

**CITY COUNCIL &  
PLANNING COMMISSION  
COMBINED WORKSHOP**

**January 19, 2010  
5:30 p.m.**

**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](http://www.ci.bonney-lake.wa.us)*

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**I. Call to Order:**

Mayor Neil Johnson, Jr. called the workshop to order at 5:31 p.m.

**II. Roll Call:** [A1.3]

Administrative Services Director/City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

Planning Commissioners attending were Chairperson Grant Sulham, Commissioner David Eck, Commissioner Brandon Frederick and Commissioner Winona Jacobsen. Vice-Chairperson Katrina Minton-Davis was absent.

Staff Members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Planning Manager Heather Stinson, City Attorney James Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.

**III. Agenda Items:**

5:32:18

**A. Combined Presentation: AB10-31 - Shoreline Master Plan.**

Planning Manager Heather Stinson presented information on the Shoreline Management Act and the City's Shoreline Master Plan (SMP) update process. The Council approved hiring of a consultant in 2009, who is currently working on an inventory and analysis. The City is now seeking volunteers to serve on a SMP Citizens Advisory Committee, which will meet during 2010-2012. Planning Manager Stinson described areas in Bonney Lake that fall under the SMP, including the Lake Tapps shoreline and a portion of Fennel Creek at Victor Falls. The City's Critical Areas Ordinance protects Fennel Creek in the City limits, but most of the creek does not meet the flow level criteria to fall under the SMP's jurisdiction.

The Council invited Kim Van Zwalenburg from the Department of Ecology to speak. Ms. Van Zwalenburg introduced Sarah Lukas, who will be working with the City and advisory committee in the future. Ms. Zwalenburg explained how 'ordinary high water mark' is determined per the Revised Code of Washington. She said though Lake Tapps is a reservoir, not a natural lake, the State deals with other reservoirs that are protected under the Shoreline Management Act. She confirmed that Bonney Lake must coordinate its SMP with other jurisdictions on the lake, though the agencies' plans do not need to be identical. Ms. Van Zwalenburg explained that the SMP does not address boat speeds on the lake or septic systems in properties along the lake; these issues must be handled through other channels.

Planning Manager Stinson said the City's next steps are setting up the citizen's advisory committee and reviewing the consultant's analysis and inventory report once it is complete. She said she hopes the committee will include at least one Councilmember and one Planning Commissioner if possible, and will hold its first meeting in June 2010. She said information on the advisory committee has been published online and in the newspaper, and letters were sent to the presidents of each Homeowners Association along the shoreline. Deputy Mayor Swatman said the City needs to work hard to get citizens involved in the process.

6:00:21

- B. Motion of the Bonney Lake City Council and Planning Commission to Close the Combined Portion of the Meeting and Continue with the City Council Workshop.

**Deputy Mayor Swatman moved to close the combined portion of the meeting and continue with the City Council Workshop. Councilmember Rackley seconded the motion.**

**Motion approved 11 – 0.**

At 6:01 p.m., the Mayor called for a 10-minute break. The Workshop resumed at 6:11 p.m.

6:11:40

- C. **Presentation:** AB10-30 – Resolution 2009 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the 2010 Lake Tapps Area Water Resources Agreement.

Public Works Director Grigsby introduced Tom Pors, who was hired through the City Attorney's office to negotiate with Cascade Water Alliance (CWA) on behalf of the City. The 'Four Cities' of Bonney Lake, Auburn, Sumner and Buckley have been in negotiations with CWA since early 2009. The result of this process is the proposed resolution and water acquisition options and pricing for the Four Cities. In their initial proposal with the Tribes, CWA estimated it would need 100 to 150 cfs of water. New projections showed they would need about 20 cfs less. Instead of simply giving up that water, CWA agreed to set aside 10 cfs of water for the Four Cities to use. The options for the cities to purchase this water and water rights are outlined in the proposed Water Resources Agreement.

Director Grigsby provided the Council with an explanation of the water acquisition options and costs under the proposed agreement. First, the City will have the option to purchase 2 MGDs of water that CWA previously purchased from Tacoma Public Utilities. CWA negotiated their price with TPU in 2005, and CWA's proposed cost to Bonney Lake is about half of what the City had negotiated with TPU per Resolution 1841, which the Council approved in 2008 but which the TPU board never signed. The City must purchase water from CWA by 2018 per the agreement.

The proposed resolution also gives the Four Cities the option to purchase water rights from CWA in the White River water basin, east of Lake Tapps. Because the Department of Ecology has closed the White River basin to any new water rights, the only way the City can acquire rights at this time is to purchase them from CWA. The agreement states that the City must purchase the water rights by 2030. Director Grigsby noted that the cost to purchase the water rights does not include the potential added costs to the City to purchase land, drill for water, and test water sources. He

said the City may have to drill several wells, and there is no guarantee a good water source will be located after water rights are purchased.

Mr. Pors explained that the Four Cities and CWA worked together to anticipate any requirements from the Department of Ecology in the water rights process, and the agreement seems workable and a bona fide opportunity for the City. He has already drafted a groundwater rights application that can be filed once the agreement is complete. The cities can coordinate with each other to accelerate the Department of Ecology review process if they wish. The agreement states that the cities will not oppose CWA as it moves forward. The City does not, however, guarantee right-of-ways or franchises, so CWA would still need to go through City processes as usual.

Councilmembers asked if the agreement requires the City to sit on the CWA Board. Mr. Pors said it does not, but it does give the City the opportunity to sit on an advisory group that will have at least two meetings per year with CWA. Director Grigsby said the City could only get voting rights by joining the association, but the advisory group offers a forum to express concerns and talk about issues with CWA.

Councilmembers expressed support for the proposed agreement. Councilmember Hamilton said it helps meet the City's long-term goals for water supply. Director Grigsby said each of the Four Cities has slightly different needs, with Sumner more interested in purchasing the TPU water, Buckley most interested in water rights, and Auburn and Bonney Lake interested in a combination of the two. He added that the water acquisition costs in the proposed agreement are beneficial to the City. The water purchase rates are lower, and unlike the agreement the City negotiated with TPU in 2008, the City would not be required to pay maintenance fees and CWA would only charge for water the City actually uses. Proposed Resolution 2009 was forwarded to the January 26, 2010 Meeting for action.

6:43:09

**D. Council Open Discussion:**

YMCA Presentation: Mayor Johnson said he has tentatively scheduled a presentation on the YMCA from Bob Ecklund on March 2, 2010. The Mayor asked Councilmembers to send ideas and questions to him prior to the workshop so Mr. Ecklund can provide information and answer questions.

Bonney Lake High School Youth Forum: Mayor Johnson said the Youth Forum is Monday, February 11, 2010 from around 7:00 a.m. to 12:30 p.m. Department Directors will serve as facilitators, and Councilmembers are invited to attend as well.

Corliss Property Tree Clearing: Mayor Johnson said he received a letter from Canyon Creek Properties on January 15, 2010 regarding the cutting and reforestation of the Corliss property outside the City limits. He said all the trees lie outside Bonney Lake's city limits but he wanted people to be aware since it will be visible to people driving along SR 410. The plan includes planting 400 trees per acre, and all the work will be done by the end of 2010. Trees will be taken to lumber mills on trucks via SR 410. They will not use roads in Bonney Lake such as Myers Road, however. He asked the Council to remind citizens that Bonney Lake has worked hard to protect the trees on the hillside over the years.

Cascadia Updates: Councilmember Hamilton asked for updates on the Cascadia bankruptcy and plans for future development. He expressed concern that part of the

project could be split out to not include employment. City Attorney Dionne said the existing development agreement and restrictions from Pierce County will apply regardless of whether the property or project is sold to another developer. He said a bankruptcy court judge does not have the power to amend the agreement or trump Pierce County land use restrictions, but could potentially void the entire developer agreement. Mr. Dionne said he doubts a developer would want the agreement to be voided, as it would force them to start the process over from the beginning. He said he would send future updates on Cascadia to the Council.

Lake Bonney Conservation Association: Councilmember Carter attended the Conservation Association's meeting on January 18, 2010. The group plans to finish planting at Ken Simmons Park on February 13, 2010 in conjunction with an Eagle Scout project. Members asked if the lake monitor could be moved or changed, as a fallen tree has made it difficult to do readings. She suggested that the City should recognize citizens who volunteer to monitor the water in Lake Bonney and Lake Debra Jane. Finally, members of the association asked the City to consider restricting parking to one side of the street where 183<sup>rd</sup> St E and 184<sup>th</sup> St E connect.

Historic Society: Councilmember Carter said the Historic Society is still seeking photographs for a historic photo book on Bonney Lake. Specifically they are looking for scenic photos of the area from the 1970s or earlier, including images of Mt. Rainier. She said she has sent a copy of the City of Sumner's historic preservation code to Councilmembers for consideration.

Recycling: Councilmember Carter asked if the City recycles scrap metal such as old road signs. Director Grigsby said the City reuses or recycles old street signs, along with scrap metal, equipment, etc. Chief Financial Officer Juarez said he would research revenues from recycling metal and report back to the Council. Councilmember Carter said the City should let citizens know about these efforts.

Permitting & Development Agreements: Councilmember Rackley encouraged Councilmembers to read the articles in the recent AWC CityWise newsletter, including those on same-day permits and public-private partnerships.

Sign Code: Mayor Johnson said Code Enforcement Officer Denney Bryan is working on an information sheet about the City's sign code, which will be delivered to City businesses. He said the City is working to be proactive to inform businesses about City regulations before taking enforcement action.

Councilmember Carter said there are several wooden signs around the City, and asked staff to save them if they are taken down as they may have historic value.

Finance Committee: Deputy Mayor Swatman said the Finance Committee plans to consider options to accept credit cards for payments at the Utility counter. He asked Councilmembers to send questions to him. He asked Councilmembers if they are interested in membership in the National League of Cities (NLC). Councilmember Carter expressed interest in NLC's Prescription Discount card program. City Administrator Morrison said the cards offer a 20% discount for those who do not have insurance coverage for prescriptions. NLC membership costs \$1487 per year. Mayor Johnson said he would ask Auburn Mayor Pete Lewis about that City's experience with the program when they speak later in the week.

Pancake Breakfast Costs: Deputy Mayor Swatman asked about expenses for the upcoming Pancake Breakfast on January 30, 2010. City Administrator Morrison said the City will purchase supplies, exempt staff will do most of the work, and the Senior Center Cook will work at this event and another event at the Center the same day.

Boat Launch Passes: Deputy Mayor Swatman said he in talking with people about options to annex into the City, many people say they would like to take advantage of the reduced price boat launch pass for residents. He said as the City considers annexing and increasing the population, it may need to consider ways to limit access to the lake, changing the boat launch pass process, etc.

Public Defenders: Deputy Mayor Swatman asked how Court staff determine who is eligible for a public defender. City Attorney Dionne said qualification is based on income, but generally the process to determine indigency has been rather liberal and flexible. Mayor Johnson said Judge Helbling will be working on this issue, as the number of people requesting a public defender has risen sharply, and the service is costly for the City. City Administrator Morrison noted that the City plans to advertise a request for proposals for Public Defender services soon.

Sidewalks: Deputy Mayor Swatman asked whether commercial developments are required to install sidewalks, citing Fred Meyer, Windermere, and other businesses that do not have sidewalks on the SR 410 frontage. Public Works Director Grigsby said the frontage at those sites was built before those facilities were built. These businesses are part of a larger development, and while they have to install sidewalks and street lights for their site, they are not responsible to do so for the entire commercial development. He said at 214<sup>th</sup> Ave E and SR 410, for example, if another building is installed, the developer will have to install sidewalks and lights. Otherwise this will be completed when the intersection is improved.

Copper Pipes: Deputy Mayor Swatman asked if the Council would like to consider options to ban copper pipes in new construction to reduce copper leaching from pipes into the sewer system. Director Grigsby said the high price of copper has caused a reduction in its use. The allowed copper levels have also been lowered, however, so more treatment is required before water can be released from the treatment plant.

Budget: Deputy Mayor Swatman said he challenged the Council at the January 12<sup>th</sup> meeting to carefully consider every new contract or purchase before approval. He said the Council should carefully study projects that affect utility rates, in particular, to ensure they are effective.

Pet Licenses: Councilmember Hamilton said the January Bonney Lake Reporter included an article on pet licensing. He said it is important for the City to emphasize pet license renewal, since license fees help subsidize animal control services.

Eastown Sewer Service: Deputy Mayor Swatman asked for Council input on the City's role in Eastown sewer system development. Mayor Johnson said Director Grigsby has done a lot of research on Utility Latecomers Agreements, but the private developer have expressed concerns. Mayor Johnson said he will meet with the developer to discuss their specific concerns later in the week. After this meeting, he will ask the Council for direction on whether to pursue a Utility Latecomers

Agreement, let the private developer work on a private latecomer agreement, or to do nothing. He said he wants to remove any obstacles to getting a sewer system in Easttown, but wants to see a decision on how to move forward soon. He asked the Council to think about the options and plan to discuss them at the next Workshop.

7:42:31

- E. **Review of Draft Council Minutes:** January 5, 2010 Workshop and January 12, 2010 Meeting Minutes.

Councilmember Carter asked that the January 5, 2010 minutes be amended to “He suggested the workplan be tabled to a future workshop after the new Commissioners are appointed and after the Council Retreat ~~in January.~~” The corrected minutes were moved forward to the January 26, 2010 Meeting for approval.

7:43:43

- F. **Discussion:** Proposed Agenda for Council Retreat on February 27, 2010.

Councilmembers asked that the Planning Commission work plan be included under Open Discussion items. City Administrator Morrison suggested the Council Chamber features discussion be pulled, and instead make this the topic of a design charette with the Council and Court staff on another date.

Councilmembers discussed the meeting cost and location. City Administrator Morrison said estimated cost for a conference room and meals at the proposed venue, Washington National Golf Club in Auburn, is \$742. He said this is comparable to what the City spent for the 2009 Retreat, which was held at the Windermere offices in Bonney Lake, with food brought in. Councilmembers Carter, Rackley and Lewis spoke in favor of holding the retreat at a business in Bonney Lake. Mayor Johnson said the main issue is finding an appropriate space where Council can be comfortable and hear each other, not in a loud restaurant. He asked staff to research options at local restaurants such as Andre’s and Zato Grill to see if they have appropriate space and availability.

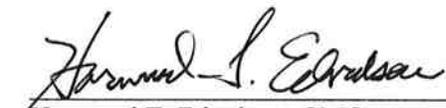
**IV. Executive Session:** None.

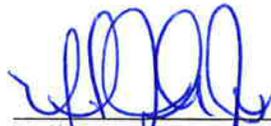
7:54:10

- V. **Adjournment:**

**At 7:54 p.m. Councilmember Rackley moved to adjourn the workshop. Councilmember Lewis seconded the motion.**

**Motion approved 7 – 0.**

  
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 Harwood T. Edvalson, CMC  
 City Clerk

  
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 Neil Johnson, Jr.  
 Mayor

Items submitted to the Council Workshop of January 19, 2010:

- City of Bonney Lake – “Introduction to Shoreline Management” Powerpoint Presentation – Planning Manager Heather Stinson.
- City of Bonney Lake – “4 MGD Water Acquisition Cost Alternatives” – Public Works Director Dan Grigsby.