Call to Order: Mayor Neil Johnson

Roll Call:
Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember James Rackley.

Expected Staff Members: Administrative Services Coordinator Don Morrison, Director of Planning and Community Development Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief Buster McGehee, Judge James Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Agenda Items

1. Presentation: Map-Info -- Consultants for Community Identification and Retail Attraction Services. (45 Mins.)

2. Tabled from 2/28/06 Council Meeting: AB06-20 -- Resolution 1526 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With The Buxton Company For A Community Identification And Retail Attraction Study. (20 Mins.)

3. Department Reports. (15 Mins.)

4. Council Open Discussion. (20 Mins.)

5. Review of Minutes from February 7th City Council Workshop and February 14th City Council Meeting, February 17th-18th Special Meeting, February 21st Council Workshop, February 27th Special Meeting and February 28th Council Meeting. (10 Mins.)

6. Discussion: AB06-49 -- Ordinance 1183 -- Manufactured Homes in Mobile Home Parks (20 Mins.)

7. Discussion: AB06-44 -- Ordinance 1182 -- Streets Capital Improvement Fund (15 Mins.)

8. Discussion: AB06-51 -- Ordinance 1184 -- General Government Capital Improvement Fund (15 Mins.)

9. Discussion: AB06-52 -- Ordinance 1185 -- Parks Capital Improvement Fund (15 Mins.)

10. Executive Session: RCW 42.30.110(2) - "Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded."

11. Adjournment.

Times are estimates only and not intended to limit discussion.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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**Explanation**

**Agenda Subject:** Presentation from MapInfo-Thompson on economic development-related services on retail attraction and retention.

**Administrative Recommendation:** None.

**Background Summary:**

The City Council received a presentation from Buxton, Inc. for economic retail attraction and marketing services at the February 21st Council Workshop. Subsequent contact from MapInfo-Thompson indicates that they provide similar services. The Council Finance Committee held a conference call with MapInfo representatives and agreed to allow a presentation at the next workshop. A company representative will be present at the March 7th Council workshop to make a presentation and answer Council’s questions.

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MARKETSUITE® for Economic Development
Maximize economic development efforts with a unique retail attraction and retention offering from the global leader in demographic analysis and retail site selection.

- Attract, retain and support local businesses and leading chains
- Create jobs
- Increase housing and office space
- Grow taxable tax base
- Reduce crime
- Provide residents with goods and services they demand

Maxinfo has been the trusted advisor for most of the nation's premier retailers for over 45 years:
- 8 of the top 10 retailers have relied on Maxinfo for site selection.
- 7 of the top 10 specialty retailers have depended on Maxinfo for site selection.
- Virtually all of Home Depot's North American stores have been opened with the help of Maxinfo.

In addition to Maxinfo's stature in the retail space, Maxinfo has in-depth experience in working with federal and state agencies and municipalities of all sizes in the US, as well as governments worldwide. From small rural towns to sprawling metropolitan areas, each faces unique challenges that have prompted Maxinfo with valuable insight into public sector operations, planning and infrastructure.
Develop a strategy that planners can act on – today and tomorrow!

Our unique combination of consulting services and location technology provides a powerful solution, necessary for getting started and getting maximum results, in the shortest period of time. Using our ready-to-implement recommendations as a road map to upgrade and expand commercial areas, municipalities of all sizes can attract investment, expand the tax base, and create a more desirable place to live and work... starting today. But it doesn't have to stop there. With our enhanced web-based application – complete with predictive modeling functionality – you can continue your retail analysis and recruitment efforts to address changes in conditions... tomorrow, next week, or next year. On your schedule, without the need for another expensive comprehensive study. Explore the “what if’s” with scenario management capabilities to define new study sites and re-evaluate supportable retail demand. Regardless of your situation or budget constraints, MapInfo can provide an effective solution to get the most out of your economic development initiatives.

MARKETSUITE®

ANYSITE® ONLINE RM
for Economic Development
The unique predictive analytics solution for retail modeling. Combines the ease and functionality of ANYSITE ONLINE with a powerful retail modeling capability.

ANYSITE® ONLINE
Easy-to-use, subscription-based demographics service for basic area analysis.
"We were very impressed by the product and the willingness of MapInfo staff to accommodate the specific concerns of our group. As a municipal government struggling with business retention as well as seeking out new development, having current, reliable consumer and traffic data is an absolute must if we seriously expect to capture those ever more savvy consumers and their sales tax dollars! We believe MapInfo and the AnySite product will give the beautiful City of Zion a marketing edge, as we will be able to provide serious investors with data on a consistent basis, as a genuine development partner. Thank you for this opportunity and for your willingness to help our community meet its economic development goals with ease and precision."

— Delaine Rogers, Director of Economic Development City of Zion, IL

A UNIQUE COMBINATION OF ANALYTICAL SERVICES, FIELD WORK AND LOCATION INTELLIGENCE TECHNOLOGY

There's more to a successful retail attraction and retention initiative than crunching data and handing over a cookie-cutter report. What does MapInfo do that others don't do — or do as well?

On-site expertise for in-depth insight: MapInfo Retail Consultants perform an extensive on-site evaluation, or as we refer to it, "tasting the dirt." This is not just a cursory once-over in conjunction with a meeting; we spend as much time as necessary to really get a feel for the location and understand your long-term development objectives. We know there are nuances that aren't readily discernable without getting to know the area. We talk to some of the existing retailers to learn their perspectives and understand their concerns. We dig deeper and review planning and zoning activities in the target area, as well as in neighboring areas, in order to uncover existing plans for retail expansion that otherwise might be overlooked — and that might have a dramatic impact on the proposed development efforts. We "walk" the area so that we can better appreciate the aesthetics, condition and placement of existing retail establishments... All aspects are taken into consideration to create a truly accurate picture.

Comprehensive list of potential retailers: We provide an extensive list of retailers for consideration, instead of only a handful of the most obvious or only those generated solely on a "correlation score." In addition to those that the all-embracing research points to as best matches, we include many more retailers of varying types to give you the flexibility of having a hand in determining your own future. Even though a mass retailer or "big box" might be a great fit based upon your community's profile, there may be overriding considerations about whether you want this type of retailer in the study area. Municipalities can adjust local zoning ordinances to help guide future development activities based upon our analysis and retailers list, thereby preserving a community's character.

Focus on the win-win. Bringing new retail into an area is certainly a great start. But keeping the existing retailers happy and ensuring that the new retailers succeed past the first year are a bigger concern — one that isn't laid out in a typical retail recruitment report. Shoppers and passers-by form an impression in approximately eight seconds. That first glance at dirty windows, graffiti, tacky decorations, or even cracked sidewalks may determine if a potential customer stops or keeps going. Our Retail Site Selection Experts can provide expert advice on what can make or break the retail health of any area.
## WILL YOUR SUPPLIER...

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<tr>
<th></th>
<th>MapInfoSuite</th>
<th>Apssites Online-RM</th>
<th>Apssites Online</th>
<th>Typical Local Consultants</th>
<th>Typical National Firm with Consulting Services Alone</th>
<th>Typical Software/Database Alone</th>
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<tbody>
<tr>
<td>Demonstrate strong retail site selection expertise?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>?</td>
<td>?</td>
<td>NA</td>
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<tr>
<td>Offer a broad public sector background?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>?</td>
<td>?</td>
<td>NA</td>
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<tr>
<td>Provide an in-depth market analysis report?</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>?</td>
<td>NO</td>
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<tr>
<td>Spend all the time necessary to really get to know you?</td>
<td>YES</td>
<td>NA</td>
<td>NA</td>
<td>YES</td>
<td>?</td>
<td>NA</td>
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<tr>
<td>Look at planning applications already in progress for your city and neighboring communities that could impact you?</td>
<td>YES</td>
<td>NA</td>
<td>NA</td>
<td>YES</td>
<td>?</td>
<td>NA</td>
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<tr>
<td>Evaluate the condition of current retail and provide recommendations for improvements?</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>?</td>
<td>?</td>
<td>NO</td>
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<tr>
<td>Compile a list of top retailers who fit your demographic profile?</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>?</td>
<td>YES</td>
<td>NO</td>
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<tr>
<td>Compile an expanded list of supportable retail categories?</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>?</td>
<td>NO</td>
<td>NO</td>
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<tr>
<td>Provide tools that allow you to perform ongoing retail analysis and modeling?</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
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<tr>
<td>Provide analytic management and evaluation?</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
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<tr>
<td>Offer custom local solutions for self-service reports and maps?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
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<td>YES</td>
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<td>Demonstrate a proven ability to partner with other firms specializing in predation analysis, traffic flow analysis, etc. for a more complete economic development package?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<td>Benefit from the backing of a national or global technology support group?</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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"I am very pleased with the work that MapInfo has done for Gillette. They went the extra mile to help us understand what we needed from the project, and then they delivered even more. Their analysis and online tool is being used to help existing retailers expand or shift their product mix, as well as by developers to recruit anchor retailers to the community. MapInfo not only provided contact information, but made some of the calls on our behalf to introduce Gillette to the retailers."

"MapInfo consultants got to know our community. Their advice was not cookbook, but tailored to our community based on national statistics and actual retailers. Their analysis was useful and their strategies for local retailers, local government and Chamber of Commerce were feasible to act on. MapInfo's assessment was honest, straightforward. If we follow their recommendations, great things will happen in Gillette."

-- Susan Bigelow, CEO, Executive Director, Campbell County Economic Development, WY
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**Explanation:** Included in revised 2006 budget proposal

**Agenda Subject:** RETAIL ANALYSIS OF CITY COMMERCIAL CENTERS

**Administrative Recommendation:** APPROVE

**Background Summary:** With the recent growth in commercial activity and the development of a stable retail sales tax base, the City is now at the point where it desires to target the additional types of businesses the City needs and wants in Bonney Lake. The Mayor, Council and community have goals and ideas for commercial growth and the desired mix of business types. This study will provide concrete evidence to portray Bonney Lake’s retail potential so it can recruit a more desirable mix of businesses into the community. It will also give us a profile of the types of businesses that can succeed in the downtown plan, and the types of businesses to target for Eastown.

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Mayor [Signature]  
City Attorney Reviewed:
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RESOLUTION NO. 1526

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING AN AGREEMENT WITH THE BUXTON COMPANY FOR A COMMUNITY IDENTIFICATION AND RETAIL ATTRACTION STUDY.

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 ___ day of February, 2006.

__________________________
Neil Johnson, Mayor

ATTEST:

__________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

__________________________
James Dionne, City Attorney
PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this __________ day of February, 2006, by and between the City of Bonney Lake ("City") and the Buxton company ("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. Payment for work within the Scope of Work (Exhibit A) shall not exceed the fee set out in Exhibit B without written amendment to this Agreement, agreed to and signed by both parties.

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

The Consultant and its subconsultants 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; and 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.

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 / Insurance.** 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.

The Consultant shall secure and maintain in force throughout the duration of this contract comprehensive general liability insurance with a minimum coverage of $500,000 per occurrence and $1,000,000 aggregate for personal injury; and $500,000 per occurrence/aggregate for property damage.

Said general liability policy shall name the City of Bonney Lake as an additional named insured and shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the City. A certificate of coverage as required by this section shall be delivered to the City within fifteen (15) days of execution of this Agreement.

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. **City Responsibilities.** The City of Bonney Lake will designate a project manager who will serve as Buxton’s primary contact during the project. The City will provide the Consultant with the following information and reports: Logo (electronic version); addresses and descriptive information for up to three (3) sites that will be evaluated; current available traffic count data, digital street data; list of major, national or regional retailers present in the community; list of planned retail, either proposed or in development, in the community; list of major, national or regional retailers that have left the community; list of planned residential developments; housing start information; zoning and comprehensive plan documents; generally available community marketing data and reports.

15. **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.

16. **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.

17. **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.

18. **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

By: ____________________________
    Neil Johnson, Jr. Mayor

CONSULTANT

By: ____________________________

Attachments:

Exhibit A: Scope of Work/Deliverables/Fee
Exhibit B: Rates
EXHIBIT A: SCOPE OF WORK

Utilizing data, methods and proprietary technologies developed specifically for matching retailers with communities, Buxton will assess the potential for the City of Bonney Lake to recruit and expand its retail sector, and will identify and provide marketing packages for specific retail targets.

Buxton’s initial analysis of up to three (3) distinct retail locations (Downtown, Midtown, and Eastown), will yield a recommendation of the site best positioned for retail recruitment. With that recommendation, the City of Bonney Lake will make a final determination of the retail site to be selected for retail matching. Once the site for retail matching is determined, Buxton will compare the site’s trade area with the established locations of individual retailers. This analysis will result in a preliminary list of matched retailers. Only retailers with locations in trade areas similar to the City of Bonney Lake’s trade area will be identified as potential matches. The preliminary list is then refined by Buxton on the basis of other retail location criteria to yield a list of up to twenty (20) specific, matched retailers for the City of Bonney Lake. Buxton will provide the list of matched retailers to the City of Bonney Lake for review and discussion. A marketing package will be prepared for each targeted retailer. The marketing packages are intended for presentation to retailers, as well as developers, potential franchisees, or other persons in a position to support the City of Bonney Lake’s retail goals. Each marketing package is unique to the specific targeted retailer, providing compelling and precise information that demonstrates the City of Bonney Lake’s qualifications as a location. Additionally, Buxton will contact each targeted retailer on behalf of the City of Bonney Lake. Buxton will notify the retailer that the City of Bonney Lake has been identified as a potentially viable location.

Specific work elements include:

RETAIL POTENTIAL AND RETAIL SITE DETERMINATION

1. Establishment of retail trade areas for each site based upon drive times
2. Analysis of the suitability of each site and its trade area. Factors considered include but are not limited to:
   a. Psychographic analysis of households. Demand for retail goods and services
   c. Existing retail and retail trends in the trade area and surrounding region
   d. Site setting, situation and configuration
   e. Growth plans and relevant developments
   f. Retail goals of the community
3. Buxton recommendation of the retail site and trade area with the most potential
4. Discussion and approval of a site with which to proceed to retail matching

IDENTIFICATION OF RETAIL MATCHES FOR SELECTED SITE

1. Comparison of site trade area with existing retail location trade areas
2. Identification of preliminary target list of matching retailers
3. Additional analysis of preliminary targets
4. Determination of recommended list of matching retailers
5. Discussion and approval of final list of matching retailers for which marketing packages will be prepared
PUBLISHING OF RETAIL MARKETING PACKAGES

Buxton will assemble individual marketing packages for each targeted retailer. Additionally, the city will receive a reference binder that includes information provided in the retailer marketing packages. Each marketing package will contain:

1. Map of the retail site and trade area
2. Map of potential customers for the retailer
3. Retail match report that compares the site’s trade area characteristics with the retailer’s similar existing locations
4. Demographic and psychographic analysis of the trade area
5. Explanation of Buxton’s methodology

EXHIBIT B: RATES

1. The Consultant shall be compensated a lump sum fee of sixty three thousand dollars ($63,000.00) to complete the scope of work.

2. The consultant may submit vouchers to the City once per month during the progress of the work for partial payment for project completed to date, up to 80% of total project costs. Such vouchers will be checked by the City, and upon approval thereof, payment will be made to the Consultant in the amount approved.

3. Final payment of any balance due the Consultant of the total contract price earned will be made promptly upon its ascertainment and verification by the City after the completion of the work under this agreement and its acceptance by the City.
City of
COUNCIL WORKSHOP
February 7, 2006
DRAFT MINUTES
"Where Dreams Can Soar"

Call to Order:
Mayor Neil Johnson called the February 7th Council Workshop to order at 5:31 p.m.

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

Staff members attending were Administrative Services Coordinator (ASC) Don Morrison, Public Works Director Dan Grigsby, Planning and Community Development Director Bob Leedy, Interim Police Chief Buster McGehee, City Engineer John Woodcock, Public Works Operations and Maintenance Supervisor Rick Shannon, Assistant Public Works Director Gary Leaf, Public Works Lead Worker Curt Roundtree, Information Technology Coordinator Chuck McEwen, Senior Human Resources Analyst Jennifer Young, City Attorney Jim Kline and City Clerk Harwood Edvalson.

Agenda Items:


Director Grigsby introduced Operations and Maintenance Supervisor Shannon to address the current situation with the wastewater pipeline study. O&M Supervisor Shannon showed portions of a video survey of some of the wastewater pipes of most concern to the Public Works Department. He said their main concern is the ductile iron pipe installed in 1986, which is rapidly corroding. He noted that the concrete pipe is also corroding, but is not as fragile as the ductile iron pipe. He said the proposed solution is the installation of a parallel pipeline to handle the diverted sewer flow while the existing pipe is slip-lined to make it serviceable again. City Engineer Woodcock added that the department is having testing conducted to determine the extent of the emergency repairs, but feels strongly the pipe down the slope from SR410 and across the Sumner Valley floor will require the parallel installation.

Responding to Council's questions about rights-of-way, Engineer Woodcock said the plan is to lay the replacement HDPE pipe on the ground, or shallowly buried as needed; divert the flow into the new pipe; slip-line the old pipeline; divert the flow again to the old pipeline; and then bury the new line. He said the emergency repair will result in additional flow capacity for future need within the City. A base estimate for the installation of the emergency line was given at $2.1 million. He explained there is a strong possibility of the City receiving an emergency low-interest loan from the Public Works Trust Fund to help with financing the repairs.

Assistant City Engineer Leaf explained that the City's sewer utility fund has uncommitted funds
that could be used to finance the project, but added that use of the funds may mean a delay or reprioritization of some of the projects in the Sewer Utility Capital Improvement Plan. Director Grigsby said the recent sewer emergency was beneficial in that it identified a very serious situation that demands attention.

City Engineer Woodcock addressed the draft Comprehensive Sewer Plan. He briefly explained the organization of the plan. He said the plan addresses changes in the plan since 1995, conforms to the State Department of Ecology sewer planning requirements, updates the Sewer Utility Capital Improvement Plan and identifies two areas where future service might be provided through the use of membrane bio-reactor treatment plants. When asked about the next steps, Director Leedy said the plan will go through the Planning Commission process as an element of the City’s Comprehensive Plan.

Councilmember Noble noted that the draft plan shows use designations assigned to the WSU Forest. Engineer Woodcock said this was done in error and would be corrected. He said that projected service impacts were not included in the plan. Councilmember King said the satellite treatment plants may give the City cause to rethink its strategy for service delivery to the County Urban Growth Area.

2. Update: WIFI Project.

Information Technology Coordinator McEwen apologized for his unavailability to discuss this issue at the last Council workshop. He explained that the WiFi project has been in a holding pattern since September-October of last year when a determination was made that a more permanent installation of equipment than was anticipated was needed on the Ponderosa Water Tank. He said this work was almost completed when word was received that Vivato, the provider of the WiFi equipment, was going to close its doors and be sold. He added that the original reason for rejecting the proof of concept wasn’t considered for rejection because the equipment didn’t perform well, but because there is now a lack of manufacturing and maintenance support. He said that some firms are starting to provide maintenance support to the Vivato equipment. He described the service available from the currently installed equipment and said service in the covered areas is excellent and used by police officers. When asked about the amount of Drug Fund monies used in the project, IT Coordinator McEwen said that about half of the $48,000 spent came from the Drug Fund. He said a decision needs to be made to either keep the equipment and contract with one of the new service providers, or return the equipment and face a 30% restocking fee of about $12,000. He recommended keeping the uninstalled equipment for repair of the already installed equipment.

Councilmember Hamilton said he was originally sold on the project because it would provide broadband capability to police cars. He addressed other technologies now available to provide wireless services to police cars and advocated the use of licensed or restricted frequency bands to provide the service to police. Councilmember King said he believes it was fortuitous that the City chose to make this experiment in a limited way. He said the project has shown its value to the police department, but added there appears to be little support for pursuing a city-wide WiFi utility. Councilmember DeLeo said that the Rainier Communications Commission is holding a meeting on February 15th to discuss municipal WiFi services and will have representatives in attendance to discuss the experience of the Valley Cities Regional Wireless Network. There was general consensus to have further discussion of the WiFi issue at the next workshop on February 21st.
Councilmember Rackley moved that the Council take a five minute break. Councilmember Hamilton seconded the motion.

Motion approved 7 – 0.

3. Action: AB06-17 – Motion Of The Bonney Lake City Council To Set A Public Hearing During The City Council Meeting Of February 14, 2006 At 7:00 P.M. Or As Soon Thereafter As Possible To Receive Input On A Proposed Increase In Park Impact Fees.

Deputy Mayor SWATMAN moved to set the public hearing for February 14th. Councilmember Noble seconded the motion.

Assistant Public Works Director Leaf explained that a memo will come in the Council meeting packet that explains the Park Board recommendation to increase the Parks Impact Fee to the already calculated maximum of $2893. He said the Park Board is considering changes to the Park Comprehensive Plan that will undoubtedly justify another increase when the plan is approved by the Council. Councilmember Hamilton questioned the $2893 figure. It was explained that the number was justified by the addition of the Moriarty property purchase to the plan.

Councilmember DeLeo asked why action is needed at this workshop to set the public hearing. He said the public does not expect action to be taken at workshop meetings. Councilmember King questioned how the public could comment at the public hearing when even the Council has not yet received the Park Board recommendations. Assistant Director Leaf said the recommendations are not new. He said the Park Board has consistently recommended adoption of the maximum justifiable fee. Deputy Mayor SWATMAN said he believes the public sentiment favors this fee increase. He said if the Council feels they’ve had insufficient public input, then the hearing can be continued. He added that there is concern over the revenue lost if consideration of this fee increase is delayed.

Councilmember Hamilton asked if the Master Builders Association had been given opportunity to comment on the proposed increase. Assistant Director Leaf said he has contacted them and provided a copy of the proposed ordinance.

Motion approved 4 – 3. Councilmembers Bowen, DeLeo and King voted no.

4. Department Director Reports.

Police. Interim Chief McGehee reported that the citizen survey on the website has been fine-tuned to work properly. He added that a self-reporting form for incidents will soon be functional on the website as well. Interim Chief McGehee said the Department’s 2005 Report will soon be delivered from the printer. He reported that the Department has received grant funds to replace some radar equipment.

Planning and Community Development. Director Leedy said that the City’s current project list probably adequately updates the Council on the Department’s current efforts. He reported that the Sheriff’s Department proceeded with an eviction at 7605 Myers Road. He added that the tenants broke out the windows upon departing, but that the owner is already acting to secure the property. Director Leedy reported that the cleanup and restoration efforts behind Cedar View
Plaza continue. When asked to comment on the former City property at the corner of Locust and Bonney Lake Boulevard, Director Leedy said the Building Official is in contact with the owner and trying to encourage him to move forward. Also asked to report on the nuisance vehicle violations on 19th Ave. E., Director Leedy responded that a resolution through the court is very close. He said that further options are being explored with Mr. Blake. Councilmember DeLeo said that the Public Safety Committee recently met with the Code Enforcement Officer. He provided notes of the meeting to City Attorney Dionne for review and comment.

Public Works. Director Grigsby referred to the memo distributed to Council at the beginning of the meeting. He reported that the sewer line break at Riverside Drive had been repaired. He recommended that a $1 million low-interest loan received from the State he used for pre-construction work and right-of-way acquisition on the 192nd Ave. E. Corridor Project. He added that the project report will be presented to Council for discussion at the February 21st Council Workshop. He concluded by describing the paving improvements on 30th Ave. Ct. E.

Councilmember Noble asked if the corridor study will include options. Director Grigsby said that only one option will be recommended to the Council. Deputy Mayor Swatman asked if there will be some sort of decision point for a possible 189th Ave. E. connection. Director Grigsby said the study will be presented at the workshop with a recommendation and then the Council can decide whether to move it forward as is to the next Council meeting for action, or recommend some modification to the recommended action. He added that the decision can be made now, or at the 30% design stage of the project.

Administrative Services. ASC Morrison reminded the City Council that the deadline for article submission for the Bonney Lake Reporter is at Noon this Thursday. He reported that he has spent some time with the facilitator for the Council Retreat. He encouraged Councilmembers to respond to her E-mail questions about the approach to the retreat. ASC Morrison reported that a labor/management meeting will be held in the near future. He also reported that the revised budget is in process with a goal to provide the document to Council for discussion at the March 7th Council Workshop.

5. Council Open Discussion.

Councilmember Rackley’s Absence. Councilmember Rackley informed the Council that he will be absent from the next Council meeting due to the replacement of his pacemaker on that day. He asked that the Council excuse him from the meeting he will miss.

PCRC Annual Meeting. Councilmember King advised the Council that the Pierce County Regional Council meeting is coming up. He urged the Council to RSVP their attendance. He said the report on the Vision 2020+20 plan will be interesting. He also mentioned that the Puget Sound Regional Council in March should be worth the Council’s attendance.

City Hall Parking. Councilmember DeLeo stated that it has been nearly a year since the Council had a discussion with O&M Supervisor Shannon about increasing the amount of parking around City Hall. He asked how the Council might see some action on this issue. Mayor Johnson said it will be added to the City’s project list.

Public Safety Committee Meeting. Councilmember DeLeo reported that the Deputy Fire Chief Wakefield will present the updated emergency management plan at the February 27th Committee meeting.
Old Population Projection. Councilmember DeLeo observed that the 2000 Sewer Comp Plan population projection said that by 2007 the City of Bonney Lake, including its UGA, will have a population of 12,017.

Disposal of Illegal Signs. Deputy Mayor Swatman asked if the City could dispose of the signs that are confiscated from the City’s right-of-way. He noted that the City has often called the owners of the signs and allowed them to be picked up only to see them returned to the right-of-way.

Roadside Cleanup. Mayor Johnson informed the Council that City crews have been picking up trash along the roadways. Director Grigsby said he has sent out a schedule for the crews work.

Jefferson Award Nominees. Mayor Johnson asked the Council if they had any nominees for the Jefferson Award. None were offered in response to the question.

New Drug Logs at Stores. Councilmember DeLeo asked if the Police could review the drug logs now being kept at places that sell certain cold-remedy over-the-counter drugs. Interim Chief McGehee observed that the logs are kept manually. He offered to research the law and the logs possible use by the City’s Police Department. Mayor Johnson said that according to State Representative Shabro computerization of the log might be possible someday with Federal funding.

Glass Recycling Bins. Councilmember King asked about the status of replacements for the glass recycling bins removed from the parking lot adjacent to the Grocery Outlet. Deputy Mayor Swatman said the bins pose a problem because there is always broken glass around the containers. Mayor Johnson said that he has a meeting with Murrey’s this Friday and will ask them the question. He said they will also discuss service issues. Councilmember King asked if the Mayor would also discuss adding hazardous waste and electronics pickup to the annual spring cleanup. Councilmember DeLeo added that the City of Pacific does something similar.


Councilmember Noble noted that the January 17th Workshop Minutes on Page 2 are missing a reference to a meeting. She said the reference was the Windermere meeting. She noted that in the Roll Call section that the motion to excuse Councilmember Hamilton did not include the Councilmember making the second.

Deputy Mayor Swatman said that the January 24th Meeting Minutes should reflect that it was not the Council’s intent to have Sign Code changes placed on the Planning Commission’s agenda, but to invite Mr. Rattenbury to present his proposed changes to them. He added that the January 23rd meeting minutes should clarify that the first comment about too much growth was actually in reference to commercial growth.

Director Grigsby said he met with the project designer, Transpo, on January 18th. He said that a project timeline for the 30% design was provided with the agenda packet. He added that by late April, the 30% design should be complete, which will allow the City to make some further decisions. He said the City will have to review projected project funding and determine whether to pursue full construction now, or spread the improvements out over a period of time.

Deputy Mayor Swatman suggested that the Council keep in mind the desirability of underground relocation of some of the utilities in the Downtown area. Director Grigsby replied that the cost to bury the major transmission lines is probably too costly. The City Council discussed other potential traffic-related impacts in the area associated with 182nd, 184th and Myers Road.


Mayor Johnson said the main emphasis of this proposed reorganization is to improve service levels and place more emphasis on Parks and the Senior Center. Councilmember Rackley said he is largely pleased with the overview, but wants more time to look at the details. Mayor Johnson asked if the Council would like to discuss it more at the next Council workshop. Councilmember King said he felt there would be consensus on much of the proposals. He suggested more discussion at the Council retreat. He said the changes in salary levels may add a significant cost to the City. He said he was unclear regarding the proposal for the City Clerk and Administrative Services Area. He asked to see the full scope of duties and number of personnel needed and justifications for the proposed reorganization. He said he didn’t anticipate it would require a great deal of time to discuss and again suggested the retreat as the appropriate forum. Deputy Mayor Swatman asked if there will be more elements of the reorganization proposed at a later date. ASC Morrison replied that this is the majority of the plan, although there will be some additional adjustments later on.

City Attorney Dionne discussed with the City Council the impact of the Mayor’s proposed reorganization and codification into the municipal code. He said the Mayor was surrendering some of his executive authority to organize the work and employees of the City by suggesting that the reorganization be done by ordinance. Mayor Johnson said the proposed ordinance is a demonstration of the willingness of the Mayor and Council to work together. City Attorney Dionne advised that the possibility of less genial relations between Council and Mayor in the future may make it difficult to adjust the structure to meet the City’s changing needs. Councilmember Hamilton said he believes the Mayor is trying to diversify and bring expertise to the front and center of City government to serve the public. ASC Morrison added that he believes a natural part of a maturing City is the delineation of roles within the City. He said he believes the proposal will help the City move forward and work together better. Councilmember DeLeo said he likes the proposal because it empowers individuals to do their job and be accountable. He also pointed out some corrections needed in the names and spellings of employees on the accompanying organization chart.


Administrative Services Coordinator Morrison said the services proposed by this consultant are somewhat unique, and that there are only a few people in the country who provide this type of study. He asked the Council to comment on the proposed scope of work and whether the City Council feels that the Staff should insist on the consultant conforming to the City’s normal contract format. Councilmember Noble said she feels it is a great opportunity for the City to
move forward. She said it will be a great boost to economic development. ASC Morrison said the study may not have immediate impact on some businesses that already have long-range development plans. He said it may take some time for the City to be factored into their plans. Councilmember Rackley said that conversely smaller firms, rather than doing the market study themselves, may be willing to use the study data to justify location in the Bonney Lake market area. Councilmember Hamilton asked if the study data will help with housing in an area like the Downtown. Councilmember Johnson said the study will help identify the types of businesses that will be compatible for an urban lifestyle in the Downtown. He said the housing types will follow the types of business attracted. Deputy Mayor Swatman asked about the source of funding for the consultant. ASC Morrison said there was nearly $50,000 available for economic development that was unexpended last year that has been carried over to this year. Councilmember Hamilton asked if a workshop presentation would be possible. There was general consensus to invite a representative to the next Council workshop.


Mayor Johnson said this cancellation is in anticipation of the majority of the Council attending the AWC Annual Conference in Spokane.

11. Executive Session: Under authority of RCW 42.30.110(1)(i), Mayor Johnson announced the City Council will meet for 30 minutes in executive session to discuss potential litigation. The executive session started at 8:55 p.m. The session concluded at 9:22 p.m.

12. Adjournment

At 9:22 p.m., Councilmember Noble moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for/at the Council Workshop of February 7, 2005:

I. CALL TO ORDER – Mayor Neil 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 [A.1.3]

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

   Staff members present were Administrative Services Coordinator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief ‘Buster’ McGeehe, Judge James Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

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

   Motion approved 6 – 0.

   C. Announcements, Appointments and Presentations [A.3.6.9]

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

   D. Agenda Modifications:

   Deputy Mayor Swatman moved to add Resolution No. 1535 as new agenda item VIII. B under Full Council Issues. Councilmember DeLeo seconded the motion.

   Motion approved 6 – 0.
II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


1. Public Hearing – AB06-15 – Public Hearing - Increase in Park Impact Fees

Mayor Johnson opened the public hearing at 7:02 p.m. Director Grigsby explained the proposal to increase the Park Impact Fees from $2000 to $2893. He said the fee includes the addition of projects in 2005, such as the Moriarty addition to Allan Yorke Park. He said a further use of the increased impact fee will be to help provide the required 50% match for a park development grant from the Interagency Committee for Outdoor Recreation. He concluded by explaining that the City’s Park Board has recommended the increased fee, and contemplates a recommendation for further increases after an update to the Parks Master Plan in the coming year. He said the Park Board recommends immediate approval of the current increase to minimize the potential for lost revenue if the fee increase is delayed.

Councilmember King asked for clarification regarding a reference in the staff report related to a civic center. Director Grigsby confirmed that the reference is to a community recreation center. Councilmember DeLeo asked the amount of the IAC grant. Director Grigsby responded that he would have to defer to the arrival of Assistant Director Leaf to provide that answer. Councilmember Hamilton noted that the staff report also mentions that setting the impact fee to its highest sustainable level is a show of good faith on the applicant agency’s part in the IAC grant process.

Laurie Carter, Park Board Commissioner, spoke on behalf of the Park Board, and explained the need for the $300,000 match for the IAC grant. She said the grant will be used only for new parks construction. She said that need for park facilities is population driven, and that more people means more parks are needed. She shared statistics about the number of new homes over the past two decades, and how the need for parks has increased. She concluded by again reporting the Park Board’s recommendation for approval of this fee.

Fred Jacobsen, 9100 189th Ave. Ct. E., spoke in support of the fee increase.

Dan Decker, 20401 70th St. E., said that impact fees are good, but are also a catch-22. He predicted that a $3,000 park impact fee will cause a reduced demand for new home construction, thereby reducing the actual revenue the City will receive. He agreed that the impact fee is needed, but urged the Council to look reasonably at the fees.

Tiffany Speir, Master Builders Association, spoke in opposition to the proposed fee increase. She said one of the major justification’s by the City of the need of the increased fee is to support the acquisition of the Moriarty addition to Allan Yorke Park. She advised Council that this does not qualify under the State
statutes dealing with impact fees. She said the park addition will not benefit the residents in the areas where the most future growth is anticipated. She said that parks should be created closer to these areas of new construction. She acknowledged an impact of the fee could probably be legally supported, but not for the addition of the Moriarty property to Allan Yorke Park.

Councilmember King asked Ms. Speir if the MBA has a recommended distance standard that could be used to determine which residents will benefit from a park. Ms. Speir said there is no bright-line standard. She suggested that a common sense question of how far a person would drive to use a park is a good gauge. She said the impact fee is not supposed to be used to address existing unmet capacity for parks. Councilmember King asked Ms. Speir to define capacity. He asked if the impact fee calculation supports land acquisition. Ms. Speir responded that the fee calculation does allow for land acquisition, but again suggested that it should be for parks closer to the new development.

Councilmember DeLeo said that data would suggest that new homes in Bonney Lake are being sold to young families with children. He said that Allan Yorke Park with the Moriarty Addition will allow sufficient space and facilities to support different types of tournament play. He said that families will drive from all parts of the City to support their children in the use of these facilities for tournament play. Deputy Mayor Swatman said that if you survey Allan Yorke Park users, you will find that many come from outside the City. He said there is little doubt the park facilities will be used from all sectors of the City and beyond.

Administrative Services Coordinator Morrison commented that he is unaware of any intent of legislators to limit the development of parks to those areas with new construction. He noted that the IAC grant will be used to support the development of the Fennel Creek Trail, not the City’s acquisition of the Moriarty property. Director Leedy said that a review of the current park impact fee level has shown that an unreasonably low amount was calculated for land acquisition. He said the increased fee includes a more reasonable estimate for property prices. ASC Morrison said that in his conversations with City Managers/Administrators from other cities they have indicated no correlation between impact fees and levels of construction. He said that other variables appear to be more important to builders, and that an increase in the park impact fee will likely not be a discouragement to continued building in Bonney Lake.

Councilmember Bowen asked if there is an average range for impact fees. ASC Morrison responded that there is, but can’t recall that figure this evening. Assistant Public Works Director Leaf said the increase will put Bonney Lake a little higher than the average that he has observed. ASC Morrison added that many park impact fees in other cities were established in the 90’s and have been held low because they have been accumulating funds over a number of years. Councilmember Hamilton observed that the value of homes will increase with the increase in park properties. Councilmember King advised that the City review whether or not proposed legislation to preempt city impact fee authority has been approved by the State legislation. He said if it has, then this discussion may be
rendered moot.

Louisa Smith, 20112 Church Lake Road, said that she built her home in 1963 and cannot believe the escalation in housing prices in the intervening years. She said that people look at a community when they purchase a home, not at the level of impact fees associated with the construction of the home. She said the addition of $893 to the park impact fee amortized over the life of the loan will have little effect on home sales.

Seeing no others wishing to address the issue, Mayor Johnson closed the hearing at 7:34 p.m.

7:34:00 B. Citizen Comments:

Keith Stanley, 10900 193rd Ave. E., thanked the City for the placement of the cross walk signs at 192nd and 109th. He said he wanted to register his no vote for construction of a Lowe’s store on South Prairie Road. He added that a $3,000 impact fee over thirty years will not have much of an impact on the purchase of a home. He thanked Councilmember Noble for her response to his email about the connection of 189th Ave. E. to the proposed extension of 192nd Ave. E. He said the connection just makes sense. He added that with all the anticipated improvements to the corridor, there will be no point for commuters to use this connection. He said the users will be those that live in the Fennel Ridge development where they live.

Mike McCarney, Lot #27 – 109th St. Ct. E., said that he was involved with the issues related to the development of Fennel Ridge from the beginning. He said that the original entrance to the development was intended for the north end of 189th Ave. E., but was changed because the City could not acquire the right-of-way for development of the intersection. He said that access was allowed at the south end of the new development until the street network in the north end was developed in the future. He said there is a need for sidewalks in his neighborhood of Bonney Lake Manor.

David Hancock, 19009 108th St. Ct. E., said the connection of 189th Ave. E. will be a low cost solution to improve the traffic situation to benefit the greater good of the entire community. He encouraged the Council to make the street connection.

Terry Linville, 19209 112th St. E., thanked the council for the cross walk signs. He also spoke in support of the 189th Ave. E. connection. He said that in 1996, the Bonney Lake Manor Homeowners Association backed off from taking legal action because of the promise to provide this future connection. He said the Fennel Ridge Developer paid $10,000 to the City toward the future construction of the connection. He added that the $10,000 was used for improvements on Angeline Rd. He said the disputed connection was originally an issue between the City and the Homeowners Association and is not a dispute between neighborhoods. He asked the Council if the City will uphold its end of the deal.

Deputy Mayor Swatman asked if Mr. Linville has information about the $10,000.
Mr. Stanley spoke from the audience and said he can provide the information.

David Dahlin, 10906 193rd Ave. E., spoke in favor of the connection to improve the public safety in the area.

Louisa Smith, 20112 Church Lake Rd., spoke of the Bonney Lake High School Key Club’s application for grant funding from Walmart. She said the Puyallup Kiwanis Club has funds available to provide assistance to the Bonney Lake Kiwanis Club to help with the support of the BLHS Key Club. She noted the Bonney Lake Kiwanis Club will have a golf tournament in June to support a scholarship fund at the high school. She also noted that the time is getting near for Bonney Lake Days. She suggested that the City is behind in its planning for this great event. She added that there is a need for continuity in planners for the event, even if the City chooses to use an outside source for planning and management of the event.

Mayor Johnson said that the third weekend in August has been set-aside for the Bonney Lake Days celebration. He said the event planning will involve past participants, and invited Ms. Smith to be a continuing part of the effort.

Maryanne Meehan, 19208 109th Ave. E., spoke in support of the 189th Ave. E. connection. She expressed concern for children waiting for school busses in the area, and said the connection will reduce the traffic congestion from the west side of 192nd Ave E.

Cary Baker, 19004 108th St. Ct. E., encouraged the connection of 189th Ave. as an enhancement to pedestrian safety in the area. She thanked the City for the cross walk signs, but pointed out that the cross walks have not yet been painted. She encouraged the installation of a stop bar on the pavement at the intersection of 192nd Ave. E. and 109th St. She noted that he connection of 189th Ave. E. is endorsed by Public Safety. She also noted the need for sidewalks in the area.

Deputy Mayor Swatman asked if Ms. Baker has considered the potential for increased traffic in her neighborhood should the connection of 189th Ave. E. to 192nd Ave. E. be made. Ms. Baker responded that only the people in Fennel Ridge will use the connection, and that others will use the improved 192nd Ave. E. corridor.

Gary Campbell, 19105 109th St. E., said the roads at the lower end of Fennel Ridge were not designed to carry the full ingress and egress loads of the Fennel Ridge Development. He said a northern connection was anticipated. He agreed that a stop bar at 192nd and 109th is needed. He expressed appreciation for the installation of the cross walk signs and the increased patrol in the area by the police department.

Mike McGraw, 19218 110th St. E., said he is concerned for the impacts on the Bonney Lake Manor and Fennel Ridge neighborhoods from the new developments to the south. He said the improved 192nd Ave. E. corridor will be a good thing if it provides sidewalks for the children. He asked the Council to make the 189th Ave. E. connection as originally planned.
Don Sangesand, 5616 195th Pl. E., said the results of the Council retreats have been too long in being made available to the citizens. He encouraged the use of modern electronics to make the retreat information more readily available to residents.

David Coutts, 19200 113th St. E., said that the additional connection to 189th Ave. E. is needed for public safety because of the traffic backups in the area for two hours each day due to school traffic. He said the connection will benefit the whole area. He said there are no sidewalks or street lights in the area now.

Councilmember King said the Council had received an email about a low interest loan for the 92nd Ave. E. corridor and asked Director Grigsby for clarification. Director Grigsby said the City had received a $1 Million low-interest loan that will allow the pre-construction design work to go forward and help with the right-of-way acquisition for the corridor project.

Councilmember Noble highlighted Assistant Public Works Director Leaf's contribution to securing the loan for the City. Director Grigsby said the it was the sustained effort of Assistant Director Leaf that helped the City receive the loan.

Councilmember King thanked all those who have given input from all sides of this issue. He said he has been impressed with the well reasoned civil discourse on the issues, and that his hopes appear founded that the City will become the kind of City the Council has envisioned.

Dan Decker, 20401 70th St. E., complimented the Council on their apparent ability to work together with the new mayor. He said the change in atmosphere has helped the department directors to be more relaxed in providing information to the Council and citizens. He mentioned that he missed the presence of the tractor that used to be covered with graffiti on SR410. He said he enjoyed the changing personal expressions painted there. Mr. Decker discussed the need for a longer and dedicated merge lane descending Elhi hill from Myers Road. He said there may be multiple sources for construction funding. He mentioned other improvements such as an increased turn pocket from eastbound SR410 onto Old Sumner Buckley Highway and from eastbound SR410 onto Meyers Road. He said this may have little impact on the congestion eastward in the City, but that improvement needs to start somewhere. He also noted with pleasure that the City Council is using the City Attorney more in its meetings.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met earlier in the evening and that with Councilmember Rackley's absence, the discussion was largely limited to
items appearing on this evening’s agenda.

B. Community Development Committee
Councilmember Hamilton said the Committee last met at 5:00 p.m. on February 6th. He said the Committee discussed the connection policy for the proposed Naches Terrace sewer connections. He said the discussion included whether an SDC should be paid by properties connecting immediately to the system and the amount they should pay if required to pay. He said the Committee also discussed the proposed new street light plan, which is still in progress. He also said the committee recommends approval of items D, E and F on the Consent Agenda.

Deputy Mayor Swatman asked for clarification on the Naches Terrace sewer connection issue. Councilmember Hamilton said that when the connection is made, the 16 residents who have dry-line sewers will immediately be connected to the City’s sewer system. Director Grigsby added that those residents are now served by a community septic system and will be connected right away to the City’s sewer system. He said other residents who are on individual septic systems will be required to hook up in the future as circumstances dictate.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee also met on February 6th, and forwarded only one item on for Council approval. He said that item is the out-of-state travel for Sergeant Sasaki.

D. Other Reports:
Councilmember Noble noted that she, Councilmember Hamilton, ASC Morrison and Mayor Johnson recently received an introduction into the world of congressional funding possibilities. She said that an allocation request to Congressman Reichert by March 1 will at least get Bonney Lake into the system for consideration for help with infrastructure improvements, parks or a community center. She said that if a line item allocation is made, it will not be fundable until 2008.

Councilmember DeLeo noted a correction to information provided in the Bonney Lake Reporter regarding the Kiwanis Club Prayer Breakfast. He said a change was needed to accommodate the speaker, and that the meeting will be held on April 11th. He said that all are invited and encouraged those interested to RSVP by E-mail. He also noted that an inter-club meeting with the Buckley Kiwanis Club on February 21st will feature Director Leedy discussing the Eastown Plan. He noted the Kiwanis meetings are from 7 - 8 a.m. at the Bonney Lake Senior Center.

Councilmember King noted the upcoming general meeting of the Pierce County Regional Council and urged Council attendance. He asked that they contact him at this late date to coordinate dinner arrangements.

Mayor Johnson said that he and Councilmember Rackley met with the Lake Bonney conservation group to discuss the continuing need to address storm drainage into the lake. He said the group has requested the City’s full support for an adequate filtering system. He proposed that the Council might discuss this at the upcoming retreat.
Mayor Johnson asked Interim Chief McGehee to report on the bomb threat at the high school. Chief McGehee said that the children were removed to the adjacent middle school, while the high school was searched with the County’s K-9 team. He said the dog alerted to scents from some lockers. He added that the County Bomb squad used their robot to investigate the lockers. He said fortunately no bomb devices were found, and attributed the false indications to handling common fireworks or legal noise makers. He said this is the first year the City has had an agreement for bomb squad services, and that the City has already benefited from that agreement. He praised the professionalism of all involved in the response to the incident.

Councilmember King drew the audience attention to the availability of the Police Department’s Annual Report. He said it is a further demonstration of the Department’s professionalism. He said the report is available on the City’s website or by email from Chief McGehee.
Agreement With Puget Sound Energy For The South Prairie Road Improvements Project From SR410 To 202nd Ave. E. [04.8.1]

G. AB06-21 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Canceling the June 20, 2006 Council Workshop. [A1.1.2] [A3.6.10]


Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-25 – Resolution 1530 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement With The Sumner School District, City Of Bonney Lake And City Of Sumner Relating To The Continued Operation Of A Joint Recreation Program. [05.7]

Deputy Mayor Swatman moved to approve Resolution 1530. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman mentioned that the contract did not indicate the cost for services. ASC Morrison said that Rebecca Giles had verbally indicated that the amount would not increase for this year. He suggested that perhaps the resolution could be approved with a “not-to-exceed” clause.

Councilmember Noble moved to amend the resolution for approval not to exceed $27,500. Deputy Mayor Swatman seconded the motion.

Councilmember King noted that the agreement will have to come back for Council approval if a request is made that exceeds the $27,500.

Motion approved 6 – 0.

Amended motion approved 6 – 0.


Councilmember Noble moved to approve Resolution 1532. Deputy Mayor Swatman seconded the motion

ASC Morrison noted that the request is for authorization to sign the agreement not to exceed $11,000. He said he expected the cost to be at least $2,000 less than that.

Motion approved 6 – 0.
VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. [From Consent Agenda, Item F] AB06-24 – Resolution 1529 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Facility Relocation Agreement With Puget Sound Energy For The South Prairie Road Improvements Project From SR410 To 202nd Ave. E. [04.8.1]

Deputy Mayor Swatman moved to approve Resolution 1529. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman observed that usually the cost of relocation of electrical facilities in the right-of-way falls to the utility. Director Grigsby said that City Engineer Woodcock and the County have reviewed the agreement and determined that the electrical utilities were in place before the City’s improvements in the right-of-way and therefore took precedence in location over the City’s improvements. He said in this instance the City must bear the cost of moving the electrical utilities. He said the City’s Franchise with Puget Sound Energy does not apply in this case. Councilmember Hamilton suggested that the Council approve the agreement, but challenge the determination. Director Grigsby said that City Engineer Woodcock and the County are confident that the cost is to the City. Councilmember King suggested that the Mayor be authorized to move ahead. Mayor Johnson said the Staff will make it a priority to review the situation and verify whose burden it is to relocate the utilities.

Motion approved 6 – 0.

At 8:54 p.m., Councilmember Noble moved that the Council take a ten minute break. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.

Mayor Johnson called the meeting back to order at 9:10 p.m.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. Quasi-judicial Action

AB06-27 – A Motion of the City Council Of the City of Bonney Lake, Pierce County, Washington, Approving And Adopting The Hearing Examiner’s Findings, Conclusions And Conditions Of Approval For The Orchard Grove Preliminary Plat. [A3.6.10] [O3.6.3]

Deputy Mayor Swatman moved to approve and adopt the Hearing Examiner’s findings, conclusions and conditions for the Orchard Grove Preliminary Plat. Councilmember Hamilton seconded the motion.
City Attorney Dionne explained that this is a quasi-judicial matter, and discussed with Council the implications of their actions. He said this is the first one the Council has dealt with since changing its code to make the Hearing Examiner's findings on preliminary plats a recommendation to the Council. He advised the Council that he would prepare new findings and conclusions for the Council for their further action if they wished to reject or amend the Hearing Examiner's recommendations.

Deputy Mayor Swatman asked if the Council could take comment from the parties involved. City Attorney Dionne responded that they could hear arguments from both sides of the issue, but would have to judge whether new information was being introduced. He said the Council must determine the issue based on the record provided.

Councilmember DeLeo asked if the project would include the completion of 183rd. Planner Elizabeth Chamberlain said that the avenue would be completed to 84th.

Deputy Mayor Swatman said the main issue appears to be the interpretation of the new ordinance dealing with the definition of “net acreage.” City Attorney Dionne said that Findings 15-17 directly address this issue. He said the Hearing Examiner’s finding and interpretation of the municipal code is consistent with the staff recommendation on the issue. Councilmember King said that the staff interpretation is the same as his own interpretation of the Council’s intent upon adoption of the underlying ordinance. Councilmember DeLeo asked if the Council’s decision on this issue will be precedent setting. City Attorney Dionne affirmed that it will be until/and if the Council changes the code.

**Motion approved 6 – 0.**

B. **AB06-33 – Resolution 1535** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Stating The Council’s Intent With Respect To The Interpretation Of Ordinance No. 1137 Relating To The Placement Of Manufactured Homes Within The City Of Bonney Lake.

Deputy Mayor Swatman moved to approve Resolution 1535. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman explained that the resolution directs the Mayor regarding older manufactured homes in mobile home parks, particularly with respect to the issue of allowing only new manufactured homes in the parks. Councilmember King said that an adjustment to Ordinance No. 1137 is needed and spoke in support of the resolution.

**Motion approved 6 – 0.**

IX. **EXECUTIVE SESSION:** None.
X. ADJOURNMENT

At 9:31 p.m., Councilmember Hamilton moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for or at the Council Meeting of February 14th, 2006:

➢ Master Builders Association of Pierce County – Letter Dated 02-14-06 to Mayor Johnson and Councilmembers – Tiffany Speir, Government Affairs Director.
➢ City of Bonney Lake – AB06-33 – Resolution 1535 – Deputy Mayor Swatman.
I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 1:10 p.m. in the Olympia Room of the Phoenix Inn, 415 Capitol Way N., Olympia, WA.

II. JOURNAL OF PROCEEDINGS -

Retreat Facilitator Marty Wine produced the attached journal of proceedings that serves as the minutes for this special meeting of the City Council. By acceptance of these minutes, the City Council, hereby, approves the incorporation of this journal and accepts it as a part of the official meeting minutes.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Document attached as part of the Special City Council Meeting Minutes of February 17-18, 2006:

CITY OF BONNEY LAKE

2006 CITY COUNCIL RETREAT SUMMARY

HELD
FEBRUARY 17-18, 2006
PHOENIX INN
OLYMPIA, WA
Overview

The City Council met on Friday and Saturday, February 17-18, at the Phoenix Inn in downtown Olympia to refine a long-term vision and set goals for the coming biennium. The Friday session focused on the Council’s vision for the City, while the Saturday session focused on near-term (2006-2008) goals and strategic planning for four specific issue areas.

Friday, February 17 Session

The session began just after 1 pm. In attendance were:

- Mayor Neil Johnson
- Deputy Mayor Dan Swatman
- Councilmember Dave King
- Councilmember Jim Rackley
- Councilmember Cheryle Noble
- Facilitators from Berk & Associates: Marty Wine and Jon McConnel
- Joining later in the afternoon were Parks Board Chair Carol Ujick, Parks Board Member Margaret Farrel, and Design Commission Chair Debbie Strous-Boyd.

Getting Started. The meeting began with a review of the retreat agenda and the establishment of ground rules. Then each Council Member had an opportunity to state their expectations for the retreat. Included were:

- New thinking
- A plan for transportation options
- A work plan for the coming year
- A strategic plan for growth
- A vision to direct the Mayor and City staff
- Decisions to move forward with planning for:
  - Civic Center
  - Decision about civil service status of police chief
  - Water provision
  - A parks program or department
- A vision for East Town Development and the Downtown core
- A way to get “unstuck”
- To overcome fear of making hard decisions

Setting City Vision. After a short break, Councilmembers were asked to reflect on several current versions of vision statements used by Bonney Lake over the past two years (from the comprehensive plan, budget, adopted vision from last year’s retreat, and comments from the town hall meeting). Information on the context and uses of vision statements was shared by Don Morrison and the facilitators to serve two purposes: 1) to allow the Mayor and Council to check future decisions for consistency with the vision; and 2) to have a clear statement of what the City should strive to become.
Informed by the existing statements as well as a compilation of guiding documents from other cities, the Council members noted what they felt was lacking in the statements that make up the existing city vision. These statements were posted on the walls, and the Members were asked to write their suggestions for each. The statements were taken from the 2005 Council Retreat Vision, Goals & Actions document, where they are divided into the following categories: Growth, Economic Development, Parks and Community Centers, Water, Town Center/City Hall, Transportation, Community Outreach, and Overall. A new statement was added for Sewer Services.

After having the chance to write what they felt was missing from the components of the vision, the Members discussed each poster and each statement to reach consensus on changes. A draft of the results of the discussion is presented as a revised 2006 Work Plan.

Consultation with City Boards & Commissions. The afternoon also included discussions with the Chairs of the Parks Board and the Design Commission on the issues currently of interest to the Boards and future directions and needs for 2006.

Parks Board Chair Carol Ujjick and Parks Board Member Margaret Farrel represented the Parks Board. Issues brought up and discussed with the Council were:

- The need to acquire more park land. Park concepts including Wedge Park (Fife) and Parego Park (Redmond) were identified as worth exploring for future park designs.
- Issues at Allen Yorke Park: boaters using the boat launch without paying the launch fee; details of the gate to be installed at the launch; fee structure in relation to fees at the county boat launch; the fee collection box; after-hours and on-street parking enforcement; staffing; and concessions.
- Completing work on an outdoor basketball court.
- Demand for ballfields as a strategy to accommodate the needs of young families who have moved here.
- Discussion of the use of 96th Street property and the possibility in the City’s "facilities game plan" that if the Public Works shops move, it might be possible to reclaim this property for parks.
- City has not met the acres of park per resident goal set in the Comprehensive Plan.
- Beginning a trail system with some starter links to help citizens envision the outcome of the trail plan.
- Showing citizens that the City is making good use of the parks it has before asking for funding for additional park lands or services. Raise public awareness of the City’s destination parks.
- Insufficient voter turn-out can cause bond measures to fail regardless of the yes/no vote, which was the result of the fall bond initiative.
- The possibility of joint meetings of the Design Committee and the Parks Board.
- Not all Council Members currently receive minutes of Parks Board meetings.

Following a short break, Chair Debbie Strous-Boyd spoke for the Design Commission (DC). Issues brought up and discussed with the Council were:

- The DC can once again have a quorum at meetings because the Mayor appointed people to fill vacant positions.
• The DC considers the Home Depot project a success because they got the company to comply with approximately 80% of their requests.

• Wal-Mart’s remodel triggered DC review, and they are going to change their parking lot lights to decrease light trespass.

• It will take several years before the DC’s actions have a broad enough impact to visually tie the City together. However, having an impact on big projects like Home Depot should show that the City is able to accomplish its goals.

• Potential to show what’s possible in East Town through design guidelines will be a big accomplishment.

• The DC is deciding on the design for new street signs.

• Working to standardize real estate signs.

• Design guidelines have varying degrees of strictness. For example, areas zoned light industrial have some guidelines, while the downtown core has the strictest.

• New apartments fall under DC guidelines.

• Working to visually distinguish different areas of the city with design themes, colors, banners. Banner procurement underway (final design and contractor not yet selected), still need a contract to install them and to negotiate with Puget Sound Energy.

• DC is improving their website content to increase their visibility and outreach.

• Both DC and Council want to improve their communication with each other. Debbie would like Council Members to occasionally attend DC meetings as observers. Agenda mailings for each group should go to the other. Council suggested receiving monthly reports from DC at Council workshops.

At 5:15 Council moved into a discussion of the Mayor’s proposal to add two new staff positions to City Hall, and to reclassify some existing positions. The new positions are:

• Administrator/Grant Writer for an exempt professional with a Master’s degree

• Customer Service Specialist, union status undecided, non-professional

The Mayor and Administrative Services Coordinator discussed the kinds of work the people in these two positions would conduct. Council’s consensus was to support the Mayor’s proposal on the condition that measurable improvements in provision of City services are demonstrated within a year. The proposal will be revisited at that time.

At approximately 6 pm the session adjourned.

Saturday, February 18 Session

Councilmembers and Mayor reviewed the 2006 work plan, including a focus on near-term (2-year) goals within each vision statement that will give the Mayor and Administration guidance about the Council’s priorities; and four issues that need consensus by Council:

• Game Plan for City Facilities

• Long Range Water Supply Strategy

• Presentation of Long-Range Financial Planning Model

• Exempting the Police Chief from Civil Service
The session began at 8:45 am. In attendance were:

- Mayor Neil Johnson
- Deputy Mayor Dan Swatman
- Councilmember Dave King
- Councilmember Jim Rackley
- Councilmember Cheryle Noble
- Councilmember David Bowen
- Councilmember Phil DeLeo
- Councilmember Mark Hamilton
- Facilitator from Berk & Associates: Marty Wine

**Complete Vision Discussion.** Council started the session by drafting a vision for water and sewer services to complete the prior day’s task.

**City Facilities Planning.** Then, they decided that the issue of city facilities should be discussed before setting near-term goals. Council worked until 11 am on planning for City facilities. The City Facilities Game Plan is outlined as a one-page attachment to this summary.

**Setting Near-Term Goals.** After a short break, Councilmembers updated the Work Plan effort by evaluating how they believe the City did in meeting 2005 goals, what was still left to do and complete, and what should be updated as priority for 2006-2008. There was consensus among Councilmembers that many Work Plan items were ongoing initiatives that needed to be updated with new action plans and milestones for the next two years. **Near-term (2006-2008) goals are included as part of the revised 2006 Work Plan with 2005 Executive actions and milestone dates removed, including the issues that the Council considers to be a priority, which include but are not limited to:**

- Implement the non-motorized transportation plan, including sidewalks, trails and bike lanes, with funding alternatives.
- Build a small piece of the Fennel Creek Trail and increase recreational programming in the south of City.
- Create a phased Civic Center Plan, to include retail, office, housing, civic center, and linkages to trails and other facilities.
- Moriarty Annex Property: Develop a Master Plan for park development.
- Complete Buxton study of Downtown/Midtown/East Town, act on study; create a committee to sell results to prospective companies.

Mayor and Administration will need to update this document to reflect action steps and planned milestones over the next two years.

**Financial Model.** From 2 pm to 3:30 pm, financial consultant Alan Doerschel presented the results of a financial model developed for the City of Bonney Lake that would allow Councilmembers to understand, at a glance, what the City's financial position is in one year through six years in the future. The model is similar to one developed for Tukwila and Covington. It will help City decisionmakers understand the resources available for capital facilities. Three separate reports identified operating revenues and expenditures and capital revenues and expenditures. Mr. Doerschel outlined his assumptions for the financial model, reached through discussions with City staff. Council commended
Mr. Doerschel and City Administration on the clear presentation of financial information and encouraged future reports and updates for Council.

The last two strategic planning issues considered by Council included Long-Term Water Supply and the civil service status of the Police Chief.

**Long-Term Water Supply.** Council discussed what the City’s actions should be to carry out its vision and goals related to creating long-term water supply. Council identified four questions that need to be answered and actions to take:

1. Pursue the option to purchase Lakewood water, determining from the City of Lakewood what would the cost be, including transmission and going through Tacoma.
2. Continue to pursue the option of a wholesale water agreement with the Cascade Water Alliance, which is dependent on their pursuit of a water right. Continue planning and discussion with CWA.
3. Continue to replace and upgrade existing City facilities to maximize use of City-owned water (thereby decreasing Tacoma reliance wherever possible).
4. Determine how the CUGA will be served. Include this decision in a cost-benefit analysis/economic impacts of whether the City can financially benefit from providing water outside its own boundaries.

**Police Chief’s Civil Service Status.** The Mayor requested Council guidance about whether to change the civil service status of the police chief. Currently the police chief is subject to civil service rules and the current incumbent is filling the position on an interim basis.

Councilmembers generally reached consensus that the City should pursue a process that generates the highest caliber of candidates for consideration for the position, and “to get the best,” the process should be opened up to the greatest diversity of all candidates, including the current interim police chief. The process should include the guild, Council and Administration.

This led to debate about the pros and cons of making the position exempt (listed below). Councilmembers considered the following points and, with strong minority opinions, suggested to the Mayor that he consider changing the civil service status of the police chief. This decision is not final but will be debated and voted on by ordinance.

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<th>If the position is exempt:</th>
<th>If the position is subject to civil service rules:</th>
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<tr>
<td>• Easier to make changes if current incumbent is not working out</td>
<td>• Civil service commission would recruit and have control over recommending recruits for the position</td>
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<td>• Public service: increases accountability to Mayor</td>
<td>• Position status is subject to public process versus at-will employee status</td>
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<tr>
<td>• Creates parity with other City department directors</td>
<td>• Civil service rules decreases the arbitrary judgment of the Mayor</td>
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<tr>
<td>• Civil service rules can always be reinstated</td>
<td>• Mayor could choose any candidate</td>
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Wrap-Up. The Council considered whether their expectations and goals for the retreat were met (see page 2), and agreed that they were glad to see progress on initiatives that had been set over the last two years and to meet some of the goals they set for the meeting. They resolved to carry a uniform message to residents about the positive directions facing the city. Facilitators will provide a meeting summary within The Council concluded the day by developing a storm response plan that could be implemented immediately to allow City residents to dispose safely of tree and branch debris that had accumulated during the storm. The retreat concluded at 4:45 pm.
ATTACHMENT: PRELIMINARY CITY FACILITIES PLANNING

This document reflects Council consensus on planning for City facilities and should be used as a guide to proceed with facilities planning. Discussion focused on the following questions (answers with Council consensus follows):

1. **Where is the City’s Civic Center and who will be located in it?** Downtown, on an integrated civic center with all city functions except Public Safety and Public Works Shops.

2. **Do we work toward a Community Center, and does it come before City Hall?** Yes, a community center is desired. The functions of that facility should operate together with administrative functions together, a facility that provides general government city services while at the same time functions as a cultural center, with recreation programming and meeting space. It’s important to illustrate to the community that they receive some new or improved service from any public investment in the space. The Community Center elements of the facility should come first, with a phasing plan to build all needed space.

3. **What are temporary solutions for current City Hall staff?** The City needs a 3- to 5-year plan to address current space challenges, and should research leasing space or using modular buildings while land purchase and assembly for a new space is pursued. If a new public works maintenance facility is developed, current public works shops space can accommodate city hall overflow space needs during the interim period.

4. **What portion of the Public Safety Building should be used for City Services?** As much has is needed to facilitate the long-term space needs of the Police Department and maintain direct fire response from the building. This may mean relocating Fire District Administration functions, and conversations with the Fire District should begin immediately to plan for this.

5. **Where should the Public Works shops go?** On 96th Street near the water storage tank.

Additional discussion and detail:

- Council needs to consider whether the City has enough space and facilities to adequately serve the City. Currently, the city is facing space shortages with employee workspaces, court services, parking, and a need for community space. Short-term, no matter what happens, a plan for the existing City Hall space should be created to create more parking and visibility for today’s City Hall.

- Short-term, City should revisit lease options along 410 to obtain space for 5-10 years and sell back the Corliss property, or negotiated and traded, if possible, for sites in the downtown. The City should try to obtain trailhead access for Fennel Creek, and offer back the property or swap it with properties near the Civic Center site. The City should explore a re-zone of this area from R-1 zoning.

- The option with the most Council support is a public Civic Center space located downtown, to concentrate City services in one place.

- Council agreed that a consistent name: Civic Center, is needed to indicate that the future space will have value for residents and not just focus on City administrative functions.

- A plan is needed to determine how a future integrated facility would be phased and financed. The goal is to have multiple public buildings within walking distance and located downtown.
• A facility planning effort must be completed to provide a cost analysis of one or multiple buildings, how much of an integrated facility can be provided (architect and design work is needed).

• Community Center elements of the facility should be connected to a trail or to the park system somehow (at Fennel Creek, if possible).

• The City must identify spaces for Public Works shops (at 96th) and Court Services. Court Services is a pressing near-term need that is best located near Public Safety building.

• Council agreed that moving Public Works shops to 96th makes sense, because it clears the park and creates more space, and can be used for overflow City Hall office space. Need to be sure that deed restrictions on Public Works shops are well-understood.

• There are properties around the current City Hall Annex and Public Safety building and Downtown properties that the City will need to acquire to make the Civic Center concept a reality. This planning and property acquisition should move forward for the City Hall Annex. The City should focus on land assembly, and as properties fall into place, seek leases or modular facilities to provide space until a phased center concept can be implemented. Short-term, the City should pursue purchase of the property behind the post office and improve circulation at that site.

• The City should notify and work with the Fire District immediately to relocate the District’s administrative functions from the current Public Safety Building, long-term. The City must check the bond covenants to ensure the public financing to build the building doesn’t preclude only Police uses. The City should communicate to the Fire District that the City wants to retain the use of the building to include fire response, so the station would become a satellite location and offer an option for the Fire District to locate in a future Civic Center campus.

• Long-term, the City should begin to plan for a bond package (consider combination of voter-approved and non-voter-approved) that includes both administrative needs and community needs.

• The economic development plan and study must be completed.

• Downtown boundaries need to be finally decided and determined.

• The food bank needs new space, either through remodel or by tearing the current space down and rebuilding. A need is to combine a food and clothing bank so the community continues to get service.

• Need to understand the needs and plans of the library, what they expect for expansion and meeting space needs.

• If space for an animal shelter is needed, that should be planned for and reserved on 96th Street along with Public Works shops, if it happened that the City took over this service.
Call to Order:
Mayor Neil Johnson called the February 7th Council Workshop to order at 5:31 p.m.

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

Staff members attending were Administrative Services Coordinator (ASC) Don Morrison, Public Works Director Dan Grigsby, Planning and Community Development Director Bob Leedy, Interim Police Chief Buster McGehee, City Engineer John Woodcock, Information Technology Coordinator Chuck McEwen, Senior Human Resources Analyst Jennifer Young, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Deputy Mayor Swatman moved to excuse Councilmembers DeLeo and Noble from the meeting. Councilmember Hamilton seconded the motion.

Motion approved 5–0.

Agenda Items:


Buxton Representative Amy Wetzel used a PowerPoint presentation to explain the community identification and retail attraction study that can be done for the City of Bonney Lake. She said the study will profile up to three sites within the community, determine drive-time trade areas and provide average household profile. She added that the study will analyze trade area demand, identify up to 20 matching retail/restaurant concepts and provide marketing materials for attracting retailers. She said her firm will also provide retailer names and contacts.

Councilmembers asked about the Downtown area and the potential to find "life-style" retailers who will fit into that smaller, pedestrian-oriented market niche. Ms. Wetzel said there are many retailers looking for these types of retail locations. She said that some of the keys to their success are availability of parking and the ability to use their branding on the stores. She added that aggressive marketing by the City is a key to achieving success from this program. Mayor Johnson said this program will help the City identify compatible retailers and provide information to market the City aggressively. Councilmember King said he is looking forward to the study results.
At 6:14 p.m., Mayor Johnson called for a five minute break in the meeting to allow the next consultants to set-up their displays. The meeting resumed at 6:26 p.m.


Mayor Johnson recommended that the Council receive this presentation before the second item listed on their agenda. City Engineer Woodcock introduced Transpo Consultant Jon Pascal to speak about the 20-year Transportation Plan, to be followed by Andy Mortensen on the Non-Motorized Transportation Plan.

Mr. Pascal said the scope of the project was to develop a long-term transportation plan for the City with a 20-year horizon. He said the plan makes sure the City is planning under the Growth Management Act and will have the infrastructure to support the planned growth. He said the draft report takes into consideration public comments on the plan. He added that the plan includes a finance and implementation component for transportation improvements. He said the plan provides the basis for Council increasing the transportation impact fees from its current $2700 to $3900.

Mr. Pascal responded to Council questions. Councilmembers expressed concern that the County has not confirmed their intent to construct an improved Rhodes Lake Road corridor, thus forcing more traffic northward to seek the SR410 east-west connection. Council interest was expressed in an Interlocal Agreement with Pierce County related to mitigation of increased transportation impacts from new construction. Responding to Council questions, City Attorney Dionne said the adoption process will require that it go through the Planning Commission and will include public hearings. Mr. Pascal cautioned the Council that a significant increase over what the Council has traditionally spent will be needed to fund the identified improvements, unless additional revenue resources can be identified.

The City Council asked for additional copies of selected sections to share with legislators. Concern was expressed that many of the improvements seem to be needed to serve development occurring outside the City limits. City Attorney Dionne agreed to look at the structure of some type of a reciprocal agreement with the County. Director Grigsby said the staff will research and implement the appropriate process to move this forward for Council consideration.

Councilmember King suggested that the Council take a five minute break. At 7:26 p.m., Mayor Johnson declared a five minute break in the Council meeting. Mayor Johnson brought the meeting back to order at 7:39 p.m.

Non-Motorized Transportation Plan. Andy Mortensen said the Non-Motorized Transportation Plan is not as far along as the other transportation plan. He said that with Council input on a few issues, it can be moved forward quickly. He noted that at the last Council discussion on this topic the Council expressed an interest in lower-cost interim pedestrian facilities and asked the consultant not to give a premature prioritization of projects. Mr. Mortensen said planning has gone into how to increase the pedestrian portion of the system as economically and efficiently as possible. He said he had discussions with the Washington Department of Transportation about including pedestrian and bicycle facilities when they do improvements to the SR410 corridor. He suggested the Council see the Non-Motorized Transportation Plan as something to work on over time, probably well beyond the 20-year horizon contemplated by the other plan.

Mr. Mortensen responded to questions. Council responded to Mr. Mortensen’s request for further hierarchical ranking of factors that will help identify project priorities. The City Council
expressed a preference to see the impacts of necessary storm water improvements before a final prioritization of projects. Mr. Mortensen discussed the difficulties with pedestrian improvements called “side-paths.” He said he could not give a professional recommendation that the City pursue use of these side-paths. The City Council discussed the impacts of this information, and concluded it would be very expensive to build-out all the anticipated improvements. Mr. Mortensen again reminded Council this is a plan which can be stretched out over many years. He thanked Council for their input and said that he could return within a month with significant refinements to the plan.

At 8:58 p.m., Mayor Johnson called for a five minute break in the meeting. Councilmember King suggested that due to the lateness of the hour, the agenda item on out-of-state travel appears to be non-controversial and should be forwarded to the Consent Agenda at the next Council meeting. There was general consensus, and the Council took a break from their discussions. Mayor Johnson called the meeting to order again at 9:09 p.m.

3. Presentation: AB06-34 – 192nd Corridor Study.

Director Grigsby introduced Parametrix Consultant Susan Graham. He said he hoped the study was nearing its completion. He noted that the City has received a low-interest loan to do some of the design work and right-of-way acquisition. He said he hoped to bring forward a resolution for Council action at the next meeting.

Ms. Graham highlighted the components of the study supplement distributed in the meeting packet. She said the study includes both phases of the project based on the previously designated alignment. She described the cost information included and said there will be many refinements as the City proceeds with design work. She said another significant improvement to the information in the study is the update of the Frequently Asked Questions section.

The City Council questioned how far the City should go with this project. Some of the Council members expressed concern that this project was largely serving transportation needs generated from outside the City. Director Grigsby responded that there is current justification for the new corridor to relieve congestion in the 198th/200th and South Prairie Road corridors. He urged the Council to proceed with acceptance of the plan and authorization of design up to the 30% level with accompanying right-of-way acquisition. He noted that even if the Council chooses to delay the project beyond that point, the City will benefit from having acquired the right-of-way now rather than later. Councilmembers Hamilton and Rackley recommended delaying planning for the connection of 189th Ave E. to 192nd Ave. E. Deputy Mayor Swatman said he believes people are looking for closure on the issue, and added he may propose appropriate language for the resolution if needed next week.

4. Adjournment

At 9:38 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Rackley seconded the motion.

Motion approved 5 – 0.
Documents submitted for/at the Council Workshop of February 21, 2005:

- City of Bonney Lake -- Public Works Department Current Events-February 21, 2006 -- Dan Grigsby, Public Works Director.
- City of Bonney Lake -- Public Works Department – Pavement Management Map – Dan Grigsby, Public Works Director.
Location: Public Safety Building—Training Room – at 18421 Old Sumner-Buckley Highway.

Elected Officials in attendance: Public Safety Committee Chair /Councilmember Phil DeLeo, Public Safety Committee Member /Councilmember Cheryle Noble, Public Safety Committee Member /Councilmember Dave King, Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember David Bowen, Planning Commissioner Quinn Dahlstrom.

[Staff in Attendance: Court Administrator Kathy Seymour, Municipal Court Judge James Helbling, City Engineer John Woodcock, Sergeant Thomas Longtine, Sergeant Sasaki]

1. Welcome and Introductions – Councilmember Phil DeLeo, Public Safety Committee Chairman

2. Presentation: Comprehensive Emergency Management Plan – Assistant Chief Dave Wakefield, East Pierce Fire and Rescue

   Assistant Chief Dave Wakefield distributed five handouts and summarized each to those in attendance. He reviewed what the current Comprehensive Emergency Management Plan is and explained what needs to be done to get it going again.

After the presentation Council members not involved in the Public Safety Committee left and the Public Safety Committee meeting continued on.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Mayor

Documents submitted for or at the Special Council Meeting of February 27, 2006:

- Fact Sheet on National Response Plan – Assistant Chief Dave Wakefield
- Fact Sheet on NIMS and the Incident Command System – Assistant Chief Dave Wakefield
- NIMS Terms and Definitions – Assistant Chief Dave Wakefield
- FEMA Website information Re: NIMS – Assistant Chief Dave Wakefield
- FEMA Website Information Re: NIMS, NRP and ICS training in FY06 – Assistant Chief Dave Wakefield
I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:03 p.m.

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

B. Roll Call [A1.3]

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

Staff members present were Administrative Services Coordinator Don Morrison, Planning and Community Development Director Bob Ledy, Public Works Director Daniel Grigsby, Interim Police Chief 'Buster' McGehee, Judge James Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

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

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

D. Agenda Modifications:

Councilmember DeLeo moved to move Resolution No. 1526 from the Consent Agenda to item VIII. F under Full Council Issues. He also moved to substitute Ordinance No. 1121 on the agenda in place of Ordinance 1181. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

B. Citizen Comments:

Keith Stanley, 10900 193rd Ave. E., said that based on the Council comments at the last Council workshop and on the article in the March 1st edition of the Bonney Lake – Lake Tapps Courier Herald, he believes that most Councilmembers favor studying the 192nd Corridor, but not going forward with construction.

Deputy Mayor Swatman responded that news headlines can be inaccurate. He added he believes a majority of the Council wants to plan for the 192nd Corridor, but the issue is when monies will be available for construction. Mr. Stanley said the Council seems to want to hold up construction to put pressure on the County to build the Rhodes Lake Corridor. He said the issue is the immediate need for additional North/South connections. He said that if the 192nd connection is not built within the next two years, most residents in his area will not be able to get out of their neighborhood.

Mr. Stanley asked about the South Prairie improvements. Director Grigsby said the project will be bid in the spring and will take from 6 months to a year to complete. Mr. Stanley asked the Council not to put the 192nd Corridor construction on hold just to try and force the County’s hand on improving the Rhodes Lake Road Corridor. He said it may take ten years to build that improvement.

Councilmember Hamilton said the Council is not opposed to the eventual construction of the 192nd Ave. Corridor. He said that the City needs a commitment from the County on the Rhodes Lake Road Corridor to handle the additional traffic from development in the south end of the plateau. Director Grigsby said he believes the County will conclude its EIS on the Rhodes Lake Road Corridor Study this coming summer. Councilmember King urged the Council to move along and allow others to comment on this or other issues under Citizen Comments.

Don Sangesand, 5616 195th Pl. E., asked the Council when the minutes from the Council retreat will be available. He urged the Council to implement the recommendations of the FCS study on the Finance Department. He also said that all levels of government should work together to solve the City’s transportation problems. He noted the proposed development of 53 condominiums next to Allan Yorke Park and expressed concern for the traffic issues already on those roads. He also commented on developers trying to build on steep slopes and urged a moratorium on such development.

Mr. Sangesand asked the Council for assistance to address the continued notices to his residence for a backflow prevention device test. He said he has tried numerous times to get the City to stop sending the forms and asked for the Council’s help. He offered copies of his last remarks to those interested.

Deputy Mayor Swatman said the backflow prevention device testing notices should
be easy to resolve. Responding to Councilmember Rackley’s question about when the retreat minutes would be available, Administrative Services Coordinator Morrison said the final draft had been received today. He expected they will be part of the Council’s workshop packet for review and comment.

Michael Owen, 10709 189th Ave. E., distributed copies of his remarks. He spoke in opposition to the connection of the 192nd Avenue Corridor to 189th Ave. E. He addressed such issues as safety, property value, neighborhood impact, use of public funds and environmental impact. He urged that the funds earmarked for the connection be used for sidewalks the length of 192nd, a center turn lane for residences along 192nd, sidewalks and lighting in Bonney Lake Manor, marked pedestrian and school crosswalks with flashing signage and a traffic signal at 200th/104th. He urged an additional north/south street extension be cut at 200th Ct. E. He also proposed that the City’s property held for the connection of 189th Ave. E. be sold to adjacent property owners providing for a pedestrian path for those wanting access to Bonney Lake High School. He said there is a 20 ft. change in elevation between the 189th and 192nd. He also asked that the Council remove the 189th Ave. E. connection from consideration in the proposed 192nd Corridor Study.

Councilmember DeLeo asked about the elevation difference between 189th and 192nd. Mr. Owen said the 20 ft. differential is his approximation, and that a survey would have to be done to establish the true height.

Michelle Gunn, 8708 188th Ave. E., distributed copies of photos. She pointed out where trees had been removed from her property, and where other trees left standing in the neighborhood had been toppled by the recent storm. She said that property owners should have the right to protect their homes by removing trees which they feel endanger them. She described a current storm water runoff issue created by the City’s past road work in the area. She said her property was developed to the old street levels and the new levels have resulted in excessive street runoff onto her property. She described her unsuccessful attempts to have the issue addressed by staff. She asked if she could play a voicemail that she had received into the meeting record. Although Councilmember DeLeo expressed interest in hearing the recording, there was a majority consensus to refer the issue to the Mayor for resolution. Councilmember Rackley said the issue will be discussed at the Council Community Development Committee meeting.

Terry Linville, 19209 112th St. E., said the connection of 189th Ave. E. was a condition of the final approval for the Fennel Ridge Development. He said it is supported by representatives of Public Safety, City staff and the Bonney Lake Manor Home Owners Association. He summarized his observations of Deputy Mayor Swatman’s involvement with the issue and characterized it as being biased in favor of the Fennel Ridge neighborhood. He said the connection made sense nine years ago to the Hearing Examiner and urged the Council not to amend the study and take away the connection.

Deputy Mayor Swatman said that Mr. Linville’s comments were inaccurate. He said the Council has determined to make the hard decisions and move forward to the next
pressing issues. He said whatever action is taken by the Council will be with consideration for the benefit of all.

Tom Kennedy, 10206 200th Ave. Ct. E., said that many residents in the neighborhoods south of SR410 will benefit from the traffic relief generated from the construction of the 192nd Ave. Corridor. He agreed that the County should help with the traffic situation in the area, but urged the Council not to delay construction of this corridor.

Councilmember Hamilton said the 192nd Corridor is important, but again emphasized the need for Rhodes Lake Road Corridor off the plateau. He said the County has promised the Rhodes Lake Road improvements for a number of years, but have still made no final commitment. He said the City Council is trying to put pressure on the County to step up and support the East/West corridor along Rhodes Lake Road. Deputy Mayor Swatman spoke in agreement. He said the planning for the 192nd Corridor will go forward, but will take time. He said it will take additional time for the City to identify funding sources for final design and construction. Both Councilmembers King and Rackley emphasized the need for an additional East/West transportation corridor. Councilmember Rackley reminded the Council that there will be an additional 9,000 to 10,000 homes built to the South of Bonney Lake.

Dan Decker, 20401 70th St. E., asked for additional information regarding the membrane filter sewage treatment system mentioned in a previous meeting by Director Grigsby. He suggested it may save the City from additional costs for future expansion of the Summit treatment plant. He said the cost savings might be used for a new park. Mr. Decker noted he was looking forward to a progress report from the new mayor at the conclusion of his first 90-days in office. He added that he is thinking about promoting a change in January 2007 for the City to become a charter. He said the Mayor-Council form of government is failing, although he is pleased with the current administration so far. He urged the Council and Mayor to continue to work together.

Councilmember Hamilton asked Director Grigsby if a presentation could be made on the membrane filtering process for sewage treatment at a future workshop. Director Grigsby said that a presentation can be made.

Councilmember Rackley moved that the Council take a ten minute break in the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

At 7:56 p.m., Deputy Mayor Swatman declared a ten minute break in the meeting. The meeting was reconvened at 8:07 p.m.

C. Correspondence: None.
III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed Substitute Ordinance 1121 related to Civil Service. He added the Committee discussed an email received by most of the Council from MapInfo-Thompson that conducts economic studies. He said there would be further discussion about this under the Buxton item under Full Council Issues.

B. Community Development Committee
Councilmember Rackley said the Committee has not met since the last Council meeting.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee met last night with six of the seven Councilmembers in attendance. He said they heard a presentation on the East Pierce Fire and Rescue Emergency Management Plan, which included some recommendations for the City to pursue in its Emergency Management planning.

D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

Councilmember Rackley moved to approve Consent Agenda Items A, B and D. Councilmember Noble seconded the motion.

A. Checks/Vouchers: Accounts payable checks/voucher #43094 thru 43199 and wire transfer #1777628 in the amount of $458,763.64. Accounts payable checks/voucher #43200 for utility refunds in the amount of $280.47. [F4.9]

B. Payroll: February 1-15, 2006 for checks 24619-24661, including Deposits and Electronic Transfers in the amount of $259,555.42. [F4.9]

C. AB06-20—Resolution 1526—Authorizing An Agreement With The Buxton Company For A Community Identification And Retail Attraction Study. [A1-35]

D. AB06-31 – A Motion of the City Council Of the City of Bonney Lake, Pierce County, Washington Approving Out-of-state Travel and Training in Portland, OR for the Building Official. [A3.6.10] [A4.7]

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.
VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. **AB06-15**—**Ordinance 1179**—An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 19.06 Of The Bonney Lake Municipal Code And Ordinance Nos. 1018 And 1157, Relating To Parks Impact Fees. [A3.5.5][F4.3]

Councilmember Hamilton moved to adopt Ordinance 1179. Councilmember Noble seconded the motion.

Councilmember Bowen said he would not support the ordinance. He said it would be unfair to make the new people in the City pay for the trail system.

Motion approved 6 – 1. Councilmember Bowen voted no.

B. **AB06-39**—**Ordinance 1181**—An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Creating A New Chapter 2.08 Of The Bonney Lake Municipal Code, Reorganizing The Internal Affairs Of The City, Establishing Departments And Offices Of The City, Defining The Functions, Powers, And Duties Of City Officers And Employees, And Repealing Ordinance Numbers 205, 506, 506A, 543, 543A, 690, 770, 774, 868, 782, 811, 813, 849, 851, 862, 883, 977 and 983. [A3.5.5][A4.3.3]

(Substitute) AB06-38—**Ordinance 1121**—An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.08.045 Of The Bonney Lake Municipal Code And Repealing Ordinance No. 883 Relating To The Exclusion Of The Position Of Chief Of Police From The Civil Service System.

Councilmember DeLeo moved to adopt Ordinance 1121. Councilmember Noble seconded the motion.

Deputy Mayor Swatman explained that the City administration wanted to pull proposed Ordinance 1181 from the agenda for more work. He said that at the recent retreat, a majority of the Council had indicated a willingness to move forward with removing the Police Chief's position from the Civil Service. He said this ordinance accomplishes that action.

Councilmember Hamilton said he would oppose adoption of the ordinance. He said he feels the Chief's position should be somewhat autonomous from the Mayor's pressure. He said any discipline of the Chief should be a public process. He added that the Civil Service status of the Police Chief should not swing back and forth with every new mayor. Councilmember Rackley said that leaving the Chief's position in
the Civil Service would limit the Mayor and Council's ability to appoint this
department head. He added that the position could be reinstated to the Civil Service
at any time.

Motion approved 5 – 2. Councilmembers
Hamilton and King voted no.

C. **AB06-41 – Resolution 1538** - A Resolution Of The City Council Of The City Of
Bonney Lake, Pierce County, Washington, Declaring An Emergency And Waiving
Competitive Bidding Requirements For Replacement Of A Sewer Trunk Line. [04.5.1]

Councilmember King moved to approve Resolution 1538. Councilmember Rackley
seconded the motion.

Director Grigsby explained that this resolution will expedite the procurement of
services to make an emergency repair of the sewer steel sewer line that recently
failed. Responding to Councilmember Rackley's question about how much time is
saved by approving this resolution, City Engineer Woodcock said the formal bidding
process would have taken about sixty days. He said another break in the line was
identified over the weekend and advised the Council that the City should move
forward with all possible speed. Councilmember Rackley observed that the City may
pay a premium for not going out to bid. City Engineer Woodcock responded that the
City will work closely with the proposed contractors. He said if good cost figures
are not negotiable with Paratex and DDI, Inc., then they will move on to
negotiate with other contractors. Addressing Councilmember King's concerns about
provisions for an emergency by-pass, Director Grigsby responded that the City has
already procured the equipment necessary to handle that situation.

Motion approved 7 – 0.

D. **AB06-42 – Resolution 1539** – A Resolution Of The City Council Of The
City Of Bonney Lake, Pierce County, Washington, Approving The 192nd
Corridor Study And Directing The Mayor To Proceed With Partial Design
And Right-Of-Way Acquisition. [04.8.2]

Councilmember Rackley moved to approve Resolution 1539.
Councilmember King seconded the motion.

Although signed up to speak, Keith Stanley declined the opportunity to
address the Council at this time.

Terry Linville spoke in support of the 192nd Ave. E. Corridor and the
connection of 189th to 192nd. He asked the Council to consider where all the
vehicles will go if the corridor is not constructed.

Councilmember King said the Council should adopt the resolution as
presented. He said the additional design work will help the Council make
the decision in the future about the connection of 189th to 192nd. Councilmembers Hamilton and Rackley also spoke in favor of the resolution as presented.

Deputy Mayor Swatman moved to amend Resolution 1539 by adding the following:

(4) the future design of 192nd St. E. Corridor shall not include the design of or right of way acquisition for a connection to 189th.

Councilmember Noble seconded the motion.

Deputy Mayor Swatman explained that he is proposing the amendment to bring conclusion to the discussion about the connection of the 189th Ave. E. cul-de-sac to the 192nd Ave. E. Corridor. He said whatever the outcome on the vote for this amendment is, it should be the official position of the Council. Councilmember Rackley observed that the deletion of the connection from the plan might save the City some money. But, he added, the connection has been anticipated for a number of years. He said the connection is supported by the consultants and staff.

Councilmember King commented that no homeowners association opposes the corridor, although some have expressed concern for the connection of the cul-de-sac and the traffic impacts. He said the arguments about the impacts of Cascadia are immaterial at this time. He suggested that the information obtained by the early design may help the Council with the decision on the connection of the cul-de-sac. He urged the Council to vote against the amendment and pass the resolution as originally proposed.

Councilmember DeLeo said the Council may not have had the full information ten years ago when a decision on the cul-de-sac was originally made. He said he was unaware of the grade separation issue between 189th and 192nd. He expressed concern for sight-distance safety and said he would support the amendment. Councilmember King reminded the Council that the engineers would use best practices in design of the intersection and that it would not be designed in an unsafe manner.

Motion to amend approved 4 – 3. Councilmembers Hamilton, King and Rackley voted no.

Amended motion approved 7 – 0.

E. **AB06-40** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Accepting the Final Plat for the Brookside III Development. [A3.6.10] [O3.7.2]

Councilmember Rackley moved to approve the Brookside III Final Plat. Councilmember Hamilton seconded the motion.
Angela Wingate, representing Investco, offered to respond to Council's questions. Deputy Mayor Swatman said this is a somewhat perfunctory action by the Council. He said he hopes the developer is not telling people that 103rd will not go through. He said it is definitely planned to be a connecting road.

Motion approved 7 – 0.

F. **AB06-20 – Resolution 1526** – Authorizing An Agreement With The Buxton Company For A Community Identification And Retail Attraction Study. **[A1.25]**

Councilmember DeLeo moved to table Resolution 1526 to the next workshop. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman noted that the other vendor will be making a presentation at the workshop.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:44 p.m., Councilmember King moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC  
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for or at the Council Meeting of February 28, 2006:

- Bonney Lake Resident – *Memorandum to Mayor, Council and Dan Grigsby from Michael and Carla Owen* – Michael Owen
- Bonney Lake Resident – *Pictures of Wind-felled Trees* – Michelle Gunn.
- City of Bonney Lake – *Staff Report – City Engineer – PSE and Qwest Easements on South Prairie Project 2/28/06* – John Woodcock, City Engineer.
- City of Bonney Lake – *Police Department Press Release February 28, 2006* – Arthur W. McGehee, Interim Police Chief
City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form

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**BUDGET INFORMATION**

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**Explanation:**

**Agenda Subject:** An Ordinance related to the installation of manufactured homes in existing mobile home parks

**Administrative Recommendation:** Amend Ordinance 1137 so that Title 15.08.020 reads as follows (underlined added):

15.08.020 Permitted locations and age.

Manufactured homes shall be permitted in all zones allowing single family residences. Manufactured homes requiring an installation permit under BLMC 15.08 shall be new manufactured homes under RCW 35.63.160(2), except that, manufactured homes moving into currently existing mobile home parks shall be no more than ten (10) years of age at the date of permit application.

**Background Summary:** Resolution 1535, passed last month by Council, was a stop-gap measure to provide immediate relief for siting of used manufactured homes in existing mobile home parks. The attached ordinance 1183 provides a permanent fix for the same situation. Note that the 10 year figure is the same that was recommended by staff, and is of course subject to change at the discretion of Council.

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<th>Council Meeting Dates:</th>
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**Signatures:**

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<th>Dept Dir.</th>
<th>Mayor</th>
<th>Date City Attorney reviewed</th>
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ORDINANCE NO. 1183

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RELATING TO THE INSTALLATION OF MANUFACTURED HOMES INSIDE MOBILE HOME PARKS WITHIN THE CITY OF BONNEY LAKE.

WHEREAS, Ordinance 1137 brought the City into compliance with state law with regard to placement of manufactured homes in residentially zoned areas; and

WHEREAS, Ordinance 1137 stipulated that manufactured homes should be new units; and

WHEREAS, it was not intended to require that manufactured homes placed in existing mobile home parks need to be new units;

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

Title 15.08.020 of the Bonney Lake Municipal Code is hereby amended to read as follows (underlined added):

15.08.020 Permitted locations and age.
Manufactured homes shall be permitted in all zones allowing single family residences. Manufactured homes requiring an installation permit under BLMC 15.08 shall be new manufactured homes under RCW 35.63.160(2). except that, manufactured homes moving into currently existing mobile home parks shall be no more than ten (10) years of age at the date of permit application.

PASSED by the City Council and approved by the Mayor this ______ day of _____________________, 2006.

ATTEST:

______________________________
Neil Johnson Jr., Mayor

______________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

______________________________
James J. Dionne, City Attorney
RESOLUTION NO. 1535

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BONNEY LAKE, PIERCE COUNTY, WASHINGTON STATE
THE COUNCIL'S INTENT WITH RESPECT TO THE
INTERPRETATION OF ORDINANCE NO. 1137 RELATING TO
THE PLACEMENT OF MANUFACTURED HOMES WITHIN THE
CITY OF BONNEY LAKE

Whereas, the City Council amended the BLMC by Ordinance No. 1137 in July 2005 to
conform certain BLMC sections to meet the requirements of RCW35A.21.312, thereby
allowing New Manufactured Homes to be placed in residential zones on a non-
discriminatory basis;

Whereas, the City Council hereby states that it did not intend that a general
requirement of allowing only New Manufactured Homes apply to existing Mobile Home
Parks;

Whereas, the City Council intends to consider and pass an ordinance amendment
clarifying the Council's legislative intent, accordingly;

Now, Therefore, The City Council Hereby Resolves as Follows:

1. The City Council directs the Mayor to prepare an Ordinance in support of this
clarification of legislative intent;

2. In the interim following passage of this Resolution and future Council action
taken to pass a clarifying ordinance, the Mayor is directed to interpret and
enforce Ordinance No. 1137 in such manner as to allow installation permits for
older Mobile Homes within existing Mobile Home Parks consistent with rights
for such installation as pre-existed the passage of Ordinance No. 1137.

3. All other applications of Ordinance No. 1137 shall continue to apply to existing
Mobile Home Parks except as specifically and expressly limited by this
Resolution;

4. This Resolution shall remain in effect until later modified by a later Resolution,
or by passage of an Amendment to Ordinance No. 1137, whichever occurs first.

PASSED by the City Council this _________ day of February 2006.

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

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<td>March 7, 2006</td>
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Agenda Subject: Creation of a Streets Capital Improvement Fund

Administrative Recommendation: Approve as written

Background Summary: This ordinance would create a new special purpose fund, the Streets Capital Improvement Fund, to account for all sources and uses of funds for capital improvements related to transportation infrastructure. Fund balances in the existing Traffic Mitigation Fund and the Transportation Impact Fee Fund will be transferred to the new fund, and future revenues from these fees, and from any other taxes, grants, loans or other revenue sources as determined by the Council will be deposited in the new fund. All revenues and expenditures related to capital improvements for streets, roads and other transportation infrastructure will be budgeted and accounted for in the new fund.

Council Committee Dates:  
- Finance Committee:  
- Public Safety Committee:  
- Community Development & Planning Committee:  
- Council Workshop:

Commission Dates:  
- Planning Commission:  
- Civil Service Commission:  

Board/Hearing Examiner Dates:  
- Park Board:  
- Hearing Examiner:

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

Signatures:  
- Dept. Dir./Comm. Chair  
- Mayor City Administrator  
- Date City Attorney reviewed
ORDINANCE NO. 1182


WHEREAS, the council desires to revise the city’s fund structure in ways that will enhance the transparency of the city’s financial activities; and

WHEREAS, the establishment of a single fund to account for all sources and uses of funds for capital improvements related to the development of transportation infrastructure will aid in achieving this purpose;

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

Section 1. There is hereby created and established a special purpose fund to be designated and known as the Streets Capital Improvement Fund.

Section 2. BLMC section 19.04.090 and the corresponding portion of Ordinance No. 984 § 1 are hereby amended to read as follows:

19.04.090 Funding of projects.

A. Transportation impact fees shall be placed in appropriate deposit accounts within the transportation impact fee fund Streets Capital Improvement Fund.
B. The transportation impact fees paid to the city shall be held and disbursed as follows:
   1. The transportation impact fees collected shall be placed in a deposit account within the impact fee fund deposited in accordance with subsection A of this section;
   2. When the council appropriates capital improvement project (CIP) Streets Capital Improvement Fund funds for a project on the project list, the fees held in the impact fee fund shall be transferred to the CIP fund impact fees held within such fund may be used in accordance with the project list. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in transportation impact fees;
   3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund account;
   4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
5. All interest earned on transportation impact fees paid shall be retained in the account and expended for the purpose or purposes for which the transportation impact fees were imposed.

C. Projects shall be funded by a balance between transportation impact fees and other sources of public funds, and shall not be funded solely by transportation impact fees.

D. Transportation impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than six years. The finance director may recommend to the council that the city hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.

E. The city shall prepare an annual report on the transportation impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by transportation impact fees.

Section 3. The fund balances in the traffic mitigation fund and the transportation impact fee fund as of the effective date of this ordinance shall be transferred to the Streets Capital Improvement Fund. All monies collected by the city through imposition of the transportation impact fee and the traffic mitigation fee after the effective date of this ordinance shall be deposited in the Streets Capital Improvement Fund. In adopting the annual budget, and from time to time by ordinance, the Council may provide that other revenues collected by the city from taxes, loans, grants, or any other source shall be deposited in the Streets Capital Improvement Fund.

Section 4. Monies in the Streets Capital Improvement Fund shall be used to fund capital improvement projects for the development of streets, roads and other transportation infrastructure and to pay debt service on debt obligations incurred to finance such capital improvement projects, as authorized by the council in the annual budget.

Section 5. The city shall establish accounting procedures to ensure that monies deposited in the Streets Capital Improvement Fund from the transportation impact fee, the traffic mitigation fee, grants, loans or any other dedicated funding source are accounted for and expended in a manner consistent with the terms and conditions of the legislation or contractual agreements governing such funding sources.

Section 6. This Ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ___ day of ______.

_________________________
Nielan H. Johnson, Jr.
Mayor
ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date:
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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<td>AB 06-51</td>
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Agenda Subject: Creation of a General Government Capital Improvement Fund

Administrative Recommendation: Approve as written

Background Summary: This ordinance would create a new special purpose fund, the General Government Capital Improvement Fund, to account for all sources and uses of funds for capital improvements related to general governmental functions, excluding transportation infrastructure and parks and recreation. Future revenues from taxes, grants, loans and other revenue sources would be deposited in the new fund as determined by the Council. All revenues and expenditures related to capital improvements for general governmental purposes would be budgeted and accounted for in the new fund.

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Signatures:

Debt, Dir Comp, Chair
Mayor/City Administrator
Date City Attorney reviewed
ORDINANCE NO. __1184_______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, CREATING A GENERAL GOVERNMENT CAPITAL IMPROVEMENT FUND

WHEREAS, the council desires to revise the city’s fund structure in ways that will enhance the transparency of the city’s financial activities; and

WHEREAS, the establishment of a single fund to account for all sources and uses of funds for capital improvements related to general governmental purposes will aid in achieving this purpose;

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

Section 1. There is hereby created and established a special purpose fund to be designated and known as the General Government Capital Improvement Fund.

Section 2. In adopting the annual budget, and from time to time by ordinance, the Council may provide for the deposit of revenues collected by the city from taxes, loans, grants, or any other source to the General Government Capital Improvement Fund in amounts sufficient to fund the expenditures budgeted in that Fund.

Section 3. Monies in the General Government Capital Improvement Fund shall be used to fund all capital improvement projects for general governmental purposes, other than those designated to be funded from the Streets Capital Improvement Fund and the Parks Capital Improvement Fund and to pay debt service on debt obligations incurred to finance such general government capital improvement projects, as authorized by the council in the annual budget.

Section 4. The City shall establish accounting procedures to ensure that monies deposited in the General Government Capital Improvement Fund from grants, loans or any other dedicated funding source are accounted for and expended in a manner consistent with the terms and conditions of the legislation or contractual agreements governing such funding sources.

Section 5. This Ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ___ day of ________, ____.
ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date:
City of Bonney Lake, Washington  
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**Agenda Subject:** Creation of a Parks Capital Improvement Fund

**Administrative Recommendation:** Approve as written

**Background Summary:** This ordinance would create a new special purpose fund, the Parks Capital Improvement Fund, to account for all sources and uses of funds for capital improvements related to the development of parks and recreation facilities. The fund balance in the existing Parks Impact Fee Fund will be transferred to the new fund, and future revenues from the parks impact fee, and from any other taxes, grants, loans or other revenue sources as determined by the Council, will be deposited in the new fund. All revenues and expenditures related to capital improvements for parks and recreation facilities will be budgeted and accounted for in the new fund.

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**Council Action:**

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

**Signatures:**

- Dept. Dir./Comm. Chair: [Signature]
- Mayor/City Administrator: [Signature]
- Date City Attorney reviewed: [Date]

Gutsa: everyone/ag-bl/agbl
ORDINANCE NO. 1185

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, CREATING A PARKS CAPITAL IMPROVEMENT FUND AND AMENDING CH. 19.06 BLMC AND ORD. NO. 1018.

WHEREAS, the council desires to revise the city's fund structure in ways that will enhance the transparency of the city's financial activities; and

WHEREAS, the establishment of a single fund to account for all sources and uses of funds for capital improvements related to the development of parks and recreation facilities will aid in achieving this purpose;

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

Section 1. There is hereby created and established a special purpose fund to be designated and known as the Parks Capital Improvement Fund.

Section 2. BLMC section 19.06.080 and the corresponding portion of Ordinance No. 1018 § 1 are hereby amended to read as follows:

19.06.080 Funding of projects.

A. A parks impact fee special revenue fund is hereby created. The finance director shall be the fund manager. Parks impact fees shall be placed in appropriate deposit accounts within the parks impact fee fund Parks Capital Improvement Fund.

B. The parks impact fees paid to the city shall be held and disbursed as follows:
1. The parks impact fees collected shall be placed in a deposit account within the impact fee fund deposited in accordance with subsection A of this section;
2. When the council appropriates capital improvement project (CIP) Parks Capital Improvement Fund funds for a project in the parks plan, the fees held in the impact fee fund shall be transferred to the CIP fund impact fees held within such fund may be used in accordance with the parks plan. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in parks impact fees;
3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund account;
4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;
5. All interest earned on parks impact fees paid shall be retained in the account and expended for the purpose or purposes for which the parks impact fees were imposed.
C. Projects shall be funded by a balance between parks impact fees and other sources of public funds, and shall not be funded solely by parks impact fees.
D. Parks impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than six years. The finance director may recommend to the council that the city hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.
E. The city shall prepare an annual report on the parks impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by parks impact fees.

Section 3. The fund balance in the parks impact fee fund as of the effective date of this ordinance shall be transferred to the Parks Capital Improvement Fund. All monies collected by the city through imposition of the parks impact fee after the effective date of this ordinance shall be deposited in the Parks Capital Improvement Fund. In adopting the annual budget and from time to time by ordinance, the council may provide that other revenues collected by the city from taxes, loans, grants, or any other source shall be deposited in the Parks Capital Improvement Fund.

Section 4. Monies in the Parks Capital Improvement Fund shall be used to fund capital improvement projects for the development of parks and recreation facilities and to pay debt service on debt obligations incurred to finance such capital improvement projects, as authorized by the council in the annual budget.

Section 5. The city shall establish accounting procedures to ensure that monies deposited in the Parks Capital Improvement Fund from the parks impact fee, grants, loans or any other dedicated funding source are accounted for and expended in a manner consistent with the terms and conditions of the legislation or contractual agreements governing such funding sources.

Section 6. This Ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ___ day of _______,

______________________________
Nielan H. Johnson, Jr.
Mayor

ATTEST: