

CITY COUNCIL WORKSHOP

February 4, 2014
5:30 p.m.

AGENDA



"Where Dreams Can Soar"

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

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

*The City Council may act on items listed on this agenda, or by consensus give direction for future action.
The Council may also add and take action on other items not listed on this agenda.*

Location: Bonney Lake Justice & Municipal 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 Council Minutes:** January 21, 2014 Council Workshop, January 25, 2014 Special Council Meeting, and January 28, 2014 Council Meeting.

p. 15 C. **Discussion:** AB14-09 – Resolution 2356 – Creating an Arts Advisory Commission.

p. 21 D. **Discussion:** AB14-17 – Ordinance D14-17 – Water Leak Adjustment Ordinance.

p. 25 E. **Discussion:** AB14-26 – Summer School District Capital Facilities Plan/School Impact Fees.

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

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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CITY COUNCIL WORKSHOP

January 21, 2014
5:30 P.M.

DRAFT MINUTES



“Where Dreams Can Soar”

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

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

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:30 p.m.

II. ROLL CALL:

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

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

III. AGENDA ITEMS:

A. Presentation: Sumner School District Capital Facilities Plan – Mary Urback, School District Representative.

The Council heard a presentation from Mary Urback, School District Representative from the Sumner School District (“District”) regarding the District’s Capital Facilities Plan. Ms. Urback said the 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 District’s boundaries. She advised that 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 District. She believes the City of Sumner will likely follow the County’s adopted amount of \$3,005 for each single family unit and \$0 for each multi-family unit for the District. The District recommended that the City Council adopt the same fee schedule as the other jurisdictions and she asked that this issue be placed on the City’s next Council meeting agenda. There was discussion by the Council who advised that they would like confirmation what the City of Sumner adopts as their fees. Councilmember Hamilton said he thinks the fees should apply across the board to the different cities and county. Ms. Urback said the fees collected are used toward purchasing portables and need for land purchases and expansions. City Administrator Morrison discussed the District’s student growth and the discrepancy between OSPI’s projection and future growth. Craig Spencer, Assistant Superintendent for the District spoke regarding the adjustment of growth and percentage of growth. Councilmember Watson asked if the City’s fees are being adjusted for the growth and inquired about the growth with the Tehaleh project. Ms. Urback discussed that Tehaleh/Cascadia impact fee imposed by Pierce County for the Phase I portion of Tehaleh, and how the Tehaleh development is working with the Sumner School District for improvement for the 198th corridor project

and other areas. She said Tehaleh currently has an estimated 75 students within the District. Councilmember Lewis said the elementary students from Tehaleh will eventually attend Bonney Lake High School. Deputy Mayor Swatman feels the cities and the County should pay the same school impact fees. There was discussion amongst the Council regarding the multi-family rate and how it was/was not previously calculated and their concern with what the City of Sumner is and/or will be paying. Mayor Johnson said the reason for the presentation is for the District to have the opportunity to discuss the District's requests, not to make a decision at this workshop to move it forward for approval. Council consensus was to bring this issue to the February 4th Workshop.

B. Council Open Discussion:

Arts Commission: Mayor Johnson advised that discussion for creating an Arts Advisory Commission and appointments to the commission will occur at the February 4th Workshop,

City Property Map: Councilmember Watson said he would like a copy of a map which shows all of the City owned property, and which properties are vacant.

Marijuana Moratorium. Deputy Mayor Swatman said with the Attorney General's recent opinion regarding the marijuana production and retail sales, it appears that the City is legal in continuing the moratorium and that the City will continue to monitor the regulation requirements.

C. Review of Council Minutes: January 7, 2014 Workshop and January 14, 2014 Council Meeting.

The minutes were approved to be forwarded to the January 28, 2014 Council Meeting, with minor corrections.

D. Discussion: AB14-02 – Resolution 2297 – Stating City's Intent to Adopt the Shoreline Master Plan (*Previously AB13-55*).

Deputy Mayor Swatman said his main concern for the City's Shoreline Master Plan is the string-line setbacks and he suggests that it the string-line setback only apply to those buildings utilizing the incentive program. Councilmember Hamilton said his only concern is the 60' setback and Senior Planner addressed the 60' minimum setback, which he said would prevent the most egregious view impacts. Councilmember Hamilton asked what happens with the required vegetation and who is going to monitor it. Senior Planner Sullivan said the required vegetation for the incentive is mostly on Cascade Water Alliance property, and would not be required along the entire setback. He said most of the homes on the lake are developed and he does not believe they will be redeveloped in the next 20 years. Council consensus was to support Deputy Mayor Swatman's proposal to remove the standard setback except for applicants who utilize the incentive program.

E. Discussion: AB14-13 – 2014 Council Retreat.

Deputy Mayor Swatman addressed the draft agenda and Council and Mayor Johnson agreed to revise the agenda to allow sufficient time to discuss park issues. The 2014 Council Retreat will be held on Saturday, January 25, 2014, at C.I. Shenanigan's from 9 a.m. – 4:00 p.m. The Council will begin with a continental breakfast at 8:30 a.m. and

then follow the proposed agenda throughout the retreat.

F. Discussion: AB14-18 – Fairweather Cove/Painter Residence Grinder Pump Issue.

City Administrator Morrison discussed the grinder pump issue at the Painter residence, located in Fairweather Cove. He said the grinder pump that was installed for the property had passed inspection and he summarized the memorandum from City Engineer John Woodcock. Councilmember Watson advised that the City of Auburn collected the sewer fees on this property. Councilmembers stated that they are sympathetic to the property owners who purchased the foreclosed property, however, they do not believe the City is liable for any damages they have incurred. Ms. Painter was in the audience and wished to speak, however, was advised that the Workshop is for Council discussion purposes only and that they are required to follow the meeting/workshop policies and procedures. Council stated that until they know what the damages are that the Painters are claiming they are uncertain how to respond, but consensus is that the City is not responsible for their damages.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

At 6:46 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 - 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the January 21, 2014 Workshop: None

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

**SPECIAL CITY COUNCIL
MEETING - RETREAT**

**January 25, 2014
9:00 A.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: The executive boardroom at CI Shennanigans, 3017 Ruston Way, Tacoma, Washington.

I. CALL TO ORDER – The City Council and staff were gathered for breakfast at 8:30 a.m., however, no city business was discussed as a group prior to the start of the special meeting. The special meeting was formally called to order by Mayor Neil Johnson, Jr. at 9:00 a.m.

A. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson noted the attendance of the following elected officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Administrative Services Director/City Clerk Harwood Edvalson, Assistant Public Works Director Charlie Simpson, Facilities and Special Projects Manager Gary Leaf (morning session only) and Special Event Coordinator David Wells.

In addition to the above, Park Board Chairperson Jim Bouchard attended the morning session.

II. AGENDA ITEMS: The meeting agenda was reordered and some items combined as reflected in the list of agenda items which follows below.

A. Retreat Expectations: Councilmembers were asked to briefly express their expectations for the retreat. The majority touched upon establishing direction for short-term parks development/projects. Also discussed were continued development of the Downtown, Midtown and Eastown areas, creation of a youth center and long-term funding for parks planning and development.

B. Parks Planning: City Administrator Morrison introduced the discussion by describing the need for consensus building within the community, particularly to garner support for some type of parks bond to fund park development. Councilmembers discussed the topic. A majority consensus formed around the desire to accomplish some smaller projects over the next 2 years which could be funded from existing reserves. The hope was expressed that by seeing action in the parks, the public will have firm examples of progress and wish to consider further progress by supporting parks bonds.

The Council took a fifteen minute break and resumed the meeting at 10:05 a.m.

C. Short-term Parks Projects: Mayor Johnson asked the City Council to identify their top parks-related projects for the next one to three year period. The Council went through a process of ranking the suggested projects and identified the following top four:

1. A picnic area and parking lot in Midtown Park;

2. A ropes course for the Midtown Park;
 3. Development of a Mid-town Pocket Park behind the market at Lake Tapps; and
 4. Open a leased community center in Midtown.
- D. Short-term Council Goals: The City Council was invited to identify short-term (1-3 years) goals for the City. The same process of ranking the goals was used to produce the following:
1. Open a community center;
 2. Install a sidewalk on Veterans Memorial Drive connecting Locust and Angeline;
 3. Complete the sale of the city property on 192nd Ave E. north of Junction 192; and
 4. Improve the city's credit rating to AAA.
- E. Review of Prior Council Goals: The City Council was provided a list of goals established previously by the City Council which have not yet been completed. By earlier survey, the Council gave their opinions as whether these goals should be retained, modified or deleted. The goals the Council chose to retain are as follows:
1. Develop a closer working relationship with the Chamber of Commerce;
 2. Develop a suitable location for a historical museum;
 3. Complete acquisition of remaining parcels for the Civic Center;
 4. Increase funding sources to implement the non-motorized transportation plan;
 5. Coordinate with Chamber of Commerce for local streetscape improvements;
 6. Update the emergency management plan and establish reserves for 2-3 days operations;
 7. Develop a public works center;
 8. Build a coalition for support of long-term comprehensive parks planning; and
 9. Annex the County Urban Growth Area.

The City Council took a lunch break at 12:15 p.m. and resumed retreat discussion at 1:25 p.m.

- F. Review of Council Long-term Goals: The City Council discussed prior long-term goals and added new items to the list for discussion. The following are the long-term goals reaffirmed or established by the Council at this retreat:
1. Develop a community recreation center;
 2. Square up the city limits along north and south sides of SR410, east of 214th;
 3. Preserve space for a future Bonney Lake animal shelter;
 4. Pursue funding for the 192nd Avenue corridor project;
 5. Automate/manage city records; digitize existing paper records;
 6. Acquire remaining downtown properties and construct a civic center;
 7. Work with stakeholders to build the Rhodes Lake Road corridor project;
 8. Maximize commercial development areas and land uses;
 9. Annex the Kelly Farm area with appropriate preservation restrictions;
 10. Perfect City water rights;
 11. Obtain a water right in the White River Basin;
 12. Acquire right of first refusal on purchase of Lake Tapps area HOA parks;
 13. Improve interconnectivity between neighborhoods and commercial areas; and
 14. Develop the Victor Falls Park.

- G. Public Works Center: The City Council discussed the proposed development of the Public Works Center and expressed majority consensus support for development of the material storage site first and then the public works administrative center building on the old Compass Pointe site with no immediate access to SR410.

The City Council took a break in their discussions at 3:25 p.m. starting again at 3:45 p.m.

- H. General Council Discussion: The City Council discussed these items and provided direction to staff on the following:

1. Agenda bills will typically require a councilmember sponsor, unless submitted under the Mayor's authority;
2. The "Other Reports" section of the regular council meeting agenda will be used for reports where councilmembers are reporting as official representatives of the Council. Items of general interest to the Council or intended for public information will either be handled under "Announcements" if submitted to the Mayor prior to the meeting or as part of the "Open Discussion" section of Council workshops; and
3. Staff is encouraged to look for more creative ways to use social media to get the City's message out to the public.

III. ADJOURNMENT:

At approximately 4:00 p.m., the City Council adjourned the meeting by common consent.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the January 25, 2014 Special Meeting:

- Councilmember Randy McKibbin, City of Bonney Lake – *Mid-Town Pocket Park (MTPP)*.

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

CITY COUNCIL MEETING

January 28, 2014
7:00 P.M.

DRAFT MINUTES



“Where Dreams Can Soar”

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

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

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

- A. Flag Salute: Deputy Mayor Swatman led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Neil Johnson, Jr. 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 Kathleen Haggard, Records & Information Specialist Susan Haigh, and Senior Planner Jason Sullivan.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments:
 - a. **AB14-14** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor’s Appointment Of Debbie Strous-Boyd To Planning Commissioner Position #4 For A Term Ending April 6, 2015.

**Councilmember Rackley moved to approve motion AB14-14.
Councilmember Lewis seconded the motion.**

Deputy Mayor Swatman said Mrs. Strous-Boyd has done great work as a Design Commissioner, and he looks forward to her work on the Planning Commission. Councilmember McKibbin noted that she plans to serve on both the Design and Planning Commissions going forward.

Motion AB14-14 approved 7 – 0.

- 3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **AB14-07** – A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider The Easttown Southern Sewer Utility Latecomer Agreement Cost Allocation Preliminary Fee Assessment For The Shepard-Morris Property (Pierce County Parcel No. 0519022007).

Deputy Mayor Swatman opened the public hearing at 7:03 p.m.

Edwin W. Morris, 17301 159th Ave SE, Renton, spoke against his family's parcel being included in the Utility Latecomer Agreement (ULA). He described their concerns about the fairness of fee calculations, and the supposed benefit to property owners. He provided the City Clerk with a copy of his statement to distribute to Councilmembers.

Mr. Morris asked whether the City will respond or make a decision at the current Meeting. City Attorney Haggard explained the Council's options and suggested the topic be an item of discussion at a Workshop. Mr. Morris thanked the Council for their consideration.

Aaron Babcock, 11107 176th Ave E, Bonney Lake, said the City sent himself and the other property owners the estimated ULA fees, and he believes they are fair and reasonable. He spoke in favor of the Utility Latecomer Agreement, and said the extension of the sewer line will allow him to finally develop his property.

Seeing no further speakers, Deputy Mayor Swatman closed the public hearing at 7:10 p.m.

B. Citizen Comments:

Dan Decker, 20401 70th St E, Bonney Lake, spoke against the proposed school bond levies on the ballot for the February 11, 2014 Special Election, and said the State is responsible for funding schools. He also spoke about public safety.

Jeremiah Lafranca, 9316 Country Hollow Dr E, Puyallup, spoke on behalf of the Master Builders Association (MBA) of Pierce County. He said the MBA supports proposed Resolution 2297 for the Shoreline Master Plan. He added that his organization sent a letter to the Council earlier with concerns about consistency, but Senior Planner Jason Sullivan worked with them and their concerns have been addressed.

C. Correspondence:

Administrative Services Director/City Clerk Edvalson noted that the City received a letter from Jeremiah J. Lafranca, Government Affairs Manager for the Master Builders Association of Pierce County, regarding proposed Resolution 2297.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the Finance Committee met at 5:30 p.m. earlier in the evening. They discussed options for the water leak adjustment policy, and forwarded the issue to a future Workshop for discussion.

- B. Community Development Committee: Councilmember Lewis said the Community Development Committee (CDC) met on January 21, 2014 and discussed past meeting notes, elected Councilmember Lewis as chair, and forwarded items AB14-04, AB14-08, AB14-16, AB14-10, AB14-11, AB14-12 and AB14-15 to the current Consent Agenda for action. He noted that the proposed contract for right-of-way acquisition services (AB14-16, Resolution 2357) does not include the cost to purchase the right-of-way and relocate the Dairy Queen sign; those costs will be determined during the acquisition process.
- C. Economic Development Committee: Councilmember Minton-Davis said the Economic Development Committee (EDC) met earlier in the day and discussed the 2013 Development Activity Report, which was forwarded to Workshop for discussion.
- D. Public Safety Committee: Councilmember Watson said the Public Safety Committee (PSC) has not met since the last Council Meeting.
- E. Other Reports:
- Pierce County Regional Council: Councilmember Hamilton said he attended the Pierce County Regional Council meeting on January 16, 2014. The group made committees assignments, and he volunteered to serve on the Operation Committee and as an alternate to the Growth Management Policy Board. The PCRC has hired a the lobbying firm Ceiba Consulting to represent the PCRC during the State legislative session. He gave a report of ongoing and upcoming issues, including preservation funds and the T-1 Amendments to the Countywide Planning Policies. He invited Councilmembers to attend the PCRC General Assembly Dinner on February 20, 2014 at 6:00 p.m. at the Puyallup Park Pavilion. He also noted a session on “Beyond Urban Planning” is being offered on February 20th and suggested CDC members attend. Councilmember Rackley complimented the PCRC on hiring a lobbyist. Councilmember Hamilton said the City Council can bring issues that may impact the region to the PCRC lobbyist.

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: January 7, 2014 Joint Planning Commission/City Council Workshop and January 14, 2014 Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #67817-67834 (including wire transfer #'s 20140103, 20140104 and 20140105) in the amount of \$120,237.57.
Accounts Payable checks/vouchers #67835-67838 in the amount of \$447,824.00.
Accounts Payable checks/vouchers #67839-67903 (including wire transfer #'s 12564121, and 116201401) in the amount of \$503,257.22.
Accounts Payable checks/vouchers #67904-67923 in the amount of \$63,771.60.
Accounts Payable checks/vouchers #67924-67942 in the amount of \$1,949.12 for utility refunds.
Accounts Payable wire transfer #2014011701 for P-Cards in the amount of \$41,274.59.
- C. **Approval of Payroll**: Payroll for January 1st-15th, 2014 for checks #31553-31573 including Direct Deposits and Electronic Transfers is \$ 449,651.85.
Payroll for January 22nd, 2014 for checks #31574 – #31608 for uniform allowance is \$28,613.53.

- D. **AB14-04 – Resolution 2353** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Jeff Estep For The Water Main Extension Along 213th Avenue Court East.
- E. **AB14-08 – Resolution 2355** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Professional Services Agreement To GC Systems For The 2014 Valve Rebuilds.
- F. **AB14-16 – Resolution 2357** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The SR 410 Intersection Signalization Right Of Way Acquisition Services Agreement To Universal Field Services.
- G. **AB14-10** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Fennel Creek Trail & 192 Ave Sidewalks – Phase 2 Project With Pivetta Brothers Construction, Inc.
- H. **AB14-11** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Angeline Road & Church Lake Road Resurfacing Project With Miles Resources, LLC.
- I. **AB14-12** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Locust Avenue Extension Water Main Replacement Project With Northwest Cascade, Inc.
- J. **AB14-15** – Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Tacoma Point Onsite Generation Upgrade With TMG Services.

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

Consent Agenda approved 7 – 0.

- V. **FINANCE COMMITTEE ISSUES:** None.
- VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.
- VII. **ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.
- VIII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.
- IX. **FULL COUNCIL ISSUES:**
 - A. **AB14-02 – Resolution 2297** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Expressing The Intent To Adopt An Update

Of The Shoreline Master Program And Authorizing The Submittal Of The Proposed Shoreline Master Program To The Washington State Department Of Ecology.

Councilmember Rackley moved to approve Resolution 2297. Councilmember Lewis seconded the motion.

In response to a question from Councilmember Rackley, Senior Planner Jason Sullivan said since the Council last reviewed this item, the string-line setback was removed per Council’s request. He said after the Council approves the proposed resolution, he will submit the Shoreline Master Plan (SMP) materials to the Department of Ecology (DOE) to start the official review process which should take three to six months. The City Council will review any mandatory and optional requested changes brought forward by the DOE and make final approval. He noted that the current SMP from 1975 will remain in place until the DOE formally accepts the City’s updated SMP. He said staff in the Planning Department have told customers that a new SMP is in process that will impact future permits. He said the proposed SMP is more stringent in some areas, but makes other issues related to residential permits easier.

Councilmembers Watson, McKibbin, and Lewis thanked Mr. Sullivan for his work on the SMP. Councilmember Hamilton said he feels the proposed SMP is unfair to those who have not yet developed their properties, but said Mr. Sullivan did his best in developing the proposed SMP. He said the DOE has not done its job to protect shorelines and see that these policies were updated sooner, and now only new development will be impacted by the revisions.

Resolution 2297 approved 7 – 0.

X. EXECUTIVE SESSION:

XI. ADJOURNMENT:

At 7:39 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the January 28, 2014 Meeting:

- Edwin W. Morris, Jr. – *Statement provided in Public Hearing (AB14-07).*
- Jeremiah J. Lafranca, Government Affairs Manager – *Letter re: Proposed Resolution 2297 – 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: February 4, 2014	Agenda Bill Number: AB14-09
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2356	Councilmember Sponsor:

Agenda Subject: Creation of an Arts Advisory Commission

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Creating An Arts Advisory Commission.

Administrative Recommendation: Approve

Background Summary: The City Council adopted a Community Culture Plan which includes a goal “to preserve and promote the arts, and to support the development of facilities and programs for public art and cultural opportunities that create and enrich a strong sense of community identity and promote a high quality of life”, with supporting goals, such as: “advocating for visual and performing arts facilities to serve the needs of the community”, and “incorporating the arts into its downtown plan to enhance pedestrian connections and highlight cultural assets including public art and community history”. This resolution creates an Arts Advisory Commission which would work towards achieving the goals of the Community Culture element of the City’s Comprehensive Plan.

Attachments: Resolution

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

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<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): January 21, 2014	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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

RESOLUTION NO. 2356

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, CREATING AN ARTS ADVISORY COMMISSION.

WHEREAS, the City has adopted a Community Culture Plan which includes a goal “to preserve and promote the arts, and to support the development of facilities and programs for public art and cultural opportunities that create and enrich a strong sense of community identity and promote a high quality of life”, with supporting goals, such as: “advocating for visual and performing arts facilities to serve the needs of the community”, and “incorporating the arts into its downtown plan to enhance pedestrian connections and highlight cultural assets including public art and community history”; and

WHEREAS, the City recognizes the important role of art in the cultural enrichment of its residents, the aesthetic quality of its physical environment, and the community character and civic identity of Bonney Lake; and

WHEREAS, public art enriches publicly owned places, and contributes a sense of ownership and community pride in public facilities and spaces for City residents; and

WHEREAS, the City of Bonney Lake believes in the power of art in public places to draw people together, create vibrant neighborhoods, and stimulate thought and engagement by enhancing the built and natural environment unique to Bonney Lake; and

WHEREAS, art is part of the cultural thread that ties generations of citizens together, creating opportunities for expression, reflection, participation, understanding and education; and

WHEREAS, the City believes in enhancing the community's image and identity through the arts; and

WHEREAS, the City Council desires to establish an Arts Advisory Commission to promote the arts and advise the Mayor and City Council on the arts in Bonney Lake;

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

Section 1. Arts Commission Established. An Arts Commission (“Commission”) is hereby established for the general purpose of:

- A. Advising the Mayor and City Council on matters of the arts in the Bonney Lake community;
- B. Providing community leadership and assistance in advocating for, developing and promoting the arts in Bonney Lake; and
- C. Improving the quality of life and enhancing the aesthetic environment of Bonney Lake through art.

Section 2. Membership; Vacancies; Organization.

- A. The Arts Advisory Commission (hereafter "Commission") shall be composed of no fewer than five (5) and no more than seven (7) members, appointed by the Mayor.
- B. Except for the youth representative, the terms of the Commission members shall be for three (3) years, except that half of the initial appointments shall be for two (2) years in order to create a staggering of terms to assure continuity of commission membership. Sitting members may be reappointed to a subsequent new three year term. All terms shall expire April 6th. Vacancies that occur in any way other than through expiration of terms shall be filled for the remainder of the unexpired term in the same manner as a regular appointment. The youth representative shall be appointed for a one (1) year term.
- C. Prior to appointing members, public notice of available positions shall be provided at least two weeks in advance of appointment. Applicants for vacant positions shall be made on the same form and in the same manner as vacancies for other City boards and commissions.
- D. Commission members shall serve at the pleasure of the Mayor. Vacancies occurring otherwise than by expiration of term shall be filled in the same manner used for regular appointments. All members of the Commission shall serve until their successors are duly appointed.
- E. Members of the Commission should have a working knowledge of, and represent, to the extent reasonably possible, one or more arts communities, including but not necessarily limited to: visual arts, performing arts, music, literature, as well as lay members who have an interest in the artistic and cultural development of the City. At least one member shall be appointed to represent the business community, and one member shall be a youth representative who attends school within Bonney Lake. Commission members shall reside in the Bonney Lake 98391 zip code; provided however, that preference may be given to appointees who reside within the Bonney Lake City limits.
- F. The Commission shall elect from its members a Chair and Vice Chair, each of whom shall serve for a period of one year. Chairs and Vice Chairs may be elected for consecutive years. The Commission shall adopt such procedures and guidelines, as necessary or desirable, for the conduct of its business and shall keep written minutes of its proceedings. The Commission procedures shall include provisions for the date, time and place of regular meetings of the Commission. The rules of procedure shall provide for the election of the Chair and Vice Chair. Provisions shall be made for maintaining minutes of Commission meetings and records of all Commission reports, conclusions and recommendations. The proceedings of every meeting shall be a public record.

Section 3. Meetings; Compensation

- A. All meetings of the Commission shall be open to the public and shall be governed by the rules and operating procedures as established by the Commission. In consultation with assigned City staff, the Commission shall establish a fixed meeting date, time, and location for its regular meeting and will meet at least quarterly. Each member of the Commission, including the youth representative, shall have one vote. The Chair shall not vote except in

the case of a tie. A simple majority of the Commission shall constitute a quorum for the transaction of Commission business.

- B. Regular attendance by members is necessary for the efficient operation and effective completion of business. Two non-excused absences from regular meetings in a year shall constitute grounds for dismissal from the Commission. A member may request that an absence be excused either before or after the absence occurs.
- C. The Executive Department shall be responsible for providing administrative staff support to the Commission and may assign staff assistance to the Commission, within the limits of available resources.
- D. The members of the Commission shall serve without pay, but may be reimbursed for authorized pre-approved expenses incurred while participating in Commission functions, to the extent that funds are budgeted and available.

Section 3. Duties and Responsibilities. The Arts Commission may study, discuss, evaluate, and if necessary or prudent, conduct public meetings or public hearings on matters within the scope of Commission duties and responsibilities, for the purpose of gathering and compiling information in order to advise or make recommendations to the Mayor and City Council on matters within the purview of its authority. On an annual basis, the Commission shall provide the Mayor and City Council with a report of its activities during the previous year. The assigned scope of responsibility of the Arts Commission shall include:

- A. Keep the Mayor and City Council informed in matters of both visual arts (e.g. painting, printmaking, photography, crafts, sculpture, mixed media, new media), film making) and performing arts (e.g. music, dance, theatre);
- B. Serve as the official body and point of contact to whom individuals and groups may bring their concerns and ideas with regard to the arts;
- C. Solicit volunteer support and encourage public participation in the implementation and operation of arts programs;
- D. Serve as a liaison to the business community, service groups, arts organizations, schools, citizens and artists in regards to the selection, placement, maintenance, and enjoyment of art.
- E. To encourage and, if possible, garner donations, grants or other support to the City to further expand artistic and cultural programs and services for the citizens of Bonney Lake;
- F. To provide local artistic and cultural services to the citizens of Bonney Lake by making expertise available to the City and its citizens on the subjects of visual and performing arts, especially as those artistic endeavors may be used to influence the use of public art in public spaces.
- G. To advise the Mayor and City Council concerning the purchase of works of public art to be placed on municipal property.
- H. To review all proposed donations of public art to ensure that such donations are consistent with the goals of the City;
- I. Encourage multi-age working, sharing, learning and teaching in the arts;
- J. Provide recognition and encouragement to local artists, both those established and those as yet unrecognized;
- K. Such other and further responsibilities as may be assigned to the Commission by the Mayor or City Council, from time to time;

- L. The purview of the Commission shall not include duties or responsibilities related to the operation or maintenance of the City's parks or special events, including but not limited to events such as Bonney Lake Days, Tunes @ Tapps, Kids Club, Friday Night Flicks, etc.

PASSED BY THE CITY COUNCIL this _____ day of MONTH, 2014.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 4 February 2014	Agenda Bill Number: AB14-17
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D14-17	Councilmember Sponsor:

Agenda Subject: Water Leak Adjustments

Full Title/Motion: An Ordinance Of The City Of Bonney Lake Amending Chapter 13.04.100(G) Of The Bonney Lake Municipal Code And Ordinance No. 1465 Relating To Water Leak Adjustments.

Administrative Recommendation: Approve

Background Summary: Since at least 1978 (Ord.464), the City has had a provision for granting financial relief for water customers who have had water line leaks. This ordinance updates the provisions concerning the granting of water leak adjustments. The Administration reviewed the water leak adjustment ordinances of a number of other cities prior to drafting this amendment.

Attachments: Ordinance D14-17

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Finance Committee Date: 28 January 2014	<i>Approvals:</i>	Yes No
		Chair/Councilmember Swatman	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember Lewis	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember Minton-Davis	<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): February 4, 2014	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS

Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):
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ORDINANCE NO. D14-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.04.100(G) OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 1465 RELATING TO WATER LEAK ADJUSTMENTS.

WHEREAS, the City Council desires to amend the Bonney Lake Municipal Code to provide additional discretion in authorizing adjustments to water charges when customers experience a water service line break or leak and act expeditiously to repair the line;

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

Section 1. BLMC 13.04.100(G) and the corresponding section of Ordinance No. 1465 is hereby amended to read as follows:

G. Leakage – Rate Reduction.

1. In the event that there is a leak in the water service line only (on the property owner's side of the water meter between the water meter and the building), after the service line is repaired by the owner and upon written request by the property owner, the city finance department may make an adjustment in the water bill.

2. The adjustment shall be two-thirds of that portion of the customer's water bill determined by calculating the median consumption for the past five years for the same period the leak occurred. The adjustment shall be limited to the period of 120 days of consumptive use prior to the repair of the leak.

3. The city reserves the right to request documentation of the service line repair as a condition of granting a leak adjustment.

~~4. Only one leakage adjustment will be allowed in any two-year period.~~

4. Should a customer who was granted a leak adjustment request a subsequent leak adjustment within twenty-four months of the previous adjustment due to an additional line break or leak, documentation such as a receipt from a plumber, must again be provided to reasonably demonstrate that the leak has been repaired and that the repair is expected to be permanent.

5. No leak adjustments shall be authorized in the following situations:

- A. The leak was caused by a third party from whom the customer is able to recover their costs. Examples include, but are not limited to, theft, vandalism, negligence and construction damage, unoccupied or vacant properties.
- B. The meter at said property has been accessed, tampered with, or turned on/off by anyone other than a City of Bonney Lake employee and that action results in loss of water.
- C. The leaky line is subject to a valid warranty
- D. The subject property has already been granted two leak adjustments in the previous five (5) years from the date of the current leak adjustment request.

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 intent of this ordinance.

Section 4. 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 ____th day of , 2014.

Neil Johnson, Jr.
Mayor

ATTEST:

Harwood T. Edvalson
City Clerk, CMC

APPROVED AS TO FORM:

Kathleen Haggard
City Attorney

Passed:
Valid:
Published:
Effective Date:

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

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 4 February 2014	Agenda Bill Number: AB14-26
Agenda Item Type: Discussion	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: School Impact Fees

Full Title/Motion: n/a

Administrative Recommendation: Draft an Updated School Impact Fee Ordinance

Background Summary: The Sumner School District has updated their capital facilities element, which is incorporated into the City's Comprehensive Plan's Capital Facilities Element (CFE) by reference. As a result of their updated CFE, the School District is requesting an increase in school impact fees: Current: \$3,005 SF; \$0 MF; Proposed: \$4,019 SF; \$830 MF. Pierce County has raised their rates for SSD to \$3,125 SF and \$830 MF. The City of Sumner has not yet acted on the new fee request (currently \$3,005 SF and \$0 MF). The City of Edgewood adopted \$3,500SF and \$830 SF. Once Council agrees on an amount an ordinance will be drafted for consideration. The draft ordinance will also address the City's one-stop-shop concept of fee collection (City will collect the fee), the cost of impact fee administration (fee added for cost of admin.), and the City's fiduciary impact fee responsibilities under GMA, along with any revised rate.

Attachments: Letters from SD; Fee Collections to Date; RCW Excerpt

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 NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<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): January 21, 2014	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

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



Sumner School District

...a great place to learn!

Assistant Superintendent

Administrative Services

1202 Wood Ave.
Sumner, WA 98390
(253) 891-6084
Fax (253) 891-6101

November 5, 2013

John P. Vodopich, AICP
Community Development Director
City of Bonney Lake
9002 Main Street East, Suite 300
Bonney Lake, WA 98391

**Re: City of Bonney Lake School Impact Fee
Sumner School District**

Dear John:

As you are aware, Sumner School District has submitted the District's 2013 – 2019 Capital Facilities Plan to the City. As required by the Growth Management Act, the District re-examines each year all aspects of its capital facility planning, including school facility needs, capital improvement costs, and student generation factors by housing unit.

Consistent with this review, the District's Capital Facilities Plan for 2013-2019 establishes the need (with a 50% reduction) of:

\$4,018.71 per Single-Family Residence
\$ 830.10 per Multi-Family Residence

The District's Board has directed District Staff to request that the City update its School Impact Fee Ordinance to reflect the impacts from new growth on Sumner School District based upon the District's Impact Fee Calculations as set forth above. Please accept this letter has a formal request for the City to initiate the legislative process required by the City to amend its School Impact Fee on behalf of Sumner School District.

Please notify me and our legal counsel, Mary Urback, of your schedule of hearings for this process, including any Study Sessions that may be held by the City Council.

Thank you for your assistance in this matter. In the meantime, if you have any questions, please do not hesitate to contact me.

Sincerely,

Craig Spencer
Assistant Superintendent

cc: Dr. Sara E. Johnson
Mary J. Urback, Esq.



Sumner School District

...a great place to learn!

1202 Wood Ave.
Sumner, WA 98390
(253) 891-6084
Fax (253) 891-6101

Assistant Superintendent

Administrative Services

RECEIVED

SEP 23 2013

City Of Bonney Lake
Permit Center

September 19, 2013

John Vodopich
Community Development Director
PO Box 7380
Bonney Lake, WA 98391

Dear Mr. Vodopich:

Enclosed is the Sumner School District's 2013 Capital Facilities Plan which addresses District planning through 2019. This plan was presented to the Board and adopted September 18, 2013.

Sumner School District hired consultant, Jeff Greene, Greene Gasaway Architects, again this year to help with updating the Capital Facilities Plan. Mr. Greene's consulting services are used by many surrounding school districts with their Capital Facilities Plan. Mr. Greene did a thorough inventory of Sumner School District, which included reviewing residential development data, preparing a new enrollment forecast, preparing a new enrollment driven needs forecast and preparing a district capacity analysis. Also included in this plan is the District's calculation for impact fees for 2014 which Pierce County Council will use to establish their School Impact Fee Ordinance for 2014.

If you need any further information, please feel free to call.

Sincerely,


Craig Spencer
Assistant Superintendent

Enclosures: 2013-2019 Capital Facilities Plan

cc: Don Morrison, City Administrator
Lauren Hines
Jen Francis

Don Morrison

From: John Vodopich
Sent: Wednesday, January 29, 2014 1:47 PM
To: Don Morrison
Subject: SD Impact Fees

Don –

Pierce County SFR \$3,125 & MFR \$830
Sumner SFR \$3,005 & \$0 MFR
Edgewood SFR \$3,500 & \$830.10

John P. Vodopich, AICP
Community Development Director/Building Official

City of Bonney Lake
Justice & Municipal Center
9002 Main Street East, Suite 300
P.O. Box 7380
Bonney Lake, WA 98391-0944
(253) 447-4345 Office
(253) 261-5234 Cellular
(253) 862-1116 Facsimile
vodopichj@ci.bonney-lake.wa.us
www.ci.bonney-lake.wa.us

Please take a few moments to complete a Customer Service Survey regarding your experience with the Community Development Department.



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RCWs > Title 82 > Chapter 82.02 > Section 82.02.070

[82.02.060](#) << [82.02.070](#) >> [82.02.080](#)

RCW 82.02.070

Impact fees — Retained in special accounts — Limitations on use — Administrative appeals.

(1) Impact fee receipts shall be earmarked specifically and retained in special interest-bearing accounts. Separate accounts shall be established for each type of public facility for which impact fees are collected. All interest shall be retained in the account and expended for the purpose or purposes for which the impact fees were imposed. Annually, each county, city, or town imposing impact fees shall provide a report on each impact fee account showing the source and amount of all moneys collected, earned, or received and system improvements that were financed in whole or in part by impact fees.

(2) Impact fees for system improvements shall be expended only in conformance with the capital facilities plan element of the comprehensive plan.

(3)(a) Except as provided otherwise by (b) of this subsection, impact fees shall be expended or encumbered for a permissible use within ten years of receipt, unless there exists an extraordinary and compelling reason for fees to be held longer than ten years. Such extraordinary or compelling reasons shall be identified in written findings by the governing body of the county, city, or town.

(b) School impact fees must be expended or encumbered for a permissible use within ten years of receipt, unless there exists an extraordinary and compelling reason for fees to be held longer than ten years. Such extraordinary or compelling reasons shall be identified in written findings by the governing body of the county, city, or town.

(4) Impact fees may be paid under protest in order to obtain a permit or other approval of development activity.

(5) Each county, city, or town that imposes impact fees shall provide for an administrative appeals process for the appeal of an impact fee; the process may follow the appeal process for the underlying development approval or the county, city, or town may establish a separate appeals process. The impact fee may be modified upon a determination that it is proper to do so based on principles of fairness. The county, city, or town may provide for the resolution of disputes regarding impact fees by arbitration.

[2011 c 353 § 8; 2009 c 263 § 1; 1990 1st ex.s. c 17 § 46.]

Notes:

Intent -- 2011 c 353: See note following RCW [36.70A.130](#).

Severability -- Part, section headings not law -- 1990 1st ex.s. c 17: See RCW [36.70A.900](#) and [36.70A.901](#).