CITY COUNCIL WORKSHOP

April 3, 2012
5:30 p.m.

AGENDA

“The City Council may act on items listed on this agenda, or by consensus give direction for future action. The Council may also add and take action on other items not listed on this agenda.”

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

I. Call to Order: Mayor Neil Johnson

II. Roll Call:
Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

A. Discussion: AB12-49 – Resolution 2199 – Eastown Sewer ULA and Latecomers Agreement.


F. Council Open Discussion.

IV. Executive Session: Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.
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>
</tr>
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<tbody>
<tr>
<td>PW / Director Dan Grigsby</td>
<td>3 April 2012</td>
<td>AB12-49</td>
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<table>
<thead>
<tr>
<th>Agenda Item Type:</th>
<th>Ordinance/Resolution Number:</th>
<th>Councilmember Sponsor:</th>
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<tbody>
<tr>
<td>Resolution</td>
<td>2199</td>
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**Agenda Subject:** DISCUSS EASTOWN UTILITY LATECOMER AGREEMENT (ULA) DETAILS

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To Creation Of A Sewer Utility Latecomer Agreement.

**Administrative Recommendation:**

**Background Summary:** The City Council approved a non-binding MOU with the Eastown Sewer Development Association LLC to build a sewer lift station with Resolution 2165. This discussion will provide information on the ULA Costs, allocation of those costs to individual parcels, and reimbursement to the LLC when Latecomer Fee payments are received. One Ordinance will also be discussed that would modify the Latecomer Agreement City Administrative Charges set by BLMC 13.16.050(F). Subsequent to this meeting, a Public Meeting will be set up to share this information with Eastown property owners and other interested parties. Ultimately, the City Council would need to pass a Resolution authorizing the Mayor to enter into a Latecomer Agreement with the LLC for construction funding.

**Attachments:** Latecomer Fee Cost Summary, Preliminary Assessment Roll, LLC Reimbursement Roll, Eastown ULA Map, Eastown Future Roads Map, DRAFT ULA Latecomer Agreement

**BUDGET INFORMATION**

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

**COMMITTEE, BOARD & COMMISSION REVIEW**

<table>
<thead>
<tr>
<th>Council Committee Review:</th>
<th>Other Approvals:</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Date:</td>
<td>Chair/Councilmember</td>
<td>Randy McKibbin</td>
<td>□</td>
</tr>
<tr>
<td></td>
<td>Councilmember</td>
<td>Katrina Minton-Davis</td>
<td>□</td>
</tr>
<tr>
<td></td>
<td>Councilmember</td>
<td>Jim Rackley</td>
<td>□</td>
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Forward to: Consent Agenda: □ Yes □ No

**Hearing Examiner Review:**

**COUNCIL ACTION**

<table>
<thead>
<tr>
<th>Workshop Date(s):</th>
<th>3 April 2012</th>
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<tr>
<td>Public Hearing Date(s):</td>
<td>TBD</td>
</tr>
<tr>
<td>Meeting Date(s):</td>
<td>18 October 2011, TBD</td>
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**APPROVALS**

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<thead>
<tr>
<th>Director:</th>
<th>Mayor:</th>
<th>Date Reviewed by City Attorney:</th>
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<tr>
<td>DAN GRIGSBY</td>
<td></td>
<td>(if applicable):</td>
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## EASTOWN SEWER SYSTEM LATECOMER FEE - PRELIMINARY COST SUMMARY

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<tr>
<th>Phase</th>
<th>Project Number</th>
<th>Resolution Number</th>
<th>PO Number</th>
<th>Award Amount</th>
<th>Actual Amount</th>
<th>TOTAL</th>
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<td>Planning In 2005</td>
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<td>Eastown Sub-Area Plan</td>
<td>35310019</td>
<td>1360</td>
<td>24681</td>
<td>$80,700</td>
<td>$68,793</td>
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<tr>
<td>Element</td>
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<tr>
<td>Eastown Sewer Details</td>
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<td>1504</td>
<td>24967</td>
<td>$25,000</td>
<td>$21,214</td>
<td>$90,007</td>
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<tr>
<td>RH2</td>
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### Sewer Line Easements

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<td>$1,499</td>
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<td>Recording Fees =</td>
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<td>216th Ave - Caldwell</td>
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<tr>
<td>Cash =</td>
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<tr>
<td>Mitigation =</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pave street and driveway; Bushes planted on Eastern property line</td>
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<tr>
<td>216th Ave - West</td>
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<td></td>
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<td>$6,003</td>
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<td>Cash =</td>
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<tr>
<td>Mitigation =</td>
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<td></td>
<td></td>
<td></td>
<td>Pave street and driveway; Bushes planted on Eastern property line</td>
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<tr>
<td>Kontos Easement</td>
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<tr>
<td>Mitigation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reroute existing utility lines through Lift Station 9 in Mountain Creek Sub-division</td>
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<tr>
<td>Survey =</td>
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<td>2119</td>
<td></td>
<td>$5,574</td>
<td>$4,539</td>
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<td>Utility Trench and Pipe =</td>
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<td>2118</td>
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<td>$32,750</td>
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<td>PSE Charge =</td>
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<td>$3,228</td>
<td>$3,228</td>
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<td>Century Link Charge =</td>
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<td></td>
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<td>$491</td>
<td>$491</td>
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<td>Total Kontos Easement Cost =</td>
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### Purchase Land from WSDOT for Sewer Lift Station

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<th>PO Number</th>
<th>Award Amount</th>
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<tr>
<td>Purchase Land from WSDOT for Sewer Lift Station</td>
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<tr>
<td>Paid to WSDOT for 9,000 s.f.</td>
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<td>$10,950</td>
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<td>Professional Services for Pond B Purchase</td>
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<td>$5,205</td>
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<td>Paid to WSDOT staff for Review</td>
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<td>Design</td>
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<td>Sewer Lift Station - RH2</td>
<td>35310050</td>
<td>2058</td>
<td>31683 / 031457</td>
<td>$370,350</td>
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<td>$542,264</td>
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<td>225th Ave. Boring - Parametrix (Preliminary Plan)</td>
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<td>$4,482</td>
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<td>Legal description - Parametrix (May 2010)</td>
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<td>$966</td>
<td>$966</td>
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<td>Review of electrical sewer lift station standards (Parametrix)</td>
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<td>$4,274</td>
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<td>226th Ave. Boring - Parametrix (Final Design)</td>
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<td>Sewer Lift Station</td>
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<tr>
<td>Upstream sewer lines from SR410 to the lift station</td>
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<td>$3,677,100</td>
<td>TBD</td>
<td>$4,244,085</td>
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<td>Downstream sewer lines from LS to 214th Ave</td>
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<td>Boring under SR410 at Safeway</td>
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<td>Lift Station 18 Pump Replacement</td>
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<td><strong>Other Costs to be Paid for By City:</strong></td>
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<td>Electrical Utility Service Charge</td>
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<td>Deep Sewer Construction Surcharge</td>
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<td>Boring under SR410 at 226th Avenue</td>
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<td></td>
<td>$195,000</td>
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<td>$4,589,085</td>
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<td><strong>Total Engineer's Estimate for Construction</strong></td>
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<td><strong>$4,022,100</strong></td>
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<td><strong>5% of Engineer’s Estimate (ULA Agreement Amount)</strong></td>
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<td><strong>$201,105</strong></td>
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<td>City 10% Fee (BLMC 13.16.050(F)) to Administer the Latecomer Fee Collection and ULA Agreement</td>
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<td><strong>$402,210</strong></td>
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<td>Bond Reserve</td>
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<td></td>
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<td><strong>$5,051,295</strong></td>
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**Note:**
1. Did not include any City staff time.
2. Bond Reserve. $350,000 set aside in City Account for twenty years.
## EASTOWN - UTILITY LATECOMER AGREEMENT (ULA) -
Sewer Preliminary Assessment Roll

Number of Properties | Map ID | TAX PARCEL | Parcel Size Acres | Future Public Street | Public Street Length Feet | Share of Street Width Feet | Public Street Credit Sq. Ft. | Public Street Credit Acres | Net ULA Benefit Area Acres | Preliminary Assessment $ | Parcel Owner
---|---|---|---|---|---|---|---|---|---|---|---

### EASTOWN NORTHERN SEWER SERVICE AREA
North side of SR410

Total ROW Width = 67 ft.

| 1 | 10 | 0519022020 | 3.12 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 0.00 | $33,530 | CENTENNIAL STORAGE I LLC
| 2 | 11 | 0519026003 | 1.77 | 225th Ave | 1032 | 57.0 | 56,624 | 1.35 | 1.77 | $59,345 | HOLMOIST ALBERT R & LONNA M
| 3 | 12 | 0519026002 | 1.83 | Various | 470 | Various | 51,975 | 1.19 | 1.83 | $61,239 | TAHERI MOHAMMAD & GABRIELLE
| 4 | 13 | 0519022023 | 3.49 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 3.25 | $108,381 | THOLI MARK JO
| 5 | 14 | 0519022032 | 20.83 | 225th Ave | 1032 | 57.0 | 56,624 | 1.35 | 18.29 | $103,616 | Compass Pointe Development
| 6 | 15 | 0519021032 | 5.54 | 226th Ave | 506 | 28.5 | 14,421 | 0.33 | 5.21 | $174,656 | BOWEN DAVID W
| 7 | 16 | 0519021058 | 5.52 | 226th Ave | 506 | 28.5 | 14,421 | 0.33 | 5.08 | $170,384 | WATT ROGER
| 8 | 17 | 0519021060 | 5.52 | 226th Ave | 506 | 28.5 | 14,421 | 0.33 | 5.08 | $170,384 | WATT ROGER
| 9 | 18 | 0519021061 | 4.87 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 9.07 | $303,962 | MAGRUDER VERLIN & DELORES
| 10 | 19 | 0519021043 | 9.56 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 9.07 | $303,962 | MAGRUDER VERLIN & DELORES
| 11 | 20 | 0519021044 | 4.96 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 9.07 | $303,962 | MAGRUDER VERLIN & DELORES
| 12 | 21 | 0519016004 | 2.00 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 9.07 | $303,962 | MAGRUDER VERLIN & DELORES
| 13 | 125A | 0519012016 (3.55 Ac Total) | 1.278 | 237 | 57.0 | 13,509 | 0.31 | 4.04 | $135,475 | CLINKINGBEARD MARK W & KATHLEEN R
| 14 | 22 | 0519012035 | 5.05 | 225th Ave | 1032 | 57.0 | 56,624 | 1.35 | 5.05 | $169,327 | CASEY & JOEL LLC (Clark Family)
| 15 | 23 | 0519012036 | 5.04 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 5.04 | $169,991 | CLARK FAMILY HOLDINGS LLC
| 16 | 24 | 0519012037 | 5.35 | 229th Ave | 378 | 57.0 | 21,546 | 0.49 | 5.35 | $179,386 | CLARK FAMILY HOLDINGS LLC
| 17 | 25 | 0519012033 | 18.12 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 18.12 | $607,564 | FRESEH HAZIZ E TTEE
| 18 | 26 | 0519012024 | 0.39 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 0.39 | $13,583 | KIM HAN RUK & CHONG SUK
| 19 | 70 | 0519012040 | 1.90 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 1.90 | $63,707 | STOBIE - AUBURN COMMERCIAL DEVELOPMENT INC
| 20 | 71 | 0519012030 | 0.45 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 0.45 | $15,589 | GIFFORD GRANT R & CHRISTINE A
| 21 | 72A | 0519012031–0519012042 | 5.65 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 5.65 | $189,445 | STOBIE - AUBURN COMMERCIAL DEVELOPMENT INC
| 22 | 72B | 0519012043 | 1.04 | 221st Ave | 611 | 28.5 | 17,414 | 0.40 | 1.04 | $34,871 | STOBIE - AUBURN COMMERCIAL DEVELOPMENT INC

NORTHERN TOTAL = 111.87

67.6%

NOTE: Actual cost depends on actual scope of work and actual construction costs...To Be Determined!!

**Compass Pointe Development**

**SMITH DICKIE**

**EASTOWN LLC**

(Less 225th Ave Turn Lanes - North Side of SR410)

Agenda Packet p. 7 of 96
### EASTOWN - UTILITY LATECOMER AGREEMENT (ULA) - Sewer Preliminary Assessment Roll

<table>
<thead>
<tr>
<th>Number of Properties</th>
<th>Map ID</th>
<th>TAX PARCEL</th>
<th>Parcel Size Acres</th>
<th>Future Public Street</th>
<th>Public Street Length Feet</th>
<th>Share of Street Width Feet</th>
<th>Public Street Credit Sq. Ft.</th>
<th>Public Street Credit Acres</th>
<th>Net ULA Benefit Area Acres</th>
<th>Preliminary Assessment $</th>
<th>Parcel Owner</th>
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<tr>
<td>1</td>
<td>46</td>
<td>0519026029</td>
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<td>221st Ave</td>
<td>426</td>
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<td>12,141</td>
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<td></td>
<td>$37,218</td>
<td>JENSEN DANIEL</td>
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<td>2</td>
<td>47</td>
<td>0519026030</td>
<td>1.40</td>
<td>221st Ave</td>
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<td>28.5</td>
<td>12,141</td>
<td>0.28</td>
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<td>$37,597</td>
<td>JENSEN DANIEL</td>
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<td>48</td>
<td>0519026031</td>
<td>1.04</td>
<td>221st Ave</td>
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<td></td>
<td>$34,968</td>
<td>FREEMAN WILLIAM E</td>
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<td>SIEBEN MACHINE INC</td>
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<th>1 Acre = 43,560</th>
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**SOUTHERN TOTAL =** 53.56 4.36 47.12 $1,580,019

**32.4%**

**NORTHERN AND SOUTHERN AREA TOTAL =** 165.43 150.65 $5,051,295 **TOTAL PRELIMINARY ASSESSMENT AMOUNT =** 100%

**150.65**

**33,530 Preliminary Assessment Rate = $/Acre**
## EASTOWN - UTILITY LATECOMER AGREEMENT (ULA)

Reimbursement Schedule to Eastown Sewer System Association LLC

<table>
<thead>
<tr>
<th>Number of Properties</th>
<th>Map ID</th>
<th>TAX PARCEL</th>
<th>Parcel Size Acres</th>
<th>Future Public Street</th>
<th>Public Street Length Feet</th>
<th>Share of Street Width Feet</th>
<th>Public Street Credit Sq. Ft.</th>
<th>Public Street Credit Acres</th>
<th>Net ULA Benefit Area Acres</th>
<th>Preliminary Assessment $</th>
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<td>1 Acre = 43,560</td>
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**NOTE:** Actual cost depends on actual scope of work and actual construction costs...To Be Determined!!
## EASTOWN - UTILITY LATECOMER AGREEMENT (ULA)

Reimbursement Schedule to Eastown Sewer System Association LLC

### EASTOWN SOUTHERN SEWER SERVICE AREA

South Side of SR410

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<th>Number of Properties</th>
<th>Parcel Owner</th>
<th>Map ID</th>
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<th>Share of Street Width Feet</th>
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<th>Public Street Credit Acres</th>
<th>Net ULA Benefit Area Acres</th>
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<th>Preliminary Assessment Rate $/Acre (See Calculation Below)</th>
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**SOUTHERN TOTAL = 53.56**

4.36

47.12

$62,905

32.4%

TBD

**NORTHERN AND SOUTHERN AREA TOTAL = 165.43**

150.65

$201,105

ULA - 5% Reimbursement Amount to LLC

$1,335

Preliminary Assessment Rate = $/Acre

**Agenda Packet p. 10 of 96**
EASTOWN PROPERTIES CURRENTLY WITHOUT BONNEY LAKE SEWER SERVICE
Overlaid on Eastown Future Sewer Projects and Roads Base Map

EXISTING SEWER SERVICE
- Existing Bonney Lake Sewer Customer
  - Manhole
  - Lift Station
- Sewer Force Main
- Sewer Gravity Main
- Eastown Tax Parcels with:
  - Parcel Number
  - Owner
  - Assessed Value

Bonney Lake Sewer Service Currently Provided to Existing Lift Station 18
- No Bonney Lake Sewer Service Currently Available; Future Lift Station 26 Service
- No Bonney Lake Sewer Service Currently Available; Future Rebuilt/Expanded Lift Station 18 Service
- No Development Planned; Existing Septic System will be used in the Future

FUTURE SEWER PROJECTS
- Future Sewer Project Number
  - Lift Station
- SR410 Highway Crossing
- Project Start/Stop
- Flow Direction
- Gravity Main
- Force Main

FUTURE ROADS BASE MAP
- SR410 Median Islands
- Future Public Roads
- Future Private Roads
- Tax Parcels
- Building
- Paved Road
- Bonney Lake City Limits
- Fennel Creek & Tributaries

June 2, 2011
Agenda Packet p. 11 of 96
DOCUMENT TITLE:
Sewer Development Financing Contract

REFERENCE NUMBERS OF DOCUMENTS RELEASED:
N/A

GRANTOR/GRANTEE:
Eastown Sewer Development LLC / City of Bonney Lake

ABBREVIATED LEGAL DESCRIPTION:
.

TAX PARCEL/RECORDING NUMBERS:

EASTOWN SEWER DEVELOPMENT
FINANCING CONTRACT AND
UTILITY LATECOMER AGREEMENT

WHEREAS, the City of Bonney Lake ("City") and the Eastown Sewer Development Association L.L.C. ("Association") and its individual members, in recognition of the individual and public benefit to be served by installing a sanitary sewer system in the area of Bonney Lake known as Eastown, executed a Memorandum of Understanding (MOU) in Resolution 2165 on October 18, 2011, expressing their intentions to execute a Sewer Development Financing Contract ("Agreement"); and

WHEREAS, installing sewer service in Eastown will augment the city's utility rate base, implement the comprehensive plan of the city by extending utility infrastructure and stimulating commercial development in Eastown, and benefit the sewer utility's efficiency and economy of scale; and

WHEREAS, the City has completed plans and specifications for the development of a sewer lift station and associated sewer system infrastructure in Eastown; and

WHEREAS, Chapter 35.21 RCW gives cities the authority to contract with private property owners for construction of utility infrastructure, to assess benefitted properties for pro
rata share of construction costs, and to collect reimbursements from property owners who connect
to the system within twenty (20) years; and

WHEREAS, the RCW and Bonney Lake Municipal Code ("BLMC") Chapter 13.16
authorize the City to partner with interested parties in financing development of utilities, and to
receive latecomer reimbursements for City expenditures on same; and

WHEREAS, the Code provides that no financing arrangement may be approved in which
the city participation amounts to more than 95 percent of the total construction costs as
determined by the Engineers Estimate.

NOW THEREFORE, the undersigned agree upon all of the following terms:

1. Construction Project. The City shall be responsible for the construction of sanitary sewer
infrastructure in Eastown, including a lift station and associated infrastructure (hereinafter
referred to the Eastown Sewer Development Project, or "Project"). The Project shall
consist of a new sewer lift station, a north/south gravity main to the lift station starting on
the South Side of SR 410, and a pressure/gravity line along 96th Street E connecting to the
existing sewer system. A diagram of the Project is attached as Exhibit A to this Agreement.
The City shall have sole discretion and authority to manage the Project and direct the
work, including the granting of change orders or alteration of designs where appropriate.

2. Public works laws. The City shall manage the Project as a public works project, abiding by
all applicable requirements of Title 39 RCW, including competitive bidding, bonding,
retainage, and the payment of prevailing wages.

3. Association's contribution. The City's obligation to construct the Project shall be
contingent upon the Association's upfront payment to the City of five percent (5%) of the
total estimated Project construction costs within thirty (30) days of the Association's
execution of this Agreement. The Association's payment shall be made in cash to the
City's Finance Director. Failure to make the payment within thirty (30) days shall render
this Agreement void and of no further effect, and shall nullify the City's obligation to
construct the Project. The Association's contribution, payable within thirty (30) days of
execution of this Agreement, shall be two hundred and one thousand and one hundred and
five dollars ($201,105.00), the amount calculated as 5% of the engineer's estimate of four
million twenty-two thousand one-hundred dollars ($4,022,100.00), pursuant to BLMC
§ 13.60.030E.

The Association shall not be entitled to a credit or refund if total Project construction costs
are less than the engineer's estimate.

4. Assessments recorded. Upon Final Completion of the Project, the City shall record
latecomer assessments against all benefiting properties in the assessment reimbursement

area ("Latecomer Fees"), including the properties belonging to Association members. The assessment reimbursement area, showing the benefiting properties, is depicted on Exhibit B map to this Agreement. Exhibit C to this agreement summarizes the initial amount of the Latecomer Fee; however, each year these fees shall be adjusted by the Construction Cost Index (CCI) and accrued revenue bond interest. The latecomer assessments shall require the property owners to contribute their pro-rata share of the construction costs of the Project, payable at the time the property owner is issued a building permit on his or her property or at other such time as allowed by the Code. The City shall not allow any owner of a parcel within the assessment reimbursement area to connect to the city sewer system or otherwise utilize the system improvements as described herein without such owner or owners having first paid to the City the latecomer assessment due for that parcel or parcels.

5. **Connection costs.** Each property owner in the Eastown area, including the members of the Association, shall be required to pay the City all fees applicable for connecting their properties to the sewer system, including the costs of designing and constructing the connection, the Latecomer Fee, system development charges, and any other fees established by the BLMC in effect at the time of connection.

6. **Assessment calculation.** The pro-rata shares included in the latecomer assessments shall be calculated according to the square footage of the property seeking connection to the system, as follows:

\[
\text{Latecomer Fee} = \text{Parcel Net Square footage} \times \frac{\text{Total Project Cost}}{\text{Total net square footage in the assessment reimbursement area}}
\]

- Parcel Net Square Footage = parcel square footage less Public Road Right-of-Way square footage on that parcel
- Total Project Cost includes design, pre-construction, and construction costs (currently estimated at $??).
- Total Project Cost per square foot = Total Project Cost / Total net square footage in the assessment reimbursement area

7. **Form of assessment.** Latecomer assessments recorded against the properties shall substantially take the form of Exhibit D to this Agreement, provided, however, that the City has sole discretion to alter the form of the assessment as necessary to achieve its intended purpose.

8. **Interest.** Each latecomer assessment shall accrue interest at a per annum rate equivalent to the rate on the Revenue Bond secured to finance this Project, provided that any property owner may avoid paying accrued interest by paying in full the assessed Latecomer Fee within six (6) months of its recording against the Property or before January first of the following year, whichever comes first.
9. **Allocation of latecomer reimbursements.** The City shall be entitled all reimbursement received from Latecomer Fees less the amount owed to the Association. At time of receipt of each Latecomer Fee, the City shall remit to the Association 5% of the Engineers Estimate of construction costs assessed to each parcel on a pro-rata basis per Exhibit E. The City shall issue the 5% amount due within sixty (60) days after receipt of each Latecomer Fee payment. Payment shall be made to the Association at the address of the Association as set forth hereinafter, or at such other address as the Association shall notify the City. If such payments are returned to the City unclaimed, and if through reasonable efforts the City is unable to locate the Association, or if the Association dissolves or otherwise becomes defunct within the 20 year reimbursement period, the City shall retain all sums then received in a separate fund for two years, and shall release the funds when contacted by any individual or entity with standing to claim the funds. After expiration of the two year period, the Association’s right to the collected latecomer fee shall expire and the City shall be deemed owner of the funds. The Association shall keep the City continually updated with information regarding the current contact information. If the Association fails in this duty and the City is not able through reasonable efforts to determine the rightful recipient of latecomer assessments, the City may collect any reimbursement and deposit those funds into an appropriate capital fund of the City. The City will record a certificate of payment and release of assessment for the entire reimbursement area when all the property owners have paid their assessments or upon expiration of the twenty-year reimbursement period.

10. **Assignment.** The Association may at any time assign its right to receive latecomer reimbursements to the individual or entity of its choosing, provided that it immediately notifies the City in writing of such assignment, and complies with the notification requirements of Section 9 above. Under no circumstances will the City be responsible for deciding or settling any disputes with regard to the proper recipient of latecomer reimbursements, or have any liability for transfer of funds to a recipient. In the event of a dispute, the City may transfer the funds into an escrow account designated by the parties to the dispute. The City may also, at its option, commence an interpleader action joining any party claiming rights under this Agreement, or other parties which the City believes to be necessary or proper parties, and the City shall be discharged from further liability upon paying the person or persons whom any court having jurisdiction of such interpleader action shall determine, and in such action the City shall be entitled to withhold its reasonable attorney’s fees and costs from such payment.

11. **Joint defense.** The City and the Association jointly agree to defend, or pay the cost of such defense, and indemnify the City against any lawsuits attacking the validity of this Agreement. Costs shall be apportioned based on the pro rata contribution of each party to the Extension, as defined in the Utility Extension Agreement. Notwithstanding the foregoing, at any time after it becomes apparent that litigation may ensue, either party may inform the other in writing that it intends terminate this Agreement, at which time its obligation to defend or pay the cost of defense shall cease. The Association’s termination
of this Agreement shall not relieve any of its property owner members of the obligation to pay any latecomer assessments due.

12. Administrative fee. The City shall charge, in addition to its usual and ordinary charges made against persons applying for service from said facility and in addition to the amount agreed to be collected by the City in this paragraph, a sum equal to ten percent (10%) of the Engineers Estimate to be collected from the owner or owners of said properties connecting to or using said facility, which sum shall be used by the City to defray the cost of labor, bookkeeping, and accounting, pursuant to the terms of this Agreement. This fee shall be pro-rated to all property owners based on their net benefitting area (Exhibit F of this agreement) including accumulated CCI charges addressed above.

13. Costs. The Parties shall bear their own costs and expenses including, without limitation, attorneys' fees and costs related to this Agreement, the latecomer assessments, and the agreements contemplated herein.

14. Preliminary assessment notices. Prior to this Agreement being recorded, the City shall send a map of the Assessment Reimbursement Area (Exhibit B), a preliminary calculation of the assessments due (Exhibit C), and a description of the property owners' rights and options, by certified mail to the property owners of record within the assessment reimbursement area pursuant to BLM C 13.16.050(J)(2). Appeals of the assessment shall be made in accordance with this Code section.

15. City's right to terminate. The City shall have the right, in its sole and absolute discretion, to terminate this Agreement based upon testimony received during City Council appeal hearings held in accordance with Section 14 above.

16. Term of Agreement. This Agreement shall be effective for a period of twenty (20) years following the issuance of the Certificate of Final Completion to the construction contractor, or until every benefited property owner in the assessment reimbursement area has paid the latecomer assessment, whichever is sooner.

17. Timing. The parties agree to use their best efforts to move forward with the Project in anticipation of construction beginning in the latter half of 2012.

18. Governing law and venue. Disputes arising under this Agreement shall be brought in Pierce County Superior Court and adjudicated under the laws of the State of Washington.

19. Modification or Amendment. No amendment, change or modification of this Agreement shall be valid unless in writing and signed by all of the parties hereto.

20. Agreement runs with the land. The terms of this Agreement shall run with the land and bind subsequent owners of the properties affected.
21. **Entire Agreement.** This Agreement constitutes the entire understanding and agreement of the parties with respect to its subject matter and any and all prior agreements, understandings or representations with respect to its subject matter are hereby canceled in their entirety and are of no further force or effect.

22. **Attorneys’ Fees.** Should either party bring suit to enforce this Agreement, the prevailing party in such lawsuit shall be entitled to an award of its reasonable attorneys’ fees and costs incurred in connection with such lawsuit.

23. **Headings.** The captions and paragraph headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the interpretation or construction of any term or provision hereof.

24. **Exhibits.** All exhibits attached hereto are incorporated by reference.

25. **Counterparts.** This Agreement may be executed in counterparts, and each set of duly delivered identical counterparts which includes all signatories shall be deemed to be one original document.

26. **Agreement date.** For purposes of calculation of all time periods described in this Agreement, all phrases such as “the date of this Agreement” or “the date of execution of this Agreement” or any other like phrase referring to the date of the Agreement, shall mean and refer to the date the Bonney Lake City Council approves this Agreement.

27. **Recording.** This Agreement shall be recorded with the Pierce County Auditor within thirty (30) days of execution by the City. The City shall pay the costs of recording.

IN WITNESS WHEREOF, this Agreement has been approved by the City Council of the City of Bonney Lake as of the _______ day of _______________________, 2012.

CITY OF BONNEY LAKE

__________________________
By: Neil Johnson, Jr., Mayor
WHEREAS, the Eastown Sewer Development Association LLC and its members as individuals agree to be bound by the terms of this agreement:

EASTOWN SEWER DEVELOPMENT ASSOCIATION LLC

By: __________________________
Its: _______________________

STATE OF WASHINGTON )
COUNTY OF PIERCE ) ss.

On this ____ day of _____________, 2012, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared NAME, to me known to be the person who signed as [title] of Eastown Sewer Development Association LLC, the Washington corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute said instrument on behalf of said corporation.

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

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC for the State of Washington, residing at: ________________
My appointment expires: ________________
Exhibit A

Map delimitating the construction scope of work.
Exhibit B

Map of assessment reimbursement area
Exhibit C
Initial amount of Latecomer Fee pro-rated to each benefitting parcel.
NOTICE OF ADDITIONAL SEWER CONNECTION CHARGES

WHEREAS, the owner of the property located at [address], Bonney Lake, Washington, having the Tax Parcel Number _______________, is subject to the terms of a Sewer Development Financing Contract and Utility Latecomer Agreement (“Agreement”) executed between the City of Bonney Lake and the Eastown Sewer Development Association; and

WHEREAS, pursuant to Chapter 35.91 RCW; Chapter 13.16 of the Bonney Lake Municipal Code, and the Agreement, a “latecomer” assessment shall be due, equivalent to the pro rata share of Project costs to which the property owner did not contribute, in the following amount:

[insert $$]

Said sum shall be payable at the time of building permitting, connection to the public sewer system, or at other such time as the City may determine. Said sum shall be due in addition to other fees and charges due pursuant to the Bonney Lake Municipal Code.

Signed this ___ day of __________, 20??.

__________________________________
Don Morrison, Bonney Lake City Administrator
Exhibit E

Engineers Estimate of construction costs assessed to each parcel on a pro-rata basis.
Exhibit F
Administrative Fee assessed to each parcel on a pro-rata basis.
When recorded please return to:
Don Morrison
City of Bonney Lake
PO Box 7380
Bonney Lake, WA 98391

DOCUMENT TITLE:
Notice of Additional Sewer Tap Charges

REFERENCE NUMBERS OF DOCUMENTS RELEASED:
N/A

GRANTOR/GRAANTEE:
Property owner/ City of Bonney Lake

ABBREVIATED LEGAL DESCRIPTION:

TAX PARCEL/RECORDING NUMBERS:
Calculation of preliminary assessments

Agenda Packet p. 26 of 96
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Approve the revisions to the Development Policies & Public Works Design Standards.

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Approve The Revisions To The Development Policies & Public Works Design Standards.

**Administrative Recommendation:**

**Background Summary:** The Public Works Department has identified several revisions to the Development Policies & Public Works Design Standards since the last update in 2009. Attached is a summary of those revisions as well as the sections the revisions were made. The Development Policies & Public Works Design Standards in its entirety can be found at http://www.ci.bonney-lake.wa.us/section_business/development_resources/engineering/standards.shtml.

**Attachments:** Ordinance; PW Design Standard Changes

**BUDGET INFORMATION**

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**Budget Explanation:**

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:** Community Development

- **Date:** 20 March 2012

**: Approvals:**

- **Chair/Councilmember:** Randy McKibbin
- **Councilmember:** James Rackley
- **Councilmember:** Katrina Minton-Davis

**Forward to:**

**Consent Agenda:**

Yes ☐ No ☐

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

**Workshop Date(s):**

**Meeting Date(s):**

**Public Hearing Date(s):**

**Tabled to Date:**

**APPROVALS**

**Director:**

**Mayor:**

Neil Johnson Jr.

**Date Reviewed by City Attorney:**

(if applicable):
ORDINANCE NO. 12-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, AMENDING CHAPTER 12.04 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 589, 589B, 798, 949, AND 1261, RELATING TO PUBLIC WORKS DESIGN STANDARDS.

WHEREAS, the City of Bonney Lake have revised Development Policies and Public Works Design Standards; and

WHEREAS, the City wishes to incorporate those revised policies and standards into the Bonney Lake Municipal Code;

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

Section 1. BLMC section 12.04.010 and Ordinance Nos. 589, 589B, 798, 949, and 1261 are hereby amended as follows:


There are adopted the following documents as standards for new construction of public works projects within the city:

A. 2012 Standard Specifications for Road, Bridge and Municipal Construction, published by the Washington State Department of Transportation and the American Public Works Association, Washington State Chapter, and any subsequent revisions; and


Section 2. The City clerk shall sign and file with the adopting ordinance a copy of the documents referenced herein and shall also file and maintain in the city clerk’s office one copy of each of the adopted laws in the form in which they were adopted for use and examination by the public.

Section 3. This ordinance shall take effect and be in force thirty (30) days after its passage, subject to approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of March, 2012.

___________________
Neil Johnson, Mayor
ATTEST:

______________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

______________________
James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:
Public Works Design Standards & Standard Detail Revisions (March 13, 2012)

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202 CONTENT OF CONSTRUCTION DRAWINGS

All drawings for the construction or extension of City water, sewer, street, and storm drainage systems shall bear a title showing the name of the project; the name of the owner; and the name, address, seal, date, and signature of the Washington State registered professional design engineer. The cover sheet and all drawing sheets shall include the same general title block, including consecutive sheet numbers. The title block shall generally be located in the lower right hand corner of the drawing. City standard notes, applicable standard plans, vicinity map, and legend of symbols shall also be included in the construction drawing set.

All construction drawings submitted to the City shall be clear, legible, containing north arrow, and drawn to minimal engineering scale of one inch to fifty feet (1":50’) which permits all necessary information to be clearly shown. The size of the drawings shall be 22 inches by 34 inches (22" x 34"). Profile drawings shall have a horizontal scale of not less than one inch to fifty feet (1":50’) or a vertical scale not less than one inch to five feet (1":5’). Plan views shall be of a corresponding horizontal scale.

Where modifications to existing roads and utilities are to be constructed, existing features shall be “screened” or “ghost lined.” New construction/improvements shall be indicated with heavy bold lines with proper symbolism.

In general, all information required to locate and construct the planned improvements shall be shown on the construction drawings. At a minimum, all engineering drawings submitted to the City for review and approval shall address the following:

**Horizontal Drawing**

- The owner/developer’s and designing engineer’s name, address, and telephone number included in the title block.
- **Horizontal and Vertical control datum shall be per Section 205 “As-Built Plans” criteria.**
- An approval block shall be drafted onto each sheet, see the Standard Details.
- A vicinity map with a scale of approximately one inch to one thousand feet (1":1,000’) with the project site approximately centered.
- A brief legal description of the site, including site address, lot number, quarter section, township, and range as needed to accurately locate the project site.
- **Bearings on roadway or utility centerline shall be referenced to the datum criteria established in Section 205 “As-Built Plans.”**
- The location, description, and elevation of the closest benchmark used in the project survey.
- A north arrow located on the upper right-hand corner of the drawings. North arrow orientation shall be consistent throughout the plan set.
- Roadway or proposed utility alignments, reading from left to right, showing stationing of points of curvature, tangency, intersection angle points, and with ties to section or quarter corners, also including all necessary curvature data.
- Right-of-way and easement lines for existing and proposed improvements, including identification of all roadways, easements (including auditors file numbers), adjacent lot and tax lot numbers, and subdivision identifications.

- Topographic features within and adjacent to the proposed improvements and within sufficient area to assess impacts of slopes, drainage, access, future extensions, availability of service connections, etc.

- Existing and proposed (if known) public and private utilities, including telephone, electrical power, cable television, natural gas, water and/or sewer districts and any other known utilities that may affect the proposed construction.

- Existing and proposed drainage facilities, including culverts, catch basins, ditches, etc., indicating direction of flow, size, type of pipe, invert and rim elevations.

- Identification of adjacent roads, subdivisions, building addresses, or any other information

- Curb return elevations shown at quarter points at all intersections, minimally (larger radii shall have more points), to verify drainage and a smooth transition.

- Each sheet within a set of original construction drawings, as well as as-built drawings, must have at least two control grid points, referenced to the horizontal and vertical datum criteria established in Section 205 “As-Built Plans,” with coordinate values. The points can be placed randomly, but must be at opposite ends of the drawing and tied to existing monumentation.

- A composite utility sheet showing all proposed improvements and identifying potential horizontal and vertical conflicts.

- The locations of on-site or adjacent critical or sensitive areas.

- A drawing sheet labeled ESU, Equivalent Service Unit, shall be included in the set of original construction drawings and at a minimum shall include a parcel site plan with detailed impervious surface area calculations and the Stormwater ESU Table & Calculation Block as shown on Standard Detail M8.

Profile Drawing

- Profile drawing with all sanitary sewer, storm drain, street design, and, where necessary, water main plans, and with any other drawings where vertical control is deemed important.

- In general, the existing centerline profile plotted denoting grade breaks, topographic features, and any other important design information.

- The finished roadway grade and/or utility profile shown with the same stationing as on the horizontal drawing.

- Roadway profiles, including centerline elevations at a minimum of 50-foot intervals; horizontal curves, including radii, point of tangency (PT), point of curvature (PC), and super elevation; centerline grades and vertical curves, including the stations and elevations of the points of vertical curve, points of vertical intersection, points of vertical tangent [PVCs, PVIs, PVIs], the top of crest
curve, the bottom of sag curve, the flow line top and bottom of curves, etc., having a minimum grade of 0.50 percent within 50 feet of the level point for a sag vertical curve.

- Sanitary sewer and storm drain profiles, including pipe slopes, diameters, lengths, invert elevations, manhole and/or catch basin locations, and rim elevations, pipe material with classifications, and any other relevant design information.

**Detail Drawings**

- Where special construction procedures or structures are required, special detail drawings are required; otherwise include all applicable standard plans within the construction drawings.

- Special detail drawings containing adequate dimensions, sections, views, notes, and call outs to construct the structure or permit preparation of detailed shop drawings by the fabricator when necessary.

- Detail drawings for facilities shall be prepared by or under the direct supervision of a licensed professional engineer with experience completing design of these types of facilities.

The application materials shall be submitted to the City and will be reviewed by the City for compliance with these standards. The City will not review plans until the City has approved a Developer’s Extension Agreement for the proposed improvements. No permit shall be issued until the proposed work has been approved by the appropriate City official. Adjudication of disagreements regarding approvals shall be made by the Public Works Director and the decision shall be final.

No plan shall be approved nor a permit issued where it appears that the proposed work, or any part thereof, conflicts with the provisions of this ordinance or any other ordinance of the City of Bonney Lake, nor shall issuance of a permit be construed as a waiver of any ordinance requirements concerning the plan. It is the responsibility of the Developer to provide accurate information and to comply with these standards, and all applicable City ordinances. **Any plan approval or permit issued in error shall be null and void and may be revoked by the City at any time.**

The fee for right-of-way and construction permits shall be as established by the Bonney Lake Municipal Code (BLMC).

**203 CONTENT OF AS-BUILT DRAWINGS**

Permittees who install utility or roadway systems within, on, or below the City’s public rights-of-way or public easements shall furnish the City with accurate drawings, plans and profiles, showing the location and curvature of all underground structures installed, including existing facilities where encountered and abandoned installations. Horizontal locations of utilities are to be referenced to street centerlines, as marked by survey monuments, and shall be accurate to a tolerance of plus or minus one-half (1/2) foot. The depth of such structure may be referenced to the elevation of the finished street above said utility, with depths to the nearest one-tenth foot being shown in a minimum of 50-foot intervals along the location of said utility. The datum shall be per the horizontal and vertical datum criteria established in Section 205 “As-Built Plans.”
An electronic copy of the approved drawings in AutoCAD (verify version of AutoCAD with the City prior to submittal) format shall be required, unless otherwise approved by the City. In addition, the City requires all as-built drawings to be submitted to Pierce County for incorporation into the County GIS Database. The Developer is responsible for submitting approved as-built information to the County in a digital format as specified by the County.

204 PERMITS REQUIRED

Contractor/Developer shall obtain all necessary permits prior to construction unless specifically noted.

1. City of Bonney Lake permit and bond for road restoration for all work in existing City right-of-way (City of Bonney Lake Municipal Code Chapter 12.08).

2. WSDOT permit and bond for all work on State Route 410.

3. Pierce County permit and bond for road restoration for all work within the County right-of-way (City to obtain permit, Developer to obtain bond).


5. Any other permits required for compliance with City, State, and/or Federal regulations.

205 AS-BUILT PLANS

Upon completion of the improvements and prior to the issuance of final acceptance, the Developer shall submit full size Mylars and an AutoCAD file containing the field surveyed position of the improvements. All of the requirements of section 202 apply to the As-built plans. Horizontal control must be tied to the closest controlling monument, with supportive information identifying how the values were arrived at and what published information was used. The information contained in the AutoCAD file must be projected to Washington State Plane South, NAD83 HARN, US Survey Feet. For vertical control, all facilities shall be tied to a known North American Vertical Datum (NAVD 88) monument. The bench mark elevation, location, and designation must be shown on the plans. Assumed Horizontal and Vertical datums will not be allowed. Elevation equations shall not be used.

206 ROAD APPROACH PERMIT

No person or organization shall construct, repair, alter or use any approach to any City road without first obtaining or having a road approach permit from the City and otherwise conforming to the standards set forth herein. Road approach permit requirements include:

1. Permit fee as determined by the City at the time of application.

A minimum of a $5,000 dollar performance bond shall be posted with the City.

A $1 million dollar liability insurance policy shall be provided by the proponent naming the City as an additional insured.
22. **Damage to Existing Improvements:** All damage done to existing improvements during the progress of the work on the structures covered by these Specifications shall be repaired or restored by the Developer to the satisfaction of the City, using for such repair materials and methods conforming to the requirements of the “Conditions and Standards” of the City, any additional instruction issued therefore by the City, with the intent that such damaged improvements be restored to equal or superior condition existing prior to damage. If the Developer fails to furnish the necessary labor and materials for such repairs, when ordered, the City may cause said labor and materials for such repairs to be furnished by other parties, and the cost thereof shall be paid by the Developer.

Culverts, driveways, roadways, pipelines, or other existing improvements which are disturbed or removed in the course of the work shall be restored to their original or superior condition. In cutting through established lawns, the sod shall be removed before trenching, and replaced after backfilling with new sod of a commercial grade and quality as presently exists.

23. **Roadway Cutting:** Newly constructed roads and those which have new pavement overlays shall not be cut for any reason for a period of two years from the date the overlay was completed. All utilities must be pushed or bored in these streets. In the event that one of these roadways is cut, a full width overlay shall be installed over the affected area having been cut in to match the existing pavement and shall have a minimum length of 20 feet extending in both directions from the affected area.

24. **Location Potholing:** Potholes cut in any City street for locating existing utilities shall be restored per Standard Detail S29 “Pothole Restoration” unless otherwise approved by the Public Works Director or their representatives.

25. **Public Safety:** During the performance of the work, the Developer shall comply with State and Federal laws, and shall indemnify and hold harmless the City, the City’s Engineer, inspectors, officers, agents and employees from all damages and costs to which they may be put by reason of injury to persons or property resulting from the Developer’s operations, his negligence or carelessness in the performance of the work or in guarding the same or from any improper materials, implements or appliances used in its construction, or by or on account of any act or omission of the Developer or his agents. The duty of the City to conduct construction review and/or inspection of the Developer’s performance does not include review of the adequacy of the Developer’s safety measures in or near the construction site, and the Developer’s insurance shall be provided accordingly.

26. **Surveys:** The Developer shall provide all staking necessary to inspect and accurately install all lines and appurtenances as shown on the City-approved plans in order to install facilities and to check locations, and to obtain “As-Built Information.” All survey-generated work shall be referenced to the horizontal and vertical datum criteria established in Section 205 “As-Built Plans, and copies of all work shall be made available to the City upon request. The work shall be done in strict conformity with such points and instructions. The Developer shall carefully preserve bench marks, reference points, and stakes, and in case of destruction, shall be responsible for any errors which may be caused by their absence or disturbance and shall replace any monuments or property corners disturbed to the satisfaction of the City and the State.

27. **Access:** Bridging (steel plating) shall be provided across private driveways and roadways during the period when trenches are open, so as to interfere as little as possible with the normal flow of traffic. Steel plates shall only be used in accordance with the following requirements:
a. General: The Developer shall deliver to the City recorded utility easements and rights of access for all properties over which his extension to the water system is to be constructed and such other easements as the City may require. Title reports for properties encumbered by easements shall be furnished by the Developer and submitted to the City Engineer. The Developer shall hold the City harmless from all expenses of removing any encumbrances or restrictions on the City’s right to use and have right-of-way to the property through which the utility is constructed.

Unless otherwise approved by the City, all easements shall be a minimum of fifteen (15) feet wide or two times (2x) the depth of the utility installed within the easement (whichever is greater) and shall grant the City the right of access over the Grantor’s property to repair and maintain the utility. All easements shall prohibit the construction of any structures, or other substantial objects over the easement. The easements shall be exclusive in nature, to the extent that other utilities may be permitted to cross them but not run parallel to them within the easement, without the further express written permission of the City.

Easements may be submitted on forms provided by the City. Easements will not be accepted by the City until the Developer has submitted a fully executed copy of the proposed easement to the City Attorney for his review and approval. Additional easement submittal shall include an AutoCAD file per Section 205 datum criteria.

b. Plats: In the case of extensions which are part of a development done concurrently with the platting of the property involved, the easement granted the City shall be boldly shown on the face of the plat. The plat shall contain the following restriction and grant of right-of-way, boldly displayed:

**BUILDING RESTRICTIONS AND RIGHTS-OF-WAY**

No permanent structure shall be erected, and no large trees or large shrubs, fences, gates, or ornamental landscaping items shall be installed in the area of ground for which easements in favor of City of Bonney Lake of its successors have been designated in this plat. City of Bonney Lake and its successors shall have the right to enter upon property within this plat to install, lay, construct, renew, operate, and maintain utility lines.

c. Survey: After construction of the extension, the Developer shall provide the City with a survey map showing the legal description of the property involved, the location of easements granted by the Developer to the City and the location of all City utilities thereto which are part of the extension. The survey map shall be prepared and signed by a surveyor or civil engineer registered in the State of Washington.

d. Procedure: Before final approval of any project, and before any service is given, the City’s regulations with respect to easements must be fulfilled. One should begin as soon as possible to comply with these regulations by taking the following steps:

(1) Complete and execute the easement document, including a legal description, and submit it to the City. Approved forms are available through the City offices at the address listed below. If applicable, both husband and wife must sign the easement and have their signatures notarized. If the easement is signed by a single person, this needs to be stated on the form. The corporate form is for corporations to use. When using this form, a copy of the corporate resolution must be included, which authorizes the signature.
f. The City of Bonney Lake shall be notified 3 working days prior to the time the Developer would like to connect to existing mains or for installation of tapping tees. The connection shall be done in accordance with the City requirements. Developer shall not operate any valves within the existing system; these will be operated by the City of Bonney Lake personnel only.

g. For aid in utility location, call 811 or 1-800-424-5555, 48 hours (2 working days) prior to beginning of construction. Existing utilities, whether shown or not, shall be located prior to construction, so as to avoid damage or disturbance, and the Developer shall assume all responsibility and costs connected therewith to protect, maintain and repair, where necessary.

h. Pipe shall be ductile iron, AWWA Class 53 for 4-inch pipe and Class 50 for 6-inch pipe or larger. Joints shall be rubber gasketed, push-on type, or mechanical joint, meeting AWWA specifications. Fittings shall be AWWA, cement lined, ductile iron, either mechanical joint or flanged, as indicated herein.

i. Unless otherwise specified valves 12 inches and smaller shall be resilient seated gate valves: Acceptable valves are Mueller, Clow, M&H or Waterous. Valves larger than 12 inches shall be butterfly valves. Acceptable valves are M&H 450 or 4500 or Pratt equivalent.


k. The water main construction phase will not be considered complete until the installation is acceptable to the City of Bonney Lake including a satisfactory hydrostatic pressure test, a satisfactory disinfection test, satisfactory flow of service lines, and completion of all items on the inspector’s punch list.

l. When directed by the City (or as shown on these approved construction plans), the Contractor shall salvage all abandoned fire hydrants, valve boxes, valve marker posts, hydrant guard posts, and other related appurtenances and/or pipe, and deliver the material to the City. Unless otherwise approved by the City, salvageable materials that for any reason are damaged or lost by the contractor shall be replaced with new materials and subsequently delivered to the City.
17. Locking lids shall be provided for all manholes located outside pavement areas, and all manhole lids shall have the word “sewer” cast integrally onto its surface.

18. Pipe connections to existing manholes shall be as follows:

   a. PVC Pipe: Cast or grout a watertight manhole coupling into manhole wall.

   b. D.I. Pipe: Bell and spigot joint or flexible coupling; either shall be 12 inches maximum distance from manhole wall.

   c. PVC and D.I. Pipe (Optional): Core the manhole and connect sewer pipe with a watertight flexible rubber boot in manhole wall; Kor-N-Seal boot or equal. Special approval by the Operations and Maintenance Supervisor required.

19. Provide the City Engineer a copy of the cut sheets prior to construction.

20. Pipe trenches shall not be backfilled until pipe and bedding installation has been inspected and approved by the City’s Inspector.

21. Final air testing shall not be accepted until after the asphalt treated base or first lift of finished paving is accomplished, all other underground utilities have been installed, and the lines have been satisfactorily flushed, cleaned, deflection tested and television inspected.

22. Manhole rim and invert elevations shall be field verified after construction by the Developer’s engineer(s) and the “as constructed” drawings individually stamped by a Washington State licensed professional engineer, which shall attest to the fact that the information is correct. As-builts shall be per Section 205 “As-Built Plans” and must be submitted in a format as outlined in Section 300, “Public Works Considerations.”

23. Prior to final inspection, all pipelines shall be tested, flushed, and cleaned and all debris removed and disposed of at a location approved by the City. A pipeline “cleaning ball” of the proper diameter for each size of pipe, shall be flushed through all pipelines, or the pipe shall be cleaned with a jet truck prior to final inspection. Hydrant meters shall be acquired from the City and utilized by the Contractor for all water withdrawn from the City’s system for flushing and cleaning purposes.

24. Before sewer lines are accepted, the Contractor/Developer shall perform a complete video inspection of the sewer pipe and appurtenances and shall provide to the City a recording on a digital video disc(s) (DVD). The recording shall be the final product and must be edited by the Contractor/Developer such that the recording progresses in a consistent manner from start to finish throughout the improvements. All equipment and materials shall be compatible with existing City equipment. It shall be the Contractor/Developer’s responsibility to confirm equipment compatibility with the City prior to inspection.

25. Prior to acceptance, the Developer/Contractor shall verify that the line and grade of the main meets the standards herein. Immediately prior to starting the video inspection, the Developer/Contractor shall flush the mains and insert a visible dye (color as approved by the City) into the mains to aid in identifying the depths of any ponds encountered during the inspection. Ponded depths that exceed 1/2 inch will require the main to be repaired unless otherwise approved by the City. Television inspections and taping may be conducted prior to paving but not prior to completion of all backfills.
Section 506 below). The following tests shall be completed to the satisfaction of the City Engineer prior to acceptance of the sanitary sewer improvements:

1. **Gravity Sewer Main Tests:**

   a. **Low-Pressure Air Test:** A low-pressure air test shall be conducted in conformance with the Standard Specifications. All testing must be completed in the presence of the City Engineer or his/her representative(s). Testing shall not be conducted until after a successful television inspection has been conducted and the first lift of final pavement (or asphalt treated base) has been completed.

   b. **Deflection Test:** A deflection test for thermoplastic pipe shall be conducted in conformance with the Standard Specifications. All testing must be completed in the presence of the City Engineer or his/her representative(s). If preapproved by the City, deflection testing can be completed in conjunction with the television inspection.

2. **Manhole Tests:**

   a. **Manhole Test:** All manholes shall be tested for leakage and all tests shall be witnessed by the Inspector. The approved test shall be either the Water Leakage Test or Vacuum Test and shall be conducted with all sewer mains leading into or out of the manhole tightly plugged. The approved test shall be carried out in the following manner:

   (1) **Water Leakage Test:** The manhole shall be filled with water to a level at least two inches (2") above the uppermost step. The water shall be allowed to stand for two (2) hours to allow for normal water absorption into the manhole material. At the end of the two (2) hour stabilization period, if the water level in the manhole has dropped below the top step, additional water will be added to bring the level above the step as before. A one (1) hour test period shall then commence. Any visible external leakage or drop in water level noted within the one (1) hour test period shall constitute failure and the contractor shall repair or replace the defective work and retest.

   (2) **Vacuum Testing:** At the option of the contractor, a Vacuum Test of the installed manholes may be used instead of the Water Leakage Test. The test head shall be placed at the top of the manhole and the seal inflated in accordance with the manufacturer’s recommendation. A vacuum of 10-inches of mercury shall be drawn on the manhole, the valve on the vacuum line of the test head shall be closed, and the vacuum pump shut-off. The time shall be measured for the vacuum to drop to 9-inches of mercury. The manhole will be declared unacceptable if the time to drop from 10- inches of mercury to 9-inches of mercury is less than the time shown in the following table:
## Maximum Vertical Depth of Manhole (feet) vs. Time in Seconds

<table>
<thead>
<tr>
<th>Depth of Manhole (feet)</th>
<th>48&quot; Diameter</th>
<th>60&quot; Diameter</th>
<th>72&quot; Diameter</th>
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<tr>
<td>30</td>
<td>75</td>
<td>98</td>
<td>121</td>
</tr>
</tbody>
</table>

The City will not accept results of a low-pressure air test or a manhole test prior to the completion of the first lift of final pavement (or asphalt treated base). Therefore, the City encourages the Developer/Contractor to perform preliminary tests as needed to provide assurance of a successful test upon completion of the first lift of final pavement. The City need not be present for the completion of preliminary testing and will not accept the results of any preliminary testing in lieu of a satisfactory final test.

### 506 VIDEO TAPING

Upon completion, all sewer mains and side sewer laterals shall be internally televised by a qualified firm providing said services. The recording shall be the final product and must be edited by the Contractor/Developer such that the recording progresses in a consistent manner from start to finish throughout the improvements. All equipment and materials shall be compatible with existing City equipment. It shall be the Contractor’s/Developer’s responsibility to confirm equipment compatibility with the City prior to inspection. A DVD, together with a written log of the television inspection, shall be submitted to the City for their review and approval, and if accepted, shall be retained in the City’s files. This work can be performed prior to paving. The City’s inspector shall be notified of the date of the television inspection to ensure his availability and on-site witnessing of the event during this time.

The City requires the use of a test ball or test slug (1 inch in diameter, graduated with 1/4-inch markings) to identify the depth of any ponding encountered during the television inspection. A maximum of 1/2 inch of ponding is acceptable. Immediately prior to the video inspection, a minimum of 10 gallons of dyed water shall be run through the pipe that will subsequently be videotaped.

After a period of no less than 18 months, but prior to 2 years, the Developer is required to perform an additional internally televised inspection of all sewer mains and side sewer laterals. The recording shall be delivered to the City’s satisfaction as provided above. The City will not release the maintenance bond issued for the sanitary sewer improvements until a second television inspection has been successfully performed and any defects found during the inspection are corrected by the Developer and accepted by the City.
516 STANDARD SEWER NOTES

The following notes shall be included in the plans:

1. Prior to any construction activity, the Developer shall arrange and attend a preconstruction conference with the City of Bonney Lake.

2. An approved copy of these Plans must be on the jobsite whenever construction is in progress.

3. All work and materials shall be in accordance with the most current City of Bonney Lake Development Policies and Public Works Design Standards, and the amendments thereto.

4. Work shall not commence until approval is received from the State Department of Ecology.

5. Front property corners shall be set by a land surveyor licensed in the State of Washington prior to the start of construction.

6. Notify the City of Bonney Lake 72 hours (3 working days) prior to beginning construction and for any restart of work.

7. For aid in utility location, call 811 or 1-800-424-555, 48 hours (2 working days) prior to beginning of construction. Existing utilities, whether shown or not, shall be located prior to construction, so as to avoid damage or disturbance, and the Developer shall assume all responsibility and costs connected therewith to protect, maintain and repair, where necessary.

8. Pipe length, manhole depths, etc., (as shown) are approximate. Developer is responsible for supplying proper quantities of materials.

9. Provide the City’s inspector with a copy of all cut sheets prior to construction.

10. Connection to an existing main shall be done so as to prevent any foreign materials from entering existing sewers.

11. A minimum horizontal distance of 10 feet shall be maintained between all sewer and water mains.

12. In the event that an existing utility is damaged during construction, the Developer/Contractor shall notify the City and the Utility Company (if applicable) immediately.

13. All sewer lines shall be cleaned and tested in accordance with City of Bonney Lake Standards and Specifications.

14. Prior to acceptance, the Developer/Contractor shall verify that the line and grade of the main meets the City of Bonney Lake Standards. Immediately prior to starting the video inspection, the Developer/Contractor shall flush the mains and insert a visible dye (color as approved by the City) into the mains to aid in identifying the depths of any ponds encountered during the inspection. Ponded depths that exceed 1/2 inch will require the main to be repaired unless otherwise approved by the City.

15. Manhole covers located in asphalt areas shall not be adjusted until the final lift of pavement is in place.
NOTES:

1. ALL MATERIALS EXCEPT ASPHALT CONCRETE SHALL BE COMPACTED IN 6-INCH MAXIMUM LIFTS TO 95% MAXIMUM DRY DENSITY.

2. ALL JOINTS SHALL BE SAW-CUT, JOINTS SHALL BE TACK COATED WITH EMULSIFIED ASPHALT GRADE CSS-1. TACK SHALL BE APPLIED TO EDGES OF EXISTING PAVEMENT. ALL JOINTS SHALL BE SEALED WITH PAVING ASPHALT AR4000W.

3. THE CITY INSPECTOR SHALL DETERMINE THE ACTUAL LIMITS FOR PATCHING AND OVERLAYS REQUIRED FOR PAVEMENT RESTORATION. JOINTS SHALL BE LOCATED AT THE EDGE OF TRAVEL LANES OR IN THE CENTER OF TRAVEL LANES AS DIRECTED BY THE CITY.

4. MINIMUM PAVEMENT REMOVAL WILL BE TO CENTERLINE.
NOTES:

1. ALL ASPHALT PATCHES SHALL BE TO THE WIDTHS AS SPECIFIED BY THE CITY'S INSPECTOR.

2. IN CASES WHERE MULTIPLE CUTS (PERPENDICULAR TO THE DIRECTION OF TRAVEL) ARE MADE IN THE SAME ROAD WITHIN 200 FEET OR IN CASES WHERE A CUT IS MADE WITHIN 100 FEET OF AN EXISTING TRENCH RESTORATION, THE PAVEMENT (WIDTH AS SPECIFIED BY THE CITY) BETWEEN THE CUTS SHALL BE GROUND (2" MIN. DEPTH) AND OVERLayed AS DIRECTED BY THE CITY.

3. IN CASES WHERE CUTS ARE MADE IN THE DIRECTION OF TRAVEL, THE PAVEMENT SHALL BE GROUND (2" MIN. DEPTH) AND OVERLAID TO THE WIDTHS AS SPECIFIED BY THE CITY FOR THE ENTIRE LENGTH OF THE TRENCH.
SECTION A-A

WIDTH VARIES FOR RESIDENTIAL OR COMMERCIAL

VARIES ACCORDING TO ROAD APPROACH CLASSIFICATION (PER DETAIL S11 PAGE 3)

NOTES:
1. UNLESS OTHERWISE APPROVED, A MINIMUM OF 4 FEET OF FULL HEIGHT CURB IS REQUIRED BETWEEN TAPER SECTIONS OF DRIVeways.

<table>
<thead>
<tr>
<th>Rev No.</th>
<th>Revisions</th>
<th>Date</th>
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City of BONNEY Lake

S9
CEMENT CONCRETE
DRIVEWAY

STREET STANDARD DETAIL
RESIDENTIAL ROAD APPROACH

<table>
<thead>
<tr>
<th>DESIGN ELEMENT</th>
<th>MAJOR ROAD APPROACH</th>
<th>MINOR ROAD APPROACH</th>
<th>RES. ROAD APPROACH*</th>
</tr>
</thead>
<tbody>
<tr>
<td>MIN. APPROACH RADIUS</td>
<td>AS APPROVED</td>
<td>25'</td>
<td>10'</td>
</tr>
<tr>
<td>MIN. APPROACH WIDTH</td>
<td>24' (15 FEET FOR ONE WAY)</td>
<td>24'</td>
<td>15'</td>
</tr>
<tr>
<td>MAX. APPROACH WIDTH</td>
<td>30'</td>
<td>30'</td>
<td>25'</td>
</tr>
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</table>

*THE MAX. APPROACH WIDTH MAY BE EXTENDED TO 30' FOR A RES. ROAD APPROACH WITH A 3-CAR OR MORE WIDE GARAGE.

NOTES:

1. CULVERT PIPE SHALL BE CONCRETE OR SMOOTH WALL HDPE WITH LOCKING JOINTS AND H20 TRAFFIC RATING. PIPE WITH LESS THAN 12" OF COVER SHALL BE DUCTILE IRON PIPE CLASS 50 OR CONCRETE CLASS V.

2. STORMWATER RUNOFF FROM THE PUBLIC RIGHT OF WAY SHALL NOT BE PERMITTED TO DRAIN ONTO PRIVATE PROPERTY. CATCH BASINS OR OTHER DRAINAGE DEVICES MUST BE USED TO INTERCEPT AND DIVERT THIS WATER.

3. EXISTING DITCH SECTIONS AND/OR CULVERTS SHALL BE MAINTAINED. SUB-STANDARD DITCH SECTIONS OR CULVERTS SHALL BE REPLACED AS DIRECTED BY THE CITY.

4. FOLLOW ADDITIONAL INSTRUCTIONS AS DIRECTED BY THE OPERATIONS AND MAINTENANCE SUPERVISOR AS STATED ON THE APPROVED PERMIT.

5. IF SIDE SEWER CLEANOUT RISER IS IN THE TRAVELLED AREA OF THE ROAD APPROACH, IT MUST HAVE A TRAFFIC ENCLOSURE.

6. THE CITY INSPECTOR SHALL INSPECT FORMS AND/OR SUB-GRADE PRIOR TO PAVING.

7. CULVERT SHALL BE SET AS DETERMINED BY THE CITY.

8. CRUSHED ROCK SHALL BE USED TO FILL AND SUPPORT THE EDGES OF THE DRIVEWAY AND ALL EXCESS CONCRETE SHALL BE REMOVED FROM THE RIGHT-OF-WAY.

9. CULVERT SHALL BE 12" MINIMUM DIAMETER.

10. CULVERT ENDS SHALL BE CUT TO A 3:1 INCLINED TAPER.
STREET NAME SIGN
MIN = 12'
MAX = 15'
STD. = 30'
VARIATION FROM THESE LOCATIONS MUST BE BY
WRITTEN APPROVAL FROM THE CITY ENGINEER.

NOTES:

a. A STOP SIGN AND DEAD END (W14-1) OR NO
OUTLET MAY BE MOUNTED ON SAME POST.
b. STREET NAME SIGNS AND NO OUTLET SIGN
(W14-2) MUST BE MOUNTED ON A SEPARATE
POST(S).
c. W14-1 AND W14-2 SHALL BE 30" x 30" IN SIZE.

STOP SIGN PLACEMENT - PLAN VIEW
(NEW ROAD ONTO CITY ARTERIAL
EDGE OF TRAVEL WAY)

(a) CASE 1
(NO CURB & GUTTER)

(b) CASE 2
(WITH CURB AND GUTTER)

SIGNS LATERAL PLACEMENT

NOTES:

1. ALL MATERIAL & WORKMANSHIP SHALL CONFORM TO THE LATEST WSDOT STANDARD PLANS AND SPECIFICATIONS, EXCEPT AS MODIFIED BY THESE DETAILS.

2. ALL CLEARING WITHIN CITY RIGHT-OF-WAY TO MAKE THE SIGN VISIBLE IS THE RESPONSIBILITY OF THE APPLICANT.

3. A RIGHT-OF-WAY PERMIT FROM THE CITY IS REQUIRED BEFORE WORK COMMENCES.

4. THE STOP SIGN SHALL BE VISIBLE FROM A DISTANCE OF AT LEAST 200 FT BACK ON THE APPROACHING ROADWAY WHEN POSTED SPEED IS 25 MPH, 250 FT WHEN POSTED SPEED IS 30 MPH AND 325 FT WHEN POSTED SPEED IS 35 MPH. SPEED LIMIT SIGNS SHALL BE 24" X 30" IN SIZE.

5. SIGN MATERIAL SHALL BE ALUMINUM 5052-H38 OR 6061-T6 ALLOY TREATED WITH ALODINE 1200 CONVERSION COATING. THICKNESS SHALL BE 0.080".

6. REFLECTIVE SHEETING SHALL BE TYPE IX MICROPRISOMATIC RETROREFLECTIVE ELEMENT MATERIAL.

7. LETTERING, LAYOUT, SHAPE AND COLORING SHALL MEET SPECIFIED REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION AS ADOPTED BY WSDOT).

8. IF A YIELD SIGN IS REQUIRED, THE SIGN SHALL MEET ALL ABOVE REQUIREMENTS AND BE 36" X 36" X 36" IN SIZE. SEE PAGE 1 FOR POLE MATERIAL AND INSTALLATION.
Notes:
1. Asphalt shall be cut with a core drill
2. Potholing shall be performed with a dry / forced air vac machine
3. Pothole backfill shall be control density fill
4. Pothole shall be finished with 3" asphalt concrete CL B compacted depth
5. Pothole edge shall be cleaned and tacked with sealer CSS1 and sealed with hot mix asphalt cement AR4000W
NOTES:

1. TRENCH SHALL BE BACKFILLED AND COMPACTED IN ACCORDANCE WITH WSDOT 7-09.3(10) & (11) OR AS APPROVED IN WRITING BY THE CITY ENGINEER.

2. BEDDING (IF REQUIRED BY THE CITY), SHALL CONFORM TO WSDOT 7-09.3(9).

3. BACKFILL MATERIAL SHALL BE GRAVEL BORROW OR SELECT BORROW IN ACCORDANCE WITH WSDOT 9-03.14 OR 1 1/2" CRUSHED ROCK OR AS APPROVED IN WRITING BY THE CITY ENGINEER.
NOTES:
1. SET BOTTOM OF METER BOX AT TOP OF INLET AND OUTLET OF METER.
2. METERS SHALL BE OBTAINED FROM THE CITY OF BONNEY LAKE.
3. INDIVIDUAL PRESSURE REDUCING VALVE (WASHINGTON STATE DEPARTMENT OF HEALTH APPROVED) IS REQUIRED.
4. ALL BRASS SHALL BE DOMESTIC.
W10-C 1" & SMALLER COMMERCIAL WATER SERVICE

LEGEND

1. INDIVIDUAL PRESSURE REDUCING VALVE – SEE DETAIL W23.

2. NOT USED.

3. FORD F1101 (1" MALE IRON PIPE X PACK JOINT CORP STOP).

4. COPPER SETTER SHALL BE VBH72-12W WITH FORD CB6-33 OR VBH74-12W WITH FORD CB6-44 FOR 1" METER.

5. ROMAC SADDLE SINGLE STRAP FOR PIPE DIAMETERS LESS THAN 10" AND DOUBLE STRAP FOR PIPE DIAMETERS 10" AND GREATER.

6. NOT USED.

7. 1" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE PIPE (LENGTH AS REQUIRED).

8. 3/4" BRASS NIPPLE OR 1" BRASS NIPPLE FOR 1" METER AS APPLICABLE (6" LENGTH).

9. NOT USED.

10. 10 GAUGE SOLID CORE WIRE FROM MAINLINE TAP TO METER BOX AND EXPOSE 6" MINIMUM IN BOX (RUN INSIDE 2" PVC GUARD CONDUIT WHERE APPLICABLE).

11. METER BOX – SEE DETAIL W1.

12. INSTALL SERVICE LINE IN 2" PVC SCHEDULE 40 SLEEVE WHEN CROSSING ROADWAY (6' MIN. BEYOND BACK OF CURB UNLESS OTHERWISE APPROVED BY THE CITY).

13. PROVIDE PVC PLUG AT INLET AND OUTLET OF SETTER.

14. PROVIDE APPROVED WATERTIGHT PLUG UNTIL CONNECTION TO PRIVATE SYSTEM OWNER.

<table>
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<th>Rev No.</th>
<th>Specified Domestic Brass</th>
<th>Revisions</th>
<th>Date</th>
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<td>1</td>
<td>Added PRV Requirement &amp; Additional Corp Stop</td>
<td>11/05/09</td>
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Page 2 of 2
NOTES:
1. SET BOTTOM OF METER BOX AT TOP OF INLET AND OUTLET OF METER.

2. METERS SHALL BE OBTAINED FROM THE CITY OF BONNEY LAKE.

3. INDIVIDUAL PRESSURE REDUCING VALVE (WASHINGTON STATE DEPARTMENT OF HEALTH APPROVED) IS REQUIRED.

4. W10-R1.0 IS USED FOR EXISTING WATER SERVICES (PRIOR TO AUGUST 13, 2010) THAT REQUIRE A RESIDENTIAL FIRE SPRINKLER SYSTEM. FOR NEW DEVELOPMENT, REFER TO W10-R1.5.

5. IMPROVEMENTS ARE REQUIRED ONLY TO THE SIDE OF THE TEE UNDER CONSTRUCTION, BUT MAY INCLUDE UPGRADES OF LEGEND ITEMS 2, 3, 6, AND 16.

6. ALL BRASS SHALL BE DOMESTIC.
W10-R1.0 1" RESIDENTIAL WATER SERVICE

LEGEND

1. INDIVIDUAL PRESSURE REDUCING VALVE - SEE DETAIL W23.
2. 1" BRASS NIPPLE (24" LENGTH).
3. FORD F1101 (1" MALE IRON PIPE X PACK JOINT CORP STOP).
4. COPPER SETTER SHALL BE VBH74-12W WITH FORD C86-44.
5. ROMAC SADDLE SINGLE STRAP FOR PIPE DIAMETERS LESS THAN 10" AND DOUBLE STRAP FOR PIPE DIAMETERS 10" AND GREATER.
6. 1" X 1" X 1" BRASS TEE.
7. 1" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE PIPE (LENGTH AS REQUIRED).
8. 1" BRASS NIPPLE (6" LENGTH).
9. 1" BRASS 90° ELBOW WITH BRASS NIPPLES.
10. 10 GAUGE SOLID CORE WIRE FROM MAINLINE TAP TO METER BOX AND EXPOSE 6" MINIMUM IN BOX (RUN INSIDE 2" PVC GUARD CONDUIT WHERE APPLICABLE).
11. METER BOX - SEE DETAIL W1.
12. INSTALL SERVICE LINE IN 2" PVC SCHEDULE 40 SLEEVE WHEN CROSSING ROADWAY (6' MIN. BEYOND BACK OF CURB UNLESS OTHERWISE APPROVED BY THE CITY).
13. PROVIDE PVC PLUG AT INLET AND OUTLET OF SETTER.
14. PROVIDE APPROVED WATERTIGHT PLUG UNTIL CONNECTION TO PRIVATE SYSTEM OWNER WHERE APPLICABLE.
15. 1" BRASS NIPPLE OR 1" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE AS APPLICABLE DEPENDING ON LOCATION OF PRV.
16. 1" X 3/4" REDUCER.

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<td>2</td>
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<td>12/07/10</td>
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<td>Added PRV Requirement &amp; Additional Corp Stop</td>
<td>11/05/09</td>
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City of BONNEY LAKE
1" RESIDENTIAL WATER SERVICE

Approved: June 17, 2005
City Engineer

WATER STANDARD DETAIL
NOTES:
1. SET BOTTOM OF METER BOX AT TOP OF INLET AND OUTLET OF METER.

2. METERS SHALL BE OBTAINED FROM THE CITY OF BONNEY LAKE.

3. INDIVIDUAL PRESSURE REDUCING VALVE (WASHINGT0N STATE DEPARTMENT OF HEALTH APPROVED) IS REQUIRED.

4. W10-R1.5 IS USED FOR NEW RESIDENTIAL DEVELOPMENT WHERE SERVICE CONNECTION WAS ESTABLISHED AFTER AUGUST 13, 2010. FOR WATER SERVICE CONNECTIONS ESTABLISHED PRIOR TO AUGUST 13, 2010, REFER TO W10-R1.0.

5. ALL BRASS SHALL BE DOMESTIC.
W10-R1.5 1" RESIDENTIAL WATER SERVICE

LEGEND

1. INDIVIDUAL PRESSURE REDUCING VALVE – SEE DETAIL W23.
2. 1" BRASS NIPPLE (24" LENGTH).
3. FORD F1101 (1½" MALE IRON PIPE X PACK JOINT CORP STOP).
4. COPPER SETTER SHALL BE VBH74-12W WITH FORD C86-44.
5. ROMAC SADDLE SINGLE STRAP FOR PIPE DIAMETERS LESS THAN 10" AND DOUBLE STRAP FOR PIPE DIAMETERS 10" AND GREATER.
6. 1½" X 1" X 1" BRASS TEE.
7. 1½" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE PIPE (LENGTH AS REQUIRED).
8. 1" BRASS NIPPLE (6" LENGTH).
9. 1" BRASS 90° ELBOW WITH BRASS NIPPLES.
10. 10 GAUGE SOLID CORE WIRE FROM MAINLINE TAP TO METER BOX AND EXPOSE 6" MINIMUM IN BOX (RUN INSIDE 2" PVC GUARD CONDUIT WHERE APPLICABLE).
11. METER BOX – SEE DETAIL W1.
12. INSTALL SERVICE LINE IN 2" PVC SCHEDULE 40 SLEEVE WHEN CROSSING ROADWAY (6" MIN. BEYOND BACK OF CURB UNLESS OTHERWISE APPROVED BY THE CITY).
13. PROVIDE PVC PLUG AT INLET AND OUTLET OF SETTER.
14. PROVIDE APPROVED WATERTIGHT PLUG UNTIL CONNECTION TO PRIVATE SYSTEM OWNER WHERE APPLICABLE.
15. 1" BRASS NIPPLE OR 1" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE AS APPLICABLE DEPENDING ON LOCATION OF PRV.

| Specified Domestic Brass | Date
|--------------------------|-----|
| Created New Residential W10-R1.5 Detail | 12/07/10
| Added PRV Requirement & Additional Corp Stop | 11/05/09

City of BONNEY LAKE
WATER STANDARD DETAIL

W10 - R1.5
1" RESIDENTIAL WATER SERVICE

Approved: June 17, 2005
City Engineer
NOTES:
1. SET BOTTOM OF METER BOX AT TOP OF INLET AND OUTLET OF METER.
2. METERS SHALL BE OBTAINED FROM THE CITY OF BONNEY LAKE.
3. INDIVIDUAL PRESSURE REDUCING VALVE (WASHINGTON STATE DEPARTMENT OF HEALTH APPROVED) IS REQUIRED.
4. ALL BRASS SHALL BE DOMESTIC.
W10-RCounty RESIDENTIAL WATER SERVICE

LEGEND

1. INDIVIDUAL PRESSURE REDUCING VALVE – SEE DETAIL W23.
2. 3/4" BRASS NIPPLE (24" LENGTH).
3. FORD F1101 (1" MALE IRON PIPE X PACK JOINT CORP STOP).
4. COPPER SETTER SHALL BE VBH72-12W WITH FORD C86-33.
5. ROMAC SADDLE SINGLE STRAP FOR PIPE DIAMETERS LESS THAN 10" AND DOUBLE STRAP FOR PIPE DIAMETERS 10" AND GREATER.
6. 1" X 3/4" X 3/4" BRASS TEE.
7. 1" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE PIPE (LENGTH AS REQUIRED).
8. 3/4" BRASS NIPPLE (6" LENGTH).
9. 3/4" BRASS 90° ELBOW WITH BRASS NIPPLES.
10. 10 GAUGE SOLID CORE WIRE FROM MAINLINE TAP TO METER BOX AND EXPOSE 6" MINIMUM IN BOX (RUN INSIDE 2" PVC GUARD CONDUIT WHERE APPLICABLE).
11. METER BOX – SEE DETAIL W1.
12. INSTALL SERVICE LINE IN 2" PVC SCHEDULE 40 SLEEVE WHEN CROSSING ROADWAY (6' MIN. BEYOND BACK OF CURB UNLESS OTHERWISE APPROVED BY THE CITY).
13. PROVIDE PVC PLUG AT INLET AND OUTLET OF SETTER.
14. PROVIDE APPROVED WATERTIGHT PLUG UNTIL CONNECTION TO PRIVATE SYSTEM OWNER WHERE APPLICABLE.
15. 3/4" BRASS NIPPLE OR 3/4" HIGH MOLECULAR (200 PSI) SIDR7 POLYETHYLENE AS APPLICABLE DEPENDING ON LOCATION OF PRV.

<table>
<thead>
<tr>
<th></th>
<th>Specified Domestic Brass</th>
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</thead>
<tbody>
<tr>
<td>3</td>
<td>Created New Residential W10-RCounty Detail</td>
<td>12/07/10</td>
</tr>
<tr>
<td>2</td>
<td>Added PRV Requirement &amp; Additional Corp Stop</td>
<td>11/05/09</td>
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</table>

Approved: June 17, 2005
City Engineer

City of BONNEY LAKE
WATER STANDARD DETAIL

Dwg No: W10 - RCounty
RESIDENTIAL WATER SERVICE
NOTES:

1. ALL MATERIALS AND FITTINGS SHALL BE AS SPECIFIED.

2. THE WATER METER SHALL BE LOCATED ADJACENT TO THE RIGHT-OF-WAY LINE AS DIRECTED BY THE CITY.

3. FOR A 1 1/2" WATER SERVICE A 1 1/2" FORD BALL VALVE SHALL BE USED.

4. METERS SHALL BE OBTAINED FROM THE CITY OF BONNEY LAKE.

5. PIPE MATERIAL SHALL BE HIGH MOLECULAR POLYETHYLENE SDR7 (200 PSI).

6. INDIVIDUAL PRESSURE REDUCING VALVE (WASHINGTON STATE DEPARTMENT OF HEALTH APPROVED) IS REQUIRED.

7. ALL BRASS SHALL BE DOMESTIC.
TO BUILDING
NOTE:
DOH APPROVED DOUBLE
CHECK VALVE ASSEMBLY
REQ'D FOR BACKFLOW
PREVENTION WITHIN
BUILDING
R.O.W. LINE

2" CHECK VALVE

2" BALL VALVE

BRASS TEE

DOMESTIC METER PER
DETAIL W10-C

BRASS 90° BEND

DOMESTIC WATER SERVICE
SIZE PER APPROVED PLANS

2" GATE VALVE W/ BOX

2" POLYETHYLENE

CITY WATER MAIN

CONNECT TO MAIN W/ DOUBLE
SERVICE STRAP ROMAC SADDLE
W/ 2" TAP AND 3" LONG BRASS
NIPPLE TO VALVE.

FINISHED GRADE

14"-18"

TEE FOR DOMESTIC
SERVICE

METER BOX

BRASS 90° BEND
(TYP.)

2" CHECK VALVE
UNION

2" BALL VALVE

SECTION A

---

12/07/10

City of
BONNEY LAKE

2" FIRE SPRINKLER LINE WITH
DOMESTIC SERVICE FOR
COMMERCIAL / MULTIFAMILY

WATER STANDARD DETAIL
P.R.V. SHALL HAVE AN INTEGRAL BYPASS

PRESSURE REDUCING VALVE
WILKINS 800 SERIES OR
APPROVED EQUAL (WITH
INTERNAL BYPASS AND STRAINER)

USE TRAFFIC LID WHERE
APPLICABLE OR AS
DIRECTED BY THE CITY

FINAL GRADE

METER BOX

REQUIRED RISER
SEE NOTES

UNION (AS
REQUIRED)

1" ROUND WASHED
GRAVEL 6" DEEP

SERVICE TO
BUILDING

NOTES:

1. WHERE P.R.V. IS INSTALLED ON EXISTING SERVICE, CUT IN EXISTING SERVICE,
INSTALL NEW COPPER TUBING & NECESSARY FITTINGS REQUIRED TO MAKE A
COMPLETE P.R.V. INSTALLATION.

2. METER BOX SHALL BE MIDSTATES PLASTICS METER BOX NUMBER MSBCF1118 - 12xl.

3. REQUIRED RISER SHALL BE 6 INCH.

4. P.R.V. SIZE SHALL BE 1 INCH.

Approved: December 7, 2010

City Engineer

City of BONNEY LAKE

W23
INDIVIDUAL PRV

WATER STANDARD DETAIL
PRIVATE DEVELOPMENT

FIRE HYDRANT/FDC LOCATION/ACCESS
APPROVED

BY __________________________
FIRE MARSHAL

DATE _______________________

NOTE:
This approval is void after 1 year from approval date.
The City will not be responsible for errors and/or omissions on these plans.

Field conditions may dictate changes to these plans as determined by the Fire Marshall.

PRIVATE DEVELOPMENT

APPROVED

BY __________________________
CITY OF BONNEY LAKE
DEVELOPMENT REVIEW ENGINEER

DATE _______________________

NOTE:
This approval is void after 1 year from approval date.
The City will not be responsible for errors and/or omissions on these plans.

Field conditions may dictate changes to these plans as determined by the Development Review Engineer.

PUBLIC DEVELOPMENT

APPROVED

BY __________________________
CITY ENGINEER, PE

DATE _______________________

Plans meet current Development Policies and Public Works Design Standards.

SATISFACTORY TO

PUBLIC WORKS DIRECTOR, PE

DATE _______________________

Plans satisfy all functional requirements for this public facility and do so in a cost effective manner.
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<tr>
<td>Billable ESU:</td>
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1 ESU = 2600 SF of Impervious Surface Area
NOTES:
1. TRENCH SHALL BE BACKFILLED AND COMPACTED IN ACCORDANCE WITH WSDOT 7–08.3(3).

2. BEDDING MATERIAL SHALL BE PEA GRAVEL OR APPROVED EQUAL. PIPE ZONE BACKFILL SHALL BE PEA GRAVEL (OR APPROVED EQUAL) TO THE SPRING LINE FOR DUCTILE IRON PIPE AND TO A DEPTH OF 6" ABOVE THE CROWN FOR PVC PIPE AS SHOWN ABOVE.

3. FOR EXISTING ROADS, BACKFILL MATERIAL ABOVE THE PIPE ZONE SHALL BE 1 1/2" CRUSHED ROCK. FOR NEW ROAD CONSTRUCTION, BACKFILL MATERIAL ABOVE THE PIPE ZONE SHALL BE GRAVEL BORROW OR SELECT BORROW IN ACCORDANCE WITH WSDOT 9–03.14 OR 1 1/2" CRUSHED ROCK OR AS APPROVED IN WRITING BY THE CITY ENGINEER.
NOTES:

1. TRENCH SHALL BE BACKFILLED AND COMPACTED IN ACCORDANCE WITH WSDOT 7-08.3(3).

2. BEDDING MATERIAL SHALL BE PEA GRAVEL OR APPROVED EQUAL. PIPE ZONE BACKFILL SHALL BE PEA GRAVEL (OR APPROVED EQUAL) TO THE SPRING LINE FOR RIGID PIPE AND TO A DEPTH OF 6" ABOVE THE CROWN FOR FLEXIBLE PIPE AS SHOWN ABOVE.

3. FOR EXISTING ROADS, BACKFILL MATERIAL ABOVE THE PIPE ZONE SHALL BE 1 1/2" CRUSHED ROCK. FOR NEW ROAD CONSTRUCTION, BACKFILL MATERIAL ABOVE THE PIPE ZONE SHALL BE GRAVEL BORROW OR SELECT BORROW IN ACCORDANCE WITH WSDOT 9-03.14 OR 1 1/2" CRUSHED ROCK OR AS APPROVED IN WRITING BY THE CITY ENGINEER.
I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:33 p.m.

II. ROLL CALL:
Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

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

III. AGENDA ITEMS:


The draft minutes were forwarded to the March 27, 2012 Meeting for Council action with no corrections.

B. Discussion: Fee Reduction Ordinances.

The City Administrator provided an overview of each of the proposed ordinances. The Council then discussed each proposed ordinance in the order it was presented.


City Administrator Morrison said the Council previously approved a rebate program, but it expired on December 31, 2011. No one took advantage of the rebate program before it expired, and proposed Ordinance D12-34 would continue the rebate program through December 31, 2013. Applicants could receive a rebate for up to 75% of their TIF fees by meeting a minimum sales tax threshold for three years.

The City Administrator said the rebate program was initially devised to encourage ‘big box’ development. The Council decreased the minimum sales tax threshold to include more businesses. Councilmember Watson and Deputy Mayor Swatman expressed support for Ordinance D12-34. Community Development Director Vodopich said his department received a few inquiries when the original ordinance was in effect but received no applications. He said his staff always tell applicants...
Councilmember Lewis said he supports the ordinance and said it sends the right message. He thanked staff for providing the Council with a variety of options. Mayor Johnson said staff will work on a marketing flyer once ordinances are approved to advertise to potential businesses.

Councilmembers discussed the amount of sales revenue required to qualify for this program, and whether to lower the sales tax threshold. Councilmembers Watson, Rackley and Minton-Davis spoke in support of lowering the sales tax threshold. Deputy Mayor Swatman said developers can contact the City and work on a development agreement if they are interested in moving their business into the area.

Council consensus was to forward the proposed Ordinance D12-34 as written to the March 27, 2012 Meeting for action.

### AB12-35 – Ordinance D12-35 – Reduction of Sumner School District Impact Fee.

City Administrator Morrison said proposed Ordinance D12-35 would reduce School Impact Fees for single-family homes in the Sumner School District from $2,780 to $1,300 per unit. He said the White River and Dieringer School Districts have no impact fee. The Sumner School District requested the fee be reduced since it has no plans for additional capital facilities projects in the near future.

The City Administrator noted that the City could collect impact fees for the schools and hold them in a trust to be used by the district when it is needed. He said this practice would incur administrative costs, but is an option to consider. Mayor Johnson said the City previously processed school impact fee payments, but no longer does so as it was difficult to manage.

The City Administrator confirmed that the Sumner School District updated its capital improvement plan. Councilmember Lewis said from his understanding the district’s projects also came in under budget so they decided to lower their fee rather than hold excess funds in an account.

Council consensus was to forward proposed Ordinance D12-35 as written to the March 27, 2012 Meeting for action.

### AB12-43 – Ordinance D12-43 – Temporary Water SDC Reduction.

The City Administrator said proposed Ordinance D12-43 would bring the City’s System Development Charge (SDC) fees in line with other cities in the area with a temporary 50% rate reduction. He said the effective date could be determined by a specific date or when the new building permit valuations in the City reach a threshold of $33 million or more over a nine month period. He said this threshold is equivalent to a 50% increase in building activity over the average of the previous three years. He added that the current edition of the municipal code does not outline 2012 rates since rates are calculated based on the CCI each year, so this section of the code could also be cleaned up if a rebate ordinance is approved.
Councilmember Minton-Davis spoke in favor of reducing SDC fees and suggested a 30-day complete moratorium on impact fees to encourage growth. The City Attorney said he is not aware of any reason the City could not impose a fee moratorium, but said it would impact the City’s funds. He added that although some cities have lower SDC rates, they charge their utility customers at higher rates than in Bonney Lake.

Councilmember Rackley said SDC fees are based on the actual costs for the city to maintain and expand its system. He said reducing SDCs will short-change the utility fund, and he does not support reductions. Deputy Mayor Swatman also stressed that SDC fees pay for infrastructure and are based on a methodology.

Mayor Johnson said the Council expressed interest at the retreat in February to encourage development. He said SDC fees are a big part of costs for development, and the City can always end temporary reductions if necessary. Community Development Director Vodopich said the City received thirteen single-family permits during February of 2012. He said if all the proposed reductions were enacted, the fees for a single-family home would be reduced from $28,000 to $16,100.

Deputy Mayor Swatman said over 70 homes were built in Bonney Lake in 2011, and people are able to build with the existing fees. Councilmember Rackley said there is no correlation between the price to build a home and the market value of new homes, so reducing fees will not change the price of a new home in Bonney Lake.

Councilmember Minton-Davis said although the Council’s position has been that new development should pay for itself, she feels in reality that new development is asked to pay for everything. She said developers are paying for areas that were annexed into the City, since those areas were already developed and did not pay their way.

Mayor Johnson said the Public Works department has worked hard to set up a routine maintenance program for the water and sewer system. Public Works Director Grigsby said they identify future projects and try to do a little bit each year to keep up with the aging infrastructure, rather than waiting until something fails and disrupts service. Councilmember Rackley said operations and maintenance (O&M) costs should be paid by utility ratepayers, but things like the future water rights, storage tanks and other projects related to expansion should be paid for by SDC funds.

Deputy Mayor Swatman said developers would certainly support lower rates, but it will be more difficult to raise them again later. He noted the City was sued by a developer in the past over the rate structure. Director Grigsby said the City must use a methodology to choose the maximum SDC rate, and fee rates must be applied equally to all types of development.

Deputy Mayor Swatman said the proposed reductions are substantial and the lost fees will not be made back easily. He said reduced SDC fees could be offset by dedicating a portion of new retail sales taxes to the water and sewer funds. Councilmember Hamilton said the City could delay projects such as the new Public Works building. He said that he is not certain, however, that reducing these fees will actually encourage development. He said Bonney Lake has stronger sales tax revenues than other cities in the area. He said he would like to hear from staff and the City’s consultants about how a rate reduction would impact City projects.
Councilmember Watson said Bonney Lake’s fees should be closer to cities like Puyallup and Buckley. Councilmember Hamilton said SDC fees are not based on fees at other cities, but on actual data and methodologies to determine the actual cost of the system. Mayor Johnson said the consultants at FCS Group recommended utility rate increases in the past, which the Council has not approved. Councilmember Rackley commented that the City of Sumner recently raised its utility rates.

Councilmember Lewis said the current rates were decided when the City was growing rapidly, but it may be time to consider adjusting the rates. He said he feels something can be done today to make Bonney Lake more competitive.

Councilmember Hamilton asked whether SDC reductions might impact City projects, such as the sewer system expansion into Eastown, the new public works building, etc.

Mayor Johnson said Bonney Lake does not raise taxes often, has a lower sewer rate than many cities, and the sales tax will decrease once the Pierce Transit boundaries are redrawn. He said there are a lot of positive things going on in Bonney Lake, and suggested the City could work on more agreements with developers to encourage development.

The City Attorney said the system must be equitable and the City cannot favor one utility user over another. He said the City can provide sales tax rebates, but cannot reduce sewer fees for individual developers. He said the utility is a business and cannot discriminate when applying fees.

At 7:17 p.m. Councilmember Rackley moved for 10 minute break. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

The Workshop resumed at 7:36 p.m.

Deputy Mayor Swatman said it would be helpful to know how lowering fees would impact the utility fund, including possible offsets or project delays. Councilmember Rackley said the fees are based on growth, so it does not make sense to delay projects. Mayor Johnson said if all 700 lots in the City are built out with reduced fees, it would be a big impact.

Councilmember McKibbin agreed that it would be helpful to look at the costs of a fee reduction before moving forward. Councilmembers Watson and Lewis said any reduction should have a cap based on a specific time frame or number of homes built.

Councilmember Lewis said Bonney Lake is looking to the future, and has taken steps to invest in new water sources and other improvements. He said this is a big selling point to encourage people to move and build here.

Councilmember Hamilton recommended that councilmembers read the Washington State Retail Survey, which details how every city performs. He said Bonney Lake is one of the best places to locate a business, with retail business growth during the recession, and a ranking in the top 20% for retail business in the State.
Mayor Johnson suggested an alternative would be to reduce all fees by 25%, which would be less of a fiscal impact on the City. Councilmember Minton-Davis said even with this reduction Bonney Lake would have the highest fees, and she felt the reduction should be larger.

- **AB12-44 – Ordinance D12-44** – Temporary Sewer SDC Reduction.

  City Administrator Morrison said proposed Ordinance D12-44 is similar to the temporary water SDC reduction, with a temporary 40% rate reduction. It uses the same option for a fixed date or valuation trigger to sunset the reduction ordinance. The proposed ordinance also states that if a space undergoes tenant improvements multiple times, no additional SDC adjustments are required as long as the initial SDC has been paid.


  The City Administrator said proposed Ordinance D12-45 provides a reduction in TIF rates and also clarifies language to be more consistent with the Growth Management Act and SEPA requirements. In addition, it proposes to raise the threshold of development activity requiring TIF fees from $15,000 to $35,000. If a small business moves into a new space, it may not incur a new TIF calculation. The ordinance would also update the reference to the current (8th) edition of the ITE Manual. In addition, the ordinance does not adopt a new ‘Schedule B’ attachment, as this document is now updated by the consumer cost index (CCI) by staff each year. He said payments of TIF fees would still be due at the time of building permit issuance, unless alternate terms are designated by a development agreement. The proposal also proposes a temporary TIF rate reduction of either 25% or by a calculation of the peak hour tip rate. He said this reduction would exempt TIF fees for new single-family residential construction.

  Deputy Mayor Swatman and Councilmember Watson spoke in favor of exempting single-family homes from TIF fees. City Attorney Dionne said his office has reviewed this item and he feels it is legally acceptable.

  Director Vodopich said in the proposed ordinance, an owner-occupant would receive a 50% credit if they move a business to another location in the City. Mayor Johnson asked if the Council could consider a separate ordinance specifically for ‘change of use’ of an existing structure, when businesses are changing locations. Director Vodopich said a business only incurs charges if they are increasing usage over the previous tenant. Mayor Johnson said this has been a major area of complaint from business owners.

  Consensus of the Council was to forward Ordinance D12-45 to the March 27, 2012 Meeting for action.

  City Administrator Morrison asked the Council if they were interested in an ordinance eliminating SDC fees after the second or third tenant improvement. Council interest was to review this issue at the next workshop.

C. **Council Open Discussion:**
Eastown Updates: Deputy Mayor Swatman said the Mayor has provided an agreement to Roger Watt for the Eastown property owners group to review.

Electronic Packets: Deputy Mayor Swatman said all three members of the Finance Committee own iPads, and have software to view and make notes on PDF packets for Finance Committee meetings.

Workshops: Deputy Mayor Swatman said he enjoyed the more open discussions the Council has had in smaller rooms. He said he wants Workshops to remain more informal and hopes that councilmembers will jump in on discussions.

Greater Bonney Lake Historical Society: Councilmember Hamilton said the Historical Society is planning a film festival in honor of Alfred and Elma Milotte in October 2012. They plan to show several of the Milotte’s films, some of which won academy awards. The Society’s goal is to start an annual film festival focusing on wildlife films. Over time they would increase the number of films shown and include judging. He said the event would be unique and could be an economic driver for the community. They plan to hold the event in the Justice Center Chambers in 2012 and are seeking sponsors to help defray event costs.

Community Events: Councilmember Watson said the Lions Club annual ‘Death by Chocolate’ event is on March 31, 2012 and invited all to attend. He said many major businesses have donated gifts for the auction this year.

Business Owners: Councilmember Watson said he received an email from the owner of the Iron Dragon restaurant, who said he paid $12,000 for a grease tank and was not allowed to install an alternative system. He said they also had to pay unexpected fees while preparing to open their new business. He asked if businesses are told what fees to expect when they apply. Mayor Johnson said they are provided with a packet when they first come in to discuss the permit process. He said change as the project moves forward can impact project costs. He said he wants staff to be consistent with all businesses and be flexible along the way.

Councilmember Watson suggested staff contact businesses that are leaving town to find out why so the Council can address these issues. Councilmember McKibbin said it would be great if the Chamber of Commerce reported this kind of information to the Council when they hear from business owners.

Councilmember Hamilton said it was great that members of the Chamber of Commerce came to talk to the Council at the previous meeting. He said it is important for people to come forward and talk about their challenges. Deputy Mayor Swatman said he was not certain how the cost per foot for commercial rental space is impacted by city fees. He said he feels the permitting process is a bigger issue for business owners.

Councilmember Rackley asked how many people attend the pre-application meeting for new permits. Director Vodopich said people working on smaller projects like single-family homes and small tenant improvements often do not attend the optional pre-application meeting. Councilmember Rackley asked whether the $100 fee was restrictive. Director Vodopich said many people just come with their permit and do not do a pre-application meeting, so they find out about other costs during the permit review process.
Mayor Johnson said the City recently held a customer survey for the permit process and will review the results next week. He said he would provide a report to the Council with more information and ideas. He said in discussions with mayors from other cities, the same issues exist everywhere, and some developers are happy with the process while others have complaints.

Street Lights: Councilmember Lewis thanked Public Works Director Grigsby for responding to a complaint about a poorly-lit intersection near the high school. He said students told him the intersection near Brookside and 200th Ave E was not fully lit. Director Grigsby said when the new traffic signal is installed on 104th St E, an existing street light will be taken out and can be moved to this other intersection.

Reed Property: Councilmember Minton-Davis said she spoke with East Pierce Fire Chief Jerry Thorsen who expressed interest in using the Reed Property on Barkubein Road for training and eventually a controlled burn. Mayor Johnson said the Council still needs to decide what to do with the house and property.

Relay for Life: Councilmember Minton-Davis thanked Councilmembers Watson and McKibbin for attending the recent Relay for Life meeting. She said 36 teams have registered so far for the July event.

City of Sumner: Mayor Johnson said he attended the Sumner City Council Meeting on March 19th and thanked Sumner staff and councilmembers for providing a good negotiation team. Sumner staff also spoke highly of Bonney Lake’s City Attorney and Public Works Director. The Sumner Council approved the wastewater treatment upgrade agreement with a vote of five to two. Mayor Johnson thanked City Attorney Dionne for keeping the Council informed; he said some of the Sumner Councilmembers complained that they were not given much time to review the draft agreement. He said he spoke with some people after the meeting who were upset that Bonney Lake had withdrawn its opposition to the Orton Junction project.

Transit: Mayor Johnson said he spoke with Sumner Mayor Dave Enslow about maintaining the Pierce Transit Route 496 between the Bonney Lake Park & Ride and the Sumner Sounder Station after the transit boundaries are redrawn. Councilmember Lewis asked if the City would be able to use the Park & Ride property for events like Beautify Bonney Lake. Mayor Johnson said the lot is owned by Pierce Transit so any use would need that agency’s approval.

Stormwater Rates: Mayor Johnson said he was not happy how stormwater rates were assessed and applied to some customers based on new definitions and recalculations of impervious surfaces. He said changes were calculated and bills sent out without giving owners the option to appeal. He said he is considering putting all stormwater rate changes on hold and giving all those affected the option to appeal the new rate before it goes into effect. He said he is working with the City Attorney’s office to determine if this can be done. Mayor Johnson said although staff meant well and wanted to make sure the rates were up-to-date, he wants to give people a chance to appeal before they are impacted by a revised rate. He said he will report back to the Council when more information is available.

IV. EXECUTIVE SESSION:
Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive Session with the City Attorney at 7:43 p.m. for 15 minutes to discuss potential litigation. No action was anticipated.
after the session. The Council returned to Chambers at 8:01 p.m.

V. ADJOURNMENT:

At 8:01 p.m., Councilmember Lewis moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC  
City Clerk

Neil Johnson, Jr.  
Mayor

Items presented to Council at the March 20, 2012 Workshop:
- Don Morrison – Presentation: Proposed Rebate Ordinances – City of Bonney Lake.
- Don Morrison – 2012 SF residence Impact Fees – City of Bonney Lake.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

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**Agenda Subject:** Temporary Reduction of Sewer SDC Charges

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-43, Relating To Sewer System Development Charges.

**Administrative Recommendation:**

**Background Summary:** Proposes a temporary 40% reduction to Sewer SDC charges. At the recent Council retreat, "Council members discussed the development fees and whether lowering them would induce residential and/or commercial development. While some Councilmembers supported a reduction of residential fees to try and stimulate development, a clear majority also supported a reduction of commercial development fees to stimulate economic growth. The administration received general direction to develop a program of reduced commercial development fees as a starting point to encourage economic development in Bonney Lake. Temporary Reduction to Water SDC Charges."

**Attachments:** Ordinance D12-44

**BUDGET INFORMATION**

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**Budget Explanation:**

**COMMITTEE, BOARD & COMMISSION REVIEW**

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Forward to: Consent Agenda: Yes No

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**COUNCIL ACTION**

Workshop Date(s): March 20, 2012

Meeting Date(s):

Public Hearing Date(s):

Tabled to Date:

**APPROVALS**

Date Reviewed by City Attorney:
(if applicable):
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.12 OF THE BONNEY LAKE MUNICIPAL CODE, SECTION TWO OF ORDINANCE NO. 1333, AND SECTION FIVE OF ORDINANCE NO. 571C, RELATING TO SEWER DEVELOPMENT CHARGES.

WHEREAS, RCW 35.92.025 authorizes cities to charge a reasonable connection charge as the legislative body of the city or town shall determine proper so that such property owners pay an equitable share of the cost of such system; and

WHEREAS, the City Council finds that the City’s current system development charge is based, in part, on demand for sewer facility expansion and replacement due to growth projections that are not longer valid as result of the prolonged downturn in the local economy; and

WHEREAS, the City Council desires to reduce the system development charge until such time as previously planned growth rates return;

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

Section 1. BLMC Section 12.12.100 is hereby amended to read as follows:

13.12.100 System development charges.

A. Except as provided in subsection A(5) below, the fees for connection to the city’s sewer utility shall be due and payable at the time of building permit issuance, as follows:

1. The fee for a single-family residence (new construction) shall be $9,099.

2. The fee for an existing single-family residence served by an on-site septic disposal system shall be $9,099.

3. The fee for duplexes shall be $9,099 per dwelling unit.

4. The fee for multifamily residential buildings with more than two units shall be as follows:
   a. Eighty percent of $9,099 per dwelling unit for three or more bed/bonus room units;
   b. Seventy percent of $9,099 per dwelling unit for two bed/bonus room units;
   c. Sixty percent of $9,099 per dwelling unit for one bed/bonus room units;
   d. Fifty percent of $9,099 per dwelling unit for studio/efficiency units.
5. Temporary Rate Reduction. The system development charges listed in Section 13.12.100(A) above shall be reduced by forty percent (40%) until such time that new building permit valuations in the City reach $33 million or more over a running nine (9) month period, OPTION B: until October 1, 2013 (or other date).

$6. CCI Adjustment. Beginning January 1, 2010, and for every year thereafter, the SDCs shall be adjusted by the annual change in the most recent Engineering News Record (ENR) Construction Cost (CCI) for the Seattle area, using a November through November annual measure to establish revised fee schedules effective January 1st of each year.

B. SDCs shall be due and payable at the time of building permit issuance, and shall be charged at the rate in effect at the time of application for sewer service. An application for sewer service will only be accepted if a complete building permit application is submitted concurrently or is already on file, or from an applicant with an existing residence served by a septic system and that also has sewer available. If the building permit expires through suspension or abandonment under BLMC 15.04.081, the SDC shall be refunded at the request of the applicant; provided, that if the applicant chooses to leave the SDC on deposit with the city and re-applies for a new building permit pursuant to BLMC 15.04.081, the SDC shall be re-calculated at current rates and the amount of the SDC already paid and not refunded may be credited toward the new SDC.

C. The charges set out in this section shall not be applicable to an accessory dwelling unit permitted pursuant to BLMC 18.22.090, so long as a second connection to the city’s sewer system is not required by applicable codes or requested by the owner. Should the property upon which an accessory dwelling unit is located be sold, platted or otherwise segregated from the property upon which the primary residence is located, and, because of the exemption provided for in this subsection, the owner of the accessory dwelling unit did not previously pay a full, separate sewer connection charge for the accessory dwelling unit, then the following shall apply:

1. If no additional connection charge was paid for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay a connection charge in the amount provided for in this section at the time of segregation.

2. If a reduced connection charge was paid for the accessory dwelling unit, the owner of the segregated accessory dwelling unit shall be required to pay the difference between that reduced charge and the amount of the connection charge provided for in this section at the time of segregation.

D. When connection to the sewer system for an existing residence becomes mandatory due to a failed septic system, septic design flaw, or other reason, and the home is not being sold contemporaneously with the mandatory sewer application, a homeowner may apply to the city to pay the connection fee on an installment payment plan. The application shall state that paying the connection fee poses a financial hardship. The city may permit the applicant to pay the fee in monthly or annual installments (not both) for a period of not more than 10 years. A reasonable interest rate, as determined by the city’s chief financial officer, will be charged on the balance owing to the city. The entire remaining balance of the connection fee plus interest shall be due and payable at the time of sale of the home. Any past-due installments and any remaining
balance that is not paid at the sale of the home will become a lien on the property pursuant to BLMC 13.12.110.

Section 2. BLMC Section 12.12.108 is hereby amended to read as follows:

13.12.108 Changed conditions – Increased wastewater flows, BOD or S.S.

Except as provided under subsection “C” below, the city shall have the right to charge an owner of a nonresidential parcel of property already connected to the city sewer system an additional connection charge and increase the monthly sewer service charge if:

A. Wastewater flows disposed of into the city sewer system have increased above originally paid for flows; or

B. BOD and/or S.S. are found to be greater than 250 mg/l and 250 mg/l, respectively.

C. Once a connection charge has been paid for the original connection and first tenant improvement, an additional connection charge may be required for the next tenant improvement to the same space if wastewater flows are projected to increase above the previously paid for flows. Thereafter, there shall be no additional connection charges.

Section 3. The Mayor is hereby authorized to implement such administrative policies and procedures as may be necessary to carry out the intent of this ordinance.

Section 4. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication, as required by law.

PASSED by the City Council and approved by the Mayor this ___th day of , 2012.

___________________________
Neil Johnson, Jr.
Mayor

ATTEST:

___________________________
Harwood T. Edvalson
City Clerk, CMC
APPROVED AS TO FORM:

____________________________
James Dionne
City Attorney

Passed:
Valid:
Published:
Effective Date:
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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

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**Agenda Subject:** Update of Traffic Impact Fee Ordinance, including Temporary Reduction of TIF Charges

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-45, Relating To Traffic Impact Fees.

**Administrative Recommendation:** Approve

**Background Summary:** Policy P 1.10 of the adopted Economic Development Element of the Comprehensive Plan provides that the City will review and update its zoning, impact fees, and incentives to better encourage prioritized economic development.

The attached summary sheet shows the main changes to the ordinance. Among those are a temporary 25% reduction in TIF Rates for most projects, with the reduction to be effective until 200 new homes have been built. Other sunset timelines considered included a fixed date of 10/31 or 12/31 2013, or one based on economic performance: "such time that new building permit valuations in the City reach $33 million or more over a running nine (9) month period".

**Attachments:** Ordinance D12-45, Ordinance Summary Sheet

**BUDGET INFORMATION**

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**Budget Explanation:** UNK

**COMMITTEE, BOARD & COMMISSION REVIEW**

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**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

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**APPROVALS**

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Summary Sheet  
Ordinance D12-45  
Traffic Impact Fee Ordinance Changes

- Clarifies language to be more consistent with GMA and SEPA
- Raises threshold of development activity from $15K to $35K (no TIF if the construction is under $35K)
- Adopts 8th or most recent edition of ITE Manual
- Payment is still due at building permit issuance unless a development agreement specifies alternate terms.
- Does not adopt a new Schedule B, which has been updated by CCI increases.
- TIF Rate Reduction Whichever results in the greater rate reduction of:
  1) Twenty-five percent (25%) rate reduction, or
  2) ITE Manual PM peak hour trip rate trips X unit factor is less than 1.1.
  Note: A trip rate of less than 1.1 would exempt new single family construction.
- Reduction Temporary. The ordinance sunsets the TIF reduction when building permits have been issued for 200 new single family residences. Other sunset options discussed included: 1) Until new permit valuations in the City reach $33 million over nine month period, or 2) October 1, 2013 (or other date, e.g. 12/31/13).
ORDINANCE NO. D12-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 19.04 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 984, 1282, 1316, AND 1318 RELATING TO TRAFFICE IMPACE FEES.

WHEREAS, Policy P 1.10 of the adopted Economic Development Element of the Comprehensive Plan provides that the City will review and update its zoning, impact fees, and incentives to better encourage prioritized economic development consistent with the adopted Economic Development Element; and

WHEREAS, the City Council finds it necessary to encourage development during the current economic downturn by providing alternative payment alternatives and other modifications to traffic impact fee requirements in order to encourage economic development;

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

Section 1. BLMC Section 19.04 and the corresponding sections or ordinance nos. 984, 1282, 1316, and 1318 are hereby amended to read as follows:

19.04.010 Authority and purpose.

A. This title is enacted pursuant to the city’s police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions, and the State Environmental Policy Act (SEPA), Chapter 42.21C RCW.

B. The purpose of this title is to:

1. Develop a transportation impact fee program consistent with the Bonney Lake comprehensive plan for joint public and private financing of transportation improvements necessitated in whole or in part by development in the city;

2. Ensure adequate levels of transportation and traffic service within the city consistent with the comprehensive plan;

3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site transportation facilities directly necessitated by new development, in order to provide an adequate level of transportation service consistent with the comprehensive plan;

4. Ensure that the city pays its fair share of the capital costs of transportation facilities necessitated by public use of the transportation system; and

5. Ensure fair collection and administration of such impact fees.
C. The provisions of this chapter shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare.

19.04.015 Definitions.

The following are definitions provided for administering the transportation impact fee. The mayor or mayor’s designee shall have the authority to resolve questions of interpretation or conflicts between definitions.

A. “Adequate level of transportation service” means a system of transportation facilities which have the capacity to serve development without decreasing levels of service below the city’s established minimum (see Chapter 19.02 BLMC).

B. “Capacity” means the maximum sustainable flow rate at which vehicles or persons can be expected to traverse a point or uniform segment of a lane or roadway during a specified time period, usually expressed as vehicles per hour, passengers per hour, or persons per hour.

C. “Development activity” means any construction or expansion of a building, or structure, or use, or any changes in the use of land, that creates additional demand and need for public facilities. For the purposes of this chapter, the remodel of existing buildings where the permit valuation is less than $15,000 $35,000 shall not be considered development activity.

D. “Director” means the director of the department of public works community development of the city of Bonney Lake or his/her designee.

E. “Chief financial officer” means the chief financial officer of the city of Bonney Lake or his/her designee.

F. “Health care provider” means a licensed physician, chiropractic physician, optometrist, dentist, dental hygienist, or nurse practitioner, or a clinic providing one or more of these services.

G. “Impact fee” or “transportation impact fee” means a payment of money imposed upon development approval to pay for public streets and roads needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public streets and roads, that is a proportionate share of the cost of the public streets and roads, and that is used for public streets and roads that reasonably benefit the new development. “Impact fee” does not include a reasonable permit or application fee otherwise established by city council resolution.

H. “Jurisdiction” means a municipality or county.

I. “New commercial retail business” means a new retail business which sells retail goods and services which are subject to retail sales tax and which applies for a building permit, and which has not operated nor been licensed to operate in the city of Bonney Lake within 12 months previous to the date of opening the business in Bonney Lake. For the purposes of this definition, an additional location of an existing business shall qualify as a new business, provided all other business locations are maintained throughout the source adjustment period as defined in BLMC 19.04.150.
J. “Off-site transportation road improvement” means improvement, except a frontage improvement, to an existing or proposed city road or street outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

K. “Project improvements” means on-site improvements and facilities that are planned and designed to provide service for a particular development project that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities plan approved by the city council shall be considered a project improvement.

L. “Service area” means a geographic area defined by ordinance or intergovernmental agreement in which a defined set of public streets and roads provide service to the development within the area.

M. “Six-year transportation improvement program (TIP)” means a subset of projects contained in the city’s capital facilities element of the comprehensive plan improvement program. The TIP is a set of comprehensive street programs/projects which after a public hearing is annually adopted by the city council for the purpose of qualifying for Federal and/or state transportation funding and advancing plans for not less than six years as a guide for carrying out the coordinated transportation/street construction program. The six-year TIP shall contain a small group of capacity projects which will be considered reasonably funded for determining transportation concurrency and impact fees. The adoption of the six-year TIP will obligate the city to actively pursue funds to implement the capacity component of the transportation improvement program as best possible with the available resources.

N. “System improvements” means public facilities that are included in the capital facilities element of the comprehensive plan and are designed to provide service areas within the community at large, in contrast to project improvements.

O. “ITE Manual” means the 8th or most recent edition of the Institute of Transportation Engineers (ITE) trip generation manual.

19.04.020 Applicability.

A. The requirements of this chapter apply to all development activity in the city of Bonney Lake.

B. Mitigation of impacts on transportation facilities located in jurisdictions outside the city will may be required when as part of an Environmental Impact Statement (EIS) or mitigated declaration of non-significance (MDNS) pursuant to the Washington State Environmental Policy Act (SEPA) process.

1. The other effective jurisdiction has reviewed the development’s impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and

2. There is an interlocal agreement between the city and the effective jurisdiction specifically addressing transportation impact identification and mitigation.\
19.04.030 Geographic scope.

The boundaries within which impact fees shall be charged and collected are co-extensive with the corporate city limits, and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. Attachment A of the ordinance codified in this section includes a map, on file in the city clerk’s office, of the corporate city limits and unincorporated areas likely to be annexed. After the adoption of interlocal agreements with other local and regional governments, geographic boundaries may be expanded consistent therewith.

19.04.040 Imposition of transportation impact fees.

A. The director is hereby authorized to impose transportation impact fees on new development according to the provisions of this chapter. Pursuant to BLMC 19.04.070, impact fees are due at the time of building permit issuance. Impact fees shall be due and payable as specified in BLMC Chapter 19.04.070. When a development used to exist on a parcel, and the owner applies for a permit to build a comparable or replacement development within five years of the previous development’s demolition, destruction or removal, and the director determines that the new development will not substantially increase the impact upon transportation facilities, no impact fee will be charged.

B. Transportation impact fees:

1. Shall only be imposed for system improvements that are reasonably related to the new development;
2. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;
3. Shall be used for system improvements that will reasonably benefit the new development;
4. May be collected and spent only for system improvements which are addressed by the Bonney Lake comprehensive plan, identifying:
   a. Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;
   b. Additional demands placed on existing public facilities by new developments; and
   c. Additional public facility improvements required to serve new development;
5. Shall not be imposed to mitigate the same off-site transportation facility impacts that are mitigated pursuant to any other law;
6. Shall not be collected for improvements to state transportation facilities outside the city boundaries unless the state requests such improvements and an agreement to collect such fees has been executed between the state/county and the city; said improvements have been required as mitigation actions pursuant to the state environment policy act (SEPA).
7. Shall not be collected for improvements to transportation facilities in other jurisdictions unless the affected jurisdiction requests such improvement and an interlocal agreement has been executed between the city and the affected jurisdiction for the collection of such fees; said improvements have been required as mitigation actions pursuant to the state environment policy act (SEPA).

8. Shall be collected only once for each building permit, unless changes or modifications to the building permit are proposed which result in greater direct impacts on transportation facilities than were considered when the building permit was first approved;

9. Shall not be collected from any new or expanded city facilities, post offices or libraries; and

10. Shall not be collected from any health care provider who supplies to the city documentation proving that at least 51 percent of his or her patients are covered by Medicare; provided, that the impact fees for such development activity shall be paid from public funds other than impact fee accounts.

19.04.050 Fee schedules and establishment of service area – Temporary Reduction.

A. A transportation impact fee (TIF) schedule setting forth the amount of the transportation impact fees to be paid by a development is set out in Attachment B, attached to the ordinance codified in this section, and incorporated herein by this reference.

B. The impact fee schedule of costs, as set out in Attachment B, attached to the ordinance codified in this section, shall be updated annually at a rate adjusted in accordance with the Washington State Department of Transportation Construction Cost Index, using an October to October annual measure to establish revised fee schedules effective January 1st of the subsequent year; provided, however, that said annual rate adjustment shall not go into effect except by an authorizing motion of the city council duly recorded in the minutes of the council meeting.

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

D. Temporary Rate Reduction. The system development charges set out in Attachment B shall be shall be reduced by whichever of the following results in the greater rate reduction: 1) twenty-five percent (25%) reduction of the Attachment B rate or 2) there shall be no TIF imposed when the average ITE Manual PM Peak Hour Trip Rate trips times the Unit Factor for the entire project is less than 1.1. These reduced rates shall remain in effect until 200 new single family residential building permits have been issued since the effective date of the ordinance.

19.04.060 Calculation of impact fees.

A. The director shall calculate the transportation impact fees as set forth in Attachment B subject to the provisions of this chapter.

B. In determining the proportionate share, the method of calculating impact fees shall incorporate, among other things, the following:

1. The cost of public streets and roads necessitated by new development;
2. An adjustment to the cost of the public streets and roadways for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;

3. The availability of other means of funding public street and roadway improvements;

4. The cost of existing public street and roadway improvements; and

5. The methods by which public street and roadway improvements were financed.

C. A credit, not to exceed the impact fee otherwise payable, shall be provided for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the capital facilities plan and that are required by the city as a condition of approving the development activity. The determination of “value” shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs.

D. The director may adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly.

E. The amount of fee to be imposed on a particular development may be adjusted by the director giving consideration to studies and other data available to the director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

F. The impact fee shall provide for system improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fees shall not be imposed to make up for any system improvement deficiencies.

G. As applies to residential development activity, the amount of the impact fee calculated pursuant to this section shall be charged for each single-family residential unit (including new accessory dwelling units), and for each dwelling unit included in a multifamily residential development (e.g., duplex, apartment, condominium, mobile home park).

H. As described in this section, the impact fees set forth in the schedule included in Attachment B shall be the presumptive impact fees, subject to revision as required by subsections C through E of this section.

19.04.070 Payment of fees.

A. All developers shall pay an impact fee in accordance with the provisions of this chapter at the time that the applicable building permit is ready for issuance; provided however, that when a commercial or multi-family residential development is subject to a development agreement approved by the City Council, said agreement may contain alternate terms and conditions under which the impact fees shall be paid. The fee paid shall be the amount calculated pursuant to BLMC 19.04.060. B. All developers shall pay an impact administrative fee at the time of
application for a building permit as set forth in the fee schedule adopted by resolution of the city
council.

C. If the development is modified or conditioned in such a way as to alter the trip generation rate
for the development after building permit issuance, the impact fee will be recalculated
accordingly.

D. No building permit shall be issued until the impact fee is paid unless the development is the
subject of a development agreement with alternate payment terms as provided in Section
19.04.070(A). If the building permit expires through suspension or abandonment under BLMC
15.04.081, the impact fee shall be refunded at the request of the applicant as provided in BLMC
19.04.100(A); provided, that if the applicant re-applies for a new permit pursuant to BLMC
15.04.081, the impact fee shall be re-calculated at current rates and the amount of the impact fee
already paid and not refunded may be credited toward the new impact fee.

E. Impact fees may be paid under protest in order to obtain a permit or other approval of
development activity.

19.04.080 Project list.

A. The director shall annually periodically review the city’s capital facilities element of the
comprehensive plan, including those transportation related plans adopted by reference,
comprehensive land use and transportation plan ("comprehensive plan"), capital facilities plan,
including the projects in Attachment A and shall:

1. Identify each project in the comprehensive plan that is growth-related and the proportion of
each such project that is growth-related;

2. Forecast the total moneys available from taxes and other public sources for road
improvements over the next six years;

3. Calculate the amount of impact fees already paid; and

4. Identify those comprehensive plan projects that have been or are being built but whose
performance capacity has not been fully utilized.

B. The director may use this information to prepare a transportation system improvement project
list, draft amendment to Attachment A, which shall comprise:

1. The projects in the comprehensive plan that are growth-related and that should be funded with
forecast public moneys and the impact fees already paid;

2. The projects already built or funded pursuant to this chapter whose performance capacity has
not been fully utilized; and

3. An update of the estimated costs of the projects listed.

C. The council, at the same time that it adopts the annual budget and appropriates funds for
capital improvement projects, shall by separate ordinance establish the annual Attachment A by
adopting, with or without modification, the director’s draft list may include an updated transportation system improvement project list as part of the adopted budget.

D. Once a project is placed on Attachment A, the transportation system improvement project list a fee shall be imposed on every development that impacts the project until the project is removed from the list by one of the following means:

1. The council by ordinance removes the project from Attachment A, the transportation system improvement project list in which case the fees already collected will be refunded if necessary to ensure that impact fees remain reasonably related to the traffic impacts of development that have paid an impact fee; provided, that a refund shall not be necessary if the council transfers the fees to the budget of another project that the council determines will mitigate essentially the same traffic impacts; or

2. The impact fee share of the project has been fully funded, in which case the director shall administratively remove the project from the project list.

19.04.090 Funding of projects.

A. Transportation impact fees shall be placed in appropriate deposit accounts within the streets capital improvement fund.

B. The transportation impact fees paid to the city shall be held and disbursed as follows:

1. The transportation impact fees collected shall be deposited in accordance with subsection A of this section;

2. When the council appropriates streets capital improvement fund funds for a project on the project list, impact fees held within such fund may be used in accordance with the project list. The non-impact fee moneys appropriated for the project may comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in transportation impact fees;

3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee account;

4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the public moneys advanced for the private share of the project;

5. All interest earned on transportation impact fees paid shall be retained in the account and expended for the purpose or purposes for which the transportation impact fees were imposed.

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

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

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

19.04.100 Refunds and Credits.

A. A developer may request and shall receive a refund when the developer does not proceed with the development activity for which transportation impact fees were paid, and the developer shows that no impact has resulted; however, the impact fee administrative fee shall not be refunded.

B. If an owner appears to be entitled to a refund of transportation impact fees, the finance director shall notify the owner by first class mail deposited with the United States Postal Service at their last known address. The owner must submit a request for a refund to the finance director in writing within one year of the date the right to claim the refund arises or the date the notice is given, whichever is later. Any transportation impact fees that are not expended or encumbered within the time limitations established by this chapter and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project.

C. In the event that transportation impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners as they appear of record with the Pierce County assessor at the time of refund.

D. When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in subsection B of this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on any city projects. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

E. Credits. Should a business who is the owner occupant of a commercial building construct a new business in another part of the City of Bonney Lake for the purpose of relocating said business, said business owner shall be entitled to a credit towards the new building of up to fifty percent (50%) of any transportation impact fees said business owner had previously paid on the building that is being vacated.

19.04.110 Appeals.

A developer may appeal the amount of an impact fee determined by the director as provided in BLMC 14.120.020. The developer shall bear the burden of proving:
A. That the director committed material and substantial error in calculating the developer’s proportionate share, as determined by an individual fee calculation or, if relevant, as set forth in the fee schedule, or in granting credit for the benefit factors; or

B. That the director’s decision was based on data that was materially and substantially incorrect and which, therefore, necessarily resulted in an erroneous decision.

19.04.120 Relationship to SEPA.

A. All development shall be subject to environmental review pursuant to SEPA and other applicable city ordinances and regulations. Any off-site in-city transportation mitigation costs required by SEPA shall be credited against traffic impact fees paid to the City.

B. Payment of the impact fee shall constitute satisfactory mitigation of those traffic impacts related to the specific improvements identified on the project list (see Attachment A).

C. Further mitigation in addition to the impact fee may be required for identified on-site adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

D. Nothing in this chapter shall be construed to limit the city’s authority to deny building permits when a proposal would result in significant adverse traffic impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact.

19.04.130 Relationship to concurrency.

Neither compliance with this chapter or the payment of any fee hereunder shall constitute a determination of concurrency under Chapter 19.02 BLMC.

19.04.140 Necessity of compliance.

A building permit issued after the effective date of the ordinance codified in this chapter shall be null and void if issued without substantial compliance with this chapter by the department, the approving authority and the director.

19.04.150 Traffic impact fee (TIF) funding source adjustments.

A. Traffic Impact Fee Funding Source Adjustment Established – Purpose. The purpose of this policy is to encourage and facilitate certain businesses to locate in designated areas of the city, redevelopments are desired, and to recruit into the city those types of businesses deemed beneficial to the city and the community and/or which the city currently lacks in sufficient number or volume. Pursuant to RCW 82.02.060(2) and (4) there is hereby established a funding source adjustment from the traffic impact fee set forth in this chapter for development activity which meets the criteria of subsection C of this section.

B. Application for Traffic Impact Fee Adjustment. Any developer applying for or receiving a building permit which meets the criteria set forth in subsection C of this section may apply to the...
mayor or designee for an adjustment from the traffic impact fee established pursuant to this chapter. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. A full and complete application must be filed on or before the date of certificate of occupancy in order to be eligible for a potential adjustment to the TIF.

C. Funding Source Adjustment Criteria. To be eligible for the traffic impact fee adjustment established by this section, the applicant shall be a commercial retail business which locates or establishes a commercial retail business that is not considered to be ineligible pursuant to subsection (C)(5) of this section. Qualified applicants must meet each of the following criteria as applicable:

1. Downtown. The applicant must be a retail business, either new or existing, located within the downtown core (DC) or downtown mixed use (DM) zoning district. Any permitted commercial uses in the DC or DM district are eligible to apply for the TIF adjustment. In order to qualify for a TIF adjustment in the downtown, the retail applicant or underlying developer must redevelop a portion of the downtown core or downtown mixed use zone. Said redevelopment shall include, at a minimum, the demolition of an existing structure on the site of the proposed new construction, and the subsequent construction of a new structure of not less than 10,000 square feet in conformance with the downtown plan and accompanying design guidelines.

2. Eastown Zone. The applicant must be a new retail business located within the Eastown combined retail-commercial, warehousing and light manufacturing zone, and not considered to be an ineligible business under subsection (C)(5) of this section. Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least $15,000 per year over the three-year period commencing from date of certificate of occupancy.

3. Midtown and Other Areas Outside Downtown or Eastown. The applicant must be a new retail business located within a C1, C2, or C3 zoning district, and not considered an ineligible business under subsection (C)(5) of this section. Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least $15,000 per year over the three-year period commencing from date of certificate of occupancy.

4. Special Criteria for Sit-Down Restaurants. The applicant must be a new otherwise eligible sit-down restaurant in which patrons are typically served by wait-staff and orders are not normally placed at a counter or drive-through window, and which employs 18 or more full-time equivalent (FTE) employees, or which generates to the city of Bonney Lake average annual city of Bonney Lake portion sales and use tax revenue of at least $25,000 per year over the three-year period commencing from date of certificate of occupancy.

5. Ineligible Businesses. The council finds that there are several types of businesses which are either currently well represented in the city, or otherwise do not have a broad public purpose, and thus no TIF incentive is appropriate. The following business types are hereby expressly excluded from application for the TIF adjustment program in all areas outside of the downtown: fast food restaurants, sandwich, teriyaki and other related eating establishments in which orders are
normally placed at a counter or drive-through window; coffee stands; beauty, nail, or hair salons; adult entertainment establishments; kennels; salvage yards; antique shops; convenience stores; gas stations; bars and taverns; thrift shops; self storage units; second hand or antique stores.

D. Funding Source Adjustment Amount.

1. Sit-Down Restaurants and All Areas Outside Downtown. For any commercial retail business, including a qualified sit-down restaurant, which is deemed to qualify under the provisions of subsection (C)(2) or (C)(3) of this section, there shall be an adjustment to the TIF equal to 75 percent of the three-year city of Bonney Lake portion of sales and use tax revenue, but not to exceed 75 percent of the traffic impact fees otherwise due pursuant to this chapter. The amount of the TIF adjustment shall be refunded, without interest. The remainder of the funds deposited pursuant to subsection F of this section shall remain with the city. In those cases in which the applicant is not the business which had paid the traffic impact fee, the city will refund the TIF to the developer or building owner who paid the TIF, absent an assignment to the applicant.

2. Downtown. For any commercial retail business which is deemed to qualify under the provisions of subsection (C)(1) of this section, there shall be an adjustment to the TIF equal to 100 percent of the three-year city of Bonney Lake portion of sales and use tax revenue, but not to exceed 100 percent of the traffic impact fees otherwise due pursuant to this chapter. The amount of the TIF adjustment shall be refunded, without interest. The remainder of the funds deposited pursuant to subsection E of this section shall remain with the city. In those cases in which the applicant is not the business which had paid the traffic impact fee, the city will refund the TIF to the developer or building owner who paid the TIF, absent an assignment to the applicant.

E. Administration of Traffic Impact Fee Adjustment.

1. Upon acceptance of an application for adjustment from traffic impact fees pursuant to subsection B of this section, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to this chapter. Following receipt of the traffic impact fees the city shall deposit and manage the fees as set forth in subsection E of this section. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy, the mayor’s designee, with the assistance of the chief financial officer, shall determine the city of Bonney Lake portion of sales and use tax revenue received by the city during the three-year period commencing from the date of issuance of a certificate of occupancy.

2. For any commercial retail business which is deemed to qualify under the provisions of subsection C of this section, there shall be an adjustment to the TIF as provided in subsection D of this section.

F. Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to this section and the provisions of this chapter shall be deposited by the city into Fund 136 (Transportation Impact). The city may at its option utilize said funds at any time for eligible and budgeted transportation purposes.

G. Appeals. Any applicant aggrieved by the determination of the mayor or designee as to whether the criteria of subsection C of this section have been met, or regarding eligibility for an adjustment from this chapter, or the amount of refund to which an applicant is entitled pursuant to subsection D of this section, may file a written appeal to the city’s hearing examiner as
established by Chapter 2.18 BLMC. The city hearing examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be the final action of the city and subject to further appeal pursuant to BLMC 2.18.180.

H. Application of Sales and Use Tax Revenue from Businesses Which Apply for and/or Receive an Adjustment or Partial Adjustment. An estimated amount of sales and use tax received by the city from applicants who apply for an adjustment or partial adjustment from the requirements of this title shall be placed in an appropriate account within the general fund. Said account shall be established to pay traffic impact fees that otherwise would have been paid had an adjustment or partial adjustment not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this title and the provisions of the city’s capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees received by the city from the applicant shall be deposited in the city’s general fund and may be expended for any lawful purpose as directed by the city council.

**Section 2. 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 3.** The Mayor is hereby authorized to implement such administrative policies and procedures as may be necessary to carry out the directions of this legislation.

**Section 4. 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 27th day of March, 2012.

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Neil Johnson, Jr., Mayor

ATTEST:

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Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

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James Dionne, City Attorney