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

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

I. CALL TO ORDER – Mayor Neil Johnson, Jr.

A. Flag Salute

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

C. Announcements, Appointments and Presentations:

1. Announcements:
   a. Proclamation: Arbor Day.

2. Appointments:
   a. AB12-50 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor's Reappointment Of Planning Commissioners Brandon Frederick (#4), Richards Rawlings (#5), And Grant Sulham (#1) With Terms Expiring April 6, 2015; And Design Commissioners Raymond Bunk, III (#7), David Colbeth (#5), And Paul Webber (#6) With Terms Also Expiring April 6, 2015.

3. Presentations: None.

D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. AB12-38 – A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding Proposed Resolution 2196 (AB12-39), Authorizing The Mayor To Surplus City Utility Items And A City Utility Vehicle In Accordance With The Provisions Outlined In BLMC 2.70.100.

B. Citizen Comments:

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

C. Correspondence

III. COUNCIL COMMITTEE REPORTS:
A. Finance Committee
B. Community Development Committee
C. Public Safety Committee
D. Other Reports

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

A. Approval of Council Minutes: March 20, 2012 Workshop.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #63223-63265 in the amount of $89,794.94. Account Payable wire #20120317 in the amount of $32,955.63. Accounts Payable check/vouchers #63266 -63325 in the amount of $173,391.74. Accounts Payable wire # 9029606 in the amount of $38,977.42; #20120314 in the amount of $2,389.90; #20123015 in the amount of $1,410.95. Utilities Refund check/voucher #63326 in the amount of $25.00.

C. Approval of Payroll: Payroll for March 16-31st for checks 30376-30407 including Direct Deposits and Electronic Transfers in the amount of $ 653,112.90.

D. AB12-30 – Resolution 2189 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Lease Agreement With Anderson Dairy For The Dairy’s Use Of Pasture Located On City-Owned Property.

E. AB12-40 – Resolution 2197 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Surplus Property In Accordance With The Provisions Outlined In BLMC 2.70.100Surplus Declaration for City Vehicles.

F. AB12-46 – Ordinance D12-46 – An Ordinance 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.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:


VII. PUBLIC SAFETY COMMITTEE ISSUES: None.
VIII. FULL COUNCIL ISSUES:


IX. EXECUTIVE SESSION:

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

X. ADJOURNMENT

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

THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA
WHEREAS, 2012 is the 140th anniversary of Arbor Day which is observed throughout the nation and the world; and

WHEREAS, Saturday April 21st has been set aside as the official Arbor Day in the City of Bonney Lake; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for homes, and beauty to our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and renewal.

NOW, THEREFORE, I, Neil Johnson, Jr., Mayor of the City of Bonney Lake, Washington, do hereby proclaim:

Saturday April 21st, 2012

Arbor Day in the City of Bonney Lake

And urge all citizens and property owners to celebrate Arbor Day; and to support efforts to protect our trees and woodlands; and to plant trees to gladden the heart and promote the well-being of this and future generations.

Mayor Neil Johnson                      Date
Proclamation

WHEREAS, Parks, playgrounds, nature trails, open spaces, community and cultural centers, and historic sites make a community attractive and desirable places to live, work, play, and visit and contribute to our ongoing economic vitality; and

WHEREAS, Parks are a place where people can reflect, exercise, play, socialize, and have fun; and

WHEREAS, public parks and open spaces help build a sense of community and are places where everyone is welcome; and

WHEREAS, numerous jurisdictions, cities and organizations, including Bonney Lake, have joined together to create an event that encourages citizens to celebrate the value and enhanced quality of life that parks bring to our communities; and

WHEREAS, Starbucks and many other businesses, benefactors, organizations and donors have provided sponsorships and donations to support this event that will bring citizens together to support their local parks; and

WHEREAS, thousands of citizens throughout Pierce County will volunteer their time to clean-up and beautify parks and open spaces on Saturday, April 21, 2012.

NOW, THEREFORE, I, Neil Johnson, Mayor of the City of Bonney Lake, Pierce County, Washington, proclaim April 21st, 2012 as:

Parks Appreciation Day!

And encourage all citizens to celebrate by participating in this event and assisting to clean up and beautify Bonney Lake’s parks, trails, and open spaces.

Dated this 10th day of April, 2012

________________________________________________________________________

Mayor Neil Johnson
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>
</thead>
<tbody>
<tr>
<td>Admin Srvc / Edvalson</td>
<td>10 April 2012</td>
<td>AB12-50</td>
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</table>

Agenda Item Type: Motion

Ordinance/Resolution Number: Councilmember Sponsor:

Agenda Subject: Confirming the Mayor's Re-appointment of Planning and Design Commission Members.

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor's Reappointment Of Planning Commissioners Brandon Frederick (#4), Richards Rawlings (#5), And Grant Sulham (#1) With Terms Expiring April 6, 2015; And Design Commissioners Raymond Bunk III (#7), David Colbeth (#5) And Paul Webber (#6) With Terms Also Expiring April 6, 2015.

Administrative Recommendation: Approve

Background Summary: The terms of these Planning and Design Commissioners expire on April 6, 2012. Mayor Johnson invites the Council to ratify his reappointment of these commissioners to their respective commissions.

Attachments: none

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
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<tbody>
<tr>
<td>n/a</td>
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Budget Explanation: There is no budget impact to this action.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:

- Approvals:
  - Date:
  - Chair/Councilmember
  - Councilmember
  - Councilmember

Forward to: Consent Agenda:

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):

Meeting Date(s): 10 April 2012

Public Hearing Date(s):

Tabled to Date:

APPROVALS

Director: Mayor:

Date Reviewed by City Attorney:

(if applicable):
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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

<table>
<thead>
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<th>Department/Staff Contact:</th>
<th>Meeting/Workshop Date:</th>
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<tbody>
<tr>
<td>Exec / Brian Hartsell</td>
<td>10 April 2012</td>
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<tr>
<td>Public Hearing</td>
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<tr>
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<tr>
<td>Public Hearing for AB12-39 - Resolution 2196 - Authorizing the Mayor to Surplus City Utility Items and a City Utility Vehicle.</td>
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<tr>
<th>Full Title/Motion:</th>
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<tr>
<th>Administrative Recommendation:</th>
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<tr>
<td>Approve.</td>
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<table>
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<tr>
<th>Background Summary:</th>
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<tr>
<td>As a result of the installation of new energy efficient water well-pump motors and variable frequency drives (VFDs), three spare motors are now obsolete. One is a 150 hp GE motor, and two are 125 hp US Motors. The 150 hp was kept as an emergency back up to the existing 150 hp at Tacoma Point Well #4, one of the 125 hp motors was replaced at Ballpark #1 well as part of previous upgrades there, and the second 125 hp has been a spare for some time. None of the three motors are compatible with our upgraded system, and none of them are inverter rated for use with VFD’s. Public Works recommends that these three motors be eliminated from the City's inventory and dispose of them if no scrap metal value can be obtained.</td>
</tr>
</tbody>
</table>

The City has one Public Works meter reader van that is surplus to the City's needs. The van was replaced by a new jeep. To salvage any remaining value the vehicle may still have, it is recommended that the vehicle be declared surplus and disposed through the State’s General Administration (GA) surplus program. The City 1) finds that the old van is cost prohibited to remain in service 2) has replaced it with a new jeep.

Information on the items to be surplused are attached at Exhibit A. A public hearing is required per BLMC 2.70.100 prior to surplus of utility property.

<table>
<thead>
<tr>
<th>Attachments:</th>
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<tr>
<td>Exhibit A--Surplus List for Resolution 2196</td>
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**BUDGET INFORMATION**

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<tr>
<th>Budget Amount</th>
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<th>Required Expenditure</th>
<th>Budget Balance</th>
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<tr>
<th>Budget Explanation:</th>
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<tbody>
<tr>
<td>The City anticipates at most scrap value for the old motors. However, it is likely that the surplus action will not generate any funds but simply ensure proper disposal. GA will retain a 7.5% fee for selling the utility vehicle. The fee will be a minimum $150, and a maximum $900. If the vehicle sells for less than $150, we receive nothing, but do not pay a fee. If the vehicle doesn’t sell after several attempts, then they have outlets to sell for parts, scrap, etc.</td>
</tr>
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**COMMITTEE, BOARD & COMMISSION REVIEW**

<table>
<thead>
<tr>
<th>Council Committee Review:</th>
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<tbody>
<tr>
<td>Finance Committee</td>
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<tr>
<td>Date: 27 March 2012</td>
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<table>
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<th>Approvals:</th>
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<tbody>
<tr>
<td>Chair/Councilmember Deputy Mayor Swatman</td>
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<tr>
<td>Councilmember Mark Hamilton</td>
</tr>
<tr>
<td>Councilmember Randy McKibben</td>
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<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tr>
<th>Forward to:</th>
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<tr>
<td>March 27 2012 Meeting</td>
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**Consent Agenda: **

<table>
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<tbody>
<tr>
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**Hearing Examiner Review:**
## COUNCIL ACTION

<table>
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<tr>
<th>Workshop Date(s):</th>
<th>Public Hearing Date(s):</th>
<th>April 10, 2012</th>
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</thead>
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<tr>
<td>Meeting Date(s):</td>
<td>Tabled to Date:</td>
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## APPROVALS

<table>
<thead>
<tr>
<th>Director:</th>
<th>Mayor:</th>
<th>Date Reviewed by City Attorney:</th>
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<tbody>
<tr>
<td></td>
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<td>(if applicable):</td>
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*Agenda Packet p. 12 of 110*
RESOLUTION NO. 2196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SURPLUS PROPERTY IN ACCORDANCE WITH THE PROVISIONS OUTLINED IN BLMC 2.70.100.

NOW THEREFORE, the City Council of the City of Bonney Lake, Washington, does hereby resolve that the vehicles and property listed in Exhibit “A” are surplus to the City’s needs and hereby authorizes the mayor to dispose of said property through the State’s General Administration surplus program

PASSED by the City Council this 24th day of April, 2012.

________________________________
Neil Johnson, Jr., Mayor

ATTEST:

________________________________
Harwood Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

________________________________
James Dionne, City Attorney
Exhibit A--Surplus List for Resolution 2196

<table>
<thead>
<tr>
<th><strong>Utility Vehicle</strong></th>
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<tbody>
<tr>
<td>x Vehicle Type</td>
<td>3 Door Van</td>
</tr>
<tr>
<td>x Make</td>
<td>Chevrolet</td>
</tr>
<tr>
<td>x VIN/Serial#</td>
<td>1GBCS1045R2912337</td>
</tr>
<tr>
<td>x Odometer</td>
<td>167,000</td>
</tr>
<tr>
<td>Tag#</td>
<td></td>
</tr>
<tr>
<td>Budget Code</td>
<td></td>
</tr>
<tr>
<td>x Department</td>
<td>Water</td>
</tr>
<tr>
<td>x Year</td>
<td>1994</td>
</tr>
<tr>
<td>x Model</td>
<td>LLV Grumman</td>
</tr>
<tr>
<td>x License</td>
<td>16523D</td>
</tr>
<tr>
<td>x Equipment #</td>
<td>RS429</td>
</tr>
<tr>
<td>Estimated Value</td>
<td>$1,000</td>
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</table>

Notes:
Several parts obsolete, unable to repair. Replaced with new jeep for meter reads.

<table>
<thead>
<tr>
<th><strong>Other Utility Items</strong></th>
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</thead>
<tbody>
<tr>
<td>GE 150 hp well-pump motor, quantity 1</td>
<td></td>
</tr>
<tr>
<td>US Motors 125 hp well-pump motor, quantity 2</td>
<td></td>
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</tbody>
</table>
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.

■ **AB12-45 – Ordinance D12-45 – Temporary TIF Reduction.**

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 on 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)

Department/Staff Contact: Exec / Brian Hartsell
Meeting/Workshop Date: 10 April 2012
Agenda Bill Number: AB12-30

Agenda Item Type: Resolution
Ordinance/Resolution Number: 2189
Councilmember Sponsor:

Agenda Subject: Lease Agreement with Anderson Dairy for their use of the Reed Property for cattle grazing.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Lease Agreement With Anderson Dairy For The Dairy's Use Of Pasture Located On City-Owned Property.

Administrative Recommendation: Approve

Background Summary: At the annual City Council Retreat on February 25, 2012, the City Council decided to pursue a lease agreement with Anderson Dairy. The agreement would allow the dairy to graze cattle on the pastures at the Reed Property in order to maintain them until development of the well sites. In exchange for maintaining the fields (roughly 12 out of the 20 acres) and fences at the dairy’s expense, the City would grant the use of the fields. The dairy currently uses the land around the Reed Property as well.

Attachments: 1) Lease Agreement with Exhibits A and B (Map) and 2) Resolution 2189

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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</table>

Budget Explanation: In lieu of making lease payments in cash, the Lessee has agreed to perform certain maintenance, upkeep, and monitoring of the Property during the term of the Agreement. The Dept of Revenue has determined that, per WAC458.29A.100, this activity is exempt from leasehold excise tax.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Finance Committee
Date: 27 March 2012
Approvals:
Chair/Councilmember Deputy Mayor Swatman ☒ ☐
Councilmember Mark Hamilton ☒ ☐
Councilmember Randy McKibbin ☒ ☐

Forward to: 10 Apr 2012 Council Meeting
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
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<tr>
<td></td>
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<td>(if applicable):</td>
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RESOLUTION NO. 2189

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A LEASE AGREEMENT WITH ANDERSON DAIRY FOR THE DAIRY’S USE OF PASTURE LOCATED ON CITY-OWNED PROPERTY.

WHEREAS, the City owns property at 7109 Barkubein Road previously acquired as a potential source of additional water rights; and

WHEREAS, the City desires to maintain the property in good condition until its future development as a well site;

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake City Council does hereby authorize the Mayor to sign the agreement attached hereto and incorporated in “Attachment A.”

PASSED by the City Council this 10th day of April 2012.

_____________________________
Neil Johnson, Jr., Mayor

ATTEST:

_________________________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

_________________________________
James Dionne, City Attorney
LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter referred to as the "Agreement") is made and entered into this _________ day of ________, 2012, by and between the City of Bonney Lake (hereinafter referred to as "City") and Anderson Dairy, (hereinafter referred to as "Lessee").

WHEREAS, City is the fee owner of certain real property, commonly known as the Reed Farm Property, and situated in Pierce County, Washington, such real property having a street address of 7109 Barkуйin Road, Buckley, Washington (hereinafter referred to as the "Property"), and the legal description attached as Exhibit A to this Agreement; and

WHEREAS, Lessee desires to lease a portion of the Property from the City to provide space for the grazing of cattle under the terms and conditions as contained herein; and

WHEREAS, in lieu of making lease payments in cash, the Lessee has agreed to perform certain maintenance, upkeep, and monitoring of the Property during the term of the Agreement.

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. TERM. City leases to Lessee and Lessee leases from City a portion of the above described Property as described in Exhibit "B", for a term beginning on the date this agreement is signed by both parties, and ending at 11:59 p.m. on December 31, 2013. Provided, however, that this Lease may be extended upon mutual agreement of the Parties, and upon such terms as the Parties may negotiate, for additional periods of time upon expiration of the initial term. And provided further that either party shall have the right to terminate this Agreement with sixty (60) days advance written notice to the other party.

2. USE OF PROPERTY. Lessee leases the Property as is. Lessee shall use the Property exclusively for cattle grazing. Lessee shall not allow any other person or program to use or occupy the Property without first obtaining City's written consent to such use. Lessee may use only those areas of the farm shown on the map attached hereto as Exhibit "B." Areas of the Property not depicted as leased property on Exhibit B, including out buildings, remain in the exclusive use of the City for its purposes and/or other lessees.

3. Lessee understands that the City acquired the property in order to develop one or more water wells on the property. Accordingly, Lessee understands and agrees that the City may use the leased Property for surveys, tests, drillings, or other activities in support of City operations. During these periods of water well exploration and development, the Lessee will relocate or secure animals, if requested, until City use is complete.

4. ASSIGNMENT AND SUB-LETTING. Lessee shall not assign this Agreement, or sublet or grant any license to use the Property or any part thereof without the prior written consent of City. Consent by City to one such assignment, sub-letting or license shall not be deemed to be a consent to any subsequent assignment, sub-letting or license. An assignment, sub-letting or license without the prior written consent of City or an
assignment or sub-letting by operation of law shall be absolutely null and void and shall, at City's option, terminate this Agreement.

5. **ALTERATIONS AND IMPROVEMENTS.** Lessee shall make no alterations to the buildings or improvements on the Property or construct any building or make any other improvements on the Property without the prior written consent of City. Any and all alterations, changes, and/or improvements built, constructed or placed on the Property by Lessee shall, unless otherwise provided by written agreement between City and Lessee, be and become the property of City and remain on the Property at the expiration or termination of this Agreement. The City shall not reimburse the Lessee for the costs of any structures or improvements Lessee may make to the Property, including the extension of water or power. The Lessee is responsible for installing any additional fencing necessary to keep or pasture the livestock prior to the date livestock are brought to the pasture and to maintain the fences during the pasture season. Fencing that is located along a parcel line at the time the lease agreement commences is to remain along the parcel line for the duration the agreement is in place.

6. **HAZARDOUS MATERIALS.** Lessee shall not keep on the Property any item of a dangerous, flammable or explosive character that might unreasonably increase the danger of fire or explosion on the Property or that might be considered hazardous or extra hazardous by any responsible insurance company.

7. **UTILITIES.** Lessee shall not utilize any City utilities.

8. **MAINTENANCE AND REPAIR; RULES.** Lessee agrees to keep and maintain the Property in safe and sanitary condition during the term of this Agreement and any renewal thereof. Lessee shall:

   (a) Not intentionally or negligently destroy, deface, damage, impair, or remove any part of a land or fences, permit any invitee, licensee, or any person acting under Lessee control to do so.

   (b) Not permit any nuisance conditions or junk, including junk vehicles, to accrue on the Property;

   (c) Establish and maintain at Lessee expense a weed control program for utilized pastures consistent with the Washington State Weed Control Law and associated Pierce County Noxious Weed Control Board.

   (d) Assist the city in the surveillance and protection of the property. The Lessee shall notify the City of any observed trespassing or vandalism that occurs on the Property.

9. **DAMAGE TO PROPERTY.** In the event the Property is destroyed or rendered wholly unusable by fire, storm, earthquake, or other casualty not caused by the negligence of Lessee, this Agreement shall terminate from such time.

10. **INSPECTION OF PROPERTY.** City and City's agents shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the
Property for the purpose of inspecting the Property and all buildings and improvements thereon, and for the purposes of making any repairs, additions or alterations as may be deemed appropriate by City for the preservation of the Property.

11. NO LIABILITY FOR PERSONAL PROPERTY. Lessee acknowledges that the City does not insure, nor take any responsibility for repairing or replacing, any personal property or equipment of Lessee. Lessee is advised to obtain insurance if desired.

12. SURRENDER OF PROPERTY. Upon the expiration of the term hereof, subject to paragraph 1 above, Lessee shall surrender the Property in as good a state and condition as it was at the commencement of this Agreement, reasonable use and wear and tear thereof and damages by the elements excepted.

13. ANIMALS. Only cattle shall be kept on the Property at any time. Violation of this provision shall constitute grounds for termination of the lease unless the Lessee first secures in writing the consent of the City to graze other animals. The Lessee shall take measures to ensure that overgrazing does not occur. Lessee shall provide materials and labor to construct/maintain fences around the pastures. Lessee shall provide all food and bedding, and attend to all veterinary needs of the animals.

The Lessee agrees: a). Not to pasture livestock known to be breachy (apt to break fences or break out of pasture). Should any animal be found outside the pasture on three or more occasions, the City may request its permanent removal from the leased Property; b) To brand or tag all livestock in a manner sufficient to determine identity of ownership. A written list of all animals beyond weaning age entering the pasture together with brand description and classifications according to breed, age grouping, and sex shall be provided to the City. Such list shall be kept up to date throughout the lease.

14. INDEMNIFICATION. City shall not be liable for any death, damage or injury of or to the Lessee or their guests, invitees, agents, employees, animals or to any person or animal entering the Property or any buildings of which the Property are a part or to goods or equipment, or in the structure or equipment of the structure of which the Property are a part, and Lessee hereby agrees to indemnify, defend and hold City harmless from any and all claims or assertions of every kind and nature arising from Lessee’s use of the Property pursuant to this Agreement.

15. DEFAULT. If City determines that Lessee is in default of this Agreement, City shall provide Lessee with the appropriate written notice as specified below, and Lessee shall have a limited number of days to remedy the default unless otherwise excepted. For activities in contravention of this Agreement, City shall provide Lessee with a written Notice of Noncompliance specifying the default and City's intent to terminate this Agreement if the violation is not remedied, and Lessee shall have no fewer than thirty (30) days after the notice is delivered to remedy the noncompliance. If Lessee fails to remedy the default within the required timeframe, City may immediately terminate this Agreement, and Lessee shall immediately vacate the Property and shall return the keys and all opening devices to City.
16. **ABANDONMENT.** If at any time during the term of this Agreement Lessee abandons the Property or any part thereof, City may, at City's option, obtain possession of the Property in the manner provided by law, and without becoming liable to Lessee for damages or for any payment of any kind whatever. City may, at City's discretion, as agent for Lessee, relet the Property, or any part thereof, for the whole or any part thereof, for the whole or any part of the then unexpired term. If City's right of reentry is exercised following abandonment of the Property by Lessee, then City shall consider any personal property belonging to Lessee and left on the Property to also have been abandoned, in which case City may dispose of all such personal property in any manner City shall deem proper and City is hereby relieved of all liability for doing so.

17. **RIGHTS AND REMEDIES.** The rights and remedies under this lease are cumulative, and either party's using any one right or remedy will not preclude or waive that party's right to use any other. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

18. **GOVERNING LAW.** This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Washington.

19. **SEVERABILITY.** If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

20. **BINDING EFFECT.** The covenants, obligations and conditions herein contained shall be binding on and inure to the benefit of the heirs, legal representatives, and assigns of the parties hereto.

21. **DESCRIPTIVE HEADINGS.** The descriptive headings used herein are for convenience of reference only and they are not intended to have any affect whatsoever in determining the rights or obligations of the City or Lessee.

22. **CONSTRUCTION.** The pronouns used herein shall include, where appropriate, either gender or both, singular and plural.

23. **NON-WAIVER.** No indulgence, waiver, election or non-election by City under this Agreement shall affect Lessee’s duties and liabilities hereunder.

24. **MODIFICATION.** The parties hereby agree that this document contains the entire agreement between the parties and this Agreement shall not be modified, changed, altered or amended in any way except through a written amendment signed by all of the parties hereto.

25. **NOTICE.** Any notice required or permitted under this Lease or under state law shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:
If to City to:

Don Morrison, City Administrator
City of Bonney Lake
19306 Bonney Lake Blvd.
Bonney Lake, Washington 98391

If to Lessee to:

Anderson Dairy
Attn: Brian Anderson
7515 234th Ave E
Buckley, WA 98321

City and Lessee shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

As to City, this _____ day of _______________________, 2012.

CITY OF BONNEY LAKE:

Sign: ______________________________________
Print: ____________________________________ Date: ____________

As to Lessee, this _____ day of _______________________, 2012.

ANDERSON DAIRY ("Lessee"):

Sign: [Signature]
Print: Brian L. Anderson Date: 3-26-12

Sign: ______________________________________
Print: ____________________________________ Date: ____________
EXHIBIT A

Legal description of Reed Property.

Parcel 0520261009:

Section 26 Township 20 Range 05 Quarter 14 : BEG AT SW COR OF JAMES WILLIAMSON DC IN SEC TH N ALG W BDRY OF SD DC 270 FT TH E 450 FT TH S 270 FT TH W 450 FT M/L TO BEG LESS PREMISES OWNED BY PSP L DESC AS FOLL BEG AT SW COR OF JAMES WILLIAMSON DC IN SEC TH N ALG W BDRY SD DC 550 FT TH SELY TO A PT ON S LI SD DC 300 FT E OF BEG TH W 300 FT TO BEG SUBJ TO RDS EXC BARKUBEIN CO RD EXC POR CYD TO P CO BY ETN 4092778

Parcel 0520261700:

Section 26 Township 20 Range 05 Quarter 11 : POR JAMES E WILLIAMSON DLC & MICHAEL CONNEL DLC LOC 25 & 26-20-05E DESC AS FOLL COM AT NW COR SD MICHAEL CONNELL DLC TH S 86 DEG 12 MIN 07 SEC E ALG N LI DLC 233.79 FT TO ELY R/W BARKUBEIN RD & POB TH S 03 DEG 35 MIN 57 SEC W ALG SD ELY R/W 60.38 FT TH S 85 DEG 33 MIN 44 SEC E 1165.75 FT TO WLY PROP LI AS CY TO PSPL SUP CRT #89-2-076387 TH N 49 DEG 47 MIN 26 SEC E ALG SD WLY LI 105.65 FT TO N LI OF DLC TH CONT ALG SD LI N 49 DEG 47 MIN 26 SEC E 19.66 FT TO NW COR PSPL PROP TH N 89 DEG 41 MIN 37 SEC E ALG N LI SD PROP 173.85 FT TH N 03 DEG 39 MIN 11 SEC E 524.31 FT TH N 85 DEG 33 MIN 44 SEC W 1429.56 FT TO SD ELY R/W TH S 03 DEG 39 MIN 32 SEC W ALG SD ELY R/W 566.37 FT TO POB EXC POR CYD TO WHITE RIVER POWER CO AFN 157621 EXC FOLL BEG AT SW COR JAMES DLC TH N 270 FT TH E 450 FT M/L TO BEG ALSO EXC POR CYD TO P CO BY ETN 4092778 OUT OF 2-000 & 3-700 SEG L0689 4/22/2000 MD (DCSD4-2-01)
EXHIBIT B

Map of Leased Property
The map features are approximate and are intended only to provide an indication of said features. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey.

All data is expressly provided "As Is" and "With All Faults." The County makes no warranty of fitness for a particular purpose.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Exec / Brian Hartsell
Meeting/Workshop Date: 10 April 2012
Agenda Bill Number: AB12-40

Agenda Item Type: Resolution
Ordinance/Resolution Number: 2197
Councilmember Sponsor:

Agenda Subject: A resolution authorizing the mayor to surplus vehicles to the State of Washington General Administration (GA) surplus program.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Surplus Property In Accordance With The Provisions Outlined In Blmc 2.70.100.

Administrative Recommendation: Approve

Background Summary: The City of Bonney Lake has five (5) police vehicles and one (1) PW facilities truck that are surplus to the City's needs--To create space on city property and to salvage any remaining value the vehicles may still have, it is recommended that these vehicle be declared surplus and disposed through the State’s General Administration (GA) surplus program. The City either has 1) no practical use for these vehicles, 2) has replaced the vehicles, or 3) cost prohibited to remain in service. Five (5) existing police vehicles will receive over $3,000 worth of equipment and accessories recycled from all five (5) patrol vehicles that are to be surplused. Information on the vehicles to be surplused is listed and attached as Exhibit A.

Attachments: Yes--1) Exhibit A--Surplus Vehicle List and recycled equipment details 2) Exhibit B--Repair and Maintenance history of two Dodge Chargers 3) Resolution 2197

BUDGET INFORMATION

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

Budget Explanation: We are being charged to have a third party strip the five (5) police vehicles in preparation for surplus to GA Tumwater, WA location on a tight rotation system. GA will retain a 7.5% fee for selling the vehicles. The fee will be a minimum $150, and a maximum $900. If a vehicle sells for less than $150, we receive nothing, but do not pay a fee. If the vehicle doesn’t sell after several attempts, then they have outlets to sell for parts, scrap, etc.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Finance Committee Date: 27 March 2012

<table>
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<td>Councilmember</td>
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<tr>
<td>Councilmember</td>
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Yes No

Consent Agenda: Yes No

Forward to: April 10, 2012 Council Meeting

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):
Meeting Date(s):
Public Hearing Date(s):
Tabled to Date:
| APPROVALS |
|-----------|-----------|----------------|
| Director: | Mayor:    | Date Reviewed |
|           |           | by City Attorney: |
|           |           | (if applicable): |
RESOLUTION NO. 2197

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SURPLUS PROPERTY IN ACCORDANCE WITH THE PROVISIONS OUTLINED IN BLMC 2.70.100.

NOW THEREFORE, the City Council of the City of Bonney Lake, Washington, does hereby resolve that the vehicles and property listed in Exhibit “A” are surplus to the City’s needs and hereby authorizes the mayor to dispose of said property through the State’s General Administration surplus program

PASSED by the City Council this 10 day of April, 2012.

______________________________
Neil Johnson, Jr., Mayor

ATTEST:

______________________________
Harwood Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne, City Attorney
### Exhibit A--Vehicle Surplus List for Resolution 2197

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<tr>
<th>Vehicle Type</th>
<th>Make</th>
<th>VIN/Serial#</th>
<th>Odometer</th>
<th>Tag#</th>
<th>Department</th>
<th>Year</th>
<th>Model</th>
<th>License</th>
<th>Equipment #</th>
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<td>Ford</td>
<td>2FAFP71W24X104553</td>
<td>80,000</td>
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<td>2004</td>
<td>Crown Victoria</td>
<td>36929D</td>
<td>PD042</td>
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<td>Ford</td>
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<td>Police</td>
<td>2004</td>
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<td>Ford</td>
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**Notes:** On Budget Schedule for Surplus
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Notes: Premature surplus
**Cost prohibitive repair & maintenance**
Chrysler/Dodge fails to modify design of chronic problems with tie rods, motor mounts, control arm bushings, failing electrical systems. All Safety concerns (See attached Exhibit B)

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Notes: Premature surplus
**Cost prohibitive repair & maintenance**
Chrysler/Dodge fails to modify design of chronic problems with tie rods, motor mounts, control arm bushings, failing electrical systems. All Safety concerns (See attached Exhibit B)

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Notes: On Budget Schedule for Surplus
Odometer/Speedometer has been replaced in this car.
ER&R RECYCLE PROGRAM FOR 2012

Emergency equipment from PD042, PD043, PD044 is transferrable to new 2011 Crown Victoria Cars
Included in the recycle program are:
Light Bars w/built in opticom emitter (update LED lenses)
Fuse blocks and wiring
Relay and charge guards on batteries
Floor plates, leg kit and laptop stands
Whelen Deck and misc LED lights
Map lights
14” Angled consoles
Gun racks
Trunk trays to hold equipment/spare batteries
Partition and passenger restraint seats
Radios and other equipment as needed

All emergency equipment from PD065 and PD066 is transferrable to non-patrol outfitted
Dodge Chargers PD064 and PD085 (previously assigned to Chief and Assistant Chief)
Included in the recycle program are:
Light Bars w/built in opticom emitter (update controller)
Fuse blocks and wiring
Relay and charge guards on batteries
Whelen Deck and misc LED lights
Map lights
Partitions
Radios relay and other equipment as needed
## Exhibit B—Repair and Maintenance history of Dodge Chargers PD065 and PD066 for Resolution 2197

<table>
<thead>
<tr>
<th>Vehicle #</th>
<th>Entered into service</th>
<th>LOF's</th>
<th>Brakes</th>
<th>Tires</th>
<th>Battery</th>
<th>Motor Mounts</th>
<th>Tie Rods</th>
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<th>Other</th>
<th>Recalls</th>
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<th>Total Repairs to date</th>
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<tr>
<td></td>
<td>4/16/2008</td>
<td>1/20/2010</td>
<td>Inop control head 1/13/10</td>
<td>Car doesn’t start. Fuel pump fuse blown, need new fuel pump (Warranty) 1/10/08</td>
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<tr>
<td></td>
<td>6/26/2008</td>
<td>7/22/2011</td>
<td>Inop Police Interface Module 4/12/10</td>
<td>Car doesn’t start or cutting out, smell fuel, from reverse into drive-vehicle dies, (warranty) 2/10/09</td>
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<tr>
<td></td>
<td>1/20/2010</td>
<td>1/26/2011</td>
<td>Extensive electrical problems in car. Police Interface Module replaced, installed charge guard, console wiring compromised (rewired), installed two power relays to truck, small fuse box, new battery, 6/13/11</td>
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<tr>
<td></td>
<td>5/18/2010</td>
<td>9/16/2010</td>
<td>Check engine light on, evap leaks-replace gas cap and evap test, transmission service due to leak 4/23/10</td>
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<tr>
<td></td>
<td>9/16/2010</td>
<td>1/20/2010</td>
<td>Crushed fuel line, installed evap and fuel line 4/2/09</td>
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<tr>
<td></td>
<td>4/16/2008</td>
<td>12/26/2007</td>
<td>Under carriage inspection. Replaced brakes, outer tie rods broken, front tension strut bushings cracked, lower control arm bushings cracked. Replaced all 7/22/11</td>
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<tr>
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<td>6/26/2008</td>
<td>1/20/2010</td>
<td>Under carriage inspection. Replaced brakes, outer tie rods broken, front tension strut bushings cracked, lower control arm bushings cracked. Replaced all 7/22/11</td>
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<td></td>
<td>Intermittent cluster lights coming on intrument panel. Engine dies 1/2 the time. Problem continues. 8/24/11</td>
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<td></td>
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<td></td>
<td>Check engine light on, New thermostat and new radiator due to broken pepcock and corroded radiator plugs. Could not determine electrical problems 11/23/11</td>
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<td></td>
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<td>Chrysler Dodge recommends the vehicle be completely rewired if electrical problem continue. Not covered under the Power Train Warranty 11/23/2011</td>
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<th>Battery</th>
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(*Agenda Packet p. 41 of 110*)
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<th>ACCIDENTS</th>
<th>Other</th>
<th>Recalls</th>
<th>Total for Repairs to date</th>
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**Reported possible brake issues. Vehicle pulls to the left when braking. Found the left outer tie rod broke and tie rod ends being worn out. Need tie rods and front end alignment. 10/2/09**

**While driving the engine suddenly quits running. Chimes go off in cockpit of car. Malfunction indicator light on. 1/29/2010**

**Engine continues to die while driving. Or when accelerating the car hardly moves forward 1/29/2010**

**Engine continues to die while driving. Check engine light ON> Or when accelerating the car hardly moves forward - installed new Police Control Module 2/24/2010**

**Flight recorder removed (NO DATA FOUND).**

**Enumclaw found alternator INOP/over heating. Replaced with new and recalibrated front seats at no charge (causing engine light to come on) 4/21/2010**

**Transmission leaking. Comprehensive transmission service 11/18/2010**

**Acceleration/deceleration traction control light and ABS light come on. Instrument control panel intermittently flash (all at same time) Officer video tapes Enumclaw replaced steering wheel angle sensor. Upon inspection found outer tie rods broken 3/14/20**

**Electrical and cockpit instrument panel continues to come on intermittently. Enumclaw found several codes- leading to replacement of the complete steering column, replaced clock spring 3/17/2011**

**Upon entire service/brake inspection, removed exhaust system to inspect driveline. Found front driveshaft damper ok. Found rear driveline cracked (Recommend entire driveline replacement-safety issue not covered under power train warranty) replaced all bolts at this time 8/10/2011**

**Intermittent cluster lights still come on intrument panel. Engine dies 1/2 the time. Problems continue. Mechanics determined extensive electrical issues present (need to rewire entire vehicle) City chose to install temporary fix by installing new ignition switch 11/10/2011**

**NOTE: STILL NEEDS TO DO L08 COOLING FAN RECALL**

---

_Agenda Packet p. 42 of 110_
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City of Bonney Lake, Washington  
City Council Agenda Bill (AB)

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<td>Ordinance</td>
<td>D12-46</td>
<td>Randy McKibbin</td>
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**Agenda Subject:** Approve the revisions to the Development Policies & Public Works Design Standards.

**Full Title/Motion:** An Ordinance 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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<th>Required Expenditure</th>
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**Budget Explanation:**

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:** Community Development  
Date: 20 March 2012  
Approvers:  
Chair/Councilmember: Randy McKibbin  
Councilmember: James Rackley  
Councilmember: Katrina Minton-Davis

Forward to: Council Workshop  
Consent Agenda: Yes No

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

Workshop Date(s): 4/3/12  
Meeting Date(s):  
Public Hearing Date(s):  
Tabled to Date:

**APPROVALS**

Director: Dan Grigsby  
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 10th day of April, 2012.

____________________________
Neil Johnson, Mayor

ATTEST:

________________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

____________________________
James J. Dionne, City Attorney
# Public Works Design Standards & Standard Detail Revisions (March 13, 2012)

## Standards Revisions

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<td>200-Permits</td>
<td>200-2</td>
<td>Section 202 / Horizontal Drawing / Bullet 2 / control datum shall be per Section 205 &quot;As-Built Plans&quot;</td>
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<td>200-3</td>
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<td>200-3</td>
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<td>200-Permits</td>
<td>200-4</td>
<td>Section 203 / Content of As-Built Drawings / control datum shall be per Section 205 &quot;As-Built Plans&quot;</td>
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<td>200-Permits</td>
<td>200-6</td>
<td>New Section 205 As-Built Plans</td>
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<td>Revision</td>
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<td>300-Public Works Considerations</td>
<td>300-6</td>
<td>Section 301 / General Conditions of Construction / 24. Location Windowing / Changed Item 24. to Location Potholing and language potholes cut in any street for locating existing utilities shall be restored per Standard Detail S29 &quot;Pothole Restoration&quot; unless otherwise approved by the Public Works Director of their representatives.</td>
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<td>Section 301 / General Conditions of Construction / 45. Easements / a. General / Added Additional easement submittal shall include an AutoCAD file per Section 205 datum criteria.</td>
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<td>400-Water System Standards</td>
<td>400-15</td>
<td>407 Methods of Construction / 17. Standard Water Notes / g. / added one call number 811 to aid in utility location</td>
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<td>500-Sanitary Sewer Standards</td>
<td>500-3</td>
<td>Section 502 / General Requirements / 22. / control datum shall be per Section 205 &quot;As-Built Plans&quot;</td>
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<td>500-Sanitary Sewer Standards</td>
<td>500-9</td>
<td>Section 505 Testing Gravity Sewers and Manholes For Acceptance / Specified Gravity Sewer Main Tests and added Item 2. Manhole Tests and corresponding specifications</td>
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<td>516 Standard Sewer Notes / 7. / added one call number 811 to aid in utility location</td>
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**Standard Detail Revisions**

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<td>TRENCH PAVEMENT RESTORATION</td>
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<td>S11</td>
<td>ROAD APPROACH</td>
<td>6/17/2005</td>
<td>8/3/2011</td>
<td>Page 3 (Revision 2) - Clarified Residential Width</td>
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<td>S14</td>
<td>STREET SIGN INSTALLATION</td>
<td>6/17/2005</td>
<td>1/27/2010</td>
<td>Page 3 (Revision 2) - Added Speed Limit Sign Dimensions</td>
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<td>S29</td>
<td>POTHOLE RESTORATION</td>
<td>1/27/2010</td>
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<td>Newly created Street Standard Detail S29 - Pothole Restoration</td>
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<td>W2</td>
<td>WATER MAIN TRENCH SECTION</td>
<td>6/17/2005</td>
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<td>6/17/2005</td>
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<td>Page 1 (Revision 2) - Created New Residential W10-R1.0 Detail Specified Domestic Brass</td>
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<td>6/17/2005</td>
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<td>STORMWATER ESU TABLE &amp; CALCULATION BLOCK</td>
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<td>6/17/2005</td>
<td>8/3/2011</td>
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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 MS.

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, PVI, PVTs], 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 callouts 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 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. **Surveying:** 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 Grantee’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 first 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:
<table>
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<tr>
<th>Maximum Vertical Depth of Manhole (feet)</th>
<th>Time in Seconds</th>
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<tr>
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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 restarts 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 GROUNDED (2" MIN. DEPTH) AND OVERLAINED AS DIRECTED BY THE CITY.

3. IN CASES WHERE CUTS ARE MADE IN THE DIRECTION OF TRAVEL, THE PAVEMENT SHALL BE GROUNDED (2" MIN. DEPTH) AND OVERLAINED TO THE WIDTHS AS SPECIFIED BY THE CITY FOR THE ENTIRE LENGTH OF THE TRENCH.
6" MIN. CEMENT CONCRETE
CLASS 3000

5 1/2"
1/2"

6"X6" STEEL MESH
SUPPORTED ON 2" DOBIE

MATCH EXISTING
DRIVEWAY GRADE

BASE COURSE, SEE S11
TYPICAL SECTION DETAIL

BACK OF
SIDEWALK

PROPERTY
LINE

4" CRUSHED SURFACING
TOP COURSE

SECTION A-A

WIDTH VARIES
FOR RESIDENTIAL
OR COMMERCIAL

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

6"X6" STEEL MESH
(FULL WIDTH OF DRIVEWAY
INCLUDING TRANSITIONS)

2% MAX.

3/8" EXPANSION
JOINT

NOTE: 1. 6'-0"

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

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<td>5/8/06</td>
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## RESIDENTIAL ROAD APPROACH

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

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.**
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.

Case 1
(no curb & gutter)

Case 2
(with curb and gutter)

Sign 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 microprismatic 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 1½" 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.

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<td>12/07/10</td>
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<tr>
<td>1</td>
<td>Added PRV Requirement &amp; Additional Corp Stop</td>
<td>11/05/09</td>
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### 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.

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</table>
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.

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PAGE 1 OF 2

City of Bonney Lake

W10 - R1.0

1" Residential Water Service

WATER STANDARD DETAIL
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" REDUCER.

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Approved: June 17, 2005
City Engineer Date

City of BONNEY LAKE
WATER PLAN STANDARD DETAIL

W10 - R1.0
1" RESIDENTIAL WATER SERVICE
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.
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.
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.

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City of BONNEY Lake

WATER STANDARD/DETAIL

Dwg No: W10 - RCounty
RESIDENTIAL WATER SERVICE

PAGE 2 OF 2

Approved: J. Johnson
City Engineer: J. Johnson
Date: June 17, 2005
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

---

PRV

2" CHECK VALVE

DOMESTIC METER PER DETAIL W10-C

2" BALL VALVE

BRASS 90° BEND

DOMESTIC WATER SERVICE SIZE PER APPROVED PLANS

2" GATE VALVE W/ BOX

CITY WATER MAIN

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

2" POLYETHYLENE

FINISHED GRADE

-14"-18"

TEE FOR DOMESTIC SERVICE

METER BOX

BRASS 90° BEND (TYP.)

2" BALL VALVE

SECTION A

2" CHECK VALVE UNION

TO BUILDING

---

City of BONNEY LAKE

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

WATER STANDARD DETAIL

12/07/10

Dwg No. W22

1

Rev No.

Revisions

Date

June 17, 2005

City Engineer

Date

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 8" DEEP

SERVICE TO
BUILDING

UNION (INTEGRAL
PART OF P.R.V.)

COPPER TUBING
W/ ALL NECESSARY
FITTINGS (TYPICAL
EACH SIDE)

SERVICE FROM
METER

3" MIN

6" MIN
12" MAX

3" MIN

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 of
BONNEY LAKE

WATER STANDARD DETAIL

W23
INDIVIDUAL PRV

Agenda Packet p. 79 of 110
### 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.

### 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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City of Bonney Lake

MISCELLANEOUS STANDARD DETAIL

M5

APPROVAL BLOCK
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<th><strong>STORMWATER ESU TABLE &amp; CALCULATION BLOCK</strong></th>
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<tr>
<td><strong>Site Name:</strong></td>
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<tr>
<td><strong>Address:</strong></td>
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<tr>
<td><strong>Parcel Number:</strong></td>
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<td><strong>Total Parcel Area Per Pierce County e-PIP (SF):</strong></td>
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<tr>
<td><strong>Total Pervious Surface Area: (SF)</strong></td>
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<tr>
<td><strong>Total Impervious Surface Area: (SF)</strong></td>
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<td><strong>Public ROW Area: (SF)</strong></td>
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<td><strong>Billable ESU:</strong></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 1½" 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 1½" CRUSHED ROCK OR AS APPROVED IN WRITING BY THE CITY ENGINEER.
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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

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**Agenda Subject:** Repealing Chapter 8.36 And Amending Chapter 8.08 Of The Bonney Lake Municipal Code Related To Handbills

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Repealing Chapter 8.36 And Amending Chapter 8.08 Of The Bonney Lake Municipal Code Related To Handbills.

**Administrative Recommendation:** Approve

**Background Summary:** The City Attorney's Office is recommending changes to Chapter 8.08 to eliminate the differential treatment between commercial and non-commercial handbills. The current ordinance dates from 1973, the proposed changes reflect a 1993 Supreme Court decision that indicates that commercial speech is generally entitled to the same First Amendment protections as non-commercial speech. The current code prohibits the selling of any materials in public, when we have a code provision that authorizes peddling (with a license), so these prohibitions have also been revised.

**Attachments:** Ordinance D12-48

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**Budget Information**

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Budget Explanation:

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**Committee, Board & Commission Review**

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Forward to: Consent Agenda: [ ] Yes [ ] No

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**Council Action**

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**Approvals**

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<td>February 29, 2012 (if applicable):</td>
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ORDINANCE NO. D12-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 8.36 AND AMENDING CHAPTER 8.08 OF THE BONNEY LAKE MUNICIPAL CODE RELATED TO HANDBILLS

WHEREAS, the City Council wishes to consolidate and update the municipal code’s regulations on the distribution of handbills to eliminate inconsistencies and improve clarity.

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

Section 1. Chapter 8.36 of the Bonney Lake Municipal Code is hereby repealed in its entirety.

Section 2. The following Sections of Chapter 8.08 of the Bonney Lake Municipal Code are hereby amended to read as follows:

8.08.150 Handbills - Distribution generally.
No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the city. No person shall hand out or distribute or sell any commercial handbill in any public place. It shall not be unlawful on any sidewalk, street, or other public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it, provided that if the receiver thereof is charged any money or fee, the distributor shall comply with all Code provisions related to peddlers. (Ord. 397 § 12, 1973).

8.08.160 Handbills - Placement on vehicles.
No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle. It shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it, provided that if the receiver thereof is charged any money or fee, the distributor shall comply with all Code provisions related to peddlers. (Ord. 397 § 13, 1973).

8.08.170 Handbills - Distribution on vacant property.
No person shall throw or deposit any commercial or noncommercial handbill in or upon any private residence or other private property which is temporarily or continuously uninhabited or vacant. (Ord. 397 § 14, 1973).
8.08.180 Handbills – Distribution unlawful when.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private residence or other private property, if requested by anyone thereon not to do so, or if there is placed on the residence or property in a conspicuous position near the entrance thereof, a sign bearing the words, “No Trespassing,” “No Peddlers or Agents,” “No Advertisement,” “No Handbills,” “No Soliciting,” or any similar notice, indicating in any manner that the occupants of the residence or property do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises. (Ord. 397 § 15, 1973).

8.08.190 Handbills – Distribution to private residences.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private residence which is inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private residence. In case of an inhabited private residence which is not posted in accordance with Section .180 of this Chapter, such person, unless requested by anyone upon such residence not to do so, may place or deposit any such handbill in or upon such inhabited private residence, if such hand bill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such residence or sidewalks, streets, or other public places, and except that handbills may not be deposited in mailboxes may not be so used when so prohibited by federal postal law or regulations.

The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers (as defined in this chapter) except that newspapers shall be placed on private residences or other private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private residences or other private property. (Ord. 397 § 16, 1973).

Section 2. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this __________ day of ________, 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:
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Reduction of Sewer SDC Charges Related to Tenant Improvements

**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 For Tenant Improvements.

**Administrative Recommendation:**

**Background Summary:** This ordinance proposes a reduction to Sewer SDC charges for non-residential tenant improvements. Once a connection charge has been paid for the original connection and the first and second tenant improvements for the same space, there will be no additional connection charges assessed for subsequent tenant improvements. This issue was discussed by the City Council at the April 3, 2012 Council Workshop. A consensus majority of the Council favored moving the proposed ordinance for action.

**Attachments:** Ordinance D12-44

### BUDGET INFORMATION

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**Budget Explanation:** The budget impact is unknown at this time.

### COMMITTEE, BOARD & COMMISSION REVIEW

**Council Committee Review:**

- **Date:**
- **Approval:**
  - Chair/Councilmember: NAME
  - Councilmember: NAME

**Forward to:**

**Consent Agenda:**

- **Yes**
- **No**

**Commission/Board Review:**

**Hearing Examiner Review:**

### COUNCIL ACTION

- **Workshop Date(s):** March 15, 2012, April 3, 2012
- **Public Hearing Date(s):**
- **Meeting Date(s):** March 27, 2012
- **Tabled to Date:** April 3, 2012

### APPROVALS

- **Director:** DM
- **Mayor:** NJ
- **Date Reviewed by City Attorney:** April 3, 2012
ORDINANCE NO. D12-44

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 FOR TENANT IMPROVEMENTS.

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 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. 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. 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

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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 12.12.105 is hereby amended to read as follows:

13.12.105 Calculation of nonresidential sewer connection charges.
A. System development charges (SDCs) shall be levied for each new sewer service connection to the city sewer system and for service upgrades generating additional flow or loading.

B. Nonresidential Connections – Existing Buildings.

1. SDCs for existing nonresidential customers who convert from septic to sewer shall be based on the most recent 12 months of water use records. The following formula shall be used to determine the number of REs an existing building is equivalent to: (average daily water use plus 113 gallons per day) divided by 275 gallons per day.

C. Nonresidential Connections – New Buildings

1. Sewer system development charges for all new nonresidential construction buildings shall be the calculated residential equivalents based on the residential equivalent value given in Schedule A, Non-Residential Sewer Equivalents, which is hereby incorporated by reference as now or hereafter amended.

2. SDCs for nonresidential applicants which do not fall into the categories listed in Schedule A shall be charged based on the developer’s engineer’s certified estimate of flow and shall be reviewed for adjusted fees after one year of water use data. The formula described in subsection (B)(1) of this section will apply in each case and the calculated SDC shall be subject to approval by the public works director. If one year of water use data shows that the SDC requires adjustment, the city will adjust the SDC up or down and either refund the difference or include an additional charge on the customer’s sewer bill.

D. Nonresidential Connections – Tenant Improvements

1. Sewer system development charges for all new tenant improvements shall be the calculated residential equivalents based on the residential equivalent value listed in Schedule A. If a former tenant or building owner paid an SDC for the space a new tenant is occupying, the new tenant shall be charged only that portion of the SDC which reflects the increased use over the previous tenant(s), based upon the business types of the new and previous tenant found in Schedule A, provided however, that once a connection charge has been paid for the original connection and the first and second tenant improvements for the same space, there shall be no additional connection charges assessed thereafter for subsequent tenant improvements.

2. Sewer system development charges shall not be charged for tenant improvements which are accessory to the primary use of the structure, less than 2,000 square feet in size, and have an occupancy load of less than 50 occupants.

E. The calculation of residential equivalents given in Schedule A, Non-Residential Sewer Equivalents, and attached to the ordinance codified in this section, shall be updated annually as needed.
F. SDCs shall be due and payable at the time of issuance of the building permit for the structure to be served by the sewer connection, 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 building 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 recalculated at current rates and the amount of the SDC already paid and not refunded may be credited toward the new SDC.

Section 3. 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 the 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 4. 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 5. 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 10th day of April, 2012.

________________________________________
Neil Johnson, Jr.
Mayor
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, Amending Chapter 19.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 984, 1282, 1316, And 1318 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 reduction in the TIF rate of whichever results in the greater rate reduction: 1) 25% reduction in TIF rates or 2) a deduction for the first charged PM trip per building permit.

**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: | |
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| Hearing Examiner Review: | |
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**COUNCIL ACTION**

| Workshop Date(s): | March 20, 2012; April 3, 2012 |
| Meeting Date(s):  | March 27, 2012 |

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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) Deduction of the first ITE Manual PM peak hour trip rate trips
- 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 TRAFFIC IMPACT 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 $35,000 shall not be considered development activity.

D. “Director” means the director of the department of public works or 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 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) a deduction for the first charged ITE Manual PM Peak Hour Rate trip per building permit. These reduced rates shall remain in effect until 200 new single family residential building permits have been issued after 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 a 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 actual mitigation costs required by SEPA for public facilities that are included in the capital facilities plan’s transportation element component of the Comprehensive Plan 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), the transportation system improvement project list.

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 where development is 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 10th day of April, 2012.

_____________________________
Neil Johnson, Jr., Mayor

ATTEST:

_____________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

_____________________________
James Dionne, City Attorney