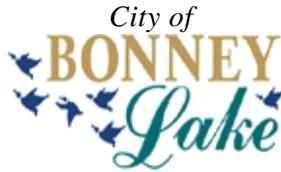


**CITY COUNCIL
WORKSHOP**

**October 20, 2009
5:30 p.m.**

AGENDA



"Where Dreams Can Soar"

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

Website: www.ci.bonney-lake.wa.us

The City Council may act on items listed on this agenda, or by consensus give direction for future action.

The council may also add and take action on other items not listed on this agenda.

I. Call to Order:

Mayor Neil Johnson @ Bonney Lake City Hall - 19306 Bonney Lake Blvd.

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

Expected Staff Members: City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.

III. Agenda Items:

- A. Presentation: Pierce Transit Tomorrow - System Redesign - Lind Simonsen, Community Relations Coordinator
- B. Tabled for Discussion and Action: AB09-158 - Resolution 1977 - A resolution of The City Council of the City of Bonney Lake, Pierce County, Washington, expressing opposition to Initiative 1033 - Concerns State, County and City Revenues.
- C. Presentation: AB09-155 Easttown Utility Latecomer Agreement (ULA)
- D. Council Open Discussion
- E. Review of Council Minutes: September 15, 2009 Workshop Minutes, September 22, 2009 Meeting Minutes and September 26, 2009 Special Meeting Minutes, October 6, 2009 Workshop Minutes, and October 13, 2009 Meeting Minutes.

IV. Executive Session:

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

V. 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.

**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> Exec / Don Morrison	<u>Workshop / Meeting Date:</u> 20 Oct 2009	<u>Agenda Bill Number:</u> AB09-158
<u>Ordinance Number:</u>	<u>Resolution Number:</u> 1977	<u>Councilmember Sponsor:</u> David King

Agenda Subject: A resolution of The City of Bonney Lake, Washington, expressing opposition to initiative 1033

Proposed Motion: A resolution of The City of Bonney Lake, Washington, expressing opposition to initiative 1033

Administrative Recommendation: Approve.

Background Summary: Initiative 1033 will appear on the ballot for the November 3 general election. I-1033 would limit the City's ability to keep increases in new revenues that surpassed a stringent limit, even those new revenues obtained via grants, donations, or new businesses paying sales tax, etc. See attached Resolution and PowerPoint presentation for more information. This item was tabled for discussion and possible action at the October 20, 2009 Council Workshop by Council action.

<u>BUDGET INFORMATION:</u>			
Budget Amount	Required Expenditure	Budget Impact \$3 million - \$6 million revenue loss over 6 years	Budget Balance
Budget Explanation:			

<u>COMMITTEE/BOARD REVIEW:</u>
Subcommittee Review Date: -
Commission/Board Review Date: -
Hearing Examiner Date:

<u>COUNCIL ACTION:</u>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled To Date: 20 Oct 2009

Signatures:

Director Authorization	Mayor	Date City Attorney Reviewed
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RESOLUTION NO. 1977

A RESOLUTION OF THE CITY OF BONNEY LAKE, WASHINGTON,
EXPRESSING OPPOSITION TO INITIATIVE 1033 – CONCERNS
STATE, COUNTY AND CITY REVENUES.

WHEREAS, Initiative 1033, appearing on the ballot for the November 3 general election, reads as follows:

Initiative Measure 1033 concerns state, county, and city revenue

This measure would limit growth of certain state, county, and city revenue to annual inflation and population growth, not including voter-approved revenue increases. Revenue collected above the limit would reduce property tax levies.

Should this measure be enacted into law?

WHEREAS, Initiative 1033 is similar to the Colorado “Taxpayer Bill of Rights (TABOR)” initiative, passed in 1992, which proved so detrimental to Colorado’s economy and that the voters voted to suspend it in 2005, as well as other ballot measures that voters have rejected in other states; and

WHEREAS, Initiative 1033 would adopt the rate of inflation as a limit on the growth of city revenues, even though factors such as construction costs, the costs of complying with new federal and state mandates, health care premiums for city employees, and unanticipated emergencies cause city expenses to rise significantly faster than inflation; and

WHEREAS, Washington state law already limits the rate of property taxes cities can charge to a small percentage of assessed property valuation, and also limits the overall growth of city budgets; and

WHEREAS, because of the current severe economic recession, city revenues are at historically low levels, forcing cut-backs in programs such as street maintenance, animal control, senior services, parks and recreation, code enforcement, and police and public safety services; and

WHEREAS, depleted city revenues will force furloughs and lay-offs of city employees, exacerbating the recession by increasing the number of unemployed workers; and

WHEREAS, Initiative 1003 would lock the city into a permanent recession by using current revenues to pace growth in subsequent years; and

WHEREAS, Initiative 1033 would allow local governments to ask voters to approve additional growth in revenues, but the City would have to pay the high costs of elections—an expense that ultimately would fall on taxpayers; and

WHEREAS, Initiative 1033 would not only cap the growth of revenues earned from property taxes, but also from other sources such as donations; license and land use application fees; and sales, gambling, B&O, and other taxes; and

WHEREAS, Initiative 1033 could therefore prohibit cities from using donations as intended or using licensing, land use, and other application fees to compensate for the city's costs of processing these applications; and

WHEREAS, Initiative 1033 could cause the City of Bonney Lake to lose an estimated \$3 million to \$6 million dollars in revenue over the next six (6) years depending on how the economy performs post-recession; and

WHEREAS, half of new revenues in the City generally go to support police and street maintenance services; and

WHEREAS, RCW 42.17.130 authorizes members of a City Council to express support for or opposition to a ballot proposition, and the City has complied with all notice and public participation requirements of this statute.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby resolve that Initiative 1033 would lock in permanent recession in city government, compromising services and programs for the citizens while serving as an inefficient, cumbersome, and fiscally irresponsible means of tax relief.

The Council therefore declares its opposition to Initiative 1033.

Passed this 20th day of October, 2009.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney



Initiative 1033

Impact on Bonney Lake

I-1033 General Information

The initiative seeks to:

- Limit growth in state revenues deposited in funds subject to state expenditure limit
- Limit growth in county and city revenues deposited into the county and city current expense funds
- Allow state, county, and city general fund revenues to grow by the rate of inflation and population growth
- Create a “Lower Property Taxes Account” into which revenues above the limit would be deposited into to reduce property taxes
- Allow for voter-approved revenues outside the limit



I-1033: Digging Deeper

- The new revenue limit base would be established during the worst recession in modern history where the City's revenues have already been reduced by \$1.3M
- Any time general fund revenue decreases a new and lower base year would be established
- Any negative change in inflation or population would further decrease the limit on revenues
- The revenue limit could not be increased to fund any new programs or services provided by the city (or mandated by the state or federal govt.) but would have to come out of existing limited revenue



OFM Fiscal Impact Statement

The Office of Financial Management was required to produce a fiscal impact statement. The OFM estimates that through 2015 Initiative 1033 will reduce general funds revenues by:

State	\$5.900 billion
Counties	\$.694 billion
Cities	\$2.100 billion

Total Impact \$8.694 billion



Fiscal Impact of I-1033 On Bonney Lake

Estimated Transfers to Lower Property Tax Account (LCPTA)

Year	Est. Revenues	Limit Revenues	Transfer Amt.
2009	\$12,222,285	\$0	\$0
2010	\$12,111,697	\$12,327,625	\$0
2011	\$12,660,539	\$12,563,869	\$0
2012	\$13,558,345	\$13,084,264	\$164,110
2013	\$14,776,664	\$13,639,455	\$523,185
2014	\$15,727,822	\$14,273,745	\$1,145,578
2015	\$16,687,219	\$14,937,374	\$1,329,656
Total Revenues Transferred (Lost)			\$3,162,529



This will have a major impact on police and street services, as these are the two largest General Fund operations. This estimate assumes a slow economic recovery through 2014. **If recovery returns to pre-2008 levels**, transfer amounts would be much greater (in the **\$4-6 million** Range).

Initiative 1033 (pro vs. con)

Pro

- *Citizens enjoy a reduction in property taxes paid to the state and city*
- *Voter control over rate of growth in general fund spending and service delivery*

Con

- *Effectively reduces available general fund revenues (42% now goes to police)*
- *Takes away the ability to manage the ups and downs of the economic cycle*
- *Limits City's ability to fund unanticipated costs and emergencies (floods, etc.)*
- *No incentive for economic development (all increased revenues would go to property tax relief account – even if there was no more property tax)*
- *Expanded service responsibilities (mandates) without the revenue source*
- *Costs of governmental services rise faster than the US implicit price deflator (e.g. Employee healthcare insurance premiums, construction)*
- *Would require costly votes to increase revenue base*
- *Creates a structural deficit as recurring revenues are less than expenses*



Unanswered Questions

- How and when will state regulatory agencies weigh in?
(State Auditor's Office, Attorney General, etc.)
- How will regulatory agencies interpret initiative language, definitions?
- Is the initiative constitutional?
- How will voter-approved bonds be honored?
- How will prospective bond investors respond to the prospect of the initiative?



**City of Bonney Lake, Washington
City Council Agenda Bill (C.A.B.) Approval Form**

<u>Department / Staff Contact:</u> PW / PW DIR GRIGSBY	<u>Workshop / Meeting Date:</u> 20 Oct 2009	<u>Agenda Bill Number:</u> AB09-155
<u>Ordinance Number:</u>	<u>Resolution Number:</u>	<u>Councilmember Sponsor:</u>

Agenda Subject: AB09-155 EASTOWN Utility Latecomer Agreement Presentation

Proposed Motion: AB09-155 EASTOWN Utility Latecomer Agreement (ULA) Presentation

Administrative Recommendation:

Background Summary: Discuss options and costs to extend the City Water and Sewer System into EASTOWN.

BUDGET INFORMATION:

Budget Amount	Required Expenditure	Budget Impact	Budget Balance
Budget Explanation:			

COMMITTEE/BOARD REVIEW:

Subcommittee Review Date: -
 Commission/Board Review Date: -
 Hearing Examiner Date:

COUNCIL ACTION:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 24 SEP 2009	Tabled To Date:

Signatures:

Director Authorization D. L. Grigsby	Mayor	Date City Attorney Reviewed
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EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

City Council Workshop - 20 October 2009 Presentation

1. Water Projects	<u>Appendix</u> A
2. Sewer Projects and Construction Contract Options	A-F
3. Water ULA Benefitting Properties	F-G
4. Sewer ULA Benefitting Properties	F, H
5. Project Cost Comparison and Draft Preliminary Assessment Rolls	I-J
6. Funding Alternatives	
7. Construction Plan of Action & Milestones (POAM)	
8. Temporary Commercial Septic System Agreement (TCSSA)	E
9. Enclosures	

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

1. Water Projects

- EASTOWN Water Service Purveyors – COBL, Valley Water, TPU
- Complete Water Extension in Three Phases:
 - ULA will construct two legs outside Compass Pointe Development.
 - CPD will connect two legs to form loop when development occurs.
- SR410 Leg:
 - From self storage unit to Compass Point Development at 121st Ave.
 - Much Cheaper for City to pay WSDOT during SR410 Project
 - Design Completed and preparing agreement with WSDOT
 - Will be completed in 2010.
- 96th Street Leg:
 - From 214th Ave to Compass Pointe Development (CPD) at 225th Ave.
 - Have been waiting for CPD to improve 96th Street.
 - Could install water line now but could require CPD to raise some sections when 96th Street improvements made.
 - Uncertain about what Pierce County will require CPD to do as road mitigation action. May not require 96th Street improvements.
 - Uncertain about what depth of fill on 96th Street will be until Pierce County sets speed limit for improved 96th Street.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

2. Sewer Projects and Construction Options

Possible Sewer Projects:

- a. Lift Station at CPD, 96th Street Pressure Line, LS 18 Upgrades
- b. Gravity Sewer Line East from Lift Station to 233rd Crossing
- c. Gravity Sewer Line South from Lift Station to 225th Ave Crossing
- d. Gravity Sewer Line West from Lift Station to Taheri Property
- e. SR410 Crossing at 233rd Avenue
- f. SR410 Crossing at 225th Avenue

Construction Contract Options

Option A: Lift Station Only

- Option B: Contract = Lift station + gravity sewer line to 233rd Ave Crossing
Option C: Contract = Lift station + all gravity lines on North side of SR410
Option D: Contract = Lift station + SR410 Crossings (No Gravity Sewer Lines)

Notes:

1. Options B and C allocates cost of all gravity sewer gravity lines equally to all property owners.
2. Option D allocates \$48K cost of SR410 crossings to all property owners.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

3. Water ULA Benefitting Properties

- Initially, included all properties in Water Service Area.
- Now, includes only properties likely to benefit from ULA:
 - 96th Street commercial development not allowed since in R10 zone.
 - Unlikely that parcels East of CPD will ever connect for one house.
 - Future extensions can create their own Latecomer Agreement(s).
- Reduced county parcels West of CPD on 96th Street from total acres to 1/3 acre each to reflect actual benefit:
 - Benefit limited to one house since in R10 zone
 - 1/3rd Acre ~ One house
- Added 5.67 acres for city parcel where PW Maintenance Facility will be built.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

4. Sewer ULA Benefitting Properties

- Sewer Lift Station – All Properties Benefit
- Gravity Sewer Lines – Benefits properties connected to those lines:
 - N-S and E-W on Compass Pointe Development (CPD)
 - East of CPD to 233rd Ave.
 - West of CPD to Taheri Property
 - South of CPD at SR410 crossings:
 - 225th Ave crossing collection area
 - 233rd Ave crossing collection area
- SR410 Sewer Line Crossings -
 - Benefits only properties on South Side of SR410; however:
 - Reduces Cost to Install during SR410 widening vs. boring later:
 - 233rd Ave crossing designed and under contract with SR410 by developer.
 - 225th Ave crossing needs to be designed and contract created with WSDOT by COBL.
 - Unique opportunity to construct during SR410 Widening Project:
 - Better to install in trench during SR410 widening contract than to bore under SR410 later.
 - Better price to have WSDOT construct during larger project.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

5. Project Cost Comparison

- **NOTE:**
 - Costs are for comparison of options. They are not actual construction or ULA total costs that include financing, administration, permits, etc.
 - Construction contract must use prevailing wages if City funding is used.
 - City Council can make decision on ULA scope using estimated costs.
- **Planning and Design Costs:**
 - 15% of Engineer's Cost Estimate for construction.
 - To be validated by City Engineer.
- **ROW-Easement Costs**
 - Normally, utility easements and ROW are dedicated to the City during development without charge to the City.
 - Water ULA: No cost since in existing road right of way.
 - Sewer ULA:
 - Sewer Lift Station – Small area required on CPD next to 96th Street.
 - SR410 Crossings – No cost charged by WSDOT.
 - Gravity Sewer Lines:
 - Some property owners have indicated they desire payment for utility easement and ROW of public-private roadways.
 - North-South public ROW-Easement = 57 ft. width x \$16/s.f.
 - East-West private ROW-Easement = 41 ft. width x \$16/s.f.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

Construction Cost Comparison

Cost Comparison Element	Option A	Option B	Option C	Option D	Option E
I. Lift Station, Pressure Line					
Parcel for Lift Station [(70 ft. x 70 ft. @ \$16/s.f.) + \$20K Appraisal]	\$98,400	\$98,400	\$98,400	\$98,400	\$0
ROW-Easement [(41 ft. or 57 ft @ \$16/s.f.) + Appraisal]	\$0	\$3,051,216	\$3,890,576	\$0	\$0
SEPA -- Environmental -- Wetland Mitigation for Gravity Sewer Lines	\$0	?	?	\$0	\$0
Design (Not To Exceed 15% of Construction Cost Estimate)	\$201,000	\$294,939	\$317,064	\$205,973	\$192,300
Construction	\$1,742,000	\$2,556,138	\$2,747,888	\$1,785,095	\$641,000
TOTALS	\$2,041,400	\$6,000,693	\$7,053,928	\$2,089,468	\$833,300

Sewer ULA: Total Acres = 171.07

Water ULA: Total Acres = 47.24

Total Project A	Option A	Option B	Option C	Option D	Option E	D+E
	\$2,041,400	\$6,000,693	\$7,053,928	\$2,089,468	\$833,300	\$2,922,768

Less ROW-Easement \$0 \$3,051,216 \$3,890,576 \$0 \$0

Total Project B
(w/o ROW-Easement \$) \$2,041,400 \$2,949,477 \$3,163,352 \$2,089,468 \$833,300 \$2,922,768

Project A \$/Acre = \$11,933 \$35,078 \$41,235 \$12,214 \$17,640 \$17,085

Project B \$/Acre = \$11,933 \$17,242 \$18,492 \$12,214 \$17,640 \$16,094

6. Funding Alternatives:

- Utility Revenue Bond --- Utility fund SDC use --- Loan between utility funds??

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

7. Construction Plan of Action & Milestones (POAM):

- **20 OCT 2009** - City Council Decision on City ULA scope.
- **21 OCT** – Initiate SEPA process.
- **21 OCT** - Initiate preparation of utility revenue bond.
- **???** - Establish location of public-private roads.
- **???** - Acquire written designation-dedication of road locations.
- **???** – Complete designs for gravity sewer line construction.
- **15 DEC** – Complete agreement with developers participating in ULA.
- **29 JAN 2010** - Complete design(s) for lift station and 225th Ave. crossing.
- **02 FEB** – Complete contract with WSDOT to construct 225th Ave. crossing.
- **02 FEB** – Establish preliminary assessment roll.
- **16 FEB** – Workshop to discuss ULA progress.
- **17 FEB** – Provide guidance to bond underwriter to prepare ULA Bond.
- **02 MAR** – Hold Public Hearing to discuss Assessment Roll.
- **16 MAR** – City Council approves sale of Revenue Bond and ULA creation.
- **17 MAR** – Final date for property owner pre-payment of assessment.
- **17 MAR** – Construction contract advertised.
- **31 MAR** – Construction contract bid opening.
- **13 APR** – Bond funding available for use.
- **20 APR** – Award construction contract.
- **13 SEP** – Public Hearing for Final Assessment Roll and Council Approval.
- **29 OCT 2010** – Construction contract completed.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

8. Temporary Commercial Septic System Agreement (TCSSA)

- Property owners want revenue from properties while waiting for City sewer system to be extended to their property.
- BLMC requires connection to City sewer system; TCSSA ordinance required.
- City building permit can be delayed until connection to City sewer system.
- Septic System Permits are issued by Tacoma-Pierce County Health Dept.
 - Separate agreement between City and each property owner for TCSSA.
- Approval could result in smaller businesses being built on smaller parcels.
- Increased cost to property owners to build and decommission TCSSA.
- Prospective Conditions for the City to approve use of TCSSA:
 - Property owner would agree to connect to the City sewer system when it reaches their property line and extend it across their property in ROW.
 - Property owner would designate easement or dedicate ROW for future East-West frontage road or North-South public roads on their property.
 - Property owner would agree to construct frontage road, when they develop, where they have designated-dedicated the ROW in their TCSSP.
 - Create binding agreement between COBL and property owner.

EASTOWN Utility Latecomer Agreement (ULA) Establishment

15 October 2009

9. Enclosures:

- A. ULA Water and Sewer Construction Options – PROs and Cons**
- B. 11 Aug 09 LTR from property owners south of SR410 at 225th Ave. –
Include 225th Ave. Sewer Crossing in ULA**
- C. 24 Sep 09 Notes from Public Meeting – Q & A from property owners.**
- D. 29 Sep 09 LTR from United Group of Seven - Easement-Frontage Road**
- E. 5 Oct 09 LTR from Group of Eight - Temporary Commercial Septic
System Permit**
- F. MAP of EASTOWN Parcels**

Options for Use of Utility Latecomer Agreement (ULA) in Eastown

15 October 2009 ---- Page 1 of 3

Option

- A Sewer Lift Station; Pressure Line to 214th Ave; and Upgrades to Lift Station 18
- B Option A plus: sewer gravity line from lift station to and under SR410 at 233rd Ave
- C Option A and B plus: sewer gravity line from sewer lift station to and under SR410 at 225th Ave.
- D Option A plus: construct sewer casings/pipes and two sewer manholes underneath SR410 at 225th Ave and 233rd Ave
- E Include cost of extending water system to Compass Pointe Development along SR410 and 96th Street

Option A Sewer Lift Station Only

PROs:

- 1 Provides access for all property owners to City Sewer System
- 2 Minimum project scope and cost to the City. Does not construct gravity lines or crossings under SR410.
- 3 Only one ULA rate (\$ per acre) would apply to all property owners

CONS:

- 1 Requires property owners to extend gravity sewer system from their property to the sewer lift station at their cost.
- 2 Property owners on south side of SR410 must bore under SR410 if sewer line is not installed during SR410 widening
- 3 Construction of sewer pressure line to 214th Ave prior to 96th Street reconstruction will result in Compass Pointe developer raising this line when their development moves forward. However, raising an HDPE pressure line is much less costly than a comparable gravity line with manholes.
- 4 Developers at East end of Eastown would need to cross other properties to reach the lift station. They may want to create a separate Latecomer Agreement to recover their costs from these property owners. However, they could reach their own agreement without involving the City in a Latecomer Agreement.

Other Issues:

- 1 Need to hire consultants to create a bond to fund this latecomer agreement.
- 2 How much additional work is required on sewer lift station design once next submittal is received from Compass Pointe developer?
- 3 Compass Pointe will need to dedicate land on which to build the lift station and easement for the pressure line.
- 4 City will share funding costs with two developers.

Options for Use of Utility Latecomer Agreement (ULA) in Eastown

15 October 2009 ---- Page 2 of 3

Option B Sewer Lift Station plus gravity line to property owners on North side of SR410 and East of Compass Pointe.

PROs:

- 1 Provides access to City Sewer System for all property owners East of Compass Pointe. Can develop without waiting for other properties to develop first or concurrently.
- 2 Design of the sewer gravity line is already underway and the developer has reached agreement with WSDOT to install sewer line under SR410 at 233rd Ave. during widening project. Design would be completed 4-6 weeks after City Council approves funding

CONs:

- 1 Installing gravity lines under existing undulating ground elevations will result in very deep manholes (over 25 ft.). Best to wait until developments complete cut and fill earthwork.
- 2 If charged for these easements/ROW, large cost increases will result and the formal purchase process will add significant time and consultant costs.
- 3 City would assume responsibility for complying with all SEPA requirements. Determination of mitigation actions may cost significant time and money.
- 4 Runs risk of many smaller developments rather than larger ones that encourage bigger businesses.

Other Issues:

- 1 Determination of benefit and cost sharing will be based on number of acres each property has.
- 2 Property Owners will need to agree to location of frontage road ROW location prior to finalizing development agreements.
- 3 Compass Pointe developer would need to lock in location of East-West, North-South public streets and frontage roads.
- 4 Need to hire a consultant to create a bond to fund this latecomer agreement.
- 5 May extend this E-W line to Taheri property West of Compass Pointe Development.

Option C Sewer Lift Station with two gravity lines that cross SR410 at 225th Ave and 233rd Ave.

PROs:

- 1 Provides maximum access to property owners. Property Owners can immediately develop without waiting for other developments.
- 2 Minimizes capital costs Eastown property owners/developers.
- 3 Developer already has design of sewer line crossing under SR410 reviewed and approved by WSDOT.
- 4 Compass Pointe developer would need to lock in location of East-West, North-South public streets and frontage roads.

CONs:

- 1 Same CONs as Option B.
- 2 Most expensive option to City with most risk in construction delay and cost increases.
- 3 Would require City to expedite design and review/approval of design by WSDOT for 225th Ave. Crossing.

Other Issues:

- 1 Need to hire consultants to create a bond to fund this latecomer agreement.
- 2 Property Owners will need to agree to location of frontage road ROW location prior to finalizing development agreements.
- 3 Compass Pointe developer would need to lock in location of public streets and frontage road.
- 4 Determination of benefit and cost sharing will be based on number of acres each property has.

Options for Use of Utility Latecomer Agreement (ULA) in Eastown

15 October 2009 ---- Page 3 of 3

Option D Construct sewer lift station and sewer casings under SR410 at 233rd Ave and 225th Ave. No gravity lines built by City.

PROs:

- 1 Provides Access for all property owners to City Sewer System
- 2 Other than option A, provides least expensive scope, risk, and cost to City
- 3 Minimizes cost of crossing SR410 to City or property developers; Avoids additional cost to bore by installing during SR410 widening contract.
- 4 Construction of sewer line under SR410 at time of SR410 widening would result in more accurate finish elevations of the sewer line than boring would.
- 5 Avoids risk of boring hitting obstruction and damaging SR410 or needing to be redone at a different location.
- 6 Do not need to lock in location of frontage roads or Compass Pointe roads at this time.

CONs:

- 1 Would require City to expedite design and review/approval of design by WSDOT for 225th Ave. crossing.
- 2 Minimal cost increase to Option A.

Other Issues:

- 1
- 2 Need to hire a consultant to create a bond to fund this latecomer agreement.
- 3 May require change order to WSDOT contract to add this project to their scope of work after contract award.

Option E ULA would include cost of extending City water lines to Compass Pointe Development next to SR410 and 96th Street

PROs:

- 1 City had verbally agreed to pay for cost to extend these two water lines if Compass Pointe built the sewer lift station. Use of a Latecomer Agreement to construct the sewer lift station voids this verbal agreement.
- 2 Since some property owners adjacent to 96th Street are included in the Latecomer agreement, the cost to all would be reduced.

CONs:

- 1 Would result in higher ULA charge for property owners that benefit from both water and sewer extensions.
- 2 Would probably not extend the water line along 96th Street until the road is raised as part of the Compass Pointe project.

Other Issues:

- 1 Have not included all property owners on 96th Street since connection unlikely in twenty years West of Compass Pointe.
- 2 Determination of benefit will be based on number of acres each property has.
- 3 Need to hire consultants to create a bond to fund this latecomer agreement.

From: EASTOWN, PROPERTY OWNERS SOUTH OF S.R. 410

To: the City of Bonney Lake, WSDOT

We are seeking elevations for a sewer casing to be placed under S.R. 410 at about 225th. We are also urging that Late Comer's legislation be adopted by the City. We request that the City address this issue and accelerate its activities to help us achieve this goal. We request specifically that Mr. Grigsby be given as much efficient speed as possible to satisfy requirements and speed the City's review. We suggest that Sewer Infrastructure Funds be used for the casing and reimbursed to the City under a late-comer's agreement.

Milton Till
Milton Till

8/9/09

Helene Jones 8/10/09
Helene Jones

Imogene Till 8/9/09
Imogene Till

Vincent McCarthy 8/10/09
Vincent McCarthy

Donna Rowell 8-10-09
Donna Rowell, for the Ogle
Estate

Eastown Utility Latecomer Agreement Meeting

24 September 2009 - Meeting Notes

Start: 5:30 pm Finish 7:20 pm

Public Works Director Dan Grigsby provided information on the recent new legislation that allows cities to participate in Utility Latecomers Agreements (ULA). He explained how LIDs and ULAs differed. The ULA could provide a way to extend water and sewer systems into the Eastown area with costs charged to benefiting property owners. This option does not require property owners to pay anything until they develop their property and hook up to the water and/or sewer system. Director Grigsby reviewed the water and sewer utility Urban Growth Area (UGA) and Comprehensive Urban Growth Area (CUGA) demonstrating what areas within Eastown can have sewer and water coverage provided to them by the ULA process.

Director Grigsby further explained how the process works and a timeline for a ULA. He presented 5 different options and cost comparisons for each option.

During this presentation many questions and answers ensued.

A recap of these questions:

Q: What is the process on determining the rates for ULA participants and specifically how interest is calculated?

A: Grigsby reviewed the process COBL would follow in financing the ULA with a Revenue Bond based on benefiting participants and the assessment roll for determination of costs. Interest is based on COBL bond rating and current market interest rates.

Q: Is there any plans or opportunities to have 96th Street annexed into the COBL?

A: None currently. However water is made available, but, 96th Street is not within the CUGA or UGA area so sewer is not available.

Q: In areas not within the CUGA & UGA, is it possible for future annexation?

A: County issue. At this time appears to be 20 year away.

Q: In this project there are currently two water extensions that will occur. Will this benefit the existing water system?

A: Grigsby discussed “commercial vs. residential” benefits. Cost allocation should show less benefit to R10 vs. C2/C3. E.g. County vs. COBL.

Q: Inquiry on what are the fees for hooking up to the water or sewer system through an ULA?

A: Latecomers Fees, System Development Charge (SCD), costs incurred to run linear lines from side sewer/water in right-of-way to house, Septic tank decommissioning and abandonment (sewer only) and monthly water/sewer rates (adjusted annually)

Q: A resident from North Eastown inquired/statement that 4 years ago residents voted for annexation into COBL and addressed their frustration with the lack of COBL follows through.

A: Grigsby addressed that at that time he presented the Council the proposal from Eastown residents. It is a Council decision, the governing body to decide on pursuing annexation and not at a director level. It is in 2009 that new legislation has made it possible for a municipality to participate in an ULA. Prior to this it could only be developer driven. He also noted that his role of the Public Works Director is not to be an advocate for individual developer or property owners. Rather it is to complete the sewer lift station project as quickly as possible.

Q: Inquiry of what road improvements for 96th will be required?

A: Pierce County determines this: Rick Gienger indicated that none may be required of his development.

Q: Inquiry on what effect water & sewer extensions will have on storm retention.

A: None; however WSDOT's upcoming road widening will include 3 new storm water ponds.

Comment for FYI: Property owners of lots 96, 97, 98 noted they are hooked up to Tacoma Water System (TPU). PW Director will remove their properties from the equations.

Comment for FYI: Property owner of lot 65 noted they are hooked up to Valley Water System. No impact on water ULA equations.

Q: What will be the impact of development of WSU forest on sewer lift stations?

A: Public Works Director has reviewed with developer and is currently reviewing options and in continued discussions with Quadrant.

Q: Is there capacity for Eastown reserved?

A: PW Director- no, strictly based on first come first served, triggered by building permit application and Developer Extension agreement execution.

Grigsby reviewed that current capacity plans have a 2014 expansion of the Sumner WWTP and there should be ample capacity currently to cover UGA & CUGA areas until that time. He also noted that the Southern Sewer Service Area is currently on a 5 year moratorium until Plateau 465 decides to renew development.

Q: Would the developer projects on 96th Street water line benefit the fire hydrants?

A: Yes. This could help reduce insurance costs.

Q: When would a property owner pay latecomers fees?

A: At the time of hook up to the system.

Q: What is the plan for frontage road location?

A: To be determined by property owners/developers.

Q: How does the City recoup money to pay of bonds?

A: Collection of latecomer's fees (which are based on the final assessment roll).

PW Director Grigsby continued after the public meeting ended and answered questions from individuals until 8pm.

**UNITED GROUP OF SEVEN SR410/Eastown
Commercial Property Owners
September 29, 2009**

TO: City of Bonney Lake, Mayor Johnson, Deputy Mayor Swatman,
City Manager Morrison, City Council Members,
and Public Works Director Dan Grigsby.

Ladies and Gentlemen,

The undersigned northside SR410/Eastown commercial property owners, do hereby renew our ongoing requests to obtain sewer infrastructure for Eastown at the earliest possible time.

All of us attended the ULA meeting, headed by Dan Grigsby, on September 24, 2009. Since then, we have met privately, and come to a **unanimous agreement** on partial Eastown sewer infrastructure completion at this time.

Therefore do we now UNANIMOUSLY come to the City, requesting that the ULA be **implemented AT THIS TIME**, including Options A, B, D, and E. (which we voiced verbally to Mr. Grigsby at the 9/24/09 ULA Meeting).

We respectfully request that **“Plan “B”** be included at this time, as item #8 on page (1) of (4) of the ULA Schedule is written on the **“Gravity Sewer Line”**.

Let the record show, that we undersigned property owners, have agreed to designate **both the sewer and frontage road easements at this time, provided that:**

1. The City includes the Plan “B” gravity sewer line funding from the Plan “A” lift station to 234th and SR410 (called the Stobie plan) at this time.
2. The City delay putting together the final project cost estimates and funding, until both Plans’ “A” and “B” have been submitted by the parties, then approved by the City. Then the opportunity for our groups to have the option to submit our own professionally undertaken cost estimates for the funding and completion of these projects.
3. The final completion and project construction awards not be undertaken until we have reviewed, and approved them by majority vote of the property owners listed herein.
4. The exact location of the sewer and frontage roads locations be determined **“at a mutually agreeable future time”**, again, by majority vote approval of the parties herein.

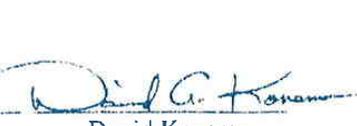
Special Note:

We would ask that the City direct its' comments or questions to David Kosmo, at (253) 735-1044, on these matters for the benefit of the Group of Eight Eastown property owners, including Bob Stobie, so we can timely monitor and respond to any/all questions the City may have prior to APPROVING the requests presented herein.

Respectfully submitted this 29th Day of September, 2009


David Bowen


Roger Watt


David Kosmo


Donna Kosmo


Delores Magruder


Mark Clinkingbeard


Kathy Clinkingbeard


Mary Miller


Joel Clark

CLARK Family Holdings LLC

COPY

DAVID A. KONSMO
P.O. Box 1962
Auburn, WA. 98071-1962
(253) 735-1044

October 5, 2009

City of Bonney Lake
Community Services Committee
P.O. Box 7380
Bonney Lake, 98390-0944
Phone: (253) 862-8602
Fax: (253) 862-8538

Attn: Chairman, Jim Rackley, and Members David Bowen and Dan Decker
RE: Eastown Group of Eight Eastown Property Owners' Request for the
City "TO APPROVE a Septic Variance for Eastown".

Dear Chairman Rackley, and Committee Members Bowen and Decker,

Thank you for providing me the opportunity to speak to this committee on the Septic Variance issue on behalf of our fully united Eastown group of property owners.

First, as I am sure you are all aware, our group has been fully united on Eastown commercial property development. Last week, we presented the City with our **united request** for the City to include our alternate Plan "B" sewer plan, a/k/a the Stobie Plan, to be INCLUDED in the ULA sewer infrastructure funding, along with the Plan "A" sewer lift station and force main. (to be undertaken simultaneously, not in piece meal stages as some are trying to do)

Let the record show, that every property owner on the north side of SR410, from the Compass Point/French/Gienger-Frey property, east, all the way to 233rd, then across the street to the corner of 234th and SR410 at the Stobie property, have **AGREED UNANIMOUSLY** on development of their Eastown commercial property at the earliest possible time.

But each and everyone of us are fully aware, that this will not happen overnight. So to ensure that our present and many year property owners can use their property commercially now, which land use zoning was provided to them in late 2001, **we all hereby request** that the City **IMMEDIATELY APPROVE** the request on the table for a **septic variance approval!**

PAGE 1 OF 2 10-5-2009

Each Eastown property owner is aware that they will be REQUIRED to disconnect these temporary on-site sewage systems when the City sewer is installed and fully operational. And they understand that they will have to do so “as the Pierce County Health Department requires”. And that they will have to spend a substantial amount of money for this temporary on-site sewage system.

Granting this septic variance request will do no harm to the environment, and will be overseen by the Pierce County Health Department. But this temporary approval “will stop the substantial loss of financial benefits these Eastown property owners have suffered over the last (8) years due to not being able to use their property as land use zoning laws allow”.

Let each property owner determine whether it is cost effective for them to use a septic system on their respective commercial land parcels, while the City goes about facilitating the requested sewer infrastructure for Eastown that all have requested.

Therefore, our group again, UNANIMOUSLY, **hereby requests** that the City of Bonney Lake first approve the septic variance now being considered.

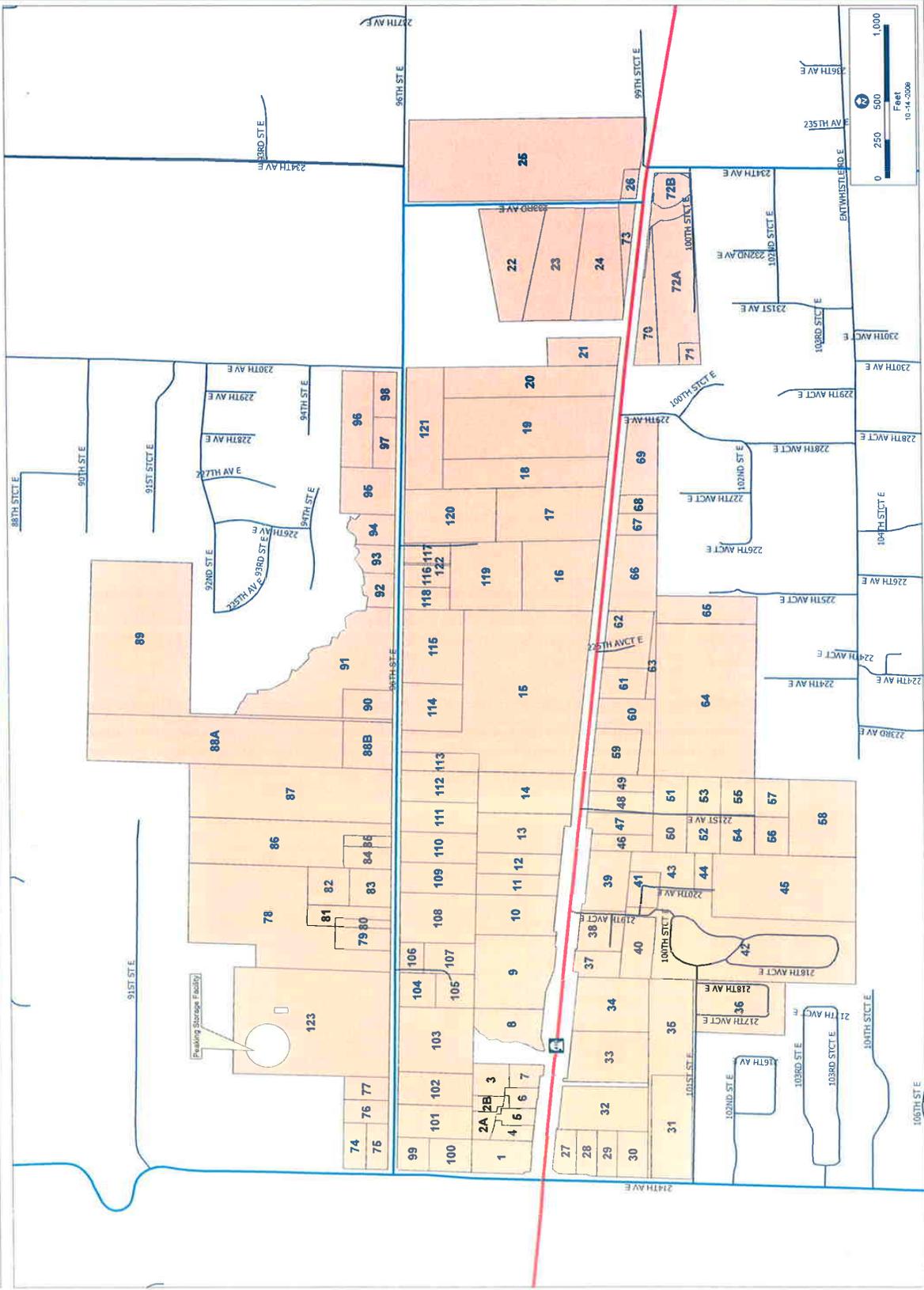
And then, to immediately thereafter, complete both the Plan “A”, and “B” sewer infrastructure sewer plans for Eastown, via the ULA system of public/private financing.

Again, I thank you for the opportunity to present this request to this committee on behalf of the utmost majority of all Eastown property owners.

Respectfully submitted,

DAVID A. KONSMO, on behalf of the Group of Eight Property Owners

EASTOWN PARCELS



CITY COUNCIL WORKSHOP

September 15, 2009
5:30 p.m.

DRAFT MINUTES

City of



"Where Dreams Can Soar"

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Website: www.ci.bonney-lake.wa.us

Audio Time Stamp ↓

I. Call to Order:

Deputy Mayor Dan Swatman called the Workshop to order at 5:35 p.m. The Workshop location was moved to the Bonney Lake Public Works Shops modular located building behind City Hall, due to a jury trial that was in progress in the City Council Chambers.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton and Councilmember James Rackley. Councilmember David King arrived at 5:37 p.m. and Mayor Neil Johnson, Jr. arrived at 5:39 p.m.

[Staff Members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Assistant Police Chief Dana Powers, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney James Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

III. Agenda Items:

Deputy Mayor Swatman asked the Council to move Open Discussion to the last item, as Mayor Johnson would arrive late to the Workshop.

A. ~~Council Open Discussion:~~ *Moved to the end of the agenda; see below.*

5:36 p.m.

B. **Review of Council Minutes:** September 1, 2009 Workshop and September 8 2009 Meeting.

Councilmember Carter asked the September 1, 2009 minutes, p. 2, be revised to read "the entire Puyallup River, not just the ~~Southern~~ lower end." The minutes were forwarded with corrections to the September 22, 2009 Meeting.

5:37 p.m.

C. **Discussion:** AB09-120 – Ordinance D09-120 – Multi-Family Sewer SDC Rates.

City Administrator Don Morrison said he provided materials for the Council to consider how to set the multi-family sewer System Development Charges (SDCs). He presented several options to determine what percent of the single-family rate (\$9,099) to charge per multi-family unit. Options include using the number of bedrooms, unit size (square footage) or a certain dollar amount per square foot to calculate rates. Another option would be to base the rate on the number of fixtures in the unit. The agenda materials included estimates of charges for each option and correspondence from area developers on the draft ordinance. The proposed ordinance clarifies that SDC charges are due at the time of building permit

application and would be retroactive to begin June 1, 2009 and sunset in December 2011, the same as other recently approved incentive ordinances.

Councilmembers discussed the options and which would be easier for staff to implement and track. They also discussed how the ordinance can offer incentives for increased development of higher density residential areas in the City, and specifically along SR 410. Mayor Johnson said area 3-bedroom multi-family units are already viable for developers, but smaller units are less marketable and should be a target for incentives. Council consensus was to move an ordinance forward using the number of bedrooms to determine SDC rates (Option 1). The proposed SDC rate for each multi-family unit moved forward was:

- A) 50% of \$9,099 per dwelling unit for studio units;
- B) 60% of \$9,099 per dwelling unit for 1 bed/bonus room units;
- C) 70% of \$9,099 per dwelling unit for 2 bed/bonus room units;
- D) 80% of \$9,099 per dwelling unit for 3 or more bed/bonus room units.

Council consensus was to make SDC charges due at the time of building permit application, which is in line with other aspects of the permitting process and fees. The proposed ordinance was forwarded to the September 22, 2009 Meeting for consideration.

6:01 p.m.

A. **Open Discussion:** (*Moved from the start the of the Workshop; see above.*)

Beautify Bonney Lake: Deputy Mayor Swatman said Beautify Bonney Lake's annual event is Saturday, September 19, 2009 at various locations around the City. Mayor Johnson encouraged participation, and said Deputy Mayor Swatman and Councilmembers Carter, King and Rackley planned to take part, but he and Councilmembers Hamilton and Decker were unable to attend.

Eastown Sewer: Councilmember Bowen said some Eastown residents have told him he has not pushed hard enough to get an option for development on septic systems for Eastown properties. He said the discussions had been postponed while staff works on a timeline for sewer development, and the Council would continue discussions in October once more information was available. Mayor Johnson confirmed that Public Works Director Dan Grigsby and his staff are setting up meetings and working on a tentative timeline and discussions would continue.

Local Businesses: Councilmember Carter reminded everyone to shop Bonney Lake first, and said local restaurants Hop Jacks, Andre's Bar & Grill and CJ's Deli all had write-ups in local newspapers recently.

Tree Cutting Training: Councilmember Carter asked if training on proper tree-cutting could be made available to residents.

Teleconferencing Options: Councilmember Carter asked if teleconferencing technology could be used for boards and commissions to let Commissioners and Board members who are unable to attend meetings to still take part and vote. City Attorney Dionne said the City Council rules say this alternative should only be used in extraordinary circumstances. He said the Planning Commission is not subject to the Council rules & procedures, so it is not clear whether they should or should not consider allowing members to attend meetings via teleconference. He

said his preference is that this option should never be used unless there are special circumstances, and it should not be considered until such a situation arises.

IV. Executive Session: None.

6:07 p.m.

V. Adjournment:

At 6:07 p.m., Councilmember Rackley moved to adjourn the workshop. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to the Council Workshop of September 15, 2009: None.

CITY COUNCIL MEETING

**September 22, 2009
7:00 P.M.**

DRAFT MINUTES



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Website: www.ci.bonney-lake.wa.us

Audio Time Stamp ↓

I. 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:

City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Planning Manager Heather Stinson, Chief Financial Officer Al Juarez, Administrative Services Director/ City Clerk Harwood Edvalson and City Attorney Jim Dionne.]

C. Announcements, Appointments and Presentations:

1. Announcements:

Mayor Johnson said a Special Council Meeting is scheduled for Saturday, September 26, 2009 at 12:30 p.m. for one hour at the Bonney Lake Senior Center, where the Council will meet with Congressman Dave Reichert. He said since there is limited time available to talk with the Congressman, the meeting will be in workshop format with Councilmembers asking questions. He asked citizens to submit their questions to their Councilmembers or Executive Assistant Brian Hartsell prior to the meeting. He said if citizens wanted to invite the Congressman back for a district meeting where citizens could ask questions, they should let him know.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications: None.

7:04:20

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Keith Proctor, 29603 137th St Ct E, Buckley, is the chair of the AFSCME labor union and said they have been working on the furlough resolution with the Mayor. He said the union has some concerns, but has worked hard to find solutions with the Mayor,

City Administrator and Human Resources Officer. The AFSCME union is meeting on Thursday, September 24, 2009 to vote on the Memorandum of Understanding that Council is considering tonight as Resolution 1973. He said his group is concerned about potential lay-offs and he hopes the Council will take into consideration the work the union has done if lay-offs become necessary in the future. Mayor Johnson said the AFSCME group has been very proactive to get things done and he appreciates their attitude and work ethic.

- C. Correspondence: None.

7:07:34

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed Resolution 1971 (Sumner Interlocal); reviewed minutes, and Resolution 1973 (AFSCME memorandum of understanding).
- B. Community Development Committee: Councilmember Rackley said the committee met on September 14, 2009 and discussed a City pea patch, water availability on the Reed property, and options for a utility latecomer's agreement in Easttown. Public Works Director Dan Grigsby has scheduled a meeting with Easttown property owners on Thursday, September 24, 2009 at 5:30 p.m. at the Public Safety Building. The Committee moved AB09-147 to this evenings agenda and Resolutions 1967 and 1968, AB09-144 and AB09-145 to the October 13, 2009 Meeting consent agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on September 14, 2009 and discussed revisions to the park ordinance. The Police Department will review the revised ordinance and then forward it to the Council. Assistant Fire Chief McDonald spoke about possible fire suppression requirements for new single-family homes. The committee also forwarded a proclamation for Domestic Violence Month to the October 13, 2009 Council Meeting.
- D. Other Reports:
- Rainier Cable Commission: Councilmember Rackley attended the RCC meeting on September 16, 2009. The dues for next year will be reduced by 75%, which will save the City of Bonney Lake about \$15,000.
- Pierce County Regional Council: Councilmember Rackley attended the PCRC meeting on September 17, 2009, which included a public hearing on amendments to the comprehensive plan.
- Beautify Bonney Lake: Councilmember Carter said over 500 people participated in the annual event for Beautify Bonney Lake on September 19, 2009. She thanked all the students, employees and residents who took part. Councilmember King asked the Mayor and BBL for a more formal report on the activities and participants so suitable recognition can be made for everyone who participated, including City staff members. He said he wished the event could happen twice a year. Mayor Johnson said he would ask for a full report and said he would definitely discuss the possibility of having more than one event a year. He thanked everyone for taking part,

particularly Lillian McGinnis and Gary Leaf. Councilmember Rackley said he worked with a team of kids who live in the valley and they did a great job.

Mayor Johnson said that one person had signed up to speak on the Consent Agenda, and should have been given time to speak during Citizen Comments. He invited Michael Corliss to speak on Consent Agenda Item C., Ordinance D09-120.

Michael Corliss, 1302 Puyallup St, Sumner, gave Councilmembers copies of a presentation on multi-family sewer SDC rates. He thanked the Mayor and Council for the work they have done on SDC charges to reduce charges for smaller apartments. His presentation shows the difference between a 4,000 square foot house versus a 500 square foot apartment, where the cost of construction is 14% for apartments but only 1% for a house. He said the average home size in Bonney Lake is about 2,250 square feet. He calculated that \$4 per square foot for SDC rates would generate the same revenues for the City and be more equitable.

Councilmembers asked if the proposed ordinance will make building smaller units more attractive, and how Bonney Lake compares with other cities. Mr. Corliss said the proposed ordinance computes to about \$6 per square foot for apartments, which is still a higher burden for multi-family units and is still about 2 times higher than nearby cities like Sumner and Puyallup. He said the reduction helps and he appreciates the Council's work but feels a lower per-square-foot rate would be more appropriate. Councilmember Hamilton expressed frustration that Bonney Lake's rates are higher than Sumner's even though both cities use the same sewer treatment plant and are supposed to share those costs evenly. Councilmember King noted that the proposed ordinance was revised at the previous workshop to lower per-bedroom rates, so Mr. Corliss' calculations may need to be revised as well.

7:23:41

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** September 1, 2009 Workshop and September 8, 2009 Meeting.
- B. **Approval of Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #56740 thru 56779 in the amount of \$192,268.43. Accounts Payable checks/vouchers #56780 thru 56781 for A/R refunds in the amount of \$955.14. Accounts Payable checks/vouchers #56782 for a Utility refund in the amount of \$185.60.
- C. **AB09-120 – Ordinance 1333** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Chapters 13.12.010, 13.12.100, and 13.12.105 of the Bonney Lake Municipal Code and Ordinance Nos. 1230; 1221; 1207; 1094; 1083; 968; 919; 787; 571c; and 561 Relating to the Calculation of Sewer System Development Charges.
- D. **AB09-137 – Resolution 1963** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the Appropriate Paperwork Securing the Grant Monies from the State of Washington Pedestrian and Bicycle Safety Grant Program.

- E. **AB09-139 – Resolution 1965** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Agreement with Qwest in the Amount of \$253.80 per Month and One-Time Install Fee in the Amount of \$680.00 for a Minimum Subscriber Service Term of 36 Months with Term Beginning on Date of Service Installation October 1st, 2009.
- F. **AB09-140 – Resolution 1966** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Agreement with Netversant to Install 6-Strand Single Mode Fiber Optical Cable from City Hall to the Public Safety Building and 6-Strange Single Mode Fiber Optical Cable from City Hall to the Allan Yorke Park Public Radio Shelter for \$52,127.27.
- G. **AB09-142** – A Motion of the Bonney Lake City Council Adopting the Proposed Technical Corrections to the 2008 and 2009 City Council Minutes.
- H. **AB09-147** – A Motion of the Bonney Lake City Council Authorizing the City to Submit an Application for a Puget Sound Energy and/or Energy Efficiency Community Block Grant.

**Councilmember Rackley made a motion to approve the Consent Agenda.
Councilmember Decker seconded the motion.**

Motion approved 7 – 0.

7:23:59

V. FINANCE COMMITTEE ISSUES:

- A. **AB09-149 – Resolution 1971** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Interlocal Agreement with the City of Sumner for Temporary Project Management/Inspection Services.

Councilmember Decker moved to approve Resolution 1971. Councilmember Bowen Seconded the motion.

City Administrator Morrison said Sumner asked Bonney Lake for assistance on a couple of large projects and staff have the time and expertise, so the agreement is mutually beneficial.

Motion approved 7 – 0.

- B. **AB09-152 – Resolution 1973** – A Resolution of the City of Bonney Lake, Pierce County, Washington, Authorizing Mayor Johnson to Sign a Memorandum of Understanding Between the City of Bonney Lake and the AFSCME Local #120 Union.

Councilmember Decker moved to approve Resolution 1971. Deputy Mayor Swatman seconded the motion.

Human Resources Officer Jenna Young said the proposed resolution would allow a furlough program for the AFSCME Local #120 Union. She said the MOU provides that all union members would take six furlough days and could take additional days

up to twelve days maximum. The process is similar to the recently adopted ordinance for non-represented employees. Mayor Johnson said this item is part of the City’s budget savings package. He thanked AFSCME for their leadership and coming forward to work with the City. Councilmember Rackley also thanked the union for their support and said it will not be forgotten if additional action is required.

Deputy Mayor Swatman said the Finance Committee has reviewed the budget for a long time and the City must cut costs. He said it’s a smart move for AFSCME to fully participate and keep all options on the table, and he appreciates it. Councilmember King said it is important to note that Council does not take this measure lightly. He said the City is trying to understand the needs of employees and the community, and the last thing they want to do is go backwards with layoffs or other stern measures that detract from the City’s excellent team of employees. He said if the economy continues to worsen more stern measures may be needed, but he thinks layoffs should be a last resort. He said he wants to be sure the City continues to provide the essential services that citizens deserve.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES: None.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

7:30:37

At 7:30 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Carter seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council Meeting of September 22, 2009:

- Investco Financial Corporation – *Multi-Family Sewer SDC Rates Presentation* – Michael Corliss.

**CITY COUNCIL
SPECIAL MEETING**

**September 26, 2009
12:30 P.M.**

DRAFT MINUTES



"Where Dreams Can Soar"

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Website: www.ci.bonney-lake.wa.us

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 12:50 p.m.

A. Roll Call:

Mayor Neil Johnson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director/ City Clerk Harwood Edvalson and Executive Assistant Brian Hartsell.]

II. DISCUSSION:

Mayor Johnson welcomed United States Congressman Dave Reichert who represents the citizens of the 8th Congressional District. Mayor Johnson acknowledged Congressman Reichert's busy schedule and invited him to provide an update on the 8th district and respond to the questions previously submitted by the Mayor and Council.

Congressman Reichert said he appreciated the opportunity to meet with the Council and community and to review some of the questions in advance. He said several were of a technical nature requiring research by his staff. He said his office is currently quite focused on the healthcare issue. The Congressman summarized some of his assignments on committees in congress and his current activities. He also thanked the Mayor and Council for their service to the citizens of Bonney Lake, and acknowledged the Bonney Lake Police Department as a great law enforcement partner in the region.

Congressman Reichert commented on the City's questions about funding for preservation of Fennel Creek and the Victor Falls Watershed including the building of the Fennel Creek Trail. He encouraged city staff to contact his office about available federal funds. He noted there are stimulus funds and other grant programs that may apply to several of the projects the city mentioned such as transportation, 800 MHz radio and sewer treatment plants. He invited the staff to contact Gwen Frazier in his office for assistance with identifying potential sources of funding.

Congressman Reichert explained how he had refused to consider earmarks in house/senate bills for a year's period to make the point that the earmark process needs to be used ethically. He said the earmark process has been changed to be more transparent to the public. He added that he now will support appropriate earmarks in federal legislation and invited the City to work with his office to identify such opportunities.

The Congressman addressed the topic of potential flooding caused by the current problems with the Howard Hanson Dam and advised that his office is applying pressure to the Army Corps of Engineers to mitigate as much as possible these impacts and to give the citizens and businesses early warning before flooding occurs.

The question was posed to the Congressman about the free-up of former television frequencies for public safety. He said some of those frequencies will be available, particularly those that will enhance interoperability of communications between the various public safety agencies. He says he sees 800 MHz as old technology. He said new technology is in development that will allow various modes of communications to talk through a common box installed in the agency's communications center.

Congressman Reichert spoke to the question about cable systems and open competition. He said the Congress' current focus on healthcare has temporarily closed down their efforts on many different issues, including the effects of unsolicited email.

The Congressman was asked where he thought the Health Care Reform bill will likely end up. He gave some background to the development of the bill, and amendments to the bill he supported and had introduced. He said he thought it would take into mid to late October before a bill comes to the House floor. He said one of his great concerns for the proposed bill is the \$500 billion cut to Medicaid and Medicaid Advantage.

Councilmember Rackley asked if any of the government agencies are looking at new technology associated with sewer treatment. He noted that the state environmental agencies seem to be against the use of the new technologies that are available. Congressman Reichert noted that a few years ago, his office helped the City of Carnation with their new sewer treatment plant that incorporated some new technologies. He said he would be happy to have the City contact his staff that can provide specific contacts in this area, particularly in the Environmental Protection Agency.

Congressman Reichert offered some information on issues he thought may be of interest to the general audience. He noted that members of Congress do pay social security. He noted that the health plan he has as a congressman costs him \$460 per month with a deductible. He said he had better insurance with King County than he has with the federal government.

Councilmember Hamilton asked about the extension of Highway 167 and the cross-base highway. He noted that much of the money that has come to the State of Washington goes to the governor and then becomes a political issue. He asked if there was anything the Congressman can do to make sure the smaller jurisdictions get some of the stimulus money rather than the larger jurisdiction of King County. Congressman Reichert noted that he was successful in obtaining money for Auburn, Puyallup, and Kent for transportation projects. He noted that money also went to Buckley, Orting, Enumclaw, North Bend and Snoqualmie as well as other cities in King County. He said he is very interested in helping the smaller communities get a piece of the pie. He encouraged the City to work with his office to address some of the local needs for the fast growing area. He said his office will continue to try and push funding for the completion of Hwy 167.

Councilmember Bowen noted that one of the recent grants received by the City for the construction of sidewalks required funds to be spent to teach children to walk and ride bikes to school. He said the grant rules would not allow the funds to go to the school district to

provide this education, but to someone with a specific certificate to teach this topic. He said he feels this requirement is a scam to benefit some particular individuals. Congressman Reichert agreed that some of the grants and bills have strings that seem ridiculous. He said he and the Council must look at these issues and determine if the overall benefit of the program is worth the strings attached.

Mayor Johnson closed the meeting by again expressing appreciation for the Congressman's participation. By common consent of the Council, the meeting was adjourned at 2:05 p.m.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted at the September 26, 2009 Special Meeting:

- City of Bonney Lake – *Current Federal Issues of Interest to Bonney Lake* – Mayor Neil Johnson.

CITY COUNCIL WORKSHOP

**October 6, 2009
5:30 p.m.**



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

Website: www.ci.bonney-lake.wa.us

DRAFT MINUTES

"Where Dreams Can Soar"

I. Call to Order:

Mayor Neil Johnson opened the workshop/groundbreaking ceremony at 5:35 p.m. The advertised location of the workshop/groundbreaking ceremony was the City's property at 9002 Main Street East adjacent to the Bonney Lake Library.

II. Roll Call: [A1.3]

Mayor Johnson noted that all the City's elected officials were in attendance which included Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember David King and Councilmember James Rackley.

[Directors in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Chief Finance Officer Al Juarez, Community Services Director Gary Leaf and Administrative Services Director/City Clerk Harwood Edvalson. Other City staff were also in attendance.]

III. Agenda Items:

A. Mayor Neil Johnson welcomed the assembled group and noted the participation of former Councilmembers Phil DeLeo and Cheryle Noble, as well as members of the City's appointed boards and commissions. Also introduced were Megan Tremain of Group Mackenzie Architects and Mike Goode, the project manager for MJ Takisaki, the builder. Mayor Johnson invited City Administrator Morrison to make some remarks.

City Administrator Morrison gave a brief history of the planning for a civic center core in the downtown area. He also described the genesis of the interim justice center and the City's continuing plans to further assemble and develop a civic campus in the downtown core.

At the conclusion of Administrator Morrison's prepared remarks, he invited attendees to participate in photos to commemorate the groundbreaking. General conversation and refreshments followed the groundbreaking ceremony.

IV. Executive Session: None.

V. Adjournment:

The workshop/groundbreaking ceremony concluded by common consent at 6:30 p.m. by which time a majority of the City Council had departed the site.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to the Council Workshop of October 6, 2009:

- 1) Bonney Lake Interim Justice Center Groundbreaking Ceremony program.

DRAFT

CITY COUNCIL MEETING

**October 13, 2009
7:00 P.M.**



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

Website: www.ci.bonney-lake.wa.us

DRAFT MINUTES

"Where Dreams Can Soar"

Audio Time
Stamp ↓

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:

City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Community Development Director John Vodopich, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** Proclaiming October 2009 as Domestic Violence Awareness Month.

Mayor Johnson read the proclamation aloud and presented the proclamation to Raymond Bunk, a volunteer with the Greater Pierce County Community Network. Mr. Bunk introduced the organization's Administrative Director, Sarah Kluesner. Ms. Kluesner described studies that show that 'adverse child experiences' such as domestic violence negatively affect children throughout their lives. Children who witness domestic violence are more likely to abuse drugs, have health problems, or become batterers themselves as adults. She and Mr. Bunk thanked the Council for being proactive in fighting domestic violence. Councilmember Carter provided the audience with purple ribbons to display for Domestic Violence Awareness Month.

b. **Presentation:** State Representative Chris Hurst.

Mayor Johnson introduced State Representative Hurst, who discussed current legislative issues and budget concerns. He said the State budget needs to be cut another \$1 billion next year, so the legislature will likely not pass anything that will cost money, but it is a good time to take action on policy issues that do not affect the budget. He said he is meeting with cities, fire districts and schools this month to get input, he said he hopes the

Council will ask questions and give him ideas he can take to the upcoming session.

Councilmember Rackley said portions of the Growth Management Act need to be reviewed and clarified. Rep. Hurst said others have suggested allowing a group of cities in the same area pool their resources for environmental studies, rather than each city re-creating the same study over and over. City Administrator Morrison said he has a draft bill related to annexation of wholly surrounded areas that he will provide to Rep. Hurst.

Deputy Mayor Swatman asked Rep. Hurst for his thoughts on a proposed income tax and Boeing Company updates. Rep. Hurst said any income tax proposal should go before the voters and would likely fail as there is not enough support. He said he is unhappy with how Boeing management has been dealing with current issues. The company received large tax cuts from Governor Gary Locke but now is looking to build a plant in South Carolina, and have had a lot of issues with design and production of their new airplane. Councilmember King said he does not feel 'sin taxes' should be raised to plug the budget deficit. Rep. Hurst said if these taxes are raised too high, people will spend less and it will not help the State's revenues. Councilmember Hamilton suggested the prevailing wage laws are hurting small cities and suggested the new regulations be temporarily postponed until the economic crisis is over. Rep. Hurst said it would be difficult to change or postpone these regulations, as people would have concerns that it would unravel existing wage laws. Councilmember Bowen asked if the State is considering allowing homeless camps or 'tent cities' on State property or if other options have been discussed. Rep. Hurst said he had not heard this idea before and would look into ways the State could take on the issue instead of leaving it to individual cities. He said he is passionate about issues facing the homeless based on his 25 years of experience in law enforcement.

Rep. Hurst said he is interested in changing regulations to allow cities to spend their funds as they wish and not be as restricted by the legislature. He said he is also working to eliminate unnecessary boards and commissions in the State. He sits on the State Government & Tribal Affairs Committee and will continue working on these issues. Mayor Johnson thanked Rep. Hurst for visiting the Council and for being accessible to citizens. Rep. Hurst thanked the Council for their time and encouraged them to call him with any questions or concerns. He also said Mayor Johnson did extraordinary work for the City during negotiations to purchase Lake Tapps. He said he was very impressed by Mayor Johnson's ability to think quickly and recognize a good opportunity, even though the negotiations were not successful.

Mayor Johnson congratulated Councilmember Carter on her receipt of the Municipal Leadership certificate from the Association of Washington Cities.

c. **Presentation:** Initiative 1033 - Impacts - City Administrator Don Morrison.

City Administrator Morrison presented the Council with a brief overview of Initiative I-1033. The initiative would place a limit on the amount of

revenues the City could take in each year; any additional revenues taken in over the limit would be placed in a fund to lower property taxes. Voters would have to approve revenues above the limit through elections. He discussed the estimated revenue impacts to the State and the City based on revenue projections through 2015, as well as various pros and cons of the initiative. Based on Bonney Lake's projections, the City could lose about \$3.16 million from 2009 through 2015; if there is a vigorous turn-around in the economy, the figure could be from \$4 million to \$6 million. The Office of Financial Management has estimated that the State's general fund revenues would be reduced by \$5.9 billion through 2015.

City Administrator Morrison said the initiative often sounds good to voters at first, as a means to control government spending and decrease property taxes. However, he said it would make it extremely difficult for cities to manage growth, provide even basic services, and respond to changes in the economy or emergencies. He said a similar initiative was passed in Colorado, but it negatively affected education and local revenues and was repealed by voters after a few years. City Administrator Morrison said recent polls show 42% of Washington voters are in favor of I-1033.

Councilmember King noted the initiative affects tax revenues as well as fees, which the City uses to cover the cost of services. Deputy Mayor Swatman said the initiative would hit cities with large potential commercial growth, like Bonney Lake. He said commercial growth brings in new tax revenues, but any revenues over the cap would be moved into the property tax fund, and would not be available for new Public Works or Police expenditures that result from new growth. The City Administrator agreed, and said the initiative does not give cities incentives to promote for economic growth. He said annexation may or may not be harmful to cities, perhaps depending on whether residential or commercial areas are annexed.

D. Agenda Modifications: None.

8:01:11

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Dennis Lynch, 20608 131st St Ct E, is the President of the Senior Advisory Board, and spoke to the Council about what the board does. He said he became president in 2008 and since then has worked to set up a master plan, goals, mission statement, board job descriptions, and a code of conduct for board meetings. He said bingo revenues have decreased in the down economy, but local businesses have supported the board and Senior Center. He said the board is working on a steering committee that will help generate new activities and events. The first idea they are working toward is an auction fundraiser. On October 10, 2009 the Senior Center hosted a fundraiser for the Cle Elum Senior Center, whose building was burned down earlier this year. He thanked the Council for their support of the Senior Center and the board. Mr. Lynch said the board focuses on supporting seniors in the Bonney Lake

and Lake Tapps area, but seniors come from various communities in the area for the activities and community. The board is working on a 'welcome committee' to help orient new visitors to the Center.

Councilmember King said area seniors have great spirit and are involved in a variety of service groups around the area. He said he is glad to hear about the wide variety of activities and that the Center serves seniors outside the immediate area.

Councilmember Bowen asked who is eligible to vote at board elections; Mr. Lynch said elections are normally held on the second Wednesday and anyone who comes to the Senior Center on that day can vote. Participation in events and lunches is not limited, either; those under 55 years old pay more for lunch but everyone is invited.

Councilmember Carter said the board is doing a great job and she wishes there were more Senior Centers around like the one in Bonney Lake.

George Brown, 8410 Locust Ave, Bonney Lake, said he would be interested in taking part in a 'free dinner' program for area families in need. He said he has done this in other cities in the past and several restaurants participated to provide a free meal to a family of four. He suggested a contest or drawing could be held to get people involved. Mayor Johnson asked Mr. Brown to send him more information so he can work with area schools and non-profits to get something started.

Mr. Brown asked if the City has a way to promote its position on I-1033 to let the public know. City Administrator Morrison said the Council can pass a resolution in support or in opposition to a ballot measure, but the City must give equal times to both sides of the debate. He said the City cannot use funds to promote or oppose the initiative, but can provide facts to the public. He said they might put something in the upcoming City newsletter to help educate voters.

Mr. Brown asked whether staff at the Puyallup dispatch center are familiar with the Bonney Lake area. His business is two blocks from the Police Department but when he calls, dispatchers are not sure where it is located unless he gives them the exact address. Chief Mitchell said the department has a program to set up 'ride-alongs' for dispatchers to get a feel for the City. He said the City contracted with Puyallup a year ago and it takes some time to familiarize staff with the areas they serve. Mr. Brown said he also called the Police regarding a possible problem across the street from his business, but there was no response. Chief Mitchell said the department was likely on a higher priority call and unavailable. Mayor Johnson asked Mr. Brown to contact himself or Police Chief Mitchell any time with feedback.

Matt Richardson, City of Sumner Councilmember, said he is the Chair of the Pierce County River Revitalization Task Force, and presented the Council with the Task Force's Final Report. He said it is important for the County and cities to look at what they can do now to respond to issues in the valley. He said state and federal studies require five to fifteen years and \$4 to \$20 million to complete, and something needs to be done sooner. He said flooding issues in the valley impact Bonney Lake for transportation and the Waste Water Treatment Facility (WWTF). He said repairs to a wastewater facility would cost millions of dollars, and the cities need to review options to raise the floodwall. He said it is important for Sumner and Bonney Lake to have a good relationship to deal with these issues.

Mr. Richardson said the Task Force's report includes reports, news, correspondence, concerns and information from the County, cities and other agencies. The Task Force held three policy summits over the summer to present information and get input from citizens. The report includes a draft resolution that includes findings about removing debris, applying for sediment removal, setting up a city/county flood control district, joint planning for future sewage treatment plants, updating the County emergency management flood evacuation plan, and maintaining current flood information on the County website.

Deputy Mayor Swatman said Sumner will face a challenge in pursuing a new fee district that includes cities on the plateau, where flooding is not an issue. Councilmember King asked whether the Pierce County Regional Council has been involved. Mr. Richardson said PCRC members are on the task force and are pushing hard to get something done within the County. He will meet with the PCRC on Thursday, October 15th. Sections of the report should be available online soon as well.

Councilmember Hamilton said flooding issues in the valley must be dealt with at a higher level, with the Corps of Engineers and federal government involved. Mr. Richardson agreed and said the Task Force is working to get federal support, but also felt it was important to take local action now. He added that Sumner is 125 years old, but the major floods did not start until the past 10 years. He said the Puyallup River was managed by dredging through 1985, and as sediment builds back up it is not surprising flooding has been more severe. He said the river needs to be managed again, by dredging as well as through other means.

Councilmember Bowen asked about the task force's recommendation about future sewer treatment facilities being planned at the County level, rather than by cities. Mr. Richardson said this would help share costs and risks more evenly. He said it is important to start planning for future facilities now as it takes years to design these plants. He thanked the Council for their time and particularly thanked Councilmember Rackley for his participation at the PCRC. He said he hoped Bonney Lake and Sumner will continue building strong relationships going forward.

C. Correspondence: None.

At 8:51 p.m. Councilmember Bowen moved for a 5 minute break. Councilmember Rackley seconded the motion.

Motion Approved 7 – 0.

Mayor Johnson brought the meeting back to order at 8:58 p.m.

8:58:03

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and forwarded Resolution 1970 to the agenda. The committee also discussed an amendment to the D.M. Disposal solid waste agreement and an ordinance regarding ad valorem taxes.

- B. Community Development Committee: Councilmember Rackley said the committee met on October 5, 2009 and met with Eastown property owners for one hour. The committee forwarded Resolutions 1969, 1975 and 1976 to the evening's agenda.
- C. Public Safety Committee: Councilmember King said the committee met on October 5, 2009 and discussed ongoing emergency flood evacuation plans, public safety watercraft funding, changes to the animal control contract, and potential funding sources for the 800 MHz system.

D. Other Reports:

Police Activity: Mayor Johnson said Puyallup's Assistant Police Chief Bryan Jeter thanked the Bonney Lake Police Department for their help in arresting a criminal known as the "River Rat Bandit," who was staying on property near Bonney Lake. The Bonney Lake force helped with surveillance and it was a good example of cooperation between several cities and agencies.

Sumner Wastewater Treatment Facility: Councilmember Rackley said he attended a meeting on September 30, 2009 with Councilmember Hamilton, Deputy Mayor Swatman, Public Works Director Grigsby, Sumner Councilmember Matt Richardson, and other Sumner staff to discuss the Sumner sewer treatment facility. They heard a report on facility upgrades and a potential construction of a new floodwall. He said the group will probably meet again after the November election to discuss options for the cities going forward.

Deputy Mayor Swatman said the upgrade is estimated to cost \$9 million, with options for future expansions. He said Sumner and Bonney Lake need to work together, and Bonney Lake needs expanded service soon. He suggested this issue be discussed at a future workshop.

9:05:44

IV. CONSENT AGENDA:

- A. **Approval of Payroll**: Payroll for September 1-15, 2009 for checks 28479-28511 including Direct Deposits and Electronic Transfers in the amount of \$ 406,383.83; Payroll for September 16-30, 2009 for checks 28512-28552 including Direct Deposits and Electronic Transfers in the amount of \$ 590,776.29.
- B. **Accounts Payable Checks/Vouchers**: #56783 thru 56865 (including wire transfer #'s 9152009, 9172009 & 90254301) in the amount of \$718,250.26; Accounts Payable checks/vouchers #56866 for Utility Refunds in the amount of \$1,706.66; Accounts Payable checks/vouchers #56867 thru 56918 (including wire transfer# 5006173) in the amount of \$195,715.71; Accounts Payable checks/vouchers #56919 thru 56920 for Utility Refunds in the amount of \$650.24; Accounts Payable checks/vouchers #56921 thru 56947 (including wire transfer #'s 9142009, 10012009 & 10052009) in the amount of \$107,486.22.
- C. **AB09-141 - Resolution 1967** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Additive Bid Item to the Bonney Lake Downtown Improvements Contract to Johansen Excavating, Inc.

- D. **AB09-143 - Resolution 1968** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Schedule 74 Cost Share Agreement Between Puget Sound Energy and the City of Bonney Lake to Underground Puget Sound Energy Utilities within the Downtown Improvements Project Limits.
- E. **AB09-148 - Resolution 1970** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Professional Services Agreement with Makers Architecture and Urban Design and the Watershed Company for Consultant Services for the Shoreline Master Plan Update.
- F. **AB09-154 - Resolution 1975** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Cost Share Agreement between Qwest and the City of Bonney Lake to Underground Qwest Utilities within the Downtown Improvements Project Limits.
- G. **AB09-156 - Resolution 1976** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Accept a \$50,000 FY2010-2011 Phase II Stormwater Pass-Through Grant from the Washington State Department of Ecology.
- H. **AB09-144** - A Motion of the Bonney Lake City Council to Accept as Complete the 82nd Street Court E Sanitary Sewer Improvements Contract with Big Mountain Enterprises.
- I. **AB09-145** - A Motion of the Bonney Lake City Council to Accept as Complete the 2009 Chip Seal Contract with Doolittle Construction LLC.

**Councilmember Bowen made a motion to approve the Consent Agenda.
Councilmember Decker seconded the motion.**

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

9:06:11

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB09-146 - Resolution 1969** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Contract for the Interlake Island, West Tapps and 194th Avenue Watermain Replacement Project to A & A Excavating, Inc.

**Councilmember Decker made a motion to approve Resolution 1969.
Councilmember Rackley seconded the motion.**

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

9:06:33

VIII. FULL COUNCIL ISSUES:

- A. **AB09-158 – Resolution 1977** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Expressing Opposition to Initiative 1033 – Concerns State, County and City Revenues.

Councilmember King moved to table Resolution 1977 to the October 20, 2009 Council Workshop for discussion and action. Councilmember Decker seconded the motion.

**Motion approved 5 – 2.
Councilmembers Carter and
Hamilton voted no.**

9:07:30

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(i), the City Council adjourned to an Executive Session with the City Attorney at 9:09 p.m. for 10 minutes to discuss potential litigation. Mayor Johnson brought the Meeting back to order at 9:19 p.m. No action was taken.

9:19:18

X. ADJOURNMENT:

At 9:19 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council Meeting of October 13, 2009:

- Matt Richardson – “Pierce County River Revitalization Task Force & Policy Summit Final Report (October 5, 2009).”