City of

Bonney Lake

Community Development Committee
March 3, 2020
5:00 P.M.

Agenda

Location: Justice & Municipal Center; Conference Room 300; 9002 Main Street, Bonney Lake, WA 98391

Department Head Contact: Ryan Johnstone, Interim Public Services Director
Committee Liaison: Leslie Harris, Management Analyst / Executive Assistant
Committee Clerk: Debbie McDonald, Administrative Specialist III

Call to Order: Councilmember Dan Swatman, Chair

Roll Call: Councilmember Michelle Keith, Councilmember Dan Swatman, and Councilmember Tom Watson

Reports/Presentations:
p.3 1. Urban Forestry Code – Jason Sullivan, Planning & Building Supervisor
2. Lift Station #18 – Doug Budzynski, Assistant City Engineer

Business/Action Items:
p.57 1. AB20-31 Resolution 2819: Award Professional Services Agreement to Parametrix for Services to Complete Design of the 36th St Water Main Replacement – Doug Budzynski, Assistant City Engineer
p.73 2. Approval of February 18, 2020 Meeting Notes – Debbie McDonald, Administrative Assistant III

Open Committee Discussion:

Adjourn:
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City of Bonney Lake, Washington

City Council Agenda Bill (AB)

City Council Agenda Bill (AB)

Department/Staff Contact: Public Services Department
Jason Sullivan – Planning & Building Supervisor

Meeting/Workshop Date: March 17, 2020
Agenda Bill Number: AB20-12

Agenda Item Type: Discussion
Ordinance/Resolution Number: D20-12
Sponsor:

Agenda Subject: Urban Forestry Code


Administrative Recommendation: Approve

Background Summary: Ordinance D20-12 will adopt a new Urban Forestry Code combining the City’s current tree and clearing regulations Chapters 16.12 and 16.13 BLMC and the heritage tree and community forest regulations in Chapter 12.24 BLMC. The goal is to streamline the City regulations related to trees, improve readability and clarity, align with current best management practices, preserve the City’s tree canopy, and increase flexibility for development. A more in depth discussion of these changes and how the ordinance will further implement the City’s comprehensive plan, Bonney Lake 2035, are discussed in the attached staff report.

Attachments: Ordinance No. D20-12, Planning Commission Recommendation, SEPA Determination, Staff Report, and Watershed Canopy Analysis

BUDGET INFORMATION

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
</tr>
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</table>

Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: CDC
Date: March 3, 2020
Approvals:
Chair/Councilmember Dan Swatman
Councilmember Michelle Keith
Councilmember Tom Watson
Forward to: City Council Workshop
Consent Agenda: ☐ Yes ☐ No

Commission/Board Review: Planning Commission – 11/6/19, 11/20/19, and 12/4/19

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):
Meeting Date(s):
Public Hearing Date(s):
Tabled to Date:

APPROVALS

Director: Ryan Johnstone, P.E.
Mayor: Neil Johnson Jr.
Date Reviewed by City Attorney: (if applicable):
ORDINANCE NO. D20-12


WHEREAS, as part of the 2019 – 2020 Planning Work Plan, the City Council directed staff to review and revise the City’s clearing and tree regulations; and

WHEREAS, the Public Services Director acting as the SEPA Responsible Official issued a Determination of Non-Significance on October 30, 2019; and

WHEREAS, the Planning Commission held a public hearing on December 4, 2019 as required by BLMC 14.10.090.C and recommended that the City Council adopted the amendments contained in this ordinance; and

WHEREAS, pursuant to RCW 36.70A.106(3)(b) the City requested review of this Ordinance from the Department of Commerce. The Department of Commerce review period concluded on December 1, 2019;

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

Section 1. Findings of fact and conclusions. The findings of fact set forth in Attachment “A”, attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to adopt the Urban Forestry Code for the City of Bonney Lake.

Section 2. Section 8.20.020 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1380 § 6, Ordinance No. 1547 § 2, and Ordinance No. 1610 § 3 are each hereby amended to read as follows:

R. The discharge of sewage or human excrement except through approved public or private disposal systems that are constructed and maintained in accordance with applicable standards;
S. Unused or abandoned refrigerators, freezers, or other large appliances or equipment or any parts thereof; any structurally unsound or unsafe fence or edifice;

T. Grass, weeds, shrubs, trees, or vegetation growing or which have grown and died upon any property that are classified a fire hazard.

Section 3. Section 14.10.100 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1505 § 1 and Ordinance No. 1580 § 11 are each hereby amended to read as follows:

A. Unless a more specific provision applies to the type of permit, approved permits shall expire two years after the date of issuance if substantial progress has not been made toward realizing the permitted use or project, or within five years if construction has not been completed; except as provided in subsections B through D and C of this section.

B. An approved preliminary plat shall expire:

1. Within 10 years of the date of approval of the preliminary plat by the hearing examiner if the date of preliminary plat approval is on or before December 31, 2007.

2. Within seven years of the date of approval of the preliminary plat by the hearing examiner if the date of preliminary plat approval is on or before December 31, 2014.

3. Within five years of the date of approval of the preliminary plat by the hearing examiner if the date of preliminary plat approval is on or after January 1, 2015.

C. Permits authorized under the Urban Forestry Code codified as Title 16 Article IV shall expire with the expiration or revocation of the corresponding land use, grading, and/or building permit.

CD. Expiration and extension of the following land use permits shall not be governed by this section:

1. Building permits;

2. Shoreline permits;

3. Repealed by Ord. 1580;

4. Land use permits governed by a development agreement shall be pursuant to the development agreement;
5. Any permits for which this development code establishes a specific permit expiration.

**DE.** Permit applications not excepted above shall expire one year after any application dormancy or hold status, whether initiated by the applicant or during which the city waits for information it has requested of the applicant which is needed in order to process the application.

**EF.** The director may extend the date of permit expiration for one year upon request by the applicant prior to said permit’s expiration.

**FG.** Any extensions of time shall be based upon a finding of justifiable cause and that the land use permit is compliant with all applicable codes at the time of the extension request. The director shall not grant more than one permit extension.

**Section 4.** Section 15.20.030(7) of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 509 § 1.02 and Ordinance No. 881 § 1 are each hereby amended to read as follows:

7. “Clearing/clear-cutting” means the removal of timber, brush, grass, groundcover or other vegetative matter from a site, which exposes the earth’s surface of the site. Removal of trees on undeveloped lots is controlled by the Urban Forestry Code – Title 16 Division IV BLMC Chapter 16.12 BLMC.

**Section 5.** Section 16.28.030.B of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1070 § 2 and Ordinance No. 1189 § 2 are each hereby amended to read as follows:

B. Sustainable selective-cut forest practices in which:

1. The property is being managed according to a plan, approved by the city or the Washington State Department of Natural Resources, to achieve and retain at least seventy-five percent (75%) tree canopy at all times, in all areas;

2. Logs are removed by methods that do not unduly damage the forest floor, such as by low-ground-pressure tracked machines; and

3. City clearing tree removal permits and Washington State Department of Natural Resources forest practice permits are obtained if required. See also BLMC Chapter 16.6413.020 and 16.13.080 BLMC.

**Section 6.** Chapter 16.60 is hereby added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Urban Forestry Code Administration” to read as follows

Page 3 of 23
16.60.010 Title

Chapter 16.62 BLMC through Chapter 16.68 BLMC shall be known as the “Urban Forestry Code.”

16.60.020 Purpose

The purpose of this urban forestry code is to:

A. Increase the community benefits that result from proximity to nature, including improved quality-of-life, social equity, and health outcomes;

B. Contribute to the overall health of regional and local watersheds by reducing impervious surfaces, encouraging efficient water use and conservation, and encouraging the retention and use of existing healthy and native vegetation;

C. Encourage a safe, shaded, and well connected pedestrian-oriented street environment;

D. Incorporate green space, urban tree canopy, and landscaping intended to mitigate negative impacts attributed to development and urbanization, including heat island reduction, sequestration of atmospheric carbon, prevention of glare from headlights, abatement of vehicle noise, and reduction of the visual impact of large paved area;

E. Integrate natural features and systems into the built environment, such as by using diverse native plantings in streetscapes and promoting urban wildlife habitat;

F. Implement the goals and policies of the City’s comprehensive plan;

G. Achieve no net loss of tree canopy area, while maximizing the potential for increasing tree canopy area through encouraging building and site design to minimize tree removal;

H. Establish standards and procedures that will result in the retention and planting of urban trees within Bonney Lake;

I. Allow for reasonable enjoyment and use of private property by the property owner; and

J. Ensure that tree preservation does not negatively impact the delivery of reliable utility service.
16.60.030 Definitions.

A. Definitions for the following terms are adopted by reference from BLMC 16.20.030 as presently constituted or as may be subsequently amended:

1. Critical area;
2. Critical areas code; and

B. Definitions for the following terms are adopted by reference from BLMC 16.10.030 as presently constituted or as may be subsequently amended:

1. Divisions of Land
2. Lot

C. Definitions for the following terms are adopted by reference from Chapter 18.04 BLMC as presently constituted or as may be subsequently amended:

1. Clear view triangle;
2. Setback;
3. Setback, front;
4. Setback, rear;
5. Setback, side; and

C. For the purposes of the urban forestry code the following terms shall have the meaning as provided below:

1. “Arborist” means a professional with academic and field expertise in urban forestry. This may include arborists certified by the International Society of Arboriculture or members of the Society of American Foresters, American Society of Consulting Foresters or American Society of Consulting Arborists.
2. “Caliper” means trunk diameter measured six inches above the root ball.
3. “Critical Root Zone (CRZ)” means either the drip line or an area extending one (1) foot beyond the trunk for each inch of d.b.h., whichever is greater.
4. “Clearing” means the destruction or removal of vegetation from a site by physical, mechanical, chemical or other means.
5. “Development” means the construction of detached house or accessory dwelling unit; project which requires design review or site plan approval; or divisions of land.

6. “Grading” means any excavation, filling or combination thereof.

7. “Ground cover” means low growing, spreading plants whose primary function is covering the soil. Ground covers may include herbaceous or woody plants and ornamental grasses.

8. “Diameter Breast Height (d.b.h.)” means trunk diameter measured fifty-four (54) inches above the ground adjacent to the tree.

9. “Drip line” means the circle that can be drawn on the ground below a tree, directly under its outermost branch tips.

10. “Exceptional Tree” means a tree greater than thirty (30) inches d.b.h., excluding cottonwood trees (Populus trichocarpa) and red alder (Alnus rubra).

11. “Heritage Tree” means any tree designated by the city council under Chapter 16.66 BLMC.

12. “Landscaping” means trees, shrubs, and groundcover installed or retained to satisfy the requirements of Chapter 16.68 BLMC.

13. “Land disturbing activity” means any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, excavation, and mining. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered “land disturbing activity” if conducted according to established standards and procedures.

14. “Low impact development (LID)” means a stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

15. “Non-significant tree” means a tree not classified as an exceptional or significant tree.
16. “Open Space Tract” means a lot that has been preserved as open space and/or park tract as part of a division of land and does not contain any undevelopable critical areas.

17. “Removal” means causing a tree to die by cutting down, digging up, topping, girdling, excessive pruning, root destruction, denial of water, poisoning, or other means.

18. “Root ball” means the main mass of roots at the base of the trunk of a tree.

19. “Shoreline code” means Division II of Title 16 entitled shoreline code, consisting of Chapters 16.34 through 16.58 BLMC.

20. “Shrub” means a plant listed as a shrub in the American Standard for Nursery Stock, Sunset Western Garden Book, or similar authority.

21. “Significant Tree” means a tree at least six (6) inches or greater at d.b.h., excluding cottonwood trees (Populus trichocarpa) and red alder (Alnus rubra).

22. “Street tree” means a tree located within the right-of-way of a public or private street.

23. “Suitable planting soil” shall consist of:
   a. Imported planting media, such as two-way topsoil; or,
   b. Existing onsite soils, if determined to be acceptable by a licensed landscaping architect. Prior to reusing existing soils, a soil test shall be conducted, and amendments shall be administered consistent with soil test results and recommendations. At minimum, soil samples should be taken from each major planting area, or as approved by the Director. Tests shall be performed by an approved laboratory. Tests performed shall include, but are not limited to, macronutrient levels (K, P, Ca, and Mg), pH, lime requirements, organic matter content, and soil texture (percent silt, sand, and clay).

24. “Tree” means a large, woody plant having one (1) or several self-supporting stems or trunks and numerous branches and a potential minimum height of twenty (15) feet.

25. “Tree grove” means a group of eight (8) or more trees regardless of d.b.h that form a continuous canopy.

26. “Tree Plan” means the City of Bonney Lake Street Tree Master Plan
27. “Vegetation” means living plant material including shrubs, groundcover, and non-significant trees, but excluding significant and exceptional trees.

28. “Vehicle overhang” means the length of a vehicle which extend two feet beyond the center front axle of the vehicle signified as distance “A” as illustrated in the figure below:

![Diagram of vehicle overhang](image)

29. “Vehicular use area” means all areas used for parking spaces, driveways, interior roadways and travel lanes, loading areas, fleet vehicle storage areas, and all other areas used and/or accessible for vehicular circulation to include areas blocked by removal bollards or similar device.

30. “Working day” means all calendar days except for Saturdays, Sundays, holidays established by BLMC 2.32.010(A) through (C), and the days between December 25th and January 1st.

31. “Xeriscaping” means a process of landscaping that reduces or eliminates the need for supplemental water from irrigation by selecting plants whose natural requirements are appropriate to the local climate are emphasized and care is taken to avoid losing water to evaporation and run-off.

16.60.040 Relationship to other environmental regulations.

A. Nothing in the urban forestry code shall infringe, or in any way alter the provisions of the shoreline code and or the critical areas code as set forth now or amended.

B. If and where any conflicts may exist between the provision of this code, shoreline code and/or the critical areas code, the regulations that provide greater protection of the ecological function and habitat shall prevail.

C. Vegetation removal within critical areas shall be governed and reviewed under the critical areas code in addition to the requirements of this code.
16.60.050 Timing of Permits

A. On undeveloped sites where development is proposed or anticipated, permits authorized under this code shall not be issued until the corresponding land use, grading, or building permit is approved or until that stage in the permitting process when all major site planning issues have been decided and the proponent is committed to prompt building construction.

B. On developed sites, public or private parks, or open space tracts a permit shall be issued after a determination that the application is consistent with the corresponding approval criterion for that permit type.

C. Cutting of trees located within Class 1 and Class 2 Landslide Hazard areas, if allowed under the critical areas code, shall not occur between October 1 and April 1 unless:

   1. A geotechnical engineer determines that the landslide hazard area will not be adversely impacted by the proposed clearing and authorizes the clearing between October 1 and April 1; and

   2. The clearing is required due to an emergency situation involving immediate danger to life or property or the applicant demonstrates compelling justification based on a geotechnical evaluation of the site that the clearing can occur between October 1 and April 1.

16.60.060 Performance bond.

The City may require posting of a bond from an insurance company or assignment of funds to ensure compliance with permit conditions. The director shall determine which method of bonding is required.

16.60.070 Maintenance.

A. Whenever landscaping and/or tree retention was required as a condition of development approval under the provisions of the urban forestry code, the property owner must continue to maintain shrubs, trees, and other plants in the landscaping and/or tree retention areas in a healthy growing condition and replacing dead or dying trees, shrubs, and other plants;

B. Trees, plants, shrubs or vegetation, trees may extend over the sidewalk when kept trimmed to a height of nine and half (9.5) feet above sidewalks and fourteen (14) feet above a roadway;
C. Failure to maintain landscaping and tree retention areas according to this section shall violation subject to the enforcement procedures of Chapter 14.130 BLMC in addition to any replanting requirements required under the urban forestry code.

16.60.080 Liability of the city.

Nothing in the urban forestry code shall impose any liability upon the city or relieve any owner or occupant of private property from the responsibility to keep the trees upon said property safe and healthy.

Section 7. Chapter 16.62 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Clearing” to read as follows

16.62.010 Permit Required.

A clearing permit is required for the clearing of more than four-tenths (4/10) of an acre of land, whatever the groundcover. A separate clearing permit is not required if a tree removal permit is also required.

16.62.020 Clearing permits

In order to apply for a clearing permit the following information shall be submitted to the City:

A. Clearing Permit Application Form

B. Application fee as determined in BLMC 3.68.050

C. A project narrative that shall include:
   1. A time schedule for land clearing activities;
   2. An explanation of the erosion control measures that will be implemented; and
   3. An explanation of how trees to be retained will be protected during clearing and construction.

D. A site plan with a date and north arrow drawn at a minimum scale of one (1) inch equals twenty (20) feet displaying the following information below, as required to accurately reflect the proposed project:
   1. Property boundary lines, existing lots, tracts, utility or access easements and streets;
2. Existing and proposed improvements including structures, driveways, utilities, and storm drainage facilities;

3. Location of nonexempt trees with notes as to their species and size; and

4. All natural features including topography (two-foot intervals), wetlands, steep slopes, streams, bodies of water, etc.

E. Identification of best management practices and measures that will be employed to prevent erosion.

16.62.030 Decision criteria

Approval of a clearing permit will be based on compliance with the applicable standards of the shoreline code, critical areas code and Chapters 15.13 – Stormwater and 16.68 – Landscaping of the Bonney Lake Municipal Code.

Section 8. Trees. Chapter 16.64 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Trees” to read as follows

16.64.010 Tree Board.

The Bonney Lake park board is hereby designated as an advisory community tree board to advise the city on community forestry plan, heritage trees, and related tree issues.

16.64.020 Tree canopy preservation

A. Unless exempted in BLMC 16.64.040 or 16.64.050, a tree removal permit is required for the removal, cutting, or pruning of trees within the City of Bonney Lake. A permit shall not be issued for any prohibited activity identified in BLMC 16.64.030.

B. Trees planted within any public parking strip or street right-of-way shall comply with the Tree Plan

16.64.030 Prohibited activities

The following activities are prohibited:

A. Destroying, injuring, or defacing a significant or exceptional tree including but not limited to the following:

   1. Pouring any toxic material on any tree or on the ground near any tree;
2. Attaching any sign, poster, notice or other object on any tree, or fastening any guy wire, cable, rope, nails, screws or other device to any tree except to support young or broken trees; and except that the city may tie temporary signs or banners associated with street improvement, parades, seasonal lighting, or other city activities;

3. Causing or encouraging any fire or burning near or around the base of the tree; and/or

4. Harming the tree by cutting the bark or branches with a knife, hatchet, saw, or similar object.

B. Topping any tree or pruning a tree in a manner that creates an unbalanced canopy.

C. Planting trees or shrubs in or abutting any public parking strip, street right-of-way, or any other public place in the city, including sidewalks, without permission of the tree department.

E. Planting anywhere on city property or rights-of-way any willow, cottonwood, poplar, and any other trees the roots of which are likely to obstruct or injure sanitary sewers or other underground utilities, except as approved by the tree department in accordance with a city approved plan or project.

16.64.040 Exemptions.

The following activities area exempt from the requirement to obtain a tree removal permit and do not require a written approval before work is commenced:

A. Removal of any non-significant tree outside of a landscaping area, regulated undevelopable critical area, and/or within the jurisdiction of the Shoreline Code.

B. Removal of trees in utility public rights-of-way and public easements upon approval of a right-of-way permit;

C. Removal of trees located within clear view triangles

D. Removal of trees grown for sale at commercial nurseries or tree farms; and

E. Minor pruning or thinning of trees outside of a regulated undevelopable critical area; provided that such activity is consistent with the following requirements:

1. The selective removal of branches in the inner crown of the tree, provided no more than twenty-five percent (25%) of a tree’s leaf-bearing crown is removed.
An even distribution of interior small branches and foliage on remaining limbs shall be maintained to avoid over-thinning.

2. Work involving the removal of more than twenty-five percent (25%) of a tree’s crown mass shall demonstrate that the removal is necessary for the clearance of electrical distribution and service lines only;

3. The removal of the lower branches of a tree; provided, that the height of the pruned portion shall not exceed one-third of the total tree height and that removal of branches from the lower portion shall not exceed twenty-five percent (25%) of the tree’s leaf-bearing crown; and

5. Mature and old-growth trees are more susceptible to permanent damage or death from pruning. Pruning of mature trees should only be done as a corrective or preventative measure, such as the removal of decayed, rubbing, or crowded branches.

16.64.050 Hazard Trees.

The removal of hazard, dying, or dead exceptional or significant tree(s) shall comply with the following:

A. Prior to commencing with the removal the owner shall obtain a written authorization from the City

B. The property owner shall provide the city with a report, prepared by a Tree Risk Assessment Qualified (TRAQ) ISA Certified Arborist, documenting that the tree has a high or extreme risk and no other mitigation measures will reduce the risk below high.


D. Failure to do so shall constitute prima facie evidence of a violation of this title and a need to replace the removed trees in accordance with BLMC 16.64.090.

E. In cases where an exceptional or significant tree(s) was damaged by a natural disaster or other acts of nature, the provisions of this section may be waived to the extent necessary to alleviate immediate hazards.
16.64.060 Tree Removal Permit

In order to apply for a tree removal permit the following information shall be submitted to the City:

A. Tree Removal Permit Application Form

B. Application fee as determined in BLMC 3.68.050

C. A project narrative that shall include:
   1. A time schedule for land clearing activities;
   2. An explanation of the erosion control measures that will be implemented; and
   3. An explanation of how trees to be retained will be protected during clearing and construction.

D. A site plan with a date and north arrow drawn at a minimum scale of one (1) inch equals twenty (20) feet displaying the following information below, as required to accurately reflect the proposed project:
   1. Property boundary lines, existing lots, tracts, utility or access easements and streets;
   2. Existing and proposed improvements including structures, driveways, utilities, and storm drainage facilities;
   3. Location of nonexempt trees with notes as to their species and size; and
   4. All natural features including topography (two-foot intervals), wetlands, steep slopes, streams, bodies of water, etc.

E. Identification of best management practices and measures that will be employed to prevent erosion.

16.64.070 Tree Permit Decision Criteria

A. When no new development is proposed or anticipated on a developed sites, public and private parks, and/or designated open space tract and the tree removal is not exempt under BLMC 16.64.040 or 16.64.050, approval of a tree removal permit shall be based on compliance with the following:

Comment [JS12]: RCW 36.70B.080 requires that the regulations must specify the contents of a completed project permit application. The provisions in this section have been added to specify the materials that must be submitted to have a complete tree removal permit.
1. Tree removal shall comply with the tree replacement requirements of BLMC 16.64.090.

2. Removal of exceptional trees shall comply with the requirements of BLMC 16.64.080.D.

3. Trees to be removed shall be completed in a manner as to protect retained trees.

4. Trees to be retained shall comply with the requirements of 16.64.080.F.

5. Removal of trees within jurisdiction of the shoreline code shall comply with the requirements of the shoreline code.

6. Removal of trees within critical areas shall comply with the requirements of the critical areas code.

B. Tree removal on sites where new development is proposed or anticipated approval of a tree removal permit shall be based on compliance with the following:

1. Site grading, improvements, and utility construction shall be designed and located to retain trees during and following construction.

2. The proposal shall comply with the tree retention requirements of BLMC 16.64.080.

3. Trees shall not be removed outside the area of land disturbance except where necessary to install site improvements.

4. Tree removal for the purposes of site landscaping shall be limited to those trees that will pose a future hazard to existing or proposed site improvements determine consistent with the requirements of BLMC 16.64.050.

5. Tree removal shall comply with the tree replacement requirements of BLMC 16.64.090.

6. Removal of trees within jurisdiction of the shoreline code shall comply with the requirements of the shoreline code.

7. Removal of trees within undevelopable critical areas shall comply with the requirements of the critical areas code.

E. On undeveloped sites, other than parks and designated open space tracts, where no development is proposed and the tree removal is not exempt under BLMC 16.64.040
or 16.64.050, approval of a tree removal permit shall be based on compliance with the requirements of Chapter 222-34 WAC.

16.64.080 Tree Retention

Development shall be designed to minimize the removal of significant and exceptional trees and maximize on-site tree retention consistent with the following

A. The following trees shall be prioritized for retention:
   1. Exceptional trees;
   2. Trees with a diameter of more than twenty-four (24) inches;
   3. Trees that have a greater likelihood of longevity;
   4. Trees that are part of a tree grove; and
   5. The city may require that trees be retained in partial fulfillment of landscaping requirements.

B. Priority should be given to the retention of perimeter trees that are windfirm and tree groves.

C. Any trees retained or replaced in landscape buffers required by Chapter 16.68 BLMC shall count toward fulfillment of said buffer requirements

D. Retained exceptional shall be credited towards compliance with the replacement requirements as provided in BLMC 16.64.090.C and shall only be removed in the following circumstances:
   1. Retention of an exceptional tree(s) will result in an unavoidable hazardous situation consistent with the standards established in BLMC 16.64.050; or
   2. Retention of an exceptional tree(s) will prevent creation of a residential lot through a subdivision or short subdivision that is otherwise allowed by this title.

E. Tree retention areas may be required to place in a conservation tract or conservation easement, the purpose of which is to set aside and protect the area. The conservation tract or conservation easement shall be:
   1. Held by the city, the property owner, a homeowner’s association, a land trust or similar conservation organization, or by each lot owner within the development in an undivided interest;
2. Recorded on all documents of title of record for the affected parcels;

3. Noted on the face of any plat, short plat or recorded drawing; and

4. Delineated on the ground with permanent markers and signs in accordance with local survey standards. The outer edge of the retention area shall be signed to protect the resource. The director shall specify the design and sign message.

F. During construction the following measures will be taken to protect retained trees:

1. An area corresponding to the critical root zone(s) of the protected tree(s) shall be fenced with temporary fence, which shall be inspected prior to commencing with the construction activity.

2. Native groundcover shall be left undisturbed in areas where trees are to be retained.

3. If trenching must occur within the root zone of a protected tree, no more than twenty percent (20%) of its root system may be damaged. Affected roots shall be cleanly cut and immediately covered with moist soil to prevent decay. The City may require a retaining wall when cuts or fills would impact more than twenty percent (20%) of the root system of a protected tree. The City may require tunneling of utilities to protect roots.

G. If any tree to be retained is removed, said tree shall be replaced pursuant to BLMC 16.64.090.

H. The director may consult an arborist on tree retention.

16.64.090 Tree replacement.

A. The following replacement ratios shall apply:

<table>
<thead>
<tr>
<th>Diameter of existing tree</th>
<th>Number of replacement trees required</th>
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<td>For species small when mature such as most ornamental trees</td>
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<tr>
<td>6 to 9 inches</td>
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<td>10 to 14 inches</td>
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<td>15 to 19 inches</td>
<td>3</td>
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<td>More than 19 inches</td>
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Comment [JS13]: The ratios below are currently codified in BLMC 16.13.120.
B. The following root volume multipliers shall be used in determining compliance with BLMC 16.64.090.A:

<table>
<thead>
<tr>
<th>Root volume</th>
<th>Root volume multiplier for replacement trees¹</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 - 300</td>
<td>.5</td>
<td>For species small when mature such as most ornamental trees</td>
</tr>
<tr>
<td>300 - 500</td>
<td>1</td>
<td>For species large when mature and preferably coniferous, such as Douglas fir, western red cedar, and western hemlock.</td>
</tr>
<tr>
<td>500 - 600</td>
<td>1.25</td>
<td></td>
</tr>
<tr>
<td>600 - 800</td>
<td>1.5</td>
<td></td>
</tr>
<tr>
<td>800 - 1000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>1000 - 1200</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>1200 - 1500</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. The root volume multiplier is used to determine if partial, full, or additional credit is given for a replacement tree. For example, a small ornamental replacement tree planted in 250 cubic feet of soil would count as a .5 replacement tree. Another example would be a small ornamental replacement tree planted in 625 cubic feet of soil would count toward 1.5 replacement trees.
2. Root volume is based on cubic feet of soil. A cubic foot of soil assumes a maximum planting soil depth of 30 inches. Should more than 30 inches of soil be proposed, aeration, moister, and nutrients to full planting depth must be demonstrated.

C. Trees retained during development shall count toward tree replacement. Retained trees shall count toward tree replacement at the following ratio:

<table>
<thead>
<tr>
<th>RETAINED TREE DBH</th>
<th>TREE REPLACEMENT CREDITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 to 12 inches</td>
<td>1</td>
</tr>
<tr>
<td>12 to 18 inches</td>
<td>1.5</td>
</tr>
<tr>
<td>18 to 24 inches</td>
<td>2</td>
</tr>
<tr>
<td>24 to 30 inches</td>
<td>3</td>
</tr>
<tr>
<td>More than 30 inches</td>
<td>4</td>
</tr>
</tbody>
</table>

D. The city may require that the applicant contract with an arborist to ensure successful tree replacement.
E. Replacement trees shall be located in the following order of preference listed from most important to least important:

1. On-site replacement adjacent to or within undevelopable critical areas if the planting will result in a net environmental benefit. Planting within an undevelopable critical area shall be reviewed and permitted under the provisions of the critical areas code.

2. On-site replacement outside of undevelopable critical areas, adjacent to other retained trees making a grove or stand of trees.

3. On-site replacement within landscaping areas.

4. On-site replacement in other areas.

F. Replacement tree species shall be planted in locations and via methods that are conducive to their survival, and shall primarily be those species native to the Pacific Northwest. Native trees shall be replaced with trees of the same species and non-native trees shall be replaced with native species unless the director deems otherwise to result in a better urban forest.

G. Replacement trees shall comply with the following at the time of planting:

1. Coniferous trees shall be at least six feet tall.

2. Deciduous trees shall be at least two inches in caliper.

H. The applicant shall monitor all replacement trees for a period of five (5) years after planting. The applicant shall be obligated to replant any replacement tree that dies, becomes diseased, or is removed during this five-year monitoring period.

I. Financial guarantees in the form of an assignment of funds shall be provided to ensure the success of replacement trees required pursuant to this chapter.

J. In lieu of planting the required replacement trees, the city may allow the payment of a fee-in-lieu under the following:

1. The City determines that:

   a. There is insufficient area on the lot or adjacent right-of-way for proposed on-site tree replacement to meet the tree replacement requirements of this chapter; or
b. Tree replacement, preservation, management provided off-site will be of greater benefit to the community; and

2. Fees provided in lieu of on-site tree replacement shall be determined based upon:
   a. The expected tree replacement cost including labor, materials, and maintenance for each replacement tree; and
   b. The most current Council of Tree and Landscaper Appraisers Guide for Plant Appraisal.

3. Any fee-in-lieu is optional for the applicant and requires an explicit written agreement.

Section 9. Chapter 16.66 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Heritage Trees” to read as follows

16.66.010 Purpose.

The purpose of the Chapter is to establish a process to designate a tree, because of its age, size, unique type, or historical association is of special importance to the city, as a heritage tree.

16.66.020 Application.

A. In order for a tree to be designated as a heritage tree, a person must submit a written request to the city.

B. The request shall include:

   1. A signed declaration by the land owner approving of this declaration;
   2. A site map showing the lot, any structures on site, and the current use of the site; the species and size of tree; and
   3. A narrative explaining why the applicant wishes to designate that tree as a heritage tree.

16.66.030 Designation

A. Upon receiving a complete and valid request for heritage tree status, the city shall obtain an arborist’s report evaluating the tree’s health, aerial space, open ground area for the root system, longevity of the species, and suitability for long-term retention.
B. Staff shall present to the parks board all information, including the application, arborist’s report, and any additional information discovered by staff.

C. The parks board shall consider the application at a public meeting and make a recommendation to the city council whether or not to adopt the tree as a heritage tree.

D. Adoption of a tree as a heritage tree shall be accomplished by a motion or resolution of the city council based on the tree’s historical, cultural, or other value as determined by the city council.

E. No tree standing on private property shall be designated a heritage tree without the consent of the property owner.

F. No tree on city-owned property shall be designated a heritage tree without the consent of the mayor.

E. Following the designated a heritage tree:

1. A plaque so signifying shall be placed near the tree;

2. The city shall place a notice in the land records of the Pierce County auditor for all properties upon which a heritage tree is located, stating that the heritage tree is protected by the provisions of this chapter.

F. The restrictions placed on a heritage tree shall bind all successors, heirs and assigns. It shall be unlawful to remove, damage in any way, or defile a heritage tree, its plaque, or any protective measures for that tree.

16.66.040 Maintenance

A. The city shall maintain all heritage trees that are located on city property or on public rights-of-way within the city.

B. It shall be the duty of every owner of property upon which a heritage tree is standing to maintain that tree to the best of their ability.

C. The city may give advice and assistance to property owners regarding proper maintenance of heritage trees.

D. If a heritage tree, whether standing on public or private property, considered to be hazard shall be evaluated consistent with the standards in BLMC 16.64.040.C. With the city’s approval the recommended course of action shall be carried out by the owner of the heritage tree.
E. In cases where a heritage tree was damaged by a natural disaster or other acts of nature, the provisions of this section may be waived to the extent that the city may alleviate immediate hazards.

16.66.050 Designation

A tree that has been designated as a heritage tree can be removed from designation upon a finding by the city council that one or more conditions exist:

A. The tree is of poor health, diseased or no longer alive;

B. The tree no longer meets the criteria for designation as a heritage tree;

C. The tree interferes with the needed location of proposed improvements or structures; or

D. The tree is on private property and the property owner no longer wants the designation.

Section 10. Codification. Sections 6 - 9 of this Ordinance shall be codified as Division IV of Title 16 of the Bonney Lake Municipal Code and entitled "Urban Forestry Code"

Section 11. Repealer. The previously codified provisions of Chapter 12.24 of the Bonney Lake Municipal Code entitled “Tree Department” and the corresponding portions of Ordinance No. 1124 are each hereby repealed.

Section 12. Repealer. The previously codified provisions of Chapter 16.12 of the Bonney Lake Municipal Code entitled “Administrative Provisions – Clearing And Landscaping” and the corresponding portions of Ordinance No. 1171 § 1 and Ordinance No. 1524§ 11 are each hereby repealed.

Section 13. Repealer. The previously codified provisions of Chapter 16.13 of the Bonney Lake Municipal Code entitled “Clearing” and the corresponding portions of Ordinance No. 1070 § 2, Ordinance No. 1252 § 1, Ordinance No. 1301 § 1 through 3, Ordinance No. 1325 § 6 through 10, Ordinance No. 1491 § 18 and 19, and Ordinance No. 1505 § 16 are each hereby repealed.

Section 14. 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 15. 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 this _______ day of ____________, 2020

____________________________
Neil Johnson, Jr., Mayor

AUTHENTICATED:

____________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

____________________________
Kathleen Haggard, City Attorney
ATTACHMENT A

FINDINGS OF FACT AND CONCLUSIONS

Having considered in detail both the oral and documentary evidence received concerning the update to the City of Bonney Lake’s clearing and tree removal regulations, the Bonney Lake City Council now makes and adopts the following Findings of Fact and Conclusions:

FINDINGS OF FACT

Public Participation

1) The Bonney Lake Planning Commission held two public meetings to discuss the amendments on November 6, 2019, and November 20, 2019.

2) The Bonney Lake Planning Commission held a public hearing December 4, 2019 and recommended that the City Council adopt the proposed amendments.

3) Notice of the public hearings for this matter has been conducted in accordance with City of Bonney Lake rules and regulations governing such matters for both the Planning Commission and the City Council.

Environmental Review

4) The amendments to the City’s critical areas ordinance are considered a non-project action as defined in WAC 197-11-704(2)(b) under the State Environmental Policy Act (SEPA).

5) The amendments to the City’s critical areas ordinance are not categorically exempted from the SEPA pursuant to WAC 197-11-800; therefore, the City was required to prepare a SEPA Checklist.

6) Pursuant to WAC 197-11-926, the City of Bonney Lake was designated as the lead agency for the SEPA review of the proposed amendments to the City’s critical areas ordinance.

7) The City issued a determination of non-significance (DNS) under WAC 197-11-340 on October 30, 2019.

8) The comment period on the DNS was provided from November 1, 2019 to November 21, 2019.

9) The appeal period for the DNS concluded on December 6, 2019 and there were no appeals filed with the City.
Tree Canopy

10) Preserving the City’s urban forest will reduce air pollution as trees clean the air by absorbing carbon dioxide, sulphur dioxide, nitrous oxides, and other pollutants and reduce ozone emissions for vehicles.\(^1\)

11) Preserving and planting trees has been shown to reduce noise pollution by absorbing high frequency noises, which are the most distressing to people.\(^2\)

12) Preserving and planting trees has been shown to reduce energy consumption through reduce reliance on mechanical heating and cooling within buildings.

13) The City engaged The Watershed Company (Watershed) to determine effectiveness of existing code, trends from recent development, and yield priority recommendations for guiding code revision, it was necessary to assess the extent of the City’s urban tree canopy.

14) Using high-resolution multispectral aerial imagery, Watershed employed a two-part remote-sensed methodology to perform a GIS-based canopy cover analysis to quantity the approximate extent of 2017/2018 tree canopy cover.

15) To quantify the approximate extent and areas of canopy change, results of the 2017/2018 analysis were compared to an earlier canopy cover analysis entitled *City of Bonney Lake, Washington, Urban Tree Canopy Assessment* (2011 Canopy Assessment) prepared by Davey Resource Group in 2011 that used 2008/2009 imagery.

16) Based on this analysis Watershed prepared a Technical Memorandum entitled *Canopy Cover Analysis Results and Methodology* dated November 1, 2019 (2019 Canopy Analysis) to provide recommendations to assist with the update of the clearing and tree protection regulations.

17) In 2011, canopy coverage for 2008 was estimated at 1,872 acres, which represented 40% of the incorporated city area at the time of the 2011 study.

18) According to the results of the 2019 Canopy Analysis, the status of the City’s 2017/2018 canopy is approximately 34%, or roughly 1,638 total acres of canopy area.

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19) The City has experienced a six percent (6%) decrease in canopy coverage in ten (10) years which can be attributed to a combination of both canopy loss due to construction and annexation of low or sparsely canopied areas.

20) The 2011 Canopy Analysis established a tree canopy benchmark of forty percent (40%) based on guidance from the American Forest Resource Council which was the standard used from 1997 to 2017, and represented a general average of dozens of cities between 1992 and 1997.

21) The industry standard is now to develop specific targets for cities that consider unique constraints to creating canopy.

22) Based on the factors evaluated in the 2019 Canopy Assessment, Watershed recommend that the City have a citywide urban tree canopy goal of thirty-eight percent (38%) to balance the need to accommodate growth with need to preserve urban tree canopy.

23) The 2019 Canopy Assessment, determined that to achieve the recommended citywide urban tree canopy goal, revisions to the clearing code and tree regulations need focus on both the preservation of existing canopy trees and planting new canopy trees, especially in residential areas where the majority of the existing tree canopy is located.

24) The 2019 Canopy Assessment included a breakdown of canopy distribution by aggregate land use categories, which revealed that the urban canopy is concentrated in residential (780 acres) and open space (649 acres) areas, accounting for forty-eight percent (48%) and forty percent (40%) of the total canopy area, respectively.

25) The 2019 Canopy Analysis recommended that an in-lieu fee program be developed; especially for commercial areas due to the fact that while providing canopy trees in commercial and industrial areas is beneficial, establishing or preserving large canopy stands in these areas difficult, due to their potential for more intense development.

**State Agency Review**

26) Development regulations are defined as the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto pursuant to RCW 36.70A.030.

27) The sixty day notice of the City’s intent to adopt the Draft Ordinance was provided to the Department of Commerce on October 1, 2019 for review and comment by the Department and other State agencies as required by RCW 36.70A.106.
Approval Criteria

28) The approval criterion for amendments to a development regulation is consistency with the comprehensive plan and the laws of the State of Washington pursuant to BLMC 14.140.090.B

Comprehensive Plan

29) Implementation Measure C-Action-2, which directs the City to complete and in-depth review of the City’s critical areas regulations between now and the next required periodic review.

30) Implementation Action ES-Action-5 directs the City to maintain an urban forestry program and maintain tree retention and replacement requirements in the City’s development regulations.

31) The proposed amendments are also consistent with the following policies in the Community Development (CD) and Environmental Stewardship (ES) Elements:

a. **Policy CD-4.3**: Provide healthy and safe neighborhoods free of nuisances, environmental hazards, and visual blight (e.g. excessive noise, poor air quality, light pollution, illegal dumping, illegal signage, graffiti, littering, etc.) that disrupt and impact Bonney Lake residents’ quality of life.

b. **Policy CD-4.4**: Conserve and protect the unique ecological characteristics of the City and utilize urban forestry to integrate open space, parks, green belts, street trees, landscaping, and natural features into future development in order to maintain Bonney Lake’s livability, improve access to

c. **Policy CD-7.4**: Encourage developers to retain mature trees to the extent possible, particularly in residential areas.

d. **Policy CD-7.6**: On the south side of SR-410 near the western city limits, tree cutting shall not extend so far from SR-410 as to remove the solid backdrop of mature trees as viewed horizontally from SR-410.

e. **Policy CD-11.1**: Balance the responsibility to protect the community from the impacts associated with new residential and commercial development with the responsibility to protect property rights.

f. **Policy ES-7.3**: Practice land cover management, which includes forest and topsoil preservation, native growth protection easements, dense vegetative zones, and preservation of the tree canopy.
g. **Policy ES-7.4:** Protect significant trees, promote tree replanting, and encourage the use of native plants.

h. **Policy ES-7.6:** Promote the preservation of native vegetation and mature trees, revegetation, and appropriate landscaping to improve air and water quality and fish and wildlife habitat.

i. **Policy ES-7.7:** Encourage preservation of the urban forest and promote the use of native plants in residential and commercial landscapes.

**State Law**

32) The City’s authority to adopt regulations related to tree removal and clearing of vegetation is provided for in RCW 35A.63.100, which provides that the legislative body may adopt regulations that it deems necessary to effectuate the goals and objectives of the comprehensive plan.

33) The removal of trees within the City may be subject to a Class IV-G Forest Practices Permit issued by the Department of Natural Resources (DNR).

34) This permit type is for forest practice activities that are being conducted as part of a conversion from forestry to non-forestry use.

35) While DNR typically issues the Forest Practice Permits, the City of Bonney is one of the eleven cities that DNR authority to regulate forest practices to the local jurisdiction. As a result the City’s tree removal regulations must also be consistent with and implement the forest practices regulations codified in Chapter 222-16 WAC.

**CONCLUSIONS**

1) The proposed amendments are required to implement the City’s comprehensive plan.

2) The proposed amendments consistent with requirements of Chapter 222-16 WAC.

3) The proposed amendments are consistent with the criteria to amend the development regulations established in BLMC 14.140.090.B.
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Memo

Date : December 4, 2019
To : Mayor and City Council
From : Grant Sulham, Planning Commission Chair
Re : Ordinance D20-12 (Formerly 19-07) – Urban Forestry Code.

On December 4 2019, the Planning Commission conducted a Public Hearing on Ordinance D20-12, which amends the City’s clearing and tree regulations. The Planning Commission voted 6-0-1 to recommend that the City Council adopt Ordinance D20-12.

As required by BLMC 14.40.100, the Planning Commission adopts the following findings of fact in support of its recommendation:

1. On December 4, 2019, the City of Bonney Lake Planning Commission held a public hearing to consider the amendments to the City’s development regulations contained in this Ordinance, as required by BLMC 14.140.080.

2. The City complied with all applicable notice, timing and comment provisions in scheduling and carrying out the above-referenced hearing.

3. At the above-referenced hearing, the City of Bonney Lake Planning Commission determined that the amendments to the City’s development code contained in this Ordinance are consistent with other BLMC development regulations, the Comprehensive Plan, and with the laws of the State of Washington.

4. Under the State Environmental Policy Act (SEPA) the adoption of this Ordinance is a non-project action as defined by WAC 197-11-704(2)(b) and the Public Services Director acting as the SEPA Responsible Official determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). Following a review of the environmental checklist, the City has issued a determination of non-significance under WAC 197-11-340 for this project.
5. Pursuant to RCW 36.70A.106(3)(b) the City provided notice to the Department of Commerce regarding the City’s intent to adopted Ordinance D19-07 on October 1, 2019. The Department of Commerce review period concluded on December 1, 2019.
STATE ENVIRONMENTAL POLICY ACT
THRESHOLD DETERMINATION OF NON-SIGNIFICANCE

Description of proposal: Ordinance D19-07 will amend the City’s Clearing Code by adopting a new Urban Forestry Code that will combine the City’s current tree regulations within the existing Clearing Code and the regulations in Chapter 12.24 BLMC (Tree Department) in order to streamline the City regulations related to trees, improve readability and clarity, align with current best management practices, preserve the City’s tree canopy, and increase flexibility for development. The ordinance will also establish a separate Clearing Code to address vegetation removal other than trees.

Applicant: City of Bonney Lake
Location: Citywide
Tax Parcel: N/A
Lead agency: City of Bonney Lake

The City of Bonney Lake has determined that the above described project does not have probable significant adverse environmental impacts on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The City of Bonney Lake as the lead agency has also determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A RCW and in other applicable local, state, or federal laws or rules as provided by RCW 43.21C.240 and WAC 197-11-158. Therefore, the City of Bonney Lake will not require mitigation measures under SEPA.

This DNS is issued under WAC 197-11-340. The City of Bonney Lake will not take final action on this proposal until after November 21, 2019. Comments must be submitted by 5:00 PM on November 21, 2019.

Responsible official Ryan Johnstone, P.E.
Position/title Public Services Director
Phone 253 447-4347
Address P.O. Box 7380, Bonney Lake, WA 98391-0944

October 30, 2019
Date Signature
Appeal: This SEPA determination may be appealed by filing a written appeal with the City of Bonney Lake Community Development Department. Such appeal must be filed by 5:00PM on December 6, 2019 and shall be consistent with the requirements of BLMC 14.120.020. Please contact Jason Sullivan, Planning and Building Supervisor, at (253) 447-4355 or email him at sullivanj@ci.bonney-lake.wa.us to read or ask about the procedures for SEPA appeals.
I. BACKGROUND

A. Site Characteristics

This is not a site specific proposal and would apply to all properties within the City.

B. Surrounding Properties

The proposed amendments to the City’s regulations related to trees and clearing apply citywide and is not a site specific proposal. Therefore, there are no surrounding properties.

C. State Environmental Policy Act (SEPA)

The Public Services Director acting as the SEPA Responsible Official determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). Following a review of the environmental checklist and the materials submitted with the application, the City issued a determination of non-significance (DNS) under WAC 197-11-340 for this ordinance on October 30, 2019. The appeal period for the DNS concluded on November 21, 2019 and an appeal of the DNS was not submitted to the City.

D. Shoreline Code

The proposed amendments would apply areas regulated under the Shoreline Code (Title 16 Division III BLMC). However, the amendments would not supersede the requirements of Shoreline Code to include BLMC 16.56.060, which establishes vegetation conservation standards and tree replacement requirements for properties within the shoreline jurisdiction.

E. Critical Areas Code

The proposed amendments would not supersede the regulations related to the removal or alteration of vegetation and trees within critical areas established in the City’s Critical Areas Code (Title 16 Division II BLMC).

F. Processing Background

City staff discussed the draft regulations with Planning Commission on November 6, 2019 and November 20, 2019 in advance of the required public hearing scheduled for held on December 4, 2019.

G. Public Outreach

The City held two open public meetings to discuss the proposed Urban Forestry Code at the November 6, 2019 and November 20, 2019 Planning Commission meeting. On November 1, 2019 the City issued the required public hearing notice, which included a fifteen (15) day comment period. No public

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1 Areas subject to the Shoreline Code are all properties within 200 feet of Lake Tapps and Fennel Creek below Victor Falls.
comments were provided during the public comment period or at the public hearing. The City submitted the notice of intent to adopt the proposed ordinance to the Department of Commerce as required by RCW 36.70A.106. The Department of Commerce’s review period concluded on December 1, 2019. No comments were provide by the Department of Commerce.

II. PROJECT SUMMARY

The City’s urban tree canopy provides a number of aesthetics, socioeconomic, and health benefits and is critical to maintaining and improving the livability of Bonney Lake. Urban tree canopy is vital to carbon sequestration and reducing sulphur dioxide, nitrous oxides, and other pollutants and ozone emissions from vehicles. Preserving and planting trees mitigates noise pollution by absorbing high frequency noises, which are the most distressing to people. Urban tree canopy also reduces energy consumption through decreasing the reliance on mechanical heating and cooling within buildings; preserves water by reducing the reliance on irrigation systems for exterior landscaping; and mitigates impacts related to the urban heat island effect and stormwater run-off.

Given the importance of trees within urban environments and the City’s need to balance the preservation of trees with needs of future growth, the City engaged The Watershed Company (Watershed) to determine the effectiveness of existing code, trends from recent development, and yield priority recommendations for guiding code revision. Based on Watershed’s analysis and recommendations, staff has proposed a new Urban Forestry Code. This new code will replace the City’s current tree and clearing regulations in Chapters 16.12 and 16.13 BLMC and the heritage tree and community forest regulations in Chapter 12.24 BLMC. The goal is to streamline the City regulations related to trees, improve readability and clarity, align with current best management practices, preserve and increase the City’s tree canopy, and provide flexibility for development.

Over the last decade the City has experienced a six percent (6%) decrease in canopy coverage. In 2008, the City’s tree canopy coverage was approximately 1,872 acres or forty percent (40%) of the City’s area. In 2018, the City’s tree canopy coverage was approximately 1,638 total acres or thirty-four percent (34%) of the City’s area. This loss of canopy coverage demonstrates that the City current regulations are not sufficient to mitigate the impacts associated with new development. The majority of the remaining urban tree canopy is concentrated in residential (780 acres) and open space (649 acres) areas. Together these areas accounting for approximately eight-seven percent (87%) of the total remaining canopy area in the City.

In 2011, the City also established a tree canopy coverage benchmark of forty percent (40%) based on guidance from the American Forest Resource Council; the industry standard used by cities from 1997 to 2017. The industry standard is now to develop specific targets for cities that consider unique constraints to creating canopy

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5 Vannice, PLA, Lucas and Mikluscat, PLA, GISP, Amber (November 1, 2019) Bonney Lake Clearing Code Update/Canopy Cover Analysis Results and Methodology
coverage. Therefore, Watershed recommended that the City have a citywide urban tree canopy goal of thirty-eight percent (38%) to balance the need to accommodate growth with need to have a healthy urban tree canopy.

Watershed recommended that to achieve a citywide urban tree canopy goal of 38%, revisions to the clearing and tree regulations should encourage both preservation of existing and planting of new canopy trees; especially in residential areas. Maintenance of the existing canopy should also consider replacement and succession of older canopy specimens. Development of an in-lieu fee program was also included in Watershed’s recommendation. This in-lieu program is especially important for commercial and industrial areas due to the fact that while preserving canopy trees in these areas is beneficial; large canopy stands are difficult to preserve in these areas due to the desire for more intense development in these areas.

### III. ANALYSIS

#### A. Development Regulations Amendment (BLMC 14.140.090.B)

The approval criterion for amendments to a development regulation is consistency with the comprehensive plan and the laws of the State of Washington.

1. **Comprehensive Plan (Bonney Lake 2035)**

These proposed amendments implement the following policies of Bonney Lake 2035:

- **Policy CD-4.1:** Planning and land use decisions should recognize residential neighborhoods as the basic “building blocks” of the community, ensure compatibility with existing detached homes, protect neighborhoods from incompatible uses, and maintain a range of residential zones corresponding to the prevailing neighborhood densities.

- **Policy CD-4.3:** Provide healthy and safe neighborhoods free of nuisances, environmental hazards, and visual blight (e.g. excessive noise, poor air quality, light pollution, illegal dumping, illegal signage, graffiti, littering, etc.) that disrupt and impact Bonney Lake residents’ quality of life.

- **Policy CD-4.4:** Conserve and protect the unique ecological characteristics of the City and utilize urban forestry to integrate open space, parks, green belts, street trees, landscaping, and natural features into future development in order to maintain Bonney Lake’s livability, improve access to nature, and to address climate change by utilizing trees to sequester carbon from the atmosphere.

- **Policy CD-5.8:** Prevent the encroachment or conversion of common open space areas within planned developments or other residential projects. Shared open space areas in residential subdivisions shall be permanently restricted to open space uses through deed restrictions or other appropriate means.

- **Policy CD-7.4:** Encourage developers to retain mature trees to the extent possible, particularly in residential areas.
• **Policy CD-7.6:** On the south side of SR-410 near the western city limits, tree cutting shall not extend so far from SR-410 as to remove the solid backdrop of mature trees as viewed horizontally from SR-410.

• **Policy CD-11.1:** Balance the responsibility to protect the community from the impacts associated with new residential and commercial development with the responsibility to protect property rights.

• **Policy ES-1.6:** Maintain existing vegetation to the greatest extent possible in order to prevent erosion. In cases where development necessitates removal of vegetation, a reasonable amount of landscaping should be required to replace trees, shrubs, and ground cover removed during construction.

• **Policy ES-7.1:** Protect and conserve open space and transition buffers between urban and rural areas.

• **Policy ES-7.3:** Practice land cover management, which includes forest and topsoil preservation, native growth protection easements, dense vegetative zones, and preservation of the tree canopy.

• **Policy ES-7.4:** Protect significant trees, promote tree replanting, and encourage the use of native plants.

• **Policy ES-7.6:** Promote the preservation of native vegetation and mature trees, revegetation, and appropriate landscaping to improve air and water quality and fish and wildlife habitat.

• **Policy ES-7.7:** Encourage preservation of the urban forest and promote the use of native plants in residential and commercial landscapes.

• **Policy ES-9.5:** Encourage energy efficiency in site design, building orientation, landscaping, and utilities/infrastructure for all development and redevelopment projects.

• **Policy CM-4.4:** Minimize road hazards associated with overgrown vegetation, structures blocking sight lines, and other visual obstructions. New development should be reviewed to ensure that ingress and egress locations, driveways, crosswalks, and other circulation features, are sited to minimize accident hazards.

2. **State Law**

The City’s authority to adopt regulations related to tree removal and clearing of vegetation is provided for in RCW 35A.63.100, which provides that the legislative body may adopt regulations that it deems necessary to effectuate the goals and objectives of the comprehensive plan. As discussed above, the proposed regulation are required to implement the City’s comprehensive plan.

The removal of trees within the City may be subject to a Class IV-G Forest Practices Permit issued by the Department of Natural Resources (DNR). This permit type is for forest practice activities that are being conducted as part of a conversion from forestry to non-forestry use. While DNR typically issues the Forest Practice Permits, the City of Bonney is one of the eleven cities that DNR authority to regulate
forest practices to the local jurisdiction. As a result the City’s tree removal regulations must also be consistent with and implement replanting regulations. In most cases the removal of trees on undeveloped properties is part of the conversation to a non-forestry use. However, in those limited cases where tree removal on undeveloped lots is authorized, the applicant is required to submit a forestry management plan which includes a development moratorium and replanting requirement. These provisions are provided in BLMC 16.64.060.

IV. CONCLUSION

The proposed amendments are consistent with the criteria to amend the development regulations established in BLMC 14.140.090.B.
Subject: Canopy Cover Analysis Results and Methodology

The City of Bonney Lake (City) engaged The Watershed Company (Watershed) to assist with an update of the citywide ordinances guiding clearing and tree protection. In order to determine effectiveness of existing code, trends from recent development, and yield priority recommendations for guiding code revision, it was necessary to assess the extent of the City’s urban tree canopy.

Using high-resolution multispectral aerial imagery, Watershed employed a two-part remote-sensed methodology to perform a GIS-based canopy cover analysis to quantity the approximate extent of 2017/2018 tree canopy cover. Results were analyzed to provide estimated canopy acres and percent distribution by land use classification\(^1\). Further, to quantify the approximate extent and areas of canopy change, results of the 2017/2018 analysis were compared to an earlier canopy cover analysis that used 2008/2009 imagery\(^2\).

The following recommendations are in line with and informed by industry standards and are supported by the results of the canopy cover analysis. Results and methods are provided in the following sections.

Recommendations

Urban Tree Canopy Goal
Urban tree canopy provides multiple benefits including carbon sequestration, reduction to urban heat island effect, air and water quality protection, aesthetics, and socioeconomic benefits. Recent guidance on urban tree canopy from industry leaders, including American Forest, recognizes the 40% tree canopy benchmark that was established in 1997 cities, is no longer recognized as a best method. This 40% benchmark was cited in the 2011 Urban Tree Canopy Assessment performed by Davey Resource Group. This standard was used from 1997 to 2017, and represented a general average of dozens of cities between 1992 and 1997. The industry standard is now to develop specific targets for cities that consider unique constraints to creating canopy, such as percentage of impervious surfaces.

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\(^1\) Geospatial data showing future land use, 2018, City of Bonney Lake.

\(^2\) Davey Resources Group. (2011). *City of Bonney Lake, Washington, Urban Tree Canopy Assessment*
From 2011 to 2017, the city annexed approximately 196 acres into its municipal area. In 2011, canopy cover for 2008 was estimated at 1,872 acres, which represented 40% of the incorporated city area at the time of the 2011 study. According to the results of the more recent tree canopy analysis performed, the status of the City’s 2017/2018 canopy is approximately 34%, or roughly 1,638 total acres of canopy area. The decreases in percent canopy and total canopy acres can likely be attributed to a combination of both canopy loss and annexation of low or sparsely canopied areas\(^3\).

Based on these factors, a citywide urban tree canopy goal of 38% is recommended. This represents a decrease from the City’s current goal of 50% on average citywide. The reason for this decrease is due to the need to balance growth with urban tree canopy. According to the Community Development Element of Bonney Lake 2035, the City will plan to accommodate an additional 10,134 people and 3,470 housing units between 2014 and 2035 within the existing incorporated boundaries of the City, which is approximately 38% higher than the Pierce County target. To accommodate this population growth, residential development will be necessary.

**Relevance to Code Revision**
To achieve the recommended citywide urban tree canopy goal of 38%, revisions to the clearing code and tree ordinance should encourage both preservation of existing and planting of new canopy trees. Maintenance of the existing canopy should also consider replacement and succession of older canopy specimens.

A breakdown of canopy distribution by aggregate land use categories reveals that the urban canopy is concentrated in residential (780 acres) and open space (649 acres) areas, accounting for 48% and 40% of the total canopy area, respectively. Therefore, revisions to the clearing code and tree ordinance should focus on preservation and maintenance in these areas as the City continues to grow. While providing canopy trees in commercial and industrial areas is beneficial, establishing or preserving large canopy stands in these areas is less likely, due to their potential for more intense development. However, for most development projects, project proponents are allowed to use a fee-in-lieu program.

Beyond the code language and adoption, enforcement and documentation should be a key strategy for determining efficacy of the revised code and for tracking progress on the City’s urban canopy goal.

**Engagement with Tree Board**
As a designated Tree City, USA\(^4\), with active Community Forest Program the City of Bonney Lake has made a commitment to protect and manage the community’s tree resources. The public works department is the tree department, and is legally responsible for the care and

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\(^3\) The extent to which either case applies was not quantified.

\(^4\) The City of Bonney Lake was first awarded the Tree City, USA status in 2005, and is codified as Bonney Lake Municipal Code Chapter 12.24.
management of trees on municipally owned property. The Bonney Lake Park Board is designated as an advisory community tree board to advise the tree department, mayor, and City Council on the community forest plan, heritage trees, and related community tree issues. To aid the City in its implementation and enforcement of tree related ordinances and in tracking progress on urban canopy goals, it is recommended that the Tree Board be engaged as an advisor and stakeholder to the process.

Results

The following table presents summary results of the 2017/2018 urban canopy analysis. Table 1 provides approximate canopy cover in Bonney Lake both citywide and by land use designation.

Table 1. Approximate State of Urban Canopy Cover by Land Use (2017/2018)

<table>
<thead>
<tr>
<th>Area Description</th>
<th>Total Area (acres)</th>
<th>Canopied Area (acres)</th>
<th>% Canopy</th>
<th>Canopy Distribution (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Bonney Lake (2018 limits)</td>
<td>4,878</td>
<td>1,638</td>
<td>34%</td>
<td>100%</td>
</tr>
<tr>
<td>Commercial - Core</td>
<td>198</td>
<td>12</td>
<td>6%</td>
<td>1%</td>
</tr>
<tr>
<td>Commercial - General</td>
<td>204</td>
<td>52</td>
<td>25%</td>
<td>3%</td>
</tr>
<tr>
<td>Commercial - Industrial</td>
<td>186</td>
<td>52</td>
<td>28%</td>
<td>3%</td>
</tr>
<tr>
<td>Commercial - Mixed Use</td>
<td>81</td>
<td>9</td>
<td>11%</td>
<td>1%</td>
</tr>
<tr>
<td>Open Space - Conservancy</td>
<td>537</td>
<td>339</td>
<td>63%</td>
<td>21%</td>
</tr>
<tr>
<td>Open Space - Private</td>
<td>276</td>
<td>139</td>
<td>50%</td>
<td>8%</td>
</tr>
<tr>
<td>Open Space - Public</td>
<td>335</td>
<td>171</td>
<td>51%</td>
<td>10%</td>
</tr>
<tr>
<td>Public Facility</td>
<td>295</td>
<td>82</td>
<td>28%</td>
<td>5%</td>
</tr>
<tr>
<td>Residential - High Density</td>
<td>308</td>
<td>119</td>
<td>39%</td>
<td>7%</td>
</tr>
<tr>
<td>Residential - Low Density</td>
<td>2,248</td>
<td>591</td>
<td>26%</td>
<td>36%</td>
</tr>
<tr>
<td>Residential - Moderate Density</td>
<td>212</td>
<td>70</td>
<td>33%</td>
<td>4%</td>
</tr>
</tbody>
</table>

Methodology

Process Overview

To assess the extent of urban canopy cover in the City of Bonney Lake, Watershed employed a three-part methodology using high-resolution aerial imagery. First, imagery was analyzed using multispectral raster analysis, a process which identifies “greenness” bases on color signatures inherent in the photograph. Second, imagery was analyzed using an object-based analysis, which identifies like patterns based on set input parameters. To resolve limitations of each individual process, a third step was conducted. Specifically, results of the multispectral and object-based analyses were overlaid to produce a composite result. Figure 1 below shows a comparison of original imagery and outputs from each analysis type.
Figure 1. Source Imagery and Analysis Outputs

Source Data: USDA Imagery, unaltered

Process 1: Multispectral Raster Analysis

Process 2: Object-based Analysis

Process 3: Combined Result

Source Data
Photographic coverage of Bonney Lake with a pixel resolution of 1 square meter (3.084 square feet) was obtained from the United States Department of Agriculture (USDA) National Agricultural Imagery Program (NAIP). According to the source metadata, the imagery was flown in June, July, and August of 2017. This is consistent with the content of the imagery which displays deciduous trees in their leafed-out form. NAIP imagery is acquired at a one-
meter ground sample distance (GSD) with a horizontal accuracy that matches within six
meters of photo-identifiable ground control points.

Several vector-based input layers were used to categorize the canopy cover results according
to city boundaries and future land use designation. Data were obtained from the City of
Bonney Lake. Results were compared to the result data from the 2011 canopy cover study,
also obtained from City of Bonney Lake.

### Table 3. Data Sources Used

<table>
<thead>
<tr>
<th>Theme</th>
<th>Source</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aerial imagery</td>
<td>USDA NAIP</td>
<td>4-band raster image, 1-meter resolution, 2017 flight dates</td>
</tr>
<tr>
<td>City limit boundary</td>
<td>Bonney Lake</td>
<td>Shape file (vector geometry), published 2018</td>
</tr>
<tr>
<td>Future land use</td>
<td>Bonney Lake</td>
<td>Shape file (vector geometry), published 2018</td>
</tr>
<tr>
<td>Tree canopy cover</td>
<td>Davey Resource Group</td>
<td>Shape file (vector geometry), 2008 cover estimate, published 2011</td>
</tr>
</tbody>
</table>

### Process Overview

A three-part remote sensing process was employed to estimate overall tree canopy coverage.
Two semi-automated GIS-based processes for vegetation analysis—multispectral raster
analysis and object-based analysis—were run using the raster analysis tools in ArcGIS. The
results of each analysis were then combined to generate a composite result.

First, 4-band aerial imagery was analyzed to isolate color signatures within the imagery,
specifically, green values are isolated indicating potential vegetation presence. Multispectral
raster analysis minimizes capture and misidentification shadows, however, it is limited to
tonal similarity, meaning that green objects, such as turf lawn, shrubby areas, and green roofs,
may also be captured in the results.

Next the base imagery was re-run using an object-based analysis, which uses signatures for
color, pattern, texture, and spatial association to classify imagery according to user-defined
parameters. Parameters were defined to distinguish between tree canopy, lawn, and shrubby
areas, however, shadows are not excluded in the result.

Finally, using a raster math function, the preliminary results from each process were overlain
and combined to generate a composite result. The composite result favors image cells which
were identified in both processes, improving overall accuracy over each individual process.
The composite result for estimated canopy cover was then intersected with vector-based data
representing city limit boundaries and land use designations. Results were tabulated citywide
and according to total canopy cover area and percent distribution.

### Quality Control

Results of the analysis described above were vetted using multiple methods. Prior to running
semi-automated processes, a visual assessment of preliminary results was used to calibrate

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5 NAIP data specifications from https://www.fsa.usda.gov/programs-and-services/aerial-photography/imagery-programs/naip-imagery/
the analysis parameters and improve the relative accuracy of each analytic process. In addition, results were compared to automated results of the iTree Canopy (v6.1) Cover Assessment and Tree Benefits online tool, which uses a random sampling method and user provided feedback. Further, a random sample was visually inspected to test the accuracy of the composite raster result.

To execute the i-Tree Canopy Cover Assessment, the online interface available at www.itreetools.org was used to produce a comparative canopy classification result. First, the analyst uploaded a shapefile of the 2017/18 City of Bonney Lake incorporated city limits. The analyst then manually classified 500 points into five categories that align with the City of Bonney Lake, Washington, Urban Tree Canopy Assessment prepared by Davey Resources Group in 2011. The number of points was selected to both minimize error to less than 5% (±2.5% in either direction) and to be within the project scope and budget available. For the result generated, iTree estimated standard error to be +0.53 – 2.22. The iTree results are presented in Appendix A.

The iTree result estimated canopy coverage at approximately 43.6% (±2.2%), which differs from the 34% coverage figure estimated by the Watershed analysis. It is likely that the difference can be attributed to differences in the raster imagery used and to limitations in the iTree software. For example, the iTree analysis uses a 2019 aerial photograph of unknown raster resolution, while the Watershed analysis uses a 1-meter resolution photo from 2017/2018. Further, the iTree analysis is limited by the input data. Per iTree’s documentation, the accuracy of the analysis depends upon both the number of input points and the ability of the analyst to correctly classify each point into its correct class. As the number of points increase, the precision of the estimate will increase as the standard error of the estimate will decrease. However, iTree does not provide an interim result that can be visibly checked for errors, then used to refine the input parameters, thus improving the precision of the final output. In contrast, in the Watershed analysis, interim results were repeated generated, checked, refined, and rerun until all sample points were appropriately classified by the automated raster categorization process. The Watershed results are presented in Appendix B.
Assumptions and Limitations

This analysis relies on a series of data products produced using different scales and methods; therefore, mapped features may not align with exact real-world locations. For example, canopy at the margins of vector-based data may not be accurately represented as within or outside of said boundaries. Further, the temporal extent varied between analysis layers. Specifically, the analysis is based on 2017 imagery, however, shape files for city boundary and land use represent 2018 conditions. It is possible that geometry contained in the 2018 data, does not reflect accurately reflect 2017 conditions. Therefore, the results of this analysis present an approximate snapshot of canopy cover in the 2017/2018 timeframe.
## i-Tree Canopy v6.1

### Cover Assessment and Tree Benefits Report

*Estimated using random sampling statistics on 1/28/19*

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### Percent Cover (±SE)

<table>
<thead>
<tr>
<th>Cover Class</th>
<th>Description</th>
<th>Abbr.</th>
<th>Points</th>
<th>% Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canopy Cover</td>
<td>Tree, non-shrub</td>
<td>T</td>
<td>218</td>
<td>43.6 ±2.22</td>
</tr>
<tr>
<td>Impervious Surfaces</td>
<td>buildings, streets, driveways, parking lots</td>
<td>IS</td>
<td>152</td>
<td>30.4 ±2.06</td>
</tr>
<tr>
<td>Pervious Surfaces</td>
<td>grass and open space</td>
<td>PS</td>
<td>112</td>
<td>22.4 ±1.86</td>
</tr>
<tr>
<td>Open Water</td>
<td></td>
<td>W</td>
<td>7</td>
<td>1.40 ±0.53</td>
</tr>
<tr>
<td>Bare Soils</td>
<td></td>
<td>B</td>
<td>11</td>
<td>2.20 ±0.66</td>
</tr>
</tbody>
</table>

---

[Image of the scatter plot showing percent cover with error bars for each category.]

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https://canopy.itreetools.org/report.php
## Tree Benefit Estimates

<table>
<thead>
<tr>
<th>Abbr.</th>
<th>Benefit Description</th>
<th>Value (USD)</th>
<th>±SE</th>
<th>Amount (T)</th>
<th>±SE</th>
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</thead>
<tbody>
<tr>
<td>CO</td>
<td>Carbon Monoxide removed annually</td>
<td>81.55 USD</td>
<td>±4.15</td>
<td>1,923.84 lb</td>
<td>±97.85</td>
</tr>
<tr>
<td>NO2</td>
<td>Nitrogen Dioxide removed annually</td>
<td>140.40 USD</td>
<td>±7.14</td>
<td>5.25 T</td>
<td>±0.27</td>
</tr>
<tr>
<td>O3</td>
<td>Ozone removed annually</td>
<td>7,311.90 USD</td>
<td>±371.91</td>
<td>52.24 T</td>
<td>±2.66</td>
</tr>
<tr>
<td>PM2.5</td>
<td>Particulate Matter less than 2.5 microns removed annually</td>
<td>15,115.04 USD</td>
<td>±768.81</td>
<td>2.54 T</td>
<td>±0.13</td>
</tr>
<tr>
<td>SO2</td>
<td>Sulfur Dioxide removed annually</td>
<td>24.54 USD</td>
<td>±1.25</td>
<td>3.31 T</td>
<td>±0.17</td>
</tr>
<tr>
<td>PM10*</td>
<td>Particulate Matter greater than 2.5 microns and less than 10 microns removed annually</td>
<td>5,308.25 USD</td>
<td>±270.00</td>
<td>17.50 T</td>
<td>±0.89</td>
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<tr>
<td>CO2seq</td>
<td>Carbon Dioxide squestered annually</td>
<td>494,936.36 USD</td>
<td>±25,174.49</td>
<td>10,678.87 T</td>
<td>±543.17</td>
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<tr>
<td>CO2stor</td>
<td>Carbon Dioxide stored in trees (Note: this benefit is not an annual rate)</td>
<td>12,429,709.03 USD</td>
<td>±632,225.88</td>
<td>268,186.49 T</td>
<td>±13,641.06</td>
</tr>
</tbody>
</table>

*i-Tree Canopy Annual Tree Benefit Estimates based on these values in lbs/acre/yr and USD/T/yr: CO 0.902 @ 85.08 USD | NO2 4.917 @ 26.86 USD | O3 48.968 @ 140.47 USD | PM2.5 2.379 @ 5,975.67 USD | PM10* 16.403 @ 304.43 USD | CO2seq 10,010.267 @ 46.51 USD | CO2stor is a total biomass amount of 251,395.359 @ 46.51 USD

*Note: Currency is in USD*

*Note: Standard errors of removal amounts and benefits were calculated based on standard errors of sampled and classified points.*

### About i-Tree Canopy

The concept and prototype of this program were developed by David J. Nowak, Jeffery T. Walton and Eric J. Greenfield (USDA Forest Service). The current version of this program was developed and adapted to i-Tree by David Ellingsworth, Mike Binkley, and Scott Maco (The Davey Tree Expert Company).

### Limitations of i-Tree Canopy

The accuracy of the analysis depends upon the ability of the user to correctly classify each point into its correct class. As the number of points increase, the precision of the estimate will increase as the standard error of the estimate will decrease. If too few points are classified, the standard error will be too high to have any real certainty of the estimate.

### A Cooperative Initiative Between:

[![UAS Davey](image1.png)](image1.png)  [![Arbor Day Foundation](image2.png)](image2.png)  [![SMA Arborists](image3.png)](image3.png)  [![ISA](image4.png)](image4.png)  [![Casey Trees](image5.png)](image5.png)

[www.itreetools.org](http://www.itreetools.org)
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

<table>
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<th>Department/Staff Contact:</th>
<th>Meeting/Workshop Date:</th>
<th>Agenda Bill Number:</th>
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<tr>
<td>PS / Doug Budzynski</td>
<td>24 March 2020</td>
<td>AB20-31</td>
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<th>Ordinance/Resolution Number:</th>
<th>Sponsor:</th>
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<tbody>
<tr>
<td>Resolution</td>
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</tbody>
</table>

**Agenda Subject:** Award Professional Services Agreement to Parametrix for services to complete design of the 36th St Water Main Replacement.

**Full Title/Motion:** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Award Of A Professional Services Agreement With Parametrix As Part Of The 36th St. Water Main Replacement Project.

**Administrative Recommendation:** Approve

**Background Summary:** Staff had identified that the existing 2-inch steel watermain, from 166th Ave to the cul-d-sac off of Sumner-Tapps Hwy, as a watermain that is failing and is inadequate in size. The operations crew have had to make repairs to this section of the water system several times in past years. As a result, replacing the watermain had been added to the CIP project listing and was added to the 2019-2020 budget cycle. Staff have received a proposal from Parametrix to complete the design effort needed to prepare a bid package for this project in the amount of $45,241.12.

**Attachments:** Resolution, Professional Services Agreement, map

**BUDGET INFORMATION**

<table>
<thead>
<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
<th>Budget Balance</th>
<th>Fund Source</th>
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<tr>
<td>$250,000</td>
<td>$250,000</td>
<td>$45,241.12</td>
<td>$204,758.88</td>
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</tr>
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**BudgetExplanation:** Water: Eden - 401.116.034.594.34.65.01; Water Comprehensive Plan, WM3 - 36th Street Water Main Replacement. Revenue Source: Water SDC

**COMMITTEE, BOARD & COMMISSION REVIEW**

<table>
<thead>
<tr>
<th>Council Committee Review:</th>
<th>Community Development</th>
<th>Approvals:</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Date: 3 March 2020</td>
<td></td>
<td>Chair/Councilmember</td>
<td>Dan Swatman</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Councilmember</td>
<td>Michelle Keith</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Councilmember</td>
<td>Tom Watson</td>
<td></td>
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Forward to: Consent Agenda: Yes No

Commission/Board Review:  
Hearing Examiner Review:

**COUNCIL ACTION**

Workshop Date(s): Public Hearing Date(s):
Meeting Date(s): Tabled to Date:

**APPROVALS**

<table>
<thead>
<tr>
<th>Director:</th>
<th>Mayor:</th>
<th>Date Reviewed by City Attorney:</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Vodopich</td>
<td>Neil Johnson Jr.</td>
<td>(if applicable)</td>
</tr>
</tbody>
</table>

Version Feb. 2018
RESOLUTION NO. 2819

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A CONTRACT AWARDING THE PROFESSIONAL SERVICES AGREEMENT TO PARAMETRIX FOR SERVICES TO COMPLETE FINAL DESIGN OF THE 36TH STREET WATERMAIN REPLACEMENT PROJECT.

WHEREAS, Public Services staff has listed the 36th Street Watermain Replacement project in the 2019-2020 Biennial budget; and

WHEREAS, Parametrix has submitted a scope of work to complete the design for the project, in the amount of $45,241.12; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Bonney Lake does hereby authorize the Mayor to sign the attached Professional Services Agreement with Parametrix for project in the amount of $45,241.12.

Passed by the City Council this 24th day of March, 2020.

______________________________
Neil Johnson, Jr., Mayor

AUTHENTICATED:

______________________________
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

______________________________
Kathleen Haggard, City Attorney
PROFESSIONAL SERVICES AGREEMENT
36th Street Water Main Replacement

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into this __________ day of ________________________, 2020, by and between the City of Bonney Lake ("City") and Parametrix, Inc. ("Consultant").

The parties hereby agree as follows:

1. **Scope of Work.** The Consultant shall perform all work and provide all materials described in the Scope of Work set out in Exhibit A attached hereto and incorporated herein by this reference. Such work shall be performed using facilities, equipment and staff provided by Consultant, and shall be performed in accordance with all applicable federal, state and local laws, ordinances and regulations. The Consultant shall exercise reasonable care and judgment in the performance of work pursuant to this Agreement. The Consultant shall make minor changes, amendments or revisions in the detail of the work as may be required by the City, such work not to constitute Extra Work under this Agreement.

2. **Ownership of Work Product.** Documents, presentations and any other work product produced by the Consultant in performance of work under this Agreement shall be tendered to the City upon completion of the work, and all such product shall become and remain the property of the City and may be used by the City without restriction; provided, that any such use by the City not directly related to the particular purposes for which the work product was produced shall be without any liability whatsoever to the Consultant.

3. **Payment.** The Consultant shall be paid by the City for completed work and services rendered under this Agreement pursuant to the rates and charges set out in Exhibit B, attached hereto and incorporated herein by this reference. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment, and incidentals necessary to complete the work. All billings for compensation for work performed under this Agreement shall list actual time and dates during which the work was performed and the compensation shall be figured using the rates set out in Exhibit B; provided, that payment for work within the Scope of Work (Exhibit A) shall not exceed the fee/hour estimate set out in Exhibit B without written amendment to this Agreement, agreed to and signed by both parties.

Acceptance of final payment by the Consultant shall constitute a release of all claims, related to payment under this Agreement, which the Consultant may have against the City unless such claims are specifically reserved in writing and transmitted to the City by the Consultant prior to acceptance of final payment. Final payment shall not, however, be a bar to any claims that the City may have against the Consultant or to any remedies the City may pursue with respect to such claims.

The Consultant and its sub consultants shall keep available for inspection, by the City, for a period of three years after final payment, the cost records and accounts pertaining to this Agreement and
all items related to, or bearing upon, such records. If any litigation, claim or audit is started before the expiration of the three-year retention period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved. The three-year retention period shall commence when the Consultant receives final payment.

4. **Changes in Work.** The Consultant shall make all revisions and changes in the work completed under this Agreement as are necessary to correct errors, when required to do so by the City, without additional compensation.

5. **Extra Work.** The City may desire to have the Consultant perform work or render services in addition to or other than work provided for by the expressed intent of the Scope of Work. Such work will be considered Extra Work and will be specified in a written supplement which will set forth the nature and scope thereof. Work under a supplement shall not proceed until authorized in writing by the City. Any dispute as to whether work is Extra Work or work already covered by this Agreement shall be resolved before the work is undertaken. Performance of the work by the Consultant prior to resolution of any such dispute shall waive any claim by the Consultant for compensation as Extra Work.

6. **Employment.** Any and all employees of Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman’s Compensation Act on behalf of said employees, while so engaged; any and all taxes arising out of Consultant’s or Consultant’s employees’ work under this Agreement; and any and all claims made by a third party as a consequence of any acts, errors, or omissions on the part of the Consultant’s employees, while so engaged, shall be the sole obligation and responsibility of the Consultant, except as provided in Section 12 of this agreement. The Consultant’s relation to the City shall at all times be as an independent contractor.

7. **Nondiscrimination and Legal Compliance.** Consultant agrees not to discriminate against any client, employee or applicant for employment or for services because of race, creed, color, national origin, marital status, gender, age or handicap except for a bona fide occupational qualification with regard to, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training and rendition of services. The consultant represents and warrants that it is in compliance with and agrees that it will remain in compliance with the provisions of the Immigration Reform and Control Act of 1986, including but not limited to the provisions of the Act prohibiting the hiring and continued employment of unauthorized aliens and requiring verification and record keeping with respect to the status of each of its employees’ eligibility for employment. The consultant shall include a provision substantially the same as this section in any and all contracts with sub consultants performing work required of the contractor under this contract. The consultant agrees to indemnify and hold the City harmless from any and all liability, including liability for interest and penalties, the City may incur as a result of the consultant failing to comply with any provisions of the Immigration Reform and Control Act of 1986. Consultant understands and agrees that if it violates this section, this Agreement may be
terminated by the City, and that Consultant shall be barred from performing any services for the City in the future unless and until a showing is made satisfactory to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

8. **Term.** This Agreement shall become effective upon the day of its execution by both parties, and shall terminate upon completion of the work and delivery of all materials described in Exhibit A.

9. **Termination by City.** The City may terminate this Agreement at any time upon not less than ten (10) days written notice to Consultant, subject to the City's obligation to pay Consultant in accordance with subsections A and B below.

A. In the event this Agreement is terminated by the City other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for actual cost of work complete at the time of termination of the Agreement. In addition, the Consultant shall be paid on the same basis as above for any authorized Extra Work completed. No payment shall be made for any work completed after ten (10) days following receipt by the Consultant of the termination notice. If the accumulated payment(s) made to the Consultant prior to the termination notice exceeds the total amount that would be due as set forth in this subsection, then no final payment shall be due and the Consultant shall immediately reimburse the City for any excess paid.

B. In the event the services of the Consultant are terminated by the City for fault on the part of the Consultant, subsection A of this section shall not apply. In such event the amount to be paid shall be determined by the City with consideration given to the actual costs incurred by the Consultant in performing the work to the date of termination, the amount of work originally required which was satisfactorily completed to date of termination, whether that work is in a form or of a type which is usable by the City at the time of termination, the cost to the City of employing another person or firm to complete the work required and the time which may be required to do so, and other factors which affect the value to the City of the work performed at the time of termination. Under no circumstances shall payment made under this subsection exceed the amount which would have been made if subsection A of this section applied.

C. In the event this Agreement is terminated prior to completion of the work, the original copies of all work products prepared by the Consultant prior to termination shall become the property of the City for its use without restriction; provided, that any such use by the City not directly related to the particular purposes for which the work product was produced shall be without any liability whatsoever to the Consultant.

10. **Termination by Consultant.** Consultant may terminate this Agreement only in response to material breach of this Agreement by the City, or upon completion of the work set out in the Scope of Work and any Extra Work agreed upon by the parties.
11. **Applicable Law; Venue.** The law of the State of Washington shall apply in interpreting this Agreement. Venue for any lawsuit arising out of this Agreement shall be in the Superior Court of the State of Washington, in and for Pierce County.

12. **Indemnification / Hold Harmless**

Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees arising out of or resulting from the negligent acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant’s liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant’s negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant’s waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

**Insurance**

The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. **Minimum Scope of Insurance**

Consultant shall obtain insurance of the types described below:

1. **Automobile Liability** insurance covering all owned non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. **Commercial General Liability** insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant’s Commercial General Liability insurance policy with respect to the work performed for the City.

3. **Workers’ Compensation** coverage as required by the Industrial Insurance laws of the State of Washington.
4. **Professional Liability** insurance appropriate to the Consultant’s profession.

B. **Minimum Amounts of Insurance**

Consultant shall maintain the following insurance limits:

1. **Automobile Liability** insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. **Commercial General Liability** insurance shall be written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate.

3. **Professional Liability** insurance shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

C. **Other Insurance Provisions**

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant’s insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant’s insurance and shall not contribute with it.

2. The Consultant’s insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

D. **Acceptability of Insurers**

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. **Verification of Coverage**

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

13. **Subletting or Assigning.** The Consultant shall not sublet or assign any of the work covered by this Agreement without the express written consent of the City.

14. **Entire Agreement.** This Agreement represents the entire Agreement between the parties. No change, termination or attempted waiver of any of the provisions of the Agreement shall be binding on any party unless executed in writing by authorized representatives of each party. The
agreement shall not be modified, supplemented or otherwise affected by the course of dealing between the parties.

15. **Waiver.** Failure by any party to this Agreement to enforce any provision of this Agreement or to declare a breach shall not constitute a waiver thereof, nor shall it impair any party’s right to demand strict performance of that or any other provision of this Agreement any time thereafter.

16. **Severability.** If any provision of this Agreement or its application is held invalid, the remainder of the Agreement or the application of the remainder of the Agreement shall not be affected.

17. **Execution and Acceptance.** This Agreement may be executed in several counterparts, each of which shall be deemed to be an original having identical legal effect. The Consultant hereby ratifies and adopts all statements, representations, warranties, covenants, and agreements contained in the supporting materials submitted by the Consultant, and does hereby accept the Agreement and agrees to all of the terms and conditions thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

**CITY OF BONNEY LAKE**

By: __________________________

Neil Johnson Jr., Mayor

**PARAMETRIX, INC.**

By: __________________________

Austin R. Fisher, P.E.
Division Manager

**Attachments:**
Exhibit A: Scope of Work/Deliverables
Exhibit B: Budget Estimate
EXHIBIT A: SCOPE OF WORK

The Consultant shall perform the following services as directed by the City:

See Scope of Work for 36th Street Water Main Replacement on the following pages.
SCOPE OF WORK

City of Bonney Lake
36th Street Water Main Replacement

PROJECT OVERVIEW

The City of Bonney Lake (City) will be replacing approximately 1,000 feet of water main on 36th Street E between 166th Avenue E and Sumner Tapps Highway E. The existing 2-inch steel pipeline has experienced multiple failures and is no longer cost-effective to leave in operation. Replacing the existing line with an 8-inch ductile iron pipe will improve service reliability and reduce maintenance costs.

SCHEDULE

A 4-month project schedule is assumed, with notice to proceed given in mid-March. Final design is anticipated to be complete and the project sent to public bid in mid-July 2020.

TASK 1 – 36TH STREET WATER MAIN REPLACEMENT

Subtask 1 – Project Management and Quality Assurance/Quality Control

Goal: To provide the tools for continuous tracking of the project schedule and budget, project quality assurance and control, and status of deliverables to ensure that the project is executed as expected by the City.

Assumptions:
- A 4-month project schedule is assumed.
- Two meetings at the City of Bonney Lake Justice and Municipal Center are included in the budget.

Deliverables:
- Miscellaneous correspondence to document project management issues.
- Monthly progress reports and invoices.
- Meeting agendas.
- Meeting notes if applicable.

Subtask 2 – Survey

Goal: Prepare a topographic survey base map of existing conditions and improvements within the above-described project limits for use in preparing detailed design plans.

Approach: Using record information and existing monuments, Parametrix surveyors will establish horizontal and vertical control throughout the proposed corridor. Mapping will consist of locating existing improvements and ground conditions within the above-described right-of-way. Parcel lines and right-of-way limits will be based upon...
the applicable public records. Ground features, including tops and toes, breaks, edge of pavement, and ditches, will be mapped at sufficient detail to create 1-foot contours. Structures, such as fences, driveways, overhead utilities, and other physical visible improvements, will be mapped. An underground utility locate firm will be hired to mark buried utilities, such as gas, water, power, telephone, and TV cable, if such utilities have a-conductible source or tracer lines attached. Sanitary and storm structures will be opened, and measurements will be made identifying size, type, and invert elevation of incoming and outgoing pipes. Once the fieldwork has been completed, a survey technician will process the data and prepare a base map using AutoCAD Civil 3D, Release 2018.

Assumptions:
- Title reports will not be ordered for this work; boundary information will be based upon recorded information researched at the Pierce County Auditor.
- Property corners will not be set, nor will a Record of Survey be prepared.

Deliverable: A topographic base map prepared in AutoCAD Civil 3D format.

Subtask 3 – 30% Design

Goal: Prepare plans to approximately a 30% completion level as well as an associated Opinion of Probable Cost.

Approach: Parametrix will complete a preliminary design based on the field survey and the applicable design guidelines. The City will review the submitted documents and provide comments and direction for incorporation into the Final Plans, Specifications, and Estimate.

The 30% plans are assumed to be a roll plot of the project limits and associated PDF for City review.

Opinion of Probable Cost: Parametrix will prepare an Opinion of Probable Cost based on estimate quantities and costs for lump-sum items as determined by the 30% plans. The Opinion of Probable Cost will have one bid schedule.

Assumptions:
- All plans will be prepared in AutoCAD 2018 Civil 3D format.
- All design elements will be in accordance with the City of Bonney Lake 2018 Development Policies and Public Works Design Standards.
- All utility coordination will be conducted by City staff.
- Utility pothole information, if required, will be collected by the City.

Deliverables:
- One paper roll plot (34-inch by 120-inch) and one electronic (PDF) submittal.
- Engineer’s Opinion of Probable Cost in Microsoft Excel format.
Subtask 4 – 90% Design

**Goal:** Prepare a contract form and proposal, contract supplemental and general provisions, technical provisions, contract plans to approximately a 90% completion level, and an associated Opinion of Probable Cost.

**Approach:** Parametrix will incorporate the City’s comments from the 30% review into a 90% submittal for review by the City.

**Review Meetings and Coordination:** Parametrix will meet with the City to review the 30% submittal. At this meeting, the City will provide comments to incorporate into the 90% design.

The 90% plans are assumed to include the following:

- Cover Sheet and Legend: 2 Sheets
- Horizontal Control Plan: 1 Sheet
- Typical Sections: 1 Sheet
- Demo and TESC Plans: 2 Sheets
- Water Plan and Profile: 2 Sheets
- Details: 2 Sheets

**Total:** 10 Sheets

**Assumptions:**

- The contract and technical specifications will be prepared using the City’s boilerplate and will follow the 2020 WSDOT Standard Specifications format.
- Parametrix will include one bid schedule for the water main construction and all associated restoration work.

**Deliverables:**

- Three copies of half-size (11-inch by 17-inch) 90% plans, contract documents, and engineer’s Opinion of Probable Cost.

Subtask 5 – Final PS&E

**Goal:** Prepare final contract bidding documents for advertisement by the City, including a contract form and proposal, contract supplemental and general provisions, technical provisions, and contract plans. Parametrix will also prepare a final Opinion of Probable Cost that may be used by the City for bid tabulation.

**Approach:** Parametrix will complete final plans, specifications, and an Opinion of Probable Cost based on the City’s comments following review of the preliminary design deliverables and applicable design guidelines.

**Review Meetings and Coordination:** Parametrix will meet with the City Project Manager assigned to the project to review the intent of the plans and technical specifications to ensure that the City’s Project Manager is informed of the work to be completed and how the work is to be measured and paid. During this meeting, the City will also provide the 90% review comments (Plans, Contract, and Technical Specifications) for incorporation into the final design.
Assumptions:

- The City will be responsible for the administration of the bidding process.
- The City will complete all environmental documentation and coordination, as appropriate, with outside agencies, such as Department of Archaeology and Historic Preservation or the Department of Ecology.

Deliverables:

- Ten copies of half-size (11-inch by 17-inch) final plans, contract documents, and engineer’s Opinion of Probable Cost.
- Final engineer’s Opinion of Probable Cost in Microsoft Excel format.
- Two copies of full-size (22-inch by 34-inch) final plans.
- Electronic copy of all final deliverables in respective native format(s).
EXHIBIT B: BUDGET ESTIMATE

See attached Budget Estimate.
## City of Bonney Lake
### 36th Street Water Main Replacement
#### Budget Estimate

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**Project Total:** $45,241.12

2/26/2020
The meeting was called to order at 5:00 P.M.

**Roll Call:**
Councilmember Dan Swatman (Chair)
Councilmember Michelle Keith
Councilmember Tom Watson

**Attendees:**
City Administrator, John Vodopich
Management Analyst/Executive Assistant, Leslie Harris
Interim Public Services Director, Ryan Johnstone
Planning and Building Supervisor, Jason Sullivan
City Engineer, John Woodcock
Assistant City Engineer, Doug Budzynski
Administrative Assistant III, Debbie McDonald

**Reports/Presentations:**

*Cityworks Update - Ryan Johnstone, Interim Public Services Director*

Interim Public Services Director Johnstone presented a brief demonstration of Cityworks. He walked through a work order form beginning to competition and how actions are documented and routed. Documentation and pictures can be uploaded to the work order. They are making up ground on their preventative maintenance.

Councilmember Keith asked if everyone is on board or is there still some that haven't converted over to Cityworks.

Councilmember Swatman asked if you can get a cost estimate on the work orders.

Interim Public Services Director Johnstone pulled up the current work load so the Committee could see the names of all those using the program. He is working on including the amount of staff time used to resolve the issue. This will allow the City to capture the cost of a job. They are able to run a report now, it just isn’t as detailed as he would like. Goal is to catch the cost on everything they do.

Councilmember Watson asked if they have made any progress on fire hydrant testing.

Interim Public Services Director Johnstone responded yes, they are documented in Cityworks. It has been a
Public Works Center Project Update - Ryan Johnstone, Interim Public Services Director

Interim Public Services Direct Johnstone reviewed the dates and the process that still needs to be completed in order to start construction.

2020 CIP Update - John Woodcock, City Engineer

City Engineer Woodcock passed out a 2020 CIP Planning Schedule for their projects. He discussed what stage each project is in.

Councilmembers appreciated the update and status of projects.

Councilmember Swatman asked about the 214th intersection even with it being so far out.

City Engineer Woodcock responded the project is not as far away as he thinks. If the City receives a TIB grant it could be started in the next two years.

Business Action Items:

AB20-18 Ordinance D20-18: Undergrounding Overhead Utilities Exemption - Jason Sullivan, Planning and Building Supervisor

Planning and Building Supervisor Sullivan stated when they adopted the Undergrounding Utilities back in 2008. There is an issue in the ordinance that when frontage improvements have already been completed they would still be required to underground the utilities which would add a significant cost to the project. Would establish an exemption that would remove the requirement to underground existing overhead utilities in those cases when no frontage improvements are required. In these cases the developer would instead pay an in-lieu fee.

Councilmember Swatman thinks Council needs to review it carefully. The main goal is to get the utilities underground.

Planning and Building Supervisor Sullivan stated there is nothing saying they would have to underground the utilities. The in-lieu of fees would be separate and go towards undergrounding utilities in heavier used areas. The City Attorney has reviewed the issue and believes the City would lose in court with the way it is written now.

Councilmember Keith didn’t mind having a fee and using that money in a different location.
Will Bring Back to CDC

*AB20-20 Resolution 2816: 2019 Water System Plan Update - Doug Budzynski, Assistant City Engineer*

Assistant City Engineer Budzynski briefly went over the Water System Plan update. Handed out individual copies of both the Water and Sewer plans. The biggest hold up has been getting the Department of Health's approval. This will be a 10-year certification.

City Administrator Vodopich added the Department of Health needs City Councils approval of the plan before they will give their final approval.

**Moved to Full Council**

*AB20-21 Resolution 2817: 2019 Sewer System Plan Update - Doug Budzynski, Assistant City Engineer*

Assistant City Engineer Budzynski received comments from Department of Ecology. The update still needs to be brought to the Planning Commission.

Councilmember Watson asked if there was anything that really stood out with the changes.

Assistant City Engineer Budzynski replied the biggest change is the rate increase. He believes everything else has been covered.

Councilmember Keith reminded the Committee it is just a plan.

**Moved to Full Council**

*Approval of February 4, 2019 CDC Meeting Notes*

**Meeting Minutes Approved**

**Open Committee Discussion:**

Councilmember Swatman asked about the 1972 Parks Plan.

Planning and Building Supervisor Sullivan stated property for Allan Yorke Park was bought with grant money. The grant has specific uses for the land can be used for. Having the two cell towers and the decanter facility on land purchased with the grant money is against the grant stipulations. It appears the City will have to purchase land to equal what is being used for non-park activities. Will be exploring options with Washington Recreation and Conservation Office (RCO).

**Adjourn:**
Councilmember Swatman adjourned the meeting at 5:55 P.M.

Debbie McDonald Administrative Assistant III