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

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

I. Call to Order: Mayor Neil Johnson

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

III. Agenda Items:
B. Discussion: Allan Yorke Park Safety Plan (No advance materials available)
C. Council Open Discussion.

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E. Presentation: Medical Insurance (No advance materials available)

Pg. 21
F. Discussion: AB12-110 – Park Project Options

Pg. 25
G. Discussion: AB12-111 – Approval of GMG Final Plat

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

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.
CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

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

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, Acting Police Lieutenant Kurt Alfano, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

Announcements, Appointments and Presentations:

1. Announcements:
   - Senator Pam Roach: Legislative Session Wrap-up and Questions.

   Mayor Johnson suggested the Council begin with citizen comments and return to Senator Roach’s presentation later, as she had just arrived at the Justice Center.

Agenda Modifications: None.

PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

Public Hearings: None.

Citizen Comments:

Tina Lombard, 33824 7th Way SW, Federal Way, said her son, Robert ‘Hurricane’ Harris, drowned in Lake Tapps in September 2011. She said her son was a good kid and a strong athlete who was enjoying a day at the lake with family. She said the community gave her family amazing support, but her entire family was affected by Robert’s death. She said one to three people die each year in or along the shores of Lake Tapps. She suggested the City consider adding an emergency phone on the beach, providing a rope to mark where...
people should swim, and provide more information to visitors on temperatures in the lake. She challenged the City to work towards having zero fatalities on the lake.

Sherrie Cinkovich, 18007 107th St E, Bonney Lake, spoke on behalf of Yvette and Lee Boggan, who were in attendance at the meeting. She said the Boggans’ son, Quentin, died on Thursday, June 21st while swimming in Lake Tapps. She said there needs to be a lifeguard on duty at the swimming area and floating dock, at least during the summer months. She said something needs to be done, whether it is lifeguards, ropes, signs, or other measures, to stop something like this from happening again.

Leslie Duprie, 1715 Wright Ave, Sumner, spoke on behalf of a group who is planning a fundraiser for a sign in memory of Quentin Boggan. She said she spoke with Facilities & Special Projects Manager Gary Leaf, who suggested she present the idea to the Council. She said her group would like to work with the City to install a sign with information about swimming in Lake Tapps.

Mayor Johnson said when he first learned about the incident he and Councilmembers were at the Association of Washington Cities Conference. He said they spoke about options for a sign at the lake, and were planning to work with the Boggan family. He invited Ms. Duprie to contact staff to help with the process.

Jocelyn Lombard, Robert Harris’ aunt, said it is important to spread awareness of the dangers on Lake Tapps. She urged the City to prevent another accident by whatever means available.

Dan Decker, 20107 70th St E, Bonney Lake, said Allan Yorke Park is open to everyone living inside or outside the city. He said he has lived in the area for 53 years and the only measure has been a ‘no lifeguard on duty’ sign at the park. He said the City should provide two lifeguards during the summer to protect visitors. He said the County should also hire lifeguards for the park at the north end of the lake, if they do not already do so.

At 7:18 p.m. Mayor Johnson called for a short recess. The Meeting resumed at 7:26 p.m.

Mayor Johnson asked Senator Pam Roach to provide her presentation. He said he had recently sent her a letter thanking her for helping to get federal funds for street lights on SR 410 in Eastown. He thanked Senator Roach on behalf of the City for her hard work.


Senator Roach said she has family in Bonney Lake and visits the area often. She said she is preparing information to send out to her constituents soon. She provided the Council with updates on her work as International Chair of the National Foundation of Women Legislators, and traveled to Taiwan, Canada, and Honduras. She summarized her work during the past legislative session. She said she was selected to attend the Republican National Convention in Florida. She said her office is always available to take questions, and offered to answer questions from the Council.

Councilmember Rackley said the City needs assistance and federal funding for transportation projects, such as the 192nd St corridor plan. Mayor Johnson said this project connects with the Rhodes Lake Road project and the Tehaleh planned community which will impact transportation on the plateau. Senator Roach mentioned project requests from other cities to help with pothole repairs, highway projects, etc. She said she
is very attuned to these local issues. Mayor Johnson thanked Senator Roach for attending and speaking with the Council.

C. **Correspondence:** None.

### III. COUNCIL COMMITTEE REPORTS

A. **Finance Committee:** Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed the proposal to accept the West Tapps Hwy project as complete, and Resolution 2206 for the Senior Van. The committee reviewed its meeting notes. It also discussed staffing at the Senior Center, to increase the hours for several part-time employees to fill the duties of the Senior Services Assistant, who left the City in June.

B. **Community Development Committee:** Councilmember McKibbin said the committee has not met since the last Council Meeting.

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

D. **Other Reports:**

**Pierce County Regional Council:** Councilmember Hamilton attended the PCRC meeting on June 14, 2012. The PCRC approved the allocation of federal funds to Bonney Lake for the Angeline Road overlay project and Church Lake project. He said this is the first time that the PCRC has awarded funds to Bonney Lake that he is aware of. He thanked Ron Lucas from the City of Steilacoom and Buckley Mayor Pat Johnson for supporting the measure. Councilmember Rackley said small cities often get left out of PCRC funding and thanked Councilmember Hamilton for his work for the City.

**Families First Coalition:** Councilmember Watson said he attended the White River Families First Coalition meeting on Monday, June 25th. The group heard a report from the Department of Health and the Bonney Lake Library presented information on summer reading programs and new laptops available for job training.

### IV. CONSENT AGENDA:

A. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #63818-63888 (includes wires #6052012, 38680129, 38777296) in the amount of $755,145.08. Accounts Payable checks/vouchers AR refunds #63889-63890 in the amount of $960.57. Accounts Payable checks/vouchers UB refunds #63891-63926 in the amount of $2,586.00.

B. **Approval of Payroll:** Payroll for June 1-15th, 2012 for checks 30518-30544 including Direct Deposits and Electronic Transfers in the amount of $438,950.76.

C. **AB12-95 – Resolution 2219** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Memorandum Of Understanding With The Sumner School District To Renew The Interlocal Agreement For Support Of The Sumner Family Center For 2012.


F. **AB12-87** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The West Tapps Sidewalk And Watermain Improvements Project With Henderson Partners, LLC. Moved to Full Council Issues, Item D.

G. **AB12-97** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Submit An Application For A 2012 WSDOT Pedestrian And Bicycle Program Grant.

Councilmember Watson requested that item AB12-87 be moved from the Consent Agenda, Item F. to Full Council Issues, Item D.

Councilmember Rackley moved to approve the Consent Agenda as amended. Councilmember Watson seconded the motion.

Consent Agenda approved 7 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT ISSUES:** None.

VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

VIII. **FULL COUNCIL ISSUES:**

A. **AB12-73 – Resolution 2206** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Accepting A Donation From The Bonney Lake/Lake Tapps Senior Citizens For The Purpose Of Purchasing A New Senior Services Van, And Authorizing The Mayor To Surplus Property In Accordance With The Provisions Outlined In BLMC 2.70.100.

Councilmember Rackley moved to approve Resolution 2206. Councilmember Watson seconded the motion.

Councilmember Lewis asked how the process works to ensure the new van arrives before the old van is sent to surplus. Councilmember McKibbin said the Finance Committee asked the same question. Administrative Services Director/City Clerk Edvalson said since the van is funded by the ER&R fund, the City can place the order for the new van
and wait until it is delivered before sending the old van to surplus. Councilmember Watson asked whether the City considered other options, such as selling the van itself. City Administrator Morrison said the Council could consider other options.

Deputy Mayor Swatman said the van was not scheduled to be replaced until 2015, but the maintenance costs have been significant for the old van, and the Senior Board was able to contribute extra funds to help make the purchase sooner. He said it is important to properly fund ER&R in the future, so future service costs are covered.

Councilmember Minton-Davis applauded the seniors and the Senior Board for their fundraising efforts. She said the City is providing some resources, but the seniors have an investment in the equipment. She said she hopes to see more collaborations like this in the future. Councilmember Rackley said the policy has changed so the van cannot be used for longer trips as it was in the past. Deputy Mayor Swatman said the ER&R fund was still not covering the maintenance costs. City Administrator Morrison said the department changed its policy for senior trips using the van because it was clear the van would not last until 2015 with these high-mileage trips. He said the City needs to evaluate vehicle use and maintenance policies.

Resolution 2206 approved 7 – 0.

B. AB12-100 – Resolution 2222 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor Sign A Hold Harmless Agreement With The Swiss Sportsmen’s Club Of Tacoma For The Use Of Their Firearms Training Facility.

Councilmember Lewis moved to approve Resolution 2222. Councilmember Watson seconded the motion.

Acting Police Lieutenant Alfano said this is a standard agreement for use of the facility.

Resolution 2222 approved 7 – 0.

C. AB12-101 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Set A Public Hearing For The 2013-2018 Six Year Transportation Improvement Program.

Councilmember Watson moved to approve motion AB12-101. Councilmember Rackley seconded the motion.

Administrative Services Director/City Clerk Edvalson said the hearing is scheduled for the July 10, 2012 regular meeting.

Motion approved 7 – 0.

D. AB12-87 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The West Tapps Sidewalk And Watermain Improvements Project With Henderson Partners, LLC. Moved from Consent Agenda, item F.

Councilmember Hamilton moved to approve motion AB12-87. Councilmember Watson seconded the motion.
Councilmember Watson asked why the project scope did not include new wheelchair ramps at the intersection of Bonney Lake Blvd and West Tapps Hwy. Director Grigsby said this intersection was not part of the project area, but if Council desired a separate project could be completed to retrofit the existing crossings. Mayor Johnson said he would review the costs and bring more information back to the Council.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive Session with the City Attorney at 8:11 p.m. for 10 minutes to discuss pending litigation. The Council returned to Chambers at 8:17 p.m. No action was taken.

X. ADJOURNMENT:

At 8:18 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

___________________________  ________________________
Harwood Edvalson, CMC          Neil Johnson, Jr.
City Clerk                      Mayor

Items presented to Council at the June 26, 2012 Meeting: None.
LOCATION:  Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:30 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 Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Councilmember Donn Lewis was absent.

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

Motion approved 6 – 0.

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

III. AGENDA ITEMS:
A. Council Open Discussion:

Allan Yorke Park Safety: Mayor Johnson said he has been working on various ideas to improve safety at the swimming area at Allan Yorke Park. He said he has received a lot of suggestions from the public, including a sign that tells the current water temperature, larger warning signs, a 9-1-1 call box, and additional language on the floating dock. He said some people feel that the floating dock itself is a safety concern. He said he plans to present more information to the Council at an upcoming workshop, and will also work with the family of Quentin Boggan on a memorial sign at the park. He said information on lake safety will be available at the City’s booth at Bonney Lake Days, and he is working with area agencies to share information with school children each spring. He added that he plans to speak with State Representative Roach later in the week about the county-managed North Tapps Park. He said he has spoken with other cities that have lakes and water safety is a concern everywhere. Councilmember Hamilton said the Public Safety Committee discussed lifeguards at its last meeting. Police and fire staff stressed the importance of education in water safety. Councilmember Watson said the Bonney Lake Lowe’s has offered to supply materials for a memorial sign.

Flood Control District: Mayor Johnson said he was elected to serve on the Flood Control District Advisory Committee for a two-year term. He said he will report back to the Council once meetings begin.
Pierce County Cities & Towns: Mayor Johnson said he attended the Pierce County Cities & Towns meeting on June 28th. He said the group is considering transitioning to more of a lobbying role for member cities. He said there may be opportunities for councilmembers to serve on committees to represent the organization.

Council Retreat: Councilmember Watson said he would like the Council to discuss the items brought up during the February Council Retreat, perhaps by holding another mid-year retreat. Mayor Johnson suggested the Council have an in-depth budget discussion at a meeting or workshop. The City Administrator said staff are still working on closing the books but should be able to provide a review of revenues and expenditures, as well as a revised budget projection, by mid-August. Council consensus was to add a budget discussion item to the August 21st Workshop.

Reed Property: Councilmember Watson asked for an update on the well exploration. Director Grigsby said the contractor dug about 1,000 feet deep without striking water, and the chances to find a sufficient water source on the property is very small. He said staff members are considering other potential sites around Lake Tapps, and he expects to have more information from legal consultant Tom Pors to report to Council in August. He said the existing well on the Reed property provides about 15,000 gallons per day, but the City needs about 2 million gallons per day for a water source. He said the City of Auburn plans to share their hydrogeologic data with Bonney Lake for other possible sites.

Safety Signs: Councilmember Watson said the City Attorney suggested engineering staff could draft a policy to allow citizens to place signs on their property at their own expense. Mayor Johnson said federal regulations about signage are more of a concern than costs. Director Grigsby said the Manual on Uniform Traffic Control Devices (MUTCD) discourages the use of ‘children at play’ signs, as they do not increase safety. In response to questions from Councilmember Watson, Director Grigsby said existing signs around the City were installed when requests were made in the past, with no formal process for deciding where signs should be placed. Councilmember Hamilton said the Public Safety Committee plans to work on a policy for the Council to consider. Director Grigsby said he would provide the committee members with information he has on safety signs. Councilmember Hamilton said if the end result is that these signs are not recommended, the City should at least be consistent and remove existing signs.


The minutes were forwarded to the July 10, 2012 Meeting for action with no revisions.

C. Discussion: AWC Conference Lessons Learned.

Deputy Mayor Swatman said he learned a lot from the Association of Washington Cities conference sessions and discussions with other cities. He said the City of Vancouver purchased a vacant commercial building for city offices, rather than building their own. He said he attended an interesting seminar on cloud computing, and said it is good to always look for ways to improve and get the most out of available resources. Councilmember Rackley said that many other cities are in dire financial straits, and he is concerned there will be a second economic downturn in the future. He said he wants to learn more about how liquor law changes could impact city revenues. Councilmember Watson said he attended a session on community events and summer programs. Councilmember Hamilton said he attended a seminar on innovation and how cities can
reinvent themselves. He said he also attended an interesting seminar on tourism. Councilmember Minton-Davis said she also attended the session on tourism, and is very interested in using tourism as an economic driver. She said she also attended a session by the City of Toledo, a very small town that hosts community events year-round.


Director Grigsby said since the June 26th Council Meeting, staff have received a signed copy of the Utility Latecomer Agreement from the Eastown Sewer Development Association LLC. The City has received easements for nearly the entire area, and the easements not yet received will not impact the backbone project. He said he is working with the State for an easement across their retention pond, which should not be an issue. He said the design is complete and the contract documents are ready to move forward with updated dates. He showed the parcels that would benefit from the project and contribute to the latecomer fee, noting that about 80% of those parcels are within the LLC. He said the LLC’s representative, Roger Watt, has assured him that they are ready to provide the City with the check for the ULA fee per the agreement.

Councilmember Rackley asked about the next steps for the project. Director Grigsby said the City will hold a public hearing at the July 10th Council Meeting, and vote on the proposed utility latecomer agreement at the July 24th Meeting. He said although there is no formal process for ULAs, staff felt it made sense to hold a public hearing (as is done for LID projects). He said upon approval of the ULA, the City will move to acquire a revenue bond, and the construction project can be advertised 30 days after the ULA is approved. He said staff plan to ‘fast track’ the project advertising to get the request for bids published on September 1st. The tentative project timeline would be to award the project on October 21st, which would allow for construction to possibly begin in November, weather-permitting. If this timeline holds, he said the project could be complete by July 2013. He said developers could be working on properties in parallel with the City sewer project in anticipation of its completion.

Councilmember Hamilton asked for more information on the revenue bond. Councilmembers and staff discussed when the fee from the Eastown LLC was due to the City. Director Grigsby said the LLC will have 30 days after the Council approves the agreement. City Attorney Haggard said the language indicates that they have 30 days after the LLC signs the agreement (a deadline of July 17th). City Attorney Haggard said the City’s obligation to construct the project is contingent on receiving the 5% fee from the LLC. She said the language is permissive, so the Council could approve the project after the July 17th date.

Deputy Mayor Swatman asked about the status of easements for the project. Director Grigsby said the City received the last easement needed for the the project on July 2nd and it has been recorded. He said there is no requirement for the city to negotiate or condemn property for the backbone project. He said the only potential issues he is aware of relate to the former Compass Pointe properties and the WSDOT property. He said most of the easements run along future road right-of-ways.

Director Grigsby said the City will hold a public hearing on the Eastown ULA on July 10th, which has been posted as usual by the City Clerk’s office. He said he also contacted property owners that he had contact information for. Deputy Mayor Swatman said this is a large project and he wants to get input from the property owners. He asked whether the
bond could be expanded to include other projects, such as the Public Works Facility. Director Grigsby said that is an option though it would be simpler to have separate bonds for different projects.

Council consensus was to forward proposed Resolution 2199 to the July 10th Meeting for a public hearing and to the July 24th Meeting for action.

E. **Discussion:** AB12-96 – Pavement Preservation/Management: New Revenue Sources Proposed by Pierce County.

Director Grigsby presented information on funding availability for street projects and maintenance. He said all cities are hurting due to decreased gas tax revenues and REET funds. He said the Association of Washington Cities (AWC) has provided information on options, including setting up a Transportation Benefit District (TBD), increasing vehicle licensing fees, and setting a local transportation sales tax. He explained how the three options function and the potential revenues and limitations of each. He said Pierce County has asked cities whether they would be interesting in considering these revenue streams, and whether they would support a county-wide benefit district or tax.

Director Grigsby said he is working on a list of questions, including how these new revenue sources would impact the City’s existing Transportation Impact Fees, and what costs would be associated with administering the programs.

Mayor Johnson said the City can set up its own TBD. He said if the County decides to set up a TBD and the City does not already have one in place, it would have to go along with the County district. He said other cities have opted to form a TBD so their fees are not controlled by the County. Director Grigsby said some cities have formed a TBD but have not passed an ordinance to collect any fees, which is also an option.

Councilmembers discussed options to form a TBD or to raise fees through licensing fees or sales taxes. City Administrator Morrison confirmed that the issue would have to be on the ballot if the fees are over $20 or if the Council wants to pursue increased sales taxes. City Attorney Haggard said the gas tax option can only be implemented on a county-wide level. She said any funds raised through a TBD must be used for the transportation district itself.

Council consensus was to continue discussion of a Transportation Benefit District at a future meeting. Director Grigsby said he would contact Pierce County and let them know the City is considering creating its own Transportation Benefit District. City Administrator Morrison said the City could consider also supporting the county-wide gas tax of $0.0375, which would go to a vote. It would provide the City with a share of gas tax funds.

F. **Discussion:** AB12-104 – Resolution 2224 – Professional Services Agreement with Shea-Carr-Jewell to Update the Transportation Plan.

City Administrator Morrison said this item was on the Planning Commission’s work plan. He said the City sent a request for proposals and interviewed four firms before recommending Shea, Carr, and Jewell, who has done work for the City in the past. He said the project includes two phases; to update the comprehensive plan element, and to update the Transportation Impact Fees and concurrency program. He said the process will result in more information for the Council to consider transportation fees in the future.
Councilmember Hamilton said the City needs to revise its code or do something to perform annual traffic counts. Director Grigsby said the City does not do yearly traffic counts and is not certain why the code calls for annual updates. He said normally these counts are performed every 5-6 years when the Transportation element of the Comprehensive Plan is updated.

Community Development Director Vodopich noted that this update will also include the County Urban Growth Area (CUGA) and the southern service areas, which the City attempted to annex previously. He said including these areas in the plan update will demonstrate how the City is planning to annex these areas in the future.

G. **Discussion:** AB12-107 – Cancellation of August 7, 2012 Council Workshop to allow for Participation in National Night Out Against Crime Celebrations.

Interim Police Chief Powers said the department plans to hold events at Lake Debra Jane and Sky Island this year, including a concert and movie at Lake Debra Jane. She said National Night Out is a positive event for the community, and encouraged all councilmembers to attend. The majority of Councilmembers indicated they plan to attend the event. Interim Chief Powers also distributed copies of the Police Department’s 2011 year-end report.

**IV. EXECUTIVE SESSION:** None.

**V. ADJOURNMENT:**

At 7:22 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Hamilton seconded the motion.

Motion to adjourn approved 6 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the July 3, 2012 Workshop:
- Interim Police Chief Dana Powers – *Bonney Lake Police Department 2011 Year End Report*
- City of Bonney Lake.
I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:03 p.m.

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

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll.

In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Councilmember Donn Lewis was absent.

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

Motion approved 6 – 0.

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

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

Mayor Johnson opened the public hearing at 7:04 p.m.

Roger Watt, 22719 SR 410 E, Bonney Lake, said he represents the eighteen members of the Eastown Development Association LLC. He said the group has specific requests regarding the Eastown sewer project. He said the Council believes it is easy
for the property owners to raise the $201,000 fee for the Utility Latecomer Agreement, but some property owners could not participate in the LLC due to financial reasons, and other owners did not respond to requests to participate. He said three parcels totaling over 40 acres are not participating in the LLC, but 81% of the acres are represented in the LLC and helped raise the ULA fee.

Mr. Watt said the LLC group has concerns about potential inequity in the ULA. He said the LLC members have been assured that the station is designed to only benefit the identified parcels. However, he said other properties can benefit from the sewer system later on by connecting to the system as it extends.

Finally, Mr. Watt said the LLC has questions about the deadline to submit the ULA fee to the City. He said the LLC’s understanding, based on conversations with City staff, is that they will have 30 days after the Council approves the agreement to submit the fee. He said the Council’s discussions at the July 3rd Workshop indicate that some believe it must be submitted earlier. He said the contract is not complete until both parties have signed it. He said the LLC will not make payment to the City until it has the approved and fully executed contract in hand.

Mr. Watt said the LLC requests that the Council approve the Eastown ULA and secure the City’s portion of the funding so the project can move forward. He asked the City to provide clarification of paragraph 4 and to provide assurances that if additional properties are added to the service area during the life of the 20-year agreement, those new properties will be required to pay their share of the costs for the backbone project. He said if this is not possible, the City should provide the reason to the LLC. He asked the City to also clarify the 30-day time period and asked why the LLC should issue a check to the City before the Council has approved the contract. He said the LLC has no intention to delay the project, and he is prepared to issue the check on the day the Mayor signs the contract. He provided a copy of his written statement to the City Clerk. Mayor Johnson said someone would be in contact with Mr. Watt about his questions.

The hearing was closed at 7:17 p.m.


Mayor Johnson opened the public hearing at 7:17 p.m.

Marian Betzer, 19812 82nd St Ct E, Bonney Lake, asked for clarification on funding allocation for the Safe Routes grant funds. She said she understood that the grant is to be split with half going to sidewalks and half going to the Fennel Creek Trail project. She said the proposed transportation program lists $500,000 for Fennel Creek, and $1,500,000 for the Angeline Road ‘missing link’ sidewalk project. She said there is a lot of momentum for the Fennel Creek Trail project, and the Council has given unanimous support for the project. She said the budgeted amount would build only a half-mile of trail. She said it is important to move forward and the dedicated funds need to remain allocated to the Fennel Creek Trail. Mayor Johnson said he had received Ms. Betzer’s email earlier in the day and is working on responses to her questions.
Mayor Johnson closed the public hearing at 7:21 p.m.

B.  Citizen Comments:

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, thanked Mayor Johnson for providing a temporary space for the Greater Bonney Lake Historical Society (GBLHS). The group is inventorying a large gift from the Alfred and Elma Milotte estate. She described the background of these wildlife photographers, who won several academy awards for their Disney nature films. She said the Historical Society received a surprise donation of 60 boxes of films, documents, and objects from the estate. She said historians from museums in Alaska and Washington believe the Historic Society may have largest collection of Milotte items anywhere. She showed some examples of the collection and invited the council to visit the group to look at the items. Mrs. Jacobsen said the Milotte’s were important members of the Bonney Lake community. She said the historic society needs a permanent location for this historic resource; otherwise they may have to give the collection to another entity.

David Bowen, 22523 SR 410 E, Bonney Lake, said it was a privilege for the Bonney Lake community to have the Milotte’s as neighbors.

Russ McCallion, Assistant Chief, East Pierce Fire & Rescue, provided the Council with information on the proposed maintenance and operation levy on the August 7th ballot. He described the fire district’s funding sources and revenues losses between 2009 and 2013. He explained what the proposed levy would cost the average home owner.

Mr. McCallion thanked the Police Department staff for their work at the Summer Splash event at Lake Tapps on July 7th. Mayor Johnson said if the event is held at Allan Yorke Park again next year, the City would be happy to participate with the department’s event. Mr. McCallion said the fire district is applying to participate in a program to improve cardiac arrest survival rates in the area.

Melissa Thomason, 7422 207th Ave E, Bonney Lake, suggested that the Fire Department could offer water safety training along with their regular CPR courses. She said other changes, such as hiring lifeguards for the swimming area, may take time. In the meantime she said other changes can be made, such as training for the community. Mayor Johnson said he would talk with East Pierce Fire & Rescue about training options. He said the City plans to provide information on water safety at its booth at Bonney Lake Days.

Dan Decker, 20401 70th St E, Bonney Lake, said some councilmembers indicated in a newspaper article that signs work better than lifeguards for safety. He said he was a lifeguard and instructor in the past and lifeguards can save lives. He said the young man who died in Lake Tapps could have been saved if there had been a life guard on duty. He said lifeguards are the most important thing to have in the water, and said the city should think before considering adding more signs.

C.  Correspondence: None.

III.  COUNCIL COMMITTEE REPORTS

A.  Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and viewed a presentation on an iPad agenda application from iCompass.
The committee also discussed Eastown bond financing and the Transportation Benefit District, both of which will be brought forward for future council discussions.

B. Community Development Committee: Councilmember McKibbin said the committee met on July 3rd and forwarded three items to the current Meeting consent agenda.

C. Public Safety Committee: Councilmember Hamilton said the committee met on July 2nd and discussed safety on Lake Tapps. They heard from fire and police department staff about the drowning incident. He said he and Councilmember Watson both feel that signage is important to warn swimmers of the potential dangers. He said the water in Lake Tapps is cold and dark. He said the committee plans to continue these discussions, and invited the public to attend future Public Safety Committee meetings.

He said the committee also discussed a policy to provide an option for the public to request and pay for child safety signs to be installed in their neighborhood. The committee also received an update on fireworks from Independence Day from Interim Chief Powers, who said it was a relatively quiet year.

D. Other Reports:

Swimming Area Safety Plan: Mayor Johnson said he will have detailed plan of recommendations for safety changes at the park at the next workshop. Councilmember Hamilton said education is very important. He said Interim Chief Powers expressed frustration at the Public Safety Committee meeting with her attempts to provide water safety training in the school districts. Mayor Johnson said he has contacted all three area school districts, the Cascade Water Alliance, Pierce County, and fire and police departments to work together on a message about water safety. Mayor Johnson showed a poster, provided by Melissa Thomason, that was signed by area youth in support of a lifeguard at the city park.

Park Board Update: Councilmember Watson said he and Councilmember Minton-Davis attended the Park Board meeting on July 9th. The board discussed the Dike 13 project, the Allan Yorke Park sport court rehabilitation project, input from the parks summits and options for a park bond. The board also discussed lake safety issues and plans to work with area schools on training options. The board also discussed possible uses of the Reed Property.

Chief For a Day: Councilmember Watson said there will be a ‘ flapjack fundraiser’ at Bonney Lake Applebee’s on Saturday, July 14th to benefit the Chief for a Day program. He said he plans to attend.

IV. CONSENT AGENDA:


B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/voucher #63927-63930 in the amount of $1,608.71. Accounts Payable checks/vouchers #63931-63965 (includes wires #950111, 20120604, 20120615) in the amount of $76,842.56. Accounts Payable checks/vouchers #63966-64011 in the amount of $626,062.69. Accounts Payable checks/vouchers #64012-64018 in the amount of
$6,759.86. Accounts Payable checks/vouchers #64019 in the amount of $1,814,741.07. Accounts Payable - Voided Checks #55667 in the amount of $1,105.96. Voided Checks #54545 in the amount of $172.00. Voided Check #63998 in the amount of $6501.89.

C. **Approval of Payroll:** Payroll for June 16-30th, 2012 for checks 30545-30577 including Direct Deposits and Electronic Transfers in the amount of $690,580.26.

D. **AB12-104 – Resolution 2224** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Shea-Carr-Jewell To Update The Transportation Element Of The Comprehensive Plan.

E. **AB12-105 – Resolution 2225** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizes Professional Service Agreement To KPG Engineering For The West Tapps Highway Overlay And Survey Project.

F. **AB12-106 – Resolution 2226** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizes Professional Service Agreement To KPG Engineering For The Church Lake Road Overlay And Survey Project.

G. **AB12-107** – A Motion Of The Bonney Lake City Council Canceling The August 7, 2012 Council Workshop To Allow For Participation In National Night Out Against Crime Celebrations.

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

    Consent Agenda approved 6 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT ISSUES:** None.

VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

VIII. **FULL COUNCIL ISSUES:** None.

IX. **EXECUTIVE SESSION:** None.

X. **ADJOURNMENT:**

    At 7:57 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

    Motion to adjourn approved 6 – 0.
Items presented to Council at the July 10, 2012 Meeting:

- Roger Watt – *Presentation to Council at 7/10/2012 Public Hearing – Eastown Sewer Development Association, LLC.*
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison, Gary Leaf
Meeting/Workshop Date: 17 July 2012
Agenda Bill Number: AB12-10

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

Agenda Subject: Park and Recreation Funding

Full Title/Motion: n/a.

Administrative Recommendation: Topic Discussion

Background Summary: Last year Council adopted an updated Parks Plan, and staff presented the option of a Metropolitan Park District (MPD) as a way to provide future park funding. In May the Mayor sponsored a Parks Summit to gauge the level of interest in and support for a voter measure to provide additional park funding. Some 70 individuals (about half city residents) attended the Summit and provided positive feedback concerning a voter measure. Support seemed to be greatest for a sport complex and trails, with a recreation facility being the third highest priority. Staff has prepared a projected timeline for an April 2013 election along with a sample option for different park and recreation facilities. Both are attached.

Attachments: Yes

BUDGET INFORMATION

<table>
<thead>
<tr>
<th>Budget Amount</th>
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</table>

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

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

Commission/Board Review:
Hearing Examiner Review:

COUNCIL ACTION

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

APPROVALS

Director:
Mayor:
Date Reviewed by City Attorney: n/a
(if applicable):
Work Plan for April 23, 2013 Parks Voter Measure

Present sample menus of park/project options to City Council   July 17, 2012

Develop preferred Council menu of park/project options   August 21, 2012

Park Summit follow-up public meeting(s)   September/October 2012

Begin formal Council discussion during Council Workshop   November 6/20, 2012

Develop Council general consensus during Council Workshop   December 4/18, 2012

Council approve resolution requesting Special election and ballot measure   January 8, 2013

Advertise for applicants to For/Against Committee   January 15, 2013

Deadline for applicants to submit applications For/Against Committee   February 12, 2013

Deadline to submit For/Against Committee appointments   February 26, 2013

Deadline to submit Ballot Resolution To Pierce County Auditor   March 8, 2013

Deadline to submit Explanatory Statement   March 8, 2013

Deadline to submit For/Against Statement   March 8, 2013

Deadline to submit Rebuttal Statement   March 12, 2013
## Mayor's Preferred Park Option

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<tr>
<th>Project Description</th>
<th>Cost</th>
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<tr>
<td>Trail on WSDOT, &quot;City Hall&quot; and Cimmer Parcels (includes trailhead)</td>
<td>$2,000,000</td>
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<tr>
<td>Pavilion in Downtown Civic Center</td>
<td>2,500,000</td>
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<tr>
<td>Sport complex (6 fields) (REED PROPERTY)</td>
<td>6,500,000</td>
</tr>
<tr>
<td>Maintenance shed REED PROPERTY</td>
<td>200,000</td>
</tr>
<tr>
<td>Restrooms + concession stand REED PROPERTY</td>
<td>200,000</td>
</tr>
<tr>
<td>Sport Courts REED PROPERTY</td>
<td>400,000</td>
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<tr>
<td>Playground(s) REED PROPERTY</td>
<td>100,000</td>
</tr>
<tr>
<td>Picnic shelters, dugouts, bleachers REED PROPERTY</td>
<td>500,000</td>
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<tr>
<td>Trail extension to Garden Meadows</td>
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<tr>
<td>Multi-purpose playfield (Moriarty)</td>
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<tr>
<td>BMX Facility (Moriarty)</td>
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<tr>
<td>Amphitheater (Moriarty)</td>
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<tr>
<td>Sport Courts (Moriarty)</td>
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<tr>
<td>Playground (Moriarty)</td>
<td>100,000</td>
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<tr>
<td>Parking lot, storm facility, picnic shelters, storage shed (Moriarty)</td>
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<td><strong>Total</strong></td>
<td><strong>$15,800,000</strong></td>
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**Estimated Tax Levy**

$0.57 /$1,000 AV

**Estimated Annual Tax on $215,506 Home**

$122.58
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City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: CD / John P. Vodopich, AICP
Meeting/Workshop Date: July 17, 2012
Agenda Bill Number: AB12-111

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

Agenda Subject: Approval of the GMG final plat.

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The GMG Final Plat.

Administrative Recommendation: Approve

Background Summary: The GMG plat was one of several Pierce County preliminary plats that the City inherited when Bonney Lake annexed this area. It was one of four plats that was conditioned on a traffic light being built at 214th Ave. E. and Kelly Lake Rd. This traffic light is currently under construction must be completed prior to building permits being issued for this or any of the three other plats associated with this traffic light condition. City Council would not normally receive the final plat for approval until signatures from all departments were placed on the mylar. However, bank ownership has created a situation in which the applicant wishes to have approval prior to submitting bonds associated with the plat. Staff finds that this request is reasonable and we would not allow recording of the plat until Council approves the plat and the appropriate bonds and documentation are approved. The outstanding documents are: The bonds for infrastructure, landscaping and wetland mitigation.

Attachments: Staff Report.

BUDGET INFORMATION

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</table>

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

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

Consent Agenda: Yes No
Forward to: Councilmember
Commission/Board Review:
Hearing Examiner Review: December 4, 2007

COUNCIL ACTION

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

APPROVALS

Director: Mayor:
John P. Vodopich, AICP
Date Reviewed by City Attorney:
(if applicable):
PROJECT DESCRIPTION:
The applicant seeks final plat approval for the GMG Plat. This final plat contains 54 single-family residential lots in an R-1 zone. The site also contains a public road system, a storm water tract A, two wetland tracts (B and D), and Tract E, a driveway for Lots 53 and 54.

The plat was approved by Pierce County December 4, 2007, and contained 49 conditions of approval. A related wetland variance was also approved by the County Hearing Examiner and contained 12 conditions of approval. The SEPA review contained one mitigation measure. The land was annexed to the City of Bonney Lake with an effective date of February 23, 2007, as Area 1-A, under Ordinance 1208, and zoned R-1, single family residential, under Ordinance 1209.

SPECIAL CIRCUMSTANCES:
The subject property is involved with complex financial issues related to bankruptcy, which has caused delays and difficulties for the applicant and City. The City took extra measures to work with the applicant to finalize this plat.

The usual procedure for final plats is to bring forward a completely signed copy of the mylar that is, with the Council’s approval and mayor’s signature, ready to record. The special circumstances surrounding this plat require a diversion from this normal procedure.

The applicant has requested that the City Council review and approve the final plat application which will allow the Mayor to sign the mylar. The applicant said the signature of the mayor on the mylar is necessary for the bank and team of attorneys controlling this project to allow the applicant to file bonds or assignments of funds for the infrastructure and landscaping.

The signatures of the City Engineer and the Community Development Director will not occur until the maintenance bonds are filed with the City. The City will not release the mylar for recording until the signatures of the City Engineer and Community Development Director are added to the mylar.

OWNER:
East West Bank
C/O Bo Zoubeidi
VP/Special Assets Officer
555 Montgomery Street
10th Floor
San Francisco, CA 94111
(415) 315-2840

CONTACT:
Jim Otness
(253) 377.7751

APPLICANT:
Keith Schlemlein, Agent
REO Asset Management NW, Inc.
P.O. Box 1110
Sumner, WA 98390

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SITE LOCATION:
The site is located at 7509 West Tapps Highway, southeast of Allen Yorke Park, north of Hemminger preliminary plat, east of Montanaro preliminary plat, and west of Highland Ridge preliminary plat, and approximately 125 feet east of West Tapps Highway. A future connection is proposed through the Hemminger plat to Church Lake Road E to the south. It is within the corporate limits of the City of Bonney Lake situated in the SW 1/4 of Section 27, Township 20, Range 5 East, Willamette Meridian. Parcel Numbers: 0520273026 & 0520273002.

DATE APPLICATION DEEMED COMPLETE:
The City deemed the final plat application complete on June 1, 2010.

STAFF FINDINGS:
1. The proposed final plat of GMG satisfies the subdivision criteria set forth in Section 17.16 BLMC. The proposed plat makes appropriate provision for the public health, safety, and welfare for open spaces, drainage ways, streets, roads, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and safe walking conditions.
2. The proposed final plat of GMG addresses all conditions of both Pierce County approvals for the subdivision and the wetland variance (WV).
3. The final plat submittal was as a Type 2 permit, which was declared complete on June 1, 2010.
4. As-built CAD drawings were approved by Public Works July 16, 2010.
5. Street signs were determined to be correctly created and adequately placed July 21, 2010.
6. The final plat is properly before the city council for consideration and a decision.

ADHERENCE WITH CONDITIONS OF APPROVAL

The following is from the conditions of approval of the hearing examiner report dated December 4, 2007:

1. The SEPA mitigating measures set forth in the Mitigated Determination of Non-Significance issued by the Pierce County Environmental Official on September 13, 2007, are hereby made conditions of approval as set forth hereinafter. Provided, however, that said mitigating conditions are not subject to change by the major amendment process, but must be changed by the Environmental Official through the SEPA process.

Finding: The mitigation measure reads as follows:

1. A fully-actuated traffic signal shall be installed at the intersection of 214th Avenue East and Kelly Road East. Construction of the signal shall be completed.

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to the satisfaction of Pierce County prior to issuance of any residential building permits in any phase of the plat.

Finding:  This SEPA mitigation condition was shared by several plats in the county. No building permits may be issued in any of these former-county plats until the traffic light is installed (which is currently under construction).

2. The final plat for this proposal shall be submitted to the City of Bonney Lake Planning & Community Development Department for approval and signature within five (5) years of the effective date of the Hearing Examiner’s decision on the Preliminary Plat, subject to the conditions for time extensions as outlined in BLMC Chapter 17.16.070(B).

Finding:  The preliminary plat was approved December 4, 2007, and the final plat application was made May 19, 2010, which is less than five years from preliminary plat approval.

3. All requirements of the Bonney Lake Building Department must be met prior to the issuance of building permits for this proposal.

Finding:  All work on the plat was performed under Bonney Lake permits. Further construction also will be made under permits issued by the City of Bonney Lake.

4. All on-site and off-site sanitary sewer improvements required by the City of Bonney Lake to provide sanitary sewer service for this plat shall be designed and constructed in accordance with the regulations and sanitary sewer standards prescribed by the City of Bonney Lake. Final plat approval shall not be granted by the county until such time as the City of Bonney Lake provides written notification that the required sanitary sewer improvements have been installed to the satisfaction of the City of Bonney Lake and that all applicable fees and connection charges have been paid.

Finding:  All fees for installing and inspecting the water line were paid. Fees and connection charges are not paid; in this jurisdiction, fees for water and sewer system development charges are paid at the time of building permit, not at the time of final plat. All sewer improvements were installed and approved, as indicated in an e-mail dated August 10, 2010.

5. Fire flow requirements for one-and two-family dwellings are 750 gpm at 20 psi for 45 minutes except that 1,000 gpm at 20 psi for 60 minutes is required when the total floor area, including attached garages, covered porches, and upper story decks is 3,600 square feet or more. A fire hydrant shall be located within 350 of the middle of the street frontage of each lot, except that no hydrant is required on a dead-end street not exceeding 600 feet in length when a hydrant is

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Page 3 of 15
installed at the intersection of the cross street. Spacing between the hydrants shall not exceed 700 feet.

Finding: The plat was constructed to city standard, which has a greater standard than the county. The city requires a fire flow of 1,000 gpm for one-and two-family structures; and a 3,600 SF residence requires 1,500 gpm. The city also requires 400 feet between hydrants instead of 350 feet to the middle of the street frontage of each lot and 600 feet instead of 700 feet between each hydrant. The condition as applied in the city removed the exception in the fourth line, and was authorized by the Fire Marshal to represent the condition as applied during construction rather than as approved by the hearing examiner.

6. Hydrant flow test results and water system “as built” plans shall be submitted to and approved by the Fire Prevention Bureau prior to the final plat approval. This requirement can be waived if a bond or other approved form of security in the amount of 125 percent of the estimated water system cost is posted.

Finding: The flow requirements were determined to be met July 21, 2010, and as built CAD drawings were submitted to and accepted by the city. Fire marshal approved the system in accordance with city standards, rather than county standards.

7. Prior to the issuance of any permits on this site (site development) or the initiation of any grading, clearing, filling, or vegetation removal, the project shall complete the requirements necessary to obtain approval and shall obtain Final Approval from the City of Bonney Lake.

Finding: A Land Clearing & Tree Removal Permit was issued under permit number PLN-2008-01087. The permit was issued July 7, 2008, and a site visit was conducted August 15, 2008, to verify wetland buffers were fenced to prevent sediment intrusion potentially caused by subsequent grading.

Also intended in this condition was the final wetland variance (WV) approval, as required by the county code. The variance was initially approved under County Permit Numbers 606088, 578944, and 611833 by the hearing examiner on December 4, 2007 and clarified on December 7, 2007. The approval included 12 additional conditions of approval for this subdivision, which were added to the city’s final plat review:

WV1. Storm water from the entrance road should be treated before being allowed to enter the Category III wetland or Type N2 drainage. Pre-treatment shall meet Pierce County standards and inspected by the City of Bonney Lake.

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Finding: Stormwater will go through a storm water filter to the north before conveyance to the wetland buffer to the south. This was part of Civil Permit # CIV-2008-0011s.

WV2. Sediment control shall be used within the Type N2 drainage if there is any surface water in the drainage during road construction.

Finding: Standard erosion controls were in place during all construction activities.

WV 3. The entrance road shall be adequately culverted to maintain pre-development flow through the Type N2 drainage.

Finding: Runoff is calculated to be the same as it was before the plat was developed. This issue was reviewed during the civil permit process.

WV 4. Prior to issuance of any permits or initiation of any vegetation removal, clearing, grading or filling associated with the entrance road off West Tapps Highway East, the City of Bonney Lake will inspect the wetland to insure that County standards of the approved plat are met.

Finding: The clearing limit was inspected and approved prior to substantial work.

WV 5. Disturbance shall not extend any closer to the Category III wetland than the current driveway exists, and shall be limited to within the proposed 50-foot public access and utility easement off of West Tapps Highway East.

Finding: The wetland buffer boundaries were set prior to construction to reduce or restrict accidental intrusion into the buffer. The entry into the plat is as shown on the plans.

WV 6. No pesticide use shall be allowed within the wetland or buffer areas.

Finding: No pesticides were used during plat construction. This condition extends beyond the limits of plat preparation; therefore, it is noted on the face of the plat on Page 3 of 6 of the plat, Number 14, for all future construction and residential uses to protect the wetland and its buffer.
WV 7. Impervious surfaces shall be minimized. The road shall be surfaced with pervious materials if possible.

Finding: Only impervious material was used for the roads.

WV 8. Best management practices shall be implemented during all phases of site development.

Finding: Best management practices were used during plat construction. This condition extends beyond the limits of plat preparation; therefore, it is noted on the face of the plat on Page 3 of 6 of the plat, Number 15, for all future construction and residential uses to protect the wetland and its buffer.

WV 9. The applicant shall retain and enhance (as roadway design allows) all native vegetation contained within the road easement. The City of Bonney Lake may require a wetland/buffer restoration/enhancement plan and associated application materials and review fees, if the city determines that it is warranted.

Finding: Native vegetation was not retained in the road rights-of-way, however street trees were installed along both sides of the street. Native vegetation within protected wetland buffers was retained.

WV 10. The applicant shall comply with all other local, state and federal regulations and obtain relevant permits. It is the sole responsibility of the applicant and contact other jurisdictions and secure any and all other permits required for this proposed project. This includes mitigation for any floodplain impacts.

Finding: No floodplain impacts were foreseen. All other permits were obtained.

WV 11. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, Proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.

Finding: No modifications to the wetland variance were requested or approved.

WV 12. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant
represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

**Finding:** The applicant adequately complied with the conditions.

8. The storm water facilities for this development shall be designed to minimize impacts to water quality and quantity, and wetland and buffer habitat. All storm water shall be pretreated prior to its release into a natural system, and all storm water facilities shall be located outside of wetlands and wetland buffers. A copy of the storm water plans and calculations shall be submitted to and reviewed by the Environmental Biologist prior to the issuance of the Site Development Permit of Final Approval.

**Finding:** This was completed in conjunction with the civil permits, CIV-2008-00115 and -00116.

9. As is allowed per Section 18.E.10.080G., Pierce County requires the construction of a 2- or 3-rail, split rail, wood fence or Bonney Lake approved substitute fence along the buffer boundaries of the on-site wetland, fish or wildlife habitat conservation area. This is being required to distinguish the critical area from the developed portions of the site and help protect the wetland, fish or wildlife habitat conservation area from intrusion and other human impacts. The split rail fence shall be installed prior to final plat approval. The fence shall be maintained in perpetuity by the homeowner’s association. Photographs of the installed fences shall be submitted to the City of Bonney Lake upon completion.

**Finding:** A split rail fence was installed and inspected on July 9, 2010. Because the fence will exist after the plat is recorded, a portion of this condition is noted on the face of the plat on Page 3 of 6 of the plat, Number 16, for all future construction and residential uses to protect the wetland and its buffer. Photographs were submitted with the July 14, 2010 Habitat Technologies report.

10. The applicant must comply with all other local, state, and federal regulation and obtain relevant permits. This includes the US Army Corps of Engineers and the Washington State Department of Ecology (DOE). **It is the sole responsibility of the applicant to contact the other jurisdictions and secure any and all other permits required for this proposed project.**

**Finding:** A NPDES was obtained from the Department of Ecology on August 11, 2008, permit number WAR-011008.
11. The following notes shall be included on the face of the final plat:

“Notice: This site contains critical wetlands, streams, and their buffers. Restrictions on the use or alteration of the site may exist due to natural conditions of the site and resulting regulations.

“The wetland and critical fish and wildlife habitat areas approval for this formal plat was recorded at ___ on ___ (date), recording number ___.

“The on-site wetlands and streams were delineated by Chad Armour LLC on ___ and survey located by ESM Consulting Engineering, LLC.”

Finding: The first appears on Page 3 of 6 of the plat as number 5; the last appears as number 7. The middle statement was part of a standard county process to record habitat approvals; the city performs this act through recording the plat.

12. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval must be obtained through the TPCHD prior to filling.

Finding: Clean fill was used for the plat.

13. Asbestos containing material must be removed prior to demolition and disposed in accordance with the requirements of the Puget Sound Clean Air Agency, Washington State Department of Labor and Industries, and the TPCHD.

Finding: A demolition permit was issued under permit number BLD-2008-04777, which was finaled January 29, 2009.

14. All demolition material, including but not limited to, wood waste, sheetrock, roofing material, and concrete, must go to a licensed solid waste handling or disposal facility.

Finding: A demolition permit was issued under permit number BLD-2008-04777, which was finaled January 29, 2009.

15. Should this project not be served by sanitary sewer, the TPCHD will require a review of potential adverse environmental impacts and justification for utilization of on-site sewage treatment and disposal. The TPCHD is in receipt of a plat subdivision review application and will forward the results of its review of that application to the environmental official once the review has been completed.

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Finding: Sewer service is provided and connections were made to the existing manhole on West Tapps Highway. Extensions were provided into the plat and a manhole provided on the property line to the south for future sewer hook-ups for the property to the south, which is currently the Hemminger preliminary plat.

16. All wells that will not be included in the public water system for this project must be properly "decommissioned" per WAC 173-160 prior to final application approval. The TPCHD must be contacted 48 hours prior to any decommissioning activity at the site. Contact Rich Dickerson at 253.978.2885, TPCHD for further information regarding decommissioning wells.

Finding: The well was decommissioned by Richardson Well Drilling Company on April 8, 2010, and approved by the Tacoma-Pierce County Health Department on May 18, 2010.

17. A storm drainage plan must be submitted to the City of Bonney Lake Public Works Department as part of the site development plans. The drainage plans shall be in accordance with Ord. 2004-56S, Title 17A, Construction and Infrastructure Regulations – Site Development and Stormwater Drainage.

Finding: The city adopted Pierce County storm water criteria; the project plans submitted with the civil permit and the resultant installation conform to those requirements.

18. All work associated with stabilizing slopes and other disturbed areas shall be in accordance with the City of Bonney Lake Public Works Design & Construction Standards.

Finding: All work to stabilize slopes and disturbed areas was done in connection with the issued civil permits, CIV-2008-00115 and -00116.

19. All public roads within and providing access to this plat must conform to City of Bonney Lake Public Works Design & Construction Standards.

Finding: All roads were constructed under issued civil permits, CIV-2008-00115 and -00116, which require adherence to City of Bonney Lake codes and the Public Works Design & Construction Standards.

20. Because the plat has been annexed prior to preliminary plat approval and that Church Lake Road East will become a city maintained road, city development standards shall apply to the extent possible. Specifically, the city requests the following road standards apply:
   - Minimum row width – 60 feet for local roads; 60 feet for collector roads.
   - The intersection curb radius for a collector road is 25 feet/ cul-de-sac bulb radius 55 feet.

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• Vertical curb, gutter, and sidewalks (5-foot wide) required on both sides of internal plat roads.
• Local access roads – 50 foot minimum with 10 foot easements on both sides.
• Pavement width should be 26 feet including gutter

Finding: These city standards were used in review and installation of civil plans.

21. The project shall be subject to Bonney Lake traffic impact fees in place at time of building permit.

Finding: All impact fees are calculated with each building permit application.

22. To better provide future connectivity and prevent congestion to West Tapps Highway East, the development shall provide a 50-foot road access to the south. It is understood that the design of the Hemminger preliminary plat southeast of the project site, does not currently provide for access to the north. If this should change, the corresponding southeastern lot of the project site shall be converted to road/utility access in correspondence to the Hemminger Preliminary Plat. If the currently designed Hemminger preliminary plat is approved, the road/utility access shall replace the west 50 feet of lot 25.

Finding: The plat provides a 50-foot right-of-way that will connect to the property to the south, which is currently the Hemminger preliminary plat.

23. A minimum of 15 foot water and sewer easement shall be provided on the western and eastern edges of the project, extending inward from the property to the internal plat road.

Finding: A 15-foot easement on either side of the plat does not exist; however, the eastern 15 feet that was originally slated for the plat no longer is part of the plat. The western 15 feet of the plat is wetland and wetland buffers, through which sewer easements should not run. Ten-foot easements run along each side of each street for a total of 20 feet of easements.

24. The name of the preliminary plat shall be changed. The City of Bonney Lake is currently processing a final plat called “Legacy Park.”

Finding: The plat name was changed to “GMG.”

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25. The city requests a copy of the already submitted traffic impact analysis in order to review for impacts to the city’s road network.

**Finding:** The TIA was reviewed by Pierce County and sent to the city by e-mail on September 17, 2008.

26. Utility easements shall be provided on the face of the final plat which are necessary to the provision of water, power, sewer, natural gas and mail delivery to the lots within the subdivision. The affected purveyors should be contacted prior to development of the final plat for their specific easement requirements.

**Finding:** Purveyors were contacted by the applicant; 10-foot utility easements are shown adjacent to each street. The easements are described on Page 3 of 6 of the plat and purveyors listed in Notes 2, 3, and 4.

27. A landscaping plan shall be submitted to the Bonney Lake Planning and Community Development Department for review and approval prior to final plat approval.

**Finding:** The landscape plan was approved on January 21, 2010.

28. A note shall be placed on the final plat mylar which states:

   “The residents of ___ for the life of the project shall maintain the landscaping tract. All plant materials shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent limb failure. The landscaping tract shall be kept free of trash. Any plant material shall be replaced within the spring or fall growing season following the Plant loss but not greater than 180 days from the time of loss.”

**Finding:** This appears on Page 3 of 6 of the plat as Number 8.

29. The project location is in very close proximity to several areas that have potential for possible archaeological discoveries. At this time, please recognize that historic sites may be exposed when such projects undertaken. We recommend an archaeologist be hired to oversee and evaluate the proposed location of the project and that a cultural resource report is completed. Any exposure of historical sites will need to be reported to the Puyallup Tribe immediately.

**Finding:** No archeological discoveries were found. Because this condition extends beyond the limits of plat preparation, a portion is noted on the face of the plat on Page 3 of 6 of the plat, Number 17, together with the instruction to contact the State of Washington for all future construction activities.

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30. All storm water from this proposal shall be treated to the maximum extend possible, particularly for pollutants commonly associated with residential development (i.e. chemicals, fertilizers, metals, etc.), then this treated storm water should be infiltrated on the plat site if suitable soils exist. Some of the storm water generated from the site may be treated by amending the soil throughout the site with compost.

**Finding:** Infiltration was not possible with the soils in this area. The storm water is to be treated in a settlement pond. Downstream of the pond, the water will be treated again through another filter, according to the plans approved by the city engineer during the civil plan process.

31. Full water quality treatment and infiltration of stormwater instead of a stormwater discharge that may ultimately end up in Lake Tapps, and eventually the White and Puyallup Rivers, is necessary to minimize impacts to water quantity and qualify that salmonids and other aquatic life in these river systems need. Infiltration of stormwater is also the preferred option of treatment according to the Department of Ecology’s Western Washington stormwater manual volume 1 (WDOE 2001, page 1-5). These recommended measures would also reduce the potential contribution of phosphorus from the developed plat to drainage areas that drain to Lake Tapps.

**Finding:** Infiltration was not possible with the soils in this area. The city engineer approved an alteration to this condition to accommodate the soil’s inability to tolerate infiltration.

32. In the event that infiltration is not feasible, the tribe recommends that phosphorus and other discharges from development be regulated to insure no degradation of existing water quality to address water quality concerns.

**Finding:** All minerals and pollutants will be discharged according to the approved methods and plans.

33. Sidewalks shall be provided within the development and also along the frontage of the site. The district agrees with such plans and requests that the standard Pierce County impact fees be imposed and that sidewalks be a condition of development.

**Finding:** Sidewalks were provided within the plat and a narrow area at West Tapps Highway is developed with sidewalks adjacent to the plat boundary.

34. Streetlights shall be provided for increased visibility and safety.

**Finding:** The street lights were installed by Puget Sound Energy May, 2010.

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35. Any discharge of sediment-laden runoff or other pollutants to Waters of the State is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-207A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Finding: Erosion controls in place during construction prevented sediment-laden runoff from leaving the site.

36. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to storm water runoff from carrying soil and other pollutants into surface water or storm drains that lead to Waters of the State. Sand silt, clay particles, and soil will damage aquatic habitat and are considered pollutants.

Finding: The temporary erosion and sediment control plan (TESCP) was approved on May 19, 2008, installed, and is still operational around the wetlands. Because this condition extends beyond the limits of plat preparation, it is also noted on the face of the plat on Page 3 of 6 of the plat, Number 18, for all future construction and residential uses.

37. Proper disposal of construction debris must be on land in such a manner that debris cannot enter the wetlands, streams, and their buffers or cause water quality degradation of state waters.

Finding: The demolition permit was received, processed, and inspected by the city.

38. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

Finding: No spills were reported during construction. Because this condition extends beyond the limits of plat preparation, it is also noted on the face of the plat on Page 3 of 6 of the plat, Number 20, for all future construction and residential uses.

39. Soil in stockpiles should be stabilized or protected with sediment-trapping measures to prevent soil loss. All exposed areas of final grade or areas that are not scheduled for work, whether at final grade or otherwise, shall not remain exposed and un-worked for more than two days, between October 1 and April 30. Between May 1 and September 30, no soils shall remain exposed and un-worked for more than 7 days.

Finding: Erosion control measures were in place during construction; no violation of the standards was reported.
40. Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing.

Finding: Clearing limits were checked in the field before construction began and again after clearing was completed.

41. A permanent vegetative cover should be established on denuded areas at final grade if they are not otherwise permanently stabilized.

Finding: The areas are seeded and all grass is growing to stabilize areas that were disturbed during plat construction.

42. Properties adjacent to the site of a land disturbance should be protected from sediment deposition through the use of buffers or other perimeter controls, such as filter fence or sediment basins.

Finding: Filter fencing was placed at the outer limits of land work to protect neighbors and wetlands.

43. All temporary erosion control systems should be designed to contain the runoff from the developed two-year, 24-hour design storm without eroding.

Finding: The TESCP was approved May 19, 2008, installed, and is still operational.

44. Provision should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.

Finding: Adequate controls were maintained throughout development of the plat.

45. Wash water from paint and wall finishing equipment should be disposed of in a way which will not adversely impact Waters of the State. Untreated disposal of this wastewater is a violation of State water quality laws and statutes and as such would be subject to enforcement action.

Finding: No violation of water quality issues was reported.

46. This project will disturb one or more acres of soil surface area and already has potential to discharge stormwater off the site to Waters of the State. The owners must obtain coverage
under a construction Stormwater National Pollution Discharge Elimination System (NPDES) permit before the start of any clearing, grading, or construction activities on the site.

Finding: An NPDES was obtained from the state August 11, 2008.

47. Thirty tree units per acre be preserved and/or planted. Prior to final plat approval, a final tree conservation plan must be submitted to staff for review and approval.

Finding: The calculation was examined before the landscape plan was approved January 21, 2010, to verify 30 tree units were preserved and/or planted as required.

Conditions 48 and 49 are technical statements of the hearing examiner that the decision was based on representations made and that the applicant is subject to all applicable laws throughout the development process.

John P. Vodopich, AICP
Community Development Director

July 11, 2012
Date

APATTACHMENTS:
• Final Plat Map

"The City of Bonney Lake's mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services."

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GMG PLAT
A PORTION OF THE SE 1/4 OF SW 1/4 OF SECTION 27,
TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.,
CITY OF BONNEY LAKE,
Pierce County, Washington

DEDICATION
WE, THE UNDERSIGNED OWNERS OF THE AFORESAID PROPERTY, DEED
HOLDERS TO THE PURCHASERS THEREOF, WE DEED THE HOUSE AND INDOOR
IMPROVEMENTS NOT SPECIFICALLY DESIGNATED HERETO AS PRIVATE TO THE USE
OF THE PUBLIC FOREVER, AND HEREDITY GRANT TO THE PUBLIC THE RIGHT TO MAINTAIN
THE NECESSARY AREAS FOR GUTS AND PILLS UPON THESE LOTS IN THE ORIGI
NAL PREDOMINANT USE OF THE STREETS.
FURTHERMORE, THE OWNERS AND SUBSEQUENT PURCHASERS WAIVE ALL CLAIMS FOR
CHANGES AGAINST ANY GOVERNMENTAL AUTHORITY WHICH MAY BE INCURRED TO THE
ADJACENT LAND BY THE ESTATEPLANTED CONSTRUCTION, DRAINAGE AND MAINTENANCE
OF SUCH PLANTS AS SHOWN HERETO.

THIS EVIDENCE HAS BEEN MADE WITH THE FREE CONSENT AND IN ACCORDANCE
WITH THE DESIRES OF THE OWNERS.

ACKNOWLEDGMENT
STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO
ON THE 3rd DAY OF 2012, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED
RICK A. FRANCO, ESQ., WHO IS KNOWN TO ME TO BE THE PARTNER MANAGER OF EAST WEST BANK
THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED SAID INSTRUMENT
TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SA SIGNED FOR THE USES AND
PURPOSES STATED THEREIN AND ON OATH SANG THAT SHE WAS AUTHORIZED TO
EXECUTE SAID INSTRUMENT.

WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT ENTITLED "GMG PLAT" IS BASED UPON A
SURVEY OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M., THAT ALL
CONQUESTS AND EXCISED ARE SHOWN CORRECTLY THEREON, THAT THE
NUMBERS WILL BE SET AND THE LINES AND CORNERS WILL BE STAKED
CORRECTLY ON THE GROUND AS CONSTRUCTION IS COMPLETED AND THAT I HAVE
FULLY COMPLIED WITH THE PROVISIONS OF THE PLATTING REGULATIONS.

ROCK A. FRANCO, PROFESSIONAL LAND SURVEYOR

APPROVALS
PUBLIC WORKS DEPARTMENT

CITY OF BONNEY LAKE

Pierce County Fire Protection

CITY COUNCIL

COMMUNITY DEVELOPMENT DEPARTMENT

ASSESSOR/RESEUR

AUDITOR'S CERTIFICATE
PLAT FOR RECORD AND FOR RECORD OF THE
COUNTY AUDITOR, TACOMA, WASHINGTON

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GMG PLAT
A PORTION OF THE SE 1/4 OF SW 1/4 OF SECTION 27,
TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.,
CITY OF BONNEY LAKE
Pierce County, Washington

NOTES


EXCEPTIONS FROM TITLE REPORT

LEGAL DESCRIPTION, DIMENSIONS, CONTOURS AND CONDITIONS AS SHOWN ON THE ORIGINALParcel

RECORDING OF THE PARCEL AS SHOWN ON THE ORIGINALPARCEL

RECORDING OF THE PARCEL AS SHOWN ON THE ORIGINAL PARCEL

BUILDING SETBACKS

BUILDING SETBACKS ARE AS FOLLOWS (UNLESS DEPICTED OTHERWISE):

FRT:

SIDE:

SIDE ALONG RIGHT OF WAY:

SIDE ALONG FRONTAGE:

SIDE ALONG REAR:

SIDE ALONG REAR:"
GMG PLAT
A PORTION OF THE SE 1/4 OF SW 1/4 OF SECTION 27,
TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.,
CITY OF BONNEY LAKE
PIERCE COUNTY, WASHINGTON

LEGEND

-  =  Shows to set concrete monument with brass cap
  stamped "C.S. 2029", in grass upon completion of
  construction

BSSL = Building setback line

r = Radius

l = Delta

M = Arc Length

(2) = Radial bearing

< = Radial bearing at lot corner

\[ = \] indicates note number on sheet 3 of 6

\( = \) indicates exception number on sheet 3 of 6