

CITY COUNCIL WORKSHOP

**May 15, 2012
5:30 p.m.**

AGENDA

City of



“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.*

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

- A. **Council Open Discussion.**
- p. 3 B. **Review of Draft Minutes:** April 17, 2012 Joint Planning Commission Meeting and Workshop, April 24, 2012 Meeting, and May 1, 2012 Council Workshop.
- C. **Special Public Comment Period:** Proposed Sewer and Water Rate Changes.
- D. **Discussion:** (Tabled from May 8, 2012)
 - p. 23 • AB12-57 – Ordinance D12-57 – Water Rate Reduction.
 - p. 33 • AB12-58 – Ordinance D12-58 – Sewer Rate Increase.
- p. 39 E. **Discussion:** AB12-68 – Ordinance D12-68 – Amending BLMC Chapter 18 Related to Conditional Use Permits in Eastown.
- p. 43 F. **Discussion:** AB12-75 – Ordinance D12-75 – Amending BLMC Chapter 19.08 Related to School Impact Fees.

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

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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**SPECIAL JOINT CITY
COUNCIL / PLANNING
COMMISSION MEETING and
CITY COUNCIL WORKSHOP**

**April 17, 2012
5:30 P.M.**

DRAFT MINUTES



"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

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER: Mayor Neil Johnson, Jr. called the workshop to order at 5:33 p.m.

II. ROLL CALL:

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

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

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, Assistant City Attorney Kathleen Haggard, Records & Information Specialist Susan Duis, Planning Manager Heather Stinson, Assistant Planner Ryan Harriman, and Special Events Coordinator David Wells.

III. AGENDA ITEMS:

A. Presentation: Community Summit Presentation, David Wells, Special Events Coordinator.

Special Events Coordinator David Wells described a presentation he gave at the Community Summit in April, entitled "I'm Bored in Bonney Lake". He said six years ago the City hosted just 4 events, while in 2012 the City will host 40 events and participate in 12 events organized by other groups. He said he has surveyed parents and children over the years and kids regularly tell him they are bored. At the Summit, he talked with kids about the options, including volunteering in the community, participating in fun runs and skate competitions, and attending events like Kids Club, concerts, and movies.

Mr. Wells said 'Kids Club' is the fastest growing event, with up to 500 people coming to see the most popular entertainers in 2011. He said Bonney Lake Days will be a two-day event again in 2012. He said the 2012 'Friday Night Flix' movies were selected with input from children at the Community Summit. He announced two new events: the 'Fall Back 5k' on November 4, 2012, and the 'Twinkle Light' 5k on December 21, 2012.

Planning Commission Vice Chairperson Jacobsen asked Mr. Wells to include the Historic Society's Milotte Film Festival (October 20th, 2012) on the City's calendar of events.

Councilmember Watson thanked Mr. Wells for getting the youth involved and for his work on City events.

B. Discussion: Review and Amendments to Planning Commission Workplan.

Community Development Director Vodopich introduced the City's new Assistant Planner, Ryan Harriman, who was in attendance at the meeting. He said Mr. Harriman previously worked for the City of Raymond, and joined Bonney Lake in April.

Planning Manager Heather Stinson said the current Planning Commission Workplan lists projects through 2013. She said the commission is ready to forward an ordinance on landscape buffers. Planning Commission Chairperson Grant Sulham said the landscape ordinance was drafted with input from the Master Builders Association and is now being reviewed by the City Attorney's office. Planning Manager Stinson said staff members are also working on an ordinance to update the code for civil plan review and inspections.

Councilmember Minton-Davis said she would like the Planning Commission to do more work on the Cultural Resources Plan that the Council approved in 2012. She said they should consider whether the plan should be included in the Comprehensive Plan and whether the Arts and Culture portion should be separated from the Historical portion. She expressed concern that the plan includes specific events and can only be updated through the lengthy Comprehensive Plan process. She said she wants the City to have a farmer's market and asked if it should be included in the plan. Chairperson Sulham also said he was not certain that these items should be part of the City's Comprehensive Plan. Vice Chairperson Winona Jacobsen said the Commission also recommended the formation of an Arts and Heritage Commission, and she hopes the Council will move forward with this action. Planning Manager Stinson suggested that the Cultural Resources plan be revised to remove the list of specific City events and instead be more general and reference a separate document that could be updated separately. She said the creation of a farmer's market is an implementation of the Comprehensive Plan. She said the recommendation for an Arts and Heritage Commission has already been made, so it is a matter for the Council to create and appoint members to such a commission.

Councilmember Rackley said he is in favor of keeping the Cultural Resources plan as part of the Comprehensive Plan. He said he is pleased with the amount of community events available and feels these items need to be in the Comprehensive Plan so they remain part of the City's planning process. Vice Chairperson Jacobsen said the Planning Commission did not have much time to review the draft Cultural Resources plan in 2011.

C. Special Meeting Open Discussion:

Mayor Johnson asked Commissioners and Councilmembers to discuss any questions or issues they might have.

Meeting Room Layout: Deputy Mayor Swatman asked Councilmembers and Commissioners what they thought about the Chambers layout and the dais. Chairperson Sulham said in the old chambers, the Commission sat at tables in a circle and discussions seemed more free-ranging and spontaneous. Commissioner Frederick said he thinks the new layout is fine and that Commission meetings are congenial. Vice Chairperson Jacobsen said the dais in the Justice Center chambers is much better than the one at City Hall as members can see each other better. Commissioner Doll said he preferred sitting at

tables, but he appreciates that the seating for the Joint Meeting mixes the Councilmembers and Commissioners together.

UGA Annexation: Deputy Mayor Swatman asked the Planning Commission for comments as the Council considers future action to annex the Urban Growth Area outside the City limits. Chairperson Sulham said the commission has looked at the proposed UGA and tentative zoning plan but is waiting for the Council to give direction before doing more work. Mayor Johnson said that staff are meeting with representatives from Pierce County soon to discuss pre-annexation planning. He said he will know more after this meeting and will share it with the Council. He asked Commissioners and Councilmembers to let staff know if they have any thoughts or ideas about this process.

Village Concepts Presentation: Councilmember Rackley invited the Planning Commissioners to stay to hear a presentation from Dave Baus from Village Concepts. All the commissioners in attendance said they planned to stay and hear the presentation.

Shoreline Master Plan: Commissioner Frederick asked what the timeline is for the Shoreline Master Plan. Planning Manager Stinson said the City has sent the draft plan to the Department of Ecology and is awaiting comments. She said she anticipates the approval process will be complete by the end of 2012, and hopes to bring the draft to the Planning Commission within the next couple of months. Councilmember Lewis suggested the due date for this item on the workplan be moved back if it is not likely to be ready until late 2012. Consensus of the Council was to amend the Planning Commission Workplan to change the Shoreline Master Plan due date to the fourth quarter of 2012, and to include this change as an item for action at the May 1, 2012 Meeting.

Mayor Johnson adjourned the Joint Planning Commission / City Council Meeting at 6:07 p.m., and called the City Council Workshop to order at 6:07 p.m.

- D. **Presentation:** Dave Baus, Development Coordinator, Village Concepts Retirement Communities.

Mr. Baus thanked the Council for giving him an opportunity to speak. He said he is a resident of Bonney Lake and affordable housing developer. His development partnership has considered developing affordable housing in Bonney Lake for years, but fees have been a major drawback. He provided a presentation about actual projects his group is developing in cities like Covington and Milton, and described a hypothetical project in Bonney Lake to compare costs and fees. He explained how low-income housing developments receive tax credits to help keep rents low. He said cities can help encourage affordable housing development by deferring impact fees and/or reducing fees, which makes it easier for developers to obtain financing. He said because incomes are lower in Pierce County than in King County, it is more difficult to make a project work in Pierce County with rent restrictions. He said affordable housing provides a place for people who work in the City to live, and brings more businesses and transit to the area.

Councilmembers discussed different types of affordable housing (senior and disabled housing versus low-income), incentives, and development costs. Councilmember Rackley said the City desperately needs affordable housing and it would benefit the community. Vice Chairperson Jacobsen asked how seniors and the disabled would get around without bus service; Mr. Baus said a successful project would need to have its own shuttle van service. Mayor Johnson said the biggest factors for these developments are the costs of fees and land. Mr. Baus said that these projects can be partially or fully tax exempt

depending on the level of affordability. He said they do not receive tax breaks on school impact fees or other fees, as the rental units are considered to be 'commercial'.

Mayor Johnson, the Council, and the Planning Commissioners thanked Mr. Baus for his time and said they plan to discuss these issues further.

Mayor Johnson recessed the Workshop for a 10-minute break at 6:31 p.m. The Workshop reconvened at 6:48 p.m.

E. Review of Draft Minutes: March 27, 2012 Meeting.

The draft minutes were forwarded to the April 24, 2012 Meeting for approval with no revisions.

F. Discussion: (Tabled from 4/10) AB12-44 – Ordinance D12-44 – Sewer SDC Rates.

Mayor Johnson said this item has been reviewed by the City Attorney and Council several times. City Administrator Morrison said he provided two versions of the ordinance for review. The first version eliminates SDC fees after multiple tenant improvements (change of use). The second version, based on interest from some councilmembers, provides a 25% reduction in SDC rates until 200 homes are built.

Councilmembers discussed the proposed SDC rate reduction and its impact on revenues and City projects. Deputy Mayor Swatman noted that the Council voted 4 to 3 against a reduction in SDC rates at the previous meeting. Mayor Johnson said a short-term cut might be do-able, but questioned the long-term impacts. He said utility rates for water and sewer customers need to be adjusted, and he is also looking at options to mix the water and sewer funds. Deputy Mayor Swatman questioned whether the Council would be comfortable raising customer rates to help developers.

Councilmember Lewis said there are multiple factors that make Bonney Lake desirable for development, including other ordinances that encourage development, and recent long-term water and sewer agreements. He said the City can afford to lose some funding in the short term and will gain it back in increased business and sales taxes later.

Councilmembers Watson and Minton-Davis spoke in favor of a 25% reduction in SDC fees. Councilmember Watson said it will help increase the population and bring in more retail sales. Councilmember Minton-Davis said the City's fee structure is not fair to developers, as it makes them pay for both expansion and operations.

Councilmember Hamilton said he opposes decreasing SDC rates. He said the sewer fund is only in good standing due to trust fund loans and that sewer rates need to be raised to sustain the fund. Councilmember Rackley said the City needs to collect SDC fees as development happens so when the system runs out of capacity and needs to be expanded, the necessary funds are available, and the current fee structure works as it should.

Mayor Johnson said the City could put off building a new Public Works Facility, but will need this facility eventually. He said the Council needs to decide how to promote growth in a stagnant economy, whether through discounts, free permits, or fee reductions.

Councilmembers discussed how to sunset a temporary SDC rate reduction, based on a number of homes or a calendar date. Mayor Johnson said another alternative is to allow

developers to pay the fees when they apply for the certificate of occupancy, rather than when they first apply for a permit. Deputy Mayor Swatman said this is a good compromise and developers have said in the past that this would help them secure financing for projects. Councilmember Hamilton said other cities, including Puyallup, have offered this type of incentive but no one has taken advantage of it.

Deputy Mayor Swatman said he wants to see City facility projects move forward, to show staff members and citizens that the City is making progress. He said the Council needs to focus on long-range planning, not managing individual projects. He said he doubts that a fee reduction will increase development in the City. Mayor Johnson said from an administrative standpoint he would prefer not to reduce sewer SDCs. He suggested the Council consider changing when it requires fees to be paid, along with a water rate reduction and elimination of summer water rates.

Mayor Johnson asked Councilmembers whether they support a SDC rate reduction. Councilmembers Watson, Minton-Davis, and McKibbin said they would support a reduction, but other councilmembers did not express support. Council consensus was to move forward the first version of the ordinance, eliminating SDC fees after multiple tenant improvements, to the April 24, 2012 Meeting for action.

Councilmembers discussed whether to allow developers to delay payment of SDCs to the certificate of occupancy. Mayor Johnson said he would get more information from staff to consider this option at a future workshop.

G. **Discussion:** (Tabled from 4/10) AB12-45 – Ordinance D12-45 – Traffic Impact Fees.

Councilmember Minton-Davis said she has concerns about the sunset wording for this ordinance. She said a single large developer could buy up all 200 permits and then not act on them. Deputy Mayor Swatman said he was initially concerned that a number of people would request a refund and re-apply under reduced rates, but he now feels that it is not an issue. He said Director Vodopich told him that most existing permits are actually in progress and not simply stalled out.

Councilmembers discussed whether to sunset the ordinance after 200 permits or on a specific date, such as August 1, 2014. City Attorney Dionne confirmed that the ordinance would temporarily reduce Traffic Impact Fees by either 25% or by 1 evening trip, whichever is greater.

Councilmember Hamilton said he is concerned that the proposed ordinance will impact street CIP funds. He proposed adding language that impact fees that are not collected pursuant to the fee reduction will be transferred from other revenue sources to the street fund. Councilmember Rackley said the Council can always transfer funds from the general fund to the street fund if needed. The majority of councilmembers felt the proposed amendment was not necessary.

Consensus of the Council was to amend the ordinance to state “or p.m. trip” and to change the deadline to August 1, 2014. The proposed ordinance was forwarded to the April 24, 2012 Meeting for action as amended.

H. **Discussion:** AB12-56 – Ordinance D12-56 – Modification of Latecomer Agreement Conditions, BLMC 13.16.

Director Grigsby said the property owners in Eastown asked the City to consider lowering the administrative fee for latecomer agreements from 10% to 5%. They also requested that the administrative fee be calculated based on the actual construction costs for the project, rather than 'total project costs' as is currently stated in the code. He said a 5% fee seems appropriate for latecomer projects, but if the Council later feels this is too generous it can be changed again in the future.

Assistant City Attorney Kathleen Haggard described discussions between the City and the Eastown property owners on how to handle interest accrued on a bond for the Eastown sewer project. She said the owners requested a pro-rata share of the interest from latecomer fees in order to get a full return on their investment. She said this is a contractual issue that needs to be resolved in the latecomer agreement, but it is not a legal question and does not need to be addressed in the proposed ordinance.

Deputy Mayor Swatman said he attended a recent meeting with the Eastown owners and City staff members. He said this is a very complex issue and staff did a great job explaining all the aspects. He said he is not certain the property owners have the funds ready to pay the 5% fee. He said it is up to the property owners to move forward once the Council approves the proposed ordinance. Director Grigsby confirmed he had spoken with Roger Watt, who represents the Eastown LLC group, and they asked for some extra time to raise the remaining funds needed for the 5% latecomers fee.

The Council briefly discussed issues with individual property owners, but noted they do not impact the proposed ordinance. Mayor Johnson commented that the City had to abandon plans for a Local Improvement District in Eastown due to individual issues that prevented the project from moving forward.

Council consensus was to forward the proposed Ordinance D12-56 to the April 24, 2012 Meeting for action.

I. Council Open Discussion.

School Impact Fee: Councilmember Lewis asked for information on School Impact Fees. City Administrator Morrison said there was apparent miscommunication between the City and the Sumner School District about changing the fee. The district hopes the City will revert the impact fee back to what it was previously. He has asked the Sumner School District to send their Capital Facilities Plan so he can review it and work with the district's City Attorney. He said the City could collect School Impact Fees again, and noted that the district has the authority only to recommend, not set, the fees. Director Grigsby explained how impact fees are determined. City Administrator Morrison said he feels that school impact fees should be consistent for everyone in the district. The City Attorney confirmed that the City Council must pass an ordinance to change impact fees. Director Grigsby noted that the White River School District has no impact fees.

City-Owned Property: Councilmember Hamilton asked whether the City has any plans for the 'Simmons' parcels on SR 410 and the parcel on 192nd Ave E behind Junction 192. He said the City purchased these parcels in 2005 and 2007, and as far as he knows there is no long-term plan for the properties. He said the public should know why the City is holding on to these parcels and not getting any benefit or tax revenue. Councilmember Rackley agreed that since other negotiations have ended, the property behind Junction 192 should be put up for sale.

Deputy Mayor Swatman said the City planned to use the Simmons and Renwood parcels on SR 410 to extend roads for the downtown plan. Mayor Johnson said the City did not plan to develop the Simmons property, but rather to package and sell it to a developer later on. He said the City is planning to offer the parcel on 192nd Ave E for sale. He said it is a good idea to provide information on these parcels, especially to the newer councilmembers. Councilmember McKibbin said downtown plans take time and require patience. He suggested that the Planning Commission review the Downtown Plan for possible revisions.

Veterans Memorial Drive: Councilmember Watson asked when the Sumner-Buckley Hwy E road name will be changed to Veterans Memorial Drive E. City Administrator Morrison said the City will hold a ceremony for the new road name in the afternoon on Friday, May 25, 2012. He said the new street signs have arrived will be installed by that date, to include a historic street sign below the main sign. He said the Greater Bonney Lake Veterans Memorial Committee has been invited to attend the ceremony.

Recreation: Councilmember Minton-Davis said she visited the South Bellevue Community Center recently, and spoke to the director. The center generates about 60% of its budget, with the rest coming from the City's general fund. She said the center partners with the Boys & Girls Club and contracts with a preschool as well.

Fire Department: Councilmember Minton-Davis said she attended a meeting for the new East Pierce Fire & Rescue Foundation. She said the group is still seeking members to sit on the board of directors. The foundation will focus on education and prevention, and will offer a way for off-duty fire fighters to volunteer in the community. She said it sounds like a great new organization and encouraged those interested to get involved.

Transit: Mayor Johnson said he met with Rachel Smith from Sound Transit in the previous week. He said he feels fairly confident that the agency and cities will save the route between the Bonney Lake Park & Ride and the Sumner Sounder Station (currently Route 496). He said all the parties are willing to work together, and they plan to draft a memorandum of understanding to keep the route going after the Pierce Transit boundaries are changed and Bonney Lake loses bus service. He said the City is also looking into options to take over maintenance of the Park & Ride lot from Pierce Transit. He said Ms. Smith will provide information about Bonney Lake's route to the Sound Transit board soon. He said he continues to receive comments from riders who want Route 496 to stay in service.

IV. EXECUTIVE SESSION:

Pursuant to RCW 42.330.110(1)(i) the Council adjourned to an Executive Session with the City Attorney at 8:31 p.m. for 15 minutes to discuss pending litigation with possible action following the session. The Council returned to chambers at 8:39 p.m.

Deputy Mayor Swatman moved to suspend the Council rules to add and take action to "Authorize the Mayor to Sign the Settlement Agreement and Release of All Claims between the City of Bonney Lake and Greenwood Property, LLC". Councilmember Watson seconded the motion (AB12-62).

Motion to suspend the Council rules approved 7 – 0.

Councilmember Rackley moved to approve motion AB12-62. Councilmember Lewis seconded the motion.

Mayor Johnson said this is a long-awaited agreement, and thanked City Attorney's Office and City Administrator for finding a solution. Deputy Mayor Swatman added that this agreement is for the full settlement of Pierce County case #11-2-106282-0.

Motion AB12-62 approved 7 – 0.

V. ADJOURNMENT:

At 8:40 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the April 17, 2012 Joint Meeting and Workshop:

- David Wells – *Special Events for 2012* – City of Bonney Lake.
- D. Baus – *Senior Affordable Housing for Bonney Lake* – Village Development, LLC.
- Councilmember Mark Hamilton – *Parcel map* – City of Bonney Lake.

CITY COUNCIL MEETING

April 24, 2012
7:00 P.M.

DRAFT MINUTES

City of



“Where Dreams Can Soar”

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

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:03 p.m.

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

Deputy Mayor Swatman moved to excuse Councilmember Minton-Davis from the Meeting. Councilmember Watson seconded the motion.

Motion approved 6 – 0.

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

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations:
 - a. **Certificate of Recognition:** Nancy Kirkpatrick – Civic Pride.
Mayor Johnson said a City employee recommended that the City recognize Ms. Kirkpatrick for her efforts to pick up garbage on her daily walks along the streets of her neighborhood. Mayor Johnson presented the certificate to Ms. Kirkpatrick and thanked her for selflessness. Ms. Kirkpatrick said she didn’t expect to be recognized and thanked the Council and Mayor.
 - b. **Proclamation:** Building Safety Month – May 2012.
Mayor Johnson read the proclamation aloud, proclaiming May 2012 as Building Safety Month in the City and encouraging residents to take part.
 - c. **Proclamation:** Relay for Life “Paint the Town Purple Day” – May 5, 2012.

Mayor Johnson read the proclamation aloud, proclaiming May 5, 2012 as Paint the Town Purple Day in Bonney Lake. He said this year's Relay for Life annual event will be held at Bonney Lake High School.

d. **Presentation:** Planning Commission recommendations:

- AB12-53 – Ordinance D12-53 – Adoption of a New Chapter 15.36 of the Bonney Lake Municipal Code Related to Civil Plan Review.

Planning Commission Chair Grant Sulham said the ordinance started as a staff initiative to improve the permitting process. He said the proposed ordinance includes proposals to change fees in BLMC Chapter 3.68.010. Director Vodopich said the ordinance codifies the procedures actually in place currently. He said that the Community Development Department hired a Civil Review Engineer in 2011 who now manages civil permits.

- AB12-54 – Ordinance D12-54 – Adoption A New Chapter 18.51 of the Bonney Lake Municipal Code Related to Regulating Lighting Levels.

Planning Commission Chair Sulham said this proposed ordinance originated from a request by Deputy Mayor Swatman. He said the commission used the model lighting ordinance the Deputy Mayor received to craft the proposed ordinance. The commission removed standards for residential homes so the proposed ordinance only applies to commercial properties. They felt that very bright lighting would be covered under the existing nuisance ordinance. The proposal also imposes a curfew when lighting levels should be reduced.

Director Vodopich said property owners would not necessarily have to replace lighting fixtures to meet the proposed standards. He said they can replace bulbs, redirect lights, and reduce glare. Councilmember Hamilton expressed concern that the proposed ordinance will add costs to local businesses, and asked whether other cities have adopted this type of ordinance. Deputy Mayor Swatman said the changes do not need to be costly, as it is more a matter of the direction and level of the lighting used. He said the Council could discuss the proposed ordinance at a workshop.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Shawn Hoey, Master Builders Association of Pierce County, thanked the Council for their work on proposed Ordinance D12-45 related to traffic impact fees. He said the MBA appreciates the thought put into the ordinance, and for the amendment to sunset the ordinance on a specific date instead of after a certain number of permits.

Scott Haas, 4303 Reed Drive, Gig Harbor, said he is a builder and was invited by another developer to speak to the Council. He said he has worked on homes in Bonney Lake in the past, and his group recently purchased the Haymond/Church Lake long plat. He said

Bonney Lake is known in the building community as one of the worst in the Seattle metro area due to high costs. He said any measure that addresses costs is good for builders, as the market is still struggling and will be for some time.

Mayor Johnson asked Mr. Haas if it is helpful to delay payment of impact fees until the certificate of occupancy. Mr. Haas said it would help, since he has to get financing for all the up-front costs. He said banks have been very difficult to work with and many builders are working directly with investors instead of the banks. Deputy Mayor Swatman said other cities have offered to defer fee payments but few developers have taken advantage of them. Mr. Haas said he would certainly take such an offer.

Mr. Haas said he primarily gets his information through word of mouth from other developers, not from the MBA. He commented that the programs the City is working on will help improve Bonney Lake's reputation with builders.

Dan Decker, 20401 70th St E, Bonney Lake, said he searched for information from the April 10th Meeting online and did not see any reference to citizen comments in the information posted online, though he knows people spoke at this meeting.

Mr. Decker said in the past he spoke to the Council about the need for a deaf child sign in his neighborhood, but the City will not install one. He said if it is true that no one pays attention to signs, all the signs in the City should be removed. Councilmember Hamilton said the Public Safety Committee discussed the request initially, and as he recalls another sign could not be added because there were already several signs posted in that area. Mayor Johnson said he would get more information from staff as well.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed personnel updates, reviewed a Conservation Open Space Conservation Grant proposal, and discussed sales tax for amusement and recreation activities, including the boat launch. The committee also reviewed water and sewer rate options, with discussions to continue at the upcoming Council Workshop.
- B. Community Development Committee: Councilmember McKibbin said the committee met on April 17th and forwarded three items to the current Consent Agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council Meeting.
- D. Other Reports:

Pierce County Regional Council: Councilmember Lewis said he attended the PCRC Meeting on April 19th in Tacoma. The group discussed local centers of activity, which cities need to include in their Comprehensive Plans by June 2015 to be part of the program. He said the cities of Buckley and Wilkeson plan to create local 'nodes', and Bonney Lake could create its own 'node' for Downtown or Fennel Creek, for example.

Families First Coalition: Councilmember Watson said he and Councilmember Lewis attended the White River Families First Coalition meeting on April 23rd. They heard a great program on drug and alcohol use prevention.

Boat Launch: Mayor Johnson said the boat launch bollards at Allan Yorke Park went into service the weekend of April 21st, and took in about \$1,000 over the first weekend.

Stormwater Fees: Mayor Johnson said the process for the stormwater rate appeal made by property owner Joel Clark is still ongoing. He said the City Attorney's office is reviewing the issues before a final decision is made.

Transit: Mayor Johnson said the Sound Transit Board is considering taking over the route between the cities of Sumner and Bonney Lake (currently Pierce Transit Route 496). He said Sumner Mayor Dave Enslow and Pierce County Executive Pat McCarthy are on the Sound Transit Board and pushing for this item to move forward, and he is optimistic that it will be approved.

Newspaper Flyers: Director Vodopich said Grant Wiens from the City's Attorney Office contacted the News Tribune about the 'Yes' advertising circulars. Mr. Wiens received an immediate reply from the circulation department and a direct phone number for people to call if they are having issues with delivery of flyers after requesting they be stopped. Mayor Johnson said it is clear the newspaper wants to take care of this issue.

Tehaleh: Mayor Johnson said he recently met with Jim Newberg from Tehaleh (previously Cascadia). He said they are signing up six builders, and the first homes could be available by August 2012. They discussed various issues including manufacturing and transportation. Mayor Johnson said the fees per home for Tehaleh are only slightly lower than in Bonney Lake. He said Mr. Newberg spoke in favor of allowing developers to delay fee payments until the certificate of occupancy, but that cities should be flexible with builders as things change depending on the economy and project. Mr. Newberg also told Mayor Johnson they plan to host a grand opening celebration soon.

Parks Summit: Mayor Johnson invited all to attend the Parks Summit on Monday, May 7th in the Justice Center Chambers at 6:00 p.m. He said the event will include a presentation and discussion of options for parks and recreation, a park bond, metropolitan park district, and more. He said the City wants to get input from citizens and groups on what they feel is most important for the City.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** March 27, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #63227-63387 (includes wire #20120403) in the amount of \$297,520.32. Accounts Payable checks/vouchers #63388-63424 includes wire #38156827) in the amount of \$263,177.26. Account Payable check/voucher wire #20120417 in the amount of \$23,610.43.
- C. **Approval of Payroll:** Payroll for April 1-15th 2012 for checks 30408-30432 including Direct Deposits and Electronic Transfers in the amount of \$416,476.86.

- D. **AB12-39 – Resolution 2196** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Surplus Property In Accordance With The Provisions Outlined In BLMC 2.70.100.
- E. **AB12-52 – Resolution 2200** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Agreement With Puget Sound Energy To Supply Commercial Electrical Utility Service For The Prairie Ridge Booster Pump Station And Wholesale Intertie Project.
- F. **AB12-51 – Resolution 2201** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Approve The Contract With Jennings Northwest LLC For Construction Of The 97th St E Sidewalks Improvements Project.
- G. **AB12-60 – Resolution 2202** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Parametrix Engineering For The Construction Staking Of The 97th St E Sidewalk Improvements Project.
- H. **AB12-63** – A Motion Of The City Of Bonney Lake, Pierce County, Washington, Amending The Bonney Lake Planning Commission Workplan.

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

Consent Agenda approved 6 – 0.

- V. **FINANCE COMMITTEE ISSUES:** None.
- VI. **COMMUNITY DEVELOPMENT ISSUES:** None.
- VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.
- VIII. **FULL COUNCIL ISSUES:**

- A. **AB12-44 – Ordinance 1423 [D12-44]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.12 Of The Bonney Lake Municipal Code, Section One Of Ordinance No. 1395, Section Three Of Ordinance No. 1333, And Section Five Of Ordinance No. 571c, Relating To Non-Residential Sewer System Development Charges And Tenant Improvements.

Councilmember Rackley moved to approve Ordinance 1423. Councilmember Lewis seconded the motion.

Mayor Johnson said the Council discussed this item in length at the previous Workshop. He said the proposal will benefit local businesses.

Ordinance 1423 approved 6 – 0.

- B. **AB12-45 – Ordinance 1424 [D12-45]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 19.04 Of The Bonney

Lake Municipal Code And Ordinance Nos. 984, 1282, 1316, And 1318 Relating To Traffic Impact Fees.

Councilmember Rackley moved to approve Ordinance 1424. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said this is a significant reduction in fees for single-family homes. He said the Council recognizes the need in the building community, and the past meeting minutes will show discussions on both sides of the issue. He said the Mayor and Council agree that there is more work to be done, and this is not the last Council action on these issues. Councilmember Hamilton said he opposes the ordinance because it takes money from one fund and gives it to another, and impacts existing property owners.

**Ordinance 1424 approved 5 – 1.
Councilmember Hamilton voted no.**

- C. **AB12-56 – Ordinance 1425 [D12-56]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.16 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance No. 1386 Related To Developer Extensions And Latecomer Agreements.

Councilmember Lewis moved to approve Ordinance 1425. Councilmember Rackley seconded the motion.

Director Grigsby said the proposed ordinance changes the administrative fee for latecomers agreements from 10% to 5%, and bases the fee on actual construction cost instead of total project costs. Deputy Mayor Swatman said this ordinance will help make projects more viable during difficult economic times, and the Council may need to review and revise the code again in the future as the economy changes.

**Ordinance 1425 approved 5 – 1.
Councilmember McKibbin voted no.**

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

**At 8:01 p.m., Councilmember Rackley moved to adjourn the Council Meeting.
Councilmember Lewis seconded the motion.**

Motion to adjourn approved 6 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the April 24, 2012 Meeting: None.

CITY COUNCIL WORKSHOP

May 1, 2012
5:30 P.M.

DRAFT MINUTES

City of



"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

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:31 p.m.

II. ROLL CALL:

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

Staff members in attendance were City Administrator Don Morrison, Assistant Public Works Director Charlie Simpson, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

III. AGENDA ITEMS:

A. Council Open Discussion:

Condemned Homes: Councilmember Watson said the City condemned two homes on Lake Bonney and asked whether the City planned to demolish them for safety purposes. Director Vodopich said one home was boarded up, but the other is involved in ongoing litigation. Councilmember Watson said some of the boards have been pulled off and wanted to bring it to staff attention.

Sign Permits: Councilmember Watson said he recently worked to get a sign installed in the City and asked how the process can be completed in a timely manner, as they had to wait and reschedule inspections. Director Vodopich said he will look up the permit history and provide Councilmember Watson with more information.

Community Events: Councilmember Watson reminded the Council of the upcoming Family Fun Fest on May 5th. Councilmember Lewis said the Bonney Lake High School is hosting a first annual car show on May 5th. He said the BLHS Senior Boards are on May 16th and 17th, and recommended councilmembers and staff take part.

AWC Conference: Deputy Mayor Swatman asked which councilmembers planned to attend the Association of Washington Cities conference in mid-June. All councilmembers said they plan to attend. They discussed the option to cancel the June 19th Workshop.

Eastown Gateway Sign: City Administrator Morrison said staff have tentatively scheduled an informal sign unveiling ceremony for the new Eastown Gateway Sign on May 15th at 5:00 p.m., prior to the Council Workshop. He said those planning to attend should meet at City Hall at 4:30 p.m. to carpool, as there is limited parking available on site. He said the ceremony would be followed by the Council Workshop at 5:30 p.m.

Veterans Memorial Drive E: City Administrator Morrison said the City will host a ribbon-cutting ceremony for Veterans Memorial Drive East on May 25th at 4:30 p.m. He said the event will include a presentation and refreshments. He said the Post Office and those affected by the name change have been notified, and the change already appears on the Pierce County map system. He said the new signs will include a brown historic street sign for the old Sumner-Buckley Hwy road name.

Tehaleh/Cascadia: Councilmember Hamilton asked if the 5-year review findings from the Hearing Examiner from the original Cascadia project are still on track, since the project was purchased by another group. Director Vodopich said his understanding is that there are no major changes, and the new developer must abide by existing arrangements and developer agreements. City Administrator Morrison said the employment targets for the master planned community must be met in order for the project to move forward to future stages. Mayor Johnson said he met with Jim Nyberg from Newland Communities to discuss the project and City's concerns. He said they are working to get one more builder lined up and hope to start building soon. Mayor Johnson said he is interested to see what will happen and future planning for transportation in the area.

Eastown Sewers: Councilmember Rackley asked for an update on the Eastown ULA process. Director Vodopich said the City is waiting to hear from the property owners (Eastown LLC) that they have the funds for the 5% ULA fee collected, so the agreement can come forward to the Council.

Parks Summit: Councilmember Minton-Davis asked if the Parks Summit is considered a special Council meeting, and whether multiple councilmembers can attend. Administrative Services Director/City Clerk Edvalson said councilmembers can attend as long as they do not meet together to discuss city business. Councilmember Minton-Davis said she plans to attend the event.

B. Presentation: AB12-66 – Stormwater Pollution Prevention Art Contest Submissions.

Assistant Public Works Director Charlie Simpson said Assistant Engineer Andrew Fonda worked with local school children again this year to gather artwork for the 2013 Stormwater calendar. City Administrator Morrison explained that the full size color images are available to view online, and asked Councilmembers to pick their top two choices in each category, so the winners could be selected at a future meeting.

C. Presentation & Discussion: AB12-59 – Ordinance D12-59 – Cross Connection Program.

Assistant Public Works Director Simpson said Public Works Director Grigsby heard about this type of program at a conference and asked staff to present a proposal for Bonney Lake. He said the goal is to improve the City's cross connection program and to provide backflow testing services to City customers at a cheaper rate. He said the Public Works department currently tracks customers who have irrigation systems and who are required to do cross-connection testing each year. The City notifies customers of the requirement yearly and provides them with a list of certified backflow testers in the area. The customer must arrange a backflow test and send the results to the City.

Assistant Director Simpson said that in the proposed program, the City would go out to bid for a single backflow testing contractor to provide testing services for all customers. The City would also take ownership of the backflow devices on each property, to ensure

testing is done properly and on time. The City would charge a yearly fee to customers with backflow devices to cover the costs of testing and administration. He said they estimate the actual yearly cost per device to be about \$37.99, based on an estimated charge of \$30 per backflow test.

Assistant Director Simpson said the Community Development Committee has discussed the proposed program and wanted Council input before moving forward. He said the program would not add much additional work for Public Works staff, though it would require extra effort from Finance staff to update the customer database for the 1,800 customers known to have backflow devices.

Councilmembers Minton-Davis, McKibbin, and Lewis spoke in favor of the proposed program. Councilmember Minton-Davis said the program benefits homeowners as it places the responsibility and time on the City. She noted that the City will take on additional liability for the system, however. Assistant Director Simpson said homeowners would still be responsible to 'blow out' the irrigation system each winter to prevent damage from freezing. Councilmember McKibbin said the City is required by State law to have a program in place, but is struggling to get homeowners to comply.

Councilmember Rackley said he does not feel the City should manage this type of program and it should be left to private businesses. He also said he does not want the City to take ownership of backflow devices on the homeowner's property, and noted past issues with maintaining grinder pumps. Councilmember Watson said the proposed program could add additional expenses for homeowners. He said he is also concerned about the City taking on additional liability.

Assistant Director Simpson said a small percentage of customers do not comply currently, and this program is an attempt to improve the process. He said although a city-wide contract would offer a lower testing cost, some homeowners may already pay less to private companies for this service and it would not be a cost savings. City Attorney Dionne said the City's main concern is preventing contamination of the water system. City Administrator Morrison said staff will check with the insurance authority WCIA to find out which other cities have this type of program.

Councilmember Lewis said the City only knows about irrigation systems that were installed properly, but some homeowners do not get a permit, so the City may not be aware of all the systems that should be included in backflow testing. He said he is concerned about security and contamination of the water supply. Assistant Director Simpson confirmed that his staff are notified through the Permit Process, and if staff find an unlisted irrigation system they add it to the list for required backflow testing.

Councilmember Hamilton said he has mixed feelings about the proposed program. He said he has hired the same person for years to perform backflow testing at his home. Assistant Director Simpson said under the proposed program, everyone would have to use the City's contractor. Mayor Johnson suggested the City allow customers to opt out if they can show due diligence. Assistant Director Simpson said other alternatives are available, such as providing for a policy that allows the City to shut off a customer's water if they do not comply with testing requirements after several notifications. He said there is no revenue stream to cover staff costs currently, as there is no customer fee for irrigation systems.

Mayor Johnson asked Councilmembers for input. He suggested the issue be discussed again at a future workshop after staff members have time to research insurance and liability concerns. Councilmember Hamilton said the City should also seek public input.

D. **Review of Draft Minutes:** April 3, 2012 Workshop and April 10, 2012 Meeting.

Councilmember Watson asked that the April 3rd minutes be revised to correct his discussion of bus services on p. 6. Councilmember Lewis provided a typographical correction in the April 10th minutes. The minutes were forwarded to the May 8th Meeting for action as corrected.

E. **Discussion: AB12-57 – Ordinance D12-57 – Water Rate Reduction.**

Mayor Johnson said he has continued reviewing data and proposed reducing the water base rate by \$5.00 per month, rather than reducing consumption rates. Councilmember Rackley said he supports this option and said he opposes reducing summer consumption rates. He said if consumption increases the City may need to tap into the Tacoma Water supply, which is more costly.

Councilmembers Lewis and Watson and Deputy Mayor Swatman said they would support a \$5 reduction in water base rates. Councilmember Watson said those on a fixed income who keep their consumption very low would not benefit from a consumption rate reduction, so the Mayor's proposal benefits all customers equally.

City Administrator Morrison said a \$5 per customer/per month reduction would cost the water fund about \$774,000 per year. Mayor Johnson said this is just one option and the reduction could be adjusted based on staff calculations. He said it is important to give something back to customers, especially since it is necessary to raise sewer rates.

Councilmember consensus was to move proposed Ordinance D12-57 forward, with a \$5.00 reduction to the monthly water base rate, to the May 8th Meeting. Mayor Johnson said he will work with staff to determine the impact of this reduction to the water fund. He said another option is to transfer funds from the water fund to the sewer fund for several years before raising sewer rates. He said if the funds cannot be blended, it is better to show customers the value of the system through rates, rather than simply moving the funds from water to sewer as needed.

F. **Discussion: AB12-58 – Ordinance D12-58 – Sewer Rate Increase.**

City Administrator Morrison said the proposed ordinance would raise sewer availability and volumetric rates by 10% each year for 4 years, effective July 1, 2012. He said starting in 2016 the rates would continue to be adjusted based on the annual Consumer Price Index (CPI) rate. He provided Councilmembers with the operations and maintenance forecast from the last consultant review. They recommended a 60% raise in sewer rates over a six-year period. He said the rates can be adjusted in even increments or in varying levels each year, depending on the Council's policy decision.

City Administrator Morrison said he believes the Council's support of a \$5 water availability charge decrease is a mistake. He said availability rates are intended to cover the basic operating costs for the system, so if consumption drops drastically there is still a stable revenue stream to cover basic costs. He said reducing the availability charge too

much puts the basic operational stability of the utility on thin ice. He said he does not feel the water availability charge is set too high currently.

City Administrator Morrison provided general information on the City's water and sewer fund balances. Councilmembers discussed funding for planned future projects, including the proposed Public Works facility, and options for bonds and other funding sources.

Councilmember Lewis said the City has an adequate water supply for about the next thirty years. He said the City needs to have the same long-range capacity for the sewer system, and ratepayers need to help pay for it. He said rates are based on the system costs, and increased costs should be passed on to the rate payers. He said it makes sense to keep the water and sewer funds separate to address each individually based on actual costs. Councilmember Minton-Davis said she supports a sewer rate increase.

Consensus of the Council was to move proposed Ordinance D12-58 forward to the May 8th Meeting for action as presented.

IV. EXECUTIVE SESSION:

V. ADJOURNMENT:

At 6:44 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 1, 2012 Workshop:

- Donn Lewis – *BLHS Car Show Flyer, BLHS Senior Boards letter, FCCLA Leadership Dinner flyer* – City Councilmember.
- Don Morrison - *Summer Water Rate Scenarios* – City of Bonney Lake.
- Shawn Hoey – *Letter re: Ordinance D12-57 and D12-58* – Master Builders Association of Pierce County.

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

| | | |
|--|---|---------------------------------------|
| Department/Staff Contact: Executive / Don Morrison | Meeting/Workshop Date: 15 15 May 2012 | Agenda Bill Number: AB12-57 |
| Agenda Item Type: Ordinance | Ordinance/Resolution Number: D12-57 | Councilmember Sponsor: |

Agenda Subject: Modification of Water Availability Charge and Summer Sprinkling Rates

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-57, Relating To Water Rates.

Administrative Recommendation: Approve

Background Summary: This ordinance can be viewed as a companion balancing ordinance to the proposed sewer rate increase, as this ordinance reduces water rates/revenue by roughly the same amount as the sewer increase ordinance raises. The proposed ordinance reduces by \$2.69 per month the water availability charge for all in-city customers, maintains a relatively low sprinkling rate for the second block (10-20 CCF), but imposes an increasingly progressive rate for higher consumption blocks. Thus, this ordinance reduces the base rate for all city residents, and maintains a conservation based rate structure for higher consumption levels. Even with a reduced availability charge, this would still capture 70% of required operating revenue, which is consistent with sound rate design principles.

Attachments: Ordinance D12-43; Worksheets

| BUDGET INFORMATION | | | |
|--|-----------------|----------------------|----------------|
| Budget Amount | Current Balance | Required Expenditure | Budget Balance |
| Budget Explanation: Reduces estimated annual water revenue by \$345,790 | | | |

| COMMITTEE, BOARD & COMMISSION REVIEW | | | | | | | | | | | |
|---|--|--|--|------------|-----------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Council Committee Review: | Finance Committee Date: 24 April 2012 | <i>Approvals:</i> Chair/Councilmember Councilmember Councilmember | <table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Yes</td> <td style="text-align: left;">No</td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> </table> | Yes | No | <input type="checkbox"/> |
| Yes | No | | | | | | | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | |
| | Forward to: Workshop for Discussion | Consent Agenda: | <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | |
| Commission/Board Review: | | | | | | | | | | | |
| Hearing Examiner Review: | | | | | | | | | | | |

| COUNCIL ACTION | |
|---|-------------------------|
| Workshop Date(s): March 15th, May 1st, May 15th | Public Hearing Date(s): |
| Meeting Date(s): May 8, 2012 | Tabled to Date: |

| APPROVALS | | |
|------------------|---------------|--|
| Director: | Mayor: | Date Reviewed by City Attorney: (if applicable): |

ORDINANCE NO. D12-57

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.04.100 OF THE BONNEY LAKE AND SECTION ONE OF ORDINANCE NO. 1277 RELATING TO A REDUCTION OF WATER RATES.

WHEREAS, the City currently has an abundant water supply; and

WHEREAS, City Council finds that it is no longer in the community's best interest to impose a steep ascending block rate for summer sprinkling; and

WHEREAS, the City Council desires to encourage the community to maintain a green and desirable landscape by modifying the current ascending rate block structure for water rates;

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

Section 1. BLMC Section 12.04.100 hereby amended to read as follows:

13.04.100 Water rates.

Effective July 1, ~~2012~~2010, the following rates shall apply:

A. Discount for Senior Citizens and Disabled Persons. Owners of single-family residences who have qualified for real estate property tax exemption through the Pierce County assessor-treasurer's office on the basis of age and/or disability, and who present proof thereof to the appropriate authority of the city, shall qualify and be entitled to a reduced water rate as may, from time to time, be set by the city council and established as a 50 percent reduction from the water availability charge.

B. Monthly Water Rates – Within City Limits.

Water Availability Charge

| Meter Size | Charge |
|----------------------------------|-----------------------------------|
| 5/8" – 3/4" | \$16.69 <u>\$14.00</u> |
| Qualified Senior, 5/8" – 3/4" | See subsection (A) |
| 1" with Fire Sprinkler System | \$16.69 |
| 1" without Fire Sprinkler System | \$27.76 |
| 1-1/4" | \$55.14 |

| | |
|--------|----------|
| 1-1/2" | \$55.14 |
| 2" | \$88.26 |
| 3" | \$165.38 |
| 4" | \$275.44 |
| 6" | \$551.42 |

In addition, the consumption charge per 100 cubic feet (CCF), or any part thereof used, shall be as follows:

| Winter (October 1st through May 31st) | Charge |
|--|--------------------------|
| 0 – 10 CCF per month | \$1.16 |
| Over 10 CCF per month | \$2.29 |
| | |
| Summer (June 1st through September 30th) | |
| 0 – 10 CCF per month | \$1.16 |
| Over 10 CCF per month | \$3.92 |
| 11-20 CCF per month | \$3.92 \$2.50 |
| <u>21-30 CCF per month</u> | <u>\$3.50</u> |
| <u>31 or More CCF per month</u> | <u>\$4.50</u> |

C. Monthly Water Rates – Outside City Limits.

Water Availability Charge

| Meter Size | Charge |
|-------------------------------|--------------------|
| 5/8" – 3/4" | \$21.60 |
| Qualified Senior, 5/8" – 3/4" | See subsection (A) |
| 1" | \$35.97 |
| 1-1/4" | \$71.67 |
| 1-1/2" | \$671.67 |
| 2" | \$114.61 |
| 3" | \$214.96 |
| 4" | \$358.30 |
| 6" | \$698.67 |

In addition, the consumption charge per 100 cubic feet (CCF), or any part thereof used, shall be as follows:

| Winter (November 1st through June 30th) | Charge |
|---|-------------------|
| 0 – 10 CCF per month | \$1.67 |
| Over 10 CCF per month | \$3.33 |
| | |
| Summer (July 1st through October 31st) | |
| 0 – 10 CCF per month | \$1.67 |
| Over 10 CCF per month | \$5.69 |
| <u>10-20 CCF per month</u> | <u>\$3.50</u> |
| <u>20-30 CCF per month</u> | <u>\$4.90</u> |
| <u>30 or more CCF per month</u> | <u>\$6.86</u> |

D. Multiple Residential Units.

1. The water availability charge for a connection serving multiple (three or more) residential units shall be the availability charge set forth above, multiplied by the number of dwelling units connected to the meter, as follows:

a. Each duplex unit as defined in BLMC 13.04.030(H) will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

b. Any detached accessory dwelling unit (ADU) as defined in BLMC 13.04.030(F) will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

c. In the case of apartment/trailer courts having one meter, each unit will be billed as though separately connected to the water main, occupied or not, based on five-eighths- or three-quarters-inch meter rates.

d. In the case of building lots which have been granted a conditional use permit to allow more than one dwelling on one service meter, each dwelling unit will be billed as though separately connected to the water main, based on five-eighths- or three-quarters-inch meter rates.

2. The consumption charge provided for in this section shall be applied to multiple residential units as provided for above, except that the lower consumption charge rate shall be applied to the first “X” CCF per month, where “X” is the number of units served by the connection multiplied by 10. All consumption greater than that threshold will be charged the higher consumption charge rate.

3. There shall be only one water meter for each building housing more than two residential units.

E. Multiple Commercial and Industrial Buildings. Where all commercial or industrial buildings connected to a single service are used in the same business under single management, billing shall be made as for a single building.

F. Demand Charge.

1. Private fire hydrants, stand pipes, fire sprinkler systems, etc., shall have a monthly charge of \$3.24.

2. Special purpose use of water from fire hydrants or stand pipes shall be \$10.80 plus \$1.08 per 100 cubic feet for all water used inside the city limits and \$15.12 plus \$1.56 for all water used outside the city limits.

3. Where the water meters are shut off, the monthly charge will be \$5.40 within the city limits and \$7.45 outside the city limits.

4. Where unusual circumstances prevent a meter reading, water consumption will be estimated at an average of 1,000 cubic feet per month.

G. Leakage – Rate Reduction.

1. In the event that there is a leak in the water service line on the property owner's side of the water meter;

2. That after the service line is repaired by the owner and upon written request by the property owner, the city water department will make an adjustment in the water bill;

3. The adjustment shall be two-thirds of that portion of the customer's water bill which is over the average normal water usage. The adjustment shall be limited to the period of 90 days prior to the repair of the leak and inspection thereof.

4. Only one leakage adjustment will be allowed in any two-year period. Additional leaks will require on-site inspection and verification of repairs.

H. Irrigation Meters.

1. New multifamily (three or more units) and nonresidential connections shall be required to install a separate meter for irrigation use, effective January 1, 2005.

2. Existing multifamily (three or more units) and nonresidential connections shall be required to install a separate meter for irrigation use no later than January 1, 2007.

3. There shall be no availability charge applicable to irrigation meters. The commodity charge shall be 25 percent greater than the applicable commodity charge for nonirrigation usage that exceeds 10 CCF per month (the "tailblock").

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 4. Effective Date. This Ordinance shall take effect July 1, 2012 after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this 8th day of May, 2012.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk, CMC

APPROVED AS TO FORM:

James Dionne, City Attorney

Water Availability Charge Revenue

CURRENT

| | Rate | Accounts | Base Revenue |
|------------------------------------|---------|----------|--------------------|
| Availability Charge - In city | \$16.69 | 6,160 | \$1,233,725 |
| Availability Charge - Outside City | \$21.60 | 6,820 | \$1,767,744 |
| Total Base Revenue | | | \$3,001,469 |

PROPOSED (If City Availability Rate Reduced \$2.69/mo.)

| | Rate | Accounts | Base Revenue |
|------------------------------------|---------|----------|--------------------|
| Availability Charge - In city | \$14.00 | 6,160 | \$1,034,880 |
| Availability Charge - Outside City | \$21.60 | 6,820 | \$1,767,744 |
| Total Base Revenue | | | \$2,802,624 |

-\$198,845

* Required to Cover O&M \$3,988,000 69.70%

* All expenditures excluding non-CIP capital outlay, CIP projects, Debt Service

ALTERNATIVE 1 - \$3/Mo Reduction to Availability Charge

| | Rate | Accounts | Base Revenue |
|------------------------------------|---------|----------|--------------------|
| Availability Charge - In city | \$13.69 | 6,160 | \$1,011,965 |
| Availability Charge - Outside City | \$21.60 | 6,820 | \$1,767,744 |
| Total Base Revenue | | | \$2,779,709 |

-\$221,760

ALTERNATIVE 2 - \$1.69/Mo Reduction to Availability Charge

| | Rate | Accounts | Base Revenue |
|------------------------------------|---------|----------|--------------------|
| Availability Charge - In city | \$15.00 | 6,160 | \$1,108,800 |
| Availability Charge - Outside City | \$21.60 | 6,820 | \$1,767,744 |
| Total Base Revenue | | | \$2,876,544 |

-\$124,925

Summer Water Rate Scenario 4

Mixed Rate Block

| | Rate | Accounts | Consumption | Revenue | Est Rev Decrease | Est Total Decrease |
|---|-----------------|-----------------|------------------------|--------------------|------------------|--------------------|
| Current Winter Rate Schedule | | | | | | |
| Block - In-City | | | | | | |
| 0-10 CCF | \$1.16 | | | | | |
| 10-20 CCF | \$2.29 | | | | | |
| Block: Out-of-City | | | | | | |
| 0-10 CCF | \$1.67 | | | | | |
| 10-20 CCF | \$3.33 | | | | | |
| Current In-City Average Summer Monthly Consumption | | | | | | |
| Block | Rate/CCF | Accounts | Consumption/CCF | Revenue | | |
| 0-10 CCF | \$1.16 | 1,480 | 8,817 | \$10,228 | | |
| 11-20CCF | \$3.92 | 1,812 | 35,227 | \$138,090 | | |
| 21-30CCF | \$3.92 | 1,228 | 58,091 | \$227,717 | | |
| Over 30CCF | \$3.92 | 1,714 | 88,843 | \$348,265 | | |
| Total | | 6,234 | 190,978 | \$724,299 | | |
| Current Out-of-City Average Summer Monthly Consumption | | | | | | |
| Block | Rate/CCF | Accounts | Consumption/CCF | Revenue | | |
| 0-10 CCF | \$1.67 | 1,294 | 8,817 | \$14,724 | | |
| 11-20CCF | \$5.69 | 2,302 | 35,227 | \$200,442 | | |
| 21-30CCF | \$5.69 | 1,549 | 58,091 | \$330,538 | | |
| Over 30CCF | \$5.69 | 1,540 | 88,843 | \$505,517 | | |
| Total | | 6,685 | 190,978 | \$1,051,220 | | |
| Total Average Summer Monthly Customer Revenue | | | | \$1,775,519 | | |
| In-City Variable Block Rate Schedule- Summer Sprinkling | | | | | | |
| Block | Rate/CCF | Accounts | Consumption/CCF | Revenue | | |
| 0-10 CCF | \$1.16 | 1,480 | 8,817 | \$10,228 | | |
| 11-20CCF | \$2.50 | 1,812 | 35,227 | \$88,068 | | |
| 21-30CCF | \$3.50 | 1,228 | 58,091 | \$203,319 | | |
| Over 30CCF | \$4.50 | 1,714 | 88,843 | \$399,794 | | |
| Total | | | | \$701,407 | -\$22,892 | -\$80,121 |

Summer Water Rate Scenario 4

Mixed Rate Block

Out-of-City Variable Block Rate Schedule- Summer Sprinkling

| Block | Rate/CCF | Accounts | Consumption/CCF | Revenue | | |
|--|-----------------|-----------------|------------------------|--------------------|------------------|------------------|
| 0-10 CCF | \$1.67 | 1,294 | 8,817 | \$14,724 | | |
| 11-20CCF | \$3.50 | 2,302 | 35,227 | \$123,295 | | |
| 21-30CCF | \$4.90 | 1,549 | 58,091 | \$284,646 | | |
| Over 30CCF | \$6.86 | 1,540 | 88,843 | \$609,463 | | |
| Total | | | | \$1,032,128 | -\$19,093 | -\$66,824 |
| Total Average Summer Monthly Customer Revenue | | | | \$1,733,535 | | |

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

| | | |
|--|---|---------------------------------------|
| Department/Staff Contact: Executive / Don Morrison | Meeting/Workshop Date: 15 May 2012 | Agenda Bill Number: AB12-58 |
| Agenda Item Type: Ordinance | Ordinance/Resolution Number: D12-58 | Councilmember Sponsor: |

Agenda Subject: Sewer Rates

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-58, Relating To Sewer Rates.

Administrative Recommendation: Approve

Background Summary: In 2010 the FSC Group, a noted utility rate consulting firm, reviewed the status of the City’s wastewater utility operational and financial requirements and recommended a significant rate increase in order to adequately meet the financial and operational needs of the wastewater utility; several rate increase options were presented to Council. Rather than increase general rates at that time the Council opted for an annual CPI adjustment to keep pace with inflation. The wastewater utility continues to have substantial operating and capital needs, including but not limited to: expansion of the wastewater treatment plant, compliance with state and federal water quality standards, a need to reduce inflow and infiltration, increased maintenance of aging wastewater infrastructure, and a need to meet cash flow and debt service requirements. This ordinance proposes to raise sewer rates approximately 10% per year for the next 4 years in order to improve the financial viability of the wastewater utility by implementing a general rate increase as previously recommended. Alternatives would be to implement a lower rate adjustment in the first years and a higher rate later on, or vice versa, or to stretch out the adjustment over a longer/shorter period.

Attachments: Ordinance D12-58

| BUDGET INFORMATION | | | |
|--|-----------------|----------------------|----------------|
| Budget Amount | Current Balance | Required Expenditure | Budget Balance |
| Budget Explanation: This would raise approximately \$345,000 per year | | | |

| COMMITTEE, BOARD & COMMISSION REVIEW | | | |
|---|--|--|--|
| Council Committee Review: | Finance Committee Date: 24 April 2010 | Approvals: Chair/Councilmember Councilmember Councilmember | Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| Forward to: Workshop for Discussion | | Consent | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Commission/Board Review: | | | |
| Hearing Examiner Review: | | | |

| COUNCIL ACTION | |
|---|-------------------------|
| Workshop Date(s): March 15th, May 1st, May 15th | Public Hearing Date(s): |
| Meeting Date(s): May 8, 2012 | Tabled to Date: |

APPROVALS

Director:

Mayor:

**Date Reviewed
by City Attorney:
(if applicable):**

ORDINANCE NO. D12-58

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.12 OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING SECTION OF ORDINANCE NO. 1405 RELATING TO SEWER RATES.

WHEREAS, in 2010 the FSC Group, a noted utility rate consulting firm, reviewed the status of the City’s wastewater utility operational and financial requirements and recommended a significant rate increase in order to adequately meet the financial and operational needs of the wastewater utility; and

WHEREAS, rather than increasing general rates at that time the Council opted for an annual CPI adjustment to keep up with inflation; and

WHEREAS, the City wastewater utility continues to have substantial operating and capital needs, including but not limited to: expansion of the wastewater treatment plant, compliance with state and federal water quality standards, a need to reduce inflow and infiltration, increased maintenance of aging wastewater infrastructure, and a need to meet cash flow and debt service requirements; and

WHEREAS, the Council now finds it necessary to improve the financial viability of the wastewater utility by implementing a general rate increase as previously recommended;

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

Section 1. BLMC Section 13.12.082 and the corresponding portion of Ordinance 1405 are hereby amended to read as follows:

13.12.082 Sewer charges.

A. Each single-family resident not requiring or using a city-owned grinder pump shall pay the following monthly fees for sewer services, effective on ~~January 1, 2011~~: July 1st of each year as follows:

Sewer availability charge = \$36.51
 Volumetric charge = \$2.27 per 100 cubic feet (CCF) of monthly water consumption

| | | | | |
|--------|-----------------|-----------------|-----------------|-----------------|
| Charge | July 1, 2012 | July 1, 2013 | July 1, 2014 | July 1, 2015 |
|--------|-----------------|-----------------|-----------------|-----------------|

| | | | | |
|---|---------|---------|---------|---------|
| Sewer availability charge | \$40.16 | \$44.17 | \$48.60 | \$53.45 |
| Volumetric charge per 100 cubic feet (CCF) of monthly water consumption | \$2.50 | \$2.75 | \$3.02 | \$3.32 |

The volumetric charge shall be capped at 10 CCF per month. Sewer availability charges shall be billed monthly. Volumetric charges for single-family residences shall be billed bimonthly.

B. Each single-family resident using a city-owned grinder pump shall pay the following monthly fees for sewer services:

~~Sewer availability charge = \$43.80~~

~~Volumetric charge = \$2.27 per 100 cubic feet (CCF) of monthly water consumption~~

| Charge | July 1, 2012 | July 1, 2013 | July 1, 2014 | July 1, 2015 |
|---|--------------|--------------|--------------|--------------|
| Sewer availability charge | \$48.18 | \$53.00 | \$58.30 | \$64.13 |
| Volumetric Charge per 100 Cubic Feet (CCF) of monthly Water Consumption | \$2.50 | \$2.75 | \$3.02 | \$3.32 |

The volumetric charge shall be capped at 10 CCF per month. Sewer availability charges shall be billed monthly. Volumetric charges for single-family residences shall be billed bimonthly.

C. Discount for Senior Citizens and Disabled Persons. Owners of single-family residences who have qualified for real estate property tax exemption through the Pierce County assessor-treasurer's office on the basis of age and/or disability, and who present proof thereof to the appropriate authority of the city, shall qualify and be entitled to a reduced sewer rate as may from time to time be set by the city council and as established as a 20 percent reduction from the sewer availability charge.

D. Sewer Service Charges for Customers Other than Single-Family Residential. The volumetric charge shall be capped at eight CCF per month for multifamily residents. There shall be no cap for other customers covered by this subsection. Sewer charges for customers other than single-family residential shall be billed monthly.

E. In the event of a water leak, upon following procedures as set forth in BLMC 13.04.100(G), the adjustment to the volumetric portion of the sewer charge shall be two-thirds of that portion of the customer's water consumption bill which is over the average normal water usage. The adjustment shall be limited to the period of 90 days prior to the repair of the leak and inspection thereof; only one leakage adjustment will be allowed in any two-year period. Additional leaks will require on-site inspection and verification of repairs.

Section 2. Section 13.12.085 of the Bonney Lake Municipal Code and the corresponding portion of Ordinance 1278 is hereby repealed.

13.12.085 Annual rate adjustment.

Effective January 1st of each year, ~~beginning on January 1, 2009~~ 2016 the sanitary sewer rates listed in BLMC 13.12.082 shall be adjusted by the annual change in the most recent Seattle-Bremerton-Tacoma Consumer Price Index (Urban Consumers) published by the U.S. Department of Labor.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this 8th day of May, 2012.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk, CMC

APPROVED AS TO FORM:

James Dionne, City Attorney

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

| | | |
|--|---|---------------------------------------|
| Department/Staff Contact: CD / Heather Stinson | Meeting/Workshop Date: 15 May 2012 | Agenda Bill Number: AB12-68 |
| Agenda Item Type: Ordinance | Ordinance/Resolution Number: D12-68 | Councilmember Sponsor: |

Agenda Subject: Amendment to BLMC Title 18 in regards to Conditional Use Permits in Eastown.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 18.29 To Include Provisions For Conditional Use Permits In The Eastown Zoning Designation.

Administrative Recommendation:

Background Summary: The ordinance adopting the land use matrix in December, 2011 contained language that eliminated BLMC Section 18.29.040 which stipulates certain performance measures that conditional uses must meet in the Eastown Zoning district. After adoption it was discovered that this created a referencing error in the code. The ordinance before you reinstates this section of BLMC.
Attachments: D12-68

| BUDGET INFORMATION | | | |
|----------------------------|-----------------|----------------------|----------------|
| Budget Amount | Current Balance | Required Expenditure | Budget Balance |
| Budget Explanation: | | | |

| COMMITTEE, BOARD & COMMISSION REVIEW | | | |
|---|---------------------|--|---|
| Council Committee Review: | <i>Approvals:</i> | | Yes No |
| Date: | Chair/Councilmember | | <input type="checkbox"/> <input type="checkbox"/> |
| | Councilmember | | <input type="checkbox"/> <input type="checkbox"/> |
| | Councilmember | | <input type="checkbox"/> <input type="checkbox"/> |
| Forward to: | Consent | | |
| | Agenda: | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Commission/Board Review: | | | |
| Hearing Examiner Review: | | | |

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

| APPROVALS | | |
|-------------------------|---------------|--|
| Director: JPV | Mayor: | Date Reviewed by City Attorney: (if applicable): |

**ORDINANCE NO. D12-6:
AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY,
WASHINGTON, AMENDING TITLE 18 OF BONNEY LAKE MUNICIPAL CODE TO
INCLUDE PROVISIONS FOR CONDITIONAL USE PERMITS IN EASTOWN
ZONING.**

WHEREAS, Bonney Lake ordinance 14.16 repealed BLMC 18.29.040; and

WHEREAS, this repeal was in error.

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

~~Section 18.29.040~~ Section 18.29.040 of the Bonney Lake Municipal Code is hereby adopted to read as follows:

18.29.040 Conditional uses.

The following uses may be permitted upon the issuance of a conditional use permit by the city:

A. Buildings taller than 50 feet, provided:

1. Adequate provision is made for firefighting and emergency rescue;
2. The use or building will not cast a shadow on residential properties;
3. The use or building is designed with visual relief or landscaping to make it compatible with the surrounding land uses, topography and landscape;

B. Junk, salvage or wrecking yard; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the open storage use;

C. Trailer-mix concrete plant; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the concrete plant and storage yard;

D. Gravel pits; provided a solid fence and/or solid screening hedge at least eight feet high is built and maintained to screen from view the gravel pit;

E. Assembly or processing of previously prepared materials in a fully enclosed building, provided:

1. No explosives, ammunition, blasting agents or fireworks are stored or manufactured in this district;
2. Cellulose nitrate products and cellulose nitrate plastics may be stored in accordance with the fire prevention ordinance, but shall not be manufactured in this district;
3. Any material having a closed cup flash point below 105 degrees Fahrenheit is prohibited from this district;
4. The requirements of Chapter [18.31](#) BLMC are met; and

F. Storage or processing of any hazardous waste as defined in Chapter 70.105 RCW is not permitted as a principal use.

Section 2. If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 3. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2012.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:
Valid:
Published:

Effective date:

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

| | | |
|--|---|---------------------------------------|
| Department/Staff Contact: Executive / Don Morrison | Meeting/Workshop Date: 15 May 2012 | Agenda Bill Number: AB12-75 |
| Agenda Item Type: Ordinance | Ordinance/Resolution Number: D12-75 | Councilmember Sponsor: |

Agenda Subject: Sumner School District Impact Fee

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-75, Relating To School Impact Fees.

Administrative Recommendation: Approve

Background Summary: The Sumner School District has recommended that the Bonney Lake school impact fee be consistent with that adopted by Pierce County and the City of Sumner for their respective territory within the Sumner School District boundaries. Pierce County has adopted a 2012 school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the unincorporated area of Pierce County served by the Sumner School District. The City of Sumner has likewise follows the County adopted amount of \$3,005 for each single family unit and \$0 for each multi-family unit for the Sumner School District. The School District recommends that the City Council adopt the same fee schedule as the other jurisdictions.

Attachments: Ordinance D12-75

| BUDGET INFORMATION | | | |
|-------------------------------|-----------------|----------------------|----------------|
| Budget Amount | Current Balance | Required Expenditure | Budget Balance |
| Budget Explanation: NA | | | |

| COMMITTEE, BOARD & COMMISSION REVIEW | | | |
|---|---------------------------------------|---|---|
| Council Committee Review: | Finance Committee Date: 8 May 2012 | <i>Approvals:</i> | Yes No |
| | | Chair/Councilmember Dan Swatman | <input type="checkbox"/> <input type="checkbox"/> |
| | | Councilmember Mark Hamilton | <input type="checkbox"/> <input type="checkbox"/> |
| | | Councilmember Randy McKibbin | <input type="checkbox"/> <input type="checkbox"/> |
| | Forward to: | Consent | |
| | | Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Commission/Board Review: | | | |
| Hearing Examiner Review: | | | |

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

| APPROVALS | | |
|------------------|---------------|---|
| Director: | Mayor: | Date Reviewed by City Attorney: (if applicable): |

ORDINANCE NO. D12-75

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 19.08 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 1420 RELATING TO SCHOOL IMPACT FEES

WHEREAS, the City Council has adopted school impact fees based upon study and recommendation of the various school districts within the City limits; and

WHEREAS, Pierce County has adopted a 2012 school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the unincorporated area of Pierce County served by the Sumner School District; and

WHEREAS, the City of Sumner likewise follows the District recommended school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the Sumner School District; and

WHEREAS, the School District has asked the City to amend the impact fee to fit the School District's current recommended fee amount and be consistent with those school impact fees adopted by Pierce County and authorized by the City of Sumner for those areas served by the Sumner School District;

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

Section 1. BLMC Section 19.08.120 and Section 1 of Ordinance No. 1420 is hereby amended to read as follows:

19.08.120 School impact fees.

The school impact fee schedules set forth in this section are generated from the formula for calculating impact fees set forth in the district's capital facilities plan. Except as otherwise provided in BLMC 19.08.040, 19.08.050 and 19.08.140, all new residential developments in the city will be charged the school impact fees in accordance with the appropriate schedule below. The fee payer shall pay the school impact fee based on the schedule for the school district in which the development is located.

School Impact Fee Schedules (applies to residential development only)

Sumner School District No. 320:

| | |
|---|---------------------------|
| Single-family – detached (including manufactured homes and mobile homes on individual lots) | \$1,300 <u>\$3,005</u> |
| Multifamily per dwelling unit (including townhouses) | \$0 |

White River School District No. 416:

Single-family – detached (including manufactured homes and mobile homes on individual lots) \$0
Multifamily per dwelling unit (including townhouses) \$0

Section 2. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

PASSED by the City Council and approved by the Mayor this ____ day of _____, 2012.

ATTEST:

Neil Johnson, Jr., Mayor

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney

4A.30.030 School Impact Fee Schedule.

| SCHOOL DISTRICT | PER SINGLE-FAMILY DWELLING UNIT | | PER MULTI-FAMILY DWELLING UNIT | |
|-----------------|--|---|--|---|
| | School District Fee Calculation for 2012 | 2012 Impact Fee (Maximum Fee Obligation Effective 1/01/12 is \$3,005) | School District Fee Calculation for 2012 | 2012 Impact Fee (Maximum Fee Obligation Effective 1/01/12 is \$1,585) |
| Bethel | \$12,293 | \$3,005 | \$12,713 | \$1,585 |
| Carbonado | 0 | 0 | 0 | 0 |
| Dieringer | \$4,296 | \$3,005 | 0 | 0 |
| Eatonville | \$4,497 | \$3,005 | \$2,404 | \$1,585 |
| Fife | \$2,945 | \$2,945 | \$1,632 | \$1,585 |
| Franklin Pierce | \$10,032 | \$3,005 | \$4,530 | \$1,585 |
| Orting | \$3,675 | \$3,005 | \$52 | \$55 |
| Peninsula | \$8,652 | \$3,005 | \$4,795 | \$1,585 |
| Puyallup | \$11,319 | \$3,005 | \$3,037 | \$1,585 |
| Steilacoom | \$2,302 | \$2,305 | 0 | 0 |
| Sumner | \$4,488 | \$3,005 | 0 | 0 |
| White River | 0 | 0 | 0 | 0 |
| Yelm | \$5,954 | \$3,005 | \$2,894 | \$1,585 |

TABLE 4A-1

Given the following variables:

- A = Full cost fee for site acquisition costs = A1+A2+A3
- A1 = Elementary School site cost per student x the student factor
- A2 = Middle School site cost per student x the student factor
- A3 = High School site cost per student x the student factor

- B = Full cost fee for school construction = B1+B2+B3
- B1 = Elementary School construction cost per student x the student factor
- B2 = Middle School construction cost per student x the student factor
- B3 = High school construction cost per student x the student factor

- C = Full cost fee for temporary facilities construction = C1+C2+C3
- C1 = Elementary School temporary facility cost per student x the student factor
- C2 = Middle School temporary facility cost per student x the student factor
- C3 = High School temporary facility cost per student x the student factor