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

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER

   A. Flag Salute

   B. Roll Call:

      Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley.

      Expected Staff Members: City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Administrative Services Director/City Clerk Harwood Edvalson, Community Services Director Gary Leaf, and City Attorney Jim Dionne.

   C. Announcements, Appointments and Presentations:

      1. Announcements:

      2. Appointments:

      3. Presentations:

   D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

   A. Public Hearings:

   B. Citizen Comments:

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

C. Correspondence:

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee

B. Community Development Committee

C. Public Safety Committee

D. Other Reports

IV. CONSENT AGENDA:

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

5-14


B. Approval of Payroll: Payroll for July 16-31 2010 for checks 29179-29218 including Direct Deposits and Electronic Transfers in the amount of $596,191.42.

15-18

Payroll for August 1-15 2010 for checks 29219-29256 including Direct Deposits and Electronic Transfers in the amount of $426,784.29.

19-22


23-31


33-76


F. AB10-144 - A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Submission Of A 2010 Transportation Improvement Board (TIB) Application For The SR410 & Sumner Buckley Highway Intersection Phase II Construction Project.

77

G. AB10-145 - A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Special Council Meeting For August 31, 2010 At 5:30
City Council Meeting Agenda

August 24, 2010

p.m. In The City Hall Council Chambers To Discuss Revenue And Budget Forecasts For The 2011-2012 Biennial Budget.

V. FINANCE COMMITTEE ISSUES:

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

79-97
A. **AB10-126 - Resolution 2059** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Parametrix For The Design Of The 80th And 82nd Street East Sidewalks.

99-115
B. **AB10-142 - Resolution 2067** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign the Eastown Sewer Lift Station 26 Site Utility Easement and Access Agreement with Charlotte Kontos.

VII. PUBLIC SAFETY COMMITTEE ISSUES:

117-122

VIII. FULL COUNCIL ISSUES:

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(b), the City Council may hold an executive session regarding purchase of real estate. The session duration will be announced prior to the executive session.

X. ADJOURNMENT

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

THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.
The City Council met at 5:00 p.m. for a tour of the City-owned property known as the Reed Property. In attendance were Deputy Mayor Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, and Councilmember Randy McKibbin. Upon completion of the tour, Councilmembers and staff returned to City Hall to continue the Workshop.

Location: 6:00 p.m. – City Hall Council Chambers, 19306 Bonney Lake Blvd, Bonney Lake.

I. Call to Order: Mayor Neil Johnson, Jr. reconvened the Workshop to at 6:03 p.m. at the City Hall Council Chambers and asked the Clerk to call the roll.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, and Councilmember Randy McKibbin. Councilmembers Donn Lewis and James Rackley were absent.

Councilmember Decker moved to excuse Councilmembers Lewis and Rackley. Councilmember Carter seconded the motion.

Motion approved 5 – 0.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Records & Information Specialist Susan Duis.]

III. Agenda Items:

A. Discussion pursuant to public hearing held 7/13/10: AB10-112 – Resolution 2050 – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Declaring A Proposed Annexation To Be In The Best Interest And General Welfare Of The City And Calling For An Election In The Territory Proposed For Annexation.

City Administrator Morrison noted that the version of the resolution included in the agenda packet is old and should not include language related to SEPA review, which is no longer required for annexations. He said this sentence will be removed from the item when it is brought forward for Council action.

City Administrator Morrison said the annexation issue could be placed on the ballot in February, April or May 2011. He said it is better to use the February or April
elections, because the May election date is too late to allow the County to finalize annexation in time for the area to qualify for taxes in the following year. Mayor Johnson said Pierce Transit is planning to place a transit tax on the February 2011 ballot, and the Council may want to wait to determine which date makes the most sense.

Mayor Johnson said there are no plans to hold an additional public hearing before adoption of the resolution, but citizens can speak to the Council in citizen comments and when the Council considers the resolution at a regular meeting. He said when the resolution is approved, the City can arrange for additional public meetings and informational resources for residents in proposed annexation areas. Councilmember Hamilton said it is important for the City to provide options for residents to get information first hand about the pros and cons of annexation. Council consensus was to move Resolution 2050 forward to the July 27, 2010 Meeting for action.

City Administrator Morrison noted that Resolution 2051, which the Council previously discussed, was written as a companion to Resolution 2050. Council consensus was to forward Resolution 2051 to the July 27, 2010 Meeting for action.

B. Council Open Discussion:

Police Boat: Mayor Johnson said Police officers took him on a tour of Lake Tapps on the new Police boat over the weekend. He said it is a great investment and local boaters enjoy seeing the Police presence on the lake. He said Officer Sainati plans to attend the next Public Safety Committee meeting to provide more information.

Fire Code Ordinance: City Administrator Morrison said the recently approved fire code ordinance, Ordinance 1357, lacked appendices that were supposed to have been incorporated as references but were left out in error. He said a corrective ordinance might be needed to correct the ordinance. There was general consensus that this item could be placed on the next Council meeting agenda.

WSU Medical Building Storm Pond: Councilmember Hamilton asked about trees being cut at the WSU Medical Building site and whether the stormwater pond being built currently is permanent. Councilmember Carter said the pond is part of the first phase for the project and the final stormwater pond will be located in the same place.

Events & Organizations: Councilmember Carter said the Relay for Life and YMCA fundraising efforts are seeking donations. She reminded attendees about upcoming special events including Tunes at Tapps on July 21st and the Healthy Living Fair on July 24th.

Code Enforcement: Councilmember Carter said the Public Safety Committee is reviewing the municipal code related to code enforcement and asked if the Council supports their consideration of possible changes to the code. She said they would like to streamline the ordinance, seek input from other cities, and consider options to write infractions or tickets for code enforcement violations. Councilmember Hamilton said the committee has also discussed whether the code enforcement position should be moved from Community Development into the Police Department. He said the City might get a better response if the code enforcement officer is uniformed. He added that a local resident reported she sent a request for code enforcement via email more than once, but had not received a response.
Councilmember Carter said the committee also discussed an opportunity to coordinate code enforcement with the Court. She said offenders who are sentenced with community service could fulfill their hours with property clean-up projects. City Administrator Morrison said staff have considered setting up a volunteer coordinator who would coordinate community service hours with cleanup projects. He said if the program is successful over time the City could consider creating a regular staff position to coordinate this type of work.

**Fireworks:** Councilmember Hamilton said he received multiple calls from residents again this year complaining about fireworks in the City, and several asked that fireworks be banned entirely. He said a potential ban on fireworks should come before the voters on the ballot, rather than being implemented by the Council. Police Chief Mitchell said officers responded to multiple calls, and are working to ensure that dispatchers do not preempt police action related to fireworks calls.

**C. Review of Council Minutes:** July 6, 2010 Workshop and July 13, 2010 Meeting Draft Minutes.

Councilmember Carter said the July 6th minutes, p. 1, should be revised to reflect that National Night out will include root beer floats at Ken Simmons Park and a barbecue at Cedarview Park. On the same page, she noted the following correction: “Lake Bonney Conservation Society Association.” The amended minutes were forwarded to the July 27, 2010 Meeting for action.

**D. Discussion:** AB10-129 - Transportation Impact Fee - A Disincentive to Economic Recovery?

Mayor Johnson said this discussion item relates not only to TIF fees specifically, but also to incentive programs and development costs in general. He said he believes the Council should discuss incentive program options regularly.

Councilmember Carter noted an article about plans for downtown Bonney Lake in the July 20th Tacoma News Tribune. She suggested that incentives be targeted to specific parts of town and/or specific types of businesses. She highlighted recent projects in the downtown area, and plans for a future civic campus, library, etc. Mayor Johnson said the City has spoken with businesses like Big 5, Red Robin, Olive Garden and Costco in the recent past. He asked for Council ideas and input on rebates, permit fee waivers, or other incentive options. Deputy Mayor Swatman agreed that incentives should be targeted, and that he does not support an across the board cut to TIF fees.

Councilmember McKibbin said he attended a discussion during the AWC Conference about development in other cities. Speakers stressed the importance of agreements and partnerships to complete projects that are mutually beneficial to both cities and developers. Mayor Johnson said the Greenwood development is one example of how the City and a developer can work together.

Councilmembers discussed various incentives and options to work with businesses that are considering relocating in Bonney Lake. Mayor Johnson said Executive Assistant Brian Hartsell is working on a video marketing tool for distribution. Deputy Mayor Swatman said the Council should keep in mind the City’s mission
when considering future development, and that residents value the natural beauty of
the City.

City Administrator Morrison asked whether the Council supports reducing or
temporarily waiving Traffic Impact Fees or other development costs. City Attorney
Dionne said that if the City waives impact fees, it must make up for those fees with
other revenues. He said there may be other incentive options that are not related to
TIF fees, however.

Discussions continued regarding incentives geared to help small businesses. Mayor
Johnson said the City could target businesses that are sales tax driven for incentives.
Councilmember Hamilton spoke in favor of delaying collection of fees to help
incentivize development. City Administrator Morrison suggested that existing City
businesses could be given credits for fees when they relocate to an existing building.
He said the City could offer alternative fee payment options to developers who set
up developer’s agreements with the City. Mayor Johnson said Raymond Frey, an
area developer who was in the audience, had suggested that the City extend the
deadline for TIF fee payment to the date when certificates of occupancy are
released. Councilmember Hamilton said incentives should be set up with definite
start and end dates.

Mayor Johnson directed the Chief Financial Officer and City Administrator to
review staffing and financial impacts related to the various incentive options
discussed. Council consensus was to continue discussion to a future workshop.

IV. Executive Session: None.

V. Adjournment:

At 7:24 p.m. Councilmember Decker moved to adjourn the workshop. Deputy Mayor
Swatman seconded the motion.

Motion approved 5 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to the Council at the July 20, 2010 Council Workshop:

- City of Bonney Lake – CIP Projects Directly Benefiting Greenwood Development – Public
  Works Director Dan Grigsby.
- City of Bonney Lake – Transportation Improvement Projects (2005-2025) – Public Works
  Director Dan Grigsby.
Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

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

B. Roll Call:
Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley. Mayor Neil Johnson, Jr. was absent.

[Staff members in attendance were Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:
   1. Announcements: None.
   2. Appointments: None.
   3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

   Deputy Mayor Swatman opened the public hearing at 7:02 p.m. Seeing no speakers, the public hearing was closed at 7:02 p.m.

B. Citizen Comments:

Debbie McDonald, P.O. 7125, Bonney Lake, reminded Council that the Relay for Life annual event begins Friday, July 30th at 6:00 p.m. and continues through Saturday at Noon. She thanked Councilmember Carter for her support of the fundraising event and encouraged the Council to take part in the event.
Julie Gustafson, 12207 211th Ave E, Bonney Lake, said she does not want to be annexed into the City. She said she is not confident that it will bring positive changes and is concerned about the costs associated with annexation. She said she hopes other residents who feel the same way will come forward.

C. **Correspondence:** None.

III. **COUNCIL COMMITTEE REPORTS:**

A. **Finance Committee:** Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and listened to a presentation from ATB for alarm monitoring services. The committee reviewed minutes and forwarded Resolution 2061 (used paving compactor) to the current agenda. The committee will continue discussions on renewing the high-efficiency toilet program and reviewing City development fees.

B. **Community Development Committee:** Councilmember Rackley said the committee met on July 19th, though he was not able to attend. The committee discussed artwork options for the retaining wall at the intersection of SR 410 and Sumner-Buckley Hwy E. Joe Clark spoke to the committee about reducing the buffer on his property, and Mary Miller asked the committee for more information on potential development and sewer service in Eastown. The committee discussed options to purchase a parcel on 233rd St E, and forwarded Resolution 2060 and AB10-116 to the current agenda. The committee forwarded Resolution 2058 (design for the Eastown sewer lift station) to the August 10th Meeting and Resolution 2056 (6-Year TIP) to the August 17th Workshop, and plans to continue review of Resolution 2059 (design contract for 80th and 82nd Streets sidewalks project) at the next committee meeting.

C. **Public Safety Committee:** Councilmember Hamilton said the committee met on July 19th and discussed code enforcement issues and requests from citizens to ban fireworks. The committee plans to review BLMC Chapter 8 (Code Enforcement) and to consider whether code enforcement duties should be transferred to the Police Department. Chief Mitchell said the cities of Algona and Pacific now contract with Metro Animal Services, and animal control fees may be raised in the future. Councilmember Hamilton said the committee will discuss new revisions to the Animal Control ordinance. The Prosecutor’s office has presented information on an ‘inattentive driver’ ordinance, and Councilmember Decker is sponsoring an ordinance regarding avoidance of an intersection, both of which will be forwarded to future Council workshops or meetings.

D. **Other Reports:**

Boating Advisory Committee: Councilmember Hamilton said the Church Lake Boating Advisory Committee met on July 26th. Though they did not have a quorum, the group discussed focusing their efforts on noise issues. He said the Police Department is going to take decibel readings of boat noise, and the ad-hoc committee will forward its recommendations to the Public Safety Committee for consideration.

IV. **CONSENT AGENDA:**
A. **Approval of Minutes**: July 6, 2010 Workshop and July 13, 2010 Meeting Minutes.

B. **Accounts Payable Checks/Vouchers**: #59043 thru 59071 (including wire transfer #7122010) in the amount of $437,944.66; Accounts Payable checks/vouchers #59072 for a utility refund that a bank paid to the City in error in the amount of $236.87; Accounts Payable checks/vouchers #59073 in the amount of $250.00; Accounts Payable checks/vouchers #59074 in the amount of $40.02 for a utility refund; and Accounts Payable checks/vouchers #59075 thru 59129 (including wire transfer #’s 6132577, 7162010 and 20100716) in the amount of $431,969.84.

C. **Approval of Payroll**: Payroll for July 1-15, 2010 for checks 29143-29178 including Direct Deposits and Electronic Transfers in the amount of $411,467.28.


F. **AB10-106 – Resolution 2048** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Netversant To Install Category Six Network And Cable TV Cableing In The Interim Justice Center For $12,288.20. Moved to Full Council Issues, Item C.


I. **AB10-120 – Resolution 2055** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Award A Contract For Resource Conservation Services To Sound Environmental Consulting.

J. **AB10-124 – Resolution 2057** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, WA Authorizing City Administration To Develop And Implement Internal Procedures Covering The Acceptance Of Credit/Debit Card Payment Solutions And Selecting Authorized Providers Of Those Services Pursuant To RCW 39.58.750.

K. **AB10-116** – A Motion of the Bonney Lake City Council To Accept As Complete The SR167 To Valley Avenue Sewer Trunk Line Improvement Project With Pipenology, Inc.
L. AB10-127 – A Motion of the Bonney Lake City Council Canceling the August 3, 2010 Regular Council Workshop.

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Lewis seconded the motion.

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB10-131 – Resolution 2061 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Purchase A Used Paving Compactor From NC Machinery For $33,626.15.

Councilmember Decker moved to approve Resolution 2061. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said the Finance Committee reviewed this item at the meeting earlier in the evening and it appears to be in order.

Resolution 2061 approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:


Councilmember Decker moved to approve Resolution 2060. Councilmember Carter seconded the motion.

Councilmember Rackley said the Community Development Committee reviewed this item in his absence, and since then he has also had time to review it.

Resolution 2060 approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. AB10-112 – Resolution 2050 – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Declaring A Proposed Annexation To Be In The Best Interest And General Welfare Of The City And Calling For An Election In The Territory Proposed For Annexation.
Councilmember Lewis moved to approve Resolution 2050. Councilmember Decker seconded the motion.

Deputy Mayor Swatman said he feels annexation is in the best interests of the City and the region. He said annexation marks a change in direction for the City, and residents on the plateau have a better chance of making themselves be heard as a group rather than separately.

Councilmember Rackley said he supports more inclusion of developed areas around the City to receive City services, and said the County has not done a good job of providing services to its residents. Councilmember Decker agreed that annexation is in the best interest of the City’s future, but still has concerns about providing adequate law enforcement in the proposed annexation areas. Councilmember Lewis said the City will have more say in how these areas grow and develop when they are part of the City. He said most residents he has spoken to are in favor of annexation, and he feels it is in the best interests for residents and the City as well.

Resolution 2050 approved 6 – 1.
Councilmember Hamilton voted no.

B. AB10-113 – Resolution 2051 – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Stating Its Intent To Plan For Public Safety And Other Staffing Needs In Anticipation Of The Annexation Of Certain Portions Of The CUGA, As Contained In Resolution No. 2050.

Councilmember Lewis moved to approve Resolution 2051. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said public safety is a major priority and the Council is committed to providing an appropriate level of service to residents in the proposed annexation areas. He said it will be an interesting process but the City will continue working to get things right.

Resolution 2051 approved 7 – 0.

C. AB10-106 – Resolution 2048 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Netversant To Install Category Six Network And Cable TV Cableing In The Interim Justice Center For $12,288.20.

Councilmember Rackley moved to approve Resolution 2051. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said the item was approved by the Finance Committee, but placed on Full Council issues for discussion. He said he works in the industry and feels the proposed project costs are high. He also said that the City received only one bid for the project and wanted the Council to be aware of these issues before approving the contract. Councilmember Carter said she would like to see another bid for the project, and noted that Netversant installed the City’s boat launch bollard
system, which has had issues recently. Staff said that delaying consideration of the contract should not delay completion of the Interim Justice Center improvements.

Councilmember Decker moved to table the item to the August 17, 2010 Workshop. Councilmember Rackley seconded the motion.

Motion to table approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:28 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

____________________________________  __________________________________
Harwood Edvalson, CMC                      Neil Johnson
City Clerk                                  Mayor

Items submitted to the Council Meeting of July 27, 2010: None.
City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form

**Department / Staff Contact:**
Exec / Mike Mitchell

**Ordinance Number:**
D10-134

**Workshop / Meeting Date:**
24 Aug 2010

**Agenda Bill Number:**
AB10-134

**Resolution Number:**

**Councilmember Sponsor:**
Mark Hamilton

**Agenda Subject:** Inattentive Driving

**Proposed Motion:**
AB10-134 - Ordinance D10-134 - AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON AMENDING THE BONNEY LAKE MUNICIPAL CODE CHAPTER 10.04 RELATING TO INATTENTIVE DRIVING

**Administrative Recommendation:**

**Background Summary:** In Washington State there are an increasing number of incidents of drivers operating motor vehicles while they are distracted. In an attempt to stop this trend Governor Gregoire proclaimed May 27 2010 as Drive Nice Day to encourage drivers to stop driving while they are distracted. Distracted driving contributes to crashes that kill or injury a significant number people in Washington each year. Several other cities in Washington including Bellevue, Des Moines, Federal Way, Fife, Issaquah, Kent, Kirkland, Puyallup, SeaTac, Seattle, Tukwila, and Yakima have passed legislation to make inattentive driving an infraction.

Currently, the Bonney Lake Municipal Code does not allow for the infraction of inattentive driving. This proposed ordinance would amend Chapter 10 BLMC to add the infraction of inattentive driving. This new infraction would provide police officers and the Municipal Court with another tool to keep our roads safe.

**BUDGET INFORMATION:**

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

**COMMITTEE/BOARD REVIEW:**

Subcommittee Review Date: Public Safety Committee - 19 Jul 2010
Commission/Board Review Date: -
Hearing Examiner Date:

**COUNCIL ACTION:**

Workshop Date(s):
Meeting Date(s):
Public Hearing Date(s):
Tabled To Date:

**Signatures:**

Director Authorization
Mayor
Date City Attorney Reviewed
7/19/2010
ORDINANCE NO. D10-134
AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON AMENDING THE
BONNEY LAKE MUNICIPAL CODE CHAPTER 10.04 RELATING TO INATTENTIVE
DRIVING

WHEREAS, the city of Bonney Lake desires to protect its citizens from dangers posed by
inattentive and distracted drivers who operate a motor vehicle in a lax or slack manner so as to fail
to remain attentive for persons or property and that results in or may result in a collision with a
person or property;

WHEREAS, the City Council believes the public health, safety and welfare is promoted by
adopting regulations relating to inattentive driving;

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

Section . BLMC Chapter 10.04.26 is hereby adopted to read as follows:

Inattentive driving. It is unlawful for any person to operate a motor vehicle within the City in an
inattentive manner. For the purposes of this section, “inattentive manner” means the operation of
a motor vehicle in a manner that evidences a lack of degree of attentiveness required to safely
operate the vehicle under the prevailing conditions, including, but not limited to, the nature and
condition of the roadway, presence of other traffic, presence of pedestrians, and weather
conditions. The offense of operating a motor vehicle in an inattentive manner shall be considered
to be a lesser offense than, but included in, the offense of operating a motor vehicle in a negligent
manner. Unless otherwise set out in applicable law or court rule, any person who violates the
provisions of this section shall be guilty of a traffic infraction punishable by a monetary value not
more than $250, plus assessments.

Section 2. If any one or more section, subsection, or sentence of this ordinance is held to
be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion
of this ordinance and the same shall remain in full force effect.

Section 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
________________________, 2010.

________________________
Neil Johnson, Jr., Mayor

ATTEST:
PUBLIC SAFETY COMMITTEE

DATE: August 2, 2010
ORIGINATOR: Mike Mitchell
TITLE: Police Chief
SUBJECT/DISCUSION: Add new Infraction Code Inattentive Driving
ORDINANCE/RESOLUTION # D10-134
REQUEST OR RECOMMENDATION BY ORIGINATOR: See attached
ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE:
MAYOR
FINANCE DIRECTOR
CITY ATTORNEY

BUDGET INFORMATION:
BUDGETED ITEM: N/A

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

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COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

Mark Hamilton
DATE: 8/2/10
APPROVED
DISAPPROVED

Laurie Carter
8/2/10

Dan Decker
8/2/10

COMMITTEE COMMENTS:

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

Please schedule for Council Meeting date of: August 24, 2010

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

<table>
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<td>24 Aug 2010</td>
<td>AB10-135</td>
</tr>
<tr>
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<td>Resolution Number:</td>
<td>Councilmember Sponsor:</td>
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<tr>
<td>D10-135</td>
<td></td>
<td>Dan Decker</td>
</tr>
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Agenda Subject: Intersection Avoidance

Proposed Motion: AB10-135 - Ordinance D10-135 - AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON AMENDING THE BONNEY LAKE MUNICIPAL CODE CHAPTER 10.04 RELATING TO AVOIDANCE OF AN INTERSECTION

Administrative Recommendation:

Background Summary: The draft ordinance is a result of concerns and complaints Councilman Decker received from his constituents regarding drivers in Bonney Lake cutting through private property, namely parking lots, in order to avoid intersections or traffic control devices. The goal of the ordinance is to protect persons from drivers who avoid traffic control devices and the interests of the private property owners. The draft ordinance is based on similar ordinances adopted by cities in Pierce and King Counties, including Auburn.

BUDGET INFORMATION:

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Budget Explanation:

COMMITTEE/BOARD REVIEW:

Committee/Board Review Date: Public Safety Committee - 19 Jul 2010

COUNCIL ACTION:

Workshop Date(s): Public Hearing Date(s):
Meeting Date(s): Tabled To Date:

Signatures:

Director Authorization Mayor Date City Attorney Reviewed
ORDINANCE NO. D10-135

AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON AMENDING THE BONNEY LAKE MUNICIPAL CODE CHAPTER 10.04 RELATING TO AVOIDANCE OF AN INTERSECTION.

WHEREAS, the city of Bonney Lake desires to protect its citizens from dangers posed by drivers attempting to avoid intersections by entering private property;

WHEREAS, the City Council believes the public health, safety and welfare is promoted by adopting regulations relating to intersection avoidance;

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

Section 1. BLMC Chapter 10.04.27 to read as follows:

It is unlawful for any person operating a motor vehicle within the City of Bonney Lake to leave any roadway's lanes of travel and proceed across any private property or publicly owned non-right-of-way property for the purpose of avoiding an intersection or traffic-control device controlling an intersection, unless so directed by proper authorities. There shall be a rebuttable presumption that a person operating a motor vehicle that leaves one roadway and enters onto another roadway by crossing private property or publicly owned non-right-of-way property has done so for the purpose of avoiding an intersection where the driver did not stop, significantly change speed, or give other indication of an intent to stop upon said property. Violation of this section is a traffic infraction, punishable with a fine up to a $112.00, plus assessments.

Section 2. This traffic infraction shall be treated as a non moving violation.

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

Section 4. This ordinance shall take effect thirty (30) days after its passage, 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 __________________, 2010.

________________________
Neil Johnson, Jr., Mayor

ATTEST:
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney
DATE: August 2, 2010

ORIGINATOR: Dan Decker  
TITLE: Council Member

SUBJECT/DISCUSSION: Add new Infraction Code Avoidance at Intersection

ORDINANCE/RESOLUTION # D10-135

REQUEST OR RECOMMENDATION BY ORIGINATOR: See attached

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE:

MAYOR
FINANCE DIRECTOR
CITY ATTORNEY  Yes

BUDGET INFORMATION:

BUDGETED ITEM: N/A  TOTAL COST:

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

<table>
<thead>
<tr>
<th>2010 Budget Amount</th>
<th>Required Expenditure</th>
<th>Impact</th>
<th>Remaining Balance</th>
</tr>
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</table>

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

Mark Hamilton  8/2/10
Laurie Carter   8/2/10
Dan Decker      8/2/10

COMMITTEE COMMENTS:

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

Please schedule for Council Meeting date of: August 24, 2010

Page 22 of 122
City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form

Department / Staff Contact: Fin / Al Juarez
Ordinance Number: 
Workshop / Meeting Date: 24 Aug 2010
Resolution Number: 2066
Agenda Bill Number: AB 10-141
Councilmember Sponsor: Deputy Mayor Swatman

Agenda Subject: Amend the 2010 PECI contract for the High Efficiency Toilet (HET) rebate program through December 31, 2010.

Proposed Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Authorizing The Mayor To Sign An Amendment To The 2010 Agreement With Portland Energy Conservation Inc. For the High Efficiency Toilet Rebate Program.

Administrative Recommendation: Approve proposed Resolution

Background Summary: The attached amendment extends the 2010 contract with Portland Energy Conservation Inc (PECI) through December 31, 2010. This contract is in support of the city's mail-in high efficiency toilet (HET) rebate program.

Water conservation reduces the amount of additional water supply the City is required to purchase at a high cost, thus saving money. The mission of PECI is to help everyone use energy more effectively and as such PECI is a leader in the design and promotion of programs focused on increasing consumer awareness for energy efficient products and implementing programs that achieve swift, measurable market results. PECI's main focus is to reach consumers with the key message that energy efficient products save energy, resources and money.

This proposed rebate incentive program is designed to increase the number of high efficiency toilets sold in the service area of the City of Bonney Lake while building retail relationships in the community; educating consumers on water conservation; and, reducing dependence on outside water supply requirements.

The HET rebate program will offer a $50 rebate to consumers purchasing a qualified HET. A qualified model is defined as a toilet that carries the Water Sense label.

Budget Information:

<table>
<thead>
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<th>Budget Amount</th>
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<th>Budget Impact</th>
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<tbody>
<tr>
<td>NA</td>
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<td>NA</td>
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</tr>
</tbody>
</table>

Budget Explanation:
Expenditures not included in the 2010 adopted budget. Adopted budget is sufficient to absorb these costs. Water Department Conservation Program: 401-000-034-534-10-41-33.

Committee/Board Review:
Subcommittee Review Date: Finance Committee - 10 Aug 2010
Commission/Board Review Date: -
Hearing Examiner Date: -

Council Action:
Workshop Date(s): Public Hearing Date(s):
Meeting Date(s): Tabled To Date:
**Signatures:**

<table>
<thead>
<tr>
<th>Director Authorization</th>
<th>Mayor</th>
<th>Date City Attorney Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Al Juarez</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DATE: August 10, 2010

ORIGINATOR: Al Juarez TITLE: Chief Financial Officer

SUBJECT/DISCUSSION: A resolution of the City Council of the City of Bonney Lake, Pierce County, WA authorizing the Mayor to sign an amendment to Portland Energy Conservation Inc. (PECI) 2010 contract in support of a City of Bonney Lake mail-in high efficiency toilet (HET) rebate program. This amendment extends the contract through December 31, 2010 unless the Parties agree in writing to extend the term or agree to terminate the contract.

Water conservation reduces the amount of additional water supply the City is required to purchase at a high cost, thus saving the City money. The mission of PECI is to help everyone use energy more effectively and as such PECI is a leader in the design and promotion of programs focused on increasing consumer awareness for energy efficient products and implementing programs that achieve swift, measurable market results. PECI’s main focus is to reach consumers with the key message that energy efficient products save energy, resources and money.

This proposed rebate incentive program is designed to increase the number of high efficiency toilets sold in the service area of the City of Bonney Lake while building retail relationships in the community; educating consumers on water conservation; and, reducing dependence on outside water supply requirements.

The HET rebate program will offer a $50 rebate to consumers purchasing a qualified HET. A qualified model is defined as a toilet that carries the Water Sense label.

ORDINANCE/RESOLUTION: #2066; AB: #10-141

REQUEST OR RECOMMENDATION BY ORIGINATOR: Approve Proposed Resolution

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

2010 Budget Amount Required Expenditure Remaining Balance

Explanation: Water Department Conservation Program: 401-000-034-534-10-41.33
(Expenditures not included in 2010 adopted budget. Adopted budget is sufficient to include this item.)

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

Dan Swatman, Chair, Finance DATE APPROVED DISAPPROVED
Jim Rackley, Chair, CDC 8-10-10
Mark Hamilton, Chair, Public Safety 8-10-10

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

Please schedule for Council Meeting date of: August 24, 2010
Consent Agenda: Yes
RESOLUTION NO. 2066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH PORTLAND ENERGY CONSERVATION INC. FOR THE HIGH EFFICIENCY TOILET REBATE PROGRAM.

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the agreement amendment attached hereto and incorporated in “Attachment A.”

PASSED by the City Council this 24th day of August, 2010.

______________________________
Mayor Neil Johnson, Jr.

AUTHENTICATED:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

______________________________
James J. Dionne, City Attorney
City of Bonney Lake Actual Units through July 2010
-Projected Units through the end of 2010

High Efficiency Toilets
Projections based on 10,000 residential customers

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<th>Month</th>
<th>Qty</th>
<th>@ $50</th>
<th>gal/yr @ 16,000</th>
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<tr>
<td>Oct-09</td>
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<td>Dec-09</td>
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<tr>
<td>Jan-10</td>
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<tr>
<td>Feb-10</td>
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<td>Dec-10</td>
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<table>
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<th>Units</th>
<th>Incentive Dollars</th>
<th>Gal per year</th>
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</thead>
<tbody>
<tr>
<td>187</td>
<td>$9,350</td>
<td>2,992,000</td>
</tr>
</tbody>
</table>

Savings per unit

Toilets

Implementa: $5,984.00
Incentives: $9,350.00
Total Program Costs: $15,334.00
First-Year Savings: 2,992,000
First-Year Cost/Gal: $0.0051
City of Bonney Lake Projected Units for 2011

High Efficiency Toilets

Projections based on 10,000 residential customers

<table>
<thead>
<tr>
<th>Month</th>
<th>Qty</th>
<th>@ $50</th>
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<td>Feb-11</td>
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<tr>
<td>May-11</td>
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<tr>
<td>Jun-11</td>
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<td>$650</td>
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<td>$150</td>
<td>31,500</td>
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<tr>
<td>Nov-11</td>
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<td>$1,050</td>
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</tr>
<tr>
<td>Dec-11</td>
<td>5</td>
<td>$250</td>
<td>52,500</td>
</tr>
</tbody>
</table>

Units | Incentive Dollars | Gal per year |
------|-------------------|--------------|
162   | $8,100            | 1,701,000    |

Savings per unit:
- Toilets: $5,184.00
- Incentives: $8,100.00
- Total Program Costs: $13,284.00
- First-Year Savings: 1,701,000
- First-Year Cost/Gal: $0.0078
AMENDMENT #2

2009-2010 Bonney Lake Toilet Rebate Program

This Amendment #2 is made and entered into by and between The City of Bonney Lake (hereinafter called "Bonney Lake") and Portland Energy Conservation, Inc. (hereinafter called "PECI") to amend that certain Agreement executed by Bonney Lake on June 7, 2009 and by PECI on July 10, 2009, (the "Agreement").

The Agreement is amended as follows:

1. **Section 2 ("Term")** is hereby deleted in its entirety and replaced with the following:

   The term of this Agreement ("Term") shall commence on execution by both parties and continue through December 31, 2010, unless the Parties agree in writing to extend the Term, or unless this Agreement is earlier terminated in accordance with the Early Termination provision in Section 10.

2. **Attachment A ("The City of Bonney Lake HET Rebate SOW")** is hereby deleted in its entirety and replaced with Attachment A included with this Amendment #2.

All other provisions of the Agreement shall remain in full force and effect.

The City of Bonney Lake

By ____________________________

Name __________________________

Date ____________________________

Portland Energy Conservation, Inc.

By ____________________________

Name __________________________

Date ____________________________
ATTACHMENT A

The City of Bonney Lake

2010 Scope of Work

Program Overview:
The HET Rebate Program ("Program") will offer a $50 rebate to consumers purchasing a qualified HET. A "Qualified Model" is defined as a toilet that carries the WaterSense label.

PECI will perform the following tasks for this Program:

TASK 1: Program Setup & Implementation

PECI will continue to implement a comprehensive Program that will take into consideration the various needs of the City of Bonney Lake. PECI will be available for communications through a single point of contact. This contact person will maintain regular communications with the City of Bonney Lake throughout the Program and will be available to fulfill special requests.

PECI will produce promotional materials as needed, to be delivered to all retailers in coordination with any in-field training for the City of Bonney Lake staff. Retailer support materials include the following:

- Mail-in Rebate Forms - Forms will be designed and printed for retail distribution and will also be provided in PDF format for placement on the City of Bonney Lake web site.
- Qualified Models - A list of all qualifying models and the appropriate rebate amounts will be provided.
- Contact information - Contact sheet will include a direct point of contact at PECI to answer questions regarding rebate processing, materials reorder and other Program information.
- Program training will be offered to train City of Bonney Lake personnel who may be conducting retailer visits and delivering retailer materials. Coupled with this training will be an initial round of site visits to key retailers to offer additional training.
- The City of Bonney Lake customers and retailers will have access to a toll free contact line. The line enables retailers to call toll free to order more materials or ask questions. Customers responding to calls regarding missing information from their rebate forms will be able to respond toll free and resolve their rebate issues quickly.

TASK 2: Rebate Processing & Payment

PECI follows an established protocol for processing rebates to ensure customer satisfaction while maintaining data integrity and security. PECI employs the following procedures for rebate processing:

- The date of receipt will be stamped on each rebate application received by PECI.
- The Program eligibility and information provided by the customer will be verified by PECI.
- Copy of invoice - A copy of the customer itemized receipt is required to verify the validity of the sales and purchase information.
- Qualified model - The model qualification will be based on the version of the Qualified Model List available at the time of purchase.
- Date Sold - HET rebates will be offered for qualified applicants between July 1, 2009 and December 31, 2010. PECI must receive application with ninety (90) days of purchase.
- Installation address and zip code - The installation address and zip code provided by the customer will be checked against a complete list of service area zip codes provided by the City of Bonney Lake.

PECI will enter into the Program database all required information provided on each rebate form (and additional supporting documentation). This information will be exported to PECI’s accounting staff.

PECI will generate a bank check for each approved rebate application on a bi-weekly basis. Rebate checks will be cut and mailed (via USPS, first class) within ten (10) business days of receipt and verification, subject to availability of adequate rebate funds.

PECI will provide customer service for all rebate forms received with incomplete or faulty information by sending a letter via USPS indicating what further information the customer needs to provide to PECI. Every effort will be made to resolve all issues within ten (10) business days following rebate form receipt by PECI. This however is subject to customer response.

The City of Bonney Lake shall provide a cash advance to PECI equal to one to two months projected rebates to ensure that customers are paid promptly.
### TASK 3: Data Tracking, Summary Report & Invoicing

PECI will enter all information into a Program database designed and created on a Microsoft Access platform. The database will house all Program/customer information such that data tracking and reporting can be performed with ease.

PECI will provide to the City of Bonney Lake the following reporting:

- **Invoices** will be submitted to the City of Bonney Lake on the 15th of every month. Invoices will be structured in two parts:
  - Part 1 will bill a total of $32 per unit processed in the previous month.
  - Part 2 will request advanced incentive funds projected for the next one to two months at $50 per unit.

- **Monthly Statements** will accompany invoices and will include a monthly balance clearly outlining the status of advanced incentive funds, as well as direct and labor funds invoiced to-date.

PECI will hold rebate documentation, proof of purchase, and any other required documentation on file for a minimum of seven years.

In addition to a monthly and yearly internal review of financials, PECI conducts an annual external audit by an independent CPA, assuring financial accuracy and verifying that all company records are held in accordance with the US Generally Accepted Accounting Practices.

### TASK 4: Marketing Materials

The marketing plan for the Program uses PECI’s understanding of the attributes of water-efficient products to eliminate consumer confusion and uncertainty over messages and claims in the marketplace. Water savings programs of this type overcome barriers to the purchase of water-efficient products by exposing consumers to the WaterSense label and by making them aware of the benefits of products that earn it. Thus the primary focus of PECI’s marketing under this Program will be to address consumer awareness through consumer education and business-to-business outreach.

PECI will design and print POP materials, including product clings, easel signs, and posters. PECI will also design bill stuffers. Materials will have a consistent look and feel in order to convey a cohesive design theme for the Program. All materials will be approved by the City of Bonney Lake before final printing.

---

### 2009-2010 Implementation & Incentives Budget - REVISED AUGUST 2010

**Bonney Lake Toilet Rebate Program**

Based on a population of 10,000

**PECI Services -- Administrative fees are charged on a $32 per unit fee**

<table>
<thead>
<tr>
<th>Management</th>
<th>Senior oversight of incentive process</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Respond to the City of Bonney Lake requests</td>
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<tr>
<td></td>
<td>Fulfill monthly reports and invoicing</td>
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<tr>
<td>Incentives</td>
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<td></td>
<td>Receipt and review of rebates</td>
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<tr>
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<td>Verification and date entry of rebates</td>
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<td></td>
<td>Follow-up on rebate rejections</td>
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<tr>
<td></td>
<td>Maintenance of hotline and customer service</td>
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<tr>
<td></td>
<td>Accounting payment process</td>
</tr>
<tr>
<td></td>
<td>In-house retail communications and follow-up</td>
</tr>
</tbody>
</table>

**Marketing**

Ongoing oversight of design and production for POP materials

Ongoing oversight of design and production of Special Promotion materials

**Field Support**

- Liaison between retailer and utility requests and field personnel
- Delivery of rebate materials to retailers

**Direct Marketing**

- Re-production of general POP including product clings, posters, counter cards etc

**Implementation**

- Check mail-out - postage, envelopes & checks
- Retailer training card design and production
- Shipping, phone, 800 line, travel and misc. supplies

**Shared Fixed, Budget Expenditures**

<table>
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<tr>
<th>Projected Administrative Fees</th>
<th>$5,984</th>
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<tbody>
<tr>
<td>Flat Administration Fee of $32 per unit</td>
<td>187</td>
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<tr>
<td>Projected Incentives</td>
<td>187</td>
</tr>
<tr>
<td>Toilet Incentives @ $50</td>
<td>187</td>
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</tbody>
</table>

**Total Cost**

$15,334

**Total Projected Units**

187
City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form

**Department / Staff Contact:**
PW / Douglas Budzynski

**Workshop / Meeting Date:**
24 Aug 2010

**Ordinance Number:**

**Resolution Number:**

**Agenda Bill Number:**
AB10-144

**Councilmember Sponsor:**
Jim Rackley

**Agenda Subject:** SR410 & Sumner Buckley Highway Intersection Phase II TIB Application

**Proposed Motion:** AB10-144 - A Motion of the Bonney Lake City Council Authorizing Submission of a 2010 Transportation Improvement Board (TIB) Application for the SR410 & Sumner Buckley Highway Intersection Phase II Construction Project.

**Administrative Recommendation:**

**Background Summary:** The City of Bonney Lake has completed construction of Phase I of the SR410/Sumner Buckley Highway Intersection improvement. Phase I improvements included the widening of Sumner Buckley Highway and the traffic signalization of Sumner Buckley Highway/Main Street intersection. Phase II of the project will complete improvements at the SR410/Sumner Buckley Highway intersection. Phase II has been approved by council for design which is expected to be completed in November of 2011. The City of Bonney Lake is looking to fund Phase II with a combination of sources including TIB fund grants, Cascadia partnership, and City TIFs. If TIF grants are awarded for this project, funds will be available in January of 2011.

**BUDGET INFORMATION:**

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Required Expenditure</th>
<th>Budget Impact</th>
<th>Budget Balance</th>
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**Budget Explanation:**
If TIB Grant is awarded & Cascadia continues its partnership in the project, the costs will be determined.
City Funds: $300,675.00 (Design efforts already approved)
Cascadia: $1,404,091.00
TIB Grant: $2,006,800.00
Total: $3,711,565.00

**COMMITTEE/BOARD REVIEW:**

Subcommittee Review Date: Finance Committee - 24 Aug 2010
Commission/Board Review Date: -
Hearing Examiner Date:

**COUNCIL ACTION:**

Workshop Date(s):
Meeting Date(s):
Public Hearing Date(s):
Tabled To Date:

**Signatures:**

Director Authorization
Mayor
Date City Attorney Reviewed
FINANCE COMMITTEE

DATE: Aug 18, 2010

ORIGINATOR: Douglas Budzynski

TITLE: Asstn’t City Engineer

SUBJECT/DISCUSSION: A Motion for the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the mayor to sign the 2010 TIB grant application for funding to construct Phase II of the SR410/Sumner Buckley Highway Intersection Improvement.

The City of Bonney Lake has completed construction of Phase I of the SR410/Sumner Buckley Highway Intersection improvement. Phase I improvements included the widening of Sumner Buckley Highway and the traffic signalization of Sumner Buckley Highway/Main Street intersection. Phase II of the project will complete improvements at the SR410/Sumner Buckley Highway intersection. Phase II has been approved by council for design which is expected to be completed in November of 2011. The City of Bonney Lake is looking to fund Phase II with a combination of sources including TIB fund grants, Cascadia partnership, and City TIFs. If TIF grants are awarded for this project, funds will be available in January of 2011.

ORDINANCE/RESOLUTION NUMBER: Motion

REQUEST OR RECOMMENDATION BY ORIGINATOR: Approve Proposed Motion

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

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<th>2009 Budget Amount</th>
<th>BUDGET INFORMATION</th>
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<td>(Design – Resolution 2015)</td>
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Explanation:
If TIB Grant is awarded & Cascadia continues its partnership in the project, the costs will be determine.

City Funds: $300,675.00 (Design efforts completed)
Cascadia: $1,404,091.00
TIB Grant: $2,006,800.00
Total: $3,711,565.00

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

<table>
<thead>
<tr>
<th>Date</th>
<th>Approved</th>
<th>Disapproved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dan Swatman, Chair, Finance
Mark Hamilton, Chair, Public Safety
James Rackley, Chair, CDC

COMMITTEE COMMENTS:

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

Please schedule for Council Meeting date of: Aug 24, 2010
Consent Agenda: YES
City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department / Staff Contact:</th>
<th>Workshop / Meeting Date:</th>
<th>Agenda Bill Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>PW / Douglas Budzynski</td>
<td>24 Aug 2010</td>
<td>AB10-144</td>
</tr>
<tr>
<td>Ordinance Number:</td>
<td></td>
<td></td>
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<tr>
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<table>
<thead>
<tr>
<th>Resolution Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 Aug 2010</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Councilmember Sponsor:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim Rackley</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Agenda Subject:</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR410 &amp; Sumner Buckley Highway Intersection Phase II TIB Application</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed Motion:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motion to submit the 2010 Transportation Improvement Board (TIB) application for the SR410 &amp; Sumner Buckley Highway Intersection Phase II Construction Project.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Administrative Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The City of Bonney Lake has completed construction of Phase I of the SR410/Sumner Buckley Highway Intersection improvement. Phase I improvements included the widening of Sumner Buckley Highway and the traffic signalization of Sumner Buckley Highway/Main Street intersection. Phase II of the project will complete improvements at the SR410/Sumner Buckley Highway intersection. Phase II has been approved by council for design which is expected to be completed in November of 2011. The City of Bonney Lake is looking to fund Phase II with a combination of sources including TIB fund grants, Cascadia partnership, and City TIFs. If TIF grants are awarded for this project, funds will be available in January of 2011.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUDGET INFORMATION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Amount</td>
</tr>
<tr>
<td>$3,711,565.00</td>
</tr>
<tr>
<td>Required Expenditure</td>
</tr>
<tr>
<td>$300,675.00</td>
</tr>
<tr>
<td>Budget Impact</td>
</tr>
<tr>
<td>$300,675.00</td>
</tr>
<tr>
<td>Budget Balance</td>
</tr>
<tr>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Budget Explanation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>If TIB Grant is awarded &amp; Cascadia continues its partnership in the project, the costs will be determined. City Funds: $300,675.00 (Design efforts already approved) Cascadia: $1,404,091.00 TIB Grant: $2,006,800.00 Total: $3,711,565.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMITTEE/BOARD REVIEW:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subcommittee Review Date: Finance Committee - 24 Aug 2010</td>
</tr>
<tr>
<td>Commission/Board Review Date:</td>
</tr>
<tr>
<td>Hearing Examiner Date:</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>COUNCIL ACTION:</th>
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</thead>
<tbody>
<tr>
<td>Workshop Date(s):</td>
</tr>
<tr>
<td>Public Hearing Date(s):</td>
</tr>
<tr>
<td>Meeting Date(s):</td>
</tr>
<tr>
<td>Tabled To Date:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signatures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director Authorization:</td>
</tr>
<tr>
<td>Mayor Date City Attorney Reviewed:</td>
</tr>
</tbody>
</table>
### 2010 Urban Grant Application
for Urban Arterial Program (UAP)

Your signed application and required attachments must be postmarked by **August 31, 2010**
The mailing address for the TIB Office: Post Office Box 40901  ♦  Olympia WA 98504-0901

For assistance contact Clint Ritter, TIB Project Engineer, at (360) 586-1151 or via email at ClintR@tib.wa.gov

<table>
<thead>
<tr>
<th>Funding Program</th>
<th>FY 2012 Urban Arterial Program (UAP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency Name</td>
<td><strong>BONNEY LAKE</strong></td>
</tr>
<tr>
<td>Arterial Name</td>
<td>SR410 Highway</td>
</tr>
<tr>
<td>Project Limits</td>
<td>SR410MP 13.08 (Meyers Rd) to SR410MP 13.53</td>
</tr>
<tr>
<td>Length in Miles</td>
<td>0.45 miles</td>
</tr>
<tr>
<td>Functional Class</td>
<td>Urban Principal</td>
</tr>
<tr>
<td>Contact Person</td>
<td>Douglas Budzynski, Asst City Engineer</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:budzynskid@ci.bonney-lake.wa.us">budzynskid@ci.bonney-lake.wa.us</a></td>
</tr>
</tbody>
</table>

#### APPLICATION ATTACHMENTS
- Required for all applications:
  - Detailed vicinity map (8½” x 11”) clearly showing project limits
  - Detailed project cost estimate signed by a professional engineer registered in Washington State
  - Funding commitment letters from all funding partners
  - Accident analysis worksheet
  - Sustainability worksheet
  - Typical roadway section
  - If project is on or connects to a state highway, include written concurrence from WSDOT
  - If project includes construction of bicycle facilities attach
  - Adopted bicycle plan

#### PROJECT SCHEDULE
*Provide completed or target date*

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/6/09</td>
<td>Environmental documentation complete &amp; permits approved</td>
</tr>
<tr>
<td>7/1/11</td>
<td>Right of way acquisition</td>
</tr>
<tr>
<td>12/1/10</td>
<td>Design</td>
</tr>
<tr>
<td>9/1/11</td>
<td>Construction</td>
</tr>
<tr>
<td>10/1/12</td>
<td>Project closeout</td>
</tr>
</tbody>
</table>

**Link to Request Accident Data from WSDOT**
### PROJECT FUNDING

*Enter the project funding information in the table below*

<table>
<thead>
<tr>
<th>Total Funds Requested</th>
<th>Maximum TIB matching ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,006,800</td>
<td>85.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TIB Funds</th>
<th>Local Funds</th>
<th>Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>12,000</td>
<td></td>
<td>12,000</td>
</tr>
<tr>
<td>552,181</td>
<td></td>
<td>552,181</td>
</tr>
<tr>
<td>60,000</td>
<td></td>
<td>60,000</td>
</tr>
<tr>
<td>95,562</td>
<td>51,456</td>
<td>147,018</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,911,238</td>
<td>1,029,128</td>
<td>2,940,366</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,704,766</strong></td>
<td><strong>3,711,565</strong></td>
</tr>
</tbody>
</table>

**Noneligible Engineering**
- Engineering exceeding 25% of construction costs is not eligible for TIB reimbursement
- Other Noneligible Costs
  - (i.e. landscaping greater than 3% of total cost, utility undergrounding, sound walls)

**Total Eligible Cost**

3,711,565

**Calculated TIB Matching Ratio**

54.1%

### FUNDING PARTNERS

<table>
<thead>
<tr>
<th>Source</th>
<th>Fund Source</th>
<th>Commitment Letter</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BONNEY LAKE</td>
<td>Public</td>
<td></td>
<td>300,675</td>
</tr>
<tr>
<td>Washington State Department of Transport</td>
<td>Public</td>
<td>YES</td>
<td>0</td>
</tr>
<tr>
<td>Cascadia</td>
<td>Private Funds</td>
<td>YES</td>
<td>1,404,091</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>1,704,766</strong></td>
<td></td>
</tr>
</tbody>
</table>

Local funds are correct
GROWTH MANAGEMENT INFORMATION

Complete the questions below to address Growth Management Laws as directed by Revised Code of Washington (RCW) 47.26.282

Describe how the project supports or revitalizes existing urban development in the downtown.

Bonney Lake's Downtown has long been a center for commercial and public functions, but it's full potential has never been realized. The City is developing its adopted Comprehensive Plan that envisions a compact downtown with a mix of housing, employment, shopping, and other activities that are in close proximity. The City's downtown area already has the City's Police department, new Justice Center, Planning & Engineering facilities, as well as the regional fire station, and the regional postal station and library. As the gateway to our commercial district, the SR 410/Old Sumner-Buckley Highway(OSBH) intersection is the primary entry to Downtown and Bonney Lake in general and is adjacent to the Pierce Transit Center. This project will relieve congestion, improve safety, and provide a much needed gateway to the downtown area.

Does the project include or encourage infill/densification of residential or commercial development consistent with your local comprehensive plan?

☐ YES ☐ NO

If YES, describe below

Improvement to the SR410/OSBH intersection is a critical element of Bonney Lake’s Downtown Development Plan. The City is purchasing property that was used for low density family housing. The downtown plan replaces low density housing with high density multi-family housing. The attached Downtown Plan & Property Ownership drawing shows the new private/public facilities and multi-family housing planned for the Downtown area. To encourage development in the downtown area the City is making incentives available to developers including roadway and utility improvements. The plans lead to much denser area in support of the Growth Management Act. This project will compliment the completed improvements of the Downtown area and vastly improve the main access to the Downtown core.

Describe how the project promotes the use of transit and other multimodal transportation.

This project will support users with multi-modal transportation features throughout the Downtown area and adjacent residential neighborhoods. It will provide new sidewalks, bicycle routes, and traffic congestion reduction, while improving safety for both vehicular and non-motorized transit. Currently there are no dedicated bicycle routes and sidewalks are incomplete on both streets. The City's adopted Comprehensive Plan, envisions and promotes a pedestrian oriented Downtown with street level activity by orienting business frontage to sidewalks. This project will add street lighting that enhances pedestrian and vehicular traffic safety to the Pierce Transit Park and Ride lot that is a half block away.

Indicate the project's multimodal transportation components.

Mark all existing or planned components:

☐ Sidewalk ☐ Bicycle Lanes ☐ HOV Lanes ☐ Access to Transit Center or Passenger Terminal

☐ Other - Explain in space below

These improvements will help improve accessibility to the City's police station, the regional postal office, new Justice Center, City's Permit Center, Community Development, and PW Engineering staff, as well as the regional library already located in the Downtown district. Traffic improvements will help reduce time of the regional fire station and the police department located in the Downtown district by improving congestion problems surrounding these two stations.
PROJECT DESCRIPTION

Briefly describe the current conditions.

The City of Bonney Lake has experienced major growth and land development. Over 49,000 vehicles a day travel along SR 410 at the project location. PM peak hour traffic alone is approximately 4,400 vehicles on SR410. An inadequate eastbound left turn lane from the SR410 on to Old Sumner-Buckley Highway (OSBH) causes severe backup during PM rush hour that can extend up to two miles. Lack of a west bound right turn lane adds to congestion and backup, which causes interference to emergency response in front of both the fire station and the police station. The current level of service (LOS) for this road section is rated at LOS E.

Briefly describe the project construction.

The planned improvement to the SR410/OSBH intersection has been phased into two projects. Phase I of the project added two lanes of traffic along OSBH from SR410 to Main Street E, including constructing new sidewalk and bicycle lanes, and added a traffic signal at Main Street and OSBH. It also added a TIB funded sidewalk along SR410 from Main Street to OSBH. Phase I of the project prepared receiving lanes for Phase II of the project that creates a double left turn lane off of SR410 onto OSBH. Phase I also removed an immediate left turn off of OSBH on to 182nd Ave E. Vehicles turning left off of SR410 onto OSBH often abruptly stop for vehicles wanting to stop instantly, and dangerously, to make the left turn onto 182nd Ave. Phase I removed this “fifth spoke” to the four-way intersection and force traffic to turn left at the signalized intersection built in Phase I. Phase I of the project was funded by City traffic impact fees, TIB Sidewalk grant, and other City revenue. Phase I was constructed and completed in June of 2010.

This TIB grant would support Phase II of the project and complete the final phase of the planned improvements. Phase II will add a second left turn lane from east bound SR410 onto OSBH, add right turn pockets in both directions of SR410, and construct a new sidewalk from Meyers Road to OSBH. The design for phase II is fully funded and will be finished in November 2010. The majority of the right-of-way (ROW) acquisitions have been completed and funded by the city. One remaining ROW acquisition exists that can be quickly finalized by the City from a willing property owner.

Briefly describe the intent of this project.

Project improvements are expected to: (1) Improve intersection and roadway level of service; (2) reduce vehicle delays; (3) reduce vehicle queuing, spillback and blocking issues, rear end collisions, and improve vehicle progression along SR 410, (4) increase vehicular traffic and pedestrian-bicyclist safety, (5) improve safety access and egress to adjoining properties; (6) Reduce greenhouse gas emissions and fuel consumption by reducing vehicle queuing and backups, and (7) promote a Downtown core that is part of objective of growth management.

Without these improvements, traffic operations along both corridors will degrade below adopted local and regional LOS standards rapidly. In 2011, the year planned for constructing this project. LOS without constructing this project will fall to below LOS E with a volume/capacity ratio (v/c) of well over 1.0.
## ROADWAY CHARACTERISTICS

Enter the required information in the table below

<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pavement Width (Curb to Curb or Edge to Edge)</td>
<td>63 feet</td>
<td>74 feet</td>
</tr>
<tr>
<td>Number of Travel Lanes (Not Continuous Left Turn Lane)</td>
<td>4 lanes</td>
<td>4 lanes</td>
</tr>
<tr>
<td>Continuous Left Turn Lane Width</td>
<td>0 feet</td>
<td>0 feet</td>
</tr>
<tr>
<td>Intersection Control</td>
<td>Traffic signal</td>
<td>Traffic signal</td>
</tr>
<tr>
<td>Shoulder Width</td>
<td>8 feet</td>
<td>8 feet</td>
</tr>
<tr>
<td>Curb Placement</td>
<td>None</td>
<td>Both Sides</td>
</tr>
<tr>
<td>Bicycle Lane Type</td>
<td>No Bicycle Facilities</td>
<td>Bicycle Only Lane - both sides</td>
</tr>
<tr>
<td>Bicycle Lane Width</td>
<td>0 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>Sidewalk Placement</td>
<td>None</td>
<td>One Side</td>
</tr>
<tr>
<td>Sidewalk Width&lt;sup&gt;1&lt;/sup&gt;</td>
<td>0 feet</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

<sup>1</sup> Minimum width is five feet with no obstructions. Sidewalk with curb separation on both sides is required by WAC 479.12.121 (UAP).
PROJECT ELEMENTS

Give a brief description or select the appropriate response for each component of proposed project work

Road Surfacing Improvements

Reconstruction & Widening

<table>
<thead>
<tr>
<th>Intersection Improvements</th>
<th>Reconstructed &amp; Widened</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add Right Turn Pocket</td>
<td>1 intersections</td>
</tr>
<tr>
<td>Add Left Turn Pocket</td>
<td>1 intersections</td>
</tr>
<tr>
<td>Add Roundabout</td>
<td>0 intersections</td>
</tr>
</tbody>
</table>

Drainage & Water Quality Improvements

In 2009, the City completed the construction of a regional storm water (detention) pond and water quality (infiltration) facilities to serve the City's downtown area including the roadway intersection at SR410 and OSBH. The phase II project will include connecting the intersection's storm water system to the regional system.

Traffic Signalization & Illumination

Traffic signalization and illumination were improved with Phase I construction by adding a traffic signal at the OSBH/Main Street intersection and adding street illumination along OSBH. Phase II will upgrade the existing traffic signal at SR410/OSBH intersection and synchronize the signal with the other signals in the Downtown area. Phase II will also include add illumination along SR410 from Meyers road to OSBH. Illumination will include low energy illumination of sidewalks placed in the new retaining wall.

Landscaping & Aesthetic Elements

Street trees, embankment landscaping, irrigation system, and City Gateway treatments, along with a landscaped center median on SR410 and sidewalk planter strips, will be constructed as part of this project. This project will completely change the current appearance as you enter the City. Entry to Bonney Lake at this intersection with it's view of Mt. Rainier over SR410 would be dramatically enhanced by this project.

Relocation of Existing Utilities

Relocate overhead utilities to underground location

Retaining Walls

Retaining walls will be required in some cut-fill sections of SR 410. Mudslides occurred in the fall of 2004 that blocked SR410 westbound lanes. This project will address that issue. The retaining walls are also necessary to provide safe sidewalks and bicycle lanes along both SR410 and Sumner-Buckley Highway. The retaining walls will include a surface treatment that will enhance the appearance of this road section.
SAFETY

Complete Accident Analysis Worksheet
TIB staff may request accident diagrams and supporting documentation during application review

Annual Benefit $799,920

Describe existing hazard(s) within the project limits and how project mitigates the hazard.
If the hazard is included in the Accident Analysis, do not write up as a hazard.

Hazard 1  During afternoon rush hour, there is significant queing backup on eastbound SR410 at the OSBH intersection. The backup of queing effects the intersection at Meyers Road increasing the hazard level of traffic at that intersection. The project will add a second left turn lane on eastbound SR410 at the SR410/OSBH intersection and add a raised median at the Meyers intersection which will eliminate left turns at that intersection.

Hazard 2  During morning rush hour, there is significant queing backup on westbound OSBH from the SR410/OSBH intersection to Locust Ave. This queing effects emergency vehicle response times by blocking access and through movements. This project will reduce queing through better geometric design and interconnection of the signals at Sumner-Buckley Highway and Main Street.

Hazard 3  Currently, there is no dedicated bicycle lane and pedestrian facilities on SR 410 from Sumner-Buckley Highway to Meyers Road. This project will construct dedicated non-motorized transportation facilities that will improve safety and mobility in an area that has a high non-motorized activity level which will continue to steadily increase in the future as the City implement the City's Downtown plan.

Hazard 4  In addition to providing dedicated bicycle lanes and pedestrian facilities, this project will provide a much needed non-motorized connection from the downtown area to the Pierce Transit Park and Ride center. This will improve safety and access to the transit center for pedestrians and bicycles. Thus, encouraging greater use of this facility and minimizing congestion growth from motorized vehicles.

Project adds access control measures ☐ YES ☐ NO

If yes, describe access control measures Median

1. Access management of Old Sumner-Buckley Highway and SR 410 will improve traffic operations for this project. This will be accomplished by installing C-curbs, better driveway definition using curbs, and restricting certain movements for some of the driveways by requiring right-in/right-out access only.
2. Eliminate left turn outs from Meyers Road onto Eastbound SR410.

Project eliminates existing at-grade railroad crossing ☐ YES ☐ NO

If yes, describe facilities being separated
MOBILITY

ADT  47,000  Projected ADT  93,900

Select truck route classification from list below

**T-1 ~ 10 Million Tons Annually**

Network Development

Is project a continuation of a previously-funded or completed project or a new route?  

**YES**

If yes, select type  Extends Improvements

*Project must meet all of the following criteria for completes corridor*

- Project is last section of corridor with natural limits
- Previously completed corridor sections were/are TIB projects

If completes corridor, enter Corridor Termini

Enter number of buses per peak hour

Select Freight Facility Access provided by project  Improves access to intermodal freight facility

Mark all freight-carrying modes accessing the facility

- [ ] Airplane
- [ ] Rail
- [ ] Ship
- [ ] Truck

Enter trucks per day  6,638 projected

Briefly describe freight access created or improved by project.

SR410 is an important freight corridor (T1) in Pierce County and provides a key connection to the Ports of Tacoma and Seattle and communities east and south of Bonney Lake. The CASCADIA Employment Based Planned Community (EBPC) Free Trade Zone associated with the Port of Tacoma is located on the south side of Bonney Lake. CASCADIA started clearing and grading work in 2005 and will open its doors and a public school in 2007. Access to the Ports and Interstate 5 are improved by increasing capacity and freight mobility through the SR 410 corridor.

URBAN ACTIVITY CENTER

How does the project improve access to or circulation within a central business district or activity center? Describe below.

The downtown area that the SR410/OSBH intersection is located in, meets the Puget Sound Regional Council (PSRC) definition of a Central Business District. This project improves two of the three legs of the triangular shaped Central Business District.
Has your agency adopted a green house gas reduction, sustainability, or energy conservation policy?

☐ Yes ☐ No

If yes, provide the resolution or policy number

Resolution 2049

If yes, briefly describe the policy below

The City of Bonney Lake adopted the following policies to benefit natural resources & reduce greenhouse gas emissions.  The City will:  
A. Strive to assure that all new municipal buildings are models of costeffective, energy-efficient design.  
B. Encourage energy conservation practices in City buildings by raising the awareness of employee energy use.  
C. Use the recently approved shared resource conservation manager position to conduct energy audits of publicly owned buildings, evaluate potential conservation measures, and then carry out those measures that are appropriate.  
D. Monitor the efficiency of the pumps in water and sewer systems, and operate and maintain them at peak efficiency whenever practically feasible.  
When evaluating new systems, the most cost effective option using the least amount of energy will be preferred.  
E. Participate in the County-wide solid waste management plan which reduces the solid waste stream by recycling and other means, investigates ways to convert nonrecyclable solid waste to energy, and promotes the purchase of recycled and recyclable goods.  
F. Encourage the use of building construction materials made from recycled and recyclable materials.  
G. Publicize energy conservation actions to raise public awareness of the value of wise energy use.  
H. Promote internal recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.  
I. Implement its non-motorized transportation plan, on a funding available basis, to provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.

Check or fill out all that apply

Boxes marked with an * require additional information to be given under the “Sustainability” tab

1. Mode Accessibility

1.1 Completes gap in HOV system ☐
1.2 Adds HOV lane each direction ☐
1.3 Adds queue jump or transit only Lane ☐
1.4 Improves non-motorized access to Park & Ride or Transit Center ☐
1.5 Completes gap in bicycle route ☐
1.6 Extends bicycle route ☐
1.7 Constructs 10-foot separated path or two 5-foot striped lanes ☐
1.8 Installs more than one bike parking facility along the project (multiple bike racks) ☐
1.9 Includes planter strip (3 foot minimum) ☐

2. Energy Measures

2.1 Installs solar power panels or on-site power generation technology to support facilities in the road right of way ☐ *
2.2 Number of incandescent street lights replaced with low energy lights 0
2.3 Number of new low energy street lights 0
2.4 Number of incandescent traffic signal bulbs replaced with low energy bulbs 33
2.5 Number of new low energy traffic signal bulbs 6
2.6 Includes emerging energy technologies ☐ *
3. Environmental Measures

3.1 Eliminates water detention through Low Impact Development (LID) / Natural Drainage Practices (NDP) (e.g. ecology embankment, permeable pavement) on-site to address 100% of all project impervious surfaces

3.2 Reduces water detention through Low Impact Development (LID) / Natural Drainage Practices (NDP) (e.g. ecology embankment, permeable pavement) on-site to address 25% to 75% of all project impervious surfaces

3.3 Adds vegetated areas left undisturbed or compost-amend the soil with native plantings

3.4 Adds hardscaping or climate appropriate plantings

3.5 Includes emerging environmental technologies

4. Recycling Measures

4.1 Includes on-site reuse of pavement

4.2 Includes on-site of subsurface material

4.3 Includes on-site of organic material

4.4 Includes on-site of other materials

4.5 Uses recycled pavement (hauled in)

4.6 Uses recycled subsurface materials

4.7 Uses recycled organic materials (hauled in)

4.8 Uses other recycled products

Remember - if you check a box with an * you must fill out the Sustainability tab

CERTIFICATION

Certification is hereby given that the information provided is accurate and the applicable attachments are complete and included as part of the application package.

Agency Official Signature

Title

Printed Name

Date

2010 Urban Grant Application (rev May 11, 2010) Page 10 of 11
Describe how the project supports development in and revitalization of the existing downtown area.

Bonney Lake's Downtown has long been a center for commercial and public functions, but its full potential has never been realized. The City is developing its adopted Comprehensive Plan that envisions a compact downtown with a mix of housing, employment, shopping, and other activities that are in close proximity. The City's downtown area already has the City's Police department, new Justice Center, Planning & Engineering facilities, as well as the regional fire station, and the regional postal station and library. As the gateway to our commercial district, the SR 410/Old Sumner-Buckley Highway(OSBH) intersection is the primary entry to Downtown and Bonney Lake in general and is adjacent to the Pierce Transit Center. This project will relieve congestion, improve safety, and provide a much needed gateway to the downtown area.

Explain how the project consistent with the local comprehensive plan for residential and non-residential development densities.

Improvement to the SR410/OSBH intersection is a critical element of Bonney Lake's Downtown Development Plan. The City is purchasing property that was used for low density family housing. The downtown plan replaces low density housing with high density multi-family housing. The attached Downtown Plan & Property Ownership drawing shows the new private/public facilities and multi-family housing planned for the Downtown area. To encourage development in the downtown area the City is making incentives available to developers including roadway and utility improvements. The plans lead to much denser area in support of the Growth Management Act. This project will compliment the completed improvements of the Downtown area and vastly improve the main access to the Downtown core.

Describe how the project promotes the use of transit and other multimodal transportation.

This project will support users with multi-modal transportation features throughout the Downtown area and adjacent residential neighborhoods. It will provide new sidewalks, bicycle routes, and traffic congestion reduction, while improving safety for both vehicular and non-motorized transit. Currently there are no dedicated bicycle routes and sidewalks are incomplete on both streets. The City's adopted Comprehensive Plan, envisions and promotes a pedestrian oriented Downtown with street level activity by orienting business frontage to sidewalks. This project will add street lighting that enhances pedestrian and vehicular traffic safety to the Pierce Transit Park and Ride lot that is a half block away.

Other Multimodal Components:

These improvements will help improve accessibility to the City's police station, the regional postal office, new Justice Center, City's Permit Center, Community Development, and PW Engineering staff, as well as the regional library already located in the Downtown district. Traffic improvements will help reduce time of the regional fire station and the police department located in the Downtown district by improving congestion problems surrounding these two stations.
Photo 1. Looking westbound. Eastbound SR 410 pm rush hour traffic at State Route 410/Old Sumner Buckley Highway (OSBH) intersection.

Photo 2. Looking eastbound. Eastbound SR 410 pm rush hour traffic approaching SR 410-OSBH intersection.
Photo 3. Looking westbound. Eastbound pm rush hour traffic approaching SR 410-OSBH intersection ¼ mile away near Meyers Rd. Left-turn queuing lane seen beyond capacity.

Photo 4. Looking westbound. Eastbound pm rush hour traffic approaching SR 410-OSBH intersection. OSBH left turn converging on left turn lane into Meyers Rd ¼ mile away.
**Photo 5.** Looking eastbound on SR 410. Eastbound pm rush hour traffic approaching SR 410-OSBH intersection. OSBH left turn lane seen.

**Photo 6.** Looking westbound on SR 410. Eastbound pm rush hour traffic heading up the plateau towards SR 410-OSBH intersection. Congestion can extend two miles to intersection.
### Transportation Improvement Board (TIB)
#### 2010 Urban Accident Analysis
**FY 2012 Urban Arterial Program (UAP) Application**

**Instructions**
1. Use accident data from the **three** most current years available
2. Select the location type (Intersection or Midblock)
3. Enter the location by specifying the intersection cross street or midblock parameters
4. Enter the number of accidents that are Property Damage Only (PDO), Injuries, and Fatalities for each accident type

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**Annual Benefit**

$799,920

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| YEAR | TOTAL COLS | PROP DMAG COLS | POSS INJ COLS | EVID INJ COLS | SER INJ COLS | TOTAL INJ COLS | FATAL COLS | # OF INJS | # OF FTLS | # OF VEHS | ALC REL COLS | FIXD OBJ COLS | REAR END COLL | OPP DIR COLL | ENTER AT ANGLE | OVER TURN COLS | PEDL CYC COLS | PDES COLS |
|------|------------|----------------|---------------|---------------|-------------|---------------|------------|----------|----------|----------|-------------|---------------|---------------|--------------|-------------|----------------|--------------|-------------|-----------|
| 2007 | 33         | 23             | 6             | 2             | 2           | 10            | 0          | 16       | 0        | 67       | 1            | 1             | 19            | 2            | 1            | 0             | 0            | 0           |
| 2008 | 20         | 11             | 1             | 7             | 1           | 8             | 1          | 12       | 1        | 41       | 2            | 0             | 11            | 3            | 2            | 0             | 0            | 0           |
| 2009 | 35         | 19             | 14            | 2             | 0           | 16            | 0          | 23       | 0        | 79       | 2            | 1             | 23            | 4            | 1            | 0             | 0            | 0           |
August 13, 2010

Mr. John Hartsell
City of Bonney Lake
19306 Bonney Lake Blvd
Bonney Lake WA 98391

Re: Collision Data

Dear Mr. Hartsell:

In response to your August 5 request, we have prepared a history of reported collisions that occurred on State Route 410 (milepost 15.54 - 15.90 & 13.08 - 13.53) for the period of 1/01/07 - 12/31/09.

Federal law 23 United States Code Section 409 governs use of the data you requested. Under this law, data maintained for purposes of evaluating potential highway safety enhancements:

"...shall not be subject to discovery or admitted into evidence in a federal or state court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data." [Emphasis added.]

The Washington State Department of Transportation (WSDOT) is releasing this data to you with the understanding that you will not use this data contrary to the restrictions in Section 409, which means you will not use this data in discovery or as evidence at trial in any action for damages against the WSDOT, the State of Washington, or any other jurisdiction involved in the locations mentioned in the data. If you should attempt to use this data in an action for damages against WSDOT, the State of Washington, or any other jurisdiction involved in the locations mentioned in the data, these entities expressly reserve the right, under Section 409, to object to the use of the data, including any opinions drawn from the data.

If we may be of any further assistance, please contact Mr. Dan Davis, Collision Data and Analysis Business Supervisor, Collision Data and Analysis Branch at (360) 570-2451, or e-mail address davisd@wsdot.wa.gov.

Sincerely,

Daniel M. Davis
Collision Data Analysis Supervisor
Statewide Travel & Collision Data Office / Strategic Planning Division

DMD:grh

Cc: Steve Bennett, WSDOT Olympic Region
**SURF** = Road Surface Condition
1 = Dry  
2 = Wet  
3 = Snow/Slush  
4 = Ice  
5 = Sand/Mud/Dirt  
6 = Oil  
7 = Standing Water  
8 = Other  
9 = Unknown/Not Stated

**LITE** = Light Conditions
1 = Daylight  
2 = Dawn  
3 = Dusk  
4 = Dark - Street Lights On  
5 = Dark - Street Lights Off  
6 = Dark - No Street Lights  
7 = Other (described in the narrative)  
9 = Unknown

**MSVJ** = Most Severe Injury
1 = No injury  
2 = Dead at Scene  
3 = Dead on Arrival  
4 = Dead at Hospital  
5 = Serious Injury  
6 = Evident Injury (Non Disabling)  
7 = Possible Injury

**JUNC** = Junction Relationship
1 = At Intersection and Related  
2 = Intersection Related but Not at the Intersection  
3 = At Driveway and Related  
4 = Not at Intersection and Not Related  
5 = At Intersection and Not Related  
6 = At Driveway within major Intersection  
7 = Driveway Related but Not at Driveway  
8 = At Driveway and Not Related  
A = Entering Roundabout  
B = Circulating Roundabout  
C = Exiting Roundabout  
D = At Roundabout but not Related  
E = Roundabout related but not at Roundabout  
F = Traffic Calming Circle

**VEH # TYPE** = Vehicle Type
0 = Not Stated  
1 = Passenger Car  
2 = Pickup, Panel Truck or Vanette under 10,000 lbs  
3 = Truck (Flatbed, Van, etc)  
4 = Truck and Trailer  
5 = Truck Tractor  
6 = Truck Tractor & Semi-Trailer  
7 = Truck-Double Trailer Combo  
8 = Farm Tractor/Farm Equipment  
9 = Taxi  
10 = Bus or Motor Stage  
11 = School Bus  
12 = Motorcycle  
13 = Scooter Bike  
14 = Other  
15 = Moped
# STATE ROUTE ONLY

**WSDOT - Diagram Data Coding Sheet**

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| *From the RIGHT or LEFT is referenced from the Major Roadway looking in the increasing right or left direction at all times.*

**FIRST VEHICLE - COLUMN 1 THROUGH 3**

**SECOND VEHICLE - COLUMN 4 THROUGH 5**

**TYPE OF COLLISION - COLUMN 6 THROUGH 8**

**IMPACT POSITION - COLUMN 9 THROUGH 10**

A "9" IS TO BE CODED IN ALL COLUMNS IN WHICH NONE OF THE EXISTING CODES ARE APPLICABLE.

---

**COLLISION LOCATION**

- A: Increasing MP Direction Mainline
- B: Decreasing MP Direction Mainline
- C: CD Ramp Increasing MP Direction Side of Highway
- D: CD Ramp Decreasing MP Direction Side of Highway
- E: HOV Separated Lane Decreasing MP Direction Side of Highway
- F: At State Ferry Terminals or on Docked State Ferry Vessels

**COLLISION TYPES**

- 01: Striking other vehicle HEAD ON
- 02: Striking LEFT SIDE of other vehicle AT ANGLE
- 03: Striking RIGHT SIDE of other vehicle AT ANGLE
- 04: Sideswipes LEFT side of other vehicle
- 05: Sideswipes RIGHT side of other vehicle
- 06: Striking REAR END of other vehicle
- 07: Striking FRONT END of other vehicle (not head on)
- 08: Struck by other vehicle HEAD ON
- 09: Struck on LEFT SIDE at ANGLE by other vehicle
- 10: Struck on RIGHT SIDE at ANGLE by other vehicle
- 11: Struck Sideswiped on LEFT side by other vehicle
- 12: Struck Sideswiped on RIGHT side by other vehicle
- 13: Struck in REAR END by other vehicle
- 14: Struck in FRONT END by other vehicle (not head on)
- 15: Pushed or struck by OBJECT from other vehicle
- 16: Pushed or struck by other vehicle
- 17: All other MULTI VEHICLE involvements
- 18: Strikes ANIMAL or BIRD
- 19: Strikes APPURTENANCE
- 20: Strikes Other OBJECT
- 21: Strikes or was struck by WORKING OBJECT
- 22: Strikes RAMP ROAD TRAIN
- 23: Strikes RAILROAD TRAIN
- 24: Strikes RAILROAD TRACK
- 25: Strikes RAILROAD
- 26: Strikes RAILROAD STRUCTURE
- 27: Strikes RAILROAD STRUCTURE
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- 99: Strikes RAILROAD STRUCTURE

**OTHER AREAS**

- 0: Off the Road, Past the Right Shoulder
- 1: Median Shoulder
- 2: In Median

---

**OTHER AREAS**

- Lane 1
- Lane 2
- Lane 3
- Lane 4
- Lane 5
- Lane 6
- Left Turn Lane
- Right Shoulder
- Median Shoulder
- In Median

**AT STATE FERRY TERMINALS OR ON DOCKED STATE FERRY VESSELS**
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August 18, 2010

Washington State Transportation Improvement Board
PO Box 40901
Olympia, WA 98504-0901

RE: Urban Arterial Program (UAP) Grant Application

As Mayor of the City of Bonney Lake, I respectfully submit our TIB UAP Grant application requesting $2,006,800 in funds for the State Route 410/Summer Buckley Highway intersection improvement project. The City will support this project with a match of $300,675. In addition, this application shows Cascadia will fund the remainder of the project costs, which equals approximately $1,404,091. This intersection improvement project has been under design for two years and is “shovel ready.” The City Council unanimously adopted a 6-year Transportation Improvement Program that includes this project as one of our main priorities. Further, the project will directly and immediately benefit residents and businesses in the City of Bonney Lake as well as motorists using SR 410 to reach other destinations in the region.

The intersection improvements will help eliminate backups on SR 410 that often extend more than a mile east in the morning and west in the afternoon during rush hours. A central component will be the addition of two new turn lanes on SR 410 onto SBH. This will allow through traffic on SR 410 to move through Bonney Lake with minimal delay and increased safety at this intersection.

This project is supported by both the Washington State Department of Transportation and CASCADE/IA, the largest planned community in Washington. Completion of this project will help minimize impacts from CASCADE/IA as well as other development in Pierce County. If you have any questions about this project, please do not hesitate to contact my Public Works Director, Daniel Grigsby at 253-447-4347, or City Engineer, John Woodcock at 253-447-4336.

Thank you for your consideration of this project.

Sincerely,

Neil Johnson Jr., Mayor
March 26, 2009

Mr. Daniel L. Grigsby, P.E.
Public Works Director
City of Bonney Lake
P.O. Box 7380
Bonney Lake, WA 98391-0944

Re: SR 410/Old Sumner Buckley Highway
Safety Improvement

Dear Sir:

This letter is provided to the City to indicate the Washington State Department of Transportation’s support and participation in the City’s safety improvement project located at the intersection of SR 410 and the Old Sumner Buckley Highway.

WSDOT has previously provided the City with $400,000.00 in support of this project, from the Hazard Elimination Program, funded through the Department’s Highways and Local Programs Division.

If you have any other questions, please contact me at (360) 357-2666.

Sincerely,

Neal Campbell, P.E.
Local Programs Agreement Engineer
Olympic Region

NC:rwe

cc: file-copy
March 27, 2009

Mr. Daniel L. Grigsby, PE  
Public Works Director  
City of Bonney Lake  
P.O. Box 7380  
Bonney Lake, WA 98390  

RE:  City of Bonney Lake  
SR-410 / Sumner Buckley Highway Improvements  
Federal Funding Request – FY2010 Appropriations  

Dear Mr. Grigsby,  

East Pierce County, including City of Bonney Lake, is one of the fastest growing areas of the County and approved to facilitate a majority of the County’s future growth. This transportation project will significantly decrease congestion on the only single major state highway link between Central Pierce County and East Pierce County. The project is long overdue and will greatly increase the efficiencies of critical freight, employment, and community transportation links.  

More specifically,  

- This is an improvement to increase mobility for transit, employment, and freight at a key choke point on a state highway of regional significance that provides access to Port of Tacoma Free Trade Zone and City/County designated employment zones.  

- The project includes intersection widening and signal improvements to reduce congestion, improve safety and increase mobility for traffic and goods along a key corridor that serves 50,000 cars per day (5,000 trucks per day) currently and will serve 100,000 cars per day (10,000 trucks per day) in the future.
- This is a multi-jurisdictional project (City, County, State) which will create new jobs now and in the future, attract new business, encourage smart live/work growth, and provide long term public benefit.

This project is a critical link for regional commerce, connecting local retail and commercial zones with population zones. It is a critical link in the transportation plans of City of Bonney Lake, Pierce County, and Washington State. In addition to correcting existing congestion and generate jobs and tax revenue immediately and long term it facilitates the healthy growth of one of the Nation's major metropolitan growth areas.

We support and recommend approval of your Federal funding request.

Sincerely Yours,

Charles F. Lappenbusch, Jr.
Senior Vice President
Director of Development
Local Agency Environmental Classification Summary

Part 1 Project Description

Federal Aid Project Number: STPH-H-0410 (947)
Route: SR 410
Date Created: 12/12/2008
Intent of Submittal: ☑ Preliminary ☐ Final ☐ Re-Evaluate

Agency: City of Bonney Lake
Federal Program Title: ☑ 20.205 ☐ 20.209 ☐ Other

Project Title: SR 410/Old Buckley Highway HES

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KP
Miles 0.33

Townships T20N
Ranges R5E

Sections 32 and 33

County Pierce
Water Resource Inventory Area (WRIA) No. & Name 10 Puyallup/White
Within Puget Sound Basin? ☑ Yes ☐ No

Project Description - Describe the proposed project, including the purpose and need for the project.
The City plans to modify the SR 410/Sumner-Buckley Highway (SBH) intersection by adding east and west bound turn lanes onto SBH. Two receiving lanes will be added eastbound and an additional westbound right turn lane will be added to SBH between 184th Ave. and SR 410. Sidewalks will be added to meet City standards. Storm drainage/infiltations system will be retrofitted as needed to meet Ecology and/or WSDOT guidelines.

Part 2 Environmental Classification

☐ Class I - Environmental Impact Statement (EIS)
☒ Class II - Categorically Excluded (CE)

CE Type (from 23 CFR 771.117) (c)(3); (d)(1)
☒ Projects Requiring Documentation (Documented CE) (LAG 24.22)
☐ Class III - Environmental Assessment (EA)
☐ Programmatic CE MOU

☒ Categorically exempt per WAC 197-11-800

☒ Determination of Non-Significance (DNS)
☐ Environmental Impact Statement (EIS)
☐ Adoption
☐ Addendum
☐ Supplemental

NEPA Approval Signatures

Local Agency Approving Authority

Regional Local Programs Engineer / Assistant Secretary

Highways and Local Programs Environmental Engineer

Federal Highway Administration

Completed By (Print Official's Name) John Woodcock

Telephone (include area code) 253-842-8602
Fax (include area code) 253-842-8638

Date 12-15-08
Date 1-28-09
Date 2/16/09

DOT Form 140-100 EF Revised 7/1/07
Page 1 of 7
<table>
<thead>
<tr>
<th>Movement</th>
<th>EBL</th>
<th>EBR</th>
<th>WB</th>
<th>WBL</th>
<th>WBT</th>
<th>SBR</th>
<th>SBL</th>
<th>SBR</th>
<th>SBR2</th>
<th>SBR</th>
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<td>2.3</td>
<td>2.4</td>
<td>2.5</td>
<td>2.6</td>
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<td>0.4</td>
<td>0.5</td>
<td>0.6</td>
<td>0.7</td>
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<td>0.9</td>
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<td>2.2</td>
<td>2.3</td>
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<tr>
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<td>0.3</td>
<td>0.4</td>
<td>0.5</td>
<td>0.6</td>
<td>0.7</td>
<td>0.8</td>
<td>0.9</td>
<td>1.0</td>
<td>1.1</td>
<td>1.2</td>
<td>1.3</td>
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<td>0.2</td>
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<td>0.5</td>
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<tr>
<td>Hourly Flow Rate</td>
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<td>0.7</td>
<td>0.8</td>
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<td>0.4</td>
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<td>0.6</td>
<td>0.7</td>
<td>0.8</td>
<td>0.9</td>
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### 5: SR 410 & Sumner Buckley Hwy Performance by movement

<table>
<thead>
<tr>
<th>Movement</th>
<th>EBL</th>
<th>EBT</th>
<th>EBR</th>
<th>WBL</th>
<th>WBT</th>
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<td>23</td>
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<td>14</td>
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<td>3</td>
<td>7</td>
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<td>Fuel Used (gal)</td>
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<td>CO Emissions (g)</td>
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<td>11423</td>
<td>30</td>
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<td>NOx Emissions (g)</td>
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<td>Vehicles Entered</td>
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<td>5</td>
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<td>1</td>
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<td>5</td>
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<td>1609</td>
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<td>1203</td>
<td>42</td>
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<td>Hourly Exit Rate</td>
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<td>1203</td>
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<td>80</td>
<td>1</td>
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<td>Input Volume</td>
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<td>100</td>
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<td>50</td>
<td>98</td>
<td>100</td>
<td>100</td>
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### CO2 Emissions Savings

The below table was created utilizing SimTraffic Performance Report data.

<table>
<thead>
<tr>
<th></th>
<th>2010 with Existing Intersection Configuration</th>
<th>2010 with Proposed Intersection Configuration</th>
<th>Savings between Existing and Proposed Intersection Configurations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CO Emission at weekday pm peak hour (grams)</strong></td>
<td>18,323</td>
<td>17,029</td>
<td>1,294</td>
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<tr>
<td><strong>Conversion factor for daily total</strong></td>
<td>10</td>
<td>10</td>
<td>N/A</td>
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<tr>
<td><strong>Total CO Emissions each day (grams)</strong></td>
<td>183,230</td>
<td>170,290</td>
<td>12,940</td>
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<tr>
<td><strong>Number of week days/year</strong></td>
<td>261</td>
<td>261</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total CO Emissions for each year-weekdays (grams)</strong></td>
<td>47,823,030</td>
<td>44,445,690</td>
<td>3,377,340</td>
</tr>
<tr>
<td><strong>Total CO Emissions for each year-weekdays (lbs); Conversion factor: 1 gram = .002204 lbs</strong></td>
<td>105,402</td>
<td>97,958</td>
<td>7,444</td>
</tr>
<tr>
<td><strong>Total CO Emissions for each year-weekdays (metric tons); Conversion factor: 1 lb = .00045 mt</strong></td>
<td>47</td>
<td>44</td>
<td>3</td>
</tr>
</tbody>
</table>

Summary: The intersection improvement project will prevent an estimated 3.38 million grams of CO Emissions annually from entering into the area environment, or 3 metric tons per year. Figures do not include weekend traffic.
### Fuel Consumption Savings

The below table was created utilizing SimTraffic Performance Report data.

<table>
<thead>
<tr>
<th></th>
<th>2010 with Existing Intersection Configuration</th>
<th>2010 with Proposed Intersection Configuration</th>
<th>Savings between Existing and Proposed Intersection Configurations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fuel Consumption at weekday pm peak hour (gal)</strong></td>
<td>1,809</td>
<td>1,477</td>
<td>332</td>
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<tr>
<td><strong>Conversion factor for daily total</strong></td>
<td>10</td>
<td>10</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Fuel Consumption each day (gal)</strong></td>
<td>18,090</td>
<td>14,770</td>
<td>3,320</td>
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<tr>
<td><strong>Number of week days/year</strong></td>
<td>261</td>
<td>261</td>
<td>N/A</td>
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<tr>
<td><strong>Total Fuel Consumption for each year-weekdays (gal)</strong></td>
<td>4,721,490</td>
<td>3,854,970</td>
<td>866,520</td>
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</table>

Summary: The intersection improvement project will save an estimated 866,520 gallons of fuel each year. Figures do not include weekend traffic.
City of Bonney Lake, Washington  
City Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department / Staff Contact:</th>
<th>Workshop / Meeting Date:</th>
<th>Agenda Bill Number:</th>
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<tbody>
<tr>
<td>ASD / HT Edvalson</td>
<td>24 Aug 2010</td>
<td>AB10-145</td>
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<th>Ordinance Number:</th>
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<th>Councilmember Sponsor:</th>
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</thead>
<tbody>
<tr>
<td></td>
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</table>

**Agenda Subject:**

**Proposed Motion:** AB10-145 - A Motion of the Bonney Lake City Council Setting a Special Council Meeting for August 31, 2010 at 5:30 p.m. in the City Hall Council Chambers to Discuss Revenue and Budget Forecasts for the 2011-2012 Biennial Budget.

**Administrative Recommendation:** Approve.

**Background Summary:**

**BUDGET INFORMATION:**

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Required Expenditure</th>
<th>Budget Impact</th>
<th>Budget Balance</th>
</tr>
</thead>
</table>

**Budget Explanation:**

**COMMITTEE/BOARD REVIEW:**

Subcommittee Review Date:  -  
Commission/Board Review Date:  -  
Hearing Examiner Date:  -  

**COUNCIL ACTION:**

Workshop Date(s): 8/24/10  
Meeting Date(s):  
Public Hearing Date(s):  
Tabled To Date:  

**Signatures:**

<table>
<thead>
<tr>
<th>Director Authorization</th>
<th>Mayor</th>
<th>Date City Attorney Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>HT Edvalson</td>
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</table>
## City of Bonney Lake, Washington
### City Council Agenda Bill (C.A.B.) Approval Form

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<th>Department / Staff Contact:</th>
<th>Workshop / Meeting Date:</th>
<th>Agenda Bill Number:</th>
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</thead>
<tbody>
<tr>
<td>PW / John Woodcock</td>
<td>24 Aug 2010</td>
<td>AB10-126</td>
</tr>
<tr>
<td>Ordinance Number:</td>
<td>Resolution Number:</td>
<td>Councilmember Sponsor:</td>
</tr>
<tr>
<td></td>
<td>2059</td>
<td>James Rackley</td>
</tr>
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</table>

**Agenda Subject:** Approve Design Contract with Parametrix for 80th and 82nd Streets Sidewalks project

**Proposed Motion:** AB10-126 - Resolution 2059 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Parametrix For The Design Of The 80th And 82nd Street East Sidewalks

**Administrative Recommendation:**

**Background Summary:** The Sumner School District paid the City of Bonney Lake a sum of $215,000 in the SEPA mitigation process to address the connection of sidewalks from the renovations currently underway at the Bonney Lake Elementary School to the sidewalks that currently exist on Locust Avenue E. Council has asked PW Department to include parking opportunities for the adjacent Viking Park. This design contract will provide the plans and specifications to advertise and construct the mitigation action.

Attachments: Resolution 2059, Vicinity Map, Professional Services Agreement

### BUDGET INFORMATION:

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Required Expenditure</th>
<th>Budget Impact</th>
<th>Budget Balance</th>
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<tbody>
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<td>$215,000</td>
<td>$55,000.98</td>
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<td>$159,999.02</td>
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</table>

**Budget Explanation:**

Current funding provided by the Sumner School District will not cover the additional Viking Park parking stalls requested to be included in this design effort. Council will need to address additional funding sources for the construction phase of this project.

301.xxx

### COMMITTEE/BOARD REVIEW:

- **Subcommittee Review Date:** Community Development Committee - 16 Aug 2010
- **Commission/Board Review Date:** -
- **Hearing Examiner Date:**

### COUNCIL ACTION:

<table>
<thead>
<tr>
<th>Workshop Date(s):</th>
<th>Public Hearing Date(s):</th>
<th>Meeting Date(s):</th>
<th>Tabled To Date:</th>
</tr>
</thead>
</table>

**Signatures:**

- **Director Authorization:** Dan Grigsby
- **Mayor:**
- **Date City Attorney Reviewed:**
COMMUNITY DEVELOPMENT COMMITTEE

DATE: August 16, 2010

ORIGINATOR: John Woodcock  TITLE: City Engineer

SUBJECT: Motion to adopt the 80th and 82nd Streets Sidewalks Project design contract by Parametrix.
The Sumner School District paid the City of Bonney Lake a sum of $215,000 in the SEPA mitigation process to address the connection of sidewalks from the renovations currently underway at the Bonney Lake Elementary School to the sidewalks that currently exist on Locust Avenue E. Council has asked PW Department to include parking opportunities for the adjacent Viking Park. This design contract will provide the plans and specifications to advertise and construct the mitigation action.

ORDINANCE/RESOLUTION: 2059

REQUEST OR RECOMMENDATION BY ORIGINATOR:

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

<table>
<thead>
<tr>
<th>2010 Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Remaining Balance</th>
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<tr>
<td>$215,000</td>
<td>$215,000</td>
<td>$55,000.98</td>
<td>$159,999.02</td>
</tr>
</tbody>
</table>

Explanation:
Current funding provided by the Sumner School District will not cover the additional Viking Park parking stalls requested to be included in this design effort. Council will need to address additional funding sources for the construction phase of this project.

301.xxx

____________________
COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

James Rackley, Chairman
Randy McKibbin
Donn Lewis

DATE APPROVED  DISAPPROVED

____________________
COMMITTEE COMMENTS:

____________________
COMMITTEE'S RECOMMENDATION TO FORWARD TO:
CITY CLERK
CITY ATTORNEY

Please schedule for City Council Meeting date of: August 24, 2010
Consent Agenda: ☐ Yes  ☑ No
RESOLUTION NO. 2059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A CONTRACT WITH PARAMETRIX FOR THE DESIGN OF THE 80TH AND 82ND STREET EAST SIDEWALKS.

WHEREAS, Sumner School District has provided $215,000 for the City of Bonney Lake to construct sidewalks adjacent to Bonney Lake Elementary School connecting to the sidewalks on Locust Avenue East per Resolution 2038;

WHEREAS, the City Council has approved a Non Motorized Transportation Plan that encourages construction of sidewalks serving schools; and,

WHEREAS, the City has obtained a design contract for the plans, specification, and engineering package for the sidewalks project from Parametrix;

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake Council does hereby authorize the Mayor to sign the attached design contract with Parametrix complete the plans, specification, and engineering for the sidewalks as per the mitigation agreement with Sumner School District for the sum of $55,000.98.

PASSED and adopted by the City Council this 24th day of August 2010.

__________________________
Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

__________________________
James Dionne, City Attorney
From: Austin Fisher [mailto:afisher@parametrix.com]
Sent: Thursday, August 05, 2010 3:21 PM
To: John Woodcock
Subject: RE: New SOW 80th and 82nd Sidewalks

John,

I've attached a revised proposal. It will work for either decision the Council makes. The design won't cost more for one choice or the other really. I've included an assumption in the scope that the City will provide direction on either parallel parking or head in parking prior to notice to proceed.

The cost is about $10K higher ($7,500 PMX, $2,500 Geotech) to account for additional design for pervious asphalt for the parking area and retaining walls.

Thanks and let me know if you have any additional revisions.

Austin
City of Bonney Lake 80th and 82nd Streets Sidewalks Project

PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this ____________ day of ____________________, 2010, by and between the City of Bonney Lake ("City") and Parametrix, Inc. ("Consultant").

The parties hereby agree as follows:

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

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

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

Acceptance of final payment by the Consultant shall constitute a release of all claims, related to payment under this Agreement, which the Consultant may have against the City unless such claims are specifically reserved in writing and transmitted to the City by the Consultant prior to acceptance of final payment. Final payment shall not, however, be a bar to any claims that the City may have against the Consultant or to any remedies the City may pursue with respect to such claims.
The Consultant and its sub consultants shall keep available for inspection, by the City, for a period of three years after final payment, the cost records and accounts pertaining to this Agreement and all items related to, or bearing upon, such records. If any litigation, claim or audit is started before the expiration of the three-year retention period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved. The three-year retention period shall commence when the Consultant receives final payment.

4. Changes in Work. The Consultant shall make all revisions and changes in the work completed under this Agreement as are necessary to correct errors, when required to do so by the City, without additional compensation.

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

6. Employment. Any and all employees of Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of said employees, while so engaged; any and all taxes arising out of Consultant's or Consultant's employees' work under this Agreement; and any and all claims made by a third party as a consequence of any acts, errors, or omissions on the part of the Consultant's employees, while so engaged, shall be the sole obligation and responsibility of the Consultant, except as provided in Section 12 of this agreement. The Consultant's relation to the City shall at all times be as an independent contractor.

7. Nondiscrimination and Legal Compliance. Consultant agrees not to discriminate against any client, employee or applicant for employment or for services because of race, creed, color, national origin, marital status, gender, age or handicap except for a bona fide occupational qualification with regard to, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training; and rendition of services. The consultant represents and warrants that it is in compliance with and agrees that it will remain in compliance with the provisions of the Immigration Reform and Control Act of 1986, including but not limited to the provisions of the Act prohibiting the hiring and continued employment of unauthorized aliens and requiring verification and record keeping with respect to the status of each of its employees' eligibility for employment. The consultant shall include a provision substantially the same as this
section in any and all contracts with sub consultants performing work required of the contractor under this contract. The consultant agrees to indemnify and hold the City harmless from any and all liability, including liability for interest and penalties, the City may incur as a result of the consultant failing to comply with any provisions of the Immigration Reform and Control Act of 1986. Consultant understands and agrees that if it violates this section, this Agreement may be terminated by the City, and that Consultant shall be barred from performing any services for the City in the future unless and until a showing is made satisfactory to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

8. **Term.** This Agreement shall become effective upon the day of its execution by both parties, and shall terminate upon completion of the work and delivery of all materials described in Exhibit A.

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

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

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

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

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

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

12. **Indemnification / Hold Harmless**

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

**Insurance**

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

**A. Minimum Scope of Insurance**

Consultant shall obtain insurance of the types described below:

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

2. **Commercial General Liability** insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant’s Commercial General Liability insurance policy with respect to the work performed for the City.
3. **Workers' Compensation** coverage as required by the Industrial Insurance laws of the State of Washington.

4. **Professional Liability** insurance appropriate to the Consultant's profession.

B. **Minimum Amounts of Insurance**

Consultant shall maintain the following insurance limits:

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

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

3. **Professional Liability** insurance shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

C. **Other Insurance Provisions**

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

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

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

D. **Acceptability of Insurers**

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

E. **Verification of Coverage**

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.
13. **Subletting or Assigning.** The Consultant shall not sublet or assign any of the work covered by this Agreement without the express written consent of the City.

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

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

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

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

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

CITY OF BONNEY LAKE

By: ________________________________
    Neil Johnson Jr., Mayor

CONSULTANT

By: ________________________________
    Daniel L. McReynolds, Principal

Attachments:

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

The Consultant shall perform the following services as directed by the City:
SCOPE OF WORK

City of Bonney Lake
80th & 82nd Streets Sidewalks Project

INTRODUCTION

The City of Bonney Lake (City) desires to retain Parametrix to conduct surveying, final design and preparation of plans, specifications and engineer’s opinion of probable cost for installation of sidewalk improvements on 80th Street E and 82nd Street E.

Improvements will include approximately 800 lineal feet of curb, gutter and sidewalk, storm sewer system and asphalt roadway to complete a contiguous pedestrian path between Locust Avenue and the Bonney Lake Elementary School.

TASK DESCRIPTIONS

Task 1 – Project Management – QA/QC

Task Goal

Work under this task includes time to administer and coordinate various project elements and will be ongoing throughout the project. Work includes the following:

- Coordination and correspondence with City staff.
- In-house project administration, scheduling, direction of project staff, and review of deliverables.
- Preparation of progress reports and invoices for services

Assumptions

The following assumptions apply:

- The project is anticipated to be completed within two months of the notice to proceed.

Deliverables

- Monthly Progress Reports

Task 2 – Survey

Task Goal

Under this task, the project limits will be field surveyed and an electronic base map will be prepared for use in the design tasks.
**Approach**

Specific components of the work include:

**80th Street E**

- Provide survey mapping of existing conditions and improvements along 80th Street E. (Hemlock Avenue) from the intersection of Locust Avenue easterly to the existing driveway access to Bonney Lake Elementary School. Mapping will be limited from the northerly edge of pavement to the southerly right-of-way along 80th Street E.
- Prepare topographic base map in Civil 3D.
- Base map will identify the southerly right-of-way limits, and parcel lines along the south side of 80th Street E as defined above.

**82nd Street E**

- Provide survey mapping of existing conditions and improvements along 82nd Street E. from the intersection of Locust Avenue easterly to the intersection of 189th Avenue E. Mapping will be performed within the right-of-way corridor of 82nd Street E. Additional mapping will be performed outside of the right-of-way in order to identify key grade breaks, as well as tops and toes of slopes.
- Prepare topographic base map in Civil 3D.
- Base map will identify the right-of-way limits, and parcel lines along both sides of 82nd Street E as defined above.

**Deliverables**

- Electronic base map in AutoCAD Civil 3D format.

**Assumptions**

The following assumptions apply:

- Title reports if necessary will be provided by the City.

**Task 3 – 90% Plans, Specifications and Estimate**

**Task Goal**

Parametrix will prepare plans, specifications and an engineer’s opinion of probable cost for review by City staff.
Approach

Specific components of the work include:

90% Plans
- Cover & Legend (2 sheets)
- Existing Conditions Plan (1 sheet)
- Demo & TESC Plan (2 sheets)
- Plan/Profile (2 Sheets)
- Typical Sections (1 Sheet)
- Details (1 Sheet)

Opinion of Cost: Parametrix will prepare an opinion of cost based on estimate quantities and costs for lump sum items as determined by the proposal included in the contract documents.

90% Specifications: Parametrix will prepare contract documents for review by City staff. Contract documents will be based upon the 2010 Washington State Standard Specifications and formatted similar to past project completed for the City.

Assumptions

The following assumptions apply:
- The budget estimate includes 3-copies of the final plans, specifications and opinion of cost.
- The City’s boilerplate contract language will be the same as used for the SR 410 Sewer Repair project Phase 4.
- Plan estimates assume a total of 800 linear feet of sidewalk improvements to a single side of roadway(s).
- Parametrix will look for areas where the proposed sewer alignment could avoid/minimize impacts to wetlands and streams.
- All plans will be prepared in AutoCAD Civil 3D format.
- Field reconnaissance will be conducted within 45 feet of the centerline of the alignment. Parametrix will record general notes on streams and wetlands in the study area and critical area indicators that are visible outside of the field reconnaissance area will be noted as well.

Deliverables
- 3-copies of 90% Plans, Specifications and Engineer’s Opinion of Cost.
Task 4 – Final Plans, Specifications and Estimate

Task Goal

Parametrix will revise the 90% P,S&E based upon the City’s comments and will produce a final reproducible set of contract documents for the City to advertise the project for construction.

Approach

Parametrix will complete the following:

- Revise plans based on City’s Review comments.
- Revise Contract Documents based on City’s Review comments
- Update Opinion of Probable Cost based on revised plans and contract documents

Deliverables

- 1-copy of the Final Contract Documents.
- Electronic copy and hard copy of the Final opinion of probable cost for use by the City in preparing bid tabulations.

Task 5 – Geotechnical Engineering

Task Goal

Parametrix will retain a qualified geotechnical engineer to support the design of the pervious concrete sidewalks and any roadway embankments necessary to complete the improvements.

Approach

A formal scope for geotechnical engineering will be submitted to City staff for approval prior to giving the selected sub-consultant the notice to proceed.

Assumptions

A budget value of $5,000 dollars was assumed for this task.

Deliverables

Final geotechnical report with design recommendations in accordance with the approved scope of services.
**Budget Detail Report**

Project Name: 80th-82nd ST Sidewalks  
Client Name: City of Bonney Lake

### Labor Detail

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*Direct project expenses and reproduction costs are billed at cost plus 15%.
/Public hearing testimony services are billed at hourly rates plus 30%.
**City of Bonney Lake, Washington**  
**City Council Agenda Bill (C.A.B.) Approval Form**

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<td>Jim Rackley</td>
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**Agenda Subject:** Eastown Sewer Lift Station Site Utility Easement and Access Agreement with Charlotte Kontos

**Proposed Motion:** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign the Eastown Sewer Lift Station 26 Site Utility Easement and Access Agreement with Charlotte Kontos.

**Administrative Recommendation:**

**Background Summary:** The Eastown Sewer Lift Station 26 is anticipated to be located on the same parcel that the WSDOT Stormwater Bond "B" is located on. A gravity sewer line will be run to that site and a pressure line will be run out of the site towards 214th Ave along 96th Street. These sewer lines would be installed in the right of way of the driveway owned by Charlotte Kontos located on 96th Street. This will also provide roadway access to this parcel for City crews to maintain the stormwater pond and future Lift Station 26. As compensation for granting this easement, the City will relocate the power and telephone lines serving the Kontos home. They will removed/abandoned and reinstalled in an easement through sewer Lift Station 9 located in the Mountain Creek subdivision on 230th Avenue. Additionally, the city will allow the Kontos home to connect their sewer system to Lift Station 9 when the Kontos property becomes part of a Comprehensive Urban Growth Area. The City would waive the then current sewer System Development Charge (SDC).

Attachments: Resolution 2067; Easement and Access Agreement; Eastown Future Sewer System Map

**BUDGET INFORMATION:**

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**Budget Explanation:**

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<th>Commission/Board Review Date:</th>
<th>Hearing Examiner Date:</th>
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**COUNCIL ACTION:**

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**Signatures:**

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<th>Date City Attorney Reviewed</th>
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COMMUNITY DEVELOPMENT COMMITTEE

DATE: August 16, 2010

ORIGINATOR: Dan Grigsby  TITLE: PW Director

SUBJECT: Eastown Sewer Lift Station Site Utility Easement and Access Agreement with Charlotte Kontos

The Eastown Sewer Lift Station 26 is anticipated to be located on the same parcel that the WSDOT Stormwater Bond "B" is located on. A gravity sewer line will be run to that site and a pressure line will be run out of the site towards 214th Ave along 96th Street. These sewer lines would be installed in the right of way of the driveway owned by Charlotte Kontos located on 96th Street. This will also provide roadway access to this parcel for City crews to maintain the stormwater pond and future Lift Station 26. As compensation for granting this easement, the City will relocate the power and telephone lines serving the Kontos home. They will removed/abandoned and reinstalled in an easement through sewer Lift Station 9 located in the Mountain Creek subdivision on 230th Avenue. Additionally, the city will allow the Kontos home to connect their sewer system to Lift Station 9 when the Kontos property becomes part of a Comprehensive Urban Growth Area. The City would waive the then current sewer System Development Charge (SDC).

ORDINANCE/RESOLUTION: 2067

REQUEST OR RECOMMENDATION BY ORIGINATOR:

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

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Explanation:

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

James Rackley, Chairman

8-16-10

Randy McKibbin

8-16-10

Donn Lewis

8-16-10

COMMITTEE COMMENTS:

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

Please schedule for City Council Meeting date of: August 24, 2010

Consent Agenda: ☐ Yes  ☒ No
RESOLUTION NO. 2067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE CITY TO ESTABLISH AN EASTOWN SEWER LIFT STATION SITE UTILITY EASEMENT AND ACCESS AGREEMENT WITH CHARLOTTE KONTOS.

Whereas, the City Council has determined to build the Eastown sewer lift station on a site other than the Compass Pointe Development; and

Whereas, the new site for the Eastown sewer lift station is located on the parcel owned by Washington State DOT and used for a WSDOT stormwater pond; and

Whereas, the City Council desires to move forward with design of the Eastown sewer lift station; and

Whereas, the City and WSDOT have entered into an agreement for the City to maintain the stormwater facility in the future; and

Whereas, the City needs access to the WSDOT owned parcel to maintain the WSDOT stormwater facility and future City Eastown sewer lift station;

Whereas, the best way to access the WSDOT owned parcel is on the driveway owned by Charlotte Kontos;

Now therefore, be it resolved; by the City Council of the City of Bonney Lake, Pierce County, that the Mayor is hereby authorized to enter into this agreement with Charlotte Kontos.

PASSED and adopted by the City Council this 24th day of August 2010.

____________________________
Neil Johnson Jr., Mayor

ATTEST:

____________________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

____________________________
James Dionne, City Attorney
When recorded, return to:

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

Grantor: Charlotte Kontos

Grantee: City of Bonney Lake

Property: Tax Parcel Number 0520354025

EASEMENT AND ACCESS AGREEMENT

THIS EASEMENT AND ACCESS AGREEMENT is made this ___ day of ___________, 2010, by and between Charlotte Kontos, (“Grantor”), and City of Bonney Lake, a Washington municipal corporation (“Grantee”).

RECITALS

A. Grantor owns property located at 22305 96th Street East, Buckley, WA 98321 (“Grantor’s Property”), which property (Tax Parcel Number 0520354025) consists of Grantor’s private residence. Grantee owns property located on Tax Parcel Number 0520354038 (“Grantee’s Property”).

B. Grantee is in the process of designing the Eastown Sewer Lift Station on Grantee’s Property, and in connection therewith has requested that Grantor convey to Grantee a non-exclusive twenty-foot-wide Utility and Access Easement, over, under and through a portion of Grantor’s Property.

C. Grantor is willing to grant, declare and establish in favor of Grantee for the benefit of Grantee’s Property an easement for the foregoing purposes over, under, across and through an existing driveway (“Driveway”) on the Grantor’s Property, subject to the terms and conditions hereof.

AGREEMENT

For good and valuable consideration, Grantor agrees to the following:

1. Grantor hereby conveys to Grantee a 20 foot-wide utility and access easement within an existing driveway located on Grantor’s Property’s (“Driveway”), more particularly described in Exhibit A to this Agreement and hereinafter called the “96th Street Easement.” This easement shall extend 400 feet, from the edge of pavement on 96th Street north to the north side of a new gate at the entrance to the parcel containing WSDOT Stormwater Pond B and
the future Eastown Sewer Lift Station. The 96th Street Easement shall allow, but is not be limited to, installation of underground sewer, water, electric line, telephone line (with any necessary vaults) and other utility services required to maintain and operate the Eastown Sewer Lift Station. No stormwater shall be directed onto or allowed to accumulate on the driveway from 96th Street. The existing stormwater culvert in the middle of the 96th Street Easement and drainage ditch to that culvert do carry stormwater from other properties and will remain subject to the terms herein.

2. Grantor shall retain the ability to use the Easement Area for ingress and egress to the Property, but shall not install any permanent fixtures or landscaping that interfere with the City’s ability to access underground utilities for maintenance and inspection.

For good and valuable consideration, the City agrees to the following:

1. The City shall convey a utility easement to the Grantor’s Property across the City’s Sewer Lift Station 9 (LS-9) Property, hereinafter referred to as the “LS-9 Easement” and more particularly described in Exhibit B to this Agreement. This easement will extend from a point adjacent to the LS-9 manhole closest to the Grantor’s Property crossing LS-9 parcel to 225th Avenue East in the Mountain Creek subdivision. This easement shall be used only for residential dry utilities serving the Grantor’s Property, such as power, telephone, and cable television/data systems. It will not be used for a water line.

2. The City shall relocate existing utilities (electrical and telephone) currently serving the Grantor’s Property by running the existing utilities through the LS-9 Easement and reconnecting utilities to the corresponding private utilities in the Mountain Creek subdivision. The power line extension will be made using a 1/0 cable and will include any vaults needed. Cable television/internet/data cable installation will be added at no additional cost to the grantor; however, this service will not be activated. Thereafter, monthly utility bills will be the responsibility of the grantor. The City will make reasonable efforts to achieve the relocation of these utilities with no disruptions in service. Work should be completed within two years of the date of this agreement.

3. The City shall waive the sewer System Development Charge (SDC) and any other permit fees or Latecomer Agreements that may exist when the Grantor connects to the City sewer system at LS-9. This waiver is limited to one Residential Equivalent (RE) unit. The Grantor shall be responsible for the costs of installing a sewer lateral and connecting it to the sewer main. At this time, it is unknown when the Grantor will be allowed to connect to the sewer system due to state Growth Management Act restrictions.

4. After installing the sewer, dry water line, telephone cable/data utility lines to the sewer lift station, the City will rebuild the Grantor’s driveway with an all-weather gravel surface.

5. The City shall, at no cost to the Grantor, replace the existing stormwater culvert, located approximately 193 feet north of 96th Street, underneath the Driveway, in the 96th Street Easement. The replacement culvert(s) shall be designed and sized to minimize the risk of flooding during heavy rain events, to avoid increased stormwater runoff into Fennel Creek, to
minimize the normal water runoff from the driveway entering the wetland on the north end of the property, and to avoid sending stormwater running down 96th Street onto the driveway. The City shall install a drainage ditch/swale, if needed, to maintain stability of the Driveway. Sections of the Driveway that slope to this culvert shall continue to do so. Driveway stormwater runoff from the northern section of the 96th Street Easement shall be channeled to an infiltration gallery or other approved stormwater facility.

6. The City shall, at no cost to the Grantor, include a dry water line from 96th Street approximately 400 feet North, in the 96th Street Easement, to the North side of the gate that will be used to enter the WSDOT stormwater pond “B” property, at the north end of the 96th Street Easement. The water line capacity will be of sufficient size to serve any use by the city as set forth herein, plus one additional residential equivalent. The City may use this waterline when connected to the City water system and will have its own water meter serving the Eastown Sewer Lift Station facility. The grantee/City will allow the grantor to connect to the City water system under the following conditions:
   a. Written approval from Tacoma Public Utility (TPU) would be provided to the grantee/City by the grantor/homeowner removing your house from the TPU water service area and authorizing Bonney Lake to provide this water service.
   b. All costs associated with connecting to the City water line would be at the grantor’s/homeowner’s expense.
   c. The amount of water provided to the grantor would be limited to one residential equivalent.
   d. The Water System Development Charge (SDC) would be paid by the grantor/homeowner at the time that connection to the City water line occurs, at the then current rate. If a latecomer agreement exists, at the time connection occurs, that includes your property, the grantor/homeowner would be required to pay that amount. At this time the City does not intend to establish a water utility latecomer agreement; however, this may change in the future or be requested by a developer.

7. Should it be determined that an 8-inch water line was installed through sewer Lift Station 9 to the Grantor’s property, the Grantee will allow the Grantor to connect to the Tacoma Public Utility (TPU) water system using this line. All fees and charges required by TPU to connect to their water system will be paid for by the Grantor.

8. The City shall maintain the Driveway and drainage ditch (including weed abatement) within the 96th Street Easement at no cost to the Grantor. The City shall make reasonable efforts, during construction of the utility lines, to limit the duration of any Driveway closures during the workday and will always open the driveway for use after normal working hours.

9. The City shall install a lockable gate at the entrance to the Driveway adjacent to 96th Street, approximately forty-five feet off of the 96th Street edge of pavement where the current gate is located. A two lock system shall be provided for access by either the Grantor or city staff.

10. The City shall provide a lockable gate at the north end of the 96th Street Easement providing access to the WSDOT-City owned property accessible only to State and City staff. The northern side of this gate is approximately 379 feet north of 96th Street edge of pavement.
INDEMNIFICATION

Except to the extent the same are caused by the negligence or willful misconduct of Grantor or its agents, employees or contractors, Grantee shall indemnify, defend and hold Grantor harmless from and against any and all loss, costs, damages, injuries, claims, suits, liabilities, causes of action and expenses of any kind or nature, including, but not limited to, reasonable attorneys' fees, incurred by Grantor arising out of or related to: (i) Grantee's exercise of the rights granted to it by this Agreement, or (ii) Grantee's breach of its obligations under this Agreement.

BENEFITS AND BURDENS SHALL RUN WITH LAND

The easements and rights and obligations described herein are not intended to be personal, but are intended to constitute covenants running with the land and are intended to touch and concern the parcels of land described in this Agreement and to constitute easements appurtenant to the Grantee's Property benefited by the easements granted under this Agreement. The benefits and burdens on Grantor's Property under this Agreement shall constitute covenants running with the Grantor's Property and shall be binding on and inure to Grantor's successors and assigns in title. The benefits and burdens of Grantee under this Agreement shall constitute covenants running with Grantee's Property, and shall be binding on and inure to Grantee's successors and assigns in title to Grantee's Property.

ATTORNEYS' FEES

In the event either party to this Agreement brings a legal action against the other party to enforce its rights under this Agreement, the substantially prevailing party shall be entitled to receive reimbursement from the nonprevailing party of such prevailing party's costs incurred in such legal action (including the costs of appeal), including the fees and disbursements of the prevailing party's attorneys, in addition to all other rights and remedies available to the prevailing party at law or in equity.

INTERPRETATION

The captions and headings in this Agreement are inserted only as a matter of convenience and for reference, and shall not affect the interpretation of this Agreement. If any provision of this Agreement shall be held by a court of competent jurisdiction to be to any extent invalid or unenforceable, the remainder of this Agreement shall not be affected thereby.

SEVERABILITY

Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person, by judgment or court order shall in no way affect any of the other provisions thereof or the application thereof to any person and the same shall remain in full force and effect.
NOTICES

Notices given by the parties may be served personally, or may be served by depositing the same in the United States mail, postage prepaid, certified or registered mail, return receipt requested. Notices to the parties shall be addressed to the following addresses:

If to the Grantor: Charlotte Kontos
22305 – 96th Street East
Buckley, WA 98321-9284

If to the Grantee: City of Bonney Lake
PO Box 7380
Bonney Lake, WA 98321
Attn: Public Works Director

The foregoing addresses may be changed by written notice given pursuant to provisions of this Section. Notices sent by certified or registered mail shall be deemed to have been given and delivered upon the earlier of actual receipt or three (3) days business after being properly mailed. Notices served personally shall be deemed given upon receipt.

COMPLETE AGREEMENT; GOVERNING LAW

This Agreement contains the entire agreement of the parties with respect to this subject matter and supersedes all prior or contemporaneous writings or discussions relating to the easements provided for herein. This Agreement may not be amended except by a written document executed after the date hereof by the duly authorized representatives of Grantor and Grantee. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The parties agree that the venue of any legal action brought to enforce this Agreement shall lie in Pierce County Superior Court and the parties waive their right to be sued elsewhere.

WARRANTY AND REPRESENTATION OF AUTHORITY

The parties each represent to the other that the person or persons executing this Agreement have authority to do so and to bind the parties hereunder, and that all consents, permissions and approvals related to the execution and delivery of this Agreement have been obtained.

EXHIBITS

This Agreement includes the following exhibits, which by this reference are incorporated into this Agreement:

A. Legal description of 96th Street Easement

B. Legal description of LS-9 Easement

SIGNATURES ON FOLLOWING PAGE
IN WITNESS WHEREOF, Grantor and Grantee have executed this Agreement as of the
day and year first above written.

GRANTOR:

Charlotte Kontos

By: Charlotte Kontos
Name: Charlotte Kontos
Title: Property Owner

GRANTEE:

CITY OF BONNEY LAKE

By: Neil Johnson Jr.
Name: Neil Johnson Jr.
Title: Mayor
STATE OF WASHINGTON )
COUNTY OF __________)

) ss.

On this ___ day of ____________________, 2010, before me, the undersigned, a
Notary Public in and for the State of Washington, duly commissioned and sworn, personally
appeared ____________________, to me known to be the person
who signed as Mayor of the CITY OF BONNEY LAKE, the municipal corporation that executed
the within and foregoing instrument, and acknowledged said instrument to be the free and
voluntary act and deed of said municipal corporation for the uses and purposes therein
mentioned, and on oath stated that the Mayor was duly authorized to execute said instrument on
behalf of the municipal corporation, and that the seal affixed, if any, is the corporate seal of said
corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year
first above written.

____________________________________
(Signature of Notary)

____________________________________
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at ____________
My appointment expires: ____________
STATE OF WASHINGTON )
COUNTY OF KING) ss.

On this ___ day of __________, 2010, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared CHARLOTTE KONTOS, that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said person for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

[Signature of Notary]

Marilyn E Campbell
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at Pierce Co My appointment expires: 5-1-14
EXHIBIT A

EASEMENT DESCRIPTION
KONTOS PROPERTY

THE SOUTH 400 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 20 NORTH,
RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON.

EXCEPT THE SOUTH 30 FEET FOR CARLSON – ROBERTS ROAD (96TH STREET EAST)
AND EXCEPT THE WEST 310 FEET.

8/12/10
EXHIBIT B

EASEMENT DESCRIPTION
TRACT 'F'

THAT PORTION OF TRACT 'F' OF THE PLAT OF MOUNTAIN CREEK PDD, AS
RECORDED UNDER RECORDING NUMBER 200310095004, RECORDS OF PIERCE
COUNTRY, WASHINGTON, BEING AN EASEMENT 5 FEET IN WIDTH THE CENTERLINE
OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTH LINE OF SAID PLAT AT THE NORTHWEST CORNER
OF SAID TRACT 'F';

THENCE SOUTH 88°54'46" EAST ALONG THE NORTH LINE THEREOF, 40.34 FEET TO
THE TRUE POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION; THENCE
LEAVING SAID NORTH LINE, SOUTH 10°43'10" WEST, 47.01 FEET; THENCE SOUTH
12°00'50" EAST, 13.46 FEET; THENCE SOUTH 57°08'50" EAST, 122.97 FEET TO THE
WESTERLY RIGHT-OF-WAY MARGIN OF 225TH AVENUE EAST AND THE TERMINUS
OF THIS CENTERLINE DESCRIPTION.

THE SIDE LINES OF THIS DESCRIPTION SHALL BE LENGTHENED OR SHORTENED SO
AS TO INTERSECT WITH THEMSELVES AND THE NORTHERLY LINE OF SAID TRACT 'F'
AND THE WESTERLY RIGHT-OF-WAY MARGIN OF SAID 225TH AVENUE EAST.

DAVID A. IRONMONGER
COUNTY AUDITOR

8/12/10

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<td>RH2</td>
</tr>
<tr>
<td>9</td>
<td>SR410 Sewer Crossing at 226th Ave (Bowen-Watt property line)</td>
<td>City</td>
<td>City</td>
<td>Yes</td>
<td>Parametrix</td>
</tr>
<tr>
<td>10</td>
<td>SR410 Sewer Crossing at 233rc Ave (2010 - Part of WSDOT Contract)</td>
<td>Dev</td>
<td>Dev</td>
<td>Yes</td>
<td>Stobie</td>
</tr>
<tr>
<td><strong>Other Projects</strong></td>
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<tr>
<td>11</td>
<td>Northern Frontage Road Gravity Sewer Line - 226th to 233rd Ave</td>
<td>Dev</td>
<td>???</td>
<td>Yes</td>
<td>Stobie</td>
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<tr>
<td>12</td>
<td>Wetland Deliniation Study (Prior to Project #11)</td>
<td>City</td>
<td>N/A</td>
<td>Yes</td>
<td>Parametrix</td>
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<tr>
<td>13</td>
<td>Northern Frontage Road Gravity Sewer Line - 220th to 225th Ave</td>
<td>Dev</td>
<td>Dev</td>
<td>No</td>
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<tr>
<td>14</td>
<td>Southern Frontage Road Gravity Sewer Line - 220th to 226th Ave</td>
<td>Dev</td>
<td>Dev</td>
<td>No</td>
<td>Dev</td>
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<td><strong>Future Projects</strong></td>
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<tr>
<td>15</td>
<td>Reconstruct-Enlarge Lift Station 18 (In Front of Safeway)</td>
<td>City-Dev</td>
<td>City-Dev</td>
<td>???</td>
<td>City</td>
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<tr>
<td>16</td>
<td>Lower 214th Ave Sewer Line - 106th Street to SR410</td>
<td>Dev</td>
<td>Dev</td>
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<td>17</td>
<td>Temporary Private Lift Station and Gravity Line (Kane Project)</td>
<td>Dev</td>
<td>Dev</td>
<td>No</td>
<td>Dev</td>
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<td>18</td>
<td>Southern Frontage Road Sewer Line - 214th to 220th Ave</td>
<td>Dev</td>
<td>Dev</td>
<td>???</td>
<td>Dev</td>
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<tr>
<td>19</td>
<td>Enlarge SR410 Sewer Gravity Line - 204th Ave to Angeline Rd. (LS17)</td>
<td>City-Dev</td>
<td>City-Dev</td>
<td>???</td>
<td>City-Dev</td>
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<tr>
<td>20</td>
<td>Reroute Mountain Creek Force Main - From 230th Ave to 226th Ave</td>
<td>City</td>
<td>City</td>
<td>No</td>
<td>City</td>
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<tr>
<td>21</td>
<td>2014 WWTP Upgrade</td>
<td>City</td>
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City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form

<table>
<thead>
<tr>
<th>Department / Staff Contact:</th>
<th>Workshop / Meeting Date:</th>
<th>Agenda Bill Number:</th>
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<tbody>
<tr>
<td>PD / Mike Mitchell</td>
<td>24 Aug 2010</td>
<td>AB10-136</td>
</tr>
<tr>
<td>Ordinance Number:</td>
<td></td>
<td></td>
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<td>D10-136</td>
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<th>Resolution Number:</th>
<th>Councilmember Sponsor:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Mark Hamilton</td>
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**Agenda Subject:** City Acceptance of Donation From Family

**Proposed Motion:** AB10-136 - Ordinance D10-136 - AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ACCEPTING THE DONATION OF PERSONAL PROPERTY FROM THE WIRT FAMILY.

**Administrative Recommendation:**

**Background Summary:** The draft ordinance is a result of concerns and complaints Councilman Decker received from his constituents regarding drivers in Bonney Lake cutting through private property, namely parking lots, in order to avoid intersections or traffic control devices. The goal of the ordinance is to protect persons from drivers who avoid traffic control devices and the interests of the private property owners. The draft ordinance is based on similar ordinances adopted by cities in Pierce and King Counties, including Auburn.

**BUDGET INFORMATION:**

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Required Expenditure</th>
<th>Budget Impact</th>
<th>Budget Balance</th>
</tr>
</thead>
</table>

**Budget Explanation:**

**COMMITTEE/BOARD REVIEW:**

- Subcommittee Review Date: Public Safety Committee - 02 Aug 2010
- Commission/Board Review Date: -
- Hearing Examiner Date: -

**COUNCIL ACTION:**

- Workshop Date(s):
- Public Hearing Date(s):
- Meeting Date(s):
- Tabled To Date:

**Signatures:**

<table>
<thead>
<tr>
<th>Director Authorization</th>
<th>Mayor</th>
<th>Date City Attorney Reviewed</th>
</tr>
</thead>
</table>
ORDINANCE NO. D10-136
AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ACCEPTING THE DONATION OF PERSONAL PROPERTY FROM

WHEREAS, Stephen and Dena Wirt have graciously offered to donate personal property to be used by the Bonney Lake Police Department; and

WHEREAS, BLMC 3.93.010 authorizes the City Council to accept donations by ordinance and to effect any lawful terms or conditions associated therewith; and

WHEREAS, the City Council desires to accept the donation;

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

Section 1. Acceptance of Donation. The City Council hereby accepts a donation from Stephen and Dena Wirt of the following personal property:

1. Smith and Wesson .38 revolver, model 442-2;
2. Smith and Wesson .357 magnum, model 340 PD;
3. Mossberg O.F. & Sons 12 gauge pump action shotgun, model 590;
4. Remington Arms Co. 12 gauge pump action shotgun, model 870 Express;
5. Bushmaster .223 Remington semi-automatic action rifle, model XM15-E2S;
6. Glock 9mm semi-automatic handgun, model 19;
7. Glock 9mm semi-automatic handgun, model 26;
8. .45 ACP semi-automatic action handgun, model Tac Pro II;
9. Glock 9mm semi-automatic handgun, model 17;
10. Kimber .45 ACP semi-automatic action handgun, model Compact;
11. Browning Arms Co., .22 semi-automatic action handgun, model Buckmark;
12. Jennings Firearms Co., .22 semi-automatic action handgun, model J22;
13. .233 Gun magazine;
14. Glock 9mm magazine;
15. Ammunition, various amounts and calibers;
16. Two Rifle cases;
17. Bullet proof vests, two ballistic and one load-bearing;
18. Ghille Suit;
19. Two Gun holsters' belt; and
20. Gun Barrel, .23 gauge.

Section 2. Effective Date. This ordinance, as an administrative action, is not subject to referendum and shall take effect five (5) days after publication of a summary consisting of the title.
ADOPTED by the City Council and approved by the Mayor this _______ day of _______________________, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective date:
July 20, 2010

Chief Mike Mitchell
Bonney Lake Police Department
18421 Old Buckley Hwy.
Bonney Lake, WA 98391

Re: Donation of Property

Dear Chief Mitchell:

This letter is to indicate our wish to donate personal property to the City of Bonney Lake for use by the Police Department. In particular, we donate the following items:

1. Smith and Wesson .38 revolver, model 442-2, serial number CLZ8350
2. Smith and Wesson .357 magnum, model 340 PD, serial number CFM2573
3. Mossberg O.F. & Sons 12 gauge pump action shotgun, model 590, serial number T440783;
4. Remington Arms Co. 12 gauge pump action shotgun, model 870 Express; serial number C354198M;
5. Bushmaster .223 Remington semi-automatic action rifle, model XM15-E2S; serial number BF1601798;
6. Glock 9mm semi-automatic handgun, model 19; serial number NAM755;
7. Glock 9mm semi-automatic handgun, model 26; serial number DYF741US;
8. Kimber .45 ACP semi-automatic action handgun, model Tac Pro II; serial number KR65268;
9. Glock 9mm semi-automatic handgun, model 17; serial number EXC810;
10. Kimber .45 ACP semi-automatic action handgun, model Compact; serial number KC11676;
11. Browning Arms Co., .22 semi-automatic action handgun, model Buckmark; serial number 655NR21650;
12. Jennings Firearms Co., .22 semi-automatic action handgun, model J22; serial number 452102;
13. .233 Gun magazine;
14. Glock 9 mm magazine;
15. Ammunition, various amounts and calibers;
16. Two Rifle cases;
17. Bullet proof vests, two ballistic and one load-bearing;
18. Ghille Suit;
19. Two Gun holsters/belts;
20. Gun Barrel, .23 gauge; and

We donate the property to be used for the benefit of the City of Bonney Lake Police Department and in such manner as the City thereof may direct. As a condition of the donation, no firearms will be sold if they are not to be put into service. We request that any item not placed into service with the Police Department be destroyed.

Sincerely,

Stephen and Dena Wirt
PUBLIC SAFETY COMMITTEE

DATE: August 2, 2010

ORIGINATOR: Mike Mitchell TITLE: Police Chief

SUBJECT/DISCUSSION: Accepting Donation of Property

ORDINANCE/RESOLUTION # D10-136

REQUEST OR RECOMMENDATION BY ORIGINATOR: See attached

ISSUE AND DOCUMENTS HAVE BEEN REVIEWED AND APPROVED BY THE:

MAYOR
FINANCE DIRECTOR
CITY ATTORNEY Yes

BUDGET INFORMATION:

BUDGETED ITEM: N/A TOTAL COST:

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

<table>
<thead>
<tr>
<th>2010 Budget Amount</th>
<th>Required Expenditure</th>
<th>Impact</th>
<th>Remaining Balance</th>
</tr>
</thead>
</table>

COMMITTEE ACTION: RECOMMEND APPROVAL TO COUNCIL

Mark Hamilton  
DATE: 8/2/10  
APPROVED:

Laurie Carter  
DATE: 8/2/10  
DISAPPROVED:

Dan Decker  
DATE: 8/2/10

COMMITTEE COMMENTS:

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

Please schedule for Council Meeting date of: August 24, 2010

g\users\everyone\finance committee\form template.doc