

CITY COUNCIL MEETING
April 23, 2024
6:00 P.M.



www.ci.bonney-lake.wa.us

AGENDA

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

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

Council Meetings options:

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

By phone: 323-792-6234 (Meeting ID: 108592120#)

By internet: Teams meeting link: [TEAMS](#) (Meeting ID: 242 012 651 183) **The City will be turning off all public cameras and microphones when attending online until the start of the citizen commenting section and will then turn them back off after the citizen commenting section is finished - Only staff and presenters will be visible and unmuted during the entire meeting.**

I. CALL TO ORDER – Mayor Terry Carter

- A. Pledge of Allegiance
- B. Roll Call: Mayor Terry Carter, Deputy Mayor Dan Swatman, Councilmember Angela Baldwin, Councilmember Aaron Davis, Councilmember Gwendolyn Fullerton, Councilmember Kerri Hubler, Councilmember J. Kelly McClimans, And Councilmember Dan Roach.
- C. Agenda Modifications: None.
- D. Announcements, Appointments and Presentations:

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- 1. **Proclamation:** Drinking Water.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearing: None.
- B. Citizen Comments:
Citizen comments can be made in-person, by phone or virtually during this portion of the meeting. We ask that you please sign up to comment virtually by emailing clerk@cobl.us or by phone at 253-862-8602 by 5:00 pm. Comments are limited to 5 minutes. During the meeting, mics and video will be enabled-you will need to personally turn them on-during this section only. All who comment will be asked to state their name and address for the meeting record.
- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee
- B. Community Development Committee
- C. Public Safety Committee
- D. Other Reports

IV. CONSENT AGENDA:

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

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- A. **Approval of Corrected Minutes:** April 2, 2024, City Council Workshop and April 9, 2024, City Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable check/vouchers #96591 to #96698, and wire transfers #39146071, #2024031301, #2024040301, #2024040401, and #2024040402 in the amount of \$371,869.28. **Voids:** None.
- C. **Approval of Payroll:** April 1 – 15, 2024 for checks #34969 - 34971 including Direct Deposits and Electronic Transfers totaling \$766,669.51. **Voids:** None.

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- D. **AB24-25 – Resolution R24-25** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Amend An Existing Professional Services Agreement With RH2 To Provide Design Services For A New Lakeridge 810 Zone Tank To Include The Design Of A New Lakeridge 748 Zone Tank.

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- E. **AB24-32 – Resolution R24-32** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Memorandum Of Understanding Between The City Of Bonney Lake And The Crystal Judson Family Center To Collaborate And Make An Application For The Office Of Violence Against Women 2024 Local Law Enforcement Grants For Enforcement Of Cybercrimes Program.

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- F. **AB24-30 – Motion M24-30** - A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Selecting The Members Of The City's Community Development Committee As The City Council's Representatives To Serve On The Joint Advisory Committee For The Sumner Wastewater Treatment Facility.

V. FINANCE COMMITTEE ISSUES: None.**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- Page 85 A. **AB24-26 – Resolution R24-26** – 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. (30 mins)

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- Page 89 A. **AB24-33 - Motion M24-33** - A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Identifying Growth Alternative Number Two As The City Council's Preferred Growth Alternative. (35 mins)

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110 (i), To Discuss Potential Litigation With Legal Counsel.

X. ADJOURNMENT

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

THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA



Proclamation

Drinking Water Week | May 5 – 11, 2024

WHEREAS, water is our most valuable natural resource; and

WHEREAS, tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of a successful society – low mortality rates, economic growth and diversity, productivity, and public safety – are in some way related to access to safe water; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

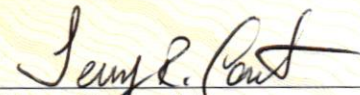
WHEREAS, each citizen of our city is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water.

NOW, THEREFORE, I, Terry Carter, Mayor of the City of Bonney Lake, do proclaim the week of May 5 through May 11, 2024, as

Drinking Water Week

in Bonney Lake, Washington.




Terry Carter, Mayor

**CITY COUNCIL WORKSHOP
MEETING**

**April 02, 2024
6:00 P.M.**

MINUTES



www.ci.bonney-lake.wa.us

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

Audio starts at:
06:00

I. CALL TO ORDER: Mayor Terry Carter

A. Pledge of Allegiance.

Audio starts at:
6:01

II. Roll Call: City Clerk Sadie Schaneman called the roll. In addition to Mayor Carter, other elected officials attending were Deputy Mayor Dan Swatman, Councilmember Gwendolyn Fullerton, Councilmember Kerri Hubler, Councilmember J. Kelly McClimans, and Councilmember Dan Roach. Councilmember Angela Baldwin was absent.

Councilmember Hubler moved to excuse Councilmember Baldwin from tonight's workshop. Councilmember McClimans seconded the Motion.

Motion approved 5-0.

Staff members in attendance at the physical location were City Administrator John Vodopich, Police Chief Mark Berry, Administrative Services Director Chuck McEwen, Interim Public Services Director Jason Sullivan, City Clerk Sadie Schaneman, City Engineer Ken Gill, Administrative Specialist II Debbie McDonald, and City Attorney Jennifer Robertson.

Staff members in virtual attendance: Chief Finance Officer Cherie Reiersen, Deputy City Attorney-Prosecutor Dena Burke, Recreation & Special Events Manager David Wells and Maintenance Worker I Austyn Young.

Councilmember Hubler moved to excuse Councilmember Baldwin from tonight's workshop. Councilmember McClimans seconded the Motion.

Motion approved 5-0.

III. AGENDA ITEMS:

Audio starts at:
6:02

A. **Proclamation:** Parks Appreciation Day.

Mayor Carter read the proclamation making April 20, 2024, Parks Appreciation Day in the City of Bonney Lake.

Audio starts at:
6:03

B. **Proclamation:** Arbor Day.

Mayor Carter read the proclamation making April 26, 2024, Arbor Day in the City of Bonney Lake.

Audio starts at:
6:05

C. Presentation: Veterans Memorial Dr./Angeline Rd. Round-A-Bout (RAB).

Interim Public Services Director Sullivan introduced City Engineer Ken Gill, Ryan Shea and Matt Weyrauch both from Shea Carr Jewel to present the Veterans Memorial Dr./Angeline Rd. round-a-bout. They discussed the options for the intersection, the amount of land needed for the different options and grants available for the project.

Council discussed and shared their ideas and concerns, including:

- Will the project meet ADA requirements.
- Can the City go after all four grants for the project.
- How the data was collected.

Council came to a consensus to move forward with applying for grants to assist with the round-a-bout at the intersection of Veterans Memorial Dr. and Angeline Rd.

Audio starts at:
6:31

D. Open Discussion:

Councilmember Fullerton:

Sewer Tour: Councilmember Fullerton announced that the waste treatment plant tour was rescheduled for May 21, 2024. Council will be able to discuss the tour that night at Workshop and a van would leave from the JMC parking lot at 3:45 P.M. that day to take Councilmembers and staff to the treatment plant.

Mayor Carter:

Robotics Competition: Mayor Carter along with Councilmember McClimans attended the Robotics Competition at Bonney Lake High School. He was amazed by what the students created and how all the teams helped each other out.

Easter Egg Hunt: Mayor Carter along with Councilmember Hubler attended the City's Easter Egg Hunt. It was a great turnout with many prizes being handed out.

Councilmember Swatman:

Council Retreat: Councilmember Swatman asked Council to send him an email on what dates work best for the retreat and any items for the retreat agenda.

New Council Applications: Councilmember Swatman asked for any Council applications to be sent out earlier than Monday April 8, 2024. Council would like more time to review the applications.

Councilmember McClimans:

Sumner-Bonney Lake School Districts Capital Facilities Advisory Committee:

Councilmember McClimans reported the committee met for the last time. They will not be doing a pool up here in Bonney Lake instead keeping it down at Sumner High School. The recommendation to go out for a 750-million-dollar bond will be going before the School Board tomorrow night.

Audio starts at:
6:50

- E. **Preview of Council Minutes:** March 19, 2024, City Council Workshop, and March 26, 2024, City Council Meeting.

The draft minutes were forwarded with no corrections to the April 9, 2024, meeting for approval.

City Clerk Schaneman asked if there was another Councilmember interested in reviewing the draft minutes along with Councilmember Fullerton.

Councilmember Hubler replied she would have time to review minutes.

Audio starts at:
6:51

- F. **Discussion: AB24-21 – Resolution R24-21 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Transfer Of Funds From The General Fund To The Water Fund To Purchase The Reed Property For Park Purposes And Amending Resolution 2734 Declaring The Reed Property Surplus To The City's Needs.**

Interim Public Services Director Sullivan explained that Council wanted the city to continue moving forwards with the Memo of Understanding (MOU) on the Reed Property. Part of that was to transfer the property so as the city could lease it to Mt. Rainier Athletic Club (MRAC) as a lower lease option. He went over different options available to Council.

Council discussed and shared their ideas and concerns, including:

- The reasons for the transfer.
- The fair market value.
- A full lease vs. a reduced lease rate.
- Surplus options.
- Communications between MRAC and the City.

Council asked staff to form an Ad-Hoc Committee to see where all the interested parties stand on the project and bring a recommendation back to City Council.

Audio starts at:
7:18

IV. EXECUTIVE SESSION:

Mayor Carter announced the City Council will meet in Executive Session pursuant to RCW 42.30.110(1)(h). to discuss potential litigation with legal counsel. He stated the session will last for 20 minutes. The meeting began at 7:18 p.m.

Due to no action being taken on the matter, Mayor Carter announced the Council Meeting would now be adjourned.

Mayor Carter requested a 10-minute continuation at 7:38 p.m., a 20-minute continuation at 7:48 p.m., and the session concluded at 8:08 p.m.

V. ADJOURNMENT:

At 7:18 p.m. the Meeting was adjourned by Mayor Carter with the common consent of the City Council.

Sadie A. Schaneman, City Clerk

Terry Carter, Mayor

Items presented to Council at the April 2, 2024, Workshop: None.

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

CITY COUNCIL MEETING

April 09, 2024
6:00 P.M.
MINUTES



www.ci.bonney-lake.wa.us

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

Audio starts at:
06:00:00

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

- A. Pledge of Allegiance: Mayor Carter led the audience in the Pledge of Allegiance.
- B. Roll Call: City Clerk Sadie Schaneman called the roll. In addition to Mayor Carter, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Angela Baldwin, Councilmember Gwendolyn Fullerton, Councilmember Kerri Hubler, Councilmember J. Kelly McClimans, and Councilmember Dan Roach.

Staff members in attendance at the physical location were City Administrator John Vodopich, Administrative Services Director Chuck McEwen, Assistant Chief of Police James Keller, Interim Public Services Director Jason Sullivan, City Prosecutor Dena Burke, Legal Specialist II Carol Paul, Maintenance Worker III Joe Lovett, City Clerk Sadie Schaneman, and Records & Disclosure Coordinator Kandice Besaw.

Staff members in virtual attendance using the City's BlueJeans conference line were Chief Financial Officer Cherie Reiersen, Judge Joanna Daniels, Assistant to City Administrator Leslie Harris, Recreation & Special Events Manager David Wells, Administrative Specialist II Debbie McDonald, and City Attorney Jennifer Robertson.

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

Audio starts at:
06:01:16

1. Announcement:

Councilmember Fullerton:

Communities for Families Coalition: Councilmember Fullerton shared that she attended the Communities for Families Coalition Meeting on April 4, 2024. They are preparing for the Community Summit and there is a friendly competition between Bonney Lake and Sumner Council to bring in the most needed "essential" items. Collection bins will be located at both cities.

2. **Appointment: AB24-20 – Motion M24-20** - A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Consenting To The Mayor's Reappointment Of Planning Commissioners Grant Sulham To Position #3 And Debbie Strous-Boyd To Position #4 And The Appointment Of Sara Wood To Planning Commission Position #6 All With Terms Expiring On April 6, 2027.

Councilmember McClimans moved to approve the Motion.
Councilmember Hubler seconded the motion.

Motion approved 6 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

Dan Decker, 20401 70th St E, Bonney Lake: Spoke about lethal poisons and how the government has used trickery to get us to take it.

Erin Muske, Bonney Lake Library: Gave updates on upcoming Library events such as the Kindness club, Daffodil Princess reading and she also let Council know that the Tehaleh Rotary Club will be organizing a road cleanup April 20th for the trash that is on the sides of the road going up the hill.

Laurie Shapiro, 7214 194th Ave E, Bonney Lake: Thanked the city for the no parking signs on 194th, inquired about no towing signs and expressed her concern for the boat launch and park security.

Steve McCoy, 16911 42nd Ct. E.: Expressed appreciation for Council for everything they do they do, their dedication, and their commitment.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman reported the Finance Committee met in person and virtually today at 5:00 p.m. The Committee went thru personnel updates, discussed and forwarded AB24-32 to a future meeting, discussed website updates, the recreation program, and approved their minutes.
- B. Community Development Committee: Councilmember Fullerton reported the Community Development Committee met in person and virtually on April 2, 2024, at 5:00 p.m. The Committee discussed and forwarded AB24-25 and AB24-

26 to a future meeting, discussed the wastewater treatment tour and approved their minutes.

- C. Public Safety Committee: Councilmember Baldwin reported the Public Safety Committee met in person and virtually today at 3:30 p.m. The Committee received an update from the Police Department and East Pierce Fire and Rescue; received a report from the Emergency Manager and the Prosecutor, reviewed the Allan Yorke Park operational plan, discussed and forwarded AB24-28 to a future meeting and approved their minutes.

- D. Other Reports: None.

Audio starts at: **IV.**
06:31:00

CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** March 19, 2024, City Council Workshop and March 26, 2024, City Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable check/vouchers #96509 to #96590, and wire transfers #2024030101, #2024030401, #2024031317, #2024032101, #2024032401, #2024032402, and #2024031701 in the amount of \$787,158.11. **Voids:** None.
- C. **Approval of Payroll:** March 16 – 31, 2024 for checks #34959 - 34968 including Direct Deposits and Electronic Transfers totaling \$929,035.75. **Voids:** None.

Councilmember Fullerton moved to approve the Consent Agenda. Councilmember Roach seconded the motion.

Consent Agenda approved 6 – 0.

- V. FINANCE COMMITTEE ISSUES:** None.

- VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.

- VII. PUBLIC SAFETY COMMITTEE ISSUES:** None.

Audio starts at: **VIII. FULL COUNCIL ISSUES:**
06:32:36

- A. **City Council Candidate Speeches/Interviews (15 minutes per candidate).**

Mayor Carter went over the interview process. He explained that at the conclusion of the interviews the Council will go into an executive session and return to the meeting to open the floor for nominations and voting.

The applicants were interviewed in the following order:

Jessie Lovett

Chris Blanco
Aaron Davis
Rod Vincent
Teresa Caron
Joe Finden

IX. EXECUTIVE SESSION:

Audio starts at:
07:45:57

Mayor Carter announced the City Council will meet in Executive Session pursuant to RCW 42.30.110(1)(h) to discuss the qualifications of a candidate for appointment to elective office. Mayor Carter announced the meeting would last 20 minutes. The meeting began at 7:46 p.m.

Mayor Carter requested a 15-minute continuation at 8:06 p.m., City Administrator John Vodopich a 15-minute continuation at 8:21 p.m., Sadie Schaneman a 2-minute continuation at 8:36 p.m., City Administrator John Vodopich a 5-minute continuation at 8:38 p.m., and the session concluded at 8:43 p.m.

X. DISCUSSION REGARDING VACANCY:

Audio starts at:
08:06:00

Mayor Carter opened the floor for nominations. Councilmember Fullerton nominated Teresa Caron. Councilmember Hubler nominated Jessie Lovett. Councilmember Roach nominated Chris Blanco. Mayor Carter closed the nominations.

Each nominee received 3 votes resulting in a tie. Mayor Carter asked if any Councilmember was willing to change their vote to reach a majority. All Councilmembers voted no to changing their votes.

Councilmember McClimans moved to reopen nominations. Councilmember Swatman seconded the motion.

**Motion approved 4 – 2.
Councilmember Baldwin and Fullerton voted no.**

Councilmember Roach nominated Aaron Davis.

Mayor Carter asked for votes and each nominee received 3 votes resulting in a tie. With no majority vote again, Council decided to go into executive session to discuss nominees.

Deputy Mayor Swatman moved to extend the meeting past 9:00 p.m. and to go into executive session. Councilmember Fullerton seconded the motion.

Motion approved 6 – 0.

Mayor Carter announced the City Council will meet in Executive Session pursuant to RCW 42.30.110(1)(h) to discuss the qualifications of a candidate for appointment to elective office. Mayor Carter announced the meeting would last 20 minutes. The meeting began at 8:53 p.m.

City Administrator John Vodopich requested a 20-minute continuation at 8:53 p.m., a 10-minute continuation at 9:13 p.m., a 10-minute continuation at 9:23 p.m., and the session concluded at 9:33 p.m.

Councilmember Hubler moved to postpone the nominations to the April 16th Council Workshop. Councilmember McClimans seconded the motion.

Motion approved 6 – 0.

XI. ADJOURNMENT:

At 9:36 p.m. the Meeting was adjourned by Mayor Carter with the common consent of the City Council.

Sadie A. Schaneman, CMC, City Clerk

Terry Carter, Mayor

Items presented to Council at the April 09, 2024, Meeting for the record: None.

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

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

Department/Staff Contact: PS / Ken Gill	Meeting/Workshop Date: April 23, 2024	Agenda Bill Number: AB24-25
Agenda Item Type: Resolution	Ordinance/Resolution Number: R24-25	Sponsor:

Agenda Subject: Professional Service Agreement Amendment With RH2.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Amend An Existing Professional Services Agreement With RH2 To Provide Design Services For A New Lakeridge 810 Zone Tank To Include The Design Of A New Lakeridge 748 Zone Tank.

Administrative Recommendation: Approve.

Background Summary: The City's water system has 2 main service zones based upon elevation. Design is underway on a new water tank to serve the 810 service zone. The demand for water in the 748 zone continues to grow, and the existing 748 tank was built in 1963. The tank is at the end of its design life and in the way of construction of the proposed 810 tank. Replacing the existing 748 tank with a larger reservoir will provide additional storage and reduce reliance on Tacoma Water. The Water Comprehensive Plan and rates include a plan and funding to build a new 748 water tank at the Lakeridge water site in 2026. RH2 scope and fee is \$258,632. To fund the design of the 748 tank, \$258,632 in funding from Cedar View Water Main will need to be transferred to the amended Lakeridge 810 project contract to include the Lakeridge 748 project.

Attachments: Resolution 24-25, PSA, Lakeridge 810 and 748 Reservoir Council Workshop Presentation.

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
0	0	\$258,632	(\$258,632)	☐ General ☒ Utilities ☐ Other

Budget Explanation: The City Has Budgeted \$2,050,000 In 2023 And 2024 For The Cedar View Water Main Replacement Project And \$1,427,751 Is Available To Be Allocated To Support The Lakeridge 810 And 748 Project.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Community Development	<i>Approvals:</i>		Yes	No
	Date: 2 April 2024	Chair/Councilmember	Gwendolyn Fullerton	☒	☐
		Councilmember	Dan Swatman	☒	☐
		Councilmember	J Kelley McClimans	☒	☐
	Forward to:	Consent Agenda: ☒ Yes ☐ 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: Jason Sullivan	Mayor: Terry Carter	Date Reviewed by City Attorney: (if applicable)
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RESOLUTION NO. R24-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, TO AMEND AN EXISTING PROFESSIONAL SERVICES AGREEMENT WITH RH2 TO PROVIDE DESIGN SERVICES FOR A NEW LAKERIDGE 810 ZONE TANK TO INCLUDE THE DESIGN OF A NEW LAKERIDGE 748 ZONE TANK.

WHEREAS, the 2023-2024 Biennial budget includes funding in the amount of \$7,625,000 for the construction of a new 810 zone tank on the Lakeridge reservoir parcel; and

WHEREAS, on June 13th, 2023, Resolution 3157 authorized the mayor to sign a contract with RH2 in the amount of \$438,500 to design a new Lakeridge 810 zone tank; and

WHEREAS, RH2 has started design of the Lakeridge 810 zone tank and is recommending that the design of the Lakeridge 748 zone tank and the Lakeridge 810 zone tank be performed concurrently for economy of scale in permitting and construction to reduce cost; and

WHEREAS, RH2 and staff presented the concurrent design concept to council workshop on March 5th, 2024 and received direction to bring a contract amendment for review and approval; and

WHEREAS, RH2 provided a scope and fee in the amount of \$258,632 from RH2 to provide design services to construct a new Lakeridge 748 zone tank; and

WHEREAS, the City has budgeted \$2,050,000 in 2023 and 2024 for the Cedar View Water Main Replacement Project and \$1,427,751 is available to be allocated to support the Lakeridge 810 and 748 project; and

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

Section 1. Authorization of Contract. The Mayor is authorized to sign the attached contract amendment with RH2 in the amount of \$258,632 for a total authorization amount of \$697,132 for the design of the Lakeridge 810 and 748 zone tanks.

Section 2. Transfer of Funds Authorized. The Mayor is authorized to direct City staff to transfer \$258,632 from the Cedar View Water Main project to the amended Lakeridge 810 project to include the Lakeridge 748 project.

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

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, CMC, City Clerk

**SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF BONNEY LAKE AND RH2 ENGINEERING, 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 **RH2 Engineering, Inc.**, a Washington corporation, having its principal place of business at 1201 Pacific Ave, Suite 1750, Tacoma, Washington 98402 (“**Consultant**”) (individually a “**Party**” and collectively the “**Parties**”).

RECITALS:

WHEREAS, the Parties entered into a Professional Services Agreement on June 13, 2023 (hereinafter “**Agreement**”) for purposes of allowing Consultant to provide design services to construct a new Lakeridge 810 Zone Tank for the City; and

WHEREAS, by agreement of the Parties the Agreement was previously amended on February 12, 2024 to incorporate all terms of the DWSRF Municipal Loan Contract 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:

To provide design services to add the Lakeridge 748 Replacement Reservoir to the Lakeridge 810 Reservoir project and prepare construction documents for the two reservoirs.

See Attachments and Exhibits for complete Scope of Work and Fees.

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 First 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

CONSULTANT:

RH2 Engineering, Inc.
a Washington corporation

By: _____

Name: Terry Carter

Title: Mayor

Date: _____

By: _____

Name: Geoffrey Dillard

Title: Director

Date: _____

ATTEST:

Sadie A. Schaneman, CMC, City Clerk

APPROVED AS TO FORM:

Jennifer S. Robertson, City Attorney

Attachments:

RH2 Engineering Inc, Contract Amendment No. 2

Exhibit A: Scope of Work

Exhibit B: Fee Estimate

Exhibit C: Schedule of Rates



March 5, 2024

6:00PM

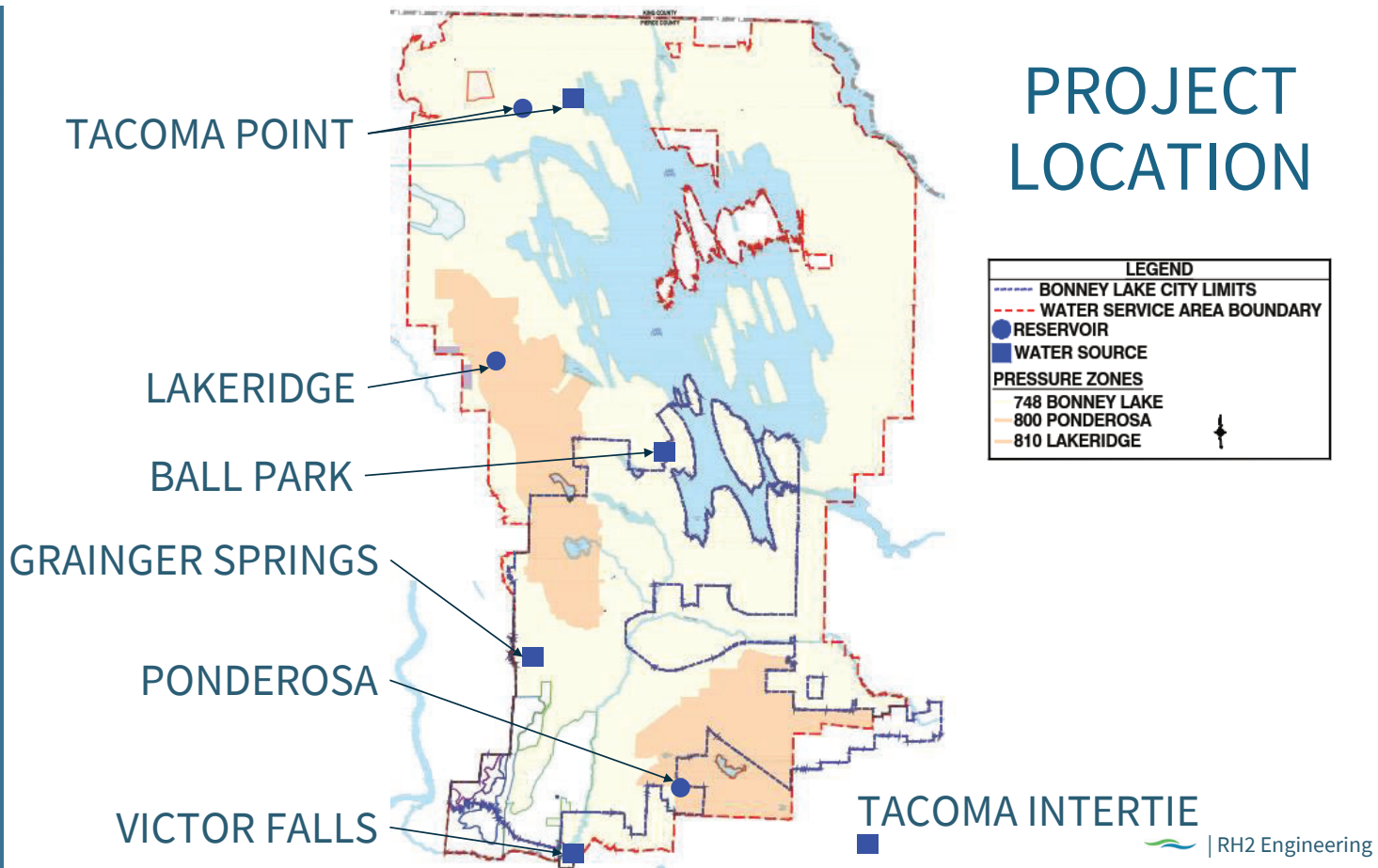
Lakeridge 810 Reservoir and Lakeridge 748 Reservoir Council Workshop Presentation

Clayton Posey, P.E.

RH2 Engineering Inc.



PROJECT LOCATION



PROJECT BACKGROUND

CIP ST3: Lakeridge 810 Zone Reservoir

Deficiency: The City does not currently have a storage facility in this zone.

Improvement: Select and obtain a property for the Lakeridge 810 Reservoir that has an optimum ground elevation and is conducive to permitting a tall water tank. Construct a new reservoir in the upper elevations of the 810 Zone to provide gravity storage for existing and future customers. The new reservoir will have an overflow elevation of approximately 810 feet. The new reservoir will be sized to provide approximately 1.3 MG of usable storage.

- Lakeridge 810 Zone Reservoir**
- Water System Plan Schedule: 2023
 - City 2023/2024 Budget
 - Funded by Department of Health (Drinking Water State Revolving Fund Loan)

CIP ST4: Lakeridge 748 Zone Water Reservoir

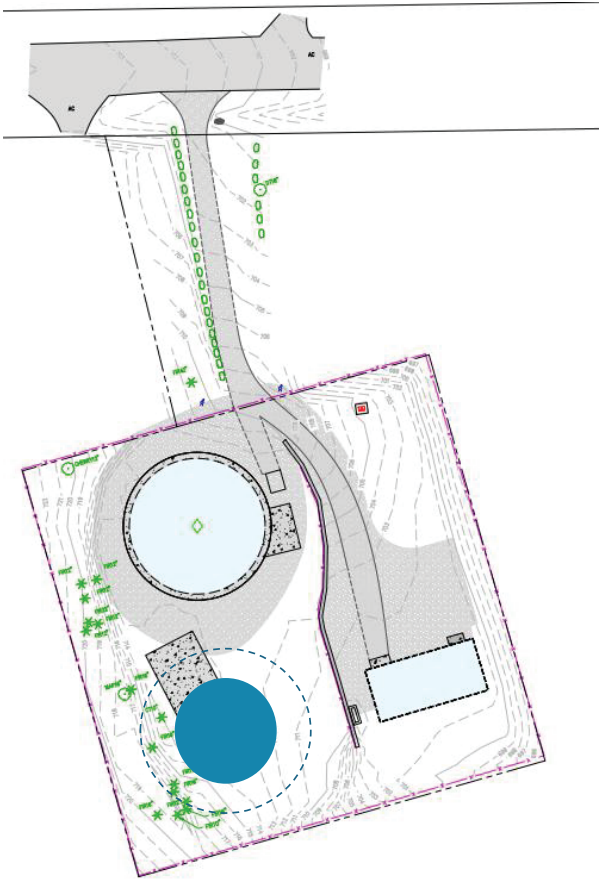
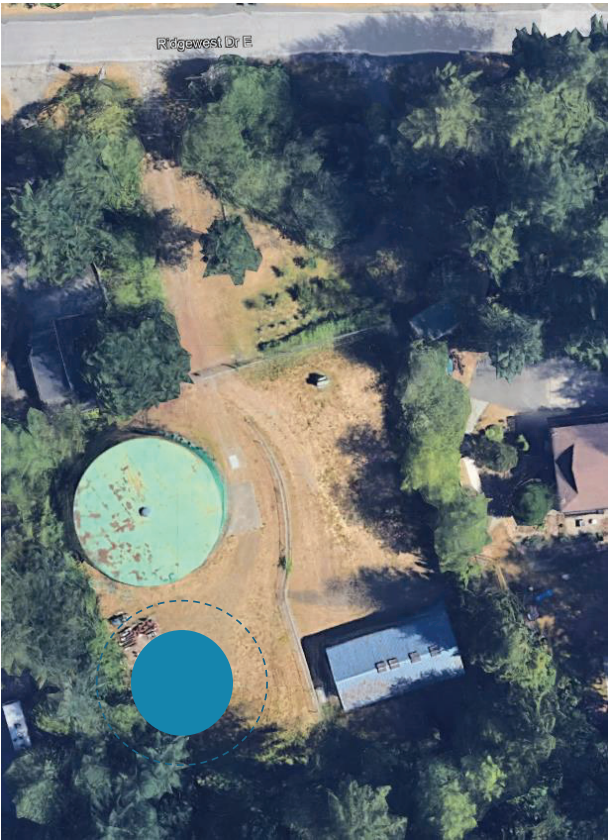
Deficiency: Additional storage capacity is required to accommodate growth. It is estimated that 1.9 MG of storage capacity will be required to accommodate projected growth through 2035.

Improvement: Construct a new reservoir in the 748 Pressure Zone to provide gravity storage to the water system. The new reservoir will have an overflow elevation of 748 feet and needs to be sized to provide approximately 1.9 MG of usable storage. The preferred location for this reservoir is in the central part of the water a system, since there are no sources of supply in this location.

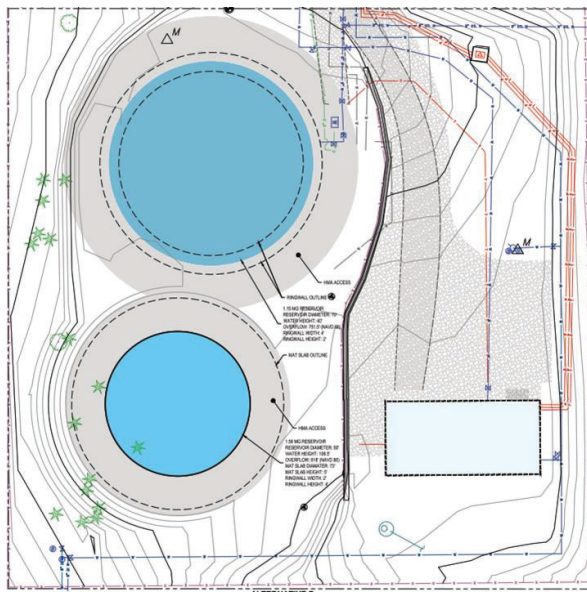
- Lakeridge 748 Zone Reservoir**
- Water System Plan Schedule: 2024
 - City 2025/2026 Budget
 - Funded by commodity rates and system development charges



SITE CONSTRAINTS



WHY COMBINE PROJECTS?



- Provides significant cost savings
- Improves constructability
- Reduces risk
- Helps control rates
- Reduces reliance on Tacoma Water
- Minimizes construction nuisance to neighbors
- Provides Economy of scale
- Allows for One time mobilization, demobilization, and overhead cost
- Reduces construction administration cost
- Provides design cost savings
 - One bid package vs two
 - Economy of scale

10% - 20% Cost Savings!



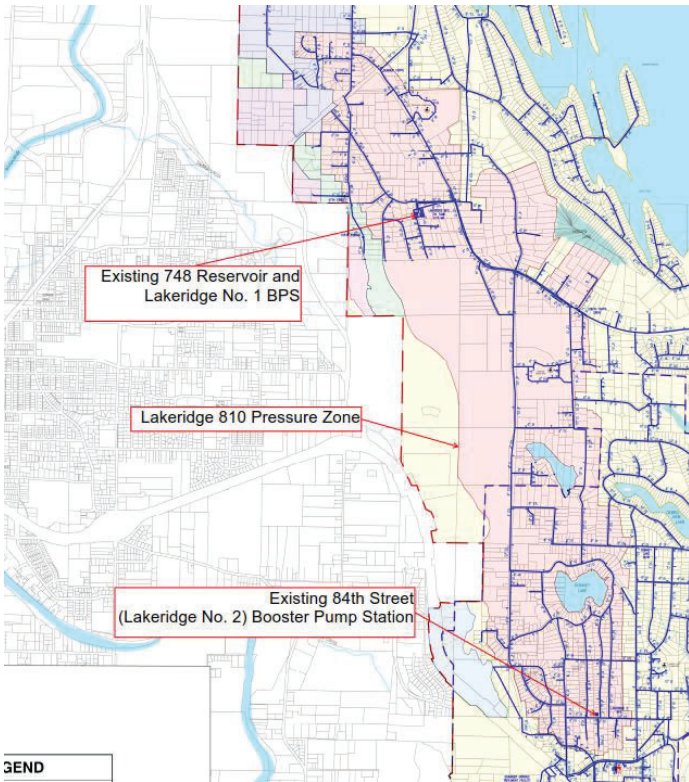


CIP ST4: Lakeridge 748 Zone Water Reservoir

Deficiency: Additional storage capacity is required to accommodate growth. It is estimated that 1.9 MG of storage capacity will be required to accommodate projected growth through 2035.

Improvement: Construct a new reservoir in the 748 Pressure Zone to provide gravity storage to the water system. The new reservoir will have an overflow elevation of 748 feet and needs to be sized to provide approximately 1.9 MG of usable storage. The preferred location for this reservoir is in the central part of the water a system, since there are no sources of supply in this location.

- A Capital Improvement Plan Identified in the Water System Plan and approved by Department of Health (DOH).
- Funded by rates and already included in 2025-2026 budget.
- Schedule for design in 2025 and construction in 2026.
- The 748 pressure zone needs additional storage to meet growth and demand.
- The existing Lakeridge 748 Reservoir was constructed in 1963, requires recoating, and is undersized and underutilized.
- Replacing the existing 748 Reservoir with a larger 748 reservoir would provide the additional 748 storage, would allow operations to utilize the reservoir, and would help reduce reliance on Tacoma Water.



CIP ST3: Lakeridge 810 Zone Reservoir

Deficiency: The City does not currently have a storage facility in this zone.

Improvement: Select and obtain a property for the Lakeridge 810 Reservoir that has an optimum ground elevation and is conducive to permitting a tall water tank. Construct a new reservoir in the upper elevations of the 810 Zone to provide gravity storage for existing and future customers. The new reservoir will have an overflow elevation of approximately 810 feet. The new reservoir will be sized to provide approximately 1.3 MG of usable storage.

- A Capital Improvement Plan Identified in the Water System Plan and approved by Department of Health (DOH)
- Design is in process. Construction scheduled for 2025.
- Funded by DOH Drinking Water State Revolving Fund.
- Converts the Lakeridge 810 Pressure Zone from a closed zone to an open zone.
- Adding gravity storage provides reliability and redundancy for normal use and fire flow.
- Open pressure zones are more efficient and simplify operations and maintenance.

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

Department/Staff Contact: Executive/Dena Burke Deputy City Attorney Prosecutor	Meeting/Workshop Date: April 23, 2024	Agenda Bill Number: AB24-32
Agenda Item Type: Resolution	Resolution: R24-32	Sponsor:

Agenda Subject: Memorandum Of Understanding Between The City Of Bonney Lake And The Crystal Judson Family Center To Collaborate And Make An Application For The Office Of Violence Against Women 2024 Local Law Enforcement Grants For Enforcement Of Cybercrimes Program.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Memorandum Of Understanding Between The City Of Bonney Lake And The Crystal Judson Family Center To Collaborate And Make An Application For The Office Of Violence Against Women 2024 Local Law Enforcement Grants For Enforcement Of Cybercrimes Program.

Administrative Recommendation: Approve.

Background Summary: The Office of Violence Against Women is a component of the United States Department of Justice (DOJ). OVW administers grant programs authorized by the Violence Against Women Act (VAWA). OVW grants support coordinated community responses that provide services to victims and holds offenders accountable. The Local Law Enforcement Grants for Enforcement of Cybercrimes Program supports efforts by various government agencies, including local government, to prevent, enforce, and prosecute cybercrimes against individuals. Cybercrimes against individuals are criminal offenses that involve the use of a computer to harass, threaten, stalk, extort, coerce, cause fear to, or intimidate an individual, or without consent distribute intimate images of an adult. This grant can be utilized to support training for local law enforcement personnel, prosecutors, judges, and judicial personnel relating to cybercrimes against individuals, as well as assistance to State, Tribal, or local law enforcement agencies in enforcing laws that prohibit cybercrimes against individuals, educating the public, supporting victim assistants, establishing task forces, and acquiring computers and equipment necessary to conduct investigations and forensic analysis of evidence. To be eligible for this grant, there is a requirement of partnering with a victim service provider and that the partnership be documented in a Memorandum of Understanding (MOU). It is proposed that the City partner with the Crystal Judson Family Center for this grant application. Authorizing the Mayor to sign the attached MOU will enable City staff to apply for the grant. This MOU is only for the grant application and if the grant application is successful and an award is received. If no grant award is received, then there would be no obligations for either party under the MOU. The maximum award possible is \$500,000 over a 36-month period starting in the federal fiscal year of October 1, 2024.

Attachments: Memorandum of Understanding; Office of Violence Against Women Fiscal Year 2024 Local Law Enforcement Grants for Enforcement of Cybercrimes Program – Solicitation.

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
Max +\$500k over 36-month period				☐ General ☐ Utilities ☐ Other

Budget Explanation: City Would Receive Funds From The Granting Agency.

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Finance Committee	Approvals:		Yes	No
	Date: 04/09/2024	Chair/Councilmember	Deputy Mayor Swatman	☒	☐
		Councilmember	Councilmember Fullerton	☒	☐
		Councilmember	Councilmember Hubler	☒	☐
	Forward to:	Consent Agenda: ☒ Yes ☐ 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: John Vodopich	Mayor: Terry Carter	Date Reviewed by City Attorney: (if applicable)
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RESOLUTION NO. R24-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BONNEY LAKE AND THE CRYSTAL JUDSON FAMILY JUSTICE CENTER TO COLLABORATE AND MAKE AN APPLICATION FOR THE OFFICE OF VIOLENCE AGAINST WOMEN 2024 LOCAL LAW ENFORCEMENT GRANTS FOR ENFORCEMENT OF CYBERCRIMES PROGRAM.

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center have come together to collaborate and to make an application for the Office on Violence Against Women Local Law Enforcement Grants for Enforcement of Cybercrimes Program; and

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center have agreed to enter into a collaborative agreement in which the City of Bonney Lake will be the lead agency the Crystal Judson Family Justice Center will be a partner in this application; and

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center herein desire to enter into a Memorandum of Understanding setting forth the services, training, and technology to be provided by the collaboration; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the Office on Violence Against Women on or before April 29, 2024;

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

Section 1. The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign Memorandum of Understanding Between the City of Bonney Lake and the Crystal Judson Family Center to Collaborate and Make an Application for the Office of Violence Against Women 2024 Local Law Enforcement Grants for Enforcement of Cybercrimes Program attached hereto and incorporated herein by this reference.

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

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, CMC, City Clerk

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BONNEY LAKE AND THE CRYSTAL JUDSON FAMILY CENTER TO COLLABORATE AND MAKE AN APPLICATION FOR THE OFFICE OF VIOLENCE AGAINST WOMEN 2024 LOCAL LAW ENFORCEMENT GRANTS FOR ENFORCEMENT OF CYBERCRIMES PROGRAM

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center have come together to collaborate and to make an application for the Office on Violence Against Women Local Law Enforcement Grants for Enforcement of Cybercrimes Program; and

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center have agreed to enter into a collaborative agreement in which the City of Bonney Lake will be the lead agency the Crystal Judson Family Justice Center will be a partner in this application; and

WHEREAS, the City of Bonney Lake and Crystal Judson Family Justice Center herein desire to enter into a Memorandum of Understanding setting forth the services, training, and technology to be provided by the collaboration; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the Office on Violence Against Women on or before April 29, 2024;

I) Description of Partner Agencies

The City of Bonney Lake (the City) is the fifth largest city in Pierce County, and it has been one of the faster growing cities in Washington State. The area was established in 1853, but not incorporated until 1949 with just 327 residents. Today, Bonney Lake is home to more than 20,500 residents, with a service population well in excess of 25,000. The City of Bonney Lake is a balanced community with a residential character that conserves natural amenities while supporting a diverse mix of economic activities. The community provides places for children and residents to meet and socialize, and it is a center for diverse cultural and social opportunities such as theater, art, social organization meetings and celebrations. The City promotes a safe, attractive and healthful living environment for residents' various physical, educational, economic and social activities while maintaining an adequate tax base to provide a high level of accountable, accessible, and efficient local government services. The City is an active participant in interlocal and regional services and planning organizations.

The City of Bonney Lake staffs its own Police Department with 34 officers and 3 records clerks. The Police Department investigates felony, gross misdemeanor, and misdemeanor crimes, including domestic violence crimes, cyber harassment, stalking, violation of a no contact order or protection order, and other similar crimes. In 2023, the Police Department investigated relevant cases as follows: 129 domestic violence offenses; 30 violations of a no contact order; more than 10 pornography related cases mainly involving the Internet Crimes Against Children Task Force Program (ICAC); 8 forcible sex offenses; and, 1 kidnapping. The City's proximity to the technology hub of Seattle, Wahington means many citizens and perpetrators have access to the latest technology, which the Police Department must keep up with to have thorough investigations and hold perpetrators accountable.

The City of Bonney Lake staffs its own Office of the Prosecuting Attorney, which consists of four staff members: two prosecuting attorneys and two administrative support legal specialists. This office prosecutes gross misdemeanor and misdemeanor crimes, including domestic violence, violation of a no contact order or protection order, cyber harassment, and nonconsensual disclosure of intimate images.

The Crystal Judson Family Justice Center (FJC) is based on an international model started in San Diego. This model co-locates law enforcement, prosecution, and community advocates to make it easier for survivors to navigate resources. All services on the community side are free and confidential. The FJC has 7 onsite community partners, 37+ co-located professionals, and over 20 offsite community partners. We have 8 different programs designed to disrupt the power and control wheel. They are:

1. Community advocacy
2. Protection Order/Legal Program
3. DV Helpline
4. Outreach (outreach from police reports and prosecutors offices)
5. Financial Services (DSHS and Department of Child Support)
6. Survivor Wellbeing (support group, art group and other next steps in healing)
7. Emergency stop gap services (food, menstrual products, diapers/wipes, etc.---this ebbs and flows based off donations)
8. Criminal justice services

II) History of Relationship

The Bonney Lake Police Department and the FJC have partnered on various training, supporting victims, and case investigations for well over ten years. This has included collaborating on trainings, providing help to victims to escape the perpetrator, and helping victims have confidence in the justice system to cooperate in the investigation and prosecution of the crime.

The Bonney Lake Prosecutor's Office and the FJC have partnered together since the Prosecutor's Office was formed in 2011. This has included providing resources to victims and trainings for staff.

III) Development of Application

The grant application is a collaboration of the following individuals from each partner agency: Dena Burke, Deputy-City Attorney Prosecutor, Bonney Lake Prosecutor's Office; Brian Byerley, Patrol Sergeant, Bonney Lake Police Department; and, Nadia Van Atter, Assistant Director, FJC. The collaboration began with Dena Burke reaching out to the FJC and Bonney Lake Police Department. All three individuals from each agency has been involved in brainstorming, writing, and reviewing the application.

IV) Roles and Responsibilities

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

The Bonney Lake Office of the Prosecuting Attorney will be the lead for the grant and ensure compliance with all federal rules. The Office of the Prosecuting Attorney will also coordinate sending staff attorneys and administrative staff to trainings that are relevant for learning about the latest trends and emerging issues in cyber crimes.

The Bonney Lake Police Department will coordinate on utilizing funds for police officer training and technology needs.

The Bonney Lake Police Department and FJC will coordinate on utilizing grant funds to host trainings on technology and crimes in the Bonney Lake, Washington; Tacoma, Washington; and Pierce County, Washington area.

All partner agencies will contribute staff time.

The following individuals from each agency will work together on utilizing the grant funds for grant projects: Dena Burke, Deputy-City Attorney Prosecutor, Bonney Lake Prosecutor's Office; Brian Byerley, Patrol Sergeant, Bonney Lake Police Department; and, Nadia Van Atter, Assistant Director, FJC. All of the partners will work together to achieve the project goals and sustain the project once grant funds are no longer available.

V) Timeline

The roles and responsibilities described above are contingent on the City of Bonney Lake receiving funds requested for the project described in the OVW grant application.

Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be 10/01/2024 through 09/30/2027.

VI) Commitment to Partnership

1) The collaboration service area includes Bonney Lake, Washington, Tacoma, Washington, and Pierce County, Washington regions.

2) The partners agree to collaborate and provide trauma informed safety planning, resources and education to survivors to victims of domestic violence, sexual assault, commercial sexual exploitation, stalking and cybercrimes pursuant to the program narrative of the grant application attached to this agreement.

3) Compensation for FJC's partners' contribution to this project will be provided as outlined in the Office of Violence Against Women budget detail worksheet, consisting of utilizing grant funds to fund trainings and resources for victims.

4) We, the undersigned have read and agree with this Memorandum of Understanding. Further, we understand the proposed project and approve it.

By _____
Terry Carter, Mayor
City of Bonney Lake
Date _____

By _____
Mark Berry, Police Chief
City of Bonney Lake
Date _____

By _____
Dena Burke, Deputy City Attorney-Prosecutor
City of Bonney Lake
Date _____

By  _____
Craig Roberts, Director
Crystal Judson Family Center
Date 4/15/2024



U.S. Department of Justice
Office on Violence Against Women (OVW)

OVW Fiscal Year 2024 Local Law Enforcement Grants for Enforcement of Cybercrimes Program - Solicitation

Assistance Listing Number: 16.060

Grants.gov Opportunity Number: O-OVW-2024-171924

Solicitation Release Date: January 31, 2024

Deadline to submit SF-424 and SF-LLL in Grants.gov: 11:59 PM Eastern Time (ET) on April 29, 2024.

Deadline to submit full application in JustGrants: 8:59 PM ET on May 1, 2024.

Eligibility:

Eligible applicants are limited to: States, Indian Tribes, and units of local government in the United States or U.S. territories. For more information, see the [Eligibility Information](#) section of this solicitation.

Letter of Intent

Applicants are strongly encouraged to submit a non-binding Letter of Intent to ovw.cybercrimes@usdoj.gov by March 15, 2024. Applicants that do not submit a Letter of Intent can still apply. For more information, see the [Application and Submission Information](#) section of this solicitation.

Pre-Application Information Session

OVW will conduct an optional web-based Pre-Application Information Session. During this session, OVW staff will review the program's requirements, review the solicitation, and allow for a brief question and answer period. For more information, see the [Application and Submission Information](#) section of this solicitation.

Contact Information

For assistance with the requirements of this solicitation, email OVW at ovw.cybercrimes@usdoj.gov. Applicants also may call OVW at 202-307-6026.

Registration Information: OVW encourages first time applicants to apply for funding.

Organizations applying for the first time must complete registrations with multiple systems:

- i. System for Award Management (SAM) (<https://sam.gov/content/entity-registration>)
- ii. Grants.gov (grants.gov/applicants/applicant-registration)
- iii. JustGrants registration needs to be completed **ONLY** after successful submission of Step 1 of the application as described below.

For more information, see the [Prior to Application Submission](#) section of this solicitation.

Organizations that have applied for funding previously **must ensure their accounts with SAM, Grants.gov, and JustGrants are active and up to date.**

Applicants are strongly encouraged to begin the registration process or ensure that all accounts are active and up to date by April 8, 2024.

Submission Information: Applications must be submitted to OVW through a two-step process that begins in Grants.gov and is completed in JustGrants:

Step 1: The applicant must **submit** by the Grants.gov deadline (11:59 PM ET on April 29, 2024) the required Application for Federal Assistance standard form (SF-424) and the Disclosure of Lobbying Activities form (SF-LLL) in Grants.gov. To view the forms prior to completing them in Grants.gov, applicants can go to the Package tab under the funding opportunity that they're applying for and select Preview. The Preview then provides links to the forms.

Step 2: The applicant must then submit the **full application**, including attachments, in JustGrants at <https://justicegrants.usdoj.gov/> by the JustGrants application deadline (8:59 PM ET on May 1, 2024). OVW encourages applicants to review the [JustGrants](#) website for more information, resources, and training.

Note that the Grants.gov and JustGrants deadlines are typically only a few days apart.

For more information about application submission, see the [How to Apply](#) section of this solicitation.

Notification

OVW anticipates notifying applicants of funding decisions by October 1, 2024.

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Program Description

Overview of OVW

OVW is a component of the United States Department of Justice (DOJ). Created in 1995, OVW administers grant programs authorized by the Violence Against Women Act (VAWA) and subsequent legislation and provides national leadership on issues of domestic violence, dating violence, sexual assault, and stalking. OVW grants support coordinated community responses that provide services to victims and hold offenders accountable.

About this OVW Program

This program is authorized by 34 U.S.C. § 30107. The Local Law Enforcement Grants for Enforcement of Cybercrimes Program (Cybercrimes Enforcement Program) (CFDA # 16.060) supports efforts by States, Indian Tribes, and units of local government to prevent, enforce, and prosecute cybercrimes against individuals. Cybercrimes against individuals are defined as criminal offenses that involve the use of a computer to harass, threaten, stalk, extort, coerce, cause fear to, or intimidate an individual, or without consent distribute intimate images of an adult, except that use of a computer need not be an element of the offense. (See 34 U.S.C. § 30107(a)(2)). Cybercrimes against individuals do not include the use of a computer to cause harm to a commercial entity, government agency or nonnatural person. Note: The term computer includes a computer network and an interactive electronic device.

The Cybercrimes Enforcement Program supports training for State, Tribal, or local law enforcement personnel, prosecutors, judges, and judicial personnel relating to cybercrimes against individuals, as well as assistance to State, Tribal, or local law enforcement agencies in enforcing laws that prohibit cybercrimes against individuals, educating the public, supporting victim assistants, establishing task forces, and acquiring computers and equipment necessary to conduct investigations and forensic analysis of evidence.

For additional information about OVW grant programs and related performance measures, including how awards contribute to the achievement of program goals and objectives, see:

- OVW grant program information: [OVW Grants and Programs Webpage](#).
- Program performance measures under the Measuring Effectiveness Initiative: [VAWA Measuring Effectiveness Initiative webpage](#).
- Program-specific sections in OVW's [most recent report to Congress](#) on the effectiveness of VAWA grant programs.

Program Scope

Activities supported by this program are determined by statute, federal regulations, and OVW policies. If an applicant receives an award, the funded project is bound by this solicitation, the [DOJ Financial Guide](#), including updates to the financial guide after an award is made, the [Solicitation Companion Guide](#), and the conditions of the award.

Purpose Areas

Pursuant to 34 U.S.C. § 30107, funds under this program must be used for one or more of the purposes outlined below.

Although the authorizing statute includes ten distinct purpose areas, OVW is requiring that **applicants must address purpose areas 1 and/or 2**. Applicants may choose to address additional purpose areas in their proposed project.

(1) Training for State, Tribal, or local law enforcement personnel relating to cybercrimes against individuals, including

(A) training such personnel to identify and protect victims of cybercrimes against individuals, provided that the training is developed in collaboration with victim service providers;

(B) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals;

(C) training such personnel to identify and investigate cybercrimes against individuals;

(D) training such personnel to enforce and utilize the laws that prohibit cybercrimes against individuals;

(E) training such personnel to utilize technology to assist in the investigation of cybercrimes against individuals and enforcement of laws that prohibit such crimes; and

(F) the payment of overtime incurred as a result of such training;

(2) Training for State, Tribal, or local prosecutors, judges, and judicial personnel relating to cybercrimes against individuals, including

(A) training such personnel to identify, investigate, prosecute, or adjudicate cybercrimes against individuals;

(B) training such personnel to utilize laws that prohibit cybercrimes against individuals;

(C) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals; and

(D) training such personnel to utilize technology to assist in the prosecution or adjudication of acts of cybercrimes against individuals, including the use of technology to protect victims of such crimes;

(3) Training for State, Tribal, or local emergency dispatch personnel relating to cybercrimes against individuals, including

(A) training such personnel to identify and protect victims of cybercrimes against individuals;

(B) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals;

(C) training such personnel to utilize technology to assist in the identification of and response to cybercrimes against individuals; and

- (D) the payment of overtime incurred as a result of such training;
- (4) Assistance to State, Tribal, or local law enforcement agencies in enforcing laws that prohibit cybercrimes against individuals, including **expenses incurred in performing enforcement operations**, such as overtime payments;
- (5) Assistance to State, Tribal, or local law enforcement agencies in **educating the public** in order to prevent, deter, and identify violations of laws that prohibit cybercrimes against individuals;
- (6) Assistance to State, Tribal, or local law enforcement agencies to support the **placement of victim assistants** to serve as liaisons between victims of cybercrimes against individuals and personnel of law enforcement agencies;
- (7) Assistance to State, Tribal, or local law enforcement agencies to establish **task forces** that operate solely to conduct investigations, forensic analyses of evidence, and prosecutions in matters involving cybercrimes against individuals;
- (8) Assistance to State, Tribal, or local law enforcement agencies and prosecutors in **acquiring computers, computer equipment, and other equipment** necessary to conduct investigations and forensic analysis of evidence in matters involving cybercrimes against individuals, including expenses incurred in the training, maintenance, or acquisition of technical updates necessary for the use of such equipment for the duration of a reasonable period of use of such equipment;
- Note:** Funds used for the acquisition of computers, computer equipment, and other equipment necessary to conduct cybercrime investigations and forensic analysis of evidence cannot exceed 50% of the budget.
- (9) Assistance in the facilitation and promotion of **sharing**, with State, Tribal, and local law enforcement agencies and prosecutors, of **the expertise and information of Federal law enforcement agencies** about the investigation, analysis, and prosecution of matters involving laws that prohibit cybercrimes against individuals, including the use of multijurisdictional task forces; or
- (10) Assistance to State, Tribal, and local law enforcement and prosecutors in processing **interstate extradition requests** for violations of laws involving cybercrimes against individuals, including expenses incurred in the extradition of an offender from one State to another.

OVW Priority Areas

In FY 2024, OVW has four programmatic priorities. The priority identified below is applicable to this program. Applicants are strongly encouraged, but not required, to address this priority area. Applicants that state they are addressing this priority area and meet the criteria will be given special consideration:

1. Advance equity and tribal sovereignty as essential components of ending sexual assault, domestic violence, dating violence, and stalking by improving outreach, services, civil and criminal justice responses, prevention, and support for survivors from historically marginalized and underserved communities, particularly those facing disproportionate rates or impacts of violence and multiple barriers to services, justice,

and safety.

- To receive special consideration under this priority, the applicant must partner with an organization that has a demonstrated and distinctive history of using culturally appropriate and linguistically specific strategies to serve communities that have been historically marginalized and that face barriers to accessing mainstream systems and service providers. At a minimum, to meet the priority, an applicant should describe these barriers and how its partner builds on the unique help-seeking strategies and sources of resilience found in its historically marginalized community. In addition, an applicant may provide data regarding disproportionate rates or impact of violence in the community served by its partner. This partnership must be documented in a mandatory memorandum of understanding submitted with the application and the proposed activities to address this priority area must be described in the proposal narrative. This *may* be the same organization that the applicant has selected to serve as the mandatory victim service partner, provided the necessary requirements of this section and the [Required Partnership](#) are met.

Activities that Compromise Victim Safety and Recovery or Undermine Offender Accountability

OVW does not fund activities that jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to avoid responsibility for their actions. Applications that propose any such activities may receive a deduction in points during the review process or may be eliminated from consideration. OVW may support survivor-centered alternative pathways to justice and non-criminal approaches to accountability that fall within the statutory scope of this program and do not compromise victim safety. Information on activities that compromise victim safety and recovery or undermine offender accountability may be found in the [Solicitation Companion Guide](#).

Out-of-Scope Activities

The activities listed below are out of the program scope and will not be funded under this program. See also the list of unallowable costs in the [Funding Restrictions](#) section of this solicitation.

1. Research projects. Funds under this program may not be used to conduct research, defined by 28 C.F.R. § 46.102(d) as a systematic investigation designed to develop or contribute to generalizable knowledge. Surveys and focus groups, depending on their design and purpose, may constitute research and therefore be out-of-scope. However, assessments conducted for internal improvement purposes only (see Limited Use of Funds below) may not be considered “research” as defined above. For information on distinguishing between research and assessments, see the [Solicitation Companion Guide](#).
2. Funds under this program may not be used to support activities related to the distribution of intimate images of a minor.
3. Funds under this program may not be used to support activities related to cybercrimes that include the use of a computer to cause harm to a commercial entity, government agency, or nonnatural person.

Applications that propose activities deemed to be substantially out-of-scope may receive a deduction in points during the review process or may be eliminated from consideration.

Limited Use of Funds

Grantees may use up to three percent of grant award funds to conduct an assessment for internal improvement purposes only, such as by convening a listening session to identify service gaps in the community or surveying training participants about the quality of training content and delivery. Applicants considering such assessments must refer to the OVW research decision tree in the Solicitation Companion Guide to ensure that the activity does not qualify as human subjects research. The [Solicitation Companion Guide](#) also provides additional information on federal requirements related to research, assessments, and surveys.

Activities Requiring Prior Approval

Recipients must receive prior approval before using grant funds to support surveys, regardless of the survey's purpose. Prior approval is necessary to determine whether the activity is within the scope of the award and meets the requirements of the Paperwork Reduction Act (see the [Solicitation Companion Guide](#) for more information).

Federal Award Information

Availability of Funds

All awards are subject to the availability of appropriated funds as well as any modifications or additional requirements imposed by law. There is no guarantee that funds will be available in the future. Depending on availability of funding and an applicant's merit, OVW may elect to make awards for a future fiscal year if an application is not selected under this solicitation.

Type of Award

Awards will be made as grants.

Award Period and Amount

The award period is 36 months. Budgets, including the total "estimated funding" on the SF-424, must reflect 36 months of project activity. OVW anticipates that the award period will start on October 1, 2024.

Awards under this program for FY 2024 will be made for up to \$500,000. OVW estimates that it will make up to ten awards for an estimated \$5,000,000.

OVW has the discretion to make awards for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants before making an award or after an award is made but prior to access to funds.

Types of Applications

In FY 2024, OVW will accept applications for this program from the following:

New: This is the first time awards have been made under this program. All awards are new.

Program Requirements

Applicants that receive funding under this program will be required to engage in the following activities:

1. Participation in OVW-sponsored training and technical assistance (TTA).

2. Collection of and reporting on performance indicators. (OVW will provide forms, instructions, training, and related tools on performance reporting.)
3. Participation in an assessment or evaluation, if OVW conducts one that requires grantee involvement.
4. Establish or continue a Coordinated Community Response (CCR) team to assess and improve responses to cybercrimes against individuals within the first six months of the award. The primary focus of this multi-disciplinary team must be on preventing, enforcing, and prosecuting these crimes.
5. Address the intersection of gender-based violence with technology-facilitated abuse and cybercrimes against individuals.
6. Implement the statutory purpose areas (1) addressing training for law enforcement and/or (2) addressing training for prosecutors, judges, and judicial personnel. (34 U.S.C. § 30107(d)).
7. Partner with a victim service provider, as defined in 34 U.S.C. § 12291(a)(50).
8. If implementing purpose area 8, spend no more than 50 percent of the award on purchasing equipment as authorized by 34 U.S.C. § 30107(d)(8).

Eligibility Information

Eligible Applicants

Pursuant to 34 U.S.C. § 30107(b), the following entities are eligible to apply for this program:

1. **States.**
“State” means each of the several states and the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands. See 34 U.S.C. § 12291(a)(37).
2. **Indian Tribes.**
The terms “Indian tribe” and “Indian Tribe” mean a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. See 34 U.S.C. § 12291(a)(22).
3. **Unit of local government.**
“Unit of local government” means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State. See 34 U.S.C. § 12291(a)(47). Pursuant to 28 C.F.R. § 90.2(g), the following are not considered units of local government and are not eligible to apply as the lead applicant – police departments, pre-trial service agencies, district or city attorneys’ offices, sheriffs’ departments, probation and parole departments, and universities. These entities may assume responsibility for the development and implementation of the project but must have their state, tribal government, or unit of local government apply as the lead applicant.

Ineligible Entities and Disqualifying Factors

Applications submitted by ineligible entities or that do not meet all program eligibility requirements will not be considered for funding. In addition, an application deemed deficient in one or more of the following categories may not be considered for funding: 1. activities that

compromise victim safety, 2. out-of-scope activities, 3. unallowable costs, 4. pre-award risk assessment, 5. completeness of application contents, and 6. timeliness.

Failure to comply fully with all applicable unique entity identifier and SAM requirements (see Application and Submission section for more information on these requirements) will result in removal from consideration.

An applicant with past performance issues, long-standing open audits, or an open criminal investigation also may not be considered for funding.

Cost Sharing or Matching

This program has no matching or cost-sharing requirement.

Other Program Eligibility Requirements

In addition to meeting the eligible entity requirements outlined above, applicants for this program must also meet the requirements below. All certification and other eligibility-related documents must be current and developed in accordance with the FY 2024 solicitation.

Certifications must take the form of a letter, on letterhead, signed, and dated by the authorized representative. Failure to provide required certifications may disqualify an application from further consideration. At a minimum, an applicant that fails to include the required certification letter will be required to submit that certification letter prior to receiving an award. The signed certification letter must be uploaded/attached as a separate attachment under the Additional Application Components section in JustGrants.

Note: For purposes of this program, the authorized representative is the chief executive officer of a State, Tribal government, or unit of local government.

Certifications and Assurances

Pursuant to 34 U.S.C. § 30107(c), an application submitted by the chief executive officer of a State, Tribal government, or unit of local government must include the following:

- (1) A certification that Federal funds made available under this program will not be used to supplant State, Tribal, or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities;
- (2) An assurance that, not later than 30 days before the application (or any amendment to the application) was submitted, the application (or amendment) was submitted for review to the governing body of the State, Tribe, or unit of local government (or to an organization designated by that governing body);
- (3) An assurance that, before the application (or any amendment to the application) was submitted, the application (or amendment) was made public and an opportunity to comment on the application (or amendment) was provided to citizens, to neighborhood or community-based organizations, and to victim service providers, to the extent applicable law or established procedure makes such an opportunity available;
- (4) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the

Office on Violence Against Women may reasonably require;

- (5) A certification, executed by the chief executive officer of the applicant, that—
- (i) the programs to be funded by the grant meet all the requirements of 34 U.S.C. § 30107;
 - (ii) all the information contained in the application is correct;
 - (iii) there has been appropriate coordination with affected agencies; and
 - (iv) the applicant will comply with all provisions of 34 U.S.C. § 30107 and all other applicable Federal laws;
- (6) a certification that the State, Tribe, or in the case of a unit of local government, the State in which the unit of local government is located, has in effect criminal laws which prohibit cybercrimes against individuals;
- (7) a certification that any equipment purchased using grant funds [described in 34 U.S.C. § 30107(d)(8)] will be used primarily for investigations and forensic analysis of evidence in matters involving cybercrimes against individuals.

A sample [Certifications and Assurances letter](#) can be found on the OVW website.

Required Partnerships

All applicants to the Cybercrimes Enforcement Program are required to partner with a victim service provider. The partnership must be documented in the mandatory [Memorandum of Understanding](#).

A victim service provider is a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal domestic violence and/or sexual assault coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including a domestic violence shelter, faith-based organization or other organization, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. See 34 U.S.C. § 12291(a)(50). Victim service providers must provide direct services to victims of domestic violence, dating violence, sexual assault, or stalking as one of their primary purposes and have a demonstrated history of effective work in this field.

Limit on Number of Applications

OVW will consider only one application per organization for the same service area (i.e., the geographic area to be served). In addition, if an applicant submits multiple versions of the same application, OVW will review only the most recent system-validated version submitted before the deadline.

Application and Submission Information

Address to Request Application Package

The complete application package (this solicitation, including links to required forms) is available on Grants.gov and on the [OVW website](#). Applicants wishing to request a paper copy of these materials should contact OVW at 202-307-6026 or ovw.cybercrimes@usdoj.gov.

Pre-Application Information Session

OVW will conduct a live web-based pre-application information session. During this live session, OVW staff will review this program's requirements, review the solicitation, and allow for a brief question and answer period. The live session is tentatively scheduled for:

- Thursday, February 15, 2024 at 2:00 pm ET.

Participation in a pre-application information session is optional and not a requirement to be eligible to apply and a recording will be available on the [OVW website](#).

To register for the live session, contact the Cybercrimes Unit at ovw.cybercrimes@usdoj.gov or at 202-307-6026. Registration must be received at least one day prior to the start of the session. Participants are not registered until they receive a confirmation email. The webinar will be captioned in English. Interested applicants needing additional language assistance should contact this program at ovw.cybercrimes@usdoj.gov or at 202-307-6026 as soon as possible, but no later than February 8, 2024.

Content and Form of Application Submission

The information below (**Letter of Intent** through **How to Apply**) describes the full content and form of application submission.

Letter of Intent

Applicants intending to apply for FY 2024 funding under this program are strongly encouraged to submit a Letter of Intent stating that they are registered and current with SAM and Grants.gov. The letter should be submitted to OVW at ovw.cybercrimes@usdoj.gov by March 15, 2024. This letter does not obligate the applicant to apply. See the OVW website for a sample [Letter of Intent](#).

Formatting and Technical Requirements

Applications must follow the requirements below for all documents attached to the application, unless otherwise noted. Points may be deducted for applications that do not adhere to the following requirements:

1. Double-spaced (charts may be single-spaced)
2. 8½ x 11 inch pages
3. One-inch margins
4. Arial font, type no smaller than 11 point, except for footnotes, which may be 9 point
5. Page numbers
6. No more than 20 pages for the Proposal Narrative
7. Documents in the following formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt)
8. Headings and sub-headings that correspond to the sections identified in this section of the solicitation

Application Contents

Applications must include the required documents and meet the program eligibility requirements. For a checklist, see the [Application Checklist](#) in the Other Information section of this solicitation.

OVW will not contact applicants for missing items on the list below. **Applications that do not include all the following documents will not be considered for funding:**

1. Proposal Narrative
2. Budget Detail Worksheet and Narrative
3. Signed Memorandum of Understanding (MOU)

Application for Federal Assistance (SF-424)

Applicants must complete the SF-424 in Grants.gov as part of **Step 1 of the application submission process**. The SF-424 is generated when the applicant begins the submission process in Grants.gov. For Type of Applicant (box 9), do not select "Other". The amount of federal funding requested in the "Estimated Funding" section of this form (box 18a) should match the amount of federal funding requested in the budget of the application. This program does not require a match; therefore, the value for the Applicant line (box 18b) should be zero. The individual who is listed as "**Authorized Representative**" (box 21) must have the authority to apply for and accept grant awards on behalf of the organization or jurisdiction.

Intergovernmental Review (SF-424 Question 19): This solicitation ("funding opportunity") is subject to Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs. Applicants must check the Office of Management and Budget's website for the names and addresses of state [Single Points of Contact](#) (SPOC) under Intergovernmental Review. If the applicant's state appears on the SPOC list, the applicant must contact the state SPOC to comply with the state's process under E.O. 12372. In completing the SF-424, the applicant must make the appropriate selection in response to question 19 once it has complied with its state E.O. 12372 process. An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the following response: "Program is subject to E.O. 12372 but has not been selected by the state for review."

Disclosure of Lobbying Activities (SF-LLL)

All applicants must complete and submit the *Disclosure of Lobbying Activities* (SF-LLL) form in Grants.gov as part of **Step 1 of the application submission process**. Applicants that expend any funds for lobbying activities must provide the information requested on the SF-LLL.

Applicants that do not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.

Standard Applicant Information (JustGrants 424 and General Agency Information)

This section in the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants begin **Step 2 of the application submission process** by reviewing the Standard Applicant Information in JustGrants, making edits as needed, confirming the Authorized Representative, verifying the legal name and address, and entering the ZIP code(s) for the areas affected by the project.

Proposal Abstract

The Proposal Abstract must provide a short summary (no more than two pages, double-spaced) of the proposed project, including names of applicant and partners, project title, purpose of the project (including goal and intended outcome), primary activities for which funds are requested, who will benefit (including geographic area to be served), products and deliverables, and how the applicant will measure progress in completing project goals and objectives. Do not summarize past accomplishments in this section. The Proposal Abstract, which is to be entered into a text box in JustGrants, will not be scored but is used throughout the review process.

Data Requested with Application

Applicants must complete three questionnaires in JustGrants: the Pre-Award Risk Assessment, the Applicant Entity Questionnaire, and the Cybercrimes Enforcement Program Summary Data Sheet. These questionnaires are not scored. Applicants should click on the questionnaire name in JustGrants to access and complete each questionnaire. Although the questionnaires must be completed in JustGrants, the questions can be viewed in Appendices B, C, and D of this solicitation.

Proposal Narrative

The Proposal Narrative may not exceed 20 pages, double-spaced. Reviewers will not read beyond this page limit. The Proposal Narrative must include the 3 sections below. The total point value for the proposal narrative section is 70 points. Applicants must upload the Proposal Narrative as an attachment in JustGrants.

Purpose of the Proposal (10 points)

This section must:

1. Describe the service area(s), including the geographic location, size, and demographics in the jurisdiction(s) or state.
2. Describe the communities in the service area, including but not limited to: traditionally underserved populations, such as communities of color, people with disabilities, people who are Deaf or hard of hearing, persons with limited English proficiency, older adults, and LGBTQ+ communities.
3. Describe the challenge or need faced by the community and connect it to the selected purpose area. Include relevant statistics, if available, to support the challenge and/or need identified.
4. Describe current efforts to address the intersection of gender-based violence and technology-facilitated abuse/cybercrimes against individuals as well as the disproportionate impact on women, girls, and LGBTQ+ individuals.
5. Identify gaps in available services, resources, and/or knowledge and explain how the proposed project will complement and not duplicate existing efforts.

What Will Be Done (45 points)

The application must provide a clear link between the proposed activities and the need identified in the "Purpose of the Proposal" section above. Do not include any of the activities listed as unallowable costs in the Funding Restrictions section of this solicitation.

This section must:

1. Describe how the applicant proposes to address the purpose area(s) identified for the project. **Note:** Cybercrimes Enforcement Program grantees must implement purpose area(s) 1 and/or 2; applicants may choose to address additional purpose areas.
2. If applicable, describe how the applicant will address the OVW priority area to advance equity and Tribal sovereignty.

3. Describe how the proposed project will address the challenge or gap identified in the Purpose of the Proposal section above.
4. Describe how the proposed project addresses the intersection of gender-based violence and technology-facilitated abuse/cybercrimes against individuals. Given the high rates of online abuse for women and girls and LGBTQ+ individuals, a cornerstone of the Cybercrimes Enforcement Program is to address this intersection.
5. Describe goals and objectives for the proposed project and the specific, measurable outcomes to be achieved as a result.
6. List tangible products, if any (e.g., a brochure, training curriculum, policy, video), that will be created under the project.
7. Describe the role and activities of the project partner(s), including the Required Victim Service Provider Partner, and how the partner(s) will contribute to the overall success of the project.
8. Describe the plan to establish or continue a Coordinated Community Response (CCR) team in response to cybercrimes against individuals, including who the potential members are and how the team will contribute to the overall success of the project and long-term benefit to the applicant's community.
9. Describe how the proposed project will address the unique needs of the traditionally underserved populations identified in the Purpose of the Proposal section above.
10. Describe how the proposed project will improve accessibility for people with disabilities and people who are Deaf or hard of hearing.
11. Describe how the proposed project will improve accessibility for people with limited English proficiency.
12. Describe how survivors and other people with relevant lived experiences have helped formulate and/or will be involved in shaping and implementing the project. Involving people with lived experience is a way to ensure that an approach is informed by people who have direct experience with the issues the approach is trying to alleviate. An example of involving people with lived experience is asking survivors who have obtained protection orders to help develop a brochure explaining the steps for requesting a protection order. For more information about engaging people with lived experience, see this brief from the [Department of Health and Human Services](#).

Who Will Implement the Proposal (15 points)

This section must:

1. Identify the key people and organizations, including project partners involved in the proposed project.
2. Describe the roles and responsibilities of the applicant and project partner(s) in relation to the project activities and how they will work with the CCR team.

3. Demonstrate that the people and organizations identified have the capacity to address the stated need and can successfully implement the proposed project activities.

Budget and Associated Documentation

Applicants must submit a detailed budget and budget narrative and must upload the applicable associated documentation as described below, under each heading. OVW strongly encourages using a spreadsheet (e.g., Excel, Numbers, etc.) for the budget attachments. The budget worksheet and budget narrative are worth a total of **20 points** and will be reviewed separately from the proposal narrative. The associated documentation will not be scored, but failure to include it may result in removal from consideration or a delay in access to funding.

Budget Worksheet and Budget Narrative (attachment)

Applicants must upload in JustGrants a detailed budget and budget narrative for all applicable cost categories. The budget narrative must describe each line item requested in the budget and explain all costs included in the budget, including how the costs of goods and services are determined and how they will fulfill the objectives of the project. See the Budget Information and Sample Budget Narrative in [Appendix A](#) and the [Creating a Budget](#) webinar on the OVW website. Keep in mind that budgetary requirements vary among programs. Budgets should be reasonable and based on the resources needed to implement their projects in their specific geographic location.

Award Period and Amounts

The budget must:

1. Present a clear link between the specific project activities and the proposed budget items. The budget should not contain items that are not supported by the proposal narrative.
2. Fairly and reasonably compensate all project partners for their full level of effort, unless otherwise stated in the MOU. For more information on compensating project partners, see the Budget Information and Sample Budget Narrative in [Appendix A](#).
3. Include sufficient funds to provide language access or describe other resources available to the applicant to ensure meaningful access for persons with limited English proficiency. See Accessibility under the [Federal Award Administration Information](#) section of this solicitation for more information.
4. Include sufficient funds to provide access for people with disabilities or who are Deaf/hard of hearing, or describe other resources available to the applicant to ensure meaningful access for such people. See Accessibility under the [Federal Award Administration Information](#) section of this solicitation for more information.
5. Include funds to attend OVW-sponsored TTA in the amount of \$20,000 for applicants located in the 48 contiguous states and \$30,000 for applicants located in the territories, Hawaii, and Alaska. This amount is for the entire 36 months and NOT per year. Applicants also may budget expenses in excess of the required amount if they are aware of relevant non-OVW sponsored conferences or training for which they would like permission to use grant funds to support staff/project partner attendance.
6. Distinguish clearly between subawards and contracts in allocating any grant funds to other entities. Pursuant to 2 C.F.R. § 200.331, a subaward is for the purpose of carrying out a portion of the federal award, such as compensating an MOU partner; a contract is for the purpose of obtaining goods and services for the grantee's own use. The substance of the relationship is more important than the form of the agreement in

determining whether the recipient of the pass-through funds is a subrecipient or a contractor. The awarding and monitoring of contracts must follow the recipient's documented procurement procedures, including full and open competition, pursuant to the procurement standards and monitoring requirements in 2 C.F.R. §§ 200.317-200.327 & 200.329. The issuance and monitoring of subawards must meet the requirements of 2 C.F.R. § 200.332, which includes oversight of subrecipient/partner spending and monitoring performance measures and outcomes attributable to grant funds. For more information, see the Budget Information and Sample Budget Narrative in [Appendix A](#) and the [Solicitation Companion Guide](#) on the OVW website.

Budget Limitations Notes:

- Applicants proposing to implement purpose area 8 (34 U.S.C. § 30107 (d)(8)) may not budget more than 50% of the grant award towards the acquisition of computers, computer equipment, or other equipment necessary to conduct cybercrime investigations and forensic analysis of evidence. For example, for a budget of \$500,000, this would mean that not more than \$250,000 could go towards the purchase of equipment.

OVW awards are governed by the provisions of 2 C.F.R. Part 200 and the [DOJ Financial Guide](#), which include information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. For additional information on allowable and unallowable costs, see the Funding Restrictions section below and the Budget Information and Sample Budget Narrative in [Appendix A](#).

Funding Restrictions

The following information is provided to help applicants develop an application and budget consistent with program requirements.

Unallowable Costs

The costs associated with the activities listed below are unallowable and must not be included in applicants' budgets:

1. Lobbying.
2. Fundraising.
3. Purchase of real property.
4. Physical modifications to buildings, including minor renovations (such as painting or carpeting).
5. Construction.

Food and Beverage/Costs for Refreshments and Meals

Recipients **must** receive prior approval before using grant funds to provide a working meal and/or refreshments at a meeting, conference, training, or other event. Food and beverages are generally considered personal expenses for which government funds should not be used. Exceptions may be made for working meals that are necessary to accomplish official business and enhance the cost effectiveness of the meeting or conference. Examples include, but are not limited to:

1. The location of the event is not in close proximity to food establishments, despite efforts to secure a location near reasonably priced and accessible commercial food establishments.
2. Failure to serve food will significantly lengthen the day or necessitate extending the meeting to achieve meeting outcomes.
3. A special presentation at a conference requires a plenary address where there is no other time for food to be obtained.
4. Other extenuating circumstances necessitate the provision of food.

Justification for an exception listed above must be included in the applicant's budget narrative, including relevant details about the applicant's community, such as a rural or remote location. For additional information on restrictions on food and beverage expenditures, see [OVW conference cost planning](#).

Conference Planning and Expenditure Limitations

Applicants' budgets must be consistent with all requirements (including specific cost limits and prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, training, and other similar events), and costs of attendance at such events. Information on conference planning, minimization of costs, and conference reporting is available at [OVW conference cost planning](#).

Pre-Award Costs

OVW generally does not allow pre-award costs. Costs incurred prior to the start date of the award may not be charged to the project unless the recipient receives prior approval from OVW. See the [DOJ Financial Guide](#) for more information on pre-award costs.

Indirect Cost Rate Agreement (if applicable)

Applicants that intend to charge indirect costs through the use of a negotiated indirect cost rate must have a current, signed, federally approved indirect cost rate agreement and must upload and attach a copy of the agreement to their application in JustGrants. Applicants that do not have a current negotiated (including provisional) indirect cost rate, except for those non-federal entities described in [Appendix VII to Part 200 paragraph \(d\)\(1\)\(B\)](#), may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC).

Organizations that wish to negotiate an indirect cost rate should contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 for more information.

Memorandum of Understanding and Supporting Documents

Memorandum of Understanding (MOU)

For purposes of this solicitation, the MOU is a document containing the terms of the partnership and the allocation of roles and responsibilities between two or more parties, and it must be included as an attachment to the application in JustGrants. The MOU is worth a total of **10 points**. The MOU is not a substitute for a subaward agreement, which ensures that subrecipients adhere to the requirements of the award and 2 C.F.R. Part 200 (see 2 C.F.R. § 200.332). Partners receiving funds under the award generally are considered subrecipients because they are carrying out a portion of the federal award.

The MOU **must** be a single document and **must** be signed and dated by the **Authorized Representative** of each proposed partner organization during the development of the application. OVW will accept electronic signatures. MOUs missing signatures may result in a point deduction or removal from consideration. An applicant that submits an MOU that fails to include the required victim service provider partner will be removed from consideration. If necessary, an MOU can include multiple signature pages so long as each page includes the names and titles of all signatories to the MOU. A sample [MOU](#) is available on the OVW website.

The MOU must clearly:

1. Identify the partners and provide a brief history of the collaborative relationship between those partners, including when and under what circumstances the collaborative relationship began and when each partner entered into the relationship.
2. Describe the roles and responsibilities each partner will assume to ensure the success of the proposed project.
3. Demonstrate how the proposed partnership can address the needs of the traditionally underserved population(s) identified in the Purpose of the Proposal section.
4. If addressing the OVW priority area to advance equity and tribal sovereignty, demonstrate how the proposed partnership can address that goal, including describing the partner's relevant experience and their participation in developing the proposed project.
5. State that each project partner has reviewed the budget, is aware of the total amount being requested, and is being equitably compensated for their work under the grant or is agreeing to be partially compensated or receive no compensation from the grant.
6. Under each signature line, include the name, title and organization.

Additional Application Components

The following components will not be scored but must be included with the application. Failure to do so may result in the application being removed from consideration. Some components will be generated during the application submission process while others will be uploaded and attached to the application in JustGrants.

Summary of Other Federal Funding

Applicants must disclose whether they have any of the following: 1) an OVW grant or cooperative agreement that is open or that closed within 12 months of the date this solicitation closes; 2) a subaward under an OVW grant or cooperative agreement that is open or that closed within 12 months of the date this solicitation closes; 3) a pending OVW application as either the lead applicant/potential recipient or as a partner/potential subrecipient; 4) a federal award to do the same or similar work; or 5) a pending federal application to do the same or similar work.

Applicants will provide this information by completing the Summary of Other Federal Funding form in the Disclosures and Assurances section of JustGrants during the application submission process.

Certifications and Assurances

All applicants must complete and submit with their application Certifications and Assurances. Please see the Other Program Eligibility Requirements section above. A sample [Certifications and Assurances letter](#) can be found on the OVW website.

Disclosures and Assurances

All applicants must review, complete, and submit all disclosures, assurances, and certifications as described below.

Disclosure of Lobbying Activities

Applicants must complete and submit the *Disclosure of Lobbying Activities* (SF-LLL) form in Grants.gov before beginning the application process in JustGrants.

DOJ Certified Standard Assurances

Applicants must read and acknowledge the DOJ Certified Standard Assurances in JustGrants.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants must read and acknowledge these DOJ certifications in JustGrants.

Prior to Application Submission

Unique Entity Identifier (UEI) and System for Award Management (SAM)

Entities applying for the first time must register with the following systems:

- SAM.gov: Registration with [SAM.gov](https://sam.gov) includes receiving a UEI and takes an average of **2 to 3 weeks**.
- Grants.gov: Registration with [Grants.gov](https://grants.gov) takes an average of **1 week**.
- JustGrants: Registration with JustGrants needs to be completed **ONLY** after successful submission of Step 1 of the application as described below under [How to Apply](#).

Note: Registration time frames are estimates. Applicants experiencing registration challenges should refer to the *OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes* section below for guidance on how to proceed.

Entities that have previously applied for funding from DOJ must ensure their accounts with SAM, Grants.gov, and JustGrants are active and up to date.

It is the applicant's responsibility to ensure that they are registered with SAM, Grants.gov, and JustGrants. OVW strongly encourages all applicants to begin the registration process, or ensure that all accounts are active and up to date, by **April 8, 2024. Failure to do so may result in missing the application deadline and therefore not being considered for funding.**

Applicants experiencing technical difficulties with SAM should go to

https://www.fsd.gov/qsafsd_sp.

Applicants experiencing technical difficulties with Grants.gov should contact

support@grants.gov.

Applicants experiencing technical difficulties with JustGrants should contact

OVW.JustGrantsSupport@usdoj.gov.

How to Apply

Submission Dates and Times

All applications must be submitted electronically first in Grants.gov (SF-424 and SF-LLL) and then in JustGrants. **Applicants must make every effort to submit their application in Grants.gov and JustGrants. Note: The Grants.gov deadline is 11:59 pm ET on April 29, 2024, and the JustGrants application deadline is 8:59 pm ET on May 1, 2024.** Applicants experiencing technical difficulties during the application submission process should refer to the *OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes* below for guidance on how to proceed.

OVW strongly encourages all applicants to begin the application submission process at least 48 hours prior to the Grants.gov application deadline. Failure to do so may result in missing the application deadline and therefore not being considered for funding.

OVW will not accept applications after the JustGrants deadline, except for severe inclement weather or natural or man-made disaster. See the *OVW Policy on Late Submission Request Due to Severe Inclement Weather or Natural or Man-Made Disaster* below.

Submission Information and Other Submission Requirements

Applications must be submitted to OVW through a two-step process that begins in Grants.gov and is completed in JustGrants:

Step 1: The applicant must submit by the Grants.gov deadline (provided above) the required Application for Federal Assistance standard form (SF-424) and the Disclosure of Lobbying Activities form (SF-LLL) in Grants.gov. To view the forms prior to completing them in Grants.gov, applicants can go to the Package tab under the funding opportunity that they're applying for and select Preview. The Preview then provides links to the forms.

Step 2: The applicant must then submit the full application, including attachments, in JustGrants at <https://justicegrants.usdoj.gov/> by the JustGrants application deadline (provided above). OVW encourages applicants to review the [JustGrants](#) website for more information, resources, and training.

Tip: JustGrants functions better using a PC with Chrome or Edge web browser.

OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes

Technical difficulties are issues that are beyond the applicant's control. OVW can confirm when each registration and/or submission action began.

Technical difficulties with SAM or Grants.gov

1. Contact SAM or Grants.gov support as soon as the applicant is aware of a problem.
2. Maintain documentation of when the issue began and all communication with technical support.
3. Before the Grants.gov deadline, notify OVW, via email at ovw.cybercrimes@usdoj.gov, stating the applicant is experiencing technical difficulties with SAM or Grants.gov. The applicant should provide regular updates to this program via email at ovw.cybercrimes@usdoj.gov.

4. If the technical difficulty cannot be resolved before the Grants.gov deadline, the applicant must notify OVW via email at ovw.cybercrimes@usdoj.gov before the Grants.gov deadline.
5. Once the Grants.gov deadline passes an applicant will not be able to apply in JustGrants. Therefore, the applicant **must** email the complete application (SF-LLL, SF-424, Proposal Narrative, Budget and Budget Narrative, MOU, and Certification of Eligibility and Assurances, as well as all documentation confirming the technical difficulty to OVW at ovw.cybercrimes@usdoj.gov by **8:59 p.m. E.T. on May 1, 2024**.

Technical difficulties while applying in JustGrants

1. Contact OVW JustGrants Support at OVW.JustGrantsSupport@usdoj.gov or 866-655-4482 as soon as the applicant is aware of a problem. OVW JustGrants Support is a separate Help Desk from OJP and COPS and is dedicated to OVW applicants.
2. Maintain documentation of all communication with OVW JustGrants Support.
3. Actively work with OVW JustGrants Support to resolve the technical difficulty.
4. Contact OVW, via email at ovw.cybercrimes@usdoj.gov prior to the JustGrants deadline (**8:59 p.m. E.T. on May 1, 2024**). If an applicant must submit their application via email due to a technical difficulty, they must do so by the JustGrants application deadline, but **no earlier than 4 hours prior to the deadline**. The email must include the following:
 - A detailed description of the technical difficulty.
 - The contact information (name, telephone, and email) for the person making the request.
 - The applicant's UEI number.
 - JustGrants application numbers and User Support tracking numbers.
 - The complete application (SF-LLL, SF-424, Proposal Narrative, Budget and Budget Narrative, MOU, and Certification of Eligibility and Assurances letter).

It is not guaranteed that applications submitted via email will be considered for funding, even if the email is received before the JustGrants application deadline. OVW will decide and notify applicants of the decision within 30 days of the JustGrants application deadline. Applicants may be asked to coordinate with OVW to submit their application in Grants.gov and JustGrants later.

OVW Policy on Late Submission Request Due to Severe Inclement Weather or Natural or Man-Made Disaster

Cases of severe inclement weather or natural or man-made disaster are the only circumstances under which OVW may accept applications after **8:59 pm ET on May 1, 2024**. The information below provides the process applicants must follow in such a circumstance.

1. Contact this program at ovw.cybercrimes@usdoj.gov as soon as the applicant is aware of severe weather or a natural or man-made disaster that may impede the submission of an application by the deadline. The email should include a detailed description of the weather event or natural or man-made disaster. A detailed description includes when the event occurred, or is likely to occur, the impacted area, and the specific impact on the applicant and/or partners' ability to submit the application by the deadline (e.g., without power for "x" days, office closed for "x" days). If the application is complete and ready for submission at the time the applicant notifies OVW, the application should be included with the email.
2. Applicants impacted by severe weather or a natural or man-made disaster occurring on or around the deadline must contact OVW within 48 hours after the deadline or as soon as communications are restored.

Note: OVW may not be able to accommodate all requests resulting from severe inclement weather or a natural or man-made disaster.

OVW will review the request for late submission and required documents and notify the applicant whether the request has been approved or denied within 30 days of the submitted request.

Application Review Information

Review Criteria

Applications will be scored based on the degree to which the application responds to each section and addresses each element in the section. Furthermore, applications will be scored based upon the quality of the response, capacity of the applicant and any partners, and the level of detail provided. Each element **must** be addressed in the section in which it is requested. Points may be deducted if the applicant does not include the information in the appropriate section regardless if it is included elsewhere within the application. Each section will be reviewed as a separate document and will be scored as such. Specifically, for the Cybercrimes Enforcement Program, scoring will be as follows:

1. Proposal narrative: (70) points, of which:
 - A. Purpose of the proposal: (10) points.
 - B. What will be done: (45) points.
 - C. Who will implement the proposal: (15) points.
2. Budget worksheet and budget narrative: (20) points.
3. MOU: (10) points.

Voluntary match or other cost sharing methods will not be considered in the evaluation of the application.

Review and Selection Process

Applications will be subject to a peer review and a programmatic review.

Peer Review

OVW will subject all eligible, complete, and timely applications to a [peer review process](#) that is based on the criteria outlined in this solicitation. OVW may use internal reviewers, external reviewers, or a combination of both.

OVW peer reviewers may include victim advocates, judges, prosecutors, law enforcement officers, legal professionals, and others with expertise in areas such as tribal communities, colleges and universities, rural areas, urban areas, working with people with disabilities or older adults, and providing services to victims, including transitional housing and services provided by culturally specific organizations and the faith community. While some peer reviewers are expert consultants on violence against women issues, the vast majority are current practitioners or recent retirees from the professions mentioned above. To ensure that applications are reviewed by people with on-the-ground experience responding to sexual assault, domestic violence, dating violence, or stalking, OVW does not use professional peer reviewers.

Programmatic Review

All applications that are considered for funding will be subject to a programmatic review. The programmatic review consists of assessing the application for compliance with the program's scope, activities that compromise victim safety, and, if applicable, past performance and priority area review. OVW reserves the right to deduct points from applications for the following reasons:

1. Activities that compromise victim safety and recovery and undermine offender accountability (deduct up to 50 points).
2. Out-of-scope and unallowable activities (deduct up to 50 points).
3. Formatting and Technical Requirements (deduct up to 5 points).

An application that is substantially out-of-scope, proposes a substantial number of activities that are unallowable, or proposes activities that pose a significant threat to victim safety or a serious breach of confidentiality will not be considered for funding.

Prior to making an award, OVW is required to review and consider any information about applicants included in the designated integrity and performance system accessible through SAM. Applicants may review and comment on information about themselves that another federal awarding agency has previously entered. OVW will consider the applicant's comments as well as other information available in SAM in making its judgment about the risk posed by making an award to the applicant as described in 2 C.F.R. § 200.206.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the OVW Director, who also may consider factors including, but not limited to, reaching underserved populations, geographic diversity, OVW priorities, past performance, and available funding when making awards. All award decisions are final and not subject to appeal.

High-Risk Grantees

Based on DOJ's assessment of each grantee with regard to current or previous funding, unresolved audit issues, delinquent programmatic and fiscal reporting, and prior performance, a grantee may be designated "high-risk." Awards to high-risk grantees may carry special conditions such as increased monitoring and/or prohibitions on drawing down funds until certain requirements are met. High-risk grantees with substantial or persistent performance or compliance issues, long-standing open audits, or open criminal investigations may not be considered for funding.

Federal Award Administration Information

Federal Award Notices

Successful applicants will receive OVW award notifications electronically from JustGrants (not Grants.gov). Recipients will be required to log into JustGrants to review and accept the award. The Authorized Representative must acknowledge having read and understood all sections of the award instrument and submit the required declaration and certification to accept the award; these steps will be completed electronically in JustGrants.

Administrative, National Policy, and Other Legal Requirements

Information for All Federal Award Recipients

Applicants selected for awards must agree to comply with additional legal, administrative, and national policy requirements. OVW strongly encourages applicants to review the information

pertaining to these additional requirements prior to submitting an application. This information can be found in the section of the [Solicitation Companion Guide](#) entitled “Post-Award Requirements for All Federal Award Recipients.”

[Terms and conditions](#) for OVW awards are available on the OVW website. These terms are subject to change prior to the issuance of the awards.

Violence Against Women Act Non-Discrimination Provision

The Violence Against Women Reauthorization Act prohibits OVW grantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. Recipients may provide sex-segregated or sex-specific programming if doing so is necessary for the essential operation of a program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. Additional information on the civil rights obligations of OVW funding recipients can be found in the [Solicitation Companion Guide](#) under “Civil Rights Compliance.”

Accessibility

Recipients of OVW funds must comply with applicable federal civil rights laws, which, among other things, prohibit discrimination on the basis of disability and national origin. Compliance with these laws includes taking reasonable steps to ensure that persons who are limited in their English proficiency have meaningful access to recipients’ programs and activities. Recipients are also responsible for ensuring that their programs and activities are readily accessible to people with disabilities, including those with physical or cognitive disabilities, as well as people who are Deaf or hard of hearing. OVW encourages applicants to go beyond minimum compliance with these requirements and allot sufficient resources to ensure programs and activities are accessible. More information on these obligations is available in the [Solicitation Companion Guide](#) under “Civil Rights Compliance.”

General Information about Post-Federal Award Reporting Requirements

OVW grantees are required to submit semi-annual performance reports and quarterly Federal Financial Reports (SF-425). Performance report forms will be provided to all award recipients. Forms will be submitted electronically. Future awards and fund drawdowns may be withheld if reports are delinquent. For more information on post award reporting requirements, including requirements for certain recipients to report information on civil, criminal, and administrative proceedings in SAM, see the [Solicitation Companion Guide](#) and the award condition on recipient integrity and performance matters available on the [OVW website](#).

Federal Awarding Agency Contact(s)

For assistance with the requirements of this solicitation, contact the following:

- Programmatic questions, contact this program at ovw.cybercrimes@usdoj.gov and reference this solicitation.
- Financial questions, contact 888-514-8556 or ovw.gfmd@usdoj.gov
- Technical questions:
 - Grants.gov Applicant Support at 800-518-4726 or support@grants.gov
 - OVW JustGrants Support at 1-866-655-4482 or OVW.JustGrantsSupport@usdoj.gov

Other Information

Public Reporting Burden - Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OVW tries to create forms and instructions that are accurate, easily understood, and not unnecessarily burdensome. The estimated average time to complete and file this form is 30 hours. Comments regarding the accuracy of this estimate or suggestions for simplifying this form can be submitted to the Office on Violence Against Women, U.S. Department of Justice, 145 N Street, NE, Washington, DC 20530.

Note: Any materials submitted as part of an application may be released pursuant to a request under the Freedom of Information Act.

Application Checklist

Applicants must submit a fully executed application to OVW, including all required supporting documentation. Prior to peer review, OVW will not contact applicants for missing items. If an applicant plans to submit an application under any other OVW grant program this fiscal year, it is the applicant's responsibility to ensure that only documents pertinent to this solicitation are included with this application. OVW will not redirect documents that are inadvertently submitted with the wrong application (e.g., a Rural Program letter submitted with a Transitional Housing Program application will not be transferred to the Rural application).

Application Document	Date Completed
1. Letter of Intent	
2. Application for Federal Assistance: SF-424	
3. Disclosure of Lobbying Activities (SF-LLL)	
4. Proposal Abstract	
5. Data Requested with Application: a) Pre-Award Risk Assessment b) Applicant Entity Questionnaire c) Summary Data Sheet	
6. Proposal Narrative: a) Purpose of the Proposal b) What Will Be Done c) Who Will Implement the Proposal	
7. Budget Worksheet and Budget Narrative (attachment)	
8. Indirect Cost Rate Agreement (if applicable)	
9. Memorandum of Understanding (MOU)	
10. Summary of Other Federal Funding	
11. Certifications and Assurances Letter	

Appendix A

Budget Information and Sample Budget Narrative

Budget Information and Sample Budget Narrative

Budget Information

Cost information for selected items is provided below to assist applicants in preparing their budgets. Additional information is available in the [DOJ Financial Guide](#).

Consultants/Contracts

Compensation for services by an individual consultant must be reasonable and consistent with that paid for similar services in the marketplace. Applicants must consider the type of services provided and the individual's experience and expertise when deciding if a consultant's rate is reasonable. Applicants are strongly discouraged from requesting consultant rates over \$650 per day. Please note that the rate does not need to be as high as \$650 for all consultants. If a project is selected for funding with a budget allocating more than \$650 per day to a consultant, the applicant must provide additional information to OVW for review and approval before consultant costs are incurred. Applicants must also include all costs associated with consultants or contractors in the "Procurement Contracts" category, including travel-related costs. Applicants should not reflect these costs in the Personnel or Travel categories.

Applicants must follow the same established procurement policies with federal funds as with non-federal funds. All procurement transactions, including the awarding of consultant contracts, must be conducted in a manner that provides maximum open, free, and fair competition, and must follow 2 C.F.R. §§ 200.317-200.327. All sole-source procurements (not awarded competitively) over \$250,000 require prior approval from OVW. This applies to procurements of goods and services, but not to selection of subrecipients.

MOU Partner/Subrecipient versus Contractor Determination

Memorandum of Understanding (MOU) project partners are generally considered subrecipients for time spent working on program objectives. The following MOU project partner responsibilities are consistent with the characteristics in 2 C.F.R. § 200.331 that support their classification as subrecipients:

- they are using federal funds to carry out a program for a public purpose specified in the authorizing statute;
- they are responsible for adherence to program requirements;
- they are responsible for programmatic decision-making;
- their performance is measured by meeting program objectives; and
- in some cases, they may be responsible for determining who is eligible to receive assistance (services) under the grant award.

In contrast, a contractor:

- provides goods and services within normal business operations;
- provides similar good and services to many different purchasers;
- normally operates in a competitive environment;
- provides goods and services that are ancillary to the operation of the program; and
- provides goods or services to which programmatic requirements generally do not apply.

For additional information on determining subrecipient or contractor designation, please refer to [2 C.F.R. § 200.331](#), as well as the Solicitation Companion Guide, available at <https://www.justice.gov/ovw/resources-applicants>.

Compensation for Partners

In developing budgets, applicants should compensate all project partners for their participation in project-related activities, including but not limited to compensation for time and travel expenses to participate in project development, training, and implementation. The budget **must** include compensation for all services rendered by project partners, including nonprofit, nongovernmental domestic violence and/or sexual assault services programs, and state and tribal domestic violence and/or sexual assault coalitions. Partners are generally considered subrecipients and are reimbursed for their actual costs incurred for the project rather than on a fee for service basis. If a partner is a state or local governmental agency and the partnership duties are performed within the course of the agency's "regular" scope of work, applicants do not need to compensate the partner if the partner: a) offers this arrangement; and b) an explanation of this arrangement is included in the application (typically in the MOU).

Training and Technical Assistance/Travel

The program solicitation specifies the amount of grant funds that must be budgeted for training and technical assistance. These funds must **only** be used for OVW-designated technical assistance, unless otherwise approved by OVW. These funds are to be used to support travel by all project partners, including nonprofit, nongovernmental service providers, to technical assistance events. This may include travel by individuals whose positions are not grant-funded if their roles and responsibilities are linked to the purpose of the project. If the technical assistance funds will be shared between the applicant and any project partners, the applicant's employees' travel costs must be listed in the "Travel" category in the budget, and partners' travel must be in the "Subawards" category. Label both costs as "OVW Technical Assistance" and ensure they total to the full required amount. Do not include registration fees, as OVW technical assistance is free for grantees.

If applicants are aware of relevant non-OVW sponsored conferences or training for which they would like permission to use grant funds to attend, they can budget expenses over the required amount.

Rent

Rental costs are generally allowable under OVW programs. Applicants must list square footage and cost per square foot in the budget. The amount must be based on the space that will be allocated to implement the OVW project, not the costs of the entire rental facility. **Rental costs are not allowable for property owned by the applicant or if the applicant has a financial interest in the property.** In this case, only the costs of ownership, including maintenance costs, insurance, depreciation, utilities, etc., are allowable. The applicant must state in the budget narrative whether they own the space that will be rented. Refer to the following document for more information on how to appropriately allocate and break down the cost of rent in the budget: Cost Allocation Information, available at <https://www.justice.gov/ovw/resources-applicants>.

Audit Costs

Costs for audits not required or performed in accordance with 2 C.F.R. Part 200 Subpart F – Audit Requirements are unallowable. If the applicant agency did not meet the applicable expenditure threshold (see 2 C.F.R. § 200.501) during the organization's fiscal year, they may not charge the cost of any audit performed to the grant.

Indirect Costs

Applicants that intend to charge indirect costs through the use of a negotiated indirect cost rate must have a current, signed, federally approved indirect cost rate agreement and must upload and attach a copy of the agreement to their application in JustGrants. Applicants that do not

have a current negotiated (including provisional) indirect cost rate, except for those non-Federal entities described in Appendix VII to Part 200 paragraph (d)(1)(B), may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC). Organizations that wish to negotiate an indirect cost rate should contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 for more information. Applicants may also choose to waive indirect costs.

Purchase and/or Lease of Vehicles

The purchase and lease of vehicles are prohibited under most OVW grant programs. However, some programs allow for purchasing vehicles on a case-by-case basis. Refer to the program solicitation to determine whether vehicles can be purchased or leased. A lease/purchase analysis must be submitted with the application if requesting a vehicle.

Non-Federal contributions

Any non-federal contributions can be discussed in the Proposal Narrative or Memorandum of Understanding (if required). **Applicants should not include supplemental contributions in the budget, budget narrative, or SF-424.**

If the applicant voluntarily decides to provide matching funds through the use of in-kind contributions and includes this information in the budget or budget narrative, the voluntary contributions will become a mandatory requirement under the grant award. Grantees that fail to provide these mandatory matching funds through cash or in-kind contributions during the award period may be required to meet their obligation by making a cash payment to OVW to close out the grant award.

Cost Allocations

Costs for shared items, those not used solely for the award, should be equitably distributed to the funding sources that receive a benefit from the items. For example, when budgeting for general office supplies, it is important to note that the full cost cannot be allocated to the project. Instead, an allocation method should be used to share the cost among all staff who use the supplies. Refer to the following document for information on allocating shared costs in the budget: Cost Allocation Information, available at <https://www.justice.gov/ovw/resources-applicants>.

Accessibility

The program solicitation requires that the applicant include sufficient funds to provide language access or describe other resources available to the applicant to ensure meaningful access for persons with limited English proficiency, including by offering translation and interpretation services, and to provide access for people with disabilities or who are Deaf/hard of hearing.

Determining how much to budget for accessibility requires that recipients analyze the following:

- Available data about the local population to understand the language and accessibility needs in their service area;
- Historical data on screening and serving individuals who are LEP, Deaf or Hard of Hearing, or disabled; and
- Costs or documented estimates of language and other accessibility services and modifications in the service area. For resources and assistance in this process, visit <https://www.justice.gov/atj> and <https://www.lep.gov/>.

Recipients should make every effort to use these funds for their budgeted purpose of providing accessibility, and not reallocate them for other purposes later in the project.

Sample Budget Narrative

Purpose: The Sample Budget Narrative may be used to assist with preparing the budget and narrative. Applicants may use this form or the format of their choice (plain sheets, Excel document, the applicant's own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to the applicant's project may be deleted.

Note: The following budget is an example intended to assist applicants in preparing their budgets. The sample expenses may not fit the purposes or activities of this particular grant program.

A. Personnel – List each position by title and employee name, if available. Show the annual salary rate and the percentage of time devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
Program Coordinator	\$65,000 x 50% x 3 years	\$97,500
Bilingual Shelter Manager	\$70,000 x 100% x 3 years	\$210,000
Administrative Assistant	\$45,000 x 10% x 3 years	\$13,500

Sample narrative: The Program Coordinator will dedicate 50% of their time to the project by coordinating and organizing regular council meetings between all partner organizations, ensuring compliance with program requirements, and serving as the central point of contact for all project activities.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
Program Coordinator		
Employer's FICA	\$97,500 x 7.65%	\$ 7,459
Health Insurance	\$4,800/year x 50% x 3 years	\$ 7,200
Worker's Compensation	\$97,500 x 1.00%	\$ 975
Unemployment Compensation	\$97,500 x 0.50%	\$ 488
Bilingual Shelter Manager		
Employer's FICA	\$210,000 x 7.65%	\$16,065
Health Insurance	\$4,800/year x 100% x 3 years	\$14,400
Worker's Compensation	\$210,000 x 1.00%	\$ 2,100
Unemployment Compensation	\$210,000 x 0.50%	\$ 1,050

Administrative Assistant

Employer's FICA	\$ 13,500 x 7.65%	\$ 1,033
Health Insurance	\$4,800/year x 10% x 3 years	\$ 1,440
Worker's Compensation	\$ 13,500 x 1.00%	\$ 135
Unemployment Compensation	\$ 13,500 x 0.50%	\$ 68

The Bilingual Shelter Manager will dedicate 100% of their time to the project by providing direct client assistance, coordinating services and case management for clients, and managing the temporary shelter activities.

The Administrative Assistant for the project will spend 10% of their time on the project, providing administrative and clerical support for activities directly related to this project.

TOTAL PERSONNEL: \$ 321,000

B. Fringe Benefits – Fringe benefits must be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Worker's Compensation, and Unemployment Compensation.

Sample Narrative: We request fringe benefits for the Program Coordinator, Bilingual Shelter Manager, and Administrative Assistant. Each employee's share of Health Insurance cost is prorated based on their projected time on the project.

TOTAL FRINGE BENEFITS: \$ 52,413

C. Travel – Project staff travel expenses should be itemized by purpose (e.g., training, field interviews, advisory group meeting, etc.) and include the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X per diem). For training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of travel policies applied, either the applicant's policy or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
OVW-Mandated Training and Technical Assistance	TBD	TBD	TBD	\$12,000
Local Program Mileage	XYZ County		150 miles/month x \$0.655/mile x 36 months	\$ 3,537

Sample narrative: According to the requirements in the solicitation for this program, \$12,000 out of the total \$20,000 in OVW mandated technical assistance and training funds has been allocated to cover the travel cost for staff. The remaining amount of \$8,000 has been allocated for partner travel and can be found in Section G of this form. The exact locations of the trainings

are currently unknown. However, travel estimates have been made using our formal written travel policy.

It is expected that the Program Coordinator will use a privately owned vehicle for local program mileage when traveling between the program shelter, main office, and all partner organizations. The rate for mileage reimbursement is calculated based on the current GSA Mileage Reimbursement Rate of \$0.655/mile and is estimated to be around 150 miles per month for a period of 36 months.

TOTAL TRAVEL: \$ 15,537

D. Equipment – List tangible personal property with a useful life of more than one year that needs to be purchased to support the project. It is important to follow the applicant's own capitalization policy for equipment classification. For high-cost items and information technology systems, applicants should perform an analysis (and attach it to the application) that compares the cost of purchasing versus leasing equipment items, to determine the most economical approach. Rented or leased equipment items should be listed in the "Procurement Contracts" category. Describe in the narrative how the equipment is necessary for the success of the project.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
(2) Video Cameras	\$1,500/camera x 2 cameras	\$ 3,000

Sample narrative: The portable video cameras and tripod package will be used during the interviews of alleged offenders, as well as to record witness testimony in preparation for trial in cases of domestic violence, dating violence, sexual assault, and stalking. Our capitalization threshold is \$1,000, so these items are classified as Equipment.

TOTAL EQUIPMENT: \$ 3,000

E. Supplies – List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, thumb drives, and flash drives) and show the basis for computation. Generally, supplies include any expendable or consumable materials that are used during the project period that are not equipment.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
Office Supplies (paper, printer, toner, pens, etc.)	\$250/month x 53% x 36 months	\$4,770
Postage	\$ 100/month x 53% x 36 months	\$1,908
Program Supplies	\$ 50/month x 36 months	\$1,800
75 Client Assistance Kits	\$ 25/kit x 75 kits	\$1,875

Sample narrative: Office supplies and postage are needed for the general operation of the program and are shared amongst all office staff. The FTE allocation rate for shared costs incurred by all staff in this budget is 53% (based on total FTEs in the office is 3FTEs, and total FTEs in this budget is 1.6FTEs, so $1.6 / 3 = 0.53$, or 53%). Monthly costs for Office Supplies at

\$250/month and Postage at \$100/month are estimated based on historical data. Charges to the grant will be based on the actual supplies purchased and actual percentage of staff time worked on the project (not budgeted amounts).

Program Supplies are estimated at a cost of \$50/month, based on historical data. The program supplies will be used for direct program activities such as art supplies and educational handouts/brochures for healing circles and group meetings for survivors.

The Client Assistance Kits will be provided to clients who receive services for domestic violence, dating violence, sexual assault, and stalking. These kits will contain toiletries and other personal hygiene products. We estimate the need for 75 kits, and the cost is based on similar kits provided by other programs.

TOTAL SUPPLIES: \$10,353

F. Construction – As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with OVW before budgeting funds in this category.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
TOTAL CONSTRUCTION:		<u>\$ 0</u>

G. Subawards (subgrants): Describe project activities for which subrecipients/MOU partners will receive compensation under the award, including services for clients. Include any compensation for partner/subrecipient travel in this section as well.

<u>Subrecipient Name</u>	<u>Computation</u>	<u>Cost</u>
XYZ Survivor Services Organization		
Advocate	\$40,000 per year x .25 FTE x 3 years	\$30,000
Advocate	Benefits x 28% of FTE salary	\$ 8,400
OVW-Mandated Training and Technical Assistance	Location and cost TBD	\$ 4,000
Subtotal XYZ Survivor Services Organization Subaward		\$42,400

Sample narrative: The MOU partner XYZ Survivor Services Organization will offer advocacy services, such as safety planning and court accompaniment services. To cover the cost of travel for their staff, \$4,000 of the required \$20,000 in OVW mandated technical assistance and training funds has been allocated, in line with the budget requirements set forth in the solicitation. However, the training session locations are currently unknown. Travel estimates are based on the subrecipient's formal written travel policy.

123 Housing Provider		
Permanent housing advocate	\$40,000 per year x .10 FTE x 3 years	\$12,000
Permanent housing advocate	Benefits x 28% of FTE salary	\$ 3,360
Rent subsidies	\$150/month x 36 months x 15 clients/families	\$81,000

OVW-Mandated Training and Technical Assistance	Location and cost TBD	\$ 4,000
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Subtotal 123 Housing Provider Subaward \$100,360

Sample narrative: The MOU partner, 123 Housing Provider, will provide rent subsidies for clients and their dependents, permanent housing placement services, and advocacy. The rent subsidy rates are based on our experience with available community housing. Out of the required \$20,000 for OVW mandated technical assistance and training funds, \$4,000 has been allocated to cover the cost of travel for partner staff. Travel estimates are based on the subrecipient's formal written travel policy and training locations are currently unknown.

TOTAL SUBAWARDS: \$142,760

H: Procurement Contracts – Applicants should follow their documented procurement procedures that comply with the procurement standards in the Uniform Guidance at 2 C.F.R. §§ 200.317-200.327 or the Federal Acquisition Regulation.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. The actual rate for each consultant should be evaluated on a case-by-case basis, consistent with fair market value, and equal to the individual's experience, education, and compensation they receive for providing similar services in the marketplace. Consultant fees over \$650 per day (for an 8-hour day) or \$81.25 per hour require additional justification and prior approval from OVW.

<u>Name of Consultant</u>	Service Provided	Computation	Cost
Consultant/Trainer	Sexual Assault Training	\$575/day x 3 days	\$ 1,725

Sample narrative: A Consultant/Trainer will provide a three-day on-site training (at 8 hours per day) on sexual assault and related issues to law enforcement, prosecution, court personnel, and medical and social services personnel. The training will focus on addressing cultural needs of clients who experience sexual assault, domestic violence, dating violence, and stalking.

Subtotal Consultant Fees: \$ 1,725

Consultant Travel: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging etc.).

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Delivery of Sexual Assault Training	Town of XYZ	Airfare	\$500 (avg.) x 1 person x 1 trip	\$ 500
		Lodging	\$ 75 (avg.)/night x 2 nights	\$ 150
		Per diem	\$ 45 (avg.)/day x 3 days	\$ 135

Subtotal Consultant Travel: \$ 785

Sample narrative: Funds are allocated to pay for the Consultant/Trainer to travel to provide sexual assault training.

Subtotal Consultants: \$ 2,510

Contracts: Provide a clear description of the product or services that will be acquired through the contract, along with an estimated cost. All procurement transactions must be conducted in a manner that ensures full and open competition and adheres to the standards in 2 C.F.R. §§ 200.317-200.327. A separate justification must be provided for sole source (non-competitive) contracts in excess of \$250,000.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Therapist	\$85/hr. x 10 hrs./month x 36 months	\$30,600
Cell Phone Service	\$75/month x 36 months	\$ 2,700
Copier and Printer Lease	\$262/month x 53% x 36 months	\$ 5,000
Telephonic Interpretation	\$3.95/min. x 300 min. x 3 years	\$3,555
In-person Interpreter – Spanish	\$100/hour x 20 hours x 3 years	\$6,000
In-person Interpreter – non-Spanish	\$125/hour x 10 hours x 3 years	\$3,750
Translation – Spanish	\$25/page x 20 pages x 3 years	\$1,500
Translation – non-Spanish	\$25/page x 14 pages x 3 years	\$1,050
Sign Language Interpretation	\$95/hour x 20 hours x 3 years	\$5,700
CART Services	\$65/hour x 8 hours x 3 years	\$1,560

Subtotal Contracts: \$ 61,415

Sample narrative: The Therapist will be compensated at a rate of \$85/hour, consistent with the therapist's normal rate for providing this service in the marketplace. This contracted position will provide individual counseling sessions to clients on an as-needed basis and facilitate the group healing sessions once per week for 2 hours. A total of 10 hours of service per month is estimated.

The Bilingual Shelter Manager will need a cell phone to ensure 24 hours/day communication to provide emergency services and transportation to clients. This position is funded 100% through the application, therefore 100% of this cost is budgeted.

Equipment to be rented and/or leased includes the copier and printer. The copier and printer costs are estimated based on historical costs and allocated using an FTE allocation method (see allocation breakdown in Supplies Category).

The most common language in the local service area is Spanish, followed by Mandarin Chinese and Tagalog. Spanish language interpreters in applicant's area charge approximately \$100 per hour, and Mandarin and Tagalog interpreters charge approximately \$125 per hour. We estimate the number of hours of interpretation based on previous years plus an anticipated 10% increase during the project period. (We also employ a Spanish-English bilingual Shelter Manager, who assists with Spanish language interpretation.)

Translations in our service area cost approximately \$25 per page. We plan to have the following documents translated into Spanish during the project period: intake form (3 pages), confidentiality policy (1 page), house rules (2 pages), non-discrimination notice and complaint forms (3 pages), pamphlet on domestic violence (5 pages), pamphlet on sexual assault (5 pages), Power and Control Wheel (1 page). We plan to have the following documents translated into Mandarin and Tagalog: intake form (3 pages X 2), confidentiality policy (1 page X 2), non-discrimination notice and complaint forms (3 pages X 2).

Qualified sign language interpreters charge approximately \$95 per hour, and we anticipate using interpreters approximately 20 hours per year, based on past use and allowing for a 5% increase in usage over past years. We will host 1 day-long training session each year and anticipate providing Communication Access Realtime Translation services at each session.

TOTAL PROCUREMENT CONTRACTS: \$ 63,925

I. Other Costs – List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by each type of cost and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Bus Vouchers	\$15/client x 10/month x 36 months	\$ 5,400
Crisis Hotline	\$ 75/month x 36 months	\$ 2,700
Rent	\$1.50/sq. foot x 1,000 sq. feet x 36 months	\$54,000
Utilities	\$200/month x 36 months	\$ 7,200
Housing Assistance	\$500/family x 12 families/year x 3 years	\$18,000

Sample narrative: Bus Vouchers are estimated at a cost of \$15 per client to attend therapy or group healing sessions and we project distributing 10 per month on an as-needed basis. Vouchers are kept in a locked safe, inventoried by the Program Coordinator, and require a signature for distribution by the Shelter Manager.

Clients in remote areas often lack access to long-distance service providers, and contacting the program office can be a long-distance call for many of them. The project will maintain an 800 hotline for clients, which will be staffed daily by volunteers. The cost budgeted is for the fee associate with the use of the 800 number.

The Client Services Program rents a safe house located within the community. The house is used to provide temporary housing to clients who experience domestic violence and their minor children. The rent is consistent with the fair market rate for similar properties in the local community. This is a direct cost to the program and is used solely for the purpose of this program, therefore the cost is not allocated.

The cost of utilities (i.e., gas, electric, and water service) for the Client Services Program safe house averages \$200/month. The services are necessary to ensure that the house is suitable for occupancy. This is a direct cost to the program and is used solely for the purpose of this program, therefore the cost is not allocated.

Funds have been budgeted to provide monthly housing assistance to at least one client who experienced domestic violence, dating violence, sexual assault, or stalking. Each client and dependents will receive up to \$500 to assist with rent and utility payments. Housing assistance will not be used to pay for delinquent or past due utility or rental costs.

Funds for Language Line Solutions (LLS) for telephonic interpreting at a rate of \$3.95 per minute are budgeted. In recent years, we have used LLS between 225 and 275 minutes per year, and we anticipate a 10% increase in usage based on recent trends.

TOTAL OTHER COSTS: **\$ 87,300**

J. Indirect Costs – Indirect costs are allowed if the applicant has a federally approved indirect cost rate. A copy of the rate approval (a fully executed, negotiated agreement) must be submitted with the application. If the applicant does not have an approved rate, they may request one from their cognizant federal agency or choose to charge a de minimis rate of 10% of modified total direct costs (MTDC) in accordance with 2 C.F.R. 200.414(f). If the applicant's accounting system allows for it, costs may be allocated in the direct cost categories.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
32% of Direct Salaries (Excluding Fringe Benefits)	\$321,000 x 32%	\$102,720

TOTAL INDIRECT COSTS: **\$ 102,720**

Sample narrative: The Indirect Cost Rate Agreement was approved by the Department of Health and Human Services, the applicant's cognizant federal agency on January 1, 2023. (A copy of the fully executed, negotiated agreement that covers the current period is attached).

Budget Summary – Upon completion of the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate

the amount of federal funds requested and the amount of non-federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$ 321,000
B. Fringe Benefits	\$ 52,413
C. Travel	\$ 15,537
D. Equipment	\$ 3,000
E. Supplies	\$ 10,353
F. Construction	\$ 0
G. Subawards.	\$ 142,760
H. Procurement Contracts	\$ 63,925
I. Other Costs	\$ 87,300
Total Direct Costs	\$ 694,113
J. Indirect Costs	\$ 102,720
TOTAL PROJECT COSTS	<u>\$ 796,833</u>
Federal Share Requested	\$ 796,833
Non-Federal (Match) Amount	\$ 0

Appendix B

Pre-Award Risk Assessment

Pre-Award Risk Assessment

Each applicant must respond to each question. **Do not submit responses from a prior fiscal year without updating them to be responsive to all questions listed in the questionnaire.** This information will be used for a mandatory pre-award risk assessment. Failure to provide this information or to respond to questions from OVW regarding this information in a timely manner could result in the application being removed from consideration or a delay in access to funds. Provide complete responses that address all questions included for each numbered item.

1. Will all funds awarded under this program be maintained in a manner that they will be accounted for separately and distinctly from other sources of revenue/funding? Provide a brief description of the applicant's policies and procedures that ensure funds will be tracked appropriately.
2. Does the applicant have written accounting policies and procedures? How often are these policies and procedures updated? Provide a brief list of the topics covered in the applicant's policies and procedures. OVW may request a copy for review during the application/award process or as part of the grant monitoring process.
3. Is the applicant's financial management system able to track actual expenditures and outlays with budgeted amounts for each grant or subgrant? Provide a brief summary of the organization's process for tracking expenditures, including tracking budgeted versus actual amounts.
4. Does the applicant have procedures in place for minimizing the time between transfer of funds from the United States Treasury and disbursement for project activities? Provide a short summary of the applicant's policy for requesting payments for grant awards.
5. Does the applicant have effective internal controls in place to ensure that federal funds are used solely for authorized purposes? Provide a brief description of the applicant's internal controls that will provide reasonable assurance that the award funds will be managed properly.
6. Does the applicant have a documented records retention policy? If so, briefly describe the policy and confirm that the policy complies with federal regulations. Information on Record Retention and Access can be found at 2 C.F.R. 200.334-200.338.
7. Does the applicant or any of its employees have any potential personal or organizational conflicts of interest related to the possible receipt of OVW award funds? Applicants are required to disclose in writing any potential conflicts of interest to their awarding agency. See 2 C.F.R. 200.112 and Chapter 3.20, Grant Fraud, Waste and Abuse, of the [DOJ Financial Guide](#) for additional information.
8. Is the individual primarily responsible for fiscal and administrative oversight of grant awards familiar with the applicable grants management rules, principles, and regulations including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200)? Provide a short list of the individual's qualifications/experience. If the individual is not familiar with the applicable rules and regulations, the applicant must contact OVW's Grants Financial Management

Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 immediately after the applicant is notified of its award to coordinate training.

9. Does the applicant have policies and procedures in place to manage subawards and monitor activities of subrecipients as necessary to ensure that subawards are used for authorized purposes, in compliance with laws, regulations, and terms and conditions of the award, and that established subaward performance goals are achieved (2 C.F.R. 200.331-200.333)? Provide a brief description of the organization's policies and procedures on subrecipient management and monitoring.
10. Does the applicant currently require employees to maintain time distribution records that accurately reflect the work performed on specific activities or cost objectives in order to support the distribution of employees' salaries among federal awards or other activities (2 C.F.R. 200.430)? Budget estimates do not qualify as support for charges to federal awards. Provide a brief description of the organization's established timekeeping policies and procedures.
11. Is the applicant designated as high risk by a federal agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant entity's past performance, or other programmatic or financial concerns with the applicant entity.) If so, provide the names(s) of the federal awarding agency, the date(s) the agency notified the applicant entity of the high risk designation, contact information for the high risk point of contact at the federal agency, and the reason for the high risk status, as set out by the federal agency.

Appendix C

Applicant Entity Questionnaire

Applicant Entity Questionnaire

Note: Applicants must complete this questionnaire in JustGrants. The questions listed below are for reference only.

The Applicant Entity Questionnaire is required for every applicant for OVW funding and therefore includes questions that may not be obviously relevant or specifically focused on a particular grant program. Applicants should provide the most accurate answers and may respond “Yes” to more than one question or “No” to all questions. These questions help OVW understand the organizations that are applying for funding, but the answers do not influence funding decisions.

1. Is the applicant a **sexual assault victim service provider**, defined as a victim service provider for which the primary purpose of the organization is to provide intervention and related assistance to victims of sexual assault without regard to their age (see 34 U.S.C. 12291(a)(50) & 12511(b))?
2. Is the applicant a federally recognized tribe (see 34 U.S.C. 12291(a)(22))?
3. Is the applicant a tribal organization as defined by 34 U.S.C. 12291(a)(45)?

Note: 34 U.S.C. 12291(a)(45) defines a tribal organization in three ways:

- the governing body of an Indian tribe;
 - any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body of a tribe or tribes to be served, or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities; or
 - any tribal nonprofit organization (defined by 34 U.S.C. 12291(a)(44) as a victim services provider that has as its primary purpose to assist Native victims of domestic violence, dating violence, sexual assault, or stalking and that has staff and leadership with a demonstrated history of assisting American Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, or stalking).
4. Does the applicant primarily focus on a rural area or community as defined by 34 U.S.C. 12291(a)(32)?

Note: Applicants can enter their address or zip code into the following tool to determine if their area or community is rural: <https://data.hrsa.gov/tools/rural-health>.

5. Is the applicant a **faith-based organization**?
6. Is the applicant a **culturally-specific organization**, defined as a private nonprofit/tribal organization for which the primary purpose of the organization as a whole is to provide culturally specific services to American Indians (including Alaska Natives, Eskimos, and Aleuts), Asian Americans, Native Hawaiians and other Pacific Islanders, Blacks, or Hispanics (see 34 U.S.C. 20421(c) and 12291(a)(8)-(9); 42 U.S.C. 300u-6(g))?

If yes, are the services of the applicant entity *primarily* directed toward serving:

- ☐ Hispanics or Latinos
- ☐ Black or African Americans
- ☐ American Indians
- ☐ Alaska Natives
- ☐ Asian Americans
- ☐ Native Hawaiians
- ☐ Other Pacific Islanders

7. Is the applicant a **population specific organization**, defined by 34 U.S.C. 12291(a)(26) as a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of the **specific underserved population**?

Underserved population (defined by 34 U.S.C. 12291(a)(46)) means a population who faces barriers in accessing and using victim services, including populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, and populations underserved because of special needs (such as language barriers, disabilities, immigration status, or age).

If yes, is the applicant entity designed *primarily* to serve a population underserved because of:

- ☐ Rural location
- ☐ Sexual orientation/gender identity
- ☐ Religion
- ☐ Race
- ☐ Ethnicity
- ☐ Language barriers
- ☐ Disabilities
- ☐ Immigration status
- ☐ Age

Appendix D

Summary Data Sheet

1. Provide the following information for the grant point-of-contact. This person must be an employee of the applicant.

- Name
- Title
- Address
- Telephone number
- Email address

2. Is the applicant (the organization whose unique entity identifier is being used for the application) serving as a fiscal agent? A fiscal agent is an entity that does not participate in implementation of the project and passes **all** funds through to subrecipients, conducting minimal administrative activities. **Note: The fiscal agent must be an eligible applicant for the program.**

- If yes, list all subrecipients.

Note: The applicant acknowledges that it will be responsible for all applicable statutory, fiscal, and programmatic requirements, including those of 2 C.F.R. Part 200, as well as all project deliverables.

3. Has the applicant expended \$750,000 or more in federal funds in the applicant's past fiscal year?

- If yes, specify the end date of the applicant's fiscal year.

4. Does the applicant propose to address the OVW Priority Area: Advance equity and tribal sovereignty as essential components of ending sexual assault, domestic violence, dating violence, and stalking by improving outreach, services, civil and criminal justice responses, prevention, and support for survivors from historically marginalized and underserved communities, particularly those facing disproportionate rates or impacts of violence and multiple barriers to services, justice, and safety?

5. Indicate the Purpose Area(s) you plan to address.

5A. Do you plan to address Purpose Area 1: Training for State, Tribal, or local law enforcement personnel relating to cybercrimes against individuals?

5B. Do you plan to address Purpose Area 2: Training for State, Tribal, or local prosecutors, judges, and judicial personnel relating to cybercrimes against individuals?

6. Indicate if the proposed project is addressing additional Purpose Areas (3 – 10).

6A. Do you plan to address Purpose Area 3: Training for State, Tribal, or local emergency dispatch personnel relating to cybercrimes against individuals?

6B. Do you plan to address Purpose Area 4: Assistance to State, Tribal, or local law enforcement agencies in enforcing laws that prohibit cybercrimes against individuals, including expenses incurred in performing enforcement operations, such as overtime payments?

6C. Do you plan to address Purpose Area 5: Assistance to State, Tribal, or local law enforcement agencies in educating the public in order to prevent, deter, and identify violations of laws that prohibit cybercrimes against individuals?

6D. Do you plan to address Purpose Area 6: Assistance to State, Tribal, or local law enforcement agencies to support the placement of victim assistants to serve as liaisons between victims of cybercrimes against individuals and personnel of law enforcement agencies?

6E. Do you plan to address Purpose Area 7: Assistance to State, Tribal, or local law enforcement agencies to establish task forces that operate solely to conduct investigations, forensic analyses of evidence, and prosecutions in matters involving cybercrimes against individuals?

6F. Do you plan to address Purpose Area 8: Assistance to State, Tribal, or local law enforcement agencies and prosecutors in acquiring computers, computer equipment, and other equipment necessary to conduct investigations and forensic analysis of evidence in matters involving cybercrimes against individuals, including expenses incurred in the training, maintenance, or acquisition of technical updates necessary for the use of such equipment for the duration of a reasonable period of use of such equipment?

6G. Do you plan to address Purpose Area 9: Assistance in the facilitation and promotion of sharing, with State, Tribal, and local law enforcement agencies and prosecutors, of the expertise and information of Federal law enforcement agencies about the investigation, analysis, and prosecution of matters involving laws that prohibit cybercrimes against individuals, including the use of multijurisdictional task forces?

6H. Do you plan to address Purpose Area 10: Assistance to State, Tribal, and local law enforcement and prosecutors in processing interstate extradition requests for violations of laws involving cybercrimes against individuals, including expenses incurred in the extradition of an offender from one State to another?

7. Do you have a victim service provider listed as a mandatory project partner on the MOU?

7A. Provide the name of the mandatory project partner serving in the role of a victim service provider.

8. Provide the name(s) and entity type(s) for any other proposed project partners.

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: AB24-30
Agenda Item Type: Motion	Ordinance/Resolution Number: M24-30	Sponsor:

Agenda Subject: Joint Advisory Committee Representation.

Full Title/Motion: A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Selecting The Members Of The City's Community Development Committee As The City Council's Representatives To Serve On The Joint Advisory Committee For The Sumner Wastewater Treatment Facility.

Administrative Recommendation: Approve.

Background Summary: On January 23, 2024 the City Council authorize the Mayor to sign the Interlocal Agreement (ILA) with the City of Sumner for the coordination of wastewater (sewer) services. Section 4 of the new ILA established a Joint Advisory Committee (JAC) to review the wastewater treatment facilities (WWTP) operations; discuss improvements; address budget matters; provide input on plans, budget, and capital improvements; and ensure compliance with the ILA. Under the ILA the committee is to meet quarterly and be made up of three Councilmembers from Bonney Lake and three from the City of Sumner in addition to the Mayors and City Administrators of each City. For the JAC to begin meeting, the City of Bonney Lake needs to identify the three Councilmembers that will serve on the committee. Staff is recommending that the Councilmembers selected to serve on the City's Community Development Committee (CDC) also serve on the JAC. This approach is consistent with Sumner's approach of having the members of Sumner's Public Works Committee (PWC) serve on the JAC. Reasons for staff's recommendation include that both CDC and Sumner's PWC committees meet on Tuesdays, which will facilitate coordinating future quarterly JAC meetings, and the items associated with the WWTP are typically considered within the scope of the CDC. The City of Sumner is looking to hold the first JAC meeting in the second quarter of 2024 (April – June) and identification of the City's representatives is needed to schedule this first meeting.

Attachments: None.

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	CDC	Approvals:	Yes	No	
	Date: April 16, 2024	Chair/Councilmember:	Gwendolyn Fullerton	☒	☐
		Councilmember	Kelly McClimans	☒	☐
		Councilmember	Dan Swatman	☒	☐

Forward to:

Consent Agenda: ☒ Yes ☐ 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:
Jason Sullivan

Mayor:
Terry Carter

**Date Reviewed
by City Attorney:**
(if applicable):

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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 constructed one 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	<i>Approvals:</i>	Yes	No
	Date: April 2, 2024	Chair/Councilmember	Gwendolyn Fullerton	x
		Councilmember	Dan Swatman	x
		Councilmember	J Kelly McClimans	x
	Forward to: CDC Issues	Consent Agenda:	☐ Yes	☒ 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: Jason Sullivan	Mayor: Terry Carter	Date Reviewed by City Attorney: (if applicable):
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RESOLUTION NO. R24-26

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.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, CMC, City Clerk

**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

CONSULTANT:

CONSERVATION TECHNIX, INC.,
a California Corporation

By: _____

Name: Terry Carter

Title: Mayor

Date: _____

By: _____

Name: Stephen Duh

Title: President

Date: _____

Email: steve@conservationtechnix.com

ATTEST:

Sadie A. Schaneman, CMC City Clerk

APPROVED AS TO FORM:

Jennifer S. Robertson, City Attorney

Attachments:

Exhibit A: Scope of Work

Exhibit B: Budget

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: AB24-33
Agenda Item Type: Motion	Ordinance/Resolution Number: M24-33	Sponsor:

Agenda Subject: Land Capacity Analysis And Growth Alternatives (Comprehensive Plan Update).

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Identifying Growth Alternative Number Two As The City Council's Preferred Growth Alternative.

Administrative Recommendation: None.

Background Summary: The City Council will receive a briefing on the results of the recently completed Land Capacity Analysis (LCA) and Growth Alternatives Analysis (GAA). Staff has prepared a briefing memo that includes an executive summary and high-level overview of the LCA and the GAA. Staff has also attached the actual LCA memo and GAA memo prepared by the City's consultant. The LCA and GAA memos provide an extremely in-depth discussion of the background, methodology, analysis and findings of each memo that are discussed in the briefing memorandum. The briefing memorandum provides sufficient detail to explain the need for both the LCA and GAA and the outcomes of both documents. A copy of the staff's April 16th presentation is also attached.

Attachments: Briefing Memorandum, April 16th Presentation, LCA Memo, GAA Memo.

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:

Date:

Approvals:

Chair/Councilmember

Councilmember

Councilmember

Yes	No
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☐	☐
☐	☐
☐	☐

Forward to:

Consent Agenda: ☐ Yes ☒ No

Commission/Board Review: Planning Commission – April 1, 2024

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): 4/16/2024

Public Hearing Date(s):

Meeting Date(s): 4/23/2024

Tabled to Date:

APPROVALS

Director:
Jason Sullivan

Mayor:
Terry Carter

**Date Reviewed
by City Attorney:**
(if applicable):

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Public Services Briefing Memorandum

Meeting Date: April 16, 2024

Memo Date: April 10, 2024

Staff Contact: Jason Sullivan – Interim Public Services Director

Action Type: Discussion

Agenda Title: Periodic Update – Growth Alternatives

PURPOSE:

The purpose of this item is to brief the City Council on the outcomes of the City's Land Capacity Analysis and the Growth Alternatives Analysis.

EXECUTIVE SUMMARY:

The City completed a Land Capacity Analysis (LCA) to assess the City's capacity to serve the projected housing, population, and employment targets for the time periods from 2020-2044 and 2020-2049¹. The LCA classifies land as vacant, buildout/developed or underutilized to determine if the City can accommodate its projected growth targets. The LCA found that the City has ample capacity to meet its overall targets but a deficit of housing for very low and extremely low-income households. As a result, the City is required to identify and implement corrective actions that address this deficit. The City explored two alternatives. Alternative One (Stay the Course), implemented all the "upzones"² envisioned in the City's current comprehensive plan. Alternative Two (Bend the Trend), is a refreshed perspective on housing that would focus growth in specific areas of the Midtown and Downtown Centers and expand the areas of the City zoned Residential Neighborhood (R-1) with the goal of expanding homeownership opportunities in the City. Both alternatives would address the housing deficit and comply with the minimum requirements of the Growth Management Act. Alternative 2 is more consistent with PSRC's *VISION 2050*'s goal of reducing the City's overall population growth rate in the future.

¹ The 2020-2044 growth targets adopted on July 7, 2023 under Pierce County Ordinance No. 2023-22s, the City's compliance with the GMA and PSRC certification is based on the 2044 targets. The 2020-2049 growth targets extend the 2044 target based on projected growth rate and were simply done to coincide with the City's centennial and overall planning horizon.

² An upzone refers to a change in zoning regulations that allows for increased density or intensity of land use in a particular area. This typically involves allowing taller buildings and/or more units per acre when compared to the previous zoning designation.

DISCUSSION:

Background

Washington's Growth Management Act (GMA) adopted as Chapter 36.70A RCW mandates that the City adopt and regularly update a comprehensive plan. The City's comprehensive plan is intended to serve as the policy framework to effectively manage growth and development within the City, protect the property rights of the City's residents, facilitate economic development, and guide land use decisions and infrastructure investments.

One of the critical elements is a requirement to demonstrate that there is sufficient development capacity within the City to accommodate future population, housing, and employment growth consistent with both the GMA and the adopted multicounty planning policies established as part of the Puget Sound Regional Council's *VISION 2050*. One of the foundational elements of *VISION 2050* is the Regional Growth Strategy (RGS), which was developed to guide growth within the Central Puget Sound Region³. As part of the RGS, the region is divided into different classifications referred to as "regional geographies." These regional geographies are used to further the development patterns envisioned in *VISION 2050* and assign growth targets to each of these regional geographies within each county. Each county, in coordination with the cities within that county, are then responsible for establishing growth targets for individual jurisdictions that when taken together do not exceed the growth target established for that specific regional geography. Under the newly adopted RSG, the jurisdictions within the Cities and Towns⁴ regional geography are expected to take no more than seven percent (7%) of the growth forecasted for Pierce County.

On July 7, 2023, the City was assigned growth targets for the 2020-2044 planning period pursuant to Pierce County Ordinance No. 2023-22s. The planning horizon for the City's periodic update will be extended out to 2049 to coincide with the centennial for the City. The assumed growth rates to achieve the 2044 target for each category were extended at a constant straight-line rate to establish an estimated target for the 2049 planning horizon. Targets for both planning horizons are provided below.

³ The Central Puget South Region consist of King, Kitsap, Pierce, and Snohomish Counties

⁴ In addition the City of Bonney Lake, the other jurisdictions within the Cities and Towns Regional Geography within Pierce County include Buckley, Carbondado, Eatonville, Edgewood, Gig Harbor, Milton, Orting, Pacific, Roy, Ruston, South Prairie, Steilacoom, and Wilkeson.

Growth Targets	2020-2044	2020-2049
Population Target	Growth: 3,880 2044 Total: 26,367	Growth: 5,042 2049 Total: 27,529
Housing Target	Growth: 1,451 2044 Total: 9,055	Growth: 1,977 2049 Total: 9,582
Employment Target	Growth: 1,717 2049 Total: 8,082	Growth: 2,129 2049 Total: 8,494

TABLE 1: OVERALL GROWTH TARGETS

In addition to the overall targets, the City is also required to demonstrate that the City has sufficient capacity for the projected housing needs for moderate, low, very low, and extremely low-income households to include emergency housing, emergency shelters, and permanent supportive housing as assigned by the Washington State Department of Commerce⁵. Based on the City's overall housing and population targets assigned by Pierce County, the City was assigned the following targets by household income band:

Income Level	Projected Housing Need
0 - 30% PSH	187
0 - 30% Non-PSH	253
>30 - 50%	269
>50 - 80%	213
>80 - 100%	92
>100 - 120%	83
>120%	354
Total:	1,451

TABLE 2: INCOME BAND HOUSING TARGETS

⁵ RCW 36.70A.070(2)

Land Capacity Analysis

The LCA assessed the City's capacity to serve the overall projected housing, population, and employment needs for the 2020-2044 and 2020-2049 planning periods. Below are the results of the analysis demonstrating that the City has a surplus of capacity to meet its overall growth targets.

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	828	828
Zoned Housing capacity	821	821
ADU Capacity	107	107
Total Housing Capacity	2,438	2,438
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	987	461

TABLE 4: HOUSING CAPACITY

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,292	1,292
Total Employment Capacity	2,480	2,480
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	763	351

TABLE 3: EMPLOYMENT CAPACITY

In addition to evaluating the City's overall capacity, the LCA also assessed the City's capacity to meet the housing target for each of the income bands as established by the Department of Commerce and Pierce County. The LCA found that the City has ample capacity to meet its Emergency Housing growth targets and has an excess of housing capacity for Low-to-High income households. However, the LCA found that the City had a housing deficit for those within very low and extremely low-income households. This housing capacity deficit is due to the lack of low-income-serving housing solutions and would require the City to plan for an additional 423 residential units by 2044.

Housing Income Target Summary				
Income Level	Projected Housing Need	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	Mid-Rise Multifamily	286	(423)
0 - 30% Non-PSH	253			
>30 - 50%	269			
>50 - 80%	213	Mid-Rise Multifamily	0	195
>80 - 100%	92	Mid-Rise Multifamily, Moderate Density, and ADUs	213	597
>100 - 120%	83			
>120%	354	Low Density	436	625
Total	1,451		935	

TABLE 5: HOUSING CAPACITY BY INCOME BAND

As the LCA identified a deficiency, the GMA requires that the City identify and implement corrective actions that will accommodate the adopted housing growth target.

Growth Alternatives

To comply with the GMA requirement to address the deficit revealed by the LCA, the City completed a Growth Alternative Analysis (GAA). The GAA evaluated two growth alternatives to accommodate the City's housing target:

- **Alternative One: "Stay the Course"**

Alternative One seeks to achieve projected housing growth targets through the amplification of its current development pattern. This includes the reduction of medium-to-low density residential zones (R1 and R2) while increasing zoned acreage in the high density and mixed-use zones (R3, C-1, and DM). This growth alternative focuses on providing increased housing capacity by increasing the acreage zoned R3, C-1, and DM, which would likely result in a greater coverage of higher density housing throughout the City with an increased opportunity for mixed-use development patterns.

A map showing these zoning changes is included as Exhibit A to the GAA. All properties with "bolded" color represent the new zoning classification that would be adopted for that property.

This alternative will result in a total housing capacity of 2,782 housing units, which exceeds the City's 2044 housing target of 1,451 housing units by 1,331 housing units. The table below shows the capacity for both 2044 and 2049.

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	156	156
Zoned Housing capacity	1,847	1,847
ADU Capacity	97	97
Total Housing Capacity	2,782	2,782
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	1,331	805

TABLE 6: ALTERNATIVE 1 OVERAL HOUSING CAPACITY

Below is a table demonstrating that this alternative also results in significantly more housing capacity than is needed to serve all income bands.

Housing Income Target Summary			
Income Level	Projected Housing Need	Zone Categories Serving These Needs	Capacity Surplus (or Deficit)
0 - 30% PSH	187	Mid-Rise Multi-family	651
0 - 30% Non-PSH	253		
>30 - 50%	269		
>50 - 80%	213	Mid-Rise Multi-family	195
>80 - 100%	92	Mid-Rise Multi-family, Moderate Density, and ADUs	163
>100 - 120%	83		
>120%	354	Low Density	315
Total	1,451		

TABLE 7: ALTERNATIVE 1 INCOME BAND HOUSING CAPACITY

This growth alternative would also have sufficient capacity to meet the City's employment targets in both 2044 and 2049 as shown in the table below.

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,292	1,292
Total Employment Capacity	2,480	2,480
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	763	351

TABLE 8: ALTERNATIVE 1 EMPLOYMENT CAPACITY

- **Alternative Two: "Bend the Trend"**

Alternative Two seeks to achieve projected housing growth targets through a focus on smaller scale development with a sufficient portion of zoning dedicated to densities that support housing development affordable to all income bands. This alternative was developed to explore whether it was possible to reduce the City's overall growth rate consistent with the goals of *VISION 2050*, while at the same time complying with the requirements of RCW 36.70A.070(2) to provide housing to all income segments as determined by the Department of

Commerce. This alternative was also developed to focus housing within two specific centers, Downtown and Midtown. This approach is consistent with *VISION 2050*; specifically, MPP-RGS-11, MPP-DP-26, MPP-H-7 and MPP-Ec-20. These policies call on the Puget Sound Region to develop a framework of countywide centers and focus the development of housing and economic growth within these centers. The City’s Downtown Center is already classified as a Countywide Growth Center. As part of this update the City will be taking steps to have the Midtown Center classified as a Countywide Growth Center. This growth alternative provides lower density zoning outside of these Centers and higher density housing within the Centers. This approach would result in a slower build-out of lower density neighborhoods with most higher density housing in dense mixed-use centers to achieve the dual objectives of slowing the City’s overall growth rate while providing housing for all economic segments within the City.

As part of this alternative, the R-2 zone would be eliminated to further streamline the City’s zoning code. Properties currently zoned R-2 would mostly be rezoned R-1. As part of this change, the name of the zone would be changed from “Low Density Residential” to “Residential Neighborhood”. There would be no change in the current allowed density in the R-1, but additional housing types would be allowed. In addition to traditional single-family homes, townhomes, attached single family homes, and cottages would be allowed as alternative homeownership opportunities. During the City’s survey conducted in the fall and winter of 2023, respondents identified these housing types as housing options that they would support within the community.

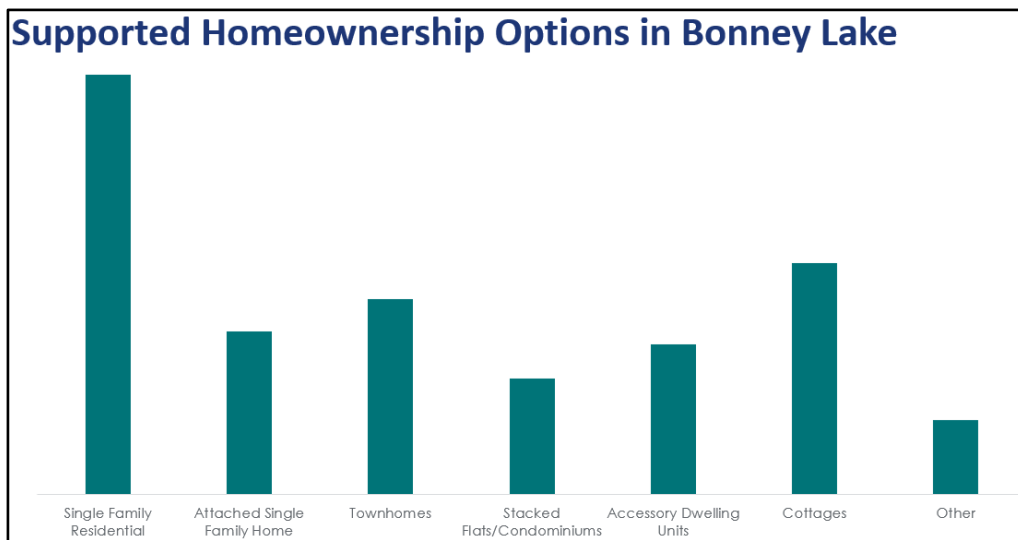


FIGURE 1: SUPPORT HOUSING OPTIONS

A map showing these changes is included as Exhibit B to the GAA. All properties with “bolded” color represent the new zoning classification that would be adopted for that property.

This alternative will result in a total housing capacity of 2,326 housing units, which exceeds the City's 2044 housing target of 1,451 housing units by 875 housing units. The table below shows the City would have sufficient housing capacity for both 2044 and 2049 under this alternative.

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	156	156
Zoned Housing capacity	1,382	1,382
ADU Capacity	106	106
Total Housing Capacity	2,326	2,326
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	875	349

TABLE 9: ALTERNATIVE 2 OVERALL HOUSING CAPACITY

Below is a table demonstrating that this alternative also provides sufficient housing capacity that is needed to serve all income levels.

Housing Income Target Summary			
Income Level	Projected Housing Need	Zone Categories Serving These Needs	Capacity Surplus (or Deficit)
0 - 30% PSH	187	Mid-Rise Multi-family	177
0 - 30% Non-PSH	253		
>30 - 50%	269		
>50 - 80%	213	Mid-Rise Multi-family	195
>80 - 100%	92	Mid-Rise Multi-family, Moderate Density, and ADUs	107
>100 - 120%	83		
>120%	354	Low Density	406
Total	1,451		

TABLE 10: ALTERNATIVE 2 INCOME BAND HOUSING CAPACITY

This growth alternative would also have sufficient capacity to meet the City's employment targets in both 2044 and 2049 as shown in the table below.

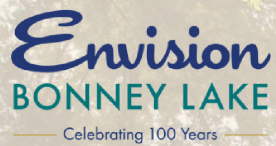
Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,235	1,235
Total Employment Capacity	2,423	2,423
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	1,048	249

TABLE 11: ALTERNATIVE 2 EMPLOYMENT CAPACITY

Conclusion

The GAA found that both alternatives provided sufficient capacity to meet the City's projected employment and housing needs for all income levels. Both alternatives also provide sufficient overall capacity out to 2049. In comparing the alternatives, Alternative 1 provides significantly more capacity than is needed; whereas, Alternative 2 provides capacity to meet the City's requirements. Alternative 2 is also more closely aligned with *VISION 2050*, while still meeting the City's requirement to provide housing affordable to all income groups.

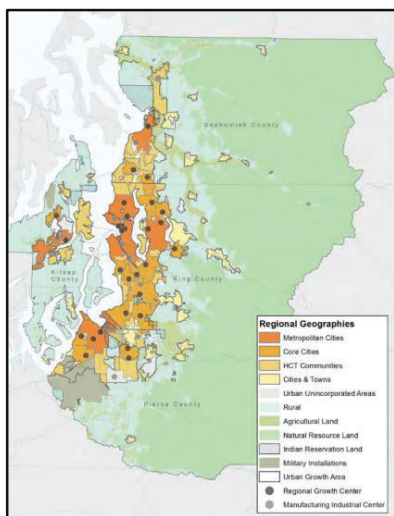
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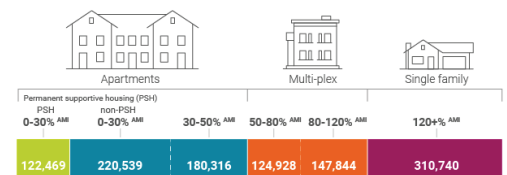
Growth Targets & Alternatives



State and Regional Guidance



Future housing needs broken down by area median income (AMI) groups



1.1 Million new homes will be needed in the next 20 years

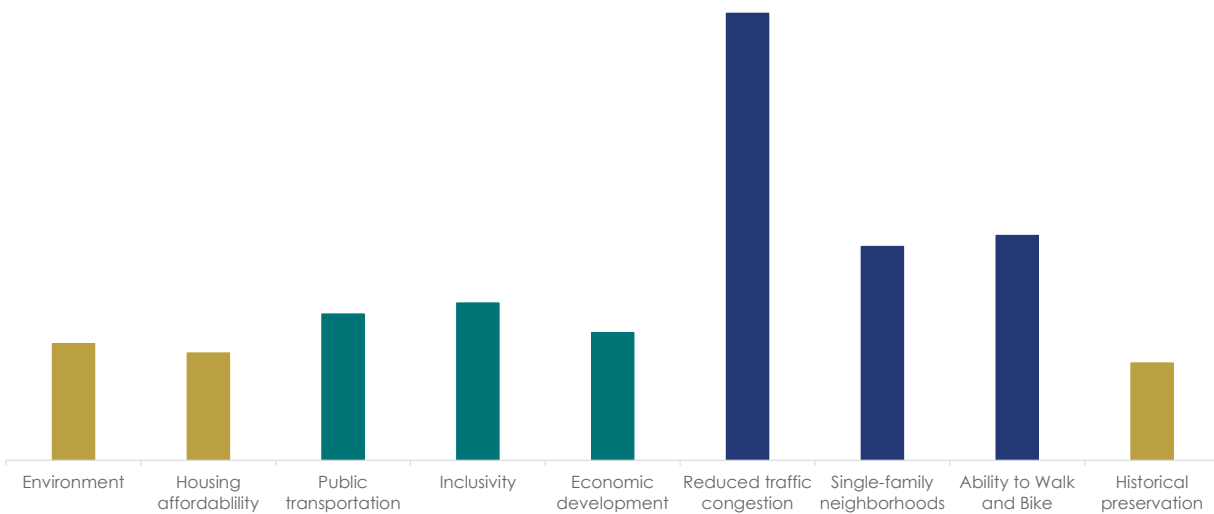
In addition, there will also need to be:
91,357 Emergency housing beds (temporary housing)

Targets

Growth Targets	2020-2044	2020-2049
Population Target	Growth: 3,880 Total: 26,367	Growth: 5,042 Total: 27,529
Housing Target	Growth: 1,451 Total: 9,055	Growth: 1,977 Total: 9,582
Employment Target	Growth: 1,717 Total: 8,082	Growth: 2,129 Total: 8,494

Income Level	Projected Housing Need
0 - 30% PSH*	187
0 - 30% Non-PSH*	253
>30 - 50%	269
>50 - 80%	213
>80 - 100%	92
>100 - 120%	83
>120%	354
Total:	1,451
* PSH stands for Permanent Supportive Housing	

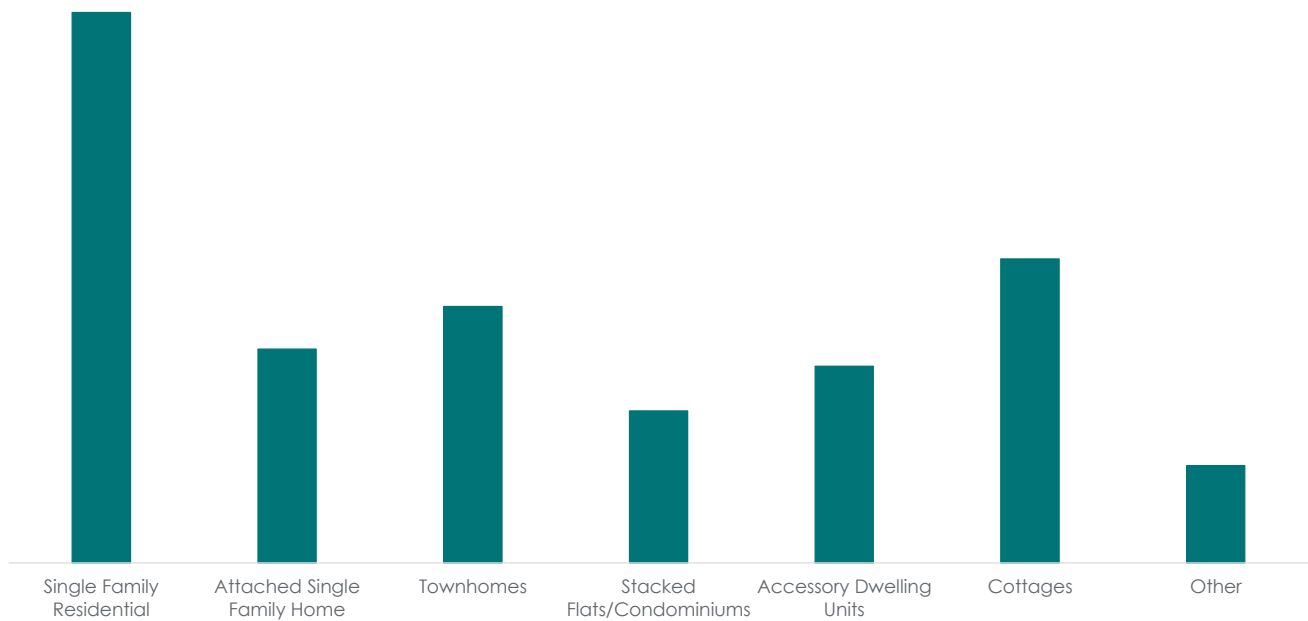
Top 3 Priorities for Bonney Lake



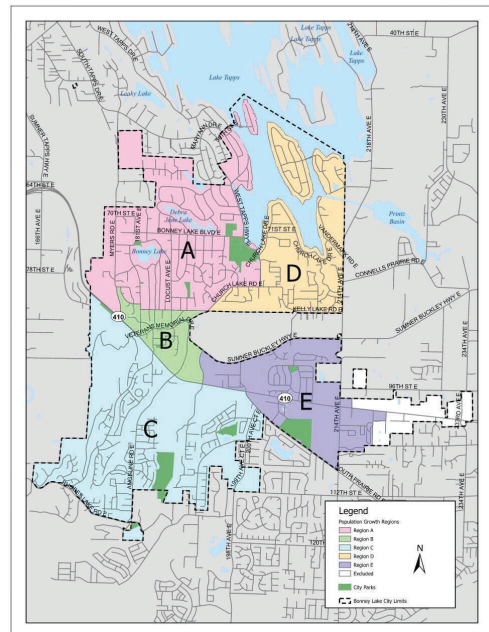
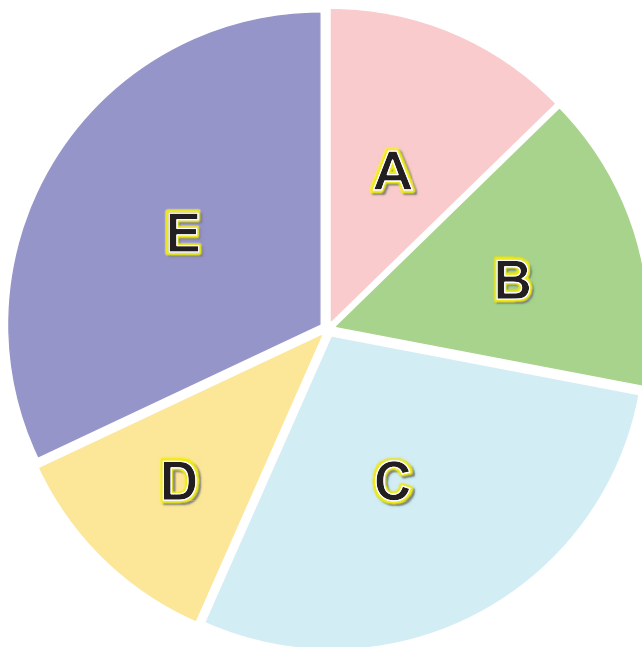
What does Bonney Lake look like in 2049?



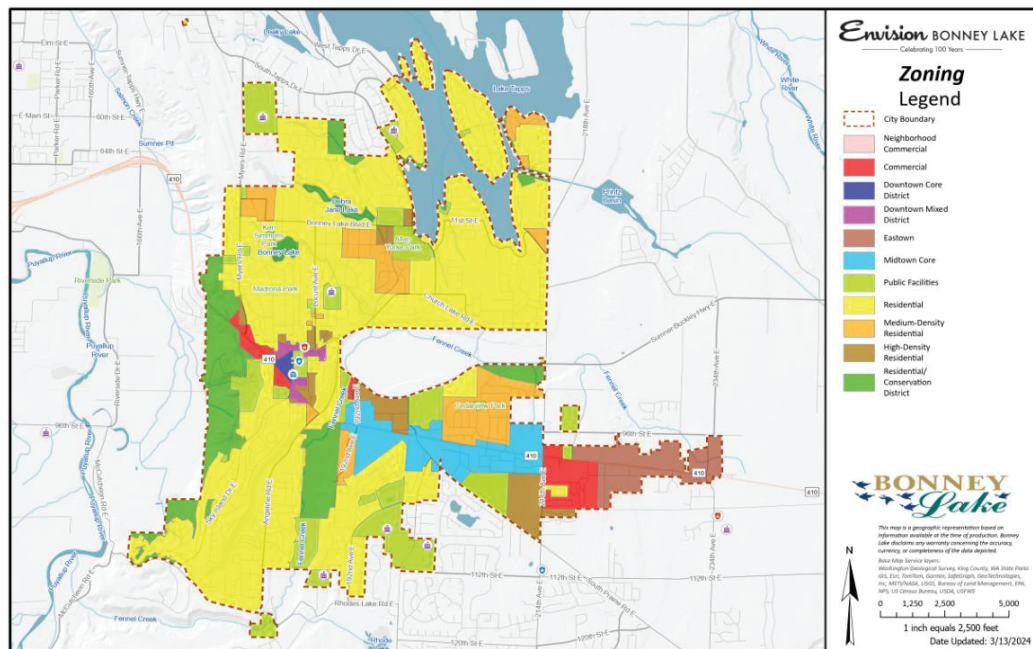
Supported Homeownership Options in Bonney Lake



Supported Areas for Residential Growth and Development



No Action Alternative



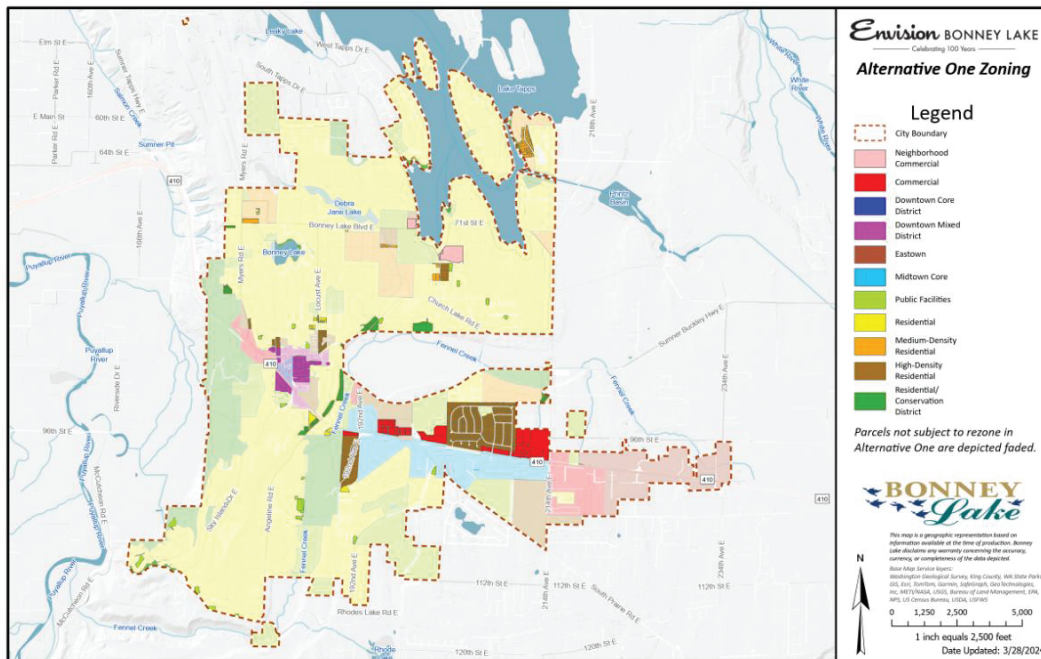
No Action Alternative

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	828	828
Zoned Housing capacity	821	821
ADU Capacity	107	107
Total Housing Capacity	2,438	2,438
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	987	461

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,292	1,292
Total Employment Capacity	2,480	2,480
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	763	351

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregate d Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multifamily	286	(423)
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multifamily	0	195
>80 - 100%	92	175	104	455	Mid-Rise Multifamily, Moderate Density, and ADUs	213	597
>100 - 120%	83						
>120%	354	354	170	373	Low Density	436	625
Total	1,451		682	828		935	

Alternative One – Stay the Course



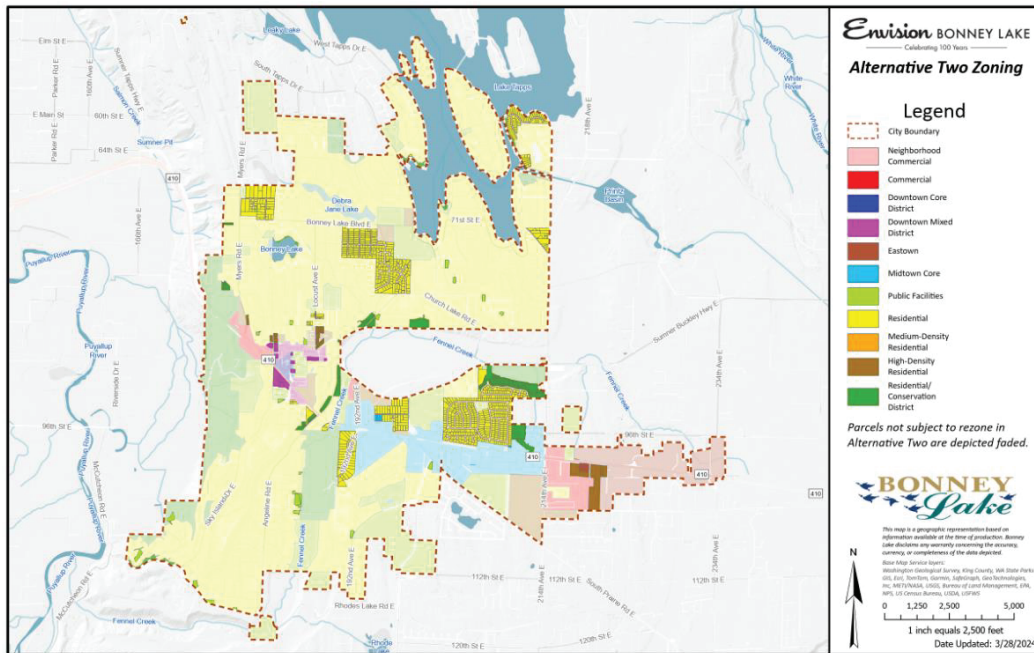
Alternative One – Stay the Course

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	828	828
Zoned Housing capacity	1,847	1,847
ADU Capacity	97	97
Total Housing Capacity	2,782	2,782
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	1,331	805

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,577	1,577
Total Employment Capacity	2,765	2,765
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	1,048	636

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregate d Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multi-family	1,360	651
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multi-family	0	195
>80 - 100%	92	175	104	72	Mid-Rise Multi-family, Moderate Density, and ADUs	161	163
>100 - 120%	83						
>120%	354	354	170	84	Low Density	415	315
Total	1,451		682	156		1,937	

Alternative Two – Bend the Trend



Alternative Two – Bend the Trend

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	156	156
Zoned Housing capacity	1,382	1,382
ADU Capacity	106	106
Total Housing Capacity	2,326	2,326
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	875	349

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,235	1,235
Total Employment Capacity	2,423	2,423
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	1,048	249

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregate d Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multifamily	886	177
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multifamily	0	195
>80 - 100%	92	175	104	72	Mid-Rise Multifamily, Moderate Density, and ADUs	106	107
>100 - 120%	83						
>120%	354	354	170	84	Low Density	506	406
Total	1,451		682	156		1,498	

<http://www.cobl.us/envisionbonneylake>

Envision
BONNEY LAKE
— Celebrating 100 Years —

BONNEY
Lake

Land Capacity Analysis Memo

To: Jason Sullivan – Interim Public Services Director, City of Bonney Lake

From: Dane Jepsen, Associate Planner, LDC Inc.

CC: Kim Mahoney, Principal Planner, LDC Inc.

Date: March 29, 2024

Re: City of Bonney Lake 2024 Land Capacity Analysis

Executive Summary

This Land Capacity Analysis (LCA) assesses an inventory of the vacant and underutilized land within a city's jurisdiction and determines whether the city can accommodate its projected growth targets. This assessment allows the city to gain a better understanding of how much land is available for development, how the city can utilize the available land to meet the projected growth targets, and highlights potential changes needed to achieve the land capacity necessary to accommodate all housing and employment needs projected for the city.

This LCA found the City of Bonney Lake (City) has ample capacity to meet its employment and Emergency Housing growth targets and has an excess of housing capacity for Low-to-High income households but has a housing capacity deficit for those within very low and extremely low-income households. This housing capacity deficit is due to the lack of low-income-serving housing solutions and would require the City to plan to provide an additional 423 residential units by 2044. Given the shortfall in housing capacity, the City has evaluated growth alternatives to accommodate its housing target; these are outlined in the Growth Alternatives memorandum and support the City's commitment to meeting its adopted growth targets.

This memorandum further details the background, methodology, and findings that inform an update to the City's capacity for housing and employment previously established by the Pierce County Buildable Lands Report (BLR).

Background

The City is required to estimate its land capacity to support anticipated growth over the planning period in the land use element¹ of its comprehensive plan (WAC 365-196-405).

In cities within Pierce County, the LCA relies on findings from the BLR. The BLR is an assessment completed by Pierce County that helps determine the amount of land suitable for development within the County, evaluates each city's capacity for growth, and projects the future housing and employment capacity for each city. The BLR bases its findings on recent development activity data provided by the cities within Pierce County. This report is known as the Buildable Lands program (RCW 36.70A.217) and was last updated in 2021². These data form the basis for updating the analysis of land capacity.

¹ The City has chosen to combine the required land use element and housing element into one element due to the significant interrelatedness of these elements, and the significant role these elements play in the lives of Bonney Lake residents.

² The 2021 Buildable Lands Report is based on an inventory of permits and property status as of January 2020 (Pierce County Buildable Lands Report – Fourth Edition, Revised Version pg. 17).

Land Capacity Analysis Overview

Washington Department of Commerce (Commerce) has developed guidance on conducting LCAs; see [Evaluating Land Capacity to Meet All Housing Needs](#), which is specific to housing capacity related to House Bill (HB) 1220, and [Urban Growth Area Guidebook](#), which addresses both housing and employment capacity in relation to the Growth Management Act (GMA).

In partnership with LDC, the City has analyzed development capacity for the 2020-2044/49 planning periods according to Commerce guidance. In this summary, findings from the LCA are reported according to Commerce guidance with underlying analysis performed based on the Pierce County BLR methodology.

Land Capacity Analysis Methodology

The 2021 Peirce County BLR methodology can be broken into two stages: Stage One - Buildable Lands Inventory and Stage Two - Buildable Lands Capacity Analysis. The lists below outline the general stages of this methodology³:

Stage One - Buildable Lands Inventory:

- Pre-Processing
- Step One – Land Use Look-Up
- Step Two – Inclusions and Exclusions
- Step Three – Feasibility
- Step Four – Overrides

Stage Two - Buildable Lands Capacity Analysis:

- Housing Capacity
- Employment Capacity

The two stages and their associated steps were incorporated into this LCA as indicated below:

Stage One - Buildable Lands Inventory

Stage One of the Pierce County Buildable Land Analysis was performed through a county-wide parcel dataset being processed through a scripted model in a Geographic Information System (GIS) setting; this would have been necessary due to the scope of the County's analysis. This LCA also worked from a continuous parcel dataset including all parcels in the City's jurisdiction; considering the decreased scale of this analysis, the analysis was performed in an Excel workbook rather than a GIS. A series of formulas and lookup tables used the following data inputs to compile a Buildable Lands Inventory for the City:

- Parcel data (Pierce County Assessor, May 2023)
- Property Improvement Data (Pierce County Assessor, May 2023)
- Use Code Table (Pierce County 2021 Buildable Lands Report p. 353-358)
- Parcel Critical area coverage (Pierce County 2021 Buildable Lands Inventory⁴ "ENV_ACRES")
- Traffic Analysis Zone Map (Pierce Transit, 2023)
- Zoning and future land use maps (City of Bonney Lake)
- Recent permitted development (01/2020-04/2023) and pipeline projects (City of Bonney Lake)
- Zone Assumptions (Appendix ACity of Bonney Lake)

³ Documentation of the 2021 BLR methodology is fragmented and only addresses the Buildable Lands Inventory process. This description of the methodology is based on LDC's interpretation of the data produced by each analysis.

⁴ <https://piercecowe.maps.arcgis.com/home/item.html?id=361d44275b464dceba4758c0c9635ae0>

Pre-Processing

Prior to beginning the analysis, the continuous parcel dataset including all parcels in the City’s jurisdiction needed to be assembled and all base data required for the analysis needed to be joined to it. This process was performed in a GIS using spatial and attribute-based data joins. This process was executed over several review cycles which continuously compared the inventories results to the 2021 Buildable Lands Inventory; the final dataset was compiled using the following sub-steps:

1. Filter parcels to only “Base Parcel” tax parcel type.
2. Join recent permitted development and pipeline projects to base parcels.
3. Spatially join critical area encumbrances from 2021 Buildable Lands Inventory to base parcels.
4. Spatially join current zoning and future land use map designations to base parcels.
5. Join Property Improvement Data current city parcels, then spatially to base parcels.

After these sub-steps were performed, the base dataset for the Buildable Lands Inventory was compiled and exported into an Excel workbook for further analysis. Every parcel in the base dataset was processed through the following steps resulting in the parcels classification of one of the following Buildable Lands Inventory designations:

Buildable Lands Inventory designation	Description
Vacant	Land that is vacant of any improvements or existing use. Can be identified by Pierce County Assessor use code or by improvement value.
Vacant Single Unit	Vacant land that is too small to develop more than one Single-Family Residential unit on. This designation is specific to residential zones.
Underutilized	Land that is not vacant and is identified to have potential for redevelopment. This is identified based on existing development compared to the redevelopment potential.
Pipeline	Land that is associated with an existing land use/civil project being permitted by the City of Bonney Lake that has not yet received approval as of April 2023.
Built Out/Undevelopable	Vacant or developed land that is identified to not likely have any development or redevelopment potential. Some reasons include presence of critical areas, public property, improvement value too high, or not enough space to redevelop.

Table 1 – Buildable Lands Inventory Designations

Step One – Land Use Look-Up⁵

All parcels in the base dataset have their designated Pierce County Assessor Use Code compared against the Use Code Table which defines the development potential of properties based on their use. Possible designations from this table are as follows:

- Unbuildable
- Redevelopable
- Vacant
- Aircraft Land
- Gov Land
- School Land
- Golf Course

⁵ The Pierce County Buildable Lands Methodology refers to this as “Stage 1A”.

Parcels designated "Vacant" or "Redevelopable" are again evaluated in Step Two - Inclusions and Exclusions.

Step Two – Inclusions and Exclusions⁶

Based on other base data, parcels designated "Vacant" or "Redevelopable" in Step One are evaluated to either be included or excluded from future analysis.

Possible designations from this step are as follows:

- Exclude
- Vacant
- Pipeline
- Redevelopable

Some parcels will be excluded in this step if they fit any of the following criteria:

- Use type designations in the Use Code Table of "GOV" or "EDUC".
- Use type designation in the Use Code Table of "RES SFR" with a Pierce County Assessor property improvement value over \$500,000.
- Use type designation in the Use Code Table other than "RES SFR" with a Pierce County Assessor property improvement value over \$1,500,000.
- Any recent⁷ permitted development was reported for the parcel.

Some parcels will be included in this step if they fit any of the following criteria:

- Use type designation in the Use Code Table other than "RES SFR" with a Bonney Lake zone type of "MIX COM" or "COM".
- Any pipeline projects were reported for the parcel.

Any parcels that were not explicitly included or excluded by one of the above conditions are advanced to Step Three with the parcel designation they received in Step One.

Step Three – Feasibility

In Step Three, parcels designated "Vacant" or "Redevelopable" had the feasibility of potential development capacity evaluated based on the Bonney Lake Zone Assumptions (Appendix A), presence of critical areas, and existing residential units or commercial space. This step concludes with a Preliminary Capacity Designation aligning with the final output of the Buildable Lands Inventory (Vacant, Vacant Single Unit, Underutilized, Pipeline, Built Out/Undevelopable).

Net parcel area is determined by subtracting the parcel critical area coverage from the Pierce County Assessors listed parcel size. In some cases, the parcels that had been evaluated for critical areas in the 2021 Buildable Lands Inventory have since had their parcel area updated in the assessor's data or parcels had a listed acreage of 0, resulting in negative values for net parcel area; because of this, net parcel area is limited to 0.

Vacant Parcels

Only residential Step Two - "Vacant" parcels were evaluated for subdivision feasibility; if the net parcel area was smaller than the minimum lot size for that parcel's zone, the parcel was designated as "Vacant Single Unit"; otherwise, the parcel was designated "Vacant". All Step Two - "Vacant" parcels in mixed use or commercial zones were designated as "Vacant".

Redevelopable Parcels

All "Redevelopable" parcels were evaluated for redevelopment potential by comparing the build potential (based on zone assumptions and net parcel area) to the existing development. All parcels are evaluated

⁶ The Pierce County Buildable Lands Inventory table shows this as "Stage 1B"

⁷ Building activity that was permitted in the City between January of 2020 and April of 2023

for both residential and commercial development build potential using the zone assumptions for residential density, mixed-use split, and minimum lot size and commercial density and mixed-use split; see zone assumptions (Appendix A). Parcel redevelopment was deemed feasible for residential or commercial development if the net development to existing development ratio exceeded the following feasibility threshold:

Development	Feasibility Threshold
Residential	>2.5 (Net units/existing units)
Commercial	>5 (Net jobs/existing jobs) ⁸

Table 2 – Stage One, Step Three, Redevelopable Feasibility Thresholds

After residential and commercial feasibility was evaluated, a Preliminary Capacity Designation was assigned based on the parcels zoning. Parcels in residential and commercial zones that were deemed feasible for redevelopment were designated "Redevelopable" and those that were deemed infeasible were designated "Built Out/Undevelopable". Parcels in mixed-use zones needed to meet two conditions to be designated "Redevelopable":

1. Have either commercial or residential redevelopment feasibility, and
2. Neither commercial nor residential have a negative net development to existing development ratio.

This ensures that parcels in mixed-use zones, with substantial residential or commercial development, were not included for redevelopment potential. Parcels were designated "Built Out/Undevelopable" if either of these conditions were not met.

Pipeline Parcels

All parcels with the Step two designation of "Pipeline" received a Preliminary Capacity Designation of "Pipeline".

Excluded Parcels

All parcels with the Step two designation of "Exclude" received a Preliminary Capacity Designation of "Built Out/Undevelopable".

Step Four – Overrides

Following Preliminary Capacity Designation, parcels were exhaustively reviewed by LDC and City staff to identify unique circumstances such as parcels with inaccurate assessor's use designations, parcels owned by the City, and parcels that served some other incompatible use, such as access tracts or stormwater infrastructure. This review closely considered previous designations from the 2021 Buildable Lands Inventory. Any exceptions or discrepancies identified in this review were corrected by directly overriding the assigned designation with one determined to be accurate by LDC and City staff, resulting in a Final Capacity Designation.

Stage Two - Buildable Lands Capacity Analysis

Stage Two of the 2021 Pierce County Buildable Land Analysis was performed within an Excel workbook through a progressive calculation table applying zone assumptions and summarizing development capacity by each zone of each jurisdiction. This LCA worked from a progressive calculation table of the same structure, but summarized capacity by zone and by Traffic Analysis Zone (TAZ) for a total of 484 rows of zone/TAZ combinations of summarized capacity.

⁸ Existing jobs were estimated based on Property Improvement Data commercial building square-footage and Use type designations in the Use Code Table. Commercial Properties (Use Type "FIRES" or "RETAIL") had an assumed 500 square-feet per employee, Manufacturing Properties (Use Type "MANU" or "WTCU") had an assumed 900 square-feet per employee.

While Stage One involved the estimation of development capacity for the purposes of determining site feasibility, none of the counts of residential or commercial capacity are directly included in this stage of analysis other than those counts from recent development, Pipeline projects, and Vacant Single Unit parcels; all remaining capacity is calculated strictly based on the base dataset and Final Capacity Designation from Stage One.

The progressive calculation table summarized components of residential and commercial capacity in steps; the added the steps together yield a final residential and commercial capacity for each zone/TAZ combination. This Final Capacity (employment and housing) becomes the input for Step 1 of the Commerce LCA guidance (discussed on page 12 of this memorandum).

Housing Capacity

Housing capacity was calculated for each zone/TAZ combination. The diagram below shows the basic progressive steps that are incorporated in the calculation of Final Housing Capacity. Details of each step are provided beneath the diagram.

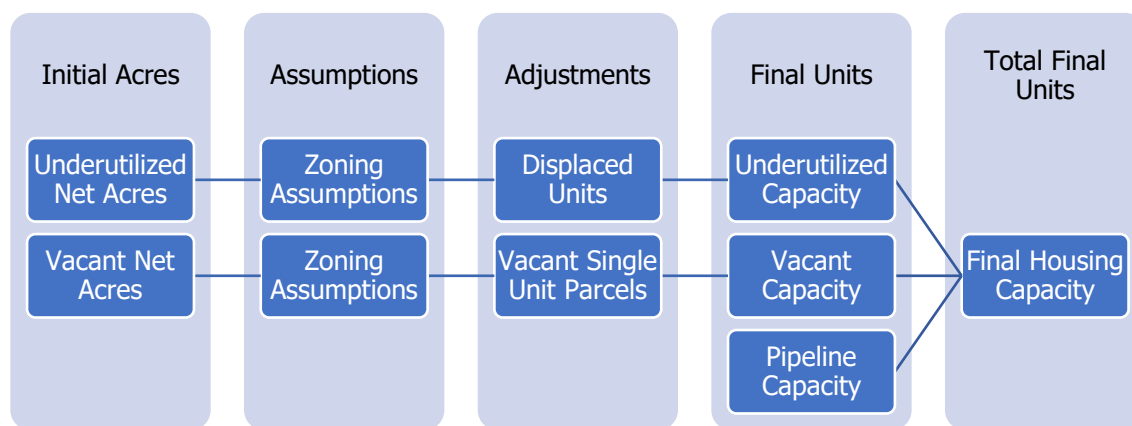


Figure 1 – Stage Two, Housing Capacity Calculation

Initial Acres

Housing capacity's initial acres are net acres (total acres minus any critical areas). Only the acres of parcels with a Stage One Final Capacity Designation of "Vacant" or "Underutilized" are totaled in initial acres.

Assumptions

Housing zone assumptions include:

- Density
- Mixed-Use Split
- Market Factor
- Plat Deductions
- Non-residential Use in Residential Zone

Assumptions are unique to each zone. Mixed-Use Split only applies to Mixed-Use zones, the split divides the available land in a zone between housing and employment. Market factor applies a reduction to the total land area available to account for the likelihood of a property being developed given the local real estate market; generally, "Underutilized" land will have a higher market factor than "Vacant" land. Single-family residential zones have a 5% deduction "Non-residential Use in Residential Zone" to plan for the co-location of residences and jobs and future housing; this is deducted from both "Vacant" and "Underutilized" land in applicable residential zones.

Adjustments

Housing adjustments include displaced units and vacant single unit parcels. Any existing dwellings on underutilized land (in all zones) are considered "displaced" in this analysis; actual redevelopment of a

specific site might include the preservation of existing units; regardless, they are subtracted from the total units of underutilized capacity to represent net housing growth. Parcels with a Stage One Final Capacity Designation of “Vacant Single Unit” are counted and added in to vacant housing capacity after zone assumptions are applied; since these parcels will not subdivide, they are not expected to have substantial changes to their future housing dependent on market factor or public dedications.

Final Units

Final units from vacant and underutilized land, as well as those to be provided by pipeline development, are compiled.

Total Final Units

All final units from vacant and underutilized land, as well as those to be provided by pipeline development, are summed to represent total housing capacity for each zone/TAZ combination.

Employment Capacity

Employment capacity was calculated for each zone/TAZ combination. The diagram below shows the basic progressive steps that are incorporated in the calculation of Final Employment Capacity. Details of each step are provided beneath the diagram.

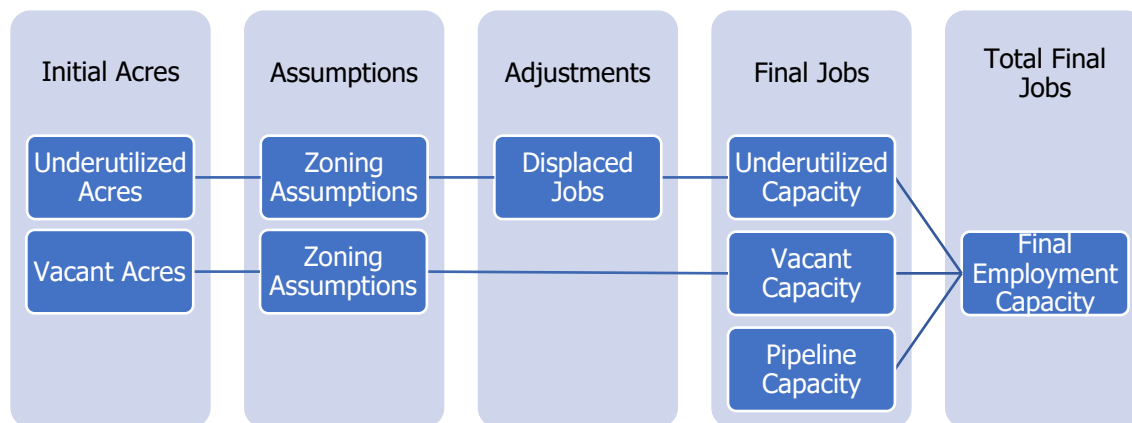


Figure 2 – Stage Two, Employment Capacity Calculation

Initial Acres

Employment capacity’s initial acres are gross acres; the 2021 BLR included an employment density survey that recommended a base rate of jobs/acre be applied to gross acreage; this differs from housing initial acres in that critical areas are not considered. Only the acres of parcels with a Stage One Final Capacity Designation of “Vacant” or “Underutilized” are totaled in initial acres.

Assumptions

Employment zone assumptions include:

- Density
- Mixed-Use Split
- Market Factor
- Non-residential Use in Residential Zone

Employment assumptions function very similarly to the housing assumptions, including density, mixed-use split, and market factor assumptions. According to the 2021 BLR methodology, employment density is broadly applied at a rate of 20 employees per acre for commercial/mixed use zones and 9 employees per acre for industrial zones; in Bonney Lake the only industrial zone is the Easttown zone. Non-residential

Use in Residential Zone, calculated in housing capacity, is added to vacant and underutilized employment capacity after acreage deductions are applied but before density is applied.

Adjustments

Employment adjustments include displaced jobs. Displaced jobs work mostly the same as displaced units except they utilize the existing jobs calculation made in Stage One – Step Three of the Buildable Lands Inventory.

Final Jobs

Final jobs from vacant and underutilized land, as well as those to be provided by pipeline development, are compiled.

Total Final Jobs

All final jobs from vacant and underutilized land, as well as those to be provided by pipeline development, are summed to represent total employment capacity for each zone/TAZ combination.

Land Capacity Analysis Results

The LCA produced projections of future capacity for housing and employment. The remainder of this memo will review the LCA's outcomes and options related to the City's 2024 Comprehensive Plan update.

Housing and Employment Targets 2020-2049

On July 7, 2023, the City was assigned housing and employment growth targets for the 2020-2044 planning period (Pierce County Ordinance No. 2023-22s). The planning horizon for the City's periodic update will be extended out to 2049 to coincide with the centennial for the City. The assumed growth rates to achieve the 2044 target for each category were extended at a constant rate to establish an estimated target for the 2049 planning horizon.

Growth Targets	2020-2044	2020-2049
Population Target	Growth: 3,880 Total: 26,367	Growth: 5,042 Total: 27,529
Housing Target	Growth: 1,451 Total: 9,055	Growth: 1,977 Total: 9,582
Employment Target	Growth: 1,717 Total: 8,082	Growth: 2,129 Total: 8,494

Table 3 – Bonney Lake Growth Targets

Current Development

The City provided data for land development that has occurred since the 2021 BLR. The following tables summarize the amount and type of building activity that was permitted in the City between January of 2020 and April of 2023. Any development applications not yet permitted by this date will be incorporated later in the LCA as Pipeline Projects.

2020-2023 Permits	
Development	Quantity
Single-Family Detached	170 Units
ADU	7 Units
Multi-Family	505 Units
Total Residential	682 Residential Units
Commercial Building	395,340 Square-feet
Total Commercial	504 Estimated Jobs

Table 4 – 2020-2023 Permit Summary

Permitted units and jobs can be directly counted against the City's current growth targets because they have effectively increased the City's capacity for housing and employment.

Growth Targets	2020-2044	2020-2049
<i>Housing Target</i>	<i>1,451</i>	<i>1,977</i>
2020-2023 Permitted Growth	682	682
Target Remaining	769	1,295
<i>Employment Target</i>	<i>1,717</i>	<i>2,129</i>
2020-2023 Permitted Growth	504	504
Target Remaining	1,213	1,625

Table 5 – Remaining Growth Targets

Employment Capacity

Employment capacity includes potential jobs from vacant and underutilized land, known pipeline projects, and the loss of jobs from development activities (Residential or Commercial) removing existing commercial space. Note that even residential zones have employment capacity since the zone assumptions for Bonney Lake include a 5% "Non-residential Use in Residential Zone" to plan for the co-location of residences and jobs for future housing.

Employment Capacity (Jobs)				
Zone	Initial	(Displaced)	Pipeline	Total
(C-1) Neighborhood Commercial District	0	(0)	0	0
(C-2) Commercial District	203	(3)	24	224
(DC) Downtown Core District	39	(37)	0	2
(DM) Downtown Mixed Use District	55	(23)	64	96
(E) Eastown District	260	(2)	533	791
(MC) Midtown Core District	429	(7)	63	485
(PF) Public Facilities District	0	(0)	0	0
(R1) Low-Density Residential District	246	(0)	0	246
(R2) Medium-Density Residential District	53	(0)	0	53
(R3) High-Density Residential District	43	(0)	0	43
(RC-5) Residential/Conservation District	36	(0)	0	36
Total	1,364	(72)	684	1,976

Table 6 – Employment Capacity Summary

The City has net employment capacity for approximately 2,365 jobs, considering current zoning provides approximately 1,364 jobs (of which, approximately 72 jobs exist on underutilized properties, resulting in Zoned Employment capacity of 1,292 jobs), and approximately 684 jobs will be provided by pipeline development.

Employment capacity in the City is more than sufficient to satisfy its employment growth targets. The table below shows the employment outcomes of the LCA against the 2044 and 2049 targets showing a surplus of 763 and 351 jobs, respectively.

Employment	2020-2044	2020-2049
2020-2023 Permitted Growth	504	504
Pipeline projects	684	684
Zoned Employment capacity	1,292	1,292
Total Employment Capacity	2,480	2,480
(Employment Target)	(1,717)	(2,129)
Employment Capacity Surplus (or deficit)	763	351

Table 7 – Employment Growth Target Progress

Housing Capacity

Per the GMA, the LCA needs to take into consideration capacity for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing⁹. These housing types will be referenced throughout the LCA; their definitions from the GMA are available in the table below:

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	Residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Table 8 – GMA Housing Definitions

The City has adopted targets to add an additional 1,451 residential units and 334 emergency beds by 2044. These targets incorporate needs for Affordable Housing, PSH, and Emergency Housing, as well as needs for traditional market rate housing. As is previously stated, Pierce County Ordinance No. 2023-22s (adopted July 7, 2023) establishes the City's housing growth target allocations; the table below outlines permanent housing targets by income and emergency housing target in beds.

Permanent Housing Target (Units) by Affordability (AMI)								Emergency Housing Target (Beds)
0 – 30%		30 – 50%	50 – 80%	80 – 100%	100 – 120%	120% Plus	Total	
Non-PSH	PSH							
187	253	269	213	92	83	354	1,451	334

Table 9 – Affordable and Emergency Housing Targets

In 2021, the GMA was amended to reflect the passing of HB 1220, requiring local government to plan for and accommodate affordable housing to all economic segments. The GMA was later amended in 2023 to reflect the passing of HB 1337, requiring eased barriers to the construction and use of ADUs.

⁹ RCW 36.70A.070(2)(c)

To demonstrate compliance with HB 1220, housing capacity is reported according to Commerce guidance¹⁰; this guidance outlines the demonstration of housing capacity through the following steps:

1. Summarize land capacity by zone.
2. Categorize zones by allowed housing types and density level
3. Relate zone categories to potential income levels and housing types served
4. Summarize capacity by zone category
5. Compare projected housing needs to capacity
6. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

1. Summarize land capacity by zone

In the context of recent HBs (HB 1220 and HB 1337), the City has identified capacity for all housing needs in three areas:

1. Zoned capacity – Capacity from vacant and redevelopable land or from pipeline development projects.
2. Accessory Dwelling Unit Capacity (HB 1337) – Potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates.
3. Emergency Housing Capacity (HB 1220) – Capacity for the City to provide for emergency housing needs based on available land and other opportunities.

Zoned Capacity

The table below summarizes zoned housing capacity identified in Stage 2 of the LCA.

Housing Capacity (Units)				
Zone	Initial	(Displaced)	Pipeline	Total
(C-1) Neighborhood Commercial District	0	(0)	0	0
(C-2) Commercial District	0	(0)	0	0
(DC) Downtown Core District	8	(0)	0	8
(DM) Downtown Mixed Use District	27	(1)	24	50
(E) Easttown District	0	(6)	48	42
(MC) Midtown Core District	0	(1)	0	(1)
(PF) Public Facilities District	0	(0)	0	0
(R1) Low-Density Residential District	576	(175)	71	472
(R2) Medium-Density Residential District	180	(74)	12	118
(R3) High-Density Residential District	320	(68)	672	924
(RC-5) Residential/Conservation District	37	(2)	1	36
Total	1,148	(327)	828	1,649

Table 10 – Housing Capacity Summary

¹⁰ WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), p.19

Accessory Dwelling Unit Capacity (House Bill 1337)

HB 1337 was passed during the 2023 legislative session. The provisions of this bill must be implemented by the City no later than June 30, 2025. The bill states that if a city or county does not amend their rules to be consistent with the law, the provisions of the law “**supersede, preempt and invalidate any conflicting local development regulations.**” ([Session law](#) adopting HB 1337, p. 5, lines 14-15).

Recent changes to state law require cities to allow up to two Accessory Dwelling Units (ADUs) on all lots¹¹ zoned to allow single-family homes, provided the lots meet or exceed the minimum lot size for the zone; in Bonney Lake, this includes the R1, R2, and RC5 zones. There are 7,188 parcels in the R1, R2, and RC5 zoning districts. After excluding various land uses, parcels with critical areas, and parcels with capacity as determined in the LCA, 3,719 lots are eligible for 2 ADUs per HB 1337. Including lots that could add an ADU that have LCA capacity (vacant, underutilized, or vacant single unit) brings the total ADU-eligible lots to 4,261.

Commerce recommends basing estimated ADU production on an estimated participation rate based on the Real Estate market of the jurisdiction¹². The estimated participation rate was inferred from analysis of recent development in the City. Seven ADUs were permitted in the last three years, which equates to approximately 2.3 ADUs per year. For this LCA, the City assumed that ADU production would increase due to regulation changes required by HB 1337 and expects approximately 5.35 ADUs per year in the 2024-2044 planning period. Extrapolated out over the next 20 years, the City could plan for an additional 107 ADUs by 2044.

Based on an analysis of ADUs built in the last five years, the City assumed a 2% participation rate; this accounts for owners who do not have the means or the desire to build ADUs. Additionally, the City assumed an average of 1.25 ADUs per lot; currently, there are no lots identified in the City that have more than one ADU, but considering the new requirements of HB 1337, lots with two ADUs could exist in the future. Applying this analysis, the City has capacity for 107 ADUs on 85 lots.

ADU Development Capacity				
Available Lots	Participation Rate	Potential ADU Lots	ADUs per Lot	2044 ADU Capacity
4,261	2.00%	85	1.25	107

Table 11 – HB 1337 ADU Capacity

Emergency Housing Capacity (House Bill 1220)

HB 1220 included the addition of Emergency Needs Housing Requirements. These requirements are applicable to all jurisdictions that have been assigned Emergency Needs Housing targets, of which the City has been assigned 334 beds. The bill requires that jurisdictions allow for siting of indoor emergency housing or indoor emergency housing shelters where hotels are allowed or within “a majority of zones within a one-mile proximity to transit.” The City lacks any zones permitting Hotels and has one Park & Ride serviced by Sound Transit.

In this LCA, the City accounted for Emergency Housing capacity by dedicating a portion of the vacant land identified for Emergency Housing use. The City selected vacant land because it is more likely to feasibly support the development of Emergency Housing, and the City did not specify specific sites for this Emergency Housing provision because they do not have any regulations limiting the siting, spacing, or intensity of Emergency Housing uses. The City removed a total of 8 acres from the E and PF zones in the LCA and estimated provision for emergency housing according to Commerce Guidance¹³ and an assumed construction of Tiny shelter villages and Emergency Congregate shelters.

¹¹ Lots with critical areas or their buffers are exempt from the requirements of HB 1337.

¹² WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), p.28

¹³ WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), p.47-48

Emergency Housing Capacity						
Site Grouping	Acres	Density	Capacity (beds or units)	Total Capacity	(Total need)	Capacity Surplus (or Deficit)
Tiny shelter villages	4	30 units/acre	120	360	(334)	26
Emergency Congregate Shelter	4	60 beds/acre	240			

Table 12 – Emergency Housing Capacity Summary

The City has sufficient capacity in the PF and E zones to meet its Emergency Housing target. The City will need to take steps to ensure this housing is provided, some steps might include coordinating with local shelters or other providers of Emergency Housing and applicable services, pursuing sources of funding for Emergency Housing projects, and including public engagement in the necessary siting of Emergency Housing uses.

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU production contributes toward the City's total 2044 housing target of 1,451 residential units. This LCA has identified approximately 391 acres of vacant and underutilized land available for future residential development in the City. Without considering housing needs for income brackets, the City has capacity for 2,438 residential units and has a housing capacity surplus of 987 residential units. The below table shows the residential outcomes of the LCA against the 2044 and 2049 targets.

Housing	2020-2044	2020-2049
2020-2023 Permitted Growth	682	682
Pipeline projects	828	828
Zoned Housing capacity	821	821
ADU Capacity	107	107
Total Housing Capacity	2,438	2,438
(Housing Target)	(1,451)	(1,977)
Housing Capacity Surplus (or deficit)	987	461

Table 13 – Housing Growth Target Progress

2. Categorize zones by allowed housing types and density level

Commerce has developed a framework for determining potential housing affordability. The framework requires the compilation of permitted housing types and maximum allowed density in each zone to assign zones into "Zone Categories" which can be used to better understand how effective the capacity identified in the LCA is at serving "all housing needs."

*Housing costs and affordability can vary significantly by housing type, and housing types and densities are determined in part by zoning and other local development regulations. For example, subsidized affordable housing projects are most feasible to produce in low-rise or mid-rise multifamily zones that allow for multi-unit housing production, such as apartment buildings.*¹⁴

The table to the right shows zone categories from Commerce guidance that are applicable to zones in Bonney Lake.

Zone Category	Typical Housing Types Allowed
Low Density	Detached single-family homes
Moderate Density	Townhomes, duplex, triplex, quadplex
Mid-Rise Multifamily	Apartments or condominiums in buildings with ~4-8 floors (~40-85 feet in height)

Table 14 – Zone Density Categories

Based on this framework, the City's residential zones can be classified into the following categories:

Bonney Lake Residential Zone Density Categories				
Zone	Housing Types Allowed	Min Density Required	Max Density Allowed	Assigned Zone Density Category
(DC) Downtown Core District	Apartments or condominiums, Residential over Ground Floor Retail	10.00 Du/Ac	None	Mid-Rise Multifamily
(DM) Downtown Mixed Use District	Apartments or condominiums, Residential over Ground Floor Retail	10.00 Du/Ac	None	Mid-Rise Multifamily
(R1) Low-Density Residential District	Detached single-family homes	4.00 Du/Ac	5.00 DU/Ac	Low Density
(R2) Medium-Density Residential District	Detached single-family homes, duplex, triplex and quadriplex	5.00 Du/Ac	9.00 DU/Ac	Moderate Density
(R3) High-Density Residential District	Apartments or condominiums, townhouses, Duplexes	10.00 Du/Ac	None	Mid-Rise Multifamily
(RC-5) Residential/Conservation District	Detached single-family homes	None	0.20 DU/Ac	Low Density

Table 15 – Bonney Lake Zone Density Categories

¹⁴ WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), p.30

3. Relate zone categories to potential income levels and housing types served

Depending on the housing types permitted in a zone, different income levels' housing needs are more likely to be served. The table below outlines the potential income levels served depending on housing type and market rate or subsidized housing; this is based on a standard table provided by Commerce¹⁵. Household income segments refer to households that are affordable to households at specified AMIs. Income levels are based on the Area Median Income (AMI); in the City, the 2018-2022 Median Income was \$123,462¹⁶. See table to right for Household Income Levels.

Income Levels	
Income Level	Relative AMI
Extremely Low Income	<=30% AMI
Very Low Income	>30% and <=50% AMI
Low Income	>50% and <=80% AMI
Moderate Income	>80% and <=120% AMI
High Income	>120% AMI

Table 16 – Household Income Levels

Zone Category Incomes Served				
Zone Category	Housing Types Served	Lowest Potential Income Level Served		Assumed Affordable Income Level for LCA
		Market Rate	With Subsidies	
Low Density	Single-Family Detached	High Income	Not feasible at scale	High Income
Moderate Density	Townhomes, duplex, triplex, quadplex	Moderate Income	Not feasible at scale	Moderate Income
Mid-Rise Multifamily	Apartments or condominiums in buildings with ~4-8 floors	Low Income	Extremely Low - Very Low Income	Low - Extremely Low Income and PSH
ADUs (all zones)	ADUs on developed residential lots	Moderate Income	N/A	Moderate Income

Table 17 – Zone Category Incomes Served

¹⁵ WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), Exhibit 12, p.33

¹⁶ Data from US Census Bureau: QuickFacts, Bonney Lake city, Washington

4. Summarize capacity by zone category

The table below shows zoned capacity from the LCA and compiles it based on the zone density category.

Pipeline projects are not included in this categorization; specific knowledge about the built condition or the proposed projects in the pipeline lends a more accurate measure of what income levels are being served. The table below summarizes recent projects in the permitting pipeline by housing type and income level.

In addition to Pipeline development, the 682 dwelling units constructed since the BLR are accounted for in the table below.

Zoned Capacity by Density			
Zone	Capacity (LCA)	Zone Density Category	Capacity in Zone Density Category
DC	8	Mid-Rise Multifamily	286
DM	26		
R3	252		
R2	106	Moderate Density	106
R1	401	Low Density	436
RC5	35		
ADUs (any zone)	107	ADUs	107
Total	935¹⁷		

Table 18 – Zoned Capacity by Density

Pipeline Development			
Type	Permitted Units	Density Category	Capacity Built Density Category
Multi-Family	280	Mid-Rise Multifamily	280
Townhouse	175	Moderate Density	175
ADU	0	ADU	0
Single-Family Detached	373	Low Density	373
Total	828		

Table 19 – Pipeline Development by Density

2020-2023 Development			
Type	Permitted Units	Density Category	Capacity Built Density Category
Multi-Family (<60% AMI) ¹⁸	408	Mid-Rise Multifamily	408
Multi-Family	97	Mid-Rise Multifamily	97
Townhouse	0	Moderate Density	0
ADU	7	ADU	7
Single-Family Detached	170	Low Density	170
Total	682		

Table 20 – 2020-2023 Development by Density

¹⁷ This total does not account for 7 residential units displaced in the E and MC zones; since these units aren't being displaced by residential development and do not constitute a significant loss of housing, they are not counted against affordable housing capacity. The net zoned capacity of 927 units is reflected in Table 10.

¹⁸ Multi-family project, "View by Vintage" built between 2021 and 2023, all units were limited to residents with income less than 60% AMI for the next 50 years as the project received low interest loans from the Washington State Housing Trust Fund.

5. Compare projected housing needs to capacity

The adopted income housing targets previously shown (Table 9) are compared to the identified capacity (**Error! Reference source not found.**, **Error! Reference source not found.**, and **Error! Reference source not found.**) in the below table (Table 21). The first two columns are a column-to-row flip of the income housing targets table (Table 9); the remaining columns show the calculations based on the category capacity established on the previous page. Zoned capacity fills higher income brackets before lower ones due to market pressures, pipeline and built capacity is specifically assigned to income categories based on development type and whether the development was market-rate or included an affordable housing component.

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregate d Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multifamily	286	(423)
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multifamily	0	195
>80 - 100%	92	175	104	455	Mid-Rise Multifamily, Moderate Density, and ADUs	213	597
>100 - 120%	83						
>120%	354	354	170	373	Low Density	436	625
Total	1,451		682	828		935	

Table 21 – Income Housing Target Capacity Summary

Sufficient Capacity

The current zoned and built capacity is sufficient to meet the needs of households with incomes greater than 50% AMI. Plenty of single-family housing has been built and is in the pipeline, effectively serving the need for greater than 120% AMI households. Additionally, townhouse and multi-family developments have provided ample capacity for households between 80% and 120% AMI. The 50% to 80% target is met solely by the View By Vintage project which constructed 408 income restricted dwelling units that will be income restricted until year 2070 and is than enough to serve the projected need.

Insufficient Capacity

Housing targets for households making less than 50% AMI have not seen any measurable progress since 2020. The combined housing need for households under 50% AMI is 709 units. Current buildable land in Mid-Rise zones does not seem sufficient to meet these targets. The R3, DM, and DC zones have a combined capacity of 286 units, so the total shortfall for households under 50% AMI is 423 units. Yet, this assumes that all the 286 units of zoned capacity would need to be allocated to households <50% AMI, which is unlikely without substantial changes to development regulations. An increased capacity for Mid-Rise Multi-Family residential development and measures to incentivize income restricted development serving Low and Extremely Low incomes may be required to meet these targets.

6. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

Note that though the R3, DM, and DC zones have an assumed density of 15 units per-acre in this LCA, higher densities are likely feasible. The City's DC, DM, and R3 zoning classification have a minimum density of 10 units per net acre, but no maximum density. All the zones permit buildings of at least 4 stories of 45 feet, and the DC and DM allow buildings up to seven stories.

The R3 zone has approximately 42.4 acres of land available for residential development with 68 existing units on redevelopable parcels. Including displaced units, the assumed density would have to be increased to just 18.3 to produce a net 709 units. It is possible for the City to accommodate the adopted housing need, but action on behalf of the City will be necessary to ensure this housing capacity deficit solution is implemented.

Conclusion

In partnership with LDC, the City has analyzed development capacity for the 2024-2044/2049 planning period according to Pierce County BLR and Commerce guidance applicable to new State regulations implementing HBs 1220 and 1337. The LCA updates the Buildable Lands Inventory in the 2021 BLR and documents the City's progress towards its Housing and Employment growth targets.

The City has been continually growing and expanding the selection of housing that it allows and is serving a greater range of household incomes than before.

This LCA found the City has ample capacity to meet its employment and Emergency Housing growth targets and has an excess of housing capacity for Low-to-High income households and has a housing capacity deficit for those within very low and extremely low-income households. This housing capacity deficit is due to the lack of low-income serving housing solutions and would require the City to plan to provide an additional 423 residential units by 2044. Given the shortfall in housing capacity, the City has evaluated growth alternatives to accommodate its housing target; these are outlined in the Growth Alternatives memorandum and support the City's commitment to meeting its adopted growth targets.

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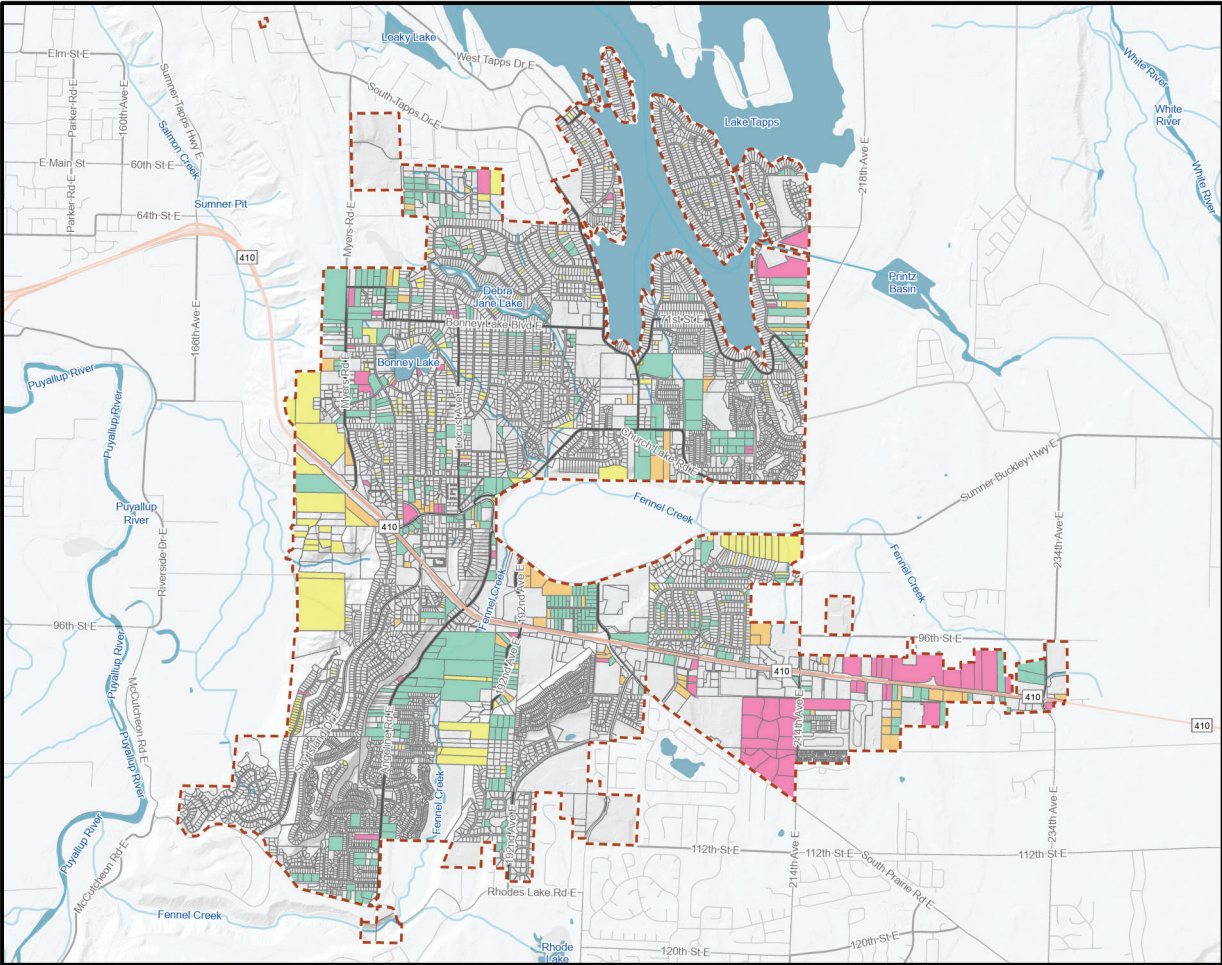
Appendices

(2024). *Appendix A – LCA Zone Assumptions*

(2024). *Appendix B – 2024 Buildable Lands Inventory Map*

(2024). *Appendix C – Zoning Map*

Appendix A - Bonney Lake 2024 LCA Zone Assumptions													
Zone	Zone Type	Residential			Employment		Residential Market Factor		Non-Residential Market Factor		Plat Deductions (ROW, Stormwater, Open Space, Non-Residential)	Non-residential Use in Residential Zone	Assumed Density
		Mixed-Use Split	Density	Min Lot	Mixed-Use Split	Density	Vacant	Underutilized	Vacant	Underutilized			
C1	MIX COM	50%	6	0	50%	20	15%	35%	15%	35%	0%	0%	6.00
C2	MIX COM	0%	0	0	100%	20	15%	35%	15%	35%	0%	0%	0.00
DC	MIX COM	20%	15	0	80%	20	15%	35%	15%	35%	0%	0%	15.00
DM	MIX COM	50%	15	0	50%	20	15%	35%	15%	35%	0%	0%	15.00
E	IND	0%	0	0	100%	9	15%	35%	15%	35%	0%	0%	0.00
MC	COM	0%	0	0	100%	20	15%	35%	15%	35%	0%	0%	0.00
PF	COM	0%	0	0	100%	20	15%	35%	15%	35%	0%	0%	0.00
R1	RES	100%	4	0.5	0%	20	15%	30%	0%	0%	20%	5%	4.00
R2	RES	100%	6	0.49	0%	20	15%	30%	0%	0%	20%	5%	6.00
R3	RES	100%	15	0.3	0%	20	15%	30%	0%	0%	20%	5%	15.00
RC5	RES	100%	0.2	12.5	0%	20	15%	30%	0%	0%	20%	5%	0.20



Envision BONNEY LAKE
Celebrating 100 Years

**2024 Buildable Lands
Inventory**

Legend

- City Boundary
- Built Out/
Undevelopable
- Pipeline
- Underutilized
- Vacant
- Vacant Single
Unit



This map is a geographic representation based on information available at the time of production. Bonney Lake disclaims any warranty concerning the accuracy, currency, or completeness of the data depicted.

Base Map Service layers:
Washington Geological Survey, King County, WA State Parks
GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies,
Inc, MET/NASA, USGS, Bureau of Land Management, EPA,
NPS, US Census Bureau, USDA, USFWS

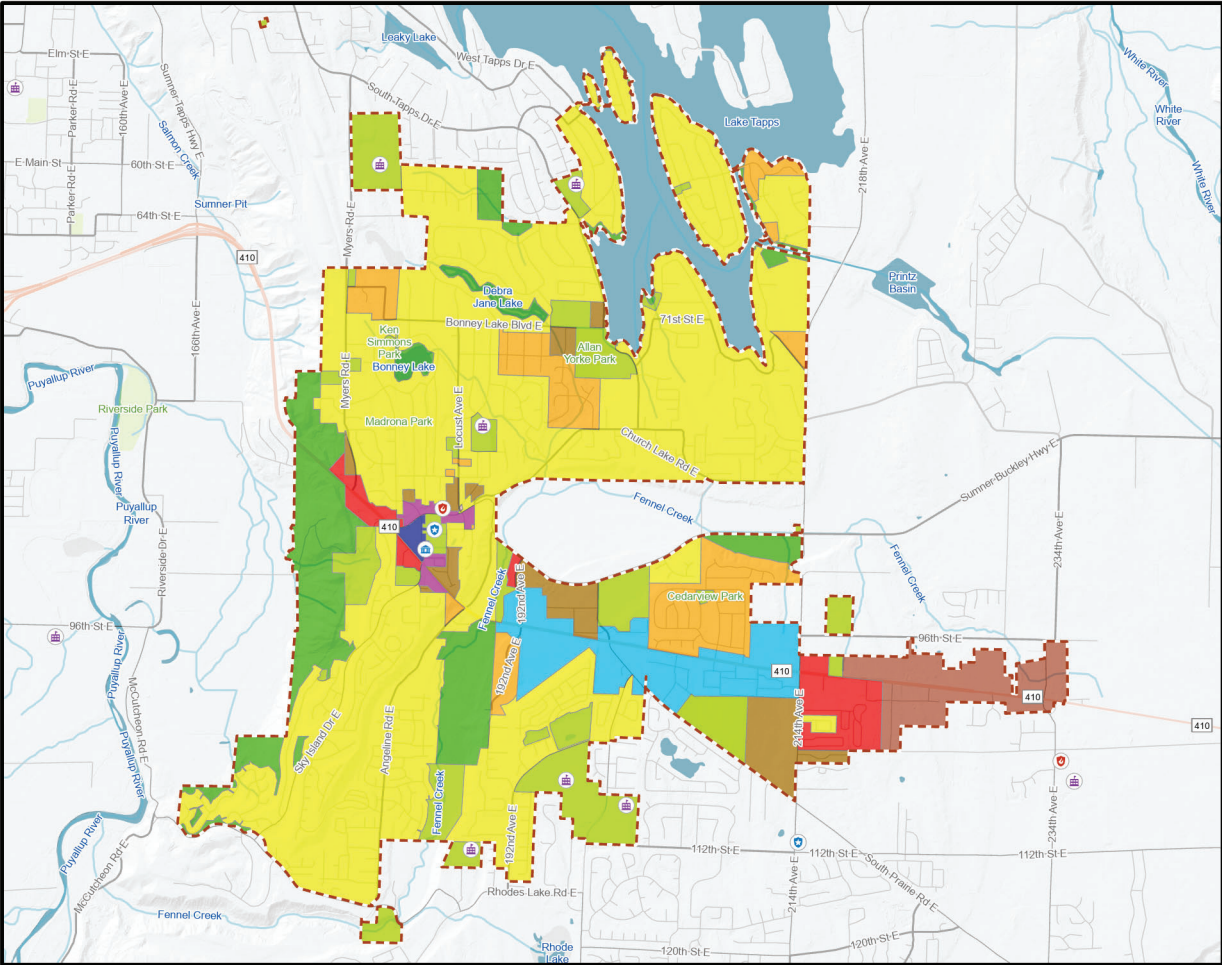
N



0 1,250 2,500 5,000

1 inch equals 2,500 feet

Date Updated: 3/28/2024



**Zoning
Legend**

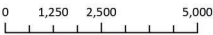
- City Boundary
- Neighborhood Commercial
- Commercial
- Downtown Core District
- Downtown Mixed District
- Easttown
- Midtown Core
- Public Facilities
- Residential
- Medium-Density Residential
- High-Density Residential
- Residential/Conservation District



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N



1 inch equals 2,500 feet

Date Updated: 3/13/2024

2044 Growth Alternatives Memo

To: Jason Sullivan – Interim Public Services Director, City of Bonney Lake

From: Dane Jepsen, Associate Planner, LDC Inc.

CC: Kim Mahoney, Principal Planner, LDC Inc.

Date: March 29, 2024

Re: City of Bonney Lake 2024 Comprehensive Plan Update

Executive Summary

During the City of Bonney Lake's (City) 2024 Comprehensive Plan update, LDC, Inc. (LDC) performed a Land Capacity Analysis (LCA) to assess the City's capacity to serve the projected housing and employment needs for the 2020-2044 and 2020-2049 planning periods¹. The LCA found that the City has ample capacity to meet its employment and Emergency Housing growth targets and has an excess of housing capacity for Low-to-High income households. However, this analysis found that the City has a housing capacity deficit for those within very low and extremely low-income households. This housing capacity deficit is due to the lack of low-income-serving housing solutions and would require the City to plan to provide an additional 423 residential units by 2044.

Per RCW 36.70A (the Growth Management Act [GMA]), the City is required to identify and implement corrective actions that will accommodate the adopted housing growth target; the City has evaluated two growth alternatives to accommodate its housing target:

Alternative One: "Stay the Course"

Alternative Two: "Bend the Trend"

This memorandum further details the background, methodology, overview, and analysis results of the City's considered growth alternatives.

Background

Puget Sound Regional Council (PSRC) is a multi-county planning organization that coordinates the planned growth of the Puget Sound region needed to accommodate future housing and employment needs. Through its *VISION 2050* plan, PSRC coordinated a target for total regional population growth and the adoption of county-wide population, employment, and housing targets for its member counties. In the PSRC Vision 2050, the City is identified as one of the geographies accepting a lower portion of the regions' housing and employment growth.

VISION 2050 includes plans for housing and employment capacity in the following geographies:

- Metropolitan Cities
- Core Cities
- High Capacity Transit (HTC) Communities
- Cities & Towns
- Rural Unincorporated Areas
- Rural

The City of Bonney Lake was placed within "Cities & Towns" category, which means that the City is expected to accommodate a small portion of the region's needs relative to its size. The housing and employment growth targets adopted by Pierce County on July 7, 2023 reflect the planned growth

¹ 2020-2044 growth targets adopted July 7, 2023 under Pierce County Ordinance No. 2023-22s, 2020-2049 growth targets extend the 2044 target based on projected growth rate.

assigned to Pierce County in *VISION 2050*; therefore, the City's planning to accommodate its growth targets inherently participates in the much wider regional plan, as well. In the 2024 Comprehensive Plan update, the City is faced with decisions about how it will plan to meet its housing and employment targets. In the past, the City has met rising housing needs through development of single-family and multi-family housing, with an increasing portion of new multi-family units (Figure 1). In an effort to explore methods for accommodating its housing growth targets, the City has considered one alternative of "staying the course" (Alternative One), whereby its recent trends of housing development could serve the growing need for housing, and another alternative, "bending the trend" (Alternative Two), whereby a refreshed perspective to housing development could more adequately serve housing needs in the City.

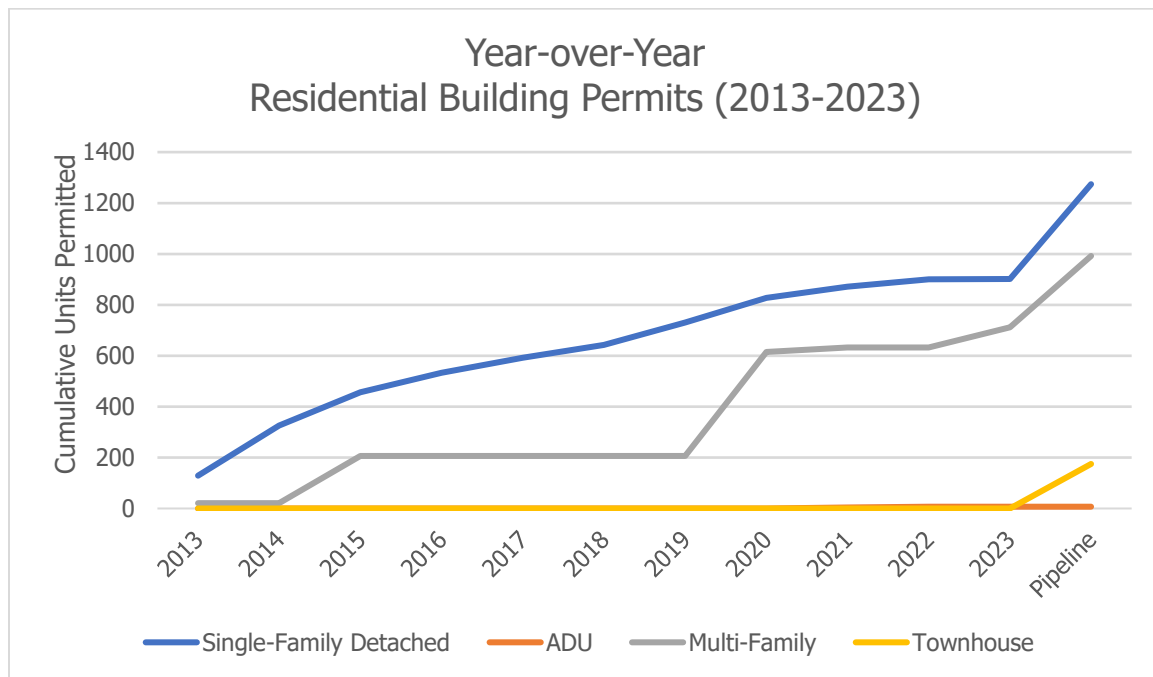


Figure 1 – Year-over-Year Residential Building Permits (2013-2023)

Methodology

The two proposed growth alternatives were evaluated for potential housing and employment capacity using the same methodology outlined in the LCA memo; this includes the same zone assumptions and the same process for identifying lands as Vacant, Vacant Single Unit, Underutilized, Pipeline, and Built Out/Undevelopable. Two specific changes were incorporated in the analysis of these growth alternatives: changes to capacity in the (PF) Public Facility zone, and removal of the Midtown Pipeline project. See these changes outlined below:

Public Facilities Zone Capacity

In the LCA, no housing or employment capacity was designated on publicly owned land. Development of public land does not respond to market pressure the way private development does, and LCA assumptions cannot predict the likelihood of a community decision. Yet, while considering growth alternatives, it is acceptable to present the outcomes of growth paths that require said decision making. For this reason, Alternative One included capacity from a selection of publicly-owned parcels on the City Hall campus that have been identified to be favorable for private sale and redevelopment. The *City of Bonney Lake Centers Plan* (Centers Plan) adopted in 2017 envisioned that the former civil campus would be developed with a mix of residential and commercial uses. Under Alternative One, it is assumed that the City would move forward with the zoning changes as part of this periodic update and further implement the Centers Plan. These parcels were designated as vacant since the market factor applicable to underutilized land would not be as prevalent on publicly-owned land. These parcels were rezoned for

Overview

There are two main ways jurisdictions can address housing and employment capacity deficits identified in an LCA:

1. Changing jurisdiction regulations for development related to employment and housing capacity.
2. Changing the zoning map to increase or decrease developable area in specified zones.

The City's proposed growth alternatives only included changes to the zoning map. The remainder of this memo will review the impacts of these zoning changes on projected capacity.

Zoning changes were comprehensively evaluated for every base parcel in the City, allowing the Buildable Lands Inventory to adjust based on proposed zoning changes. Appendix A & B depict the zoning changes that were implemented in the analysis of each alternative, the table below also shows the changes to the gross acreage of each zone proposed by each growth alternative.

Zoned Acres - Alternatives Summary					
Zone	Area (Acres)				
	Base Zoning	Alternative One		Alternative Two	
		Total Acres	Change Addition or (Reduction)	Total Acres	Change Addition or (Reduction)
(C-1) Neighborhood Commercial District	0.00	14.47	14.47	0.00	0.00
(C-2) Commercial District	114.27	172.47	58.20	83.49	(30.79)
(DC) Downtown Core District	8.24	6.48	(1.76)	7.08	(1.16)
(DM) Downtown Mixed Use District	20.88	45.00	24.13	33.01	12.13
(E) Easttown District	166.27	166.27	0.00	166.48	0.21
(MC) Midtown Core District	236.05	178.15	(57.90)	226.42	(9.63)
(PF) Public Facilities District	508.87	512.81	3.94	524.21	15.34
(R1) Low-Density Residential District	2289.44	2,223.11	(66.33)	2531.41	241.96
(R2) Medium-Density Residential District	282.73	182.70	(100.03)	0.00	(282.73)
(R3) High-Density Residential District	155.73	260.23	104.50	158.46	2.73
(RC-5) Residential/Conservation District	410.06	430.85	20.79	461.99	51.93
Total	4192.54	4192.54		4192.54	

Table 1 – Zoned Acres - Alternatives Summary

Both Alternatives feature overall reductions in the DC, MC, and R2 zones and additions in the DM, PF, R3, and RC-5 zones. Alternative One utilizes the C-2 and R3 zones much more than Alternative Two while reducing the area of the MC, R1, and R2 zones. Alternative Two utilizes the R1 and RC-5 zones more than Alternative Two while reducing the C-2 zone and outright removing the R2 zone.

Alternative One: "Stay the Course"

Alternative One seeks to achieve projected housing growth targets through the amplification of its current development pattern. This includes the reduction of medium-to-low density residential zones (R1 and R2) while increasing zoned acreage in the high density and mixed-use zones (R3, C-1, and DM) to maximize

the potential for affordable housing development. This growth alternative also includes an increase in the area of the (RC-5) Residential/Conservation District as a reflection of the City's priority to preserve its natural land and open space while preventing sprawl. This growth alternative's focus on providing increased housing capacity by adding zoned acreage to the R3, C-1, and DM zones would likely result in a greater coverage of moderate density housing throughout the City with an increased opportunity for mixed-use and inclusive development patterns.

Alternative Two: "Bend the Trend"

Alternative Two seeks to achieve projected housing growth targets through a focus on smaller scale development with a sufficient portion of zoning dedicated densities that support low-income housing development. This alternative was developed to explore whether it was possible to reduce the City's overall growth rate consistent with goals of VISION 2050, while at the same time complying with the requirements of RCW 36.70A.070(2) to provide housing to all income segments as determined by the Department of Commerce. This alternative was also developed to focus housing within two specific centers: Downtown and Midtown, consistent with VISION 2050; specifically, MPP-RGS-11, MPP-DP-26, MPP-H-7 and MPP-EC-20. These policies call on the Puget Sound Region to develop a framework of countywide centers and focus the development of housing and economic growth within these centers. The City's Downtown Center is already classified as a Countywide Growth Center. As part of this update, the City will be taking steps to have the Midtown Center classified as a Countywide Growth Center. This includes the elimination of the (R2) Medium-Density Residential District, which would comprise of mostly rezoned (R1) Low-Density Residential District land, and an increase of approximately 30 acres in the R3 and DM zones. This growth alternative's focus on lower density zoning outside of these Centers and the provision of higher density housing through the R3 and DM zones within the Centers would result in a slower build-out of lower density neighborhoods with the majority of high-density housing developing in dense mixed-use centers to achieve the dual objectives of slowing the City's overall growth rate while providing housing for all economic segments within the City.

Alternative Analysis Results

In this analysis, growth alternative capacity is summarized and presented in the same format that was used to present housing and employment capacity in the LCA. This analysis will compare the capacity results of the proposed growth alternatives with the results determined based on existing zoning in the LCA.

Employment Capacity

Employment capacity identified in the LCA was more than sufficient to satisfy the City's employment growth targets. The proposed alternatives included planned zoning changes reflected in the City's current Comprehensive Plan map designations and deductions of commercial and industrial zones for the purposes of meeting housing capacity needs; these changes in zoning yielded changes in projected employment capacity; the table below summarizes alternatives changes in capacity and compares them against the employment growth target:

Employment Capacity - Alternatives Summary					
Zone	Base Zoning	Alternative One		Alternative Two	
		Total Jobs	Change Addition or (Reduction)	Total Jobs	Change Addition or (Reduction)
(C-1) Neighborhood Commercial District	0	76	76	0	0
(C-2) Commercial District	200	416	216	165	(35)
(DC) Downtown Core District	2	2	0	2	0
(DM) Downtown Mixed Use District	32	128	96	63	31
(E) Eastown District	258	258	0	258	0
(MC) Midtown Core District	422	188	(234)	326	(96)
(PF) Public Facilities District	0	0	0	0	0
(R1) Low-Density Residential District	246	236	(10)	289	43
(R2) Medium-Density Residential District	53	33	(20)	0	(53)
(R3) High-Density Residential District	43	203	160	95	52
(RC-5) Residential/Conservation District	36	37	1	37	1
Total Zoned Capacity	1,292	1,577	285	1,235	(57)
2020-2023 Permitted Growth	504	504		504	
Pipeline projects	684	684		684	
Total Employment Capacity	2,480	2,765		2,423	
(Employment Target)	(1,717)	(1,717)		(1,717)	
Employment Capacity Surplus (or deficit)	763	1,048		706	

Table 2 – Employment Capacity - Alternatives Summary

Analysis of both growth alternatives identified sufficient capacity for future employment targets with Alternative One producing slightly more and Alternative Two slightly less employment capacity than current zoning.

Housing Capacity

As in the LCA, housing capacity for proposed growth alternatives should demonstrate capacity for affordable housing to all economic segments. Washington State Department of Commerce has provided guidance² for demonstrating this utilizing the following steps:

1. Summarize land capacity by zone.
2. Categorize zones by allowed housing types and density level.
3. Relate zone categories to potential income levels and housing types served.
4. Summarize capacity by zone category.
5. Compare projected housing needs to capacity.
6. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

The LCA summarized current projected housing capacity using these steps and some of the analysis utilized there will be reused in the growth alternatives capacity analysis. The proposed alternatives involve changes to only the zoning map; resultantly, steps 2 and 3 do not need to be re-evaluated to demonstrate capacity. Step 6 was executed through this memo's analysis of the proposed growth targets. Analysis of Housing capacity for growth alternatives will include the following steps:

1. Summarize land capacity by zone.
4. Summarize capacity by zone category.
5. Compare projected housing needs to capacity.

1. Summarize land capacity by zone

The LCA identified housing capacity in three areas: zoned capacity, Accessory Dwelling Unit (ADU) capacity, and Emergency Housing Capacity. The proposed alternatives resulted in different outcomes for zoned and ADU capacity, but Emergency Housing capacity remained the same. Eight acres of vacant land were identified in the LCA for Emergency Housing Capacity; the same area of vacant land was reserved from the proposed alternatives, resulting in no change to projected Emergency Housing capacity. Housing capacity for the proposed growth alternatives was identified in two areas:

1. Zoned capacity – Capacity from vacant and redevelopable land.
2. Accessory Dwelling Unit Capacity (House Bill [HB] 1337) – Potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates.

² WA Commerce, HB 1220 Book 2 Housing Element Update (August 2023), p.19

Zoned Capacity

The table below summarizes zoned housing capacity identified in this alternative analysis and compares it to that identified in the LCA. Zoned capacity is the net result of initial units minus displaced units.

Housing Capacity - Alternatives Summary					
Zone	Base Zoning	Alternative One		Alternative Two	
		Total Units	Change Addition or (Reduction)	Total Units	Change Addition or (Reduction)
(C-1) Neighborhood Commercial District	0	14	14	0	0
(C-2) Commercial District	0	0	0	0	0
(DC) Downtown Core District	8	7	(1)	7	(1)
(DM) Downtown Mixed Use District	26	116	90	57	31
(E) Eastown District	-6	-6	0	-6	0
(MC) Midtown Core District	-1	-1	0	-4	(3)
(PF) Public Facilities District	0	0	0	0	0
(R1) Low-Density Residential District	401	378	(23)	464	63
(R2) Medium-Density Residential District	106	65	(41)	0	(106)
(R3) High-Density Residential District	252	1,237	985	822	570
(RC-5) Residential/Conservation District	35	37	2	42	7
Total	821	1,847	1026	1,382	561

Table 3 – Housing Capacity - Alternatives Summary

Accessory Dwelling Unit Capacity (HB 1337)

Projected ADU capacity fluctuated between the proposed growth alternatives due to rezones affecting the future production of single-family lots in the City. The alternatives analysis utilized the same assumptions as the LCA: 2% participation factor for available lots and 1.25 ADUs constructed per participating lot. The table below outlines ADU capacity for each alternative.

ADU Development Capacity – Alternatives Summary			
	Base Zoning	Alternative One	Alternative Two
Available Lots	4,260	3,906	4,258
Potential ADU Lots	85	78	85
2044 ADU Capacity	107	97	106³

Table 4 – ADU Development Capacity - Alternatives Summary

³ 2044 projections for ADU capacity are rounded from the nearest tenth decimal place, resulting in a slight difference between base and alternative two ADU capacity.

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU production contributes toward the City's total 2044 housing target of 1,451 residential units. Without considering housing needs for income brackets, total housing capacity provided by proposed growth alternatives exceeds projected housing targets. Notably, Alternative Two has a surplus 112 units lower than that provided by base zoning.

Housing	Base Zoning	Alternative One	Alternative Two
2020-2023 Permitted Growth	682	682	682
Pipeline projects	828	156	156
Zoned Housing capacity	821	1,847	1,382
ADU Capacity	107	97	106
Total Housing Capacity	2,438	2,782	2,326
(2020-2044 Housing Target)	(1,451)	(1,451)	(1,451)
Housing Capacity Surplus (or deficit)	987	1,331	875

Table 5 – Housing Capacity Subtotal

4. Summarize capacity by zone category

Zone density categories identified in the LCA are applicable in the analysis of the proposed growth alternatives. Zoned, pipeline, and built capacity were totaled by zone density category; zoned and pipeline capacity had different quantities than were presented in the LCA; built capacity was not affected by the proposed alternatives, for reference see the LCA Memo Table 20.

The table below shows zoned capacity from the alternatives LCA and compiles them based on the zone density category.

Zoned Capacity by Density - Alternative Comparison									
Zone Density Category	Zone	Base Zoning		Alternative One			Alternative Two		
		Zoned Capacity	Capacity in Zone Density Category	Zoned Capacity	Capacity in Zone Density Category	Change Addition or (Reduction)	Zoned Capacity	Capacity in Zone Density Category	Change Addition or (Reduction)
Mid-Rise Multi-family	DC	8	286	7	1,360	1047	7	886	600
	DM	26		116			57		
	R3	252		1,237			822		
Moderate Density	R2	106	106	65	65	(41)	0	0	(106)
Low Density	R1	401	436	378	415	(21)	464	506	70
	RC5	35		37			42		
ADUs	ADUs (any zone)	107	107	97	97	(10)	106	106	(1)
Total		935		1,937			1,498		

Table 6 – Zoned Capacity by Density - Alternatives Comparison

The proposed alternatives produced significantly more than base capacity in the “Mid-Rise Multi-family” zone density category, with Alternatives One and Two improving on base capacity by 1047 and 600 units, respectively. Proposed zoning changes did no-doubt affect this capacity projection, but the biggest factor in this increase is the removal of the Midtown pipeline project. At 672 units, the Midtown pipeline project made up approximately 73% of the total housing capacity in the R-3 zone, but it did not have any affordable housing provision. Thus, its pipeline capacity only applied to income brackets greater than 80% AMI. Returning the Midtown project site’s land to vacant capacity re-introduced the possibility of adding affordable housing with its development; for example, Alternative Two only expanded the R-3 zone by 6.9 acres, and still all 822 units of zoned capacity can count towards incomes served by the “Mid-Rise Multi-family” zone density category.

Pipeline projects utilized in the alternatives analysis differ from the LCA due to the removal of the Midtown Project. The table below summarizes pipeline projects used in this analysis by housing type and income level.

Pipeline Development			
Type	Permitted Units	Density Category	Capacity Built Density Category
Multi-Family	72	Mid-Rise Multi-family	72
Townhouse	0	Moderate Density	0
ADU	0	ADU	0
Single-Family Detached	84	Low Density	84
Total	156		

Table 7 – Pipeline Development by Density

5. Compare projected housing needs to capacity

Comparison of alternative capacity to each proposed growth alternative was done individually before being compared to the total capacity identified in the LCA.

The adopted income housing targets are compared to capacity identified for each growth alternative (Table 6, Table 7, and LCA Memo Table 20) in the below tables (Table 8 and Table 9). The first two columns are a column-to-row flip of the income housing targets table; the remaining columns show the calculations based on the zone density category capacity established in Housing Capacity – Step 4. Permitted growth and Pipeline capacity have set income brackets they serve based on presence of income restrictions in their existing or proposed provision of housing.

Alternative One - Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregated Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multi-family	1,360	651
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multi-family	0	195
>80 - 100%	92	175	104	72	Mid-Rise Multi-family, Moderate Density, and ADUs	161	163
>100 - 120%	83						
>120%	354	354	170	84	Low Density	415	315
Total	1,451		682	156		1,937	

Table 8 – Alternative One - Income Housing Target Capacity Summary

Alternative Two - Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregated Housing Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Zone Categories Serving These Needs	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	187	709	0	0	Mid-Rise Multifamily	886	177
0 - 30% Non-PSH	253						
>30 - 50%	269						
>50 - 80%	213	213	408	0	Mid-Rise Multifamily	0	195
>80 - 100%	92	175	104	72	Mid-Rise Multifamily, Moderate Density, and ADUs	106	107
>100 - 120%	83						
>120%	354	354	170	84	Low Density	506	406
Total	1,451		682	156		1,498	

Table 9 – Alternative Two - Income Housing Capacity Summary

Previous tables have compared growth alternative capacity directly with LCA capacity; the following table shows how the proposed growth alternatives compare to the base capacity relative to the adopted growth targets.

Affordable Housing Target Capacity - Alternative Comparison							
Income Levels	Aggregated Housing Needs	Base Capacity		Alternative One		Alternative Two	
		Zoned Capacity	Capacity Surplus (or Deficit)	Zoned Capacity	Capacity Surplus (or Deficit)	Zoned Capacity	Capacity Surplus (or Deficit)
0 - 50% PSH & Non-PSH	709	286	(423)	1,360	6531	886	177
>50 - 80%	213	408	195	408	195	408	195
>80 - 100%	175	772	597	338	163	282	107
>120%	354	979	625	669	315	760	406
	1,451	2,445		2,775		2,336	

Table 10 – Affordable Housing Target Capacity - Alternative Comparison

Sufficient Capacity

Base capacity and both growth alternatives all served sufficient capacity for the 50% to 80% AMI income bracket by the View By Vintage project constructed in 2020. Independently, base capacity was only able to provide sufficient capacity to meet the needs of households with incomes greater than 50% AMI; while providing an excess of capacity for moderate-to-high income households (80%-120% AMI).

Zoning proposed in growth Alternative One is projected to have more than enough capacity to meet the needs of residents of all incomes. Excess housing capacity is concentrated in the less than 50% AMI brackets, creating a favorable environment for the construction of low-income and supportive housing types. Additionally, Alternative One provides a wide variety of options for dense forms of housing through use of the R2, R3, C-1, and DM zones; this variety of housing types is also likely to fill the “Missing Middle” gap in the City’s housing stock and better meet the housing needs of its future residents.

Zoning proposed in growth Alternative Two is projected to have sufficient capacity to meet the needs of residents of all incomes. There is little excess housing capacity overall, the majority of capacity overperformance is in the greater than 120% AMI income bracket. The 406 excess units of capacity in the greater than 120% AMI income bracket will likely result in more home-ownership opportunities; these opportunities would only meet the housing needs of a portion of the City’s residents. The three income brackets less than 50% AMI (30-50%, 0-30% PSH & non-PSH) have a total of 177 units of excess capacity between them; the zoning assumptions considered in this LCA ensure that it is possible for the City to deliver on this projected capacity. Still, the City would need to work with low-income housing providers and developers to ensure the needed low-income housing is captured in the development of applicable zones.

Insufficient Capacity

The LCA identified a total shortfall for households under 50% AMI of 423 units. These targets have seen no measurable progress since 2020 and are fully served by the “Mid-Rise Multi-family” zone density category containing the R3, DM, and DC zones. Proposed growth Alternatives One and Two addressed

this capacity shortfall through zoning changes and maximized use of existing zoned area in the R3 zone that can serve low-income housing needs, resulting in no capacity shortfall for either.

2049 Housing and Employment Targets

In addition to the housing and employment targets for 2044 (20 years), the City projected growth to 25 years (2049) and evaluated capacity for each of the proposed alternatives. The tables below outline the results of the two alternatives and compare them to the existing projected capacity.

2049 Housing Target Vs Capacity - Alternatives Summary					
Housing	Base Zoning	Alternative One	Change Addition or (Reduction)	Alternative Two	Change Addition or (Reduction)
Total Housing Capacity	2,438	2,782	344	2,326	(112)
(2020-2049 Housing Target)	(1,977)	(1,977)		(1,977)	
Housing Capacity Surplus (or deficit)	461	805		349	

All alternatives produced a surplus of housing capacity when compared to the City's 2049 housing target. Alternative One resulted in 344 more units of housing than base zoning, while Alternative Two resulted in 112 less units than base zoning.

2049 Employment Target Vs Capacity – Alternatives Summary					
Employment	Base Zoning	Alternative One	Change Addition or (Reduction)	Alternative Two	Change Addition or (Reduction)
Total Employment Capacity	2,480	2,765	285	2,423	(57)
(2020-2049 Employment Target)	(2,129)	(2,129)		(2,129)	
Employment Capacity Surplus (or deficit)	351	636		294	

All alternatives produced a surplus of employment capacity when compared to the City's 2049 employment target. Alternative One resulted in 285 more jobs of housing than base zoning, while Alternative Two resulted in 57 less jobs than base zoning.

The proposed alternatives achieve adopted and projected growth targets and consistently represent the two proposed growth paths for the City's next 25 years of growth.

Conclusion

In partnership with LDC, the City has analyzed housing and employment development capacity for the 2024-2044 planning period based on proposed growth alternatives:

Alternative One: "Stay the Course"

Alternative Two: "Bend the Trend"

This alternative analysis found both alternatives sufficiently provide capacity to meet the City's projected employment and housing needs. While base capacity identified in the LCA found housing capacity

shortfalls for very low-income households, this analysis found that proposed alternatives are projected to meet the needs of residents of all incomes, including very low-income households. Proposed growth alternatives met the existing housing capacity shortfall through rezones and maximized use of existing zoned area in the R3 zone that can serve low-income housing needs.

Given the outcomes of this alternatives LCA indicate that either Alternative One or Alternative Two could serve the housing needs of the community's projected growth, the City will decide which growth alternative is preferable for the City's 2024 Comprehensive Plan update and implement proposed changes along with the adoption of its plan.

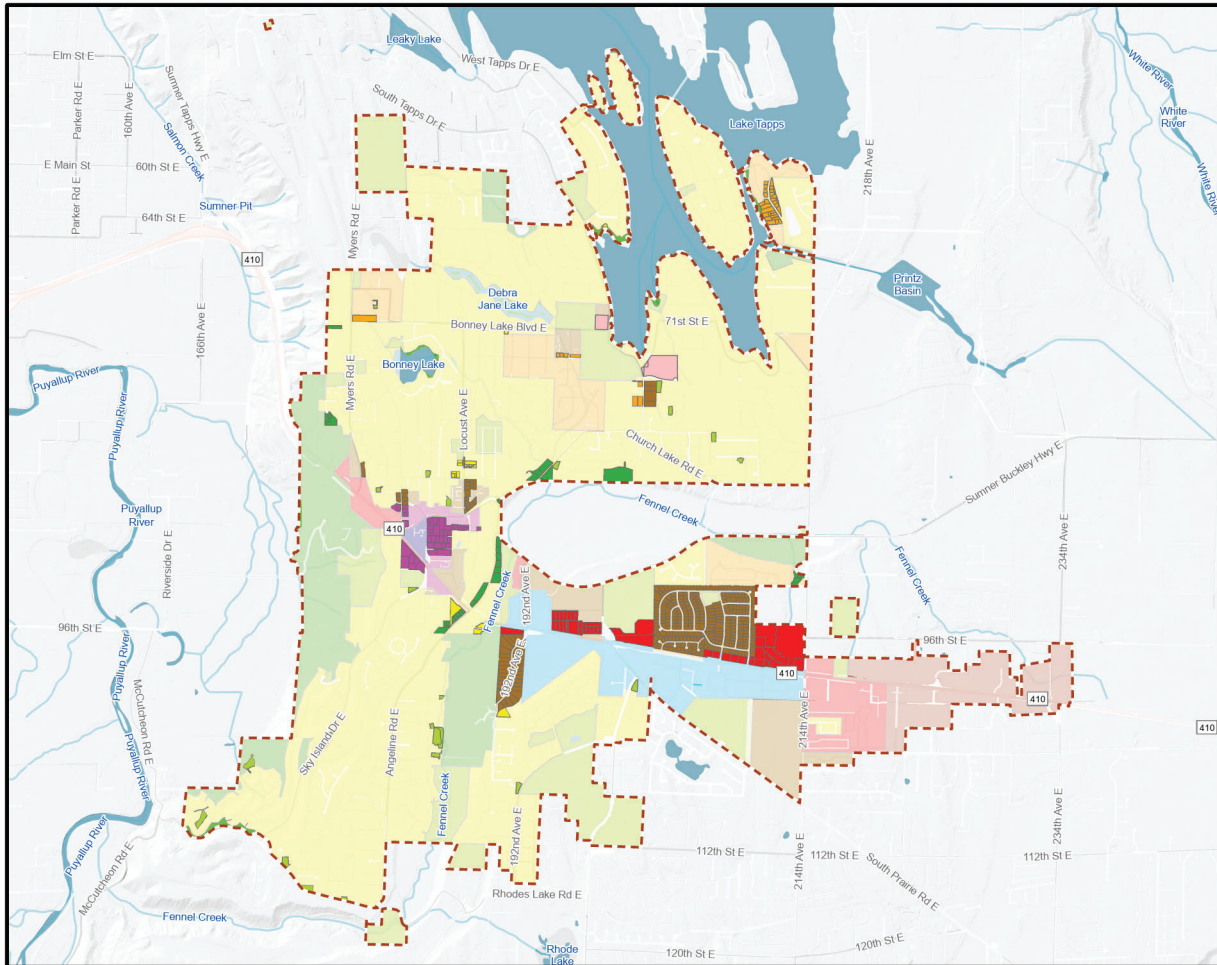
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Appendices

(2024). *Appendix A – Alternative One Maps*

(2024). *Appendix B – Alternative Two Maps*



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Alternative One Zoning

Legend

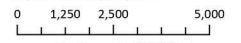
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- Neighborhood Commercial
- Commercial
- Downtown Core District
- Downtown Mixed District
- Easttown
- Midtown Core
- Public Facilities
- Residential
- Medium-Density Residential
- High-Density Residential
- Residential/Conservation District

Parcels not subject to rezone in Alternative One are depicted faded.



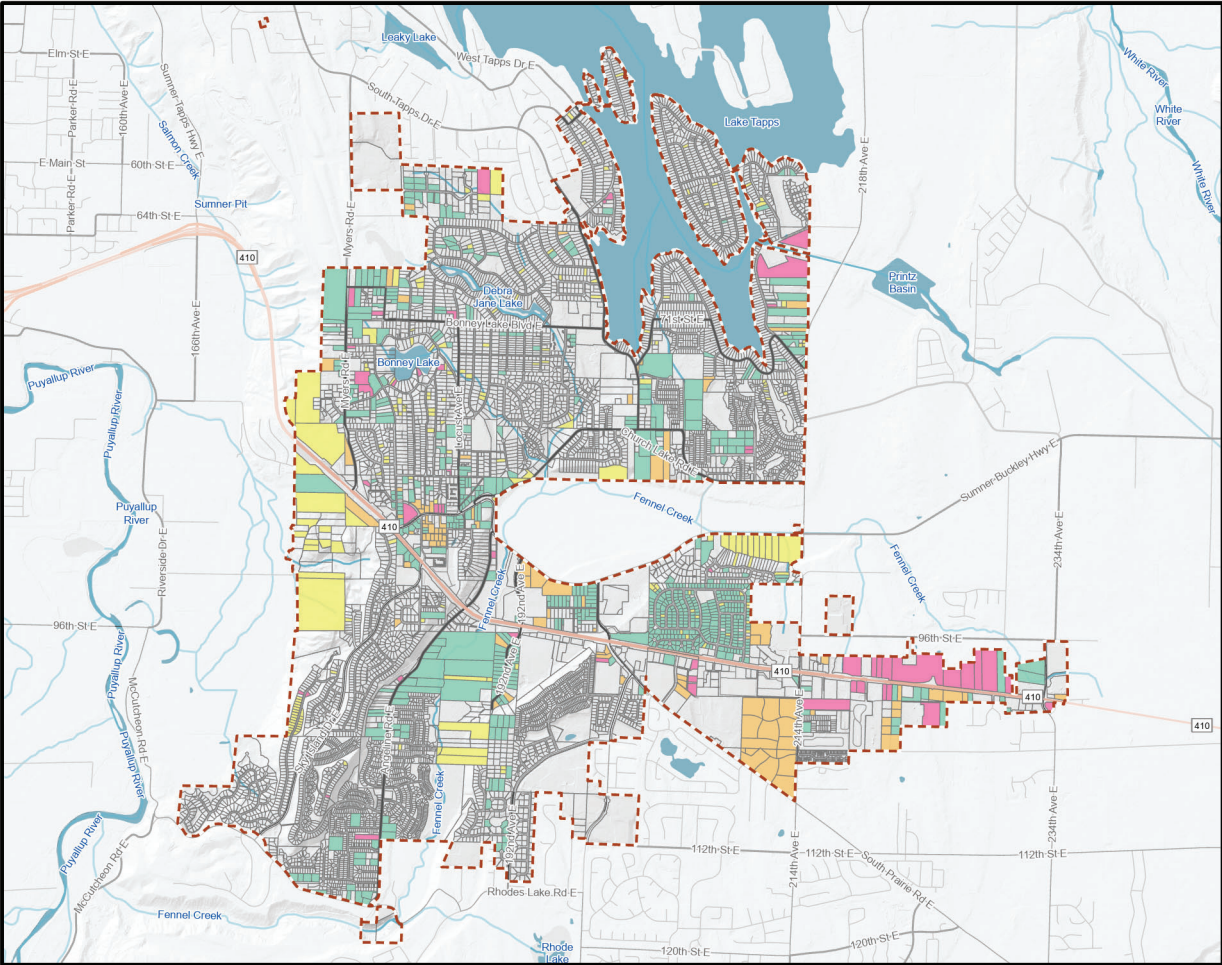
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1 inch equals 2,500 feet

Date Updated: 3/28/2024



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**Alternative One Buildable
Lands Inventory**

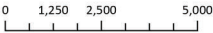
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- City Boundary
- Built Out/
Undevelopable
- Pipeline
- Underutilized
- Vacant
- Vacant Single
Unit

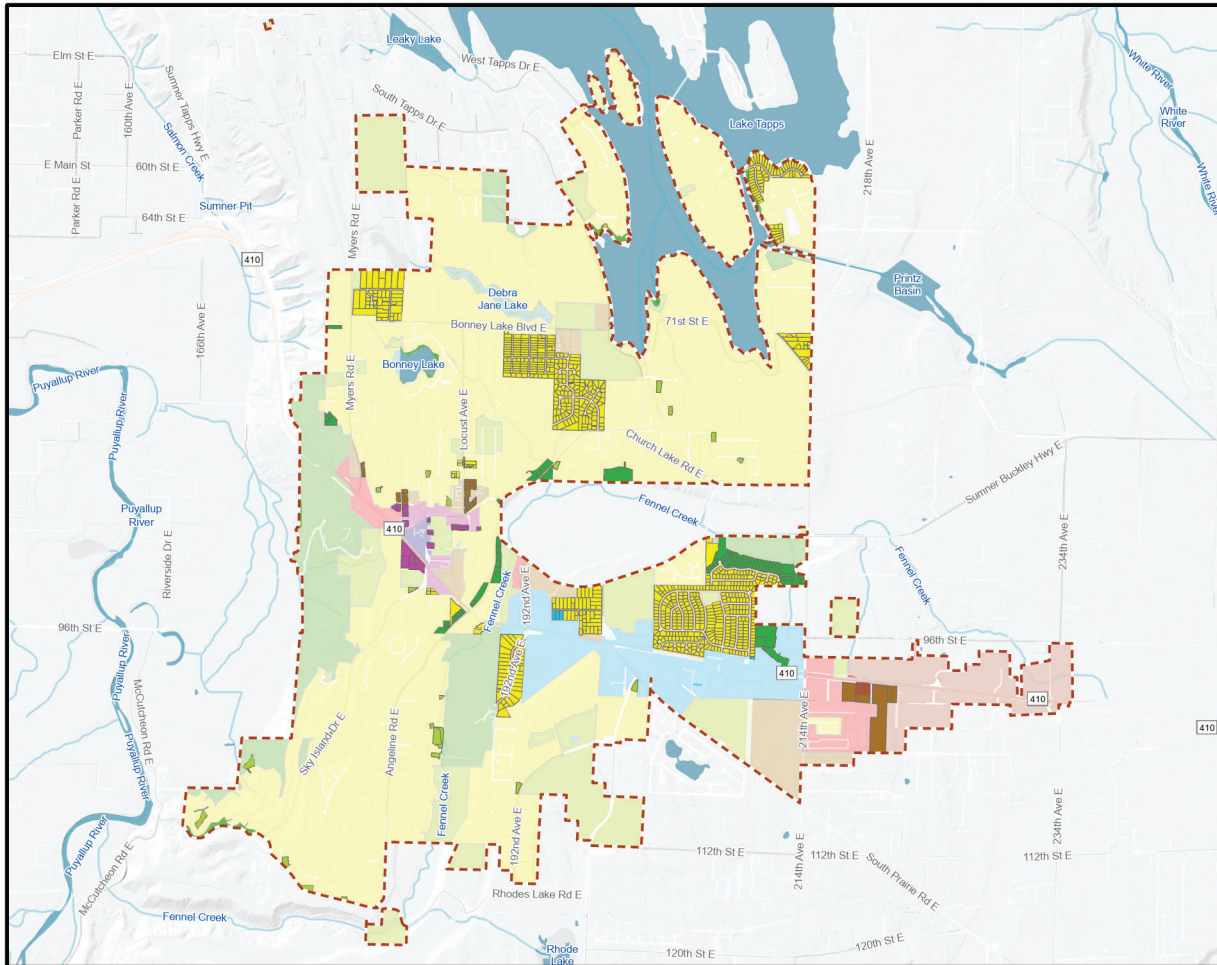


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Alternative Two Zoning

Legend

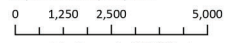
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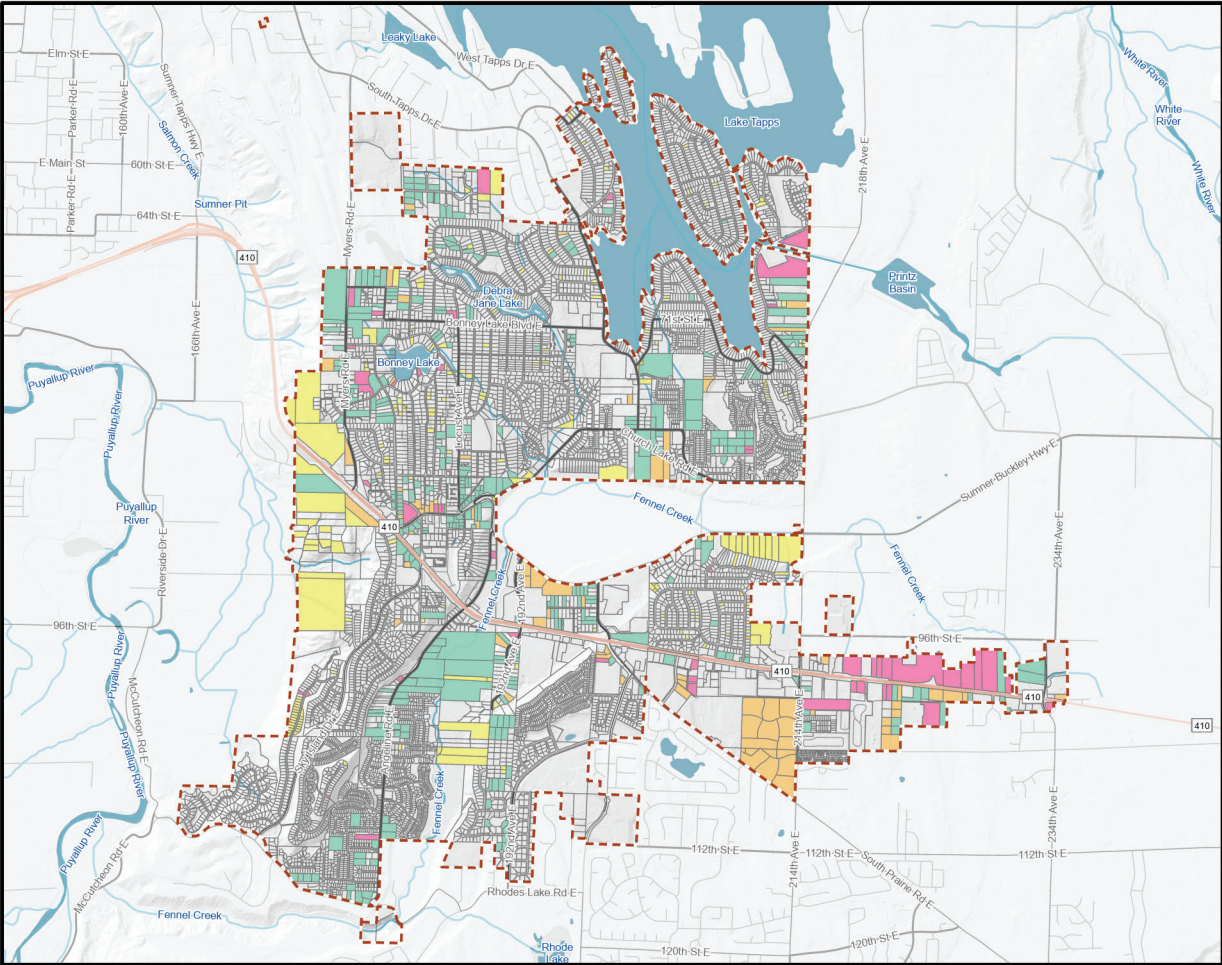
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**Alternative Two Buildable
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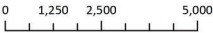
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