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: City Administrator Don Morrison, Director of Planning and Community Development Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Police Chief Mike Mitchell, Chief Financial Officer Beth Anne Wroe, Judge James Helbling, City Attorney Jim Dionne and Administrative Services Director/City Clerk Harwood Edvalson.

Agenda Items

1. Action: (Tabled from 10/24/06 Council Meeting) AB06-206 – A Motion Of The Bonney Lake City Council Approving the Final Plat for Indigo Ridge Subject To the Approved Terms and Conditions Of The Preliminary Plat. [A.3.2.1] [A.3.7.2] (15 Mins.)

2. Discussion: Discussion: AB06-203 – Ordinance D06-203 – Proposed Changes to Transportation Impact Fee CCI Charges. (20 Mins.)

3. Presentation and Discussion: AB06-214 – Calculation of Transportation Impact Fees. (45 Mins.)


5. Discussion: Follow-up to Public Hearing – Increased Storm Water Rates. (15 Mins.)

6. Council Open Discussion. (20 Mins.)

7. Review of Minutes: October 17th Council Workshop and October 24th Council Meeting (5 Mins.)

8. Executive Session: The City Council may meet in Executive Session. If so, the topic(s) and duration of the session will be announced in the meeting.

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

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<tr>
<th>Department/Staff Contact</th>
<th>Council/Workshop Mtg Date</th>
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<td>P&amp;CD / Heather Stinson</td>
<td>October 24, 2006</td>
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**BUDGET INFORMATION**

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

**Agenda Subject:**
Final Plat of Indigo Ridge

**Administrative Recommendation:** Approval

**Background Summary:** The applicant seeks final plat approval for Indigo Ridge Final Plat, located at 18505 84th St. E. The proposal is to subdivide 5.23 acres, zoned R-1, into 15 single-family residential lots. This proposal received preliminary plat recommendation for approval, with conditions, by the Bonney Lake Hearing Examiner on February 28, 2005. Final plat is in conformance with the approved preliminary plat **Note: this is a closed record item.**

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

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

**Board/Hearing Examiner Dates:**
- Park Board:
- Hearing Examiner:
- Public Meeting:

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

**Signatures:**
- Dept. Dir: 
- Mayor: 
- Date City Attorney reviewed Standard
PROJECT DESCRIPTION:
The applicant seeks final plat approval for Indigo Ridge. Indigo Ridge contains 15-lots that received approval from
the City of Bonney Lake Hearing Examiner on February 28, 2005. The site also contains a public road system and
one tract containing stormdrainage infrastructure.

APPLICANT:
Reich Land Incorporated
29409 39th Ave. South
Roy, WA 98580
(253) 202-3680

AGENT:
LeRoy Surveyors & Engineers, Inc.
1103 Shaw Rd.
Puyallup, WA 98372
(253) 848-6608

SITE LOCATION:
The site is located on the south side of 84th St. E, approximately 335 feet west of Locust Avenue. It is within the
corporate limits of the City of Bonney Lake situated in the Northeast Quadrant of Section 33, Township 20 North,
Range 5 East, Willamette Meridian.

DATE APPLICATION DEEMED COMPLETE:
The Department of Planning and Community Development deemed the final plat application complete on January
12, 2006.

ATTACHMENTS:
1. Final Plat Print
2. Hearing Examiner Decision and Conditions of Approval from February 28th, 2005

STAFF FINDINGS:

1. The proposed final plat and PUD of Brookside satisfies the subdivision criteria set forth in Section 17.16
BLMC. The proposed plat makes appropriate provision for the public health, safety, and welfare for open
spaces, drainage ways, streets, roads, other public ways, transit stops, potable water supplies, sanitary waste,
parks and recreation, playgrounds, schools and school grounds, and safe walking conditions.

ADHERENCE WITH CONDITIONS OF APPROVAL:
The following is based on the conditions of approval of the hearing examiner report dated February 28, 2005:

1. The proposal shall conform to the following City of Bonney Lake regulations and standards in effect on the date
that the application was deemed complete, September 21, 2004:

- BLMC Title 12 Streets, Sidewalks and Public Places
- BLMC Title 13 Public Services
- BLMC Title 14 Development Code Administration
- BLMC Title 15 Buildings and Construction
- BLMC Title 16 Environmental Protection
- BLMC Title 17 Subdivisions
- BLMC Title 18 Zoning
- BLMC Title 19 Concurrency Management

"The City of Bonney Lake's mission is to protect the community's livable identity and scenic beauty through responsible growth
planning and by providing accountable, accessible and efficient local government services."
Finding: The preliminary plat application was deemed complete on September 21, 2004. The proposed final plat meets the requirements of the above mentioned portions of the Bonney Lake Municipal Code.

2. The applicant shall comply with the conditions of the MDNS issued on December 7, 2004.

Conditions of the Mitigated Determination of Non-significance:

EARTH
1. Only clean fill should be used for the project and any other material, such as waste concrete and asphalt, are considered solid waste and would require a permit through the Tacoma-Pierce County Health Department before use.
2. The applicant shall submit an Erosion and Sedimentation Control Plan to the City Engineer for approval. Temporary erosion and sedimentation control measures shall include, but not be limited to, silt fencing or other Best Management Practices (BMPs). There shall be a designated construction entrance for all vehicles to limit tracking of mud onto the streets. If sediment is deposited, it shall be cleaned up at the end of every day during construction utilizing sweeping or shoveling. Water cleaning shall only be used after the area has been swept or shoveled.
3. Per the Department of Ecology letter dated October 19, 2004, any discharge of sediment laden runoff or other pollutant to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington. All releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials during construction must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
4. Coverage under the National Pollution Discharge Elimination system (NPDES) and State Water Discharge General Permit for Stormwater Discharges Associated with Construction Activities is required for construction sites which disturb an area of five acres of more and which have or will have a discharge of stormwater to surface water of a storm sewer.

SURFACE WATER:
1. All storm drains within the development should be stenciled “Dump No Waste, Drains to _____”.

NOISE:
1. To mitigate noise impacts associated with the proposal, all construction shall occur between the hours of 7:00 a.m. and 9:00 p.m., unless otherwise authorized by the Department of Planning and Community Development.

HISTORIC AND CULTURAL PRESERVATION:
1. If during construction any artifacts are uncovered, work should be temporarily suspended and the Puyallup and Muckleshoot Tribes and the Washington State Historic Preservation Office in Olympia shall be notified at (360) 407-0752.

TRANSPORTATION:
To mitigate traffic impacts to off-site intersection and roadways associated with the subject proposal and pursuant to the City’s traffic consultant review letter dated October 25, 2004, the proponent shall provide the following improvements prior to issuance of building permits:

“The City of Bonney Lake’s mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.”
1. **Site Access & Frontage Improvements**
   The project will be required to meet minimum site distance requirements. Per Bonney Lake Road Standards, the sight distance should be 260 feet for the posted speed limit of 25 mph. The developer shall field verify sight distance and provide the City Engineer with verification documentation prior to site development approval.

2. **Off-Site Improvements**
   A City-wide Traffic Study, August 2002, identified system-wide impacts created as a direct result of new development. The applicant shall be responsible to mitigate off-site traffic impacts created by the new PM peak hour trips generated by the project. The proposed project generates 13 net new PM peak hour trips to the transportation system. The applicant shall pay the single family land use trip rate of $2701.00 per dwelling unit per the City of Bonney Lake Transportation Impact Fee Ordinance or the adopted fee at the time of building permit issuance.

3. **Other Mitigation**
   The affected intersections in Pierce County are those through which 25 or more of the project trips travel. No intersections in Pierce County are considered to be affected by new PM peak hour trips generated by the Indigo Ridge development.

**PUBLIC SERVICES:**

1. The Sumner School District commented in regards to the impacts that the proposed development will have on the capital facilities of the Sumner School District per the letter from William Noland dated October 8, 2004. The applicant shall pay a mitigation fee equal to the applicable fee under the Pierce County School Impact Fee Ordinance in effect at the time of application for a building permit within the City of Bonney Lake; provided, however, in the event that the City of Bonney Lake adopts a school impact fee and upon the effective date of such school impact fee ordinance, the applicant will comply with the said ordinance.

**WATER:**

1. The applicant shall connect to the City of Bonney Lake water system. All water connection fees are due at time of building permit issuance.

**SEWER:**

1. The applicant shall connect to the City sewer system. All sewer connection fees are due at the time of building permit issuance.

**PARKING:**

1. Parking shall be provided as required by BLMC Chapter 18.31.

**LANDSCAPING**

1. Approval for land clearing and tree removal is required per BLMC Chapter 16.12, including adherence to all regulatory requirements of the Chapter.
2. The Department of Natural Resources provided comments dated October 19, 2004 stating a forest practices permit may be required for the harvest of timber associated with this project.
3. The applicant shall submit a landscape and irrigation plan, pursuant to BLMC Chapter 16.12, to the Planning & Community Development Department for review and approval.
4. Landscaping shall be installed and approved by the Planning & Community Development Department prior to building occupancy.
5. The applicant shall submit a maintenance bond for all required landscaping areas and replacement trees for a period of one year after installation.

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FIRE:
1. Fire hydrants and mains capable of providing the required fire flow shall be provided in accordance with IFC, Appendix B Fire Flow Requirements for Buildings and the City of Bonney Lake, Public Works Design Standards. Fire hydrant location shall be approved by the Fire Marshal.

TACOMA-PIERCE COUNTY HEALTH DEPARTMENT
1. Asbestos containing material must be removed prior to demolition and disposed in accordance with the requirements of the Puget Sound Clean Air Agency, Washington State Department of Labor and Industries, and the TPCHD.
2. All demolition material, including but not limited to, wood waste, sheetrock, roofing material, and concrete, must go to a licensed solid waste handling or disposal facility.

Finding: All mitigation measures included within the MDNS have been complied with or will be complied with at time of building permit issuance. All site work has been completed in accordance with the approved plans.

3. Utility easements shall be provided on the face of the final plat, which are necessary to the provision of water, power, sewer, natural gas, and mail delivery to the lots within the subdivision.

Finding: All utility easements are provided for on the face of the final plat.

4. All plat roads shall be public and dedicated to and maintained by the City of Bonney Lake.

Finding: All lots access off internal plat roads per the approved final plat map dated September 27, 2006.

5. The maintenance of street trees and street lights shall be the responsibility of the Homeowners Association.

Finding: The CCR’s for this plat include language that assigns the responsibilities for maintenance of street trees and street lights to the Homeowners Association.

6. The tract containing the public storm drainage shall be dedicated to and maintained by the City of Bonney Lake.

Finding: This will occur after final plat approval.

7. A landscaping plan shall be required showing street trees and place for the plat entrances as outlined in BLMC Chapter 16.12. A final landscape plan shall be approved prior to the installation of landscape materials and final plat approval.

Finding: A final landscape plan has been approved by the City of Bonney Lake on September 27, 2006.

8. All landscape areas shall be fully installed prior to final plat approval unless approved for bonding by the City of Bonney Lake.

"The City of Bonney Lake’s mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.”
Finding: Bonding for landscaping and street trees was received and accepted on October 11, 2006.

9. A storm drainage plan shall be submitted to the City of Bonney Lake as part of the site development plans. The drainage plan shall adhere to the Public Works Design Standards.

Finding: The storm drainage plan and all storm drainage facilities adhere to the City of Bonney Lake's Public Works Design Standards as shown on the plans signed on January 30, 2006.

10. All storm drains within the development shall be stenciled “Dump NO Waste, Drains to _________” (groundwater, wetlands, or lake, etc. as appropriate.)

Findings: All storm drains within the development are stenciled with the appropriate language.

11. A Department of Ecology General Baseline Permit and NPDES coverage shall be required prior to the issuance of site development permits if more than five acres will be disturbed.

Findings: A Department of Ecology General Baseline Permit was deemed unnecessary by the Department of Ecology.

12. The applicant shall submit an Erosion and Sedimentation Control Plan to the City Engineer for approval. All erosion control facilities shall be properly maintained during all phases of site development to prevent debris, dust, and mud from accumulating on the right-of-way and / or adjacent properties.

Findings: This condition was satisfied with the approval of the Clearing, Grading, and Erosion Control Plans.

13. The operation of heavy equipment and associated materials in the construction of this project has the potential to result in fugitive dust being generated from the site. Impacts to the neighboring properties shall be controlled by the use of watering trucks to water frequently used roads and associated areas as necessary to prevent the travel of dust.

Findings: Watering trucks were used to control fugitive dust during the grading of the site.

14. To mitigate noise impacts associated with the proposal, all construction shall occur between the hours of 7:00 am to 9:00 pm unless otherwise authorized by the Department of Planning and Community Development.

Findings: This condition was satisfied during grading of the site and will be met during construction of homes as monitored by the City of Bonney Lake Planning and Community Development Department.

15. If cleared, the City right-of-way shall be seeded, mulched, and stabilized as required by the City.

Findings:

16. The project shall adhere to the recommendations of the geotechnical report, prepared by E3RA, Inc. dated December 6, 2004.

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Findings: The project adhered to the recommendations of the geotechnical report evidenced by the issuance of the Grading permit on January 9, 2006.

17. The intent of the erosion control facilities is to protect downstream property owners from landslides, sediment buildup, and downstream channel scouring. If the intent of the requirement is not met, then all building and construction activity on site shall be discontinued and construction activity shall be directed to meeting the intent of the requirement.

Findings: This condition will be met at building inspection time.

18. All grading and filling shall utilize only clean fill, such as dirt and gravel. All other materials, including waste concrete and asphalt, are considered solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health department prior to filling.

Findings: This condition was met as evidenced by the issuance of a Grading permit on January 9, 2006.

19. All clearing, grading, and other site development on the project shall be performed in accordance with approved site development plans. The construction of the project shall comply with applicable City and State regulations, including contacting the Army Corps of Engineers and the Washington State Department of Ecology if required prior to commencing clearing and grading activities.

Finding: Site development plans were approved on January 30, 2006 and a Grading permit was issued on January 9, 2006.

20. Prior to final plat approval, fire hydrants and mains capable of providing the required fire flow shall be provided in accordance with IFC and the City of Bonney lake, Public Works Design Standards. Fire hydrant location shall be approved by the Fire Marshal.

Findings: Fire hydrants and mains were provided for this final plat as evidenced by the site inspection approval dated August 15, 2006.

21. Hydrant flow test results and water “As Built” plans shall be submitted to and approved by the Fire Marshal prior to final plat/plan approval.

Findings: As-builts were approved on January 30, 2006.

22. Prior to approval of the water supply for this development, a Certificate of Water Availability shall be required as per WAC 246-290 and the Public Works Design Standards. The final plat portion of the Certification of Water Availability shall be signed by the water purveyor prior to final subdivision approval.

Findings: The applicant obtained water availability from the City of Bonney Lake. Water mains and hydrants have been installed to provide the required fire flow.

23. Asbestos containing material shall be removed prior to demolition and disposed in accordance with the requirements of the Puget Sound Clean Air Agency, Washington State Department of Labor and Industries, and the Tacoma-Pierce County Health Department (TPCHD).

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Findings: Demolition was done through the City of Bonney Lake.

24. All demolition material, including but not limited to, wood waste, sheet rock, roofing material, and concrete, shall go to a licensed solid waste handling or disposal facility.

Findings: All demolition material was properly disposed of properly.

25. Any abandoned well (as defined by WAC 173-160) shall be properly “decommissioned” prior to final plat approval. The TPCHD shall be contacted prior to any decommissioning activity at the site. Contact Rich Dickerson at 253-798-2885, TPCHD for further information regarding abandoned wells.

Findings: There was no abandoned well on the property.

26. Buildings constructed within the plat shall meet applicable City of Bonney Lake building code requirements. This includes the payment of any utility connection charges and impact fees.

Findings: This condition will be met at time of building permit issuance.

27. Timber harvested from the site will be subject to a Forest Practice Permit from the Department of Natural Resources. Forest Practices approval shall be obtained prior to site clearing, grading, or logging the site.

Findings: A Forest Practice Permit was obtained on January 19, 2006.

28. The applicant shall pay a mitigation fee consistent with the Pierce County School Impact Fee Ordinance upon issuance of a building permit per the Sumner School District’s letter of October 8, 2004. In the event that the City of Bonney Lake adopts a school impact fee and upon the effective date of such school impact fee ordinance, the applicant will comply with the said ordinance.

Findings: This condition will be met at building permit issuance.

29. All water lines will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

Findings: The water lines were approved on August 15, 2006.

30. All sewer lines will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

Findings: The project sewer lines were approved on August 15, 2006.

31. All roads will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

Findings: The plans for the roads associated with this project were approved on January 30, 2006 and the constructed roads were approved on August 15, 2006.

32. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such
plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.

Findings: Site distance requirements caused a change in the design of the plat from the preliminary plat to the final plat.

33. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

Findings: The site development work has been accordance with the approved plans dated January 30, 2006 which conform to the requirements of the Bonney Lake Municipal Code and the Public Works Standards. The applicant has complied with the conditions of approval set forth by the Hearing Examiner as well as the mitigation established by the approved Mitigation Determination of Nonsignificance.

ADHERENCE WITH BONNEY LAKE REQUIREMENTS FOR FINAL PLAT (BLMC 17.16):

17.16.010 Time for filing
A. Within five years after approval of the preliminary plat by the hearing examiner, a final plat shall be filed with the director of planning and community development.

Finding: The preliminary plat was approved on September 21, 2004. Therefore, the final plat application deemed complete on January 12, 2006 complies with the requirements of BLMC 17.16.020 – Time for filing.

17.16.020 Application requirements.
The person applying for final plat approval shall furnish the following when the final plat is submitted:
A. Final plat drawings clearly and legibly drawn on 18- by 24-inch sheets of stable base mylar polyester film or equivalent approved material, which generally conform to the approved preliminary plat and include:
   1. All township, range, section lines and municipal boundaries lying within or adjacent to the subdivision;
   2. The location of survey monuments or other evidence used as ties to establish the subdivision’s boundaries;
   3. The location of all permanent control monuments found and established within and adjacent to the subdivision;
   4. The boundary of the subdivision, depicted in heavier lines than appear elsewhere on the plat, with complete bearings and lineal dimensions with ties to monumentation;
   5. The boundaries of all lots and blocks and rights-of-way, including the length and bearings of all straight lines and the radii, arc lengths, semitangents and delta angle of all curves, with radial bearings at the beginning and ending of all nontangent curves;
   6. The width, centerline, and name or number of all streets within and adjoining the subdivision;
   7. The width, disposition, and description of all easements with the location shown with broken lines;

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Page 8
8. Numbers assigned to all lots and letters assigned to all tracts;
9. All dedications of streets or other areas to the public or other organization. Roads not dedicated to the public must be clearly marked on the face of the plat as "private";
10. Location and disposition of any wells, creeks, drainage courses, septic tank drain fields, wetlands and 100-year floodplain within the subdivision;
11. Minimum building setback lines from property lines, wetlands, streams or steep slopes;
B. A surveyor’s seal and signature and certification that monuments have been set and that the lots and streets can be properly located on the ground;
C. A title report showing ownership and certification that the person(s) applying for the plat can convey title to land within the plat;
D. Certification that all lots meet minimum zoning requirements;
E. Certification that roads, utilities, drainage facilities, and related infrastructure have been built or provided for;
F. If the plat is subject to a dedication, a certificate containing the dedication of all streets and other areas, signed and acknowledged before a notary public by all parties having an ownership interest in the lands subdivided;
G. A statement of approval by the city engineer;
H. A statement of approval by the fire marshal of Pierce County Fire Protection District No. 22;
I. A statement of approval by the director of planning and community development;
J. Space for the signature of the mayor, signing for the city council, to accept the public rights-of-way and approve the plat;
K. Certification by the Pierce County treasurer that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been paid, satisfied or discharged;
L. An itemized bill of sale showing value of infrastructure improvement;
M. A guarantee and maintenance bond for infrastructure;
N. A fee in the amount set by city council.

Finding: The final plat document meets the requirements of BLMC Section 17.16.020.

PROPOSED CONDITIONS OF FINAL PLAT APPROVAL:

1. The applicant shall record the final plat once signed by the Mayor.
2. The applicant shall transmit an original, signed copy of the Covenants, Conditions, and Restrictions (CC&Rs) for the plat for concurrent recording with the final plat.
3. The applicant shall submit one mylar copy and one paper copy of the recorded final plat to the Department of Planning and Community Development.

Staff Report prepared by: Heather Stinson, Associate Planner

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February 28, 2005

Reich Land Incorporated
29409 39th Avenue South
Roy, WA 98580

RE: PRELIMINARY PLAT OF INDIGO RIDGE

Dear Applicant:

Transmitted herewith is the Report and Decision of the City of Bonney Lake Hearing Examiner relating to the above-entitled matter.

Very truly yours,

[Signature]

STEPHEN K. CAUSSEAX, JR.
Hearing Examiner

SKC/cka
cc: Parties of Record
City of Bonney Lake
OFFICE OF THE HEARING EXAMINER

CITY OF BONNEY LAKE

REPORT AND DECISION

CASE NO.: PRELIMINARY PLAT OF INDIGO RIDGE

APPLICANT: Reich Land Incorporated
29409 39th Avenue South
Roy, WA 98580

SUMMARY OF REQUEST:

The applicant is requesting preliminary plat approval to allow development of Indigo Ridge, a residential subdivision consisting of 15 single family residential lots on approximately 5.23 acres. The site is located at 18505 – 84th Avenue East, Bonney Lake, Washington.

SUMMARY OF DECISION:

Request granted, subject to conditions.

PUBLIC HEARING:

After reviewing Planning and Community Development Staff Report and examining available information on file with the application, the Examiner conducted a public hearing on the request as follows:

The hearing was opened on February 14, 2005, at 9:00 a.m.

Parties wishing to testify were sworn in by the Examiner.

The following exhibits were submitted and made a part of the record as follows:

EXHIBIT “1” - Planning and Community Development Staff Report and Attachments

EXHIBIT “2” - Aerial Photographs

ELIZABETH CHAMBERLAIN appeared, presented the Planning and Community Development Department Staff Report, and testified that the project proposes a minimum lot size of 10,000 square feet which complies with the R1 zoning. Lot sizes vary between
10,000 and 14,700 square feet and the subdivision will net 14 additional homes. The plat map shows 20 foot rear yard setbacks. Surrounding zones include R1 and R3 to the east, which parcels are developed with apartments and four-plexes. Commercial zoning is to the south, but the parcels are improved with homes. The future land use map shows the parcel as R2 and the applicant could request a rezone and a minimum lot size of 8,600 square feet. To the east the zoning remains R3 and to the south it will become Mixed Use. The project proposes no parks, but will pay $1,500 per lot for support of the City’s park system. The Traffic Impact Analysis shows 13 new p.m. peak hour trips, and both the Department of Transportation and Pierce County had no comment. They will pay a traffic impact fee of $2,701 per lot. The internal plat road will consist of a public street and will have a public stormwater tract.

PAUL GREEN, professional engineer, appeared on behalf of the request, and testified that the applicant agrees with all conditions of approval. They have already submitted the road and stormwater plans and propose a bioswale and detention pond. They will release the stormwater to a dispersal trench along the low portion of the site. The soils will infiltrate much of the stormwater, but not all.

No one spoke further in this matter and so the Examiner took the request under advisement and the hearing was concluded at 9:09 a.m.

**NOTE:** A complete record of this hearing is available in the City of Bonney Lake Planning and Community Development.

**FINDINGS, CONCLUSIONS AND DECISION:**

**FINDINGS:**

1. The Hearing Examiner has admitted documentary evidence into the record, heard testimony, and taken this matter under advisement.

2. Public notice was provided on January 28, 2005.

3. Pursuant to the State Environmental Policy Act (SEPA) and the City of Bonney Lake Environmental Regulations, as codified in BLMC Title 16-Environmental Protection, the SEPA Responsible Official has reviewed this project and issued a Mitigated Determination of Nonsignificance on December 7, 2004. The comment period ended December 21, 2004, making the determination final. The appeal deadline ended on January 5, 2004. The City did not receive any appeals.

4. The applicant has a possessory ownership interest in a rectangular, 5.23 acre parcel of property abutting the south side of 84th Avenue E. between its intersections with 184th Avenue E. and Locust Avenue, north of the Old Sumner Buckley Highway.
within the City of Bonney Lake. Improvements on the site include a single family residential dwelling and outbuilding. The applicant requests preliminary plat approval to allow subdivision of the site into 15 single family residential lots and a 40,787 square foot storm drainage tract abutting the south property line. The home will remain on lot 15 and all other buildings will be removed. The parcel abuts 84th St. E. for 324 feet and measures 695 feet in depth.

5. The preliminary plat map shows access to all lots provided via a public street extending south from 84th St. E. and terminating in a cul-de-sac. Lot sizes vary between 10,000 square feet and 14,742 square feet, and all measure at least 63 feet in width. A pipe stem extends south from the cul-de-sac to the rectangular storm drainage tract along the south property line. The site contains no wetlands or other critical areas.

6. The applicant submitted a completed application for preliminary plat approval on September 21, 2004, and in accordance with RCW 58.17.033, vested the preliminary plat for consideration under the comprehensive plan, zoning ordinance, and development regulations in effect on said date. On said date the parcel was located in the Low Density Residential (R1) zone classification of the Bonney Lake Municipal Code (BLMC). The Bonney Lake future land use map designates the site as Medium Intensity Residential (R2), and while the applicant could request a zone reclassification to the more dense classification, it has elected to proceed under the R1 classification. The abutting zone to the south is commercial, but the parcels to the south which separates the site from the Old Sumner Buckley Highway are presently improved with single family residential dwellings. To the east the zoning is High Density Residential and those parcels are improved with apartments. To the west and north across 84th St. E. parcels are located in the R1 zone classification and improved with single family residential homes. The proposal for a 15 lot, conventional subdivision is consistent with abutting uses and zone classifications.

7. Section 18.14.060 BLMC sets forth the bulk regulations for the R1 zone classification. Said section requires a minimum lot area of 10,000 square feet, a minimum lot width of 65 feet, setbacks from both the internal plat road and 84th St. E. of 20 feet, side yard setbacks of five feet with a total of 15 feet required for both side yards, and a minimum 20 foot rear yard setback. The preliminary plat map shows a minimum lot size of 10,000 square feet and minimum lot widths exceed 63 feet. All lots have a sufficient building envelope to accommodate a reasonably sized single family residential dwelling and meet all required setbacks. Section 18.14.020 BLMC authorizes single family residential dwellings as outright permitted uses in the R1 classification. The proposed plat satisfies the bulk regulations of the R1 classification.

8. Development of the site with a single family residential subdivision satisfies many
policies of the Bonney Lake Comprehensive Plan as set forth on page four of the staff report. Of particular note, all public facilities and services are available to serve the site and the applicant will construct the internal plat street to City public standards. The applicant will also meet requirements for off-street parking and landscaping.

9. Section 17.12.060 BLMC authorizes the Examiner to accept, modify, or reject applications for preliminary plats in accordance with the provisions of Section 2.18.150 BLMC. Section 2.18.090(A) BLMC authorizes the Examiner to issue decisions approving or disapproving preliminary plats. According to Section 14.40.031 BLMC, preliminary plats are considered under Type 2 review, and Section 14.40.050 BLMC sets forth the criteria for Type 2 review. Findings on each such criteria are hereby made as follows:

A. As previously found, the proposed subdivision is consistent with the comprehensive plan, and as found hereinafter will meet all requirements and the intent of the BLMC.

B. The project makes appropriate provision for open spaces, drainage ways, streets, other public ways, transit stops, water supplies, sanitary waste, utility services and facilities, parks and recreational facilities, playgrounds, connection to schools, safe passage for students and adequate schools. The BLMC does not require the applicant to provide open space, parks and recreation, or playgrounds, but the lot sizes themselves will provide the opportunity for meaningful on-site recreation. Furthermore, the applicant must make a per lot payment for support of the City’s public parks. Facilities installed in the storm drainage tract will treat all storm water, infiltrate some stormwater, and release the balance in dispersal trenches along the low portion of the site in accordance with City ordinance requirements. A public street to City standards will provide internal access to all lots. Pierce Transit does not currently serve 84th St. E. and therefore the applicant need not construct a transit stop. However, the internal sidewalks and sidewalks along the south side of 84th St. E. will help provide a connection to transit facilities and to the Sumner School District’s transportation system. The City will supply potable water and fire flow to the site, and sanitary sewer service to each lot. Mitigating measures in the MDNS require the payment of $2,701 per dwelling unit to off-set impacts of plat traffic on City streets. The MDNS also requires the payment of school impact fees equivalent to the Pierce County School Impact Fee Ordinance or a Bonney Lake ordinance if such is adopted.

C. The applicant has adequately mitigated significant adverse environmental impacts identified by the City environmental official during SEPA review. The
environmental official issued an MDNS on December 7, 2004, and received no appeals. SEPA review is therefore final.

D. The proposed preliminary plat will benefit the public health, safety, and welfare and therefore the public interest by providing an attractive location for a single family residential subdivision convenient to shopping areas and schools.

E. The preliminary plat will not lower the level of service of existing park facilities and mitigating measures will ensure the project will not lower the transportation level of service requirements.

F. The area, location, and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportionate to the impacts created by the development. The applicant will dedicate the storm drainage facilities and internal plat street to the City following construction to City standards.

10. The project also satisfies all applicable criteria set forth in Titles 14-19 BLMC as the applicant will submit an erosion and sediment control plan and must also receive final approval of the storm drainage plan prior to final plat approval. The Public Works Department has reduced the pavement width requirement from 28 feet to 26 feet, and the applicant must ensure construction of the road to City standards. The applicant will construct sidewalks five feet in width and the cul-de-sac will have a 45 foot, paved, turning radius. The applicant must also establish that entering sight distance is available at the intersection of the internal plat road and 84th St. E.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction to consider and decide the issues presented by this request.

2. The proposed preliminary plat is consistent with the Low Density Residential designation of the Bonney Lake Comprehensive Plan and satisfies all bulk requirements of the Low Density Residential zone classification. The proposed preliminary plat satisfies all criteria for Type 2 reviews as found in Section 14.40.050 BLMC as well as all requirements of Title 14-19 BLMC. Therefore, the proposed preliminary plat of Indigo Ridge should be approved subject to the following conditions:

1. The proposal shall conform to the following City of Bonney Lake regulations and standards:
2. Mitigation measures as outlined in the Mitigated Determination of Nonsignificance (MDNS) dated December 7, 2004 shall be completed prior to final plat approval.

3. Utility easements shall be provided on the face of the final plat, which are necessary to the provision of water, power, sewer, natural gas, and mail delivery to the lots within the subdivision.

4. All plat roads shall be public and dedicated to and maintained by the City of Bonney Lake.

5. Bulk and dimensional standards shall be noted on the final plat mylar as shown below:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>10,000 square feet</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>65 feet</td>
</tr>
<tr>
<td>Minimum Front Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td>Minimum Side Yard</td>
<td>5 feet minimum with combined total of 15 feet</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>35 feet</td>
</tr>
<tr>
<td>Maximum lot coverage by impervious surfaces</td>
<td>60%</td>
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</table>

6. The maintenance of street trees and street lights shall be the responsibility of the Homeowners Association.

7. The tract containing the public storm drainage shall be dedicated to and maintained by the City of Bonney Lake.

8. A landscape plan shall be required showing street trees and place for the plat entrances as outlined in BLMC Chapter 16.12. A final landscape plan
shall be approved prior to installation of landscape materials and final plat approval.

9. All landscape areas shall be fully installed prior to final plat approval unless approved for bonding by the City of Bonney Lake.

10. A storm drainage plan shall be submitted to the City of Bonney Lake as part of the site development plans. The drainage plan shall adhere to the Public Works Design Standards.

11. All storm drains within the development shall be stenciled “Dump NO Waste, Drains to _________” (groundwater, wetlands, or lake, etc. as appropriate).

12. A Department of Ecology General Baseline Permit and NPDES coverage shall be required prior to the issuance of site development permits if more than five acres will be disturbed.

13. The applicant shall submit an Erosion and Sedimentation Control Plan to the City Engineer for approval. All erosion control facilities shall be properly maintained during all phases of site development to prevent debris, dust, and mud from accumulating on the city right-of-way and/or adjacent properties.

14. The operation of heavy equipment and associated materials in the construction of this project has the potential to result in fugitive dust being generated from the site. Impacts to neighboring properties shall be controlled by the use of watering trucks to water frequently used roads and associated areas as necessary to prevent the travel of dust.

15. To mitigate noise impacts associate with the proposal, all construction shall occur between the hours of 7:00 a.m. to 9:00 p.m., unless otherwise authorized by the Department of Planning and Community Development.

16. If cleared, the City right-of-way shall be seeded, mulched, and stabilized as required by the City.

17. The project shall adhere to the recommendations of the geotechnical report, prepared by E3RA, Inc. dated December 6, 2004.

18. The intent of the erosion control facilities is to protect downstream property owners from landslides, sediment buildup, and downstream channel scouring. If the intent of the requirement is not met, then all
building and construction activity on site shall be discontinued and construction activity shall be directed to meeting the intent of the requirement.

19. All grading and filling shall utilize only clean fill, such as dirt and gravel. All other materials, including waste concrete and asphalt, are considered solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health department prior to filling.

20. All clearing, grading, and other site development on the project shall be performed in accordance with approved site development plans. The construction of the project shall comply with applicable City and State regulations, including contacting the Army Corps of Engineers and the Washington State Department of Ecology if required prior to commencing clearing and grading activities.

21. Prior to final plat approval fire hydrants and mains capable of providing the required fire flow shall be provided in accordance with IFC and the City of Bonney Lake, Public Works Design Standards. Fire hydrant location shall be approved by the Fire Marshal.

22. Hydrant flow test results and water “As Built” plans shall be submitted to and approved by the Fire Marshal prior to final plat/plan approval.

23. Prior to approval of the water supply for this development, a Certificate of Water Availability shall be required as per WAC 246-290 and the Public Works Design Standards. The final plat portion of the Certification of Water Availability shall be signed by the water purveyor prior to final subdivision approval.

24. Asbestos containing material shall be removed prior to demolition and disposed in accordance with the requirements of the Puget Sound Clean Air Agency, Washington State Department of Labor and Industries, and the Tacoma-Pierce County Health Department (TPCHD).

25. All demolition material, including but not limited to, wood waste, sheet rock, roofing material, and concrete, shall go to a licensed solid waste handling or disposal facility.

26. Any abandoned well (as defined by WAC 173-160) shall be properly “ Decommissioned” prior to final plat approval. The TPCHD shall be contacted 48 hours prior to any decommissioning activity at the site. Contact Rich Dickerson at 253-798-2885, TPCHD for further information.

- 9 -
regarding abandoned wells.

27. Buildings constructed within the plat shall meet applicable City of Bonney Lake building code requirements. This includes the payment of any utility connection charges and impact fees.

28. Timber harvested from the site will be subject to a Forest Practice Permit from the Department of Natural Resources. Forest Practices approval shall be obtained prior to site clearing, grading, or logging the site.

29. The applicant shall pay a mitigation fee consistent with the Pierce County School Impact Fee Ordinance upon issuance of a building permit per the Sumner School District's letter of October 8, 2004. In the event that the City of Bonney Lake adopts a school impact fee and upon the effective date of such school impact fee ordinance, the applicant will comply with the said ordinance.

30. All water lines will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

31. All sewer lines will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

32. All roads will be designed and constructed in accordance with Bonney Lake Development Policies and Public Works Standards.

33. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.

34. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
DECISION:

The request for preliminary plat approval of Indigo Ridge is hereby granted subject to the conditions contained in the conclusions above.

ORDERED this 28th day of February, 2005.

[Signature]

STEPHEN K. CAUSSEAX, JR.
Hearing Examiner

TRANSMITTED this 28th day of February, 2005, to the following:

APPLICANT: Reich Land Incorporated
29409 39th Avenue South
Roy, WA 98580

AGENT: LeRoy Surveyors and Engineers, Inc.
P.O. Box 740
Puyallup, WA 98371

OTHERS:

Tana M. Latterell
18301 84th St. E.
Bonney Lake, WA 98390

Rod and Paige Brady
P.O. Box 7153
Bonney Lake, WA 98390

Lee Hagen
18601 84th St. E.
Bonney Lake, WA 98390

CITY OF BONNEY LAKE
Planning and Community Development Department
P.O. BOX 7380
19306 BONNEY LAKE BLVD.
BONNEY LAKE, WA 98390-0944
CASE NO.  PRELIMINARY PLAT OF INDIGO RIDGE

NOTICE

Pursuant to City of Bonney Lake, this decision becomes final and conclusive on March 18, 2005, unless:

1. **RECONSIDERATION**: Any aggrieved person feeling that the decision of the Examiner is based on errors of procedure or errors of misinterpretation of fact may make a written request for review by the Examiner in writing and filed not later than 5:00 p.m. on March 9, 2005, with the Planning and Community Development Department. This request shall set forth the alleged errors or misinterpretations, and the Examiner may, after review of the record, take such further action as he deems proper and may render a revised decision.

2. **APPEAL OF EXAMINER’S DECISION**: The final decision by the Examiner on any land use matter within his jurisdiction may be appealed to the City Council by any aggrieved person directly affected by the Examiner’s decision. Said appeal procedure is as follows:

   (a) The appellant must file written notice of appeal with the Planning Department in writing with an appeal fee as required by the Department not later than 5:00 p.m. on March 18, 2005.

   (b) Provided that if the Examiner was requested to reconsider the decision, then the appeal must be filed within fourteen (14) days of the mailing of the Examiner’s final order or decision on the reconsideration report. The notice of appeal shall concisely specify such
error and/or issue which the City Council is asked to consider an appeal.

NOTE: In an effort to avoid confusion at the time of filing a request for reconsideration or an appeal, please attach this page to the request or appeal.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

<table>
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<th>Department/Staff Contact:</th>
<th>Council/Wrkshp Mtg Date:</th>
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<td>Don Morrison</td>
<td>11/27/06</td>
<td>AB06-203</td>
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<td>D06-203</td>
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**BUDGET INFORMATION**

**2004 Budget Amount**

**Required Expenditure**

**Impact**

**Remaining Balance**

**Explanation:** No expenditure required

**Agenda Subject:** Eliminate (or adjust the date of) the annual automatic inflation adjustment for park and transportation impact fees.

**Administrative Recommendation:**

**Background Summary:**

When the Council recently adjusted the impact fee rate, it also wanted to revisit the issue of automatic inflationary adjustments.

One version of this ordinance would eliminate the annual inflation factor for transportation and park impact fees based on the Construction Cost Index (CCI). Option B would be to simply adjust the CCI adjustment date basis from June-June to October-October effective the next January 1st.

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

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

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

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

**Signatures:**
- Dir. Authorization: [Signature]
- Mayor: [Signature]
- Date City Attorney Reviewed: [Date]
There is reasonable justification to retain and routinely apply annual cost adjustments to impact fees, utility system development charges, and other fees established by the City Council.

Cost estimates used to establish the initial fee amounts are based on current year dollars. Each year after the calculations were made, the labor, material and cost components these calculations were based on changes, generally upwards. This is not an increase in the calculated amount of the fee itself or a change in level of service; rather, it is an annual adjustment to those fees in order to prevent a loss of purchasing power.

The adjustment amount is not arbitrary. Various sources are available to determine the appropriate amount of the annual adjustment factor. For the most part, the Consumer Price Index (CPI) or Engineering News Record Construction Cost Index (CCI) for the Seattle/Tacoma area are used. CPI tends to focus on goods and services; whereas the CCI tends to reflect labor, material, and equipment cost increases in the facility-utility construction, repair, maintenance and operations industry. The CCI is appropriate for use with the Transportation Impact Fee (TIF) and all utility System Development Charges (SDC).

The basis for calculating Impact Fees and System Development Charges are updated every five years or so, generally when our Comprehensive Plans are updated. Comprehensive plans receive close scrutiny by the public, consultants, staff, and elected officials to validate the projects identified therein. Rate analyses also receive close scrutiny and are based on generally accepted accounting principles and industry standards. The more eligible projects there are for each fee, the higher the fee will be. Bonney Lake’s rapid growth in population, schools, other public facilities, and businesses, justifies a corresponding growth in public infrastructure construction as well as operation, maintenance and repair services.

Without annual CPI-CCI adjustments, the whole process of generating budgets, fees and charges based on a rigorous and public analysis of required projects, costs, and revenue would be weakened. Why remove these adjustments, which are already built into our municipal code? We do not have enough money to accomplish projects even with these fees. Why diminish legitimate revenue sources?

Thank you for your consideration of these points,
DAN
From: John Carpita [jcarpita@mrs@org]
Sent: Friday, October 27, 2006 9:17 AM
Subject: Cost Increases Survey Responses Part I

Wow! Struck a nerve with the cost increase questions:
  1. What is the approximate range of cost increases for public works roads projects above engineering estimates during the last 6-12 months?
  2. Do you have information or opinions regarding future trends in increases above cost estimates for public works construction projects?

A lot of great info in just a few hours, so I will summarize what I have received so far and then follow up with another email later.

Jolene Gosselin jgoselin@co.douglas.wa.us
  20% more on the maintenance side for materials.

Walt Olsen, PE, walt@crab.wa.gov (360) 753-5989
  1 15-40% is what we have heard from the counties that are still working
  2 Popular opinion is that the trend will continue up, 10-15% next year. Asphalt prices will lead the way, up 25-35%.

David Gebert Gebert@ci.edmonds.wa.us
  Attached is a summary of our bid results for 2005 and 2006 to date. I have noted which projects are road or sidewalk projects. I think this gives you the info you request in your first question. I don't have any wisdom for you on your second question other than our engineer's estimate has pretty consistently been the "low bid" for the past year or so. [NOTE from John Carpita: I will gladly forward David's summary on request. Sending attachments to a large number of people at one time plays havoc with our email server.]

Mick Monken MickM@ci.woodinville.wa.us
  We had two large bids and the both came in within the engineer's estimate. However, in both cases, we used current WSDOT current bid result numbers and increased concrete and asphalt 25% and overall 15% on other items.
  Rule of thumb, we are projecting 10% increase each year. I suspect with oil prices coming in lower, overall it will be under this amount.

Bob Giberson bgiberson@ci.tukwila.wa.us (206) 431-2457
  We took WSDOT's recent information to Council for information along with ENR indices and DJC articles so they would be aware of the dramatic cost increases and budget impacts. Go to http://www.wsdot.wa.gov/biz/construction/constructioncosts.cfm for more information than you could dream off

David Berg, PE dberg@bellewuewa.gov 425-452-6468
  It wasn't until we opened bids for projects in Sept and Oct that we finally had a bid UNDER the engineer's estimate in 2006. Seemed like we were chasing our tails trying to keep up with the escalation in bid prices in putting bid packages together, especially for any bid item that had anything to do with oil.
  Looking back on it confirms the problem we were all facing: the WSDOT Gray Notebook document for the 2nd quarter of 2006 says their construction cost index (a composite of unit price information from low bids on seven of the most commonly used construction materials) is up 31% since the end of 2005! No wonder our engineer's estimates were always low.
  Over the past two months we have started to get bids back in line with our engineer's estimates, including below the engineer's estimate. The decline in oil prices may be helping us with that trend, plus we may have enough historical information from the past six months to the point that our estimates have caught up with reality. Rest assured, as long as the volatile market exists for oil, we aren't breathing any easier yet.

Kevin Gray Kevin.Gray@clark.wa.gov (360) 397-6118, ext. 5358
  Costs have risen dramatically over the last year, most notably in the steel, Portland cement and oil based
resources areas. Clark County has only experienced one project where the bids came in significantly higher than our estimate. Our Betts Bridge bids came in 22% over our estimate, which is primarily attributable to the cost increases in steel over the previous year. Since that time, we have made adjustments to better reflect the dramatic increases and have been very accurate with our estimates on the last 8 or 9 projects we have bid.

We are getting much better at tracking and predicting material costs, particularly rock, steel, asphalt and Portland cement. We recommend staying tuned to contractors to determine if they are going to experience increased risk and attempt to limit that risk with escalation clauses in contracts.

Kirk Holmes KHolmes@ci.snoqualmie.wa.us
1) Cost increase of 4-5%.
2) Projects coming up, we are projecting cost increase of 1% per month.

John VanLund johnvl@sicpublicworks.org (360) 370-0510
1. We have had one new road construction project here on San Juan Island this past year. It was the Town of Friday Harbor's Guard Street Improvement Project which came in 28.5% over the Engineer's estimate.
2. Future trends continue upward by at least 10-15% per year. There are no new Capacity Improvement Projects (595) on San Juan County’s 6-Year Transportation Improvement Program 2007-2012.
3. Counties need more funding.

Rick Blair rb Blair@ci.sedro-woolley.wa.us
30%

Will VanRy Wvanry@ci.mlt.wa.us (425) 744-6271
I have been assuming an average increase of 7% per year.

Monte Reinders mreinders@co.jefferson.wa.us (360) 385-9242
Difficult question to answer because we've increased our engineering estimates to compensate so some projects have come in under the estimate. Also, some increases are not due to fuel and materials cost increases but because there is a lot of work going on and not enough contractors to do it. In general though I would say that a 20% increase about sums up recent spikes in expected prices.

Gary Leaf leafg@ci.bonney-lake.wa.us
We recently received a sidewalk bid that was about 25% above estimate. Concrete and asphalt costs have gone up a lot since Katrina.

Derek Pohle dpohle@co.grant.wa.us 509-754-6082
1. 25 to 35%
2. We think costs will come down a little but will come to a new bench mark plateau about 20% above recent years average costs.

Please call or email me if you have any questions or need further information.

John W. Carpita, P.E.
Public Works Consultant
Municipal Research and Services Center
2601 Fourth Avenue, Suite 800
Seattle, WA 98121-1280
206-625-1300
Fax: 206-625-1220
jcarpita@mrsc.org
www.mrsc.org
ORDINANCE NO. D06-203

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTERS 19.04 AND 19.06 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 984, 1018, 1157 AND 1179, RELATING TO ANNUAL ADJUSTMENTS TO TRANSPORTATION AND PARKS IMPACT FEES.

WHEREAS, Title 19 of the Bonney Lake Municipal Code currently includes provisions for automatic annual adjustment of the transportation and parks impact fees based on the Construction Cost Index; and

WHEREAS, the City Council desires to eliminate those provisions, reserving for itself the legislative option of adjusting impact fees on an annual basis;

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

Section 1. BLMC section 19.04.050 and the corresponding portion of Ordinance No. 984 § 1 are hereby amended to read as follows:

19.04.050 Fee schedules and establishment of service area.

A. An impact fee schedule setting forth the amount of the transportation impact fees to be paid by a development is set out in Attachment B and incorporated herein by this reference.

B. The impact fee schedule of costs, as set out in Attachment B, shall be updated annually at a rate adjusted in accordance with the Engineering News Record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area.

Section 2. BLMC section 19.06.050 and the corresponding portions of Ordinance Nos. 1018 § 1, 1157 § 1 and 1179 § 1 are hereby amended to read as follows:

19.06.050 Impact fee and establishment of service area.

A. Subject to the provisions of BLMC 19.06.060, the parks impact fee assessed pursuant to this chapter shall be $2,893.

B. The fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the Engineering News Record (ENR) Construction Cost Index for the Seattle area, using a June-June annual measure to establish revised fee schedules effective July 1st of the current year.

C. For the purpose of this chapter, the entire city shall be considered one service area.
Section 3. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

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

__________________________
Neil Johnson, Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

__________________________
James J. Dionne, City Attorney
ORDINANCE NO. D06-203 (Option B)

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTERS 19.04 AND 19.06 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 984, 1018, 1157 AND 1179, RELATING TO ANNUAL ADJUSTMENTS TO TRANSPORTATION AND PARKS IMPACT FEES.

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WHEREAS, the City Council desires to eliminate those provisions, reserving for itself the legislative option of adjusting impact fees on an annual basis;

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19.04.050 Fee schedules and establishment of service area.

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B. The impact fee schedule of costs, as set out in Attachment B, shall be updated annually at a rate adjusted in accordance with the Engineering News Record (ENR) Construction Cost Index for the Seattle area, using an October - October - June - June annual measure to establish revised fee schedules effective July 1st of the subsequent current year.
C. For the purpose of this chapter, the entire city shall be considered one service area.

Section 2. BLMC section 19.06.050 and the corresponding portions of Ordinance Nos. 1018 § 1, 1157 § 1 and 1179 § 1 are hereby amended to read as follows:

19.06.050 Impact fee and establishment of service area.

A. Subject to the provisions of BLMC 19.06.060, the parks impact fee assessed pursuant to this chapter shall be $2,893.
B. The impact fee set out in subsection A of this section shall be updated annually at a rate adjusted in accordance with the Engineering News Record (ENR) Construction Cost Index for the Seattle area, using an October - October - June - June annual measure to establish revised fee schedules effective July 1st of the subsequent current year.
C. For the purpose of this chapter, the entire city shall be considered one service area.
Section 3. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this _______ day of ________________________, 2006.

__________________________
Neil Johnson, Jr., Mayor

ATTEST:

__________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

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

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<td>PW Director Grigsby</td>
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**BUDGET INFORMATION**

**2006 Budget Amount**

**Explanation:**

**Agenda Subject:**
Discussion of the procedure to calculate Traffic Impact Fees (TIF)

**Administrative Recommendation:**

**Background Summary:** Discuss current procedures used to calculate TIF

Follow up from the 12 September City Council Meeting. The attached Standard Operating Procedure (SOP) is forwarded for review prior to the 19 September Work Shop. Questions on this SOP and application of it to specific project TIF calculations will be answered if requested.

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<th>Council Committee Dates:</th>
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<td>Council Workshops: 19 Sep 06 Public Meetings:</td>
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**Council Action:**

Council Call for Hearing: Council Hearings Date:

Council Referred Back to: Workshop: Committee:

Council Tabled Until: Council Meeting Dates:

**Signatures:**

D. F. Grigsby

Mayor

Date City Attorney Reviewed:
Public Works Department

Standard Operating Procedure (SOP)

SOP No: PW - ENGR - 001
Date: 28 September 2006
Re: Transportation Impact Fee (TIF) Calculation

References:
1) Ordinance 984 added Chapter 19.04 to the Bonney Lake Municipal Code on 25 February 2003. This ordinance created the first Traffic Impact Fee authority used by the City. TIF rate was set at $2,674 per trip.
2) Ordinance 1198 is the most recent adjustment to the TIF rate became effective 21 September 2006 and sets the TIF at $4,003 per New PM Peak Hour Trip (PM trips)
3) The reference used to determine the number of PM peak hour trips generated by a particular category of land use is the TRIP GENERATION manual prepared by the Institute of Transportation Engineers (ITE).
4) 19.04.050 (C) reads in part “A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system (transportation) improvements provided by the developer, to facilities that are identified in the capital facilities plan…”
5) 19.04.010(K) reads in part “…The six-year TIP shall contain a small group of capacity projects which will be considered reasonably funded for determining transportation concurrency and impact fees.”
6) 19.04.050(D) reads in part “…The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.”
7) 19.04.050(G) reads in part “…TIF shall be charged for each single-family residential unit (including new accessory dwelling units), and for each dwelling unit included in a multifamily residential development (e.g., duplex, apartment, condominium, mobile home park).”
8) 19.04.110 reads “…A developer may appeal the amount of an impact fee determined by the director as provide in BLMC 14.120.020.” (BLMC 3.68.010 also applies.)

Procedure:
1. Data Collection:
   a. Less than 10 PM trips generated: Applicant defines the land use type for the business that will be operating in a building and the amount of square feet to be occupied for this business.
   b. Ten or greater PM trips generated: Applicant will prepare a Transportation Impact Assessment (TIA) after a pre-application meeting and TIA scoping meeting have occurred. City staff and/or consultants will review this TIA and confirm that the results accurately reflect the impact on city streets of adding the new PM trips generated by this business. Further, this TIA will demonstrate that there will be no reduction in Level of Service D, without appropriate mitigation actions to prevent the LOS from deteriorating to an LOS of E or F.
1) The number of PM trips generated will be used by staff to calculate the **TIF charge** for this project.

2) Site specific transportation **mitigation projects** will be identified.

2. **TIF Charge Analysis Procedure:**
   a. The most **appropriate ITE Land Use Category** for the building permit applicant’s project will be selected from Attachment B to reference (2). If that category of land use is not included in Attachment (B), the closest match will be found utilizing the most current version of the ITE Trip Generation manual.

   b. **TIF Charge** will be calculated using the appropriate **Land Use Category and Unit of payment**.

   c. **Residential Properties.** TIF charges will be calculated following Attachment B in accordance with reference (7).

   d. **Single Use - New Commercial Buildings.** TIF charges will be calculated and charged for all new construction projects in accordance with references (1)-(7).

   e. **Multiple Use - New Commercial Buildings.** New commercial buildings are often constructed on speculation at time of the building permit application. The exterior shell is built (without knowing the ultimate land use or uses of the building) and the interior of the building is left unfinished. As building occupants are found and their land use is determined, the then current TIF charges applicable to that land use will be calculated and charged for at the time each Tenant Improvement (TI) permit application is made.

   f. **Single Use - Existing Commercial Buildings.** If the number of PM trips generated between the old land use and new use increases, a TIF charge will be calculated for the difference in old versus new PM trips generated. If no TIF fee was paid in the past for the building’s original use, only the TIF net increase for the new use will be paid by the building permit applicant.

   g. **Multiple Use – Existing Commercial Buildings.** No fee is charged when there is no change of use. Should the land use change, a new use TIF will be calculated and compared to the old use. If an increase in PM trips results from this analysis, a TIF charge using the current rate will be paid at the time of the **Tenant Improvement (TI)** permit application for the net increase in PM trips.

   h. **Pass-by PM Trips for Commercial Buildings.** If new buildings do not generate new PM trips, then no TIF charge will be made. Some buildings (such as espresso huts) serve customers normally passing by and do not justify a TIF charge for new PM trip generation. New TIF eligible trips are trips to a business solely for the purpose of using that businesses’ services. The number of pass-by trips is discussed during the review of the TIA.

3. **TIF Charge Analysis - Protest Resolution:**
   a. Review of City Engineer actions to calculate the TIF charge may be requested from and provided only by the Hearing Examiner. A **TIF Appeal Form** (enclosure (1)) requesting this review will initiate this action after payment of the TIF has been made under protest. In addition, a **TIF appeal deposit** is required to initiate this review in accordance with by BLMC 3.68.010(X).

   b. The review will determine if the Municipal Code has been accurately and fairly applied. The developer shall bear the burden of proving that an error occurred in the calculation,
that the error occurred due to inaccurate information, or that a credit is due from a transportation mitigation project(s).

c. The applicant may present any additional studies or information that demonstrate why the Hearing Examiner should make an adjustment to the TIF charge. Normally, this information will take the form of a Traffic Impact Analysis (TIA) prepared by a Traffic Engineer.

d. Application for a Hearing Examiner's determination will be accepted when documentation required by BLMC 14.120.020 is provided and must be accompanied by the appeal fee deposit in accordance with BLMC 3.68.010(X). The Hearing Official's determination shall be final.

4. Payment:

a. TIF Charge. Payment will be made at time the building permit is ready to be issued.

b. Mitigation Project Credit.

i. Complete Projects. Full funding and completion of construction projects identified by the TIA will be required by the applicant prior to issuance of a certificate of occupancy.

ii. Partial Projects. Funding of partial (fair share) project cost(s) will be charged where indicated by the TIA. Combination of several partial project costs into one complete project is desirable and encouraged by the City when feasible.

iii. Mitigation Project Credit. Projects built that are currently in the capital facilities plan project list upon which impact fees are based will be given TIF credit up to the maximum TIF charge calculated by staff.

iv. Projects required solely for the purpose of connecting a building or development to a utility system or public road, are not considered mitigation projects. Without these projects, the building or development could not function. In this case, those projects are not eligible for TIF credits.

DANIEL L. GRIGSBY, P.E.
Public Works Director
ITEM:  Presentation:  2007-2008 Biennial Budget

There are no advance written materials for this presentation.
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department/Staff Contact: Don Morrison</th>
<th>Council/Wrkshp Mtg Date: October 24, 2006</th>
<th>Agenda Bill Number AB06-330</th>
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<tr>
<td>Ordinance Number: TBD</td>
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**Budget Information**

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

**Agenda Subject:** Public Hearing and Subsequent Action to Consider Stormwater Program Revenue Requirements and Associated Rates

**Administrative Recommendation:** Approve necessary rate adjustment following public hearing and council deliberation.

**Background Summary:** In preparing for the 2007-2008 biennium budget, a review of the stormwater utility indicated that if nothing is done to adjust rates upward the utility will not generate sufficient operating revenues next year to cover operating costs. This had been forecast by the rate study prepared last year by HRD/ESS. The current draft 2007-2008 budget assumes an increase as proposed. If not approved the Admin. will need to adjust both the 6 year Stormwater CIP and the operating budget downward to better fit the projected revenues. This would likely mean deferring most of the consultant recommended Lake Jane and Lake Bonney drainage projects. The hearing will be to consider stormwater rates generally, with a specific proposed ordinance to raise the raise to $6/mo effective 1/1/07, and thereafter add another $2 increase each year through 2011. Of course, during the 2007-2011 long range planning and budgeting horizon the Council could always review the operations of the utility and make modifications as deemed appropriate.

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<th>Council Committee Dates: Finance Committee: 9/12/06</th>
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**Council Action:**

- Council Call for Hearing:
- Council Referred Back to: Workshop:
- Council Tabled Until: Council Meeting Dates:
- Signatures:
  - Director: [Signature]
  - Mayor: [Signature]
- Date City Attorney Reviewed: [Date]

PUBLIC HEARING
HELD 10/24/06
NO COMMENTS.
ORDINANCE NO. D06-330

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING TITLE 15 OF THE BONNEY LAKE MUNICIPAL CODE AND SECTION ONE OF ORDINANCE NO. 1139 RELATING TO THE CITY'S STORMWATER UTILITY.

WHEREAS, the City Council in 1997 created a stormwater utility for the purpose of funding improvements to and maintenance of the City's drainage system; and

WHEREAS, the City Council finds it necessary to raise service rates in order to fund the cost of needed maintenance, operations, and capital improvements to the stormwater system;

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

Section 1. BLMC section 15.14.030 and Section One of Ordinance No. 1139 are hereby amended to read as follows:

A. Single-Family Residential Customer. The charge for a single-family residence shall be $3.90 as follows:

Effective January 1, 2007: $6.00 per month.
Effective January 1, 2008: $8.00 per month.
Effective January 1, 2009: $10.00 per month.
Effective January 1, 2010: $12.00 per month.
Effective January 1, 2011: $14.00 per month.

B. Commercial/Multifamily Customer. Multifamily living units with a separate water meter per unit shall be charged as follows $3.90 per month for each meter.

Effective January 1, 2007: $6.00 per month.
Effective January 1, 2008: $8.00 per month.
Effective January 1, 2009: $10.00 per month.
Effective January 1, 2010: $12.00 per month.
Effective January 1, 2011: $14.00 per month.

The charge for all other nonresidential users shall be $3.90 as follows per ESU per month:

Effective January 1, 2007: $6.00 per month.
Effective January 1, 2008: $8.00 per month.
Effective January 1, 2009: $10.00 per month.
Effective January 1, 2010: $12.00 per month.
Effective January 1, 2011: $14.00 per month.
Where more than one meter exists on an individual parcel (i.e., shopping malls, multifamily housing, etc.) the parcel owner has the option of determining how to allocate the measured ESUs between the water meters. Where the property owner fails to provide this information in a timely manner, the city shall charge one ESU to each meter and the balance of the ESUs to one meter (usually the largest water meter). Property owners may change this allocation by notifying the city in writing.

C. Credit. Parcels, other than single-family residences, with a qualifying stormwater detention or retention may receive a partial reduction of the rate charged for that property. The percent of rate reduction shall be proportional to the amount of water collected and diverted from directly entering the storm drainage system, but may not exceed 50 percent of the rate otherwise charged. A "qualifying stormwater detention facility" is a facility that controls discharge of stormwater and melting snow from the property at a speed or capacity at or in excess of the stormwater that would have been discharged from the property in its natural state, and which is established, operated and maintained in accordance with all city ordinances. Any person requesting such credit shall: (1) provide, at no cost to the city, plans and calculations prepared by a professional engineer or architect in support of the credit; and (2) describe the maintenance program to be used in order to ensure that the facility will operate as designed and be maintained in accordance with city ordinances. Any credit may be revoked or suspended if it is determined that the facility is not operating as designed or is not being maintained in accordance with city ordinances.

D. CPI Adjustment. Beginning January 1, 2006, and for every year thereafter, the charges listed in this section shall be adjusted by the annual change in the most recent Seattle-Bremerton-Tacoma Consumer Price Index (Urban Consumers), published by the U.S. Department of Labor.

Section 2. This Ordinance shall take effect January 1, 2007, after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of ____________, 2006.

______________________________
Neil Johnson, Jr., Mayor

ATTEST: 

APPROVED AS TO FORM:

Harwood T. Edvalson, CMC, City Clerk

James J. Dionne, City Attorney
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**TOTAL ANNUAL WORKING CAPITAL**

- Change to annual Net Available
- Total Capital Projects - Attachment F-2
- Total Annual Available
- Storm Water Collection Fees (aka SDCO)
- Dedicated Revenue (Capital)
- Annual Operating Net Available
- Total Operation and Maintenance Expenses
- Administration & Maintenance
- Operation and Maintenance Expenses
- Total Operating Revenues
- Other Fees & Charges
- Monthly Storm Water Charges
- Operating Revenues

**STORM WATER OPERATIONS**

- Run Date: 10/18/06
- Proprietary

**ATTACHMENT F**

Assumes $2/Mo. Increase
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**Assumes $2/Mo. Increase** for Capital Improvement Program

City of Bonney Lake

Storm Water Fund ($,000s)

2005 - 2024
The Bonney Lake Stormwater System

- 23 miles of stormwater pipe
- 1,222 catch basins (79 with filters)
- 43 curb inlets
- 188 manholes
- 36 detention / retention ponds
- 55 dry wells

Future Requirements

- Bonney Lake system is a regulated MS4 (Municipal Separate Storm Sewer System)
- Will be subject to a “NPDES Phase II Municipal Stormwater Permit”
- DOE now issuing final regulations
- Bonney Lake will be required to secure Phase II permit and meet additional control measures
Additional Obligations Under Phase II Permit

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post-Construction Storm Water Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

Stormwater Utility Operations

- Program Administration (admin., finance, billing, etc.)
- Planning and Engineering (comprehensive stormwater plans, basin studies, water quality studies, engineered systems, hazard mitigation, development review, easements, etc.)
- Operations and Maintenance (system construction, repair and maintenance)
- Monitoring (permitting, enforcement)
- Public Education
Ongoing Maintenance and Operations Activities

- Drainage ditch installation, maintenance, mowing and repair
- Stormwater pipe maintenance, repair, and replacement
- Stormwater pond maintenance: remove invasive vegetation, remove debris, mow weeds
- Fencing installation, maintenance and repair
- Catch basin and pipe cleaning and repair,
- Spill/hazard responses; Cave-in projects
- Tie-in inspections and permits
- Outfall channel maintenance and repair
- Bank maintenance and repair
- Outlet/Overflow/Spillway repair and maintenance
- Filter repair and maintenance
- Cleaning, clearing, and restorations of streams and channels; Erosion control.
- Street sweeping

Funding the Stormwater Program

- Current revenues will not cover current expenses through 2007;
- Few CIP projects can be undertaken without a rate increase, including Lake Jane and Bonney Lake drainage system improvements.
- Council needs to adjust rates to fund both operations and a reasonable CIP
Rate Adjustment Alternatives

- Alternative 1: Do nothing
- Alternative 2: One Dollar/Mo. Increase per Year for Five Years
- Alternative 3: Two Dollars/Mo. Increase per Year for Five Years
- Alternative 4: Three Dollars/Mo. Increase per Year for Five Years

Comparative 2006 Stormwater Rates (SF Residence)

- Auburn $10.90 per month
- Puyallup $9.845 per month
- Sumner $8.64 per month
- Issaquah $10.33 per month
- Fircrest $18.00 per month
Recommendation

- Alternative 3: Two Dollars Increase/Month per Year for Five Years. Increase monthly rate from $4 to $6 January 1, 2007 and subsequently increase the rate each year by two dollars through 2011.
- This alternative should be sufficient to fund a basic level of operations and maintenance, meet Phase II NPDES Permit requirements, and roughly 85% of currently identified capital improvements through 2011, including Lake Jane and Bonney Lake drainage system improvements (assuming the accuracy of current cost estimates).
Call to Order:
Mayor Johnson called the October 17th 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, Councilmember Cheryl Noble and Councilmember Jim Rackley. Councilmember Phil DeLeo arrived at 5:37 p.m.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Police Chief Mike Mitchell, City Attorney Kathleen Haggard, Administrative Services Director / City Clerk Harwood Edvalson, Assistant Public Works Director Rick Shannon, Special Projects Planner Shannon Mayfield-Porter, and Records & Information Specialist Virginia Phelan.]

Agenda Items:


   Planning and Community Development Director Leedy said that the citizens who spoke at the public hearing appeared to be satisfied by the explanations provided by Special Projects Planner Mayfield-Porter. Special Projects Planner Mayfield-Porter elaborated that the citizens’ main concern was the potential of 82nd St. being extended to 214th. She said since that is not currently the plan, the speakers were content.


   Deputy Mayor Swatman explained this is another topic Council has previously been through, which is being redone.


   Chief Financial Officer Wroe said this topic is ready to advance for Council action. She offered to answer any questions Council may have on the letter of protest filed.
4. Open Discussion:

Reclaiming Waste Water. Councilmember Rackley said the Community Development Committee had been discussing the idea of reclaiming waste water. He asked that money be budgeted for an in-depth analysis of the costs for reclaiming wastewater from additional packet plants in which the City plans to install as well as the current 1.5 million gallon tank.

Stormwater Review. Councilmember Noble asked for the status of the stormwater review. City Administrator Morrison said all the projects itemized in the recent stormwater presentation are being worked into the budget for the next biennium. He said the order of projects can be adjusted according to Council priority, but one of the projects will require more study. Councilmember Noble requested the projects be ordered in such a way that it will give priority to the citizens who have suffered with the same problem for years. Councilmember Hamilton said the property owners need to be kept informed and asked if any projects or “quick fixes” can be done this year to help them with the coming winter. City Administrator Morrison said nothing is budgeted, but assistance may be possible if the City uses some SDC funds in advance. Mayor Johnson recommended the conversation continue when the City Engineer and Public Works Director are available to offer suggestions.

Senior Center. In reference to the new generator at the Senior Center, Councilmember Hamilton asked if there is a procedure in place for power outages and other emergencies. He suggested the emergency plan be updated to take advantage of the new possibilities. Councilmember King expressed concern that this update has been taking too long and asked what Council can do to assist. City Administrator Morrison said updating the emergency plan has been a long process and will require an additional 18 months to complete. He said it has not been a high priority and the work meetings have traditionally been held on Thursday mornings. Administrator Morrison offered to schedule future meetings at a more convenient time.

Eastown. Councilmember Bowen asked if there had been any progress on the lift station latecomer’s agreement in Eastown. City Administrator Morrison said the Eastown meetings have recently been focused on design of the sewer systems and roads. Mayor Johnson added that the meetings have been progressing smoothly and are well attended.

Modular Office Space. Councilmember DeLeo asked if there has been additional discussion regarding the use of modular buildings or availability in the Public Safety Building for supplementary City office space. City Administrator Morrison said it has been discussed informally, but it is not in the preliminary budget.

Inlet Island. Councilmember DeLeo said there is a home at the Northwest corner of the intersection on Cascade Drive coming onto Inlet Island that previously had a large tree located in the right of way, which blocked the view in the intersection. He said the tree has been replaced with landscaping and a wishing well, which the City is telling the homeowner to remove because it is in the right of way. Councilmember DeLeo expressed confusion that the tree problem was never addressed, but now landscaping in the right of way has the City’s attention. City Administrator Morrison said an engineering technician noticed the code violation while in the area for a different reason. He said the City is hopeful an agreement can be made which will allow the property owner to keep their landscaping.

Nuisance Building. Councilmember King asked about the status of the building at Locust and Bonney Lake Blvd. He said in a week it will be 30 days after the Hearing Examiner’s decision to
leave the hearing open. He said he would be interested in being kept updated and hearing the City’s plan for a resolution.

Traffic Photo Enforcement. Deputy Mayor Swatman asked that any profits made from the Photo Enforcement Program be put towards flashing lights, sidewalks and other additional safety measures in the school zones. He said the money should be spent on public safety since that is the intent of the program. Council discussed the feedback they have been getting from the public and the need to keep people informed as to the purpose and success of the program.

Wilderness Ridge Annexation. Deputy Mayor Swatman said this annexation has been discussed and if the petitions are ready at the next Council meeting it will begin to move forward. He said there are people in Wilderness Ridge complaining about service issues because the County frequently tells them they are in the City so there has been much confusion for those residents.

Fennel Creek Tour. Deputy Mayor Swatman spoke about the recent Fennel Creek Tour. He said they visited Victor Falls and several places on the creek. He added that some homeowners allowed the tour group to cross through their back yards and said it is common for people to follow the stream from Willowbrook to the area behind Wal-Mart.

Ponderosa Annexation. Mayor Johnson said the City has been contacted by some residents of Ponderosa Estates who wish to be a part of the City. He explained that he had instructed them on the process for pursuing annexation and said there will be transportation issues and other things which will need to be worked out with the County. Councilmember Rackley suggested looking at the entire area surrounding Ponderosa Estates including Prairie Ridge and Rhododendron. He said adding this large population would qualify the City to receive additional sales tax revenue which would help compensate for the high cost of providing services to such a vast increase in population.

Ball Park Well. Councilmember DeLeo said his neighbors have told him their water does not taste or smell weird, but has a cloudiness to it. He asked if there could be particles left in the transmission lines from the Ball Park Well. Assistant Public Works Director Rick Shannon said the lines have been flushed and the cloudiness is an air issue which is unnoticeable to people who have aerators on their taps. When asked about recent testing at Mr. Sangesand’s residence, Director Shannon said the water was rated “3” and most people do not notice anything wrong until a “5” rating. He went on to say that the Ball Park Well is not off completely for the winter, but should be by the end of the month. Director Shannon explained that the coming winter is expected to have low rainfall and he would like to see the aquifer recharged. He said City Engineer Woodcock is working on an RFP for the study.

RAMP Presentation. Mayor Johnson offered copies of the RAMP presentation to Council. He also mentioned a group called Strategies 360 who compiled information on the opinions of King, Pierce and Snohomish County voters in regards to traffic. He offered copies of this information as well.

Board & Commission Terms. Deputy Mayor Swatman described the problem of excessive and inconsistent term limits for appointed officials. He said that Administrative Services Director Edvalson recommended all terms expire at the same time so vacancies can be opened together annually. Deputy Mayor Swatman said this will be discussed more in-depth at an upcoming workshop.
Hwy 410/ Old-Summer Buckley Hwy Intersection. Councilmember Hamilton said he liked Councilmember DeLeo’s idea of putting a U-turn at 184th St, reminding Council that Transpo and Public Works staff were concerned about safety with the U-turn being left on Hwy 410. Council agreed a light would be necessary at that intersection and Councilmember Hamilton said placing the U-turn there would solve many access problems. Councilmember Noble added that it would keep traffic out of the residential areas. Deputy Mayor Swatman said completion on this project is still years in the future.

I-933. Councilmember King thanked City Administrator Morrison for providing AWC estimates on the potential costs upwards of 48 million dollars for the City if Initiative 933 passes. Council discussed the land use decisions of the City in the past as well as the future and the requirements to comply with federal and state guidelines. City Attorney Haggard described the legal implications of I-933 and there was consensus to bring forward a resolution to take a stand on this issue.

Councilmember Bowen moved for a 5-minute break at 6:51 p.m. Deputy Mayor Swatman seconded.

Motion approved 7 – 0.

The meeting reconvened at 7:02 p.m.

5. Review of Minutes: October 3rd Council Workshop, October 10th Special Joint City Council/Planning Commission Meeting and October 10th City Council Meeting.

Councilmember DeLeo said the October 10th City Council meeting minutes has a misspelling of a gentleman’s name. He said Dan’s last name in the 3rd paragraph on page 7 is spelled “Bohm”.


Councilmember DeLeo said the Public Safety Committee has been working on a tow truck ordinance for about 4 months. He explained the need for an ordinance of this type and the reasons for setting requirements for the towing companies to be located within 5 miles of the City limits. Council discussed the importance of flexibility in their tow truck call list as well as reliability and good response time in emergencies. Councilmember Bowen confirmed with Police Chief Mitchell that citizens are given the opportunity to call their own tow truck if the situation allows.

7. Executive Session: Pursuant to RCW 42.30.110(1)(b) and RCW 42.30.140(4)(a) Mayor Johnson announced an executive session at 7:12 p.m. to discuss Property Purchase for 5 minutes and Labor Negotiations for 20 minutes. The meeting was extended for 20 minutes at 7:37 p.m. and extended again at 7:55 p.m. for 10 minutes.

8. Adjournment
At 8:00 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 5 – 2. Deputy Mayor Swatman and Councilmember Hamilton voted No.

Harwood T. Edvalson, CMC
City Clerk

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

A. Flag Salute - Chris from Boy Scout Troop #532 led the audience in the Pledge of Allegiance.

B. Roll Call [A1.3]

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

Staff members present were City Administrator Don Morrison, Planning & Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Police Chief Mike Mitchell, City Attorney Jeff Ganson, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe and Records & Information Specialist Virginia Phelan.

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

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings: [A3.6.12]

1. AB06-330 – Ordinance D06-330 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Title 15 Or The Bonney Lake Municipal
Code And Section One Of Ordinance No. 1139 Relating To The City’s Stormwater Utility. (Proposed Stormwater Rate Increase.)

Mayor Johnson opened the public hearing at 7:01 p.m. There being no speakers the hearing was closed at 7:02 p.m.

B. Citizen Comments:

Don Sangesand, 5616 195th Pl. E., addressed the Council on behalf of his wife. He said she wanted the Council to reconsider increasing sewer rates. He said the prior administration took money from the sewer fund to pay for the property for a new city hall and this money should be returned to the sewer fund by this administration, whether they choose to sell or retain it. Mr. Sangesand said it is his wife’s opinion that this reimbursement to the sewer fund would prevent the need for sewer rate increases.

Mr. Sangesand said he heard that the City completed another study on the Ball Park Well and asked why none of the studies seem to address the bad taste and smell of the water. He said a lot more citizens would be complaining if they thought their concerns would be heard. Mr. Sangesand went on to say the City does not need to use this well in times of water shortages when they have Tacoma Water available to purchase.

Dan Decker, 20401 70th St. E., brought up the topic of condemnation. He expressed his opinion that it would be in the best interest of the City to condemn property in Area 41 for a roundabout. He said this would ease traffic and enhance the City’s infrastructure. He also said cost would probably be covered by the commercial complex which is planning to move in there.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:
[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed the following:
1. Resolution 1629 – an agreement with Industrial Rehabilitation Consultants for on the job training;
2. Resolutions 1632 – purchase and sale agreement of 4.5 acres behind the library;
3. Setting public hearing for the annual ad valorem tax;
4. Court staff work overflow as a result of the new photo enforcement tickets;
5. and City Computer system infrastructure.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee met on October 16th. He said the following items were discussed and moved forward for Council consideration:
1. Consent agenda item G: intent to annex Area 3;
2. Full Council Issues item C: agreement with RH2 for water supply study.

Councilmember Rackley said the committee recommends passage of both items.

C. **Public Safety Committee**

Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.

D. **Other Reports:**

**PCRC.** Councilmember King said he was unable to attend the last meeting of Pierce County Regional Council, but he will copy the minutes to Council when they become available.

**Debates.** Councilmember Rackley informed the Council there would be debates Wednesday the 25th and Thursday the 26th in Buckley and Enumclaw.

**Senator Patty Murray.** Mayor Johnson said he and Councilmembers Noble and Rackley had attended a meeting with Senator Murray to discuss concerns in the region. He said they mainly discussed transportation, open space, trails, and emergency preparedness. He explained the Senator was concerned that there was not funding for the 800 MHz system and that she would be following up on this.

**Cascade Land Conservancy Luncheon.** Mayor Johnson said he had also attended a luncheon at the Tacoma Convention Center with Deputy Mayor SWATMAN, Councilmember Noble and Councilmember Hamilton as well as Community Services Director Gary Leaf, Detective Dana Hubbard and GIS Analyst Allan Catanzaro from City staff. He described the luncheon, noting it was a good chance for the City to do some networking. Councilmember Hamilton added that the new Director for the Cascade Land Conservancy has been putting more focus on preserving open spaces in urban areas. Councilmember Rackley mentioned that following the meeting Congressman Dave Reichart and Representative Jan Shabro visited City Hall allowing staff an opportunity to speak with them. They ended the tour at the Senior Center.

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

A. **Approval of Corrected Minutes:** October 3rd Council Workshop, October 10th Special Joint City Council/Planning Commission Meeting and October 10th City Council Meeting.

B. **Checks/Vouchers:** Accounts Payable checks/vouchers #45345 thru #45448 and wire transfer #2260539 in the amount of $1,429,190.72; Accounts Payable check/voucher #45449 in the amount of $135.00. [J4.9]
C. **Payroll:** Payroll for October 1-15th, 2006 for checks 25394-25433, including Deposits and Electronic Transfers in the amount of $296,396.07. [F4.9]

D. **AB06-225 – Ordinance D06-225** - An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Vacating A Portion Of 80th Street East And 82nd Street East Adjacent And Intersecting 184th Avenue East In The NW Quarter Of Section 33, Township 20 N, Range 5 E, W.M., Subject To Conditions. [O 4.8.7]

E. **AB06-341 – Ordinance D06-341** – An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Approving And Confirming The Assessments And Assessment Roll Of Local Improvement District No. 05-13 For The Construction Of Street Improvements Along A Portion Of 95th Street East, And Levying And Assessing A Part Of The Cost And Expense Thereof Against The Several Lots, Tracts, Parcels Of Land And Other Property As Shown On The Assessment Roll. [A 2.4.16]


G. **AB06-332 – Resolution 1621** – A Resolution Of The City Council Of City Of Bonney Lake, Pierce County, Washington, Formally Expressing Its Intent To Annex “Area 3”, A Territory Of Approximately 107.16 Acres Located Adjacent To The Current City Limits. [O 3.2.2]

H. **AB06-349** – A Motion Of The Bonney Lake City Council, Setting A Public Hearing For The Regular Council Meeting Of Tuesday November 14, 2007 At 7:00pm. Regarding The Proposed Amount Of The Annual Ad Valorem Tax Levy For Fiscal Year 2007. [A 3.6.10] [A 3.6.12]

Dan Decker, 20401 70th St. E., thanked the Council for bringing Area 3 into the City of Bonney Lake.

On the topic of annexation, Councilmember Rackley encouraged Planning & Community Development Director Leedy to tell about the recent success in the Planning Department. Director Leedy said Special Projects Planner Mayfield-Porter had succeeded today in getting the last signature needed for the 60% petition for the Area 1-B annexation.

**Motion approved 7 – 0.**

### V. FINANCE COMMITTEE ISSUES:

A. **AB06-350 – Resolution 1629** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With
Industrial Rehabilitation Consultants Regarding On-The-Job Training For Adam McFayden. [A 4.12]

Councilmember Rackley moved to approve Resolution 1629. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:


Councilmember Noble moved to approve Resolution 1627. Deputy Mayor Swatman seconded.

Mayor Johnson said this resolution was brought from the Pierce County Auditor’s office, which passed a similar resolution. He said he wanted this from the entire Council and administration together and that he will be going to local schools to speak about the value of voting. Mayor Johnson encouraged the Council to join him.

Motion approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1628. Councilmember Noble seconded the motion.

Dan Decker, 20401 70th St. E., said he voted against Initiative 933 after learning more about it. He said it is an unfair initiative, despite how it is being billed and he encouraged Council to approve Resolution 1628.

Councilmember Bowen said he understood that the City as a corporation may feel it has to vote against Initiative 933, but he personally would be
voting for it and therefore could not oppose it in public without being dishonest.

Councilmember Rackley said this initiative will ruin the City’s zoning; including risking all the work done to zone the hillside RC-5 and affecting the WSU forest land.

Councilmember King said he could understand the concern for private land owner’s rights to make their own decisions with their property, but that supporting this initiative is a bad idea. He said the vagueness of the language in this initiative will inevitably result in it being defined in the courts at the costs of the municipalities. Councilmember King encouraged everyone to study the language of the initiative.

Motion approved 6 – 1. Councilmember Bowen voted no.

C.  AB06-352 – Resolution 1630 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering To Study Future Water Supply Options. [04.10.1]

Councilmember Rackley moved to approve Resolution 1630. Councilmember DeLeo seconded the motion.

Deputy Mayor Swatman asked how RH2 would be able to determine the costs of getting water from Cascade Water Alliance. Public Works Director Grigsby said RH2 would use the best available information they had to make estimates for the Cascade Water Alliance costs, but the costs for Lakewood and Tacoma water would not be estimates.  

Councilmember Noble asked if this had gone out for bid. Director Grigsby said it had not. He said on reoccurring work and studies they hire the companies who are most familiar with the City’s water system. He further explained that the City had done a request for qualifications in August and created a list of companies which can be used for specific projects. He said this list is on a rotation to ensure fairness.

Motion approved 5 – 2. Councilmember Noble and Deputy Mayor Swatman voted no.

D.  AB06-206 – A Motion Of The Bonney Lake City Council Approving the Final Plat for Indigo Ridge Subject To the Approved Terms and Conditions Of The Preliminary Plat. [A 3.6.10][A3.7.2]

Councilmember Rackley moved to approve AB06-206. Councilmember Hamilton seconded the motion.
City Attorney Ganson said this is a closed record hearing in the sense that Council must look at the conditions of the preliminary plat approval to see if they have been satisfied. He noted that if all conditions have been met, Council must approve the final plat.

Deputy Mayor Swatman said the information in the agenda packet was unclear and his concern was that the sight distance requirement may not have been met. Director Grigsby commented it probably had been, but he would have to look into it to be comfortable offering a guarantee. City Attorney Ganson said the topic can be tabled if there are outstanding questions.

Councilmember Rackley moved to table AB06-206 to the November 7th Council Workshop. Deputy Mayor Swatman seconded the motion.

Motion to table approved 6 – 1. Councilmember King voted no.

E. AB06-345 – A Motion Of The Bonney Lake City Council Accepting The 10% Petition To Commence Annexation Proceedings For “Wilderness Ridge Annexation”, As Described In Exhibit A And As Identified In Exhibit B Of The Petition; Determining That Upon Annexation, All Property Within The Proposed Annexation Area Shall Be Assessed And Taxed At The Same Rate And On The Same Basis As Other Property Within The City Of Bonney Lake, Including All Indebtedness Existing As Of The Effective Date Of The Annexation; Determining That The Proposed Zoning For The Annexation Area Shall Be R-1; And Authorizing Staff To Begin Circulation Of The Official 60% Petitions Pursuant To RCW 35A.14.120. [A 3.6.10] [O 3.2.2]

Director Leedy said the City does not yet have the 10% petition required.

Deputy Mayor Swatman moved to table AB06-345 until the 10% petition is complete. Councilmember Rackley seconded.

Deputy Mayor Swatman added that City Staff did a wonderful job on their side, but the signatures have simply not all been received.

Motion to table failed 1-6. Councilmember Rackley voted yes.

Deputy Mayor Swatman moved to remove AB06-345 from the evening’s agenda. Councilmember Noble seconded.

Motion to pull approved 7 – 0.

F. AB06-351 - A Motion Of The Bonney Lake City Council Calling For A Special Joint Meeting Of The City Council And The Planning Commission On November 14, 2006 At 6:30 P.M. At Bonney Lake City Hall And Setting A Joint Public Hearing Regarding The Proposed Annexation Of Area 1-B. [A 3.6.10] [A 3.6.12] [O 3.2.2]
Councilmember Noble moved to approve AB06-351. Councilmember King seconded.

Deputy Mayor Swatman said Special Projects Planner Mayfield-Porter and the Planning Department did a tremendous job on this annexation. Councilmember Rackley concurred.

**Motion approved 7 – 0.**

G.  **AB06-355 – Resolution 1632** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying The Purchase And Sale Agreement With Jack Simmons And Sherri Dewitt For The Purchase Of Real Property At 18426 SR 410 And 9320 Angeline Road.  
   [A3.13.3.3]

Councilmember DeLeo moved to approve Resolution 1632. Deputy Mayor Swatman seconded.

Mayor Johnson said the City has been attempting to obtain the Simmons property for many years. He stated some additional property with a view of Mt. Rainier became available next to it. He further explained that the City owns the Library property as well as the Public Safety Building and this action allows the City to acquire more property in the Downtown Area. He said the City has wanted to do this for at least 8 years.

Councilmember King asked where the City will be getting the 2.5 million dollars for this property. Chief Financial Officer Wroe explained it will be coming from an ending fund with an excess balance of the needed 2.5 million dollars, which had accumulated during the previous administration. Councilmember King suggested it may have been allowed to accumulate for a new city hall. City Administrator Morrison agreed that in years past the revenues had been estimated conservatively and the expenditures liberally, resulting in an ending fund balance at the end of each year. The City attorney confirmed that this was not an illegal act.

**Motion approved 7 – 0.**

IX.  **EXECUTIVE SESSION:**
Pursuant to RCW 42.30.140 (4)(b) Mayor Johnson called a 30 minute executive session at 7:51 p.m. to discuss labor negotiations. The executive session was extended for 10 minutes at 8:28 p.m. The meeting reconvened at 8:30 p.m.

X.  **ADJOURNMENT**

At 8:30 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

**Motion approved 7 – 0.**
Harwood T. Edvalson, CMC  
City Clerk

Mayor Neil Johnson, Jr.