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 such items on the “Consent Agenda” should do so during the “Citizen Comments” portion of the Agenda. If the Council chooses to discuss the item further after taking comments, they may restrict additional public comment before taking action. Please look for the sign-up sheets near the Council Chamber doorway. (See Item II.B. for Citizen Comments on other items of City business.)

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr.
   A. Flag Salute
   B. Roll Call: 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 James Rackley.
   C. Announcements, Appointments and Presentations:
      1. Announcements: None.
      2. Appointments:
         a. **AB11-159** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor’s Appointment Of James Bouchard As A Member Of The Park Board With A Term Expiring April 2014.
      3. Presentations:
         b. Recognition of Service: Councilmember Laurie Carter and Councilmember Dan Decker.
   D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:
   A. Public Hearings: None.
   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.

p. 7

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #62450 thru 62494 (Including Wire Transfer #’s 8368629, 11162011, 12012011, 20111115) in the amount of $1,051,502.72; Accounts Payable checks/vouchers #62495 thru 62498 in the amount of $1,314.64; Accounts Payable checks/vouchers #62499 thru 62525 in the amount of $3,543.40 for Utility refunds for a grand total of $1,056,360.76. VOIDED CHECKS: #62424 – Duplicate Payment, and #61977 – Duplicate Payment.

C. Approval of Payroll: Payroll for November 16-30th 2011 for checks 30136-30165 including Direct Deposits and Electronic Transfers in the amount of $591,032.51.

D. AB11-155 – Ordinance D11-155 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 3.90 Of The Bonney Lake And Ordinance Nos. 1233, 995 And 825 Relating To Miscellaneous Fees.

E. AB11-156 – Resolution 2171 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Award A Contract To Laser Electric, Inc. For The Installation Of City-Purchased Variable Frequency Drives.


V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:


B. 2011 Comprehensive Plan Amendments:

i. AB11-130 – Ordinance D11-130 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Eastown Element Of The Comprehensive Plan.

ii. AB11-132 – Ordinance D11-132 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing Pre-Annexation
Planning And Zoning For The Comprehensive Urban Growth Area To The South Of The City Limits.

iii. AB11-133 – Ordinance D11-133 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Midtown Element As Chapter 11 Of The Comprehensive Plan.

iv. AB11-135 – Ordinance D11-135 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Midtown Core Land Use Designation And Applying It To Properties Currently Designated Neighborhood Commercial, Commercial, And Commercial & Light Industry In Midtown.


C. Amendments to the Bonney Lake Municipal Code:


iii. AB11-151 – Ordinance D11-151 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Chapter 18.27 To Title 18 Of The Bonney Lake Municipal Code, Creating A Midtown Core Zone And Applying It To Those Properties With A Midtown Core Land Use Designation.


IX. CLOSED SESSION:
Pursuant to RCW 42.30.140(4)(b), the City Council may hold a closed session to discuss collective bargaining negotiations. The session duration will be announced prior to the closed 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
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

<table>
<thead>
<tr>
<th>Department/Staff Contact:</th>
<th>Meeting/Workshop Date:</th>
<th>Agenda Bill Number:</th>
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<tbody>
<tr>
<td>Admin Srvcs / Edvalson</td>
<td>13 December 2011</td>
<td>AB11-159</td>
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<tr>
<th>Agenda Item Type:</th>
<th>Ordinance/Resolution Number:</th>
<th>Councilmember Sponsor:</th>
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<tbody>
<tr>
<td>Motion</td>
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**Agenda Subject:** Appointment of Jim Bouchard as a member of the Park Board.

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor's Appointment Of James Bouchard As A Member Of The Park Board With A Term Expiring April 2014.

**Administrative Recommendation:** Approve.

**Background Summary:** Mr. Bouchard is the Branch Manager for Union Bank and participates with a variety of community groups, including Kiwanis, Little League and Chamber of Commerce. The Bonney Lake Municipal Code provides for the ratification of the Mayor's appointments to the Park Board.

**Attachments:** Board Application

### BUDGET INFORMATION

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
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**Budget Explanation:** N/A

### COMMITTEE, BOARD & COMMISSION REVIEW

**Council Committee Review:**

- **Date:**

- **Approvers:**
  - Chair/Councilmember
  - Councilmember
  - Councilmember

- **Forward to:**

**Commission/Board Review:**

**Hearing Examiner Review:**

### COUNCIL ACTION

**Workshop Date(s):**

**Meeting Date(s):** 12/13/11

**Public Hearing Date(s):**

**Tabled to Date:**

### APPROVALS

<table>
<thead>
<tr>
<th>Director:</th>
<th>Mayor:</th>
<th>Date Reviewed by City Attorney:</th>
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<tr>
<td>HTE</td>
<td>NJ</td>
<td>N/A</td>
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**Version Oct. 2010**

*Agenda Packet p. 5 of 260*
APPLICATION FOR MEMBERSHIP
PARK BOARD COMMITTEE
Name of City Board, Commission or Council

(Please print or type)

Full Name: JAMES A. BOUCHARD
Home Phone: 253-962-5348

Address: 20303 108TH STREET CT E
Cell / Other: 253-677-9771

City: BONNEY LAKE  State: WA  Zip: 98391  E-mail: JRBOUCHARD3@COMCAST.NET

City Resident? ☐ NO  ☑ YES  How Long? _____________  Registered Voter? ☑ YES  ☐ NO

Name of Employer: CURRENTLY EMPLOYED

Employer Address:

Education Background: BS - BUSINESS ORGANIZATION, UNIV. OF SAN FRANCISCO

Professional Experience:
- VP, Branch Manager - Frontier Bank
- Branch Manager - Olympic Bank
- Branch Manager - BONNEY LAKE
- Regional Performance Manager - FSB (Staets) - First Union Bank

Organization Affiliations:
- Kiwanis Club of BONNEY LAKE, TREASURER
- BONNEY LAKE CHAMBER OF COMMERCE - PAST PRESIDENT
- LITTLE LEAGUE BASEBALL, PAST DISTRICT 50 ADMINISTRATOR

Why Are You Seeking Appointment? As a community volunteer, I was made aware of a need for committee members. I believe in "giving back" to our community, although I live just outside the city limits.

General Remarks: I'VE CALLED BONNEY LAKE MY HOME SINCE 1992

Applicant's Signature: ____________________________ Date: 11/16/2011

Submit completed form to: Bonney Lake City Clerk, P.O. Box 7380, Bonney Lake, WA 98391-0944
19306 Bonney Lake Blvd  •  Phone (253) 862-8602  •  Fax (253) 862-8538

Updated May 2010
Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 5:33 p.m.

II. ROLL CALL:
Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, and Councilmember Jim Rackley. Deputy Mayor Swatman said Mayor Neil Johnson Jr. would be arriving late.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Planning Manager Heather Stinson, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Administrative Specialist II Shawn Campbell.

III. AGENDA ITEMS:


  Deputy Mayor Swatman declared the public hearing open at 5:34 p.m. No one came forward to speak. The public hearing was closed at 5:34 p.m.

B. Council Open Discussion.

  Bonney Lake Elementary Open House: Councilmember Lewis said the Bonney Lake Elementary open house is scheduled for November 16, 2011 at 4:00 p.m. and the dedication will follow at 5:30 p.m. Councilmember Rackley said he has toured the school and it is very nice.

  Rainier Cable Commission: Councilmember Rackley said he would like the Council to decide if they want Council Meetings to be on television or not. He said it would cost the City an additional $1,100 a month to have the Council meetings televised, on top of the $24,000 annually the City currently pays to belong to Rainier Cable Commission (RCC). He said this issue is time sensitive and must be decided by January 1, 2012 to avoid paying the annual membership fee. He said unless the Council wants the meetings to be televised, the City should withdraw from the commission. He said the City could save money and post the videos on the internet if the Council wanted. He clarified the City could still collect the franchise fee and utility tax from the cable franchise agreement. Deputy Mayor Swatman said he does not see the value in staying in the RCC, unless the Council wishes to have the meetings televised. Administrative Services Director/City Clerk Edvalson said State law does not require the meetings be recorded. He said the official record of meetings is the approved minutes. He said staff time loading the video online would not be a great deal more than loading the audio.
Councilmember Lewis said he would like to give the citizens the opportunity to view the Council Meetings. Councilmember Hamilton said there are vendors that will record the meetings and post them online from a remote location. He said they can link the video to the agenda. He said he would like to ensure the funding is fair to all citizens. He said RCC does streaming video also but they are more expensive. He added the RCC has an in-house program to promote your city, at an additional cost. Councilmember Carter said if the meetings are posted on the website people can watch them any time. She said the video is archival so people could watch older videos also. City Administrator Morrison said RCC also handles customer service complaints that the City does not currently have staff available to handle.

Deputy Mayor Swatman tabled the open discussion until the Mayor arrived at the meeting.


Councilmember Carter asked for the November 1, 2011 minutes to be amended on p. 3 to “Councilmember Carter”. Councilmember Rackley asked for the November 8, 2011 minutes to be amended on p. 3 “none of the bids from recent project bids did not come in under engineer’s estimates”

D. Discussion: Veterans Memorial Site.

Deputy Mayor Swatman said the Mayor has worked with the Greater Bonney Lake Veterans Memorial Committee to come up with a memorandum of Understanding (MOU). Councilmember Hamilton asked if an agreement will come back to Council before action is taken. He asked if the Memorial Committee could put up a sign based on this MOU and who would pay for the sign. City Administrator Morrison said a full agreement would come back to Council for review. Public Works Director Grigsby said the placement of a sign at the construction site would fall under the City project exemption of the sign code and that the Veterans Memorial Committee would pay for the sign. By Council consensus, the item was forwarded to the November 22, 2011 Council Meeting for action.

At 6:01 p.m., Councilmember Rackley moved to take a ten-minute recess. Councilmember Decker seconded the motion. Deputy Mayor Swatman called the meeting back to order at 6:11 p.m.

Council agreed to amend the original order of items on the agenda, and to discuss the Cultural Resources Element and the Land Use Matrix next, as Planning Commissioner Sulham was in attendance to present both plans to Council.

E. Discussion: AB11-137 – Ordinance D11-137 – Cultural Resources Comprehensive Plan Amendment.

Planning Commission Chair Grant Sulham said the Cultural Resources Plan was a combination of the staff plan and changes made by the Planning Commission. He said the Planning Commission voted 5-1 to recommend the plan to Council. He added the one dissenting vote was due to that commissioner wanting more public input on the plan. He said the public hearing did have a large number of people in attendance. He confirmed the plan would stay on the Planning Commission’s work plan for 2012. Council thanked the Planning Commission for their hard work. Councilmember Carter said she would like to add the establishment of a new commission to the plan. She said it is important to have citizens with interest and knowledge of the area’s history. Councilmember Hamilton said this plan is important in keeping the City’s
City Council Workshop Minutes  November 15, 2011

history and culture preserved. He said this is a good way for citizens to know where the City has been and plans for the future. Councilmember Rackley said it would be a good fit to add the Cultural Resources Element to the Park Board’s duties. City Administrator Morrison said the board or commission must be created by resolution at a later date. He said the Council could state its intent to do so as part of the plan.

Mayor Johnson joined the meeting at 6:24 p.m.

City Administrator Morrison said the Council can decide at a later date what the requirements would be for a historical commission. Mayor Johnson said this plan is still in the early stages and the City can work with the existing boards and get people excited so the City can move the plan forward. By Council consensus the Cultural Resources element will be moved forward to the December 13, 2011 Meeting for action with the other Comprehensive Plan Amendments.

F. Discussion: AB11-152 – Ordinance D11-152 – Land Use Matrix.

Planning Commissioner Sulham said the commission examined the allowed uses in C-2 and C-3 zones. He said the matrix is a combination from the Eastown Planning Committee and the Planning Commission. Councilmember Carter asked about agricultural uses allowed. She wanted confirmation the code does not allow medical marijuana. Deputy Mayor Swatman asked about planned communities and why specific businesses are only allowed conditionally. Planning Manager Stinson said the City cannot add zoning for areas that are not currently in the City limits. She said conditional uses do not prohibit the business, they only add some additional criteria the developer must meet. Planning Commissioner Sulham said the conditional uses are based on the Eastown area being for “big box” stores. Deputy Mayor Swatman said the City has design criteria that covers those concerns. He said he would like the Eastown area to have less restrictive zoning than the Downtown and Midtown areas. Councilmember Hamilton said the lots in the Eastown are not large and he would not want the restrictive zoning to stand in the way of development. Councilmember Rackley said he would like to make the area customer friendly and not limit what the developers can imagine for the area. Councilmember Lewis said the Eastown Planning Committee’s intent for the area was to leave it wide open and make changes as the area developed. Mayor Johnson said the Council will need to decide how much control to have in Eastown. He said if the Council wants to see the area develop then the conditional uses need to be changed to permitted uses. Council asked to change the conditional uses in the Eastown area to permitted uses. Planning Commissioner Sulham said the Council would need to look at the items because there are some uses they do not want to allow. By Council consensus AB11-152 – Land Use Matrix was moved forward to the December 13, 2011 Meeting for action.

Open Discussion: (continued)

City-owned Property on 192nd Ave and Sumner-Buckley Hwy E: Councilmember Hamilton said the City purchased this property in 2004 to build a new City Hall. He said part of the agreement was putting a community center on the land and if the City does not use the land to build a new City Hall within 5 years, the seller has the option to buy back the property at the original sale price plus 3% interest. He said the City should consider surplusing the property and using the money to benefit the citizens today. Councilmember Rackley said the City is just coming out of a recession and believes the Council should wait until the property values go up. Councilmember Lewis asked about the investment the City has in the property beyond the purchase price. Mayor Johnson said he has renewed the option for the last several years but
will not be allowing a renewal for 2012. He said the previous property owners have until December 31, 2011 to repurchase the property. He said the Council can consider what to do with the property after the end of the year. Councilmember Decker said the City is still in a recession and should hold onto the property for an additional 3 to 8 years. Deputy Mayor Swatman said if the property is not bought back then the City could put the property up for sale and make a decision later.

Canned Food Drive Challenge: Councilmember Carter challenged all City staff to a canned food drive. She said she would donate $0.25 cents for each can donated by City staff by December 9th up to $100. Mayor Johnson, Councilmember Rackley and Councilmember Lewis also said they would match Councilmember Carter’s donation.

Donation Opportunities: Councilmember Carter said the Police Department is facilitating the Giving Tree again for children in the area starting November 29, 2011. The Food Bank is in need of donations for Thanksgiving, and a donation box will be available at the Christmas Tree lighting on December 3, 2011. The Police Department is accepting donations for Shop With A Cop, and the Lions for Kids are also accepting donations.

Council Subcommittees: Councilmember Rackley asked if it is time to discontinue the Council subcommittees. He said when the Council decided to create the subcommittees the Council had a great deal of work. He said now Council meetings are not as long and he feels it is time for the issues to be brought before the whole Council. Councilmember Decker said citizens are able to speak at the Public Safety Committee and the Community Development Committee, and if Council does away with the Subcommittees, he would like to see a public comment period added to the Workshops.

Pierce Transit: Mayor Johnson said Pierce Transit has officially passed a resolution to convene a meeting of the membership to review the boundary lines of the Transit Authority. He said the Council will need to elect a representative to represent the City in this process. Councilmember Hamilton said this is a tragedy as citizens need transit.


Deputy Mayor Swatman said staff did a very good job holding the line with the 2011 budget. He said the Council needs to make some difficult decisions on whether to cut services or spend a portion of the fund balance. He said he is looking at the trends and he wants to make sure the City adjusts to the “new normal”. He said the Council needs to look at the future, prioritize programs and ensure the City has sufficient revenue to cover expenses.

Councilmember Rackley said the Council should look at downsizing. He asked where the revenue came from to cover the $400,000 that was budgeted for 2011. He said he believes the Council should plan on adopting a $0 base budget for 2013 budget. City Administrator Morrison said revenues came in a little better than expected and the City spent less on supplies and services. He said the City staff has economized where possible without cutting services. Mayor Johnson said staff projected a deficit in 2011 and worked very hard to not spend the money. He said the administration will continue to look at places for cost savings. He said the Council could reevaluate the budget after the first quarter of 2012 and then the Council could require some adjustments. He said the Council has done a good job in the past so there is a surplus available. He added the City of Bonney Lake has not had to make the same hard decisions other jurisdictions have had to make.
Councilmember Decker said the City is still in a depression and it will get worse before it gets better. He does not believe the Council should look at the future with blinders on. Councilmember Hamilton said the 6% sales tax increase is aggressive. He said he does not want to wait and hope for the best. He said it would be a big advantage to the citizens to have a Metropolitan Park District, as it would give the City more flexibility with the general fund. He said the Council’s priority needs to be public safety. Councilmember Carter asked about the drug seizure fund, the 911 tax, money sent to Pierce Transit, and money budgeted to move staff to the Justice Center. Councilmember Decker asked about expenditures to the Eastown ULA. Chief Financial Officer Juarez said the financial model is a dynamic tool that is continuously updated. He said from 2010 to 2011, sales tax increased by 5%. Councilmember Hamilton said the financial model was designed during boom times and needs to be adjusted to the “new normal”. He said commercial property is still in a recession and the City needs to make adjustments to live within its means. Mayor Johnson said creating a balanced budget would be a great goal for the 2013-2014 biennial budget. Councilmember Carter noted the City will pay off a bond from 1997 at the end of the year. Councilmember Decker asked for the total fund balance in the general fund not earmarked; City Administrator Morrison replied it is between 3.5 and 4 million.

Deputy Mayor Swatman asked about the exhibits connected to the budget amendment. He questioned if they represented a line item budget. Chief Financial Officer Juarez said the City uses a fund level budget. He said the administration has the authority to transfer money within a fund. City Attorney Dionne said the Administration has the authority but Council could restrict that authority if they want to. Chief Financial Officer Juarez explained the budget amendment process. He said the proposal is not a whole new budget, but simply adjustments to the existing biennial budget.

H. Discussion: Comprehensive Plan Amendments.
   a. AB11-130 – Ordinance D11-130 – Eastown Subarea.
   d. AB11-133 – Ordinance D11-133 – Midtown Plan.
   e. AB11-134 – Ordinance D11-134 – Midtown Design Standards.
   f. AB11-135 – Ordinance D11-135 – Midtown Land Use.
   g. AB11-136 – Ordinance D11-136 – Park Element.

Mayor Johnson suggested Council email staff with any suggested changes to these documents. Councilmember Hamilton suggested adding a statement of support to the Park Plan regarding Ponderosa Estates deeding a park to the City if the area is annexed. He said it would not be a binding agreement. Councilmember Rackley said it may influence the citizens about annexation and it should be left out. By Council consensus, the Comprehensive Plan Amendments were moved forward to December 13, 2011 Council Meeting for action.

I. Discussion: AB11-151 – Ordinance D11-151 – Midtown Zoning.

Deputy Mayor Swatman said the Planning Commission did a good job on this Comprehensive Plan amendment. Councilmember Carter asked why two properties were left out. Planning Manager Stinson said two properties were not included because they changed properties that are currently zoned commercial not high density residential or public facilities. By Council consensus Ordinance D11-151 was moved forward to the December 13, 2011 Council Meeting for action.
J. **Discussion: AB11-148 – Ordinance D 11-148 – 1.5% COLA for Non-represented Employees.**

Deputy Mayor Swatman said this item is recommended for approval by the Finance Committee. He said in addition to the step increases, the non-represented employees will receive a 1.5% cost of living increase in 2012. By Council consensus, AB11-148 was forwarded to the November 22, 2011 Council meeting for action.

K. **Discussion: AB11-153 – Ordinance D11-153 - Amendment to Alarm Ordinance – Active Systems.**

Councilmember Lewis said he would like the ordinance to be amended to “active alarms only”. He said he would like to clarify this ordinance for future Councils. By Council consensus, AB11-153 was forwarded to the November 22, 2011 Council meeting for action.

IV. **ADJOURNMENT:**

At 8:44 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7-0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the November 15, 2011 Workshop:
- Planning Manager Stinson – *page 18 to Ordinance D11-131 – City of Bonney Lake.*
CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

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

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

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

Motion approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Acting Police Lieutenant Kurt Alfano, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:
   
a. AB11-159 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing Todd Haueter As A Member Of The Park Board With A Term Expiring April 2013.

   Mayor Johnson said Facilities & Special Projects Manager Gary Leaf has met with and supports Todd Haueter as a Park Board candidate. City Clerk Edvalson confirmed the Park Board has one remaining vacancy, and another recommendation will come forward to the Council soon.

   Councilmember Decker moved to approve motion AB11-157.
   Councilmember Lewis seconded the motion.

   Motion approved 6 – 0.

3. Presentations: None.
D. **Agenda Modifications:** None.

II. **PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

A. **Public Hearings:** None.

B. **Citizen Comments:**

Joy Hill, 18323 77th St E, Bonney Lake, asked that proposed Ordinance D11-158 be

tabled for further review. She said she has spoken with staff about grinder pumps in the

past and was told there are 93 grinder pumps in the City, not 89 as is represented in the

agenda materials. She said the map provided in the agenda packet is incorrect. She said

the grinder pump on her property has only needed service once for an electrical repair.

Director Grigsby confirmed that there were originally 91 grinder pumps in the City,

which has been reduced to 89 at this date. He said the map was provided to give an idea

where the grinder pumps are located around the City. He noted that 130 or more utility

customers use grinder pumps, since several houses can use a single grinder pump. He

said the Community Development Committee reviewed the issue and felt the proposed

$2.00 fee increase was reasonable.

Ms. Hill questioned the reasoning for increasing fees further. She said she believes the

City is raising fees to push residents to take over the maintenance of their grinder pumps.

Deputy Mayor Swatman said he recognizes Ms. Hill’s concerns, as she and others pay a

surcharge for a service. He said from his recollection, the rate approved by Council in

2010 was actually lower than the originally proposed rate. He said the City is responsible

for keeping the grinder pumps working and must allocate resources for staff time and

maintenance costs. He noted that new home builders do not have the option of a city-

maintained grinder pump, and homeowners on existing grinder pumps do have the option

of transferring ownership from the City so they can handle maintenance themselves. He

said if the service rate does not cover the actual cost of the service, other rate payers

would be subsidizing those who have grinder pumps. Councilmember Carter suggested

the item needs further discussion and she would move it from the Consent Agenda to Full

Council Issues.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said she is pleased the Council

seems to support a Cultural Resources Plan. She said it is best to have a separate arts

commission and cultural heritage commission, with volunteers and professionals from the

community taking part. She said though the arts and history overlap, they have separate

interests. She said the commissions should not fall under the purview of the Park Board

or Design Commission. She said though budgets are tight, she felt the City could depend

on interested people to volunteer and help make Bonney Lake a destination for arts and

culture, and be a source of community pride.

Mandi Collins, 11124 184th Ave Pl E, Bonney Lake, spoke about an incident she

experienced with the Bonney Lake Police Department. She said she was pulled over on

November 17, 2011 after dropping her children off at school. The officer told her she had

expired tabs and had failed to transfer the title for her vehicle. The officer then asked her

to give him her cell phone, and when she refused said he would arrest her if she did not

do so. She said she felt intimidated and afraid, and gave the officer her phone. She said

she later went to the Police Department to report the incident, and learned that officers do
not have any video cameras. She said she thinks all officers should have a recording
device. The officer told her he took her phone because she was using it illegally, but she
feels her rights were violated and had to get records from her phone provider to prove she
was not on her phone at the time of the traffic stop. Mayor Johnson asked Mrs. Collins if
she had submitted a report to the Police Department; she confirmed that she had already
done so.

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 received a report that 57 entry-level police officer applicants took the
   physical examination, and 46 passed on to the written exam. The committee also
   reviewed a proposed VFD contract, reviewed meeting notes, and had a detailed
discussion of the budget.

B. Community Development Committee: Councilmember Lewis said the committee met on
   November 15th and discussed the proposed grinder pump rate increase. He said staff
   explained that the current rate does not cover the service costs, which is why they have
   proposed an increase to $18 per month. He said the committee requested confirmation
   that property owners may take ownership of city-owned grinder pumps at any time, and
   would then no longer incur the monthly fees. The committee also forwarded Resolutions
   2163, 2169, and 2170 to the current agenda for action.

C. Public Safety Committee: Councilmember Hamilton said the committee has not met
   since the last Council Meeting.

D. Other Reports:

Pierce County Regional Committee: Councilmember Hamilton said he attended the
PCRC Meeting on November 17th in Tacoma. Puget Sound Clean Air Agency Executive
Director Craig Kenworthy presented information on pollution in Puget Sound. He said
the majority of air pollution comes from residential wood heating stoves, and a program
is available to help homeowners, most of whom are low-income, replace wood stoves
with more efficient heaters. The agency is considering a county-wide program that would
subsidize the replacement of 15,000 wood stoves, at a cost of $6-7,000 per home. Mr.
Kenworthy said if the County does not take action, the EPA could find it in violation of
air quality standards, which could result in the loss of federal funding. He said while the
main problem areas are not located on the plateau, residents should be aware of the issue
and that they may be asked to help pay for a program. Councilmember Hamilton said the
PCRC also elected its chair and co-chair for 2012.

Community News: Councilmember Carter said councilmembers and directors have
pledged to match up to $800 in conjunction with the employee canned food drive. She
said ‘Shop With A Cop’ had a fundraiser on November 15th and reportedly raised $1,700
in donations so far. She noted the Senior Center provided two holiday dinners this year
based on high demand. The Senior Center is seeking donations for their lunch program
and to purchase a new van. City Clerk Edvalson said staff have collected 336 cans of
food to date.
IV. CONSENT AGENDA:

A. Approval of Corrected Minutes: November 1, 2011 Council Workshop and November 8, 2011 Council Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #62378 thru 62416 (Including Wire Transfer #20111103) in the amount of $101,921.43; Accounts Payable checks/vouchers #62417 thru 62449 in the amount of $160,993.64 for a grand total of $262,915.07.

C. Approval of Payroll: Payroll for November 1-15th 2011 for checks 30111-30135 including Direct Deposits and Electronic Transfers in the amount of $412,222.94.


Mayor Johnson noted that Councilmember Carter requested Item G., Ordinance D11-158, be moved to Full Council Issues, Item C.

Councilmember Decker moved to approve the Consent Agenda as amended. Councilmember Lewis seconded the motion.

Consent Agenda approved 6 – 0.
V. FINANCE COMMITTEE ISSUES:
   A. **AB11-67 – Resolution 2128** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Hire A Full Time Grant Funded Child Passenger Safety Program Manager To Be Part Of The Bonney Lake Police Department Organization. The Child Passenger Safety Program Director Salary And Benefit Package Of Up To $100,200.00 Per Year Will Be Reimbursed By The Washington Traffic Safety Commission Grant Funding Source As Well As Receiving $24,300.00 For Indirect Costs.

   Councilmember Decker moved to approve Resolution 2128. Councilmember Carter seconded the motion.

   Acting Police Lieutenant Kurt Alfano said this is an excellent grant program, and the person who accepted the position is experienced and will be a great asset to the department. Councilmember Carter said retired Police Chief Mike Mitchell worked on this grant program, and it continued forward with Interim Chief Dana Powers.

   **Resolution 2128 approved 6 – 0.**

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

   Councilmember Decker moved to approve Ordinance 1401. Councilmember Lewis seconded the motion.

   Mayor Johnson noted the Council has discussed the item at multiple meetings and workshops in the past.

   **Ordinance 1401 approved 4 – 2.**
   Councilmembers Carter and Decker voted no.

   B. **AB11-157 – Resolution 2172** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing A Representative And Alternate To The Pierce Transit Public Transportation Improvement Conference.

   Councilmember Decker moved to approve Resolution 2172. Councilmember Carter seconded the motion.

   Mayor Johnson said he will serve as the primary representative, and asked a Councilmember to serve as the alternate. Councilmember Hamilton volunteered to serve as the alternate representative.
Resolution 2172 approved 6 – 0.


Councilmember Decker moved to approve Ordinance 1405. Councilmember Lewis seconded the motion.

Mayor Johnson noted the Community Development Committee recommended approval of this item. Councilmember Hamilton asked what analysis was done to justify the increased grinder pump rate. Councilmember Lewis said staff reviewed actual maintenance costs, which increased in the past two years and will likely continue to increase due to rising labor and equipment costs. He said the committee felt that maintenance costs for grinder pumps should be covered by fees, and need be raised now and reviewed again in a couple of years. Councilmember Lewis noted that the committee asked staff whether homeowners had another option, and staff explained that homeowners could take ownership of the pumps at any time. Councilmember Lewis said the fee increase is not intended to force homeowners to take ownership of grinder pumps.

Councilmember Carter said the current grinder pump fee was set 2010 and questioned why an increase is already needed. Councilmember Lewis said the rate set in 2010 was a compromise, since it was a large increase over past fees but it still did not cover the actual maintenance costs for grinder pumps. Councilmember Lewis said no citizens spoke at the recent CDC meetings where this item was discussed. Councilmember Carter said the item was listed on the CDC calendar for review in November, and was discussed in October and at the November 15th CDC meeting. She asked if the committee considered options to ‘grandfather’ in those already on city-owned grinder pumps or provide alternatives for those on fixed income. Deputy Mayor Swatman said the City offers reduced rates for low-income residents, Director Grigsby explained that the discount is available to those who qualify for a Pierce County tax exemption.

Councilmember Decker asked whether grinder pumps are mandatory. Director Grigsby explained why grinder pumps are needed for houses below the elevation of the sewer line, and noted that many properties with grinder pumps are located near the lakeshore. Councilmember Decker stated that if grinder pumps are required for people to connect to the sewer system, they should be free. Deputy Mayor Swatman said residents can choose whether to purchase or build a home that requires a grinder pump to connect to the City system. He said that sewer lines on private property are the responsibility of the owner up to the point where they connect to the City system. He said the City does not pay for repairs to private sewer lines in other cases and does not maintain or install grinder pumps for new homes.

Councilmember Carter said from her attendance at Shoreline Management Committee meetings, she learned the City provides sewer service around all the lakes to avoid potential issues with septic drainfields near the lakeshore. She said people who want to live on these properties must use grinder pumps. Director Grigsby confirmed that this is why the City installed grinder pumps with federal funds when the sewer system was first installed. Of the original 91, about 89 are still owned and maintained by the City.
Ordinance 1405 approved 4 - 2. Councilmembers Carter and Decker voted no.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive Session with the City Attorney at 7:48 p.m. for 10 minutes to discuss potential litigation. The executive session was extended at 8:01 p.m. for five minutes and again at 8:07 for five minutes. The Council returned to Chambers at 8:13 p.m.

X. ADJOURNMENT:

At 8:13 p.m., Councilmember Lewis moved to adjourn the Council Meeting. Deputy Mayor Swatman seconded the motion.

Motion to adjourn approved 6 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to the Council at the November 22, 2011 Meeting: None.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison
Meeting/Workshop Date: 13 December 2011
Agenda Bill Number: AB11-155

Agenda Item Type: Ordinance
Ordinance/Resolution Number: D11-155
Councilmember Sponsor:

Agenda Subject: Miscellaneous Fee Schedule

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 3.90 Of The Bonney Lake And Ordinance Nos. 1233, 995 And 825 Relating To Miscellaneous Fees.

Administrative Recommendation: Approve

Background Summary: This is a minor update to the City's miscellaneous fee schedule. The major change is to the facility rental fees. The current Senior Center rates, especially for nonprofits, do not cover costs, and are far below market. There also needs to be rates set for rental of the JC and old Council Chambers. The rental rates cover the cost of a building monitor (person) which, under the proposed ordinance, can be reduced if a City employee is part of the rental group and agrees to provide monitoring services on his/her own time. For example, if the GBLHS wanted to hold a fund raising banquet at the Senior Center, and a city employee is a GBLHS member who would be attending, the City could agree to waive half the rental rate (to cover the building monitor portion) if the city employee agrees to serve as the building monitor. The monitor opens/closes, does pre and post facility inspection, serves as a "security guard", and otherwise assists the group as needed. Our regular monitor costs $10.40/hour, including mandatory benefits (L&I, FICA).

Attachments: Ordinance D11-155

BUDGET INFORMATION

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

Budget Explanation: NA.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Approvals:
Date: Chair/Councilmember
Councilmember
Councilmember
Consent Agenda: Yes No
Forward to: Councilmember

Commission/Board Review:
Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): December 6, 2011
Meeting Date(s): Public Hearing Date(s):
Tabled to Date:

APPROVALS

Director: Mayor: Date Reviewed:

N:\Everyone\_Agenda Review\2011\12.6.11\AB011-155 Misc Fee Schedule.doc
Version Oct. 2010

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ORDINANCE NO. D11-155

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 3.90 OF THE BONNEY LAKE AND ORDINANCE NOS. 1233, 995 AND 825 RELATING TO MISCELLANEOUS FEES.

WHEREAS, the Council finds it necessary to adjust various miscellaneous user fees;

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

Section 1. BLMC Section 3.90.010 and Section 3 of Ordinance 826 are hereby amended to read as follows:

3.90.010 Police department fees.
The following police department fees apply:

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copies of reports, including insurance</td>
<td>$5.00</td>
</tr>
<tr>
<td>Fingerprinting</td>
<td>$5.00</td>
</tr>
<tr>
<td>Copies of 911 Tapes</td>
<td>$50.00</td>
</tr>
<tr>
<td>Copies of photographs</td>
<td>$2.00</td>
</tr>
</tbody>
</table>

Section 2. BLMC Section 3.90.040 and Section 1 of Ordinance No. 1233 are hereby amended to read as follows:

3.90.020 Miscellaneous items.
Certain fees for miscellaneous items apply:

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black and white/color copies</td>
<td>$0.15 per page (including duplex pages) after the first five pages. There is no charge for the first five pages per customer per day. The allowance shall not be cumulative and shall apply only to copies of city records.</td>
</tr>
<tr>
<td>up to and including 11&quot; × 17&quot;</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Service Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scans of documents up to and including 11” X 17”</td>
<td>$.15 per page; scan to Portable Document File (PDF)</td>
</tr>
<tr>
<td>18” X 24” map</td>
<td>$1.50 per page (cannot produce back-to-back pages).</td>
</tr>
<tr>
<td>24” X 36” map</td>
<td>$3.00 per page (cannot produce back-to-back pages).</td>
</tr>
<tr>
<td>Council, court, or commission tapes</td>
<td>$10.00 per tape (plus trip and staff time fee and outside agency fee. $10.00 fee must be paid in advance).</td>
</tr>
<tr>
<td>Court appeals</td>
<td>$40.00 appeals preparation and tapes.</td>
</tr>
<tr>
<td>Court-certified copies</td>
<td>$5.00 per court document.</td>
</tr>
<tr>
<td>Special duplication requests (not applicable to public disclosure requests)</td>
<td>Costs for large duplication projects will be actual cost.</td>
</tr>
<tr>
<td>Postage/delivery services and other delivery methods</td>
<td>Actual costs. Advance payment may be required. The city will only provide FAX copies if the city incurs no expense for long distance charges.</td>
</tr>
<tr>
<td>Certification by city clerk</td>
<td>$5.00 per certification.</td>
</tr>
<tr>
<td>Notary</td>
<td>$5.00 – Fee waived for city business.</td>
</tr>
<tr>
<td>Other electronic records</td>
<td>Actual costs for electronic records recorded to physical media (diskettes, CD-ROM, DVD, etc.) with a minimum of $12.00 per piece, except for court transactions, which shall be charged at $10.00 per piece.</td>
</tr>
</tbody>
</table>

**Section 3.** BLMC Section 3.90.040 and Section 3 of Ordinance No. 995 are hereby amended to read as follows:

3.90.040 Senior center rental. City facility rental.

The following usage rates apply for use of the Bonney Lake Senior Center Building: following City facilities:

<table>
<thead>
<tr>
<th>Category</th>
<th>Standard Rental Rates</th>
<th>*Nonprofit Organization Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damage deposit</td>
<td>$250.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Hall rental</td>
<td>$50.00/hour</td>
<td>$20.00 for first four hours, $20.00 per hour for each additional hour</td>
</tr>
<tr>
<td></td>
<td>(35' X 50')</td>
<td></td>
</tr>
</tbody>
</table>

Note: There is a $25.00 removal fee for each item caught in the ceiling fan.
Rates & Deposits (2 hour minimum)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Standard Hourly Rate</th>
<th>Standard Damage Deposit</th>
<th>Local Non-Profit Hourly Rate</th>
<th>Non-Profit Damage Deposit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Center Main Hall</td>
<td>$ 50</td>
<td>$ 250</td>
<td>$ 30</td>
<td>$ 125</td>
</tr>
<tr>
<td>City Hall Meeting Room</td>
<td>$ 30</td>
<td>$ 250</td>
<td>$ 20</td>
<td>$ 125</td>
</tr>
<tr>
<td>Justice Center Council Chambers/Lobby</td>
<td>$ 40</td>
<td>$ 250</td>
<td>$ 25</td>
<td>$ 125</td>
</tr>
<tr>
<td>Justice Center Meeting Room/Lobby</td>
<td>$ 30</td>
<td>$ 250</td>
<td>$ 25</td>
<td>$ 125</td>
</tr>
</tbody>
</table>

Given that the rental rate includes the cost of a building monitor, rental rates may be reduced by 50% if a member of rental group is a City employee who agrees to serve as the building monitor at his/her sole expense, and is so approved in advance by the City.

The Justice Center rental rate shall be reduced by 30% if both facilities are rented simultaneously.

The City may retain a portion of the damage deposit if rental activities require City staff to incur additional labor to return the facility to pre-use condition, even though there may have been no physical damage. Examples include but are not limited to: removal of balloons or other items caught in a ceiling fan, removing stains to carpet, general cleanup, trash removal.

**Section 4. Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

**Section 5. Administration.** The Mayor is hereby authorized to adopt and implement such administrative policies, procedures, forms, guidelines, etc. as may be necessary to carry out the intent of this ordinance.

**Section 6. Effective Date.** This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

**PASSED** by the City Council and approved by the Mayor this ___th day of , 2011.

________________________________________
Neil Johnson, Jr.
Mayor

ATTEST:
Harwood T. Edvalson  
City Clerk, CMC

APPROVED AS TO FORM:

__________________________________
James Dionne  
City Attorney

Passed:
Valid:
Published:
Effective Date:
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

<table>
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<tr>
<th>Department/Staff Contact:</th>
<th>Meeting/Workshop Date:</th>
<th>Agenda Bill Number:</th>
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<tr>
<td>Executive / Brian Hartsell</td>
<td>13 December 2011</td>
<td>AB11-156</td>
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<table>
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<tr>
<th>Agenda Item Type:</th>
<th>Ordinance/Resolution Number:</th>
<th>Councilmember Sponsor:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>2171</td>
<td></td>
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</table>

**Agenda Subject:** Contract Award for VFD Installation

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Award A Contract To Laser Electric, Inc. For The Installation Of City-Purchased Variable Frequency Drives.

**Administrative Recommendation:** Approve the Resolution

**Background Summary:** In 2009, the City applied for two energy efficiency grants to fully fund two energy efficient retrofit projects. One of these projects is to fund replacing 5 water pump motors and starters with energy efficient motors and variable frequency drives (VFDs) at 3 water pump stations. The grant funding for the VFD improvements totals $296,517, which was made available from the Recovery Act and from Puget Sound Energey plus carryover grant funds from the PSB lighting retrofit project and bonus EECBG funds made available from the Dept of Commerce. The VFD retrofit project consists of three components 1) purchase and install of the pump motors--awarded Aug 9 2011, 2) purchase of the VFDs--awarded Aug 23, 2011, and 3) the installation of the VFDs (this award).

The City issued a Request for Quote to complete the installation effort and received three responses on November 10th. The apparent low quote is from Laser Electric. Staff has reviewed the quotes and determined the quote from Laser Electric is consistent with the requirements of the the contract. PSE has estimated an annual energy cost saving of $48,624 upon completion of this project.

**Attachments:** 1) Contractor Agreement 2) Bid Tabulation 3) Budget Summary Table

**BUDGET INFORMATION**

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>$300,000.00</td>
<td>$21,821.74</td>
<td>$80,193.41</td>
<td>-$58,371.67</td>
</tr>
</tbody>
</table>

**Budget Explanation:**

401.086.034.594.34.63.04  VFD Grant project

$296,517.72 in grant funds were awarded and available for this project. The total cost of design and the three project components (including this proposed award to Laser Electric) is $358,371.67. Therefore, an additional $58,371.67 will be required from the water fund to complete the project.

The award to Laser Electric is for $72,903.10 + 10% Contingency $7,290.31 = Total $80,193.41

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:** Finance Committee

Date: 22 November 2011

**Approvals:**

Chair/Councilmember: Dep Mayor Swatman  
Councilmember: Councilmember Hamilton  
Councilmember: Councilmember Rackley

Forward to: 13 December 2011 Council Meeting

**Consent Agenda:** Yes  No

**Commission/Board Review:**
### Hearing Examiner Review:

<table>
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<th>COUNCIL ACTION</th>
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<table>
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<tr>
<th>APPROVALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director:</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 2171

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BONNEY LAKE, PIERCE COUNTY, WASHINGTON,
AUTHORIZING THE CITY TO AWARD A CONTRACT TO
LASER ELECTRIC, INC. FOR THE INSTALLATION OF CITY-
PURCHASED VARIABLE FREQUENCY DRIVES.

WHEREAS, the City Council approved Resolution 1986 accepting an Energy Efficiency Community Grant and Custom Grant from Puget Sound Energy to fund a significant portion of the Variable Frequency Drive Retrofit Project; and

WHEREAS, the City requested quotes from the MRSC Small Works Roster and received quotes on November 10, 2011; and

WHEREAS, the City has determined the lowest responsible quote for this contract was received from Laser Electric, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake Council does hereby authorize the Mayor to sign the attached contract with Laser Electric, Inc. in the amount of $72,903.10, which includes tax.

BE IT FURTHER RESOLVED that the City of Bonney Lake Council does hereby authorize a 10% Construction Contingency ($7,290.30) amount based on the contract quote amount; and

BE IT FURTHER RESOLVED that the City of Bonney Lake Council does hereby authorize the use of up to $58,371.67 from the Water Fund to complete the project, which funds must be designated and included in the next budget amendment.

PASSED by the City Council this 13th day of December, 2011.

_____________________________
Neil Johnson, Jr., Mayor

ATTEST:

_________________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

_________________________________
James Dionne, City Attorney
CITY OF BONNEY LAKE CONTRACTOR AGREEMENT

THIS AGREEMENT, is made and entered into this ___ day of __________ 2019 by and between the CITY OF BONNEY LAKE, a Washington municipal corporation, hereinafter referred to as the "CITY" and Laser Electric Inc., hereinafter referred to as the "CONTRACTOR."

WITNESSETH:

WHEREAS, the CITY desires to have certain work, services and/or tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, sufficient CITY resources are not available to provide such work; and

WHEREAS, the CONTRACTOR represents that the CONTRACTOR is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, where required, to perform the work, services and/or tasks set forth in this Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the parties hereto agree as follows:

1. SCOPE OF WORK. The CONTRACTOR shall perform such work and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as CONTRACTOR responsibilities throughout this Agreement and as detailed in Exhibit A, Scope of Work, attached hereto and incorporated herein (the "Project").

2. TERM. The Project shall begin no earlier than Refer to Notice to Proceed and shall be completed no later than stated in the Refer to Notice to Proceed, unless sooner terminated according to the provisions herein.

3. COMPENSATION AND METHOD OF PAYMENT.

3.1 Payments for work provided hereunder shall be made following the performance of such work, unless otherwise permitted by law and approved in writing by the CITY.

3.2 No payment shall be made for any work rendered by the CONTRACTOR except for work identified and set forth in this Agreement.

3.3 The CITY shall pay the CONTRACTOR for work performed under this Agreement pursuant to accepted quote proposal attached hereto as Exhibit B and by this reference incorporated herein.

3.4 The CONTRACTOR shall submit to the CITY Clerk-Treasurer on forms approved by the Clerk-Treasurer, a voucher or invoice for services rendered during the pay period. The CITY shall initiate authorization for payment after receipt of said approved voucher
or invoice and shall make payment to the CONTRACTOR within approximately thirty (30) days thereafter.

4. REPORTS AND INSPECTIONS.

4.1 The CONTRACTOR at such times and in such forms as the CITY may require, shall furnish to the CITY such statements, records, reports, data, and information as the CITY may request pertaining to matters covered by this Agreement. All of the reports, information data, and other related materials, prepared or assembled by the CONTRACTOR under this Agreement and any information relating to personal, medical and financial data will be treated as confidential insofar as is allowed by Washington State laws regarding disclosure of public information, Chapter 42.17, R.C.W. Generally, Chapter 42.17, R.C.W. requires disclosure of all but the most personal and sensitive information in CITY hands.

4.2 The CONTRACTOR shall at any time during normal business hours and as often as the CITY or State Examiner may deem necessary, make available for examination all of its records and data with respect to all matters covered, directly or indirectly, by this Agreement and shall permit the CITY or its designated authorized representative to audit and inspect other data relating to all matters covered by this Agreement. The CITY shall receive a copy of all audit reports made by the agency or firm as to the CONTRACTOR’S activities. The CITY may, at its discretion, conduct an audit at its expense, using its own or outside auditors, of the CONTRACTOR’S activities which relate, directly or indirectly, to this Agreement.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

5.1 The parties intend that an independent CONTRACTOR/CITY relationship will be created by this Agreement. The CITY is interested primarily in the results to be achieved; subject to paragraphs herein, the implementation of work and/or services will lie solely with the discretion of the CONTRACTOR. No agent, employee, servant or representative of the CONTRACTOR shall be deemed to be an employee, agent, servant or representative of the CITY for any purpose, and the employees of the CONTRACTOR are not entitled to any of the benefits the CITY provides for its employees. The CONTRACTOR will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, subcontractors or representatives during the performance of this Agreement.

5.2 In the performance of the work herein contemplated the CONTRACTOR is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of the CITY and shall be subject to the CITY’S general rights of inspection and review to secure the satisfactory completion thereof.

6. CONTRACTOR EMPLOYEES/AGENTS. The CITY may in its sole discretion require the CONTRACTOR to remove an employee(s), agent(s) or servant(s) from employment on
7. HOLD HARMLESS INDEMNIFICATION.

7.1 The CONTRACTOR shall indemnify and hold the CITY and its agents, employees, and/or officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the CITY arising out of, in connection with, or incident to the execution of this Agreement and/or the CONTRACTOR’S performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the CITY, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the CONTRACTOR; and provided further, that nothing herein shall require the CONTRACTOR to hold harmless or defend the CITY, its agents, employees and/or officers from any claims arising from the sole negligence of the CITY, its agents, employees, and/or officers. The CONTRACTOR expressly agrees that the indemnification provided herein constitutes the CONTRACTOR’S waiver of immunity under Title 51 RCW, for the purposes of this Agreement. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

7.2 No liability shall attach to the CITY by reason of entering into this Agreement except as expressly provided herein.

8. INSURANCE. The CONTRACTOR 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 CONTRACTOR, its agents, representatives, employees or subcontractors.

8.1 Minimum Scope of Insurance. The CONTRACTOR shall obtain insurance of the types described below:

8.1.1 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.

8.1.2 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.

8.1.3 Worker’s Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

8.1.4 Professional Liability insurance appropriate to the Consultant’s profession.
8.2. **Minimum Amounts of Insurance.** CONTRACTOR shall maintain the following insurance limits:

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

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

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

8.3 **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:

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

8.3.2 The CONTRACTOR’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.

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

8.3.4 CONTRACTOR shall furnish the City with original certificates and a copy of the amendatory endorsements, including, but not limited to, the additional insured endorsement, evidencing the insurance requirements of the CONTRACTOR before commencement of the work.

8.4 The CONTRACTOR’S insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer’s liability.

8.5 Any payment of deductible or self-insured retention shall be the sole responsibility of the CONTRACTOR.

8.6 The CONTRACTOR’S insurance shall be primary insurance as respects the CITY and the CITY shall be given thirty (30) days prior written notice of any cancellation, suspension or material change in coverage.
9. **TREATMENT OF ASSETS.** Title to all property furnished by the CITY shall remain in the name of the CITY and the CITY shall become the owner of the work product and other documents, if any, prepared by the CONTRACTOR pursuant to this Agreement.

10. **COMPLIANCE WITH LAWS.**

   10.1 The CONTRACTOR, in the performance of this Agreement, shall comply with all applicable federal, state or local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services. An electrical contractor license from State of WA is included in this requirement, as is the possession of a current certificate by all workers.

   10.2 The CONTRACTOR specifically agrees to pay any applicable business and occupation (B & O) taxes which may be due on account of this Agreement.

   10.3 The CONTRACTOR shall fully satisfy, and shall require any subcontractors to fully satisfy, any obligation to make industrial insurance premium payments related to the Project and required under RCW 51.12.050 and/or RCW 51.12.070. Specified retainage relating to the Project will be withheld until receipt by the City of evidence that CONTRACTOR and all of its subcontractors have fully satisfied any obligation to make industrial insurance premium payments related to the Project and required under RCW 51.12.050 and/or RCW 51.12.070.

11. **NONDISCRIMINATION AND LEGAL COMPLIANCE.**

   11.1 The CITY is an equal opportunity employer.

   11.2 **Nondiscrimination in Employment.** In the performance of this Agreement, the CONTRACTOR 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. CONTRACTOR understands and agrees that if it violates this section, this Agreement may be terminated by the City, and that CONTRACTOR 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.

   11.3 **Nondiscrimination in Services.** The CONTRACTOR will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap.
11.4 If any assignment and/or subcontracting has been authorized by the CITY, said assignment or subcontract shall include appropriate safeguards against discrimination. The CONTRACTOR shall take such action as may be required to ensure full compliance with the provisions in the immediately preceding paragraphs herein.

11.5 The CONTRACTOR 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 CONTRACTOR shall include a provision substantially the same as this section in any and all contracts with subcontractors performing work required of the CONTRACTOR under this contract. The CONTRACTOR 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 CONTRACTOR failing to comply with any provisions of the Immigration Reform and Control Act of 1986.

12. ASSIGNMENT/SUBCONTRACTING.

12.1 The CONTRACTOR shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of the CITY, and it is further agreed that said consent must be sought in writing by the CONTRACTOR not less than thirty (30) days prior to the date of any proposed assignment. The CITY reserves the right to reject without cause any such assignment. If such assignment is made, every subcontract shall bind the subcontractors to follow all applicable terms of this contract.

12.2 Any work or services assigned hereunder shall be subject to each provision of this Agreement and proper bidding procedures where applicable as set forth in local, state and/or federal statutes, ordinances and guidelines.

12.3 Any technical/professional service subcontract not listed in this Agreement, must have express advance approval by the CITY.

13. CHANGES. Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon the CITY unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

The CITY will have the right to make changes to the work provided for hereunder, within its general scope, and the contract time and for contract amount will be equitably adjusted to reflect the change. The CONTRACTOR will promptly commence and continue to perform the work as changed not withstanding disagreement over the equitable adjustment owing therefore.
14. MAINTENANCE AND INSPECTION OF RECORDS.

14.1 The CONTRACTOR shall maintain books, records and documents, which sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement and shall maintain such accounting procedures and practices as may be necessary to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject at all reasonable times to inspection, review, or audit, by the CITY, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

14.2 The CONTRACTOR shall retain all books, records, documents and other material relevant to this agreement, for six (6) years after its expiration. The CONTRACTOR agrees that the CITY or its designee shall have full access and right to examine any of said materials at all reasonable times during said period.

15. POLITICAL ACTIVITY PROHIBITED. None of the funds, materials, property or services provided directly or indirectly under the Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

16. PROHIBITED INTEREST. No member, officer, or employee of the CITY shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

17. RETAINAGE. Notwithstanding any other provision of this Agreement, in accordance with Ch. 60.28 RCW, the CITY shall retain from the monies earned by CONTRACTOR hereunder, five percent as a trust fund for the protection and payment of any person or persons, mechanic, subcontractor or materialman who shall perform any labor or furnish any supplies related to the Project, and the city with respect to taxes imposed pursuant to Title 82 RCW which may be due from CONTRACTOR. Said retainage shall be reserved in a CITY fund until thirty days following final acceptance of the Project as completed, and shall not be released to CONTRACTOR until the CITY has received certification from the Washington State Department of Revenue that all taxes, increases and penalties due from CONTRACTOR, and all taxes due and to become due with respect to the Project, have been paid in full or are readily collectible without recourse to the state’s lien on the retainage, and until the requirements of section 10.3 have been satisfied.

18. PERFORMANCE BOND. In accordance with Ch. 39.08 RCW, CONTRACTOR shall furnish to the CITY a bond, with a surety company licensed as a surety in Washington as surety, conditioned that CONTRACTOR shall faithfully perform all provisions of this Agreement and pay all laborers, mechanics, subcontractors and materialmen, and all persons who supply such person or persons, or subcontractors, with provisions and supplies for carrying out the Project. Said bond shall be in the amount of the total amount of this Agreement.

19. TERMINATION.
19.1 Termination for Convenience. The CITY may terminate this Agreement, in whole or in part, at any time, by written notice to the CONTRACTOR. In the event of termination for the convenience of the CITY, the CONTRACTOR shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The CONTRACTOR shall promptly submit a termination claim to the CITY. If the CONTRACTOR has any property in its possession belonging to the CITY, the CONTRACTOR will account for the same, and dispose of it in the manner directed by the CITY.

19.2 Termination for Cause. If the CONTRACTOR fails to perform in the manner called for in this Agreement, or if the CONTRACTOR fails to comply with any other provisions of the Agreement and fails to correct such noncompliance within five (5) days written notice thereof, the CITY may terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on the CONTRACTOR setting forth the manner in which the CONTRACTOR is in default. The CONTRACTOR will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

20. NOTICE. Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the parties on the last page of this Agreement.

21. ATTORNEYS FEES AND COSTS. If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

22. JURISDICTION AND VENUE.

22.1 This Agreement has been and shall be construed as having been made and delivered with the State of Washington and it is agreed by each party hereto that this Agreement shall be governed by laws of the State of Washington, both as to interpretation and performance.

22.2 Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement or any provisions thereof shall be instituted and maintained only in any of the courts of competent jurisdiction in Pierce County, Washington.

23. SEVERABILITY.

23.1 If, for any reason, any part, term or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
23.2 If it should appear that any provision hereof is in conflict with any statutory provision of the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provisions.

24. ENTIRE AGREEMENT. The parties agree that this Agreement is the complete expression of the terms hereof and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

SPECIAL RECOVERY ACT 
& ADDITIONAL CONTRACTOR AGREEMENT TERMS & CONDITIONS

Funding for this project has been made in part from the American Recovery and Reinvestment Act (ARRA). As such, certain ARRA rules and requirements apply to the entire project and associated contractor agreement.

25. PREVAILING WAGES (DAVIS BACON ACT). All CONTRACTORS and SUBCONTRACTORS performing work on this project shall comply with prevailing wage laws by paying the higher of state or federal prevailing wages as required by Ch. 39.12 RCW, and shall satisfy all other requirements of that chapter, including without limitation requiring that all subcontractors performing work related to the project comply with the requirements of that chapter. All wage rates must be current as of the quote proposal due date noted in Exhibit A, Section 2.4.

25.1 Contractor Interviews. To ensure compliance with the Davis Bacon Act (DBA), interviews of the CONTRACTOR must be conducted by the City of Bonney Lake or Dept of Commerce to confirm wages and corresponding work for that type of wage is actually being completed. CONTRACTOR shall allow availability of workers for interviews by the City or Dept of Commerce. The interview template example can be found in the RFQ Packet, Item #13.

25.2 Statement of Intent to Pay Prevailing Wages. The Washington State hourly minimum rate of wage which may be paid to laborers, workers, or mechanics for work related to the Project can be found at http://www.lni.wa.gov/TradesLicensing/PrevWage/WageRates/default.asp. The associated benefit code key can be found at Exhibit E. The federal rate of wage can be found at http://www.wdol.gov/dba.aspx#0.
25.2.1 The statement of Intent to Pay Prevailing Wages is to be submitted to the City prior to the CONTRACTOR receiving the Notice to Proceed. The Statement of Intent to Pay Prevailing Wages must be approved by the industrial statistician of the Washington State Department of Labor and Industries and comply with the requirements of RCW 39.12.040.

25.2.2 The certified payroll (see Items #14 and #15 for sample payrolls) for the first week pay period is to be submitted to the City within 14 days after the CONTRACTOR (or subcontractor) begins work.

25.2.3 All subsequent certified payrolls must be submitted by the CONTRACTOR to the City within 7 days of the date the CONTRACTOR pays the employees.

25.3 **Affidavit of Wages Paid.** Prior to release of the sums retained pursuant to section 17 of this Agreement ["Retainage"], CONTRACTOR and each subcontractor shall submit to the City an Affidavit of Wages Paid approved by the industrial statistician of the Washington State Department of Labor and Industries and complying with the requirements of RCW 39.12.040.

25.4 **Records and Documentation.** The CONTRACTOR shall maintain records sufficient to evidence compliance with Chapter 39.12 RCW, and shall make such records available for the City’s or Washington State Department of Commerce’s review upon request. See also Section 14.

25.5 **Compliance with Anti-Kickback Laws.** Related federal acts that must be complied with include the Copeland "Anti-kickback" Act which states that "whoever, by force, intimidation, or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed in the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract of employment, shall be fined under [Sec 874 of Title 18, U.S.C.], or imprisoned not more than five years, or both.

25.6 **Use of Dept of Labor Poster.** The Dept of Labor Poster, WH-1321, must be posted in a highly visible location on the project site for the duration of the project.

26. **BUY AMERICAN.** None of the funds appropriated or otherwise made available by the Recovery Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. The Buy American provisions apply to all iron, steel, and manufactured goods used for a project funded by Recovery Act appropriations for the construction, alteration, maintenance, or repair of a public building or public work. There is no requirement with regard to the origin of components or subcomponents in manufactured goods, as long as the manufacturing occurs in the United States (2 CFR 176.70).
26.1 **Documentation.** CONTRACTOR will be required to provide receipts, evidence, and/or documented certification from the CONTRACTOR, vendor, distributor, supplier, or manufacturer verifying that the product was manufactured domestically.

27. **CERTIFICATION REGARDING DEBARMENT.** The Contract must adhere to the certification regarding debarment requirement as indicated in Exhibit A, Section 5.2.

28. **WORKSOURCE REQUIREMENT.** Unless hiring is directly from a union hall, all job openings created by the CONTRACTOR for this project must be listed with the WorkSource system (an affiliate of the Employment Security Department) before hiring; all hiring decisions also must be reported to WorkSource. In addition, all Subcontractors hired by the CONTRACTOR also must be required to list jobs and report hiring results to WorkSource. Existing CONTRACTOR or Subcontractor employees who are retained using funds from this project also must be reported to WorkSource. Evidence of this reporting will be supplied to the City.

WorkSource will pre-screen and refer qualified job candidates for the CONTRACTOR’S or Subcontractor’s consideration. The CONTRACTOR and Subcontractor also have the discretion to use other, additional recruitment systems and retain the right to make all hiring decisions. To begin the listing and reporting process, contact the Employment Security Department ARRA Business Unit at 877-453-5906 (toll-free), 360-438-4849, or ARRA@esd.wa.gov.

29. **AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE.** The CONTRACTOR shall comply with the ADA.

30. **RECOVERY ACT LOGO.** The City may utilize signage at the project site to indicate to the public that a portion of project costs were funded by the Recovery act and/or Puget Sound Energy.

31. **POSTING OF RIGHTS AND REMEDIES POSTER.** The “Know Your Rights Under the Recovery Act” poster example can be found in the RFQ Packet, Item #16, and must be posted in a highly visible location on the project site for the duration of the project. This poster can be posted alongside the Dept of Labor poster referenced in Section 25.6.

32. **PROVISION OF CONTRACTOR & SUBCONTRACTOR INFORMATION.** CONTRACTOR shall provide a list of subcontractors, if any, to the City throughout the period of performance of the contract and submit CONTRACTOR and subcontractor business name, TIN, UBI number, DUNS # and 9 digit zip code at vendor HQ.

33. **PERMIT REQUIREMENT.** CONTRACTOR must secure an electrical permit from the Washington Dept of Labor and Industries prior to commencing work.
IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinafter written.

CITY OF BONNEY LAKE

__________________________
Neil Johnson Jr., Mayor

Date: ______________________
PO Box 7380
Bonney Lake, WA 98391

CONTRACTOR: Laser Electric Inc.

__________________________
Tracy Ketchum, Vice President
UBI Number 602-446-320
Date: 11-10-11
Address: 9523 19th Ave East
Address: Tacoma, WA 98446-5557

This project is funded in part by funds made available through the American Recovery and Reinvestment Act (ARRA) and by Puget Sound Energy. The ARRA funds were awarded by the U.S. Department of Energy through the Energy Policy Division of the Washington State Department of Commerce.
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**Subtotal Schedule A**

$66,700.00 $68,407.67 $119,007.67

**SCHEDULE A WSST @ 9.3%**

$6,203.10 $6,361.91 $11,665.01

**Total Schedule A Incl. WSST**

$72,903.10 $74,769.58 $130,672.69

City of Bonney Lake
VFD Project - VFD Installation Quotes
11/10/2011
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Department/Staff Contact: Fin / Al Juarez
Meeting/Workshop Date: 13 December 2011
Agenda Bill Number: AB11-160

Agenda Item Type: Resolution
Ordinance/Resolution Number: 2173
Councilmember Sponsor:

Agenda Subject: Withdrawal from Rainier Communication Commission

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Give Notice Of The City's Withdrawal From The Rainier Communication Commission.

Administrative Recommendation:

Background Summary: The City of Bonney Lake is a current member of the Rainier Communication Commission (RCC), which was established by Interlocal agreement in 2001. Bill Oltman, General Manager of RCC, attended the October 11, 2011 Finance Committee meeting to deliver a presentation outlining the benefits of membership within RCC. At the October 18th Council Workshop Council discussed withdrawing from the RCC and exploring various other options. The 2012 dues are included in the adopted budget. Pursuant to Interlocal Agreement Section 3.B, six (6) months advance written notice of withdrawal is required. If notice to terminate is given during 2011, the City will only be required to pay dues for the first 6 months of 2012. If notice to terminate is given after January 1, 2012; the City will be responsible for a full years dues.

Attachments: Resolution 2173; and, Letter of Withdrawal

BUDGET INFORMATION

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Budget Explanation: NA.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Finance Committee
Date: 13 December 2011
Approvals:
Chair/Councilmember
Deputy Mayor Swatman

Yes No

Councilmember
Hamilton

Councilmember
Rackley

Forward to: 13 December 2011
Council Meeting
Consent Agenda: ☑ Yes ☐ No

Commission/Board Review:
Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): 12/6/2011
Meeting Date(s): Public Hearing Date(s):
Tabled to Date:

APPROVALS

Director: Al Juarez
Mayor:

Date Reviewed by City Attorney: 11/22/2011
(if applicable):
RESOLUTION NO. 2173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO GIVE NOTICE OF THE CITY’S WITHDRAWAL FROM THE RAINIER COMMUNICATION COMMISSION

WHEREAS, the City of Bonney Lake is a member of the Rainier Communication Commission, which was established by interlocal agreement in 2001; and

WHEREAS, the interlocal agreement allows any member to withdraw by giving written notice to the Commission President and/or General Manager, and the Chief Administrative Officers of the other members, six months in advance of the withdrawal date; and

WHEREAS, the City Council wishes to withdraw from the Commission.

NOW, THEREFORE, it is hereby resolved that the Mayor is authorized to provide written notice withdrawing the City from membership in the Rainier Communication Commission, in the manner described in the interlocal agreement.

Resolved this 13th day of December, 2011.

_____________________________________
Neil Johnson, Mayor

ATTEST:

_____________________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

_____________________________________
James J. Dionne, City Attorney
December 14, 2011

Bill Oltman, General Manager
Rainer Communication Commission

Re: Withdrawal from membership

Dear Mr. Oltman (Bill):

Enclosed is a copy of Resolution No. 2173, passed by the Bonney Lake City Council on December 13, 2011. Pursuant to Section 3.B of the Interlocal Agreement forming the Rainier Communication Commission, this letter constitutes official written notice of the City of Bonney Lake’s withdrawal from membership effective June 15, 2012, six months from the date of this letter. A copy of this notice is being sent to the other Commission members.

Sincerely,

Neil Johnson Jr., Mayor
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Mid-Biennial Budget Amendment

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Mid-Biennial Budget Amendment For Budget Years 2011 And 2012

**Administrative Recommendation:** Approve

**Background Summary:** The Council approved Ordinance No. 1373 which adopted the biennial budget for fiscal years 2011-2012. RCW 35A.34 provides procedures for adopting, managing, and amending a biennial budget, and requires that the adopted biennial budget be subject to a mid-biennial review and modification as needed. The proposed modification (Ord D11-147) amends the 2011 revenues and expenditures based on estimated actuals. The 2012 revenues are likewise amended based on the most recent revenue estimates for next year. In the General Fund, the 2012 amended departmental budgets reflect a continuation of the essential services, but have been further trimmed to reduce dependence on operating reserves. The Council had authorized use of $400,000 of General Fund reserves to balance the 2011 General Fund operating budget. Fortunately, by holding the line on expenditures the Administration will not need any of the fund balance that was authorized. In fact, we estimate that annual General Fund operating revenues will exceed operating expenditures by some $159,174. In 2012 we are proposing to carry-over the $400,000 of reserves the Council had authorized for 2011 but were not used. It is our hope that, like 2011, we will not actually need to use any of it. The expenditures programmed in the utility funds remain largely as originally budgeted, adjusted for changes as a result of grants, PWTF loans, council actions, and the carryover of 2011 capital projects in progress.

**Attachments:** D11-147 and Exhibits A-D

**BUDGET INFORMATION**

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<tr>
<th>Budget Amount</th>
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<th>Required Expenditure</th>
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</table>

**Budget Explanation:** See Attached

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:** Finance Committee
**Date:** 8 November 2011

**Approvals:**
- Chair/Councilmember: Dan Swatman
- Councilmember: Mark Hamilton
- Councilmember: James Rackley

**Forward to:** Workshop

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

**Workshop Date(s):** 11/15/2011, 12/6/2011
**Meeting Date(s):**

**Public Hearing Date(s):**

**Tabled to Date:**
ORDINANCE NO. D11-147

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING THE MID-BIENNIAL BUDGET AMENDMENT FOR BUDGET YEARS 2011 AND 2012

WHEREAS, the City Council approved Ordinance No. 1373 which adopted a biennial budget for fiscal years 2011-2012; and

WHEREAS, Ch. 35A.34 RCW provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, RCW 35A.34.130 requires that the adopted biennial budget be subject to a mid-biennial review and modification as needed; and

WHEREAS, on November 8, 2011 the City Council held a public hearing upon notice for the purpose of considering mid-biennial modifications and amendments to the adopted 2011-2012 biennial budget;

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

Section 1. The biennial budget for the City of Bonney Lake for the period January 1, 2011 through December 31, 2012 as contained in the adopted 2011-2012 Biennial Budget for total revenues/sources (including beginning fund balances) and expenditures/uses (excluding ending fund balances) and as revised by the City Council, is hereby amended by Total Revenues and Expenditures for each fund as shown on the attached Exhibit “A” (City of Bonney Lake Mid-Biennial Budget Amendment).

Section 2. The changes to biennial operating expenditures, capital expenditures, transfers and debt service schedules as shown on the attached Exhibit “B” is hereby adopted.

Section 3. The changes to the Equipment Replacement Schedule of the Equipment Rental & Replacement Fund, as shown on the attached Exhibit “C,” are hereby adopted.

Section 4. The changes to the Position Summary, as shown on the attached Exhibit “D,” are hereby adopted.

Section 5. The City Clerk is directed to transmit a certified copy of the City of Bonney Lake adopted 2011-2012 Mid-Biennial Budget Amendment (Ordinance No. D11-147 and Exhibits “A”, and “B”) to the Office of the State Auditor and to the Association of Washington Cities.

Section 6. This ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect January 1, 2012 after its passage, approval and publication as required by law.
PASSED by the City Council of the City of Bonney Lake this 13th day of December, 2011.

______________________________
Neil Johnson, Jr. Mayor

Attested:

______________________________
Harwood T. Edvalson, City Clerk

Approved as to Form:

______________________________
James Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:
### Expenditures

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### Revenues

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**General Fund**

Revenues + Use of Fund Balance = Expenditures

---

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### OPERATING EXPENDITURES

#### General Fund

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<th>Description</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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### OTHER FINANCING USES

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### TOTAL EXPENDITURES & OTHER USES

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**Note:** The numbers reflect a budgetary analysis and do not include all financial transactions.
### Equipment Replacement Schedule

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$298,496 $298,496 $219,000 $344,000

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1. Pickup will be retained as roll-down unit for use by seasonal employees.
2. Vehicles will be surplused and replaced with one (1) new passenger sedan (shown in new rolling stock).
## City of Bonney Lake

### 2011/2012 Mid Biennial Budget Amendment

**Authorized Position Summary**

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TOTAL STAFFING (full-time equivalent positions) | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 | 123,259 |

TOTAL POPULATION | 15,270 | 15,280 | 15,290 | 15,300 | 15,310 | 15,320 | 15,330 | 15,340 | 15,350 | 15,360 |

F.T.E. per 1,000 population | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 | 8.15 |
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson
Meeting/Workshop Date: 13 December 2011
Agenda Bill Number: AB11-130

Agenda Item Type: Ordinance
Ordinance/Resolution Number: D11-130
Councilmember Sponsor:

Agenda Subject: Comprehensive Plan amendment - Eastown Subarea Plan Element

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Eastown Subarea Plan Element Of The Comprehensive Plan.

Administrative Recommendation:

Background Summary: This amendment was initiated by the Mayor in 2011 and went through review by the Eastown Subcommittee prior to going to the Planning Commission for review.

Attachments: Draft Ordinance D11-130

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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:
Date:
Chair/Councilmember NAME
Councilmember NAME
Councilmember NAME

Forward to: Consent Agenda: Yes No

Commission/Board Review: 9/21/11
Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): 10/18/11, 11/15/11, 12/6/11
Public Hearing Date(s): 9/7/11
Meeting Date(s):
Tabled to Date:

APPROVALS

Director: JPV
Mayor:
Date Reviewed by City Attorney: 10/5/11
(if applicable):
ORDINANCE NO. D11-130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING THE EASTOWN ELEMENT OF THE COMPREHENSIVE PLAN

WHEREAS, on January 5, 2011 the Mayor added an item to the adopted Planning Commission annual work plan for consideration of amending the Eastown Element of the Comprehensive Plan; and

WHEREAS, an Eastown Steering Committee was assembled that reviewed and provided recommendations to the Planning Commission regarding the Eastown Element; and

WHEREAS, a Notice of Public Hearing was issued on August 23, 2011; and

WHEREAS, the Planning Commission conducted a public hearing on September 7, 2011; and

WHEREAS, at the September 7, 2011 Planning Commission meeting the Planning Commission recommended that the City Council update the language in regards to the Eastown Element; and

WHEREAS, SEPA has been complied with via a Determination of Non-Significance issued on September 7, 2011; and

WHEREAS, RCW 36.70A.106 requiring a 60 day review by the Washington State Department of Commerce has been complied with; and

WHEREAS, this is one of six Comprehensive Plan amendments concurrently coming before the City Council; and

WHEREAS, the criteria for amending the Comprehensive Plan set forth in BLMC § 14.140.090 are: 1) the amendments are consistent with the goals and policies of the Comprehensive Plan, 2) the comprehensive plan would remain internally consistent, 3) the amendments are consistent with the Countywide Planning Policies, 4) the amendments are consistent with the Growth Management Act, and 5) the amendments advance the public health, safety, or welfare and are in the best interest of the residents of Bonney Lake; and

WHEREAS, these criteria have been met.

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

Section 1, A new Eastown Element of the Comprehensive Plan as outlined in Attachment “A” of this ordinance shall replace the existing Eastown Element.

Section 2, This Ordinance concerns powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law
PASSED by the City Council and approved by the Mayor this _____ day of ____________, 2011.

________________________________________
Neil Johnson, Mayor

ATTEST:

________________________
Harwood Edvalson
City Clerk

APPROVED AS TO FORM:

________________________
James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date:
# EASTOWN SUBAREA PLAN

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Executive Summary

The City of Bonney Lake annexed the Eastown area in 2002 in response to rapid growth and a need for additional undeveloped commercial land. Eastown is located at the eastern edge of the City between 214th Avenue and 234th Avenue, and is bisected by SR 410. The area remains largely undeveloped due to lack of city sewer system availability. The Washington State Department of Transportation (WSDOT) widened SR 410 in Eastown in 2011.

The Eastown Subarea Plan serves as a guide for future development of the area, addresses needed improvements to access and circulation, and provides a clear vision for establishment of Eastown as a unique and attractive area. As property in Eastown develops, the necessary infrastructure will be built, including construction of new roadways and extension of the water and sewer systems.

SR 410 through Eastown experiences significant congestion, made worse with uncontrolled access, which will intensify as development increases. This has created an unacceptable safety hazard for motorists and pedestrians alike. Developed properties currently access directly onto SR 410, and there is little cross-connection between north-south roadways. Improvements to SR 410 have included: adding a travel lane in the East-West directions; installing a landscaped, raised center median islands; installing curb, gutter and some sidewalks; installing street lights; and, constructing new stormwater facilities. Left turns out from development sites onto the roadway are prohibited except at signalized intersections. Left turns in are allowed at the end points, quarter points and mid-point in Eastown. The Eastown Development Plan envisions future improvements to SR 410 beyond the WSDOT widening project. These include frontage improvements including, but not limited to, construction of planter strips, sidewalks, and placement of utilities underground. All new development will be required to construct these additional frontage improvements adjacent to SR 410.

The improvements to SR 410 do not provide circulation throughout the adjacent properties. The Eastown Development Plan illustrates a grid network of interconnected streets. The Eastown Future Road Network identifies the new roads that will be built in Eastown. As commercial property develops, property owners will be required to set aside right-of-way for public streets and easements for private roads. All new developments will be required to construct the sections of these internal roadways located on their property that are designated as “mapped streets”.

The City has adopted access management standards consistent with WSDOT guidelines outlined in Washington Administrative Code 468.52.030 to 050 in order to provide access for land development while preserving the safety, capacity and speed of travel on SR 410. SR 410 within Eastown is designated as a class two highway with signalized intersections allowed no closer than one every half mile. Minimum distances between public or private access points are limited to one every 660 feet. Only one access point is allowed to each property unless the frontage exceeds 1,320 feet and no adverse impact on SR 410 traffic flow is created. At full build out, it is anticipated that the access points will be as shown on the
Eastown Future Road Network Map. Existing access points will be allowed until development of that property occurs.

Eastown is currently served by three separate water systems, the City of Bonney Lake municipal system, Tacoma Public Utility (TPU) Water and Valley Water District. At this time, the City of Bonney Lake does not have adequate water system infrastructure to support development in Eastown. New development proposals within the City’s current water service area boundary will require installation of portions of the proposed water system network to service the specific development. Development proposals that are submitted within the TPU or Valley Water District water service areas will be required to meet the City’s current fire flow standards.

To meet the future demand for sewer system infrastructure, a new sewer lift station will be constructed adjacent to 96th Street and a gravity/force main sewer system will be extended from the existing city sewer system and will be placed within the right-of-way or easements of roads identified in the Eastown Future Roadway Plan. The Eastown sewer lift station design and construction costs will be funded with public-private funding. Ultimately, the City shall be fully reimbursed for public funding expended to develop the Eastown sewer system. This reimbursement may take the form of a Utility Latecomer Agreement (ULA) or a Utility Local Improvement District (ULID). Extension of the city sewer system into Eastown is anticipated to be fully funded by the private development it will ultimately serve. All properties west of 219th Avenue will be served by gravity mains extending from the existing city sewer system. Due to topography, all properties east of 219th Avenue will be served by the new sewer lift station. This may vary depending on actual site specific topography and the order in which new development occurs. Property owners who pay to install portions of the water or sewer system beyond their own property may pursue setting up there own cost sharing options (ULA) so that all property owners pay their pro-rata share of the system costs.

Establishing a future road network and plan for water and sewer lines capable of serving future development is critical to the build out of Eastown. Equally important is implementation of design standards that help Eastown to develop as a unique area within the City of Bonney Lake. To that end, the Eastown Sub-Area Development Plan establishes land use and development standards to provide for coordinated site development, including interconnected parking, complementary site design, and a logical infrastructure.

As Eastown transitions from a rural to an urban area, the street grid and themes adopted in this Plan will be extended throughout the area. Sidewalks with planter strips, street trees, drought-hardy landscaping, and street lighting in accordance with Bonney Lake Municipal Code, City Development Policies, and Public Works Design Standards will be installed along the new commercial collector roads. All of these elements will function together to establish Eastown as a thriving area within the City with appropriate connectivity to adjacent properties and roadways within Pierce County.
1. Introduction

The area described as Eastown is located at the far eastern edge of the City of Bonney Lake. It is generally bounded by 214th Avenue to the west, and 233rd/234th to the east. The area is largely undeveloped, although it contains scattered commercial development and several residential neighborhoods. In 2002, the City of Bonney Lake annexed the Eastown area in response to a mounting need for additional undeveloped commercial land within the City. Since that time, development within Eastown has been limited by the lack of water and sewer infrastructure and the need for improved transportation connections within the area. In order to help resolve these barriers to development, the City undertook a planning effort to address the infrastructure needs of Eastown. The end product of that planning effort is the Eastown Subarea Plan, which will be adopted as part of the City’s Comprehensive Plan.

The objective of the Development Plan project is to create a document that is flexible enough to accommodate incremental growth, yet provides a structure for how the area will function as a whole. The Eastown Development Plan builds upon the goals established in the Bonney Lake Comprehensive Plan and the Strategic Commercial Districts Plan, and will serve as a guideline for future development of the area. In addition to planning for the future extension of water and sewer service to the area, the Plan addresses needed improvements to access and circulation throughout Eastown in order to reduce traffic congestion and accidents. All elements of the Plan are intended to promote orderly, coordinated growth and to provide an attractive living, working and commuting environment.

1.1 Purpose

Until relatively recently, the City of Bonney Lake was a small town in rural Pierce County. During the last few decades, the City has experienced rapid growth and the requisite challenges growth presents. As parcels having easy access to utilities and freedom from environmental constraints have been developed, increased focus has been placed on the more remote and under-served parcels in the Eastown area.

SR 410 serves as the primary access to Bonney Lake. It bisects the Eastown area, which presents challenges to both the extension of services and the creation of an urban area with its
own character and sense of place. As development occurs along SR 410, additional access points to the highway are established which result in lost roadway capacity. Left turns on SR 410 are restricted.

Current development practices can result in undesirable change if new projects are constructed without consideration of neighboring land uses. Infrastructure must be in place to support rapid development and to see that growth is approached in a comprehensive manner in order to establish Eastown as a unique, attractive and thriving area of Bonney Lake. A clear vision for the public elements of the area such as streets, sidewalks and parks is necessary in order to shape the image of Eastown. Infrastructure development standards will ultimately create the character of the area and reflect community goals.

Figure 1 below shows the location of Eastown and its relationship to the City of Bonney Lake.

Figure 1 – Eastown Vicinity Map
1.2 Existing Conditions

At present, Eastown is largely undeveloped. New development is limited by the lack of available sewer service. WSDOT’s SR 410 widening project in 2011 relieved congestion and improved safety. In conjunction with the improvements to SR 410, access control standards and frontage improvement standards ensure the improvements have the desired effect. These standards are included within the Circulation segment of this Plan.

1.2.1 Natural Environment

Many parcels in Eastown contain wetlands and tributaries to Fennel Creek that limit their development potential. These areas are indicated on the Eastown Future Roads Plan. As development of parcels with critical areas occurs, developers will be required to conduct delineations to determine the location and extent of those critical areas. They will also need to address mitigation actions as part of their SEPA evaluation process and incorporate these improvements in their development plans. Fennel Creek crosses the northeast portion of Eastown. The area is generally flat or gently sloping from South to North and from West to East. SR 410 is elevated above grade of adjacent properties through much of the area.

1.2.2 Zoning

The intent of the zoning in this area, as stated in the Bonney Lake Municipal Code, is to provide appropriately located areas for various land intensive and/or limited service commercial establishments. Office uses, major retail stores and service establishments are allowed, as are wholesale distribution facilities and light industrial enterprises.

In addition to intensive commercial/industrial uses, zoning in Eastown allows a variety of residential uses. Residential uses currently permitted in this zoning classification include apartments, nursing homes, and group homes.

1.2.3 Development

Because the area is transitioning from a rural to urban character, a wide variety of development types are currently allowed within Eastown. There are a number of older homes and hobby farms interspersed among storage facilities, small retail establishments and several newer residential subdivisions. More intense commercial/industrial development, while allowed under the current zoning, has been prevented by the lack of water and sewer availability in the area. Once adequate utilities are available, additional parcels will likely develop. Infrastructure improvements will be installed by property owners. Latecomer agreements may be established so that future development pays its share of costs to extend utilities into this area and build the roadway system.

1.2.4 Road Network

There is a wide discrepancy in the types of roads that currently exist in the area. Each primary roadway within Eastown is described further below.
**State Route 410**

SR 410 runs east-west through Eastown and serves as the primary transportation link for through-traffic. WSDOT has designated it as a class two highway. West of 214th Avenue, SR 410 has a six-lane cross-section with two lanes westbound, three lanes eastbound between 192nd Avenue to 198th Avenue, and left-turn lanes at intersections. Within Eastown, between 214th Avenue and 234th Avenue, SR 410 is two lanes in each direction with a landscaped median and limited turning access.

**214th Avenue**

214th Avenue is a two-lane secondary arterial that runs north-south through the City of Bonney Lake and marks the western edge of the Eastown area. The road provides access to both residential and commercial development. Residential development adjacent to 214th Avenue is primarily south of SR 410. North of SR 410 the area along 214th is experiencing significant commercial development, including addition of a Home Depot. Projected growth in Eastown, development of 590 family housing units in the WSU Forest area, and continued growth in traffic from areas outside the city require reconstruction of the SR 410 and 214th Avenue intersection. This will increase capacity and enhance transportation safety. This project’s design will be completed in 2011. Construction will occur when sufficient funding is available.

**233rd/234th Avenue**

233rd Avenue is a two-lane collector arterial roadway that runs north-south from SR 410 to 96th Street. 234th Avenue is a two-lane collector arterial that runs north-south through the Eastown area connecting SR 410 with South Prairie Road in the south. These roads are narrow and rural in character. As part of the 2011 WSDOT widening project, intersection improvements occurred that aligned 233rd/234th Avenue and added a traffic signal.

**96th Street**

96th Street is a Pierce County east-west two-lane rural collector arterial that runs from 214th Avenue in the west past 233rd Avenue in the east. This roadway has a rolling grade and no shoulders. Existing development on both sides of the roadway is characterized by rural residential development and hobby farms.

**219th Avenue, 221st Avenue, 229th Avenue**

These roadways are all short, two-lane local access facilities that provide access into properties south of SR 410. The roadways intersect SR 410 at stop-sign controlled “tee” intersections. All of these roadways will require upgrades in order to support future development. Left turn-ins were built on SR 410 as part of the 2011 WSDOT widening project at 219th Ave and 229th Avenue.
**225th Avenue**
This future intersection will be the site of the only traffic signal between 214th and 233rd Avenue. The northern side of this intersection has had curb returns built as part of the WSDOT SR 410 widening project. Developers on the north and south sides will be required to construct this signalized intersection as part of their development.

**Northern and Southern Frontage Roads**
This plan calls for construction of roads parallel to SR 410 that allow shoppers/commercial users to move around Eastown without disrupting traffic on SR 410. In 2010 and 2011 the City began receiving 41-foot wide easements that allow construction of these roads for installation of the future sewer system and transportation network. Locking in these easements allows any property owner to develop their property without delays caused by development from other property owners. It ensures that when all road segments are built, they will connect with each other in a manner that allows the smooth flow of vehicles. Additionally, it clarifies for prospective developers how Eastown roads will be laid out and the impact the location of these roads will have on the layout of their developments.

**Entwhistle Road**
Entwhistle Road is a Pierce County two-lane local roadway running east-west that extends from a dead-end near 222nd Avenue easterly past 234th Avenue. In the Eastown area, this roadway is south of SR 410 and serves an area that is predominantly residential in character. Connection of Entwhistle road to the Southern Frontage road and to 214th Avenue is a long range goal of the Eastown Development Plan.

**1.3 Outreach Efforts & Community Comments**
An Eastown Stakeholder Informational Meeting was held on April 11, 2005 and on September 24, 2009. Stakeholders agreed that left turns from SR 410 should be limited and that shared entrances to multiple businesses would eliminate constant slowdown of traffic. Other comments included an interest in encouraging more mixed use development in the area, possible establishment of a Local Improvement District or Utility Latecomer Agreement or other mechanisms to help fund construction of sewer and water extensions into Eastown. Attendees were also advised at the 2009 meeting that Latecomer Agreements could be set up to share the costs of road construction between different property owners.
2. Goals and Policies

2.1 Relationship to Other Planning Documents

The Eastown Development Plan is based upon and consistent with a number of previously adopted goals and policies that guide development within the City of Bonney Lake. Several of the relevant goals and policies are discussed below.

2.2 Transportation Related Goals and Policies

The Transportation Element of the Bonney Lake Comprehensive Plan, updated in August, 2006, includes policies relevant to circulation and infrastructure in Eastown.

2.2.1 Service Area Policies:

**SR 410 Corridor**

1. Access Management (BLMC 12.30.050). The City has adopted access management standards consistent with WSDOT requirements outlined in Washington Administrative Code 468.52.030 to 050. At full build out, only access points identified in the current Eastown Future Roadway Network Map will be allowed. Existing access points will be allowed until development of that property occurs.

2. Left turns out are limited to the signalized intersections at 214th, 225th and 233rd Avenues.

3. Left turns in are limited to the signalized intersections, 219th Avenue and 229th Avenue.

**Frontage Roads**

1. Private Roads. Only the Northern and Southern Frontage Roads are allowed to be built to private road standards.

2. Public Roads. All North-South and other East-West roads are to be built to public design standards.

3. Private road maintenance and repair is the responsibility of the property owner.

4. Private roads are 41-feet wide and public roads are 57-feet wide.

2.2.2 Financial Policies

1. It is the policy of the City that private development pays its own way. Thus, any City investment in Eastown infrastructure should show a positive return on investment.
City contributions to Eastown infrastructure will generally be on a reimbursable basis through a Utility Latecomers Agreement (ULA), a Local Improvement District (LID), or other suitable financing mechanism.

2.2.3 Facility Policies

1. Requirement to construct public-private roads (BLMC 12.30.030). All new development will be required to construct public and private roads identified on the current version of the current Eastown Future Road Network.

2. Frontage Improvements Required:
   a. Sidewalks
   b. Street lights at intersections
   c. Place existing above-ground utilities underground. BLMC 12.04.005.

2.3 Water System Goals and Policies

The Bonney Lake 2009 Comprehensive Water System Plan (CWSP), adopted in 2010, provides a comprehensive explanation of the City water system, standards, goals and policies. The excerpts contained herein are those of particular interest to Eastown property owners but do not supersede those in the CWSP. They include but are not limited to:

2.3.1 Service Area Policies

Annexation

1. Areas annexed without an existing supply will be served by the City of Bonney Lake at customers’ expense.

2. Areas annexed with existing water supply and distribution system must meet Washington State Department of Health water quality standards. A state small system water permit must be available for the system or the area will be deemed not to have an adequate existing water system; thus, requiring connection to the city water system.

3. The City will follow State guidelines in the assumption of small water systems in annexation areas.

4. Private water systems will be decommissioned when the property is connected to the City water system.

Service Area

1. The City of Bonney Lake’s water system shall serve all users of water within the City and within the City’s water service area subject to appropriate statutes and ordinances and subject to the limitations of the existing water supply and delivery systems.

2. New developments will be required to pay for system extensions and other improvements required to provide sufficient water supply to their development. Provisions for latecomer agreements will be allowed.
3. As lead agency, the City accepts ultimate responsibility for providing water service within its service area.
4. The City will supply all customers within its water service area limits via direct service only.
5. The City will modify its water system as needed to improve hydraulic conditions for its existing customers.

2.3.2 Financial Policies

1. Water rates are described in Bonney Lake Municipal Code 13.04.070. These rates are adjusted annually utilizing the Consumer Price Index and Construction Cost Index.
2. Existing customers of the City pay the direct and indirect costs of operating and maintaining existing water facilities through monthly user rates. In addition, the user rates will include revenue for debt service already incurred to finance capital improvements to the utility.
3. New customers seeking to connect to the water system will be required to pay an “equitable share of system charge” or System Development Charge (SDC) to “buy in” to the existing water distribution and water supply system. This revenue will be used to finance Capital Improvement Projects that support growth with new infrastructure or water supply purchases and may include other repairs or improvements to the water system.
4. The term “connection charge” refers to the one-time fee paid by a property owner when connecting to the water system. These fees include both the “equitable share of system charge” (SDC) and the meter “installation charge”.
5. The City will charge for the actual cost of services, material, and equipment required to make a new connection to the system, (hook-up fee or “meter installation charge”) based on an adopted rate per connection.
6. Industrial users will be charged for services on the same basis as all other residential and commercial water customers.
7. The City’s fees and charges shall be calculated for the service area as a whole. Rates will be the same regardless of service location. (Except that for customers residing outside the city limits, water rates will be increased to offset administrative and other costs that non-residents do not contribute revenue to (approximately 1.44 times the residential City rates.))

2.3.3 Facility Policies

Pressure
1. A minimum pressure of 30 pounds per square inch at customer meters shall be provided during normal peak hourly demand conditions, not including fire flow or other emergency demand conditions.
2. During fire flow and other emergency demand conditions, the minimum pressure at customer meters and in the remainder of the system shall not be less than 20 psi.
**Storage**

1. Storage within the distribution system must be of sufficient capacity to supplement transmission supply when peaking demands are greater than the maximum day demand rate (equalizing storage) and still maintain sufficient storage for fire flow or other emergency demand conditions.

2. Sufficient emergency storage must be provided so that should a fire occur, the supply capacity from the reservoirs would be sufficient to fight the fire while meeting the average rate of the maximum day demand.

**Transmission and Distribution**

1. All new construction shall be in accordance with the City of Bonney Lake Public Works Design Standards for additions to the water system.

2. Where practical, transmission and distribution mains shall be looped to increase reliability, decrease head losses, and increase capacity.

**Booster Pump Stations**

1. Booster pump stations shall be built as necessary for the following purposes:
   - Provide supply redundancy to a pressure zone
   - Improve the hydraulic characteristics of a pressure zone
   - Reduce the cost of water supply
   - Improve water quality (i.e., increase circulation and water treatment)
   - Increase fire flow

**Reliability**

1. Supply to the service area will be pursued to meet maximum day demand during a reasonable “worst case” supply system failure.

2. System demand planning will use historical demand data and assume all available land will be developed at saturation.

### 2.4 Sanitary Sewer Goals and Policies

The Bonney Lake 2009 Comprehensive Sewer System Plan (CSSP), adopted in 2010, provides a detailed explanation of the City water system, standards, goals and policies. The excerpts contained herein are those of particular interest to Eastown property owners but do not supersede those in the CSSP. They include but are not limited to:

#### 2.4.1 Service Area Policies

1. In compliance with the Growth Management Act, sewer services shall not be provided to customers outside the city limits unless they are inside a Urban Growth Area (UGA) or Comprehensive Urban Growth Area (CUGA).

2. All commercial development must connect to the city sewer system per BLMC 13.12.150.

3. No temporary septic system permits will be authorized within Eastown until such a time as an ordinance allowing this to occur is approved by the City Council.
4. Properties or portions thereof within Pierce County that are zoned for commercial use and are adjacent to Eastown will be allowed to connect to the sewer system.

2.4.2 Financial Policies

1. Sewer utility rates and charges are explained in BLMC 13.12.
2. Sewer customers inside the City limits and outside the city limits are charged the same per agreement with Pierce County.
3. Existing customers of the City pay the direct and indirect costs of operating and maintaining existing sewer facilities through monthly user rates. In addition, the user rates will include revenue for debt service already incurred to finance capital improvements to the utility.
4. New customers seeking to connect to the sewer system will be required to pay an “equitable share of system charge” or System Development Charge (SDC) to “buy in” to the existing sewer collection and treatment system. This revenue will be used to finance Capital Improvement Projects that support growth with new infrastructure or repair/upgrade the existing sewer system.
5. Water and sewer rates are partially based on the amount of water consumption. Emphasize demand management by encouraging water conservation within the households of Bonney Lake. Utilize higher water rates in the summer.
6. Sewer charges are capped for residential customers based on water consumption to reflect use of water for irrigation that is not treated at the Waste Water Treatment Plant (WWTP).

2.4.3 Facility Policies

1. All sewer lines east of 221st Avenue on the south side of SR 410 and all sewer lines east of 219th Avenue on the north side of SR 410 shall flow by gravity to the Eastown sewer lift station. On a case by case basis, where topographic conditions allow, the flow direction by gravity may be reversed.
2. Coordinate with the Tacoma/Pierce County Health Department to ensure that all properties with failed septic systems and new development connects to the City Sewer system.
3. In conjunction with the City of Sumner, increase Wastewater Treatment Plant (WWTP) capacity and/or percentage of plant capacity to meet the needs of the Bonney Lake UGA and full build out within the City limits.
4. Sewer capacity in Bonney Lake is “first come, first serve.” The City will develop alternate WWTP capabilities to meet wastewater treatment needs in the Northern and Southern Sewer Service Areas in the CUGA. Areas within these two areas are not within the current or planned capacity of the Sumner WWTP by agreement with the City of Sumner. Expansion of the Sumner WWTP capacity to meet these needs would require separate projects and sewer lines.
5. Utilizing a Septic System Abatement program, extend the city sewer system into developed areas when sufficient funding is available to do so.
6. Implement a program to reduce inflow and infiltration in order to reduce the demand on the WWTP capacity.
7. Support City of Sumner and Washington State Department of Ecology efforts to increase and improve secondary treatment capacities and methods to meet state and federal discharge standards.

2.5 **Stormwater Goals and Policies**

2.5.1 **Service Area Policies**

1. An update to the Comprehensive Stormwater System Plan (CSWP) is being prepared in 2011.
2. Stormwater collected on commercially developed parcels within the city may be directed to stormwater detention/infiltration ponds located on property outside the city limits within the R5 zoned area.
3. The three public stormwater ponds built by WSDOT shall not be utilized for stormwater runoff from private property. Only runoff from public roads may utilize these three stormwater facilities.

2.5.2 **Financial Policies**

1. Stormwater utility rates and charges are explained in BLMC 15.14.
2. Rates and charges are based upon the amount of impermeable surface area each parcel contains.
3. A credit on monthly rates may be available for commercial properties pursuant to the Bonney Lake Municipal Code.

2.5.3 **Facility Policies**

1. The City of Bonney Lake has adopted the Pierce County Stormwater Management and Site Development Manual. All stormwater facility construction and maintenance will comply with that manual.
2. Stormwater must be released at a controlled rate from the parcel where it is generated. This release rate shall be no greater rate then would have occurred when the land was in its natural, undeveloped state.
3. Responsibility for construction and maintenance of the private stormwater ponds belongs to the property owner. Annual City inspection of these ponds will be required in accordance with our NPDES permit.
4. Stormwater permits shall be applied for prior to start of any clearing or grubbing work on site. Applicant must comply with NPDES requirements addressing construction sites.
5. Stormwater released from the site must meet water quality standards achieved through the use of a stormwater facility upstream from a detention or infiltration pond.
2.6 Land Use Goals and Policies

The way in which people experience life in their community and interact with each other is influenced in large measure by community design. The most valued design elements of a community are often those that retain small town features and are reflected in the City’s neighborhoods, community meeting places, parks, and tree-lined streets. The Bonney Lake Comprehensive Plan, Community Character and Design Element, includes the following goals and objectives that are relevant to the Eastown planning effort:

- Define a pattern of urban development, which is recognizable, provides an identity, and reflects Bonney Lake values and opportunities;
- Provide and maintain gateways to the city that distinguish Bonney Lake from its neighboring cities and provide a sense of place (234th Ave. E/SR 410);
- Promote design standards, building design and site design that provide appropriate transitions between dissimilar uses and intensities that are respectful of natural conditions;
- To the extent practically feasible, relate commercial development to the street front to ensure attractive street edge and unified streetscape, encourage pedestrian activity when appropriate, and stimulate business;
- Design the major arterial boulevards to be distinctive from other streets and that include as appropriate design features such as street trees, median plantings, special lighting, setback sidewalks, street names, colorful plantings, prominent crosswalks, decorative paving patterns and public art.
- Enhance the Appearance and Identity of Eastown. Encourage a concentration of retail, entertainment, service and higher density residential/retail mixed-use along the Eastown Mapped Streets and frontage roads that will create the vitality that will be essential to identifying this district as a desirable place to be. Facilitate pedestrian activity by creating inter-connected streets and walkways.
- Guide New Development around Eastown. The mixed use, highway-oriented commercial and residential uses that surround Eastown should complement Eastown’s core uses. These entertainment, retail, office and residential uses will provide additional “human activity” to support services, retail, professional offices and/or residences.

3. The Future of Eastown

The full development of the property within Eastown follows the Pierce County Comprehensive Plan Economic Development objective (19A.50.030) that addresses the County’s strategy for business development and economic diversity. The primary objective is to create an environment that will retain existing businesses and attract new industry into the County. To help implement this County policy a future annexed Eastown shall include the
area south of 96th Street East, including the roadway of 96th Street East, between 214th Avenue East and 233rd Ave. East and north of the existing City limits.

As Eastown transitions from a rural to an urban area and parcels within it are developed or redeveloped, the street grid and themes adopted in this plan will be extended throughout the area. Sidewalks with planter strips, street trees, drought-hardy landscaping, and standard street lighting will be installed along the new public and private roads identified in the Eastown Future Road Network.

Installation of infrastructure in Eastown, including construction of new roadways and extension of sewer and water lines, will occur as property develops. It is likely that road segments will be constructed incrementally, but that as build-out occurs, individual road segments will be connected to create continuous alternative transportation routes throughout the area.

The intent of the Eastown Plan is to establish a framework for construction of the services necessary to support an economically viable and unique area of the City. The guiding principles for the Eastown planning effort are described below.

### 3.1 Enhance the SR 410 Corridor

SR 410 bisects Eastown and presents challenges to creating an urban area with its own character. Because it is a major transportation route, SR 410 will continue to carry heavy traffic loads. However, the needs of property owners, potential customers, local residents and through-traffic commuters must all be considered in order to create a successful roadway network and a quality living, working and commuting environment.

The Eastown area is sparsely developed at this time, with many of the parcels served by small roadways and driveways directly onto SR 410. As parcels redevelop, access points will be consolidated to enhance the capacity of the corridor. While the WSDOT SR 410 widening project within Eastown added travel lanes, curb and gutter, and a landscaped median, there were only 8-foot shoulders installed at the limits of the travel lanes. As properties develop they will be required to install landscape strips, street trees, and sidewalks to further enhance the aesthetics of the area. Details regarding required frontage improvements along SR 410 are included in Section 4, Circulation.

### 3.2 Create Alternative Routes for Local Traffic

As Eastown develops, a new network of secondary roads will be constructed to facilitate convenient access to, from, and between businesses. This network will allow drivers additional alternatives to traveling SR 410 to access establishments in the Eastown area. The network will help to preserve the capacity of SR 410 and minimize congestion on the corridor. Smaller local roads also have slower traffic speeds, a more pleasant driving environment, and are ideal bicycle and pedestrian routes.
3.3 Facilitate Extension of City Water and Sewer Services to Eastown

Development within Eastown is dependent upon extension of municipal water and sewer services to the area. Tacoma Water and Valley Water District have provided new water service to some Eastown properties. An evaluation of potential lift station locations was conducted as a part of this 2006 planning effort and is described more fully in Section 6, Sewer. Subsequently, location of the Eastown sewer lift station has been sited on the WSDOT Stormwater pond “B” property located on the north side of SR 410. The Eastown Future Sewer System provides the locations of the public sewer system.

3.4 Address Conflicting Standards of the Water Purveyors to Eastown

Currently portions of Eastown are served by the Tacoma Water System and Valley Water District. Valley Water District does not require the same design and construction methods and materials as those required by the City. In addition, there has been concern regarding the ability of the Valley Water District to provide adequate water to meet required fire flow standards for major commercial or industrial users. An evaluation of the Valley Water District and establishment of minimum design and construction standards for water systems within the City of Bonney Lake are addressed in Section 5, Water. Since this initial study was done in 2006, Valley Water has upgraded its water system and is capable of meeting fire flow standards for commercial development in the Eastown water service area.

In 2010, Bonney Lake extended their water line eastward along SR 410 from 219th Avenue to 221st Avenue. Developers will be required to complete a loop that connects this waterline to a new water line on 96th Street that connects to the water line in front of Home Depot.

3.5 Provide Improved Predictability to Property Owners and Developers

The issues discussed in 3.3 and 3.4 above create an atmosphere of uncertainty for property owners and developers considering projects in Eastown. This Plan is intended to establish clear requirements for improvements within Eastown and to provide adequate information to facilitate design of water and sewer extensions into the area.
3.6 Facilitate High Quality Development & Foster Economic Growth

Establishment of clear parameters for infrastructure in Eastown sets the framework for attractive, high quality private development. Tree lined streets, comfortable walking routes, and well planned transportation networks encourage quality development which in turn attracts both additional development and new patrons. The ultimate result is an area that offers an attractive entry into the City from the east and that provides a pleasant area for living, shopping, and commuting.

3.7 Establish Identity for Eastown Area

The sparsely developed state of Eastown currently lacks a clear identity or distinguishing characteristics. As the area develops and the streets are lined with trees, sidewalks are built, and a more compact development pattern evolves, Eastown has the opportunity to set itself apart as a unique section of Bonney Lake. Street tree varieties, pedestrian crossing treatments, and street light fixtures unique to Eastown on internal roadways help visitors know they have entered a special place within the City. The City envisions Eastown as a unique mixed-use commercial center.

4. Circulation

Roads are needed for transportation, emergency response, and utilities. An efficient transportation network is a critical element for a developing area. Provision of new roads, location of intersections, number of traffic signals, spacing of driveways, types of turn lanes and provisions for bicyclists and pedestrians are major considerations to be planned in advance of development.

4.1 Operations

4.1.1 Existing Operations

SR 410 through Eastown experiences significant congestion during peak travel hours. As development in the area increases the congestion will intensify. In addition, the intersections of 233rd and 234th with SR 410 are currently identified as high accident locations due to the offset between the two roads. Developed properties on either side of SR 410 access directly onto SR 410, and there is very little cross-connection between north-south roadways.

4.1.2 Future Operations

An interconnected roadway grid system has been identified as a necessity to reduce trips on SR 410 and provide improved local access. The Eastown Future Road Network (adopted by ordinance 1369) establishes the vision for the future grid, and the standards for how it is to be implemented. With these proposed improvements, acceptable Level of Service conditions for future 2025 traffic volumes can be achieved.
4.2 Coordination with WSDOT

Coordinated planning between the City of Bonney Lake and WSDOT has maximized the efficiency of the roadway network and created the backbone of a unique neighborhood. WSDOT started construction of improvements to SR 410 in Eastown in 2010 and completed this project in 2011. Improvements included: alignment of 233rd/234th Avenues and installation of a traffic signal at the new intersection; addition of one lane in each direction; addition of four islands creating a landscaped median separating the eastbound and westbound traffic; installation of street lights from 214<sup>th</sup> to 234<sup>th</sup> Avenue; and construction of stormwater facilities.

The City of Bonney Lake intends that the median on SR 410 through Eastown will be landscaped to provide a more attractive travel corridor. Landscaping utilized in the median in Eastown will be duplicated on the west side of town on SR 410 between Old Sumner Buckley Highway and Main Street, providing the best possible first impression of the City at the eastern and western gateways to the city. WSDOT maintains strict standards for signalization and access to State highways. A previous planning effort between the City of Bonney Lake and WSDOT resulted in establishment of one additional future signal location (225<sup>th</sup> Avenue) and two median openings (219<sup>th</sup> and 229<sup>th</sup> Avenue) to allow left turns from SR 410 into development areas. Left turns out of development sites onto the SR 410 corridor are prohibited except at the three traffic signals at intersections with 214<sup>th</sup>, 225<sup>th</sup> and 233<sup>rd</sup> Avenues. The locations of the agreed-upon signal and left turn openings are shown in the figure below:

Figure 2 – Intersection Control & Spacing
New north-south streets are needed that run through the traffic signal and at the two points where left turns are allowed. These three north-south roads will extend from 96th Street south to Entwhistle Road. They will provide access from residential areas directly into the shopping areas located on the Northern and Southern Frontage roads.

### 4.2.1 SR 410 Improvements

WSDOT completed construction of the Eastown SR 410 widening project in 2011. Private development will be required to build frontage improvements adjacent to SR 410 and the Eastown public private roads shown on the Eastown Future Road Network to further enhance the roadway and create safe walking conditions.

All new development with frontage on SR 410 will require installation of curbs, gutters, a 4-foot wide planter strip, and an 8-foot wide sidewalk, except at bus pullout locations as determined by Pierce Transit and WSDOT. All development projects will be routed to Pierce Transit and WSDOT for comment. If a bus pullout is determined to be required, Pierce Transit design standards for such facilities will be followed. If buildings are proposed immediately adjacent to the sidewalk, the minimum width of the sidewalk will be 8 feet. If landscaping is located between the back of the sidewalk and other on-site improvements, the minimum width of the landscape area will be 10 feet, in order to screen the development and provide a buffer from the street. Figure 3 below identifies the WSDOT planned improvements to SR 410 and the frontage improvements that will be required with future development adjacent to SR 410.

![Figure 3](IMG-7289.png)

**Figure 3**

SR 410 Future Section
With Private Frontage Improvements
4.3 Future Road Network

The improvements to SR 410 will not provide circulation throughout the adjacent commercial properties. A secondary road network is needed to provide access to parcels within the area. These secondary streets referred to as Commercial Collectors, complete the street grid and provide alternate routes to reach area destinations. The Eastown Future Road Network, illustrated above, is intended to provide access to all properties within Eastown. Additionally, access to Eastown shopping will be convenient to property owners along Entwhistle Road and 96th Street without entering SR 410.

- Existing streets that will act as east-west collectors include 106th Street, Entwhistle Road, and 96th Street. Existing north-south collector roads include 214th Avenue and 233rd/234th Avenue.

- Frontage Roads. New east-west commercial collector roads between 96th Street and SR 410 on the north side and SR 410 and Entwhistle Road on the south side of SR 410 will provide the back bone of internal transportation circulation within Eastown. These two roads are named the Northern and Southern Frontage Roads and will be designed and built to private road standards described in this plan. The Northern Frontage Road will extend from 219th Avenue east to 233rd Avenue. The Southern Frontage Road will extend from 214th Avenue east to 226th Avenue.

- Connector Roads on North Side of SR 410. New collector roads connecting SR 410 to the Northern Frontage Road will be built at 219th Avenue, 221st Ave, 225th Ave and 229th Avenue. Additionally, 229th Avenue will connect with 230th Avenue creating a link between SR 410 and Old Sumner Buckley Highway.

- Connector Roads on South Side of SR 410. New north-south secondary access roads will be built south of SR 410 on 219th Avenue, 221st Avenue, 225th Avenue Court and 226th Avenue connecting SR 410 with Entwhistle Road. In the future, when full build out of Eastown occurs, Entwhistle road will provide a link between 214th and 234th Avenues.

- 216th Avenue on North side of SR 410. This road will connect SR 410 to 96th Street. When the median is built on SR 410, left turns out from this shopping area will not be allowed. Currently, it is very hazardous enter the East bound lanes from this shopping center either directly onto SR 410 or from 214th Avenue. Construction of this road will provide a safe alternative route for motorists to use.

- 216th Avenue on South side of SR 410. This north-south road was partially built in 2010 by a developer. This road will be extended to the Southern Frontage Road when development occurs on the undeveloped properties located adjacent to 101st Street, currently a private road.

This network of internal roads will reduce vehicle trips on SR 410 maximizing the capacity of SR 410 and creating a safer transportation network. This road network will provide
circulation throughout Eastown and will provide access to commercial shopping areas to residents living in the county without motorists needing to use SR 410.

Figure 2 locates the future signals and median breaks on SR 410. Between 214th Avenue and 233rd/234th Avenue E., signalized intersections will be allowed at a new city street between 219th and 229th Avenues E. A signal was built at 233rd/234th Avenue E. in 2011. Two median breaks, located midway between 214th Avenue and the new signal and midway between the new signal and 233rd/234th, will facilitate midpoint left turns into the commercial areas. Left turns out of the commercial area will be prohibited. No other breaks in the restrictive median will be allowed. Other accesses off SR 410 will be limited to right-in, right-out only and must be spaced a minimum of 660 feet apart. The network will provide a choice of routes and minimal back-tracking. Drivers will choose the easiest route based on weather, time of day and traffic conditions.

4.3.1 Locations and Flexibility

Development of commercial property requires a network of roadways, water, sewer, stormwater facilities, and utilities. Each of these systems must be designed with the greater regional network in mind. Without detailed knowledge of the number and type of businesses to be constructed at each location, it is difficult to design a system capable of handling future development without revisions or alterations. Therefore, the design and development standards must be flexible enough to accommodate incremental growth, yet consider the function of the system as a whole. The goal is a uniform system rather than a piecemeal approach.

Roads shown in this plan are needed as a placeholder to ensure that the entire City’s population is well served. As development is proposed, actual locations of roads will be determined. New north-south collectors will be public roadways, and the new east-west Northern and Southern Frontage Roads will be private roads with all other east-west roads being public roads. Exact locations of these roads will be determined by the site plan for the individual projects. Road locations shown above will also be adjusted as topography warrants and once the extent of existing wetlands or other site constraints is determined.

Frontage roads are needed to move traffic to the new north-south collectors in order to allow left turns out of Eastown onto SR 410. These roads should not be located immediately adjacent to SR 410. Commercial uses will be located between the frontage roads and SR 410 to present an attractive appearance from SR 410, with parking typically located between the business and the frontage road.

The transportation grid will be constructed in conjunction with development of commercial property along the corridor. This will provide drivers with a choice of routes to destinations within the commercial area. Direct access to SR 410 will not be allowed between the commercial connectors. Temporary access may be granted for parcels that are not immediately adjacent to a planned commercial collector road and cannot otherwise gain reasonable access to SR 410.
A raised median has been installed on SR 410 between the signalized intersections. Traffic volumes are high in the corridor, resulting in very few gaps in the traffic flow to allow left turns; a condition that leads to high accident rates. The median separates opposing lanes of traffic and restrict turning and crossing movements. Studies have shown significant reduction in the number and severity of accidents on high-volume, commercial corridors with raised medians. Medians help prevent head-on collisions and provide predictable locations for crossing and turning movements. Medians also provide a pedestrian refuge, making it much easier to cross the street. Existing driveways will remain in place until properties are redeveloped. When redevelopment of parcels with existing access to SR 410 occurs, the most appropriate location for access will be reviewed by the City. New access to internal streets will be established, or temporary access to SR 410 may be granted until such time as access to internal commercial collectors is available.

4.3.2 Development Triggers Construction
The grid network will be composed of interconnected streets. As commercial property along the corridor develops, property owners will be required to set aside right-of-way or easements and construct their portion of these necessary public-private roads forming a grid system of roadways.

The Eastown Plan illustrates important roadway connections. As development occurs, there is flexibility for adjustments to the location of the roadways shown on the map, depending on the proposed site plan. All roadways will be required to be constructed to City Eastown standards as described in this plan.

As parcels are developed, the road network will be established. Each development will be required to incorporate the appropriate piece of the road network and provide for future extension of the network by adjoining parcels.

4.4 Internal Road Standards

4.4.1 Road Section
Commercial collectors within the Eastown area will be designed to meet the following standards:

Public Collector Roads and Future Public North-South Roads
- Two travel lanes - 11 feet
- Bike lane – 5 feet, both sides of roadway
- Planter strip – 5 feet, both sides of roadway
- Sidewalks – 6 feet, both sides of roadway
- Total improved right of way width – 57 feet (more right-of-way may be required for slopes)

All stormwater detention/retention facilities shall be located on private property, and the developer will be required to collect, treat and dispose of the runoff generated by the portion
of road directly adjacent to the project site. Existing public roads within Eastown, will meet the standards of the public collector road section.

**Figure 5 – Public Roadway Section**

**East-West Private Roads**
- Two travel lanes – 11 feet
- Planter strip – 5 feet, both sides of roadway
- Pedestrian Ways – 6 feet, one side of roadway
- Total right-of-way width – 41 feet
- All stormwater detention/retention facilities shall be located on private property, and the developer will be required to collect, treat and dispose of the runoff generated by the portion of road directly adjacent to the project site.

**Figure 6 – Private Roadway Section**
Parallel on-street parking between the street and sidewalk may be provided at the developer’s option if a parking lane is added to the minimum required ROW width. If provided, no parallel parking spaces may be located within 50 feet of an intersection. Parallel parking strips must be identified by landscape bulbs at either end.

**Pedestrian Facilities on Private Roads**
- At a minimum, a pedestrian facility must be provided on one side of road
- Pedestrian facility may be a sidewalk or other clearly separated safe walking route as approved by the City of Bonney Lake Development Engineering division.
- Adjacent developments should continue their portion of a pedestrian way on the same side of the street as the existing walkway
- If it is necessary to change the side of street for provision of a walkway, this must occur at an intersection
- Landscaping must be provided between the street and the pedestrian way or behind the pedestrian way.

### 4.4.2 Design Standards and Access Restrictions

Design speeds for all roads in Eastown with the exception of SR 410 are 25 mph. The City may install a restrictive median or require one to be installed if operational or safety conditions warrant. The following table summarizes the access restrictions for Eastown roads.

<table>
<thead>
<tr>
<th>Class Description &amp; Function</th>
<th>Minimum Signal &amp; Intersection Spacing</th>
<th>Private Direct Access</th>
</tr>
</thead>
</table>
| **Class B** Low to moderate speed, moderate volume | ½ mile | Allowed with restrictions:  
- 200 feet minimum spacing  
- One access per parcel or contiguous parcels, exceptions allowed with justification  
- No additional access for subdivided parcels  
- All access must meet minimum standards, corner clearance allowances not permitted. |
4.4.3 Half Street Option

A half street may be permitted as an interim facility pending construction of the other half of the street by an adjacent property owner whose property is also located within the city limits; and, when there is reasonable assurance for future completion of the roadway, and where the developer can demonstrate the half street will provide adequate access to and from the site. The right-of-way width of the half street may not be less than one-half of the proposed total roadway width or twenty feet of paved roadway with curb, gutter, and sidewalks built on the applicant’s side of the road, whichever is greater. May be required to be wider than 50% of the roadway width in order to accommodate adequate driving lanes for fire department trucks until the other half of the street is constructed.

4.4.4 Non motorized Facilities

As the Eastown corridor develops, some employees and customers of the new commercial uses may walk and bicycle through the neighborhood if and when safe and comfortable facilities are provided. Safe and attractive pedestrian walkways and bicycle routes are encouraged; particularly as Eastown evolves into a unique commercial area with various activity and commercial centers.

**Pedestrian Facilities**

Sidewalks or bike lanes should be provided on both sides of north-south roadways, with a planter strip separating the sidewalk from the travel lanes. Bike lanes need not be provided
on new east-west private roads; a sidewalk should be provided on one side of the east-west roads.

*Transit*
While the future of Transit service to the area is in question, to date SR 410 serves as the primary east-west transit route between Bonney Lake and Buckley to the east and between Bonney Lake, Sumner, Puyallup and Tacoma to the west. As commercial and/or residential development occurs in Eastown, it is anticipated that both the express route to Tacoma and the route between Bonney Lake and Buckley will have increased ridership. Transit considerations should therefore be included in the design of internal roadways. As development projects occur, input from Pierce Transit should be obtained to determine the need for in-lane bus stops or bus pullouts on various roadways. Bus stops will be located at the far side of signalized intersections rather than mid-block, unless otherwise specified by the City of Bonney Lake or Pierce Transit. On SR 410, developers should coordinate with Pierce Transit and WSDOT regarding the need to incorporate bus pullouts in site development.

4.4.5 Streetscape Improvements
Streetscape standards address the aesthetic elements of the Eastown area. The design of the street network can create a unique neighborhood with aesthetic appeal and a clear sense of place. Creation of people-friendly spaces encourages development and investment in the area and attracts customers to businesses. A streetscape is created through installation of landscaping, incorporation of green space, street lighting, street furniture, and special pavement treatments for pedestrian areas.

*Landscaping*
Inclusion of landscape features adjacent to streets results in creation of visual interest along the roadway and, as a result, slower traffic speeds. However, trees should be planted so as not to create visual obstructions of traffic control signs. Plants can also be used to provide uniformity and to enhance sense of place and unique character of neighborhoods.

In Eastown, planter strips with street trees shall be utilized to separate pedestrians from travel lanes on newly-constructed roadways. Street trees should conform to the City’s Community Forestry plan and adopted City standards.

*Street Lighting*
Street lights will be located in the planter strips to meet City of Bonney Lake illumination standards per BLMC 17.12 and BLMC 12.24 and adopted Public Works Standards. Adequate lighting will be provided on interior sidewalks to create safe and secure environment.

The City of Bonney Lake will own and operate street lighting on public streets. The owner of street lights on private roads or streets shall be responsible for their operation and maintenance.
Street Furniture & Plazas

In major commercial activity centers developed within Eastown, street furniture such as park benches, trash receptacles, and drinking fountains should be located in public areas. Such pedestrian plazas will be the responsibility of developers and may be required for large projects as outlined in adopted development and design standards. Outdoor furniture in landscaped areas between and in front of buildings is encouraged and should be provided by developers.

Pavement Treatments

In addition to pedestrian plazas, decorative pavement is encouraged at major internal intersections in Eastown to clearly define pedestrian crossings. Pavement types and colors in the corridor should maintain a unified look.

Figure 8 – Crosswalk/Paving Treatment Options

4.4.6 Storm Water

Commercial collectors within Eastown will be constructed as development occurs to facilitate convenient access between sites, SR 410 and the surrounding road network. As roads are constructed, developers will be required to collect, treat, and dispose of the runoff generated by the portion of road directly adjacent to the project site (from center line to right-
Regional stormwater ponds will be considered that are located on parcels located in Pierce County. This will maximize the amount of land within the city that may be commercially developed. Developers shall purchase the land and build stormwater facilities compliant with current NPDES regulations and adopted design standards.

4.5 **Access Management**

Development of the Eastown area will provide residents and visitors with new goods and services. It also brings the challenge of providing a reliable, safe, free-flowing transportation network to serve the area. Access Management has been adopted as one of the major tools to meet this challenge.

The intent of Access Management is to provide access for land development while preserving the safety, capacity, and speed of travel on major corridors such as SR 410. Studies have shown that an uncontrolled proliferation of driveways and intersections along a given section of roadway reduces the average speed of travel, increases the number and severity or accidents, and inhibits bicycle and pedestrian usage. It has also been shown that poorly designed entrances and exits cause congestion and create a negative image for a commercial district.

Access Management addresses both the function of the roadway and the impact of proposed access points. These standards establish requirements for spacing of access points and intersections, and median placement for the roads within the Eastown neighborhood. Access points are identified by category based on the volume of traffic predicted to use the proposed driveway. The resulting system provides a framework for evaluating impacts and consistently applying regulations, yet provides flexibility to address special conditions and make exceptions where the public interest is not endangered.

4.5.1 **How is Access Management Applied?**

Access Management evaluates both the intended use and function of the roadway and the probable impact of the proposed access connection. These two designations are known as Roadway Classification and Access Category.

**Roadway Classification**

The City of Bonney Lake has classified all of the existing and proposed roadways within the Eastown area, with the exception of SR 410, based on intended function and project traffic volumes. SR 410 is a state facility. 96th Street, 106th Street, Entwhistle Road, and 234th Avenue are currently Pierce County roadways.

SR 410 is a Class 2 State Facility. Roads in this classification have the capacity for medium to high volume traffic over medium to long distances. Direct access to abutting land is
subordinate to providing service to traffic movement and private direct access to the state highway system is permitted only when the property has no other reasonable access to the street system. Within the City limits, the City of Bonney Lake manages access to this facility.

Existing roads within Eastown (214th Avenue, 219th Avenue, 221st Avenue, 229th Avenue, 233rd Avenue) are classified as Class B roadways. If roadways currently under Pierce County jurisdiction later become part of the City (96th Street, 106th Street, Entwhistle Road, 234th Avenue), they will be classified as Class B. Roads in this classification provide travel over moderate distances within a community at low to moderate speeds. Traffic mobility is favored over direct access to abutting land.

New commercial collectors (north-south roads) within Eastown will be classified as Class C roads. Roads in this classification provide travel over short distances within a community at low speeds. Access is allowed with restrictions. The primary function of these roads is to link internal access roadways with the regional network.

New east-west private roads within Eastown will be classified as Class D roads. Access is regulated, but less restrictive than for Class C roadways. These roads are intended to provide access to parking areas and businesses.

**Corner Clearance**

Access to lots adjacent to intersections poses special challenges. The high volume of turning traffic, variable speeds, merging cars, and pedestrians often lead to increased congestion and a higher accident rate at these locations. To balance the need for public safety with the need for access to corner lots, the City has adopted special regulations regarding the location of access points for corner lots.

Whenever possible, it is preferable that corner clearances for driveways at intersections meet the minimum spacing requirements. Alternately, access via the internal road network should be considered. However, if minimum spacing cannot be met due to property frontage or size, and joint access cannot be obtained, or the City determines joint access is not feasible, then a single connection might be permitted. That connection would be subject to the following restrictions:

<table>
<thead>
<tr>
<th>Position</th>
<th>Access Allowed</th>
<th>Minimum (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approaching Intersection</td>
<td>Full Access</td>
<td>125</td>
</tr>
<tr>
<td>Approaching Intersection</td>
<td>Right In Only</td>
<td>100</td>
</tr>
<tr>
<td>Departing Intersection</td>
<td>Full Access</td>
<td>125</td>
</tr>
<tr>
<td>Departing Intersection</td>
<td>Right Out Only</td>
<td>100</td>
</tr>
</tbody>
</table>

**Figure 9**

Corner Clearance at Intersections for Class C and D Roadways Without Restrictive Medians
Figure 10 - Illustrations of Corner Clearances
Determination of Access Category
Determination of access shall be the responsibility of the City. If the spacing requirements outlined here cannot be met, the access shall be designed by a traffic engineer using the objectives in this chapter.

Access Category

SR 410 Corridor

SR 410 within Eastown is designated by WSDOT as a class two highway. The City has adopted access management standards outlined in Washington Administrative Code 468.52.030 to 050 in order to provide access for land development while preserving the safety, capacity and speed of travel on SR 410.

Signalized intersections are allowed every half mile. Minimum distances between public or private access points are limited to one every 660 feet. Only one access point is allowed to each property unless the frontage exceeds 1,320 feet and no adverse impact is created on SR 410 traffic flow.

Non-conforming access permits may be issued if no other access is feasible for topographical reasons.

Variance permits may be allowed in accordance with WAC 468-51-105, if topographical conditions warrant, and the applicant demonstrates to the satisfaction of the city that capacity on SR 410 is not reduced or increased safety risks will not be created. The traffic impact analysis, signed, stamped and sealed by a qualified professional transportation engineer registered in Washington State, will be included with a cover letter requesting the deviation.

Any non-conforming access or variance permits will be temporary until the Northern or Southern frontage road is built and connects to a signalized intersection. Construction and decommissioning of temporary access points and roadway structures is the responsibility of the property owner.

Public and Private Mapped Streets

The impact of a given access point on the function of the road network is determined by the amount of traffic likely to be generated by the proposed development. This is based on case studies of similar businesses compiled by the Institute of Transportation Engineers. The resulting manual referred to as the ITE Manual, lists hundreds of types of developments and recognized methods for calculating impacts. The number of estimated vehicle trips entering and leaving the applicant’s site on an average weekday, referred to as Average Week Day Vehicle Trip Ends (AWDVTE), can be accurately estimated using this system.

Three connection categories have been established:
- Major Connections for large volume generators such as large shopping malls, fast food restaurants and regional post offices.
- Minor Connections for moderate volume generators such as doctor’s offices, single occupant retail sales, or small apartment buildings.
• Minimum Connections for low volume generators such as single family homes, duplexes, and agricultural accesses where retail sales are not included.

The following table summarizes the characteristics and requirements for each category.

<table>
<thead>
<tr>
<th>Category &amp; Definition</th>
<th>AWDVTE*</th>
<th>Fee</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major – Typical for large commercial,</td>
<td>Exceeds 1,500 trips</td>
<td>• 1,500 to 2,500 AWDVTE = $2,500</td>
<td>• Licensed engineer must prepare all plans</td>
</tr>
<tr>
<td>industrial and multi-family developments</td>
<td></td>
<td>• Over 2,500 AWDVTE = $4,000</td>
<td>• Standard application packet with traffic analysis applies</td>
</tr>
<tr>
<td></td>
<td>• Estimated based on</td>
<td>• Fee per additional connection -</td>
<td>• Site plan includes survey</td>
</tr>
<tr>
<td></td>
<td>ITE Manual</td>
<td>$1,000</td>
<td>• Final inspection may be required</td>
</tr>
<tr>
<td></td>
<td>• Traffic Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor – Typical for moderate commercial</td>
<td>Traffic between 100</td>
<td>• 100 to 1,000 AWDVTE = $1,000</td>
<td>• A licensed engineer must prepare all plans</td>
</tr>
<tr>
<td>or industrial developments</td>
<td>and 1,500 trips</td>
<td>• 1,000 to 1,500 AWDVTE = $1,500</td>
<td>• Standard application packet with traffic analysis applies</td>
</tr>
<tr>
<td></td>
<td>• Estimated based on</td>
<td>• Fee per additional connection =</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>be required</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Non-conforming access or variance permits may be granted if analysis determines that a conforming connection cannot be made and that denial will leave the property without reasonable access. All of the restrictions appropriate for the Connection Category stated above shall apply, plus these additional restrictions:

• Limits on the maximum vehicle use.
• The permit shall specify the properties to be served by the connection.
• Removal of the non-conforming access will be required by the developer, at no cost to the city, if and when it becomes possible to construct a conforming access.
Non-conforming access and variance permits may be allowed in accordance with WAC 468-51-105, only if topographical conditions warrant and the applicant demonstrates (to the satisfaction of the city) that capacity on SR 410 is not reduced or increased safety risks will not be created. A traffic impact analysis, signed, stamped and sealed by a qualified professional transportation engineer registered in Washington State, will be included with a cover letter requesting the non-conforming access or variance.

A fee for a city review of non-conforming access and variance permits will be determined Connection Category as listed above and specified in BLMC.

**4.5.2 Interim Access**

For parcels not adjacent to the proposed network road, or too small to reasonably build a commercial collector access road, the existing access shall remain in place and does not require permits. As adjoining parcels are developed or redeveloped, the existing driveways will be removed when a frontage road or other internal roadway reaches the property line of that parcel. Additionally, connection to an internal roadway shall not be required until that parcel is redeveloped or developed.

Following the widening of SR 410 by WSDOT, temporary access to this facility will be right-in, right-out only except at a traffic signal and designated left-turn-in locations.

**Access to SR 410**

Access to SR 410 is allowed only if a commercial collector as indicated on the Eastown Future Road Network and/or if a secondary access is not available or cannot be constructed, as determined jointly by the Public Works Director. Such access will be temporary in nature and must be closed once an alternative access route reaches the property line of that parcel. Costs incurred to connect to the internal roadway system and decommissioning of the SR 410 access and roadway structure will be the responsibility of the developer.

**Closure of Temporary Accesses**

At the time a commercial collector is constructed and/or secondary access is available to the site, existing accesses and new temporary access points to SR 410 will be required to be closed, or if spacing is sufficient it may be converted to a right out only.

**4.5.3 Access Connection Permits**

Existing driveways within the Eastown neighborhood may remain in place and do not require permits. As parcels develop, the existing driveways will be removed or replaced in a manner consistent with the Eastown Future Road Network plan. All new access connections will be required to obtain an Access Connection Permit from the City of Bonney Lake before constructing the driveway.
5. Water

5.1 Existing System Characteristics
The Eastown area is located within three different municipal water system service areas: the City of Bonney Lake, Valley Water and Tacoma Public Utility (TPU) water. See the figure titled “Preliminary Water Design” at the end of this section.

5.1.1 City of Bonney Lake Water System
The existing City of Bonney Lake water main infrastructure within Eastown is limited to:

- North side of SR 410. Water service area extends from 214th to 225th Avenue.
- South side of SR 410. Water service area extends from 214th to 218th Avenue.

Existing water mains range in size from 8 inches to 12 inches.

5.1.2 Valley Water District
The existing infrastructure for Valley Water District’s system within the Eastown area is located primarily in the southwest portion of the Eastown area and east of 225th Avenue on the north side of SR 410. Water main sizes range from 6 inches to 12 inches in diameter.

5.1.3 Tacoma Water
Tacoma Public Utility water system contains 12 and 16-inch water mains in 96th Street East between 230th Avenue East and 233rd Avenue East, extending north on 230th Avenue and south in 233rd-234th Avenue East. These mains are Tacoma Water’s route to serve developments along 230th Avenue East and further to the north and west.

5.2 Proposed Water System Improvements for Future Demand
The ability of the City of Bonney Lake to provide adequate water to the developing Eastown area is critical. Predicting water demand and a coordinated approach to satisfy future demand is essential. Future commercial development in the Eastown area is contingent on the availability of fire flow to development sites sufficient to meet current building and fire codes. In 2010, the City of Bonney Lake extended its water main on SR 410 from 219th to 221st Avenue. Developers of the parcel around 225th Avenue East will be required to extend this water main to 96th Street and then west to 214th Avenue creating a loop system. This Development Plan identifies proposed water system improvements that will meet the level of service associated with the proposed land use for the area.

5.2.1 Bonney Lake Water System
The City’s current consultant for comprehensive water system planning and design, RH2 Engineers, has performed analysis of the City’s overall water system and has identified a network of water mains that align with the future Eastown roadway network, extending from the City’s existing system. They have also identified the need for a 15 million gallon water
storage facility which was built in 2007. This storage facility will assure sustained flows during periods of high demand in the within the city’s Water Service Area. See the figure titled “Preliminary Water Design” at the end of this section.

5.2.2 Valley Water District

Valley Water District has sufficient water for their service area, which includes a portion of Eastown. The water supply to the Valley Water District in Eastown is enhanced by a recent agreement between Valley Water District and the City of Tacoma for an intertie. However, significant upgrades to their distribution system and storage capabilities are necessary to meet the commercial fire flow requirements within the Eastown area. Many of these improvements have been completed.

Since the City annexed the Eastown area in 2001, it has the right to assume ownership and full control of the Valley Water District service area within the Eastown annexation boundary seven years from the time of annexation. The City has notified Valley Water District of this. However, since Valley Water District can meet the needs of Eastown developers, there is no intention (at this time) for the City to purchase this water system.

And, in the interim, all new development within the Valley Water District in Eastown must be constructed to meet City fire flow standards.

5.3 Water System Requirements for New Development

New development proposals submitted within the City’s current water service area will require installation of portions of the proposed water main network to service the specific development. This could include extensions of water mains from beyond the development property boundaries. Maintaining continuity by means of incremental “looping” of water mains may also be required.

New development proposals that are submitted within the Valley Water District’s current water service boundary will be required to meet the City’s current water system design standards for fire flow and abide by the City of Bonney Lake Comprehensive Water Service Plan.

Property owners within the current Bonney Lake Water System Area that pay the cost to install the portions of the proposed water system beyond their own property may pursue cost sharing options such as Latecomer Agreements so that all property owners using the new system pay their pro-rata share of the cost of the system.

5.4 Cost Sharing Options for Water Main Extensions

Owners of property within Eastown that are also in the City’s water service area and desire to develop their property will be required to extend water mains. Any request to extend the water system within the City water service area should be done so in accordance with
Chapter 13.04.150 of the Bonney Lake Municipal Code. Where possible, proposed extensions of water mains should be sized and located as shown on “Preliminary Water Design” at the end of this section.

5.4.1 Cost Sharing Options

1. By provisions of RCW 35.91.020 Contracts with owners of real estate for water or sewer facilities – Reimbursement of costs by subsequent users, where water mains are installed at the expense of the owner or owners of property, they may contract with the City in order that they may be reimbursed by noncontributing property owners who subsequently tap into and use a pro-rata share of the system. This cost sharing option is commonly known as a “Latecomer Agreement”.

2. Also by provision of RCW 35.91.020, as part of the same contract described above, the City may choose to install and pay part of the costs of the proposed water, sewer or stormwater system, and in turn be reimbursed by noncontributing property owners who subsequently tap into and use a pro-rata share of the system utilizing a Utility Latecomer Agreement (ULA).

3. By provisions of RCW 35.43, formation of a Local Improvement District, where the City finances and constructs the water system improvements and all property owners within an established benefit area make payments over time for their pro-rata share of the cost of the system plus interest.

4. By provision of RCW 35.92.025 Authority to make charges for connecting to water or sewerage system-Interest charges, the City may choose to establish reasonable connection charges that are proportionate to the cost of the system plus interest. These charges would be in addition the cost to connect to the system and other connection charges that may be already established to pay for construction of other parts of the City’s water system (System Development Charges).
6. Sewer

6.1 Existing System Characteristics

The City’s existing sewer infrastructure for the Eastown area is limited to the western portion, serving properties adjacent to SR 410 between 214th Avenue and 219th Avenue. Existing sewer mains are predominantly 8 inches in diameter. Existing flows from the Eastown area are directed toward Lift Station No. 18 which conveys flows in an eight inch diameter force main westerly along SR 410 to approximately 203rd Avenue where it enters a ten inch diameter gravity main line.

6.2 Sewer System Improvements Necessary to Meet Future Demand

As with the water system, there is not adequate sewer system infrastructure to support potential development of the Eastown area. To meet the future demand, new sewer infrastructure will be necessary. Similarly, this Development Plan identifies proposed sewer system improvements to meet the level of service associated with the proposed land use for the area.

RH2 Engineers is also the City’s current consultant for comprehensive sewer system planning and design. As with the water system, they have performed analysis of the City’s overall sewer system. They have identified the need for a new Eastown sewer lift station and a sewer main network that aligns with the Eastown Future Road Network which extends from the City’s existing system. See the figure titled Eastown Future Sewer System at the end of this section. The proposed sewer system shows that all properties west of approximately 219th Avenue are to be served by gravity mains extending from the existing sewer system. Due to topography, all properties west of 219th Avenue are shown to be served by a new Eastown sewer lift station that is shown to be located on the north side of 96th Street at approximately 225th Avenue East.

The following criteria were used for design of the sewer system improvements:

- Proposed building pads were based on existing topography. An exception was made for building No. 61, the proposed Mazatlan Restaurant, for which the planned finished floor elevation (630 feet) from proposed water and sewer drawings was used.
- The sewer will serve at least one building within each parcel.
- The building will be located near the low point of the parcel.
- The lateral invert is 6 feet below finished floor elevation.
- Laterals have a minimum slope of 2% to the property line.
- 8-inch sewers have a minimum slope of 0.6%.
- 12-inch sewers have a minimum slope of 0.33%.
- 8-inch sub-mains are placed along property lines.
- Sewer inverts shall be a minimum of 5 feet below ground surface.
- Drop across manholes was not considered.
6.3 Sewer System Requirements for New Development

New development proposals west of 219th Avenue will be conditioned to require extension of the proposed sewer system across the property allowing connection by adjacent property owners. Some properties may be required to install sewer mains in both the north-south and east-west directions in compliance with the Eastown Future Sewer System plan. New development proposals east of 219th Avenue will be conditioned to install the proposed sewer lift station and force main, as well as extend the proposed sewer system main lines to the upstream side of the subject property. Property owners that pay the cost to install the portions of the proposed sewer system, including the new sewer lift station and force main, may pursue cost sharing options (Latecomer Agreement) so that all property owners that use the new system pay their pro-rata share of the cost of the system.

6.4 Cost Sharing Options for Sewer Line Extensions

Owners of property within Eastown that desire to develop their property will be required to extend sewer mains. Any request to extend the sewer system (including installation of a sewer lift station and force main) within the City sewer service area must be done so in accordance with Chapter 13.12.390 of the Bonney Lake Municipal Code. Proposed extensions of sewer system (including sewer lift station) should be sized and located as shown on the Eastown Future Sewer System plan at the end of this section.

6.4.1 Cost Sharing Options

1. By provisions of RCW 35.91.020 Contracts with owners of real estate for water or sewer facilities – Reimbursement of costs by subsequent users and Bonney Lake Municipal Code Chapter 13.16 Developer Extensions, where a portion of the proposed sewer system is installed at the expense of the owner or owners of property, they may contract with the City in order that they may be reimbursed by noncontributing property owners who subsequently tap into and use a pro-rata share of the system. This cost sharing option is commonly known as a “Latecomers Agreement”.

2. Also by provision of RCW 35.91.020, as part of the same contract described above, the City may choose to install or pay part of the costs to install all or portions of the proposed sewer system network and in turn be reimbursed by noncontributing property owners who subsequently tap into and use a pro-rata share of the system utilizing a Latecomer Agreement.

3. By provisions of RCW 35.43, formation of a Local Improvement District.

4. By provision of RCW 35.92.025 Authority to make charges for connecting to water or sewerage system-Interest charges, the City may choose to install a portion or the entire proposed sewer system network and establish reasonable connection charges that are proportionate to the cost of the system. These charges would be in addition to the cost (System Development Charge) to connect and other connection charges that may be already established for construction other parts of the City’s sewer system.
7. Eastown Development Standards

Design and development standards provide for coordinated site development which is a crucial element in the creation of the Eastown commercial district with interconnected parking, complementary site design, and a logical infrastructure. Design and development standards for Eastown have been adopted as Chapter 18.33 of the Bonney Lake Municipal Code.
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson
Meeting/Workshop Date: 13 December 2011
Agenda Bill Number: AB11-132

Agenda Item Type: Ordinance
Ordinance/Resolution Number: D11-132
Councilmember Sponsor:

Agenda Subject: Comp Plan Amendment - CUGA

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing Pre-Annexation Planning And Zoning For The Comprehensive Urban Growth Area To The South Of The City Limits.

Administrative Recommendation:

Background Summary: This ordinance is the beginning of the planning process anticipating an attempt to annex the southern sewer service area.

Attachments: Draft Ordinance D11-132

BUDGET INFORMATION

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

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Approval: Yes No
Date: 
Chair/Councilmember NAME  
Councilmember NAME  
Councilmember NAME  
Forward to: Consent 
Agenda: Yes No
Commission/Board Review: 9/21/11
Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):  
Meeting Date(s): Tabled to Date: 
Public Hearing Date(s): 11/1/11, 12/6/11

APPROVALS

Director: Mayor: 
J PV Date Reviewed by City Attorney: 10/5/11 
(if applicable):
ORDINANCE NO. D11-132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ESTABLISHING PRE-ANNEXATION PLANNING AND ZONING FOR THE COMPREHENSIVE URBAN GROWTH AREA TO THE SOUTH OF THE CITY LIMITS.

WHEREAS, RCW 35A.14.330 and .340 gives cities authority to establish pre-annexation land-use planning and zoning for areas that the city reasonably expects to annex in the future; and

WHEREAS, on August 10, 2010 the City Council passed Resolution 2065 declaring a proposed annexation of the southern CUGA area adjacent to the City, including an area known as “Plateau 465”; and

WHEREAS, the City Council has held two public hearings at least thirty days apart, on November 1, 2011 and December 6, 2011 respectively, and has published notice of the time and place of these hearings in the newspaper of general circulation within the City and the area intended to be annexed; and

WHEREAS, the Planning Commission has evaluated the appropriate pre-annexation planning and zoning for the area as part of its work plan; and

WHEREAS, at the September 7, 2011 Planning Commission meeting the Planning Commission recommended the following:

1. That the City Council add a Comprehensive Plan Land Use Designation titled “Planned Community District” and develop zoning regulations consistent with this designation; and
2. That the City Council pre-assign the Planned Community District land use designation and zoning to the property formerly known as Plateau 465; and
3. That the City Council pre-assign the Public Facilities land use designation and zoning to the property known as the Proposed Regional Park; and
4. That the City Council pre-assign that portion of tax parcel 0519032003 currently in Pierce County with the Midtown Core Land Use Designation and Zoning.
5. That the City Council pre-assign the remainder of the proposed annexation area with the Land Use Designation and Zoning of Medium Density Residential (R-2); and

WHEREAS, SEPA has been complied with via a Determination of Non-Significance issued on September 7, 2011; and
WHEREAS, RCW 36.70A.106 requiring a 60 day review by the Washington State Department of Commerce has been complied with.

WHEREAS, this is one of six Comprehensive Plan amendments concurrently coming before the City Council; and

WHEREAS, the criteria for amending the Comprehensive Plan set forth in BLMC § 14.140.090 are: 1) the amendments are consistent with the goals and policies of the Comprehensive Plan, 2) the comprehensive plan would remain internally consistent, 3) the amendments are consistent with the Countywide Planning Policies, 4) the amendments are consistent with the Growth Management Act, and 5) the amendments advance the public health, safety, or welfare and are in the best interest of the residents of Bonney Lake; and

WHEREAS, these criteria have been met.

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

Section 1. Figure 3-5 of the Land Use Element of the City’s Comprehensive Plan is amended as follows:

FUTURE LAND USE

The Future Land Use Plan (Figure 3-4) depicts the future land uses. Designations are based largely on existing land use and zoning, former comprehensive plan designation, and physical constraints. The maps in the Natural Environment Element depict areas with physical constraints. Following are Bonney Lake’s land use designations together with their intended purposes, densities, implementing zones, and acreages.

<table>
<thead>
<tr>
<th>Designations</th>
<th>Intent and density at build-out</th>
<th>Implementing zone</th>
<th>Acres So Designated on Figure 3-4</th>
<th>% of Area of City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family Residential</td>
<td>Single-family neighborhoods. Undeveloped lands will be platted at 4-5 units per net acre (critical areas, streets, stormwater ponds, etc. netted out).</td>
<td>R-1</td>
<td>2,586</td>
<td>52%</td>
</tr>
<tr>
<td>Medium-Density</td>
<td>Neighborhoods of various housing types, with</td>
<td>R-2</td>
<td>613</td>
<td>12%</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>Code</td>
<td>Percent</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Overall single-family character, five to nine units per acre.</td>
<td>R-3</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>High-Density Residential</td>
<td>Apartments or condominiums, up to 20 units per acre.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>Commercial and service uses compatible with neighborhoods and principally oriented to serve adjacent residential areas and neighborhoods</td>
<td>C-1</td>
<td>.06%</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>Sales and services, serving a large market area, with optional residential units. Pedestrian-oriented Downtown.</td>
<td>C, Commercial</td>
<td>260</td>
<td>5%</td>
</tr>
<tr>
<td>Commercial &amp; Light Industrial</td>
<td>Highway-oriented commerce, warehousing, and light industry serving a large market area.</td>
<td>C-2/C-3, Combined retail commercial, warehousing and light manufacturing</td>
<td>286</td>
<td>6%</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Mixed commercial, multi-family residential, and office. Pedestrian-oriented.</td>
<td>Downtown Mixed</td>
<td>15</td>
<td>.3%</td>
</tr>
<tr>
<td>Retail Mixed Use</td>
<td>Commercial on the ground floor, multi-family residential and office on all other floors. Pedestrian oriented.</td>
<td>Downtown Core</td>
<td>9</td>
<td>.2%</td>
</tr>
<tr>
<td>Conservation/Open Space</td>
<td>Open space, natural resource production lands, and environmentally sensitive areas.</td>
<td>RC-5, residential/conservation and other zones</td>
<td>729</td>
<td>15%</td>
</tr>
<tr>
<td>Fennel Creek Corridor</td>
<td>Preservation of this environmentally sensitive corridor in its natural state.</td>
<td>RC-5, residential/conservation and other zones</td>
<td>278</td>
<td>6%</td>
</tr>
<tr>
<td>Public Facilities</td>
<td>Public and quasi-public facilities that provide educational, governmental, and cultural services.</td>
<td>PF Public Facilities</td>
<td>146</td>
<td>3%</td>
</tr>
<tr>
<td>Planned Community</td>
<td>Mixed commercial and residential planned community.</td>
<td>PCD Planned Community District</td>
<td>560</td>
<td>___%</td>
</tr>
</tbody>
</table>
Section 2. The City Comprehensive Plan’s Future Land Use Map (Figure 3-4) is hereby revised to show Tax parcel No. 0519151011, also known as “Plateau 465” as identified in attachment “A” designated “Planned Community District” and “Proposed UGA.”

Section 3. Upon annexation, new zoning regulations shall govern the Plateau 465 area referenced in Section 2 of this Ordinance, as follows:

Chapter 18.27
PCD - PLANNED COMMUNITY DISTRICT

Sections:
18.27.010 General intent.
18.27.020 Use Requirements
18.27.030 Development Plan Required
18.27.040 Residential Regulations
18.27.050 Commercial Regulations
18.27.060 Landscaping and Pedestrian Connection
18.27.070 Project Approval

18.27.010 General intent.
The PCD, Planned Community District, is designed to accommodate master-planned, mixed-use developments that make economical and efficient use of the land, while providing a harmonious variety of housing choices, easy access to urban amenities, and the preservation of natural and scenic qualities of open spaces.

18.27.020 Use Requirements
The use table in BLMC 18.10 designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in the Use Table and not deemed similar to a listed use by the Director are prohibited. Uses shall be planned and mixed in a manner that promotes efficient use of land, walkable neighborhoods with commercial and retail amenities serving residential uses, and a harmonious mix of housing choices.

18.27.030 Development Plan Required
As part of any development in the PCD, the applicant shall submit as part of the application packet a Development Plan that shall at a minimum include:

A. A drawing and narrative plan for the development, establishing that the development incorporates a mix of uses and is at least twenty (20) acres in total size;

B. The location, type, and density of residential development;

C. The location and type of non-residential development;
D. The location and type of open space, recreational facilities, stormwater facilities, public facilities such as schools and libraries, and transportation systems including auto, pedestrian, bicycle;

E. A phasing plan and the expected build-out period for the project and its phases;

F. The acreage and range of uses authorized for any non-residential development within the development; and

G. The minimum and maximum number of residential units for the overall development.

18.27.040 Residential regulations
The following regulations shall apply to all residential development within the PCD zone:

A. Minimum lot area shall be determined by yard setbacks, parking, landscaping and open space requirements.

B. Residential density shall be a minimum of 4 and a maximum of 20 units per net acre for residential uses, exclusive of public rights-of-way. “Net acre” is defined in BLMC 18.04.140.

C. Minimum lot width: 30 feet for detached single-family uses, and 20 feet for all other residential uses.

D. Minimum residential front setback: 10 feet from right-of-way or private road without a garage entry in front of the residence, and 20 feet with a garage entry in front of the residence.

E. Minimum side yard setback: consistent with building codes.

F. Minimum residential rear setback is 15 feet; provided, that a separated garage may be built within 10 feet of the rear property line or edge of private roadway.

G. Minimum setback between a detached single-family residential development and a multi-family or non-residential structure: 30 feet. Exception: With residential and non-residential buildings taller than 35 feet, the setback shall increase by one foot from any detached single-family residential development for every one foot of building height increase over 35 feet. For example, a proposed building of 50 feet shall have a setback of at least 45 feet from any detached single-family residential development (30 feet plus 15 extra feet for the height increase over 35 feet).

H. Maximum height: 35 feet; provided, that structures up to 50 feet may be approved by the Community Development Director with the concurrence of the fire chief of Pierce
County Fire Protection District No. 22 if adequate provision is made for fire protection and emergency response.

I. Maximum impervious surface: 80 percent.

J. For off-street parking and loading requirements, see Residential Development Standards, Chapter 18.22.100 BLMC.

K. Single-family detached residential development shall be located off arterials.

**18.27.050 Commercial Regulations**
The following regulations shall apply to all non-residential development within the PDC zone:

A. Commercial uses allowed in the C-1 (neighborhood commercial) zone under Chapter 18.24 BLMC may be located off arterials if adequate provision is made to protect residential development from parking and noise impacts. All other commercial uses allowed by BLMC shall be located on arterials.

B. Minimum Front Setback.
   1. Service station pump islands: 15 feet from street property line;
   2. Other structures may be built to the edge of the right-of-way, subject to utility easements, landscaping requirements and sight distance for streets or driveways; and provided that the public works director may require a greater setback from streets with rights-of-way narrower than 51 feet.

C. Minimum side and rear setback for structures shall be 30 feet from a residential development from the building to the property line.

D. Minimum rear setback for structures on lots adjacent to other than residential zones shall be consistent with building code requirements.

E. Maximum height of buildings: 35 feet. Structures which are 35 to 50 feet may be approved by the director of planning and community development, with concurrence of the fire marshal of Pierce County Fire Protection District No. 22 regarding provisions for fire protection and emergency rescue, and provided that the structure allows for an additional one foot of setback from residential uses for every foot of additional height.

F. Any non-residential development in a PCD zone shall make adequate provision for landscaping or public open space, excluding parking and driving surfaces.
G. For off-street parking and loading requirements, see Commercial Development Standards, Chapter 18.31 BLMC.

**18.27.060 Landscaping and Pedestrian Connection**

A Type 1 landscaping buffer as defined in BLMC 16.14 shall be installed between commercial and residential development and landscaping in parking lots shall be designed and installed pursuant to BLMC 16.14.100, provided that bicycle and pedestrian connections are allowed and encouraged to flow through required landscape buffers.

**18.27.070 Project Approval**

A. Development proposals in the PCD zone shall be reviewed in accordance with BLMC Title 14.

B. Criteria:
Approval of the project shall include findings that demonstrate:

1. The proposal is consistent with the Bonney Lake Comprehensive Plan

2. The Development Plan incorporates a mix of harmonious uses

3. The system of ownership and means of developing, preserving, and maintaining open space is suitable.

4. SEPA has been complied with.

5. Proven ability to finance the needed capital facilities.

6. There are adequate provisions for the preservation of open space. The preservation of open space should be consistent with the Comprehensive Plan policies.

7. School impacts should be addressed, if applicable.

8. Landscape buffers will be provided between the project and adjacent urban development.

9. The applicant has included Low Impact Development methods of stormwater management in the overall design of the project.
Section 4. Upon annexation, a new column shall be added to the zoning matrix in BLMC Chapter 18.08 as follows:

<table>
<thead>
<tr>
<th>Zone Use</th>
<th>PCD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Accessory Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>Adult Family Home</td>
<td>P</td>
</tr>
<tr>
<td>Apartments / Condominiums</td>
<td>P</td>
</tr>
<tr>
<td>Boarding Homes</td>
<td></td>
</tr>
<tr>
<td>Duplexes (two-family residences);</td>
<td>P</td>
</tr>
<tr>
<td>Family day cares</td>
<td>A</td>
</tr>
<tr>
<td>Group homes</td>
<td></td>
</tr>
<tr>
<td>Home occupations; provided the criteria in BLMC 18.22.010 are met.</td>
<td>A</td>
</tr>
<tr>
<td>Mobile / manufactured homes subject to BLMC 15.08</td>
<td></td>
</tr>
<tr>
<td>Mobile/manufactured home parks in existence as of annexation into the city</td>
<td></td>
</tr>
<tr>
<td>Nursing homes and Assisted Living</td>
<td>C</td>
</tr>
<tr>
<td>Private docks, mooring facilities and boathouses; provided the project complies with shoreline management regulations and the provisions of BLMC 18.22.070;</td>
<td></td>
</tr>
<tr>
<td>Residences in connection with a business establishment.</td>
<td>P</td>
</tr>
<tr>
<td>Residential Care Facilities</td>
<td>P</td>
</tr>
<tr>
<td>Single family residences, detached</td>
<td>P</td>
</tr>
<tr>
<td>Townhouses</td>
<td>P</td>
</tr>
<tr>
<td><strong>Educational Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Colleges and universities or extension classrooms</td>
<td>P</td>
</tr>
<tr>
<td>Dancing, music, art, drama and instructional / vocational schools</td>
<td>P</td>
</tr>
<tr>
<td>Elementary school</td>
<td>P</td>
</tr>
<tr>
<td>Junior high, high schools and junior colleges, public or private</td>
<td>P</td>
</tr>
<tr>
<td>Preschool</td>
<td>P</td>
</tr>
<tr>
<td><strong>Cultural, Religious, Recreational, and Entertainment Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Adult entertainment facilities subject to the provisions of Chapter 18.32 BLMC;</td>
<td>P</td>
</tr>
<tr>
<td>Amphitheater</td>
<td></td>
</tr>
<tr>
<td>Campgrounds</td>
<td>C</td>
</tr>
<tr>
<td>Essential public facilities</td>
<td>C</td>
</tr>
<tr>
<td>Galleries</td>
<td>P</td>
</tr>
<tr>
<td>Golf courses</td>
<td>C</td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
</tr>
<tr>
<td>Government buildings and facilities</td>
<td>P</td>
</tr>
<tr>
<td>Gymnasiums and fitness centers, public or commercial</td>
<td>P</td>
</tr>
<tr>
<td>Libraries</td>
<td>P</td>
</tr>
<tr>
<td>Municipal offices</td>
<td>P</td>
</tr>
<tr>
<td>Museums</td>
<td>P</td>
</tr>
<tr>
<td>Parks, opens space and trails;</td>
<td>P</td>
</tr>
<tr>
<td>Pocket Park</td>
<td>P</td>
</tr>
<tr>
<td>Private meeting halls</td>
<td>P</td>
</tr>
<tr>
<td>Public meeting halls</td>
<td>P</td>
</tr>
<tr>
<td>Recreation Facilities, outdoor</td>
<td>C</td>
</tr>
<tr>
<td>Recreational Vehicle Parks</td>
<td>C</td>
</tr>
<tr>
<td>Religious Institutions</td>
<td>P</td>
</tr>
<tr>
<td>Swimming pools, public or private</td>
<td>P</td>
</tr>
<tr>
<td>Theaters</td>
<td>P</td>
</tr>
</tbody>
</table>

### Industrial Uses

<table>
<thead>
<tr>
<th>Assembly or processing of previously prepared materials in a fully enclosed building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junk, salvage or wrecking yard; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use</td>
</tr>
<tr>
<td>On-site treatment and storage facility as an accessory use to a permitted use which generates a hazardous waste subject to compliance with the state siting criteria adopted pursuant to the requirements of Chapter 17.105 RCW and issuance of State Hazardous Waste Management Facility Permit.</td>
</tr>
<tr>
<td>Storage or distribution of sand, gravel, top soil, or bark; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the storage area</td>
</tr>
<tr>
<td>Storage or processing of any hazardous waste as defined in Chapter 70.105 RCW is not permitted as a principal use.</td>
</tr>
<tr>
<td>Trailer-mix concrete plant; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the concrete plant and storage yard</td>
</tr>
<tr>
<td>Retail and Wholesale warehousing and distribution of goods within a fully enclosed building.</td>
</tr>
</tbody>
</table>

### Resource Management Uses

| Agriculture and orchards | P |
| Forestry and tree farms | P |
| Raising of livestock, small animals and fowl; provided the requirements of BLMC 18.22.060 are met. | A |

### Transportation, Communication, Utilities

| Parking garages | P |
| Public utility facility; provided, the requirements of BLMC 18.22.050 are met; | P |

### Commercial Uses

<p>| Ambulance service | |
| Antique shops | P |
| Arcade | P |
| Automatic teller machines (ATM's) | P |
| Automatic teller machines (ATMs) with no drive-thru | P |
| Automobile fuel and recharging stations and car washes | P |
| Automobile, boat and trailer sales | |
| Automobile repair, boat and trailer repair | C |
| Bakery, retail | P |
| Bakery, wholesale | |
| Banks, savings and loan associations | P |
| Banks, savings and loan associations with no drive-thru | P |
| Barber shops and beauty shops | P |</p>
<table>
<thead>
<tr>
<th>Bars</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast houses; provided the criteria in BLMC 18.22.030 are met;</td>
<td>P</td>
</tr>
<tr>
<td>Beer and wine specialty shops</td>
<td>P</td>
</tr>
<tr>
<td>Bookstores</td>
<td>P</td>
</tr>
<tr>
<td>Brewpubs and microbreweries</td>
<td>P</td>
</tr>
<tr>
<td>Cabinet and carpenter shop</td>
<td>P</td>
</tr>
<tr>
<td>Candy shop</td>
<td>P</td>
</tr>
<tr>
<td>Cart Vendors</td>
<td>P</td>
</tr>
<tr>
<td>Coffee shops, cafes, no drive-thru</td>
<td>P</td>
</tr>
<tr>
<td>Coffee stand, drive-thru</td>
<td>P</td>
</tr>
<tr>
<td>Commercial, professional and service uses associated with a residential complex, including banks, savings and loan associations, barber and beauty shops, business and professional offices, medical and dental clinics and neighborhood grocery, coffee shops, or restaurants; provided, such uses occupy no more than 10 percent of the land area of the parcel or parcels within the residential complex and no individual commercial, professional or service use exceeds 5,000 square feet of floor area.</td>
<td>A</td>
</tr>
<tr>
<td>Commercial uses associated with a permitted use, such as a snack bar or gift shop; provided the commercial activity is open for business no more than 150 days per year or is within the same building as the permitted use.</td>
<td>A</td>
</tr>
<tr>
<td>Contractor yards; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use</td>
<td></td>
</tr>
<tr>
<td>Day care centers</td>
<td>P</td>
</tr>
<tr>
<td>Department Store</td>
<td></td>
</tr>
<tr>
<td>Dry Cleaning</td>
<td>P</td>
</tr>
<tr>
<td>Food markets, delicatessen and meat markets (beer and wine may be sold);</td>
<td>P</td>
</tr>
<tr>
<td>Furniture and small household appliance repair shops</td>
<td>P</td>
</tr>
<tr>
<td>Furniture building, repair and upholstering</td>
<td></td>
</tr>
<tr>
<td>Hardware Stores</td>
<td>P</td>
</tr>
<tr>
<td>Horticultural nursery and garden supply, indoor or outdoor</td>
<td>P</td>
</tr>
<tr>
<td>Hospitals</td>
<td></td>
</tr>
<tr>
<td>Hotels, motels</td>
<td></td>
</tr>
<tr>
<td>Kennels</td>
<td></td>
</tr>
<tr>
<td>Laundromats</td>
<td>P</td>
</tr>
<tr>
<td>Liquor stores</td>
<td></td>
</tr>
<tr>
<td>Locksmiths and security alarm shops</td>
<td>P</td>
</tr>
<tr>
<td>Machine shops</td>
<td>P</td>
</tr>
<tr>
<td>Massage therapy/spas</td>
<td>P</td>
</tr>
<tr>
<td>Medical-dental clinics;</td>
<td>P</td>
</tr>
<tr>
<td>Medical offices</td>
<td>P</td>
</tr>
<tr>
<td>Mini day care center</td>
<td>P</td>
</tr>
<tr>
<td>Mini-storage facilities</td>
<td></td>
</tr>
<tr>
<td>Nail Salons</td>
<td>P</td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Open storage yards, including storage and sale of building materials and heavy equipment; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use;</td>
<td></td>
</tr>
<tr>
<td>Outdoor storage and sale of building materials and nursery stock; provided such use is accessory to a permitted use and enclosed within a sight-obscuring fence.</td>
<td></td>
</tr>
<tr>
<td>Pet shop, grooming and supplies</td>
<td>P</td>
</tr>
<tr>
<td>Business Type</td>
<td>P</td>
</tr>
<tr>
<td>----------------------------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>Pharmacies</td>
<td>P</td>
</tr>
<tr>
<td>Photographic processing and supply</td>
<td>P</td>
</tr>
<tr>
<td>Photography studios</td>
<td>P</td>
</tr>
<tr>
<td>Plumbing shops, electricians, heating, air conditioning sales or repair</td>
<td>P</td>
</tr>
<tr>
<td>Pool hall</td>
<td>P</td>
</tr>
<tr>
<td>Printing, copying and mailing services</td>
<td>P</td>
</tr>
<tr>
<td>Professional offices</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants, including drive-in restaurants</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants, no drive thru</td>
<td>P</td>
</tr>
<tr>
<td>Retail shops</td>
<td>P</td>
</tr>
<tr>
<td>Roadside Produce Stands</td>
<td>P</td>
</tr>
<tr>
<td>Shoe Repair</td>
<td>P</td>
</tr>
<tr>
<td>Shopping center</td>
<td>P</td>
</tr>
<tr>
<td>Stables and riding schools</td>
<td>P</td>
</tr>
<tr>
<td>Tailor shops</td>
<td>P</td>
</tr>
<tr>
<td>Tanning salon</td>
<td>P</td>
</tr>
<tr>
<td>Tavern</td>
<td>P</td>
</tr>
<tr>
<td>Veterinary clinics, animal hospitals</td>
<td>P</td>
</tr>
<tr>
<td>Veterinary clinics with no outdoor kennel space or dog runs</td>
<td>P</td>
</tr>
<tr>
<td>Wireless communications facilities are permitted as principal or accessory uses provided the requirements of Chapter 18.50 BLMC are met.</td>
<td>P</td>
</tr>
</tbody>
</table>

**Section 5.** In a subsequent Ordinance providing for the annexation, the City shall adopt the Planned Community Zone regulations referenced in Sections 3 and 4 of this ordinance as part of the Bonney Lake Municipal Code, and apply them to the Plateau 465 area.

**Section 6.** The City Comprehensive Plan’s Future Land Use Map is hereby revised to show tax parcel No. 0519151012, also known as the Proposed Regional Park as identified in attachment “B” designated “Public Facilities” and “Proposed UGA.” In a subsequent Ordinance providing for the annexation, the City shall apply the Public Facilities zone, Chapter 18.34 BLMC, to the area referenced in this Section.

**Section 7.** The City Comprehensive Plan’s Future Land Use Map is hereby revised to show the remainder of the CUGA annexation area, except for tax parcel 0519032003, as identified in attachment “C” designated “Medium Density Residential” and “Proposed UGA.” In a subsequent Ordinance providing for the annexation, the City shall apply the Medium Density Residential (R-2) zone, Chapter 18.16 BLMC, to the area referenced in this Section.

**Section 8.** The City Comprehensive Plan’s Future Land Use Map is hereby revised to show that portion of tax parcel 0519032003 currently within Pierce County, as identified in attachment “D” designated “Midtown Core” and “Proposed UGA.”
Section 9. This Ordinance concerns powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law

PASSED by the City Council and approved by the Mayor this _____ day of ______________, 2011.

______________________________
Neil Johnson,
Mayor

ATTEST:

______________________________
Harwood Edvalson
City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date: