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: None.
   D. Agenda Modifications

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:
   A. Public Hearings:
      p. 5
      1. AB13-127 – A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider Revenue Sources And Possible Property Tax Increases Before Setting The Ad Valorem Property Tax Rate For 2014.
      p. 13
      2. AB13-135 – A Public Hearing Of The City Of Bonney Lake, Pierce County, Washington, Regarding Ordinance 1468, Declaring A Moratorium Prohibiting The Production, Processing, And Retail Sales Of Recreational Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities.
   B. Citizen Comments:
      You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the “Consent Agenda” should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated representatives speaking on behalf of a group may take up to 10 minutes on matters of general City business.
   C. Correspondence

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

IV. CONSENT AGENDA:

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

A. Approval of Minutes: October 15, 2013 Workshop, October 22, 2013 Meeting and October 26, 2013 Special Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #67284-67305 (including wire transfer #’s 20131015, and 20131016) in the amount of $32,871.06.
Accounts Payable checks/vouchers #67306-67308 in the amount of $4,785.16 for Accounts Receivable deposit refunds.
Accounts Payable checks/vouchers #67309-67333 in the amount of $3,301.09 for utility refunds.
Accounts Payable checks/vouchers #67334-67372 in the amount of $897,339.06.
Accounts Payable checks/vouchers #67373-67406 in the amount of $65,134.08.
Accounts Payable checks/vouchers #67407-67429 in the amount of $1,826.86 for utility refunds.
VOIDS:
Check #56625 – unclaimed property; Check #56756 – unclaimed property; Check #57427 – unclaimed property; Check #57437 – unclaimed property; Check #58803 – unclaimed property; Check #59190 – unclaimed property; Check #59546 – unclaimed property; Check #59833 – unclaimed property; Check #59835 – unclaimed property; Check #60070 – unclaimed property; Check #60189 – unclaimed property; Check #61769 – unclaimed property; Check #61785 – unclaimed property; Check #61789 – unclaimed property; Check #62312 – unclaimed property; Check #62320 – unclaimed property; Check #62328 – unclaimed property; Check #62342 – unclaimed property; Check #62343 – unclaimed property; Check #62346 – unclaimed property; Check #62517 – unclaimed property; Check #62723 – unclaimed property; Check #62732 – unclaimed property; Check #63501 – unclaimed property; Check #63517 – unclaimed property; Check #63539 – unclaimed property; Check #63547 – unclaimed property; Check #63561 – unclaimed property; Check #63566 – unclaimed property; Check #63585 – unclaimed property; Check #63895 – unclaimed property; Check #63911 – unclaimed property; Check #64064 – wrong vendor paid; Check #64067 – unclaimed property; Check #64077 – unclaimed property; Check #64087 – unclaimed property; Check #67319 – replaced with checks #67410, and #67411; Check #67329 – replaced with checks #67424, and #67425; Check #67330 – replaced with checks #67426, and #67428.

C. Approval of Payroll: Payroll for October 1-15, 2013 for checks #31385-#31410 including Direct Deposits and Electronic Transfers is $ 438,931.85.
Payroll for October 16-31, 2013 for checks #31411-31442 including Direct Deposits and Electronic Transfers is $ 652,348.54.

D. AB13-138 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of November 26, 2013 To Consider

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES: None.

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
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: Fin / Al Juarez
Meeting/Workshop Date: 12 November 2013
Agenda Bill Number: AB13-127

Agenda Item Type: Public Hearing
Ordinance/Resolution Number: Councilmember Sponsor:

**Agenda Subject:** Public Hearing To Set The Amount Of The Annual Ad Valorem (Property Tax) Levy To Be Collected In 2014.

**Full Title/Motion:** n/a A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Receive Citizen Comment In Reference To Ordinance D13-139, Which Sets The Amount Of The Annual Ad Valorem Tax Levy For Fiscal Year 2014. 

**Administrative Recommendation:**

**Background Summary:** Pursuant to Revised Code of WA (RCW) 84.52.020 the Mayor of the City of Bonney Lake must certify to the Pierce County Assessor-Treasurer and the Pierce County Council that the Bonney Lake City Council requests the following levy amounts be collected in year 2014 as provided in the City's budget and said property taxes will be adopted following a public hearing held on November 12, 2013.

As illustrated in the attached Pierce County "Preliminary Tax Levy Limit" worksheet, the regular levy limit is $2,722,006.32, which consists of the lawful regular tax levy multiplied by the 1% limit factor (RCW 84.55.005) plus the current years assessed value of new construction and improvements.

As defined in the attachment title "Example of Ordinance" prepared by the Pierce County Assessor-Treasurer, the districts actual levy amount from the previous year was $2,639,650.47 and the population of the district is more than 10,000. Now, therefore the governing body of the taxing district is authorized for the levy to be collected in the 2014 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be $19,937.23, which is a percentage increase of .7553% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexationss that have occurred and refunds made.

**Attachments:** Yes

**BUDGET INFORMATION**

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

**Budget Explanation:** Adopt Annual Ad Valorem tax to be collected in 2014.

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:** Finance Committee
Date: 8 October 2013

**Approvals:**
- Chair/Councilmember: Deputy Mayor Swatman
- Councilmember: Mark Hamilton
- Councilmember: Randy McKibbin

Forward to: 10/22/13 Council Meeting

**Consent Agenda:**
- Yes
- No

**Commission/Board Review:**

**Hearing Examiner Review:**
COUNCIL ACTION

Workshop Date(s):
Meeting Date(s):

Public Hearing Date(s):
Tabled to Date:

APPROVALS

Director:
Al Juarez

Mayor:

Date Reviewed by City Attorney:
Standard (if applicable):
ORDINANCE NO. D13-139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, SETTING THE AMOUNT OF THE ANNUAL AD VALOREM TAX LEVY NECESSARY FOR THE FISCAL YEAR 2014 FOR THE PURPOSES SET FORTH BELOW

WHEREAS, the City Council of the City of Bonney Lake is meeting and discussing the biennial budget for the fiscal years 2013 and 2014; and

WHEREAS, the City Council held a public hearing on November 12, 2013 to discuss the feasibility of an increase in property tax revenues for collection in year 2014; and

WHEREAS, the City Council of the City of Bonney Lake after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Bonney Lake requires a regular levy in the amount of $2,722,006.32, which includes an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest;

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

SECTION 1: The City Council of the City of Bonney Lake, Washington, does hereby resolve the city’s actual levy amount from the previous year was $2,639,650.47; and, the population is more than 10,000; and now therefore, that an increase in the regular property tax levy is authorized for the levy to be collected in the 2014 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be $19,937.23, which is a percentage increase of .7553% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

SECTION 2: That the taxes to be collected from the levies hereby fixed and made, together with the estimated revenues from sources other than taxation, which constitutes the appropriation of the City of Bonney Lake for the fiscal year 2014, are hereby approved.

SECTION 3: A certified copy of this Ordinance and original Ad Valorem Levy Certification shall be transmitted on or before November 30th of the year preceding the year in which the levy amounts are to be collected to the Pierce County Assessor-Treasurer (Attn: Levy Department; 2401 S. 35th St. Rm. 142; Tacoma, WA 98409); and,
the Pierce County Council (Attn: Clerk, Rm. 1046; County City Building; 930 Tacoma Ave. S.; Tacoma, WA 98402); and, any other governmental office as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE
and approved by the Mayor this 26th day of November, 2013.

___________________________________________
Mayor Neil Johnson, Jr.

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

______________________________
Kathleen Haggard, City Attorney
Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, Al Juarez, Chief Financial Officer, for City of Bonney Lake, do hereby certify to the Pierce County legislative authority that the City Council of said district requests that the following levy amounts be collected in 2014 as provided in the district’s budget, which was adopted following a public hearing held on 11/12/13:

Regular Levy: $2,722,006.32
(State the total dollar amount to be levied)

Excess Levy:
(State the total dollar amount to be levied)

Refund Levy:
(State the total dollar amount to be levied)

Signature: ________________________________ Date: 11/26/13

To ask about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.

REV 64-0100e (w) (2/21/12)
September 13, 2013

OFFICIAL NOTIFICATION TO: BONNEY LAKE

RE: 2013 PRELIMINARY ASSESSED VALUES

FOR REGULAR LEVY

Total Taxable Regular Value 1,777,220,232
Highest lawful regular levy amount since 1985 2,633,255.15
Last year’s actual levy amount 2,639,650.47
Additional revenue from current year’s NC&I 62,418.62
Additional revenue from annexations (RCW 84.55) 0.00
Additional revenue from administrative refunds (RCW 84.69) 0.00

No additional revenue from administrative refunds will be allowed if you are limited by your statutory rate limit.

Last year's additional revenue from increase in state-assessed property 2,608.38

FOR EXCESS LEVY

Taxable Value 1,767,500,117
Timber Assessed Value not available
Total Taxable Excess Value 1,767,500,117

2013 New Construction and Improvement Value 39,925,612

If you need assistance or have any questions regarding this information, please contact Kim Fleshm
253.798.7114 kfleshm@co.pierce.wa.us.
TAX LEVY LIMIT 2013 FOR 2014

REGULAR TAX LEVY LIMIT:
A. Highest regular tax which could have been lawfully levied beginning with the 1985 levy [refund levy not included] times limit factor (as defined in RCW 84.55.005).
   2012
   2,633,255.15
   1.01
   2,659,587.70

B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).
   39,925,612
   1.563372978285
   62,418.62

C. Current year's state assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied).
   24,037,284
   24,037,284
   0.00
   1.563372978285
   0.00

D. REGULAR PROPERTY TAX LIMIT (A + B + C)
   2,722,006.32

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:
E. To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.
   2,722,006.32
   1,777,220,232
   1.531608899916

F. Annexed area's current assessed value including new construction and improvements times rate found in E above.
   0.00
   1.531608899916
   0.00

G. NEW LEVY LIMIT FOR ANNEXATION (D + F)
   2,722,006.32

LEVY FOR REFUNDS:
H. RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.68 or 84.69 RCW. (D or G + refund if any)
   2,722,006.32
   0.00
   2,722,006.32

I. TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT (D,G,or H)
   2,722,006.32

J. Amount of levy under statutory rate limitation.
   1,777,220,232
   1,600000000000
   2,843,552.37

K. LESSER OF I OR J
   2,722,006.32
EXAMPLE OF ORDINANCE/RESOLUTION
REQUESTING HIGHEST LAWFUL LEVY

Ordinance/Resolution No. ________
RCW 84.55.120

WHEREAS, the ________ of BONNEY LAKE has met and considered its budget for the calendar year ________; and,

WHEREAS, the districts actual levy amount from the previous year was $2,639,650.47 and,

WHEREAS, the population of this district is □ more than or □ less than 10,000; and now, therefore,

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2014 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be $19,937.23 which is a percentage increase of 0.7553% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this __________ day of ________, ________.

______________________________

SAMPLE

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property taxThis form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: http://dor.wa.gov/docs/forms/PropTax/Forms/LevyCertf.doc.

For tax assistance, visit http://dor.wa.gov/content/taxes/property/default.aspx or call (360) 570-5900. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call 1-800-451-7985.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison
Meeting/Workshop Date: 11 November 2013
Agenda Bill Number: AB13-135

Agenda Item Type: Public Hearing
Ordinance/Resolution Number: 
Councilmember Sponsor:

Agenda Subject: Public Hearing on a Moratorium on Licensing and Operation of Recreational Marijuana Producers, Processors, and Retailers.

Full Title/Motion: n/a .

Administrative Recommendation: Retain Adopted Moratorium

Background Summary: On October 13, 2013 the Bonney Lake City Council, after adopting findings of fact, unanimously approved a six month moratorium (Ordinance 1468) on the licensing and operation of recreational marijuana producers, processors, and retailers. RCW 35A.63.220 authorizes the City to adopt a moratorium of up to six (6) months, without first holding a public hearing on the moratorium, as long as it holds a public hearing on the moratorium within sixty (60) days of its adoption. The purpose of this hearing is to determine if the moratorium should remain in effect while the City determines how to best implement the provisions of Initiative 502 in accordance with state and Federal law, and the related regulations of the WA Liquor Control Board.

Attachments: Ordinance 1468

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

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW
Council Committee Review:
Date:
Approval:
Chair/Councilmember
Councilmember
Councilmember
Forward to:
Consent Agenda: Yes No
Commission/Board Review:
Hearing Examiner Review:

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

APPROVALS
Director: Mayor:
Date Reviewed by City Attorney:
(if applicable):
ORDINANCE NO. 1468

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, DECLARING A MORATORIUM PROHIBITING THE PRODUCTION, PROCESSING, AND RETAIL SALES OF RECREATIONAL MARIJUANA AND PROHIBITING GRANTING OF ANY CITY LICENSE OR PERMIT RELATED TO SUCH ACTIVITIES.

WHEREAS, in November 2012 the voters of the State of Washington approved Initiative 502, providing a framework whereby individuals and business entities may be granted a state license authorizing them to produce, process, or sell marijuana and marijuana-infused products for recreational use; and

WHEREAS, pursuant to Initiative 502, the Washington State Liquor Control Board has developed and implemented regulations governing the licensing and operation of recreational marijuana producers, processors, and retailers; and

WHEREAS, the Washington State Liquor Control Board will begin accepting applications for licenses authorizing the production, processing, and retail sale of recreational marijuana and marijuana-infused products on November 18, 2013; and

WHEREAS, the Washington State Liquor Control Board may begin issuing licenses authorizing individuals and businesses to produce, process, and sell recreational marijuana and marijuana-infused products as early as December 1, 2013; and

WHEREAS, marijuana remains a Schedule 1 drug under the federal Controlled Substances Act, and the production, possession, and use of marijuana for any purpose, including medical use, remains illegal under federal law; and

WHEREAS, the City maintains a ban on medical cannabis collective gardens and dispensaries in Bonney Lake Municipal Code section 18.08.030; and

WHEREAS, unless the City acts immediately to address the production, processing, and retail sales of recreational marijuana and marijuana-infused products, such uses may be able to locate in the City without regulation, creating the potential for adverse impacts on the City and its citizens; and

WHEREAS, the City intends to develop appropriate zoning, land use regulations, business license regulations, and other appropriate regulations to address the production, processing, and retail sales of recreational marijuana and marijuana-infused products; and

WHEREAS, RCW 35A.63.220 authorizes the City to adopt a moratorium of up to six (6) months, without first holding a public hearing on the moratorium, as long as it holds a public hearing on the moratorium within sixty (60) days of its adoption; and
WHEREAS, the City Council has determined that it is in the best interest of the City and its citizens that a moratorium be established to study appropriate regulations to address the production, processing, and retail sale of recreational marijuana and marijuana-infused products and to develop a work plan for the implementation of such regulations.

NOW THEREFORE, the City Council of Bonney Lake, Washington, do ordain as follows:

Section 1. Findings of Fact. The City Council adopts the above recitations as findings of fact justifying this moratorium, and may supplement these findings of fact before or immediately after the public hearing on this moratorium.

Section 2. Moratorium Established.

A. A moratorium is imposed prohibiting the production, processing, and/or retail sale of recreational marijuana and marijuana-infused substances by state-licensed individuals or businesses within all zoning districts in the City of Bonney Lake.

B. A moratorium is imposed on the issuance of any City building permit, development permit, business license, or any other permit or license to any state-licensed individual or business that seeks to produce, process, and/or sell recreational marijuana or marijuana-infused products in the City of Bonney Lake.

Section 3. Term of Moratorium. The moratorium established by this ordinance shall be in effect for an initial period of six (6) months, unless repealed, extended, or modified by the City Council after a public hearing and the entry of appropriate findings of fact as required by RCW 35A.63.220.

Section 4. Public Hearing. A public hearing on the moratorium established by this ordinance shall be held on November 12, 2013.

Section 5. Effective Date. The moratorium established by this ordinance shall become effective five (5) days after it is passed by the City Council.

PASSED BY THE CITY COUNCIL this 22nd day of October, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney
**City of Bonney Lake, Washington**

**City Council Agenda Bill (AB)**

<table>
<thead>
<tr>
<th>Department/Staff Contact: Executive / Don Morrison</th>
<th>Meeting/Workshop Date: 22 October 2013</th>
<th>Agenda Bill Number: AB13-133</th>
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**Agenda Item Type:** Ordinance

**Ordinance/Resolution Number:** D13-133

**Councilmember Sponsor:**

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**Agenda Subject:** Enacting a Temporary Moratorium for Marijuana Businesses

**Full Title/Motion:** An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Declaring A Moratorium Prohibiting The Production, Processing, And Retail Sales Of Recreational Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities..

**Administrative Recommendation:** Set November 12, 2013 as the public hearing date.

**Background Summary:** In November 2012 the voters of the State of Washington approved Initiative 502, The Washington State Liquor Control Board has developed and implemented regulations governing the licensing and operation of recreational marijuana producers, processors, and retailers and will being accepting application for licenses on November 18, 2013, and sales could begin as early as December 1, 2013. Pursuant to BLMC Section 18.08.030, City maintains a ban on medical cannabis collective gardens and dispensaries and unless the City acts immediately such uses may be able to locate in the City without regulation. The City intends to develop appropriate zoning, land use regulations, business license regulations, and other appropriate regulations to address the production, processing, and retail sales of recreational marijuana and marijuana-infused products. RCW 35A.63.220 authorizes the City to adopt a moratorium of up to six (6) months, without first holding a public hearing on the moratorium, as long as it holds a public hearing on the moratorium within sixty (60) days of its adoption. The City intends to hold a public hearing on the moratorium established by this ordinance on November 12, 2013.

**Attachments:** D13-133 Ordinance

**BUDGET INFORMATION**

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</tr>
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</table>

**Budget Explanation:** N/A

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Council Committee Review:**

Date: Approvals:

- Chair/Councilmember
- Councilmember
- Councilmember

Forward to: 11/12/13 Council Meeting

Consent Agenda: Yes No

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

<table>
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<th>Workshop Date(s):</th>
<th>10/15/2013</th>
<th>Public Hearing Date(s):</th>
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<th>Meeting Date(s):</th>
<th>10/22/2013</th>
<th>Tabled to Date:</th>
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**APPROVALS**

<table>
<thead>
<tr>
<th>Director: Don Morrison</th>
<th>Mayor:</th>
<th>Date Reviewed by City Attorney: Standard</th>
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*Agenda Packet p. 16 of 28*
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 Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember James Rackley, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis was absent.

Councilmember Rackley moved to excuse Councilmember Minton-Davis. 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, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:
A. Council Open Discussion

Fennel Creek Trail Parking: Councilmember Watson said he walked the Fennel Creek Trail and it is very nice. He said a citizen expressed concern about the asphalt and blacktop that was placed for parking and stated the homeowners in the area have also expressed concerns for after-hours parking. He asked whether there would be any landscaping and buffer between the parking and the trail. He said a gate will be in place to prevent quads and other vehicles from entering the trail. Deputy Mayor Swatman also stated there may be concerns from the surrounding homeowners regarding the parking area. He said the Park Board will hold a public hearing on November 18th at 6:00 p.m. to accept testimony regarding the Fennel Creek paved parking area located in Willow Brook. Mayor Johnson said the Park Board’s recommendation will be sent to the Council for final resolution.

Boat Launch Fees: Councilmember Watson asked about the decrease in the revenue from the boat launch fees. Mayor Johnson said staff are reviewing annual expenditures and revenues during the budget process and will provide Council further information once it is available.
City Council Workshop Minutes  
October 15, 2013

Milotte Wildlife Film Festival: Councilmember Hamilton reminded Council that the Milotte Wildlife Film Festival is Saturday, October 19, 2013 at the Justice & Municipal Center. The two films to be featured are The African Lion and American Cats. He spoke about the mini-short wildlife nature films and also about the scholarships that are available.


The minutes were forwarded to the October 22, 2013 Meeting for action, with minor corrections.


Senior Planner Jason Sullivan provided a detailed presentation to the information contained in the agenda packet regarding the 2015 Comprehensive Plan Periodic Update and the scope of work and the public participation plan and advised that the City is required to review and, if needed, update its comprehensive plan and development regulations to ensure compliance with the Washington State Growth Management Act by June 30, 2015. He identified the work that will be completed as part of the periodic update and establishes the public participation plan to ensure early and continuous public participation during the update process as required by RCW 36.70A.140. He said the City is looking 20 years into the future. He said staff are looking at adding actual strategies about how they will implement the policies and achieve the City’s goals. He said that as the elements move forward and are completed staff will bring each element to Council for their review so the update will not be brought as one entire update. He confirmed for City Administrator Morrison that the Active Living Element would include the “baby boomers” issues. He said the review will take approximately 18 months and then a public hearing will be held before Council can consider adoption of the update.

Senior Planner Sullivan said the purpose of bringing this issue to Council at this workshop is to obtain Council approval for the Public Participation Plan to get the citizens of Bonney Lake engaged in the process. Councilmember Rackley asked about the gas pipeline that runs through the City and Senior Planner Sullivan advised that Williams Pipeline, Dieringer School District, and Tree City USA will be added to the voluminous list of stakeholders. Deputy Mayor Swatman asked about the June 30th deadline to make sure it includes all of the amendments necessary for 2015.

D. Presentation: 3rd Quarter Budget Update. Review/Discussion of Mid-Biennial Budget Amendment Schedule and Issues.

City Administrator Don Morrison discussed the schedule for adopting the 2013-2014 Mid-Biennial Budget Amendment as provided is the agenda packet and provided a handout to the Council. He reviewed the General Fund, Water Fund, Sewer Fund, and Storm Water Fund Revenue & Expenditure Status Report for Quarter 3 from 2009 through 2013. He said over the next few weeks staff will update the budget Model but is hopeful to have a balanced budget. He spoke regarding the possible need for consultants for the Comprehensive Plan Update. He reviewed the schedule with Council as provided in the agenda packet. He reviewed the General Fund Revenue and Expenditures Report
and said the Utility Funds are all tracking fine. Mayor Johnson asked the Council if the budget schedule was acceptable, and there was consensus that it was.

E. Discussion: Marijuana Business Applications.

Deputy Mayor Swatman stated he wants Council to avoid being pioneers regarding marijuana business applications. City Attorney Haggard stated the City is on solid ground if it keeps its current ban, which governs essentially medical facilities and dispensaries, and if it is clarified to speak to unlicensed facilities and update the language to track with I502. She said the City would be on shakier ground if it attempted to ban licensed retail facilities, producers or processors. Community Development Director Vodopich said staff initially received calls right after the passage of I-502, however no recent inquiries have been received. City Attorney Haggard said that essentially cities will have to allow marijuana distribution businesses but that the City Bonney Lake has only been allocated to regulate one business/retail facility. Mayor Johnson expressed his concern how the City would regulate marijuana businesses if the federal government says it is illegal. City Attorney Haggard said it would be up to the Department of Justice to enforce if it finds a business to be illegal.

There was discussion among the Council regarding the zoning regulations and limiting hours of operation. City Attorney Haggard said City regulations could conflict with the State law, but cities can be fairly strict on the allowed zones. She said if the City determines zoning would be permitted where adult entertainment is permitted, now is the time to get a zoning regulation in place. She said if Council makes a determination as to how they wish to proceed she can draft more restrictive zoning regulations. Council consensus was to keep it as restrictive as possible. Timothy Reynolds of City Attorney’s office Porter Foster & Rorick advised the Council to keep in mind that applications will have to be site specific so applicants will not be able to submit generic applications. He said that the City will have the opportunity to express concerns to the State Liquor Control Board before an application is approved.

Council consensus was for the City Attorney to prepare a temporary moratorium ordinance prohibiting submittal of an application or issuance of a permit or business until a public hearing can be held regarding the temporary moratorium

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

At 6:41 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 6 – 0.
Items presented to Council for the October 15, 2013 City Council Workshop:

- City Attorney Kathleen Haggard, *Memorandum to Bonney Lake City Council dated October 14, 2013 Re: Marijuana: recreational and medical* – Porter Foster Rorick, LLP.

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.
I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 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 Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

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

C. Announcements, Appointments and Presentations:
   1. Announcements: None.
   2. Appointments: None.
   3. Presentations:
         Mayor Johnson read the proclamation aloud and presented the document to David Colbeth, President of the Greater Bonney Lake Veterans Memorial Committee.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

David Colbeth, 21816 113th St E, Bonney Lake, spoke on behalf of the Greater Bonney Lake Veterans Memorial Committee. He spoke about the service of veterans and Veterans Day, and invited all to attend the flag-raising ceremony on Veterans Day.

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 for a brief meeting and no items were forwarded for Council action.

B. Community Development Committee / Economic Development Focus Group: Councilmember McKibbin said the committee met on October 15, 2013 and discussed the 186th Avenue corridor.

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

D. Other Reports:

   Pierce County Regional Council: Councilmember Hamilton attended the PCRC meeting on October 17th. The PCRC heard about the annexation policy recommendations from Pierce County, including new terminology for “Urban Service Areas” rather than Urban Growth Areas, and a push to annex highly urbanized areas adjacent to cities.

   Fennel Creek Habitat Team: Councilmember Lewis said he, Councilmember Hamilton, and Park Board Member Terry Reid attended the Fennel Creek Habitat Team meeting on October 10, 2013. The next meeting is November 14th at the Bonney Lake Library at 6:30 p.m. The group discussed the opening of the Fennel Creek Trail / Safe Routes connector and efforts to increase membership in the group. He encouraged all to attend the ribbon-cutting ceremony on October 26th at 1:00 p.m.

   Community Events: Mayor Johnson reminded all about two upcoming community events on Saturday, October 26th for the “Take the Plunge Against Domestic Violence” fundraiser at 11:00 a.m. at the Allan Yorke Park boat launch, and the Fennel Creek Trail ribbon-cutting ceremony at 1:00 p.m. at 185th St E in the Willowbrook neighborhood.

IV. CONSENT AGENDA:

A. Approval of Minutes: October 1, 2013 Workshop and October 8, 2013 Meeting.

B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #67236-67279 (including wire transfer #’s 12034393, 20131002, 20131003, and 20131004) in the amount of $245,231.60.
   Accounts Payable checks/vouchers #67280-67281 in the amount of $969.51 for Accounts Receivable deposit refunds.
   Accounts Payable checks/vouchers #67282-67283 in the amount of $3,727.81 for utility refunds.
   Accounts Payable wire transfer #2013101701 for P-Card payments in the amount of $40,251.65.

D. **AB13-126 – Resolution 2336** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out Of State Travel For Chuck McEwen To Attend Goldkey Certification Training In Independence, MO.

E. **AB13-121** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Evergreen Point Water Main Replacement Project With Hoffman Construction.

F. **AB13-122** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Sewer Manhole Rehabilitation-2012/13 Project With NWCW, LLC.

G. **AB13-127** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of November 12, 2013 To Consider Revenue Sources And Possible Property Tax Increases Before Setting The Ad Valorem Property Tax Rate For 2014.

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

Consent Agenda approved 7 – 0.

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

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

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

VIII. **FULL COUNCIL ISSUES:**

A. **AB13-133 – Ordinance 1468 [D13-133]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Declaring A Moratorium Prohibiting The Production, Processing, And Retail Sales Of Recreational Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities.

Councilmember Rackley moved to approve Ordinance 1468. Councilmember Watson seconded the motion.

City Attorney Haggard provided background information on the proposed ordinance which provides a temporary moratorium to allow the Council time to study and discuss the issue. She said the Council will hold a public hearing on November 12th to take testimony and determine if additional findings of fact are needed. The Council would need to act again within 6 months, either to extend the moratorium or let it lapse. In response to a question from Councilmember Minton-Davis, City Attorney Haggard explained that the proposed ordinance deals specifically with recreational marijuana, not medical marijuana.

Ordinance 1468 approved 7 – 0.
IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:19 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the October 22, 2013 Meeting:
- David Colbeth, Greater Bonney Lake Veterans Memorial Committee – Veterans Memorial Flyer.

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Location:  New Fennel Creek Trail “Safe Routes” link bridge, located at approximately 11110 185th Avenue E, Bonney Lake.

I.  CALL TO ORDER – Mayor Neil Johnson, Jr. welcomed the assembled group at 1:05 p.m.

II.  IN ATTENDANCE:
In addition to Mayor Johnson, elected officials in attendance were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember James Rackley, and Councilmember Tom Watson.

Also in attendance from the Park Board were Chairperson Jim Bouchard, Vice-Chairperson Chauntelle Hellner, Commissioner Jaime Trejo, Commissioner Terry Reid and Commissioner Todd Hauter. Attending from the Planning Commission were Chairperson Grant Sulham, Vice-Chairperson Winona Jacobsen and Commissioner Brad Doll.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, City Engineer John Woodcock, Public Works Project Manager Art Larson, Facilities & Special Projects Manager Gary Leaf, Special Event Coordinator David Wells and Administrative Services Director/City Clerk Harwood Edvalson.

III. AGENDA ITEMS:
A.  Ribbon-cutting for the Fennel Creek Trail “Safe Routes” link:

Mayor Johnson expressed his pleasure with the quality of the project construction and recognized those involved in the design and construction of the project. Mayor Johnson invited Deputy Mayor Swatman to make a few remarks as an original member of the Fennel Creek Trail Committee. At the conclusion of his remarks, Mayor Johnson, Councilmembers and Marian Betzer, who has also been a moving force behind Fennel Creek habitat preservation, participated in the ribbon cutting ceremony. Afterwards, many of the assembled audience enjoyed a walk along the trails.

B.  Adjournment:

At 12:35 p.m., the City Council concluded the special meeting portion of the event by common consent.

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

No additional items were presented to the Council at the October 26, 2013 Special Council Meeting.
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City of Bonney Lake, Washington

City Council Agenda Bill (AB)

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**Agenda Subject:** Set a Public Hearing To Receive Citizen Comment On the Recommended Amendments To The 2013 - 2014 Adopted Budget.

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of November 26, 2013 To Consider Amendments To The 2013 - 2014 Biennial Budget That Was Adopted On December 11, 2012 Via Ordinance 1447.

**Administrative Recommendation:** Set November 26, 2013 as the public hearing date.

**Background Summary:** This motion is to set the public hearing date only. Revised Code of WA (RCW) 35A.34 provides procedures for adopting, managing and amending a biennial budget. Since the Mayor has proposed amendments to the adopted budget, a public hearing is required on those proposed amendments or other modifications, including changes to revenues and expenditures. Exhibits outlining the various amendments were provided to the City Council for the November 5th agenda packet, and will likewise be provided during the Council meeting on November 26, 2013.

**Attachments:** None

**BUDGET INFORMATION**

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**Budget Explanation:** Amendments pursuant to exhibits

**COMMITTEE, BOARD & COMMISSION REVIEW**

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Forward to: Consent Agenda: ☐ Yes ☐ No

**Commission/Board Review:**

**Hearing Examiner Review:**

**COUNCIL ACTION**

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**APPROVALS**

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