

RESOLUTION NO. 3205

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN CONTRACT AMENDMENT NUMBER TWO WITH CONSERVATION TECHNIX RELATED TO THE PARK, TRAILS, RECREATION AND OPEN SPACE PLAN.

WHEREAS, the City has not completed a comprehensive update of the City’s parks and trails planning documents since 2008; and

WHEREAS, the City Council authorized the Mayor to sign a contract with Conservation Technix to prepare a new Parks, Trails, and Open Space Plan pursuant to Resolution 3072 on October 11, 2022; and

WHEREAS, the City Council authorized the Mayor to sign contract Amendment Number 1 with Conservation Technix pursuant to Resolution 3103 on February 28, 2023

WHEREAS, the City Council desires to have Conservation Technix update the plans for Midtown Park to increase the number of sports fields and prepare a schematic plan for the development of a future park and community center in Downtown;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Authorization of Amendment. The Mayor is authorized to sign the attached contract Amendment Number 2 with Conservation Technix in the amount of \$24,580.

PASSED by the City Council this 23rd day of April 2024.

DocuSigned by:

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Terry Carter, Mayor

AUTHENTICATED:

DocuSigned by:

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Sadie A. Schaneman, CMC, City Clerk

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

Department/Staff Contact: Public Services Department Jason Sullivan Interim Public Services Director	Meeting/Workshop Date: April 23, 2024	Agenda Bill Number: AB24-26
Agenda Item Type: Resolution	Ordinance/Resolution Number: R24-26	Sponsor:

Agenda Subject: PTRO Plan Contract Amendment #2.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign Contract Amendment Number Two With Conservation Technix Related To The Park, Trails, Recreation And Open Space Plan.

Administrative Recommendation: Approve.

Background Summary: On October 11, 2022, the City Council approved a contract with Conservation Technix to prepare a new Park, Trails, Recreation and Open Space (PRTO) Plan. Over the last 17 months, Conservation Technix has worked with the City Staff to develop a PTRO Plan that reflects the needs and desires of the community. Over that time, both the City Council and community have raised concerns that there is an insufficient supply of multi-sports fields to support youth athletics. During the February 20, 2024, Community Development Committee, the members discussed one possible solution to provide additional multi-sports fields at Midtown Park by relocating some of the improvements proposed for Midtown Park to a future park that could be constructed on property owned by the City near the Justice & Municipal Center. The proposed amendment would provide the funds necessary to prepare the schematic designs for this additional community park in Downtown Bonney Lake and update the schematic designs for the Midtown Park to increase the number of multi-sports fields.

Attachments: Resolution R24-26 And PSA Amendment #2.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
\$69,560.00	\$58,426.66	\$24,580.00	\$33,846.66
Budget Explanation: The difference between the budget amount and the current balance is to account for the \$11,133.34 remaining on Conservation Technix contract. While these funds have not been spent and are still technically in the account, staff wanted to account for the funds that will be paid out under the current contract. This was done to demonstrate that there are sufficient funds budgeted for both the current contract amount and this contract amendment. BARS #302.000.000.594.76.41.40.			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	CDC Date: April 2, 2024	Approvals: Chair/Councilmember Gwendolyn Fullerton Councilmember Dan Swatman Councilmember J Kelly McClimans	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">Yes</th> <th style="text-align: center;">No</th> </tr> <tr> <td style="text-align: center;">x</td> <td style="text-align: center;"></td> </tr> <tr> <td style="text-align: center;">x</td> <td style="text-align: center;"></td> </tr> <tr> <td style="text-align: center;">x</td> <td style="text-align: center;"></td> </tr> </table>	Yes	No	x		x		x	
Yes	No										
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Forward to: CDC Issues		Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Commission/Board Review:											
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/23/2024	Tabled to Date:

APPROVALS		
Director: <i>Jason Sullivan</i>	Mayor: <i>Terry Carter</i>	Date Reviewed by City Attorney: (if applicable):

**SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF BONNEY LAKE AND CONSERVATION TECHNIX, INC.**

THIS SECOND AMENDMENT to the Professional Services Agreement (“**Second Amendment**” or “**Amendment**”), dated as of the later of the signature dates below (the “**Effective Date**”), is by and between **CITY OF BONNEY LAKE**, a Washington municipal corporation, having its principal place of business at 9002 Main St. E., Bonney Lake, Washington 98391 (hereinafter “**City**”), and **Conservation Technix, Inc.**, a California corporation, having its principal place of business at 112 Crestview Drive, Orinda, California 94563 (“**Consultant**”) (individually a “**Party**” and collectively the “**Parties**”).

RECITALS:

WHEREAS, the Parties entered into an Professional Services Agreement on October 11, 2022 (hereinafter “**Agreement**”) for purposes of allowing Consultant to prepare a new Parks, Trails, And Open Space Plan for the City; and

WHEREAS, by agreement of the Parties the Agreement was previously amended on February 56, 2023, and this is the SECOND Amendment to the Agreement; and

WHEREAS, since that time the Parties have determined that an amendment is needed; and

NOW THEREFORE, in consideration of the terms and conditions set forth herein, the Parties agree that the recitals set forth above are incorporated herein as if set forth in their entirety and further agree as follows:

AGREEMENT:

1. The following new section is hereby added to the Agreement to read as follows:

The City Council desires to have Conservation Technix update the plans for Midtown Park to increase the number of sports fields and prepare a schematic plan for the development of a future park and community center in Downtown.


2. **Reaffirmation; Intention to be Bound.** Except as expressly amended by this Amendment, each and every term, condition and agreement contained in the Agreement shall remain in full force and effect. The Parties reaffirm that the representations and warranties made by each Party in the Agreement are true and accurate as of the Effective Date. The Parties executing this Second Amendment on behalf of themselves, their assigns, and successors, hereby acknowledge and reaffirm their intention to be bound by the terms and conditions of the Agreement. Nothing in this Amendment shall be deemed to supersede or otherwise modify any other term or provision of the Agreement except as expressly stated herein.

3. Recitals; Capitalized Terms. The recitals set forth above are a part of this Amendment. Unless otherwise defined herein, capitalized terms used in this Amendment have the meanings assigned to them in the Agreement or as set forth in the Amendment.

IN WITNESS WHEREOF, the Parties have caused their properly authorized representatives to execute this First Amendment on the dates set forth below.

CITY:

BONNEY LAKE,
a Washington municipal corporation

By: 
339AD7C13E9E492...

Name: Terry Carter

Title: Mayor

Date: 4/23/2024

CONSULTANT:

CONSERVATION TECHNIX, INC.,
a California Corporation

By: 
DC92A46BFF4946A...

Name: Stephen Duh

Title: President

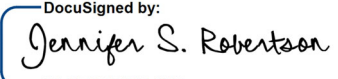
Date: 4/23/2024

Email: steve@conservationtechnix.com

ATTEST:


975A85C52D794C6...
Sadie A. Schaneman, CMC City Clerk

APPROVED AS TO FORM:


366B9248620444F...
Jennifer S. Robertson, City Attorney

Attachments:

Exhibit A: Scope of Work

Exhibit B: Budget