opened its doors in Tacoma on October 9, 1906 with a mission of being a strong and vocal advocate for women, girls and their families; and

WHEREAS, the YWCA Pierce County, is a non-profit organization that has continuously served families throughout the community for 100 years by providing community education, a women’s support shelter, legal services and community advocacy; and

WHEREAS, the YWCA Pierce County provides housing for women escaping domestic violence, legal services and other support to women and children throughout the area.

NOW, THEREFORE, I, Neil Johnson, Jr., Mayor of the City of Bonney Lake, do hereby proclaim the -

**Month of October, 2006**

to be

**YWCA Pierce County Month**

in Bonney Lake and acknowledge the organization’s essential services to the community.

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

<table>
<thead>
<tr>
<th>Department/Staff Contact</th>
<th>Council/Wkshp Meeting Date</th>
<th>Agenda Item Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Woodcock – City Engineer</td>
<td>9/26/06</td>
<td>AB06-222</td>
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<thead>
<tr>
<th>Ordinance Number:</th>
<th>Resolution Number:</th>
<th>Councilmember Sponsor:</th>
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**BUDGET INFORMATION**

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

**Agenda Subject:**
Public Hearing on the Six Year Transportation Improvement Plan for September 26, 2006.

**Administrative Recommendation:**
None

**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. The City Council will hold the designated public hearing at the regular Council Meeting of September 26th and will discuss the testimony given.

<table>
<thead>
<tr>
<th>Council Committee Dates:</th>
<th>Commission Dates:</th>
<th>Board/Hearing Examiner Dates:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance Committee: 09/12/06</td>
<td>Planning Commission:</td>
<td>Park Board:</td>
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<tr>
<td>Public Safety Committee:</td>
<td>Civil Service Commission:</td>
<td>Hearing Examiner:</td>
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<tr>
<td>Community Development &amp; Planning Committee: 8/14/06</td>
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<td>Council Workshop:</td>
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**Council Action:**

<table>
<thead>
<tr>
<th>Council Call for Hearing:</th>
<th>Council Hearings Date:</th>
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<tbody>
<tr>
<td></td>
<td>09/26/06</td>
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<tr>
<th>Council Referred Back to:</th>
<th>Workshop:</th>
<th>Committee</th>
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<tr>
<th>Council Tabled Until:</th>
<th>Council Meeting Dates:</th>
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**Signatures:**

<table>
<thead>
<tr>
<th>Dept. Dir.</th>
<th>Mayor</th>
<th>Date City Attorney reviewed:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>
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

BUDGETED ITEM: Budget Impact: $ 0

____________________

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

DATE APPROVED DISAPPROVED

James Rackley, Chairman 8-14-06
Mark Hamilton 8-14-06
David 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
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

<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>A - 1 SR 410 at Sumner-Buckley HWY (new signal and additional turn lanes)</td>
<td>Dev/TIF/City</td>
<td>$ 350,000</td>
</tr>
<tr>
<td>2008</td>
<td>A - 2 SR 410 at 234th Ave E – (WSDOT) (new signal and additional turn lanes)</td>
<td>WSDOT</td>
<td>$ 300,000</td>
</tr>
<tr>
<td></td>
<td>A - 3 SR 410 at 192nd Ave E. Phase 1-A (new signal arm and additional turn lanes)</td>
<td>TIF/City/Grant</td>
<td>$ 150,000</td>
</tr>
<tr>
<td></td>
<td>A - 4 214th Ave E at Kelly Lake Rd (new signal and additional turn lanes)</td>
<td>Developer</td>
<td>$ 275,000</td>
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<tr>
<td>2009</td>
<td>A - 5 SR 410 at 225th Avenue E (new signal and additional turn lanes)</td>
<td>Developer</td>
<td>$ 300,000</td>
</tr>
<tr>
<td></td>
<td>A - 6 Angeline Rd E at Sumner-Buckley HWY (new signal and additional turn lanes)</td>
<td>Dev/City</td>
<td>$ 500,000</td>
</tr>
<tr>
<td></td>
<td>A - 7 SR 410 at 214th Ave E (signal upgrade and additional turn lanes)</td>
<td>Dev/City/WSDOT</td>
<td>$ 750,000</td>
</tr>
<tr>
<td></td>
<td>A - 8 199th Ave at 109th Street E (new signal and additional turn lanes)</td>
<td>School</td>
<td>$ 175,000</td>
</tr>
<tr>
<td>2010</td>
<td>A - 9 Sumner - Buckley HWY at 198th Ave E (new signal and additional turn lanes)</td>
<td>City/Dev</td>
<td>$ 320,000</td>
</tr>
<tr>
<td></td>
<td>A - 10 200th Avenue CT E at 104th Street E (new signal and additional turn lanes)</td>
<td>Dev/City</td>
<td>$ 250,000</td>
</tr>
<tr>
<td>2011</td>
<td>A - 11 Church Lake Rd at West Tapps HWY E (new signal and additional turn lanes)</td>
<td>TIF, City, Dev</td>
<td>$ 250,000</td>
</tr>
<tr>
<td>2012</td>
<td>A - 12 Angeline Rd E at Rhodes Lake Rd E (new signal and additional turn lanes)</td>
<td>TIF, City, Dev</td>
<td>$ 275,000</td>
</tr>
</tbody>
</table>

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

**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>C - 1 Sumner-Buckley HWY (184th to Locust Ave E)</td>
<td>City</td>
<td>$350,000</td>
</tr>
<tr>
<td></td>
<td>C - 2 Drainage on Angeline Rd (104th to 108th St. E)</td>
<td>City</td>
<td>$100,000</td>
</tr>
<tr>
<td></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$185,000</td>
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<tr>
<td></td>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$80,000</td>
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<tr>
<td>2008</td>
<td>C - 3 75th Street E. from Locust Ave E to 193rd Ave E</td>
<td>City</td>
<td>$350,000</td>
</tr>
<tr>
<td></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$195,000</td>
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<tr>
<td></td>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$85,000</td>
</tr>
<tr>
<td>2009</td>
<td>C - 4 B.L. Blvd from Locust Ave E to 181st Ave E (phase 1)</td>
<td>City</td>
<td>$695,000</td>
</tr>
<tr>
<td></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$205,000</td>
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<td></td>
<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$90,000</td>
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<tr>
<td>2010</td>
<td>C - 5 B.L. Blvd from Locust Ave E to 181st Ave E (phase 2)</td>
<td>City</td>
<td>$695,000</td>
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<tr>
<td></td>
<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></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$215,000</td>
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<td>Sidewalk Improvements</td>
<td>PWTF/City</td>
<td>$95,000</td>
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<td>2011</td>
<td>C - 7 Church Lake Dr from 71st St. W. to 71st St. E.</td>
<td>City</td>
<td>$350,000</td>
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<tr>
<td></td>
<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>
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<tr>
<td></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$225,000</td>
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<td></td>
<td>Sidewalk Improvements</td>
<td>City</td>
<td>$100,000</td>
</tr>
<tr>
<td>2012</td>
<td>C - 9 W. Tapps Hwy from 77th St. E. to BL Blvd</td>
<td>City</td>
<td>$350,000</td>
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<tr>
<td></td>
<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>
</tr>
<tr>
<td></td>
<td>Chip Seal Program (Seven Miles)</td>
<td>City</td>
<td>$235,000</td>
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<tr>
<td></td>
<td>Sidewalk Improvements</td>
<td>City</td>
<td>$105,000</td>
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Category “C” Total: $7,785,000
Six Year Transportation Improvement Program

Category "D" Transportation Studies

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

Category "E" Trail Projects

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

TOTAL PROGRAM COST $44,390,000
Call to Order:
Mayor Neil Johnson called the September 5th Council Workshop to order at 5:31 p.m.

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

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Chief Financial Officer Beth Anne Wroe, Public Works Director Dan Grigsby, Interim Police Chief Buster McGehee, City Attorney Jeff Ganson, Administrative Services Director / City Clerk Harwood Edvalson, Engineering Technician Andrew Fonda and Records & Information Specialist Virginia Phelan.]

Agenda Items:


Mayor Johnson introduced Mayor David Enslow from the City of Sumner and Lynne Griffith and John Hubbard from Pierce Transit. Mayor Enslow explained that he is the regional representative for Sound Transit and for Pierce Transit. He presented documentation to the council on the transit ridership and performance report and discussed the success Sound Transit has experienced thus far with the Sounder. Mayor Enslow spoke of the need to encourage Bonney Lake residents to park at the Park and Ride on 410 and take the free bus down to the Sounder instead of adding to the parking problems at the Sumner station. He went on to describe some of the plans for potential new parking garages then introduced Lynne Griffith, who now runs Pierce Transit.

Lynne Griffith went into detail about the transit related problems facing smaller communities like Bonney Lake. She relayed her history with transit and encouraged the city to work now to plan for an increased need for transit in the future. She explained the inevitable high costs associated with retrofitting the streets and sidewalks for added bus stops. Ms. Griffith encouraged the city to set standards for roads and sidewalks in emerging developments now so that it will be easier in the future to work transit in. She also addressed the problem of low ridership, saying that combinations of limited regular routes and reservation-only deviations are great for catering to the needs of a smaller community. In response to questions from Councilmember DeLeo, Ms. Griffith said she wants to explore grants and collaboration with the community for more senior transit opportunities.

Mayor Enslow and Lynne Griffith answered questions from the Council about an increase in Sounder trips, local Park & Rides, track competition with commercial trains and Pierce Transit’s
work with Cascadia to plan for future bus service in the area.


Mayor Johnson introduced Keith Kovalenko and John Omak from DM Disposal. Mr. Kovalenko described the continuing problem with picking up glass and described the use of drop off locations as being the future of glass recycling. He gave statistics for the increase in recycling with the new program and told of an award received by the County for implementing it. In response to Council query he agreed that DM disposal would be willing to add more glass recycling stations in the City if the City will choose some locations.

The possibility of adding e-waste pick up to Spring Clean Up was discussed as well as the possibility for Council to authorize a contract with a separate entity for annual or semi-annual hazardous waste clean up projects. Mr. Kovalenko concluded with a description of DM disposal’s new telephone system, which has decreased customer service complaints. Community Services Director Leaf was asked to work with DM Disposal to produce reports on Bonney Lake Customer Service calls for Council’s future review.

Councilmember Rackley made a motion for a ten minute break starting at 7:00 p.m.
Deputy Mayor Swatman seconded.

Motion Approved 7 – 0.

The meeting was brought back-to-order by Mayor Johnson at 7:14 p.m.


Public Works Director Grigsby introduced Andy Mortensen from Transpo Group, saying he was there to address some questions on the Non-Motorized Transportation Plan as it had been presented at the May 16th Workshop. Director Grigsby went on to say that the intention is to take the Non-Motorized Transportation Plan to the Planning Commission for consideration, then back to Council for final adoption.

Mr. Mortensen described the completed parts of the plan, focusing on bicycle route improvements, local design guidelines and funding options. He explained the different options available for accommodating bicyclists as well as the need for safer and consistent sidewalks. Mr. Mortensen talked about the WSDOT standards, to which the city defers. He said they are ADA compliant and can be incorporated well with future transit needs. In reference to WSDOT, he also mentioned that they need to work together with Transit and the City to retrofit Hwy 410 for pedestrians and transit.

Mr. Mortensen made a recommendation to Council to attempt 2 or 3 projects using Seattle’s SEA street standards to gain interest in the community before moving to LID projects. The merits of different standards and funding options were discussed.

4. Council Open Discussion:

Council Absences. Councilmember Hamilton alerted the Council that he would be absent for the Council Meeting of September 12th and the Workshop of September 19th. Councilmember Noble added that she would be absent for the rest of the September Council Meetings and Workshops.

Dilapidated Building on Locust. Councilmember King asked for an update on the old fire station
building at Locust & Bonney Lake Blvd. Planning & Community Development Director Leedy explained that the owner’s attorney had delayed the Hearing, but that it has been rescheduled for some time this month.

**Junk Cars on 198th.** Councilmember Rackley inquired as to the junk cars on 198th. Director Leedy offered to research the status and get back to Council.

**Locust Sidewalk Infill.** Director Grigsby said the cost estimate for this project is at $75,000 and that design is closed. He went on to say that they intend to advertise for the project next week.

**August 22nd City Council Meeting.** Deputy Mayor SWATMAN clarified the reasons for not inviting absent councilmembers to attend the last meeting via speaker phone. He also confirmed with the Attorney that the last meeting had a quorum despite the Deputy Mayor chairing the meeting.

**School Zones.** Deputy Mayor SWATMAN asked about the legal definition of a school zone. Chief McGee explained that legislation allows 300’ on either side of a school’s crosswalk to be considered the school zone. This is the standard used for the new photo enforcement van. He also said that police officers can write tickets anywhere around the area of the school and it was determined that the actual school zone could be considered to be anywhere within 200 or 300 feet of the school property, but that it needs to be marked with street signs in order to be enforced.

Council discussed the possibility of adding flashing lights to the school zone signs to indicate the presence of children instead of using the 6am-6pm schedule. This method was agreed upon as a more effective, but more expensive technique. Mayor Johnson directed staff to investigate the cost of adding the flashing lights to the school zone.

**September 19th Pierce County Meeting.** Councilmember Hamilton asked the Council to consider attending a meeting on Pierce County Traffic Impact Fees being held at the Bonney Lake library by Pierce County Councilmember Shawn Bunney.

**Political Candidates at Council Meetings.** City Administrator Don Morrison asked for Council input on how to address the desire of political candidates to make presentations to City Council. Council discussed the possible conflicts of interest which would occur if any politician was given priority over another. After much discussion and upon advice from City Attorney Ganson, the Council decided to allow any politician to speak regarding city business during citizen comment period, but not to invite them to make special presentations during the election season.

**5. Review of August 22nd City Council Meeting Minutes.**

Councilmember DeLeo asked that the minutes be changed in section III.C.1. to say Interlake Island instead of Inlet Island.

**6. AB06-201 – Street Light Plan: Final Plan and Implementation Schedule; No Cost/Low Cost opportunities; O&M Cost Increases.**

Public Works Director Grigsby introduced Engineering Technician Andrew Fonda, explaining he had been developing a master plan to improve street lights. He went on to say that this presentation is the final summary with the exclusion of SR410. Engineering Technician Fonda described the process used to categorize the City Street lights. He explained that PSE had examined the locations of existing and planned street lights and helped to
develop a priority system for the City to work from when implementing the street light plan. He explained the lights have been split into 8 groups, A-G, plus an extra group of recommended street lights which the City did not initially consider. Engineering Technician Fonda described the differences in the groups and the standards for determining where lights should go as well as the way the lights are prioritized.

There was general discussion about the liability that may be associated with removing lights from the list as well as the need to think about safety when determining light locations. Director Grigsby explained that he had already directed the lights in group A to be dealt with. There was council consensus to do the work on all lights in Groups A, B, & C by the end of the year in order to increase safety during the coming winter. It was predicted that these lights could be installed by October or November. Lights in Groups D & E were determined to be more expensive and requiring an increase in next year’s budget, while lights in group F were described as those which were actually owned by private citizens and would be removed from the plan.

7. **Action:** AB06-202 – Street Identification Sign: Format Change; 2006 Purchase. [Council chose to move this item up in the agenda]

   Engineering Technician Fonda presented two alternatives to the current street sign design and asked for council input. He explained that the white bar on the left side of the current sign is frequently confused for the number one and that the new designs are easier to read. Council debated the need to change the sign design and eventually determined they would like to see it changed to the option one design with the incorporation date.

8. **Discussion:** AB06-203 – Ordinance D06-203 - Proposed Changes to Transportation Impact Fee CCI Charges.

   Due to the lateness of the hour, Councilmember Rackley proposed this ordinance be moved forward for Council discussion at the next Council Workshop. There was a majority consensus to do so.

9. **Executive Session:** Under authority of RCW 42.30.110(1)(i)&(b) Mayor Johnson announced that the City Council will meet in Executive Session to Discuss Potential Litigation for 10 minutes and Property Acquisition for 5 minutes. The Executive Session started at 9:06 p.m. and concluded at 9:27 p.m.

10. **Adjournment**

    At 9:27 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

    **Motion approved 7 – 0.**

    ____________________________  ____________________________
    Harwood T. Edvalson, CMC       Mayor Neil Johnson, Jr.
    City Clerk
Documents submitted for/at the Council Workshop of September 5, 2006:

- Sound Transit, *Sounder Ridership, August 28 through September 3, 2006* – David Enslow, Mayor of Sumner.
- Sound Transit, *Service Delivery Quarterly Performance Report to the CEO* – David Enslow, Mayor of Sumner.
- Sound Transit, *Regional Transit Map Book* – David Enslow, Mayor of Sumner.
- The Transpo Group, *Non-motorized Transportation Plan: Executive Summary* – Andy Mortenson.
- The Transpo Group, *Non-Motorized Plan & Transportation Plan Slides* – Andy Mortenson.
CALL TO ORDER – Mayor Johnson called the meeting to order at 7:00 p.m.

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

B. Roll Call [A1.3]

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

[Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief ‘Buster’ McGehee, Judge James Helbling, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson and Records & Information Specialist Virginia Phelan.]

Deputy Mayor Swatman made a motion to excuse Councilmembers Noble and Hamilton. Councilmember Rackley seconded.

Motion approved 5 – 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:

David Konsmo, P.O. Box 1962 Auburn, said he represents property owners in Eastown. He questioned the lack of response and action he has seen by the City in regards to moving forward with a ULID and a latecomer’s agreement for sewer in Eastown. Mayor Johnson offered to have City Administrator Morrison contact Mr. Konsmo and the Council tomorrow with updates on the status of this topic.

Pat Miller, 19205 79th St. Pl. E., urged the Council and Mayor to look into giving themselves raises. He also spoke of his concern that chip sealing is not being done all the way to the end of cul-de-sacs. He explained that the end of the cul-de-sac gets the brunt of the stress from cars constantly turning around and that waiting another year to fix it will only result in more severe and costly damage. Councilmember Rackley said that his understanding is that the curve of the cul-de-sac makes it difficult for the contractors to chip seal, but that he would make sure this is investigated more fully.

Laurie Martin, 19809 103rd St E., told the Council she and her neighborhood group had put together a petition stating their opposition to the roundabout Lowe’s is proposing at 200th & 100th. She said that her petition had about 350 signatures and another neighbor had done a petition of his own. Ms. Martin said it was turned in as part of the SEPA process, but that she wanted to make sure Council had seen it and not misinterpreted it as being a petition against Lowe’s.

Public Works Director Grigsby and Planning & Community Development Director Leedy explained a little bit of the SEPA process and verified that the Lowe’s project is not really moving forward at this time. They said that Lowe’s needs to prove that they can build the roundabout with ownership of the land or owner’s consent before permits can be issued. The Mayor confirmed that there are alternative ideas for traffic into Lowe’s, but that they have to be proposed by the private developers.

Margaret Duggan 10105 199th Ave E. & Kristen Sidwell 10302 199th Ave E., explained that they were involved in the neighborhood group which petitioned to stop the Lowe’s roundabout. They expressed concern that they were contacted by a member of the Planning Commission who was disdainful towards them and told them their half of the City was never wanted. Ms. Nogan said that she did not think it was appropriate for a City representative to act this way toward citizens that they should represent. Ms. Sidwell said she was also appalled. The women requested some action be taken and offered to make the offending emails available for Council review.

Deputy Mayor Swatman said that his understanding was that the actions of commissioners and councilmembers should not necessarily reflect on the City when the person is acting independently of the City.

Quinn Dahlstrom, 6527 193rd Ave E., said that she is the commissioner in question. She said her actions were those of an activist and not done in the capacity of a
commissioner. Ms. Dahlstrom explained that she always acts within the rules and
does her job as a commissioner, but as an activist she goes by different rules and
freedom of speech allows her every right to express her views.

Linda Youngberg, 8507 182nd St. E., distributed a chart to Council, saying that the
one she had emailed was flawed. She told the Council that she had paid her traffic
impact fees under protest, but was told that there was no paperwork to fill out for
paying under protest. She said she was told that department heads will just review
the situation. Ms. Youngberg detailed some apparent inconsistencies she saw in the
way different businesses were charged for traffic impact fees.

Discussion ensued regarding the SEPA process Ms. Youngberg had been through as
well as the various possible reasons for differing fees. It was determined that there
was too much information to discuss tonight and the topic was scheduled for the
September 19th Council Workshop.

Dan Decker, 20401 70th St. E., spoke about the 35’ height restriction on buildings.
He said that density is required in a city to avoid sprawl. He said that cities are made
for density and that Bonney Lake will only keep growing. If density is not pursued,
Mr. Decker explained, the City will become just like South Hill.

Councilmember Rackley said that the restriction on building height comes from the
Fire Department, but that things like sprinklers could be a possibility to alleviate the
fire danger of tall buildings. Mr. Decker said he had spoken to developers who
offered to buy the appropriate fire trucks or install sprinklers if they would be
allowed to build taller buildings. Councilmember Bowen said he had been
approached as well, but that nothing had come of it yet. Director Leedy agreed that a
builder could probably get a variance to build a taller building if they could appease
the Fire Department.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:
[A3.6.4]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met earlier in the evening and
discussed the following:
1. A Qwest service agreement for T-1 lines;
2. An addendum to the Interlocal agreement for South Prairie Court;
3. Rescheduling public hearings for the 6 year TIP and a street vacation
   because of notice issues;
4. A contract agreement between the City and Makers for the urban design
   work for downtown;
5. Final assessment costs for LID 05-13;
6. Discussion of Boat Launch charges, an automated boat launch system, an increase in Boat Launch fees and a recommendation that only City residents be allowed to use the boat launch; and
7. Increasing storm water utility rates due to the O&M charges which are now outstripping the storm water revenues.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee met on August 28th and discussed project costs for the CTS storm water study and Naches Terrace. He said the Committee forwarded the following items to the Council agenda:
1. Resolution 1608 – Annexation for Area 1-A;
2. AB06-194 – Driftwood Point Water Main Project Completion;
3. AB06-195 – SCADA Upgrade Project completion;
4. AB06-196 – Driftwood Point North Water Main Replacement Completion;
5. AB06-197 – South Prairie Water Main Replacement Completion; and

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee met on August 29th and discussed the Interlake Island causeway lighting and boating concerns, car exhaust and stereo noise problems, the criteria for setting up a tow company rotation plan, additional office space in the City and changes at Allan Yorke Park.

D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

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

Councilmember King complimented the Public Works Department as well as other involved staff on their skill in finding good contractors and working with them to get the lowest bids, stay under budget, and get projects completed on time.

A. Approval of Minutes: August 22nd Council Meeting Minutes.

B. Checks/Vouchers: Accounts payable checks/voucher #44835 thru #44836 in the amount of $216,484.00. Accounts payable checks/vouchers #44837 thru #44927 in the amount of $4836.72 for Utility refunds. Accounts payable checks/vouchers #44929 thru #45098 (voiding check #45036) in the amount of $2,323,880.70. [F4.9]

C. Payroll: Payroll for August 16-31, 2006 for checks 25247-25298, including Deposits and Electronic Transfers in the amount of $432,363.10. [F4.9]

D. AB06-177 – Resolution 1602 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Qwest
For Various Internet Access Services For $1,278.90 Per Month And One-Time
Install Fee In The Amount Of $1,305.00 For A Minimum Subscriber Service Term
Of 36 Months With Term Beginning On Date Of Service Installation October 1st
2006. [A2.1]

E. **AB06-176** – A Motion Of The Bonney Lake City Council Authorizing Out-Of-State
Travel For Detective Sergeant Jeff Miller and Detective Brian Byerley to
Burtonsville, MD For Training. [A 3.6.10] [A 4.7]

F. **AB06-194** – A Motion Of The Bonney Lake City Council Accepting The
Driftwood Point Water Main Replacement Project By DDJ Construction As
Complete. [A3.6.10] [O 4.10.2]

G. **AB06-195** – A Motion Of The Bonney Lake City Council Accepting The
SCADA Upgrade Project By Water and Wastewater Automation As
Complete. [A3.6.10] [O 4.10.2]

H. **AB06-196** – A Motion Of The Bonney Lake City Council Accepting The
Driftwood Point North Water Main Replacement Project By A&A
Construction As Complete. [A3.6.10] [O 4.10.2]

I. **AB06-197** – A Motion Of The Bonney Lake City Council Accepting The South
Prairie Water Main Replacement Project By DDJ Construction As Complete. [A3.6.10]
[O 4.10.2]

**Motion approved 5 – 0.**

V. **FINANCE COMMITTEE ISSUES:**

A. **AB06-204** – **Resolution 1612** – A Resolution Of The City Council Of The City Of
Bonney Lake, Pierce County, Washington, Authorizing A Personal Services
Agreement Between The City Of Bonney Lake And Makers Architecture & Urban
Design To Work With Economists To Reassess, Improve, And Visualize Via
Computer Modeling The Bonney Lake Downtown Plan. [O3.1]

Councilmember Rackley moved to approve Resolution 1612.
Councilmember King seconded.

Director Leedy explained that this relates to the second part of refining the
downtown plan, the first part having been hiring an economist to do a study of
business and retail uses.

**Motion approved 5 – 0.**

B. **AB06-207** – **Resolution 1611** – A Resolution Of The City Council Of The City Of
Bonney Lake, Pierce County, Washington, Authorizing An Addendum To The
Interlocal Agreement Between The Town Of South Prairie And City Of Bonney
Lake For Municipal Court Services And Facilities To Add Provisions To Include
Indemnification As To Town Judge And Payment For City Judge. [A1.4]

Councilmember Rackley moved to approve Resolution 1611. Councilmember
King seconded.
Judge Helbling explained that there were some inaccuracies in the language of the agreement. City Attorney Dionne requested that the matter be moved to another meeting so he can go back and review the entire thing instead of making piecemeal changes. He said otherwise the ambiguity of the language may result in more addendums in the future. Judge Helbling addressed Council’s fears that this agreement would cause an excess amount of work for the Court. He explained that South Prairie has only had about 31 tickets so far this year and that he normally gets through 100 during an average court day.

Councilmember Rackley moved to table Resolution 1611 so the City Attorney can review the language of the agreement. Councilmember DeLeo seconded.

Motion to table approved 5 – 0.

C. AB06-208 – Resolution 1613 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing Regarding A Petition For Vacation Of A City Street. [A3.6.10] [A3.6.12]

Councilmember Rackley moved to approve Resolution 1613. Deputy Mayor Swatman seconded.

Motion approved 5 – 0.

D. AB06-210 – A Motion Of The Bonney Lake City Council Rescheduling A Public Hearing from September 12, 2006 to September 26, 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]

Councilmember Rackley moved to approve AB06-210. Deputy Mayor Swatman seconded.

Mayor Johnson explained that this Public hearing is being rescheduled because of a lack of proper notification.

Motion approved 5 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.


Councilmember Rackley moved to approve Resolution 1591. Councilmember Bowen seconded.
Motion approved 4 – 1 with
Councilmember King voted no.

B. **AB06-165 — Resolution 1599** — A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Annexation And Utility Agreements With Gil And Williams For Tapps Hideaway. [A3.13.12]

Councilmember Rackley moved to approve Resolution 1599. Councilmember Bowen seconded.

Deputy Mayor Swatman confirmed that this property is in the City's future UGA.

Motion approved 5 – 0.

C. **AB06-199 — Resolution 1610** — Authorizing Annexation And Utility Agreements With Scott And Kristina Thorsteinson For The Thorsteinson Short Plat, Parcel #504000033. [A3.13.12]

Councilmember Rackley moved to approve Resolution 1610. Councilmember Bowen seconded.

Motion approved 5 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. **AB06-191 — Resolution 1608** — A Resolution Of The City Council Of City Of Bonney Lake, Pierce County, Washington, Formally Expressing Its Intent To Annex “Area 1-A”, A Territory Of Approximately 97.63 Acres Located Adjacent To The Current City Limits. [O3.2.2]

Councilmember Rackley moved to approve Resolution 1608. Councilmember King seconded.

Dan Decker, 20401 70th St. E., said that he felt the choice of the word “Territory” for this resolution was inappropriate and should be changed.

Motion approved 5 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:07 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.
Motion approved 5 – 0.

Documents submitted for or at the Council Meeting of September 12, 2006:

➢ Bonney Lake Residents – Copy of Petition: Say No to Lowe’s Traffic Congestion – Laurie Martin.
ACCOUNTS PAYABLE AND UTILITY REFUND CHECKS/VOUCHERS

09/26/2006

Accounts payable checks/voucher #45099 and #45100 in the amount of $6,949.78.

Accounts payable checks/vouchers #45101 in the amount of $132.00 for Utility refund.

Accounts payable checks/vouchers #45102 in the amount of $246.11 for Utility refund.

Accounts payable checks/vouchers #45103 thru #45215 and wire transfer #2195371 in the amount of $1,202,278.83.
PAYROLL CERTIFICATION
2006

Payroll for September 1-15, 2006 for checks 25299-25342, including Deposits and Electronic Transfers in the amount of $306,351.41.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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<th>Department/Staff Contact:</th>
<th>Council Meeting Date:</th>
<th>Agenda Item Number</th>
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<tr>
<td>OFS/Beth Anne Wroe</td>
<td>September 26, 2006</td>
<td>06-211</td>
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**Ordinance**

**Resolution Number:** 1614

**Councilmember Sponsor:**

**BUDGET INFORMATION**

2006 Budget Amount: Not Applicable

Required Expenditure: [Space for amount]

Impact: [Space for impact]

Remaining Balance: [Space for balance]

Explanation: Fees payable should be covered by amount received from disposal of property.

**Agenda Subject:** A Resolution of the City of Bonney Lake, Pierce County, authorizing the Mayor to enter into an Agreement between the City of Bonney Lake and Washington State Surplus for the program ‘Disposal of Surplus Property’

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

**Background Summary:**

The City has used the Department of General Administration of the State of Washington to sell/dispose of city surplus property. This new agreement is the State’s way to merge agreements for surplus of vehicles and surplus of other equipment into one agreement.

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<tr>
<th>Council Committee Dates:</th>
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<td>Finance Committee:</td>
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<td>Community Development &amp; Planning Committee:</td>
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<td>Council Workshop:</td>
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**Council Action:**

Council Call for Hearing: [Space for date]

Council Hearings Date: [Space for date]

Council Referred Back to: Workshop: Committee

Council Tabled Until: Council Meeting Dates:

**Signatures:**

Dept Dir: [Signature]

Mayor: [Signature]

Date City Attorney reviewed: August 24, 2006
DATE: 9-8-2006

ORIGINATOR: Beth Anne Wroe  TITLE: Chief Financial Officer

SUBJECT/DISCUSSION: A Resolution of the City of Bonney Lake, Pierce County, authorizing the Mayor to enter into an Agreement between the City of Bonney Lake and Washington State Surplus for the program ‘Disposal of Surplus Property’

RESOLUTION # 1614

REQUEST OR RECOMMENDATION BY ORIGINATOR: Recommend Approval

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

BUDGET INFORMATION

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

2006 Budget Amount Required Expenditure Impact Remaining Balance

Explanation: Fees payable should be covered by amount received from disposal of property.

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

DATE APPROVED DISAPPROVED
Dan Swatman, Chair, Finance 9-12-06
Phil DeLeo, Chair, Public Safety 9-12-06
James Rackley, Chair, CDC 9-12-06

COMMITTEE COMMENTS:

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

Please schedule for Council Meeting date of: September 26, 2006
RESOLUTION NO. 1614

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BONNEY LAKE AND WASHINGTON STATE SURPLUS.

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

PASSED by the City Council this 26th day of September, 2006.

______________________________
Neil Johnson, Mayor

ATTEST:

______________________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne, City Attorney
Agreement Between the City of Bonney Lake and Washington State Surplus Program for the Disposal of Surplus Property

WHEREAS, the Department of General Administration of the State of Washington is authorized by RCW 43.19.1919 to sell surplus personal property; and

WHEREAS, the City of Bonney Lake, hereinafter referred to as City of Bonney Lake, is authorized to sell surplus personal property; and

WHEREAS, the Department of General Administration has the facilities and personnel to sell surplus personal property; and

WHEREAS, sales/auctions are regularly scheduled at the Surplus Programs yard, 2301 C Street SW, Auburn, WA 98001,

THEREFORE, it is agreed pursuant to the terms of RCW 39.34.080, that;

The State of Washington, Department of General Administration, Surplus Property, hereinafter referred to as the State, whose address is 2301 C Street SW, Auburn, WA 98001, agrees to sell, as agent for City of Bonney Lake, hereinafter referred to as City of Bonney Lake, whose address is 19306 Bonney Lake Blvd, Bonney Lake, WA 98391, and phone number is 253-862-8602, vehicles, equipment and property that is declared surplus and turned over to the State for disposal.

A. Period of Agreement: September 1, 2006, until 30 day written notice of termination from either party. The City Of Bonney Lake agrees to update contact name, phone and e-mail information as necessary.

B. Agreement of the City of Bonney Lake: The City of Bonney Lake agrees that it will:

1. Provide a contact person to manage all issues related to disposal procedures and transactions: Name Beth Anne Wroe, Chief Financial Officer. Phone number 253-445-4314.

2. Submit disposal forms SF267-A for all surplus property along with signed (released) vehicle and equipment titles.

3. Pay an additional charge of $25 per vehicle for wash and vacuum services if required and actual costs for decal removal (estimated at $25 per vehicle.)

4. Will contact the Surplus Programs at (253) 333-4900 (48 hours) prior to delivery of surplus.

5. Will not list or transport hazardous materials. Surplus Programs cannot receive or process hazardous materials.

6. Save and hold harmless the State of Washington, Department of General Administration, its officers, employees, and agents (including the auctioneers) from and against, any and all claims arising from the sale transaction, either before, during, or after the sale, including but not limited to, claims of governmental agencies concerning the vehicle, claims made by the buyer or others based on faulty, damaged, missing or otherwise unsatisfactory parts or components, and claims for damage to property or injury to persons resulting from use of the vehicle.
Agreement Between the City of Bonney Lake and Washington State Surplus Program for the Disposal of Surplus Property

C. Agreement of the State: The State agrees that it will:

1. Properly store and assume responsibility for the safekeeping of all vehicles, equipment and property at the Surplus Programs location.

2. Accomplish all direct equipment sales with other government or non-profit entities; to include receipt of payment (presale to priority customers).

3. Sell vehicles, equipment and property in a timely manner, collect payment from the buyer, and reimburse the City of Bonney Lake the proceeds of sale less authorized fees on a monthly basis.

4. Endeavor to obtain resale prices equal to the industry standard trade-in or quick sale equipment values by selling on-line or at public auction.

5. Take all necessary administrative actions to ensure that vehicle and equipment ownership is legally and fully transferred from the City of Bonney Lake to the buyer. Be responsible for resolving any ownership issues that may arise after unit sales.

6. Methods for selling will include, but not be limited to priority sales, public sale, auction, and on-line sales. All sales are publicly advertised via our website (www.ga.wa.gov/surplus). Priority sales are “first come first serve” (per property want list) and public sales are “open, competitive”.

D. Fees: The above duties will be performed by the State for the following fees:

1. 7.5% of sales price for each item with a minimum charge of $150 and a maximum of $900 per item.

2. $25 for cleaning and vacuuming per unit, if required.

3. Actual cost for decal removal, if requested ($25 per unit estimated.)

E. Termination: Either party may terminate this agreement with 30 days written notice.

For the State of Washington: 

For City of Bonney Lake:

______________________________ (date) ________________________________ (date)
Doug Coleman Neil Johnson
State Surplus Programs 

______________________________
e-mail:__________________________
Fed Tax No.91-0753552

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

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<th>Council/Wrkshp Mtg Date:</th>
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**BUDGET INFORMATION**

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<tr>
<td>$471,000</td>
<td>$253,260.00</td>
<td>$303,912</td>
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<tr>
<td></td>
<td>$25,326.00 (10% Contingency)</td>
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<td>$25,326.00 (10% Project Mgmt &amp; Inspections)</td>
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**Explaination:**
Causeway 301.003.595.30.060  
South Tapps Overlay 301.003.595.30.065  
Maintenance Overlay Program 301.097.595.30.065  
Street Reconstruction 301.098.595.30.065

**Agenda Subject:**
A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with ICON Materials for the 2006 Overlay Project.

**Administrative Recommendation:**

**Background Summary:** Award ICON Materials the 2006 Overlay project.

The City opened bids on September 9, 2006 @ 3:00 PM. Of the 5 bids we received ICON Materials was the low bidder with a bid of $253,260.00. Public Works is requesting authorization of up to 10% of the bid ($25,326) for contingencies, and 10% ($25,326) for construction management and inspections.

* Bid Proposal, Contract Documents and Specifications will be available for viewing in the Public Work’s Department or Clerk’s Office.

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<tr>
<th>Council Committee Dates:</th>
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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:**

[Signatures]

Date City Attorney reviewed Standard
COMMUNITY DEVELOPMENT COMMITTEE

DATE:     September 18, 2006

ORIGINATOR:   Dan Grigsby               TITLE:   Public Works Director

SUBJECT: Award the 2006 Overlay Project to Icon Materials

The City opened bids on September 9, 2006 @ 3:00 PM. Of the 5 bids we received ICON Materials was the low bidder with a bid of $253,260.00. Public Works is requesting authorization of up to 10% of the bid ($25,326) for contingencies, and 10% ($25,326) for construction management and inspections.

* Bid Proposal, Contract Documents and Specifications will be available for viewing in the Public Work’s Department or Clerk’s Office.

ORDINANCE/RESOLUTION #615

REQUEST OR RECOMMENDATION BY ORIGINATOR:

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

BUDGETED ITEM:
Causeway 301.003.595.30.060
South Tapps Overlay 301.003.595.30.065
Maintenance Overlay Program 301.097.595.30.065
Street Reconstruction 301.098.595.30.065

Budget Impact: $253,260.00
(+ 50,652.00 contingencies & Const. Mgmt)

COMMITTEE ACTION:  RECOMMEND APPROVAL TO COUNCIL

James Rackley, Chairman  
9-18-06

Mark Hamilton  
9-18-06

David Bowen  
9-18-06

COMMITTEE COMMENTS:_____________________________________________________________________

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

Please schedule for City Council Meeting date of:  September 26, 2006
Consent Agenda:  □ Yes  □ No
RESOLUTION NO. 1615

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE 2006 OVERLAY PROJECT WITH ICON MATERIALS.

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

PASSED by the City Council this 26th day of September, 2006.

__________________________
Neil Johnson Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

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

Department/Staff Contact: P&CD/Bob Leedy
Council/Wrkshp Mtg Date: 9/26/06
Agenda Item Number: ABO6-193

Ordinance Number: 
Resolution Number: 
Councilmember Sponsor: 

BUDGET INFORMATION

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Explanation:

Agenda Subject: “Annexation Area 3” – Petition method (RCW 35A.14.120)

Administrative Recommendation: Recommend Council set a joint public hearing date of 10/10 at 6:30 p.m. with the Planning Commission to receive testimony on Annexation 3 and related zoning.

Background Summary: On 8/22/06 City Council authorized circulation of the official 60% petitions to Annexation Area 3. Petitions were mailed and signed petitions have been received exceeding the requisite 60% assessed value necessary for an annexation. Staff expects the petitions to be officially certified by the Assessor’s office by 10/6/06. Upon certification, Council must hold a hearing to receive testimony on the proposed annexation. The Planning Commission must hold a hearing on the proposed zoning of the annexation area. Staff recommends setting a joint public hearing date for Tues 10/10/06 at 6:30 p.m. Upon completion of the hearing, Council can continue with their regularly scheduled workshop.

Next Steps (subject to change):
10/10/06 Public Hearing
10/24/06 Council to approve Resolution authorizing staff to file Notice of Intent to Annex with the BRB
10/26/06 NOI filed with BRB (45 day review period begins)
12/19/06 Council to adopt ordinance making annexation effective
1/23/07 Annexation effective date

Council Committee Dates:
- Finance Committee:
- Public Safety Committee:
- Community Development & Planning Committee: 8/14/06
- Council Meeting: 8/22/06:

Agency/Commission Dates:
- Planning Commission: 9/20/06
- Design 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: 
- Mayor: 
- Date City Attorney reviewed: 
City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form

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BUDGET INFORMATION

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Explanation: NA

Agenda Subject: Set Public Hearing to Consider Stormwater Program Revenue Requirements and associated Rates

**Administrative Recommendation:** Set a public hearing for October 24, 2006 to consider adjusting stormwater rates sufficiently to provide a level of service that adequately maintains the stormwater system and provides funding for modest CIP program.

**Background Summary:** In preparing for the 2007-2008 biennium budget, review of the stormwater utility indicated that if nothing is done to adjust rates upward the utility will not generate sufficient operating revenues next year to cover operating costs – even at the current modest level of service. This had been forecast by the rate study prepared last year by HRD/ESS. If approved (or not), the Admin. will adjust the 6 year Stormwater CIP to better fit the projected revenues. The hearing will be to consider stormwater rates generally, with a specific proposed ordinance to raise the rate to $6/mo effective 1/1/07, and thereafter add another $2 increase each year through 2011. Of course, during the 2007-2011 long range planning and budgeting horizon, the Council could always review the operations of the utility and make modifications as deemed appropriate.

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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:  
Date City Attorney Reviewed:

[Signatures]
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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**BUDGET INFORMATION**

**2005 Budget Amount**  
$30,000+  
**Required Expenditure**  
TBD not to exceed budget

**Explanation:** This budget amount is for the entire community forestry program. Only a portion of it will be used for Arborist services, as needed (up to a max of $15000 through 12/31/07.)

**Agenda Subject:** CERTIFIED ARBORIST ASSISTANCE

**Administrative Recommendation:** Approve

**Background Summary:** Our previous agreement with the City Arborist has expired. This is a Renewal Agreement with Dennis Thompkins to continue to serve as the City’s Arborist to support the City’s fledgling Community Forestry program and assist the Planning and Community Development Department to administer tree removal permits, etc. This agreement will also authorize Mr. Tomkins to work with P&CD on the WSU Demonstration Forest tree removal/replanting issue.

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<td>Workshop: Committee</td>
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**Signatures:**  
Dir. Authorization: [Signature]  
Mayor: [Signature]  
Date City Attorney Reviewed: [Date]
RESOLUTION NO. 1618

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO A PERSONAL SERVICES AGREEMENT WITH DENNIS TOMPKINS FOR ARBORIST SERVICES.

WHEREAS, the City is in need of the continued services of a professional arborist to provide on-call professional assistance to the City on a variety of tree related issues and projects; and

WHEREAS, the City, through a competitive process, had retained Denis Tompkins, a certified Arborist to serve as the City Arborist; and

WHEREAS, the previous arborist agreement has expired and the City is desirous to renew the Agreement; and

WHEREAS, the Administration recommends that an agreement be entered into with Dennis Tompkins, the Evergreen Arborist, to continue to serve as the City’s Arborist;

NOW THEREFORE,

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign a Personal Services Agreement with Dennis Tompkins, attached hereto and incorporated herein by this reference.

PASSED by the City Council this 26th day of September, 2006.

______________________________
Neil Johnson, Jr., Mayor

ATTEST:

______________________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne, City Attorney
PERSONAL SERVICES AGREEMENT

THIS PERSONAL SERVICES AGREEMENT ("Agreement") is made and entered into this _______ day of ________________________, 2006, by and between the City of Bonney Lake ("City") and Dennis L. Tompkins ("Consultant").

The parties hereby agree as follows:

1. **Scope of Work.** The Consultant shall perform all work and provide all materials described in the Scope of Work set out in Exhibit "A" attached hereto and incorporated herein by this reference. Such work shall be performed using facilities, equipment and staff provided by Consultant, and shall be performed in accordance with all applicable federal, state and local laws, ordinances and regulations. The Consultant shall exercise reasonable care and judgment in the performance of work pursuant to this Agreement. The Consultant shall make minor changes, amendments or revisions in the detail of the work as may be required by the City, such work not to constitute Extra Work under this Agreement.

2. **Ownership of Work Product.** Documents, presentations and any other work product produced by the Consultant in performance of work under this Agreement shall be tendered to the City upon completion of the work, and all such product shall become and remain the property of the City and may be used by the City without restriction; provided, that any such use by the City not directly related to the particular purposes for which the work product was produced shall be without any liability whatsoever to the Consultant.

3. **Payment.** The Consultant shall be paid by the City for completed work and services rendered under this Agreement pursuant to the rates and charges set out in Exhibit "B", attached hereto and incorporated herein by this reference. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment, and incidentals necessary to complete the work. All billings for compensation for work performed under this Agreement shall list actual time and dates during which the work was performed and the compensation shall be figured using the rates set out in Exhibit "B"; provided, that payment for work within the Scope of Work (Exhibit "A") shall not exceed the fee/hour estimate set out in Exhibit B without written amendment to this Agreement, agreed to and signed by both parties.

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

The Consultant shall keep available for inspection, by the City, for a period of three years after final payment, the cost records and accounts pertaining to this Agreement and all items related to, or bearing upon, such records. If any litigation, claim or audit is started before the expiration of the three-year retention period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved. The three-year retention period shall commence when the Consultant receives final payment.
4. **Changes in Work.** The Consultant shall make all revisions and changes in the work completed under this Agreement as are necessary to correct errors, when required to do so by the City, without additional compensation.

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

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

7. **Nondiscrimination.** Consultant agrees not to discriminate against any client, employee or applicant for employment or for services because of race, creed, color, national origin, marital status, gender, age or handicap except for a bona fide occupational qualification with regard to, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training; and rendition of services. Consultant understands and agrees that if it violates this section, this Agreement may be terminated by the City, and that Consultant shall be barred from performing any services for the City in the future unless and until a showing is made satisfactory to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

8. **Term.** This Agreement shall become effective upon the day of its execution by both parties, and shall terminate upon completion of the work and delivery of all materials described in Exhibit “A”, or December 31, 2007 whichever is sooner.

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

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

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

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

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

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

12. **Indemnification / Hold Harmless**

Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

**Insurance**

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

**A. Minimum Scope of Insurance**
Consultant shall obtain insurance of the types described below:

1. **Automobile Liability** insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. **Commercial General Liability** insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant’s Commercial General Liability insurance policy with respect to the work performed for the City.

3. **Workers’ Compensation** coverage if required by the Industrial Insurance laws of the State of Washington.

### B. Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. **Automobile Liability** insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. **Commercial General Liability** insurance shall be written with limits no less than $500,000 each occurrence, $1,000,000 general aggregate.

### C. Other Insurance Provisions

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

1. The Consultant’s insurance coverage shall be primary insurance as respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant’s insurance and shall not contribute with it.

2. The Consultant’s insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

### D. Acceptability of Insurers

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

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

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

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

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

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

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

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

CITY OF BONNEY LAKE

CONSULTANT

By: _______________________________  By: _______________________________

Neil Johnson, Mayor                Dennis L. Tompkins

The Evergreen Arborist

Approved as to Form:

By: _______________________________

City Attorney
Attachments:

Exhibit A: Scope of Work/Deliverables/Fee
Exhibit B: Rates

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EXHIBIT A: SCOPE OF WORK

The Consultant shall perform the following services on an as-needed, on-call basis as directed by the City on a work order basis:

1. Assist the Planning and Community Development Department to inspect and evaluate the condition of trees as to "hazard" or other health and safety factors prior to the issuance of tree removal permits, or for other purposes, including Class IV Forest Practices Permits at the WSU Demonstration Forest or other sites.

2. Assist in the evaluation of trees considered for "heritage tree" designation.

3. Advise the City on the appropriateness of various species of trees to plant as an ongoing part of the City’s community forestry program, and advise the City as to appropriate tree maintenance.

4. Review and comment as requested by the City on various existing or proposed rules, regulations, policies, and procedures related to tree removal, maintenance, planting, and related matters.

5. Assist the City, as needed, in the development and implementation of the City’s Community Forestry program.

6. Train various City staff members in proper tree planting, pruning, removal, and related urban forestry techniques, methods and practices.

7. Provide professional technical assistance, as needed, to the Tree Department (Parks section of the Public Works Department) and Tree Board (Park Board sitting as the Tree Board).

EXHIBIT B: RATES AND MAXIMUM COMPENSATION

The Consultant’s work under this Agreement shall be compensated at the rate of one hundred dollars ($100.00) per hour, up to a maximum of fifteen thousand dollars ($15,000).
City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form

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<td>Dan Grigsby – Public Works Director</td>
<td>September 26, 2006</td>
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**BUDGET INFORMATION**

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<tr>
<td>412.999.594.38.063</td>
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**Agenda Subject:**

A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with DDJ Construction, Inc. for the replacement of the catch basin located at Old Sumner Buckley Hwy. and 188th Ave. E.

**Administrative Recommendation:**

**Background Summary:** Award an agreement to DDJ Construction for the replacement of the catch basin located at Old Sumner Buckley Hwy. and 188th Ave. E.

The City of Bonney Lake solicited bids from the Small Works Roster to replace the catch basin at Old Sumner Buckley and 188th Ave. E. Of the 3 bids received, DDJ Construction, Inc. was the low bid in the amount of $6,500.00, and $200.00, $550.00 for inspection fees for a total of $6,250.00 with sales tax.

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<th>Board/Hearing Examiner Dates:</th>
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**Council Action:**

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**Signatures:**

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<tr>
<th>Dept. Dir.</th>
<th>Mayor</th>
<th>Date City Attorney reviewed Standard</th>
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<tbody>
<tr>
<td>Dan Grigsby</td>
<td>Neil Johnson</td>
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</table>
COMMUNITY DEVELOPMENT COMMITTEE

DATE: September 18, 2006

ORIGINATOR: John Woodcock               TITLE: City Engineer

SUBJECT: Award Agreement for Replacement of Catch Basin

The City of Bonney Lake solicited bids from the Small Works Roster to replace the catch basin at Old Sumner Buckley and 188th Ave. E. (Michelle’s Dance Studio). Of the 3 bids received DDJ Construction, Inc. was the low bid in the amount of $6,250.00, excluding sales tax. The amount with sales tax and project inspection fees is 7,000.00 (Tax $ 550.00 and $ 200.00 inspection fees)

See the attached bids for detailed information.

ORDINANCE/RESOLUTION # 1609

REQUEST OR RECOMMENDATION BY ORIGINATOR:

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

BUDGETED ITEM: 415.999.594.38.063   Budget Impact: $7,000.00

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

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COMMITTEE COMMENTS:

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

Please schedule for City Council Meeting date of: September 26, 2006

Consent Agenda: ☐ Yes ☐ No
RESOLUTION NO. 1609

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN AGREEMENT WITH DDJ CONSTRUCTION, INC. FOR THE REPLACEMENT OF THE CATCH BASIN LOCATED AT OLD SUMNER BUCKLEY HWY. AND 188TH AVE. E.

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the contract attached hereto and incorporated herein by this reference.

PASSED by the City Council this 26th day of September 2006.

____________________________
Neil Johnson Jr., Mayor

ATTEST:

___________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

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

INFORMATION WILL BE PROVIDED AT COUNCIL MEETING

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<th>Council/Wrksp Mtg Date:</th>
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BUDGET INFORMATION

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Explanation:
401.999.595.30.65 Connell’s Prairie Road Street Project

Agenda Subject:
A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with _______ for the Connell’s Prairie Road East Overlay Project.

Administrative Recommendation: Award the Connell’s Prairie Road East Overlay Project.

Background Summary: The Connell’s Overlay Project is weather sensitive and needs to be completed before the rainy season begins. In order to expedite the award of bid on the project, the Council Community Development Committee has waived their normal review of the proposed bid award and invites the Council to consider the information to be provided for award of the bid during the regular Council meeting. The bid procedure was through the City’s small works roster process and bids will not be opened until Friday afternoon, September 22nd. The bid award recommendation and supporting documentation will be provided as soon as possible to the City Council before the Council meeting.

Council Committee Dates: | Commission Dates: | Board/Hearing Examiner Dates:
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<td>Council Workshop:</td>
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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. Dir.  
Mayor  
Date City Attorney reviewed Standard
RESOLUTION NO. 1617

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN AGREEMENT WITH FOR THE CONNELL'S PRAIRIE ROAD EAST OVERLAY.

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

PASSED by the City Council this 26th day of September 2006.

__________________________
Neil Johnson Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

__________________________
James Dionne, City Attorney
City of Bonney Lake's Public Works Department  
Connells Prairie Road East Road Overlay

INVITATION FOR BIDS

Notice is hereby given that sealed bids will be received by the City of Bonney Lake, P.O. Box 7380, 19306 Bonney Lake Boulevard, Bonney Lake, WA. 98391, until 2:00 p.m. on September 22, 2006 for the Connells Prairie Road East Road Overlay.

This project will provide a two-inch class B asphalt overlay at approximately 3,000 linear feet of existing Pierce County roadway consisting of Connells Prairie Road East between 214th Avenue East and 222nd Avenue Court East. Approximate surface area of roadway per Autocad drawing = 53,000-square feet.

Bid proposals will be received only at, the City Clerk at the City of Bonney Lake, PO Box 7380, 19306 Bonney Lake Boulevard, Bonney Lake, WA 98391 by 2:00 p.m. on September 22, 2006, at which time they will be opened, read and tabulated publicly. Proposals received after the time fixed for opening will not be considered.

Contract documents may be obtained from the Public Works Department, City of Bonney Lake, PO Box 7380, 8720 184th Ave. E., Bonney Lake, WA. 98391, (253) 447-4341, upon payment of a non-refundable fee of $20 for each set. Checks must be made payable to the City of Bonney Lake's Public Works Department. An informational copy of the contract documents is on file for inspection at the City of Bonney Lake's Public Works Department.

Bid packages will be mailed if requested. A fee of ten dollars ($10.00) will be charged for mailing.

The City of Bonney Lake's Public Works Department hereby notifies all bidders that it will affirmatively ensure that in any contract entered into, pursuant to this invitation, minority and women's business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

The City of Bonney Lake's Public Works Department reserves the right to reject any or all bids and to waive irregularities in the bid or in the bidding.

No bidder may withdraw his proposal after the hours set for the opening thereof, or before award of contract, unless said award is delayed for a period exceeding 30 calendar days.
**City of Bonney Lake, Washington**  
**Council Agenda Bill (C.A.B.) Approval Form**

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<tr>
<th>Department/Staff Contact:</th>
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<th>Ordinance Number:</th>
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<td>AB06-221</td>
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**Explanation**
A non-binding resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing evaluation to purchase water from Lakewood Water District.

**Agenda Subject:**
Evaluation to purchase water from Lakewood Water District.

**Background Summary:**
Followup to Council direction on 19 September to pursue evaluation of the purchase of water from Lakewood Water District and compare cost to acquire same quantity from either Tacoma Water Utility or Cascade Water Alliance.

This resolution was requested by Lakewood Water District in order to hold 3 MGD (average day use) of water supply to Bonney Lake versus another City.

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<td>Council Workshop: 19 Sep 2006</td>
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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: 26 Sep 2006

**Signatures:**
Dept. Dir. Mayor Date City Attorney reviewed
RESOLUTION NO. 1619

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, EXPRESSING THE COUNCIL’S INTENT TO PURSUE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BONNEY LAKE AND LAKWOOD WATER DISTRICT FOR PURCHASE OF WHOLESALE WATER.

WHEREAS, Lakewood Water District has more than adequate water resources available to meet its projected demands; and

WHEREAS, the District has offered to sell a water supply of up to 3 million gallons per day (30mgd) to the City of Bonney Lake for a renewable 20-year period; and,

WHEREAS, the City of Bonney Lake will have future requirements for water supply in excess of 10mgd, peak day use; and

WHEREAS, the City of Bonney Lake recognizes that water resources are finite and valuable; that, future water rights and supplies may not be available for purchase in the future; and that prudent management of the Bonney Lake Water Utility justifies acquisition of additional water supplies for future use by the City for Bonney Lake Water Service Area customers;

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

The Mayor is authorized and directed to evaluate the need, feasibility, and cost-effectiveness for acquiring and transmitting up to 3mgd of wholesale water from the Lakewood Water District. Said study to be completed as soon as possible, but not later than January 31, 2007.

The Mayor is further authorized to enter into an agreement with the Lakewood Water District to obtain a right of first refusal to acquire up to 3-mgd gallons of wholesale water from Lakewood Water District should the District receive a firm offer from another water purveyor to acquire 1mgd or more of wholesale water prior to January 31, 2007.

PASSED by the City Council this 26th day of September 2006.

__________________________
Neil Johnson, Mayor

ATTEST:

__________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

__________________________
James Dionne, City Attorney
RESOLUTION NO. 1619

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A WHOLESALE AGREEMENT FOR WATER BETWEEN THE CITY OF BONNEY LAKE AND LAKEWOOD WATER DISTRICT.

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the following resolution.

RECITALS:

WHEREAS, Lakewood Water District (the District) has evaluated its wholesale water projections in its demand forecast and has determined that adequate water resources are available to serve those projected demands; and

WHEREAS, the District has offered to sell a water supply of up to 3 million gallons per day (mgd), average daily use, to the City of Bonney Lake (the City) for a renewable 20-year period; and,

WHEREAS, the District has agreed to reserve up to 3-mgd for purchase by the City for a period of six months from the effective date of this resolution; and

WHEREAS, the City evaluated it’s future wholesale water requirements in 2004 and determined that there was a future demand for 935,000 gallons per day (gpd) of water for average daily use or 2,000,900 gpd (2 mgd) for peak day use in excess of it’s current water pumping capability (8 mgd) and Tacoma Water Utility supply (2 mgd), peak day use; and,

WHEREAS, the City of Bonney Lake will have future requirements for water supply in excess of 10 mgd, peak day use; and

WHEREAS, the City of Bonney Lake recognizes that water resources are finite and valuable; that, future water rights and supplies may not be available for purchase in the future; and that prudent management of the Bonney Lake Water Utility justifies purchase of additional water supplies for future use by the City for Bonney Lake Water Service Area customers; and

WHEREAS, the Parties are responsible for operating and maintaining their respective water systems in accordance with federal, state and local laws and regulations; and

WHEREAS, the Parties further recognize that prudent use and management of these finite water resources requires cooperation among water utilities; now therefore
BE IT RESOLVED BY THE CITY OF BONNEY LAKE CITY COUNCIL:

1. The City of Bonney Lake enters into an agreement with Lakewood Water District to make a final decision within six months from the effective date of this resolution on whether or not to purchase water from the District and construct necessary facilities.

2. That City staff proceed with an engineering study to determine a planning level estimate to build facilities and purchase equipment to utilize future water supplies from the following three water purveyors;
   a. Extend the Lakewood water line from Summit to Bonney Lake
   b. Extend the Tacoma Water Utility water line from Falling Water to Bonney Lake
   c. Use Cascade Water Alliance water from Lake Tapps, with package water plant treatment of this water, and connection to the Bonney Lake water line.

3. That City staff proceed with a life cycle cost analysis to determine which water supply purchase is most beneficial to the City. Elements of the analysis will include costs, water quality, and water availability.

4. That City staff provide a presentation that defines the need for an additional water supply source and compares these three alternative water supply sources to the City Council prior to entering into a binding agreement with Lakewood Water District or any other water purveyor.

5. That Water Utility System Development Charge (SDC) funding be used to prepare this engineering study and cost analysis.

PASSED by the City Council this 26th day of September 2006.

______________________________
Neil Johnson, Mayor

ATTEST:

______________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne, City Attorney