ORDINANCE NO. 1504

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, APPROVING THE REVISION OF THE CORPORATE BOUNDARY OF THE CITY OF BONNEY LAKE, WHERE IT COINCIDES WITH CERTAIN PORTIONS OF THE RIGHT-OF-WAY FOR 234TH AVENUE COURT EAST, IN ORDER TO FULLY EXCLUDE SAID AREAS FROM THE CORPORATE LIMITS OF THE CITY.

WHEREAS, RCW 35A.21.210 provides that the governing bodies of a county and any code city located therein may by agreement revise any part of the corporate boundary of the city which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city; and

WHEREAS, the revision of a corporate boundary as authorized by RCW 35A.21.210 is not subject to review by the Boundary Review Board; and

WHEREAS, the Washington State Department of Transportation (WSDOT) and Pierce County entered into a Standard Turnback Agreement, numbered TB3-0132, that provides for the transfer of right-of-way acquired for the SR-410 – 214th Ave. E to 234th Ave. E Widening project from WSDOT to Pierce County; and

WHEREAS, certain portions of the right-of-way for 234th Avenue Court East, associated with the SR 410 – 214th Ave. E. To 234th Ave. E Widening project, are partially located within the corporate boundaries of the City of Bonney Lake and partially located in unincorporated Pierce County; and

WHEREAS, the City and the County wish to revise the City’s boundary so as to expand the corporate boundaries of unincorporated Pierce County to include said right-of-way; and

WHEREAS, the City and the County have mutually determined that such revision of the boundaries of the City is beneficial and will aid in defining responsibilities related to public road maintenance; and

WHEREAS, the Pierce County Council adopted Resolution No. R2014-133 on December 16, 2014, approving such revision;

WHEREAS, RCW 35A.21.210 requires the adoption of a corresponding City ordinance effectuating such revision;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:
Section 1. The revision of the corporate boundary of the City of Bonney Lake where it coincides with certain portions of the right-of-way for 234th Avenue Court East is hereby approved to fully exclude said area legally described below from the corporate limits of the City of Bonney Lake:

Commencing at the intersection point of SR 410 and 234th Avenue East said point hereinafter referred to Highway Engineers Station (HES) “(SR 410)” 465+64.59 which also Station (HES) E Line 14+23.88 as shown on that map of definite location in the Offices of the Department of Transportation in Olympia Washington, entitled: “214th Avenue East VIC. To 234th Avenue East VIC.”; thence South 00°08′38″ West along centerline of new 234th Avenue East to (HES) “E” 12+57.61; thence westerly to a point lying 30.00 feet perpendicular to (HES) “E” 12+57.61 and the true point of beginning; thence southerly and southwesterly along the arc of a curve concave to the northwest having a radius of 130.00 feet and a central angle of 52°50′12″ to the Bonney Lake Corporate Limits and a point lying 30 feet +/- perpendicular to (HES) “E” 11+06+/−; thence northeasterly along the line of the Bonney Lake corporate limits to the westerly margin of existing 234th Avenue East at (HES) “E” 11+06+/−; thence northerly along said westerly margin to a point lying 30.00 feet perpendicular to (HES) “E” 12+57.61 and the true point of beginning.

Section 2. The City Clerk shall mail a copy of this Ordinance to Pierce County Public Works and Utilities.

Section 3. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this 27th day of January, 2015.

Neil Johnson, Mayor

AUTHENTICATED:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

Passed: 1/27/2015
Valid: 1/27/2015
Published: 2/4/2015
Effective Date: 2/9/2015
This Ordinance totals 2 page(s)
CORPORATE BOUNDARY REVISION (CITY OF BONNEY LAKE)
at 234th Avenue Court East

Legend
- Adjusted Corporate Boundary
- Corporate Boundary
- Roads
  - Other State Highway
  - Major Road
  - Arterial
  - Residential
- Tax Parcel Number

Bonney Lake
Pierce County
December 22, 2014

City of Bonney Lake
Attn: City Clerk
P.O. Box 7380
Bonney Lake, Washington 98391

Dear Woody,

This letter serves as the official transmittal.

On December 16, 2014, Pierce County adopted the attached Resolution No. R2014-133, approving the revision of the City of Bonney Lake’s (City) corporate boundaries to exclude areas that will be a County owned and maintained public road.

Pierce County and the City must approve the corporate boundary revision. Pierce County has, through adoption of the attached resolution, fulfilled its approval process. To have the revision finalized, the City’s legislative authority must grant its approval.

Please see the Resolution for specifics.

Please provide a copy of the City’s official documentation of its legislative action to me for our official records.

Regards,

Denise D. Johnson, CMC
Clerk of the Council

Attachment
Sponsored by: Councilmembers Dan Roach and Stan Flemming
Requested by: Executive/Public Works and Utilities

RESOLUTION NO. R2014-133

A Resolution of the Pierce County Council Approving the Revision of the Corporate Boundary of the City of Bonney Lake, Where It Coincides with Certain Portions of the Right-of-Way for 234th Avenue Court East, In Order to Fully Exclude Said Areas From the Corporate Limits of the City of Bonney Lake.

Whereas, Revised Code of Washington (RCW) 35A.21.210 provides that the governing bodies of a county and any code city located therein may by agreement revise any part of the corporate boundary of the city which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefore a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city; and

Whereas, the revision of a corporate boundary as authorized by RCW 35A.21.210 is not subject to review by the Boundary Review Board; and

Whereas, the Washington State Department of Transportation (WSDOT) and Pierce County entered into a Standard Turnback Agreement, numbered TB3-0132, that provides for the transfer of right-of-way acquired for the SR-410 - 214th Avenue East to 234th Avenue East Widening project from WSDOT to Pierce County; and

Whereas, certain portions of the right-of-way for 234th Avenue Court East, associated with the SR 410 - 214th Avenue East to 234th Avenue East Widening project, are partially located within the corporate boundaries of the City of Bonney Lake and partially located in unincorporated Pierce County; and

Whereas, Bonney Lake and Pierce County wish to revise the City of Bonney Lake boundary so as to expand the corporate boundaries of unincorporated Pierce County to include said right-of-way; and

Whereas, Pierce County and the City of Bonney Lake have mutually determined that a revision of certain boundaries of the City is beneficial and will aid in defining responsibilities related to public road maintenance; and

Whereas, this clarification and consolidation would modify the City of Bonney Lake corporate boundaries; Now Therefore,
BE IT RESOLVED by the Council of Pierce County:

Section 1. The Council hereby approves the revision of the corporate boundary of the City of Bonney Lake where it coincides with certain portions of the right-of-way for 234th Avenue Court East to fully exclude said area legally described below from the corporate limits of the City of Bonney Lake:

Commencing at the intersection point of SR 410 and 234th Avenue East said point hereinafter referred to Highway Engineers Station (HES) "(SR 410)" 465+64.59 which also Station (HES) E Line 14+23.88 as shown on that map of definite location in the Offices of the Department of Transportation in Olympia Washington, entitled: "214th AVE East VIC. To 234th AVE East VIC."

thence South 00°08'38" West along centerline of new 234th Avenue East to (HES) "E" 12+57.61; thence westerly to a point lying 30.00 feet perpendicular to (HES) "E" 12+57.61 and the true point of beginning; thence southerly and southwesterly along the arc of a curve concave to the northwest having a radius of 130.00 feet and a central angle of 52°50'12" to the Bonney Lake Corporate Limits and a point lying 30 feet +/- perpendicular to (HES) "E" 11+06+/-; thence northeasterly along the line of the Bonney Lake corporate limits to the westerly margin of existing 234th Avenue East at (HES) "E" 11+06+/-; thence northerly along said westerly margin to a point lying 30.00 feet perpendicular to (HES) "E" 12+57.61 and the true point of beginning.

Section 2. The Clerk of the Pierce County Council shall mail a copy of this Resolution to the City of Bonney Lake.

Section 3. The revision of the corporate boundary authorized by this Resolution shall become effective when approved by Ordinance of the City of Bonney Lake.

Section 4. The City of Bonney Lake shall mail a copy of its approved Ordinance to the Clerk of the Pierce County Council.

ADOPTED this 16th day of December, 2014.

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

Denise D. Johnson
Clerk of the Council

Dan Roach
Council Chair

Resolution No. R2014-133
Page 2 of 2
City of Bonney Lake
City Council Agenda Bill (AB)

Department / Staff Member:  
Community Development/  
John P. Vodopich, AICP

Meeting/Workshop Date:  
January 27, 2015

Agenda Bill Number:  
AB15-13

Agenda Item Type:  
Ordinance

Ordinance/Resolution Number:  
D15-13

Councilmember Sponsor:  
Donn Lewis

Agenda Subject:  
Revision to the City’s boundary to expand the corporate boundaries of unincorporated Pierce County to include portions of the 234th Avenue Court East right-of-way.

Full Title/Motion:  
A Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving the Revision of the Corporate Boundary of the City of Bonney Lake, Where It Coincides with Certain Portions of the Right-of-Way for 234th Avenue Court East, In Order to Fully Exclude said Areas from the Corporate Limits of the City.

Administrative Recommendation:  
Approve

Background Summary:  
The Washington State Department of Transportation (WSDOT) and Pierce County entered into a Standard Turnback Agreement, numbered TB3-0132, that provides for the transfer of right-of-way acquired for the SR-410 – 214th Ave. E to 234th Ave. E Widening project from WSDOT to Pierce County. Certain portions of the right-of-way for 234th Avenue Court East, associated with the widening project, are partially located within the corporate boundaries of the City of Bonney Lake and partially located in unincorporated Pierce County. The City and the County wish to revise the City’s boundary so as to expand the corporate boundaries of unincorporated Pierce County to include said right-of-way. The County has passed Resolution R2014-133 to effectuate this change. The next step is for the City to pass an Ordinance to formally revise the corporate boundaries accordingly.

Attachments:  
Pierce County Resolution No. R2014-133, exhibit & Ordinance D15-13

BUDGET INFORMATION

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BUDGET INFORMATION

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee:  Community Development  
January 20, 2015

Chair/Councilmember:  
Donn Lewis

Councilmember:  
Randy McKibbin

Councilmember:  
Jim Rackley

Consent Agenda:  
Yes  
No

COUNCIL ACTION

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

APPROVALS

Director:  
John P. Vodopich, AICP

Mayor:  
Date Reviewed by  
City Attorney:  
January 7, 2015
( if applicable):