

CITY COUNCIL WORKSHOP

June 06, 2023
6:00 P.M.

AGENDA



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

The public is invited to attend Council Meetings and Workshops in person, via conference call or over the internet. The information for attending is provided below.

Council Meetings and Workshops attendance options:

In-Person: Bonney Lake Justice & Municipal Center at 9002 Main Street East in Bonney Lake

By phone: 408-740-7256 (Meeting ID: 215 767 540#)

By internet: Chrome- <https://bluejeans.com/215767540> **The City will be turning off all public cameras and microphones when attending online - Only staff and presenters will be visible and unmuted.**

I. CALL TO ORDER: Mayor Michael McCullough

A. Pledge of Allegiance

II. ROLL CALL: Mayor Michael McCullough, Deputy Mayor Terry Carter, Councilmember Angela Baldwin, Councilmember Justin Evans, Councilmember Gwendolyn Fullerton, Councilmember J. Kelly McClimans, Councilmember Dan Swatman, and Councilmember Tom Watson.

III. AGENDA ITEMS:

A. Council Open Discussion:

Page 3 B. **Review Of Council Minutes:** May 16, 2023, Council Workshop and May 23, 2023, Council Meeting.

C. **Presentation:** Water SDC Charge.

D. **Discussion:**

Page 15 A. **AB23-82 – Ordinance D23-82:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 10.36.015 Of The Bonney Lake Municipal Code And The Corresponding Portion Of Ordinance No. 1638 Relating To Restricted Parking On Sky Island Drive.

Page 19 B. **AB23-101 – Ordinance D23-101:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending And Adding Sections To Chapters 2.08 Thru 2.70 Of The Bonney Lake Municipal Code Relating To Administration And Personnel, Amending Sections 2.08.010,

2.08.020, 2.08.030, 2.08.050, 2.08.060, 2.08.080, 2.12.010, 2.12.020, 2.12.030, 2.12.040, 2.12.050, 2.12.060, 2.12.070, 2.18.010, 2.18.020, 2.18.030, 2.18.040, 2.18.080, 2.18.180, 2.18.270, 2.18.280, 2.18.380, 2.24.060, 2.26.020, 2.26.030, 2.32.010, 2.32.030, 2.32.040, 2.32.060, 2.57.010, 2.70.070, 2.70.100 For Housekeeping Purposes, Deleting Section 2.08.040 For Housekeeping Purposes; Amending 2.18.010 To Add An Appellate Examiner To The Hearing Examiner Chapter And Adding New Section 2.18.370 To Set Forth The Duties Of The Appellate Examiner; Amending Chapter 2.64 Regarding Initiative And Referendum, Adding New Sections 2.64.020, 2.64.030, 2.64.040, 2.64.050 And 2.64.060 To Set Forth Applicable Standards And Procedures; Amending 2.70.060 To Increase Contract Amounts; Providing For Severability, Corrections And Implementation; And Establishing An Effective Date.

IV. EXECUTIVE/CLOSED SESSION: None.

V. ADJOURNMENT

For citizens with disabilities requesting translators or adaptive equipment for communication purposes, the City requests notification as early as possible prior to the meeting regarding the type of service or equipment needed.

**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.**

CITY COUNCIL WORKSHOP

May 16, 2023
6:00 P.M.



www.ci.bonney-lake.wa.us

DRAFT MINUTES

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

Audio starts at:
06:06

I. CALL TO ORDER: Deputy Mayor Terry Carter

A. Pledge of Allegiance

II. ROLL CALL: City Clerk Sadie Schaneman called the roll. In addition to Deputy Mayor Terry Carter, elected officials attending were Councilmember Angela Baldwin, Councilmember Justin Evans, Councilmember Gwendolyn Fullerton, Councilmember J. Kelly McClimans (Virtual), Councilmember Dan Swatman, and Councilmember Tom Watson. Mayor Michael McCullough was not in attendance.

Staff members in attendance at the physical location were City Administrator John Vodopich, Chief of Police Bryan Jeter, Public Services Director Ryan Johnstone, Administrative Services Director Chuck McEwen, Deputy City Attorney/Prosecutor Dena Burke, Planning and Building Supervisor Jason Sullivan, City Clerk Sadie Schaneman, Administrative Specialist II Debbie McDonald.

Staff members in virtual attendance using the City's BlueJeans conference line was Chief Finance Officer Cherie Reiersen, and City Attorney Rosemary Larson.

III. AGENDA ITEMS:

Audio starts at:
6:07

Agenda Modification- With state legislature having made and signed a decision for state laws on controlled substances, AB23-85 was no longer needed for tonight's discussion.

Councilmember Evans motioned to remove Discussion Item AB23-85 – Ordinance D23-85 from the agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7 - 0.

Deputy City Attorney/Prosecutor Burke explained the newly passed State Legislation and how it compared to the proposed City Ordinance.

Audio starts at:
6:10

A. **Council Open Discussion:** None.

Audio starts at:
6:10

B. **Review of Council Minutes:**

The draft minutes were forwarded with no corrections to the May 23, 2023, meeting for approval.

Audio starts at:
6:26

- C. **Discussion: AB23-65 – Ordinance D23-65:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Revised City Council Policies And Procedures, Adding A New Chapter 2.02 To The Bonney Lake Municipal Code Entitled “City Council Policy And Procedures”; And Repealing Chapter 2.04 Of The Bonney Lake Municipal Code; Providing For Severability, Corrections And Implementation; And Establishing An Effective Date.

City Clerk Schaneman gave a brief overview of the changes that Council had decided on in July of 2022 to chapter BLMC 2.04 and the proposed changes after legal reviewed.

Council discussed and shared their ideas and concerns, including:

- Concerns with some wording changing the content.
- Insuring citizens have the opportunity to speak at Council meetings.
- Prefers it as a policy, will be easier to maintain.

Council agreed to move the agenda bill to Council Consent, with the proposed changes, for the next Council Meeting May 23, 2023.

- D. ~~**Discussion: AB23-85 – Ordinance D23-85:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code No. 9.13 – Liquor And Controlled Substances And Corresponding Portions Of Ordinance 1444, Ordinance 1452, And Ordinance 1684. (Removed per Agenda Modification.)~~

Audio starts at:
7:03

- E. **Discussion: AB23-83 – Resolution 3155:** A Resolution of the City Council of the City Of Bonney Lake, Pierce County, Washington, Directing City Staff To Negotiate The Fourth Amendment To The WSU Development Agreement Related To The Properties Now Owned By Midtown Properties, LLC.

Planning and Building Supervisor Sullivan explained the reasons for the agreement and how the Council would have the final approval of the agreement once it was written and reviewed by both parties.

Council discussed and shared their ideas and concerns, including:

- Concerns with the number of units allowed.
- The type of units allowed.
- Would prefer the City to have some say, then to just let the agreement expire and have no say.

Council agreed to move the agenda bill to Full Council Issue at a later Council Meeting.

Audio starts at:
7:28

- F. **Discussion/Briefing:** Ballfield 4 Parking Lot Design.

Public Services Director Johnstone stated that project cost for the additional parking has increased by \$300,000.00. Cost per space would be approximately \$25,000.00 per space. He believes the investment is too high of a cost for the number of boat parking that would be added. He would like Council's direction for the project.

Chief Jeter stated the more parking spots that are created the bigger the crowd will be at Allan Yorke Park. Safety and security are already an issue, the park is already at compacity and to add more parking would be adding to what is already a safety concern.

Council discussed and shared their ideas and concerns, including:

- Residents asking to keep the field for softball games.
- The current safety and security concerns.
- Ideas for safety.

Councilmembers agreed to put the project on hold and wait to see what design options the consultants give as suggestions.

IV. EXECUTIVE/CLOSED SESSION: None.

V. ADJOURNMENT

At 7:53 p.m. the Meeting was adjourned by Deputy Mayor Carter with the common consent of the City Council.

Sadie A. Schaneman, CMC, City Clerk

Terry Carter, Deputy Mayor

Items presented to Council at the May 16, 2023, 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.

CITY COUNCIL MEETING

May 23, 2023

6:00 P.M.

DRAFT MINUTES



www.ci.bonney-lake.wa.us

Location: The physical location of the Council Meeting was at the Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington. The public was also given the option to call in or attend virtually the Council Meeting.

Audio starts at:
06:00:00

I. CALL TO ORDER – Mayor Michael McCullough, called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance: Mayor McCullough led the audience in the Pledge of Allegiance.
- B. Roll Call: City Clerk Sadie Schaneman called the roll. In addition to Mayor McCullough, elected officials attending were Deputy Mayor Terry Carter, Councilmember Justin Evans, Councilmember Gwendolyn Fullerton, Councilmember J. Kelly McClimans, Councilmember Dan Swatman, and Councilmember Tom Watson. Councilmember Baldwin was not in attendance.

Deputy Mayor Carter moved to excuse the absence of Councilmember Baldwin. Councilmember Evans seconded the motion.

Motion approved 6-0.

Staff members in attendance at the physical location were City Administrator John Vodopich, Administrative Services Director Chuck McEwen, Public Services Director Ryan Johnstone, Human Resource Manager Brian Sandler, Building & Planning Supervisor Jason Sullivan, Recreation & Special Events Manager David Wells, Administrative Specialist II Debbie McDonald, City Clerk Sadie Schaneman, and City Attorney Jennifer Robertson.

Staff members in virtual attendance using the City's BlueJeans conference line were. Chief Finance Officer Cherie Reiersen, Deputy City Attorney/Prosecutor Dena Burke, and Administrative Specialist III Carol Paul.

- C. Agenda Modifications: None
- D. Announcements, Appointments and Presentations:

- 1. Certificate of Appreciation & Recognition for Caitlynn Wohlford.

Audio starts at:
6:01:00

Mayor McCullough read the certificate and congratulated Ms. Wohlford on winning the Regional Art Show and thanked her for all her work on the Arts Commission.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearing: None.

B. Citizen Comments: *For efficient use of city resources, comments will be a short summary and not verbatim. Video recordings will be uploaded to the city's YouTube channel and an audio recording to the state digital archives for review of all the comments.*

Audio starts at:
6:04:00

Annie Glugover, 7320 W. Tapps Hwy E, Bonney Lake: Spoke about the safety at Allan Yorke Park and youth games having to be cancelled due to people having guns out.

Douglas Glugover, 7320 W. Tapps Hwy E, Bonney Lake: asked about what the next steps were and how the City was going to try and solve the safety issue at Allan Yorke Park.

Chris Wohlford, 10422 Springwood Drive East, Bonney Lake: Spoke about the chaos at the boat trailer parking lot and how people are parking in that area without trailers and the staging area.

Graham Sanderwhite, 2100 South Prairie Rd, Bonney Lake: Thanked Council for considering the WSU Development Agreement and for the collaboration with staff so far on it.

Kari Davidson, 5119 W. Tapps Dr. E, Bonney Lake: Spoke about fights breaking out around her car while at Allan Yorke Park and how safety has become a big issue.

Randy Peckman, 18609 77th St. Ct. E, Bonney Lake: Spoke about parking in the staging area and cars parking at the ramp. He also witnessed racial slurs being said and how he did see that the Police did take care of the cars that were parked in the trailer area by Monday.

Scott Charbonneau, 7214 194th Ave. E., Bonney Lake: Spoke about how kayak people were parking at the docks and not having a permit to launch and how he is concerned about the expansion of the park.

Laurie Charbonneau, 7214 194th Ave. E., Bonney Lake: Thanked the cops that were at Allan Yorke Park and that they were doing their best and stopped things as soon as possible.

Dan Decker, 20401 70th St E, Bonney Lake: Spoke on the eighth amendment and the need for city employees to have training in RCW's and the Constitution.

Audio starts at:
6:25:00

C. Correspondence:

Received an email from Brett Wise and Joshua Naset in support to keep ballfield 4 as a softball field instead of a parking lot.

Received an email from Andrea Reay, President/CEO of the Tacoma-Pierce County Chamber in support of the Tarragon project.

City Clerk Sadie Schaneman noted all Councilmembers had received the letter prior to the Council Meeting

Audio starts at:
6:26:13

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Carter reported the Finance Committee met in person and virtually today at 5:00 p.m. The Committee went thru personnel updates, discussed and forwarded AB23-88 to tonight's consent agenda and AB23-91 to Full Council Issues, and discussed AB23-84 on using ARPA Funds to hire two temporary fulltime employees for the parks division that will be brought to the June 13, 2023, Council Meeting and approved their minutes.
- B. Community Development Committee: Councilmember Swatman reported the Community Development Committee met in person and virtually on May 16, 2023. The Committee discussed and forwarded AB23-71 and AB23-90 to tonight's consent agenda and AB23-75 to Community Development Committee Issues. The Committee also discussed the ADA equipment requirements and maintenance for the playground at Allan York Park, approved minutes and the restrictive parking ideas for Allan Yorke Park.
- C. Public Safety Committee: Councilmember Evans reported the Public Safety Committee did not meet and is expected to have their next meeting in person and virtually at 3:30 p.m. on June 13, 2023.
- D. Other Reports: None.

Audio starts at:
6:31:00

IV. CONSENT AGENDA:

- A. **Approval of Corrected of Corrected Minutes:** May 02, 2023, Council Workshop and May 09, 2023, Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:**
Accounts Payable check/vouchers #94354 - #94430 and wire transfers #157 and #2023050301, in the amount of \$769,679.23. Voids: Check #92690 – Check lost/missing – Reissued Check #94068 – Wrong Vendor – Reissued Check #94251 – Duplicate payment – Not reissued.

- C. **Approval of Payroll:** May 1 – 15, 2023 for checks #34810-34811 including Direct Deposits and Electronic Transfers totaling \$748,630.69. **Voids:** None.
- D. **AB23-65 – Ordinance D23-65:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Revised City Council Policies And Procedures, Adding A New Chapter 2.02 To The Bonney Lake Municipal Code Entitled “City Council Policy And Procedures”; And Repealing Chapter 2.04 Of The Bonney Lake Municipal Code; Providing For Severability, Corrections And Implementation; And Establishing An Effective Date.
- E. **AB23-71 – Ordinance D23-71:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 12.30.010 Of The Bonney Lake Municipal Code To Amend The Future Streets Map.
- F. **AB23-88 – Resolution 3156:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment For A Professional Services Agreement With Financial Consulting Services Group (FCS) To Continue System Development Charge (SDC) Study And Provide Excise Tax Support.
- G. **AB23-90 – Resolution 3158:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Peak410 Access License Agreement.
- H. **AB23-69 – Motion M23-69:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Use Of American Rescue Plan Act Funds To Complete Stormwater Cip Projects And Fund Various Stormwater Programs.
- I. **AB23-80 – Motion M23-80:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Canceling The Council Workshop And The Community Development Committee Meetings On June 20, 2023, and August 1, 2023.

Councilmember Watson moved to approve the Consent Agenda. Deputy Mayor Carter seconded the motion.

Consent Agenda approved 6 - 0.

V. FINANCE COMMITTEE ISSUES:

Audio starts at:
6:32:00

- A. **AB23-91 – Motion M23-91:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Chief Financial Officer To Designate The Remaining \$2,985,374 Of The American Rescue Plan Act To Police And Emergency Management Salaries For The Period May 1, 2023, Through November 30, 2023, Or Until The Remaining Funds Are Spent.

Councilmember Watson moved to approve Motion M23-91. Deputy Mayor Carter seconded the motion.

Council discussed and shared their concerns, including:

- If the amount included the parks temporary hires being taken out.
- The ARPA funds being taken back by the government.

Motion D23-91 approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

Audio starts at:
6:34:00

- A. **AB23-75 – Resolution 3152:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Directing Staff To Prepare An Ordinance To Take Certain Actions To Increase Housing Availability, Diversity, And Affordability Through Regulatory Streamlining And Cost Reduction.

Councilmember Watson moved to approve Resolution 3152. Councilmember Evans seconded the motion.

There was no Council discussion.

**Resolution 3152 approved 5 – 1.
Councilmember Fullerton voted no.**

VII. PUBLIC SAFETY COMMITTEE ISSUES: None

VIII. FULL COUNCIL ISSUES:

Audio starts at:
6:35:00

- A. **AB23-86 – Ordinance D23-86:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.04 Of The Bonney Lake Municipal Code (BLMC) Relating To Water Rate Amending Section 13.04.100 BLMC To Update Rates And Make Housekeeping Changes, Amending Section 13.04.105 BLMC To Update Annual Escalation Provisions; Providing For Severability, Corrections And Implementation; And Establishing An Effective Date.

Councilmember Watson moved to approve Ordinance D23-86. Deputy Mayor Carter seconded the motion.

There was no Council discussion.

**Ordinance D23-86 failed 3 – 3.
Councilmembers Fullerton, McClimans, and Swatman voted no.**

Fullerton stated that she wanted the FCS Group to answer some questions on how this was going to impact the residents, so she is not able to vote for this to pass. Chief Financial Officer explained that no Councilmember has asked to have FCS Group come to discuss items other than SDC rates and this Ordinance is on water rates.

Council discussed and shared their concerns, including:

- Loans and the amount and interest of them.
- Monthly billing.
- Lowering rates.

Councilmember Fullerton motioned to reconsider and approve Ordinance D23-86 for this evening. Councilmember Watson seconded the motion.

Councilmember Swatman explained that he does not feel that the rates are fair for everyone based on the higher usage residents increasing everyone's rates.

**Motion to reconsider passed 4 - 2.
Councilmembers McClimans and Swatman voted no.**

Councilmember Watson moved to approve Ordinance D23-86. Councilmember Evans seconded the motion.

Councilmember McClimans said he agrees with Councilmember Swatman on the higher usage residents increasing everyone's rates. Councilmember Fullerton said that she felt there were not that many high end users that would affect the rest of the residents. Deputy Mayor Carter said that moving to this rate is making it even for everyone by having a base amount straight across.

**Ordinance D23-86 adopted 4 - 2.
Councilmembers McClimans and Swatman voted no.**

Audio starts at:
6:51:00

- B. AB23-77 – Ordinance D23-77:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding Parking Prohibitions, Amending Portions Of Chapter 10.36 Of The Bonney Lake Municipal Code (BLMC), Amending Sections 10.36.015, 10.36.020, 10.36.025, 10.36.030 And 10.36.050 Of The BLMC To Prohibit And Restrict Parking On Specific Streets And City Parking Lots Around Allan Yorke Park; Making The Parking Prohibition On Sky Island Permanent; Disallowing Vehicles Without Boat Trailers From Parking In Areas Provided For Boat Trailer Parking; Increasing The Penalty For Violations; Providing For Impoundment Of Vehicles; And Making Housekeeping Changes; Providing For Severability, Corrections And Implementation; Declaring An Emergency; And Establishing An Effective Date.

Councilmember Watson moved to approve Ordinance D23-77. Deputy Mayor Carter seconded the motion.

Councilmember McClimans motioned to have subsection C on the Sky Island restrictions removed and brought back separately. Councilmember Watson seconded the motion.

Council discussed and shared their concerns, including:

- The Sky Island HOA asking for the restriction to be permanent.
- The cost of signs.
- Call volumes.
- The road not being engineered for the parking.
- Date change.

**Motion to remove subsection C on the Sky Island restrictions passed 5 - 1.
Councilmember Evans voted no.**

Building & Planning Supervisor Sullivan explained that the Courts had commented that the language for late fees needed to be updated to reflect the current RCW.

Councilmember Evans motioned to amend Ordinance D23-77 to comply with RCW language. Deputy Mayor Carter seconded the motion.

Motion to amend Ordinance D23-86 passed 6 - 0.

Council discussed and shared their concerns, including:

- Field 5 parking lot opening.
- Higher fines helping with the parking issues.
- The overcrowding issues.
- Security help.

Ordinance D23-86 adopted 6 – 0.

Council informed administration to bring back a separate Ordinance for the Sky Island restriction parking to the June 6, 2023, Council Workshop for discussion.

Audio starts at:
6:51:00

C. **AB23-83 – Resolution 3155:** A Resolution of the City Council of the City Of Bonney Lake, Pierce County, Washington, Directing City Staff To Negotiate The Fourth Amendment To The WSU Development Agreement Related To The Properties Now Owned By Midtown Properties, LLC.

Building & Planning Supervisor Sullivan explained that he is looking for Council guidance on if they would like him to continue to negotiate an amendment with Midtown Properties, LLC.

Councilmember Watson moved to approve Ordinance Resolution 3155. Deputy Mayor Carter seconded the motion.

Council discussed and shared their concerns, including:

- How many units being proposed.
- Whether Council needs to approve this or just administration.

The Council believe that Planning & Building Supervisor Sullivan always has their best interest and will do a great job with negotiations.

**Resolution 3155 approved 4-2.
Councilmembers McClimans and Swatman voted no.**

IX. ADJOURNMENT:

At 7:36 p.m. the Meeting was adjourned by Mayor McCullough with the common consent of the City Council.

X. CLOSED SESSION:

After adjournment, Mayor McCullough reminded Council that they have a closed session to attend.

Sadie A. Schaneman, CMC, City Clerk

Michael McCullough, Mayor

Items presented to Council at the May 23, 2023, Meeting for the record: 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.

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

Department/Staff Contact: Sadie Schaneman / ASD	Meeting/Workshop Date: June 6, 2023	Agenda Bill Number: AB23-82
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D23-82	Councilmember Sponsor:

Agenda Subject: Sky Island Drive Parking Restrictions.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 10.36.015 Of The Bonney Lake Municipal Code And The Corresponding Portion Of Ordinance No. 1638 Relating To Restricted Parking On Sky Island Drive.

Administrative Recommendation: Approve.

Background Summary: On July 21, 2020, Council passed an Ordinance to prohibit on-street parking on either side of Sky Island Drive East between 97th Street East and 104th Street East with an expiration date of May 1, 2023, unless Council extended or made permanent. Administration recommends making this a permanent restriction.

Attachments: Ordinance No. D23-82

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Public Safety Date: 9 May 2023	<i>Approvals:</i> Chair/Councilmember Justin Evans Councilmember Angela Baldwin Councilmember Gwendolyn Fullerton	<table style="border: none;"> <tr> <td style="text-align: right;">Yes</td> <td style="text-align: left;">No</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	Yes	No	☒	☐	☒	☐	☒	☐
Yes	No										
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Forward to:		Consent Agenda: ☒ Yes ☐ No									

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): 6/6/2023	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS

Director: Chuck McEwen	Mayor: Michael McCullough	Date Reviewed by City Attorney: (if applicable):
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ORDINANCE NO. D23-82

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 10.36.015 OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING PORTION OF ORDINANCE NO. 1638 RELATING TO RESTRICTED PARKING ON SKY ISLAND DRIVE.

WHEREAS, on July 21, 2020, the City Council found it in the public interest to restrict parking on along Sky Island Drive East; and

WHEREAS, Ordinance 1638 was adopted with a sunset clause to repeal the Ordinance on May 1, 2023; and

WHEREAS, the City Council finds it in the public interest to continue to restrict parking on along Sky Island Drive East.

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

Section 1. Chapter 10.36.015 of the Bonney Lake Municipal Code is hereby amended to read as follows:

10.36.015. Restricted parking zone established on certain streets.

- A. Parking shall be prohibited on both the East and West sides of 186th Avenue E. between 90th Street E. and 88th Street E.
- B. Parking shall be prohibited in the triangular area North of 96th Street East, East of 198th Avenue Place East, and West of 198th Avenue East.
- C. Parking shall be prohibited on both the East and West sides of Sky Island Drive East between 97th Street East and 104th Street East.

Section 2. The city clerk shall sign and file with the adopting ordinance a copy of the statutes and regulations referenced herein and shall also file and maintain the city clerk's office one copy of each of the adopted laws in the form in which they were adopted for use and examination by the public.

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

Section 4. 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 5. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 6. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication, as required by law.

PASSED by the City Council and approved by the Mayor this 23rd day of May 2023.

AUTHENTICATED:

Michael McCullough, Mayor

Sadie A. Schaneman, CMC, City Clerk

AB_____
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals _____ page(s)

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

Department/Staff Contact: Administrative Services/S. Schaneman	Meeting/Workshop Date: June 6, 2023	Agenda Bill Number: AB23-101
Agenda Item Type: Ordinance	Ordinance/Resolution/ Motion Number: D23-101	Sponsor:

Agenda Subject: Revisions to the Bonney Lake Municipal Code 2.08 thru 2.70 for better clarity and updating procedures.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending And Adding Sections To Chapters 2.08 Thru 2.70 Of The Bonney Lake Municipal Code Relating To Administration And Personnel, Amending Sections 2.08.010, 2.08.020, 2.08.030, 2.08.050, 2.08.060, 2.08.080, 2.12.010, 2.12.020, 2.12.030, 2.12.040, 2.12.050, 2.12.060, 2.12.070, 2.18.010, 2.18.020, 2.18.030, 2.18.040, 2.18.080, 2.18.180, 2.18.270, 2.18.280, 2.18.380, 2.24.060, 2.26.020, 2.26.030, 2.32.010, 2.32.030, 2.32.040, 2.32.060, 2.57.010, 2.70.070, 2.70.100 For Housekeeping Purposes, Deleting Section 2.08.040 For Housekeeping Purposes; Amending 2.18.010 To Add An Appellate Examiner To The Hearing Examiner Chapter And Adding New Section 2.18.370 To Set Forth The Duties Of The Appellate Examiner; Amending Chapter 2.64 Regarding Initiative And Referendum, Adding New Sections 2.64.020, 2.64.030, 2.64.040, 2.64.050 And 2.64.060 To Set Forth Applicable Standards And Procedures; Amending 2.70.060 To Increase Contract Amounts; Providing For Severability, Corrections And Implementation; And Establishing An Effective Date.

Administrative Recommendation: Approve.

Background Summary: : On July 5, 2022, the City Clerk's Office brought forward revisions to sections 2.08 thru 2.70 of the BLMC to Council. Council reviewed and discussed revisions and asked for the changes to be made and brought back for approval. After discussing with the City Attorney, the City Clerk's Office has revised sections 2.08 thru 2.70. Proposed deletions are stricken. Proposed additions are underlined. The primary changes include:

1. Improving the referendum/initiative chapter so that there are procedures in it.
2. Updates language for clarity and procedures.
3. Adding an appellate examiner to the hearing examiner system to address appeals of unfit dwellings.

Attachments: Ordinance D23-101

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				☐ General
				☐ Utilities
				☐ Other

Budget Explanation: No Budget Impact.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Approvals:	Yes	No
Date: / /	Chair/Councilmember [Name]	☐	☐
	Councilmember [Name]	☐	☐
	Councilmember [Name]	☐	☐
Forward to:	Consent Agenda:	☐ Yes	☐ No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION

Workshop Date(s):	7/5/2022; 6/6/2023	Public Hearing Date(s):
Meeting Date(s):	6/13/2023	Tabled to Date:

APPROVALS

Director: Chuck McEwen	Mayor: Michael McCullough	Date Reviewed by City Attorney: 4/21/2023 (if applicable)
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ORDINANCE NO. D23-101

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING AND ADDING SECTIONS TO CHAPTERS 2.08 THRU 2.70 OF THE BONNEY LAKE MUNICIPAL CODE RELATING TO ADMINISTRATION AND PERSONNEL, AMENDING SECTIONS 2.08.010, 2.08.020, 2.08.030, 2.08.050, 2.08.060, 2.08.080, 2.12.010, 2.12.020, 2.12.030, 2.12.040, 2.12.050, 2.12.060, 2.12.070, 2.18.010, 2.18.020, 2.18.030, 2.18.040, 2.18.080, 2.18.180, 2.18.270, 2.18.280, 2.18.380, 2.24.060, 2.26.020, 2.26.030, 2.32.010, 2.32.030, 2.32.040, 2.32.060, 2.57.010, 2.70.070, 2.70.100 FOR HOUSEKEEPING PURPOSES, DELETING SECTION 2.08.040 FOR HOUSEKEEPING PURPOSES; AMENDING 2.18.010 TO ADD AN APPELLATE EXAMINER TO THE HEARING EXAMINER CHAPTER AND ADDING NEW SECTION 2.18.370 TO SET FORTH THE DUTIES OF THE APPELLATE EXAMINER; AMENDING CHAPTER 2.64 REGARDING INITIATIVE AND REFERENDUM, ADDING NEW SECTIONS 2.64.020, 2.64.030, 2.64.040, 2.64.050 AND 2.64.060 TO SET FORTH APPLICABLE STANDARDS AND PROCEDURES; AMENDING 2.70.060 TO INCREASE CONTRACT AMOUNTS; PROVIDING FOR SEVERABILITY, CORRECTIONS AND IMPLEMENTATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has completed a review of BLMC Chapters 2.08 thru 2.70, Relating to Administration and Personnel, and desires to make certain changes; and;

WHEREAS, several housekeeping changes are needed to update the code and make it consistent with current practices; and

WHEREAS, the Public Services Director recommends addition of an appellate hearing examiner to handle appeals under the unfit dwelling section of chapter 14.130 BLMC which requires amendment of Chapter 2.18 BLMC; and

WHEREAS, Chapter 2.64 BLMC adopted initiative and referendum powers in Bonney Lake and the City Attorney recommends adding more detail on applicable standards and procedures consistent with State law.

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

Section 1. Chapter 2.08 of the Bonney Lake Municipal Code is hereby amended to read as follows:

Chapter 2.08 CITY OFFICES

2.08.010 City appointive officers.

A. Pursuant to [RCW 35A.12.020](#), the following shall be appointive officers of the city: city administrator, administrative services director, city clerk, police chief, city attorney, public services director, chief financial officer, and prosecuting attorney.

B. The general functions, powers and duties of appointive officers shall be as provided in this chapter; provided, ~~however~~, that the general functions, powers and duties of the municipal court judge shall be as provided in [Chapter 2.16 BLMC](#).

C. Persons appointed by the mayor to an appointive office described in this section shall be subject to confirmation by a majority vote of the city council. In the ~~case-event~~ of vacancies, the mayor is authorized to employ an interim or acting officer for up to ~~12~~twelve months without council confirmation. Thereafter, any continued or new interim appointment shall be subject to council approval.

D. All appointive officers shall serve at the pleasure of the mayor as per the provisions of [RCW 35A.12.090](#).

E. The city council may adopt procedures for the recruitment, evaluation, and selection of candidates for appointive office.

2.08.020 City departments and offices created.

There is hereby created in the ~~C~~city of Bonney Lake the following offices and departments of city government: executive department, ~~office of the city attorney~~, department of finance, department of administrative services, department of public services, police department, and municipal court

2.08.030 Executive department.

A. The executive department shall consist of the offices of the mayor, city administrator, city attorney, ~~facilities and recreational and special projects and events~~, and prosecuting attorney.

B. Salary. The salary for the mayor shall be established by ordinance of the city council.

C. Mayoral Powers and Duties.

1. The mayor is the chief executive officer of the city. All departments of the city are under the supervision and control of the mayor.

2. Oath, Affidavit and Signature Powers. The mayor and the deputy mayor shall have power to administer oaths and affirmations, take affidavits and certify them. The mayor, or the deputy mayor when acting as mayor, shall sign all conveyances made by the city and all instruments which require the city seal.

D. City Administrator. The city administrator shall be responsible to the mayor for the general coordination and supervision of the activities of the various city departments and offices, subject to the directives of the mayor. The city administrator shall be generally responsible for promoting efficient and effective service delivery and to see that departments are coordinating their activities.

E. Office of the Prosecuting Attorney. The office of the prosecuting attorney shall be under the general supervision of the mayor and city administrator. The prosecuting attorney shall be responsible for managing and prosecuting all misdemeanor criminal cases coming before the Bonney Lake municipal court, such as domestic violence, DUI, sexual assault, and child abuse cases; representing the city in bench and jury trials, arraignments, pre-trial hearings, sentencing

hearings, appeals, forfeitures, and other court hearings; and coordinating with the public defender and city attorney as needed.

F. Office of ~~Facilities-Recreation~~ and Special ~~Projects and Events~~. The office of ~~facilities recreation~~ and special ~~projects and events~~ shall be under the general supervision of a ~~facilities and special projects and events manager~~ the city administrator. Said office may be organized into distinct sections including but not necessarily limited to recreation ~~the following: facilities, special projects, and special events~~. The general functions of the office are to coordinate and/or sponsor recreation programs and to: plan municipal parks, trails, and open spaces; maintain the buildings and grounds of the city; plan and coordinate community events and festivals; manage the solid waste contract of the city, and undertake special projects as assigned.

2.08.040 — G. Office of the city attorney. ~~A. Duties and Responsibilities.~~ The office of city attorney shall be the legal advisor to the mayor, ~~and council, and of all of the officers,~~ commissions and boards of the city in relation to matters pertaining to their operations in a governmental capacity. The city attorney shall represent the city in litigation, as assigned, in all courts in which the city is a party or directly interested and shall act generally as attorney for the city and the several departments of the city government, together with such additional duties as the council may prescribe by ordinance from time to time. In addition to the duties prescribed by the laws of the state of Washington, as hereinabove set forth, the city attorney shall: attend all regular meetings of the council; review and approve, as to form, when required, all proposed ordinances, resolutions, leases, instruments of conveyances, contracts and agreements, and such other and similar instruments as may be required by the business of the city when requested to do so by the council, mayor, city administrator, or department head; advise the council, boards, commissions, department heads and other city officials and officers including the rendering of formal opinions when so requested, or when it appears to the city attorney advisable to do so; coordinate with the prosecuting attorney as required, consult with and participate with other city officials or representatives of the city concerning settlement of claims against the city or its officials, officers and employees while acting in their official, governmental capacities; and attend, when requested to do so, official meetings of any board or commission in connection with the proposed drafting of any ordinances, resolutions or contracts.

~~B. Outside Legal Counsel.~~ Nothing contained in this section shall be construed as to limit the authority of the mayor and city council to retain outside legal counsel when in the judgment of both the mayor and city council such counsel is needed or desirable, subject only to the availability of budgeted funds for such purposes, and subject to the limitations of state law for dealing with conflicts of interest

2.08.040 — ~~Office of the city attorney.~~

2.08.0450 Department of finance.

The department of finance shall be under the general supervision of a chief financial officer who shall assist the mayor and city administrator in the preparation of the annual budget and all work incidental thereto and shall have all duties assigned by state law to a city treasurer; supervise and be responsible for the disbursement of all monies; monitor expenditures to ensure that budget appropriations are not exceeded and as otherwise provided by law and the rules and regulations of the State Auditor's Office relating to municipal corporations; maintain a general accounting system for the city government and each of its offices and departments; administer the payroll

system of the city; prepare and distribute to the city council and all department heads a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the city; prepare, as of the end of each fiscal year, a complete financial statement and report; supervise the collection of all taxes, special assessments, license fees and other revenues of the city; supervise investment of city funds; and assist with, and facilitate, the purchase of supplies, materials, equipment and other articles used by any office or department of the city government.

2.08.0560 Department of public services.

A. The department of public services shall be under the general supervision of a public services director. The public services director may serve as the supervisor of one or more divisions or offices of the department as needed or assigned. The mayor may organize said department into different divisions or sections including but not necessarily limited to the following: an engineering and infrastructure development division headed by the city engineer, a public works division headed by a superintendent of public works, a permitting division, an administration support division, and a planning and building division. Wherever the Bonney Lake Municipal Code refers to the position of public works director, director of public works, or planning and community development director, it shall mean public services director until amended hereafter.

B. The duties and responsibilities of the department of public services shall include, but are not necessarily limited to:

1. Transportation. The construction, operation and maintenance of all public streets, sidewalks, alleys, bridges, viaducts, street lights, signals, signs, highways and rights-of-way under jurisdiction of the city.

2. Fleet. The acquisition, maintenance, and disposition of the city's equipment fleet as established in the equipment rental and replacement fund.

3. Parks Maintenance. To operate and maintain the city's parks, trails, and open spaces; and to administer and maintain the community forestry program of the city.

4. Water Supply and Distribution. The construction, operation and maintenance of the city's water supply, storage and distribution facilities, including water mains, pumping stations, reservoirs, springs, and wells.

5. Sewer Collection. The construction, operation and maintenance of all sanitary sewers, sewer facilities and appurtenances, including sanitary sewers and pumping stations.

6. Stormwater. The construction and maintenance of all city stormwater facilities and appurtenances, including storm sewers, drains, ditches, ponds, culverts and streams and watercourses under jurisdiction of the city.

7. Planning and Building. To generally plan the physical development of the city; prepare the comprehensive and coordinated plans therefor; plan municipal parks, trails, open spaces; investigate code violations; inspect projects; administer, inspect, and enforce SEPA and all platting, zoning, building, environmental, and land use ordinances and regulations.

8. Engineering. To ensure compliance with adopted public works standards and codes, and to undertake, administer and/or monitor the engineering and construction of public and private infrastructure and development within the city, including the city's capital improvement programs and other public works related engineering projects.

9. Permitting. To assist potential applicants in obtaining the appropriate permits as set forth in this code, in order to complete both private and commercial development projects within the city, and ensure businesses obtain a city-issued business license.

2.08.0670 Police department.

A. The police department shall be under the supervision of the police chief, who shall serve as the chief law enforcement officer of the city as provided in [RCW 35A.12.020](#). The mayor may organize the police department into different divisions including but not necessarily limited to the following: administration managed by a lieutenant or similar command position, and operations managed by a lieutenant or similar command position. The police chief may serve as the manager of one or more divisions or offices of the department as needed.

B. Police Positions Exempted from Civil Service – Existing Employees May Retain For-Cause Protection. The positions of chief of police, assistant police chief (or similar command position title denoting the second-in-command), and department assistant shall be excluded from civil service and the Bonney Lake civil service commission rules and regulations pursuant to [RCW 41.12.050](#); provided, however, that any current Bonney Lake civil service employee who is promoted to a civil service-exempt position may elect to retain his or her right to discipline or dismissal only for cause and related rights under RCW [41.12.080](#) and [41.12.090](#) and the corresponding provisions of the commission rules and regulations.

C. The duties and responsibilities of the police department shall include all duties and responsibilities prescribed by city ordinance or resolution, as well as the provisions of state and federal law. The police department has all such authority, responsibility, and duties as are normal to municipal police departments, including, but not limited to, maintenance of the peace, issuance of citations, arrest and detention of persons committing criminal offenses or who are mentally ill, investigation of criminal activity, establishment and maintenance of intelligence files, production of scientific evidence, crime prevention, animal control, and such other duties as are set by ordinance of the city or by the laws of the state.

D. Operations Division. The operations division shall be under the supervision of an assistant chief, police lieutenant or similar command position. The general purpose of the operations division shall be to carry out the patrol, traffic, school resource, crime prevention, and related operational programs of the police department.

E. Administrative Division. The administrative division shall be under the supervision of an assistant chief, police lieutenant or similar command position. The general purpose of the administrative division shall be to carry out the investigations, records, property, evidence, training, and support services activities of the police department.

2.08.0780 Department of administrative services.

The department of administrative services shall be under the supervision of an administrative services director. The administrative services director shall supervise the divisions and offices of

the department, shall provide administrative assistance to the mayor as needed, and provide legislative support to the council as requested. The mayor may organize the department of administrative services into various offices and divisions including but not necessarily limited to the following: office of the city clerk headed by a city clerk which may be the administrative services director, office of human resources headed by a human resources manager, office of information services headed by an information services manager, and senior services division, headed by a senior services manager. The department director may serve as the manager of one or more divisions or offices of the department as required. If so designated by the mayor, the administrative services director shall also serve as the city's designated risk manager. The powers, duties and responsibilities of the department of administrative services and its various divisions and offices shall include, but are not necessarily limited to, the following:

A. Office of the City Clerk. The city clerk shall be responsible for supervision of all city records, whether printed or electronic, and will coordinate with city departments and the mayor to maintain city policies. The city clerk will also respond to all public disclosure requests. The duties of the city clerk shall include the performance of all duties as set forth in [RCW 35A.42.040](#) and other statutes and ordinances applicable to the office of the city clerk.

B. Office of Human Resources. The office of human resources shall be under the supervision of a human resources manager. It shall be the duty and responsibility of the human resources office to recommend and administer the city's human resources policies and programs; ensure compliance with statutory requirements and city policies and procedures relative to employment law, collective bargaining, and safety issues; develop, maintain, and administer a comprehensive benefits program for the employees of the city; maintain and update the city's classification system; maintain the city's salary schedules; develop recruiting plans and administer the selection and hiring processes for all city employment; coordinate with departments on the use of contract employees and employment agencies; represent the city in all collective bargaining and grievance issues; investigate and resolve employee relations issues; develop and administer the city's safety programs; administer the city's equal employment opportunities programs; and maintain the data in the city's human resources information system.

C. Office of Information Services. The office of information services shall be under the supervision of the information services manager. It shall be the duty and responsibility of the information services manager to manage the city-wide information technology/systems and telecommunications systems and activities; lead and develop technology strategic plans and implementation strategies; provide IT/IS information technology and information systems leadership in integrating and aligning technology with city plans, goals and objectives; organize, manage and evaluate the information services office and its operations to ensure effective support for organizational objectives and efficient and effective implementation of initiatives.

D. Office of Senior Services ~~Division~~. The office of senior services ~~division~~ shall be under the supervision of the senior services manager, who shall have the duty and responsibility to plan, organize and administer a variety of services for senior citizens; manage the Bonney Lake Senior Center; coordinate with the Bonney Lake area senior citizens nonprofit corporation and other groups who have a close relationship with the Senior Center; develop, schedule and oversee the programs and services which are offered at the Senior Center; work with community agencies and resources on the provision of senior services; work with private and public funding sources on continued funding, and develop fund raising ideas for the Senior Center; assist in writing

grants for specific programs or capital expenditures; provide information and make appropriate referrals for Bonney Lake senior adults needing assistance; and supervise the activities, programs, and classes offered through the Senior Center.

2.08.0890 Municipal court.

A. The municipal court shall be organized and operate in accordance with the provisions contained in [Chapter 2.16 BLMC](#) and the general rules prescribed by the Washington State Courts System.

B. The municipal court shall be under the general direction of the municipal court judge and day-to-day supervision of the court administrator, who shall manage and oversee all court functions, other than judicial functions.

2.08.1090 Auditing officer.

Pursuant to the provisions of [RCW 42.24.080](#), the position of auditing officer for the city is hereby established. The city administrator or his/her designee is hereby designated as the auditing officer.

2.08.1010 Job descriptions.

Under the direction of the administrative services director, the human resources manager is authorized and directed to establish and maintain job descriptions for all regular full-time and part-time positions in the city. Said job descriptions shall include, at a minimum, the essential duties and responsibilities of the position and the desired minimum qualifications as may be described in this chapter

2.08.1120 Appointment of department heads, officers and employees.

All department heads, officers and employees of the city shall be appointed on the basis of their knowledge, ability, and skill to perform the essential duties and responsibilities of the position, as required by [RCW 35A.12.090](#).

2.08.1230 Limitations.

This chapter expresses the general organizational structure for the administration of the city only, and is not intended to create any employment right or benefit for an individual employee or appointive officer.

Section 2. BLMC Section 2.12 and Ordinance No. 1378 § 2 are hereby amended to read as follows:

Chapter 2.12 RESERVE POLICE FORCE

2.12.010 Created – Membership.

There is created and established a reserve police force ~~consisting of members of up to five members. Each member shall be appointed by the Bonney Lake chief of police, of the city.~~ The reserve police force shall function as a unit of the city and shall be under the supervision of the chief of police, ~~of the city.~~

2.12.020 Duties.

The duties of the reserve police force are to supplement the regular police force; to aid in the control of traffic and maintenance of order ~~at parades~~ and general policing of large assemblies of

people; to assist the regular police in the protection of life, property and preservation of peace and order, and to perform such other duties as may from time to time be assigned to them by the chief of police ~~of the city~~.

2.12.030 Membership – Application – Qualifications.

A. To be eligible for membership in the reserve police force each applicant must file application with the chief of police ~~of the city~~ and indicate ~~his~~their willingness to serve an average minimum of ~~46~~20 hours per month in the public service.

B. A member of the reserve police force shall:

1. Be a citizen of the United States;
2. Be 21 years of age;
3. Be trustworthy and of good moral character;
4. Not have been convicted of a felony or any offense involving moral turpitude;
5. Meet the requirements of a Bonney Lake police officer;
6. Successfully complete a comprehensive background investigation, to include a polygraph and psychological exam as well as medical screening pursuant to RCW 43.101.095;
57. Furnish his/her own uniform.

C. The chief of police is authorized to furnish each member of the reserve police force with a membership identification card and police badge. The membership identification card is to be carried by such member ~~at all times~~ while on duty, and the police badge is to be worn only when the reserve member is authorized to wear the prescribed uniform while on duty as a reserve police officer.

D. Membership of any person in the reserve police force may be revoked with or without cause at any time by the chief of police. Any member of the reserve police force may resign upon written notification to the chief of police. Upon separation from the organization, all equipment issued to ~~him~~ the reserve police officer by the city must be surrendered to the chief of police within five days.

2.12.040 Chief of police.

The chief of police is the commanding officer of the reserve police force. ~~He~~ The chief shall be responsible for establishing a training program, promulgating rules and regulations for ~~their~~ police-officer conduct, prescribing ~~their~~ police officer uniforms, and supervising ~~their~~ police officer performance of duty. ~~He~~ The chief shall, at ~~his~~ their option, select and appoint ~~men~~ candidates to the civilian reserve police force and may appoint such subordinate officers as ~~he~~ they deems suitable and necessary.

No member of the reserve police shall be regarded as a city employee for any purpose.

2.12.050 Powers.

Members of the reserve police force shall have all those powers vested in them by the chief of police while on duty and in the performance of officially authorized duties, but under no circumstances shall a reserve police officer exercise any power while not in the performance of duties ordered by the chief of police or by a regular police officer.

2.12.060 Compensation.

Members of the reserve police force shall serve without compensation, but the city council may, in its discretion, pay all or part of the cost of furnishing uniforms and equipment when the appropriation therefor has been indicated as an item in the city ~~civil defense or~~ police budget, as it may choose.

2.12.070 ~~Liability~~ Volunteer Firefighters' and Reserve Police Officers' Relief and Pension Fund.

The city may ~~register-enroll~~ all regular members of the reserve police force ~~as civil defense workers with the volunteer firefighters' and reserve police officers' relief and pension fund in accordance with RCW 41.24~~ so that, in the event of injury or death in the performance of duty, such reserve police officer will be eligible for compensation available for this purpose as established by the State Legislature and administered by the ~~State Department of Civil Defense~~ board of trustees.

Pursuant to the provisions of RCW 42.24.080, the position of auditing officer for the city is hereby established. The city administrator or his/her designee is hereby designated as the auditing officer.

Section 3. BLMC Section 2.18 and Ordinance No. 1660 § 1 are hereby amended to read as follows:

Chapter 2.18 HEARING EXAMINER

2.18.010 Office created.

A. Pursuant to [RCW 35A.63.170](#) and [58.17.330](#), the office of land use hearing examiner, hereinafter referred to as "examiner," is created. The examiner shall interpret, review and implement land use regulations as provided in this chapter or by other ordinances. Unless the context requires otherwise, the term "examiner," as used in this chapter, shall include "examiner(s) pro tem."

B. Pursuant to [RCW 35A.63.170](#) and [58.17.330](#), the office of appellate hearing examiner, hereinafter "appellate examiner", is created. The appellate examiner shall be the appellate body for the administrative appeals as set forth in BLMC 2.18.180(B). Solely for matters which have no administrative appeal from the examiner, the appellate examiner may serve as an examiner pro tem when needed.

2.18.020 Appointment – Term.

The hearing examiner, appellate examiner, and hearing examiner pro tem shall be appointed by the mayor for an initial one-year term with the consent of the city council. The examiners serve at the will of the mayor's discretion. Subsequent terms shall be for a period of four years.

2.18.030 Qualifications.

The examiner and appellate examiner shall be appointed solely with regard to their qualifications for the duties of the office which shall include a Juris Doctor degree and a license to practice law in the state of Washington and a minimum of five years of experience as a land use hearing examiner or as a land use attorney representing clients before administrative decision makers.

2.18.040 Compensation.

The city may contract with the examiner, appellate examiner and examiner pro tem for the performance of duties described in this chapter.

2.18.050 Examiner(s) pro tem – Qualifications and duties.

The examiner pro tem shall be subject to the same qualifications as the hearing examiner, and shall have all the duties and powers of the hearing examiner.

2.18.060 Freedom from improper influence.

No person, including city or county officials, elective or appointive, shall attempt to influence an examiner in any matter pending before the examiner, except at a public hearing duly called for such purpose, or to interfere with an examiner in the performance of the examiner's duties in any other way; provided, that this section shall not prohibit the city attorney from rendering legal services to the examiner upon request.

2.18.070 Conflict of interest.

No examiner shall conduct or participate in any hearing, decision or recommendation in which the examiner has a direct or indirect substantial financial or familial interest, or concerning which the examiner has had substantial prehearing contacts with proponents or opponents. No member of city council who has such an interest or has had such contacts shall participate in the consideration of an appeal from or a review of an examiner's decision.

2.18.080 Meetings – Frequency.

Meetings of the hearing examiner shall convene once a month, if necessary, or more frequently as need requires. Meetings of the appellate examiner shall convene as needed to hear appeals.

2.18.090 Powers of the hearing examiner.

A. The hearing examiner shall receive and examine all available information, conduct public hearings, prepare a record thereof, consider the applicable permit criteria, and enter decisions or recommendations for the following matters in accordance with the procedural chapters here cited:

1. Issue final decision on all Type 3A and 3B permits as defined in [BLMC 14.30.010](#);
2. Conduct the public hearing for all Type 4 permits as defined in [BLMC 14.30.010](#) and provide a recommendation to the city council, who then makes the final decision;
3. Hear appeals of actions of the director(s) in accordance with [Chapter 14.120 BLMC](#);
4. Hear appeals of notices of violation and civil penalties in accordance with [Chapter 14.130 BLMC](#);

5. Issue determination regarding a dwelling, building, structure, or premises is unfit for human habitat as provided in [BLMC 14.130.160](#); and

6. Other quasi-judicial matters as may be assigned or delegated to the examiner by the city council or the municipal code.

B. The hearing examiner's decision on permit applications may be to grant or deny the application, or the examiner may require of the applicant such conditions, modifications and restrictions as the examiner finds necessary to make the application compatible with its environment and carry out the objectives and goals of the comprehensive plan, the development code, and other codes and ordinances of the city of Bonney Lake and applicable state and federal laws.

C. The hearing examiner shall have no role in legislative actions, including comprehensive plan amendments, municipal code amendments, and associated SEPA determinations, unless specifically delegated such authority by the city council.

2.18.120 Report of the public services department.

The public services department shall coordinate and assemble the reviews of other city or county departments and governmental agencies having an interest in the subject application and shall prepare a report summarizing the factors involved and the department's findings and recommendations. At least five working days prior to the scheduled hearing the report shall be filed with the examiner.

2.18.180 Appeal from examiner's decision.

A. The decision of the examiner on Type 3A and 3B permit applications and appeals of administrative decisions, notice of violations, and civil penalties shall be final. Appeal of a hearing examiner's decision shall be through the [Land Use Petition Act \(LUPA\), Chapter 36.70C RCW](#).

B. The hearing examiner's decision related to the fitness of buildings, structures, dwellings, and premises under [BLMC 14.130.160](#) shall be final unless appealed to ~~Bonney Lake city council~~ the appellate examiner.

2.18.240 Examiner's report to public services department.

The examiner shall report in writing to and meet with the public services department at least annually for the purpose of reviewing the administration of the land use policies and regulatory ordinances. Such report shall include a summary of the examiner's decisions and costs since the last report.

2.18.250 Examiner's public services department coordination.

The examiner may at any time, on the examiner's own motion, request advice and counsel of the public services department staff regarding interpretation of city codes, policies, and regulations.

2.18.270 Rules.

The examiner and appellate examiner shall have the power to prescribe rules for the conduct of hearings and other procedural matters related to the duties of the office. Such rules may provide for cross-examination of witnesses.

2.18.280 Public hearing – Record keeping.

All hearings shall be public. Records of the examiner and appellate examiner shall be kept by the city and shall be made available to the public upon request. The city shall record the hearings and the examiner shall provide the clerk to facilitate the hearing.

2.18.360 Continuances.

Once legal notice has been given, no matter shall be postponed over the objection of any interested party, except for good cause shown. Continuances may be granted at the discretion of the examiner or appellate examiner; provided, the interested parties in attendance shall be given an opportunity to testify prior to the continuance. The applicant shall pay the actual cost for any hearing postponed or continued by request of the applicants after legal notice has been given; provided, that an applicant is not required to pay the continuance fee if the continuance is warranted by new information presented by the city or third parties not including the applicant or other proponents of the application.

2.18.370 Appellate examiner review.

A. Upon receipt of a valid petition for review, transcript and all other material pertaining to the hearing examiner record on the project, the appellate examiner shall conduct a closed record review of the decision. Such review shall be upon the record established and made at the hearing held by the hearing examiner.

B. If the appellate examiner, after conducting this review, finds that: (1) the examiner's finding or decision contains substantial error; (2) the examiner's proceedings were materially affected by irregularities in procedure; (3) the examiner's recommendation was unsupported by substantial evidence in view of the entire record as submitted; or (4) the examiner's decision is in conflict with the city's adopted plans, policies and ordinances, the appellate examiner may remand for further hearing before the hearing examiner, or may make findings based upon the record and conclusions therefrom and reverse the hearing examiner's decision. In addition, the appellate examiner may make findings based upon the record and conclusions therefrom and choose to modify the examiner's decision based on the above criteria. Further, any proposal may be continued to a time certain for additional city staff analysis and/or communication from the examiner if desired by the appellate examiner, before a final determination by the appellate examiner; provided, that final action should occur within 60 calendar days of the date the petition for review was filed; provided, however, that in the event new factual information is brought forward and the appellate hearing examiner concludes that such evidence was not available, nor could have been reasonably made available, at the hearing examiner hearing, the appellate hearing examiner may remand to hearing examiner for a re-opening of the record on that limited issue.

C. If the appellate examiner determines that there is no basis for the alleged errors set forth in the appeal, he/she shall affirm the decision of the hearing examiner. The decision of the appellate examiner shall be final unless within 21 days of the decision of the appellate examiner a valid land use petition is filed with the Superior Court of Washington for Pierce County seeking judicial review of the action taken, pursuant to the requirements of state law. If the court orders a copy of the record to be submitted, the petitioner shall prepare at the petitioners' expense and submit a verbatim transcript of any hearings held on the matter.

Section 4. BLMC Section 2.24 and Ordinance No. 283 § 6 are hereby amended to read as follows:

Chapter 2.24_CIVIL SERVICE COMMISSION

2.24.060 Election of chairman.

Immediately after appointment, the commission shall organize by electing one of its members chairman, and hold regular meetings at least once a month and such additional meetings as may be required for the proper discharge of their duties.

Section 5. BLMC Section 2.26 and Ordinance No. 1688 § 2 are hereby amended to read as follows:

Chapter 2.26 PLANNING COMMISSION

2.26.010 Appointment and terms.

A. Pursuant to the authority conferred by the laws of the state, [Chapter 35A.63 RCW](#), there is created a city planning commission consisting of seven members who shall be appointed by the mayor, with consent of the city council. The planning commission shall be deemed a planning agency pursuant to [Chapter 35A.63 RCW](#).

B. The term of office of the planning commission members shall be three years each, with initial terms staggered so that not more than three terms expire in any given year.

C. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms.

D. Members may be removed, after public hearing, by the mayor with the approval of the city council for inefficiency, neglect of duty or malfeasance in office. Any planning commission member's unexcused absence from three consecutive meetings shall be conclusively deemed cause for removal due to neglect of duty.

E. Planning commission members shall be selected without respect to political affiliations. All planning commission members shall be residents of the city of Bonney Lake; provided, that one member may reside outside of the city but within the city's potential annexation area; and provided further, that one additional member may reside outside of the city, if the individual owns a business located within the city.

F. Prior to reappointing a planning commission member, the following shall be completed:

1. Public notice of the expiring term shall be provided to public giving members of the public 30 days to apply for the next term; and

2. The mayor shall review the applications submitted and determine to either reappoint the existing commission member or a new commission member. Both the reappointment and new appointment shall require consent of the city council.

2.26.020 Powers and duties.

The planning commission shall be an advisory body to the city council responsible for providing advice and recommendation for Bonney Lake's future growth. Duties and powers of the planning commission shall include:

- A. Adoption of bylaws to govern planning commission meetings;
- B. The planning commission shall review and make recommendations to the city council on the following:
 - 1. Amendments to the comprehensive plan, subarea plans, and development regulations;
 - 2. Special planning studies assigned to the planning commission;
 - 3. Area-wide zoning changes, including zoning related to annexation;
 - 4. Planning for city park, trail, and open space to include acquisition of land and development, design, and operation of these facilities and spaces;
 - 5. City regulations adopted for the use of city parks, trails, and open space by the public;
- C. The planning commission shall meet as provided in BLMC 2.26.040 and may conduct special meetings in accordance with RCW 42.30. All meetings shall be open to the public and shall be governed by the rules and operating procedures as established by the commission.
- D. Serving as an advisory community tree board to advise the public services department, mayor, and city council on the community forestry plan, heritage trees, and related community tree issues;
- ~~E.~~ Such other and future duties as assigned by the city council.

2.26.030 Recommendations to council.

A. The city council may refer to the planning commission, for its recommendation and report, any proposed ordinance, resolution or other proposal, and the commission shall promptly report to the council thereon, making such recommendations and giving such counsel as it may deem proper in the premises either in person or in writing. The city council may, upon a finding of necessity, decide to process any of the items on BLMC 2.26.020(B) itself if deemed expedient by the council.

B. In addition to making recommendations to the council on the matters set forth in BLMC 2.26.020(B), The planning commission may ask the city council to initiate action on the following matters:

- 1. Amendments to the comprehensive plan, subarea plans, and development regulations;
- 2. Special planning studies assigned to the planning commission;

3. Planning fees, policies, and procedures; and

4. Area-wide zoning changes, including zoning related to annexations

C. In exercising the foregoing responsibilities, the planning commission shall consider as appropriate any associated environmental or other administrative determination.

2.26.040 Meetings.

A. In consultation with assigned city staff, the commission shall establish a fixed meeting date, time, and location for its regular meetings and will meet at least monthly; provided, that meetings may be canceled for lack of business upon advance notice.

B. Special meetings may be held in accordance with the Open Public Meetings Act, RCW 42.30.

C. All meetings of the commission shall be open to the public and shall be governed by the bylaws as established by the commission.

2.26.050 Quorum and majority for adoption of action.

A majority of the membership of the planning commission shall constitute a quorum for the transaction of business. Any action taken by a majority of the membership of the planning commission at any regular or special meeting of the planning commission shall be deemed and taken as an action of the commission.

2.26.060 Compensation.

Each member of the planning commission shall be compensated in the amount of \$100.00 per planning commission meeting attended, including joint meetings of the planning commission and the city council; provided, that no planning commission member shall be compensated for attendance at more than two planning commission meetings per calendar month, including attendance at any joint meetings of the planning commission and the city council; and provided further, that the chair or designee of the planning commission shall, in addition, be compensated \$50.00 for attendance at a council meeting where such attendance is required by [BLMC 2.26.030](#).

Section 6. BLMC Section 2.32 and Ordinance Nos. 1693 § 1, 3, 4 and 1214 § 2 are hereby amended to read as follows:

Chapter 2.32 VACATIONS, HOLIDAYS AND SICK LEAVE

2.32.010 Holidays.

A. Each non-represented, regular full-time employee shall be entitled to eight hours' salary on each of the following days which are declared to be official holidays. Full-time employees working approved alternate shifts shall receive the equivalent salary based on the average hours they work. Regular part-time employees shall be entitled to a pro-rata share of holiday pay when the employee's regular schedule falls on an official holiday:

1. New Year's Day (first day of January);

2. Martin Luther King, Jr.'s Birthday (third Monday in January);
3. Presidents' Day (third Monday in February);
4. Memorial Day (last Monday in May);
5. Juneteenth (June 19th);
6. Independence Day;
7. Labor Day;
8. Veterans Day;
9. Thanksgiving Day;
10. Friday following Thanksgiving Day;
11. Christmas Eve Day;
12. Christmas Day; and
13. Two floating holidays.

B. Any declared holiday falling on Sunday shall be observed the following Monday. Any holiday falling on Saturday shall be observed on the preceding Friday.

C. Any day in addition to the days listed in subsection A of this section may be designated as a holiday by the city council.

D. Each non-represented employee shall be given time off with full pay on one other day for each holiday worked. Such time off shall be taken in a manner that does not disrupt the efficient and orderly operations of the city, in the sole discretion of the employee's supervisor. Time off in lieu of holidays shall be used in the same calendar year as the holidays worked, and shall not roll over from year to year.

E. Employees shall receive the holiday with pay only if the employee is in a paid status the day before and the full work day after the holiday; provided, however, that if the employee is not in a paid status before or after the holiday due to a furlough or because of a previously approved leave of absence without pay where holiday pay was authorized as part of the leave approval, then the holiday shall be with pay.

F. Floating Holidays. Existing employees shall be eligible for two floating holidays beginning January 1st each year. New employees hired prior to July 1st shall be eligible for the two floating holidays in the year they are hired. New employees hired on or after July 1st and prior to December 1st shall receive one floating holiday in the year they are

hired. The employee shall request use of floating holidays at least 10 days in advance. All requests shall be made prior to December 1st of each year. Permission to use floating holidays shall not be unreasonably withheld. No unused floating holiday may be carried forward to the next year. The assistant police chief shall have additional floating holidays annually pursuant to guild agreement.

G. Unpaid Holidays. Regular full-time and part-time employees are entitled up to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. The employee may select the days on which the employee desires to take the two unpaid holidays after consultation with the supervisor. A minimum of 14 calendar days' advance notice is required and the city may deny the request if it imposes an undue hardship on the city or is necessary to maintain public safety.

2.32.030 Sick leave.

A. Regular full-time employees shall accrue the following amount of sick leave at the rate of eight hours for each calendar month of employment to a maximum of 720 hours. Regular part-time employees shall accrue a pro-rata share of sick leave for each calendar month of service up to a maximum of 360 hours.

B. Day labor, temporary part-time or temporary employees shall not accrue sick leave.

C. Payoff shall be based on an accumulation of unused sick leave to a maximum of 720 hours. Employees shall be compensated at their regular base rate of pay in effect when permanently separated from employment in accordance with the following schedule:

1. Resignation or layoff (five years' service minimum): 25 percent;
2. Disability, death or retirement: 100 percent.

D. An employee eligible for sick leave with pay shall be granted such leave for the following reasons:

1. Personal illness or physical incapacity resulting from cause beyond employee's control;
2. Forced quarantine of the employee in accordance with community health requirements;
3. The illness of a member of the employee's immediate family which shall include ~~husband, wife, son, daughter~~ spouse or spouse equivalent, child or other dependent or parent of the employee, the length of time of leave to be determined by the department head.

E. An employee on sick leave shall inform the department head, in writing, of the fact and the reason therefor as soon as possible, and shall complete a sick leave report upon return to work.

F. When the sick leave continues for three or more working days, the department head may require the employee to file a physician's certificate with the department head stating the cause of the absence and the nature of the illness.

G. Any failure to give notice, file a physician's certificate upon request, or complete a sick leave report as required in this section may be cause for denial of such leave with pay for the period of absence.

H. An employee receiving sick leave with pay who simultaneously receives compensation under the Workmen's Compensation Law, or other insurance plan paid for by the city, shall receive for the duration of such compensation only the portion of regular salary which, together with said compensation, will equal regular salary, except this provision shall not apply to compensation received for benefits other than salary compensation.

2.32.040 Bereavement leave.

At the request of the employee, up to three days' bereavement leave with pay shall be granted to the employee upon the death of a member of the employee's immediate family. This shall include: spouse or spouse equivalent, ~~mother, father~~parent, current ~~mother-in-law, current father~~parent-in-law, ~~brother, sister~~sibling, child, stepchild, ~~stepmother, stepfather~~stepparent, legally adopted child or grandparent of the employee and live-in dependent, or someone who has an expectation to rely on ~~you~~the employee for care, whether living together or not.

2.32.060 Shared leave.

A. Intent. The purpose of shared leave is to permit city employees, at no additional employee cost to the city other than the administrative costs of administering the program, to come to the aid of a fellow city employee who is suffering from or has an immediate family member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his or her employment.

B. A department director, with the approval of the mayor, may permit an employee to receive shared leave under this section if:

1. The employee suffers, or has an immediate family member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status or to terminate his or her employment with the city.
2. The employee has depleted or will shortly deplete his or her total accrued vacation, sick leave, compensatory time, holiday time, and/or paid leave.
3. Prior to the use of shared leave, the employee has abided by the city's sick leave policy.
4. The employee has diligently pursued and is found to be ineligible for state industrial insurance benefits.

5. The use of shared leave will not significantly increase the city's costs, except for those costs which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department.

C. The department director and HR manager, with the approval of the mayor or designee, shall determine that amount of shared leave, if any, which an employee may receive under this section. The employee shall be required to provide appropriate medical justification and documentation both of the necessity for the leave and the time which the employee can reasonably be expected to be absent due to the condition. An employee shall not receive more than a total of nine months accrued leave, based upon monthly earned vacation, of shared leave throughout the employee's employment. To the extent possible, shared leave should be used on a consecutive basis.

D. Employees may request their department director to approve the transfer of a specified amount of accrued vacation or sick leave to an employee who is authorized to receive shared leave as provided herein. In order to be eligible to donate vacation leave, an employee must have a total of more than 10 days of accrued vacation leave, have taken at least 10 days of vacation leave within the calendar year or have a total of accrued and used vacation leave of greater than 10 days for the calendar year. In order to be eligible to donate sick leave, an employee must have a total of more than 30 days of accrued sick leave. Transfers shall be in increments of one day of leave. In no event shall a transfer of leave be approved which would result in an employee reducing his or her total vacation leave in a calendar year to less than 10 days or which would result in an employee reducing his or her total remaining sick leave to less than 30 days. The department director shall not transfer leave in excess of the amount specified in the request. All donations of leave shall be voluntary and include no donations as a result of duress. The department director shall determine that no significant increase in city costs will occur as a result of a donation of leave.

E. Leave may be transferred from employee(s) from one department to an employee of the same department, or, with the concurrence of both department directors, to an employee of another department.

F. While an employee is on shared leave, ~~he or she~~ they will continue to be classified as a city employee and shall receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation leave.

1. All salary benefit payments made to the employee on a shared leave shall be made by the department employing the person using the shared leave.

2. The employee's salary rate shall not change as a result of being on shared leave nor, under any circumstances, shall the total of the employee's salary and other benefits, including but not limited to state industrial insurance or any other benefit received as a result of payment by the city to an insurer, health care provider, or pension system, exceed the total of salary and benefits which the employee would have received had ~~he or she~~ they been in a regular pay status.

G. Leave shall be transferred on a dollar-for-dollar basis. The value of the leave shall be determined at the current hourly wage of the transferor and the leave available to the receiving employee shall be calculated at the receiving employee's wage.

H. The finance department shall be responsible for computing the values of donated leave and shared leave, and shall also be responsible for adjusting the accrued leave balances to show the transferred leave. The finance director shall determine the appropriate fund transfers and budget amendments as needed for city council action. Records of all leave time transferred shall be maintained in the event any unused time is returned at a later date.

I. The value of any leave transferred which remains unused shall be returned at its original value to the employee or employees who donated the leave. The department director shall determine when leave is no longer needed. To the extent administratively feasible, the unused leave shall be returned on a pro rata basis.

J. The chief finance officer and/or finance and payroll accountant shall monitor the use of shared leave to insure equivalent treatment for all employees of the city. Inappropriate use or treatment of the shared leave provision may result in the cancellation of the donated leave or use of shared leave. In no event shall any unused shared leave be paid to the donee employee in the event of leaving city service.

Section 7. BLMC Section 2.52 and Ordinance No. 741 § 4 are hereby amended to read as follows:

Chapter 2.52 LEGAL ACTIONS AGAINST CITY OFFICIALS AND EMPLOYEES

2.52.040 Defense and indemnification.

A. Upon request or motion made pursuant to [BLMC 2.52.030](#), the city council shall determine whether the acts or omissions of the city official or employee against whom an action for damages has been brought were ~~or~~ in good faith purported to be within the scope of his or her official duties, and whether such acts or omissions were dishonest, fraudulent, criminal or malicious. In making such determination, the city council may consult any authority deemed necessary.

B. If the city council determines that the acts or omissions of the city official or employee were ~~or~~ in good faith purported to be within the scope of his or her official duties, and that such acts or omissions were not dishonest, fraudulent, criminal or malicious, the city council shall, by resolution, provide for the city's payment of the necessary expenses of defending the action or proceeding.

C. If any such action or proceeding results in any monetary judgment against such city official or employee, the city council shall, by resolution, provide for the city's payment in full of such judgment. Upon consideration the particular facts of the case, the city council may also provide for the city's payment of any punitive damages included in such judgment; provided, however, that this provision for payment by the city of punitive

damages on behalf of a city official or employee under this chapter shall not be construed as a waiver of the city's immunity to punitive damages.

Section 8. BLMC Section 2.57 and Ordinance No. 945 § 1 are hereby amended to read as follows:

Chapter 2.57 EMPLOYMENT AND HIRING

2.57.010 Posting of city job openings~~Recruitment selection.~~

~~All city job openings,~~ The recruitment and selection of city employees will be conducted according to the appropriate and applicable procedures, including current Guild, AFSCME Collective Bargaining Agreements, Civil Service Rules, policy(ies), or resolution(s). However, if no specific procedures apply, then recruitment and selection shall be conducted as determined by the Human Resources Manager, not including temporary employees, shall be posted for at least five working days before an employee is hired to fill the vacancy. Notification of job reclassifications will also be posted using the procedures as applicable herein.

Section 9. BLMC Section 2.64 and Ordinance No. 969 § 1 are hereby amended and sections added to read as follows:

Chapter 2.64 INITIATIVE AND REFERENDUM

2.64.010 Powers of initiative and referendum adopted~~Initiative and referendum.~~

~~The city of Bonney Lake hereby council adopts the power of initiative and referendum for the qualified electors of the city as provided pursuant to [RCW 35A.11.080](#) through [35A.11.100](#). Such powers are to be exercised as provided in the above referenced sections of the Revised Code of Washington as they now exist or may be amended from time to time and said sections are hereby incorporated in full by this reference.~~

2.64.020 Statutory procedures.

The powers of initiative and referendum adopted in BLMC 2.64.010 are to be exercised as set forth in RCW 35A.11.080 through RCW 35A.11.100 as they now exist or may be amended from time to time, and which are incorporated by reference as if set forth in full.

2.64.030 General ordinance defined.

For the purposes of this chapter and this chapter only, a general ordinance is defined as an ordinance of general application throughout the city.

2.64.040 Effective date of general ordinances.

General ordinances of the city shall not go into effect before 30 days from the time of final passage and are subject to referendum during that period. This clause shall not apply to ordinances exempted by BLMC 2.64.040.

2.64.050 Ordinances not subject to initiative and referendum.

A. Ordinances of the city which shall not be subject to the powers of initiative and

referendum and which shall become effective five days following their passage and legal publication are as follows:

1. Ordinances initiated by petition;
2. Ordinances providing for local improvement districts;
3. Ordinances appropriating money;
4. Ordinances providing for or approving collective bargaining;
5. Ordinances providing for the compensation of or working conditions of city employees;
6. Ordinances authorizing or repealing the levy of taxes; and
7. Ordinances exempted now or hereafter by the Washington Legislature or Washington Courts from the powers of initiative and referendum, including, but not limited to:
 - a. Ordinances which are administrative in nature; and
 - b. Ordinances adopted under power(s) granted by the Washington Legislature and Washington Court to the city council, as the legislative body for the city, including but not limited to:
 - i. Zoning regulations, critical areas regulations, and comprehensive plan amendments adopted pursuant to the Growth Management Act, Chapter 36.7A RCW;
 - ii. Ordinances adopting the use and operation of automated traffic safety cameras;
 - iii. Ordinances adopting annexations;
 - iv. Ordinances issuing revenue bonds; and
 - v. Ordinances establishing a transportation benefit district;

B. Ordinances of the city which shall not be subject to the powers of initiative and referendum and which shall become effective immediately upon their passage are as follows:

1. Emergency Ordinances. Ordinances necessary for immediate preservation of public peace, health, and safety or for the support of city government and its existing public institutions which contain a statement of urgency and are passed by unanimous vote of the council.

2.64.060 Restriction of or abandonment of powers.

A. The exercise of initiative and referendum powers may be restricted or abandoned as set forth in RCW 35A.11.080, which is incorporated by reference as if set forth in full.

Section 10. BLMC Section 2.70 and Ordinance Nos. 1345 § 1 and 1251 § 1 are hereby amended to read as follows:

Chapter 2.70 PROCUREMENT AND DISPOSITION OF GOODS AND SERVICES

2.70.010 General provisions – Applicability and exemptions.

A. This chapter applies to every expenditure of public moneys by this city irrespective of its source, including federal assistance moneys, except that this chapter does not apply to grants or intergovernmental cooperative purchasing agreements between this city and other governments. This chapter also applies to the disposal of city property, including equipment and real property. Nothing in this chapter shall prevent the city from complying with the terms and conditions of any grant, gift, bequest or cooperative agreement.

B. The provisions of this chapter are not applicable to contracts for professional witnesses if the purpose of such contracts is to provide for services or testimony relating to an existing or probable judicial proceeding in which this city is or may become a party or to contracts for special investigative services for law enforcement purposes.

C. Agreements negotiated by the city attorney in settlement of litigation or threatened litigation are exempt from the provisions of this chapter.

D. The purchases of materials for resale in a concession operation are exempt from the provisions of this chapter. However, such purchases shall be in accordance with procedures prescribed by the mayor.

E. The award of financial participation agreements, master operating agreements, memoranda of understanding, and community development block grants are exempt from this chapter. Such contracts shall be awarded in accordance with the applicable requirements of those agreements or programs.

F. The provisions of this chapter are not applicable to contracts for various local improvement districts and related formations. Such contracts shall be awarded in accordance with applicable state law governing the district.

2.70.020 Authority of the mayor.

Except as otherwise provided in this chapter, the mayor is hereby authorized to adopt and implement administrative policies, procedures, and forms, consistent with this chapter and state and federal laws, governing the procurement and management of all materials, services and construction to be procured by the city and the disposal of personal and real property. The mayor shall designate an exempt employee of the city to serve as the chief contract officer (CCO) of the city.

2.70.030 Sole source procurement.

A contract may be awarded without competition when the CCO determines in writing, after conducting a good faith review of available sources, that there is only one source for the required material, service, or construction item. The using department requesting sole source procurement shall provide written evidence to support a sole source determination. The CCO may require that negotiations are conducted as to price, delivery, and terms. The CCO may require the submission of cost or pricing data in connection with an award under this section. Sole source procurement shall be avoided, except when no reasonable

alternative sources exist. A record of sole source procurements shall be maintained as a public record.

2.70.040 Emergency procurements.

Notwithstanding any other provisions of this chapter, the CCO may make or authorize others to make emergency procurements of materials, services, or construction items when there exists a threat to public health, welfare, or safety or if a situation exists which makes compliance with this chapter contrary to the public interest; provided, that such emergency procurements shall be made with such competition as is practicable under the circumstances. An emergency procurement shall be limited to those materials, services, or construction necessary to satisfy the emergency need. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. All waivers of competitive bidding under this section shall be in accordance with RCW 39.04.280.

2.70.050 Special procurements.

A. Notwithstanding any other provisions of this chapter, the CCO or his designee may make procurements when, due to unusual or special circumstances, it would be in the best interest of the city to accomplish the procurement without compliance with the provisions of this chapter. Any special procurement under this section shall be limited to those materials, services, or construction necessary to satisfy the city's need and shall be made with sound fiscal discretion, and shall be in compliance with all state and federal laws. A written determination by the CCO of the basis for the special procurement and for the selection of the particular contractor shall be included in the contract file. The determination and the award shall be made in accordance with internal procedures ensuring that the procurement is in the public interest, fair, honest, prudent and a wise exercise of discretion.

B. Auction, Closeout, and Bankruptcy Sales. If the CCO or designee determines that supplies, material, or equipment can be purchased by any public auction, closeout sale, bankruptcy sale or other similar sale, and makes a finding that a purchase at any such auction or sale will be made at a cost below the market cost, the CCO may authorize said purchases.

C. Real Property. The acquisition of real property is exempt from competitive bidding. Upon approval of the city council, the mayor may proceed to acquire real property through negotiation. Such negotiations shall be based upon an independent fee appraisal of the property when the negotiated price will exceed \$500,000. The mayor shall not agree to pay more than fair market value for any real property without prior council approval. If the property is acquired in part or in whole with federal funds, such acquisition shall additionally comply with the Uniform Real Property Acquisition and Relocation Assistance Act of 1970, as amended.

2.70.060 Contract award and approval authorization.

~~When a good, service, or project has been included and specifically itemized in the adopted budget of the city, the contract award may be made administratively by the mayor or CCO when the contract amount does not exceed \$10,000 for goods and~~

services, or \$20,000 for construction. With advance notice to the city council, the limit shall be \$20,000 for goods and services, and \$30,000 for construction, provided all state or federal bid laws have been met. All other contract awards shall be made by resolution of the city council.

A. The city council authorizes the mayor or designee (including CCO) to enter into and execute on behalf of the city certain types of contracts without individual approval of each contract by the city council. This authority is granted only if the contract is consistent with the approved annual budget for the city, and the city's liability under the contract does not exceed available fund balances. All contracts must be reviewed and "approved as to form" by the City Attorney in order to be approved by this process. The contract types authorized under this section include:

<u>Contract Type</u>	<u>Maximum Annual Contract Amount*</u>	<u>Mayor (or designee) with Review of City Attorney</u>
<u>Leases for city property for fair market value when the leased space is less than 2,500 square feet and the term is less than ten years</u>	<u>N/A</u>	<u>Yes</u>
<u>Goods, services, supplies, materials, or equipment, including capital equipment</u>	<u>\$25,000 or \$50,000 with prior notice to council</u>	<u>Yes</u>
<u>Maintenance Contracts</u>	<u>\$50,000</u>	<u>Yes</u>
<u>Public Works Contracts</u>	<u>\$100,000 or \$250,00 with prior notice to council</u>	<u>Yes</u>
<u>Professional service or consultant agreements</u>	<u>\$50,000</u>	<u>Yes</u>
<u>Lease agreements for materials, supplies or equipment</u>	<u>\$25,000</u>	<u>Yes</u>
<u>Routine contract extensions for contracts that have been approved by the city council when such extensions are under substantially similar terms and are within the adopted budget</u>	<u>N/A</u>	<u>Yes</u>
<u>Contract which carries out or implements a provision of this code or established city policy, e.g., maintenance or performance bonds for plat improvements</u>	<u>N/A</u>	<u>Yes</u>
<u>Any project or purchase that is specifically listed or described with specificity in the approved budget</u>	<u>N/A</u>	<u>Yes</u>

* Not including sales or use tax - if applicable.

1. Contracts not consistent with the above table, or are to be paid with unappropriated funds, must be preapproved by the city council.
2. The breaking down of any purchase or contract into units or phases for the purpose of avoiding the maximum dollar amounts is prohibited. The amount of the contract includes all amendments, however, amendments that do not exceed in total 10 percent of the contract amount up or \$25,000, whichever is larger, may be entered into without prior city council approval.

B. All contracts presented for signature by the mayor or designed shall be signed by the city attorney as to form and legality.

C. The mayor or designee in his or her discretion may present any contract to the city council for prior approval, even if the contract is allowed to be approved without prior city council approval.

D. Interlocal agreements shall be presented to the city council for prior approval.

E. For the purpose of this chapter, "contract" means any agreement creating a legal relationship between the city and another person or entity, or any amendment thereto.

2.70.070 Prohibited practices.

The following types of procurement practices are hereby prohibited:

A. Collusion Among Bidders. Any agreement or collusion among bidders or prospective bidders to either buy or sell, in restraint of freedom of competition, be it agreement to bid a fixed price, or otherwise, shall render the bids of such bidders void. Such bidders may be subject to possible exclusion from future bidding with the city when determined by the CCO to be in the best interest of the city.

B. Disclosure of Formal Bid Contents. Any disclosure in advance of the opening bids, of any information contained in the sealed or formal bid, made or permitted by a city officer or employee may render each bid void either by the city or the parties submitting bids. Appropriate disciplinary action shall be taken against both the persons revealing the information and the persons using the information. Notwithstanding anything herein to the contrary, all bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.

C. Gratuities. With the exception of normal business and social courtesies, or donations publicly given and accepted, the acceptance of any gift or gratuity in the form of cash, merchandise or any other thing of significant value by an official or employee of the city from any vendor or contractor, or prospective vendor or contractor, shall be prohibited.

D. Employee-Owned Businesses. City goods or services shall not be obtained from businesses in which city officials, employees or their immediate family members have a majority ownership interest, except where such purchase is the result of an open and

competitive procurement process in which the business is determined by the CCO to be the lowest responsible bidder.

E. Sale of Materials and Supplies. The city shall not use its purchasing power or lend its credit to acquire goods or services for any private party, nor shall the city sell its materials or supplies to city officials, employees, or the public except when said materials have been declared surplus and are properly disposed of as provided by law.

2.70.080 Petty cash and change funds.

The office of financial services may maintain petty cash and/or change funds of up to \$1,000 each for general government, the police department, and the court, to help eliminate the issuance of purchase orders and claims vouchers for small items needed immediately from vendors not having open purchase orders, and for travel. No single petty cash purchase shall exceed \$100.00, except in emergencies. All requests for petty cash funds or reimbursement of petty expenditures shall be reconciled by a receipt or paid invoice along with a completed petty cash form. Reimbursements and reconciliations of petty cash funds shall be made within 30 days of the transaction. No personal checks shall be cashed out of any petty cash or change fund. (Ord. 1251 § 1, 2007).

2.70.090 Credit cards.

A. Pursuant to [RCW 43.09.2855](#), the following policies shall govern the distribution, authorization, use and control of credit cards by city officials and employees:

1. Unless otherwise authorized by resolution of the city council, the city will maintain only one general credit card account, one purchasing card account, and one credit card account for fleet services. Said accounts shall not be used for cash advances.

- a. For purposes of this section, a “purchasing card” is a “credit card” as defined in [RCW 43.09.2855\(4\)](#).

2. Credit cards and/or purchasing cards may be temporarily distributed to those city officials and employees who, in the opinion of the mayor, have job responsibilities which would be facilitated by the use of such a card and that use would benefit the city.

3. The CCO, in cooperation with the chief financial officer, shall develop and implement guidelines and accounting controls to ensure the proper usage of credit and purchasing cards, and the payment of all credit and/or purchasing card bills.

4. The ~~mayor~~ CCO shall set reasonable spending limits on each credit and/or purchasing card issued. The credit limit on each of the credit card or purchasing card accounts shall not exceed \$15,000 without approval of the city council.

5. Any employee using a city-issued credit or purchasing card for noncity business shall be billed for all charges on the credit or purchasing card, and the mayor or his/her designee is directed and authorized to take all necessary legal actions to recover any unauthorized charges.

B. Corporate Cards. In lieu of an open purchase order with vendors with which the city does frequent business, the mayor or CCO may authorize the use of a vendor's corporate card. Cards may be issued only to those city employees who have purchasing responsibilities which would be facilitated by the use of a corporate card, and the use would benefit the city. The CCO, in cooperation with the chief financial officer, shall develop and implement guidelines and accounting controls to ensure the proper usage of corporate cards.

2.70.100 Disposition of city property.

A. Definition. "City property" shall mean any property or equity interest in real or personal property held or owned by the city except for mortgages taken or released to secure the installation of development improvements.

B. Surplus Property Disposal. Upon recommendation of the department head, the ~~CCO~~ chief financial officer may declare property surplus upon a finding of one or more of the following criteria:

1. The city has or soon will have no practical, efficient, or appropriate use for the property, nor will it have such a use for the property in the near future.
2. The purpose served by the property can be accomplished by use of a better, less costly, or more efficient alternative.
3. The purpose served by the property or its use no longer exists as determined by a change of policy evidenced by an ordinance or resolution of the city council.
4. The property is damaged, worn out or otherwise inoperable and the cost of repairing the same is unwise or impractical.

C. Sale of Surplus Property Not Belonging to City Utility. The CCO is authorized to sell surplus property not belonging to a city utility in the following manner:

1. If a department head has city property under his or her control or supervision which is deemed surplus to use, said employee shall notify the CCO, who shall in turn notify interested department heads, supervisors or other city representatives and give them an opportunity to review their need for the same. If any of such persons desire to acquire and use the proposed surplus property, unless the CCO disagrees, the property may be transferred to the requesting department head or other authorized representative.
2. If no request for use of a piece of proposed surplus property is received, and the value of the proposed item to be surplussed is less than \$1,000, the CCO may then proceed to direct the disposal of the same by public auction, bid, or other method of sale on terms the CCO deems to be in the best interest of the city. If the value of the item exceeds \$1,000, the item shall be declared surplus by resolution of the city council; provided, however, if the value of said surplus property is estimated to exceed \$50,000, a hearing shall be held prior to disposal in accordance with [RCW 39.33.020](#). Public auctions may be conducted on site or electronically. Unless otherwise provided, all proceeds from sale or auction of surplus property will be

deposited into the city's general fund. Proceeds from sale of utility, grant or other special designation property will be reimbursed, less pro-rated selling expenses, to the appropriate fund, after completion of each sale.

3. Surplus personal property which has only nominal value because of obsolescence, wear and tear, or other reasons may be dismantled, if necessary, and sold as scrap. Surplus personal property which has no marketable value or use may be discarded as refuse.

4. If the proposed surplus property is real property, notice of the proposal to declare the same surplus shall additionally be given to all city council members. The decision to declare surplus real property shall rest solely with the city council. If the value of said surplus property is estimated to exceed \$50,000, a hearing shall be held prior to disposal in accordance with [RCW 39.33.020](#). If, following a public hearing, the city council votes to declare the real property as surplus, the CCO shall secure an independent fee appraisal of the property and proceed to sell the same by public auction or through the formal bidding procedures set forth herein as the CCO deems to be in the best interest of the city.

D. Special Requirements for City Utility Property. As required by [RCW 35.94.040](#), whenever the city council shall determine, by resolution, that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then the city council by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed. Such resolution shall state the fair market value or the rent or consideration to be paid and such other terms and conditions for such disposition as the council deems to be in the best public interest.

E. Trade of Real Property. Real estate may be traded under the following conditions:

1. If the CCO determines that the real property declared surplus under this section could be sold for a greater consideration or benefit to the city if something other than cash were taken as consideration, then the CCO may invite prospective purchasers to tender consideration, either cash or in kind or a combination of both. Upon receipt of a bid tendering consideration in kind, and if the CCO considers such bid to be the best offer made, prior to accepting such a bid the CCO shall make a report setting forth reasons for thinking the in-kind bid has the most value to the city. This report shall be made to the city council at a regular council meeting and the report shall remain open to public inspection.

2. Before accepting any bid containing in-kind consideration, an adequate appraisal must have been made by a qualified independent appraiser.

3. If the city council finds that the bid containing the in-kind consideration has more value or benefit to the city than any other bid submitted, the CCO may accept the bid containing in-kind consideration.

F. Lease of Public Property. When specifically provided for in the adopted city budget, the mayor may authorize the lease or sublease of any property, including real property, under such terms and conditions as the mayor may deem desirable, fair and appropriate, either by use of negotiations or bidding in the best interest of the city. Leases of real property shall not be granted for a period of more than five years.

2.70.110 Disposition of unclaimed or lost property.

The city, through the police department, shall dispose of unclaimed or lost property as outlined in [Chapter 63.32 RCW](#).

Section 11. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 12. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 13. Severability. If any sentence, section, provision, or clause of this Ordinance or its application to any person, entity or circumstance is for any reason held invalid or unconstitutional, the remainder of the Ordinance, or the application of the provision to other persons, entities, or circumstances is not affected.

Section 14. Publication and Effective Date. 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 6 day of June, 2023.

Michael McCullough, Mayor

AUTHENTICATED:

Sadie A. Schaneman, CMC, City Clerk

AB ____
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals ____ page(s)



2023 Water SDC Update



Chris Gonzalez, Principal
June 6, 2023

System Development Charges (SDCs)

- **The SDC is a connection charge that:**
 - » Is imposed on development to recover an equitable share of system costs
 - » Is based on the cost of existing assets and future capital projects
 - » Provides a source of funding for capital projects and/or debt service
- **General Methodology:**

$$\text{SDC} = \frac{\text{Existing System Cost} + \text{Future Project Cost}}{\text{Existing \& Added Capacity}}$$



Historical Water SDCs (3/4" Single-Family)

Date	Water SDC (3/4" Single-Family)	Notes
6/12/08	\$7,700	Updated Charge (Ordinance 1276)
1/1/09	\$7,879	ENR CCI Adjustment (+2.3%)
1/1/10	\$7,745	ENR CCI Adjustment (-1.7%)
1/1/11	\$7,807	ENR CCI Adjustment (+0.8%)
11/26/12	\$5,689	Temporary Reduction (Ordinance 1440)
1/1/13	\$5,920	ENR CCI Adjustment (+4.0%)
11/23/13	\$8,457	Reverted to 2011 + ENR CCI Adjustment
1/1/14	\$9,095	ENR CCI Adjustment (+7.5%)
1/1/15	\$9,095	
1/1/16	\$9,095	
1/1/17	\$9,095	
7/1/17	\$9,095	
1/1/18	\$9,095	
1/1/19	\$9,095	
1/1/20	\$9,095	
1/1/21	\$9,095	
1/1/22	\$9,095	
1/1/23	\$9,095	

- Current SDC is based on a 2008 calculation with some adjustments based on inflation in the Engineering News Record Construction Cost Index (ENR CCI)
- Temporary SDC decrease in November 2012 to spur growth due to recession



Water SDC Update

Water SDC Calculation	2023 Calculation				2008 Calculation		
	Supply	Fire	Other	Total	Supply	Other	Total
Existing Cost Basis (\$000s)							
Existing Utility-Funded Capital Assets	\$12,738	\$16,278	\$40,239	\$69,257	\$11,752	\$48,473	\$60,225
Less: Provision for Asset Retirements	-	(1,951)	(4,794)	(6,745)	-	(3,732)	(3,732)
Plus: Interest on Utility-Funded Assets	5,765	4,057	12,176	21,998	-	14,047	14,047
Less: Net Outstanding Debt Principal	-	-	-	-	-	(6,055)	(6,055)
Net Existing Cost Basis	\$18,504	\$18,385	\$47,621	\$84,510	\$11,752	\$52,733	\$64,485
Net Future Cost Basis (\$000s)	-	16,705	46,873	63,578	26,282	24,229	50,511
Total Cost Basis	\$18,504	\$35,090	\$94,494	\$148,088	\$38,034	\$76,962	\$114,996
Capacity In Residential Equivalents (REs)	13,199	26,542	31,060		10,967	15,979	
SDC Per RE	\$1,402	\$1,322	\$3,042	\$5,766	\$4,816	\$2,888	\$7,704

Existing SDC Per RE (Effective Since 1/1/14) **\$9,095**

- Decrease in SDC primarily attributable to updated estimate of system capacity



Residential Equivalents per 2008 Calculation

- **RE forecast from 2009 Water System Plan (WSP)**
 - » Based on average-day demand of 314 gallons per day per RE
 - 2020 WSP defined RE as 197 gallons per day
 - » Considered growth over six-year capital planning period
- **Issues with this approach:**
 - » Inconsistent with how City assigns REs to impose SDCs
 - Multi-Family: 0.77 REs per Dwelling Unit
 - Other Users: Based on Water Meter Size¹
 - » System capacity can serve more than six years of growth
 - Goal is to allocate system costs to number of REs that the system *can* serve

¹City assigns REs to 1-1/2" and larger connections on a case-by-case basis.

Year	ERU at Year End	Customers (ERU at mid-year)
2006	13,199	12,895
2007	13,669	13,354
2008	14,155	13,829
2009	14,659	14,321
2010	15,181	14,831
2011	15,575	15,216
2012	15,979	15,611
2013	16,393	16,016
2014	16,819	16,431
2015	17,255	16,858
2016	17,703	17,295
2017	18,162	17,744
2018	18,634	18,204
2019	19,117	18,677
2020	19,613	19,161
2021	19,912	19,453
2022	20,215	19,749
2023	20,523	20,050
2024	20,835	20,356
2025	21,153	20,666
2026	21,475	20,980



Proposed Methodology for Estimating REs

- **Estimate existing REs based on how City imposes SDCs**

- » Multi-Family: 2,093 Dwelling Units × 0.77 REs per Dwelling Unit = 1,612 REs
- » Other Users:

Meter Size	5/8"	3/4"	1"	1-1/2"	2"	3"	4"	Total
Number of Meters	12,348	18	1,061	116	59	9	1	13,613
REs per Meter	1.0	1.5	2.5	5.0	8.0	16.0	25.0	
Number of REs	12,348	27	2,653	580	472	144	25	16,249

- **Total Existing REs: 1,612 + 16,249 = 17,861 REs**

- **Estimate existing utilization of system capacity by existing customers**

	2019	2020	2021	2022	Average
Maximum-Day Demand	6.70 mgd	8.16 mgd	8.97 mgd	7.57 mgd	7.85 mgd

- » 2019 – 2022 maximum-day demand of 7.85 million gallons
 - Suggests that 1 RE ≈ 439.5 gallons per day of maximum-day demand
 - System is constrained by peak capacity, not average capacity



Proposed Methodology for Estimating REs

- Estimate full capacity of system (to estimate how many REs can be served)
 - » Reliable source capacity per 2020 WSP:

Table 7-9
Water Source Capacity Evaluation

Description	Existing	Future Projections	
	2018	2028	2038
Required Source Capacity (gpm)			
Maximum Day Demand	6,170	7,380	8,830
Reliable Source Capacity (gpm)			
Tacoma Point Wellfield	2,300	2,300	2,300
Ball Park Wellfield	1,270	1,270	1,270
Grainger Springs	910	910	910
Victor Falls Springs	1,060	1,060	1,060
Wholesale Supply	1,390	2,780	2,780
Peaking Storage Supply Equivalent	1,160	1,160	1,160
Totals	8,090	9,480	9,480
Surplus or Deficit Source Capacity (gpm)			
Surplus or (Deficit)	1,920	2,100	650

- » 9,480 gpm → 13.65 million gallons per day (mgd) of reliable source capacity
 - At 439.5 gallons per day of maximum-day demand, equates to **31,060 REs**



SDC Cost Basis

- **Includes:**
 - » Original cost of utility capital assets
 - » Construction work in progress
 - » Interest accrued on existing assets (authorized under RCW 35.92.025)
 - » Projected cost of capital projects
- **Excludes:**
 - » Assets/projects funded by grants or developer contributions (aside from SDCs)
 - » Utility-funded meters and services
 - » Estimated cost of assets being retired as a result of planned capital projects
 - » Net outstanding debt principal



Allocation of SDC Cost Basis: Supply

- **2008 calculation segregated supply costs from other infrastructure costs**
 - » Goal: Charge growth for more expensive Tacoma supply
 - Tacoma supply costs allocated exclusively to growth
 - » SDC calculation excluded costs of City well supply/treatment infrastructure
 - » Calculated SDC was $\approx$ \$400 higher than blended/average supply cost scenario
- **2023 calculation of water supply SDC:**

Water SDC Calculation – Supply Component ¹	Marginal Supply Cost	Average Supply Cost
Existing Utility-Funded Capital Assets (\$000s)	\$12,738	\$24,011
Less: Provision for Asset Retirements (\$000s)	-	(497)
Plus: Interest on Utility-Funded Assets (\$000s)	5,765	11,232
Less: Net Outstanding Debt Principal (\$000s)	-	-
Net Future Cost Basis (\$000s)	-	6,298
Total Cost Basis	\$18,504	\$41,044
Capacity In Residential Equivalents (REs)	13,199	31,060
SDC Per RE	\$1,402	\$1,321

¹Marginal Supply Cost: Cost of Tacoma supply allocated to growth; well supply/treatment costs excluded

Average Supply Cost: All supply/treatment costs included and allocated to all REs (existing + growth)



Allocation of SDC Cost Basis: Fire Protection

- Improves equity by recognizing differences in fire flow requirements

Fire Flow Requirement (Gallons per Minute)	Single-Family	Multi-Family	Commercial	Irrigation
	1,000 gpm	2,500 gpm	2,500 gpm	N/A

- Provides a defensible basis for class-specific SDCs

» Alternative: Impose same SDC structure on all types of development

2023 Water SDC Calculation (Excluding Supply Component)	With Separate Fire Protection Component			No Separate Fire Prot. Component
	Fire	Other Costs	Total	
Existing Utility-Funded Capital Assets (\$000s)	\$16,279	\$40,239	\$ 56,518	\$ 56,518
Less: Provision for Asset Retirements (\$000s)	(1,951)	(4,794)	(6,745)	(6,745)
Plus: Interest on Utility-Funded Assets (\$000s)	4,057	12,176	16,233	16,233
Less: Net Outstanding Debt Principal (\$000s)	-	-	-	-
Net Future Cost Basis (\$000s)	16,706	46,873	63,579	63,579
Total Cost Basis	\$35,091	\$94,494	\$129,585	\$129,585
Capacity In Residential Equivalents (REs)	26,542 ¹	31,060		31,060
SDC Per RE (Excluding Supply Component)	\$1,322	\$3,042	\$4,364	\$4,172

¹REs for each class are weighted by the applicable fire flow requirements

**Recovering fire protection costs based on fire flow requirements
reduces the SDC for a typical single-family residence by \$192**



Schedule of Water SDCs

	Existing	Proposed (Separate Fire & Supply Charges)	Alternative (Consolidated Charge)
Single-Family/Duplexes			
5/8", 3/4", or 1" Meter With Fire Sprinkler System	\$9,095	\$5,766	\$5,493
1" Without Fire Sprinkler System	\$20,288	\$12,432	\$13,734
1-1/2" Meter or Larger	Determined on a Case-By-Case Basis		
Multi-Family (Per Unit)	\$7,003	\$4,440	\$4,230
Commercial			
5/8" Meter	\$11,565	\$7,749	\$5,493
3/4" Meter	\$15,297	\$9,971	\$8,240
1" Meter	\$22,751	\$14,416	\$13,734
1-1/2" Meter or Larger	Determined on a Case-By-Case Basis		
Irrigation			
5/8" Meter	\$7,454	\$4,444	\$5,493
3/4" Meter	\$11,187	\$6,666	\$8,240
1" Meter	\$18,652	\$11,110	\$13,734
1-1/2" Meter or Larger	Determined on a Case-By-Case Basis		



SDC Survey (3/4" Single-Family Meter)

	<u>Water</u>	<u>Sewer</u>	<u>Stormwater</u>	<u>Total</u>	
Auburn	\$8,131	\$15,686	\$1,507	\$25,324	
Buckley	\$7,793	\$6,905	\$9,086	\$23,784	
Bonney Lake (Existing ¹)	\$9,095	\$11,927	\$1,665	\$22,687	
Anacortes	\$8,885	\$9,942	\$1,801	\$20,628	
Bainbridge Island	\$7,125	\$12,884	N/A	\$20,009	
Bonney Lake (Proposed)	\$5,766	\$11,927	\$1,665	\$19,358	
Bonney Lake (Alternate)	\$5,493	\$11,927	\$1,665	\$19,085	
Bremerton	\$6,461	\$7,541	\$1,551	\$15,553	
Sumner	\$6,415	\$5,124	\$3,116	\$14,655	
Puyallup	\$4,260	\$5,890	\$3,560	\$13,710	
Enumclaw	\$4,777	\$7,164	N/A	\$11,941	
Fife	\$5,266	\$4,015	N/A	\$9,281	

¹Reflects Council adoption of updated sewer/stormwater SDCs effective 7/1/23.

Thank You! Questions?

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