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:
      2. Appointments: None.
      3. Presentations:
   D. Agenda Modifications

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:
   A. Public Hearings: None.
   B. Citizen Comments:
      You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the “Consent Agenda” should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated representatives speaking on behalf of a group may take up to 10 minutes on matters of general City business.
   C. Correspondence

III. COUNCIL COMMITTEE REPORTS:
   A. Finance Committee
   B. Community Development Committee
   C. Public Safety Committee
   D. Other Reports
IV. CONSENT AGENDA:
The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

A. Approval of Minutes: August 21, 2012 Workshop and August 28, 2012 Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #64357-64358 in the amount of $2,250.00 for Tunes @ Tapps payments. Accounts Payable checks/vouchers #64359-64442 including wires #9827675, 20120803, 98276752, 20120815, 39243881 in the amount of $183,800.60. Accounts Payable checks/vouchers #64443-64448 in the amount of $15,995.10. Accounts Payable checks/vouchers #64449-64454 in the amount of $60,323.23. Accounts Payable checks/vouchers #64455-64489 in the amount of $273,739.00. Accounts Payable checks/vouchers #64490-64493 in the amount of $1,716.34. Accounts Payable checks/vouchers #64494-64509 in the amount of $10,983.73. 7/10/12 omitted wire no. #20120617 in the amount of $29,090.00. Void check: 63809-replaced with 64454. Void check: 64444 replaced with 64496. Void check: 64282.

C. Approval of Payroll: Payroll for August 16-31, 2012 for checks 30658-30684 including Direct Deposits and Electronic Transfers in the amount of $640,236.61.


E. AB12-121 – Resolution 2238 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Conner Homes Group LLC For The Lakeland Villas Plat.

F. AB12-126 – Resolution 2239 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Execute An Interlocal Agreement With Pierce County And Its Cities And Towns Thereby Amending The Pierce County County-Wide Planning Policies To Designate A New Candidate Regional Center In University Place.


V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

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, since 2004, the annual event known as Beautify Bonney Lake has produced thousands of volunteer hours for the improvement of the community, with community volunteers and businesses generously contributing time, materials and money toward needed improvement projects; and

WHEREAS, Beautify Bonney Lake strives to inspire increasingly greater numbers of citizens and businesses to donate at least 3 hours a year to enhance the beauty of the City, by providing a means to easily capture the goodwill of the citizens via their willingness to create permanent and positive improvements to the City; and

WHEREAS, the City of Bonney Lake wishes to recognize the efforts of Beautify Bonney Lake, a registered charitable 501(C)3 organization, to engage the community in positive and charitable activities to enhance the livability of the City.

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

Saturday, September 15, 2012

as

Beautify Bonney Lake Day,

And urge all citizens, property owners and businesses to participate in “Beautify Bonney Lake”; and support this great community effort by donating time, talents, materials and monetary contributions to the local improvement projects associated with this wonderful event.

Neil Johnson, Jr.
Mayor Neil Johnson  Date
I. CALL TO ORDER – Deputy Mayor Dan Swatman 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 Deputy Mayor Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Johnson and Councilmember Lewis were not in attendance.

Councilmember McKibbin moved to excuse Councilmember Lewis. Councilmember Watson seconded.

Motion to excuse Councilmember Lewis 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, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, Facilities & Special Projects Manager Gary Leaf, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:
A. Council Open Discussion:

Bonney Lake Days: Council member Hamilton said it was great to see the participation at Bonney Lake Days. Councilmembers asked City Administrator Morrison to report back with any feedback from the vendors who participated. Deputy Mayor Swatman said it was great to see all of the vendors who participated, the participation in the Les Schwab car show, and the fireworks show. Councilmember Watson said he received letters and comments and he thought there should be more sign boards or notification regarding the fireworks for citizens and animals affected by fireworks. City Administrator Morrison said he thought they had it staged for the larger and louder fireworks later in the show. Also, there was some comment regarding the sound from the stage of the music performers and if it was well received. Councilmember McKibbin said he thought the vendors did well and it was a good sign that the vendors were still there late in the evening. Councilmember Hamilton asked why the event was shifted from Saturday and Sunday to Friday and Saturday; staff replied that these days are preferred by vendors.
Nighthawk Stryker Brigade: Councilmember Watson said he spent earlier today with the Nighthawk Stryker Brigade at Joint Base Lewis McChord and he said the Nighthawk Stryker Brigade would be eager to help out with Beautify Bonney Lake or Bonney Lake Days next year, as long as the City provided them enough advance notice. They told him they would be willing to do a flyover. He said they do a great job in assisting soldiers and their families however possible and are always willing to help out cities and communities.

Pierce County Flood Control Plan: City Administrator Don Morrison said in Mayor Johnson’s absence, yesterday he attended the first Pierce County Flood Control District Advisory Committee meeting. He said Sumner Councilmember Mike LeMaster was elected as Chair and Orting’s Building Official was elected as Vice-Chair. The Committee discuss the past twelve years of history. He said the Committee will review the rate the cities charge and that this is something to keep an eye on the next few months. Councilmember Hamilton asked about the Flood Control District and the fees the residents pay in their property taxes. City Administrator Morrison said residents pay $0.10-$0.15 per $1,000. Also, the Flood Control District can levy a special assessment for parties who benefit from more than the norm. Councilmember Hamilton said his understanding is that part of that money comes out of the stormwater funds and it is all paid for by unincorporated County property owners, not citizens from the cities. City Administrator Morrison said either he or Mayor Johnson will attend these monthly committee meetings and they will provide a monthly report. Councilmember Rackley said he is curious why the County doesn’t have a systems development charge for construction in the flood zone.

Reed Property Well Site Update: Deputy Mayor Swatman asked City Administrator for a update for well water rights. City Administrator Morrison said the City may be able to get more geological data and studies and possibly drill some more sites. Councilmember Hamilton said he thinks the City was anxious to drill after purchasing the Reed property. Councilmember Rackley said he thinks that when the economy improves, the value of the property will hopefully increase. Councilmember Hamilton asked about the archeological dig that was done on the property. City Administrator Morrison said it is a registered site, located close to the road and covers the house, part of where the old barn was, and the pasture and milk house. He said the City has recently communicated with the Department of Historical Geology. Councilmember Hamilton wanted to know if the City knew that an archeological dig had occurred on the property in the 1960s or 1970s, and, if so, he believes it should have been disclosed. City Attorney Kathleen Haggard said it should have been disclosed if it was relevant to the purpose of the purchase. City Administrator Morrison said he had to sign a confidentiality agreement from the State last week to review official records. Councilmember Hamilton said he would have had reservations about purchasing the property if the City could have been denied the option of drilling further for water rights. Deputy Mayor Swatman said if we had known about the well itself then we probably wouldn’t have made the decision to purchase the property. Councilmember Hamilton said he thought there was plenty of water and asked how much time was spent inquiring about the water. Councilmember Hamilton said this property is a huge part of the Mayor’s Park Plan. He questioned whether the City can plan to build ball fields on the property if there is concern about Indian artifacts. He added that the City would still need water for ball fields.
Update on Justice Center Occupancy: City Administrator Morrison said the City got the electrical/mechanical plans and it should be ready to bid by Labor Day. He said he is hopeful that the City will get some good bids. He said the project will require funds for a key lot and a back up generator. Facilities and Special Projects Manager Gary Leaf said the rest of the building should be complete in three months after we get the bids back, which will be approximately January. Community Development Director Vodopich said the City had the tenant improvement bids out in January 2010 for Phase I and the Executive Department moved in April or May 2011. Councilmember Hamilton inquired about what will happen with the modular and the Annex building once Community Development and Public Works Administration staff move. Deputy Mayor Swatman said the City can sell the modular building and sell or lease out the Annex.

B. Review of Draft Council Minutes:

The July 17, 2012 Workshop, July 24, 2012 and August 14, 2012 minutes were forwarded to the August 28, 2012 meeting for action with corrections.

IV. EXECUTIVE SESSION: Pursuant to RCW 42.30.110(1)(b), the Council met with the City Attorney for Executive Session regarding property acquisition at 6:05 p.m. Council returned from Executive Session at 6:21 p.m.

III. (Cont’d.)

C. Discussion: Options for Eastown Development Needs/Sewer & Water Fund Project Forecasts:

Deputy Mayor Swatman said that City Administrator Morrison prepared a financial analysis and said the City needs bonds to do the sewer funding. He said this financial analysis is based on sewer funds only. City Administrator Morrison said if the City proceeds with the Eastown sewer development he is concerned the City may not have enough money for the wastewater treatment plant and the public works building. He said this analysis is basically a second cut of a long range financial plan for sewer, which was prepared by City Administrator Morrison and Finance Director Al Juarez. City Administrator Morrison explained the Sewer Financial Model Schedule. He said according to this schedule, after all of the projects which would be scheduled for completion from 2012 through 2017, there would still be $3.7 million in the bank. Deputy Mayor Swatman asked if that assumes that the City would be doing the Eastown sewer project. He said if the City constructs the lift station, then the City cannot receive latecomer fees. Councilmember Hamilton said in looking at the numbers he wonders why the City had increase sewer rates.

Deputy Mayor Swatman asked what the Council’s thinking is for Eastown and its future. He said the Council needs to find some way to get sewer to Eastown as the City has invested a lot of time and money, unless they want to let the property owners develop on septic systems. Councilmember Hamilton said if the French property decides to develop they could come in with a utility latecomers agreement and Council would be deciding the same issue as it did with the Eastown LLC. Deputy Mayor Swatman said a private developer could come in and do it on their own, however, he feels that is less likely. Deputy Mayor Swatman and Councilmember McKibbin questioned how a developer’s share would be charged. Councilmember Rackley explained how it would be charged. Councilmember Watson asked how long it would take to complete the backbone of the sewer project. Public Works Director Grigsby said it could be done by the middle of next
summer. Councilmember Watson said the City has worked for some time trying to get
the area developed, but, he feels that $4 million is too much for the City to pay. He said
he would like to see a start of a system, but wants to see more interest in Eastown before
he could support that amount of funding. Councilmember Rackley said if the City only
invested $2 million in a sewer backbone then the City would not receive any money back
as it would not be a in a partnership under a utility latercomer agreement. He said that it
is sewer money which cannot be used for other city projects. Deputy Mayor Swatman
said if the idea is to get back 80% of the City’s money and the City only loses 20% why
would the City consider spending half of the original proposal and not enter into a utility
latercomer agreement and get nothing back. Councilmember Hamilton said if the City
developed a sewer extension to the French property, the cost of development would only
be $2.5 million. Public Works Director Grigsby said that if the City started at the new lift
station to the existing Lift Station 18, then the French property would have an immediate
sewer connection from right across the street, which could cost the City about $2 million.

Councilmember Minton-Davis said she still has the same concerns that it’s a big risk.
She questioned whether putting in sewers will spur development. She said she wants
economic development but the way to do that is to lower fees. She asked why the City
needs to develop Eastown when the City could infill into the rest of the City before
spreading out. Deputy Mayor Swatman said if the City has less commercial space
available to developers, then other cities are more appealing to them. He said if Bonney
Lake has more commercial land on the market then it can drive down the cost of the land.
Councilmember Minton-Davis asked why the WSU property isn’t developing. Deputy
Mayor Swatman said that is why the City has done so much planning and improvements
toward Eastown. Councilmember Watson said that if the City wants to grow and can
show that the City is retail friendly, then the City can get developers in the future. With
sales tax going down, then the City will be a better place for car dealerships, call centers,
etc. He said if the City has put in some sewer, then it is a start. He said the City has
widened the streets and the area looks good and needs to continue to move forward.
Deputy Mayor Swatman inquired about how the City will respond to properties that want
to develop.

Public Works Director Grigsby compared the length of the sewer project between the $4
Million project versus the $2 Million project. He said the City would save $2 million by
only building to the French property. Deputy Mayor Swatman asked about the other
properties that the sewer system would not extend to. Councilmember Minton-Davis
asked whether it is the City’s responsibility, or even the taxpayer’s responsibility.
Councilmember Hamilton said the property was zoned commercial and they could use
septic before, but since the City annexed it, they can’t use a septic system. He said the
City has never installed the pipe on the hopes that the City will get paid back. He said
when those properties were in the County they had the right to develop. However, now
that they are in the City, they must have a sewer connection to develop. Councilmember
Hamilton said he feels more comfortable with his decision to vote against the ULA now
knowing the City cannot afford it and a lot depends on the economy. He said it’s always
been about the French property. He said once things start, projects can develop pretty
quickly, but, if no one buys then he is not sure what will happen. Councilmember
Watson said the property owners need to help advertise and publicize their properties to
developers.
Public Works Director Grigsby advised that he didn’t advertise this workshop item to the Eastown property owners, which could explain why they were not in attendance. Councilmember Minton-Davis said you would think Eastown LLC would be here participating and hiring a consultant to assist them. Councilmember Watson said the Council is not here to take care of the property owners, but to assist them in getting development started. Deputy Mayor Swatman pointed to the participation in Sumner for the Orton Junction project and the advertising they received. He thinks that if the Eastown property owners were really interested there would be more participation on their part. Councilmember Hamilton said if the Council were making a decision on annexing Eastown today, then the Council probably wouldn’t do it, however, now that it is part of the City all can agree that sewer is the best way to develop the property. However, he said who and when it is done is still to be determined. He said the City can wait for the economy to turn around, or wait for the French property to be sold.

Deputy Mayor Swatman said sewer is definitely a key to development, but some think that septic is better because property owners cannot develop their properties as much. Regardless, he said they will eventually be able to develop. He believes there would likely be some undercapitalized, underfunded improvements by allowing septics and the City wants to see nice developments. Councilmember Hamilton said it appears the City is not allowing development of these properties because we don’t allow septic. He asked if the property owners could put a house in a commercial zone. Assistant City Attorney Kathleen Haggard said property owners could put a house on a property as long as they don’t change the use.

Deputy Mayor Swatman inquired if City staff have spoken with the Eastown LLC about entering into an agreement at the $2 million project level. Public Works Director Grigsby said he has not because he was waiting to get guidance from Council. Community Development Director Vodopich advised that single family residences are not allowed in Eastown. Councilmember Hamilton said the main issue is that there is not a lot property owners can do with their properties.

Deputy Mayor Swatman suggested the City proposed the $2 million project to extend the sewer to the French property lift to the Eastown LLC. Public Works Director Grigsby said he will contact the LLC. Councilmember Minton-Davis said she is concerned about the LLC’s previous comment that they have nothing legally binding on their agreements with the City and that the LLC’s representative stated on the record that his signature as the LLC’s representative is not legally binding. Public Works Director Grigsby said he doesn’t know if that was what he meant to say. Councilmember Rackley said that if the City has any hope of collecting its money back, it needs a partner. If the City collects enough money to make it legally binding then it can expend the money. Councilmember Minton-Davis wanted to know why the LLC would sign an agreement if they don’t see a benefit. Public Works Director Grigsby said he feels Roger Watt was trying to say was that until both parties have signed the contract that his signature wasn’t legally binding, not that his signature would never be legally binding. The Council agreed that the City needs a partner. Councilmember Hamilton said the Council is switching sides by putting it on the City’s time table. Once the City signs the agreement then it’s up to the LLC. He said it bothers him that most of the property owners don’t live in the City and the City does not know what they plan to do with their property. Public Works Director Grigsby said one piece of feedback that he has heard is that if just a portion of the property owners develop their property then the payback would be over $1 million of the $1.8 million the City would invest in just the next three years. He said he will contact the Eastown LLC
to see if they are interested in an agreement for a $2 Million project, however, he will not discuss a partnership percent. Councilmembers Hamilton and McKibbin said they do not want Public Works Director Grigsby to discuss numbers or percent of partnership contributions. Public Works Director will contact the Eastown LLC to gauge their interest.

D. Discussion: AB12-112 – Ordinance D12-112 – Rezone of Conn Property from R-1 to R-2.

Community Development Director John Vodopich discussed the Conn Rezone and stated that the property has met all of the conditions for the rezone which has been approved by the Hearing Examiner. Public Works Director Grigsby showed a map indicating the location of the property and explained the continuation of 192nd Street. The rezone of the Conn Property from R-1 to R-2 was forwarded to the full Council for approval.

E. Discussion: AB12-110 – Park Project Options.

City Administrator Morrison and Facilities & Special Projects Manager Gary Leaf presented information for the Mayor’s Park Project Option. As previously requested by the Council, Project Manager Leaf providing information for rope courses and rock climbing walls to possibly be installed and utilized as part of the Parks Plan Options at the WSU Forest.

Councilmember Minton-Davis inquired if the City received any public comment during Bonney Lake Days. Deputy Mayor Swatman said a lot of people he spoke with during Bonney Lake Days said they really like the idea of a Metropolitan Parks District and he said he wanted to confirm that this money is dedicated money for Parks. Councilmember Hamilton said he thinks the strongest argument Council has is that this money is devoted to Parks. He said, however, he had a difficult time explaining the use/purpose of the proposed pavilion. Councilmember Watson said he would rather see a community center or multi-purpose facility than just a pavilion. Project Manager Gary Leaf gave his definition of a pavilion and that it could include a pavilion as well as an enclosed community center. Councilmember Minton-Davis said she sees the pavilion as more a beginning of a community center, not necessarily a recreation facility. Project Manager Leaf said the Parks Board was concerned about providing meetings space for non-profit groups, or municipal purposes.,

Project Manager Leaf said he was not prepared to discuss the Reed property archeological issues. Deputy Mayor Swatman said he thinks the Reed property is actually in an odd spot for a public use. Project Manager Leaf said he doesn’t know where else the Park Plan Option for ball fields could go. Councilmember Minton-Davis said she thinks it would be great to put the fields on the flat land that is located right in the middle of the City, at Kelly Farms, but that property does not belong to the City. Councilmember Hamilton inquired about a long term lease for Kelly Farms. Councilmember Watson inquired about the property behind Marshall’s and how much acreage was there. Project Manager Leaf said land is a difficult issue and at the Parks Summit the most popular item was the ball fields, which requires acreage.

Project Manager Leaf said at last month’s Council Workshop, Council asked him to look at some ropes course options for the WSU Forest. He provided two options for ropes courses which were submitted from Scott Andrews, who works for a consulting firm from Bellevue. He said the two options provided for the WSU Forest would also be a
great way to use the infiltration areas. The ropes course could be amongst trees, but it
doesn’t have to be. He advised that City Clerk/ Administrative Service Director Woody
Edvalson contacted WCIA about liability issues they advised that so long as the operation
of the courses are contracted out by a certified organization then the City would have no
liability issues. They would have the skills to not only operate it, but also to market it.
The course would be seasonal and would employ approximately 15 people throughout the
year. Councilmember Hamilton inquired whether the City would build and maintain the
course. Project Manager Leaf said the certified contractor would inspect it and maintain
it. Councilmember Hamilton said people could still walk around the courses and walk
the trails. Councilmember McKibbin asked if the City plans to work on the ropes course
before the Metropolitan Park District. Project Manager Leaf said it would be part of the
total Park Plan Option. Councilmember McKibbin asked how much detail the City
needs to provide for a Metropolitan Park District.

Project Manager Leaf explained another option for a playground that looks like a ropes
course. It has a zip line, climbing rocks, fitness training with exercise equipment, with
equipment for both kids and adults. Councilmember Watson asked what else would be
planned for the WSU Forest. Project Manager Leaf explained there would be
playgrounds and trails, and that the rope course options would take up 1 to 2 acres.
Councilmember Watson asked if the Park Plan Option for the Reed property could be
moved to the WSU Forest. Project Manager Leaf advised that there is not 20 acres
available in the WSU Forest which is what is needed for the ball fields, parking, etc.
Councilmember Minton-Davis said she thinks both of the rope course options should be
added to the Park Plan. Project Manager Leaf said that the cost would be approximately
$250,000.

City Administrator Morrison said the 80 acre park in Pierce County could be an ideal
place for ball fields. City Administrator Morrison and Project Manager Leaf met with the
County and they have no money to develop it. Councilmember McKibbin asked the City
can still use the Reed property after forming a Metropolitan Park District since it’s not in
the City limits. Project Manager Leaf said the City can use it, but may not get grants for
building the Parks District. Councilmember Hamilton inquired if the City were to we use
part of the County park, whether County residents would get to vote on the Park District.
Project Manager Leaf said in that case at least one County councilmember would sit on
the board of the Park District. He said the County Parks Director was not enthusiastic
about the City taking over the 80 acre park. City Administrator Don Morrison said
during their meeting with the County the County would want paid back the $275,000 the
County paid toward property, the and then buy the property at fair market value

Councilmember Watson inquired about a teen center. Project Manager Leaf said there
was not much interest in a teen center. Councilmember Watson said maybe part of a
larger community center could be used for a teen center. Project Manager Leaf advised
that for the proposed timeline to work for an April election that the City needs to have it
narrowed down, now. He said he is aware there are some concerns with the Reed
property and he will talk more with the City Administrator. He said if the City doesn’t
have the Reed property to utilize then the City will need to find a property to purchase
and the options are limited. Deputy Mayor Swatman said there are properties available.
Project Manager Leaf said the City needs at least 10 acres for ball fields, parking and a
maintenance facility. The WSU Forest is about 20 acres, he said, but the shape is not
ideal. City Administrator Morrison said it takes about 2 acres for one football field with
parking. Project Manager Leaf said the City would need a 58% approval for the bond to be approved by voters.

Councilmember Rackley said he would like to do a survey of interest. Councilmember Minton-Davis asked what the alternatives are as a professional survey costs as much as an election. Project Manager Leaf said the Parks Board did a survey, but they didn’t ask residents what they would be willing to spend their money on. City Administrator Morrison said the YMCA survey cost approximately $35,000. Councilmember Minton-Davis said if the City is going to spend money, it should be spent on promoting the Park Plan. Councilmember Watson said the City should provide the voters a proposed plan and see what interest they have.

Project Manager Leaf said the City must have a plan with specific parcels in mind. He said that at the Park Summit there was some skepticism if this Park Plan would really happen. Councilmember Hamilton asked if the City could develop a park on the Reed property if the issues were resolved, or on the WSU property, as long as it was done within three years. Councilmember Minton-Davis said she would vote in favor of a plan for the WSU Forest. Councilmember McKibbin that if the City takes the issue to the ballot and it doesn’t pass then the City may need to wait another 5 years before considering it again. The Council expressed support in promoting it, putting it to the voters to see their interest, but not to spend money on surveys. Project Manager Leaf advised that City staff completed the Park Plan at the end of last year and the Mayor sponsored a Parks Summit in which the Park Board was involved. He said there has been a lot of discussion as to how to implement the plan. He said he prepared an option which would focus funds on the items that got the most support at the Parks Summit (trails and ball fields) and would also include some other features which were not so high dollar items, like sport courts and playgrounds. He said staff prepared a draft timeline to put the measure on a ballot for next April, which would require the City to follow a fairly rigorous timeline to determine what would be included in the Plan, the For/Against Committees, ballot resolutions, and keeping it all in line and organized.

Council consensus was that, due to the timeline to put it on the ballot in April, the City needs to move forward and seek voters input and interest. The matter was forwarded to an upcoming Council meeting for public comment and input.

V. ADJOURNMENT:

At 8:09 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Watson seconded the motion.

Motion to adjourn approved 7-0.

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

Items presented to Council at the August 21st Workshop:
- Don Morrison – Sewer Financial Model Schedule E&E2 2012-2017-City of Bonney Lake
CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

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

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Neil Johnson was absent. Councilmember Katrina Minton-Davis arrived at 7:13 p.m.

Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Public Works Director Dan Grigsby, Acting Lieutenant Kurt Alfano, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

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

D. Agenda Modifications: None.

PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:


   Deputy Mayor Swatman opened the public hearing at 7:05 p.m. Seeing no one coming forward to speak, the hearing was closed at 7:05 p.m.

B. Citizen Comments:

Gabrielle Taheri, Bonney Lake, said she and her husband own property in Eastown. She said she attended the Council workshop on August 21st and thanked Councilmember Watson for providing a history of the Eastown sewer system debate. She said she appreciates the support of Councilmembers Swatman and Rackley. She said she and her
husband are part of the LLC formed by Eastown property owners. She said they continue to support the proposed Eastown sewer project even in its reduced form that was discussed at the previous Workshop.

She said the cost to connect a sewer line from her property to the proposed City system may be cost prohibitive. She thanked the Council for considering their request to be allowed to develop the property on a septic system until their property has access to the City sewer system.

David Bowen, 22523 SR 410, Bonney Lake, said he was in attendance on behalf of the Eastown Sewer Development Association, LLC. He reminded the Council that the Taheri property will not have access to the proposed sewer system because several other properties have not provided sewer easements to the City. He said Mr. and Mrs. Taheri will be unable to connect to the system under the proposed project.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

A. Finance Committee: Deputy Mayor Swatman said the committee cancelled its regular meeting scheduled for earlier in the evening.

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:

Families First Coalition: Councilmember Watson said he and Councilmember Lewis attended the Families First Coalition meeting on Monday, August 27th. He said Prairie Ridge is still seeking school supplies for the school year. The group heard a presentation from students at Pacific Lutheran University on needs for the area served by the White River School District. They also received copies of the Pierce County Environmental Health Trends for 2010-2012.

Councilmember Lewis added that the PLU project is ongoing and the students will come back to report back at the end of the school year. He said Councilmember Watson pointed out for the group that the bulk of students in the White River School District live in greater Pierce County, not inside the city limits. He said it is important to get appropriate data to understand the needs for this area.

Sumner School District: Councilmember Lewis said he attended the Sumner School District convocation earlier in the day. He said the District is searching for a new superintendent as Craig Spencer is leaving after this year. He said attendees asked him about the traffic signal on 104th St E, which is part of the School District project. He said the School District published an incorrect bus schedule in the local newspapers and is trying to notify parents of the correct schedules. He said the School District has finished its construction projects and all the schools are back open. He also noted that a new alternative high school has opened in Sumner.
Water Resources: Councilmember Rackley said he took a tour of Commencement Bay for the ‘Science on the Sound’ event hosted by the University of Washington in Tacoma on August 25th. He said the tour focused on environmental research on the bay. He said he would like to attend an upcoming meeting in Eastern Washington for water conservation groups, if the Council is in favor.

IV. CONSENT AGENDA:

A. Approval of Minutes: July 17, 2012 Workshop, July 24, 2012 Meeting, and August 14, 2012 Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #64338-64341 in the amount of $3,735.00 for Tunes @ Tapps and Kids Club payments. Accounts Payable checks/vouchers #64342 in the amount of $2,368.51 for Bonney Lake Days vendor payment. Accounts Payable checks/vouchers #64343-64356 including wire #2012081701 in the amount of $47,671.42.

C. Approval of Payroll: Payroll for August 1st-15th, 2012 for checks 30636-30657 including Direct Deposits and Electronic Transfers in the amount of $ 451,407.45.

D. AB12-112 — Ordinance D12-112 — An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Changing The Zoning Designation Of Parcel 0519045009 From Single Family Residential (R-1) To Medium Density Residential (R-2). Moved from Full Council Issues, Item A.

Councilmember Rackley moved to amend the agenda to move Full Council Issues, Item A. (AB12-112) to the Consent Agenda as Item D. Councilmember Watson seconded the motion.

Motion to amend the agenda approved 7 – 0.

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

Consent Agenda approved as amended 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. AB12-112 — Ordinance D12-112 — An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Changing The Zoning Designation Of Parcel 0519045009 From Single Family Residential (R-1) To Medium Density Residential (R-
2) Moved to Consent Agenda Issues, Item D.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:20 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the August 28, 2012 Meeting: None.
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Amending BLMC Chapter 2.32.040 Bereavement Leave

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.32.040 Of The Bonney Lake Municipal Code And Ordinance NO. 1378 Relating To Bereavement Leave.

**Administrative Recommendation:** Approve

**Background Summary:** Currently, the BLMC 2.32.040 defines immediate family as "spouse or spouse equivalent, mother, father, mother-in-law, father-in-law, brother, sister, child, stepchild, stepmother, stepfather, legally adopted child or grandparent of the employee and live-in dependant." This update will clarify the definition of mother-in-law and father-in-law by adding the word "current" to the code.

**Attachments:** none

**BUDGET INFORMATION**

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**COMMITTEE, BOARD & COMMISSION REVIEW**

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<td>Randy McKibbin</td>
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Forward to: Full Council

**Consent Agenda:** Yes

**COMMISSION/BOARD REVIEW:**

**HEARING EXAMINER REVIEW:**

**COUNCIL ACTION**

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**APPROVALS**

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ORDINANCE NO. D12-125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 2.32.040 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 1378 RELATING TO BEREAVEMENT LEAVE.

WHEREAS, the City Council wishes to make a clarification to the Bonney Lake Municipal Code to concerning the definition of mother-in-law and father-in-law; and

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

Section 1. BLMC Section 2.32.040 and Ordinance No. 1378 § 4, 2011 are hereby amended to read as follows:

2.32.040 Bereavement Leave.

At the request of the employee, up to three days’ bereavement leave with pay shall be granted to the employee upon the death of a member of the employee’s immediate family. This shall include: spouse or spouse equivalent, mother, father, current mother-in-law, current father-in-law, brother, sister, child, stepchild, stepmother, stepfather, legally adopted child or grandparent of the employee and live-in dependant. (Ord. 1378 § 4, 2011; Ord. 678 § 4, 1993).

Section 2. The city clerk shall sign and file with the adopting ordinance a copy of the statutes and regulations referenced herein and shall also file and maintain 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. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 4. This Ordinance is administrative and shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

PASSED by the City Council and approved by the Mayor this 11th day of September, 2012.

___________________________
Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

___________________________
James J. Dionne, City Attorney
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: CD / Cole Elliott
Meeting/Workshop Date: 11 September 2012
Agenda Bill Number: AB12-121

Agenda Item Type: Resolution
Ordinance/Resolution Number: 2238
Councilmember Sponsor: Randy McKibbin

Agenda Subject: Water Developers Agreement between Conner Homes LLC and City of Bonney Lake.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developers Extension Agreement Between Conner Homes LLC And The City Of Bonney Lake For Lakeland Villas.

Administrative Recommendation:

Background Summary: The Developer of Lakeland Villas has requested the City of Bonney Lake provide installation and testing observation for water main extension within area north east of Lake Tapps Parkway and Sumner-Tapps Highway East intersection (Parcel 7002371310).

Attachments: Map

BUDGET INFORMATION

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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Date: 21 August 2012

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

Forward to: Consent Agenda: Yes

Commission/Board Review: Hearing Examiner Review:

COUNCIL ACTION

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

APPROVALS

Director: Mayor: Date Reviewed by City Attorney:
Dan Grigsby Neil Johnson Jr. (if applicable):
RESOLUTION NO. 2238

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A WATER DEVELOPER EXTENSION AGREEMENT WITH CONNER HOMES GROUP LLC FOR THE LAKELAND VILLAS PLAT.

Whereas, Lakeland Villas is an 81 lot plat located at intersection of Lake Tapps Parkway and Sumner-Tapps Highway, Auburn, Washington. This project is outside the Bonney Lake city limits but within Bonney Lake’s water service areas; and

Whereas, The City of Bonney Lake requires that a developer have an approved Developer Extension Agreement for water improvements to the City’s system. The City Council finds that it is in the public interest that this agreement be carried out at this time;

Now therefore, be it resolved;

that the City Council of the City of Bonney Lake, Washington, does hereby authorize the Mayor to sign the attached Water Developer Extension Agreement with Conner Homes Group LLC for the Lakeland Villas project.

PASSED by the City Council this 11th day of September, 2012

______________________________
Neil Johnson Jr., Mayor

ATTEST:

______________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

______________________________
James Dionne, City Attorney
THIS AGREEMENT, by and between the City of Bonney Lake, a municipal corporation, hereinafter referred to as "City", and [Company Name], hereinafter referred to as "Developer".

WITNESSETH: That whereas the City of Bonney Lake, a municipal corporation, provides WATER service within the corresponding WATER service area boundary, and the above-named Developer is preparing to construct a WATER system, or additions thereto, and said development requires the City's WATER service;

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

I. Developer agrees to design and/or construct the WATER system, or additions thereto, to be connected to the City's WATER lines, and to maintain such additions until such time as the improvements are accepted by the City, with the agreements conditioned as set forth below. The WATER system, or additions thereto, shall be located within that area commonly referred to as [Lakeview Villas], which property is described in Exhibit "A" attached hereto and referred to hereinafter as "Premises".

II. As a condition precedent to City obligations under this agreement, the Developer shall design and/or construct the proposed WATER system, or additions thereto, within said premises in conformance with the City's "Development Policies and Public Works Standards", as adopted (and by reference made a part hereof), together with any City approved amendments thereto made, and further to conform with the City's comprehensive WATER plan, which agreement shall include oversizing of WATER mains as may be identified in the City's adopted WATER comprehensive plan.

A. Apply for irrigation meters separate from residential meters where the irrigation serves common areas or more than one single-family residence.

B. The applicant shall submit landscaping and irrigation plans for review and employ the best management practices available for the efficient use of water.

III. The developer agrees that the construction of the WATER system, or additions thereto, shall not commence until the following conditions have been fulfilled:

A. The developer shall furnish the City with three (3) sets of detailed plans for the water system, or additions thereto, at Developer's own expense, prepared by a qualified engineer licensed in the State of Washington.

B. The above plans shall require the review and approval by the City and its Engineer, and the cost of such review shall be at the Developer's own expense.
C. Minimum requirements for all plans for WATER system, or additions thereto, submitted to the City for review are:

1. Three (3) sets of plans and documents shall be submitted, wherein one (1) set will be returned to the applicant.

2. A preliminary plat of the area in which said WATER system, or additions thereto, are to be constructed, which plat has been approved by the City, or County as applicable.

3. A map showing the location of the plat in relation to the surrounding area.

4. A contour map of the plat with contour intervals of two feet or less.

5. A map showing the location and depth of all proposed utilities and any connections and/or interconnections to existing facilities or future extensions and connections.

6. A 1" = 50' plan of the water system showing streets, lot lines, dimensions, and location of bench marks and monuments for the proposed plat, together with an indication of the development of the adjacent property.

7. A profile 1" = 50' horizontal and 1" = 5' vertical of the finished road grades with the water system and other pertinent underground utilities located, with elevations noted thereon. The elevation datum shall be the same as used by the City. It shall be the responsibility of the Developer to confirm such datum with the City.

8. Full-sized detail sheets shall be included as part of the construction drawings, as required to clearly indicate the details for all of the water system, or additions thereto, to be constructed, consistent with City standards.

9. Specifications sufficient to fully describe the work, consistent with City’s "Development Policies and Public Works Design Standard".

10. Approvals from all regulatory agencies.

D. Construction requirements in addition to the City standards and details for developer extensions, as adopted, are as follows:

1. Unless otherwise approved in writing, by the City, all streets and/or roadways shall be graded to within six inches of final grade before installation of WATER improvements.

2. All lots shall be fully staked to assist all parties involved in the proper location of the WATER system including services.

3. All hydrants and valves shall be fully staked in the field and reviewed and approved by the City prior to installation of same. Adjustments to
"approval construction drawings" may be warranted and required by the City, based on actual local field conditions.

4. All contractors and subcontractors shall have a current Washington State Contractors License.

5. The Developer's WATER system, or additions thereto, on Premises shall not be connected to the City WATER system until authorized by the City, and such connection shall be performed under the supervision and direction of the City.

E. For the purpose of applying RCW 4.24.115 to this Contract, the Developer and the City agree that the term "damages" applies only to the finding in a judicial proceeding and is exclusive of third party claims for damages preliminary thereto.

The Developer agrees to defend and hold the City harmless from all claims for damages by third parties, including costs and reasonable attorney's fees in the defense of claims for damages, arising from performance of the Developer's express or implied obligations under this Agreement. The Developer waives any right of contribution against the City.

It is agreed and mutually negotiated that in any and all claims against the City or any of its agents or employees by any employee of the Developer, any contractor or subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the obligations hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Developer or any contractor or Subcontractor under Workman's Compensation Acts, disability benefits acts or other employees' benefit acts. The City and the Developer agree that all third party claims for damages against the City for which the Developer's insurance carrier does not accept defense of the City may be tendered by the City by the Developer who shall, if so tendered by the City, accept and undertake to defend or settle with the Claimant. All investigation and legal work product regarding said claim shall be performed under a fiduciary relationship to the City. In the event that the City agrees or a court finds that the claim arises from the sole negligence of the City, the City shall be responsible for all damages payable to the third party claimant. In the event that the City and the Developer agree or a court finds that the claim arises from or includes negligence of both the Developer and the City, the Developer shall be responsible for all damages payable by the Developer to the third party claimant under the court findings, and, in addition thereto, the Developer shall hereunder reimburse or pay the City for all damages paid or payable to the City under the court findings in an amount not to exceed the percentage of total fault attributable to the Developer. For example, where the Developer is 25% negligent, the Developer shall not be required to indemnify the City for any amount in excess of 25% of the claimant's total damages.

The Developer shall ensure that all construction contracts entered into for the WATER SYSTEM name the City of Bonney Lake as an additional insured.
IV. The construction, of the Developer's WATER system, or additions thereto, on the Premises shall be supervised by the City in such a manner and at such times as the City deems reasonably necessary to assure that construction of the system will conform with the above-mentioned plans and specifications. The Developer herewith agrees to allow such inspections and agrees to cooperate providing reasonable
advance notice on his construction schedule during, the various construction phases as requested by the City.

V. The Developer further agrees to pay an estimated amount of money to cover the City's expected review fees and construction supervision expenses incurred.

VI. The Developer's WATER & SEWER system, or additions thereto, on Premises shall not be accepted for service and use until the same have been fully inspected and approved, and the following requirements have been performed:

A. Submit to the City in Auto-CADD format, latest revision (unless otherwise approved by the City), the computer file supplied on a three and one half (3-1/2) inch disc accompanied by the original mylars, with all changes from the original design clearly marked to reflect the as-built conditions. The Developer's Engineer shall certify the accuracy of the record drawings and shall affix his seal and signature.

B. Payment of all permit fees and equivalent assessment changes and any other applicable City charges required for Premises.

C. Payment of all plan check and inspection fees.

D. Prepare and furnish the required easements in compliance with the City's standard form, and furnish same to the City for approval by the City Attorney, prior to recording of same. The proponent shall pay all the necessary recording, fees.

E. Furnish the City with an affidavit warranting there are no liens against the improvements constructed on Premises by the Developers, this affidavit shall be in the form prescribed by the City.

F. Furnish the City with a Bill of Sale conveying, the WATER & SEWER system to the City.

G. Furnish a one year maintenance bond for 15% (or $2,000 whichever is greater) of the amount of the Bill of Sale guaranteeing that the WATER & SEWER system will be free of defects in labor and materials. Form to be prescribed by the City.

VII. In the event any warranty repairs are required, the City agrees, whenever feasible, to provide the Developer with reasonable notice, before directly undertaking such repairs. The City reserves the right, however, to effect emergency repairs as deemed necessary by the City. The City shall be reimbursed by the Developer for all costs thereof.

VIII. Upon performing all requirements, including those as set forth in Paragraph 5 above, the City shall accept the WATER system, and agree therewith to operate and maintain said system.

IX. Nothing in this Agreement shall be construed to excuse Developer from requirements and conditions found in any City ordinance, resolution, plan or policy, with respect to
the provision of utility service, including without limitation requirements regarding annexation or execution of covenants to annex, and the City will not provide utility service to Developer prior to Developer’s satisfaction of all such requirements and conditions.

SUBMITTED this 31 day of July 2012

DEVELOPER: Rob Rising
Signature
Printed Name

Land Project Manager, CHG

Address

Bellevue WA 98004

City State Zip

Phone No. 425.646.4435 FAX No. 425.463.0426

CITY OF BONNEY LAKE
DEVELOPER AGREEMENT

ACCEPTED this ___ day of ___________________ 20___

Neil Johnson Jr., Mayor
CITY OF BONNEY LAKE
DEVELOPER AGREEMENT
EXHIBIT 'A'

PLAT NAME: Lakeland Villas

DEVELOPER: Conner Homers Group, LLC

LEGAL DESCRIPTION: LOT 131 OF THE PLAT LAKELAND EAST
AS RECORDED UNDER PIERCE COUNTY REC. NUMBER 200901095001.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

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**Agenda Subject:**

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Supporting The City Of University Place's Request For PCRC And PSRC Designation As A Regional Growth Center.

**Administrative Recommendation:**

**Background Summary:** To date, most regional center designations have gone to King County cities, along with funds available to such centers. Cities seeking regional center designation must agree to an urban density of 7 or more units per acre, become transit oriented focused, and build an employment center of 2,000 jobs within a 1.5 mile radius. Since the City is no longer in the Transit District, Bonney Lake is not eligible for a regional center designation and therefore would not compete with UP for funding available to regional centers.

**Attachments:** Resolution

**BUDGET INFORMATION**

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**Budget Explanation:** NA

**COMMITTEE, BOARD & COMMISSION REVIEW**

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**Hearing Examiner Review:**

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Agenda Packet p. 31 of 56
RESOLUTION NO. 2239

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PIERCE COUNTY AND ITS CITIES AND TOWNS THEREBY AMENDING THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES TO DESIGNATE A NEW CANDIDATE REGIONAL CENTER IN UNIVERSITY PLACE.

WHEREAS, the Pierce County Regional Council was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County, and charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies; and

WHEREAS, the Pierce County County-Wide Planning Policies (CPPs) are written policy statements which are to be used solely for establishing a countywide framework from which the County and municipal comprehensive plans are developed and adopted; and

WHEREAS, the framework is intended to ensure that the County and municipal comprehensive plans are consistent as required by the Growth Management Act; and

WHEREAS, on June 30, 1992, the Pierce County Council adopted the initial CPPs; and

WHEREAS, six Regional Growth Centers were identified in the initial CCPs; and

WHEREAS, the Pierce County CPPs were amended in 2009 to include a process to designate new Candidate Regional Centers; and

WHEREAS, in accordance with the process to designate new Candidate Regional Centers, the cities University Place submitted an application for candidate regional growth center designation in June 2010; and

WHEREAS, the Growth Management Coordinating Committee (GMCC) reviewed and recommended approval of the University Place regional centers to the Pierce County Regional Council (PCRC) on January 27, 2011; and

WHEREAS, the PCRC, based upon the recommendation of the GMCC and its own discussions, recommended approval of the proposed candidate regional center on March 17, 2011; and

WHEREAS, on August 9, 2011 the Pierce County Council adopted Ordinance No 2011-35s acknowledging its approval of the proposed countywide planning policy amendments to
designate University Place candidate centers and authorized the County Executive to execute an interlocal agreement with the cities and towns of Pierce County in order to ratify the proposed amendments; and

WHEREAS, a Interlocal Agreements entitled Amendments to the Pierce County Countywide Planning Policies, were developed for this purpose, and includes the recommended amendments to the Pierce County Countywide Planning Policies as Exhibits A; and

WHEREAS, an environmental review of the proposed amendment to the CPPs was conducted pursuant to WAC 43.21 and a Determination of Nonsignificance was issued on June 21, 2011; and

WHEREAS, the City of University Place has asked the City of Bonney Lake to support the Regional Center designation, and

WHEREAS, the City Council held a study session on September 4, 2012 during which he University Place candidate regional growth center was considered; and

WHEREAS, the City Council finds that it is in the public interest to authorize the City Manager to execute the interlocal amendments with the County and its cities and towns thereby ratifying the proposed amendments to the Pierce County CPPs; now therefore

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

The Mayor is hereby authorized to execute the Interlocal Agreement attached hereto as Exhibit D to Pierce County Ordinance No. 2011-35s and by this reference incorporated herein, thereby ratifying the attached amendments adding the University Place Candidate Regional Growth Center to the Pierce County County-Wide Planning Policies as recommended by the Pierce County Regional Council.

PASSED by the City Council this 11th day of September, 2012.

_____________________________
Neil Johnson, Jr., Mayor

AUTHENTICATED:

_____________________________
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

_____________________________
James J. Dionne, City Attorney
INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

BACKGROUND:

A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.

B. The Pierce County Countywide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement or by a new interlocal agreement. The Pierce County Countywide Planning Policies may be amended upon the adoption of amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification.

C. The amendment is based on an application from the City of University Place to the Pierce County Regional Council for designation of a Candidate Regional Growth Center in the Pierce County Countywide Planning Policies.

D. The Pierce County Regional Council recommended adoption of the proposed amendment on March 17, 2011.

PURPOSE:

This agreement is entered into by the cities and towns of Pierce County and Pierce County for the purpose of ratifying and approving the attached amendment to the Pierce County Countywide Planning Policies (Attachment).
DURATION:

This agreement shall become effective upon execution by 60 percent of the jurisdictions in Pierce County, representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification. This agreement will remain in effect until subsequently amended or repealed as provided by the Pierce County Countywide Planning Policies.

SEVERABILITY:

If any of the provisions of this agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

FILING:

A copy of this agreement shall be filed with the Secretary of State, Washington Department of Commerce, the Pierce County Auditor and each city and town clerk.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by the signature page affixed to this agreement.
INTERLOCAL AGREEMENT

AMENDMENTS TO THE PIERCE COUNTY
COUNTYWIDE PLANNING POLICIES

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County Countywide Planning Policies.

IN WITNESS WHEREOF

This agreement has been executed

City of Bonney Lake

(Name of City/Town/County)

BY: ________________________________

(Mayor/Executive)

DATE: ________________________________

Approved:

BY: ________________________________

(Director/Manager/Chair of the Council)

Approved as to Form:

BY: ________________________________

(City Attorney/Prosecutor)

Approved:

By: ________________________________

(Pierce County Executive)
Attachment

Proposed Amendment
to the
Pierce County Countywide Planning
to
Incorporate A New Candidate Regional Center
Centers

Centers are to be areas of concentrated employment and/or housing within UGAs which serve as the hubs of transit and transportation systems. Centers and connecting corridors are integral to creating compact urban development that conserves resources and creates additional transportation, housing, and shopping choices. Centers are an important part of the regional strategy (VISION 2040) for urban growth and are required to be addressed in the Countywide Planning Policies. Centers will become focal points for growth within the county’s UGA and will be areas where public investment is directed.

Centers are to:

- be priority locations for accommodating growth;
- strengthen existing development patterns;
- promote housing opportunities close to employment;
- support development of an extensive multimodal transportation system which reduces dependency on automobiles;
- reduce congestion and improve air quality; and
- maximize the benefit of public investment in infrastructure and services.

VISION 2040, the adopted regional growth strategy, identifies several centers as an integral feature for accommodating residential and employment growth. The strategy describes Regional Growth Centers, and other centers that may be designated through countywide processes or locally.

Regional Growth Centers once regionally designated are located either in Metropolitan Cities, or in Core Cities. VISION 2040 also identifies Manufacturing/Industrial Centers, which consist primarily of manufacturing and industrial uses. Pierce County has five Regional Growth Centers and two Manufacturing/Industrial Centers that have been adopted into the regional growth strategy. Pierce County Regional Growth Centers are located in Tacoma, which is a Metropolitan City, and in Lakewood and Puyallup, which are Core Cities.

Regional Growth Centers in the Metropolitan City
Tacoma Central Business District
Tacoma Mall

Regional Growth Centers in Core Cities
Lakewood
Puyallup Downtown
Puyallup South Hill

Currently there are no designated Countywide Centers.

Manufacturing/Industrial Centers are areas where employee- or land-intensive uses will be located. These centers differ from Regional Growth Centers in that they consist of an extensive land base and the exclusion of non-manufacturing or manufacturing-supportive uses is an essential feature of their character. These areas are characterized by a significant amount of manufacturing, industrial,
Pierce County Countywide Planning Policies. The “clean” language below assumes the proposed VISION 2040 Consistency amendments are ratified.

and advanced technology employment uses. Large retail and non-related office uses are discouraged. Other than caretakers' residences, housing is prohibited within Manufacturing/Industrial Centers. However, these centers should be linked to high density housing areas by an efficient multimodal transportation system. The efficiency of rail and overland freight to markets is the critical element for manufacturers and industries located in these centers.

The designated Manufacturing/Industrial Centers, within Pierce County are as follows:

Manufacturing/Industrial Centers
Frederickson
Port of Tacoma

Within Pierce County, a limited number of additional centers may be designated through amendment of the Countywide Planning Policies consistent with the process below.

Designated centers may vary substantially in the number of households and jobs they contain today. The intent of the Countywide Planning Policies is that Regional Growth Centers become attractive places to live and work, while supporting efficient public services such as transit and being responsive to the local market for jobs and housing.

The Countywide Planning Policies establish target levels for housing and employment needed to achieve the benefit of a center. Some centers will reach these levels over the next twenty years, while for others the criteria set a path for growth over a longer term, providing capacity to accommodate growth beyond the twenty year horizon.

County-Level Centers Designation Process
The County and any municipality in the County that is planning to include a Metropolitan City Center, Regional Growth Center, Countywide Center or Manufacturing / Industrial Center within its boundaries shall specifically define the area of such center within its comprehensive plan. The comprehensive plan shall include policies aimed at focusing growth within the center and along corridors consistent with the applicable criteria contained within the Countywide Planning Policies. The County or municipality shall adopt regulations that reinforce the center’s designation.

No more often than once every two years, the Pierce County Regional Council (PCRC) shall invite jurisdictions with centers already adopted in their comprehensive plan that seek to be designated as centers in the Countywide Planning Policies to submit a request for such designation. Said request shall be processed in accordance with established procedures for amending the Countywide Planning Policies.

Each jurisdiction seeking to have a center designated in the Countywide Planning Policies shall provide the PCRC with a report demonstrating that the proposed center meets the minimum criteria for designation together with a statement and map describing the center, its consistency with the applicable Countywide Planning Policies, and how adopted regulations will serve the center.

Transit services shall be defined in the broadest sense and shall include local and regional bus service, rail where appropriate, vanpool, carpool, and other transportation demand measures designed to reduce vehicle trips.
Pierce County Countywide Planning Policies. The "clean" language below assumes the proposed VISION 2040 Consistency amendments are ratified.

The minimum designation criteria to establish a candidate center by type are as follows:

**Metropolitan City Center**
- Area: up to 1-1/2 square miles in size;
- Capital Facilities: served by sanitary sewers;
- Employment: a minimum of 25 employees per gross acre of non-residential lands with a minimum of 15,000 employees;
- Population: a minimum of ten households per gross acre; and
- Transit: serve as a focal point for regional and local transit services.

**Regional Growth Center**
- Area: up to 1-1/2 square miles in size;
- Capital Facilities: served by sanitary sewers;
- Employment: a minimum of 2,000 employees;
- Population: a minimum of seven households per gross acre; and
- Transit: serve as a focal point for regional and local transit services.

**Countywide Center**
- Area: up to one square mile in size;
- Capital Facilities: served by sanitary sewers;
- Employment: a minimum of 1,000 employees;
- Population: a minimum of 6 households per gross acre; and
- Transit: serve as a focal point for local transit services.

**Manufacturing / Industrial Center**
- Capital Facilities: served by sanitary sewers;
- Employment: a minimum of 7,500 jobs and/or 2,000 truck trips per day; and
- Transportation: within one mile of a state or federal highway or national rail line.

The minimum criteria report and statement shall be reviewed by the Growth Management Coordinating Committee (GMCC) for consistency with Countywide Planning Policies, the Transportation Coordination Committee for consistency with transportation improvements plans of WSDOT, and with Pierce Transit's comprehensive plan. The coordinating committees shall provide joint recommendation to the PCRC.

Once included in the Countywide Planning Policies, the jurisdiction where a center is located may go on to seek regional designation of the center from the Puget Sound Regional Council (PSRC) in accordance with its established criteria and process.

In order to be designated a Regional Growth Center the center should meet the regional criteria and requirements including those in VISION 2040, the regional growth, economic and transportation strategy as may be amended and designated by the Puget Sound Regional Council.

After county-level designation occurs within the Countywide Planning Policies and until regional-level designation by the PSRC occurs the center shall be considered a "candidate" Regional Growth Center.
Each jurisdiction which designates a Regional Growth Center shall establish 20-year household and employment growth targets for that Center. The expected range of targets will reflect the diversity of the various centers and allow communities to effectively plan for needed services. The target ranges not only set a policy for the level of growth envisioned for each center, but also for the timing and funding of infrastructure improvements. Reaching the target ranges will require careful planning of public investment and providing incentives for private investments.

(Note there are three separate interlocal agreements that propose the designation of candidate regional centers. Once these proposals have been ratified the appropriate language shall replace the blank spaces as depicted as "( ).")
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: PW / John Woodcock
Meeting/Workshop Date: 11 September 2012
Agenda Bill Number: AB12-127

Agenda Item Type: Resolution
Ordinance/Resolution Number: 2240
Councilmember Sponsor: Randy McKibbin

Agenda Subject: Authorize Purchase and Installation of new Street Lights for SR 410/Main St Intersection Improvements project from Intolight.

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Authorize Purchase And Installation Of New Street Lights For Sr 410/Main St Intersection Improvements Project From Intolight.

Administrative Recommendation:

Background Summary: The City will be installing street lighting in the Downtown area consistent with the approved Downtown Plan as well as fulfilling the street lighting commitments of the Franciscan Health Systems group that by City Council approval in Resolution 2159 in October 2011 committed the transportation mitigation effort with funding from the Franciscan Health Systems to that cause. Street lighting will include 3 - 40 ft black steel breadaway poles with 15 foot cobra heads with high pressure sodium lights on SR 410 and 9 - 12 ft black concrete poles with LED lighting along Main Street and Sky Island Blvd.

Attachments: Resolution 2240, Street Light Authorization Letters from Intolight; Map

BUDGET INFORMATION

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<td>$96,655.39</td>
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Budget Explanation: Main Street/SR 410 I/S - Const 301.050.032.595.30.63.01 Revenue: Franciscan Medical Health Center Share: $1,000,000 & Available TIF

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Community Development
Date: 7 September 2012
Approvals:
Chair/Councilmember Randy McKibbin
Councilmember James Rackley
Councilmember Katrina Minton-Davis

Forward to:
Consent Agenda: ☒ Yes ☐ No

Commission/Board Review:
Hearing Examiner Review:

COUNCIL ACTION

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

APPROVALS

Director: Dan Grigsby, P. E.
Mayor: Neil Johnson Jr.
Date Reviewed by City Attorney:
(if applicable):
RESOLUTION NO. 2240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, APPROVING THE STREET LIGHT AUTHORIZATION LETTERS FROM INTOLIGHT (PUGET SOUND ENERGY) AND THE CITY OF BONNEY LAKE TO PURCHASE AND INSTALL STREET LIGHTING FOR THE MAIN STREET INTERSECTION IMPROVEMENTS PROJECT.

WHEREAS, the City Council approved Resolution 2159 on October 11, 2011 that required a payment in lieu of transportation mitigation efforts; and

WHEREAS, the City Council approved the design contract for the Main Street and SR 410 Intersection Improvements Project by Resolution 2162 on October, 25, 2011 committing the city be the lead in the mitigation effort; and

NOW, THEREFORE, BE IT RESOLVED that the City of Bonney Lake Council does hereby authorize the Mayor to sign the street light authorization letters from Intolight committing the city to pay an amount estimated to be $96,655.39 for street lighting on SR 410, Main Street, and Sky Island Boulevard.

PASSED and adopted by the City Council this 11th day of September 2012.

_______________________________
Neil Johnson, Mayor

ATTEST:

_______________________________
Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

_______________________________
James Dionne, City Attorney
STREET LIGHTING
AUTHORIZATION LETTER

August 15, 2012

John Woodcock
C/O City of Bonney Lake
PO Box 7380
Bonney Lake, WA 98391-0944

Street Lighting for Hwy 410, Main St, & Sky Island Dr.

Dear John,

The cost for the installation of 9 -12' Mounting Height Washington Black Concrete Poles, & 9 -100 Watt LED Black King K56 Cleveland Luminaries and secondary circuitry is $66,971.48. This estimate is valid for 90 days.

Please sign and return this Authorization Letter, Custom Street Lighting Order, and the appropriate payment of $66,971.48. Return one copy in the self addressed stamped envelope provided, and retain the other copy for your file. Upon receipt of the signed agreement and your payment there is a 10-12 week waiting period for us to procure the necessary materials.

The following are conditions that may be required before construction of this system:

1. In the area where we are placing our cables and equipment, it is necessary that area be within four (4) inches of grade. If not, you may be required to pay the cost of relocating or reburying our facilities.
2. Locate and mark all privately owned underground facilities.
3. Right-of-way and/or Easements may also be required from you or adjacent property owners.
4. Please note that the installation may not meet the Illumination Engineering Society’s Minimum standard for roadway lighting levels.
5. Restoration is not included for present construction or is the removal of excavated materials.
6. Provide trenching, back filling and 9 Plastic Tubes 24” Diameter By 5’ Length corrugated plastic culvert pipe or equivalent.
7. Your responsibility is to verify, stake & install pole tube per locations provided by the City of Bonney Lake.
8. If Permits or Flaggers are required for present construction it is your responsibility to reimburse Intolight these costs.
9. Unforeseen soil or pavement conditions are not included and it is your responsibility to reimburse Intolight for these costs.
10. Please provide date lighting installation should take place. Date: __________________________

By signing this Letter, Custom Street Lighting Order and returning it, you are stating that you will comply with these requirements and authorize us to perform the work. When the contingencies have been met, this order will be released to construction for scheduling. If you have any questions, please call me at 425-462-3620.

Sincerely,

Tony Daniels
Senior Technical Services Representative, Lighting Services

The above contingencies are accepted and authorization is given:

By: __________________________ Date: 9/11/2012

Neil Johnson, Mayor
INTOLIGHT
Lighting Services from Puget Sound Energy

PROJECT NAME: Hwy 410 Conversion         Order #: 105069164
LOCATION: Hwy 410, & Main St./Sky Island Dr. Bonney Lake, WA

CUSTOM STREET LIGHTING ORDER – SCHEDULE 51

This order dated August 15, 2012, to PUGET SOUND ENERGY, Inc. (PSE) from The City of Bonney Lake, covers the installation of custom lighting authorized by this order. Billing will be on a Monthly basis and in accordance with the terms and conditions contained in PSE’s Schedule 51, and any future modifications of such Schedule as may be approved by the Washington Utilities and Transportation Commission. Ownership of all conductors, poles, fixtures, lamps and accessory equipment installed as a result of this order shall remain with PSE. The number, size and type of lights ordered are described below.

The installation charge of the listed lighting units was estimated to be $66,971.48. Value of the system used to determine the monthly facilities charge is the estimated cost less applicable taxes.

Description:
(9) SPECIAL ORDER 100W King LED K56 Black Cleveland luminaires
(9) 12’ Mounting Height, concrete, Ameron, Black Washington poles
1280’ #6 AL 3C 600V in 1” PE wire & (9) Composite Street Light Hand Holes
- Includes labor to install above materials.

The basis of the monthly facilities charge under Rate Schedule 51, is as follows:

☒ Full payment of installation charge up front, paid by developer.
Monthly facilities charge is equal to 0.269% x value of the system.
0.00269 x $53,834.81 = $144.82

The basis of the monthly energy charge under Rate Schedule 51 is as follows:

9 - 100 Watt LED unit x 350hrs, / 1000 = 315 x .096484 = $30.39
(the luminaire’s high or maximum setting in watts, rounded up to the next ten/10W increment)

<table>
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<tr>
<th>Monthly facilities charge</th>
<th>$144.82</th>
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<tr>
<td>Monthly energy charge</td>
<td>$30.39</td>
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<tr>
<td>Total monthly charge</td>
<td>$175.21</td>
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To transfer the energy and maintenance monthly billing, the new billing party must contact PSE in writing.
CUSTOM STREET LIGHTING ORDER – SCHEDULE 51 (Continued)

PROJECT NAME: Hwy 410 Conversion

Non-standard facilities are not kept in PSE inventory for the purpose of maintenance; therefore replacement of non-standard components may not be within the same time as replacement of standard components.

If non-standard components are included in this order, enter “X” here X.

This order, executed by customer’s duly authorized representative as of the date first written above is for service, as described above, under PSE’s Schedule 51.

The monthly billing party for the energy and maintenance will be:

The City of Bonney Lake
19306 Bonney Lake Blvd
Bonney Lake, WA 98391
PHONE: (253) 447-4341

Customer: The City of Bonney Lake

By: ____________________________ Date: 11 September 2012

   Neil Johnson, Jr.
   Print Name

Title: Mayor

Company: Puget Sound Energy

By: ____________________________ Date: 01/15/2012

   Sr. Technical Services Representative
STREET LIGHTING
AUTHORIZATION LETTER

August 15, 2012

City of Bonney Lake
Attn: John Woodcock
PO Box 7380
Bonney Lake, WA 98391-0944

Street Lighting for Hwy 410 at Main St. / Sky Island Dr.

Dear John:

The cost for the installation of 3-40' Mounting Height Black Steel Breakaway Poles with 15' Davit arms, & 3-400 watt HPS Black GE Cobra Head Flat Lens fixtures, and secondary circuitry is $29,683.91. This estimate is valid for 90 days.

Please sign and return this Authorization Letter, Custom Street Lighting Order, and the appropriate payment of $29,683.91. Return one copy in the self addressed stamped envelope provided, and retain the other copy for your file. Upon receipt of the signed agreement and your payment there is a 10-12 week waiting period for us to procure the necessary materials.

The following are conditions that may be required before construction of this system:

1. In the area where we are placing our cables and equipment, it is necessary that area be within four (4) inches of grade. If not, you may be required to pay the cost of relocating or reburying our facilities.
2. Locate and mark all privately owned underground facilities.
3. Right-of-way and/or Easements may also be required from you or adjacent property owners.
4. Please note that the installation may not meet the Illumination Engineering Society’s Minimum standard for roadway lighting levels.
5. Restoration is not included for present construction or is the removal of excavated materials.
6. Provide trenching, back filling and pole hole 6” Larger than the concrete base which is 36" Diameter By 5' Length corrugated plastic culvert pipe or equivalent.
7. Your responsibility is to verify, stake & install pole tube per locations provided by the City of Bonney Lake.
8. If Permits or Flaggers are required for present construction it is your responsibility to reimburse Intolight these costs.
9. Unforeseen soil or pavement conditions are not included and it is your responsibility to reimburse Intolight for these costs.
10. Please provide date lighting installation should take place. Date: __________________________

By signing this Letter, Custom Street Lighting Order and returning it, you are stating that you will comply with these requirements and authorize us to perform the work. When the contingencies have been met, this order will be released to construction for scheduling. If you have any questions, please call me at 425-462-3620.

Sincerely,

Tony Daniels
Sr Technical Services Representative, Lighting Services

The above contingencies are accepted and authorization is given:

By: __________________________ Date 9/11/2012

Neil Johnson, Mayor
Project Name: Hwy 410 Conversion

Location: Hwy 410 & Main St. / Sky Island Dr, Bonney Lake

CUSTOM STREET LIGHTING ORDER

This order dated August 15, 2012 to PUGET SOUND ENERGY, Inc. (PSE), The City of Bonney Lake (Customer) covers the installation of custom lighting authorized by this order. Billing will be on a Monthly basis and in accordance with the terms and conditions contained in PSE's Schedule 52, and any future modifications of such Schedule as may be approved by the Washington Utilities and Transportation Commission. Ownership of all conductors, poles, fixtures, lamps and accessory equipment installed as a result of this order shall remain with PSE. The number, size and type of lights ordered are summarized below.

The installation charge of the listed lighting units was estimated to be $29,683.91. Value of the system used to determine the monthly facilities charge is $21,225.79.

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<td>400 Watt Black GE Cobra Head Flat Lens Fixture</td>
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<tr>
<td>40' Mounting Height Black Steel WSDOT Slip Base Pole with 15' Davit Arms</td>
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Full payment of installation charge up front, paid by developer.
Monthly facilities charge is equal to \(0.263\%\) x value of the system.
\[0.00263 \times 21,225.79 = 55.82\]

The basis of the monthly energy charge under Rate Schedule 52 is as follows:

\[\text{Total monthly energy charge} = 3 \times 400 \text{ watt high pressure sodium units} \times 26.64 \times \]$79.92

The total monthly charge for this installation is

- Monthly facilities charge: $55.82
- Monthly energy charge: $79.92
- Total monthly charge: $135.74
CUSTOM STREET LIGHTING ORDER

PROJECT NAME: Hwy 410 Conversion

To transfer the energy and maintenance monthly billing, it is your responsibility to notify the new billing party when services are to be transferred. The new billing party must agree and contact INTOLIGHT to complete billing transfer.

Non-standard facilities are not kept in PSE inventory for the purpose of maintenance; therefore replacement of non-standard components may not be within the same time as replacement of standard components.

This order, executed by customer's duly authorized representative as of the date first written above is for service, as described above, under PSE's Schedule 52.

Customer: City of Bonney Lake, Attn: John Woodcock

By: ____________________________ Date: 11 September 2012

Print Name Neil Johnson, Jr.

Title: Mayor

Company: Puget Sound Energy

By: ____________________________ Date: August 15, 2012

Tony Daniels
Sr Technical Services Representative, Lighting Services

Agenda Packet p. 51 of 56
GENERAL NOTES

1. LIGHT STANDARD REMOVAL, RELOCATION, AND INSTALLATION SHALL BE PERFORMED BY WORKER. SPECIFIC CONTRACTOR SHALL COORDINATE AS NEEDED WITH WORKER TO INSTALL SEQUENTIALLY FOR VARIOUS SIGNALS FROM 5-30-15. IN CONJUNCTION WITH LIGHT STANDARD FOUNDATION.

2. STREET LIGHTING NOT ASSOCIATED WITH SIGNAL STANDARDS SHALL BE ON SEPARATE DEDICATED CIRCUIT, AND MOUNTING AND WIRING INSTALLED BY WORKER.

SEE SHEET TS-5 FOR TRAFFIC SIGNAL LEGEND
SEE SHEET TS-7 FOR WIRING AND CONSTRUCTION NOTES

PRELIMINARY

Agenda Packet p. 52 of 56
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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<th>Meeting/Workshop Date:</th>
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<td>11 September 2012</td>
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**Agenda Subject:** Proposed Ordinance 12-124 - For A 6 Month Extension Of The Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens.

**Full Title/Motion:** An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Extending A Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens.

**Administrative Recommendation:** Adopt.

**Background Summary:** On August 23, 2011, the City Council adopted Ordinance No. 1396 enacting a temporary moratorium on the establishment, maintenance or continuation of medical marijuana collective gardens in accordance with RCW 35A.63.220 and RCW 36.70A.390. The City Council made nine findings in support of the moratorium. On February 28, 2012, with no change in WA State or Federal Law to clarify the issue, the Council extended the moratorium. As no further law has been enacted, the City Council is considering another extension of the moratorium. It held a public hearing on August 23, 2012. There was no public input received for or at the hearing.

**Attachments:** Ordinance D12-124

**BUDGET INFORMATION**

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**Budget Explanation:** There is no fiscal impact to this action.

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:**

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Forward to: Consent Agenda: □ Yes □ No

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

| Workshop Date(s): | Public Hearing Date(s): | 08/28/12 |
| Workshop Date(s): | Public Hearing Date(s): | 08/28/12 |
| Meeting Date(s):  | Tabled to Date:          |          |
| 08/23/11; 02/28/12; 08/14/12; 08/28/12; 09/11/12 |          |

**APPROVALS**

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<th>Date Reviewed by City Attorney:</th>
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<td>HTE</td>
<td>NHJ</td>
<td>8/6/12</td>
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(if applicable):
ORDINANCE NO. D12-124

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, EXTENDING A TEMPORARY ZONING MORATORIUM ON THE ESTABLISHMENT, MAINTENANCE OR CONTINUATION OF MEDICAL MARIJUANA COLLECTIVE GARDENS.

WHEREAS, on August 23, 2011, the Council adopted Ordinance No. 1396, enacting a temporary moratorium on the establishment, maintenance or continuation of medical marijuana collective gardens, in accordance with RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, Ordinance No. 1396 included findings of fact in support of such moratorium, in the form of various recitals; and

WHEREAS, on February 28, 2012, the Council adopted Ordinance No. 1418, extending the temporary moratorium, and including findings of fact in support of the same; and

WHEREAS, the Council finds that the findings adopted in Ordinance Nos. 1396 and 1418 remain valid and pertinent to the issue of extension of such moratorium; and

WHEREAS, a public hearing was held on August 28, 2012, regarding extension of such moratorium; and

WHEREAS, significant uncertainly continues to exist regarding the validity of Washington’s current medical marijuana statutes, including those pertaining to collective gardens; and

WHEREAS, the Council wishes to refer to the Planning Commission consideration of an ordinance clarifying that medical marijuana collective gardens and dispensaries remain illegal under federal law, and are therefore barred under BLMC 18.02.030(C); and

WHEREAS, based upon the findings set forth herein and in Ordinance Nos. 1396 and 1418, the Council deems it to be in the public interest to extend the existing zoning moratorium pending Planning Commission consideration of and action upon such clarifying ordinance;

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

Section 1. The recitals set forth above and in Ordinance Nos. 1396 and 1418 are hereby adopted as the Bonney Lake City Council’s findings in support of extension of the moratorium imposed by Ordinance Nos. 1396 and 1418.

Section 2. Pursuant to the provisions of RCW 35A.63.220 and RCW 36.70A.390, the zoning moratorium enacted by Ordinance Nos. 1396 and 1418, prohibiting the licensing, establishment, maintenance or continuation of any medical marijuana collective garden within
the City, is hereby extended by six months, unless terminated sooner by the Bonney Lake City Council. All other provisions of Ordinance Nos. 1396 and 1418 shall remain in effect.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

Section 4. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this 11th day of September, 2012.

________________________________________
Neil Johnson, Mayor

ATTEST:

________________________________________
Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

________________________________________
James J. Dionne, City Attorney