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

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:
   A. Public Hearings:
   p. 9
      1. AB13-63 – A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider Resolution 2302, Regarding The Proposed Surplus Of City Owned Real Property Located At XXX 192 Ave E (Corner Of 192nd Ave E And Sumner-Buckley Hwy, Parcel 0520338001).
   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 / Economic Development Focus Group
   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: April 13, 2013 Special Council Meeting; April 16, 2013 Council Workshop; and April 23, 2013 Council Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #66026-66104 (including wire transfers #20130415, 11133028) in the amount of $1,288,438.42. Accounts Payable checks/vouchers #66105-66107 for AR deposit refunds in the amount of $1,936.00. Accounts Payable checks/vouchers #66108-66124 for Utility refunds in the amount of $812.65. Accounts Payable wire transfer #2013041701 in the amount of $37,762.70. VOID: 66021 – Wrong vendor. Replaced with check #66102; 65994 – Vendor name did not print completely on check. Replaced with check #66108; 64945 – Check lost or misplaced. Replaced with check #66069; 65768 – Check lost or misplaced. Replaced with check #66036.

C. Approval of Payroll: Payroll for March 16th - 31st, 2013 for checks #31021 - 31049 including Direct Deposits and Electronic Transfers in the amount of $ 684,961.01. Payroll for April 1st -15th, 2013 for checks #31050 - 31070 including Direct Deposits and Electronic Transfers in the amount of $ 427,030.73. Payroll for April 16th- 31st, 2013 for checks #31071 – 31099 including Direct Deposits and Electronic Transfers in the amount of $ 636,549.35.

D. AB13-66 – Resolution 2303 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying A Purchase And Sale Agreement To Sell Two (2) City Parcels Of Land In The Downtown, To Wit Pierce County Parcel #0520337004, Located At 9320 Angeline Road, Consisting Of 2.25 Acres, And Parcel #5640001780, Located At 18426 SR 410 E, Consisting Of 2.3 Acres, In Order To Further Implement The Downtown Plan.

E. AB13-64 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The 184th Avenue Water Main Replacement Project With Pape & Sons Construction Inc.

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
PROCLAMATION

In recognition and support of the American Cancer Society Relay for Life

WHEREAS, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay For Life of Bonney Lake supports the American Cancer Society’s mission of saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

WHEREAS, Relay For Life helped fund more than $150 million in cancer research last year.

NOW, THEREFORE, I, Mayor Neil Johnson, Mayor of the City of Bonney Lake, do hereby proclaim Friday, May 31, 2013 to be

“Paint the Town Purple Day”

in Bonney Lake and encourage citizens to participate in the Relay For Life events around the city in honor of the American Cancer Society’s 100th birthday on May 22nd.

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

WHEREAS, public works infrastructure, facilities, utilities, and services are of vital importance to the quality of life, and to the health, safety and well-being of the people of Bonney Lake; and,

WHEREAS, such infrastructure and services could not be built, maintained, and operated without the quiet, dedicated and professional efforts of City Public Works employees; and,

WHEREAS, these same employees are always first responders in times of natural disasters and other emergencies; and,

WHEREAS, the American Public Works Association with more than 28,000 members throughout the United States and Canada, has selected "Because of Public Works..." as its theme for the 2013 National Public Works Week that will be celebrated May 19-25. It recognizes that we are able to have clean water, environmentally friendly waste disposal, efficient vehicle, pedestrian, and bicycle friendly streets, and safe clean neighborhoods, “Because of Public Works...”; and,

WHEREAS, it is essential to the public interest for all citizens and civic leaders throughout the United States to gain a knowledge of and to maintain a progressive interest in the importance of public works and public works programs in their respective communities.

NOW, THEREFORE, be it resolved that I, Neil Johnson Jr., Mayor of the City of Bonney Lake, do hereby proclaim the week of:

May 19-25, 2013 as
PUBLIC WORKS WEEK

I call upon all citizens, businesses, and other public-private organizations to participate in this special observance and join me in recognizing the contributions that Public Works and public works employees provide our community with, each and every day of the year.

Neil Johnson Jr., Mayor

Date
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact:  
Executive / Don Morrison

Meeting/Workshop Date:  
14 May 2013

Agenda Bill Number:  
AB13-63

Agenda Item Type:  
Public Hearing

Ordinance/Resolution Number:  
Councilmember Sponsor:

Agenda Subject:  
Public Hearing on A Proposed Surplus of Real Property

Full Title/Motion:  
A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider Resolution 2302, Regarding The Proposed Surplus Of City Owned Real Property Located At XXX 192 Ave E (Corner Of 192nd Ave E And Sumner-Buckley Hwy, Parcel 0520338001).

Administrative Recommendation:  
Approve

Background Summary:  
On April 23, 2013 the Council set a public hearing for 5/14/13 to consider surplussing the former "city hall" site acquired by the City in 2004. In the adopted 2013-2014 biennial budget, the Mayor proposed to surplus and sell the property at XXX 192nd Ave E (corner of 192nd Ave E and Sumner-Buckley Hwy E). This is known at the "former new city hall site" that was purchased in 2004 as the potential site of a new city hall. RCW 39.33.020 requires that a municipality intending to surplus real property with an estimated value of $50,000 or more must first hold a public hearing on the proposed surplus. BLMC 2.70.100(C-4) further requires an independent fee appraisal of the property after it is declared surplus, but before it is sold. At the recent Council retreat, the Council agreed to proceed with surplussing the property. If, following the hearing, the Council determines to move forward, a resolution will be prepared for the May 28th regular meeting, officially declaring the property surplus.

Attachments:  
Site information from PC Assessor-Treasurer

BUDGET INFORMATION

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

Budget Explanation:  
NA

COMMITTEE, BOARD & COMMISSION REVIEW

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

Forward to:

Commission/Board Review:  

Hearing Examiner Review:  

COUNCIL ACTION

Workshop Date(s):  

Meeting Date(s):  
March 30, 2013, April 23, 2013  
Tabled to Date:

Public Hearing Date(s):  
May 14, 2013

APPROVALS

Director:  
D.M.

Mayor:  
N.J.

Date Reviewed by City Attorney:  
(if applicable):
## Parcel Summary for 0520338001

<table>
<thead>
<tr>
<th>Property Details</th>
<th>Taxpayer Details</th>
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<tbody>
<tr>
<td>Parcel Number:</td>
<td>Taxpayer Name:</td>
</tr>
<tr>
<td>0520338001</td>
<td>CITY OF BONNEY LAKE</td>
</tr>
<tr>
<td>Site Address:</td>
<td>Mailing Address:</td>
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<tr>
<td>XXX 192ND AVE E</td>
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<tr>
<td>Category:</td>
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<td>Use Code:</td>
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<td>9170-COMM VAC LAND</td>
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### Appraisal Details

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<th>Tax/Assessment</th>
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<td>Current Tax Year: 2013</td>
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<tr>
<td>Appr Act Type:</td>
<td>Taxable Value: 0</td>
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<tr>
<td>Commercial</td>
<td>Assessed Value: 1,615,100</td>
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<tr>
<td>Business Name:</td>
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<tr>
<td>BONNEY LAKE TOWN CENTER (VACANT)</td>
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<tr>
<td>Last Inspection:</td>
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<tr>
<td>06/01/2005 - Other</td>
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</table>

### Related Parcels

- Group Account Number: n/a
- Mobile/MFG Home and Personal Property: n/a
- Parcel(s) located on this parcel: n/a
- Real parcel on which this parcel is located: n/a

### Tax Description

Section 33 Township 20 Range 05 Quarter 42 L 1 OF S P 2004-10-08-5002 TOG/W EASE & RESTRICTIONS OF REC OUT OF 4-028 SEG 2005-1421 JU 4/6/053U

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

Pierce County Assessor-Treasurer
Mike Lonergan
2401 South 33rd St Room 142
Tacoma, Washington 98409
(253) 798-6111 or Fax (253) 798-3142
www.piercecountywa.org/at

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Land Characteristics for 0520338001

<table>
<thead>
<tr>
<th>Property Details</th>
<th>Taxpayer Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Number:</td>
<td>CITY OF BONNEY LAKE</td>
</tr>
<tr>
<td>Site Address: XXX 192ND AVE E</td>
<td>Mailing Address: PO BOX 7380</td>
</tr>
<tr>
<td>Account Type: Real Property</td>
<td>BONNEY LAKE WA 98391-0944</td>
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<tr>
<td>Category: Land and Improvements</td>
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<td>Use Code: 9170-COMM VAC LAND</td>
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<td>Location: LEA: 201</td>
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<td>Acres: 6.21</td>
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<td>Sewer: Sewer/Septic Installed</td>
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<tr>
<td>Water: Water Installed</td>
<td></td>
</tr>
</tbody>
</table>

Warning: Appraisal data provided is for informational purposes only and is incomplete for determination of value.

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Pursuant to this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. All critical information should be independently verified.

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RESOLUTION NO. 2302

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, DECLARING PROPERTY TO BE SURPLUS, AND AUTHORIZING THE MAYOR TO DISPOSE OF IT IN ACCORDANCE WITH BLMC 2.70.100.

WHEREAS, the City is the owner of real property located at XXX 192 Ave E (Corner of 192nd Ave E And Sumner Buckley Hwy), particularly known as Pierce County tax parcel number 0520338001, consisting of 6.2 acres; and

WHEREAS, in accordance with RCW 39.33.020 the City Council held a public hearing May 14, 2013 to solicit input on the proposal to surplus said property; and

WHEREAS, the City Council finds that said property is surplus to the City’s needs, and that it is in the public interest to dispose of said property;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WAHSINGTON, THAT:

Section 1. The City Council of the City of Bonney Lake, Washington, does hereby declare that the property described above is surplus to the City’s current needs and that the Mayor is authorized to dispose of the aforementioned surplus real property in accordance with the provisions of BLMC Chapter 2.70.100.

Section 2. In accordance with BLMC 2.70.100(C)(4), the Chief Contract Officer of the City shall secure an independent fee appraisal of the property prior to offering the property for sale in order to help determine the approximate market value of the property.

Section 3. In accordance with BLMC 2.70.100(E), if the Chief Contract Officer of the City determines that said real property could be sold for a greater consideration or benefit to the City if something other than cash were taken as consideration, then the CCO may invite prospective purchasers to tender consideration, either cash or in kind or a combination of both.

PASSED by the City Council this 28th day of May, 2013.

_______________________________
Neil Johnson, Jr., Mayor

ATTEST:

_______________________________
Woody Edvalson, City Clerk, MMC

APPROVED AS TO FORM:

_______________________________
Kathleen Haggard, City Attorney
I. CALL TO ORDER – Deputy Mayor Dan Swatman welcomed the assembled audience at 10:05 a.m.

II. IN ATTENDANCE:
Councilmembers in attendance were Deputy Mayor Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Appointed members of the City’s Boards and Commissions were also in attendance.

Staff members in attendance were Public Works Director Dan Grigsby, Facilities and Special Projects Manager Gary Leaf, Special Event Coordinator David Wells and Administrative Services Director/City Clerk Harwood Edvalson.

III. AGENDA ITEMS:

A. Fennel Creek Trail “Safe Routes” Groundbreaking Ceremony:

Deputy Mayor Swatman recognized audience members known to have had particular interest in and/or assistance with the development of the Safe Routes or Fennel Creek Trail. He shared some of the history of the project. At the conclusion of his remarks, the Councilmembers and invited participants joined in a ceremonial groundbreaking.

B. Adjournment:

At 10:30 a.m., due to the cold and inclement weather, the City Council concluded the special meeting by common consent and left the property.

Harwood T. Edvalson, MMC
City Clerk

Dan Swatman
Deputy Mayor

There were no additional items presented to the Council at the April 13, 2013 Special Council meeting.
I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:30 p.m.

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

Planning Commissioners in attendance were Chairperson Grant Sulham, Commissioner David Baus, Commissioner Brad Doll, Commissioner Brandon Frederick, Commissioner Richards Rawlings, Commissioner Dennis Poulsen, and Commissioner Winona Jacobsen.

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

Motion approved 6-0.

Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief of Police Dana Powers, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, Facilities and Special Projects Manager Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:


Senior Planner Jason Sullivan said he has prepared a draft Work Plan for the Planning Commission for the 2013-2014 Biennium. He said while the Work Plan is short it focuses on two big projects. The first is the completion of the Shoreline Master Plan (SMP), which is scheduled to be presented to the Council in June. He said the other big item is the 20 year update to the Comprehensive Plan. He said unlike the annual updates, this is a review of the entire Comprehensive Plan, to envision what the City will look like in 2040. He said as part of the review there is a substantial checklist that the Department of Commerce has prepared to make sure the City is consistent with all of their guidelines. He said if the Plan is declared inconsistent then the City would no longer be eligible for grants and funds from the State. He said the City is currently authorized by the Puget Sound Regional Council for a conditional approval while the City works through the issues to be addressed.

Senior Planner Sullivan said staff are also working on some minor issues on the Urban Growth Areas for pre-annexation, if that is what Council desires. He said when Council adopted approval of the pre-annexation for the County Urban Growth Area they identified it all R-2
zoning, which does not allow for single-family homes, but the entire area is single family homes. Senior Planner Sullivan said the amendment would correct the matrix so these homes are not considered non-conforming. Senior Planner Sullivan said this is the overview of the Planning Commission’s Work Plan.

Councilmember Lewis asked if the SMP is on schedule and will be completed on time. Senior Planner Sullivan said they are working on both the SMP and the 20 year Comprehensive Plan update, but the priority is the SMP Update. He said both items need to be completed together otherwise Department of Ecology (DOE) will not approve the SMP.

Commissioner Jacobsen asked if there are or will be funds available to hire consultants for the SMP Update. City Administrator Morrison advised that it will be staff driven. Mayor Johnson said that if there are any funds at all that it will have to be from the general fund. Senior Planner Sullivan said staff will prepare a scoping document showing what is mandatory versus what is optional and he said that any necessary hiring of consultant(s) has already been approved for the Comprehensive Transportation Element portion.

Councilmember McKibbin said cities can work together on their submittals, and the DOE can offer leniency of the timeline as long as they know that cities are working on finalizing their updates.

Councilmember Minton-Davis said that the Planning Commission did a lot of work on the Eastown zone and Midtown zone and she said there is one small parcel that may need to be revisited. She said she sees the Neighborhood Commercial zone being a small pocket of property and asked whether the Planning Commission should review it for rezoning. Senior Planner Sullivan said as part of updating the City’s Land Use Plan, review staff will look at it when they review all of the land uses throughout the city and can then make a specific recommendation on that topic, so it would not be included in the Planning Commission’s Work Plan.

Deputy Mayor Swatman asked if there are areas the Planning Commission would like to work on so they can discuss with Council. Mayor Johnson asked if the Planning Commission is okay with the proposed Work Plan. Commissioner Jacobsen said she is wondering if the Planning Commission Work Plan should take a look at the overlap between the Planning Commission and the Community Development Committee (CDC). She wants to know if there should be some type of liaison or more communication between the Planning Commission and the CDC. Mayor Johnson said Council Committees need to be very specific as to what they are working on. Commissioner Jacobsen asked that the Planning Commission be better advised as to what the CDC is working on so they may have the opportunity to be better informed and notified as to what the Commission needs to be involved in.

Councilmember Hamilton said what came out of the retreat was to find a way to take some of the load off of the CDC so they can focus on the economic development portion, and if there is a land use policy issue then it should go to the Planning Commission. Deputy Mayor Swatman said if the Planning Commission makes a recommendation he believes that the recommendation should come back to full Council and not to the CDC, unless there needs to be some fine tuning done to the recommendation by the CDC. He said if there are time sensitive issues though that they may still go to the CDC to get them acted on timely.

City Administrator Morrison said issues arise when the Planning Commission has primarily been focused on land use issues, but with the GMA adding additional elements it becomes difficult to try to integrate non-traditional land use type elements. He said with the optional elements versus the mandatory elements these elements have not necessarily been issues to be reviewed by the Planning Commission.
Mayor Johnson said when the CDC Chair sees that there is an issue to be given to the Planning Commission for a recommendation that the two Chairs can communicate so that issues are not being duplicated by both the CDC and the Planning Commission.

Commissioner Jacobsen said it would be helpful to have the CDC forward any information or presentations on to the Planning Commission so they can determine if they should attend the meetings and see if the Planning Commission’s assistance is needed. They asked to be included in the distribution of each CDC agenda for review.

**Mayor Johnson adjourned the Special Joint Planning Commission / City Council Meeting at 5:54 p.m., and called the City Council Workshop to order at 5:55 p.m.**

**B. Council Open Discussion.**

**Beyond the Borders Connector.** Councilmember Minton-Davis introduced Lyle Bates who is working on the transportation for the City of Sumner and has been working with Sumner Councilmember Nancy Dumas regarding transportation issues in the Sumner area. Mr. Bates said he owns Local Motion Transportation, who won the bid from Pierce County for transportation services that was left void when Pierce Transit left the area. He said the 4 month pilot project has been going for six weeks and they have until July 1st to be able to show that the program works and will be beneficial to the area. He detailed the one hour routes and said riding is free due to trial passes that Department of Transportation (DOT) has allowed them to use. Councilmember Watson asked about any restrictions of transporting minors from the ages 12-18. Mr. Bates said he also does “Wheels on the Ground,” and certain parts of the grant allow transporting minors, while others do not, and they are working to resolve this. He confirmed that they are wheelchair equipped and they can transport anyone as long as they are sanctioned to do so. Mr. Bates said he would put Council in touch with the Project Manager at Pierce County and she could better inform Council of any restrictions. Councilmember Watson said he was glad to hear about the stop at the Bonney Lake Target, but he had heard there was an issue at the Bonney Lake Walmart location because they did not have permission from the property owner(s) to be parked on the property. Mr. Bates said he spoke with the Walmart store managers earlier in the day and they are now working on a proposal to serve both the Target and Walmart locations, however, he has to have approval from both the State and the county for all stops. He said riders can call 211 or the 800 number on the flyers to be put on the list for a ride. He said they are trying to track quantities of rides and want to make sure the recorded information is correct.

Councilmember Watson asked if they have taken their flyers to the Lions for Kids and the Library. Mr. Bates said he has made numerous contacts including Stew Bowen who runs the Bonney Lake Food Bank. Mr. Bates said he is working on getting a stop in front of the Bonney Lake Food Bank. City Administrator Morrison asked if school age children need to request a pass for transportation. Mr. Bates said there are regulations as to who has custody of a person/minor and unless it is the Superintendent of Public Instruction (SPI) then they are not sanctioned to provide transportation to minors. He is concerned about how many children he sees walking long distances along the roadways. He said they design their routes depending on the rider’s request, which will include handicap riders as well. Councilmember Hamilton asked about the possibility of picking up and delivering riders to/from the Bonney Lake Food Bank, and asked if the Council needs to approve such an agreement. City Attorney Haggard said some type of agreement would need to be reached to offer pickup and delivery of persons on City property. Councilmember Hamilton said obviously property owners are going to have to give permission to allow pick up and delivery on individual properties. He said the parking at the Bonney Lake Food Bank is already very limited and parking a bus there could cause issues within the parking lot.
Councilmember McKibbin asked about the possibility of utilizing the previous Pierce Transit bus stops. Mr. Bates reminded Council that this is a pilot project and they will need to see what happens after July 1st if the program will be able to continue. He said the program is offered Monday through Saturday from 7:00 a.m. – 6:00 p.m. and on Sundays from 9:00 a.m. – 2:00 p.m. He said if the pilot project is allowed to continue then they will see if the routes need to be revised and what options are available for stops. Councilmember Hamilton said he thinks the best approach would be to utilize the old Pierce Transit stops, as the cutouts are already there, and to find out what transportation easements may be available. Public Works Director Grigsby said he is uncertain as to what type of agreements would need to be reached for stops on the City’s properties, as well as with WSDOT for routes along SR 410. Councilmember McKibbin said he would like to talk further with Mr. Bates about his service. The Council thanked Mr. Bates for taking the time to come to the Workshop and for providing information regarding the Beyond the Borders Connection pilot program.

Gnomes in City Parks. Councilmember Watson reported on the growing “gnomes activity” in City parks. He said there has been quite a following on Facebook and a lot of interest for the City’s parks.

Parks Appreciation Day. Councilmember Hamilton asked for confirmation of the date for Parks Appreciation Day. Mayor Johnson confirmed that Parks Appreciation Day is scheduled for April 20, 2013 at 9:00 a.m. Councilmember Hamilton encouraged everyone to go out and take care of play at the parks.


Councilmember Lewis provided some minor corrections. Deputy Mayor Swatman said he is concerned about the minutes where a citizen can sign up to speak but Council does not have an opportunity to respond to public comment. Administrative Services Director/City Clerk said that staff can be more broad in their summary. City Administrator Morrison said Council could return to using “action” minutes. City Administrator Morrison suggested that the minutes regarding citizen comments be brief and if someone is interested in the comments made then they could listen to the audio for further detail. Mayor Johnson said if Council would like staff to take broader minutes, they can request that. City Administrator Morrison said his previous experience on citizen comments is to list the name and topic(s) in which citizens comment on.

Deputy Mayor Swatman commented on a separate subject in which a citizen made comments regarding condemnation actions. Deputy Mayor Swatman said citizens tend to mix definitions of taking property and he said clearly the Washington State Constitution prohibits public entities from taking property and individuals have to be fairly compensated, unless a jury is necessary to determine the compensation. Mayor Johnson also referred to the citizen comments regarding the Moriarty property at the April 9th City Council meeting. He said a developer owned the property at the time, not a private individual, and he does not remember an offer of $800,000 being made. Mayor Johnson said he remembers the discussion on that piece of property, and it was seen as being a good investment for the future, the developer made money on selling the property, the City saved the property from being developed, and the majority of the citizens were in favor of the City purchasing the property.

The minutes were forwarded to the April 23, 2013 Meeting for action, with revisions.

D. Tabled from 4/9 for Discussion/Action: AB13-31 – Ordinance 1459 [D13-31] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington,
Amending Chapter 12.12 Of The Bonney Lake Municipal Code And Corresponding Portions Of Ordinance Nos. 1338, 1232, 1037, 826, And 669 Relating To Boat Launch Fees.

City Attorney Haggard said the item went to the full Council on April 9, 2013, and this version makes a correction to clarify the $100 administrative fee for a lost or stolen pass applies to both residents and nonresidents. She said the only other issue is if Council believes the $100 administrative fee for a lost or stolen pass is an adequate amount. Facilities and Special Projects Manager Leaf said some of the Park Board members felt the $200 fee for nonresidents was too high and he said that Park Board Chair Jim Bouchard was present to comment. Councilmember Hamilton said this amount was selected by comparing what the County charged, or otherwise just leaving the amount as proposed. Manager Leaf said the Park Board is aware of the previous discussion in 2004. Mayor Johnson said he thinks residents of the City should get the benefit of being a City resident, and he does understand the City’s need to be competitive with the County. Councilmember Hamilton said the Council and Mayor all reside in Pierce County and pay County taxes that. He said the citizens of Bonney Lake pay for that park and he thinks they should be the ones to benefit from the taxes they pay. Councilmember Minton-Davis said the City and County fees are comparable. Councilmember Watson said citizens are the Councils’ priority. Manager Leaf said the grant used to originally build the launch does allow for the City to offer the pass to residents and nonresidents. Councilmember Minton-Davis said she doesn’t think they will be a lot of nonresident boat launch passes will be issued. Mayor Johnson said if they choose not to purchase a pass then they can still launch by paying at the launch.

Councilmember Watson moved to approve Ordinance 1459. Councilmember Lewis seconded the motion.

Ordinance 1459 approved 6-0.

Park Board Chair Jim Bouchard said there was discussion at the April 9, 2013 Park Board Meeting. He said it is his perception that Council are trying to avoid nonresident’s usage of the boat launch. He said by not encouraging nonresidents to use the boat launch he believes it pushes away sales from local restaurants, gas stations, and grocery stores. He said he did some calculations and figures that the City would be getting their money if a nonresident uses the pass 4-5 times. He asked staff to track the use of the passes, both residents and nonresidents. Mayor Johnson said he will make sure the City is getting the information it needs to track the passes. Deputy Mayor Swatman asked how the City can determine if usage at the boat launch is a resident or nonresident and Chief Financial Officer Juarez said the Finance Department has the ability to track the usage and provide reports.

E. Discussion/Action: AB13-45 – Resolution 2290 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2 Contract to Pivetta Brothers Construction, Inc.

Councilmember McKibbin moved to place Agenda items E, F, and G on the table for action. Councilmember Watson seconded the motion.

Motion approved 6-0.

Public Works Director Grigsby said the City was awarded a Safe Routes to School Federal Grant for $1,098,000 on June 1, 2007. Phase 1 comprised of sidewalk improvements along the192nd Avenue E corridor and several side streets. Phase 1 was designed in 2008 and constructed in the summer of 2010. Phase 2 is the trail portion of the program that will connect the Willowbrook subdivision community to the sidewalks completed in 2010 and ultimately to the schools on the east side of Fennel Creek. He said the project had to go to
rebid because the previous highest two bidders contracts were not approved. He said the project and contract has now been approved by WSDOT. Councilmember McKibbin asked if these agenda items could have been forwarded to the Planning Commission for recommendation. Deputy Mayor Swatman said they would not because they are mainly approving the financing of the project and contracts.

**Councilmember Watson moved to approve Resolution 2290. Councilmember Lewis seconded the motion.**

Resolution 2290 approved 6-0.

**F. Discussion/Action: AB13-46 – Resolution 2291 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Professional Services Agreement with Bruce Dees & Associates for Construction Engineering Services for the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2.**

Councilmember Hamilton said Bruce Dees does great work.

**Councilmember Lewis moved to approve Resolution 2291. Councilmember McKibbin seconded the motion.**

Resolution 2291 approved 6-0.

**G. Discussion/Action: AB13-47 – Resolution 2292 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Local Agency Agreement with Parametrix for Construction Surveying Services for the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2.**

**Councilmember Watson moved to approve Resolution 2292. Councilmember Lewis seconded the motion.**

Resolution 2292 approved 6-0.

**H. Discussion: AB13-52 – Resolution 2295 – Conversion of Water Supply Purchase from Cascade Water Alliance to Tacoma Public Utility.**

Public Works Director Grigsby summarized the contents of the items contained in the agenda packet relating to the conversion of the water supply purchase from Cascade Water Alliance to Tacoma Public Utility. Director Grigsby said that rather than having Cascade be a middle man, it is more efficient for the City to purchase water directly from Tacoma Water in the future and that the first step in this conversion process is for the Mayor to sign a Confirmation Notice to be sent to Cascade requesting a SDC Credit.

He summarized that the proposal to purchase 2MGD for a year round supply, since the City has been unable to find a year round supply on the east side of Lake Tapps, would be a substantial savings for the City. Councilmember McKibbin about whether this item could have been referred to the Planning Commission, or possibly the Finance Committee for review prior to coming to the Workshop. He said is sounds like this agreement sets the City up for the future. Director Grigsby said that RH2 advised him in 2005 that this type of conversion would be adequate for the City’s needs.

Councilmember Lewis asked about the 2005 figures and how they are different than the 2007 figures and the growth projections that had happened up to that point. He said the City needs a water supply to keep growing. He said water and sewer are important factors, and he thinks it
is a good deal. Councilmember Watson asked Director Grigsby if he anticipates a time in the future when water may not be available from TPU. Director Grigsby said the only constraint from pipeline one, which runs through Buckley and Bonney Lake and then off the plateau, is that sometimes in approximately September they have had issues with turbidity, however that usually occurs after the City’s peak demand period, which is in the months of June through August, so he does not have any concerns. Deputy Mayor Swatman asked what will happen to the water rights for the Reed property/White River Drainage Basin if the Council proceeds with this agreement. Director Grigsby said the City still has the option to explore new wells, or could decide this new 4MGD is sufficient. Deputy Mayor Swatman confirmed with Director Grigsby that the City will still have the ability to explore water right options at the White River Drainage Basin. Director Grigsby said that even if the City was to find a 2MGD aquifer that the City would still have to be concerned about the quality of the water and the cost of the treatment plant. Councilmember Hamilton spoke about the concerns water developers experienced in the past and he thinks it is important to have the capacity. Director Grigsby said the peak months supply is what the City builds its growth on. He said if a well or spring was contaminated or the aquifer dried up for some reason then the City would have the 8MGD would be available as the fresh surface water and ground water run off from the mountains would guarantee the water supply. Councilmember Hamilton said in 20-30 years the City will have the lake as a water resource, but will not need to utilize that resource.

Resolution 2295 was forwarded to the April 23, 2013 Meeting for action.


Public Works Director Grigsby said this contract accomplishes three things. He said it the City needs to update the plans and specifications before advertising the contract. The City has also found a way to improve the communication system in the lift station, but because RH2 is the designer when the City awards the construction contract they will also be the 5% for engineering services. He said instead of having a separate contract with RH2, this contract includes all three, which is why the contract amount is larger than just updating the specifications.

Councilmembers and the Mayor discussed whether matters involving Eastown should go to the CDC, or whether they should be brought to the full Council at Workshop for approval at a Council Meeting. Councilmember Minton-Davis asked if this adds additional costs to the project and Director Grigsby said the costs are within the amount approved. Director Grigsby said that the design contract needs to be complete before the City can contract for the construction. He said the City also needs to get approval from the Army Corps of Engineers.

Resolution 2299 was forwarded to the April 23, 2013 Meeting for action.

J. Discussion: Council Retreat Follow-up Report from Retreat Facilitator Martha Bryan.

Councilmember McKibbin said that the facilitator was very consistent. Deputy Mayor Swatman asked if any Council items were not covered at the retreat. Councilmember Watson said at the earlier CDC meeting they discussed the Economic Development Committee (EDC) group and he thinks they maybe should have discussed that during open discussions. Councilmember Minton-Davis said CDC will meet twice a month, and one of those meetings will focus on EDC. Councilmember McKibbin said the agendas will be built to reflect the specific focuses. Mayor Johnson asked if this will capture what they discussed with Martha Bryan at the retreat. Councilmember McKibbin said with City Administrator Morrison’s help they will focus on creating and implementing policies starting as the base.
Minton-Davis noted that the Economic Development Plan is part of the Comprehensive Plan and the CDC/EDC will work on it and when complete will forward it on to the Planning Commission for their review and recommendation. Councilmember Hamilton asked what the EDC focus committee is going to work on first. Councilmember McKibbin said they will first focus on the policies and the Comprehensive Plan. Councilmember Hamilton asked if the CDC/EDC will discuss the light at 204th Avenue E. Councilmember McKibbin encouraged Councilmember Hamilton to let the CDC/EDC know.

Councilmember Watson said he hopes to have an update on the budget in the first week of May. Mayor Johnson asked Council if they were happy with the recap provided by the facilitator. Councilmember Lewis said he was impressed with the way the retreat had gone, but he was surprised to see the misspellings in the recap. Councilmember Watson said he thought it was a successful retreat, as did Councilmember Hamilton.

**IV. EXECUTIVE SESSION:** None.

**V. ADJOURNMENT:**

At 7:23 p.m., Councilmember Lewis moved to adjourn the Council Workshop. Councilmember Watson seconded the motion.

Motion to adjourn approved 6-0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the April 16th Special Joint City Council/Planning Commission Workshop:

  - Free Transportation in Bonney Lake - 1-hour Service Loop “on the hour”
  - Free Transportation Linking Bonney Lake & Sumner - The Connector Express

**Note:** Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.
CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

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

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

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

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

   John Millan, 19522 100th St E, Bonney Lake, spoke as a co-founder of the political action committee “Families for a Responsible Bonney Lake” and as a member of the “Con” committee for the Proposition 1 ballot (Metropolitan Parks District). He said the “Families” group is submitting a complaint to the Public Disclosure Commission about the campaign.

   Shawnta Mulligan, 11329 177th Ave E, Bonney Lake, said her group feels that actions taken by the City qualify as electioneering. She summarized information that she had sent to the Council, Mayor, Public Disclosure Commission, and State Auditor’s office. She provided a copy of the complaint to the City Clerk.
Dave Hobley, 11204 193rd Ave E, Bonney Lake, also referred to Proposition 1, and said he does not agree with people who suggest that residents should not shop at businesses who are against Proposition 1.

Dan Decker, 20407 70th St E, Bonney Lake, also spoke about Proposition 1 and referred the Council to the Public Disclosure Act and the Hatch Act.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening. They discussed completion of the 184th Ave E Water Main Replacement Project, committee meeting notes, and a proposed cost of living increase ordinance for non-represented staff, which will come forward to a future workshop agenda.

B. Community Development Committee: Councilmember McKibbin said the committee met on April 16, 2013 and did not forward any items to the current Council agenda.

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

D. Other Reports:

Community Updates: Councilmember Lewis said he attended the White River Families First Coalition meeting on April 22, 2013. The group discussed the proposed bike lending program in the City of Buckley; he said Bonney Lake could take part in this program.

Puget Sound Regional Council: Councilmember Lewis said he attended the PCRC meeting on April 18, 2013 in place of Councilmember Hamilton. He said the group discussed the Puget Sound Gateway project to complete the SR167 corridor.

Gnome Homes: Councilmember Watson provided updates on the ‘Gnome Home’ geocaching activity at City parks. He said information is posted on the City website and the group’s Facebook page for this family-friendly activity.

Personal Update: Mayor Johnson said that his daughter Rendi was announced as ‘Player of the Week’ in her college softball conference. He said he will be travelling to see her games in the coming week.

IV. CONSENT AGENDA:


B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #65932-66025 (including wire transfers #20130402, 20130403 and 2013041601) in the amount of $326,384.01.

C. AB13-52 – Resolution 2295 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Initiate Action To

D. **AB13-57 – Resolution 2298** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing D. R. Horton To Place A Monument Sign At The GMG Plat On The City’s Storm Pond Tract.


F. **AB13-61 – Resolution 2299** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment With RH2 Consultants For Services To Update The Eastown Sewer Improvement Design And Provide Services During Construction Of The Lift Station. *Moved to Full Council Issues, Item B.*

Mayor Johnson said that Councilmember McKibbin requested that Consent Agenda Issues Item F. be moved from the Consent Agenda to Full Council Issues as Item B.

**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. **AB13-63** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing For May 14, 2013 At 7:00 P.M., Or As Soon Thereafter As Possible, To Consider The Surplus Of Real Property Located At XXX 192 Ave E (Corner Of 192nd Ave E And Sumner-Buckley Hwy, Parcel 0520338001).

Councilmember Lewis moved to approve motion AB13-63. Councilmember Rackley seconded the motion.

City Administrator Morrison said the Council discussed this issue at its Retreat in March. He said this action sets a public hearing so the issue can move forward. Councilmember Watson said he is glad to see the item moving forward.

**Motion approved 7 – 0.**

B. **AB13-61 – Resolution 2299** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment With RH2 Consultants For Services To Update The Eastown Sewer Improvement Design And Provide Services During Construction Of The Lift Station. *Moved from Consent Agenda Issues, Item F.*
Councilmember Rackley moved to approve Resolution 2299. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said the Finance Committee discussed this item in depth.

Resolution 2299 approved 5 – 2.
Councilmembers McKibbin and Minton-Davis voted no.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.140(4)(b), the Council adjourned to a Closed Session with Human Resources Manager Jenna Richardson at 7:34 p.m. for 20 minutes to discuss labor negotiations. No action was taken. The Council returned to Chambers at 7:56 p.m.

X. ADJOURNMENT:

At 7:56 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

__________________________  __________________________
Harwood Edvalson, MMC     Neil Johnson, Jr.
City Clerk                 Mayor

Items presented to Council at the April 23, 2013 Meeting:
- Shawnta Mulligan – Violation of Citizen Trust, Code of Ethics, and Financial Responsibility: Complaints regarding the City of Bonney Lake’s Conduct – Families for a Responsible Bonney Lake (Political Action Committee).

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Ratification of a Purchase and Sale Agreement between Renwood, LLC and the City of Bonney Lake.

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying A Purchase And Sale Agreement Between Renwood L.L.C. And The City Of Bonney Lake.

**Administrative Recommendation:** Approve

**Background Summary:** The adopted Downtown Plan of the City provides for the development of multi-family housing in the SE section of Downtown Bonney Lake. The City owns two (2) parcels of land in the Downtown, to wit Pierce County Parcel #0520337004, located at 9320 Angeline Road, consisting of 2.25 acres, and parcel #5640001780, located at 18426 SR 410 E, consisting of 2.3 acres. Renwood is the owner of a parcel of land contiguous to said City parcels, to wit Pierce County Parcel #7000310310, located at XXX 189th Ave Ct E, consisting of 6.34 acres. Renwood desires to acquire the City Property to combine it with its own parcel in order to construct a high quality multi-family housing project. The City desires to sell the City Property, under the terms and conditions contained in the Purchase and Sale Agreement, and to assure that the parcels are developed in accordance with the general intent of the City’s adopted Downtown Plan.

**Attachments:** Resolution, Agreement Highlights Sheet, Purchase and Sale Agreement;

**BUDGET INFORMATION**

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**Budget Explanation:** N/A. See the attachments for financial information

**COMMITTEE, BOARD & COMMISSION REVIEW**

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**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

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**PUBLIC HEARING DATE:**

**Tabled to Date:**

**APPROVALS**

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<td>D.M.</td>
<td>N.J.</td>
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RESOLUTION NO. 2303

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RATIFYING A PURCHASE AND SALE AGREEMENT TO SELL TWO (2) CITY PARCELS OF LAND IN THE DOWNTOWN, TO WIT PIERCE COUNTY PARCEL #0520337004, LOCATED AT 9320 ANGELINE ROAD, CONSISTING OF 2.25 ACRES, AND PARCEL #5640001780, LOCATED AT 18426 SR 410 E, CONSISTING OF 2.3 ACRES, IN ORDER TO FURTHER IMPLEMENT THE DOWNTOWN PLAN.

WHEREAS, the adopted Downtown Plan of the City calls for the development of multi-family housing in the SE section of Downtown Bonney Lake; and

WHEREAS, the City owns two (2) parcels of land in the SE section of the Downtown that were acquired in 2004 to help fulfill the intent of the Downtown Plan, and

WHEREAS, Renwood, LLC is the owner of a parcel of land contiguous to said City parcels; and

WHEREAS, Renwood desires to acquire the City Property to combine it with its own parcel in order to construct a high quality multi-family housing project; and

WHEREAS, the City desires to sell the City Property, under the terms and conditions contained in the Agreement, and to assure that the parcels are developed in accordance with the general intent of the City’s adopted Downtown Plan; and

WHEREAS, the parties signed a purchase and sale agreement subject to final approval by the City Council; and

WHEREAS, the City Council agrees to final approval of the Agreement;

NOW THEREFORE, the City Council of the City of Bonney Lake, Washington hereby resolves as follows:

The City Council ratifies the real estate purchase and sale agreement between the City of Bonney Lake and Renwood LLC for the sale of tax parcel #0520337004 located at 9320 Angeline road (consisting of 2.25 acres), and parcel #5640001780, located at 18426 SR 410 E, consisting of 2.3 acres, and hereby authorizes the Mayor to complete the purchase.

PASSED BY THE CITY COUNCIL this 14th day of May, 2013.

__________________________
Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

__________________________
Kathleen Haggard, City Attorney
REAL ESTATE PURCHASE AND SALE AGREEMENT

This REAL ESTATE PURCHASE AND SALE AGREEMENT (the “Agreement”) is made between the City of Bonney Lake, Washington (“City”) and Renwood, L.L.C., a Washington limited liability company (“Renwood”) dated as of the Execution Date (as defined on the last page of this Agreement),

RECITALS

1. The City is the owner of two (2) parcels of land in Bonney Lake, Pierce County, Washington, to wit Pierce County Parcel #0520337004, located at 9320 Angeline Road, consisting of 2.25 acres, and parcel #5640001780, located at 18426 SR 410 E, consisting of 2.3 acres. Legal descriptions of said parcels are attached hereto as Exhibit A (hereinafter the “City Property”).

2. Renwood is the owner of a parcel of land contiguous to said City parcels, to wit Pierce County Parcel #7000310310, located at XXX 189th Ave Ct E, consisting of 6.34 acres. The legal description of said parcel is attached hereto as Exhibit B (hereinafter “Renwood Property”).

3. Renwood desires to acquire the City Property to construct a high quality multi-family housing project (hereinafter “The Project”). The City desires to sell the City Property, under the terms and conditions contained herein, and to assure that the parcels are developed in accordance with the general intent of the City’s adopted Downtown Plan.

AGREEMENT

NOW, THEREFORE, the City and Renwood hereby agree as follows:

1. Sale of the Property. The City shall sell and convey to Renwood, and Renwood shall purchase and acquire from City, all of the City’s interest in the City Property, which shall include the land, together with any appurtenances, rights, privileges, and reversionary rights; all timber and plants; and all utilities located on the Property, subject to the terms and conditions contained herein. The City shall relinquish its interests in a 30-foot right-of-way easement recorded under Pierce County Auditor’s File No. 1542049 (“City ROW”). The City shall reserve its interests in a water line easement recorded under Pierce County Auditor’s File No. 930410855.

2. Consideration. The purchase price of the City Property shall be one million ninety thousand five hundred eighty-nine dollars ($1,090,589.00), plus two hundred thousand dollars ($200,000) in consideration for City’s relinquishment of its right-of-way easement and for the City’s removal of the un-built section of 186th Avenue from the Downtown Plan, for total consideration of one million two hundred ninety thousand five hundred eight-nine dollars ($1,290,589.00).

3. Deed in Escrow. Within thirty (30) days of this Agreement, the City shall deliver to Pacific Northwest Escrow (“Escrow Agent”) a statutory warranty deed (“Deed”) substantially in the form attached hereto as Exhibit C. The Escrow Agent shall hold the Deed until the Closing, at which time the Deed shall be recorded and the Property transferred to Renwood. If for any
reason the sale of the Property does not close, the City shall be entitled to retrieve the Deed from the Escrow Agent.

4. Closing. The Closing shall be held at the offices of the Escrow Agent. The Closing shall occur on a mutually agreeable date selected by the City and Renwood. The Closing shall mean the date when all deeds and other documents necessary for transfer of the Property to Renwood are recorded and consideration per Paragraph 2 above and voluntary mitigation payment per Paragraph 14 below is deposited by Renwood. Notwithstanding the foregoing, Renwood and City acknowledge and agree that the Closing shall occur within thirty (30) days after the date that the City has certified in writing that Renwood has obtained development approvals pursuant to Paragraph 12 of this Agreement and that all other terms of this Agreement have been satisfied or waived.

5. Documents to be delivered by the City. The City shall deliver to the Escrow Agent on or before the Closing the following documents (all of which shall be duly executed and acknowledged where required):

(i) Excise Tax Affidavit. An excise tax affidavit for filing with the County Auditor at the time of recording the Deed.

(ii) Title Documents. The Deed and such other documents as shall be reasonably required by the Title Company as a condition to its insuring the City’s good and marketable fee simple title to the Property.

(iii) FIRPTA Affidavit. The affidavit of non-foreign status, as required by federal tax law.

(iv) Plans. Such surveys, site plans and plans and specifications relating to the Property as are in the possession or control of the City.

6. Payment of Costs. The City and Renwood shall pay their own costs incurred with respect to the purchase and sale of the Property, including attorneys’ fees. Notwithstanding the foregoing, the City shall pay any excise tax due and payable, the cost to record the Deed and recording fees necessary to remove encumbrances (if any), and the full cost of the standard coverage Title Policy (as defined below). The Parties shall equally share the escrow fee.

7. Real Property Taxes and Utility Bills. Real property taxes and general assessments with respect to the Property shall be prorated as of the Closing Date, with City responsible for any such taxes and assessments which relate to the period prior to the Closing Date and with Renwood responsible for any such taxes and assessments which relate to the period from and after the Closing Date. The City shall pay at the Closing any utility bills due or to become due with respect to the Property for the period up to the date this Agreement was executed. Renwood shall thereafter be liable for payment of all utility bills.
8. Conditions to Renwood’s Obligation.

(a) Investigation of the Property. Within fifteen (15) days of this Agreement, the City shall provide to Renwood all documents and information pertaining to the Property, including all soils reports and environmental studies, surveys, architectural drawings or renderings, plans and specifications (the “City Documents”). Renwood shall have a period of thirty (30) days after receipt of the City Documents in which to conduct, at Renwood’s sole cost and expense, a feasibility study of the Property (the “Feasibility Period”) and to satisfy itself, at its sole cost and expense and in its sole discretion, as to any and all matters affecting the Property including, without limitation, the feasibility of Renwood’s use, occupancy, and development of the Property. This condition to closing shall be deemed to be satisfied unless Renwood advises City in writing at or before the expiration of the Feasibility Period that this condition has not been satisfied. In the event Renwood advises City that this condition has not been satisfied, Renwood shall specify in such notice the basis for its dissatisfaction and either provide City with an opportunity to respond to and to commit to correct, as of the Closing Date, any areas of dissatisfaction or advise City that it is terminating this Agreement. In the event Renwood elects to terminate this Agreement pursuant to this Paragraph 8, neither party shall have any further rights or obligations hereunder. In addition, Renwood and its employees and agents shall have the right from the date of this Agreement through the Closing Date to enter the Property at all reasonable times, at Renwood’s cost and expense, to take soil, water and other tests or studies under the provisions of this Agreement; provided, however, Renwood shall indemnify and hold harmless the City from and against all claims for damages and any mechanic’s or other liens or claims that may be filed or asserted against the Property or City by any actions taken by Renwood in connection with the Property.

(b) Condition of Title.

(i) Within fifteen (15) days of this Agreement, the City shall deliver to Renwood a preliminary commitment (the “Title Report”) for extended coverage title insurance with respect to the Property (the “Title Policy”); provided, however that Renwood shall pay the difference between standard and extended coverage.

(ii) Within thirty (30) days of receiving the Title Report, Renwood shall either approve any matters of title disclosed therein, or deliver to the City written notice of disapproval or conditional approval. Any approved conditions shall constitute “Permitted Exceptions.” If Renwood does not notify the City of its approval, disapproval, or conditional approval, Renwood shall be deemed to have approved all matters of title shown or described in the Title Report. Within fifteen (15) days of receiving a notice of disapproval or conditional approval from Renwood, the City shall identify to Renwood in writing which of such matters the City is willing to cure. Renwood shall then have fifteen (15) days to advise the City whether Renwood will accept title. If Renwood is not willing to accept title, Renwood may terminate this Agreement, in which event neither party shall have any further rights or obligations hereunder.

(c) Development Approvals. The City hereby grants Renwood permission to take all actions necessary to pursue and obtain development approvals on the Property in accordance with
Section 12 (the “Development Approvals”). This permission is subject to Section 12 of this Agreement. Prior to Closing, Renwood shall not perform any site development, site alteration, or construction on the City Property, except as provided in this Agreement, without the City’s prior written permission. If Renwood is unable to obtain the Development Approvals within 8 weeks from the submittal of a complete site development permit package, Renwood may elect to terminate this Agreement, in which event neither party shall have any further rights or obligations hereunder.

9. Casualty. If any fire, windstorm or casualty materially affects all or any portion of the City Property on or after the date of this Agreement and prior to the Closing, Renwood may elect, by written notice to the City, to terminate its rights and obligations under this Agreement. If Renwood makes such election, neither the City nor Renwood shall have any further liability with respect to the Property under this Agreement; provided, that obligations relating to indemnification and attorneys’ fees shall survive the termination of this Agreement.


(a) Parties in Possession. There is currently a lease for the residence and accessory dwelling on the parcel located at 9320 Angeline Road. The current lease is on a month-to-month basis. The City will continue to collect and retain rents from the tenant until Renwood takes possession of the City Property at Closing. The City shall ensure that the tenant has vacated and the tenant’s personal property has been removed prior to Closing. Renwood shall be responsible for demolishing the residence and accessory dwelling unit.

(b) Condemnation or Assessment - Access. To the best of City’s knowledge, there is no condemnation or similar proceeding affecting the Property. The Property has full and free access from adjoining public highways, streets or roads, and to the best of City’s knowledge, there is no governmental proceeding which would impair or curtail such access.

(c) Compliance with Law. The City is not aware of any notification from any governmental authority requiring any work to be done on the Property or advising of any condition (including, without limitation, hazardous substances or wastes) which would render the Property unusable or affect the usability of the Property or any part thereof for the purposes of the City.

(d) Mechanics’ Liens. No labor, material or services have been furnished in, on or about the Property or any part thereof as a result of which any mechanics’, laborers’ or materialmen’s liens or claims might arise.

(e) Litigation. There is no litigation, pending or threatened, which would constitute a lien, claim, or obligation of any kind on the Property, affect the use, ownership or operation of the Property, or otherwise adversely affect the Property. For purposes of this clause, litigation includes lawsuits, actions, administrative proceedings, governmental investigations and all other proceedings before any tribunal having jurisdiction over the Property.
11. Covenants of the City.

(a) From the date of this Agreement to the Closing Date, the City will not allow any lien to attach to the Property or any part thereof, nor will the City grant, create, or voluntarily allow the creating of, or amend, extend, modify or change, any easement, right-of-way, encumbrance, restriction, covenant, lease, license, option or other right affecting the Property or any part thereof, except for the Public Trail described below.

(b) The City shall not enter into any leases, trust deeds, mortgages, restrictions, encumbrances, liens, licenses or other instruments or agreements affecting the Property.

(c) The City will perform all of its monetary and non-monetary obligations under all indebtedness (whether for borrowed money or otherwise) and the liens securing same pertaining to the Property or any portion thereof, if any.

(d) The City shall maintain in force all policies of fire and other casualty and liability insurance maintained as of the date of this Agreement with respect to the Property until the Closing Date.


(a) Renwood shall, prior to Closing, obtain development approvals from the City for a traditional three and 3.5 story walk-up apartment complex with a resident community building, as shown on the conceptual site plan attached as Exhibit D. The Development Approvals shall include:

1. Site Plan Approval per BLMC 14.105.
2. Design Review Approval per BLMC 14.95.
3. Approved Building permits for all structures per BLMC 14.50.

13. Development Obligations. The parties agree that Section 13 shall survive Closing.

(a) Public Trail. Renwood shall grant the City a public pedestrian access easement (the “Trail Easement”) and construct a pedestrian trail (the “Public Trail”) allowing public access to, over and across the area designated a public trail to link to the civic center, points North and South, and the Fennel Creek Trail on Angeline Road. The Trail Easement, location, and type of trail is depicted on the conceptual site plan attached as Exhibit D, and shall be described and shown on the face of the Site Plan and Building Permit Applications submitted by Renwood. Upon completion of construction, the Public Trail shall be dedicated to the City. Construction of the Public Trail shall be completed and the trail dedicated to the City prior to issuance of the certificate of occupancy for the first structure, provided that the City shall not cause any delays in Renwood’s completion of the Public Trail and/or the dedication thereof. The construction of the Public Trail shall be subject to the City’s park impact fee rates (the “Park Impact Fees”) required by BLMC 19.06 applicable at the time of issuance of the building permits and Renwood shall be entitled to claim a credit against the Park Impact Fees not to exceed the impact fee otherwise payable equivalent to the value of the land dedication and trail improvement.
(b) **Permits on Fast Track.** The Parties recognize that time is of the essence with regard to construction of the Project. Therefore, Renwood will submit all permit applications and other required information to the City on a timely basis and without undue delay. In turn, the City will fast-track permit applications, processing and review.

(c) **Water and Sewer System Development Charges (SDC).** Renwood shall be entitled to pay water and sewer SDCs at the rates in effect as of the date of this Agreement as long as Renwood files complete applications for building permits for all structures on or before November 22, 2013. As of the date hereof, the City acknowledges and agrees that the SDC rates for water and sewer are as follows:

- **Water System Development Charges** - $4,559 per unit.
- **Irrigation SDC for 5/8” meter** - $4,852
- **Irrigation SDC for ¾” meter** - $7,281
- **Irrigation SDC for 1” meter** - $12,141
- **Sewer SDC 3 bedroom unit** - $5,470
- **Sewer SDC 2 bedroom unit** - $4,786
- **Sewer SDC 1 bedroom unit** - $4,102
- **Sewer SDC studio unit** - $3,419
- **Storm fee** $395 per ESU. ESU equals 2,600 square feet of impervious surface area

(d) **Elimination of mapped street designation.** Renwood shall not be required to dedicate or construct right-of-way, or set back its development from the planned right-of-way, for the future section of 186th Avenue shown on the Downtown Plan. At the earliest opportunity during the 2013 Comprehensive Plan Amendment cycle, the City shall amend its Downtown Plan to remove the future section of 186th Avenue, such that the un-built section is no longer subject to the mapped streets requirements of Chapter 12.30 BLMC.

(e) **Construction to proceed without delay.** Renwood shall proceed with construction of the Project diligently and without undue delay upon issuance of building permits. The City shall have the right to reject any requests for extension on the time limitation for completing construction on active building permits under BLMC 15.04.081.

(f) **School impact fees.** If required by City Ordinance, Renwood shall pay school impact fees at the rates in effect at the time of building permit issuance, pursuant to Chapter 19.08 BLMC. At this time, there are no school impact fees applicable to the Project.

14. **Transportation mitigation.** The parties agree that Section 14 shall survive Closing.

(a) Renwood shall pay transportation impact fees, per the requirements of Chap. 19.04 BLMC, in the amounts presented in the Pre Application Conference notes dated December 5, 2012.

(b) The Parties agree, pursuant to RCW 82.02.020, that improvements to 186th Ave E, 184th Ave E, and 88th Street E will be reasonably necessary as a result of the Project, because residents and visitors of the Project are expected to use these streets for
alternative access to Veteran’s Memorial Drive and State Route 410. To mitigate its impacts, Renwood shall make a voluntary payment to the City, at Closing, in the amount of two hundred thousand dollars ($200,000.00). The City shall deposit these funds in a reserve account and expend the funds on improvements to any or all of the following: 186th Ave E from 90th St E to 88th St E; 88th St E from 186th Ave E to 184th Ave E; and/or 184th Ave E from 88th St E to Veterans Memorial Drive E. The Parties agree that the City may use the reserved funds for design, right-of-way acquisition, construction, or all of these. Improvements may include widening, pavement rehabilitation or overlay, improved signage, intersection upgrades, pedestrian facilities, street lighting, and other improvements identified by the City.

(c) The Parties agree that payment of the transportation impact fees and remittance of the voluntary mitigation payment described in this Section 14 shall fully satisfy Renwood’s mitigation obligations for transportation impacts related to the Project under Chapter 43.21C RCW (SEPA).

(d) The Parties waive and relinquish their rights to protest or challenge in any forum the enforceability of the terms and conditions of the voluntary transportation mitigation payment and hereby covenant and undertake that the each party will forever refrain and desist from instituting, asserting, or proceeding to challenge the enforceability of the same.

(e) In the event the Improvements have not commenced within five (5) years of issuance of the certificate of occupancy for the first residential structure in the Project, the Mitigation Funds shall be refunded to Renwood. Renwood waives the right to interest on the refund.

15. Termination. If the Closing does not occur by reason of any default under this Agreement, either Party may elect to treat this Agreement as terminated; provided, however, neither party to this Agreement may claim termination or pursue any other remedy on account of a breach of a condition, covenant or warranty by the other, without first giving such other party notice of such breach and not less than ten (10) days within which to cure such breach. Notwithstanding any other provision of this Agreement to the contrary, the Closing Date, if necessary, shall be postponed to afford such ten (10) day opportunity to cure. Provided, further, in the event of the termination of this Agreement by Renwood as a result of a default by City of City’s obligations hereunder, Renwood shall also have the right to seek specific performance of City’s obligations hereunder.

16. Notices. Unless applicable law requires a different method of giving notice, any and all notices, demands or other communications shall be in writing and delivered either personally or by Federal Express or other overnight delivery service of recognized standing, or if deposited in the United States mail, certified, registered, or express mail with postage prepaid. If such notice is personally delivered, it shall be conclusively deemed given at the time of such delivery. If such notice is delivered by Federal Express or other overnight delivery service, it shall be deemed given at the close of business twenty-four (24) hours after the deposit with such delivery service. If such notice is mailed as provided herein, such shall be deemed given at the close of business.
on the third business day after the deposit thereof in the United States mail. Each such notice
shall be deemed given only if properly addressed to the party to whom such notice is to be given,
as follows:

To Renwood: Renwood L.L.C.
c/o Tarragon L.L.C.
601 Union Street, Suite 3500
Seattle, WA  98101
Attn: Charlie Laboda, Senior Development Manager

With a copy to: Renwood L.L.C.
c/o Investco Financial Corporation
1302 Puyallup Street
Sumner, WA 98390
Attn: Angela Humphreys, Vice President - General Counsel

To the City: Neil Johnson, Jr., Mayor
Don Morrison, City Administrator
City of Bonney Lake
9002 Main Street E
Bonney Lake, Washington  98391

Either party may change its address for the purpose of receiving notices as herein provided by a
written notice given in the manner aforesaid to the other party.

17. Survival of Representations and Warranties. All representations, warranties, covenants and
agreements of the parties contained in this Agreement, or in any instrument or other writing
provided for herein, shall survive Closing.

18. Finders’ or Brokers’ Fees. The Parties are responsible for paying any brokers’ or finders’
fees due to real estate professionals or brokers working on their behalf.


(a) Applicable Law. This Agreement shall, in all respects, be governed by the laws of the State of
Washington.

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

(c) Successors and Assigns. All of the terms and provisions contained herein shall inure to the
benefit of and shall be binding upon the parties hereto and their respective heirs, legal
representatives, successors and assigns. Without the City’s written permission, which shall not
be unreasonably withheld, Renwood may not assign this Agreement or any of its obligations.
(d) ** Entire Agreement.** This Agreement constitutes the entire understanding and agreement of the parties with respect to its subject matter and any and all prior agreements, understandings or representations with respect to its subject matter are hereby canceled in their entirety and are of no further force or effect.

(e) **Dispute Resolution.** In the event of a dispute between the parties about the application or interpretation of this Agreement, Renwood may appeal to the Mayor or Mayor’s designee, whose decision shall be accorded substantial weight and deference. If not satisfied Renwood may thereafter agree to submit the dispute to mediation within ten (10) days of the Mayor's decision. Appeals of the City's decision shall otherwise be taken to the Superior Court for Pierce County.

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

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

(h) **Exhibits.** All exhibits attached hereto are incorporated by reference.

(i) **Third Party Beneficiary.** Nothing in this Agreement express or implied is intended to and shall not be construed to confer upon or create in any person (other than the parties hereto) any rights or remedies under or by reason of this Agreement, including without limitation, any right to enforce this Agreement.

(j) **Ratification by City Council.** This Agreement and the City’s obligations thereunder shall be subject to ratification and approval by the City Council, which shall be sought at the City’s earliest opportunity after execution. Should Council approval not be given, the City may terminate this Agreement with no further obligation owed to Renwood.

[EXECUTED ON THE FOLLOWING PAGE]
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below each party’s signature below and the last date of execution shall be deemed the “Execution Date” as such term is used herein.

RENWOOD LLC

By: Investco Financial Corporation
Its: Manager

By: ______________________
Its: ______________________

Date: ______________________

CITY OF BONNEY LAKE

By: ______________________
Mayor Neil Johnson, Jr.

Date: ______________________
EXHIBIT A

LEGAL DESCRIPTION OF CITY PROPERTY

Parcel # 0520337004

Section 33 Township 20 Range 05 Quarter 34: L 4 OF SHORT PLAT 79-102 FORMERLY
SHORT PLAT 78-893 EASE OF RECORD OUT OF 3-004 SEG M-0592 SP EMS

Parcel # 5640001780

Section 33 Township 20 Range 05 Quarter 32 MCDONALD FRUIT TRACTS: MCDONALD
FRUIT TRACTS S 1/2 OF TR 27, TR 29 LY N & E OF STATE HWY ITEM 4
EXHIBIT B

LEGAL DESCRIPTION OF RENWOOD PROPERTY

Parcel #7000310310

Section 33 Township 20 Range 05 Quarter 31 GRANDVIEW AT BONNEY LAKE:
GRANDVIEW AT BONNEY LAKE NE OF SW 33-20-05E L 31 EASE OF REC APPROX
276,089 SQ FT OUT OF 3-015 SEG F0052 MD 7/1/93MD
EXHIBIT C

STATUTORY WARRANTY DEED

WHEN RECORDED RETURN TO:

Renwood, LLC
TARRAGON
601 Union Street, Suite 3500
Seattle, WA 98101

STATUTORY WARRANTY DEED

GRANTOR: City of Bonney Lake, Washington

GRANTEE: Renwood LLC

ABBREVIATED LEGAL DESCRIPTIONS:

Pierce County Tax Parcel Number 0520337004
Section 33 Township 20 Range 05 Quarter 34

Pierce County Tax Parcel Number 5640001780
Section 33 Township 20 Range 05 Quarter 32

Situate in the County of Pierce, State of Washington.

STATUTORY WARRANTY DEED

The GRANTOR, City of Bonney Lake, Washington, for and in consideration of ten dollars ($10.00) and other valuable consideration in hand paid, conveys and warrants to GRANTEE Renwood, LLC the real estate described in Exhibit A, attached hereto and incorporated herein by this reference, situated in the City of Bonney Lake, County of Pierce, State of Washington.

DATED this _______ day of ____________________________, 2013.
GRANTOR

City of Bonney Lake

By: ________________________________
    Neil Johnson, Jr., Mayor

Date: __________________

State of Washington  )
                  ) ss.
County of ________)

I certify that I know or have satisfactory evidence that Neil Johnson, Jr. is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of __________________________, 2013.

Notary Public in and for the state of Washington, residing at _______________________.
My appointment expires ____________________.

State of Washington  )
                  ) ss.
County of ________)
EXHIBIT A TO STATUTORY WARRANTY DEED
Legal Descriptions

PARCEL A:
Tax Parcel 0520337004
Section 33 Township 20 Range 05 Quarter 34: L 4 of Short Plat 79-102 Formerly short plan 78-893 Ease of Record out of 30994 Seg M-0592 SP EMS

PARCEL B:
Tax Parcel 5640001780
Section 33 Township 20 Range 05 Quarter 32 McDonald Fruit Tracts: McDonald Fruit Tracts S ½ of TR 27, TR 29 LY N & E of State Hwy Item 4

Situate in the City of Bonney Lake, Pierce County, Washington.
EXHIBIT D

CONCEPTUAL SITE PLAN
RENWOOD AGREEMENT HIGHLIGHTS

1. Renwood, LLC (Investco) would develop the Renwood property behind the library with +/- 184 quality apartments. Construction to begin this year.

2. Renwood would purchase the two adjacent City-owned parcels (2.25 & 2.3 acres - 4.55 total).

3. City would relinquish the 30’ street easement and authorize Renwood to develop ingress and egress as essentially shown on the preliminary site plan.

4. Closing would be within 30 days of Renwood receiving development approvals - site plan, design review and building permits ready to issue.

5. Renwood will grant an easement and construct a public trail through the project site to link the civic center area and the Fennel Creek Trail on Angeline, Park Impact Fee credits would be given for the cost of the easement and construction of the trail.

6. Permits would be ‘fast tracked’.

7. Current development fees (reduced water, sewer & TIF) would remain in effect as of the date of the agreement provided building permits for all structures are submitted by November 22, 2013.

8. Renwood would pay TIF and PIF at current rates (less PIF credit for public trail cost).

Financial Summary:

**EST. ONE TIME CITY REVENUES**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Water SDC</td>
<td>838,856</td>
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<tr>
<td>Sewer SDC</td>
<td>842,320</td>
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<tr>
<td>Traffic Impact Fees (TIF)</td>
<td>341,872</td>
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<tr>
<td>*Park Impact Fees (PIF)</td>
<td>599,288</td>
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<tr>
<td>Voluntary Mitigation-Easement Release</td>
<td>400,000</td>
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<tr>
<td>Income from Land Sale</td>
<td>1,090,589</td>
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<tr>
<td>Planning &amp; Building Permit Fees</td>
<td>304,428</td>
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<tr>
<td>Sales tax on construction (City share)</td>
<td>115,378</td>
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<tr>
<td><strong>Subtotal One Time Revenues</strong></td>
<td><strong>$4,532,731</strong></td>
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**EST. ANNUAL GF RECURRING REVENUES (Units fully occupied)**

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<td>Per capita state shared revenues</td>
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<td>Sales taxes</td>
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<td>Gas taxes</td>
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<td>Criminal justice distribution</td>
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<td>Utility taxes</td>
<td>49,624</td>
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<td>Fine and forfeitures</td>
<td>18,900</td>
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<tr>
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<tr>
<td><strong>Subtotal Recurring Revenues</strong></td>
<td><strong>$251,614</strong></td>
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*Portion will be credited for cost of trail
POTENTIAL REVENUES TO IMPROVE 186th-88th-184th ROAD SECTIONS

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<thead>
<tr>
<th>Revenue Source</th>
<th>Amount</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>186th Easement Release</td>
<td>200,000</td>
<td>From Purchase and Sale Agreement</td>
</tr>
<tr>
<td>Voluntary Street Mitigation</td>
<td>200,000</td>
<td>From Purchase and Sale Agreement</td>
</tr>
<tr>
<td>Income from Land Sale</td>
<td>1,090,589</td>
<td>From Purchase and Sale Agreement</td>
</tr>
<tr>
<td>Est. 2013 Excess Recurring St Rev</td>
<td>376,278</td>
<td>Street share of increased REET revenue</td>
</tr>
<tr>
<td><strong>Subtotal Available Revenues</strong></td>
<td><strong>$1,866,867</strong></td>
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Other Potential Revenues

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<tr>
<th>Revenue Source</th>
<th>Amount</th>
<th>Notes</th>
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<tbody>
<tr>
<td>Traffic Impact Fees (TIF)</td>
<td>341,872</td>
<td>Would need to add project to TIP with June update</td>
</tr>
<tr>
<td>Dedicate Sales tax on construction to St project</td>
<td>115,378</td>
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<tr>
<td><strong>Subtotal Other Potential Revenues</strong></td>
<td><strong>$457,250</strong></td>
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</table>

Total Potential Revenues

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<tbody>
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<td><strong>$2,324,117</strong></td>
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Estimated Project Cost

| $500-900K | Dependent on scope and ROW acquisition costs |

Recommended sources of financing:

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>186th Easement Release</td>
<td>200,000</td>
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<tr>
<td>Excess Voluntary St Mitigation</td>
<td>200,000</td>
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<tr>
<td>Est. 2013 Excess Recurring St Rev</td>
<td>376,278</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$776,278</strong></td>
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# DRAFT

## TOTAL CONSTRUCTION COST ESTIMATE

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<th>Bid Item</th>
<th>Section</th>
<th>Item</th>
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<th>UNIT COST</th>
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<td>Removal of Structure and Obstruction</td>
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<td>Adjust Existing Utility to Grade</td>
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<td>Crushed Surfacing Base Course</td>
<td>980</td>
<td>TN</td>
<td>$20.00</td>
<td>$19,600.00</td>
</tr>
<tr>
<td>5-04</td>
<td></td>
<td>Planing Bituminous Pavement</td>
<td>2850</td>
<td>SY</td>
<td>$7.00</td>
<td>$19,950.00</td>
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<tr>
<td>5-04</td>
<td></td>
<td>HMA C3 1/2&quot; PG 64-22</td>
<td>640</td>
<td>TN</td>
<td>$100.00</td>
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<tr>
<td>5-04</td>
<td></td>
<td>Cold Mix</td>
<td>40</td>
<td>TN</td>
<td>$100.00</td>
<td>$4,000.00</td>
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<tr>
<td>7-01</td>
<td></td>
<td>Chamber Infiltration System</td>
<td>250</td>
<td>LF</td>
<td>$20.00</td>
<td>$5,000.00</td>
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<tr>
<td>7-04</td>
<td></td>
<td>Rip Rap west 8 in. Diam.</td>
<td>870</td>
<td>LF</td>
<td>$44.00</td>
<td>$39,780.00</td>
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<td>7-04</td>
<td></td>
<td>Solid Wall PVC Storm Sewer Pipe 12 in. Diam.</td>
<td>1410</td>
<td>LF</td>
<td>$50.00</td>
<td>$70,500.00</td>
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<tr>
<td>7-05</td>
<td></td>
<td>Catch Basin Type A</td>
<td>12</td>
<td>EA</td>
<td>$950.00</td>
<td>$11,400.00</td>
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<tr>
<td>7-05</td>
<td></td>
<td>Storm Filter 1 Cartridge</td>
<td>4</td>
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<td>$7,150.00</td>
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<tr>
<td>8-01</td>
<td></td>
<td>Erosion/Water Pollution Control</td>
<td>1</td>
<td>LS</td>
<td>$2,500.00</td>
<td>$2,500.00</td>
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<tr>
<td>8-01</td>
<td></td>
<td>Inlet Protection</td>
<td>2</td>
<td>EA</td>
<td>$75.00</td>
<td>$150.00</td>
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<tr>
<td>8-01</td>
<td></td>
<td>Silt Fence</td>
<td>100</td>
<td>LF</td>
<td>$60.00</td>
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<td>8-02</td>
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<td>City Street Lights</td>
<td>3</td>
<td>LF</td>
<td>$15,000.00</td>
<td>$45,000.00</td>
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<td></td>
<td>Seeded Lawn Installation</td>
<td>4470</td>
<td>SY</td>
<td>$1.50</td>
<td>$6,705.00</td>
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<td>8-02</td>
<td></td>
<td>Toppill Type A</td>
<td>340</td>
<td>CY</td>
<td>$30.00</td>
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<td>Cement Conc. Traffic Curb and Gutter</td>
<td>1280</td>
<td>LF</td>
<td>$16.00</td>
<td>$20,480.00</td>
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<td></td>
<td>Potholing</td>
<td>6</td>
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<td>$400.00</td>
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<tr>
<td>8-14</td>
<td></td>
<td>Cement Conc. Sidewalk</td>
<td>600</td>
<td>SY</td>
<td>$30.00</td>
<td>$18,000.00</td>
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<tr>
<td>8-14</td>
<td></td>
<td>Cement Conc. Sidewalk Ramp</td>
<td>120</td>
<td>SY</td>
<td>$100.00</td>
<td>$12,000.00</td>
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<tr>
<td>8-21</td>
<td></td>
<td>Permanent Signing</td>
<td>1</td>
<td>LS</td>
<td>$1,800.00</td>
<td>$1,800.00</td>
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<tr>
<td>8-22</td>
<td></td>
<td>Paint Line</td>
<td>1580</td>
<td>LF</td>
<td>$0.50</td>
<td>$790.00</td>
</tr>
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</table>

**Total Probable Construction Cost =** $514,355.00

**Design Services =** $25,724.75

**Construction Services =** $514,030.00

**30% Contingency =** $154,360.00

**Total Probable Project Cost =** $746,757.75
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact:
Public Works / Marlyn Campbell

Meeting/Workshop Date:
14 May 2013

Agenda Bill Number:
AB13-64

Agenda Item Type:
Motion

Ordinance/Resolution Number:

Councilmember Sponsor:
Dan Swatman

Agenda Subject:
Accept 184th Avenue Water Main Replacement project with Pape & Sons Construction Inc, as Complete

Full Title/Motion:
A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The 184th Avenue Water Main Replacement Project With Pape & Sons Construction Inc.

Administrative Recommendation:

Background Summary:
Resolution 2259 dated December 11, 2012 awarded the construction contract to Pape & Sons Construction Inc. for the 184th Avenue Water Main Replacement project. This project was funded by System Development Charges for the Installation of 670 linear feet of ductile iron water main; 10 new service connections; one new hydrants; removing 155 square yards of HMA and paving 2-inch HMA on 184th Avenue.

See attached Project Completion Report for detail information on this project. As a matter of housekeeping, this project has been reconciled, accepted by the City Engineer and project close out documents are complete. DOR, Employment Security and L & I have been notified and we are awaiting confirmation from these three organizations that there are no unpaid taxes and wages.

Attachments:
Project Completion Report, Bill of Sale, Notice of Completion of Public Works Contract and photos of project, before (1), during (1) and after (1).

BUDGET INFORMATION

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Budget Explanation:
Release of Retainage in the amount of $5,421.37

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:
Finance Committee
Date: 23 April 2013

Approvals:
Chair/Councilmember Dan Swatman
Councilmember Randy McKibbin
Councilmember Mark Hamilton

Consent Agenda: Yes No
Forward to:

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

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

APPROVALS

Director:
Dan Grigsby

Mayor:

Date Reviewed by City Attorney:
(if applicable):
PUBLIC WORKS - PROJECT COMPLETION REPORT

Project Title: 184th Avenue Water Main Replacement

Project Financing Summary:

Project Revenue Sources:

| Budget Authorized by City Council: | Water Fund- System Development Charges | 157,800 |
| City Fund Source(s):              | Water Fund- Consumption Charge O&M    | 60,500  |
|                                  | Total                                | 218,300 |

Total Project Budget Utilized = $208,835

Project Expenditures:

| Study                         | N/A |
| Design                        | $29,785 |
| Total Construction            | $123,839 |

Engineer's Estimate = $157,994

<table>
<thead>
<tr>
<th>Contract Award Amount</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Bid/Contract=</td>
<td>$137,619</td>
</tr>
<tr>
<td>Contingency- 10%=</td>
<td>$13,740</td>
</tr>
<tr>
<td>Field Engineering Services- 5% =</td>
<td>$6,881</td>
</tr>
<tr>
<td>Total</td>
<td>$158,240</td>
</tr>
</tbody>
</table>

Total Project Cost = $153,624

Total Budget for construction = $158,240

Actual Under Budget = -$34,401

Actual Revenue Sources utilized for project:

| Budget Authorized by City Council: | Water Fund- System Development Charges | 93,124 |
| Actual City Funds utilized:        | Water Fund- Consumption Charge O&M    | 60,500  |
|                                   | Total                                | 153,624 |

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## Planning

Comprehensive Facilities Plan Approved by City Council:  
Study Required: N/A  
FY Funding in Budget: N/A  
Study Contract NTP Date: N/A  
Study Contract Completion Date: N/A

<table>
<thead>
<tr>
<th>Planning</th>
<th>Actual Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Design

Date RFP Issued: N/A  
Design Contract Award Date: 8/14/2012  
Design Contract Completion Date: 2/4/2013  
Design Consultant(s): Parametrix $29,785

<table>
<thead>
<tr>
<th>Date RFP Issued</th>
<th>N/A</th>
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</thead>
<tbody>
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<td>Design Contract Award Date</td>
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</tr>
<tr>
<td>Design Contract Completion Date</td>
<td>2/4/2013</td>
</tr>
<tr>
<td>Design Consultant(s)</td>
<td>Parametrix</td>
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</table>

<table>
<thead>
<tr>
<th>Scope of Work Changes</th>
<th>Date</th>
<th>Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change Order Summary</th>
<th>1</th>
<th>Design</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>$29,785</td>
</tr>
</tbody>
</table>

## Construction

Date of Advertisement: 11/7/2012  
Bid Opening Date: 11/21/2012  
Engineer's Estimate: $157,994  
Low Responsive/Responsible Bid: $137,619 $117,969  
Contract Award Date: 12/11/2012  
Contract Completion Date: 2/20/2013  
Closeout Date: N/A

<table>
<thead>
<tr>
<th>Date of Advertisement</th>
<th>11/7/2012</th>
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</thead>
<tbody>
<tr>
<td>Bid Opening Date</td>
<td>11/21/2012</td>
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<tr>
<td>Engineer's Estimate</td>
<td>$157,994</td>
</tr>
<tr>
<td>Low Responsive/Responsible Bid</td>
<td>$137,619 $117,969</td>
</tr>
<tr>
<td>Contract Award Date</td>
<td>12/11/2012</td>
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<tr>
<td>Contract Completion Date</td>
<td>2/20/2013</td>
</tr>
<tr>
<td>Closeout Date</td>
<td>N/A</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Scope of Work Changes</th>
<th>Date</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change Order Summary</th>
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<th>Construction Actual Total</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>$29,785</td>
</tr>
</tbody>
</table>

Other Construction:
- 5/8" Radio Read Meters $2,723
- Soil testing & water sampling $317
- Advertising $45
- Field Engineering Services 2,785

<table>
<thead>
<tr>
<th>Other Construction</th>
<th>Total Actual Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot; Radio Read Meters</td>
<td>$2,723</td>
</tr>
<tr>
<td>Soil testing &amp; water sampling</td>
<td>$317</td>
</tr>
<tr>
<td>Advertising</td>
<td>$45</td>
</tr>
<tr>
<td>Field Engineering Services</td>
<td>2,785</td>
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</tbody>
</table>

Construction Actual Total = $123,839

<table>
<thead>
<tr>
<th>Other Construction</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$153,624</td>
</tr>
</tbody>
</table>

## PW Infrastructure Addition(s):

See attached Bill of Sale form
KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the sum of One Dollar ($1.00) and other good and sufficient consideration, receipt whereof is hereby acknowledged, the undersigned grantor(s) do(es) by these presents hereby convey, set over, assign, transfer and sell to the City of Bonney Lake, Pierce County, Washington, a municipal corporation, the following described utility or other improvements and all appurtenances thereto, situated in Pierce County, Washington:

Bill of Sale

City of Bonney Lake, a Municipal Corporation
See Exhibit A

184th Ave Water Main Replacement

Located here or on Exhibit A of this document

184th

Located here or on Exhibit B of this document

the said grantor(s) hereby warrants that he, they, it, is/are the sole owner(s) of all the property above described; that they have full power to convey all rights herein conveyed and agree to hold the City of Bonney Lake harmless from any and all claims which might result from execution of this document. IN WITNESS WHEREOF the grantor(s) have executed these presents this ___ day of ____________, 20__. 

[Signature]
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

Grantor (DEVELOPER) SIGNATURE:

By: ___________________________  By: ___________________________

Its: ___________________________  Its: ___________________________

STATE OF WASHINGTON  
COUNTY OF PIERCE

On this ___ day of __________, 20___, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ________________________, of ________________________, to me proven to be the individual described in and who executed the foregoing instrument for himself and acknowledged that he signed the same as his free and voluntary act and deed for himself and also as his free and voluntary act and deed on behalf of said ________________________, for uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

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

Printed Name:

NOTARY PUBLIC in and for the State of Washington, residing at:

My Commission Expires:

Page 2 of 5

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Per the request of the City of Bonney Lake, the following information is furnished concerning final costs for improvements installed and turned over to the City for the above referenced project.

### WATER SYSTEM CONSTRUCTION/CONSTRUCTION COSTS

<table>
<thead>
<tr>
<th>Amount</th>
<th>Unit</th>
<th>Size</th>
<th>Type</th>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>260</td>
<td>L.F. of</td>
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<td>DE</td>
<td>Water Main</td>
<td>$10,140.00</td>
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<tr>
<td>407</td>
<td>L.F. of</td>
<td>8</td>
<td>DE</td>
<td>Water Main</td>
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<tr>
<td>6</td>
<td>L.F. of</td>
<td>12</td>
<td>DE</td>
<td>Water Main</td>
<td>$2,400.00</td>
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<tr>
<td></td>
<td>L.F. of</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>1</td>
<td>EACH of</td>
<td>8</td>
<td>GV</td>
<td>Gate Valves</td>
<td>$970.00</td>
</tr>
<tr>
<td></td>
<td>EACH of</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>EACH of</td>
<td></td>
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<td></td>
<td>$</td>
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<tr>
<td>1</td>
<td>EACH of</td>
<td></td>
<td></td>
<td></td>
<td>$3,500.00</td>
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Cost of Fire Hydrants must be listed separately
Includes Engineering and Sales Tax if applicable

**TOTAL COST FOR WATER SYSTEM**

**$32,476.00**

### SANITARY SEWER SYSTEM

<table>
<thead>
<tr>
<th>Amount</th>
<th>Unit</th>
<th>Size</th>
<th>Type</th>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>L.F. of</td>
<td></td>
<td></td>
<td>Sewer Main</td>
<td>$</td>
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<tr>
<td></td>
<td>L.F. of</td>
<td></td>
<td></td>
<td>Sewer Main</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>L.F. of</td>
<td></td>
<td></td>
<td>Sewer Main</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>EACH of</td>
<td></td>
<td></td>
<td>Diameter Manholes</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>EACH of</td>
<td></td>
<td></td>
<td>Diameter Manholes</td>
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</table>

Includes Engineering and Sales Tax if applicable

**TOTAL COST FOR SANITARY SEWER SYSTEM**

**$**
EXHIBIT B – FINAL COST DATA AND INVENTORY

STORM DRAINAGE SYSTEM

<table>
<thead>
<tr>
<th>Amount</th>
<th>Unit</th>
<th>Size</th>
<th>Type</th>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>L.F. of</td>
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<td></td>
<td>Storm Lines</td>
<td>$</td>
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</tr>
<tr>
<td>L.F. of</td>
<td></td>
<td></td>
<td>Storm Lines</td>
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<td></td>
</tr>
<tr>
<td>EACH of</td>
<td></td>
<td></td>
<td>Storm Inlet Outlet</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>EACH of</td>
<td></td>
<td></td>
<td>Storm Catch Basin</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>EACH of</td>
<td></td>
<td></td>
<td>Storm Catch Basin</td>
<td>$</td>
<td></td>
</tr>
</tbody>
</table>

Includes Engineering and Sales Tax if applicable

TOTAL COST FOR STORM DRAINAGE SYSTEM $

STREET IMPROVEMENT

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
<th>Unit</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Curb, Gutter, Sidewalk</td>
<td>25</td>
<td>L.F.</td>
<td>$650.00</td>
</tr>
<tr>
<td>Asphalt Pavement</td>
<td>244.82</td>
<td>S.Y.L.F. of</td>
<td>$26,930.20</td>
</tr>
<tr>
<td>Sign Installation Complete</td>
<td>EACH</td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

SIGNALIZATION

(Including Engineering Design Costs, City Permit Fees, WA State Sales Tax) $

STREET LIGHTING

(Including Engineering Design Costs, City Permit Fees, WA State Sales Tax)

Number of Poles $
NOTICE OF COMPLETION OF PUBLIC WORKS CONTRACT

Contractor's UBI Number: 600291966
Date: 4/12/2013

Name & Address of Public Agency
City of Bonney Lake
PO Box 7380
Bonney Lake, WA 98391
UBI Number: 277000893

Department Use Only
Assigned to: 
Date Assigned: 

Notice is hereby given relative to the completion of contract or project described below

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Contract Number</th>
<th>Job Order Contracting</th>
</tr>
</thead>
<tbody>
<tr>
<td>184th Avenue Water Main Replacement</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Description of Work Done/Include Jobsite Address(es)
Installation of 670 linear feet of ductile iron water main; 10 new service connections; one new hydrants; removing 155 square yards of HMA and paving 2-inch HMA on 184th Avenue.

Federally funded road transportation project?  ☐ Yes  ☑ No

Contractor's Name
Pape & Sons Construction Inc.

Contractor Address
9401 54th Ave NW, STE 1A  Gig Harbor, WA 98332

If Retainage is Bonded, List Surety's Name (or attach a copy)

Surety Agent's Address

Date Contract Awarded: 12/12/12
Date Work Commenced: 1/14/13
Date Work Completed: 2/20/13
Date Work Accepted: council action scheduled-5/14/13

Contract Amount: $126,488.00
Additions (+): $18,060.65
Reductions (-): $8,427.35
Sub-Total: $108,427.35

Amount of Sales Tax Paid at 8.800%

Liquidated Damages: $112,547.59
Amount Disbursed: $117,968.96
Amount Retained: $5,421.37

TOTAL $117,968.96

NOTE: These two totals must be equal

Please List all Subcontractors and Sub-tiers Below:

<table>
<thead>
<tr>
<th>Subcontractor's Name</th>
<th>UBI Number: (Required)</th>
<th>Affidavit ID*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miles Resources LLC</td>
<td>602870349</td>
<td>442025</td>
</tr>
</tbody>
</table>

Continued on page 2
Please List all Subcontractors and Suppliers Below:

<table>
<thead>
<tr>
<th>Subcontractor's Name</th>
<th>UBI Number: (Required)</th>
<th>Affidavit ID*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:

Contact Name: Marlyn Campbell
Email Address: campbellm@ci.bonney-lake.wa.us
Title: PW Support Services Coordinator
Phone Number: 253-447-4348

Note: The Disbursing Office must submit this completed notice immediately after acceptance of the work done under this contract.

NO PAYMENT SHALL BE MADE FROM RETAINED FUNDS until receipt of all release certificates.

Affidavit ID* - Provide known ones at this time. No LNI release will be granted until all affidavits are completed.

Submitting Form: Please submit the completed form to all three agencies below. For a faster response, please submit by e-mail.

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F215-038-000 07-2012
REV 31 0020e (07/06/12)
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison

Meeting/Workshop Date: 14 May 2013

Agenda Bill Number: AB13-05

Agenda Item Type: Ordinance

Ordinance/Resolution Number: D13-05

Councilmember Sponsor:

Agenda Subject: COLA for Nonunion Employees

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1403 Relating To Salaries For Non-Represented Employees.

Administrative Recommendation: Approve

Background Summary: This has been on hold since the January 8th Workshop. The Consumer Price Index (CPI-U) for the Seattle-Tacoma-Bremerton area increased 2.7 percent during the past year (measured June 2011 Through June 2012 - the period we use for collective bargaining). The Mayor recommended a 1.5% COLA for nonrepresented employees, which is what was adopted in the 2013-2014 budget. This ordinance formalizes the COLA adopted in the budget for nonunion employees for 2013 and makes it retroactive to 1/1/2013.

Attachments: Ordinance No. D13-05; Attachment

BUDGET INFORMATION

<table>
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<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
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Budget Explanation: The cost to implement for nonunion employees is $33,413, and has been included in the adopted 2013-2014 biennial budget.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:
Date: 8 January 2013

Chair/Councilmember: Dan Swatman
Councilmember: Mark Hamilton
Councilmember: Randy McKibbin

Forward to:
Consent Agenda: Yes No

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): 23 April 2013, 7 May 2013
Public Hearing Date(s):
Meeting Date(s): January 8, 2013
Tabled to Date:

APPROVALS

Director: D.M. Mayor: N.J.
Date Reviewed by City Attorney: (if applicable):
ORDINANCE NO. D13-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING ORDINANCE NO. 1403 RELATING TO SALARIES FOR NON-REPRESENTED EMPLOYEES.

WHEREAS, the Consumer Price Index (CPI-U) for the Seattle-Tacoma-Bremerton area increased 2.7 percent during the past year (measured June 2011 Through June 2012); and

WHEREAS, the City Council adopted the 2013-2014 budget with a proposed 1.5% COLA to be effective January 1, 2013, but voted to defer adoption of a salary ordinance, and

WHEREAS, the City Council now desires to amend the salary schedule for non-represented employees in order to establish salary grades and include a modest COLA for non-represented employees in accordance with the adopted 2013-2014 biennial budget of the City;

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

Section 1. Section 2 of Ordinance No. 1403 is hereby amended to read as follows:

Section 2. Attachment “A1,” last updated by the City Council on October 18, 2012, by Ordinance No. 14091438, consisting of a Position Classification Matrix, is hereby readopted and incorporated herein by this reference. These position classifications and salary grades for non-represented employees remain in effect until amended by subsequent ordinance of the City Council. A new Attachment “A2” of Ordinance No. 12991403, attached hereto and incorporated herein by reference, is hereby adopted, and shall remain in effect until amended by subsequent ordinance of the City Council. Said Attachment “A2” reflects the salary rates and pay ranges for non-represented employees for 2013. All non-represented employees shall be granted a 1.5% cost-of-living-adjustment (COLA), effective January 1, 2013. Said Attachment “A2” reflects said 1.5% COLA and the accompanying salary rates and pay ranges for non-represented employees for 2013.

Section 3. This Ordinance concerns compensation and working conditions of city employees and is not subject to referendum. It 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 14th day of May, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney
## Non Represented Employee Classification and Salary Grade Matrix

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<th>GRADE</th>
<th>FINANCE &amp; ADMINISTRATION</th>
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<th>COMMUNITY DEVELOPMENT</th>
<th>PUBLIC WORKS</th>
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